

Palestine Legal Framework Analysis: Key Highlights

This one-pager aims to provide a brief overview of the most notable features of Palestine's national cooperative legal framework, based on the work of national legal experts and ICA member input.

The Palestinian Decree-law N° 20 of 2017 is the only law that regulates cooperative associations in Palestine. It replaced cooperative laws N°50 of 1933 and N° 17 of 1956, thus giving Palestine a unified cooperative law. There are no special laws on different types of cooperatives in Palestine. The Decree-law on cooperatives make an explicit reference to the seven ICA principles, though these are not defined in the law.

Main regulations: This table displays a selection of cooperative regulations identified by experts and ICA members. For the full analysis including all relevant regulations, see the full report [here].

Regulation	Brief Description
The Palestinian Decree-law N° 20 of 2017	<i>One general law for all types of cooperatives.</i>
Palestinian basic Law(an iterim consitution of sorts)	<i>Does not mention the word cooperatives but enshrines the rights of Palestinian citizens to form and establish unions, associations, societies, clubs and popular institutions in accordance with the law.</i>

Cooperative Friendliness: The Palestinian legislation is quite “cooperative friendly”.

A clear definition of the word ‘cooperative’ in harmony with the ICA definition and ILO recommendation 193, and limited discretionary powers during registration of cooperatives add to the cooperative friendliness. Though, it can be made even more friendlier through supplementary regulations.

Key recommendations for improvement: There is an imbalance of power between the leadership and staff of Cooperatives Works Agency (CWA), and those of its board which can be addressed through appropriate clauses in the CWA bylaws. Another recommendation was to make CWA Board more inclusive of the cooperative movement. Also, there should be greater autonomy to cooperatives in regulating their own affairs through their bylaws. The alignment of the Decree law is more towards regulation but promotion of cooperatives. A balance between regulation and promotion, in consensus with ILO recommendation 193 might be considered.

Conclusions: Palestine's progressive cooperative law can serve as a source of inspiration specially in case of one member – one vote principle, surplus allocation and its harmony with the cooperative principles.

