

Expedited access in accordance to palistinian law

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Abstract

Palestinian execution act No. 23, year 2005 is relatively new considering the date when it was passed. It involves many subjects related to the execution of judgment. It is also loaded with implementation rules and regulations that need to be studied thoroughly; especially in the area of 'sentence by summary proceedings' which is the concern of this study.

Generally and briefly, any judicial decision must be in the form of a final judgment in order to be executed. That means it has survived regular judgment appeal. However, there are cases where the execution is passed despite the appeal and resistance. Those cases are stated exclusively in the Palestinian execution act under summary judgment.

This study aims to explain executive acts that the law of execution exclusively mentions through revealing their legal system, content and outline. The study also targets highlighting the concept of summary judgment and what makes it different from other regulations, explaining its features, and showing its legal cases. To protect the rights of the person sentenced by summary proceedings, this study discuss the guarantees stated by the law to protect the person subject of sentence.

This study reached many conclusions and recommendations including: the importance of establishing a thorough legislation system that demonstrate all the rules and regulations that must be taken into consideration regarding summary proceedings despite the court that passed them. This comes to solve all the disputes that might appear before the court when carrying out those judgments. This can be done by seeking the help of comparative laws and the recommendations they present in such matters.