



## **Palestinian-French Human Rights Lawyer, Salah Hammouri, is under Imminent Threat of Forcible Deportation from his Hometown Jerusalem to France**

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To maintain its apartheid regime over the Palestinian people, Israel has targeted -for decades- those who advocate for Palestinians and seek justice and accountability for violations of Palestinian rights. While Israel's systematic campaign against human rights defenders targets civil society organizations and their work, it also attacks individual human rights defenders.

[Salah Hammouri](#), 37 years old, is a Palestinian-French Jerusalemite, a long-time human rights defender, a lawyer with Addameer Prisoner Support and Human Rights Association, and a former political prisoner. Salah has been the [subject of Israeli persecution](#) since he was 15 years old and has since then been facing continuous judicial and administrative harassment by the Israeli occupation authorities, including [administrative detention](#), travel bans, separation from his family, [surveillance and spyware attack](#), and most recently, the [illegal revocation of his permanent Jerusalem residency](#) for “breach of allegiance” and imminent threat of deportation. The current circumstances of Salah's detention under custody in preparation for his forcible deportation to France create a phenomenon akin to a legal blackhole and will be a definitive step in his prolonged harassment and targeting.

On 29 November 2022, the Israeli Minister of Interior, Ayelet Shaked, re-affirmed her decision to revoke Salah's permanent Jerusalem residency, alleging he poses a “security threat” to Israel; citing his active civic work and “secret information.” Further, in her decision, the Minister of Interior noted that Salah's latest administrative detention order expires on 4 December 2022 and hence ordered his forcible deportation following a hearing scheduled the next day on 1 December 2022. Notably, the decision was approved by the Israeli Minister of Justice, Gideon Sa'ar, and follows recommendations from the Israeli Security Agency. Salah's residency revocation order was [initially](#) taken on 17 October 2021 and subsequently appealed by Salah's legal counsel in a public hearing on 14 September 2022.

Since 7 March 2018, based on the Entry into Israel Law of 1952 and Amendment No.30 to the [Citizenship and Entry into Israel Law](#), the Israeli Minister of Interior has been granted broad discretion to revoke Palestinians' residency status, further threatening the transfer of indigenous Palestinians from Jerusalem, as a punitive measure. According to the Law, as amended, “breach of allegiance” is defined as committing, participating in, or incitement to commit a “terrorist” act or belonging to a “terrorist” organization, as well as committing acts of treason or aggravated espionage. Justified by the vague and illegal ground of “breach of

allegiance” to the State of Israel, the practice of punitive residency revocation, which amounts to [unlawful collective punishment](#), is based solely on the Israeli Interior Ministers’ interpretations that the resident “has committed an act which is considered a breach of loyalty to the State of Israel.”

Salah Hammouri’s legal counsel was not informed of the time or location of the deportation hearing on 1 December 2022 and was denied permission to provide Salah with legal representation. However, on the hearing day, Salah was transferred early in the morning from Hadarim prison to Givon prison in Ramleh, where he refused to stand without the presence of his lawyer, and further refused his forcible deportation. Due to the ill intention of the Israeli authorities to hold the hearing on 1 December 2022 without Salah’s legal counsel, another deportation hearing was scheduled on 6 December, following requests from his legal counsel.

On 6 December 2022, Salah Hammouri and his legal representatives, including Adv. Lea Tsemel, Adv. Mahmoud Hassan, and Dani Shenhar from [HaMoked](#) Center for the Defense of the Individual, attended two hearing sessions in Givon prison regarding Salah’s deportation and detention order prior to deportation. In both hearing sessions, Salah was transferred from Hadarim prison via *bosta* under extremely harsh conditions cuffed with two metal cuffs on his hands and feet and one chain connecting both. Salah remained cuffed throughout the hearings. During the first hearing regarding the deportation order, Salah’s legal counsel and a representative from the Israeli Migration Authorities provided their oral arguments, and towards the end of the session, the court did not issue a decision on the deportation. Rather, they decided to examine the arguments, and Salah's representatives are still awaiting a response. French representation was also present during this hearing.

For the second hearing looking into Salah’s status until a final decision is made on his deportation, the court ruled to maintain Salah in custody under detention until further notice. The court scheduled a judicial review hearing regarding his detention on 1 January 2023, where they will look into updates regarding his residency revocation order. As Salah is still categorized as "*sagav*"- an Israeli designation for high-degree danger- he will continue to be detained in custody at Hadarim prison, although his administrative detention order ended on 4 December 2022, and was not renewed by the Israeli military commander.

Population transfer and demographic manipulation manifested through laws, policies, and practices, including the [Entry into Israel Law of 1952](#), have been cornerstones of Israel’s development and maintenance of an institutionalized regime of racial domination and oppression over the Palestinian people as a whole. The Palestinian population in occupied and illegally annexed East Jerusalem live with the risk of residency revocation, leading to their transfer from the city, in line with Israel’s demographic plans to unlawfully establish and maintain a Jewish majority in the city. Residency revocation is one of the main tools used by Israel to transfer protected Palestinians from occupied East Jerusalem. Since 1967, Israel has revoked the residency of more than 14,500 Palestinians.

The forcible deportation and transfer of Palestinians from occupied East Jerusalem is considered a war crime under Article 8 of the Rome Statute of the International Criminal Court, and a grave breach of Articles 49 and 147 of the Fourth Geneva Convention. Moreover, the criterion of allegiance to Israel is illegal. In fact, international humanitarian law explicitly forbids the Occupying Power from demanding allegiance from the occupied population, as stated in Article 45 of Hague Regulations and Article 68(3) of the Fourth Geneva Convention. The transfer of the Palestinian civilian population is not only illegal, but it further results in the denial of basic human rights including rights to family life, health, education, work, and many other civil, political, social, economic, and cultural rights.

On 2 December 2022, [United Nations experts](#), including the UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967, and the UN Special Rapporteur on the promotion and protection of human rights while countering terrorism, called for a full investigation and accountability for alleged Israeli war crimes committed in the occupied Palestinian territory, emphasizing that ““forcibly deporting protected persons from the occupied territory and forcing their allegiance to the occupying power, constitute grave breaches of international humanitarian law.” Further, on 2 December 2022, Human Rights Watch, Amnesty International, and many other national and international civil society organisations, urged French President Emmanuel Macron, to act immediately against the forcible deportation of Salah Hammouri and stop the war crime against him and the precedent it sets. We note the French Government’s [opposition](#) to Salah Hammouri’s forcible deportation and efforts to ensure he is allowed to live a normal life in his hometown Jerusalem. However, due to the gravity of the situation, we urge for more concrete measures to prevent Salah’s forcible deportation.

As a Palestinian human rights defender who challenges Israel’s widespread and systematic human rights violations and voices legitimate calls for justice and accountability, Salah has endured constant Israeli attempts to intimidate him, including the latest threat of forcible deportation. As enshrined in Article 13 of the UN Declaration on Human Rights Defenders, everyone has the right to solicit, receive and utilise resources to protect and promote human rights through peaceful means. Yet, Israel’s institutionalised attacks have intensified, targeting human rights defenders, activists, and civil society organisations to silence, repress, and intimidate anyone who advocates for Palestinian human rights or challenges Israel’s entrenched regime of racial domination and oppression.

Salah Hammouri’s case thus establishes a dangerous precedent for the Israeli occupation’s escalation of residency revocation for Palestinian Jerusalemites. We call on the international community to immediately intervene to demand Israel halt its proceedings for the forcible deportation of Salah Hammouri, reiterating the illegality of residency revocation based on "breach of allegiance" leading to the forcible transfer of Palestinian civilians, which amounts to a war crime and crime against humanity under the Rome Statute. Further, to urge France to protect the right of Salah Hammouri to remain in his hometown Jerusalem, and further, refuse categorically his forcible deportation to France.