



INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

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RESOLUTION FOR THE RELEASE OF AND AGAINST THE FORCED DEPORTATION OF FRENCH-PALESTINIAN LAWYER SALAH HAMOURI

Whereas, Salah Hamouri is a French-Palestinian lawyer and human rights defender, who was born in and lives in the city of Jerusalem, currently detained without charge or trial in Israeli prison, and,

Whereas, Mr. Hamouri is currently under imminent threat of forced deportation from occupied Palestine to France, and

Whereas, Mr. Hamouri is a staff member at Addameer Prisoner Support and Human Rights Association, one of a number of Palestinian human rights and legal organizations declared "terrorist" by Israel and subject to repeated raids and sanctions. These designations and raids have been widely denounced by international human rights organizations, United Nations officials and parliamentarians, including the International Association of Democratic Lawyers, and

Whereas, Mr. Hamouri has been jailed without charge or trial under the Israeli policy of "administrative detention" since March 2022. During that time, his detention has been renewed twice more. In September 2022, Mr. Hamouri and 49 other Palestinian prisoners launched a hunger strike for 19 days against the administrative detention policy. There are currently 820 Palestinians jailed without charge or trial under administrative detention. The Israeli policy of administrative detention violates Article 9 of the the International Covenant on Civil and Political Rights as well as Article 76 of the Fourth Geneva Convention, as it is used routinely and systematically as a cover for political imprisonment of Palestinians under occupation. Administrative detainees are jailed on the basis of secret evidence denied to both them and their lawyers, and they and their families are denied to know when their sentence will end due to the indefinitely renewable nature of detention orders, another form of cruel, inhuman and degrading treatment amounting to psychological torture, and

Whereas, the IADL has previously and continues to demand an end to the practice of administrative detention, imprisonment without charge or trial, and the release of all Palestinian prisoners jailed without charge or trial as well as all Palestinian prisoners jailed by Israel through military courts or "security" charges in order to perpetuate illegal occupation, apartheid and colonialism, and

Whereas, Mr. Hamouri's administrative detention order expires on 4 December. He was informed on 1 December that rather than being released home to Jerusalem or having his detention renewed, he would be forcibly stripped of his Jerusalem residency and deported to France on the basis of "breach of allegiance," and

Whereas, Mr. Hamouri has been subjected to ongoing political imprisonment, repression and harassment from Israeli authorities for over 20 years. He was first injured at 15, shot in the thigh by Israeli occupation forces, and initially imprisoned while still a minor. During his initial imprisonment, there was a widespread campaign in France calling for his release, and

Whereas, he was released in 2011 as part of the Wafa al-Ahrar prisoner exchange, in which over 1,000 Palestinian detainees were released in exchange for captured Israeli soldier Gilad Shalit, only months before his sentence would officially end. He spoke publicly throughout France and at the World Social Forum on the situation of Palestinian prisoners before pursuing education as a lawyer, and

Whereas, after his release, he married Elsa Lefort, a French woman, and had children. In 2016, Ms. Lefort was denied try to Palestine by Israeli officials while she was pregnant and as a result, Mr. Hamouri has been forced to live apart from his wife and children since that time, and

Whereas, during his legal studies, he was banned from entering the West Bank for 18 months, while he was engaged in law school in Ramallah, and

Whereas, he has been repeatedly arrested, jailed for 13 months without charge or trial under administrative detention in 2017 through 2018, detained again for one week in 2020 and currently detained without charge or trial since March 2022 for over 200 days, and

Whereas, on 8 November 2021, a Citizen Lab, Amnesty International and Front Line Defenders investigation determined that Mr. Hamouri was one of six Palestinian human rights defenders whose devices had been targeted by the notorious Pegasus spyware by the Israeli authorities, and

Whereas, the Israeli Interior Minister first informed Mr Hamouri of the order to revoke his Jerusalem residency in December 2020 on the basis of a 2018 Israeli law granting broad discretion to revoke the residency of indigenous Palestinians from Jerusalem on the basis of "breach of allegiance" to the occupying power in Jerusalem. People under occupation have no duty of allegiance to the occupying power, and this act constitutes a war crime, and

Whereas, this order stripping him of his Jerusalem residency was officially confirmed on 17 October 2021 and immediately appealed. Several months later, in March 2022, he was once again detained by Israeli soldiers and ordered to administrative detention. The Israeli Supreme Court ruled in favor of the Israeli Interior Ministry and Attorney General on 29 November 2022, and

Whereas, Israeli authorities routinely use the forced revocation of the residency of Jerusalemite Palestinians as a means to displace indigenous Palestinians and create a "Jewish majority" in occupied Jerusalem, as well as to silence and suppress Palestinian human rights defenders, organizers and political representatives. Between 1967 and 2015 alone, at least 14,500 Palestinian Jerusalemites have been stripped of their Jerusalem identity and expelled from their

home city, which constitutes a war crime and a crime against humanity under the Rome Statute, and

Whereas, Mr. Hamouri was taken to a deportation hearing on 1 December 2022 and denied access to an attorney. He was initially informed that he would be forcibly deported to France over his refusal on 4 December 2022; later, a new hearing was scheduled on 6 December 2022. He is currently considered "illegal" and may be subject to deportation at any time, even as the hearing date approaches, and

Whereas, the French government has repeatedly stated that Mr. Hamouri should be able to be released and live freely, with his family, in Jerusalem, his city of birth and residency, yet has not imposed sanctions on Israel nor made clear that it will reject a deportation flight, and

Whereas, the imprisonment and imminent deportation threat against Mr. Hamouri has mobilized global outrage as well as the support of numerous human rights defenders, justice advocates and elected officials in France and internationally.

Therefore, be it resolved, that the International Association calls for the immediate release of Salah Hamouri to his home in Jerusalem for him to live freely with his family, and

Be it further resolved, that the IADL calls for the immediate reinstatement of Mr. Hamouri's Jerusalem residence and an end to the expulsion of his wife and children, and

Be it further resolved, that the IADL calls upon France, including President Emmanuel Macron and Interior Minister Gerald Darmanin, to take clear action to protect Mr. Hamouri's rights, including refusing to accept a deportation flight to France as well as sanctioning Israel, the occupying power, and

Be it finally resolved, that the IADL reiterates its position urging freedom for Palestinian prisoners, and:

1. Demands the immediate release of Salah Hamouri and all Palestinians jailed without charge or trial under Israeli administrative detention.
2. Demands the release of all other Palestinian prisoners jailed by Israel. The Israeli military courts, "security" prisoner regulations and administrative detention system are attempts to impose a legal fig leaf on illegal occupation and colonialism.
3. Demands an end to the practice of administrative detention, imprisonment without charge or trial.
4. Demands an end to the policy and practice of stripping residency from Palestinian Jerusalemites.

5. Calls for the end of the E.U-Israel Association Agreement and other free trade agreements with the Israeli state that serve to support and legitimize torture, occupation and colonization.

6 Calls for the end of U.S. aid to Israel, which encompasses \$3.8 billion in direct military aid to perpetuate the ongoing occupation of Palestinian and Arab land, including the occupation of the Syrian Golan Heights.

7. Urges the U.N. Secretary General and all U.N. committees and agencies to take all available procedures and steps to bring to an end Israeli apartheid, war crimes and crimes against humanity in occupied Palestine, including the exclusion of the Israeli state from participation in the U.N. General Assembly as well as other committees and bodies.

8. Demands that the Israeli Ministry of Public Security, including the Israeli police and the “Border Police” in occupied Jerusalem, be excluded from research programs and joint initiatives funded by the European Union.

9. Stands in solidarity with the Palestinian people and their struggle for national liberation, self-determination, equality and return.

Adopted:

December 4, 2022

Council of the International Association of Democratic Lawyers