



## Continued administrative detention and harassment through judicial proceedings of Salah Hammouri

9 August 2022

**The undersigned organisations are gravely concerned about the continued administrative detention and the harassment through judicial proceedings of French-Palestinian lawyer and human rights defender, Salah Hammouri. As a lawyer, Salah Hammouri represents political prisoners in Israeli and Palestinian prisons.**

On the morning of 7 March 2022, Israeli security forces raided the house of Mr. Hammouri in Kufr Aqab, north of Jerusalem and arrested him. On 10 March 2022, the Military Commander of the Israeli Defence Forces issued the first administrative detention order against Mr. Hammouri for three months, extending his detention without charge or trial until 6 June 2022.

On 6 June 2022, the morning of his expected release, Mr. Hammouri learned through media channels available in Ofer prison, where he was detained, that his administrative detention order was renewed for three more months and is to end on 5 September 2022. His lawyer was informed about this only hours before Mr. Hammouri's then expected release date. However, the Israeli authorities had actually extended his detention through a renewal detention order on 2 June 2022. On 9 June 2022, the order was confirmed by the Ofer military court. Furthermore, on 26 July 2022, Mr. Hammouri was subjected to a punitive classification as a "high risk prisoner" and transferred to a high security isolation prison, "Hadarim prison". This happened in the aftermath of Mr. Hammouri's [open letter](#) from prison to the French President Emmanuel Macron, dated on 14 July 2022. Until today, Mr. Hammouri does not know what he is accused of, as his file is being kept secret.

The undersigned organisations are gravely concerned that Mr. Hammouri's administrative detention order will be extended again on or before 5 September 2022. In fact, administrative detention orders can be renewed indefinitely, meaning Palestinian administrative detainees, including Mr. Hammouri, cannot know when they will be released. Moreover, the fact that evidence is kept secret prevents Mr. Hammouri from effectively challenging his detention, in violation of international law and standards. The UN Special Rapporteur on the situation of human rights in the Palestinian Territory occupied since 1967 has previously called on Israel to end its practice of administrative detention of Palestinians, and [stated](#) that it is a "penal system that is ripe for abuse and maltreatment".

Aside from being subjected to continued administrative detention, Mr. Hammouri has recently faced various forms of harassment that have a direct negative impact on his professional life.

On 8 November 2021, a Front Line Defenders investigation – conducted in collaboration with Citizen Lab and Amnesty International's Security Lab – [found](#) that Mr. Hammouri had been one of six Palestinian human rights defenders hacked by Israeli NSO Group's Pegasus spyware.

Moreover, on 18 October 2021, Mr. Hammouri was [notified](#) of the Israeli Minister of Interior's decision to revoke his permanent residency status in Jerusalem purportedly because of a "breach of allegiance to the State of Israel", also based on a secret file. At the same time, Mr. Hammouri was banned from representing clients in Israeli military courts. On 26 December 2021, the Israeli High Court [rejected](#) Mr. Hammouri's appeal to suspend procedures regarding the permanent residency revocation. According to the information received, during such procedures, Mr. Hammouri was questioned about his work as a lawyer at the Palestinian NGO Addameer.

The undersigned organisations are deeply concerned that the continued administrative detention and the harassment through judicial proceedings of Mr. Hammouri is connected to, and serves to unlawfully restrict, his legitimate activities as an attorney and human rights defender.

On 11 August 2021, the UN Special Rapporteur on the situation of human rights defenders [expressed concern](#) over "arrests, harassment, criminalisation and threats against human rights defenders in the Occupied Palestinian Territory and Israel, and called on Israel to make sure all Palestinian human rights defenders are protected" and specifically highlighted the situation of Mr. Hammouri. She called on the Israeli authorities "to stop targeting these human rights defenders and allow them to carry out their legitimate and peaceful work free from any kind of restrictions". Moreover, in March 2022, the UN Human Rights Committee [expressed](#) concern about "the widespread practice of arbitrary arrests and detention of Palestinians, including human rights defenders (...)", and called on Israel to end such practices. The UN Human Rights Committee also specifically referred to Mr. Hammouri.

Lawyers play a vital role in upholding the rule of law and the protection of human rights, including the rights to an effective remedy, due process of law, fair trial, and the right to freedom from torture and other cruel, inhuman, or degrading treatment or punishment. Their work is indispensable for the public to have confidence in the administration of justice and to ensure effective justice for all.

The UN Basic Principles on the Role of Lawyers<sup>1</sup> state in Basic Principle 16 that governments must ensure that lawyers "are able to perform all of their professional functions without intimidation, hindrance or improper interference." The Basic Principles further require that lawyers "shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards, and ethics." In relation to the hacking of Mr. Hammouri's phone, the Basic Principle 22 lays down that "Governments shall recognize and respect that all communications and consultations between lawyers and their clients within their professional relationship are confidential". Moreover, Basic Principle 23 states that lawyers have the human rights to freedom of expression and to take part in public discussion of matters concerning the law, the administration of justice, and the promotion and protection of human rights.

We urge the relevant Israeli authorities to immediately and unconditionally release Salah Hammouri, and to put an end to all forms of harassment, including at the judicial and administrative levels, against him, and guarantee that all lawyers in the Occupied Palestinian Territory and Israel are able to practice law without threat, intimidation, hindrance, harassment, improper interference or reprisals, in line with international law and standards on the role of lawyers.

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<sup>1</sup> The UN Basic Principles on the Role of Lawyers provide a concise description of international norms relating to the key aspects of the right to independent counsel. The Basic Principles were unanimously adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Havana, Cuba on 7 September 1990. Subsequently, the UN General Assembly "welcomed" the Basic Principles in their 'Human rights in the administration of justice' resolution, which was adopted without a vote on 18 December 1990 in both the session of the Third Committee and the plenary session of the General Assembly.

**Signatory organisations:**

- **Council of Bars and Law Societies of Europe (CCBE)**
- **International Bar Association's Human Rights Institute (IBAHRI)**
- **International Commission of Jurists**
- **International Federation for Human Rights (FIDH), in the framework of the Observatory for the Protection of Human Rights Defenders**
- **Lawyers for Lawyers**
- **Lawyers' Rights Watch Canada**
- **World Organisation Against Torture (OMCT), in the framework of the Observatory for the Protection of Human Rights Defenders**