

## Urgent Intervention

### **Israeli Interior Minister Ayelet Shaked Adopts Recommendations to Revoke the Permanent Residency of HRD Salah Hammouri**

**Date: 5 July 2021**

On Tuesday 29 June 2021, Israeli Interior Minister Ayelet Shaked announced the adoption of the recommendations to revoke the permanent residency of Mr. Salah Hamouri based on “breach of allegiance”, confirming her intentions to proceed with approving the process. The revocation of Mr. Hammouri’s residency must still be approved by the Israeli Attorney General Avichai Mendelblit, and Minister of Justice Gideon Sa’ar. This arbitrary, punitive and unlawful decision entails profound violations of human rights, constitutes grave violations of international humanitarian law, and represents yet another example of Israel’s protracted and systematic policies and practices intended to silence human rights defenders.

Previously, on 3 September 2020, the Israeli occupying authorities notified Mr. [Salah Hammouri](#), a 36-year-old Palestinian-French human rights defender and lawyer at Addameer Prisoner Support and Human Rights Association, of the ministry’s intention to revoke his permanent residency status for so-called “breach of allegiance” to the State of Israel. This comes as part of the continued Israeli harassment against Mr. Hammouri and his family, including previous arbitrary arrests, ban from entering the West Bank for almost 16 months, and the deportation of his wife, Elsa Lefort, a French national, separating him from his wife and son in 2016.

It should be noted that the legal counsel representing Mr. Hammouri, HaMoked Center for the Defence of the Individual and Advocate Lea Tsemeel, have yet to be officially notified of the recent update. Rather, the announcement came through a [Twitter post](#) by Israeli Interior Minister Ayelet Shaked on Wednesday 30 June 2021, stating: "In the Ministry of the Interior under my leadership, there will be zero tolerance for the phenomena of residents working against the State of Israel."

Residency policies, embedded in Israel’s regime of racial domination and oppression, are designed to maintain a perilous legal status for Palestinians in East Jerusalem and uphold an Israeli-Jewish demographic majority in the city. Notably, on 7 March 2018, the Israeli parliament adopted the amendment to the 1952 Entry into Israel Law, officially granting the Minister of the Interior the prerogative to revoke the residency status of Palestinians based on “breach of allegiance.”

On 29 September 2020, our organizations submitted [a joint urgent appeal](#) calling on the United Nations (UN) Special Procedures to address the imminent risk of transfer or deportation facing Palestinian human rights defender Salah Hammouri, and urgently intervene to protect Salah’s rights while opposing Israel’s illegal laws and practices targeting Palestinians.

Following the submission of an urgent appeal, the UN Special Rapporteur on the situation of human rights defenders, Working Group on Arbitrary Detention, Special Rapporteur on the citation of human rights in the Palestinian territory occupied since 1967 and the Special Rapporteur on torture, and other cruel inhuman or degrading treatment or punishment addressed Israel's intentions of withdraw Mr. Salah Hammouri's permanent residency permit in Jerusalem. The UN mandates [expressed concern](#) of "misuse of administrative and criminal law proceedings against Mr. Hammouri" and that such actions "could possibly be retaliation" for Mr. Hammouri's "legitimate human rights work supporting Palestinian political prisoners in the Occupied Palestinian Territories"<sup>1</sup>

The case of Salah Hammouri's forced residency revocation and potential expulsion comes on the heels of the recent case of forced expulsions and ethnic cleansing in the Sheikh Jarrah and Silwan neighborhoods of Jerusalem. In Sheikh Jarrah, eight families of 19 households of 87 Palestinians, are at imminent [risk](#) of forcible transfer, due to a separate case filed against them before Israeli courts by the settler organization Nahalat Shimon International. Alarmingly, Nahalat Shimon International has previously evicted three Palestinian families of around 67 Palestinians from the aforementioned neighborhood in 2008 and 2009. Similarly, and most recently on 26 May 2021, the Jerusalem District Court held a hearing on the forced eviction of some 108 Palestinians of 18 households from their homes in Batn Al-Hawa neighborhood in Silwan, occupied East Jerusalem.<sup>2</sup>

Most of the Palestinian families living in the Sheikh Jarrah and Batn Al-Hawa (Silwan) neighborhoods and facing threats of forced eviction are themselves [refugees](#) who have been denied their right of return, and are prevented from reclaiming their original land and properties. The current forced expulsions and ethnic cleansing occurring in Sheikh Jarrah and Batn Al-Hawa underlie Israel's broader project in maintaining and expanding its settler-colonial and apartheid regime.

The transfer of Palestinians from occupied East Jerusalem is considered a war crime under Article 8 of the Rome Statute of the International Criminal Court,<sup>3</sup> and a grave breach of Articles 49 and 147 of the Fourth Geneva Convention.<sup>4</sup> As the revocation of residency policy forms part of a widespread and systematic transfer policy directed against a civilian population, it may amount to a crime against humanity as per Article 7 of the Rome Statute.<sup>5</sup>

Israel's policy of revoking Palestinian residency rights in East Jerusalem violates Article 43 of the Hague Regulations and Article 64 of the Fourth Geneva Convention, which stipulate that the Occupying Power may not act as a sovereign legislator or extend its own legislation over

<sup>1</sup> <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25604>

<sup>2</sup> Al-Haq, "Sheikh Jarrah and Silwan: Ongoing Nakba and Israeli Dispossession of Palestinians", 27 May 2021, available at: <https://www.alhaq.org/advocacy/18442.html>

<sup>3</sup> Rome Statute of the International Criminal Court (adopted 17 July 1998, entry into force 1 July 2002) 2187 UNTS 3. (henceforth "Rome Statute")

<sup>4</sup> Geneva Convention Relative to the Protection of Civilian Persons in Time of War (adopted 12 August 1949, entry into force 21 October 1950) 75 UNTS 287 (henceforth "Fourth Geneva Convention")

<sup>5</sup> Article 7, Rome Statute

the occupied territory.<sup>6</sup> 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 Hague Regulations and Article 68(3) of the Fourth Geneva Convention.<sup>7</sup>

Addameer Prisoner Support and Human Rights Association calls upon individuals and organizations to send letters joining Addameer's call against the Israeli Interior Ministry's application of the recommendations for Salah Hammouri's residency revocation and forcible transfer out of Jerusalem, and against broader policies of ethnic cleansing and suppression of human rights defenders.

#### Draft Letter

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To whom it may concern,

I am emailing in **my capacity as \_\_\_\_\_ (alternatively, write name)** to call against the Israeli Interior Ministry's application of recommendations for Salah Hammouri's residency revocation, essentially forcible transfer, from occupied East Jerusalem. The ministry's intention to revoke the permanent residency status of Salah Hammouri, a 36-year-old Palestinian-French human rights defender, due to his so-called "breach of allegiance" to the State of Israel is not only retaliatory and aimed at the suppression of human rights defenders, but is also indicative of broader racist residency policies that maintain perilous legal status for Palestinians in East Jerusalem while attempting to uphold an Israeli-Jewish demographic majority. Notably, on 7 March 2018, the Israeli parliament adopted the amendment to the 1952 Entry into Israel Law, officially granting the Minister of the Interior the prerogative to revoke the residency status of Palestinians based on "breach of allegiance."

The case of Salah Hammouri, a Palestinian Jerusalemite, is made more urgent in light of the forced expulsions and ethnic cleansing occurring in the Sheikh Jarrah and Silwan neighborhoods of Jerusalem. In Sheikh Jarrah, eight families of 19 households of 87 Palestinians, are at imminent [risk](#) of forcible transfer. In the Batn Al-Hawa neighborhood of Silwan, the Jerusalem District Court held a hearing on 26 May 2021 on the forced eviction of some 108 Palestinians of 18 households from their homes.

To this end, **[I or We]** call on the Israeli ministries of the Interior and Justice, as well as the Israeli Attorney General, to immediately reverse any proceedings related to Salah Hammouri's residency revocation from his home in Jerusalem.

Best,  
**[Name]**

<sup>6</sup> Hague Convention (IV) Respecting the Laws and Customs of War on Land and Its Annex: Regulations Concerning the Laws and Customs of War on Land (adopted 18 October 1907, entry into force 26 January 1910) (henceforth the "Hague Regulations") Article 43, Hague Regulations, and Article 64, Fourth Geneva Convention.

<sup>7</sup> Article 45, Hague Regulations, and Article 68(3), Fourth Geneva Convention.