



The Law Society of  
Upper Canada

Barreau  
du Haut-Canada

October 13, 2017

Office of the Treasurer

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H.E. Benjamin Netanyahu  
Prime Minister  
Prime Minister's Office  
3 Kaplan St. Hakiryia  
Jerusalem 91950, Israel

Your Excellency:

**Re: Arrest and detention of lawyer Muhammed Allan**

I write on behalf of the Law Society of Upper Canada\* to voice our grave concern over the arrest and detention of lawyer Muhammed Allan. When serious issues of apparent injustice to lawyers and the judiciary come to our attention, we speak out.

Muhammed Allan is a Palestinian lawyer who was arrested by Israeli forces on June 8, 2017, without charge. He was seized from his family home during a pre-dawn raid by Israeli occupation forces and placed under administrative detention. To protest his arrest and administrative detention, Muhammed Allan began a hunger strike the same day as his arrest. This follows a previous administrative detention of one year, from which he was released in November 2015 following a 66-day hunger strike.

It has come to the Law Society's attention that on July 2, 2017 the Israeli military court indicated it will charge Muhammed Allan with "incitement" on social media for posting about politics and participating in demonstrations to demand the freedom of Palestinians who were imprisoned indefinitely without charge or trial by the Israeli Prison Services. However, no reports indicate that charges have been laid against Muhammed Allan and he continues to be detained.

On June 15 and again on July 5, the Israeli military court extended Muhammed Allan's administrative detention.

The Law Society is deeply concerned about Muhammed Allan's situation and urges Your Excellency to comply with Israel's obligations under international

human rights laws, including the United Nations' *Basic Principles on the Role of Lawyers*.

Article 16 of the *Basic Principles on the Role of Lawyers* states:

Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) 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.

Article 17 states:

Where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities.

Article 18 states:

Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.

Furthermore, Article 23 provides:

Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization.

The Law Society urges the Government of Israel to:

- a. immediately and unconditionally release Muhammed Allan;
- b. immediately and unconditionally withdraw all charges against Muhammed Allan;

- c. pending his release, immediately disclose the whereabouts of Muhammed Allan, and ensure that he is detained in an official place of detention, is not subjected to torture or other ill-treatment, has regular, unrestricted access to his family, lawyers of his choice, and medical care;
- d. pending his release, ensure that during his detention, Muhammed Allan is treated in accordance with applicable international standards;
- e. ensure that all lawyers in Israel can carry out their professional duties and activities without fear of reprisals, physical violence or other human rights violations; and
- f. ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments.

Yours truly,

Paul B. Schabas  
Treasurer

*\*The Law Society of Upper Canada is the governing body for more than 50,000 lawyers and 8,000 paralegals in the province of Ontario, Canada. The Treasurer is the head of the Law Society.*

*The mandate of the Law Society is to govern the legal profession in the public interest by upholding the independence, integrity and honour of the legal profession for the purpose of advancing the cause of justice and the rule of law.*

cc:  
His Excellency Nimrod Barkan

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