

URGENT ACTION

PALESTINIAN HUNGER STRIKER'S APPEAL REJECTED

Palestinian woman Hana Shalabi's appeal against her four-month administrative detention order was rejected on 25 March. Her lawyers have now appealed to the Israeli High Court of Justice. Fears for her life are increasing as she has spent 40 days on hunger strike in protest against her detention without charge by the Israeli authorities.

On 20 March 2012, **Hana Shalabi** was finally transferred from Ramleh prison hospital to Meir Hospital in the Israeli town of Kfar Saba where she can receive medical care more appropriate to her needs. She remains under Israeli custody and constant armed guard. She previously told her doctors and lawyers that the Israel Prison Service (IPS) officers handled her violently during transfers to and from Ramleh hospital. Physicians for Human Rights (PHR) – Israel say she is not being held in shackles at Meir Hospital because doctors there objected to this measure.

On 25 March, the Military Court of Appeals rejected Hana Shalabi's appeal against her four-month administrative detention order, over two weeks after hearing her appeal on 7 March 2012. As is usual in administrative detention hearings, the judge's decision was based on secret evidence not disclosed to Hana Shalabi or her defence team. The judge also claimed that a medical report, submitted by the lawyers, did not provide information which suggested that Hana Shalabi's state of health is a cause for concern.

Hana Shalabi is taking water with minerals, salts and vitamins to help prevent a heart attack. A PHR doctor who saw her on 26 March said her muscle atrophy is worsening; this puts her in danger of heart failure. The Israeli authorities may be considering force-feeding her, which could constitute cruel and inhuman treatment. As a general rule, hunger strikers should not be forcibly fed. Hana Shalabi has not been allowed family visits since her arrest.

On 26 March 2012, Hana Shalabi's defence team submitted an appeal to the High Court of Justice, requesting the hearing be expedited. They told Amnesty International they expect it to take place on 29 March.

Please write immediately in English or your own language:

- Calling on the Israeli authorities to release Hana Shalabi and other Palestinians held in administrative detention immediately, unless they are promptly charged with an internationally recognizable criminal offence and brought to trial in full conformity with international fair trial standards;
- Urging them to allow Hana Shalabi, as well as all other Palestinian prisoners on hunger strike, regular access to lawyers, family and independent medical care, and to ensure they are treated humanely at all times and not punished in any way for their hunger strikes, such as by being placed in solitary confinement or forcibly fed.

PLEASE SEND APPEALS BEFORE 7 MAY 2012 TO:

Military Judge Advocate General

Brigadier General Danny Efroni
6 David Elazar Street
Hakiryia, Tel Aviv,
Israel

Fax: +972 3 569 4526

Email: avimn@idf.gov.il

**Salutation: Dear Judge Advocate
General**

Commander of the IDF – West Bank

Major-General Nitzan Alon
GOC Central Command
Military Post 01149
Battalion 877

Israel Defense Forces, Israel

Fax: +972 2 530 5724

Salutation: Dear Major-General

And copies to:

Deputy Prime Minister and Minister of
Defence

Ehud Barak

Ministry of Defence

37 Kaplan Street, Hakiryia

Tel Aviv 61909, Israel

Fax: +972 3 69 16940 / +972 3 691 7915

Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the second update of UA 71/12. Further information: <http://www.amnesty.org/en/library/info/MDE15/013/2012/en>

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ADDITIONAL INFORMATION

Hana Shalabi, from the village of Burqin, near Jenin was arrested on 16 February 2012 and taken to Salem detention centre for interrogation and transferred the next day to HaSharon detention centre in northern Israel. On 23 February 2012, she was given an administrative detention order, signed by a military commander, stating that she would be detained for six months. A military judge who reviewed the order reduced it to four months on 4 March. According to her lawyer, the Israeli military authorities allege that Hana Shalabi is involved in activities that pose a security threat to Israel. Her detention order now ends on 16 June 2012 but could be renewed.

Hana Shalabi went on hunger strike to protest at her detention without charge the day she was arrested. Her lawyer said that she began the hunger strike to protest at being strip-searched by male Israeli soldiers after her arrest. Subsequently, more than 20 other Palestinian detainees and prisoners held in several Israeli prisons have declared open-ended hunger strikes against the policy of administrative detention, some for more than three weeks. To Amnesty International's knowledge, they have not been allowed access to independent doctors, and some may also have been denied access to lawyers, isolated, or punished in other ways following their decisions to go on hunger strike.

According to her lawyer, Hana Shalabi was kept in solitary confinement from 23 until 27 February as punishment for her hunger strike. She was transferred to Ramleh prison hospital after her lawyer filed a request to the Israel Prison Service (IPS) to transfer her there from HaSharon detention centre, which lacks the facilities required for her deteriorating state of health.

Hana Shalabi was previously arrested by the Israeli authorities on 14 September 2009 and spent 25 months in administrative detention without charge or trial. In a response to Urgent Action letters from activists in March 2012, the Israeli Embassy in the UK wrote that Hana Shalabi received an administrative detention order on 29 September 2009 "based upon intelligence information regarding her involvement in dangerous activities including planning to commit a terrorist suicide attack". She was released on 18 October 2011, a few days before the order was due to expire, in the Israeli-Hamas prisoner swap which saw the phased release of 1,027 Palestinian prisoners and detainees in exchange for Israeli soldier Gilad Shalit. She has never been charged with any offence.

Under the system of administrative detention, detainees' rights, as guaranteed by Articles 9 and 14 of the International Covenant on Civil and Political Rights, to which Israel is a state party, including their rights to be informed promptly and fully of the reasons for their detention, to be presumed innocent, to examine and have examined the witnesses against them, and to be tried in public, are consistently flouted. The evidence against the detainee is heard by a military judge in secret, without either the defendant or their lawyer being given access to the evidence or able to challenge it, whether at the first judicial review of the administrative detention order, at the Military Court of Appeals if an appeal is filed, or at the Supreme Court of Israel if an appeal for a hearing is filed there. Furthermore, no prisoner or detainee should be forced to undergo a body search conducted by members of the opposite sex, which constitutes a violation of the right not to be subjected to cruel, inhuman or degrading treatment and the right to privacy and is also in breach of international standards relating to the rights of detainees and prisoners, including the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders.

According to the IPS, there were 320 Palestinian administrative detainees as of 29 February 2012, though the number may have changed since. There are currently 24 Palestinian Legislative Council members in administrative detention.

Name: Hana Shalabi

Gender m/f: f

Further information on UA: 71/12 MDE 15/015/2012 Issue Date: 26 March 2012