

URGENT ACTION

PALESTINIAN HUNGER STRIKER'S HEALTH DECLINES

Hana Shalabi's detention order has been reduced to four months, but an Israeli military judge has yet to rule on her appeal. She has been on hunger strike since her arrest over three weeks ago. Her health is deteriorating.

Following a judicial review on 29 February 2012, a military judge decided on 4 March to reduce **Hana Shalabi's** six-month administrative detention order by two months. Her detention order now ends on 16 June 2012 but could be renewed. She remains on hunger strike, which she initially began to protest against ill-treatment during her arrest on 16 February 2012 and then continued in protest at her detention without charge or trial. On 23 February, she was ordered to spend a week in solitary confinement as punishment for her hunger strike, but after four days was put in a cell with other detainees where she remains.

Her lawyers appealed the four-month order and a hearing was held at the Military Court of Appeals on 7 March 2012. However, the military judge postponed a decision after the military prosecution objected to the request for her release, citing "secret evidence" justifying Hana Shalabi's detention, which they refused to reveal for "security reasons", making it impossible for her to effectively exercise her right to mount a legal challenge.

A doctor from Physicians for Human Rights - Israel visited Hana Shalabi on 8 and 12 March 2012. The doctor reported that she is growing weaker by the day, that her muscles have begun to atrophy and that she is suffering from spells of dizziness and loss of consciousness.

Hana Shalabi has not been allowed family visits since she was arrested. Her father was prevented from attending the military court hearing on 7 March, and was thus unable to see her.

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 regular access to her lawyers, family and independent medical care, and to ensure she is treated humanely at all times and not punished in any way for her hunger strike, such as by being placed in solitary confinement.

PLEASE SEND APPEALS BEFORE 20 APRIL 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 insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 71/12. Further information:

<http://www.amnesty.org/en/library/info/15/013/2012/en>

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ADDITIONAL INFORMATION

Hana Shalabi is from the village of Burqin, near Jenin in the north of the occupied West Bank. According to her family, she had plans to study nursing at al-Rawda College in Nablus before she was arrested on 16 February 2012. She was 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.

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, 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.

Hana Shalabi went on hunger strike to protest at being detained without charge the day she was arrested. According to her lawyer, Hana Shalabi says that she began the hunger strike to protest at being strip-searched by male Israeli soldiers after her arrest.

According to her lawyer, Hana Shalabi was kept in solitary confinement from 23 until 27 February as punishment for her hunger strike. Hana Shalabi's lawyer filed a request to the Israel Prison Service (IPS) to transfer her to the Ramleh prison hospital where she could receive medical treatment.

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.

Amnesty International has long called on the Israeli authorities to end the practice of administrative detention. Administrative detainees held on account of their non-violent political opinions or activities should be released immediately and unconditionally; others should be released or charged with an internationally recognizable criminal offence and promptly tried according to international standards.

According to the IPS, there were 309 Palestinian administrative detainees as of 31 January 2012, though the number may have increased since. There are currently 24 Palestinian Legislative Council members in administrative detention. One man has been held in administrative detention for five years.

Name: Hana Shalabi

Gender m/f: f

Further information on UA: 71/12 Index: MDE 15/013/2012 Issue Date: 13 March 2012