

# URGENT ACTION

## ADMINISTRATIVE DETAINEE TRANSFERRED TO GAZA

**Palestinian woman Hana Shalabi ended her hunger strike on 28 March. She has been transferred to the Gaza Strip in what may amount to forcible transfer or deportation. Hana Shalabi spent 43 days on hunger strike in protest against her detention without charge or trial.**

On 1 April, **Hana Shalabi** was released from detention in Ramleh prison hospital and was transferred to al-Shifa hospital in Gaza City. She was able to see her family for the first time since she was arrested on 16 February, at the Erez Crossing between Israel and the Gaza Strip. .

Hana Shalabi's release and transfer to the Gaza Strip came after a deal was reached between the Israeli authorities and the lawyer representing the Palestinian Prisoners Society. According to media reports, the agreement stated that in return for Hana Shalabi halting her hunger strike, she would be transferred to the Gaza Strip and remain there for three years before she is allowed to return to her home in the West Bank.

While still in detention at Ramleh prison hospital Hana Shalabi passed a message through the Palestinian Prisoners Society lawyer which was later published in the media where she asked people to respect her decision to go to the Gaza strip. In the message she said that she made a free choice and that she will still be at home in Gaza. She said she will only stay there for three years and then return to her home in Jenin in the West Bank. She also said that she is in great physical pain and that she began to bleed. She asked that people continue to support the other administrative detainees currently on hunger strike.

Independent doctors and lawyers were prevented access to Hana Shalabi in the last days before she halted her hunger strike.

There are serious concerns about Hana Shalabi's health as she will require specialized medical treatment in the re-feeding process. Access to specialized medical care in the Gaza Strip is limited, due to the Israeli economic and military blockade and the ongoing fuel crisis which threatens hospitals.

While in the Gaza Strip, Hana Shalabi will not be able to see her family who live in the occupied West Bank unless her family can obtain permits or visas from the Israeli, Jordanian, and Egyptian authorities in order to travel to Gaza via Jordan and Egypt to visit her there.

While the West Bank, including East Jerusalem, and the Gaza Strip are internationally recognized as a single territorial unit under the Oslo Accords and international humanitarian law, the Israeli authorities do not allow Palestinians living in the Gaza Strip access to the West Bank or vice versa. The Geneva Conventions prohibit an occupying power from forcibly transferring or deporting people from an occupied territory.

On previous occasions the Israeli authorities have not always honoured agreements to allow Palestinians deported from the West Bank to Gaza for a specified time period to return once that period has elapsed. Amnesty International is not aware what guarantees or conditions the agreement included for Hana Shalabi's return to the West Bank in three years.

**We will continue to campaign against the use of administrative detention by the Israeli authorities. Thank you to all those who took action, No further appeals required.**

This is the third update of UA 71/12. Further information: <http://www.amnesty.org/en/library/info/MDE15/015/2012/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. She was transferred the next day to HaSharon detention centre in northern Israel. On 23 February, 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 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 30 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 four 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.

Hana Shalabi's lawyer stated that she 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. After further deterioration to her health she was moved to Meir hospital in Israel where she remained until 28 March when she halted the strike and was moved back to Ramleh prison hospital.

Under the system of administrative detention, detainees do not have the right to be informed promptly and fully of the reasons for their detention, or to be presumed innocent, or to examine and have examined the witnesses against them, or to be tried in public. These rights which are guaranteed by Articles 9 and 14 of the International Covenant on Civil and Political Rights, to which Israel is a state party, are consistently flouted. 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. These include 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, though the number may have changed since.

Name: Hana Shalabi

Gender m/f: F

Further information on UA: 71/12 Index: MDE 15/017/2012 Issue Date: 3 April 2012