



EURO-MEDITERRANEAN HUMAN RIGHTS NETWORK

RÉSEAU EURO-MÉDITERRANÉEN DES DROITS DE L'HOMME

الشبكة الأوروبية – المتوسطية لحقوق الإنسان

(FOR IMMEDIATE RELEASE)

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### **Israel's Unlawful Detention Practices Must Stop: EMHRN Fears for Life of Hunger Striker Hana ash-Shalabi**

**The Euro-Mediterranean Human Rights Network (EMHRN) is seriously concerned about Israel's abusive regime of administrative detention. This regime has been the subject of numerous protests by Palestinian and international human rights organisations, including recent public interventions in the context of the hunger strikes by administrative detainees Khader Adnan and Hana ash-Shalabi. EMHRN expresses its grave concern for the life and well-being of Ms ash-Shalabi, who has been on hunger strike since the time of her arrest on the night of 15-16 February 2012, a period of 33 days. Ms ash-Shalabi's father and mother have also been on hunger strike in solidarity with their daughter since 23 February.**

Ms ash-Shalabi is one of 309 individuals held under a practice known as "administrative detention,"<sup>1</sup> a procedure used to detain individuals without charge or trial on the basis of "security considerations". Palestinian citizens of the occupied territory seized as administrative detainees are held on the basis of an order by Israel's regional military commander. These orders specify no crime, and no criminal charge is issued. Administrative detainees are brought before military courts for review of such orders, but in the absence of information regarding the basis for detention, and consequent to the military court system's use of "secret material" unavailable to the prisoners or their legal defence, detainees are unable to effectively contest their detention. Terms of administrative detention are issued in increments of up to six months, subject to indefinite renewal. Israel has held many detainees, including children, for years under this procedure – Ms ash-Shalabi herself, for example, was previously held in administrative detention for a period exceeding two years.

The use of administrative detention, otherwise known as internment, is strictly regulated by international humanitarian law (IHL). EMHRN believes that Israel systematically fails to comply with the requirements of IHL and that the State's administrative detention practices are in violation of international law, including Israel's treaty obligations under the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. Under Israel's detention regime in the occupied Palestinian territory, administrative detainees are not

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<sup>1</sup> For more information on administrative detention, see B'Tselem's [page](#) on the subject. The figure of 309 administrative detainees is current as of 31 January 2012, according to information supplied by the Israel Prison Service to B'Tselem. "Statistics on Palestinians in the custody of the Israeli security forces," B'Tselem [website](#), consulted 14 March 2012.

informed of the basis for their detention, and review of administrative detention cases by Israeli military courts is typically *pro forma*, relying on uncontestable material, defined by the Israeli authorities as secret. As such, the proceedings do not provide an equitable hearing to Palestinian prisoners, depriving administrative detainees of the right to effectively challenge their detention. Israel's practice therefore constitutes an infringement of the fundamental right to freedom from arbitrary detention. The Committee on the Elimination of Racial Discrimination recently held that administrative detention is applied in both an arbitrary and discriminatory fashion.<sup>2</sup> The procedure is also intimately associated with detainee abuse, in further violation of international human rights law, particularly the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

EHMRN condemns Israel's current regime of administrative detention, which as practiced amounts to an unlawful, arbitrary, and systematic violation of detainees' rights. EMHRN demands that the Israeli authorities take immediate measures to comply with the requirements of international law, and either bring criminal charges and ensure humane conditions of detention for Ms ash-Shalabi and the 309 other administrative detainees, or else proceed to their release without delay.

(ENDS)

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For more information on the EMHRN, please visit our website:  
[www.euromedrights.org](http://www.euromedrights.org)

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<sup>2</sup> "Concluding observations of the UN Committee on the Elimination of Racial Discrimination: Israel," 9 March 2012, available [online](#) (advance unedited version, consulted 15 March 2012), ¶ 27 (urging Israel "to end its current practice of administrative detention, which is discriminatory and constitutes arbitrary detention under international human rights law").