



Military court determined that Abdullah Abu-Rahma is guilty in of entering a “closed military zone” and obstructing a soldier

HRDF Summary and Comments

Abdallah Abu-Rahma, a well-known activist from Billin, who has a history of indictments, harassments, arrests and imprisonment – all relating to his nonviolent protest as an HRD. In May 2016 he was arrested in the end of a bicycle ride to mark Nakba day in Billin. The area was announced a ‘closed military zone’, and the protesters were expelled violently. Abu-Rahma was arrested, then the police extended his detention several times. Finally he was released after 5 days, and indictments was filed against him.

This week, the Military court’s judge found Abu-Rahma guilty in both charges: disobeying a “closed military zone” order and obstructing a soldier. The court’s decision describes Abu-Rahma as a “leading inciter” which refuses to obey the military in order “to provoke”, and then forcibly resist his own arrest.

One meaningful question which was raised during the trial was whether the bike ride was a sport event or a demonstration. While some witnesses (all IDF soldiers) testified that Abu-Rahma was not riding a bike, it was clearly demonstrated in a video that he did. None of the witnesses claimed that Abu-Rahma was violent during the demonstration. HRDF -funded lawyer, Adv. Gaby Lasky claimed that the events on that day were documented in a way which enables an objective examination. Watching those videos proves that Abu-Rahma was arrested while he was leaving the area, only a few minutes after he was asked to leave (and not 40 minutes after, as the prosecution argued). Therefore there is no justification for both charges: nor the “closed military zone” disobedience and nor the soldiers’ obstruction. Despite the contradictions in the testimonies regarding the time period which was given to the protesters to disperse, and regarding the location of Abu-Rahma’s arrest, the court fully adopted the prosecution’s version on the course of the events.

Also important to note, that the “closed military zone” order which was used during the incident, is an “open” order, i.e it was signed in October 2015 and was used since then “in times of need”. The defense therefore claimed that the order was not proportionate and not valid. The court refused to discuss that point, and referred the defense to the Israeli high court of justice, if it wishes to appeal the validity of the order.

Abu-Rahma’s past indictments will probably serve as a pretext for the prosecution to ask the court for the maximum verdict, at the next phase which is the arguments for punishment (the date was not set yet).