

Ten demonstrators were shot dead by the Israeli soldiers in the West Bank village of Beita near Nablus since demonstrations there started in May 2021. On January 27 this year, I was arrested by Israeli Border Police officers as I was making my way home after a demonstration in the village against Israeli colonialism and the theft of village lands for the sake of establishing a new Jewish-only settlement. I was then indicted for stone-throwing, and am now standing before this court to enter my plea on these charges. The case is based solely on the false testimonies of three of the Border Police officers who detained me. The police refused to conduct a meaningful investigation beyond the Border Police testimonies, including into my explicit report that I heard the Border Police officers coordinate their testimonies with one another. Unlike the police, which couldn't be bothered, I do have evidence disproving the officers' testimonies, showing how they are riddled with lies. Under normal conditions, this would be a trial I'd be happy to let run its full course.

The circumstances, however, are far from normal. This case, unusually, takes place after the defendant – me – filed for the venue to be changed from an Israeli criminal court to the much more draconian military courts system, where Palestinians are tried for the similar offences. I demanded to be tried in the military courts because it is there that my Palestinian comrades, who are regularly arrested at demonstrations like the one I was detained in, are tried and sentenced to harsh punishment on scant and often fabricated evidence. Not surprisingly, the prosecution objected to this motion and the court ruled against it. The state prosecutor's poor (and not entirely accurate) reasoning was that my center of life is not in the West Bank. However, Israeli settlers who live and work in the West Bank are also not indicted in military courts, as a matter of policy. Where is their "center of life"? The court's main argument for rejecting my motion was that the offenses I am charged with are not classified as security offenses.

I am no expert in law and do not have the tools – nor do I find it important – to assess the legality of the court's decision. But one thing is beyond doubt: Palestinians, and not only those living directly under the military dictatorship Israel operates in the West Bank, are tried in the thousands in Israel's military courts for identical or similar charges. I am only spared such fate because the state considers me to be both a citizen and a member of the ruling Jewish religion. My friend Tareq Barghouth – a Palestinian resident of Jerusalem and a former member of the Israeli Bar – was tried, convicted and sentenced by an Israeli soldier in uniform at a military court in the West Bank. Meanwhile, Amiram Ben Uliel, a resident of an Israeli settlement outpost in the West Bank and the murderer of the Dawabsheh family, who was convicted of much more serious terrorism offenses, was tried in a civilian criminal court in Lod.

Just two months ago, Israeli settlers shot Qussai Ma'atan dead in the West Bank village of Burqa. Two settlers were arrested on suspicion of murder. At the same time, some residents of Burqa were also arrested for much lesser suspicions of participating in the confrontations that ensued after the settlers invaded their village. Several hearings took place in the settlers' case, which was presided over in an Israeli civilian criminal court, before even a single hearing took place in the Palestinians' case, which took place in military court. The reason for that is that Palestinians

must only be presented before a court after 96 hours – four times the period afforded by the Israeli penal code.

This discriminatory policy may indeed be considered legal by the standards of Israeli law, but in essence, at its core, it is a distinct expression of Israel's apartheid regime between the river and the sea.

But law is not justice. South African apartheid was protected by local law at the time, as were French colonialism in Algeria, Rhodesian white supremacy and countless other defeated colonial regimes that were clearly unjust. Law, in fact, is quite often designed to be the opposite of justice.

So self-evident and undeniable is the injustice of the status quo, that even the former head of Israel's notorious Mossad, Tamir Pardo, was forced to recently acknowledge that "In a territory where two people are judged under two legal systems, that is an apartheid state."

This case, despite what a reading of the indictment might lead one to think, does not revolve around rioting or the obstruction and assault of police officers, but rather around the repression and incrimination of the resistance to Israeli colonialism and its apartheid regime. My response to the charges and facts described in the indictment is irrelevant. Since the very manner in which this trial is conducted is an expression of Israeli apartheid, cooperation would be complacency. For over twenty years I have devoted my time to fight Israel's colonial rule, and I am unwilling and unable to cooperate with it now, even if my decision means being put behind bars again.

Therefore, despite having no intention to admit to something I did not do, I will not question the state's witnesses, call any on my behalf or testify myself; I will not challenge the prosecution's so-called evidence, nor will I provide any disproving evidence of my own. Israeli colonialism and its apartheid regime are illegitimate at their core. This court is illegitimate. The proceedings in this case, which supplement other proceedings taking place in the parallel and illegitimate military court, whose *raison d'être* is the suppression of resistance, are all illegitimate. The only reasonable response to this indictment, to this reality, is the struggle for liberty and liberation. No voice is louder than the voice of the uprising!