

# URGENT ACTION

## CIRCUS PERFORMER'S DETENTION RENEWED

**On 13 June an Israeli military court renewed by a further six months the detention without charge of Palestinian circus performer Mohammad Faisal Abu Sakha. His detention will be reviewed by a military judge on 15 June.**

**Mohammad Faisal Abu Sakha** was on 13 June handed a second administrative detention order, which expires on 12 December, a year after his arrest. He had believed that he would be released on expiry of his first administrative detention order, under which he was held without charge or prospect of trial, but was informed at the last minute it had been renewed for a further six months. On 7 June Amnesty International was told by Israeli diplomats in the Netherlands that they did not expect his detention to be renewed. A military judge will review Mohammad Faisal Abu Sakha's detention on 15 June. The judge can cancel or uphold the order, or otherwise reduce its length. Amnesty International is concerned that Mohammad Faisal Abu Sakha may be imprisoned because of his alleged political affiliation or opinions.

Israel uses administrative detention to detain people without charge while withholding from them and their defence team any "evidence" against them. Mohammad Faisal Abu Sakha is detained on the basis of vague accusations, and secret "evidence".

In early June he was transferred from Ketziot prison in the Negev/Naqab region of southern Israel to Salem detention centre in the occupied West Bank and interrogated by Israel Security Agency (ISA) officers before being returned one week later to Ketziot prison.

Mohammad Faisal Abu Sakha is a performer and teacher at the Palestinian Circus School in Birzeit in the West Bank. Prior to receiving his second detention order he said that, if released, he wanted only to be given a set of juggling batons. He asked that activists around the world campaign against Israel's use of administrative detention and on behalf of Palestinian children detained by Israel.

### **Please write immediately in Hebrew, English or your own language:**

- Calling on the authorities to release Mohammad Faisal Abu Sakha and all other administrative detainees or charge them with a recognizable criminal offence and try them fairly and promptly;
- Calling on them to end the practice of administrative detention.

### **PLEASE SEND APPEALS BEFORE 26 JULY 2016 TO:**

#### Military Judge Advocate General

Brigadier General Sharon Afek

Hakiryia, Tel Aviv, Israel

Fax: +972 3 569 4526

Email: [Mag@idf.gov.il](mailto:Mag@idf.gov.il)

**Salutation: Dear Judge Advocate General**

#### Commander of the IDF – West Bank

Major-General Roni Numa

GOC Central Command

Military Post 01149, Battalion 877

Israel Defense Forces, Israel

Fax: +972 2 530 5741, +972 2 530 5724

**Salutation: Dear Major-General Roni Numa**

#### Minister of Public Security

Gilad Erdan

Kiryat Hamemshala

PO Box 18182

Jerusalem 91181, Israel

Fax: +972 2 584 7872

Email: [gerdan@knesset.gov.il](mailto:gerdan@knesset.gov.il)

**Salutation: Dear Minister**

### **Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Deputy Ambassador Eitan Na'eh, Embassy of Israel, 2 Palace Green Kensington W8 4QB, Fax 020 7957 9500

Salutation HIS EXCELLENCY

Please check with your section office if sending appeals after the above date. This is the third update of UA 12/16.

Further information: <https://www.amnesty.org/en/documents/MDE15/3791/2016/en/>

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### ADDITIONAL INFORMATION

Mohammad Faisal Abu Sakha, (24 years old) was detained by Israeli soldiers on 14 December 2015, on his way to work at the Palestinian Circus School in Birzeit, next to Ramallah in the occupied West Bank. Israeli soldiers detained him at the Zaatara checkpoint, close to the West Bank city of Nablus, and took him to the nearby Hawara military detention centre. Later his parents were informed by the International Committee of the Red Cross (ICRC) that he had been moved to Megiddo prison, in northern Israel. The Israeli military handed him a six-month administrative detention order on 25 December 2015. A military judge reviewed and upheld the order on 5 January 2016, at the Ofer military court in the north of the West Bank. On 21 March a military judge heard an appeal against the six-month order but dismissed it on 31 March. During the hearing the military prosecution maintained that Mohammed Faisal Abu Sakha is a security threat alleging that he carried out illegal activities with the Popular Front for the Liberation of Palestine (PFLP, a left-wing political party with an armed wing which is banned by Israel), but failed to provide information about these activities. Mohammad Faisal Abu Sakha denies the accusation but he and his lawyers are in the impossible position of trying to challenge the detention without having access to the necessary information for his defence. In mid-March he was moved to Ketziot prison in the Negev/Naqab region of southern Israel.

Mohammad Faisal Abu Sakha began studying at the Palestinian Circus School in 2007, becoming one of its performers in 2011. He also trains children in circus acts and specializes in working with children with learning difficulties, who make up 30 of the more than 300 students at the school. The Palestinian Circus School, which is funded by various charities and other bodies, including the European Commission, maintains that there is absolutely no basis to claims that Mohammad Faisal Abu Sakha is a security threat, that his only crime is “making children happy” and that his life is dedicated to the circus. The school’s mission is to train Palestinian children and youth in circus arts and thereby “strengthen the social, creative and physical potential of the Palestinians, seeking to engage and empower them to become constructive actors in society”.

Administrative detention – ostensibly introduced as an exceptional measure to detain people who pose an extreme and imminent danger to security – is used by Israel as an alternative to using the criminal justice system to arrest, charge and prosecute people suspected of criminal offences, or to detain people who should not have been arrested at all. Orders can be renewed indefinitely and Amnesty International believes that some Palestinians held in administrative detention by Israel are prisoners of conscience, held solely for the peaceful exercise of their right to freedom of expression and association. The Israeli authorities increased their use of administrative detention dramatically since October 2015: 692 Palestinians were in administrative detention by the end of April 2016, including 13 children.

All but one of the Israeli prisons holding Palestinian administrative detainees is located inside Israel. The detention of Palestinians inside Israel violates international law. The Fourth Geneva Convention stipulates that detainees from occupied territories must be held in the occupied territory, not in the territory of the occupying power. This practice makes it very difficult for families of detainees, who require permits to enter Israel, to visit their relatives. Israeli authorities routinely refuse such permits in what amounts to punishment both of the families and the detainees. If all Palestinian detainees were held in the OPT, their families would not need to enter Israel to visit them and the issue of permits would not arise.

3<sup>rd</sup> update on UA: 12/16 Index: MDE 15/4255/2016 Issue Date: 14 June 2016