

Arab Politicians Face Tide of 'Persecution' in Israel

Laws set to criminalise dissent

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Leaders of the Arab minority in Israel warned this week that they were facing an unprecedented campaign of persecution, backed by the right-wing government of Benjamin Netanyahu, designed to stop their political activities.

The warning came after Said Nafaa, a Druze member of the Israeli parliament was stripped of his immunity last week, clearing the way for him to be tried for a visit to Syria three years ago.

In recent weeks legal sanctions have been invoked against two other Arab political leaders, following clashes with the Israeli security forces at demonstrations against the occupation, and pressure is growing for two more MPs to be investigated.

Arab politicians are particularly concerned about a bill introduced last month requiring all parliamentary candidates to swear loyalty to Israel as a Jewish state. If passed, the seats of the 10 Arab MPs belonging to non-Zionist parties in the 120-member parliament, or Knesset, would be under threat.

Jamal Zahalka, one of those MPs, said: "Every week either the Knesset or the government try to impose new restrictions on our activities and freedom of speech. There is a growing trend towards anti-democratic legislation."

Mr Nafaa, the latest target for legal action, was stripped of his parliamentary immunity from prosecution last week by a Knesset committee dominated by the right wing.

Keeping his immunity was his only hope of avoiding a trial after he was indicted by the attorney general, Menachem Mazuz, in December over a visit he organised in 2007 to Syria, considered an enemy country.

The MP had arranged for a group of 280 Druze clerics to make pilgrimage to Syria's holy sites via Jordan after they had been repeatedly refused a permit by the interior ministry. Mr Nafaa has argued that the clerics were being denied their religious freedom.

Afu Aghbaria, an Arab MP, called the case political persecution and asked the committee: "Do you think he organised an espionage trip with 280 people?"

Mr Nafaa is also charged with contact with a foreign agent. According to the testimony of one of his assistants, who was interrogated by the Israeli secret police, the MP discussed the feud between Fatah and Hamas with Talal Naji, a Syrian leader of the Popular Front for the Liberation of Palestine, and tried to meet Khaled Meshaal, the head of Hamas in Damascus.

Mr Nafaa, who denies meeting Mr Naji, maintains that his visit was entirely political in nature and that the Knesset's actions are designed to prevent him from fulfilling the role he was elected for by the Arab minority, one in five of Israel's population.

Ahmed Tibi, the only Arab MP on the panel hearing the immunity case, said Arabs politicians, instead of being prosecuted, should be encouraged to build bridges to the Arab world on behalf of Israel.

Orna Kohn, a lawyer with Adalah, a legal centre representing Mr Nafaa, said that, whereas the immunity of Jewish legislators was removed in cases of corruption and serious criminal offences, the revocation of immunity for political activities was "very rare" and appeared to apply only to Arab MPs.

The last case was against Azmi Bishara, who was tried in 2001 on two counts — for a visit to Syria and for alleged incitement during a speech — both of which were rejected by the courts.

Arab MPs have avoided trips to much of the Arab world since the so-called Bishara Law of 2008 granted the government powers to bar anyone who makes an unauthorised visit to an enemy state from standing as a candidate.

In recent weeks other Arab politicians have found themselves in trouble.

Last month Sheikh Raed Salah, leader of the Islamic Movement, was sentenced to nine months' jail after being found guilty of spitting at a policeman during clashes close to the al Aqsa mosque compound in 2007. Mr Salah, who denied the charge, said he was the victim of concerted efforts to prevent Muslims from protecting the holy site in Jerusalem's Old City.

Another Arab leader, Mohammed Barakeh, head of the Communist party in the Knesset, is due to stand trial on four counts of assault against security officials during demonstrations over a four-year period.

Ms Kohn, who also represents Mr Barakeh, said the MP had attended hundreds of demonstrations at which he mediated between protesters and security forces.

"Often soldiers turn violent against the demonstrators and in some cases Mr Barakeh was assaulted. In such circumstances it is easier for soldiers to accuse Mr Barakeh of being violent than risk being accused themselves."

She said the decision to indict Mr Barakeh was an attempt to "criminalise" his political role and reflected an "escalation" in using the law against Arab politicians.

The spate of indictments prompted Mohammed Zeidan, head of the Higher Follow-Up Committee, the main political body for the Arab minority, to complain last month of "ongoing attacks" on the Arab leadership.

At Mr Nafaa's immunity hearing, Anastasia Michaeli, a committee member and member of the foreign minister Avigdor Lieberman's far-right Yisrael Beiteinu party, said she would introduce a bill to revoke the citizenship of anyone visiting an enemy state and deport them to that country.

Colleagues in her party have already initiated legislation that would require MPs to swear allegiance to Israel as a “Jewish, Zionist and democratic state”. Currently the pledge refers only to loyalty to “the state of Israel”.

Mr Zahalka, leader of the National Democratic Assembly party, said: “Imagine the outcry if a Jewish representative in the US or Britain was expected to swear loyalty to his country as a Christian state.”

Mr Zahalka was himself accused of incitement after commenting on Israeli TV in December that Ehud Barak, the defence minister, listened to classical music while children were killed in Gaza. On air, Dan Margalit, the host, called Mr Zahalka “impertinent” and ordered him to leave the studio.

Danny Danon, of Mr Netanyahu’s Likud party, subsequently initiated a bill to bar from the Knesset any MP found to have incited against the state.

There have also been demands for another MP, Taleb al Sanaa, of the United Arab List party, to be investigated after he used his cellphone to allow Ismail Haniyeh, a Hamas leader in Gaza, to address a group of demonstrators on the first anniversary of Israel’s assault on Gaza.

Yitzhak Aharonivitch, the public security minister, was among those calling for Mr al Sanaa’s indictment.

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