



# INTER-PARLIAMENTARY UNION

CHEMIN DU POMMIER 5  
1218 LE GRAND-SACONNEX / GENEVA (SWITZERLAND)

TELEPHONE + 41 22 - 919 41 50 - FAX + 41 22 - 919 41 60 - E-MAIL [postbox@mail.ipu.org](mailto:postbox@mail.ipu.org)

## CONFIDENTIAL

### COMMITTEE ON THE HUMAN RIGHTS OF PARLIAMENTARIANS

#### CASE No. IL/04 - HANEEN ZOABI - ISRAEL

***Confidential decision adopted by the Committee at its 130<sup>th</sup> session  
(Geneva, 12 - 15 July 2010)***

The Committee,

*Referring* to the case of Ms. Haneen Zoabi, a member of the Parliament of Israel (The Knesset), as outlined in its report,

*Considering* the following information on file:

- Ms. Haneen Zoabi, a member of the Knesset (MK) belonging to the National Democratic Assembly-Balad, took part in the Gaza-bound maritime convoy in late May 2010; she was on board the *Mavi Marmara* when, on 31 May 2010, it was intercepted by the Israeli Defence Forces, resulting in the death of nine Turkish activists; Ms. Zoabi was detained together with all other activists on board and was reportedly the first to be released and the first eyewitness to describe what had happened when the boats were intercepted. Her account of events, which contradicted the official account, sparked heavy criticism in Israel. In his letter of 22 June 2010, the Speaker of the Knesset stated that she had "joined a hostile, violent and confrontational group on board of the Mavi Marmara and that the actions of that group defied all international norms of behaviour. It was therefore not difficult to understand the extreme anger and the offence felt by the majority of Israeli citizens and their representatives in the Knesset when a fellow citizen and elected representative cooperated with and expressed solidarity with such a group". Israeli ministers and Knesset members are reported to have called for the revocation of her immunity, her removal from her seat in the Knesset and her criminal prosecution. The Israeli Minister of the Interior accused Ms. Zoabi of "treason" and requested authorization from the Attorney General to revoke her citizenship;
- Since participating in the Gaza-bound convoy, Ms. Zoabi has received many death threats, reportedly including from other Knesset members; the Knesset therefore had to assign to her personal security guards;
- During a Knesset session held on 2 June 2010, the Speaker gave Ms. Zoabi the floor to respond to the accusations against her; during her intervention, colleagues repeatedly shouted "terrorist" and "traitor" at her, along with other allegedly offensive remarks; on 7 June 2010, the Knesset House Committee, which has authority to limit or revoke the special privileges granted to MKs if convinced that they have been used improperly, voted by seven to one to recommend to the Knesset plenary that three parliamentary privileges be revoked in Ms. Zoabi's case, namely the right of an MK to travel anywhere except in times of war, of carrying a diplomatic passport, and of having the Knesset cover litigation fees in the event of trial proceedings relating to an MK's departure from the country or entry into a foreign State or area, or a breach of Chapter 7 of the Penal Code relating to the security of the State, foreign relations and official secrets;

- The Speaker decided to request the postponement of the Knesset plenary debate on this issue for a few weeks so that the final decision would not be influenced by the strong emotions that had erupted on both sides; he also considered it important to await the decision of the Attorney General's Office whether or not to institute an investigation into Ms. Zoabi's actions with a view to a possible criminal prosecution;
  - On 13 July 2010, the 120-seat Knesset passed a resolution by a vote of 34 in favour and 16 against to revoke Ms. Zoabi's aforementioned privileges for the duration of the current legislative period; the Speaker reportedly expressed opposition to the move,
1. *Thanks* the Speaker for his cooperation and for the information he provided on the case;
  2. *Expresses its appreciation* of his handling of this case in the Knesset under very difficult circumstances;
  3. *Is dismayed* at the recommendation by the Knesset House Committee to strip Ms. Zoabi of three parliamentary privileges and at the ensuing adoption, by the House plenary, of that recommendation;
  4. *Considers* that, in revoking these parliamentary privileges, the Knesset punished Ms. Zoabi on account of her having exercised her freedom of speech by expressing a political position through her participation in the Gaza-bound convoy; *considers* punishment for the expression of a political position to be unacceptable in a democracy, and emphasizes that, on the contrary, democracy requires and indeed thrives on the expression and debate of different views, necessarily including those critical of government policies; *concur*s therefore with the Speaker's opinion, as expressed in his letter of 22 June 2010, that Israeli democracy emerges stronger when able to embrace and respect even very strong criticism from within;
  5. *Considers* also that the Knesset's decision to rescind the privileges in question may also impair Ms. Zoabi's ability to exercise the mandate entrusted to her by her electors and hence be detrimental to their effective representation in the Knesset; *sincerely hopes* therefore that the Knesset will reconsider its decision and restore the privileges taken from her;
  6. *Notes* in this context also that the Attorney General has not brought criminal proceedings against her;
  7. *Is confident* that Ms. Zoabi is afforded the necessary security measure and that those responsible for threatening her with death are identified and held to account in accordance with the law and Israel's international obligations in the field of human rights;
  8. *Requests* the Secretary General to inform the Speaker of the Knesset and the source of this decision and to inform them of its wish to meet, on the occasion of the 123<sup>rd</sup> IPU Assembly when it will continue examining this case, with the Israeli delegation and with Ms. Zoabi.

