



CAIRO INSTITUTE
FOR HUMAN RIGHTS STUDIES
Institut du Caire pour les études des droits de l'homme
مركز القاهرة لدراسات حقوق الإنسان



United Nations Human Rights Council: 14th Session
Urgent Debate: Israel Attack on Flotilla off Coast of Gaza
Joint Oral Intervention
Al Haq and Cairo Institute for Human Rights Studies
1 June, 2010

Delivered by Laila Matar

Thank you Mr. President,

CIHRS, Al Haq, and the Palestinian Human Rights Council* condemn the unlawful assault by the Israeli navy on a flotilla of international ships bringing aid to Gaza. The assault is unprecedented and illegal under international law.

Article 110 of the United Nations Convention on the Law of the Sea provides that a warship that encounters a foreign ship on the high seas can only board the ship if it is suspected of participating in unlawful activities. Attempting to deliver humanitarian aid to millions of people suffering under a 3 year illegal blockade, which the Goldstone report affirmed amounts to collective punishment, does not constitute reasonable grounds for boarding the ships, much less for killing civilians on board. The illegality of the naval blockade is further affirmed by the San Remo Manual on naval warfare, since the damage to the Palestinian civilian population is excessive in relation to the direct military advantage anticipated from the blockade. Israel therefore cannot claim any right to attack neutral vessels carrying humanitarian supplies.

The use of live ammunition to kill and injure civilians on board, even in circumstances in which there may have been some resistance to the take-over of the ship, was a disproportionate response to the situation and a violation of the civilians' right to life, as set out in Article 6(1) of the ICCPR.

Israel was not acting in self-defense when it attacked the flotilla, which posed no threat to Israel other than, in the words of Israeli military officials, a 'provocation made to de-legitimize Israel.' It is clearly impermissible for states to launch violent and disproportionate assaults on civilian ships on the high seas on the basis of concerns about threats to their legitimacy. Israel made a premeditated decision to use force against the flotilla, without making any pretence for respect for human rights or international law.

The UN must act immediately to investigate this act and ensure the basic standards of international law are upheld.

The brutal attack off the coast of Gaza is just one example of the repression and violence Palestinian civilians face on a regular basis in the Occupied Territories. This episode is a tragic reminder of the inevitable results of giving a license to kill and impunity for war crimes to military forces.

We call on this Council and all members of the United Nations to end such impunity by urgently ensuring the full implementation of all recommendations contained in the Goldstone Report.

Thank you Mr. President.

* The Palestinian Human Rights Council: Addameer Prisoner Support and Human Rights Association, Al Dameer Association for Human Rights, Al-Haq, Al Mezan Center for Human Rights – Gaza, Defence for Children International, Ensan Center for Human Rights and Democracy, Jerusalem Legal Aid Center, Ramallah Center for Human Rights Studies, Women's Center for Legal Aid and Counseling