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COMMITTEE ON  
THE BUDGET

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SCIENCE, SPACE, AND TECHNOLOGY



# Congress of the United States

House of Representatives

Washington, DC 20515-3221

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Honorable Michael H. Posner  
Assistant Secretary, Bureau of Democracy, Human Rights and Labor  
U.S. State Department  
2201 C Street NW  
Washington, DC 20520

Dear Mr. Posner:

I am writing with an inquiry regarding the *2010 Human Rights Report on Israel and the Occupied Territories*. This report included no mention of the death of U.S. citizen Furkan Dogan on board the *MV Mavi Marmara* on May 31, 2010.

As you know, Furkan Dogan was a U.S. citizen, not a dual citizen as many media reports indicated in the days following his death. He was born in 1991 in New York's 21<sup>st</sup> Congressional District at Samaritan Hospital in Troy, NY while his father, Ahmet Dogan was earning an advanced degree in accounting at nearby Rensselaer Polytechnic Institute. Though he lived in Turkey for much of his life, Furkan maintained his American citizenship. As a result, upon his death, Furkan's family was contacted and assisted by both the U.S. embassy staff in Ankara, Turkey and by staff in the Bureau of Consular Affairs in Washington, DC. It is my understanding that though the family is still awaiting the return of certain of Furkan's possessions, including a cell phone and a video camera, which they have discussed with representatives of the Department of State (DOS), they appreciate the assistance offered by DOS staff in both Washington and Ankara.

Given the extensive and repeated contact between DOS staff and the Dogan family, including a meeting on February 23, 2011 with Deputy Assistant Secretary for Overseas Citizen Services James Pettit, it was noteworthy to see no mention of Furkan Dogan's death in this year's *2010 Human Rights Report on Israel and the Occupied Territories*. I am aware and appreciative of the Herculean effort that goes into preparing, editing, and disseminating these reports, which provide encyclopedic detail on more than 190 countries. As noted in the introduction to the 5,000+ page 2010 report, this massive compilation of data is not only used by the U.S. but also increasingly by "many foreign governments" as well as "individual citizens and NGOs as critical sources of information on what is happening in the world."<sup>1</sup> With such a large task, it is reasonable to assume that though incredibly detailed and carefully compiled, the human rights reports are not necessarily exhaustive. However, the Bureau for Democracy, Human

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<sup>1</sup> U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, *2010 Human Rights Report: Introduction* (April 2011).

Rights, and Labor (DRL), by whom the reports are prepared, was assuredly aware of Furkan Dogan's death and the circumstances surrounding it, given the widespread media coverage and close contact between the family, Consular Affairs, and embassy staff, including the meeting at the State Department in February when the ongoing preparation of the country report was specifically discussed.

The flotilla incident itself was explicitly covered in the *2010 Report on Israel and the Occupied Territories*, including the findings of both the Turkel Commission and the U.N. Fact Finding Mission regarding the deaths of nine passengers. The incident was also mentioned in at least 11 other 2010 country reports.<sup>2</sup> Despite this, the report includes no mention of Furkan Dogan by name and no mention of the death of a U.S. citizen, contrary to past precedent and current practice.

Precedents and examples of the inclusion of incidents involving U.S. citizens abound, both in other 2010 country reports and in reports on Israel and the Occupied Territories from previous years. In 2010, at least ten other human rights country reports include mention of incidents involving U.S. citizens overseas. They entail the prosecution, persecution, and even death of U.S. citizens in countries around the world. They include accounts of actions taken by individual foreign nationals, by criminal groups, and by foreign security forces – both police and military. These accounts are generally descriptive, not normative or accusatory, and appear to be included without regard to the presumed guilt or innocence of the U.S. citizen involved. The American “victims” mentioned range from an alleged former Gestapo member arrested in Serbia in relation to the killing of 17,000 Serb civilians to a lone African-American man who was attacked by four neo-Nazis on a tram in Slovakia.

Similarly, in the last ten years annual reports on Israel and the Occupied Territories have included information on incidents involving 13 or more U.S. citizens and the deaths of at least six. These incidents involved both Israeli security forces and Palestinian armed groups. In some cases, the incidents and the names of those involved appear in as many as three annual reports in a row.

I believe strongly in our nation's deep ties and unique friendship with Israel, and I absolutely support Israel's right to defend itself. I believe both the President and Congress made that support clear in the immediate wake of the flotilla incident and that it remains clear today. However, I also know that Furkan Dogan was a U.S. citizen; that he died aboard the *MV Mavi Marmara* on May 31, 2010; that his autopsy report, with which I have been provided, notes that he was shot five times, including once at close range; and that in some capacity, his name and his death should be documented in the country report.

I would ask that in the future Furkan Dogan's name and his death be included in the *Human Rights Country Report on Israel and the Occupied Territories*. I would also ask that the Dogan family or their representatives have the opportunity to meet with DRL staff, given their repeated requests that have gone unanswered.

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<sup>2</sup> 2010 reports that mention the flotilla incident include those for the following countries: Austria, France, Indonesia, Kuwait, the Netherlands, Qatar, Sweden, Tunisia, Turkey, United Kingdom, and Venezuela.

After 35 years of reporting amidst many challenges to U.S. foreign policy, the human rights reports have maintained an excellent reputation in the international community. This reputation is due in large part to the diligence and hard work of DOS staff in preparing detailed, comprehensive, and consistent reports. Thank you for your leadership in this tremendous and ongoing effort and for your commitment to preserving and strengthening America's standing in the global community.

I appreciate your consideration on this matter, and I look forward to your response.

Sincerely,

A handwritten signature in black ink that reads "Paul D. Tonko". The signature is written in a cursive style with a large initial "P" and a long horizontal flourish at the end.

Paul D. Tonko  
Member of Congress