

Attack on the Gaza Freedom Flotilla: A First-Person Account

By: Huwaida Arraf

In the early hours of Monday 31 May, Israel launched a deadly attack on the Freedom Flotilla, a convoy of six vessels, carrying civilians and humanitarian aid to Gaza in defiance of Israel's naval blockade, closure and ongoing imprisonment of 1.5 million people. We were going to Gaza not just to deliver the 10,000 tons of aid that we were carrying, but more importantly to challenge the policies that leave Palestinians in need of aid. Israel's comprehensive closure of the Gaza Strip constitutes collective punishment of an occupied civilian population, an act explicitly prohibited by Article 33 of the Fourth Geneva Convention. Even though Israel argues that it does not occupy Gaza, this argument has been rejected by the international community, including the United Nations and the International Committee of the Red Cross, as well as by Israeli human rights and humanitarian organizations. All of these bodies have decried Israel's policy as a violation of international humanitarian law, possibly a war crime, and even a crime against humanity. Nonetheless, states were doing little or nothing to force Israel to end its criminal policy. This is why the Free Gaza movement and partners organized the flotilla.

On the morning of the attack I was aboard the boat called *Challenger I*, a small, American-flagged vessel that carried 17 of us, five whom were American citizens. We were traveling next to the *Mavi Marmara* – the large Turkish vessel that carried 560 people – when the assault began. At approximately 4:00 in the morning the Israeli Navy moved in on us. "They're coming" our colleague who was on watch alerted us. I put on my life jacket and went out onto the deck. There I saw the beginnings of the attack on the *Mavi Marmara*. Israeli commandos in naval vessels launched sound grenades and fired their weapons at the ship as a military helicopter hovered above. This was a full military assault on an unarmed, civilian convoy. Our boat decided to speed ahead to try to prevent, or delay the boarding of our ship. The captain of the *Mavi Marmara* radioed to tell us it was alright to leave them in order to try to get the news out that we were under attack. We were only able to outrun the Israel naval vessels for about 10 minutes before they overtook us. At least a dozen masked and armed commandos raided our boat. We were knocked down, pulled, beaten, and stomped on as we tried to put our bodies in the way to prevent them from taking our boat. One of the first things the soldiers went after was our media and communications tools. Cameras, recorders, and phones were all taken from us. This electronic equipment, as well as the evidentiary documentation they contain, still have not been returned to us. After the commandos managed to violently restrain us and take control of the wheel from the captain, they steered us to the Israeli port of Ashdod where everyone was interrogated and imprisoned.

Israel's attack on the flotilla, the commandeering of our ships, the killing of nine of our colleagues and injury of dozens more, the bondage of all crew members and passengers, as well as other acts, constitutes a grave violation of applicable international law. Israel contends that its actions were legal because (1) it had a right to take measures to enforce the blockade of the Gaza Strip; and (2) its soldiers acted in self defense. Both of these arguments fail. While international law might allow a state to intercept a ship on the high seas to enforce a legal blockade, Israel's naval blockade of Gaza is part of its

comprehensive closure of the territory, which has been declared illegal by international humanitarian law bodies. Therefore the blockade of Gaza is not a legal blockade. However, even if we accept that Israel had a right to stop our vessels, the Israeli military did not have a right to use the force they did. We were assailed in the middle of the night, by masked and armed commandos while 70 nautical miles from Israel's coast and approximately an equal distance from the Gaza Port. When some passengers tried to defend themselves, Israeli soldiers shot them dead. Israel cannot claim self defense as an excuse for killing these civilians, as the Israeli military launched the initial armed attack; the passengers and crew tried to defend themselves.

Hundreds of human rights activists were attacked in international waters, illegally detained, coerced, and beaten; dozens were badly injured and nine killed. Israel has rejected an international investigation into the incident, and the United States Congress, through H. RES. 1440, and other initiatives, is engaged in efforts to try to incriminate the organizations involved in planning the flotilla. Despite all of this, we are not deterred. We are a growing international movement, mobilizing to do what states should be doing – defending human rights. We operate on the belief that right is much stronger than military might, and that each and every one of us can do something to effect change. If life after law school (as well as my short time at CCR) has taught me anything, it is that the law on paper is one thing, and implementation of the law is another. Whether it is taking to the streets or taking to the seas, we need people's action to create the political will to enforce and promote human rights laws. The Freedom Flotilla follows in the tradition of civil society solidarity actions that brought an end to segregation in the United States and apartheid in South Africa, and that will bring an end to occupation and oppression in Palestine.

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