

World Zionist Organization

IDF Interception of Gaza-bound Flotilla *Responding to the Consequences of the Episode*

1. Information and Main Points

Israel Ministry for Foreign Affairs

Ongoing Updates

<http://www.mfa.gov.il/MFA/About+the+Ministry/Behind+the+Headlines/Seizure+Gaza+flotilla+31-May-2010.htm>

Weapons cache

<http://www.mfa.gov.il/MFA/Government/Communiques/2010/Israel+Navy+warns+flotilla+31-May-2010.htm#weapons>

Full account and additional information collected by

Zionist Council of Victoria / Zionist Federation of Australia:

http://www.zcv.org.au/site/index.php?option=com_content&view=article&id=535&Itemid=434

2. Legal Points [MFA]

The Gaza Flotilla and the Maritime Blockade of Gaza Legal Background – 31 May 2010

1. A maritime blockade is in effect off the coast of Gaza. Such blockade has been imposed, as Israel is currently in a **state of armed conflict** with the Hamas regime that controls Gaza, which has repeatedly bombed civilian targets in Israel with weapons that have been **smuggled into Gaza via the sea**.
2. Maritime blockades are a **legitimate and recognized measure** under international law that may be implemented as part of an armed conflict at sea.
3. A blockade may be imposed at sea, including in international waters, **so long as it does not bar access to the ports and coasts of neutral States**.
4. The naval manuals of several western countries, including the US and England recognize the maritime blockade as an effective naval measure and set forth the various criteria that make a blockade valid, including the requirement of give **due notice** of the existence of the blockade.
5. In this vein, it should be noted that Israel publicized the existence of the blockade and the precise coordinates of such by means of the accepted **international professional maritime channels**. Israel also provided **appropriate notification to the affected governments and to the organizers of the Gaza protest flotilla**. Moreover, **in real time**, the ships participating in the protest flotilla were **warned repeatedly** that a maritime blockade is in effect.
6. Here, it should be noted that under customary law, knowledge of the blockade may be presumed **once a blockade has been declared and appropriate notification** has been granted, as above.
7. **Under international maritime law, when a maritime blockade is in effect, no boats can enter the blockaded area**. That includes both **civilian and enemy vessels**.
8. A State may take action to enforce a blockade. Any vessel that violates or attempts to violate a maritime blockade **may be captured or even attacked under international law**. The US Commander's Handbook on the Law of Naval Operations sets forth that a vessel is **considered to be in attempt to breach a blockade from the time the vessel leaves its port with the intention of evading the blockade**.
9. Here we should note that the protesters indicated their **clear intention to violate the blockade by means of written and oral statements**. Moreover, **the route of these**

vessels indicated their clear intention to violate the blockade in violation of international law.

10. Given the protesters **explicit intention to violate the naval blockade**, Israel exercised its right under international law **to enforce the blockade**. It should be noted that prior to undertaking enforcement measures, explicit warnings were relayed directly to the captains of the vessels, expressing Israel's intent to exercise its right to enforce the blockade.
 11. Israel had attempted to take control of the vessels participating in the flotilla by **peaceful means and in an orderly fashion** in order to enforce the blockade. Given the large number of vessels participating in the flotilla, an operational decision was made to undertake measures to enforce the blockade a certain distance from the area of the blockade.
 12. Israeli personnel attempting to enforce the blockade were met with violence by the protesters and acted in **self defense** to fend off such attacks.
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3. Israel Ministry for Diaspora Affairs

Talking Points

1. The State of Israel expresses its sorrow for the casualties, but places full responsibility on the organizers and the participants who initiated the violence.
 2. Prior to this, the State of Israel had offered the organizers the option of docking at Ashdod port and transfer the humanitarian aid to Gaza overland, but this offer was rejected.
 3. The activists on one of the six boats had intentionally planned a violent response to the IDF Navy interception, including a gunfire attack as well as other weapons, knives, etc., which placed them in a life-threatening situation.
 4. The Gaza Strip is not threatened by starvation or a humanitarian crisis. It is controlled by Hamas, a terrorist organization which is actively stockpiling arms and rockets for the purpose of targeting Israeli citizens, as in the past, and is holding an Israeli soldier hostage in contravention of international covenants. Israel therefore reserves its natural right to check all cargo inbound for Gaza.
 5. The flotilla was a deliberate ploy and act of political provocation designed to attract media attention on the part of anti-Israeli elements and the IHH which is a violent and extremist organization that supports terror organizations under the cover of humanitarian activity.
 6. Israel reiterates its desire and readiness for peace with all who interested in making peace.
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4. With Intent – Articles and visual documentation

IDF Spokesman: Article and video footage

<http://dover.idf.il/IDF/English/News/today/10/05/3101.htm>

Video by IDF Spokesman [N America Desk] <http://www.youtube.com/user/idfnadesk>

A brutal ambush at sea <http://www.ynetnews.com/articles/0,7340,L-3896796,00.html>

Ron Ben Yishai: bloody clash aboard Gaza-bound vessel

Weapons on board <http://www.ynetnews.com/articles/0,7340,L-3896588,00.html>

Peace activist stabs IDF soldier www.youtube.com/watch?v=buzOWKxN2co

Navy commandos: 'They came for war'

Yaakov Katz, 05/31/2010 20:14

<http://www.jpost.com/Israel/Article.aspx?id=177040>

View footage, read soldiers' description of the 'Mavi Marmara' raid.

Flotilla Leaders Stated Sunday that Violence was Premeditated

The organizers of the Gaza flotilla announced in advance their intention of using violence against Israeli forces if the latter tried to prevent the ships from reaching Gaza. This intention was expressed in interviews given by the head of the IHH, Bulent Yildirim, to Turkish television stations on the last night of the voyage, as the ships approached the coast. [More: <http://tinyurl.com/IHHViolence>]

Facebook group: <http://www.facebook.com/group.php?gid=121348851234252>

Acknowledgements:

Israel Ministry for Foreign Affairs

Israel Government Press Office

Israel Ministry for Diaspora Affairs

IDF Spokesman's Office

ZCV/ZFA

Ynet News

Jerusalem Post

Jewish Agency for Israel/World Zionist Organization Spokesman's Office

Compiled by Gila Ansell Brauner, 1st June 2010