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**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by the Foundation for Human Rights and Freedoms and Humanitarian Relief, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The attack on Mavi Marmara

IHH Humanitarian Relief Foundation has been actively working since 1992 to provide humanitarian aid and relief for all oppressed people, without any discrimination according to region, religion, language, race or sect, who are in difficulty, victims of natural disaster or human rights abuses; in addition IHH tries to prevent any action that constitutes a violation of basic rights and liberties.

In addition to a variety of collaborations in the framework of the United Nations ECOSOC Special Consultative Status, IHH participates in UNHCR consultancy meetings, implementing projects for refugees in collaboration with UNHCR.

IHH not only carries out relief projects around the world but has also worked for the people of Palestine, a people experiencing the most serious on-going humanitarian crisis, since the year of its establishment. IHH is carrying out aid work and projects not only in Gaza, but also in Jerusalem, the Western Strip and in addition in the refugee camps in the Lebanon, Jordan, Iraq and Syria. In these efforts, in addition to carrying out humanitarian aid, intense efforts are being made to put an end to this crisis, which has put many people in need and has orphaned many children.

As the international community has been unable to provide a permanent solution to the embargo despite consequences that have led to starvation, a lack of medical care and death, it has become obvious that humanitarian aid must be sent to Gaza by land and sea. Not only IHH, but people throughout the world who are aware of the situation have made great efforts to this end.

It could be clearly seen that Gaza had been transformed into an open-air prison in which people were trying to survive; the injured, pregnant women and sick children were waiting without hope in the hospitals. ,

The UN Human Rights Council's report on the Mavi Marmara attack, which occurred on May 31, 2010, and the Goldstone report confirmed the findings; organizations related to the UN proclaimed that the blockade on Gaza is illegal and untenable according to international humanitarian law and human rights.

The enforced embargo and the siege, the bombing, the usage of prohibited weapons against civilians and all the other Israeli practices in the region that negatively affect the lives of civilians can in no way be considered to be a means of defense – although this is how Israel tries to legitimize them; rather they are an illegal aggression that has been condemned by the people of the world, international mechanisms and NGOs.

In keeping with this aim, IHH decided to support and join the flotilla; the flotilla that was organized by the Free Gaza Movement, the European Campaign to End the Siege on Gaza, IHH Humanitarian Relief Foundation, the Ship to Gaza Greece, the Ship to Gaza Sweden and the International Committee to Lift the Siege on Gaza was widely supported by philanthropic people throughout the world and hundreds of NGOs from many different countries. On May 27, 2010, when the Mavi Marmara departed from Antalya, the NGO representatives held a press conference to appeal to Israel one last time. In the declaration it was stated: "On these boats is the collective consciousness of the people of the world, the good wishes and prayers of people from all religions. The cargo on the ships has undergone all the necessary international inspections and it has been confirmed that these ships carry nothing but humanitarian aid. The cargo on these ships includes a generator to supply clean drinking water, construction materials to build houses, equipment to fix the damaged sewage system, which is threatening the life of the people, and playgrounds for the children. Israel states that all NGOs are allowed to bring in humanitarian aid. This is a lie that can be proven by documents. That the application made by IHH has been unanswered

is also documented. UNRWA stated that the aid to be carried by these ships is essential for the people of Palestine and has also expressed the hope that this essential and justified flotilla will encounter no unlawful obstruction by Israel. ”

The Israeli Defense Forces organized an attack against the civilian humanitarian aid flotilla, a flotilla that was carrying only humanitarian aid and which was the most significant aid initiative to Gaza; the attack occurred on May 31, 2010, while the flotilla was travelling southwardly in international waters. During the attack, 9 humanitarian aid volunteers were killed, while 54 were severely wounded. Israel violated international humanitarian and human rights laws both during and after the attack, committing willful murder, inflicting torture and inhumane treatment, causing great suffering or serious bodily harm, carrying out arbitrary arrests and detentions, restricting freedom of expression, confiscating personal belongings and violating the right to life, liberty and security of person, as well as freedom from arbitrary arrest or detention.

According to the United Nations Human Rights Council’s report, “the conduct of the Israeli military and other personnel towards the flotilla passengers was not only disproportionate to the occasion but demonstrated levels of totally violence that was unnecessary and unbelievable. It displayed an unacceptable level of brutality.” In the report it is stated that this kind of action cannot be justified for reasons of security or for any other reason, and the actions are characterized as indefensible with the statement that: “(the attack) constituted a grave violation of human rights and international humanitarian law.”

Catherine Ashton, the High Representative for Foreign Affairs and Security Policy of the European Union, expressed the concerns of the EU in a statement dated 30.05.2010 "The EU remains gravely concerned about the humanitarian situation in Gaza. The continued policy of closure is unacceptable and politically counterproductive. We would like to reiterate the EU's call for an immediate, sustained and unconditional opening of crossings for the flow of humanitarian aid, commercial goods and persons to and from Gaza."

IHH, as the flotilla organizers, held a press conference in Turkey in the aftermath of the attack; it was declared that: “The attack against the flotilla was organized in opposition to peace and to the whole of humanity. By remaining silent, the international community and the people of Israel support this terrorist attack and support the occupying and inhumane illegal policies of Israel which are in violation of international humanitarian laws and human rights laws. However, ever since the preparations for the flotilla we have declared that the aim of the flotilla was to stop the embargo on Gaza, to deliver humanitarian aid to the besieged people of Gaza; we stated that support for the flotilla came from people all over the world and that the flotilla was a symbol of humanitarian aid and represented the common voice of the world’s conscience, and that its legitimacy came from the people, the conscience of humanity and international law.”

Israel carried out propaganda against the NGOs that organized the flotilla, particularly against IHH, claiming that they had terrorist affiliations in order to legitimize the unlawful attack on the humanitarian aid flotilla which occurred on May 31. As is known, the United Nations Fact-Finding Mission drew attention to the fact that there is a perception of NGOs as terrorists or state enemies; however, they are only trying to assist in humanitarian crises while the international community refrains from taking any kind of action.

While trying to legitimize before world public opinion their unlawful conduct, which is clearly a violation of international humanitarian and human rights laws, Israel also was trying to establish an agenda of groundless accusations against IHH.

IHH Humanitarian Relief Foundation, which has and will collaborate with hundreds of local and international foundations, provides significant services to destitute communities in 126 Muslim and non-Muslim countries and other regions of the world as an independent

civilian organization. IHH has been encouraged by the enthusiastic support that is given to it by virtuous people of conscience; it is now a highly respected and familiar foundation.

Israel has repeatedly undermined international humanitarian and human rights laws and has ignored the decisions of the United Nations. Israel has discredited the United Nations, an organization that holds an important position in terms of world peace. As the world remains silent before the unlawful violence of Israel, it becomes ever more possible that the world will become a chaotic and violent place. Both the law and the human rights have been damaged. The idea that the functionality of the international mechanisms has been destroyed in an unjust world and that there is no solution for international law is a serious threat to world peace. The attack carried out by Israel on the humanitarian flotilla is not just an attitude to regional peace, but to world peace. It is well known that it is very difficult to ensure world peace if there is no peace in the Middle East. Not only is it not possible to talk about peace in an unjust world, but if we want security then it must be made clear that we are on the side of freedom and justice.
