

## **BDS-related Responses to Israel's Flotilla Massacre of 31 May 2010**

### **(1) Authoritative Legal Analysis of the Israeli Attack on the Flotilla**

Leading legal expert, Prof. Ben Saul, who served on the International Criminal Tribunal for the former Yugoslavia, described the attack as a violation of article 3 of the Rome Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 1988, the fundamental principle of freedom of navigation on the high seas, codified in the UN Convention on the Law of the Sea of 1982, and article 9 of the International Covenant on Civil and Political Rights.

According to the Rome Convention of 1988, Saul argues, "One cannot attack a ship and then claim self-defence if the people on board resist the unlawful use of violence." He adds, "Legally speaking, government military forces rappelling onto a ship to illegally capture it are treated no differently than other criminals. The right of self-defence in such situations rests with the passengers on board: a person is legally entitled to resist one's own unlawful capture, abduction and detention."

Prof. Saul concludes: "This latest sad and shocking episode is a reminder of Israel's recklessness towards the lives of others, its utter disregard for international opinion, and its incivility as an outlaw of the international community."

<http://www.abc.net.au/unleashed/stories/s2915343.htm>

### **(2) The United Nations**

- The UN Human Rights Council voted with an overwhelming majority (32 to 3) to strongly condemn Israel's actions against the Flotilla and to dispatch an independent, international probe into violations of international law resulting from the incident. Only Italy and the Netherlands joined the US in voting *against* this simple measure of accountability, putting both governments squarely against the emerging world consensus against Israel's siege and criminal impunity.

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=10095&LangID=E>

- UN Secretary General Ban Ki-Moon and his top assistants condemned the attack and called on Israel to immediately end its illegal siege of Gaza.

<http://www.un.org/apps/news/story.asp?NewsID=34863&Cr=gaza&Cr1=>

- As expected, the clearest and most principled position in the UN came from UN Special Rapporteur for Human Rights in the occupied Palestinian territory, Prof. Richard Falk, who stated, "It is essential that those Israelis responsible for this lawless and murderous behavior, including political leaders who issued the orders, be held criminally accountable for their wrongful acts," adding, "The worldwide campaign of boycott, divestment, and sanctions

against Israel is now a moral and political imperative, and needs to be supported and strengthened everywhere."

<http://gulfnews.com/news/world/other-world/israeli-leaders-should-be-brought-to-justice-un-rights-expert-1.635049>

### (3) International Sanctions

- **Nicaragua** suspended its diplomatic relations with Israel as a response to the

<http://www.ynetnews.com/articles/0,7340,L-3897773,00.html>

- **South Africa** recalled its ambassador to Tel Aviv

[http://www.bloomberg.com/apps/news?sid=a\\_vBbjBZJ6LM&pid=20601087](http://www.bloomberg.com/apps/news?sid=a_vBbjBZJ6LM&pid=20601087)

- **Turkey** recalled its ambassador to Tel Aviv for "consultations"

<http://www.todayszaman.com/tz-web/news-212110-100-ambassador-celikkol-back-in-ankara-for-consultations.html>

The Turkish parliament unanimously called on government to "revise the political, military and economic relations with Israel," and to "seek justice against Israel through national and international legal authorities."

<http://www.news-gazette.com/news/news/2010-06-02/turkeys-parliament-wants-review-israeli-ties.html>

- **Norway's** minister of education and head of the Socialist Left party, Kristin Halvorsen, reiterated Norway's arms ban on Israel and called all other states to "follow the Norwegian position which excludes trading arms with Israel."

<http://www.swedishwire.com/nordic/4809-norway-calls-for-boycott-on-arms-to-israel>

### (4) Major BDS-Related Reactions Worldwide (Civil Society)

- In response to an appeal by the BNC, the **Swedish Port Workers Union** decided to blockade all Israeli ships and cargo to and from Israel from June 15 to 29.

<http://ibnkafkasobiterdicta.wordpress.com/2010/06/03/the-swedish-dockers-union-decides-on-a-blockade-against-israeli-ships-and-goods/>

- South African trade union federation **COSATU** called for "greater support for the international boycott, divestment and sanction campaign against Israel," urging "all South Africans to refuse to *buy* or *handle* any goods from Israel or have any dealings with Israeli businesses."

<http://www.cosatu.org.za/show.php?include=docs/pr/2010/pr0531d.html&ID=3395&cat=COSATU%20Today>

- The **South African Transport and Allied Workers' Union (SATAWU)**, which pioneered the boycott against Israeli maritime trade in February 2009, refusing to offload a ship in Durban, also heeded the BNC appeal, advocating

"an escalation of the boycott of Israeli goods" and calling upon its members "not to allow any Israeli ship to dock or unload" and calling upon fellow trade unionists "not to handle them."

<http://groups.google.com/group/cosatu-press/msg/a2ff0baff48201c4?pli=1>

- **Swedish** under-21 football team refuses to play in Israel, following a similar decision by **Turkey's** under-19 team.

<http://www.haaretz.com/print-edition/sports/after-flotilla-raid-sweden-wants-out-of-soccer-match-with-israel-1.293650>

- **LO, Norway's largest trade union federation**, comprising almost one fifth of the entire Norwegian population, called on the State Pension Fund, the third largest in the world, to *divest from all Israeli companies*.

<http://www.nrk.no/nyheter/norge/1.7148110>

In reaction to the Flotilla attack, a public opinion poll revealed that **42%** of Norwegians now support a *boycott of ALL Israeli products*.

<http://www.ynetnews.com/articles/0,7340,L-3898052,00.html>

- World renowned British writer, **Iain Banks**, wrote in the Guardian that the best way for international artists, writers and academics to "convince Israel of its moral degradation and ethical isolation" is "simply by having nothing more to do with this outlaw state."

<http://www.guardian.co.uk/world/2010/jun/03/boycott-israel-iain-banks>