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The bullets were falling 'like rain'

Shanthi Dairiam says passengers on the *Mavi Marmara* were tortured after they were detained. — NST picture by Abdullah Yusof

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KUALA LUMPUR: The interception of the Gaza-bound aid flotilla by Israeli soldiers on May 31 and the level of force they used was illegal, the Malaysian member of the United Nations fact-finding mission said.

Women's rights advocate Shanthi Dairiam, who returned last weekend after the mission presented its 56-page report to the Human Rights Council in Geneva, hoped the report will be the "tipping ffoimf" to end the blockade of Gaza.

She hoped the report's call for prosecution and adequate and prompt compensation for the victims will be heeded.

What stood out from seven weeks of interviews with nearly 120 people in Geneva, London, Istanbul and Amman was that "the residue of tremendous physical and psychological fear and trauma was still there, two and a half months later".

"They all thought they were going to die. Some of the men were actually in tears. It's something I am not going to forget," the founder member of the International Women's Rights Action Watch Asia-Pacific

which networks with women's organisations in 115 countries, said.

The mission was set up in June by the Human Rights Council with its three members appointed in July and starting in Geneva the next month.

"We were tasked with establishing the legality of the attack as well as the legality of the level of force used," Dairiam said.

"The blockade was illegal because it causes undue hardship and suffering to the people of Gaza, and therefore, the interception was illegal. The level of force was extremely harsh, brutal, unwarranted and disproportionate."

Interviews with the passengers were "very intense and very emotional", lasting about two hours each, she recalled.

One of the men said he was standing under an awning on the second deck of the *Mavi Marmara*, the first of the flotilla, on which nine passengers were killed.

After the soldiers landed on its top deck, they shot indiscriminately into the deck below, he said.

"They were spraying bullets. The man said the bullets were landing on the awning and 'sounded like rain'."

The mission concluded that there was no evidence the passengers on board the flotilla were prepared to fight.

But live ammunition was fired from a helicopter onto the top deck before the soldiers descended.

"The 45 to 50 minutes before they secured the *Mavi Marmara* was sheer terror and mayhem," Dairiam said.

The passengers "improvised" with their fists, sticks, metal rods, knives and a couple of hand-held catapults.

On the shootings on the bridge deck and when many passengers were injured, the report says: "Bulent Yildirim, the president of IHH (Turkey's foundation for humanitarian relief) and one of the principal organisers of the flotilla, removed his white shirt, and used it as a white flag to indicate a surrender."

But firing onto the ship continued. That was "a serious crime", said Dairiam, adding that even after the ship was secured, passengers were tortured.

Although the report doesn't discuss the Israelis' intention, Dairiam noted there had been many previous attempts to break the blockade.

"The Israelis wanted to put a stop to it, once and for all."

There have been further attempts to break the blockade since May.

"Since the international community has not been able to provide a solution, it's up to civil society to do something," said Dairiam. "They must be respected and legitimised. I want this report to do that."

After receiving the report, the Council passed a resolution endorsing its conclusions, calling upon all concerned parties to ensure they were implemented immediately, besides recommending that the General Assembly consider the report.

Meanwhile, Dairiam said 43 legal firms from the 20 countries whose nationals were on the flotilla have formed a network and are meeting in Doha this month to decide on legal action.

The nine media organisations that participated are also forming a group to file a case for return of equipment and digital materials, she added.

"The blockade on Gaza is illegal and should be lifted," she said.

"I hope this report will be the tipping point and strengthen the voices of human rights advocates."