

Israel Announces Public Probe Into Gaza Flotilla Raid

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By Calev Ben-David and Gwen Ackerman

Israel announced it is setting up a public probe into its raid on a Gaza-bound flotilla in which nine Turkish activists were killed. The probe will include two foreign observers.

The commission will examine “the security circumstances surrounding the imposition of the naval blockade on the Gaza Strip and the conformity of the naval blockade with the rules of international law,” the office of Prime Minister Benjamin Netanyahu said in an e-mailed statement last night. It will also look into “the conformity of the actions taken by Israel to enforce the naval blockade in the incident of 31 May 2010 with the rules of international law.”

The panel will be headed by former Israeli supreme court judge Jacob Turkel. The two foreign observers are Nobel Peace Prize winner and Northern Ireland politician David Trimble, and Ken Watkin, former judge advocate general of Canada’s armed forces. Trimble and Watkin will sit in on discussions and won’t have the right to vote, Minister without Portfolio Benny Begin said on Army Radio.

Demands for an international probe began after Israel’s May 31 raid in international waters on six ships that were attempting to breach its three-year blockade on Hamas-controlled Gaza. Israel last year refused to participate in a United Nations investigation of the 2008 Gaza war, an inquiry its leaders rejected as one-sided, and Netanyahu turned down a proposal for a UN-led probe into the ship incident.

Independent Commission

The inquiry will be conducted by “an independent public commission” that will examine Israel’s May 31 actions “to prevent vessels from reaching the coast of the Gaza Strip,” the statement said.

Israel’s Cabinet was meeting today to vote on the establishment of the committee.

“It is an excellent commission,” Ruth Lapidot, professor emeritus in international law at Hebrew University said on Army Radio. “It will answer questions not just from the Americans. We Israelis also want to know if we had the right to impose the siege and to seize the boat in international waters.”

The Obama administration welcomed the announcement as “an important step forward.” In a statement, White House Press Secretary Robert Gibbs reiterated the administration’s support for “a prompt, impartial, credible and transparent investigation.”

The statement said Israel “has a military justice system that meets international standards,” that the administration “will not prejudge the process or its outcome” and that it expects the findings to be “presented to the international community.”

Radical Terror Groups

Turkish Prime Minister Recep Tayyip Erdogan said on June 12 that Israel conducting its own investigation into the raid is “laughable.” Turkey repeatedly has demanded an international investigation.

The commission’s members include retired Israeli general Amos Horev and international law expert Shabtai Rosenne.

It will also investigate “the actions taken by the organizers of the flotilla and its participants, as well as their identity.” Israel has alleged that some members of the flotilla had links to radical Islamic terror groups.

The panel will have the authority to request information from any Israeli government official, including Netanyahu and “including through testimony before the Commission,” the statement said. It will present its findings to the prime minister upon completion of its investigation.

Military Investigation

The army said June 8 that it had appointed Major-General Giora Eiland to lead a separate military investigation of the raid.

The UN inquiry into the Gaza war, led by former UN prosecutor and South African judge Richard Goldstone, accused Israel and Hamas of war crimes and called on them to investigate the charges.

Israel said it issued numerous warnings to the Gaza-bound flotilla to change course for the port of Ashdod and unload there. It says that soldiers were attacked with knives and clubs and seven were wounded, including by gunfire, after people aboard one of the ships managed to grab Israeli firearms. Activists have said they threw the firearms into the sea and that the Israelis instigated the violence.

Gaza Restrictions

Israel has imposed restrictions on Gaza since the Islamic Hamas movement, which won Palestinian parliamentary elections in 2006, ousted forces loyal to President Mahmoud

Abbas's Fatah group and seized full control of the territory in 2007. Hamas is considered a terrorist organization by the U.S., the European Union and Israel.

The blockade of Gaza is legal, according to Israel, because it is in "a state of armed conflict" with Hamas. Criticism within Israel of the operation has focused largely on the execution of the raid and not the blockade, which polls show most Israelis support. Some countries, such as Turkey, dispute the legality of the blockade.

Palestinians, backed by the UN and human-rights groups, say the restrictions on food imports and construction materials have created a humanitarian crisis. Israel denies that such a crisis exists, saying it restricts imports of building materials to Gaza because they can be used to build rockets, bunkers or bombs. Officials said they also were concerned about weapons being hidden in food packaging.

Military Offensive

Israel launched a three-week military offensive in Gaza in December 2008 that it said was meant to stop the firing of rockets by Hamas and other Palestinian militants into its territory. More than 1,000 Palestinians and 13 Israelis were killed in the conflict.

More than 400 rockets and mortars have been fired from Gaza into Israel since the end of the 2008 military operation, killing one foreign worker last March, the Israeli army said.

Hamas's charter calls for the destruction of the Jewish state. Hamas leaders say they will renounce violence when Israel withdraws from territory occupied in 1967 and allows Palestinians to return to areas in Israel from which they fled in 1948.