



UN Fact-Finding Mission Says Israelis "Executed" US Citizen Furkan Dogan

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by: Gareth Porter, *truthout* | Report

The report of the fact-finding mission of the Office of the United Nations High Commissioner for Human Rights (OHCHR) on the Israeli attack on the Gaza flotilla released last week shows conclusively, for the first time, that US citizen Furkan Dogan and five Turkish citizens were murdered execution-style by Israeli commandos.

The report reveals that Dogan, the 19-year-old US citizen of Turkish descent, was filming with a small video camera on the top deck of the Mavi Marmara when he was shot twice in the head, once in the back and in the left leg and foot and that he was shot in the face at point blank range while lying on the ground.

The report says Dogan had apparently been "lying on the deck in a conscious or semi-conscious, state for some time" before being shot in his face.

The forensic evidence that establishes that fact is "tattooing around the wound in his face," indicating that the shot was "delivered at point blank range." The report describes the forensic evidence as showing that "the trajectory of the wound, from bottom to top, together with a vital abrasion to the left shoulder that could be consistent with the bullet exit point, is compatible with the shot being received while he was lying on the ground on his back."

Based on both "forensic and firearm evidence," the fact-finding panel concluded that Dogan's killing and that of five Turkish citizens by the Israeli troops on the Mavi Marmara May 31 "can be characterized as extra-legal, arbitrary and summary executions." (See Report [.pdf] Page 38, Section 170)

The report confirmed what the Obama administration already knew from the autopsy report on Dogan, but the administration has remained silent about the killing of Dogan, which could be an extremely difficult political problem for the administration in its relations with Israel.

The Turkish government gave the autopsy report on Dogan to the US Embassy in July and it was then passed on to the Department of Justice, according to a US government source who spoke on condition of anonymity because of the administration's policy of silence on the matter. The source said the purpose of obtaining the report was to determine whether an investigation of the killing by the Justice Department (DOJ) was appropriate.

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Asked by this writer whether the DOJ had received the autopsy report on Dogan, DOJ spokesperson Laura Sweeney refused to comment.

The administration has not volunteered any comment on the fact-finding mission report and was not asked to do so by any news organization. In response to a query from Truthout, a State Department official, who could not speak on the record, read a statement that did not explicitly acknowledge the report's conclusion about the Israeli executions.

The statement said the fact-finding mission's report's "tone and conclusions are unbalanced." It went on to state, "We urge that this report not be used for actions that could disrupt direct negotiations between Israel and Palestine that are now underway or actions that would make it not possible for Israel and Turkey to move beyond the recent strains in their traditional strong relationship."

Although the report's revelations and conclusions about the killing of Dogan and the five other victims were widely reported in the Turkish media last week, not a single story on the report has appeared in US news media.

The administration has made it clear through its inaction and its explicit public posture that it has no intention of pressing the issue of the murder of a US citizen in cold blood by Israeli commandos.

On June 13, two weeks after the Mavi Marmara attack, White House Press Secretary Robert Gibbs issued a statement saying that Israel "should be allowed to undertake an investigation into events that involve its national security" and that Israel's military justice system "meets international standards and is capable of conducting a serious and credible investigation."

Another passenger whom forensic evidence shows was killed execution-style, according to the OHCHR report, is Ibrahim Bilgen, a 60-year-old Turkish citizen. Bilgen is believed by forensics experts to have been shot initially from the helicopter above the Mavi Marmara and then shot in the side of the head while lying seriously wounded.

The fact-finding mission was given forensic evidence that, after the initial shot in chest from above, Bilgen was shot in the head with a "soft baton round at such close proximity that an entire bean bag and its wadding penetrated the skull and lodged in the chest from above," the mission concluded.

"Soft baton rounds" are supposed to be fired for nonlethal purposes at a distance and aimed only at the stomach, but are lethal when fired at the head, especially from close range.

The forensic evidence cited by the fact-finding mission on the killing of Dogan and five other passengers came from both the autopsy reports and pathology reports done by forensic personnel in Turkey and from interviews with those who wrote the reports. Experts in forensic pathology and firearms assisted the mission in interpreting that forensic evidence.

The account, provided by the OHCHR of the events on board the Mavi Marmara on its way to help break the economic siege of Gaza May 31 of this year, refutes the version of events aggressively pushed by the Israeli military and supports the testimony of passengers on board.

The report suggests that, from the beginning, Israeli policy viewed the Gaza flotilla as an opportunity to use lethal force against pro-Hamas activists. It quotes testimony by Israeli Defense Minister Ehud Barak before the Israeli government's Turkel Committee that specific orders were given by the Israeli government "to continue intelligence tracking of the flotilla organizers with an emphasis on the possibility that amongst the passengers in the flotilla there were terror elements who would attempt to harm Israeli forces."

The idea that the passenger list would be seeded with terrorists determined to attack Israeli defense forces appears to have been a ploy to justify treating the operation as likely to require the use of military force against the passengers.

When details of the Israeli plan to forcibly take over the ships in the flotilla were published in the Israeli press on May 30, the passengers on board the Mavi Marmara realized that the Israelis might use deadly force against them. Some leaders of the IHH (the Foundation for Human Rights and Freedoms and Humanitarian Aid), which had purchased the ships for the mission, were advocating defending the boat against the Israeli boarding attempt, whereas other passengers advocated nonviolence only.

That led to efforts to create improvised weapons from railings and other equipment on the Mavi Marmara. However, the commission concluded that there was no evidence of any firearms having been taken aboard the ship, as charged by Israel.

The report notes that the Israeli military never communicated a request by radio to inspect the cargo on board any of the ships, apparently contradicting the official justification given by the Israeli government for the military attack on the Mavi Marmara and other ships of preventing any military contraband from reaching Gaza.

According to the OHCHR report, Israeli Chief of General Staff Gabi Ashkenazi testified to the Turkel Committee August 11 that the initial rules of engagement for the operation prohibited live fire except in life-threatening situations, but that that they were later modified to target protesters "deemed to be violent" in response to the resistance by passengers.

That decision apparently followed the passengers' successful repulsion of an Israeli effort to board the ship from Zodiac boats.

The report confirms that, from the beginning of the operation, passengers were fired on by helicopters flying above the Mavi Marmara to drop commandos on the deck.

Contrary to Israeli claims that one or more Israeli troops were wounded by firearms, the report says no medical evidence of a gunshot wound to an Israeli soldier was found.

The OHCHR report confirms accounts from passengers on the Mavi Marmara that defenders subdued roughly ten Israeli commandos, took their weapons from them and threw them in the sea, except for one weapon hidden as evidence. The Israeli soldiers were briefly sequestered below and some were treated for wounds before being released by the defenders.

The OHCHR fact-finding mission will certainly be the most objective, thorough and in-depth inquiry into the events on board the Mavi Marmara and other ships in the flotilla of the four that have been announced.

The fact-finding mission was chaired by Judge Karl T. Hudson-Phillips, Q.C., retired judge of the International Criminal Court and former attorney general of Trinidad and Tobago, and included Sir Desmond de Silva, Q.C. of the United Kingdom, former chief prosecutor of the United Nations-backed Special Court for Sierra Leone and Ms. Mary Shanthi Dairiam of Malaysia, founding member of the board of directors of the International Women's Rights Action Watch Asia Pacific.

The mission interviewed 112 eyewitnesses to the Israeli attack in London, Geneva, Istanbul and Amman, Jordan. The Israeli government refused to cooperate with the fact-finding mission by making personnel involved in both planning and carrying out the attack available to be interviewed.

The Turkish governments announced its own investigation of the Israeli attack on August 10. UN Secretary General Ban Ki-moon announced the formation of a "Panel of Inquiry" on August 2, but its mandate was much more narrowly defined. It was given the mission to "receive and review the reports of the national investigations with the view to recommending ways of avoiding similar incidents in the future."



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