Public Annex B

Illustrative Time Line

Preceding night Mavi Marmara and flotilla shadowed by IDF vessels; no

allegations of gunfire.1

Approx. 04:26-04:29 First IDF boarding attempt by boat, by surprise, repelled amid

noise and chaos.4

>>> Allegations of live fire, prior to the second boarding attempt, in this period⁵ <<<

Approx. 04:29-04:32

First group of IDF troops fast-rope to upper deck of *Mavi Marmara*, using, at least, flash-bang grenades prior to descending.⁶ Troops encounter resistance on upper deck leading to various uses of force including live fire.⁷

¹ See <u>UNHRC Report</u>, para. 111 ("larger Israeli ships and helicopters came into view […] at approximately 0100 hours on 31 May"); <u>Palmer-Uribe Report</u>, para. 31 (reporting the finding of the Turkish Report: "From approximately 2:00 a.m. […] Israeli naval vessels began to shadow the convoy"); <u>Turkish Report</u>, p. 20.

³ See <u>Turkish Report</u>, p. 20 ("Without any immediate prior warning, Israeli forces launched a massive attack"); <u>Palmer-Uribe Report</u>, paras. 32 (recalling the Turkish Report: "Israeli forces launched the attack without prior warning when several speedboats drew alongside the *Mavi Marmara*"), 110 ("the boarding attempt was made by surprise, without any immediate prior warning [...] No efforts were made to fire warning shells or blanks"), 112; <u>Turkel Report</u>, pp. 138-141 (concluding by noting that, after four warnings were issued, "no additional warning was given" due to the "operational needs for a covert takeover of the vessels"). The Turkish Report refers to the "sound of machine guns coming from the zodiacs as they approached the ship", but distinguishes this from the subsequent first use of live fire: <u>Turkish Report</u>, pp. 21-22, 114.

⁴ See Turkish Report, p. 20; UNHRC Report, para. 112; Palmer-Uribe Report, para. 119; Turkel Report, pp. 143 ("[t]he first Morena speedboat reached the *Mavi Marmara*, came alongside it, and an attempt was made to raise the poles with climbing pegs on them in order to enable combat personnel to climb onto the desk. The Morena encountered resistance [...] The Commander [...] decided to allow the firing of paintball guns and the use of flash bang grenades, but after approximately a minute during which the resistance did not diminish, he decided to retreat"), 143-145 (describing a broadly similar pattern of events for the second speedboat), 145-146 ("in the recording of the aerial lookout's radio network, at 4:29 a.m. it is possible to hear reports from the Morenas of a heavy barrage of stones and bottles, and as a result, that the combat personnel were prevented from boarding the *Mavi Marmara*"). The Prosecution also notes in this context the evidence of one IDF commander who reported that troops in the second boat "requested permission to fire live ammunition, but I did not give them approval": Turkel Report, p. 144; UNHRC Report, para. 112 ("despite some claims that live ammunition was also fired from the zodiac boats, the Mission is not satisfied that this was the case"). On the applicable IDF rules of engagement, *see* Turkel Report, pp. 243-247.

⁵ See e.g. <u>UNHRC Report</u>, para. 114 (concluding, without citation, that "live ammunition was used from the helicopter onto the top deck prior to the descent of the soldiers"); <u>Turkish Report</u>, pp. 20, 22 ("Following the failure of the boarding attempt from zodiacs, helicopters appeared [...] [A]t this stage, Israeli forces began firing live ammunition"); <u>Palmer-Uribe Report</u>, paras. 32 (reporting the finding of the Turkish Report: "IDF personnel began firing on the *Mavi Marmara* from both the speedboats and helicopters *before boarding had commenced*. This included the use of live fire (including automatic and semi-automatic weapon fire) as well as stun and smoke grenades, paintball guns and rubber bullets. *Two passengers were killed by shots from the helicopters before the first soldiers had boarded the vessel"*, emphasis added), 120.

⁶ See Turkish Report, p. 20; UNHRC Report, para. 114 ("[j]ust minutes" elapsed between the unsuccessful boarding attempt by boat, and the attempt by air); Palmer-Uribe Report, para. 119; Turkel Report, pp. 147 ("At 4:29 a.m. the soldiers began to fast-rope down from the first helicopter. In view of the violence that the navy force encountered and the fact that on the roof of the ship there were approximately 10-15 IHH activists, the Shayetet 13 commander ordered the force commander in the first helicopter [...] to prepare two flash bang grenades and to throw them before they fast-roped down"), 151 ("According to what is seen on film, at approximately 4:32 a.m., the first soldier rappelled down the rope").

⁷ See e.g. <u>UNHRC Report</u>, paras. 115-117; <u>Palmer-Uribe Report</u>, para. 124; <u>Turkel Report</u>, pp. 150 (acknowledging that the first group of air-deployed IDF troops, "in response to this resistance", "used force of various types" including less-

² See <u>UNHRC Report</u>, para. 112 ("Israeli zodiac reports made a first attempt to board the *Mavi Marmara* [...] shortly before 0430 hours"); <u>Turkel Report</u>, p. 141 ("[t]he takeover operation itself began at 4:26 a.m."); <u>Turkish Report</u>, p. 20 (without citation, timing the operation as beginning "04.32 and onwards"). The Palmer-Uribe Report notes the timing discrepancy, and concludes simply "[the boarding began at approximately 4:30 a.m.": <u>Palmer Uribe Report</u>, paras. 32, 55, 110.

Approx. 04:36 Second group of IDF troops fast-rope to upper deck of Mavi

Marmara;8 troops ordered to move to the bridge using live fire

if needed.9

Approx. 04:32-04:46 IDF troops continue boarding attempts by boat,

unsuccessfully.¹⁰

Approx. 04:46 Third group of IDF troops fast-rope to upper deck of Mavi

Marmara;¹¹ troops securing upper deck ordered to use deterring fire and live fire in the event of danger;¹² troops use live fire to

secure the bridge.13

Approx. 05:07 IDF soldiers board Mavi Marmara from boats; live fire is used

from the sea.14

Approx. 05:17 *Mavi Marmara* secured. ¹⁵

lethal means "as well as the shooting of live ammunition"), 248, 255. *See further* Turkel Report, pp. 152 (Soldier 1 acknowledged shooting an attacker in the leg), 153 (Soldier 3 acknowledged firing two live rounds, not knowing where they impacted), 154 (Soldiers 2 and 5 were injured by live fire).

⁸ See <u>UNHRC Report</u>, para. 117; <u>Palmer-Uribe Report</u>, para. 119; <u>Turkel Report</u>, p. 164 ("At 4:36 a.m., fast-roping began from the second helicopter").

⁹ See <u>Turkel Report</u>, p. 165 ('the order given to the soldiers on the roof was 'to move to the bridge, while using live fire if needed. I ordered the soldiers that in case there is a danger to their lives, they should shoot to hit the activists that are endangering the force, but for those who do not constitute a threat to their lives, shoot at the legs").

¹⁰ See Turkel Report, pp. 166-167 ("Before the arrival of the third helicopter, and after receiving the radio report that there were two injured on the roof, the Commander of Center A instructed the first Morena speedboat to approach the bow. The force encountered resistance [...] and another attempt to raise the ladders in order to climb aboard failed. The Commander of Center A decided not to approve live fire at this stage, and to wait for the third helicopter [...] The Commander of the Takeover Force on the second Morena stated that he heard shooting [...] and requested permission from the Shayetet 13 commander to open live fire. The Shayetet 13 commander refused").

¹¹ See <u>UNHRC Report</u>, para. 117; <u>Palmer-Uribe Report</u>, para. 119; <u>Turkel Report</u>, pp. 163, 165 ("the *Shayetet 13* commander ordered the third helicopter [...] to alter its destination and fast-rope onto the *Mavi Marmara* to assist the forces there [...] At 4:46 a.m., fast-roping using two ropes commenced").

¹² See <u>Turkel Report</u>, p. 165 ("A small team remained to secure the roof near the opening to down below. The order given to this team was to shoot toward the ship's body (into the clear area) to deter the activists and, in the event of any danger to the forces, to shoot at the threat"; <u>UNHRC Report</u>, para. 120. See also <u>Turkel Report</u>, p. 260, fn. 295 ("Warning shots are directed away from the targeted person, while deterring fire is aimed at a safe location but close to an individual in order to provide a more direct warning").

¹³ See <u>Turkel Report</u>, p. 166 (Soldier 18 acknowledged troops in his presence using deterring fire to secure the bridge, as well as: shooting and wounding one person allegedly armed with a club or axe; shooting in the legs two other persons allegedly armed with clubs; shooting towards the legs of persons allegedly firing into the bridge area with slingshots from an internal corridor). See also <u>UNHRC Report</u>, para. 119; <u>Turkish Report</u>, p. 26.

¹⁴ See Palmer-Uribe Report, para. 119; Turkel Report, pp. 163, 167-168 ("At 05:07 a.m., the Commander of Center A gave the order for the soldiers on both Morena speedboats to board the *Mavi Marmara*. The Commander of Center A issued an order to use deterring fire against the side of the ship in order to deter the group of IHH activists standing there. According to his statement, the deterring fire did not have the anticipated effect. Therefore, the forces used live fire towards two of the IHH activists who were throwing various objects towards them. The soldiers on the second Morena boarded on the right side, without engaging in any live fire"). See also Turkel Report, pp. 168-172 (once the bridge was secured, and captured IDF soldiers were brought onto the bow of the *Mavi Marmara* by passengers, IDF troops used less-lethal and deterring fire to recover them); UNHRC Report, paras. 126-127 ("[a]t least two passengers received wounds from live ammunition, while others received injuries from soft baton charges").

¹⁵ See <u>UNHRC Report</u>, para. 128; <u>Palmer-Uribe Report</u>, para. 119; <u>Turkel Report</u>, p. 172.