

Public
Annex G

Examples of commonalities between statements

1. In the course of reviewing the 306 victim applications received, Prosecution analysts noticed distinctive or unusual terminology and expressions recurring in different persons' accounts of the events aboard the *Mavi Marmara*.

2. To test this apparent phenomenon, five such distinctive terms or expressions were identified and their occurrence in the victim applications and other material in the Prosecution's possession analysed. These distinctive terms or expressions were not identified exhaustively, but as a sample—analysis of these five 'distinctive similarities' does not mean these are the only five terms or expressions which might be common between the various accounts.

3. Reviewing the accounts in this light, the Prosecution identified at least 61 persons' accounts containing at least one of these distinctive similarities. More than a third of these accounts contained more than one of these distinctive similarities.

Thus:

- at least 33 persons' statements contained one of these distinctive similarities;¹
- at least 12 persons' statements contained two of these distinctive similarities;²
- at least 8 persons' statements contained three of these distinctive similarities;³
- at least 3 persons' statements contained four of these distinctive similarities;⁴
- at least 5 persons' statements contained five of these distinctive similarities.⁵

4. Alternatively, to describe the same 61 persons' accounts a different way:

¹ These include statements of V14, V17, V18, V35, V39, V43, V98, V112, V146, V147, V157, V159, V160, V162, V166, V171, V173, V174, V185, V220, V227, V233, V234, V264, V282, V288, V294, V298, V305, V308, V311, V319, and V329.

² These include statements of V54, V64, V73, V80, V93, V153, V243, V250, V256, V310, V318, and V322.

³ These include statements of V31, V55, V72, V77, V130, V140, V284, and W4.

⁴ These include statements of V295, V299 and V316.

⁵ These include statements of V41, V57, V165, V229, and V333.

- at least 20 persons made at least one statement describing an IDF hand grenade, a relatively inconsequential detail, in a manner distinctively similar to other statements;⁶
- at least 19 persons made at least one statement containing a description of verbal abuse which is distinctively similar in its context and phrasing to statements of other persons;⁷
- at least 24 persons made at least one statement describing an unlikely combination of allegations (limited access to toilets, lack of drinking water, and low-flying helicopters) in a manner and sequence distinctively similar to other statements;⁸

⁶ These include statements of **V39** (“They used other b[o]mbs that I didn’t recognise”), **V41** (“They were throwing grenades that I had never even heard of”), **V43** (“They even used different types of bombs that I did not know about”), **V57** (“They also threw grenades that I had never even heard of”), **V72** (“Other types of bombs, which I could not identify, were also thrown”), **V77** (“They were also using a kind of grenade I had never even heard of before”), **V80** (“They were throwing stun, smoke and gas grenades and grenades I had not even heard of before”), **V130** (“They were also throwing types of grenades that I had never even heard of”), **V140** (“They threw stun, smoke and gas grenades, including a kind I had never heard of before”), **V153** (“In addition, they threw another type of bomb, of an unknown type”), **V157** (“They were also using grenades I had never even heard of”), **V165** (“They were throwing grenades that I had never heard of before”), **V229** (“They were also using a kind of bomb I had never heard of”), **V243** (“They were throwing grenades that I had never heard of before”), **V284** (“Also, they threw other kinds of bombs which I am not familiar with”), **V295** (“We did not recognize some of the bombs that they threw”), **V299** (“They were throwing bombs that we did not know”), **V318** (“Other bombs, of a type I’m not familiar with, were thrown as well”), **V333** (“They threw stun, smoke and gas grenades, including a kind I had never heard of”), **W4** (“Other types of bombs, which I am not familiar with, were also set off”).

⁷ These include statements of **V41** (“The soldiers were verbally abusing all women, children and the elderly”), **V55** (“The soldiers were harassing and swearing at everyone including women and the elderly”), **V57** (“The soldiers screamed at women and the elderly too”), **V64** (“The soldiers were yelling at the women, the elderly and those on the ship”), **V72** (“The soldiers yelled at the women and the elderly and handcuffed everyone”), **V73** (“They were abusing and screaming at everyone including women and the elderly”), **V130** (“Everyone was abused and humiliated including women and the elderly”), **V153** (“The soldiers on the boat were trying to gather the women and elderly, to prevent them scattering, by violently shouting at them”), **V165** (“The soldiers were verbally abusing the females and the elderly on board”), **V229** (“They were verbally abusing the elderly and the women”), **V233** (“They treated the women and elderly in an equally abusive way”), **V284** (“The soldiers shouted at the women and the elderly and all the other passengers on the ship”), **V295** (“The soldiers shouted at the women and the elderly”), **V298** (“They did not have any respect to women, children or the elderly”), **V299** (“Soldiers were shouting at everyone on board, including women and elderly people”), **V316** (“The soldiers were harassing everybody include women and the elderly”), **V333** (“Everyone on the ship was abused including all women and children”), **W4** (“The soldiers yelled at the women and elderly and handcuffed everyone”).

⁸ These include statements of **V17** (“We were not allowed to use the toilets. A few elderly people urinated. We were left to thirst for hours. Later, they took us out to the deck. The helicopters squirted sea water onto us”), **V31** (“No one was allowed to use the toilet, therefore a few elderly people wet their pants. Despite being very thirsty we were not given any water. We were then taken out to the deck and seated on the wet grounds. The

- at least 27 persons made at least one statement containing a description of the circumstances of the prison transfer which is distinctively similar in its context and phrasing to statements of other persons;⁹

helicopters squirted us with sea water”), **V41** (“No one was allowed to use the toilets, therefore a few elderly people urinated on themselves. We were not given water despite asking several times. Later, we were taken up to the deck and kept under the helicopters for hours. They kept on squirting us with sea water”), **V55** (No one was permitted to go to the toilet, therefore a few of the elderly passengers wet themselves. We were not given any water. They then took us up to the deck and kept us under the helicopters for hours”), **V57** (“We were deprived of our basic rights such as water and the need to go to the toilet. A few elderly people urinated in their spots. Once we were taken up onto the deck the helicopters squirted us with water”), **V64** (“First they kept us in the hall and later they didn’t allow us to use the toilets, and the elderly urinated on themselves. We were thirsty and they didn’t give us water. When they took us out on the deck, they soaked us with helicopters”), **V72** (“they held us in the hall in the heat and did not allow us to use the bathroom; the elderly soiled their pants. We were thirsty but we were not given any water; instead we were saturated with water when we were taken to the deck”), **V73** (“First they gathered us all in one room which was very hot. We were not given water or allowed to go to the toilet. Thus, some of the elderly people actually urinated on themselves. Later on they took us out onto the upper deck. The helicopters hovered above us, wetting us and causing us to freeze”), **V140** (“The room was very hot. However, we were not given any water. No one was allowed to use the bathrooms. As a result a few elderly people urinated on themselves”), **V147** (“We were not given water or allowed to go to the lavatory. A few elderly people actually urinated. We were wet by the helicopters and then dr[i]ed under the sun”), **V160** (“First, we were kept indoors in an overheated room. A few elderly passengers urinated”), **V165** (“No one was allowed to go to the toilet. When anyone moved to go they were forced to sit back at gun point. As a result a few elderly people wet themselves. We were not given any water, despite being in a very hot and stuffy hall for a while”), **V173** (“First they kept us inside the lounge room in the heat and did not let us go to the toilet. Some of the elderly people could not hold onto their toilet anymore. They refused to give us water and when we were taken up to the top deck they wet us with the helicopter”), **V229** (“First, we were kept indoors. We were not allowed to use the rest rooms, thus, a few elderly people urinated”), **V256** (“They kept us in an overheated room for several hours. No one was allowed to use the restrooms. Hence, a few elderly people urinated on themselves”), **V282** (“The helicopters were so low above us, that the wind they caused made us freeze, as we were previously squirted with sea water. [...] We were not allowed to use the toilets, thus a few people actually urinated while waiting”), **V284** (“At first they kept us in the ship’s lounge which was hot. They did not give us permission to go to the toilet, and some of the elderly passengers urinated on themselves. We were thirsty, but they did not give us any water. Instead they took us up onto the deck and soaked us with water from the helicopters”), **V288** (“We were not allowed to go to the toilet, therefore a few elderly people urinated on themselves”), **V295** (“First they held us in the head and did not allow us to use the toilet; the elderly soiled their pants. We were thirsty but were not given any water; instead we were saturated with water when we were taken to the deck”), **V299** (“Once, they kept us in the hall where it was really hot; they did not let us visit the toilets; elderly people wetted their clothes. We were thirsty and they did not give us water; when they brought us on the deck, we were soaked with sea water by the effect of helicopter”), **V316** (“First they kept us in the overheated and cramped hall. They did not allow us to use the toilets. As a result some elderly people urinated in their spots”), **V318** (“First they kept us in the hot lounge. Then they didn’t allow us to use the toilets. The elderly urinated on themselves. We were thirsty and they didn’t give us water; instead they brought us to the deck of the ship and soaked us with water from the helicopters”), **V333** (“We were kept inside for several hours. The room was very hot. However, we were not given any water. No one was allowed to use the bathrooms. As a result a few elderly people urinated on themselves”), **W4** (“First, we had to stay in the hall, which was very hot and we were not allowed to use the bathrooms so some of the elderly urinated on themselves. We were thirsty, but were not allowed to drink anything. After we were taken onto the deck, we were soaked by the water from the helicopters”).

⁹ These include statements of **V18** (“We were then taken to prison with very old vehicles”), **V31** (“We were taken to prison in a very old prison vehicle. They abused us and did not give us any food or water. When we got to prison they assembled us all together. After two hours they grouped us and put us in rooms. They banged the rails every few hours so we would not fall asleep. This was ne[rv]e wrecking as we were very tired”), **V35** (“We were then taken to prison with a very old vehicle. We were not given anything to eat or drink. While in prison they banged the doors every 2 hours so we would not fall asleep. This was psychologically disturbing”), **V41**

- at least 28 persons made at least one statement describing assaults at or on the way to the airport the airport which is distinctively similar in its context and relatively unusual vocabulary to statements of other persons.¹⁰

(“We were then transferred to prison in very old vehicles. We were not given any food here ever. When we got to prison we were all kept together for a while and then put in rooms. Every few hours the doors were banged so we could not sleep”), **V54** (“After being questioned several times we were transferred to prison in a very old vehicle. We were abused in the vehicle and were not given enough food or drink. While in prison they made sure we would not fall asleep by banging on the doors”), **V55** (“We were then taken to prison in very old vehicles. The prison seemed newly built. They actually forced me to clean. They made sure we did not fall asleep by banging on the doors”), **V57** (“Later we were put into a very old prison vehicle. We were not given any water or drink here ever. We were taken to prison. First of all we were kept together, then we were put into rooms of a few. Every 30 minutes or so they banged on the doors so we would not be able to fall asleep. This was very nerve wrecking”), **V77** (“We were then taken to prison with a very old vehicle”), **V80** (“We were then taken to prison in a very old vehicle. The driver drove recklessly and we were abused in the vehicle too”), **V93** (“We were then taken to prison with very old vehicles. They did not give us any food or water”), **V159** (“I was then put on a very old vehicle along with a few other friends. It took about 10 hours to get to the prison and they stopped every few hours, interrogating some of our friends. They drove wildly causing my wounds to hurt even more. When we got to the prison we were kept all together for a while and then sent into smaller rooms”), **V162** (“Later we were transferred to prison in a very old vehicle, and continued to be abused here too. The soldiers in the prison did not allow us to sleep as they banged on the steel doors”), **V165** (“We were then taken to prison in a very old vehicle. We were not given any food or drink during our trip to prison. While in prison they made sure we would not fall asleep by banging on the doors every 2 to 3 hours”), **V166** (“After being questioned several times we were transfer[r]ed to prison in a very old vehicle. We were abused in the vehicle and were not given enough food or drink”), **V171** (“Later, I was taken to prison with an old prison vehicle”), **V185** (“I was taken to prison in a very old vehicle. They kept me there for 2 days and 1 night. The prison had just been built so we were forced to clean the debris”), **V229** (“We were taken to prison in a very old vehicle. First they kept us in groups and then put us in rooms individually. They constantly woke us up and abused us”), **V243** (“We were then taken to prison in a very old vehicle”), **V250** (“We were then transfer[r]ed to prison in very old vehicles. The driver drove so crazy that we kept falling out of our seats”), **V256** (“While transferring us to prison, they continued to abuse us in the old vehicle. First we were kept all together and then put into smaller rooms. They woke us up every 30 minutes”), **V295** (“Later, I was put on a prison vehicle which was in terrible condition. They took us to a prison. We had a terrible experience in the car and were not given enough food. They first kept us together but then separated us and told us that we would be staying indefinitely”), **V299** (“Then, they stuck me in a poor police vehicle for a prison transfer. They brought us into a prison. We suffered torment; they did not give us enough food. First, they kept us together in one room and then, they separated us from each other in different cells; they kicked cell doors every hour in order to keep us awake”), **V310** (“Later we were taken to prison with very old vehicles. We were not given any food or water. While in prison they constantly banged the bars so we would not fall asleep. This was very nerve wrecking”), **V316** (“We were than taken to prison in very old vehicles. They kept us there for two days, not informing us what would happen. We were deprived of water, food, and sleep”), **V322** (“We were then taken to prison in very old vehicles. They did not give us any food or water for hours”), **V329** (“We were then transferred to prison in a very old prison vehicle. They continued to abuse us in prison too. We were woken up every 2 hours which was very nerve wrecking”), **V333** (“We were then sent to prison in a very primitive vehicle. Every 2 hours or so we were woken up as they deliberately made noise”).

¹⁰ These include statements of **V14** (“After two days of imprisonment we were put onto buses and taken to the airport. A man on our bus was brutally bashed”), **V31** (“On Wednesday night we were taken to the airport. They kept us in the bus for more than an hour. [...] We were abused in the airport too. A few people were actually brutally bashed by the soldiers”), **V41** (“After two nights we were taken to the airport by buses. We were pushed around in the airport too. A few people were actually bashed”), **V54** (“After two nights of imprisonment we were taken to the airport by bus. They kept us waiting in the bus for 1.5 hours before taking us into the airport. We were pushed around here too. We actually saw these Israeli soldiers bash some of our friends”), **V57** (“After 2 days of imprisonment we were taken to the airport. They kept us waiting in the bus for an hour and a half. Their arrogant behaviour continued in the airport as they continued to push everyone around. Some were even bashed”), **V77** (“Later, we were transported to the airport. They continued to abuse us here. Some of our friends

5. The Prosecution emphasises that, of course, consistency and corroboration between accounts can be a positive indicator of their reliability. However, where unlikely—and sometimes even irrelevant details—are frequently described in the same or very similar terms, this may suggest the contrary. This is especially so where this appears to be an observable characteristic in multiple different parts of an account.

6. As a final illustration of this phenomenon, therefore, verbatim extracts of a small sample (just six) of these statements is set out in the following paragraphs. Each of the distinctive similarities is marked in a different colour. The Prosecution notes that these statements, as well as many others, share similar structural and linguistic elements.

were actually bashed”), **V93** (“After 2 nights in prison we were put onto buses and taken to the airport. Some of our friends were physically abused at the airport”), **V98** (“After a few days of imprisonment we were taken to the airport. It was like they had a special squad waiting for us at the airport. They searched us many times abusing and swearing at us at the same time. I witnessed a group of soldiers kick and punch a man from Greece [...] [Repeating later in the form:] I also witnessed a Greek friend be brutally bashed by a group of Israeli soldiers”), **V112** (“I also witnessed a Norwegian man being brutally bashed by many soldiers at the airport”), **V130** (“After 2 days of imprisonment we were taken to the airport with buses. After being held in the bus for an hour and a half they took us into the airport. They continued to physically abuse us in the airport too. We actually witnessed a few people be brutally bashed”), **V140** (“After two days they told us we would be sent home. We were taken to the airport by bus. They continued to abuse us on the bus and in the airport. Some people were bashed”), **V146** (“They continued to abuse us at Ashdod Port and in prison. I witnessed many people being bashed at the airport”), **V165** (“After two days they took us to the airport by bus. They kept us waiting on the bus for an hour and a half and refused to send us to the toilet. Before we departed from Israel some of our friends were bashed at the airport”), **V174** (“We were then taken to prison and kept there for two nights. When we got to the airport I witnessed two of our friends being bashed by 5 to 6 soldiers”), **V220** (“Later, we were taken to the airport, yet, we were even abused there. Some of us were actually bashed”), **V227** (“After being imprisoned for a few days we were taken to the airport. We witnessed a friend being bashed by many soldiers”), **V229** (“2 days later we were taken to the airport. A few people were abused here as well. [...] I saw others being bashed at the airport too”), **V250** (“I witnessed Necati Akar be seriously bashed by soldiers at the airport”), **V264** (“We were then taken to the airport. When the last group of *Mavi Marmara* passengers boarded the aircraft, we saw that they had been bashed seriously”), **V294** (“A few days later we were taken to the airport in order to be sent back to Turkey. A friend was bashed during our wait at the airport”), **V305** (“Some of our friends were bashed at the airport by groups of soldiers”), **V308** (“A few days later they told us we would be sent home. We were taken to the airport. We witnessed a few people being frantically bashed in the airport”), **V310** (“After two days of imprisonment we were put into buses and transferred to the airport. We were pushed around at the airport too. A few people were actually brutally bashed”), **V311** (“While leaving prison, a few friends were brutally bashed”), **V316** (“I also witnessed a few people be brutally bashed at the airport”), **V319** (“Some of our friends were brutally bashed at the airport too”), **V322** (“After 2 days of imprisonment we were put into buses and transported to the airport. However this journey was just as terrible as the others. We were kept waiting for hours before we got to the airport. We were pushed around at the airport. Some of our friends were actually bashed”), **V333** (“After two days they told us we would be sent home. We were taken to the airport by bus. They continued to abuse us on the bus and in the airport. Some people were bashed”).

7. V57 states:

On 31.05.2010 at 4:30 a.m. Israeli forces surrounded our ship and started shooting and throwing stun, smoke and gas grenades. They also threw grenades that I had never even heard of. [...] The soldiers screamed at women and the elderly too. Later on everyone was handcuffed. They constantly hit us with the rifle butts while we were handcuffed. We were held on the ship, handcuffed for 14 hours or so. First we were kept indoors for several hours. We were deprived of our basic rights such as water and the need to go to the toilet. A few elderly people urinated in their spots. Once we were taken up onto the deck the helicopters squirted us with water. [...] Later we were put into a very old prison vehicle. We were not given any water or drink here ever. We were taken to prison. First of all we were kept all together, then we were put into rooms of a few. Every 30 minutes or so they banged on the doors so we would not be able to fall asleep. This was very nerve wrecking. We were not told how long we would be kept there. At one stage they changed our rooms and said they would send us to our countries. This was only down to abuse us further. After 2 days of imprisonment we were taken to the airport. They kept us waiting in the bus for an hour and a half. Their arrogant behaviour continued in the airport as they continued to push everyone around. Some were even bashed. Finally they sent us home.

8. V41 states:

On the 31st of May 2010 at around 4.30 a.m. our ship was surrounded and invaded by Israeli armed forces. They were sho[ot]ing with rubber and real bullets. They were throwing grenades that I had never even heard of. The soldiers were verbally abusing all women, children and the elderly. Later, we were all handcuffed. We were held on the ship for close to 10 hours. First of all they gathered us in a very hot hall. No one was allowed to use the toilets, therefore a few elderly people urinated on themselves. We were not given water despite asking several times. Later, we were taken up to the deck and kept under the helicopters for hours. They kept on squirting us with sea water. [...] We were then transfer[r]ed to prison in very old vehicles. We were not given any food here ever. When we got to prison we were all kept together for a while and then put in rooms. Every few hours the doors were banged so we could not sleep. They did not tell us how long we would be there for. After two nights we were taken to the airport by buses. We were pushed around in the airport too. A few people were actually bashed. [...]

9. V229 states:

On the 31st of May 2010, at 4.30 in the morning, Israeli soldiers attacked our ship from combat boats and helicopters. They threw grenades and shot with rubber and real bullets. They were also using a kind of bomb I had never heard of. They were verbally abusing the elderly and the women. Later, they handcuffed us all. We remained on the ship for about 10 hours. First, we were kept indoors. We were not allowed to use the rest rooms, thus a few elderly people urinated. [...] We were taken to prison in a very old vehicle. First they kept us in groups and put us in rooms individually. They constantly woke us up and abused us. We were not told how long we would have to stay in prison for. They did not allow us to contact anyone. 2 days later we were taken to the airport. A few people were abused here as well.

10. Later in his application form, V229 adds: "I saw others being **bashed** at the airport too."

11. V316 states:

On 31/05/2010 at 04:30 a.m. our ship was surrounded by Israeli storm boats and helicopters. They were throwing lots of gas grenades whilst shooting using rubber and real bullets. I was shot from the back of my head as a result of these first shootings. The soldiers were harassing everybody including women and the elderly. We were all handcuffed, including the wounded passengers and held for close to 10 hours. First they kept us in the overheated and cramped hall. They did not allow us to use the toilets. As a result some elderly people urinated in their spots. [...] We were then taken to prison in very old vehicles. They kept us there for two days, not informing us what would happen. We were deprived of water, food, and sleep. They did not allow us to contact our families. On a Wednesday they took us to the airport in buses. People were abused here too.

12. Later in his application form, V316 adds: "I also witnessed a few people be **brutally bashed** at the airport."

13. V165 states:

The attack started on 31.05.2010 at about 4.30 a.m. when Israeli storm boats and helicopters surrounded our ship. They threw stun, smoke and gas grenades as well as continuo[u]sly firing. They were throwing grenades that I had never heard of before. So ma[n]y people were seriously wounded. **The soldiers were verbally abusing the females and the elderly on board.** Our voluntary medical staff treated the wounded passengers. Everyone on board the ship was handcuffed including the injured people. I was handcuffed very tightly for 15 hours. My wrists had deep bruises due to the handcuffs. **No one was allowed to go to the toilet. When anyone moved to go they were forced to sit back at gun point. As a result a few elderly people wet themselves. [...]** **We were then taken to prison in a very old vehicle. We were not given any food or drink during our trip to prison. While in prison they made sure we would not fall asleep by banging on the doors every 2 to 3 hours. After two days they took us to the airport by bus. They kept us waiting on the bus for an hour and a half and refused to send us to the toilet. Before we departed from Israel some of our friends were bashed at the airport.**

14. V333 states:

[...] **On the 31 of May 2010 at about 4 30 a m during morning prayer our ship was surrounded and then invaded by Israeli forces. First they started shooting from storm boats and then helicopters. They threw stun, smoke and gas grenades, including a kind I had never heard of. Everyone on the ship was abused including all women and children.** Once our ship was fully captured everyone was handcuffed. My handcuff[s] remained on for close to 18 hours which caused wounds and bruises on my wrists. We remained on the ship for about 10 hours. We were kept inside for several hours. The room was very hot. However, we were not given any water. **No one was allowed to use the bathrooms. As a result a few elderly people urinated on themselves. [...]** **We were then sent to prison in a very primitive vehicle. Every 2 hours or so we were woken up as they deliberately made noise. We were not told when we would be sent home.** They deprived us all [sic] our basic needs such as food and water. We were not permitted to call our families. After two days they told us we would be sent home. **We were taken to the airport by bus. They continued to abuse us on the bus and in the airport. Some people were bashed [...]**

15. Finally, the Prosecution notes that the same sequence and organisation of ideas are also often present in other statements, even though reflected in different language or with emphasis on different details. For this reason, such statements

would not necessarily be identified among the five ‘distinctive similarities’ analysed above. Thus, for example, V304 does not refer to the “unknown” type of grenade, the verbal abuse, the elderly urinating on themselves, the age of the prison vehicle, or use the word “bashed” in describing the assaults at the airport—yet the structure of his statement is very similar to those which do contain these distinctive similarities:

Around 04:30 of the 31st of May 2010, the Israeli soldiers attacked our boat with helicopters and zodiac boats and boarded our boat. They were shooting at us with smoke and sound bombs. They handcuffed everyone. They held us on the boat for about 9-10 hours. They did not let us go to the toilet and they did not give us water. When they took us up on the deck, the helicopters made us wet with water. [...] Then they put us in prison transfer vehicles which were in terrible condition. They took us to a prison. We had a terrible time on these vehicles, they did not give us enough food. We were kept there for almost 2 nights and 1 day. Then they took us to the airport. They took us to the airport on Wednesday night. They made us wait for an hour and a half on the buses. They did not allow us to use the toilets. We were brought to the airport and also made to wait there for a long time. The[] Israeli soldiers assaulted us physically. They severely be[a]t up some of our friends.