

# *International Criminal Court Judges Say Prosecutor Should Reconsider Gaza Flotilla Probe*

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The Hague, November 7 (RHC)-- Judges at the International Criminal Court (ICC) say the court's prosecutor must reconsider an earlier decision not to open a probe into an Israeli attack on a Gaza-bound aid flotilla back in 2010.

Following several few months of deliberations, judges at the appeals chamber ruled on Friday that prosecutor Fatou Bensouda must rethink her decision against the Gaza flotilla probe.

Judges at The Hague-based court had initially asked Bensouda to reconsider her decision in July, saying she made "material errors in her determination of the gravity" of the case. The latest decision could force Bensouda to open a full investigation into the case.

Last year, Bensouda declined a request by the Indian Ocean island nation of Comoros to investigate the attack on the Turkish Mavi Marmara ship that was sailing under a Comoros flag. She ruled the case was not serious enough to merit an ICC probe.

The prosecutor said publicly available information provides "a reasonable basis" to believe that the Israeli forces committed war crimes during the attack in international waters back in 2010, but the case does not fall under their jurisdiction for an official probe.

However, lawyers representing Comoros had sought a review of Bensouda's original rejection, insisting that "the interests of justice and fairness, which are the core of the ICC's mandate, strongly militate in favor of the prosecutor reconsidering her decision."

On May 31, 2010, Israeli commandos attacked the Freedom Flotilla in international waters in the Mediterranean Sea, killing nine Turkish citizens, including a teenager with dual Turkish-U.S. citizenship, and injuring about 50 other people who were part of the team on the six-ship convoy. Another injured activist died in May 2014 after having been in a coma for four years.

The flotilla was attempting to break the Israeli naval blockade of the Gaza Strip, carrying aid to Palestinians in the enclave.

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