



Manifesto for the Freedom of the Seas — The Seizure of the Flotilla

Legal, ethical and political grounds for the right not to look away

To whom it is addressed

To the governments of the flag States of the seized vessels and to all States party to the Convention on the Law of the Sea. To the European institutions, which found their voice only when the victims held European passports. To those who believe that civic solidarity is a right and not a crime. And to those who think the political wisdom of a mission can be debated: it is legitimate — but political wisdom is not a legal category, and the free sea also protects those who engage in politics.

This manifesto is the fifth of a series. The first four concern the conduct of the State of Israel in Gaza and Lebanon, of the Russian Federation in Ukraine, of those responsible for and complicit in the genocide in Sudan, and of the United States of America in Venezuela. All apply the same legal framework to different violators. This document applies it to an episode that sums them all up: what happens when a State treats international law as an obstacle, and the citizens who invoke it as enemies. The other manifestos are at iwillnotlookaway.org.

I. Premise

Between 1 and 3 October 2025, the Israeli navy intercepted in international waters all the vessels of the Global Sumud Flotilla — over forty civilian boats, departed from European and North African ports with participants from 44 countries and a cargo of humanitarian aid for Gaza. Between 28 and 30 April and 18 and 19 May 2026, the operation was repeated on a larger scale: 54 vessels, around 430 people, boarded again in international waters — the first wave off Cyprus, the last ship 118 nautical miles from the coast.

None of these people had committed a crime. Not under international law, which on the high seas recognises the exclusive jurisdiction of the flag State. Not under the national laws of their countries of origin. Not even under Israeli law — which does not apply in

international waters. They carried declared aid, on declared routes, with declared identities.

They were boarded by soldiers, taken by force to an Israeli port, and there charged with having entered Israel illegally.

II. The Ashdod paradox

It is worth fixing this point, because everything is concentrated in it: people who did not want to enter Israel, who were sailing elsewhere, were brought into Israel against their will by Israeli soldiers — and charged with the entry. The kidnapper reporting the kidnapped for trespassing. This is not rhetorical hyperbole: it is the formal legal qualification used to detain them.

Then comes the detention: the maximum-security prison of Ketziot, in the Negev desert, built for terrorism detainees. Eighty-seven people on hunger strike. Converging testimonies — now on file with the Rome prosecutor's office — of punches, kicks, physical and psychological abuse, deprivation of sleep, water and medication.

And then the scene that went around the world: National Security Minister Itamar Ben Gvir going to the port of Ashdod, making the activists kneel handcuffed with their hands behind their backs, and publishing the video on his own social channels, mocking them. Not the excess of a soldier: a sitting minister turning detention into a spectacle of humiliation. The President of the Italian Republic called it an act of the "lowest level", inflicted on "people stopped illegally in international waters". On 8 June 2026 the Rome prosecutor's office placed Ben Gvir under investigation for torture and kidnapping: it is the second proceeding by an ordinary European jurisdiction against him.

One detail measures the gravity of the Ashdod scene: even Prime Minister Netanyahu and Foreign Minister Sa'ar distanced themselves from their colleague's video. When the humiliation of prisoners embarrasses even the government that made it possible, it is no longer a matter of opinion: it is a fact that no one, at any latitude, can defend.

The historical precedent weighs on everything: in 2010 the boarding of the Mavi Marmara cost the lives of ten civilians. The UN Human Rights Council fact-finding mission concluded that the blockade was illegal and the use of force unjustified. Fifteen years later, the method has not changed: it has become routine.

III. Legal framework violated

- UN Convention on the Law of the Sea (UNCLOS, 1982): Art. 87 (freedom of the high seas), Art. 92 (exclusive jurisdiction of the flag State), Art. 110 (the right of visit on a

foreign ship is admitted only for piracy, slave trading, unauthorised broadcasting, ships without nationality — none applicable)

- The law of naval blockade (San Remo Manual, §§ 93-104): a blockade is unlawful if its purpose or effect is to starve the civilian population or deny it humanitarian aid. The ICJ, with its 2024 provisional measures, ordered Israel to ensure the entry of aid into Gaza: a blockade that intercepts humanitarian aid bound for a population on the brink of famine cannot found any right of boarding
- International Covenant on Civil and Political Rights: Art. 7 (prohibition of degrading treatment), Art. 9 (prohibition of arbitrary detention), Art. 10 (dignity of detainees)
- Convention against Torture (1984): Arts. 1, 16; Arts. 5-7 (universal jurisdiction — the basis of the Italian investigation)
- Report of the UN fact-finding mission on the Mavi Marmara incident (2010): illegality of the blockade and of boarding in international waters

IV. Legal basis — the freedom of the seas as the first stone

Modern international law has a date and place of birth: 1609, when Hugo Grotius published *Mare Liberum*. The principle that the sea belongs to no State and that no power may close it to others is not one norm among many: it is the first norm, the one from which the entire edifice of the law of nations grew. For four centuries, every naval power — including the most aggressive — had an interest in preserving it.

Seizing civilian ships in international waters, outside the exhaustive cases the law admits, has a precise legal name when a private actor does it: piracy. When a State does it, the conventions use more cautious formulas — but the substance this manifesto records is identical: the exercise of force on the free sea against those who have committed no crime.

And it holds for anyone. If Israel can board a British-flagged vessel 118 miles from the coast, every State can. China in the Taiwan Strait, Russia in the Baltic, Iran at Hormuz now have a tolerated Western precedent to invoke. The European States whose flags flew on those boats had not only the right but the duty to protest formally: flag jurisdiction is not a technicality — it is the protection every State owes to its ships and to those aboard them.

V. The laboratory experiment — statements and deeds

This affair has produced, involuntarily, something precious: the experimental proof of what the other manifestos of this platform argue. And it produced it on a world scale.

Condemnation came from every continent. The President of the Italian Republic spoke of "uncivilised treatment inflicted on people stopped illegally in international waters" and of a

gesture of the "lowest level by a minister". South African President Ramaphosa called the interception "contrary to international law" and in violation of the International Court of Justice's injunction on aid. Colombian President Petro spoke of a "new international crime". Bolivian President Arce of a "flagrant violation of international law". The Turkish foreign ministry of an "act of terrorism". UN Special Rapporteur Francesca Albanese posed the question this manifesto makes its own: how is it possible that a State is allowed to seize ships in international waters off the coast of Europe?

But words are the half that counts less. Here are the deeds, as of this writing.

Who acted: **Colombia** expelled the entire Israeli diplomatic delegation and denounced the free trade agreement. **Turkey** opened a criminal investigation in Istanbul. **Spain** filed a complaint with the International Criminal Court. **Italy** placed Ben Gvir under investigation for torture and kidnapping. **The United Kingdom, Canada, Australia, New Zealand and Norway** had already sanctioned him individually in June 2025 — proof that sanctioning him is not a diplomatic utopia: it is a decision already taken by five Western democracies.

And the **European Union**? It approved sanctions against a group of violent settlers. For the minister who made European citizens kneel before a camera: no sanction. The Italian proposal, supported by France, Spain and the Netherlands, is blocked by the veto of Bulgaria and the Czech Republic — because restrictive measures require the unanimity of the Twenty-Seven, and unanimity is the place where European decisions go to die. The decision has been postponed to the Foreign Affairs Council of 15 June 2026.

The picture that emerges is merciless and must be stated plainly: the deeds came from Bogotá, Istanbul, Madrid, Rome — and from the Anglosphere. The Union as such, two years after Gaza and two mass interceptions later, has yet to produce a single binding act against a man whom five of its allies have already sanctioned. Same State, same minister, same norms violated: the difference is made by the victims' passports and the courage of governments. This manifesto records both variables.

VI. Concrete measures

1. The adoption, at the Foreign Affairs Council of 15 June 2026, of the individual sanctions against Minister Ben Gvir already proposed by Italy and supported by several Member States — and, should the veto of individual countries prevent it, the adoption of coordinated national sanctions by willing Member States, on the model already implemented by the United Kingdom, Canada, Australia, New Zealand and Norway in 2025

2. Full political support for the proceedings of national jurisdictions — starting with the Rome prosecutor's investigation — based on universal jurisdiction for torture
3. A joint formal protest by the flag States for the violation of Arts. 87, 92 and 110 UNCLOS, with a demand for reparation and the return of the vessels
4. The establishment of a humanitarian maritime corridor to Gaza under UN or European aegis, with civilian or naval escort by Member States, making structural what citizens attempted with sailing boats
5. The formal recognition that international civic solidarity is an exercise of protected freedoms — of navigation, of association, of rescue — and not a crime to be repressed

VII. Fundamental distinction

This manifesto does not ask for the Flotilla to be sanctified. Its missions are political acts as well as humanitarian ones; their effectiveness is debatable and debated; the opinions of its participants are most varied. All of this is legitimate material for debate — and it is legally irrelevant. The free sea does not protect only the neutral, and rights do not hold only for those who cause no disturbance. One can think those boats would have solved nothing, and at the same time recognise that boarding them was illegal and humiliating their crews was unworthy: the two things stand together effortlessly, in any mind not yet bent to partisanship.

And as always: this manifesto does not concern the Israeli people, but the conduct of its government — the same distinction, because it is the same principle.

Final declaration

I do not recognise as lawful the seizure of civilian ships in international waters. I do not recognise the charge of "illegal entry" levelled at those who were brought inside a border by force. I do not recognise the humiliation of defenceless prisoners as an act of government. And I do not accept that civic solidarity be treated as a crime by those who treat crimes as policy. The free sea was the first conquest of international law. Defending it is not nostalgia: it is defending the foundations while someone dismantles the roof. Because the law applies to all, or it applies to none.

Legal references

- UNCLOS (1982), Arts. 87, 92, 110
- Hugo Grotius, Mare Liberum (1609)

- San Remo Manual on International Law Applicable to Armed Conflicts at Sea (1994), §§ 93-104
- ICJ, provisional measures 2024 (South Africa v. Israel) — obligation to ensure humanitarian aid
- International Covenant on Civil and Political Rights (1966), Arts. 7, 9, 10
- Convention against Torture (1984), Arts. 1, 5-7, 16
- Report of the UN Human Rights Council fact-finding mission on the 31 May 2010 flotilla incident (Mavi Marmara)
- Individual sanctions against I. Ben Gvir and B. Smotrich: United Kingdom, Canada, Australia, New Zealand, Norway (June 2025)
- Complaint of the Kingdom of Spain to the ICC; investigation of the Istanbul prosecutor's office (October 2025)
- Expulsion of the Israeli diplomatic delegation and denunciation of the FTA, Colombia (October 2025)
- Rome prosecutor's office, Ben Gvir placed under investigation for torture and kidnapping (June 2026); EU Foreign Affairs Council, sanctions dossier, 15 June 2026