

# AMNESTY INTERNATIONAL PRESS RELEASE

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## **United Kingdom/Israel-OT: Amnesty International deploras failure to arrest Israeli war crimes suspect**

Amnesty International today deplored the failure of the United Kingdom (UK) authorities to arrest Israeli army General Doron Almog when he arrived at London's Heathrow airport yesterday, describing this as a clear violation of the UK's obligations under both national and international law. A warrant for the general's arrest for alleged war crimes had been issued by an English court the previous day.

The organization is now calling on the UK authorities to urge Interpol to circulate the arrest warrant and on other states party to the Geneva Conventions to cooperate with the UK in carrying out the arrest and handing over General Almog to the UK's court.

General Almog, former head of the Israeli army's Southern Command, landed at London Heathrow airport on 11 September 2005 on a flight from Tel Aviv. However, he declined to disembark from the aircraft apparently after being informed that he could be arrested. Meanwhile, London's Metropolitan Police reportedly refused to enter the plane to effect the general's arrest and then allowed him to depart from the UK for Israel on the same El Al aircraft on which he had arrived.

"The refusal to arrest a person suspected of war crimes is a clear violation both of the UK's unconditional obligations under the Fourth Geneva Convention and under national law," said Amnesty International, calling for the refusal to execute the arrest warrant to be investigated.

It is difficult to believe that the police would have refused to arrest a person who had arrived in the UK on board an airliner if that person was wanted for drug-trafficking or security offences, simply because they had not passed through UK border controls, if that meant they would otherwise evade arrest.

It is not known whether the information which alerted General Almog that he would be arrested was leaked by the UK authorities or by other sources.

"The leak, whether deliberate or accidental, is a matter of serious concern and should be investigated, as it perverted the course of justice and undermined an investigation into war crimes," said the organization.

The arrest warrant against General Almog was issued by the Chief London Magistrate on 10 September under the Geneva Conventions Act 1957, on the basis of suspicion of the suspect's involvement in the destruction by the Israeli army of 59 Palestinian homes in a refugee camp in Rafah, in the southern Gaza Strip on 10 January 2002.

General Almog headed the Israeli army's Southern Command, an area that includes the Gaza Strip, between December 2000 and July 2003.

The "*extensive destruction...of property, not justified by military necessity and carried out unlawfully and wantonly*" is a grave breach of the Fourth Geneva Convention (Article 147) and, as such, a war crime.

The UK is "*under the obligation to search for persons alleged to have committed, or to have ordered to be committed, such grave breaches, and shall bring such persons, regardless of their nationality, before its own courts*" (Article 146). If it does not do so, it must hand such persons over for trial to another state party to the convention that is able and willing to do so. The Fourth Geneva Convention expressly forbids the UK from entering into any agreement with another state absolving itself of this obligation (Article 148).

During the past five years, since the outbreak of the *intifada* (Palestinian uprising) in September 2000, the Israeli army has destroyed some 4,000 Palestinian homes in the Occupied Territories, about half of them in the Gaza Strip, as well as vast areas of cultivated land, commercial properties and public buildings, water and electricity networks, and other public infrastructure. In the vast majority of cases the destruction was not justified by military necessity and was carried out unlawfully and wantonly.

The Israeli authorities have systematically failed to comply with Israel's obligations under international law to investigate these and other human rights abuses and to bring to justice those responsible.

The UK's obligations under the Fourth Geneva Convention have been given effect in domestic law via the Geneva Conventions Act 1957, which applies to: "*Any person, whatever his nationality, who, whether in or outside the United Kingdom, commits, or aids, abets or procures the commission by any other person of, a grave breach of any of the scheduled conventions or the first protocol...*" [Article 1.-(1)].

Each state party to the Fourth Geneva Convention is obliged under Article 1 to "*respect and ensure respect for*" the Convention and should call upon Israel to open an immediate, thorough, prompt, independent and impartial investigation of the alleged grave breaches and, if there is sufficient admissible evidence, to prosecute. If Israel does not do so, each state party has the power to issue an arrest warrant under Article 146 and, if the suspect enters their territory, has the obligation to execute that arrest warrant.

## **Background**

Since the outbreak of the Palestinian *intifada* (uprising) in September 2000, the Israeli army has killed more than 3,200 Palestinians, most of them unlawfully and including more than 600 children. In the same period, armed Palestinian groups have killed some 1,000 Israeli, most of them were civilians, including some 120 children, and were deliberately and unlawfully targeted. In addition, the Israeli army has carried out extensive destruction of Palestinian homes, land and other properties throughout the Occupied Territories and has continued to build and expand Israeli settlements (illegal under international law) in the West Bank and to construct a 600km fence/wall through the West Bank, cutting off Palestinian farmers from their land and further restricting the movement of Palestinians between villages.

Amnesty International has investigated a wide range of human rights abuses committed by both the Israeli and the Palestinian sides and has continued to call for all those responsible for human rights abuses, including war crimes and crimes against humanity, to be brought to justice and held accountable for their crimes.

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