

Belgium vows to back the ICJ's verdict on Gaza genocide

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Unlike other European nations, Belgium has said it would support the international court's decisions on South Africa's case against Israel. Hundreds of people gather in front of the Gare du Nord building to protest against Israeli attacks on Gaza [File: Dursun Aydemir/Anadolu]

Brussels, January 23 (RHC)-- As the world anticipates a preliminary verdict from the International Court of Justice (ICJ) on South Africa's genocide case against Israel, leaders in the European Union remain divided on how to interpret the decision.

Shortly after the two-day hearing at the world's top court in the Hague earlier this month, where South Africa told the ICJ that Israel's actions in the Gaza strip violated the UN's 1948 Genocide Convention, Germany, Austria and the Czech Republic – staunch allies of Israel – rejected these claims. Hungary condemned the case, while Berlin declared that it would intervene on Israel's behalf at the ICJ.

Last week, France, which is home to Europe's largest Muslim and Jewish minorities and has been in the headlines for banning pro-Palestine protests since October 7, chimed in, saying Paris also does not support the ICJ case against Israel. "To accuse the Jewish state of genocide is to cross a moral threshold," said French Foreign Minister Stephane Sejourne.

Other EU nations have remained silent on the court case. Slovenia is an exception, having announced its support for another ICJ case against Israel regarding Palestinian rights. And, among the bloc's more outspoken critics of Israel's military conduct in Palestine, Ireland has adopted a cautious stance. In Spain, the minority left-wing Sumar party in the coalition government backed South Africa's case.

Last week, in Belgium, socialist politician Caroline Gennez, minister of development cooperation and urban policy, said the country would support to the ICJ's decision. "If the International Court of Justice calls on Israel to cease its military campaign in Gaza, our country will fully support it," she said in a social media post.

At a news conference in Brussels recently, Ludivine Dedonder, defence minister, reiterated: "Today, the Belgian government is speaking out in favour of an immediate ceasefire in Gaza, the unimpeded delivery of humanitarian aid, and support for the ICJ."

The prevailing European view since October 7 has been that Israel has a right to self-defence against the Palestinian group Hamas, as long as it stays within the boundaries of international law. But as the latest escalation of the Israel-Palestine conflict rages on, some Belgian leaders have been more openly critical of Israel's actions as the Palestinian death toll mounts.

After Hamas attacked southern Israel in early October, killing 1,139 people, Israeli forces have bombarded Gaza, the densely populated Strip Hamas governs with a pre-war population of 2.2 million people. During air attacks and as part of its ground invasion, the Israeli army has killed more than 25,000 people, among them many women and children, and stands accused of widespread atrocities.

In November, the Belgian government, a coalition of seven political parties, said 5 million euros (\$5.4m) from the federal government will be used to support the International Criminal Court (ICC) in The Hague to investigate possible war crimes in Israel and Gaza.

Brigitte Herremans, a postdoctoral researcher at the Human Rights Centre at the University of Gent in Belgium, told Al Jazeera the tiny European country traditionally adopts strong positions on international law with regard to the Middle East conflict.

"Observers would say that it also has to do with Belgium's own history of being occupied historically by foreign powers," she added.

During both world wars, Belgium was under German occupation.

Herremans said that Belgium's stance today is similar to its previous positions on other foreign policy issues, such as the Iraq war. "In general, we always saw Belgium somehow stick to a position that the acquisition of territory by force wasn't accepted," she said.

But Marc Botenga, of Belgium's leftist Workers' Party and an EU lawmaker, said the government's support to the ICJ is still limited.

“If you look closely at their statement there is no active attitude to actually support the South African case against Israel. The government just says they will support whatever decision the ICJ takes, which is logical since all member states of the United Nations are supposed to support the institution’s court,” Bottenga told Al Jazeera. “However we have to commend the Belgian public for this stance which other EU nations have not really taken.”

Large protests in different Belgian cities have played a role in pressuring the government to call for a ceasefire in Gaza, he said.

Meanwhile, Belgium has declared its participation in the EU Red Sea Mission against Yemen’s Houthis, the Iran-linked group which says its recent attacks on ships linked to Israel or its allies are aimed at pressuring officials to stop the onslaught of Gaza. “That’s not the kind of stance we want,” Bottega said of Belgium’s participation.

Herremans said that since Belgium currently holds the presidency of the Council of the European Union – a decision-making body in which ministers coordinate policies and adopt laws – his country is responsible for developing consensus. “Belgium has to take into account the position of staunch pro-Israeli countries, so [it] might have to be more cautious and less vocal on international law. But it will not take a fundamentally different position from what it always has,” she said.

Historically, Belgium has shown solidarity towards Palestine while also supporting Israel. At the UN in 2012, it voted in favour of giving Palestine “non-member” observer status. Last year, it supported a UN resolution ordering the ICJ to investigate the Israeli occupation of Palestinian territories.

But discussing the Israeli-Palestinian issue in the Parliament can be difficult, because of diverse views between political parties in the Flanders in the north, Wallonia in the south, and the Brussels region.

Some Belgian sources told Al Jazeera that of the seven coalition partners, the progressives – Greens and Social Democrats – believe concrete measures have to be taken to ensure international law is applied in the Gaza Strip and the occupied West Bank with regard to the ICJ case.

In recent months, the Flemish Liberal Party of Prime Minister De Croo and Flemish Christian-Democrats have also toughened their stance on the situation in Palestine.

In November, the premier described Israel’s campaign in Gaza as “disproportionate” as he condemned the army’s bombing of Gaza refugee camps. But the French-speaking Liberal Party, to which the foreign affairs minister belongs, has traditionally been pro-Israel.

Looking ahead, Belgium heads to the polls in June, which could end up shifting the country’s stance if a new government comes into power. Fourat Ben Chikha, vice president of the senate, the federal parliament’s upper house, told Al Jazeera that even if the current coalition changes, as an international community, de-escalation and respect for human rights and international law should be every Belgian government’s priority.

Willem Staes, senior Middle East adviser at 11.11.11, a Belgian international solidarity organisation which lobbies Belgian and European governments to uphold human rights, said that regardless of the Belgian government’s composition, foreign policy has traditionally focused on fighting against impunity and promoting accountability.

“The current government is consequently applying this logic and leading the way at EU level. So providing support to the ICJ and the ICC, or calling for a permanent ceasefire, is not about being ‘pro-Palestinian’ or ‘anti-Israel’,” Staes told Al Jazeera.

“It’s about common sense and choosing the only logical side, which is the side of international law. The fact that this is considered ‘radical’ by some tells you everything you need to know about the state of European politics.”

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