

South Africa at ICJ hearing: Israel's apartheid must end



The Hague, February 20 (RHC)-- South Africa told the International Court of Justice (ICJ) in The Hague that Israel is responsible for apartheid against the Palestinians and its occupation is “inherently and fundamentally illegal.”

South African representatives opened the second day of hearings at the ICJ on Tuesday and spoke on a request by the United Nations General Assembly for a nonbinding advisory opinion on the legality of Israel’s policies in the occupied Palestinian territories.

“We as South Africans sense, see, hear and feel to our core the inhumane discriminatory policies and practices of the Israeli regime as an even more extreme form of the apartheid that was institutionalised against Black people in my country,” said Vusimuzi Madonsela, South Africa’s ambassador to the Netherlands, where the ICJ is based.

“It is clear that Israel’s illegal occupation is also being administered in breach of the crime of apartheid. ... It is indistinguishable from settler colonialism. Israel’s apartheid must end,” Madonsela said. He added that South Africa had a “special obligation” to call out apartheid wherever it occurs and ensure it is “brought to an immediate end”.

South Africa, which has a long history of support for the Palestinians and has compared their struggle with its history under an apartheid system, has launched a separate case at the ICJ accusing Israel of “genocide” in its bombardment of Gaza.

More than 50 countries are to present arguments to the ICJ on the legal implications of Israel’s occupation.

On Tuesday, representatives from Algeria, Saudi Arabia, the Netherlands, Bangladesh, Belgium, Belize, Bolivia, Brazil and Chile presented their positions.

The 15-judge panel has been asked to review Israel’s “occupation, settlement and annexation, ... including measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem, and from its adoption of related discriminatory legislation and measures.”

Israel has pushed on with building illegal settlements across the occupied West Bank, now home to more than 500,000 Jewish settlers and three million Palestinians. Israeli settlers have become increasingly more violent. Their actions have been condemned by world leaders, especially in the past few months, as Israel attacks Gaza.

But South African representative Pieter Andreas Stemmet told the court that the settlements have extended the “temporary nature of the occupation into a permanent situation in violation of the Palestinian right to self-determination”.

On Monday, Palestinian representatives asked the UN’s highest court to declare the occupation illegal. They said such an advisory opinion could contribute to a two-state solution and lasting peace.

Palestinian Foreign Minister Riad Malki called on the court in an emotional speech to treat Palestinian children as children, adding that “the identity of the group to which we belong does not diminish the human rights to which we are all entitled”.

Israel has declined to attend the hearings and said in a written statement that an advisory opinion would be harmful to achieving a negotiated settlement with the Palestinians – even as Israeli Prime Minister Benjamin Netanyahu repeatedly rejects the idea of a Palestinian state.

On Monday, Netanyahu said Israel does not recognise the legitimacy of discussions at the ICJ, calling the case “part of the Palestinian attempt to dictate the results of the political agreement without negotiations”.

While judges are expected to take about six months to deliver an opinion in the case, political analyst Gideon Levy told Al Jazeera he’s “afraid” that the ICJ case will have little impact on Israeli policies but it “depends a lot on the international community.”

“The only question is if the world will be able to move from recrimination and condemnation into actions,” he said.

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