NGO MONITOR
Making NGOs Accountable

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Belgium Corporate Social Responsibility (CSR) Report

- A network of non-governmental organizations (NGOs) is active in promoting boycott, divestment, and sanctions (BDS) campaigns in Belgium.
- BDS campaigns include targeting Dexia Bank for its investments in Israel, pressuring the Jan De Nul Group to withdraw its bid to build ports in Ashdod and Haifa, and spearheading a settlement boycott campaign called "Made in Illegality."
- BDS activities include demonstrations, legal attacks ("lawfare"), and lobbying government institutions and trade unions to endorse BDS policies.
- NGOs claim that it is illegal and unethical to conduct business with Jews over the 1949 armistice lines. This has no foundation in international law and has been consistently denied by courts in several countries.

Dexia Bank Campaign

Summary

- Dexia is a Franco-Belgian Bank that bought shares of the Israeli Bank Otzar HaShilton HaMekomi (OSM) in 1999, and gained a majority share in 2001. Dexia currently controls approximately two-thirds of OSM, now called Dexia Israel.
- Dexia Israel loaned to Israeli settlements and regional councils until 2008 and in 2010 loaned to the Jerusalem municipality. Dexia's then-president said, "Dexia Group feels that Jerusalem is not contested territory."
- In 2008, Dexia received a massive bailout from Belgium, France, and Luxembourg, and in 2011, was restructured due to the European sovereign debt crisis. Parts of Dexia were folded into a new French development bank or bought by the Belgium federal government (now called Belfius). What remained of Dexia, which includes the Israel branch, is "a €95 billion portfolio of bonds that presented an enormous financing burden for the bank, as well as a number of assets that cannot be sold under current market conditions, will be left in Dexia, which will effectively become a 'bad bank' that will receive funding guarantees from the Belgian and French governments."
- Dexia's financial instability is likely to have contributed to the bank's willingness to sell its Israeli investment. In April 2011, Dexia "hired Rothschild et Cie. to sell its 66% stake in Dexia Israel." However, as of August 2014, Dexia Israel has not been sold.

"Israel colonizes - Dexia finances" campaign

- A chronology of the BDS campaign against Dexia can be found on the NGO Intal's website.
- In 2001, the Centre for Development, Documentation and Information on Palestine (CODIP) contacted Dexia regarding its business with Israel.
- In 2007, the "Working Group on Dexia" was formed. The Group was closely linked to the Alternative Information Center (AIC), especially researcher Shir Hever, and included CODIP, Association Belgo-Palestinienne (ABP), Coordination Boycott Israel (COBI), Citizen Movement Palestine (MCP), Intal, Vrede (Peace), and the Flemish Palestine Committee (VPK).
- Even though Dexia ended new loans to settlements in 2008, in January 2009, BDS activists launched the "Israel colonizes - Dexia finances" campaign. Intal coordinated the campaign, and the Flemish Palestine Committee (VPK) managed the finances. More than 80 organizations and more than 40 cities and provinces signed the campaign, which called for the end of Dexia's "illegal funding of Israeli colonization of the Occupied Palestinian

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Territories." They also "demand[ed] that the shareholders of Dexia SA, including the Belgian authorities take the necessary steps to put this illegal situation to an end."
    - Courts in France, Canada, and the UK have explicitly found that there is no international law prohibiting business operations over the 1949 armistice lines. A court in France and the advertising board in the Netherlands also found that it was defamatory to claim a company selling goods or operating over armistice lines was acting "illegally" or in violation of international law.
- The campaign included "coordinated demonstrations outside Dexia branches across Belgium, more than 10,000 protest postcards sent by Dexia account holders threatening to switch banks, and an organized effort to inundate the Dexia complaint line with forty to fifty calls per day, five days per week." Activists also "became shareholders in Dexia so as to be able to participate in Dexia's annual meeting—in 2011, one and half hours of the three-hour meeting was consumed by discussion of Dexia's" investments in Israel.
    - Before the Dexia annual meeting in 2010, the campaign held a demonstration featuring Esti Micenmacher of Coalition of Women for Peace (CWP) and Who Profits. An antisemitic incident occurred during the event; the rally leader drank fake blood out of a wine glass – recalling the libel of Jews drinking Christian blood.
- The campaign's spokesperson Mario Franssen, vice-president and secretary of the national bureau of Intal, was a "witness" against Dexia at the Russell Tribunal on Palestine (RToP) kangaroo court in London. The coordinator of the RToP, Pierre Galand, is the president of ABP, a member of the "Working Group on Dexia." At the RToP, "the court indicted (sic) Dexia of complicity in violations of human rights and international humanitarian law." RToP which, accuses Israel of apartheid, war crimes, crimes against humanity, and genocide, exploits legal terminology and completely lacks any legal legitimacy, impartiality, and fairness integral to legal proceedings.
- In 2010, Intal and Alternative Information Center (AIC) produced a short film about settlements and Dexia, featuring a presentation by AIC researcher Shir Hever. The film began with a clip of "General Custer" calling to attack a peaceful Native American village and then cut to Prime Minister Netanyahu, in an attempt to draw a moral parallel between the men and portray Israel as a colonizer of an indigenous people. In the film, Hever calls settlement expansion a "war crime" and uses loaded terms such as "sterile" and "clean" to characterize Israel's policy towards Palestinians.

Loans to Jerusalem

- Dexia stopped new loans to settlements in 2008, though current loans run until 2017. However, Dexia continued to loan to the Jerusalem municipality, which Intal falsely claims is "located in the West Bank…The Jerusalem municipality applies a policy of apartheid to the Palestinian people: demolitions, evictions, colonization, and in order to expel the indigenous population of the city."
    - Referring to Israel as an apartheid state is the latest manifestation of the 1975 UN "Zionism is racism" resolution. The goal is to generate international boycotts that were implemented against apartheid South Africa and condemn Israel as a pariah state.
    - Characterizing Palestinians as the indigenous population of Israel or Jerusalem is an attempt to erase 4,000 years of Jewish history.
- Triodos Bank, which claims to be "one of the world's leading sustainable banks," rejected Dexia from joining its "sustainable investment universe" because of Dexia's Israel investment. In a 2009 report, Triodos stated that it was "engaging with Belgian bank Dexia

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regarding human rights and its operations in Israeli occupied territories" because Dexia was working in "cooperation with repressive regimes (Israel)."

- Triodos claimed that Jerusalem municipality loans "are potentially being used to finance human rights abuses against Palestinians in East Jerusalem." In its 2010 annual report, the Bank concluded: "We have had extensive dialogue with Dexia on this matter but so far Dexia has not expressed its intention to withdraw or earmark its finance activities to Jerusalem or to otherwise ensure that its financing does not contribute to violations of human rights." Triodos does not explain what the alleged human rights abuses are, nor does it demonstrate that these loans are actually being used to further these alleged violations.

Jan De Nul Group

- In May 2014, BDS activists targeted the Jan De Nul Group, a Belgian company bidding on a contract to build ports in Ashdod and Haifa.
- The Palestinian BDS National Committee and other groups sent a letter to the Jan De Nul group, threatening a boycott if the company did not retract its bid. The letter alleged that Israeli ports facilitate the export of settlement goods, enabling settlements to profit. It also claimed that ports could also be used for the import and export of weapons that cause "death, injury, displacement, dispossession and destruction to millions of Palestinians and other Arabs in neighboring countries using imported weapons." The boycott letter was signed by several Belgian NGOs and trade unions
- According to *Ha'aretz*, two additional European companies - Royal Boskalis Westminster-Holland Terminal, and Condote de Agua - allegedly declined to bid on the contract due to fear of BDS pressure.

Settlement boycott campaign - "Made in Illegality"

- In February 2014, a group of Belgian NGOs launched the "Made in Illegality" campaign that calls to: "Ban the import of settlement products; Exclude colonies from bilateral agreements and cooperation with Israel; Dissuade Belgian companies from investing and conducting business relationships with Israeli settlements."
- There are currently 25 signatory organizations, including the International Federation of Human Rights (FIDH) and local branches of Pax Christi. FIDH also participated in CSR campaigns in France; Pax Christi branches participated in CSR campaigns in Germany and the Netherlands.
- Université Libre de Bruxelles (ULB) law professor François Dubuisson wrote a report on the purported legal basis of Made in Illegality's claims.
- Dubuisson helped to bring the International Court of Justice case against Israel on the "Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory." The non-binding ICJ opinion has been exploited for anti-Israel campaigns by NGOs since the 2005 decision.
    - In June 2002, Israel announced its decision to erect a barrier in order to prevent terrorists from entering Israel . The decision was made in the wake of a virulent campaign of suicide bombings targeting restaurants, cafes, buses ,and shopping malls, and killing hundreds of Israelis, including scores of children, and wounding thousands. Shortly after construction began on the barrier, Palestinian officials, followed by NGOs, issued statements calling for the barrier's dismantling, accusing Israel of international crimes and human rights violations. These statements decried the alleged infringement on the Palestinian "right to movement" and the

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"right to work," while rarely acknowledging the Palestinian terror campaign explicitly directed against Israeli civilians, Israel's legitimate security concerns, or Israelis' "right to life."

- Dubuisson also appeared before the RToP in Cape Town to discuss "third party responsibility and possible legal remedies if Israel was proven in breach of the prohibition on Apartheid under International Law."

The Belgium Network of NGOs in support of BDS

There is a vast network of Belgian NGOS involved in BDS activities. The following organizations also play a prominent role in CSR/divestment campaigns.

- **Intal** was instrumental in the Dexia BDS campaign. The campaign's spokesman, Mario Franssen, is vice-president and secretary of Intal's National Bureau.
    - In 2009, Intal urged Muslims to boycott Israeli-grown dates during Ramadan with a poster that featured "bleeding" dates – reminiscent of medieval antisemitic "blood libel" accusations. Intal organized a "Nakba Day" protest that called for an end to EU funding of Israeli arms companies, part of its larger backing of an arms embargo against Israel. Intal also supports a Palestinian right of return and "the end of Zionism as an ideology of Israel."
    - In an interview, Franssen noted that though he "supports a broader boycott campaign against all of Israel, he and his colleagues came to the conclusion that this would be an unwise strategy. 'Focusing on Israel would limit very much our ability to rally many groups around the campaign,' he said. 'That's why we decided to focus on the Occupation.'"
    - Intal also works on campaigns in Afghanistan and Cuba. It also runs a campaign "to stop the murders of trade unionists in the Philippines, Colombia and Guatemala." However, Intal does not engage in sustained campaigns for these causes, as it does with Dexia.
- FIDH (Fédération Internationale des Droits de l'Homme) is a Paris-based federation of 178 human rights associations from more than 90 countries with consultative status in several international bodies. FIDH's stated mission is to "contribute to the respect of all the rights defined in the Universal Declaration of Human Rights."
    - Palestinian partners include the radical NGOs Al-Mezan, Ramallah Center for Human Rights Studies, Al-Haq, and the Palestinian Center for Human Rights. Israeli partners include Adalah, the Public Committee Against Torture in Israel, and B'Tselem.
    - In 2013, FIDH and Al-Haq lobbied the Human Rights Council and the UN Working Group on Business and Human Rights to adopt measures against corporations that conduct business activities in settlements. The NGOs nonsensically argued that "corporations **are contributing to the violation of Palestinians human rights**, such as, *inter alia*, their rights to self-determination, equality and non-discrimination, freedom of movement, the right to food, water, housing, an adequate standard of living, access to natural resources and effective remedy" (emphasis in original).
    - FIDH is among 22 NGO signatories of the 2012 "Trading Away Peace" report which repeats the BDS agenda, calling on the EU and individual European governments to wage political warfare through various forms of economic sanctions on Israel. (Click here to read NGO Monitor's analysis on "Trading Away Peace": How Biased Political NGOs Fuel Conflict).

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  - FIDH and Intal also cooperated with the French AFPS (Association France-Palestine Solidarité) in its campaign against Dexia. FIDH was one of the original founders of the "Made in Illegality" campaign.
  - Internationally, FIDH only promotes boycotts against Israel. In fact, FIDH expressed a contrary opinion regarding calls to boycott the Olympic Games in Beijing in protest against Chinese abuses in occupied Tibet. FIDH argued that an anti-Chinese boycott would cause an upsurge of nationalism. It instead favored a policy of dialogue with authorities.
  - In August 2014, FIDH published an open letter against the Israeli military operation, launched in response to terror attacks from Gaza. FIDH calls boycott against Israeli products a legitimate response to Israel's "murderous policies for the Palestinians and suicidal [policies] for the Israelis."
- Pax Christi Vlaanderen and Pax Christi Wallonie-Bruxelles are the Belgian sections of Pax Christi International, an officially recognized Catholic NGO network with 104 chapters worldwide. The Belgian branches of Pax Christi are signatories of the "Made in Illegality" campaign. Pax Christi was an active participant at the NGO Forum of the 2001 Durban Conference, which laid out the strategy to internationally isolate Israel through BDS. Other Pax Christi branches participated in CSR campaigns in Germany and the Netherlands.
  - Pax Christi Vlaanderen targets three regions with their conflict program: Israel-Palestine, Eastern Europe, and Central Africa. Pax Christi Vlaanderen devotes vastly more research and action to Israel-Palestine that any of the other conflict areas. Pax Christi Vlaanderen states that "The persistent lawlessness [in Israel/Palestine] destabilizes the Middle East and has negative consequences worldwide." It also admits that they target Israel because Israel is low-hanging fruit, claiming: "Unlike Israel, the EU has no strong ties to Syria or Iraq, and they may exert less pressure. Of course we are outraged at the violations of human rights in the Arab countries... Yet we have less influence in these countries because the political relations are weak and we have no partners."
  - Besides antisemitism and the Israel-Palestine conflict, Pax Christi Wallonie-Bruxelles also focuses on Islamophobia and relations with the Muslim world, and racism against sub-Saharan Africans and conflicts in Central Africa. In 2011, the organization held an event entitled "Israel, a threat to world peace?"