POLICY MEMO | POLITICS

The Hague Group: Mobilizing International Law for Palestine

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Introduction

The Israeli regime's ongoing genocide in Gaza has exposed the failure of global legal frameworks to protect civilians, marking an unprecedented breakdown in the protective function of international law. While the Genocide Convention obligates states to prevent and punish genocide, and the Geneva Conventions establish protections for civilians under occupation, these mechanisms have proven powerless without the political will to enforce them. This became glaringly obvious in January 2024, when the International Court of Justice (ICJ) issued provisional measures to prevent genocidal acts in Gaza—orders the Israeli government openly defied as it pressed ahead with its military campaign.[1]

Nonetheless, several Global South states have come together to form the Hague Group—an initiative designed to challenge the wall of impunity surrounding the Israeli regime through coordinated legal and diplomatic action. Comprising eight countries—South Africa, Malaysia, Namibia, Colombia, Bolivia, Senegal, Honduras, and Cuba—the Hague Group is committed to advancing international law enforcement and upholding global obligations in defense of Palestinian rights. This policy memo examines how the Hague Group showcases the potential of coordinated state action to hold states accountable for violating international law, despite structural limitations in enforcement.

Transnational Global South Solidarity

On January 31, 2025, the group's member states convened in The Hague—home to the world's principal international courts—and agreed to take tangible steps to enforce international law. They pledged to protect the Palestinian people and support their right to self-determination, calling on other states to collectively apply pressure on the Israeli regime.

The Hague Group's members come from Africa, Latin America, and Southeast Asia. The absence of Arab and European states—including traditionally vocal actors like Ireland and Spain—is striking, though not accidental. It reflects the fact that upholding international law has become increasingly politicized and costly, particularly under the weight of US hegemony that wields diplomatic pressure, economic coercion, and overt hostility toward international institutions. This dynamic, which intensified under the Trump administration, has had a chilling effect. Notably, as the Hague Group launched, the Trump administration backed legislation to sanction any individual or entity involved in International Criminal Court (ICC) investigations targeting the US or its allies, chiefly Israel.

Defying the US to uphold international law in the case of Israel comes with significant political and economic risks, which European leaders have thus far been unwilling to bear. Their support for Palestine has remained largely symbolic, limited to diplomatic gestures such as the recognition of Palestinian statehood, which fall far short of the enforceable measures needed to stop the genocide, dismantle apartheid, and end the occupation. Recently, however, several European countries have begun to threaten the Israeli regime with sanctions and are actively reconsidering the preferential treatment it receives under EU agreements. In response to mounting pressure from member states, the European Commission has agreed to review Israel's human rights record and reassess the EU–Israel Association Agreement. Yet these measures have come too late to

halt the ongoing Israeli onslaught in Gaza and beyond, and have so far remained symbolic in both scope and impact.

Similarly, the Arab League and the Organization of Islamic Cooperation (OIC) have issued firm resolutions and condemnations, calling for an end to the Israeli military offensive. Yet they have failed to follow through with tangible enforcement, revealing a persistent gap between rhetoric and political will. The growing wave of normalization of ties between Arab states and the Israeli regime has eroded the bloc's ability to hold the Zionist state accountable. In contrast, Hague Group member states have begun translating international legal obligations into coordinated action, confronting Israeli impunity where regional and Western actors have hesitated.

Political Action Beyond Symbolic Solidarity

The Hague Group has committed to a series of decisive political and legal measures aimed at disrupting Israeli impunity and enforcing international law. These include:

1. **Arms Embargo**: Member states have committed to halting all transfers of weapons and military equipment to the Israeli regime, particularly where there is a clear risk that it would use them to commit war crimes.
2. **Port and Transit Restrictions**: The group has pledged to prevent ships carrying military fuel or supplies to Israel from entering their territorial waters or docking at their ports, aiming to disrupt the supply chain that could contribute to violations of international law.
3. **Support for ICC Arrest Warrants**: The Hague Group has formally endorsed the ICC's arrest warrants for Prime Minister Benjamin Netanyahu and former Defense Minister Yoav Gallant, committing to enforce these warrants if the individuals enter their jurisdictions, undermining Israeli

officials' global mobility and diplomatic impunity.

4. **Public Condemnation and Political Isolation**: Through joint declarations and coordinated international advocacy, the group aims to politically isolate the Israeli regime and delegitimize its claims of lawful conduct, applying pressure on other states and institutions that continue to offer support.

The Hague Group's coordinated measures represent a critical turning point in the global effort to enforce international law and confront Israeli impunity. Yet without broader engagement, their impact will remain limited. More states must join this initiative to restore the credibility of the international legal system and uphold the rights of the Palestinian people. Human rights organizations should lobby governments to align with the group's rights-based decolonial agenda. At the same time, regional bodies such as the OIC, the Arab League, and the African Union must take concrete actions in line with the group's mission statement.

Expanding this coalition into a broader international movement is essential to ending the genocide and restoring international legal accountability for crimes against humanity. Under international law, states are bound by a legal obligation to prevent genocide and refrain from any form of complicity. Supporting initiatives like the Hague Group is therefore not a matter of political discretion, but a clear legal and moral imperative.

1. *To read this piece in French please click here. Al-Shabaka is grateful for the efforts by human rights advocates to translate its pieces, but is not responsible for any change in meaning.*

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