Belgium's Highest Court Throws Out Case Against Sharon

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Belgium's highest court on Wednesday threw out a war crimes complaint against Prime Minister Ariel Sharon and a case against former U.S. President George Bush and Secretary of State Colin Powell.

The ruling by the Cour de Cassation is expected to soothe diplomatic relations with the United States and Israel, which had hit their lowest points in decades because of the court complaints.

A statement released by the Israeli embassy in Brussels said that "the ruling will enable us to rehabilitate the relations between the two nations."

The cases were based on a Belgian universal jurisdiction law that allowed for genocide and war crimes complaints against foreign leaders, filed by foreigners about events which happened abroad. The law was drastically amended over the summer to avoid politically motivated complaints.

A group of Palestinians lodged the complaint against Sharon, relating to a 1982 massacre in Lebanon. Early this year, the Israeli government temporarily withdrew its ambassador from Brussels.

The complaints against Bush, father of the current U.S. president, Powell and U.S. Vice President Dick Cheney were filed on behalf of seven Iraq victims of the 1991 Gulf War. Annoyed by the spate of such cases against Americans, Washington had threatened the NATO alliance would have to move out of the Belgian capital because of the law.

Belgian Foreign Minister Louis Michel said Wednesday it was "a fact that as long as complaints based on the universal jurisdiction law were not thrown out, we cannot resume [high level] official contacts with the United States."

On Tuesday, a lower Belgian court upheld an earlier decision to drop a war crimes complaint against U.S. Iraq war commander Gen. Tommy Franks, rejecting an appeal by a lawyer representing 17 Iraqi and two Jordanian civilians.

Under intense diplomatic pressure, the government brought in a law that allows cases to be brought only if the victim or suspect is a Belgian citizen or long-term resident at the time of the alleged crime. It also guarantees diplomatic immunity for world leaders and other government officials visiting Belgium.

The biggest change is the dropping of the "universal jurisdiction" in the 1993 law, which had resulted in politically embarrassing complaints against U.S. officials, British Prime Minister Tony Blair and Sharon, among others.

The new law brings it in line with those in the rest of western Europe.

The case against Sharon centered on a massacre in a Lebanese refugee camp two decades ago.

Sharon was defense minister in 1982 when hundreds of Palestinian civilians in the Sabra and Chatila refugee camps south of Beirut were slaughtered by a Lebanese Christian militia allied with the Israelis. The Israeli forces had entered Lebanon several months earlier.

An Israeli inquiry found Sharon indirectly responsible and forced him to resign as defense minister in 1983.

Belgian prosecutors opened an inquiry in July 2001 following a complaint filed by 23 survivors of the massacres.

In March, seven Iraqi victims of the 1991 Gulf War lodged an official war crimes complaint against former U.S. President Bush, Powell and Cheney.

The issue centers on the February 13, 1991, bombing of the al-Amiriya shelter in Baghdad, which killed 403 people, including 52 children and 261 women. U.S. aircraft attacked the shelter believing it was a command center.