

Urgent Statement : Condemning Hamas' Attacks against Israel and Israel's Genocide in Gaza Strip, JDLA Calls for Immediate Halt of all Hostilities in Palestine and Israel as well as Requests Humanitarian Aides

We, the Japan Democratic Lawyers Association (JDLA), are lawyers and citizens who are advocating the Constitution of Japan and Fundamental Human Rights including those embodied by the International Human Rights Law. We are concerned that Hamas, holding substantive control over Gaza Strip, took rockets attacks in October 7, 2023 against Israel and subsequent hostage-taking of civilians are all of a crime against humanity as it is defined by the Statute of the International Criminal Court (Rome Statute), while at the same time the Israeli Government has launched missiles against Gaza Strip and other Palestine Territory including Cis-Jordan, which amounts to also a crime against humanity as well as infringements of the International Humanitarian Law. The situation is aggravating, even worse by attacking hospitals; now the Israeli Government has commenced land invasion into Gaza Strip. All these military activities are by far exceeding legitimate limits approved by the international law, apparently outreaching overwhelmingly a legal framework of necessity and proportionality, and then beyond any plausible argument of justification. In addition, Israel's invasion into Gaza Strip has led to numerous casualties of civilians including children without distinction, which constitutes a crime of genocide prohibited and punished by the Rome Statute. Immediate halt of these violent acts must be taken without any delay as requested by the International Law.

We recognize and welcome the United Nations has adopted in its tenth Urgent Session in October 26, 2013 a resolution "Protection of civilians and upholding legal and humanitarian obligations," and accept earnestly as plausible that the 14 points underlined by the resolution contain immediate halt of hostilities and provision of adequate and urgently needed humanitarian aides, and then consequently ask every and all persons concerned to abide by the resolution. We confirm again strongly that any use of force or threat of use of force could never make peace, as we are willing to follow the Constitution of Japan which proclaims in its preamble that "all peoples of the world have the right to live in peace, free from fear and want." As the above-quoted resolution of the UN 10th ES underlines, we must note that immediate and sustaining and succeeding humanitarian pause of hostilities, which may lead to just and sustainable resolution of conflicts between Israel and Palestine, can only be achieved by way of peaceful means.

November 7, 2023

Japan Democratic Lawyers Association

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