

President's Statement Calling for an Immediate and Permanent Ceasefire and Compliance with International Law by Both Israel and Palestinian Militants, including Hamas, and Urging the Japanese Government to Do Its Best to Reach Out for the Realization of Permanent Peace

1. The military conflict between Israel and Hamas and other Palestinian Militants (hereinafter referred to as "Hamas") which started on October 7th, 2023 has not subsided even after more than five months, and there is no movement toward a permanent ceasefire in sight.

According to an announcement of the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), from October 7th, 2023 to January 10th, 2024, more than 23,357 people have been killed in the Gaza Strip, of the Palestinian Territories, and more than 1,200 people have been killed in Israel.

2. According to announcements of the UNOCHA, The United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel and other sources, Hamas and other groups have attacked civilians and non-civilians and have taken hostages without distinguishing between them, etc. Meanwhile, Israel has also ordered more than one million residents to move from northern Gaza to southern Gaza, which lacks sufficient resources, and has cut off the supply of water and electricity to the Gaza Strip, etc.

These acts by both Israel and Hamas are not only in violation of international humanitarian law including the Protocol Additional to the Geneva Convention (Protocol I), which provides for the "Principle of Distinction" ([The parties to the conflict] must at all times distinguish between civilians/civilian objects and military objectives. Attacks may only be directed against military objectives.), the "Principle of Proportionality" (Launching an attack which may be expected to cause incidental loss of civilian life, injury to civilians damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated, is prohibited.) and the "Principle of Precautions" ([All feasible] precautions must be taken to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects.), but also fall under war crimes (Article 8, Paragraph 2 of the Rome Statue of the International Criminal Court)

and crimes against humanity (Article 7 of the Statute), as well as may fall under genocide (Article 6 of the Statute; Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide).

3. The Constitution of Japan adopts the principle of complete permanent pacifism and states in its preamble, “We recognize that all peoples of the world have the right to live in peace, free from fear and want.” and “We believe that no nation is responsible to itself alone.” It is against the spirit of the Constitution to just stand by and watch the aforesaid acts of Israel and Hamas as a passive observer and such attitude is totally unacceptable as a member of the international community responsible for the maintenance of peace.

It is said that Israel has continued to illegally occupy Palestinian territories under international law since before the current military conflict, and this is said to be behind the current military conflict (Report dated November 10, 2023 of The United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel). Based on the aforesaid spirit of the Constitution, the Japanese Government must do its best to reach out for the realization of peace through a permanent ceasefire by Israel and Hamas, understanding the history and the background that led to the outbreak of this large-scale military conflict.

We, the Chiba Bar Association call for an immediate and permanent ceasefire and compliance with international law by both Israel and Hamas, and call upon the Japanese Government to dedicate its best effort in advocating for the realization of permanent peace by urging both Israel and Hamas, in cooperation with the international community.

March 19, 2024

Hideki Kikuchi
President, Chiba Bar Association