

## **Human Rights Now welcomes the order of provisional measures by the International Court of Justice and calls on the Japanese government and the international community to take concrete action towards an immediate ceasefire in light of these measures**

On 27 January 2024, the International Court of Justice (ICJ) handed down an order on provisional measures in the case brought by South Africa against Israel<sup>1</sup>[1]. Human Rights Now welcomes this order.

The order is of great importance in the following respects:

- (1) It officially recognizes that Palestinians constitute a group protected under the Genocide Convention;
- (2) It recognizes the real and imminent risk of irreparable prejudice being caused to the rights of Palestinians in the current situation in Gaza;
- (3) It requires Israel to take certain measures with regard to alleged acts of genocide. Acts of genocide consist of any of the following: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; and (e) forcibly transferring children of the group to another group. Referring specifically to (a) ~ (d), the order requires Israel to take measures to prevent the commission of genocide, to ensure that its military forces do not commit acts of genocide, and to take measures to prevent and punish direct and public incitement to commit genocide.

Human Rights Now calls on Israel to fully implement the ICJ's order, in particular to cease any prohibited acts against Palestinians such as killing and causing bodily or mental harm, and to take all necessary measures to ensure the provision of humanitarian assistance. It also calls on all states currently providing military aid to Israel to immediately cease doing so.

The ICJ's order does not include a requirement to implement an immediate ceasefire, as requested by South Africa, but does require Israel to ensure the provision of humanitarian assistance. This can only be realized if an immediate ceasefire is implemented.

Human Rights Now calls on the UN Security Council, the UN General Assembly and international society as a whole to demand that Israel prevent and punish genocide and to demand an immediate ceasefire in order to ensure the provision of humanitarian assistance in Gaza.

The Japanese government is not a party to the Genocide Convention, but as a member of the United Nations, of which the ICJ is the principal judicial organ, and as a country that states that it "attaches great importance to the rule of law in the international community,"<sup>2</sup> it must take action to help realize the ICJ's order. Human Rights Now calls on the Japanese government to exert its utmost effort using all available diplomatic resources to realize an immediate ceasefire and prevent genocide in Gaza.

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<sup>1</sup> Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Order (26 January 2024)

<sup>2</sup> [https://www.mofa.go.jp/press/release/pressite\\_000001\\_00120.html](https://www.mofa.go.jp/press/release/pressite_000001_00120.html)