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القدس عاصمة فلسطين الابدية

October 7th 2024

A Year of the Ongoing Genocide Position Paper

Based on the professional ties that unite us and the responsibilities we all bear as members of the legal profession—chief among them being the protection of human rights and the defense of the principle of the rule of law across the world—I would like to bring to your attention, as the aggression against Palestinians continues for a full year, more than 365 uninterrupted days, the reality of this aggression's developments, the ongoing genocide, and the horrifying results it has caused to date. This situation calls upon all of us, as members of humanity and of the profession of justice, to take a stand consistent with our legal and ethical responsibilities in light of the following facts:

1. Ongoing Aggression in Gaza for a Year: This has resulted in the death of over 45,000 Palestinians, with tens of thousands injured and missing. Among the victims is a growing number of lawyers, reaching 130 martyrs to date, and this number is expected to increase as the Israeli military occupation continues its relentless aggression.
2. The aggression led to the complete destruction of the main headquarters of the Bar Association on the third day of the attack, followed by the destruction of the Bar's branches in the various governorates of the Gaza Strip.
3. The continued aggression has left an indeterminate number of lawyers missing—either trapped under the rubble due to the bombing or forcibly disappeared as a result of mass arrests being carried out in the Gaza Strip.
4. The occupation's actions in the West Bank have resulted in the detention of more than 11,000 Palestinian prisoners, most of whom are under administrative detention, including more than 30 Palestinian lawyers.
5. During the past year, alongside the ongoing war of extermination in Gaza, the occupation intensified its land confiscation activities in the West Bank and Jerusalem, rapidly accelerating settlement construction and allowing settlers to commit daily attacks against Palestinians and their properties in the West Bank.



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6. Over the past year, the occupation has intensified its field measures across Palestinian communities in cities, towns, and refugee camps through continuous closures and the division of areas by permanent and temporary checkpoints, aiming to disrupt Palestinian life and consistently degrade their human dignity. This has had a clear impact on the judiciary's ability to provide the necessary legal services and has negatively and directly affected the work of lawyers in the West Bank.

Given the ongoing violations by the Israeli military occupation forces against the provisions of international law in its various branches, including the provisional measures imposed by the International Court of Justice (ICJ) in January, March, and May of the previous year on Israel as the occupying power in the case submitted by the Republic of South Africa, and considering the significance of the recent advisory opinion issued by the ICJ, which declared the Israeli occupation of Palestinian territories as illegal, we are all legally and ethically obligated to stand united in protecting human rights and defending the principle of the rule of law.

This includes addressing your governments and partner institutions to stand with the Palestinian people in their right to self-determination amidst these violations, to call for the immediate cessation of this aggression, and to demand the application of international conventions related to prisoners' rights, leading to their immediate release. Additionally, international institutions, particularly the United Nations Security Council, must assume their legal responsibilities, as mandated by the UN Charter, to avoid double standards that have undermined these institutions' credibility in the eyes of communities worldwide.

With respect,

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