



Mr. Tokyo Sexwale, Esq.  
Chair, FIFA Monitoring Committee for Israel and Palestine  
FIFA  
FIFA-Strasse 20  
Zurich, Switzerland  
Email: [global@sexwale.co.za](mailto:global@sexwale.co.za)

October 27, 2016

RE: Violations of FIFA Statutes and Codes by the Palestinian Football Association

Dear Mr. Sexwale:

The Lawfare Project is a 501(c)(3) nonprofit legal organization based in New York. We write along with dozens of other attorneys representing a diverse array of firms and organizations from around the world.

May we first welcome your appointment as Chair of the FIFA Monitoring Committee for Israel and Palestine and the care that you are taking to seek a resolution that promotes both the sport of football and reconciliation between Palestinians and Israelis. We are indeed fortunate that FIFA has the benefit of your experience and stature in this difficult and important mission.

We are writing to draw your attention to violations of FIFA Statutes and Codes by the Palestinian Football Association. We fear that some or all of these violations may not have been drawn to your attention or may not have been sufficiently emphasized. On the other hand, in our view reconciliation will not be possible unless these violations are properly addressed.

A. Preventing Palestinians playing football with Israelis

The Palestinian Football Association operates a policy of preventing any contact between Palestinian and Israeli footballers and penalizing any Palestinians who participate in football games with Israelis.

- On 1 September 2014 about 80 Palestinian and Israeli boys between the ages of 6 and 16 met in Kibbutz Dorot in Southern Israel to play in friendly football matches organized by the Peres Center for Peace. The tournament was part of an initiative launched 12 years previously to bring Palestinian and Israeli boys together; many of the children had already played in previous tournaments organized by the Peres Center. Qusai, one of the Palestinian boys, said “I love it



when we play together like this. I hope that one day there will be peace between Arabs and Jews and there will be no more wars and death ...”<sup>1</sup>

Jibril Rajoub, Chairman of the Palestinian Football Association, responded with a statement posted on his official Facebook page on 6 September 2014 and reported in the official Palestinian daily newspaper, Al-Hayat Al-Jadida on 8 September 2014, stating that: “Any activity of normalization in sports with the Zionist enemy is a crime against humanity”; and demanding that “all individuals and institutions distance themselves from such activities”.

- On 5 January 2014, the official Palestinian Authority daily newspaper, Al-Hayat Al-Jadida reported on a meeting held in the Al-Ram Football Association headquarters between the Palestinian Football League’s Board of Directors and the heads of the professional and semi-professional Palestinian football clubs. The meeting was held in the presence of Jibril Rajoub, Chairman of the Palestinian Football Association, who said: “There will be no youth or sports activity of any kind with the Israeli side”.
- In August 2013, Jibril Rajoub said: ‘Many people pushed towards Messi, Muhammad [typical Arab name] and Shlomo [typical Israeli name] playing in a joint match, but we didn’t agree and we will never agree to anything other than Messi and Muhammad playing in a way that will reflect the glory of our nation, despite its daily suffering.’<sup>2</sup>
- In a broadcast on official Palestinian television on 1 July 2013,<sup>3</sup> Jibril Rajoub said: “Anyone who joins any joint activity with the Israelis - I’ll take him off the Association’s lists, whether he is a player, coach, judge or, God forbid, a team ... I won’t allow and won’t agree to any joint game between Arabs and Israel”
- On 7 January 2012 Jibril Rajoub stated: “We will not agree to normalization which some elements are trying to introduce into the realm of Palestinian sports”.<sup>4</sup> He clarified a few days later that “Normalization is when there’s a friendly match between some player or some sports team [and a player or team from Israel], whether in the territories occupied in ’48 [i.e. Israel within its original borders established on winning its independence in 1948] or in ’67”<sup>5</sup>
- On 2 January 2012, Jibril Rajoub said on official Palestinian Authority television: “the Palestinian team will not play against any team within the Green Line [i.e. the original borders of Israel established in 1948]”

<sup>1</sup> Al-Hayat Al-Jadida, 3 September 2014

<sup>2</sup> Al-Ayyam, 1 August 2013

<sup>3</sup> [http://palwatch.org/main.aspx?fi=982&fld\\_id=982&doc\\_id=9613](http://palwatch.org/main.aspx?fi=982&fld_id=982&doc_id=9613)

<sup>4</sup> Al-Hayat Al-Jadida, 8 January 2012

<sup>5</sup> Al-Hayat Al-Jadida, 16 January 2012



- On 21 July 2011, Al-Hayit Al-Jadida reported: “Abd Al-Majid Hujjah, Secretary-General of the Palestinian Football Association, announced that the Association intends to appoint an investigative committee to look into the circumstances of participation by groups of girl players in a normalization encounter with Israelis in Canada. He emphasized that the investigative committee will submit its recommendations prior to legal steps being taken against the players. Hujjah said that the position of the Palestinian Football Association on the issue of normalization in sports has been well-known for a long time, having been publicized, officially, on more than one occasion. This position has been disseminated among everyone involved and it rules out any contact by the Palestinian Football Association with any activity related to the Israeli side.”

This policy of the Palestinian Football Association obviously contradicts Article 5(1) of the FIFA Statutes, which provides that:

“FIFA shall promote friendly relations:

- a) between and among member associations, confederations, clubs, officials and players; and
- b) in society for humanitarian objectives”.

It also violates the prohibition of discrimination of any kind in Article 4 of the FIFA Statutes and Article 23 of the FIFA Code of Ethics.

We hope that you agree that termination of this policy must be an essential requirement of any resolution between the Israeli and Palestinian Football Associations.

#### B. Denigration of Israel and Israelis

Officials of the Palestinian Football Association regularly denigrate Israel and Israelis.

For example, Jibril Rajoub said on official Palestinian Authority television on 1 July 2013: “This state [Israel] is a state of bullies. Fascists can learn a lesson from this state. This government -- there is none more brazen in human history ... If a photo is published of Messi next to the fence [i.e. the security barrier constructed to prevent terrorist attacks against Israeli civilians], the new Berlin Wall, and the new Nazis will be seen the way they treat Palestinians, the Palestinian players -- well, this by itself will be the highest achievement”<sup>6</sup>

This statement demonstrates Rajoub’s intent to use football to promote a divisive and hateful political campaign, contrary to the spirit and principles of FIFA and of international sport generally.

---

<sup>6</sup> [http://palwatch.org/main.aspx?fi=982&fld\\_id=982&doc\\_id=9613](http://palwatch.org/main.aspx?fi=982&fld_id=982&doc_id=9613)



On 17 May 2012 he said in a speech to Arab women sports journalists broadcast live on official Palestinian Authority television: “Under no circumstances will there be normalization. Next time we are prepared to bring the Executive Committee in helicopters ... they will see no Jews, no Satans, no Zionist sons of bitches. Come by helicopter and go back by helicopter.”

This conduct is in breach of Article 23 of the FIFA Code of Ethics, which prohibits persons bound by the Code (including officials) from offending the dignity of a country or group of people through denigratory words or actions.

We hope that your report will also address this serious failure of the Palestinian Football Association and its most senior official to comply with their obligations.

### C. Promotion of Terrorism

The Palestinian Football Association and its members promote the murder of Israelis by glorifying terrorists as heroes to be emulated. This glorification encourages Palestinians, often impressionable children, to murder themselves as suicide bombers or to carry out other violent attacks on Israelis, putting themselves at severe risk of being killed as well. It is thus a violation of the physical and mental integrity of Palestinians, including Palestinian children, as well as Israelis.

- At a match on 11 October 2016 the Hilal Al-Quds football team displayed a large banner glorifying Mesbah Abu Sabih, who murdered two Israelis on 9 October 2016.<sup>7</sup> The club also published a picture of the team displaying the banner on its Facebook page.
- On 24 April 2016, 14 Palestinian football clubs participated in the 28<sup>th</sup> Khalil Al Wazir “Abu Jihad” futsal tournament for young people.<sup>8</sup> The tournament is named after Khalil Al Wazir (Abu Jihad), who was the leader of the Fatah terrorist group and personally planned terrorist attacks in which 125 Israelis were killed.
- In February 2016 Qabatiya football club issued a notice extolling three terrorists who shot and stabbed two Israeli police officers, one of whom died of her wounds. The terrorists were carrying machine guns, knives and pipe bombs for a mass terrorist attack. The police officers were attacked when they asked the terrorists for identification. The terrorists were Muhammad Halami Kmeil, the team captain; Ahmad Zakarneh who was described as one of the teams “outstanding fans”; and Ahmad Abu Al-Rub. The club’s notice extolled Kmeil as “an example of a player who is devoted to the club, loves sport, and has high morals”.<sup>9</sup>

<sup>7</sup> [https://twitter.com/48nnews/status/785570199995056128?ref\\_src=twsrc%5Etfw](https://twitter.com/48nnews/status/785570199995056128?ref_src=twsrc%5Etfw)

<sup>8</sup> Al-Hayat Al-Jadida, 23 April and 1 May 2016

<sup>9</sup> Al-Hayat Al-Jadida, 6 February 2016



- On 21 November 2015 a school football tournament in Ramallah and El-Bireh was held under the name “the Ahmad Manasrah Football Tournament”.<sup>10</sup> 13-year old Ahmad Manasrah and his 15-year old cousin Hassan Manasrah stabbed and seriously injured two Israeli civilians on 12 October 2015.
- In November 2015 the Shabab Al-Khalil football club named its goalkeeper academy after Basel Sidr who tried to stab an Israeli policeman on 14 October 2015.
- In October 2015 Bal’a and other football clubs participated in a tournament named after the terrorist Muhammad Halabi<sup>11</sup> who murdered two Israeli civilians and wounded a woman and infant in Jerusalem on 3 October 2015.
- On 17 August 2015 Jibril Rajoub, Chairman of the Palestinian Football Association, celebrated International Youth Day at a center named after the terrorist Salah Khalaf,<sup>12</sup> who planned the attack which resulted in the killing of 11 Israeli athletes at the Munich Olympics in 1972.
- In June/July 2015, a football tournament was held in Abu Dis for Palestinian youth teams. Several of the teams were named after terrorists, namely “The Martyr Abu Jihad” (who planned attacks in which 125 Israeli civilians were killed), “The Martyr Khaled Nazzal” (responsible for the deaths of 22 schoolchildren and 5 adults in Maalot), “The Martyr Abu Ali Mustafa” and “Mutaz Hijazi” (who attempted to murder Rabbi Yehuda Glick in November 2014)
- In April 2015, a futsal tournament was held by the Tell sports club in honor of Abu Jihad (Khalil Al-Wazir, leader of the Fatah terrorist group)
- In October 2014 a football tournament was held between teams from Tapuach, named after terrorists, namely Ahmed Yassin (founder of the terrorist organization, Hamas); Abu Ali Mustafa (General Secretary of the terrorist organization Popular Front for the Liberation of Palestine (PFLP) who planned numerous terror attacks against Israelis); Abu Jihad (Khalil Al-Wazir, leader of the Fatah terrorist group); Fathi Shaqaqi (founder of the terrorist organization Islamic Jihad, which has carried out numerous terrorist attacks)<sup>13</sup>

This conduct is a serious violation of Article 24 of the FIFA Code of Ethics which requires persons bound by the Code (including officials and players) to respect the physical and mental integrity of others and to ensure that the personal rights of every individual who is affected by their actions are protected, respected and safeguarded.

---

<sup>10</sup> Al-Hayat Al-Jadida, 23 November 2015

<sup>11</sup> Al-Hayat Al-Jadida, 2 November 2015

<sup>12</sup> Official Palestinian Authority television, 17 August 2015

<sup>13</sup> Al-Hayat Al-Jadida, 10 October 2014



#### D. Failure to observe political neutrality

The Palestinian Football Association and its Chairman, Jibril Rajoub, have used their status to promote a political agenda.

This was admitted by Jibril Rajoub in a broadcast on official Palestinian television on 1 July 2013,<sup>14</sup> in which he said: “Did we act correctly and convince [FIFA's] General Assembly? Yes. Yes, we'll suspend their [Israel's] membership [in FIFA] and this way we'll screw them ...”

The prevention of contact between Palestinian and Israeli footballers, the denigration of Israelis, and the promotion of terrorism described above are also parts of the politicization of the Palestinian Football Association.

Furthermore, in view of Jibril Rajoub’s constant support for terrorist attacks on Israelis,<sup>15</sup> it is likely that the Palestinian Football Association’s demand that Israel remove or ease security restrictions is made in order to facilitate terrorism.

This conduct is in breach of Article 14 of the FIFA Code of Ethics, which requires persons bound by the Code to remain politically neutral. Furthermore, in breach of Articles 14(1)(i) and 19(1) of the FIFA Statutes, the Palestinian Football Authority is not managing its affairs independently, but is operating under the control and as an instrument of the Fatah political party.

#### E. Games in the territory of other member associations

The Palestinian Football Association has teams and organizes games in Jerusalem, apparently without the consent of the Israeli Football Association. Under the Oslo Accords,<sup>16</sup> which created the Palestinian Authority, the whole of Jerusalem is governed by Israel until its final status is determined by agreement between the parties.

In addition, the Palestinian Football Association’s Statute declares an exclusive mandate to manage football activity “in the territories of the State of Palestine and in the sites of the Palestinian diaspora” (which include Syria, Lebanon and Jordan, as well as other countries).<sup>17</sup>

<sup>14</sup> [http://palwatch.org/main.aspx?fi=982&fld\\_id=982&doc\\_id=9613](http://palwatch.org/main.aspx?fi=982&fld_id=982&doc_id=9613)

<sup>15</sup> <http://palwatch.org/main.aspx?fi=981>

<sup>16</sup> <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20israeli-palestinian%20interim%20agreement.aspx>

<sup>17</sup> [http://www.pfa.ps/rules-ss/2624-2016\\_07\\_15](http://www.pfa.ps/rules-ss/2624-2016_07_15) القانون الأساسي الذي تم اعتماده بتاريخ 15 07 2016 Chapter II, Part 3, Clause 2: للاتحاد الفلسطيني لكرة القدم حق إنشاء فروع محلية له داخل دولة فلسطين وفي مواقع الشتات الفلسطيني



The Palestinian Football Association’s argument in its complaint against the Israeli Football Association, that the term “territory” in Article 72(2) should be interpreted politically, is thus contradicted by its own conduct and constitution. This further underlines the political nature of the Palestinian Football Association’s complaint against the Israeli Football Association.

### Conclusion

We very much hope that the points made above will help you in your effort to find a resolution which is fair and even-handed, and which promotes football and its unifying, educational, cultural and humanitarian values in accordance with the objective in Article 2(a) of the FIFA Statutes. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Brooke Goldstein, Esq.  
Director  
The Lawfare Project  
United States

Michael Schwartz, Esq.  
Chairman  
The Lawfare Project  
United States

Richard Stone, Esq.  
Board of Directors  
The Lawfare Project  
Columbia Univ. School of Law  
United States

Roy Kozupsk, Esq.  
Board of Directors  
The Lawfare Project  
Moses Singer LLP  
United States

Lawrence Hill, Esq.  
Board of Directors  
The Lawfare Project  
Shearman & Sterling LLP  
United States

Amanda Berman, Esq.  
The Lawfare Project  
United States

Benjamin Ryberg, Esq.  
The Lawfare Project  
United States

Jonathan Turner, Esq.  
UK Lawyers for Israel  
United Kingdom

Leo Adler, Esq.  
Adler Bytensky Prutschi Shikhman LLP  
Canada

---

بالانتخاب الحر أو التعيين وفقا لهذا النظام، بهدف نشر وتنظيم وتطوير اللعبة وتعزيز ق يمها، ويصدر لائحة تنفيذية خاصة بهذه الفروع تبين صلاحياتها وواجباتها وحقوقها وآليات تشكيلها وعملها.



Prof. Carole Basri, Esq.  
Fordham University  
United States

Prof. Abraham Bell, Esq.  
Univ. of San Diego Law  
United States

Mitch Danzig, Esq.  
Mintz Levin LLP  
United States

Robert Festenstein, Esq.  
RHF Solicitors  
United Kingdom

Melissa Francis, Esq.  
Mayer Brown LLP  
United States

Nathan Gelbart, Esq.  
PricewaterhouseCoopers Legal  
Germany

Lawrence Glasner, Esq.  
The Glasner Law Firm  
United States

Mark Goldfeder, Esq.  
Restoring Religious  
Freedom Project  
United States

Stephen Greenberg, Esq.  
Conference of Presidents of Major  
American Jewish Organizations  
United States

Marc Greendorfer, Esq.  
Zachor Legal Institute  
United States

Robert Grossman, Esq.  
Greenberg Traurig LLP  
United States

Philippe Grumbach, Esq.  
CMS von Erlach Poncet Ltd.  
Switzerland

Richard Heideman, Esq.  
Heideman Nudelman &  
Kalik, PC  
Former Chairman, American  
Indoor Soccer Association  
United States

Charles Iseman, Esq.  
United States

Prof. William Jacobson, Esq.  
Cornell Univ. School of Law  
Legal Insurrection  
United States

Paul Kaplan, Esq.  
Locke Lord LLP  
United States

Prof. Eugene Kontorovich,  
Esq.  
Northwestern Univ. Law  
United States, Israel

Alyza Lewin, Esq.  
American Association of Jewish  
Lawyers and Jurists  
United States

David Mackler, Esq.  
EZ Lane  
United States

Pascal Markowicz, Esq.  
Board of Directors  
Conseil Représentatif des  
Institutions Juives  
Chairman, French Cmte. of IAJLJ

Yael Mazar, Esq.  
StandWithUs  
Israel





Calev Myers, Esq.  
Jerusalem Institute of Justice  
Israel

Elie Poltorak, Esq.  
Poltorak PC  
United States

Barbara Pontecorvo, Esq.  
Studio Legale Pontecorvo  
Solomon Project  
Italy

Adam Putter, Esq.  
Custom Locations, LLC  
United States

Prof. Thane Rosenbaum, Esq.  
NYU School of Law  
United States

Matthew R. Schutz, Esq.  
United States

Yifa Segal, Esq.  
International Legal Forum  
Israel

Jay Sekulow, Esq.  
American Center for Law  
and Justice  
United States

Robert Sidi, Esq.  
United States

Gail Toll, Esq.  
United States

Susan Tuchman, Esq.  
Zionist Org. of America  
United States

Roy Wise, Esq.  
Wise & Associates, PC  
United States