



**Palestine Football Association**

Jerusalem - Palestine

**الاتحاد الفلسطيني لكرة القدم**

القدس - فلسطين

**Date: 11/3/2024**

**Ref. G-Ob/2024/33**

## **Proposal to include an agenda item at the FIFA 74<sup>th</sup> Congress**

The Palestine Football Association (PFA) brings forth a proposal to address the unprecedented international human rights and humanitarian law violations committed by Israel and the complicity manifest in the Israel Football Association's (IFA) continued inclusion, in its national league, of football teams located on the territory of another association.

As per the rights of Member associations to draw up proposals for inclusion in the agenda of the Congress stipulated in Article 13(1)(b) of the FIFA statutes, PFA hereby requests to add the following proposal to the agenda of the upcoming FIFA Congress to be held on 17 May 2024:

1. Adopt appropriate sanctions, with immediate effect, against Israeli teams, including national representative teams and club teams, due to the international law violations committed by the Israeli occupation in Palestine, particularly in Gaza.
2. Address without further delay the IFA's violation of the FIFA statutes manifest in its continued inclusion of football teams located on the territory of another association (Palestine) in its national league.





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3. Address the repeated failure of the IFA in taking decisive action against discrimination and racism, in the areas under its jurisdiction.

### Grounds for the Proposal

The PFA hereby makes explicit reference to the FIFA Statutes Article 2(a) that stipulates FIFA's objective "to improve the game of football constantly and promote it globally in the light of its unifying, educational, cultural and humanitarian values" and Article 2(d) "to control every type of association football by taking appropriate steps to prevent infringements of the Statutes, regulations or decisions of FIFA."

Furthermore, the PFA invokes the following commitments of FIFA, as the global football governing body:

- Articles 3 of the FIFA Statutes according to which "FIFA is committed to respecting all internationally recognized human rights and shall strive to promote the protection of these rights";
- Article 4 of the FIFA Statutes that strictly prohibits "discrimination of any kind against a country [...] or group of people" on any grounds, and provides that any breach of non-discrimination obligation is punishable by "suspension or expulsion";
- Article 5(1)(a) and 5(1)(b) of the FIFA Statutes that obliges FIFA to promote friendly relations between member associations, and in society for humanitarian objectives;





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- FIFA's commitments under its Human Rights Policy to respect human rights in accordance with the UN Guiding Principles on Business and Human Rights, all other internationally recognised human rights, and international humanitarian law. This policy sets out standards expected not just of FIFA but also of its member associations;
- FIFA's obligation under the Human Rights Policy to identifying, addressing, preventing, and mitigating adverse human rights impacts that are "directly linked to its operations, products or services by its business relationships, even if FIFA has not contributed to those impacts";
- Article 11(1) of the FIFA Statutes on the recognition of only one association in each country;
- Article 71(2) of the FIFA Statutes according to which: "[m]ember associations and their clubs may not play on the territory of another member association without the latter's approval" and;
- Article 72 of the FIFA Statutes stating that authorisation for any "exceptional circumstances" that merit departure from the rules specified in Articles 71(1) and (2) "must be given by both member associations, the respective confederation(s) and by FIFA."

### **Breaches of the FIFA Statues by the IFA**





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Against the background of the aforementioned regulatory rules, what follows is the list of the serious violations by the IFA of the FIFA Statutes.

1. **As a preliminary point, it must be emphasised that effects of the Israeli government actions on the human rights and humanitarian situation in Palestine represent an existential threat tantamount to genocide as confirmed by both the UN and the International Court of Justice. These actions were also deemed a [threat to the world peace](#) by the UN Secretary General.**

- Since the start of the Israeli war on Gaza at least 39,178 civilians were killed in Gaza including at least 14,622 children, while 73,300 were injured. 425 people were killed in the West Bank including 113 children. By 11 March 2024, at least 92 footballers, including 23 young juniors, were killed. FIFA referee Mohammad Khattab was killed in Gaza with his entire family.
- Up until March 11, Israeli attacks have damaged or destroyed 356,900 residential units which is [80% of Gaza's homes](#). 435 educational facilities, including all universities and 90% of the schools, and 624 places of worship were destroyed or damaged. 10 out of 35 hospitals are only partially functioning – the rest have been [destroyed](#).
- According to all major human rights organisations, Israel is currently in breach of binding ICJ orders of 26 January 2024 because it continues to kill innocent civilians and is [preventing](#) relief [supplies](#) and using [starvation](#) as a [weapon of war](#) – an act that is explicitly prohibited and considered a war crime under several international laws and international humanitarian law. UNICEF named a current Israeli attack on Gaza a “[war on children](#)” as it stands in grave breach of international obligations under the [UN Convention on the Rights of the Child](#). The list of the breaches goes on.





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- All the football infrastructure in Gaza has been either destroyed, or seriously damaged, including the historical stadium of Al-Yarmuk which was turned by the Israeli occupation into a [concentration camp](#) as documented by more than one international organization. Israeli bulldozers dug up the pitch just to destroy it. Smaller facilities and dirt pitches have been transformed into makeshift refugee camps, field hospitals, and [mass graves](#).
- The Jenin Club, Jenin camp club, and Nurshams club in the West Bank were damaged by the Israeli occupation army during the multiple incursions of both refugee camps after October the 7<sup>th</sup>. Licenses for Palestinians to build (sporting) infrastructure in the West Bank are [routinely rejected](#) by Israel.

## 2. The IFA is complicit in the Israeli government's violations against Palestinian football:

- IFA provides moral, economic, and practical support to the occupation of Palestine. IFA receives government funding whilst remaining silent on the government's abuses against Palestinian football in the occupied West Bank and Gaza Strip, thereby effectively accepting the state's policy of repressing Palestinian football.
- The IFA represents the Israeli government and its interests including those interests which run contrary to the proper functioning of the PFA and





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which violate FIFA Statutes. For example, the IFA demanded on behalf of Israel, in a letter sent to FIFA on 25 August 2013 that “the Palestine Football Association must operate through the formal channels of the state of Israel” in breach of Article 19(1) of the FIFA Statutes that states: “Each Member Association shall manage its affairs independently and without undue influence from third parties.”

- Through all the agreements brokered between FIFA, the IFA and the PFA, the IFA also took on responsibility for achieving objectives that are under the control of the Israeli government, such as the “facilitation of movement of persons and goods for football purposes in and out of and within Palestine.” On every occasion movement was denied by the occupation, the IFA either defended or justified the indefensible position of the occupation. This seriously undermined the ability of PFA to stage the Palestine Cup finals that had to be delayed or cancelled on several occasions, and it ruined careers of Gazan footballers. [According to](#) Human Rights Watch “athletes living in Gaza have missed vital opportunities for advancement not available in Gaza”.
- The IFA has repeatedly failed in taking decisive action against discrimination and racism, in the areas under its jurisdiction, which constitutes a direct violation of Article 3 of the FIFA Statutes. The clearest example of this is “Beitar Jerusalem FC” which is an Israeli professional football club from Jerusalem, and a member of the Israeli Premier League. As reported by the [Economist](#): “Supporters of the football club proudly sing about how it is ‘the most racist team’ in Israel. They scream epithets, such as ‘terrorist’, at the Arabs who play for opposing squads. Though Arabs make up 21% of Israel’s population, Beitar Jerusalem has never itself fielded one, in keeping with fans’ claim to be ‘forever pure’”. [Beitar FC](#) continues to embrace racism, unchecked. Yet, no serious measures were ever taken against the club.





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- Only an Israeli football club can openly block Arabs from joining its ranks, and harsh violence is treated solely as a disciplinary infraction to be handled by the biased Israel Football Association's internal dispute resolution mechanism. The Courts were unhelpful in the past to mend the injustices done to Palestinian football.
- Social media posts by some administrators and clubs in Israeli football, such as the [CEO](#) of Israeli Professional Football Leagues (on LinkedIn) and FC [Maccabi Netanya](#) (on Facebook), indicate strong support for genocide in Gaza. Many of the Israeli footballers are in the IDF, an occupation army that is currently engaged in the most serious violation of international humanitarian laws.

### **3. The IFA continues to incorporate at least 5 illegal settlement clubs located in the territory of PFA into its national league**

- The affiliation to the IFA of clubs based in illegal Israeli settlements in the West Bank, including Ma'aleh Adumim, Kiryat Arba, Givat Zeev, Bikat Hayarden and Ariel is an ongoing and long-term material violation of Articles 3, 4, 11(1), 71(2), and 72 of the FIFA Statutes (2022).
- The inclusion of settlement clubs in the IFA means that FIFA, by continuing to allow the IFA to include these teams, is implicitly recognizing the Israeli claim to sovereignty over the settlements. Such recognition runs contrary to international law (UN Security Council Resolution 2334, in particular) and





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FIFA's obligations as the global football governing body with clear mandate to prevent and not contribute to such violations under its Statutes and Human Rights Policy. [According to](#) Human Rights Watch "by allowing the [IFA] to hold matches inside settlements, FIFA is engaging in business activity that supports Israeli settlements, contrary to the human rights commitments it recently affirmed."

- PFA did not agree to any departure from FIFA territorial rules – its agreement is required under Article 71(2) and 72 of the FIFA Statutes. It will not agree to it in the future. FIFA and UEFA never approved of this either as it would run counter to their own rules. It is therefore unclear why FIFA allows IFA to continuously breach its own rules and enables "flagrant violations under international law". In all other cases of occupying power fielding in teams from occupied territories, FIFA reacted differently to the same issue by suspending the association from the occupying country.
- The issue of illegal settlement clubs was brought to FIFA's attention on several occasions over the years not just by PFA, but also by many others. [A letter](#) signed by 66 Members of the EU Parliament stated that "[a]llowing Israel to use football as an instrument of territorial expansion in the West Bank politicizes football - and this is not acceptable." More than one hundred sports associations, trade unions, human rights organizations and faith-based groups, representing millions of people from 28 countries across the globe, who joined football champions, scholars, film directors, politicians and government officials in calling on FIFA to take action in 2017. It is unclear why such action was never taken *ex officio* despite the clear breach of FIFA Statutes..

In summary, while Israeli is killing and shooting Palestinian footballers, destroying stadia, routinely refusing to issue licenses for sporting infrastructure, and prohibits free







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movement of players in breach of its international law obligations, the IFA is generously helping it to suffocate PFA, a FIFA member association. Negotiations, suggestions, and soft approach (forming committees to monitor and report, etc.) did not work and will not work to address any of the issues listed above. The Congress' agenda did not even include the report from FIFA's own Monitoring Committee, which was established in 2015 to find a solution. **The PFA therefore respectfully calls upon the Congress to take the effective steps and apply FIFA Statutes to bring an end to these breaches of FIFA Statutes without further delay.**

### **Safety, security, and smooth organisation of events**

Further to the three points set out above, FIFA cannot ensure safety and security inside or outside the event venues. This has been illustrated at a recent match in Greece where a group of Israeli supporters [beat up](#) an Arab man until he ended up unconscious and hospitalised. Extreme risk of serious incidents against supporters, players, and officials is predictable and undeniable. Also, please be reminded of the FIFA statement before the Court of Arbitration for Sport ([2022/A/8708](#)), where it argued that “[i]t would be impossible to hold any matches with the [Russian] national team whilst ensuring the safety and security of all participating teams, delegations, and officials.” Given the global tensions and sentiments regarding the situation in Gaza, it is hard to understand why the same safety and security arguments have not been brought out by FIFA in case of Israel.

There is a good chance that some FAs will refuse to play against Israel. This would put in jeopardy the “efficient organization and smooth running of the matches”. Arguing before CAS ([2022/A/8708FIFA](#)) FIFA considered the decision of three FAs that refused to play against Russia “fully understandable” and said they “cannot be criticized from either a legal or moral point of view.” FIFA also took into account the hypothetical future and said it is “foreseeable that other member associations would take the same position [...]the consequences of which would be irreparable and chaotic”. The current situation in which 12 WAFF FAs urged FIFA to sanction Israel, while many organisations are threatening global boycotts against FIFA sponsors, should bring up the same arguments and concerns.





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## History of PFA Proposals made to the FIFA Congress

- **FIFA 63rd Congress May 2013 in Mauritius:** The FIFA President was mandated with finding solutions to the problems, and reporting to the Congress the following year.
- **FIFA 64th Congress May 2014 in Sao Paolo:** The President's report admitted that the progress was unsatisfactory, and asked for yet another extension of the mandate.
- **FIFA 65th Congress May 2015 in Zurich:** The mechanism set by the FIFA President to solve the problems failed. The PFA came with a proposal for the suspension of the IFA from FIFA. The PFA, however, amended its proposal whereas it agreed to the formation of the "FIFA Monitoring Committee" to solve all the grievances presented in the original proposal.
- **FIFA 66th Congress May 2016 in Mexico City:** The Committee had failed to make progress. FIFA's newly elected President Gianni Infantino and the Committee's chairman Tokyo Sexwale declared their aim to resolve the settlement clubs' issue, before the FIFA Council meeting on 13-14 October 2016
- **FIFA Council Meeting 14 October 2016:** The FIFA Council discussed Sexwale's report. Sexwale's committee's mandate was not to "handle political or territorial matters" pending an answer on "the issue of territory" which "should be decided by the United Nations".





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- **UN Resolution 2334 on the 23rd of December 2016 answers FIFA's query regarding "the issue of territory":** It clearly defines Palestinian territories as the territories occupied by Israel after the 1967 war, including east Jerusalem, and states that all measures including construction and expansion of settlements, transfer of Israeli settlers, confiscation of land, demolition of homes and displacement of Palestinian civilians in said territories are in violation of international humanitarian law.
- **FIFA 67th Congress May 2017 in Manama, Bahrain:** The Monitoring Committee's "Consolidated" Report" is handed to the chair, with three proposed solutions. FIFA President, Mr. Gianni Infantino, made a commitment before the Congress that a solution to the issue of the IFA-affiliated clubs will be made by the Council in its next meeting in October 2017.
- **FIFA Council Meeting 27 October 2017:** The Council listens to Sexwale's report, it takes note of UNSC resolution 2334 and the documents of other international organizations, but declares the matter "closed and will not be the subject of any further discussion until the legal and/or de facto framework has changed."

## Conclusion and Request for Decisive Action

The *de facto* framework has indeed changed. An unbearable human tragedy is unfolding before our eyes in Gaza, Palestine. The unprecedented destruction continues to rise along with the civilian death toll. The UN has called on the international community to prevent genocide against the Palestinian people, and the ICJ "found it plausible that Israel's acts could amount to genocide".





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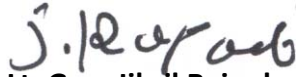
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The IFA continues to represent the interests of its government which violate FIFA statutes by continuing to include illegal settlement clubs located on the territory of Palestine in its national league. Furthermore, it continues to allow racism in its league to go unchecked.

We, as FIFA members, are all bound by our obligation to protect and safeguard human rights, and abide by our own statutes. Our failure as an international organization to take decisive action to address the grievances presented by one of our member associations whose rights continue to be violated will only normalize these violations and embolden those who commit them further. Failing to take decisive action in accordance with the FIFA Statutes would leave an unwelcome precedent.

Sincerely,

1. **Signature/s**

  
Lt. Gen. Jibril Rajoub, President

  
Firas Abu Hilal, General Secretary

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- *Note: Support letters will be sent later up until 17/3/2024*



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2.	Signature	Seal
	<p>Hachem Haidar, President The Lebanese Football Association</p>	
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