

Submission in support of the Palestinian Football Association proposal that FIFA sanction the Israel Football Association, in accordance with FIFA Statutes



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Introduction

On 17 May 2024, FIFA President Gianni Infantino announced that FIFA would seek independent legal expertise to analyse and assess a call by the Palestinian Football Association (PFA) to take action against the Israel Football Association (IFA). This submission includes information and insight that has a bearing on the case and is submitted with the aim of assisting the legal experts appointed by FIFA in their analysis.

FairSquare is a non-profit organisation that combines research and advocacy to promote systemic change and stop human rights abuses. We promote better, more democratic governance to prevent sporting institutions contributing to harm and suffering.

The submission outlines the case for FIFA to sanction the Israel Football Association (IFA) in accordance with provisions of the FIFA Statutes. There are multiple grounds that should give FIFA cause to act, many of which predate Israel's war in Gaza since the Hamas attacks of 7 October 2023. The submission focuses on the following:

- By holding league matches in occupied Palestinian territory, the IFA is in open contravention of Article 72(1) of FIFA Statutes which states that, "member associations and their clubs may not play on the territory of another member association without the latter's approval."
- In failing to address serious racial discrimination, including incitement to violence, on the part of Beitar Jerusalem fans, the IFA is enabling the most serious forms of racial discrimination to be directed against Arabs and Palestinians, in contravention of Article 4(1) of FIFA Statutes, which states that, "discrimination of any kind against a country, private person or group of people on account of race, skin colour, ethnic, national or social origin... is strictly prohibited and punishable by suspension or expulsion." FIFA's exclusion of apartheid-era South Africa provides a clear precedent for the suspension and expulsion of a member association whose actions reflect serious and systematic discriminatory state policies.
- Israel has flagrantly intervened in the affairs of the IFA in relation to the PFA's claims against it, colluding with the IFA to prevent the PFA from exercising its rights under the FIFA Statutes, and openly threatening the head of the PFA. This places the IFA in clear violation of Article 14(1)(i) of FIFA Statutes, which obliges member associations "ensure that their own affairs are not influenced by any third parties" and Article 15(c) which obliges member associations "to

be independent and avoid any form of political interference.”

- The Israeli state’s systematic destruction of Palestinian football facilities and killing of current and former players precludes FIFA from realising one of its key statutory objectives, outlined in Article 2(1) to “to improve the game of football constantly and promote it globally in the light of its unifying, educational, cultural and humanitarian values, particularly through youth and development programmes”.

Our focus on these issues should not be taken as an indication that there are no other serious and well-evidenced grounds for FIFA to impose sanctions on the IFA. In arriving at these conclusions, this submission draws on a multitude of sources, including but not limited to reports by the UN Committee on the Elimination of Racial Discrimination, the UN Human Rights Council, B’Tselem, Amnesty International, and Human Rights Watch, as well as peer-reviewed academic articles and numerous reports in the Israeli and international media, and reports and public statements by FIFA.

The first section of this submission describes the PFA’s efforts to persuade FIFA to sanction the IFA, which can be considered in two phases:

- the period between 2013 and 2017 when the PFA was protesting the IFA’s sanctioning of matches on occupied Palestinian territory; and
- the PFA’s efforts to persuade FIFA to sanction the IFA in light of Israel’s actions in Gaza in the aftermath of Hamas’s actions of 7 October 2023

The second section argues that Israel’s clear and obvious violation of Article 72(1) of the FIFA Statutes should be set in the context of a broader violation of Article 4(1) of the FIFA Statutes, which states that “discrimination of any kind against a country, private person or group of people on account of race, skin colour, ethnic, national or social origin... is strictly prohibited and punishable by suspension or expulsion.” The submission describes IFA’s tacit acceptance of the discriminatory policies of the Israeli football club Beitar Jerusalem, its failure to effectively or meaningfully challenge its supporters’ incitement to violence against Arab Israeli, Palestinians and Muslims in general, and the manner in which the most senior figures in the Israeli government, notably Prime Minister Benjamin Netanyahu, have courted Beitar’s supporters. It proposes that the actions and omissions of the IFA cannot be disentangled from the discriminatory political, legal, and social structures implemented by the Israeli state. FIFA’s exclusion of apartheid-era South Africa provides a clear precedent for the suspension and expulsion of a member association whose actions reflect serious and systematic discriminatory state policies.

The third section examines Israel's systematic destruction of PFA facilities and the killing of football players and athletes and describes the extent to which the Israeli state's actions preclude FIFA from realising one of its key statutory objectives - the development of the game.

The fourth section argues that this and other actions of the Israeli state, including threatening the head of the PFA with imprisonment in retaliation for his calls for IFA suspension constitute third-party interference and provide FIFA with further statutory grounds for the suspension or expulsion of the IFA.

1. Background

On 17 May 2024, FIFA President Gianni Infantino announced that FIFA would seek independent legal expertise to analyse and assess a call by the Palestinian Football Association (PFA) to take action against the Israel Football Association (IFA).¹ The PFA had written to FIFA on 11 March 2024 and proposed that the possibility of sanctions against Israel be discussed at FIFA's 74th Congress in Bangkok in the light of: the international law violations committed by the Israeli occupation in Palestine, particularly in Gaza; the continued inclusion of football teams located on occupied Palestinian territory in the Israeli national league; and the repeated failure of the IFA in taking decisive action against discrimination and racism, in the areas under its jurisdiction.² In October 2017, FIFA declined to take a stance on previous PFA calls for sanctions to be imposed on the IFA stating that the matter would "not be the subject of any further discussion until the legal and/or de facto framework has changed."

1.1 Palestinian FA intervention over Israeli clubs playing in Occupied Palestinian Territory

The Palestine Football Association, headquartered in Ramallah, is the football governing body of Palestine and a member of FIFA since 1998. For over twenty years, it has administered football in an area recognized as a sovereign state by a large majority of the international community, but not by Israel.³ A primary consequence of Israel's policies and practice of fragmenting the Palestinian people is the fact that travel restrictions imposed by Israeli occupation forces preclude the existence of a national football league. The Palestinian football division system is divided, with a West Bank men's Premier League, a Gaza Strip men's Premier League, and a West Bank women's league.⁴

Since 2013, the Palestine Football Association (PFA) has claimed that the Israel Football Association is violating Article 71(2) of FIFA statutes, which

1 Associated Press, "FIFA to seek legal advice on Palestinian proposal to suspend Israel from international soccer", (17 May 2024).

2 Palestinian Football Association, Proposal to include an agenda item at the 74th FIFA Congress, (11 March 2024).

3 Antoine Duval and Pedro José Mercado Jaén, "CAS 2017/A/5166 and 5405 Palestine Football Association v. 173 Fédération Internationale de Football Association (FIFA)", 1745 Award of 9 July 2018", in the *Yearbook of International Sports Arbitration 2018 - 2022*, 2024, ed Antoine Duval and Antonio Rigozzi (Asser Press: 2024).

4 Ibid.

prohibits a member association from holding competitions on the territory of another member association without permission.⁵ The IFA continues in 2024 to incorporate at least five illegal settlement clubs located in the territory of the PFA into its national league - Ma'aleh Adumim, Kiryat Arba, Givat Zeev, Bikat Hayarden and Ariel.⁶

Palestinian territory is understood to include the West Bank and the Gaza Strip, recognized internationally as the occupied Palestinian territory or Palestine. The IFA, which is also a member of FIFA, has said that FIFA should allow it to continue holding matches in settlements and should take no position on the status of the West Bank. Israel's military governs the West Bank as territory under temporary belligerent occupation, and the international community considers it occupied, but the Israeli government stands virtually alone in referring to the West Bank as "disputed territory".⁷

FIFA member associations established the FIFA Monitoring Committee Israel-Palestine ("Monitoring Committee") at the 65th FIFA Congress in May 2015, in order to "monitor the situation and find a solution to certain issues between the Israeli Football Association (IFA) and the Palestine Football Association (PFA)." The main points for the Monitoring Committee to address were: "(i) the "Territory Obstruction Issue", i.e. the movement of Palestinian football players, officials and equipment within, into and out of territories defined by several United Nations resolutions as "Occupied Territories", and (ii) the "Israeli Clubs Issue", i.e. the jurisdiction over five (later six) Israeli amateur clubs located in Israeli settlements within the Occupied Territories and playing in IFA-sanctioned championships."⁸

In September 2016, Human Rights Watch issued a report arguing that the issue was not merely a dispute between national associations over the interpretation of FIFA rules, but that by allowing the IFA to hold matches inside settlements, FIFA was engaging in business activity that supports Israeli settlements, contrary to

5 See Palestinian Football Association, Proposal to include an agenda item at the 74th FIFA Congress, (11 March 2024).

6 Proposal by the Palestine Football Association regarding Israel, in Proposals duly submitted by the member associations within the period stipulated in article 28 paragraph 1 of the FIFA Statutes, 74th FIFA Congress, Bangkok, 2024. (Copy on file with FairSquare).

7 Human Rights Watch, ["Israel/Palestine: FIFA Sponsoring Games on Seized Land"](#), (25 September 2016).

8 For a full description of the process see Antoine Duval and Pedro José Mercado Jaén, "CAS 2017/A/5166 and 5405 Palestine Football Association v. 173 Fédération Internationale de Football Association (FIFA), 1745 Award of 9 July 2018", in the *Yearbook of International Sports Arbitration 2018 - 2022*, 2024, ed Antoine Duval and Antonio Rigozzi (Asser Press: 2024) and CAS 2017/A/5166 & 5405 Palestine Football Association v. FIFA, Award of 9 July 2018.

the human rights commitments FIFA had recently affirmed.⁹ As noted by Human Rights Watch, the settlements are unlawful under international humanitarian law (IHL), which prohibits the occupying power from transferring its civilians into the occupied territory, and which allows it to use land in occupied territory only for military needs or for the benefit of the local population.¹⁰ An April 2016 report, commissioned by FIFA and written by John Ruggie, the author of the United Nations Guiding Principles on Business and Human Rights (UNGPs), which outline the human rights responsibilities of businesses, made specific recommendations for FIFA to implement the UNGPs throughout its activities.¹¹ The FIFA Council adopted a Human Rights Policy in May 2017, declaring its commitment to respect human rights in accordance with the UN Guiding Principles on Business and Human Rights, and committing to avoid causing or contributing to adverse human rights impacts through its own activities, and to addressing and remediating such impacts when they occur. The policy identified FIFA's salient human rights risks as labour rights, land acquisition and housing rights, discrimination, security and players' rights. The commitments are binding on all FIFA bodies and officials.¹² The policy states that "where FIFA's operations extend to situations of armed conflict, it will also respect the standards of international humanitarian law."¹³

The FIFA Monitoring Committee Israel-Palestine mandate was extended at the 66th FIFA Congress in 2016, and in March 2017 the PFA decided to submit a motion to be voted on at the upcoming 67th FIFA Congress.¹⁴ The PFA Motion proposed "to recognize the PFA's entitlement to all its rights as described in Article 13 of the FIFA Statutes" and "to request the FIFA Council to propose and/or adopt disciplinary measures—as described in articles 16 and/or 17 of FIFA Statutes—against the Israeli Football Association for their responsibility with regards to the activities of at least 6 of its clubs in the internationally recognized territory of PFA".¹⁵ During the 67th FIFA Congress in Bahrain, the PFA President, Mr Jibril Rajoub, stated that the PFA was seeking the suspension of "all football and football-related activities run by IFA in Palestinian internationally

9 Human Rights Watch, "[Israel/Palestine: FIFA Sponsoring Games on Seized Land](#)", (25 September 2016).

10 Ibid.

11 John G. Ruggie "[“For the Game. For the World” FIFA and Human Rights](#), Corporate Responsibility Initiative Report No. 68. Cambridge, MA: Harvard Kennedy School." (2016).

12 FIFA "[Human Rights Policy](#)," (2017).

13 Ibid.

14 For a full description of the process see Antoine Duval and Pedro José Mercado Jaén, "CAS 2017/A/5166 and 5405 Palestine Football Association v. 173 Fédération Internationale de Football Association (FIFA), 1745 Award of 9 July 2018", in the *Yearbook of International Sports Arbitration 2018 - 2022, 2024*, ed Antoine Duval and Antonio Rigozzi (Asser Press: 2024) and CAS 2017/A/5166 & 5405 Palestine Football Association v. FIFA, Award of 9 July 2018.

15 Ibid.

recognized territories”¹⁶ At the Congress, 73% of FIFA’s members endorsed the Motion and voted to give time to the FIFA Council to decide on the proposal before the end of March 2018.¹⁷

The final report of the Monitoring Committee was communicated to the FIFA Council on 27 October 2017.¹⁸ It proposed three possible options for the FIFA Council’s consideration and decision, with one of those being that FIFA give the IFA six months to desist from administering football on Palestinian territory.¹⁹

In his concluding remarks, the Committee chairman stated: “What the FIFA leadership cannot any longer avoid is taking a decision on this matter. The Monitoring Committee can only recommend, it is the FIFA leadership that must decide.”

On the same day, the FIFA Council issued a statement outlining its position as follows:

*“The FIFA Council acknowledges that the current situation is, for reasons that have nothing to do with football, characterised by an exceptional complexity and sensitivity and by certain de facto circumstances that can neither be ignored nor changed unilaterally by non-governmental organisations such as FIFA. Given that the final status of the West Bank territories is the concern of the competent international public law authorities, the FIFA Council agrees that FIFA, in line with the general principle established in its Statutes, must remain neutral with regard to political matters. ... the FIFA Council has decided to refrain from imposing any sanctions or other measures on either the Israel FA or the Palestinian FA, as well as from requesting any other FIFA body to do so. The matter is declared closed and will not be the subject of any further discussion until the legal and/or de facto framework has changed.”*²⁰

16 Ibid.

17 Ibid.

18 FIFA Monitoring Committee, “Israel-Palestine Report by Committee Chairman Mr Tokyo Sexwale”, (27 October 2017).

19 Ibid. Option 1: Maintenance of the current Status Quo. Option 2: FIFA warns IFA — Yellow Card. In line with article 72.2 of the FIFA Statutes, which proclaim that member associations and their clubs may not play on the territory of another member association without the latter’s approval, the IFA is given a warning by FIFA (yellow card) to rectify this issue by desisting to administer football on the territories concerned within a minimum period of six months. Failure to find a resolution within this period shall mean that the matter will revert to the FIFA Council for final decision-making. Option 3: Discussions should be encouraged between the IFA and the PFA

20 FIFA, “FIFA Council statement on the final report by the FIFA Monitoring Committee Israel-Palestine”, (27 October 2017).

1.2 Palestinian FA intervention over Israel's actions in Gaza

In advance of the 74th FIFA Congress in Bangkok in May 2024 and in line with Article 28(1) of FIFA Statutes, the PFA requested that the following proposal be placed on the agenda of the 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.*
3. *Address the repeated failure of the IFA in taking decisive action against discrimination and racism, in the areas under its jurisdiction.*²¹

The PFA referenced the following articles of FIFA's Statutes as grounds for its call:

- *Article 2(a) which states that one of FIFA's objectives is "to improve the game of football constantly and promote it globally in the light of its unifying, educational, cultural and humanitarian values"*
- *Article 2(d) which states that one of FIFA's objectives is "to control every type of association football by taking appropriate steps to prevent infringements of the Statutes, regulations or decisions of FIFA".*
- *Article 3 of the FIFA Statutes according to which "FIFA is committed to respecting all internationally recognised 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 this non-discrimination obligation is punishable by "suspension or expulsion";*

21 Palestinian Football Association, Proposal to include an agenda item at the 74th FIFA Congress, (11 March 2024).

- *Articles 5(1)(a) and 5(1)(b) of the FIFA Statutes that oblige FIFA to promote friendly relations between member associations, and in society for humanitarian objectives;*
- *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”;*
- *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”.*
- *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 identify, address, prevent, and mitigate 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”;*

The PFA cited, among other things, the following:

- *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.²² 425 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.*
- *All the football infrastructure in Gaza has been either destroyed, or seriously damaged, including the historic stadium of Al-Yarmouk which was turned by the Israeli occupation into a concentration camp as documented by more*

²² In this regard, it should be noted that a July 2024 report in the Lancet found that “it is not implausible to estimate that up to 186 000 or even more deaths could be attributable to the current conflict in Gaza” Rashid Khatib, Martin McKee, Salim Yusuf, “[Counting the dead in Gaza: difficult but essential](#)”, The Lancet, (5 July 2024).

than one international organisation. 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 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 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.*

FIFA President Gianni Infantino declined to put the PFA proposal to a vote and said that FIFA would seek legal advice before holding an extraordinary council meeting within two months. According to the Associated Press, the FIFA President said:

“Due to the obvious sensitivity of these matters, FIFA will mandate as of now independent legal expertise to analyze and assess the three requests made by the Palestinian Football Association and ensure that the statutes and regulations of FIFA are applied in the correct way in order to ensure a fair and due process ... This legal assessment will have to allow for inputs and claims of both member associations. The results and the recommendations ... will be forwarded to the FIFA council.”²³

23 Associated Press, [“FIFA to seek legal advice on Palestinian proposal to suspend Israel from international soccer”](#), (17 May 2024).

2. IFA Violations of Article 71(2) and Article 4(2) of FIFA Statutes

2.1 IFA Matches in Settlements

FIFA's decision in October 2017 to refrain from taking any decision on the PFA's call for sanctions to be imposed on the IFA was, FIFA said, based on Article 4(2) of its statutes, which states that "FIFA remains neutral in matters of politics and religion".²⁴ The provision is vaguely worded and leaves FIFA room for manoeuvre in that it adds that "exceptions may be made with regard to matters affected by FIFA's statutory objectives", in effect giving FIFA broad scope to decide what is political and the extent to which statutory objectives prevail over its commitment to political neutrality.²⁵

FIFA also cited what it called the "exceptional complexity and sensitivity" of the situation.

While it is unsurprising that FIFA would prefer not to intervene in a politically contentious situation, the specific issue at hand was exceptionally clear and straightforward - one of its member associations was playing matches in the territory of another, in a clear breach of Article 71(2) of the FIFA Statutes.²⁶

In its response to Human Rights Watch's 2016 report, the IFA stated that FIFA should not concern itself with "political issues, matters and disputes".²⁷ On the contrary, FIFA has an obligation to act when member associations violate its statutes, and cannot arbitrarily abdicate itself from that responsibility because another member association claims effective immunity on account of overarching political issues. The IFA's violation of Article 72(1) of the FIFA statutes is clear and indisputable. The IFA has been sanctioning matches in settlements that are not only illegal under international law, but which are

24 FIFA, "FIFA Council statement on the final report by the FIFA Monitoring Committee Israel-Palestine", (27 October 2017).

25 FIFA Statutes, Article 4(2).

26 FIFA, "FIFA Council statement on the final report by the FIFA Monitoring Committee Israel-Palestine", (27 October 2017).

27 Letter from Ofer Ini, IFA Chairman, to Sari Bashi, Israel/Palestine Director, Human Rights Watch, (22 September 2016).

described by the UN Security Council in December 2016 as “a major obstacle to the achievement of ... a just, lasting and comprehensive peace.”²⁸

FIFA could and should have interpreted Article 72(1) in line with its general Article 3 commitment to respect “all internationally recognised human rights and shall strive to promote the protection of these rights’ and the human rights policy that outlines its commitments in more detail. FIFA could also have invoked Article 4(1) which states that “discrimination of any kind against a country, private person or group of people on account of race ... is strictly prohibited and punishable by suspension or expulsion.”²⁹

As noted by Human Rights Watch in 2016, Israeli settlements are part of a system of systematic racial discrimination against the Palestinian population:

“The clubs provide services to Israelis but do not and cannot provide them to Palestinians, who are not allowed to enter settlements except as laborers bearing special permits. Because of this, football teams, for example, operating in the settlements, are available to Israelis only, and West Bank Palestinians may not participate, play on the teams or even attend games as spectators. In most cases, the clubs receive a majority of their funding from the settlement municipalities and regional councils, which essentially pay them to organize sports and recreational services for Israelis only.”³⁰

2.2 Beitar Jerusalem: Racial Discrimination and Incitement to Violence

In addition to the IFA permitting matches on occupied Palestinian territory, the IFA has allowed deeply discriminatory practices to go unchecked within its national league and has not taken meaningful steps to address supporters’ incitement to violence against Arabs and Palestinians. This is most obviously exemplified by the case of the football club Beitar Jerusalem, referenced in the PFA’s complaint to FIFA of March 2024.

Beitar Jerusalem remains the only Israeli club to have never signed a Palestinian or Arab-Israeli player and their supporters are openly racist towards Palestinians, Arabs, and Muslims in general. Supporters fly the Israeli flag as well as the country’s colours at the club’s Teddy Stadium and chant “Here we are, the

28 United Nations Security Council Resolution 2334, (23 December 2016).

29 FIFA Statutes, Article 4(1).

30 Human Rights Watch, “[Israel/Palestine: FIFA Sponsoring Games on Seized Land](#)”, (25 September 2016).

most racist team in the country.”³¹ In April 2015, Beitar’s then manager Guy Levi told Israeli media that he would not sign an Arab player. “I don’t think it’s the right time. It would cause tensions and create much greater damage. Even if there were a player who fit in professionally, I would not bring him in because it would create unnecessary tensions. Let the education minister change the culture and not ask us to change the culture of a people that is centuries old.”³² In the same interview he praised Beitar’s hardcore far-right supporters group, La Familia. “I met La Familia recently, excellent people and fantastic fans. I respect the people who support my team.” La Familia lead songs with lines that include, “I don’t care how many and how they will get killed, Eliminating Arabs makes me thrilled.”³³

In May 2015, the Israeli FA halved a 2-point fine imposed on Beitar after their fans chanted racial abuse at a rival team’s Arab player. The IFA said that, “after considering the matter, we have decided - and not without hesitation - to give the club and its fans one final opportunity to show that they have indeed learned the required lessons and that from now on they will work to eradicate any racist chanting.”³⁴

The IFA has sanctioned the club for the behaviour of their supporters, but they have not taken meaningful steps to address the Beitar fans’ incitement of racial violence against Arabs, leading Beitar supporters to play an increasingly influential and profoundly damaging role in public discourse.³⁵ In this regard it is important to situate the IFA’s actions and omissions in the context of the political support that Beitar and its supporters have received from senior government figures in Israel.

A 2022 book on Beitar Jerusalem by Israeli football writer Shaul Adar describes the Jerusalem club as “the most political club in the world” and details the way in which Israel’s right-wing government cultivated the support of Beitar

31 “Beitar Jerusalem fans: ‘Here we are, we’re the most racist football team in the country’” The Guardian youtube channel, (24 November 2015).

32 Ali Abunimah, “No Arab players need apply to Israeli football team, coach says”, Electronic Intifada, (14 April 2015).

33 Shaul Adar, “Tale of neglect: how Beitar Jerusalem became infected with racism”, The Guardian, (12 May 2022).

34 “Israel Football Association Halves Beitar Jerusalem’s Punishment for Racist Misconduct”, Haaretz, (19 May 2015).

35 See Andrew Warshaw, “Israeli FA bans Beitar from UEFA club competition after fans run riot at State Cup final”, Inside World Football, (7 June 2023). Warshaw quotes the IFA’s disciplinary court as stating “this is the club’s 29th appearance in court this season due to the actions of its fans. Regrettably, in our impression the accused has chosen a course of minimal confrontation with its fans, thereby allowing parts of those fans to become lawless. All these justify a harsh punishment for these actions.”

supporters to the point where, in Adar's words, they "felt they had their backs covered by the government."³⁶ "In the late 1990s half the government sat in the VIP stand at Teddy [Stadium] masquerading as fans and ignored the chants", writes Adar, referring to discriminatory chants that incited violence against Palestinians and Arabs.

*"Teddy over the years became the place for Likud politicians to show themselves. Miri Regev, former minister for education and sport and Netanyahu's wrecking ball, was filmed with La Familia members who sang 'may your village burn'. She looked happy and glorious and didn't mind that Israeli civilians called for the burning of others because she didn't want to cross her voters. She even posted that clip on her Facebook wall. ... During a debate in a Knesset committee, Regev said, 'La Familia is not a terror organisation. I don't recognise they have a charter of racism, incitement and violence.'"*³⁷

Ruvi Rivlin, a former Beitar chairman and a former minister and President of Israel, has expressed concern about the actions of home supporters at Beitar's Teddy Stadium and the failure of Israel's political leaders to challenge them: "I remember sitting in Teddy and telling [then Jerusalem mayor] Ehud Olmert that what is happening on the East stand is not good and by shutting our mouths we give them legitimisation. You are the leaders of a community, of the government, say something. But they ignored it so they won't make their supporters angry."³⁸ On a separate occasion he commented that, "we have made a mistake when we didn't stop [racist chanting inciting violence] at the time, we thought it was just nonsense that will disappear. We were wrong."³⁹

One of the Likud politicians who has closely associated himself with Beitar and their supporters is the current Israeli Prime Minister, Benjamin Netanyahu. In a clip from 1998, Netanyahu can be seen on a balcony addressing a large crowd of Beitar fans celebrating a 1998 title win, saying: "I came here tonight to say just two words: go Beitar". Netanyahu was, according to Shaul Adar, apparently unbothered by their calls of "death to the Arabs" during the celebrations.⁴⁰

36 Shaul Adar, "On the Border: The Rise and Decline of the Most Political Club in the World", (Pitch Publishing, 2022) and Shaul Adar, "[Tale of neglect: how Beitar Jerusalem became infected with racism](#)", The Guardian, (12 May 2022).

37 Shaul Adar, "On the Border: The Rise and Decline of the Most Political Club in the World", (Pitch Publishing, 2022), p. 292.

38 Shaul Adar, "On the Border: The Rise and Decline of the Most Political Club in the World", (Pitch Publishing, 2022), p. 291. Clip available at "[Beitar Jerusalem fans: 'Here we are, we're the most racist football team in the country'](#)" The Guardian youtube channel, (24 November 2015).

39 Ibid.

40 Ibid.

Beitar's supporters have, in turn, offered their support to Netanyahu. In 2020, Beitar's hardcore ultra supporter group, La Familia, took to the streets to defend Netanyahu, who was standing trial on charges including fraud and bribery, and had been the focus of regular protests. According to the Washington Post, a Likud activist with a popular Facebook page had called on the Beitar ultras to defend Netanyahu against the protests, saying "La Familia, you are the medicine against those anarchists."⁴¹ The Israeli newspaper Haaretz and Felix Tamsut in Deutsche Welle have also described the prominent and violent role that Beitar supporters went on to play in the counter-protests in support of Netanyahu.⁴² According to the Washington Post:

*"On several nights in July, La Familia members marauded through the masses at the anti-Netanyahu protests. Draped in Israeli flags, they sat on friends' shoulders or happily shoved each other around makeshift mosh pits. 'This is the land of Israel, this is the Jewish state, I hate all the Arabs,' they sang.... One La Familia member was an Israel Defense Forces soldier, proudly carrying his army rifle in a blatant show of intimidation."*⁴³

In May 2021, after Israeli forces raised the Al-Aqsa mosque, resulting in Hamas firing rockets into Israel and outbreaks of violence between Jewish and Arab Israelis, Beitar fans incited and perpetrated violence against Arabs in Israel and again played a prominent and damaging influence. According to Shaul Adar:

*"The impact of La Familia was clear. The songs from the stands trickled on to the streets. 'May your village burn' and 'Shu'afat is on fire' echoed all over the burning cars. On La Familia's WhatsApp group, missions were organised. It was clear that La Familia had become not just a political force but also a brand name for many far-right groups. ... It was obvious that years of hate and nationalism spewed by some Beitar Jerusalem fans hadn't gone unnoticed. It was amplified by the acoustics of Teddy, it was broadcast live on TV every week, it inspired people."*⁴⁴

Beitar supporters continue to sing songs that incite genocidal violence against Israeli Arabs and Palestinians. A popular Beitar song contains the following lyrics:

41 Amos Barshad, "[When extremist soccer 'ultras' aligned with Israel's right-wing government, mayhem followed](#)", The Washington Post, (6 October 2020).

42 Moran Sharir, "[Far-right Israeli Extremists Hunt for 'Antifa A-holes' at anti-Netanyahu Protests](#)", Haaretz, (28 July 2020). Felix Tamsut, "[When far-right football fans take to the streets in Israel](#)", Deutsche Welle, (8 July 2020).

43 Amos Barshad, "[When extremist soccer 'ultras' aligned with Israel's right-wing government, mayhem followed](#)", The Washington Post, (6 October 2020).

44 Shaul Adar, "On the Border: The Rise and Decline of the Most Political Club in the World", (Pitch Publishing, 2022), p. 358.

*“Even at the hardest times
I will sing your name in the streets
Yellow in my veins, Beitar forever
See red becomes like a bull
We’ll break the sickle with an iron bar
To one commandment I’ll adhere:
To wipe the Amalek seed!”⁴⁵*

This, it should be noted, is the same Biblical reference cited by Israeli Prime Minister and Beitar supporter Benjamin Netanyahu on 28 October 2023, in a public statement issued as Israeli forces prepared their land invasion of Gaza.⁴⁶ The Prime Minister invoked the Biblical story of the total destruction of Amalek by the Israelites, stating: “you must remember what Amalek has done to you, says our Holy Bible. And we do remember”. Netanyahu referred again to Amalek in a letter sent on 3 November 2023 to Israeli soldiers and officers.⁴⁷ The relevant biblical passage reads as follows: “Now go, attack Amalek, and proscribe all that belongs to him. Spare no one, but kill alike men and women, infants and sucklings, oxen and sheep, camels and asses”.⁴⁸

In January 2024, the International Court of Justice found that there was a plausible case that Israel is in breach of its obligation under the 1948 Genocide Convention and ordered a series of legally binding provisional measures to ensure Israel’s adherence with the convention.⁴⁹ Netanyahu’s comments about Amalek were referenced in the filing by South Africa that led to the ICJ’s decision.⁵⁰ In May 2024, the Chief Prosecutor of the International Criminal Court announced that his office had applied for arrest warrants for Benjamin Netanyahu and Yoav Gallant, Prime Minister and Minister of Defence for Israel, respectively, in the belief that they bear criminal responsibility for a series of war crimes and crimes against humanity committed in the Gaza strip from at least 8 October 2023.⁵¹

45 Shaul Adar, “On the Border: The Rise and Decline of the Most Political Club in the World”, (Pitch Publishing, 2022), p. 114.

46 See “[Application instituting proceedings in the name of the Republic of South Africa \(“South Africa”\) against the State of Israel \(“Israel”\)](#)”, submitted to the International Court of Justice, (29 December 2023), p. 60.

47 Ibid.

48 Sefaria, I Samuel 15:1-34, JPS, 1985.

49 International Court of Justice, “[Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip](#)”, South Africa v. Israel, (26 January 2024).

50 See “[Application instituting proceedings in the name of the Republic of South Africa \(“South Africa”\) against the State of Israel \(“Israel”\)](#)”, submitted to the International Court of Justice, (29 December 2023), p. 60.

51 International Criminal Court, “[Statement of ICC Prosecutor Karim A.A. Khan KC: Applications for arrest warrants in the situation in the State of Palestine](#)”, (20 May 2024).

Israeli authorities have arrested and prosecuted Beitar fans for multiple acts of violence, but senior Israeli politicians continue to offer public support for the team and its supporters.⁵²

In June 2022, Itmar Ben-Gvir posted a photo of himself at a match on Instagram with the caption, “You all know that Beitar is my great love. I call on the support to unite around the Beitar Fans Association. There is no bigotry. We are all together, as one man in one heart. We won’t let them turn off the lamp. Big days are still ahead. Go Beitar.”⁵³ Ben-Gvir, who has made multiple racist and discriminatory statements aimed at Arabs and Palestinians, is the Minister for National Security and lives in the settlement of Hebron, which, like the Palestinian territory on which Israeli teams continue to play matches, is considered illegally occupied under international law.⁵⁴

After Beitar Jerusalem won the 2023 State Cup, the team met with Benjamin Netanyahu at the Prime Minister’s Office. “As a fan, I share in the fans’ joy but this needs to be restrained as well and kept within the rules”, Netanyahu said.⁵⁵ Beitar fans had invaded the pitch after the cup final, set fires and broke up a ceremony as President Isaac Herzog attempted to award winners’ medals to the Beitar team, resulting in Beitar being docked three points at the start of the following season, a sanction far stronger than the one the IFA imposed in response to Beitar supporters inciting violence against Arabs in 2015.⁵⁶ The IFA had initially banned Beitar from participating in European competition for the pitch invasion, but this sanction was reversed after intervention by UEFA.⁵⁷

52 Roi Rubenstein, “8 La Familia fans given prison sentences over violent offenses”, YNet, (26 February 2018).

53 See Instagram account of @otzma_yehudit (21 June 2023). Original post reads ונלכ תונגלפ ןיא. ר»תיב ידוהא תתומע ביבס דחאתהל להקה לכל ארוק ינא. ילש הלודג הבהא איה ר»תיבש מיעדוי סכלוכ ר»תיב הללאי. ונינפל דוע מילודג מימי. הרונמה תא ונל ובכיש ןתינ אל. דחא בלב דחא שיאכ, דחי.

54 Kareem Khadder, “US, EU slam far-right Israeli minister’s ‘racist’ claim his rights outweigh that of Palestinians”, CNN, (25 August 2023).

55 Neri Weiss, “Netanyahu hosts Beitar Jerusalem team members after state cup win”, 7 Israel National News, (25 May 2023).

56 “Beitar Jerusalem docked 4 points for next season after supporters’ riot at cup final.” Times of Israel, (16 July 2023).

57 “UEFA says Israel Football Federation can’t ban Beitar Jerusalem from EU competition”, i24 News, (7 June 2023).

2.3 Israel, the IFA and Systematic Racial Discrimination

The actions of the Israel state cannot be directly imputed to the IFA, but the systematic and serious racial discrimination practised by the Israel state permeates every aspect of public life for Palestinians, including their sporting lives. It is therefore important to situate the actions and omissions of the IFA - allowing the playing of Israeli league matches in occupied Palestinian territory and its failure to challenge the discriminatory policies of Beitar Jerusalem and their supporters' incitement to racial violence - in the context of the Israeli state's discriminatory policies and practices.

All States suffer from racial discrimination to some extent, and so there is a threshold implicit in Article 4(1) of the FIFA Statutes in which discrimination would be of such a degree as to require suspension or expulsion from FIFA. In that regard, the principal international standard is that provided by the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). ICERD was a treaty drafted and adopted in the 1960s on the initiative of newly independent African States in the UN, which had South Africa in mind but also other situations including Namibia and Southern Rhodesia, as well as racial segregation in the United States. As a result its Article 3 particularly condemns racial segregation and apartheid, the first international treaty to do so, reading: 'States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.'⁵⁸ While Article 3 was primarily implemented in relation to South Africa up until the 1990s, since then the provision has become of increasing relevance in the context of Israel and the OPT.

There is a large body of evidence, including from the UN expert body that monitors state adherence to CERD, that shows that Israel is practising racial discrimination in its most serious form against the Palestinians. CERD has already, via its State reporting procedure, found a situation of racial segregation clearly exists in the OPT in violation of Article 3. In 2012, it stated to Israel:

"The Committee is extremely concerned at the consequences of policies and practices which amount to de facto segregation, such as the implementation by the State party in the Occupied Palestinian Territory of two entirely separate legal systems and sets of institutions for Jewish communities grouped in illegal settlements on the one hand and Palestinian populations living in Palestinian

58 There are three international treaties that condemn apartheid – the 1965 ICERD; the 1976 International Convention on the Suppression and Punishment of the Crime of Apartheid ["Apartheid Convention"]; and the 1998 Rome Statute of the International Criminal Court.

*towns and villages on the other hand. The Committee is particularly appalled at the hermetic character of the separation of two groups, who live on the same territory but do not enjoy either equal use of roads and infrastructure or equal access to basic services and water resources. Such separation is concretized by the implementation of a complex combination of movement restrictions consisting of the Wall, roadblocks, the obligation to use separate roads and a permit regime that only impacts the Palestinian population (art. 3 of the Convention)."*⁵⁹

It ought to have been clear in 2017 that the IFA, in its policies and practices, was reflecting the discriminatory political, legal, and social structures implemented by the Israeli state. Since then, the evidence that Palestinians live in a system of apartheid in Israel has been significantly bolstered by reports from the Israeli NGO B'Tselem and the international organisations Human Rights Watch and Amnesty International.⁶⁰ This follows years of reporting on these issues by Palestinian NGOs.⁶¹ Numerous international bodies and prominent figures, including former UN Secretary-General Ban Ki-Moon, former Israeli Attorney-General, Michael Benyair, and a former head of Israel's Mossad intelligence agency, Tamir Pardo, have come to the same conclusion.⁶²

There is also compelling evidence that the IFA is implicated and to some extent complicit in this exceptional structure of discrimination, through its sanctioning of matches in Palestinian territory and its systematic failure to challenge de facto racist policies by one of its most prominent football clubs, Beitar Jerusalem, and their supporters' incitement to racial violence against the Arab population of Israel. This is clearly contrary to the ethos and letter of the FIFA statute, Article 4(1) of which states that "discrimination of any kind against a country, private person or group of people on account of race ... is strictly prohibited and punishable by suspension or expulsion."⁶³

59 CERD/CO/ISR/CO/14-16 (2012) para 24.

60 See for example B'Tselem, "[A regime of Jewish supremacy from the Jordan River to the Mediterranean Sea: This is apartheid](#)", (12 January 2021), Human Rights Watch, "[A Threshold Crossed: Israeli Authorities and the Crime of Apartheid and Persecution](#)", (27 April 2021) and Amnesty International, "[Israel's apartheid against Palestinians: Cruel system of domination and crime against humanity](#)" (1 February 2022).

61 See for example, Al-Haq, "[Palestinian, regional, and international groups submit report on Israeli apartheid to UN Committee on the Elimination of Racial Discrimination](#)", (12 November 2019)

62 See "[Ban Ki-moon: The world should back a new approach to the Israeli-Palestinian conflict](#)", The Elders, (30 June 2021), Chris McGreal, "[Israel imposing apartheid on Palestinians, says former Mossad chief](#)", The Guardian, (7 September 2023). For a more comprehensive list of individuals and organisations see thread on X (formerly Twitter) by Rohan Talbot @rohantalbot <https://x.com/rohantalbot/status/1488188121170812933> (31 January 2022).

63 FIFA Statutes, Article 4(1).

In this regard, there are clear parallels with the suspension and expulsion of the South African football association in the 1960s and 1970s. FIFA's 1960 Rome Congress passed a resolution that national associations could not practise racial discrimination, in the context of apartheid South Africa.⁶⁴ FIFA suspended South Africa in 1961, and eventually expelled it in 1976.⁶⁵ Prior to the FIFA Presidential elections of 1974, the Brazilian candidate João Havelange said that, "so long as I am in charge and apartheid still exists, South Africa will never come into FIFA." After his election to the FIFA Presidency, FIFA's Executive Committee expelled South Africa from its ranks until such time as "racial discrimination (apartheid) had ceased to exist in their club matches."⁶⁶

South Africa offers a precedent for racial discrimination practised at the State level infecting the policies and practices of member associations and warranting their suspension or exclusion from FIFA. FIFA had clear and obvious grounds to suspend Israel in 2017 and has clear and obvious grounds to do so today.

64 See further Chris Bolsmann, 'White Football in South Africa: Empire, Apartheid and Change, 1892-1977' (2010) 11(1-2) *Soccer & Society* 29-45.

65 Gustav Venter, 'Promise Unfulfilled or Too Much Expected: South Africa's Historical Relationship with the FIFA World Cup, 1992-2018' (2022) 23(7) *Soccer & Society* 747-759, at 748. South Africa's expulsion would last until 1992. However, there was also a period of 'brief reprieve' in 1963, where South Africa's FIFA suspension was lifted thereby allowing the country into the qualification draw for the 1966 World Cup in England. When South Africa was drawn with Australia, North Korea and South Korea, white officials intended to field a "non-white" team against the two Asian nations, and a "white" team against Australia. South Africa's suspension was then re-imposed at FIFA's 1964 Congress in Tokyo, 'thereby ending the country's hopes of bringing this bizarre plan to fruition.'

66 Paul Darby, 'Stanley Rous's 'Own Goal': Football Politics, South Africa and the FIFA Presidency', *Soccer & Society*, (2008), 259 - 272.

3. Israel's systematic destruction of Palestinian football

One of FIFA's objectives, outlined in Article 2(a) is "to improve the game of football constantly and promote it globally in the light of its unifying, educational, cultural and humanitarian values, particularly through youth and development programmes." The Palestinian FA has been prevented from realising this key objective by the actions of the Israeli state, which has systematically destroyed its facilities and killed hundreds of current and former players.

In November 2006, then FIFA President Sepp Blatter pledged to fund repairs to the Palestine Stadium in Gaza after it deemed an Israeli Defence Force (IDF) air strike on the stadium was "without any reason" and that the soccer field was not being used by Palestinians as a missile launching pad, as Israel's ambassador to Switzerland had originally claimed.⁶⁷ In November 2012 as part of Israel's Pillar of Defense military operation, Israeli fighter planes bombed the stadium again, leaving four large holes in the playing surface, and causing severe damage to an indoor hall and an adjacent building of the Ministry of Youth and Sports.⁶⁸ "Even after operation Pillar of Defense is complete, it will be a long time before they play major league soccer in the Gaza strip", said one Israeli newspaper in their reporting of the incident. Operation Pillar of Defense killed 87 civilians, including 32 children.⁶⁹ Israel again claimed that the stadium was being used by Hamas to launch attacks on Israel. FIFA again pledged to provide funds to assist with the reconstruction of the stadium.⁷⁰

In January 2015, a FIFA delegation visited Gaza and pledged to help fund the reconstruction of stadiums damaged by Israel's Operation Protective Edge in 2014. According to Israeli media reports, FIFA pledged USD 1 million to rebuild damaged stadiums, and a further USD 200,000 to repair the Palestine national

67 "FIFA to fund Gaza soccer field repair", Associated Press, (4 November 2006).

68 "IAF Bombed the Gaza Stadium, where Missiles Were Fired from the Grass", Jewish Press, (19 November 2012). According to Israeli NGO B'Tselem, 167 Palestinians were killed by the Israeli military during Operation Pillar of Defense, including at least 87 who did not take part in the hostilities, 32 of whom were minors. B'Tselem, "Human Rights Violations during Operation Pillar of Defense", (May 2013).

69 B'Tselem, "Human Rights Violations during Operation Pillar of Defense", (May 2013).

70 "FIFA pledges help to rebuild Gaza stadium", Agence France-Presse, (27 November 2012).

stadium in Gaza, which was damaged during airstrikes in 2006 and 2012.⁷¹ Operation Protective Edge resulted in the deaths of 2,251 Palestinians, 1,462 of whom were believed to be civilians, including 551 children and 299 women.⁷² 66 Israeli soldiers and five civilians, including one child, were also killed. Overall, 11,231 Palestinians were injured during the conflict, including 3,540 women and 3,436 children. The United Nations estimated that roughly one third of the injured children would have to cope with disabilities lasting throughout life as a result of their injuries. Amnesty International investigations concluded that Israel's actions, which included the deliberate targeting of civilians and landmark buildings violated international humanitarian law.⁷³ Sixteen Palestinian athletes were among the approximately 2000 Palestinians killed.⁷⁴ One of those killed was Ahed Zaqout, 49-year-old sportscaster and television host in Gaza, a national sports voice, and a former midfielder for the Palestinian national soccer team. The sports journalist Dave Zirin wrote in August 2014 that if Zaqout's killing was targeted, "it would be yet another example of the ways in which Israel has attacked the soccer community of Gaza as a way to choke any respite or relief that the people could possibly possess."⁷⁵

Even in the context of the destruction wrought on Palestinian football infrastructure over the last 20 years, since 7 October 2023, Israel's actions in Gaza have resulted in what football journalist Karim Zidan described as "extraordinary devastation".⁷⁶ The Palestine Stadium, the Beit Hanoun Municipal Stadium, the Gaza Sports Club Stadium, and the Al Hilal Sporting Club Stadium have all suffered extensive and well-documented damage from Israeli air-strikes. According to the Palestinian Football Association, Israel has destroyed 42 sports facilities in Gaza and seven in the West Bank.

On 15 April 2024 the Palestinian Football Association announced that three children, Sami Bilal Abu Issa, Muhammad Bilal Abu Issa and Adam Ramez Nabhan, from the Al-Wahda Sports Academy had been killed during Israeli raids in Deir al-Balah, in the heart of the Gaza Strip.⁷⁷ "The three children—

71 "FIFA Visits Gaza to Help Rebuild Soccer Stadiums", Israeli National News, (5 January 2015).

72 UNRWA, "2014 Gaza Conflict" (no date, accessed 6 July 2024).

73 Amnesty International, "Gaza: Operation Protective Edge", (9 July 2015).

74 Karim Zidan, "The systematic destruction of Gaza's football stadiums", SportsPolitika, (27 February 2024).

75 Dave Zirin, "His Name Was Ahed Zaqout: Former Palestinian Soccer Star Killed in Gaza", The Nation, (1 August 2014).

76 Karim Zidan, "The systematic destruction of Gaza's football stadiums", SportsPolitika, (27 February 2024).

77 "Three children from Al-Wahda Academy were killed by the occupation forces' shelling in Deir al-Balah [English translation]" Palestinian Football Association, (15 April 2024).

the youngest of whom was four years old, with the other two aged six—are among the hundreds of Palestinian athletes who have been killed since 7 October 2023.

According to the most recent data published by the Palestinian Football Association, 231 of its registered football players have been killed since October 2023, 65 of them children and 165 of them classified as youth players. It is likely that the figure will ultimately be significantly higher given that this is based on the official death toll in Gaza of 37,900. A letter from researchers published in the medical journal *The Lancet* on 5 July 2024, which considered data relating to excess deaths in previous conflicts, found that, “it is not implausible to estimate that up to 186,000 or even more deaths could be attributable to the current conflict in Gaza.”⁷⁸

In addition to the destruction of facilities and deaths of players, the Al Yarmouk stadium has been the site of Israeli violations of international humanitarian law. Built in 1952, the stadium evolved into a pivotal hub for Palestinian sports, accommodating various sporting clubs and boasting stands with a capacity for up to 10,000 spectators.⁷⁹ In December 2023, footage emerged showing Israeli troops turning Yarmouk stadium into a makeshift internment camp for Palestinian detainees. Dozens of men, women and children were rounded up, stripped down to their underwear, and blindfolded while armed soldiers and tanks encircled the field.⁸⁰ A soldier carrying a baby wrapped in a blanket could be seen at the end of the video. More footage continued to emerge, including photos published on the PFA website showing tanks patrolling the field, soldiers posing in front of a group of detained women and children, and blindfolded men and women forced to kneel in front of a goal with the Israeli flag attached to the netting.⁸¹ A report to the UN Human Rights Council by the

78 Rashid Khatib, Martin McKee, Salim Yusif, “[Counting the dead in Gaza: difficult but essential](#)”, *The Lancet*, (5 July 2024). “Armed conflicts have indirect health implications beyond the direct harm from violence. Even if the conflict ends immediately, there will continue to be many indirect deaths in the coming months and years from causes such as reproductive, communicable, and non-communicable diseases. ...In recent conflicts, such indirect deaths range from three to 15 times the number of direct deaths. Applying a conservative estimate of four indirect deaths per one direct death to the 37 396 deaths reported, it is not implausible to estimate that up to 186 000 or even more deaths could be attributable to the current conflict in Gaza.”

79 Karim Zidan, “[‘I will never forgive them’: Gaza grieves atrocities at historic football stadium](#)”, *SportsPolitika*, (4 January 2024) and website of the Palestinian Football Association <https://www.pfa.ps/albums-archive/4075.html>

80 The footage was broadcast on the social media platform x (formerly known as Twitter) by the Quds News Network @QudsNen on 25 December 2023 <https://x.com/QudsNen/status/1739315746163859606> . EuroMed Human Rights Monitor, “[Israel must be held accountable for its crimes against Palestinian athletes in Gaza](#),” (18 May 2024).

81 Karim Zidan, “[‘I will never forgive them’: Gaza grieves atrocities at historic football stadium](#)”,

Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and

Israel states:

“Three incidents took place on 7 to 9 December in Beit Lahia (including at Market Street and UNRWA affiliated Khalifa bin Zayed primary school) and in the Yarmouk stadium in Gaza City on 24 December. Photos and videos of these mass arrests, that later appeared on social media, depict men and boys in the Gaza Strip only wearing undergarments. Some photos showed men forced to sit on their knees next to each other in rows, hands tied behind their back and blindfolded. Most of the footage was first published in Israeli Telegram groups, and later disseminated on X. The ISF official spokesman Daniel Hagari stated that the circulated photos did not originate from the ISF spokesman’s office . The analysis of evidentiary material related to the investigated incidents of mass arrests revealed that most of the videos and photos were taken by ISF soldiers. This is based on the proximity of the images to the soldiers, the captions of the footage and the camouflage uniform of the cameraman appearing in some of the frames and the proximity to the photographed subject. These incidents of forced public nudity were also corroborated by testimonies provided to the Commission.”⁸²

SportsPolitika, (4 January 2024) and website of the Palestinian Football Association <https://www.pfa.ps/albums-archive/4075.html>

82 UN Human Rights Council, “Detailed findings on the military operations and attacks carried out in the Occupied Palestinian Territory from 7 October to 31 December 2023”, A/HRC/56/CRP.4, (10 June 2024).

4. Israeli government interference in affairs of the IFA

The PFA has a right under FIFA Statutes to submit a motion for a FIFA Congress vote on sanctions to be imposed on the Israeli Football Association, and has produced well-founded and well-evidenced reasons in support of sanctions. The IFA has a right to defend itself against these allegations using the appropriate channels that FIFA makes available. The Israeli government has interfered in this process. In response to the PFA complaint, the Israeli Foreign Minister threatened to imprison the head of the PFA, Jibril Rajoub. On 2 May 2024, Israel Katz, Israel's Minister for Foreign Affairs, published the following statement on X (formerly Twitter):

*“Jibril Rajoub, a terrorist in a suit who openly supported Hamas’s crimes, is working around the clock to get Israel removed from the international soccer association. We will work to thwart his plans, and if he doesn’t stop—we will imprison him in the Muqata’a [presidential compound in Ramallah], where he will be left to play Stanga [a soccer-like game popular with Israeli children] by himself between the walls.”*⁸³

It is worth noting that a previous comment by Israel Katz was cited by the International Court of Justice in January 2024 when it found that there was a plausible case that Israel is in breach of its obligation under the 1948 Genocide Convention and ordered a series of legally binding provisional measures to ensure Israel’s adherence with the convention.⁸⁴ On 13 October 2023 Katz said on X (formerly Twitter) that ““We will fight the terrorist organization Hamas and destroy it. All the civilian population in [G]aza is ordered to leave immediately. We will win. They will not receive a drop of water or a single battery until they leave the world.”⁸⁵

On 5 May 2024, and in advance of the 74th FIFA Congress in Bangkok, an Israeli news outlet YNet reported that, “the Israeli military is working around

83 See X (formerly Twitter) account of Israel Katz @Israel_katz https://x.com/Bar_ShemUr/status/1786024138093511076 (2 May 2024).

84 International Court of Justice, “[Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip](#)”, South Africa v. Israel, (26 January 2024).

85 Ibid, p. 18.

the clock with the aim of arriving as prepared as possible and torpedoing the initiative of the Palestinian Association, which has already succeeded twice - in 2015 and 2017 - in raising the Israeli issue for discussion.”⁸⁶ The report stated that “legal advisors of the ministries of foreign affairs, culture and sports and the IFA Chairman of the IFA, Shino Zoertz,” were among the members of a Whatsapp group called “remaining in FIFA”.⁸⁷

In June 2024, Australian authorities controversially denied Rajoub a visa to enter the country, where Palestine’s men’s team were set to play Australia in a World Cup qualifier on 11 June.⁸⁸ Australia’s Department of Home Affairs responded to a media inquiry about the case saying that it did not comment on individual cases and that all visa applications “are considered on an individual basis against legal requirements.”⁸⁹

Under article 14(1)(i) of FIFA’s Statutes its member associations are obliged to be “independent and avoid any form of political interference” and article 15 (c) obliges them to include provisions in their statutes that oblige them “to be independent and avoid any form of political interference”.⁹⁰ Article 14(1) (i) is, in effect, aimed at national governments (no member association can ‘avoid political interference’) and serves as a warning to them to *refrain* from interference in the affairs of FIFA member associations. The effect of these provisions is to give FIFA the power to suspend a member association from competition if it deems that a government has interfered in its operations and Article 14 (3) states that FIFA has the power to sanction a member association “even if the third-party influence was not the fault of the member association concerned.” The IFA has colluded with the Israeli government to prevent the PFA from exercising its rights as a member association, and a senior figure in the Israeli government has publicly threatened the head of the PFA.

FIFA has on multiple occasions sanctioned member associations for the actions of their governments and has obvious grounds to do so in this case.⁹¹

86 Nadav Zanzifar, “[The Containment Battle of football against the Palestinian demand exposure](#)”, YNet, (5 May 2024).

87 Ibid.

88 Riyaz ul Haliq, “[Australian gov’t plays blame game after denying visa to Palestinian football head](#)”, Andalou Agency, (6 June 2024).

89 Nabil Al-Nashar and Millie Roberts, “[Jibril Rajoub says he should ‘be with our team’ after Australian visa denied ahead of Palestine FIFA World Cup qualifier](#)”, ABC News, (11 June 2024).

90 FIFA Statutes, Article 15 (c).

91 Ritabrata Banerjee, ‘[FIFA bans AIFF: List of all the countries banned by FIFA over third-party influence](#)’, *goal.com* (16 August 2022)

Conclusion

This is not a situation from which an organisation of the import of FIFA can remain detached. Any failure on the part of FIFA to fully engage with the actions of the IFA, and to properly situate those actions in the context of the Israeli state's illegal occupation of Palestinian territory and its systematic destruction of Palestinian football facilities, will leave FIFA open to the charge that its actions *viz a viz* Israel and Palestine are political and that FIFA is abdicating its governance responsibilities. FIFA has very clear grounds to sanction the IFA and a statutory responsibility to do so. Given the IFA's clear violations of numerous FIFA statutes, Israel's obstruction of FIFA's objectives in Palestine, and the gravity of Israel's violations of human rights law and international humanitarian law, the suspension or expulsion of the IFA from FIFA would be the most appropriate sanction.

