

COMMENTARY

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Contours of Future Israeli-Palestinian Battles Emerge on the Soccer Pitch

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Legal and diplomatic battles in United Nations organizations and international sport associations involving charges of war crimes and efforts to suspend membership of one or the other are likely to shape future Israeli-Palestinian relations in the wake of last month's electoral victory by Binyamin Netanyahu.

The contours of the coming battles are emerging on the soccer pitches even before Netanyahu forms his cabinet with a Palestinian campaign to suspend Israeli membership of world soccer body FIFA and the petitioning by an Israeli law firm of the International Criminal Court (ICC) to investigate Palestine Football Association (PFA) president Major General Jibril Rajoub for war crimes allegedly committed during last year's Gaza war.

A statement on the PFA's website sought to win support for a PFA resolution calling for the suspension of its Israeli counterpart, the Israeli Football Federation (IFA), slated for submission at FIFA's Congress in May. In the statement, Rajoub said the resolution was designed to force Israel and the IFA to:

- Lift all restrictions on the free movement of Palestinian players, staff and officials within Palestine defined as both the West Bank and the Gaza Strip as well as on the import of soccer equipment;
- Removal of all obstacles to the development of Palestinian soccer;

- The banning of soccer clubs belonging to Israeli settlements on the West Bank from playing in IFA competitions, a demand that goes to the core of disputes over occupied territory between Israelis and the Palestinians;
- Take firm action to combat racism in Israeli soccer, a reference to Israeli club Beitar Jerusalem, the only top Israeli club that refuses to hire Palestinian players and whose fan base is overtly racist. The IFA, the only Middle Eastern soccer association to have launched an anti-racist campaign, has repeatedly penalized Beitar, but has stopped short of cracking down on it.

The Palestinian campaign that has been building up for several years is embedded in a strategy that seeks to achieve recognition of Palestinian statehood by and membership in United Nations agency while at the same time isolating Israel. The strategic effort has gathered steam with the recognition of Palestinian statehood by various European countries and acceptance of Palestine by various UN bodies, including the ICC, since last year's breakdown of US-sponsored Israeli-Palestinian peace negotiations.

"It is clear that Prime Minister Benjamin Netanyahu will form the next government, so we say clearly that we will go to the International Criminal Court in The Hague and we will speed up, pursue and intensify" all diplomatic efforts, Palestinian peace negotiator Saeb Erekat told Agence France Presse.

Several years of failed attempts to negotiate a solution to Palestinian soccer problems stemming from Israel policies, have forced soccer's top global executives to take serious pressure to act against Israel. FIFA president Sepp Blatter last June averted a push for sanctions against Israel by creating a committee that to oversee efforts to address Palestinian grievances and report back to the FIFA executive committed within six months. The committee handed back its mandate in December after failing to negotiate a solution, according to the PFA.

Michel Platini warned the IFA recently that Rajoub, a former Palestinian security chief with presidential ambitions who also heads the Palestine National Olympic Committee, planned to not only petition FIFA but also UEFA, the European soccer body that Platini heads. "This time it is serious," Platini was quoted as telling the IFA's UEFA representative, Ali Luzon, saying that several European associations would side with the Palestinians, "even if you are right." Israel has been grouped in Europe after Arab soccer associations forced its expulsion from the Asian Football Confederation in the early 1990s.

Platini and FIFA secretary general Jerome Valcke have argued in the past that there were no legal grounds on which to act against Israel given that obstacles to the development of Palestinian soccer were being imposed by the Israeli military rather than the IFA.

That argument is being called into question by Palestinians who argue that the IFA is in effect an arm of the Israeli state – a charge that matches Israeli allegations against the PFA in the complaint against Rajoub in the International Criminal Court. Palestinians bolster their assertion with fact that the IFA like the military is regulated by Israel's State Comptroller and that it allegedly is funded to a significant degree by the government.

In the latest of a series of reports on alleged Israeli transgressions of FIFA rules and regulations issued this weekend and circulated by PFA executive committee member Susan R. Shalabi, the Palestinians moreover charged that IFA demands that the Palestinian association should “operate through the formal channels of the state of Israel” violated the world soccer body's statutes that stipulate that its members manage their affairs “independently and with no influence from third parties.”

The report argued further that the IFA's failure to take a stand against Israeli policies that inhibit the development of Palestinian soccer makes it difficult for the PFA to exercise its rights and fulfil its obligations in accordance with the statutes.

In a shot across the Palestinians' bow, Sherut HaDin – Israel Law Center, a law firm that in February convinced a US jury to order the Palestine Liberation Organization (PLO) and President Mahmoud Abbas' Palestine Authority to pay US\$ 218.5 million to American families of victims of two Palestinian bombings more than a decade ago, petitioned the ICC to investigate Mr. Jibril on charges of war crimes.

The petition asserts that Rajoub wearing another of his many hats as deputy secretary general of Al Fatah, the largest Palestinian faction in the PLO headed by Abbas was aware, abetted and endorsed rocket and mortar fire from Gaza on largely civilian targets in Israel during last year's war by Al Fatah and the Al Aqsa Martyrs' Brigade, a militia that is associated with the group.

Relying on media reports, the complaint seeks to establish Rajoub's guilt by association based on his own statements and those of other Fatah members. ‘Our decision is resistance in the occupied territories in order to bring an end to the occupation (using) all forms of resistance,’ the complaint quotes Rajoub, who spent 17 years in Israeli prison, as saying. It further quotes him as praising the armed resistance in Gaza.

Sherut HaDin failed to answer questions about the complaint despite repeated promises to do so. Those questions included why the law firm had singled out Rajoub and not included in its petition other senior Fatah officials, including those it quotes in its complaint.

It was also unclear whether by identifying Rajoub as a Jordanian national, the law firm was deliberately ignoring the fact that Palestine was joining the ICC as a state rather than an entity or political grouping, both of which would not be eligible for membership.

By design or default, the complaint not only serves as an early indicator of likely diplomatic and legal battles to come, but also effectively seeks to undermine the credibility of Rajoub at a time that he is believed to be positioning himself as a candidate in a future Palestinian presidential election.

If successful, it could strengthen another potential candidate and arch rival of Rajoub, Mohammed Dahlan, who is widely viewed as an US, Israeli and Emirati favourite. Dahlan, a former head of Al Fatah in Gaza, who sought to overthrow the strip's Hamas rulers with US and Israeli backing, currently serves as an advisor to United Arab Emirates Crown Prince Mohammed bin Zayed.

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