

P-lb/2019/4

BY EMAIL

Mr Jibril Rajoub
c/o Mr Gonzalo Boye, attorney at law

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Zurich, 8 January 2019

Ref. no. E17-00017 obi (please quote in all correspondence)

Investigation proceedings - Mr Jibril Rajoub

Dear Mr Rajoub,

We refer to the above-mentioned matter.

In this regard, we would like to remind you that you are a party to the investigation proceedings for having possibly infringed the following articles of the FIFA Code of Ethics 2018 (hereinafter "FCE"), as well as their corresponding provisions in the previous editions of the FCE:

1. Art. 13: General duties;
2. Art. 14: Duty of neutrality;
3. Art. 15: Loyalty;
4. Art. 22: Discrimination and defamation;
5. Art. 23: Protection of physical and mental integrity.

Please note that, the Chairperson of the Investigatory Chamber of the FIFA Ethics Committee has opened these investigation proceedings after having determined that, on the basis of a document and relevant evidence submitted by the organisation Palestinian Media Watch entitled "Kick Terror Out of Football" (hereby enclosed and referred to as "the Complaint"), there is a prima facie case that you may have committed violations of the FCE, in your position as President of the Palestinian Football Association (PFA) relating to the following:

1) Promotion and glorification of terrorism

You are accused of having personally promoted and glorified terrorism in an active (declarations made and actions undertaken as president of the PFA) and a passive manner (having permitted, as president of the PFA, the promotion and glorification of terrorism, or for not having condemned said actions). In particular:

- It is claimed that several sporting competitions (including football competitions) organised with the backing or support of the PFA and/or by yourself (listed in the Complaint) bear the names of people implicated in terrorist organisations and attacks responsible for the deaths of Israeli citizens.

- It is claimed that a series of football teams bearing the names of persons involved in acts of terrorism (listed in the Complaint) took part in football competitions organised by football clubs that were affiliated or not affiliated to the PFA, without that those concerned are sanctioned by yourself (or the PFA).
- It is also claimed that you (and the PFA) have not stated your position with regard to football competitions bearing the names of persons involved in acts of terrorism (as listed in the Complaint). The most striking example is that of a school football tournament, which, according to the Complaint, bore the name of a young Palestinian who had stabbed two young Israelis seriously wounding them, and who is serving a sentence in prison for counts of attempted murder.
- It is claimed that, through your actions and declarations (as listed in the Complaint), you have promoted acts of terrorism by honouring as heroes persons involved in such acts of terrorism and murder, and by supporting the wave of terrorist attacks committed in Israel between September 2015 and mid-2016, when allegedly 40 people were killed and dozens of others were wounded.

2) Incitement to hatred and violence

It is claimed that, as president of the PFA, you have incited hatred and violence during a period when acts of terrorism were being perpetrated in Israel (October 2015 - 2016). Below are some examples of the declarations that are attributed to you in this respect (complete list of such declarations to be found in the Complaint):

- "We still believe in all forms of the struggle. No one has removed the rifle from the equation. However, for us, the struggle is a means, and the end is freedom and independence."
- "If Hamas want to kidnap soldiers, let them kidnap soldiers. Let them kidnap [them]. Let them kidnap if they [the Israelis] don't want to release prisoners, but want them as prisoners forever, so [the prisoners] will come out as ghosts and skeletons. Israelis need to understand that the pattern of kidnapping is clear for them. Kidnapping is the language they understand. On the contrary, we encourage them [Hamas]."

3) Discriminatory/denigratory statements and prohibiting the use of football as a bridge to peace)

It is alleged that, in your position as president of the PFA, you have publicly denied the right of Israel to exist as a state and prohibited all peace-building projects aimed at normalising relations between Palestinians and Israelis, in relation to sports and football in particular, refusing normalisation itself, considering those who take part in peace-building activities criminals and threatening them with sanctions. Furthermore, you are accused of having used discriminatory and racist language when speaking about Israeli nationals, allegedly comparing them to "Satan" and Nazis. In this regard, various declarations are attributed to you, the most important of which are summarised below (full list of such declarations to be found in the Complaint):

a) Declarations prohibiting contact with Israeli athletes and the use of sport for peace-building purposes

- It is alleged that, in your welcome address to the then FIFA President, Mr Joseph Blatter, which was published in the Al-Hayat Al-Jadida newspaper on 7 July 2013, you stated that sport could "bridge the divide between people". However, in contrast to this type of speech, you are accused to have made the following public declaration on 1 July 2013: Anyone who participates in any joint [sports] activity with the Israelis -- I'll take his name off the [Palestinian Football] Association's lists, whether he is a player, coach, referee or, God forbid, a club... I won't allow and won't agree to any joint game between Arabs and Israel."
- "We say to the Arabs: No one should normalise relations with Israel! Normalization with Israel is considered treason."
- b) Declarations containing discriminatory or denigratory language
 - "We are ready to bring them next time from the executive office in helicopters so they see no Jews, no Satan, and no Zionist sons of bitches."
 - "This state [Israel] is a state of bullies. This state is where Fascists can learn from."
 - "I'm telling you, if Hitler would be able to come [here], he would learn from them [Israelis] how to oppress humans and learn from them about concentration camps, collective extermination camps."
 - "I say to the Israelis first of all: you sons of bitches, we will accept nothing less than a Palestinian state... Do not believe in [Israeli Prime Minister] Netanyahu, he is a liar and a scoundrel, and he's a fascist and represents the new Nazism..."

4) The use of football to promote a political agenda

It is claimed that you abused your position as president of the PFA to promote a political programme in football (illustrated by the following statement attributed to you: "Have we acted properly and convinced the [FIFA] Congress? Yes. Yes, we're going to suspend their [Israel's] membership [of FIFA] and this way we'll screw them."). It is further alleged that the prohibition of contact between Palestinian and Israeli footballers, the denigration of Israeli nationals and the promotion of acts of terrorism are part of your systematic exploitation of football for political ends. In this respect, it is recalled that you are a leading member of the Fatah political organisation and you are accused of having used your functions in football to promote Fatah's political goals as well as your own political career.

In view of the above, we herewith invite you to submit a written statement with regard to the matter in question **by 18 January 2019, at the latest** to the secretariat to the investigatory chamber, at the following email address: secretariat-investigatory-chamber@fifa.org.

In particular, to the extent you dispute any part of the abovementioned Complaint and allegations, you are hereby requested to submit within the same deadline:

1. A statement identifying every point in the Complaint/allegations that you dispute;
2. An explanation of why you dispute each such point;
3. A description of any and all additional facts you contend, clarify, contradict, or are otherwise relevant to the issue or point in dispute; and
4. All documents, records, or data within your possession, custody, or control that support your position.

Please provide any additional information you believe we should be aware of in connection with this investigation or any other information you deemed should be considered.

In relation to the foregoing, we would like to add that, in accordance with art. 18 par.1 of the FCE, persons bound by the code shall assist and cooperate truthfully, fully and in good faith with the Ethics Committee at all times, regardless of whether they are involved in a particular matter as a party, as a witness, or in any other role. This requires, inter alia, full compliance with Ethics Committee requests, including without limitation any requests to clarify the facts, to submit information, documents or other material.

Finally, please be advised that these investigations are confidential. Accordingly, please refrain from discussing this notice or any details whatsoever of these proceedings with anyone other than your attorney (see art. 18 par. 2 of the FCE).

We thank you for your kind attention to the above.

Yours sincerely,



Mr Martin Ngoga
Chief of investigation, Investigatory Chamber
FIFA Ethics Committee

Encl. as mentioned