

Executive Council of Australian Jewry Inc.

הוועד הפועל של
יהודי אוסטרליה

The Representative Organisation of Australian Jewry

PO Box 1114,
Edgecliff NSW 2027

Tel (+61 2) 8353 8500
Fax (+61 2) 9361 5888
Web: www.ecaj.org.au
E-mail info@ecaj.org.au

PRESIDENT

Daniel Aghion KC

DEPUTY PRESIDENT

Robert M Goot AO, SC

IMM. PAST PRESIDENT

Jillian Segal AO

HON. TREASURER

Peter Wise AM

HON. SECRETARY

Anton Block AM

Co-CEOs

Peter Wertheim AM

Alex Rychin

VICE PRESIDENTS

David Ossip (NSW)

Philip Zajac (VIC)

Geoff Midalia (WA)

Jason Steinberg (QLD)

Annetay Henderson-Sapir (SA)

Jeff Schneider (TAS)

Athol Morris (ACT)

CONSTITUENTS

NSW Jewish Board of Deputies

Jewish Community Council
of Victoria Inc

Jewish Community Council of
Western Australia Inc

Queensland Jewish Board of
Deputies

Jewish Community Council
of South Australia

Hobart Hebrew Congregation
ACT Jewish Community Inc

AFFILIATES

Australasian Union of Jewish
Students

Australian Federation of WIZO
Union for Progressive Judaism
Federation of Jewish Aged
Care Services

Maccabi Australia Inc
National Council of Jewish Women
B'nai B'rith of Australia/ NZ
Jewish National Fund of Australia
Joint Distribution Committee Australia

OBSERVERS

Council of Progressive Rabbis
Federation of Australian Jewish
Ex-Service Associations
New Zealand Jewish Council
Zionist Federation of Australia
Council of Orthodox Synagogues of
Australia



13 May 2024

Mr Anter Isaac

Chairman

Football Australia

Email: Anter.Isaac@footballaustralia.com.au

Dear Mr Isaac

We write in relation to the upcoming 74th FIFA Congress ('the Congress') and the Palestinian Football Federation's (PFF) request¹ that Football Australia support it and the Asian Football Confederation (AFC) in a motion to suspend the Israel Football Association (IFA) from all international competitions. As the Australian Jewish community's peak national representative body, we wish to urge Football Australia not to support the motion and to provide some context in advance of the motion being debated.

It has been reported falsely, that in its interim ruling on 26 January 2024, the International Court of Justice (ICJ) found that Israel had committed 'plausible genocide'. The ICJ did no such thing. This falsehood was recently debunked by Judge Joan Donoghue, the ICJ President at the time of the ruling. It was Judge Donoghue who delivered the Provisional Measures ruling in this case. Judge Donoghue said as recently as 26 April 2024, in a BBC interview: *"I'm correcting what's often said in the media – it [the ICJ] **didn't** decide that the claim of genocide was plausible"*.²

Instead, she explained, the ICJ held that it was plausible that Palestinians in the Gaza Strip, like all national, ethnic, racial or religious groups, have the **right** to be protected from acts of genocide³. The ICJ made it clear that it was not prejudging whether such acts have in fact been committed,⁴ and will only consider this question in the trial phase. Until the full trial takes place and a determination is reached, any allegation that the ICJ has made even a preliminary finding that genocide has occurred, is completely false.

¹ [Palestine Football Association urges FIFA sanctions against Israel \(newarab.com\)](https://www.newarab.com), dated 21 March 2024.

² [Former head of ICJ explains ruling on genocide case against Israel brought by S Africa \(bbc.com\)](https://www.bbc.com), dated 26 April 2024.

³ [Top UK Lawyers Tell Rishi No Legal Obligation to Sanction Israel – UK LAWYERS FOR ISRAEL \(uklfi.com\)](https://www.uklfi.com), dated 5 April 2024.

⁴ *"The Court is not called upon, for the purposes of its decision on the request for the indication of provisional measures, to establish the existence of breaches of obligations under the Genocide Convention..."*. Paragraph 62, page 19, International Court of Justice Provisional Measures Order, available at: [Order of 26 January 2024 \(icj-cij.org\)](https://www.icj-cij.org), dated 26 January 2024; and Doctor KC, Brian, *Unherd*, [The flaws in the genocide case against Israel - UnHerd](https://www.unherd.com), dated 1 March 2024.

The loss of civilian lives and scale of human suffering on both sides of the conflict has indeed been appalling, and is the direct result of Hamas openly targeting Israeli civilians while shielding themselves behind Gazan civilians and civilian infrastructure.

Quite apart from the false legal claims levelled at Israel, there is the matter of principle that FIFA and Football Australia should not involve themselves in a long-running and complex international conflict between two peoples. The common love of sport is supposed to bring people together.

The importation into Australia of the hatreds and rancour of international conflicts is proving divisive and harmful to social cohesion and community safety in Australia. As was recently observed by Australia's Prime Minister, Anthony Albanese, this has resulted in the "*worst social disharmony I have ever seen*."⁵ Football Australia should have no part of this.

Avoiding becoming embroiled in the conflict would also be in accordance with the sentiment of the Australian public. Polling has repeatedly shown that a clear majority of Australians want Australia – and, by extension, Australian organisations – to avoid taking an active and partial role in the war between Israel and Hamas. An Essential Poll in November 2023 showed that 62% of respondents are in favour of Australia avoiding involvement in the conflict.⁶

Polling by Resolve Strategic in April 2024 "*confirm[ed] previous polling about the reluctance of Australians to take sides*" in the conflict. "*A clear majority also want the federal government to take a neutral stance on the broader conflict*", with 61% of Australians saying the country is suffering from greater racism and religious intolerance in the months since the conflict commenced.⁷

This is a powerful reason for Football Australia and FIFA to "*stay out of the conflict entirely*", to use the wording of the Essential poll.

An Essential poll in late April showed that 38% of Australians supported Israel pursuing its military action to eliminate Hamas's terrorist capacity in Gaza or agreeing to only a temporary ceasefire to secure release of its hostages. Only 32% of Australians polled supported a permanent ceasefire, while 30% were "unsure".⁸ There is clearly no Australian consensus for a permanent ceasefire, and thus no basis for Football Australia becoming involved in attempts to pressure Israel into accepting a permanent ceasefire.

We call upon Football Australia to remain politically neutral and honour the sentiment of Australians by refusing to support any proposal to suspend the IFA from competition. Sport plays an essential role in bringing people together and emphasising common humanity, and it ought not to be weaponised to stoke division.

⁵ *The Australian*, 8 February 2024: <https://www.theaustralian.com.au/nation/politics/social-disharmony-worst-i-have-seen-says-anthony-albanese/news-story/54b1449111c67f948237248e5492fda8>

⁶ The Essential Report, [14 November 2023 - essentialreport.com.au](https://essentialreport.com.au), dated 14 November 2023.

⁷ Crowe, David, 'The Longer the war in Gaza goes on, the less safe Australians feel at home', *Sydney Morning Herald*, <https://amp.smh.com.au/politics/federal/the-longer-the-war-in-gaza-goes-on-the-less-safe-australians-feel-at-home-20240423-p5flvy.html>, dated 23 April 2024.

⁸ The Essential Report, [23 April 2024 - essentialreport.com.au](https://essentialreport.com.au), dated 23 April 2024.

We would be happy to discuss the contents of this letter and provide further supporting information should this be of assistance.

Yours sincerely



Daniel Aghion KC
President



Peter Wertheim AM
Co-CEO



Alex Ryvchin
Co-CEO

cc Mr Gianni Infantino, President, FIFA