

VIA EMAIL

San Clemente Rhinos

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CC: USA Rugby

To whom it may concern:

We are American national and international organizations that share a deep concern about rising anti-Semitism in the U.S. and around the world, including the South African Rugby Union (“SARU”)’s discriminatory exclusion of the Tel Aviv Heat from the Mzansi Challenge. Initial reports indicate the possibility that the Rhinos were selected to compete in that Challenge to replace the Tel Aviv Heat and are therefore benefiting from the discriminatory exclusion of the Heat. We are writing to ask that you help tackle this alarming problem by speaking out against this discrimination and declining to participate in a discriminatory competition.

We understand that you are scheduled to play your first match this Saturday. Time is therefore of the essence. We appreciate your prompt attention to this matter.

**Discriminatory Exclusion of the Tel Aviv Heat from the Mzansi Challenge Hosted by South African Rugby Union**

In August 2022, the Tel Aviv Heat were invited to play in the Mzansi Challenge, the international component of SARU’s Currie Cup. Beginning March 24, 2023, five international club teams were scheduled to play against each other and South African teams. For months, the Heat coordinated schedules, marketing, logos, venues, and other logistics with SARU officials.

On February 3<sup>rd</sup>, a South African anti-Israel group demanded the Tel Aviv Heat be excluded from the event simply because they are based in Israel.<sup>1</sup> That same day, SARU abruptly reversed course and revoked the Heat’s invitation and kicked them out of the competition.

SARU has claimed that the exclusion of the Heat was “not due to shortcomings from the Tel Aviv’s side.” This is true. In fact, evidence shows that the swift decision to exclude the Heat was made with the intention to discriminate against them because they are based in Israel.

This matter arises in the context of an international movement to “boycott, divest [from], and sanction” the state of Israel. “BDS” supporters seek to discriminate against and exclude Israeli individuals, companies, athletes, and teams from otherwise universally open international forums like sporting competition. BDS has consequently been condemned and deemed anti-Semitic by governments around the world, including the United States,<sup>2</sup> because it calls for discriminating against individuals solely because of their nationality in or connection to Israel.

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<sup>1</sup> <https://twitter.com/sabdscoalition/status/1621491223402881027>.

<sup>2</sup> <https://2017-2021.state.gov/identifying-organizations-engaged-in-anti-semitic-bds-activities/index.html>.

## **Standing Against Discrimination and Anti-Semitism in International Sports**

International sport is meant to be an inclusive, peacebuilding project: the International Olympic Committee's mission is "to unite the entire world in peaceful competition."<sup>3</sup> This means allowing everyone to play on equal footing – and letting the best team win.

This is not the first time anti-Semitism has targeted international sports. During the 1972 Munich Olympics, affiliates of the Palestine Liberation Organization massacred 11 members of the Israeli Olympic team.<sup>4</sup> And event organizers have repeatedly tried to discriminate against and exclude Jewish and Israeli competitors.

But those attempts to discriminate have been rejected because they violate the spirit of universal, peaceful competition. The World Paralympic Committee relocated its 2019 Swimming Championships because the host country had not agreed to permit Israeli athletes to compete.<sup>5</sup> Judo events have been cancelled because the host countries would not allow the Israeli flag to be raised.<sup>6</sup> The 2019 World Schools Chess Championship was eventually moved to Turkey after the original host country refused to grant a visa to an Israeli competitor.<sup>7</sup> And competitors who refuse to compete against Israelis when scheduled to do so are disqualified.<sup>8</sup>

Attempts to discriminate against Jewish or Israeli athletes have been unsuccessful in large part because the international community quickly and forcefully expressed their outrage. The Rhinos and USA Rugby must do the same. The United States is a global leader in sports and the host of the 2031 Rugby World Cup. The participation of the Rhinos in the Mzansi Challenge under these circumstances would undermine the ability of USA Rugby to take its proper role in international sports.

## **Do Not Benefit From Discrimination**

Your obligation to lead on this issue is particularly pressing because there is an unacceptable appearance that the San Clemente Rhinos are benefiting from discrimination against the Heat. The "Mexican Rhinos" were originally reported to be replacing the Heat.<sup>9</sup> Just this week, SARU belatedly announced your team would be participating, describing it as a

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<sup>3</sup> <https://olympics.com/ioc/news/statement-war-in-ukraine-one-year-on>.

<sup>4</sup> <https://www.nytimes.com/2022/09/05/world/europe/germany-israel-apology-munich-games.html>.

<sup>5</sup> <https://www.bbc.com/sport/disability-sport/47020257>.

<sup>6</sup> <https://www.jpost.com/israel-news/regev-gets-israeli-flag-less-tunis-abu-dhabi-judo-events-cancelled-563034>.

<sup>7</sup> <https://www.jpost.com/arab-israeli-conflict/tunisia-could-lose-chance-to-host-world-chess-meet-after-banning-israelis-563689>; <http://old.fide.com/component/content/article/1-fide-news/11553-turkey-welcomes-participants-of-world-schools-championships-2019.html>.

<sup>8</sup> E.g. <https://nypost.com/2021/07/24/algerian-olympian-suspended-for-not-competing-against-israeli-athlete/>.

<sup>9</sup> E.g. <https://www.thesouthafrican.com/sport/rugby/sa-rugby-withdraws-invite-to-tel-aviv-heat-for-mzansi-challenge-breaking-4-february-2023/>.

“partnership” between the Mexican Rugby Union and Rhino Rugby.<sup>10</sup> While another team has also quit the competition, the appearance is that an American team is benefiting from discrimination by filling a void created in large measure by the exclusion of the Israeli team. This creates the impression that both your team and USA Rugby support the discriminatory treatment of the Heat - in violation of USA Rugby’s values, the values of international sports, and fundamental American values. It would be a significant mistake for you to participate in a discriminatory competition.

Sincerely,

The Louis D. Brandeis Center for Human Rights Under Law

The American Association of Jewish Lawyers and Jurists

The American Jewish Committee

The Anti-Defamation League

Christians United for Israel Action Fund

Combat Antisemitism Movement

The Conference of Presidents of Major American Jewish Organizations

Israeli-American Coalition for Action

Jewish Federations of North America

Simon Wiesenthal Center

StandWithUs

Zionist Organization of America

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<sup>10</sup> <https://rugby365.com/countries/south-africa/mzansi-challenge-world-rugby-and-saru-silence-is-deafening/>.