



March 15, 2023

Federacion Mexicana de Rugby AC  
Vicente Segura 10-2  
Residencial Lomas de Sotelo, Naucalpan de Juárez, Ciudad de México  
53390 Mexico  
Attn: President Ernesto Sainz  
info@mexrugby.com

President Sainz:

I write on behalf of the Tel Aviv Heat, our client at the Louis D. Brandeis Center for Human Rights under Law. As you may know, the World Rugby Union ("WRU") is investigating the Heat's discriminatory exclusion from the Mzansi Challenge by the South African Rugby Union ("SARU").<sup>1</sup> Discriminating against competitors based on their nationality or country violates the WRU Bye-Laws.

We write because we understand that a team from your Union, the Guadalajara Rhinos, is intending to compete in the Challenge. We trust that you are aware that WRU regulations provide that Unions could be subject to sanction for participating in tournaments that violate WRU Bye-Laws. We, therefore, appeal to your sense of justice to respectfully ask you to use your voice to oppose the discriminatory exclusion of the Israeli team.

As you are undoubtedly aware, WRU member unions undertake to abide by WRU Bye-laws.<sup>1</sup> When joining WRU, a member union agrees to "Provide a declaration of opposition to any discrimination on the grounds of race, national or social origin, sex, politics, religion or creed" before being accepted as an Associate Member,<sup>2</sup> and again before being accepted as a Full Member.<sup>3</sup>

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<sup>1</sup> World Rugby Union, Bye-laws, Bye-law 4(a).

<sup>2</sup> World Rugby Union, World Rugby Membership Pathway and Criteria, Art. 1.2.

<sup>3</sup> World Rugby Union, World Rugby Membership Pathway and Criteria, Art. 2.3.

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According to the WRU By-laws, Unions may be sanctioned for Misconduct, including:

acts or statements that are, or **conduct that is, discriminatory by reason of** religion, race, sex, sexual orientation, disability, colour or **national or ethnic origin**[.]<sup>4</sup>

Similarly, member unions are bound by the WRU Code of Conduct, which again prohibits national origin discrimination, banning:

[...] anything which is likely to intimidate, offend, insult, humiliate or **discriminate against any other Person on the ground of their** religion, race, sex, sexual orientation, colour or **national or ethnic origin**.<sup>5</sup>

Finally, member unions may not take actions which “adversely affect[]” another WRU member union.<sup>6</sup> Excluding a team from a member union from competition because of its nationality would undoubtedly have a significant negative impact.

As you are also likely aware, a WRU “Match, Series of Matches, tour or tournament” that violates the Bye-Laws is considered unofficial, and the Unions of participating rugby teams may be “liable to sanction.”<sup>7</sup>

We note the same principle of nondiscrimination is found in Article One of the Mexican Constitution and in your eloquent explanation of the values of international rugby:

*El Rugby... es un juego inclusivo ya que se requieren personas de distintos tamaños, formas y habilidades para estructurar estos equipos. En los equipos de Rugby, todos somos iguales y lo que tu hagas es mucho más importante que saber de dónde eres o a quien conoces. Estos son los elementos más preciados y perdurables que crean el respeto y que ayudan a explicar por qué las amistades pueden durar toda una eternidad.*<sup>8</sup>

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<sup>4</sup> World Rugby Union, Regulations, Regulation 18.4(c) (emphasis added).

<sup>5</sup> WRU Code of Conduct, Article 1.12 (emphasis added).

<sup>6</sup> WRU Code of Conduct, Article 1.13.

<sup>7</sup> WRU Regulations, Article 16.2.8.

<sup>8</sup> Rugby Mexico, Valores del Rugby, <https://mexrugby.com/el-rugby/valores-del-rugby/>.

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These rules implement the principle that international sport be an inclusive, peacebuilding project. Indeed, the International Olympic Committee's mission is "to unite the entire world in peaceful competition."<sup>9</sup> Rejecting competitors solely because of their nationality undermines this project. Moreover, as this discriminatory exclusion targets an Israeli team, we observe that Mexico does not countenance discrimination against Israel or Israelis. Instead, "Israel is Mexico's first commercial partner in the Middle East."<sup>10</sup>

We, therefore, respectfully request that you uphold the anti-discrimination provisions of the Mexican Rugby Union and the World Rugby Union by denouncing the discriminatory exclusion of the Tel Aviv Heat from this Mzansi Challenge and strongly reaffirming your commitment to the principle of universal, equal competition to SARU.

Thank you for your prompt attention to this matter.

Sincerely,



Arthur Traldi  
*Senior Counsel*

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<sup>9</sup> International Olympic Committee, Statement – War in Ukraine – One Year On, <https://olympics.com/ioc/news/statement-war-in-ukraine-one-year-on>.

<sup>10</sup> Embajada de Mexico en Israel, Information about Israel, <https://embamex.sre.gob.mx/israel/index.php/en/mexico-israel>.