



## BADMINTON CONFEDERATION AFRICA

### MINUTES



Minutes of the Badminton Confederation Africa's **Annual General Meeting (AGM)** held on **Thursday 17<sup>th</sup> May 2018 at 09:30am** in the Lotus 5 & 6, Centara Grand Hotel, Thailand.

Represented by 32 Member Associations with a total of 109 votes.

In the Chair: Mr. Messaoud Zobiri – Acting President

Delegates in Attendance:

Sn	Country	Delegate 1		Delegate 2	
1	Algeria	Messaoud Zobiri	MZ	-	
2	Benin	Aubin Assogba	AA	-	
3	Botswana	Hamilton Mpinyane	HM	-	
4	Cameroun	Odette Assembe	OA	-	
5	Central Africa Rep	Guy Beninga	GB	-	
6	Congo	Dagmawit Berhane	DB	-	
7	Egypt	Hesham Eltohamy	HE	-	
8	Equatorial Guinea	Zibhino Rodriguez	ZR	-	
9	Eritrea	Gebrekidam Nahom	GN	-	
10	Ghana	Yeboah Evans	YE	-	
11	Guinea	Sahbi Faycal	SF	-	
12	Kenya	Jeff Shigoli	GS	-	
13	Lesotho	Moneoang Leshota	ML	-	
14	Libya	Ravipa Chutthong	RC	-	
15	Madagascar	Jean Aime Ravalison	JR	-	
16	Mauritania	Ahmed Salem Babou	AB	-	
17	Mauritius	Nundah Sharma	NS	-	
18	Morocco	Omar Belalli	OB	-	
19	Mozambique	Ibrahimo Mugassy	IM	-	
20	Namibia	Jurgen Leicher	JL	-	
21	Niger	Hassane Issoufou	HI	-	
22	Nigeria	Francis Orbih	FO	-	
23	Seychelles	Michel Bau	MB	-	
24	Sierra Leone	Michael S Mustapha	MM	-	
25	Somalia	Husein Ali Moheb	HM	-	
26	South Africa	Larry Keys	LK	-	
27	Sudan	Hanadi Abd Hala	HH	-	
28	Togo	Godfrey Mathumo	GM	-	
29	Tunisia	Fateh Betayeb	FB	-	
30	Uganda	Muziransa Shaban	MS	-	
31	Zambia	Kay Chirwa	KC	Kingstin Mulenga	KM
32	Zimbabwe	Chipo Zumburani	CZ	-	

Council Member (non-delegate) in Attendance:

1	<b>Honore Zolobe</b>	HZ	BCA Council
2	<b>Simon Mugabi</b>	SM	BCA Council

BCA Staff:

1	<b>Sahir EDOO</b> ( <i>Notes Taker</i> )	SG	BCA Secretary General
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Apologies:

1	<b>Aly Hassaballa</b>	BCA Council
2	<b>Rajen Pultoo</b>	Malawi

Observers:

1	<b>Gebreeyesus Ayele Aneley</b>	Ethiopia
2	<b>Ian Wright</b>	BWF
3	<b>Moncef Zemmouchi</b>	Algeria
4	<b>Ndondo Francois Abedi</b>	Burundi
5	<b>Paul Kopolo</b>	Zimbabwe
6	<b>Thomas Lund</b>	BWF

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## 1. PRELIMINARY BUSINESS

### 1.1 President's remarks

- MZ welcomed all delegates to Bangkok, Thailand and to the BCA Annual General Meeting 2018.
- He stated that 2017 had been a very challenging year for BCA with several governance issues but the year had been very successful in terms of the number of activities that were held.
- On behalf of the Council, he thanked all the Member Associations for their continuous support for 2017 and hope that 2018 would be an even better year.

### Roll Call

- SG stated that 29 Member Associations in good standing were present in the room which represented maximum votes of 106. For any motions requiring a simple majority, a vote

of 54 would be the minimum required and for any motion requiring a majority of two third, a vote of 71 would be required for the motion/proposal to pass.

- He also stated that BCA did not receive the delegate form from Burundi, Ethiopia and Ivory Coast. The delegates from these 3 countries would not be able to vote during the meeting.

### Adoption of the agenda

- JL stated that according to the constitution the motions that Namibia sent were supposed to be on the agenda.
- SG explained that on the 16<sup>th</sup> of March he received an email, with 2 different letters and in those letters were 6 different motions including one nomination for a presidential candidate.
- He advised that on the same day, he had received a letter dated 15<sup>th</sup> of March from Ivory Coast, where they mentioned that they were seconding the motions of the Namibian Federation.
- Since the Namibian Federation had sent several motions in several letters, the SG sought clarity from Ivory Coast through a letter - for them to put in detail the motions they were seconding. The SG further explained that he got a reply from Ivory Coast that they were cancelling all support to those motions except the support for the Presidential candidate.
- After a few days they sent in a 3<sup>rd</sup> letter saying it was a misunderstanding, and a language problem and they were not cancelling the motions.
- So, considering this unusual situation the information was passed to the BCA Executive Board (EB) and the EB took the decision to invalidate the motions, because the Ivory Coast Federation had cancelled their support to these motions and the third letter they sent was sent after the nominations and proposals deadline, and the reason mentioned in the letter was not satisfactory to the EB, so that is why the EB invalidated this motion.
- JL disagrees with the EB decision as had been stated and explained that it is stated in the constitution clause 8.1 which he read out to the meeting, and he advised that he believed that the motions were valid and there was no reason for the motions not to be put in the Agenda.
- JL also mentioned that as per the constitution, it is not required for MAs seconding motions to explain same while seconding.

- FO said from the narration of the SG, the 3<sup>rd</sup> letter came after the closing date of the motions and proposals, and as from the closing of the date there was no valid proposal, it did not exist. He further explained that there is a saying that says you cannot bring to life what does not exist.
- He further explained that the EB took the right decision, and there was more serious business to discuss during the AGM, and this was the time to discuss the future of BCA and address issues that are very serious. He urged the meeting to continue and move forward to discuss important issues.
- A discussion ensued on the matter and several members gave their views.
- DG then asked if the withdrawal letter from Ivory Coast had come before or after the closing date for nomination.
- SG explained that he had received Namibia's motions in 2 different letters, on the 16<sup>th</sup> of March which was the last date of nomination, and on the same date he received a letter dated 15<sup>th</sup> of March where Ivory Coast said that they were seconding, but they did not say what motion.
- He went on to advise that it was strange that a country was proposing something on the 16<sup>th</sup> and another country seconding it on the 15<sup>th</sup>, so this is the other reason why a letter was sent to the seconding MA- Ivory Coast for an explanation.
- ML explained that there was motions but no seconding and she agrees with the SG that Ivory Coast seconded something that did not exist, and they seconded before the motion was submitted. Ivory Coast had no idea what they were seconding.
- OA agreed with ML and explained that the seconding of the motion cannot be dated before the motion. It is therefore not valid.
- MZ moved for the agenda to be adopted which was approved by the members.
- At this point, Mr. Gebreeyesus Ayele Aneley from Ethiopia advised he had sent his BCA delegate form to the SG as well as the BWF form to Patricia but he did not have proof because he did not remember his email password.
- SG explained to the meeting that BCA did not received any delegate form from Ethiopia, and if the member had proof, to kindly present the proof for consideration.
- Members discussed briefly on the matter but the decision stood and the Agenda was adopted.

## 2. Minutes

### 2.1 Approval of minutes of last AGM held on Thursday 18 May 2017

- SG explained why there were no minutes of the last AGM that was held on 18<sup>th</sup> of May 2017, reason being:
  - i. due to the change in administration the former SG did not do any handover, so all minutes of previous meetings, archives, documents and assets were not handed over to the new management although the former president requested the information from Mr Gaya in writing but up to now nothing has been received.
  - ii. Since last year 2017 it has been difficult to operate due to lack of information and no archives as well as in terms of human resource.
- JL requested proof of having requested for these documents because he had just been hearing things from people, and he thought there is a lack of communication since he had long requested, for information and had not received any except for the EGM minutes.
- JL advised the meeting that he was in touch with the former SG and that he advised him that no one had requested for any information.
- FO advised the meeting that people should not personalize issues and that JL should understand that information was not handed over by the former SG.
- ML suggested that they seek protection for the SG since JL is making accusations of which he does not have proof on, she also reiterated that if JL had access to the former SG then maybe he can help in getting information, and he should re visit his facts in the sense that if he has access to information then not everyone has access to it.
- GB stated that the mistakes from the former SG is not acceptable and he is jeopardizing BCA activities for personal reasons.
- HE gave a view that all should focus on the minutes of the Extra-ordinary General Meeting (EGM) not the AGM, and to deal with the 2017 AGM minutes when they become available.

## 2.2 Approval of minutes of the Extraordinary General Meeting (EGM) held on Friday 12 January 2018 in Pretoria, South Africa

- JL advised the meeting that he had looked at the EGM minutes with his federation and looking at information supplied by BWF some MAs had not paid their subscriptions in time but were allowed to vote even if it was clear that most of them were not paid up.
- He also asked how many countries were paid up 24hrs before the EGM.
- KC said the meeting has an Agenda and it would be ideal for the meeting to discuss matters outside the Agenda under AOB. He further inquired about DG presence in the room and whether she is a delegate.
- ML supported KC's view and also stated that item 2.2 on the agenda was for approval of the minutes and other issues should be dealt in the AOB.
- DG mentioned that she is a delegate from the Republic of Congo
- JL posed the question about the subscription which is related to the EGM minutes.
- SG showed the meeting the BCA subscriptions list with all information on payment details and date paid.
- SG explained to the meeting how subscriptions are paid, and that some MAs pay by bank transfer to the BWF/BCA and it takes time depending on banking policies of some African Countries.
- He went on to advise that he received proof of payment 24hrs prior to the EGM of payments for the BWF and BCA subscriptions and highlighted that all the proof is documented.
- KC suggested that everyone must observe rules, and not derail the meeting. He went on to say that the meeting should be careful on who some of the people where representing.
- DG asked the president, if she has no right to speak since she has been accepted as the Congo delegate, she said in South Africa at the EGM there were many south Africans on proxy, and we have a proxy given to different nationalities to represent them and that is the reason why she is at the meeting as the Congo delegate.
- OA stated that it is important to close this matter on subscriptions and she referred to 17.5 which states:

*17.5 Delegates of Member Associations whose annual subscriptions for the current year have not been paid at latest 24 hours before the starting time of the General Meeting shall not be allowed to vote at the meeting.*

- She mentioned that the constitution never states that subscriptions should be received but only states that subscriptions should be paid. She added that, in common sense and in banking law, a payment is accepted when the inscription to payment is given. This has also been the general practice in BCA.
- MB added that as a Council Member for the past 15 years, he can testify that it is common practice for BCA to accept proof of payment from MAs prior to meetings in order to accept them as members in good standing.
- FO reminded the meeting that they should not allow technicalities to defeat justice and to be careful on judgement and appeals. He further appealed to the meeting to put the interests of Badminton Africa first.
- A discussion ensued on the matter.
- ML agreed with MB and further gave the example of the Ghana matter that prevailed in the last AGM where their subscriptions had been received after the closing date – but were considered to be in good standing by both BWF and BCA and participated fully in the AGMs because payment was done before the deadline.
- She was surprised that Dagmawit who was a member of council then had chosen to disregard that precedence and therefore left her with only one conclusion that it was because the EGM legality issue was personal.
- With no other matters to discuss on the minutes, the chair moved for it to be approved. The minutes were approved with 101 votes for, 4 against and 1 abstention – proposed by OA and seconded by ML, HM and GM.

### 3. Council Report

#### 3.1 To receive the Report of Council and its Committees for the year ending 31 December 2017.

##### Events Committee

- SM presented the events report and talked about how 2017 was a very busy year regarding tournaments and other events in which Africa took part.
- 3 CC Championships were held in 2017:
  - a. The All Africa Championships in April in South Africa
  - b. The All Africa U15 Championships in August in Mauritius
  - c. The All Africa School Championships in December in Uganda
- He congratulated Egypt for winning the Africa Championships for the first time in their history.
- He also mentioned about the positive medal spread for the African CC Championships where several countries are now winning medals.
- He also talked about the different international tournaments (BWF Sanctioned) we have in Africa. He also congratulated Nigeria who are the only country in Africa where an International Challenge is organized.
- He also shared how African players had done well through their participation in BWF World Championships and reiterated how Africa had good players.

##### Development and Marketing

- LK as Chair of Development and marketing presented his report and explained how busy the development side had been throughout 2017 referring the meeting to the development report in the Annual report.
- He observed that many MAs had attended the BWF administration course in December 2017 which was given by BWF and also most of the African line judges had been invited to BWF events and courses which was further strengthening BCA's technical capacity.
- Shuttle Time remained a very successful part of the development. 26 countries have been implementing ST courses and some other countries will be targeted later on.



## Administration and Staff

- KC presented the BCA Chair of Administration & Staff report and stated how a decision was passed regarding positions of the operations manager, development manager and secretary general which positions had been subjected to an advert.
- KC explained that there was a problem in the Council on the recruitment process. And going forward everyone needed to respect the mandate of the recruitment process.
- He shared that a proposal was put forward by BWF proposing funding the recruitment of extra staff in BCA, the recruitment of one development officer from the north and one from the south, an events manager, an administration and communication officer. He explained that some of the operation manager's duties would be taken over by the administration and that in a nutshell the administration committee welcomes this proposal as it will greatly improve our organization's capacity.
- He ended his submissions by thanking BWF for the support and helping to bring sanity to Africa.

## Finance

- EY presented the Chair of Finance report. He briefed the meeting on the BCA current financial situation and referred to the 2017 financial statements. He gave a general view of 2017 expenses in relation to development, events, player development, member servicing and others grants.
- JL refers to page 14 of the financial statements in the annual report, under fraudulent payment refund sought from bank and he mentioned that in the AGM minutes for the previous years it had been mentioned that feedback would be given regarding this issue, but it has been 3 years now. He also referred to page 15 and requested to know why Raj Gaya is being owed money and why it has taken so long to pay him.
- CZ clarified with the meeting regarding the stolen money. She explained that in 2015 a transaction was processed from the BCA account and they only got to know about it the next month. She advised the bank did the transaction and they said the payment request for the transaction had come from CZ's email. Over the years the bank would call for

authorization for them to process BCA payments, on this transaction, they did the payment without calling.

- CZ came to the board with this query, and they had discussions that she had to write a letter of demand for refund from the bank, because it was not possible that the bank would just pay such an amount without authorization.
- She further explained that a forensic audit had been done on BCA account for a period spanning from 2011 to 2017.
- CZ shared that it is her desire that all the matters of the financial irregularities are fully investigated and that Council in their meeting of the day before had agreed that this way forward.
- MM advised that his federation pays subscriptions every year, but they have never received shuttles or rackets, and so asked for clarification from development, and finance regarding the fair distribution of resources so that he can be able to go back to his federation and explain.
- LK clarified and confirmed indeed that Sierra Leone had not received any equipment and that they would be the first to get when the equipment is received, and BCA expects to receive soon.
- ZR explained that there are procedures that are normally put in place by Police when a theft/fraud is reported, he inquired about the steps taken by BCA following the theft/fraud.
- FO said that looking at the missing amounts of money in the report, he is not happy with the organization reaction. He also said that he had read the report on the missing money and it was shameful, and he thought that BCA was being negligent and not doing anything and that that was unacceptable.
- ML stated that BCA was in a conflict because of situations involving money .She also thought enough is enough regarding the disappearing of money in BCA , because BCA still has EB and council and it is time for BCA to do something about this issue.
- CZ clarified on the stolen money and said that regarding the, money stolen in Raj Gaya bag, the police were on the investigations, but no feedback ever came from them.
- And regarding the money that went missing in the bank, as she explained earlier it was the banks responsibility as they had not processed this transaction following the common procedure they were doing with the rest of the transactions.

- She went on to say that the bank normally gives BCA a global outward form to fill for every international transaction and that they would call for authorization of any payments, but in this instance, they went ahead and processed it while it was on a letter. After taking up the matter the bank tried to get the funds returned but they had been credited into the beneficiary's account and thereafter said it was not a fault on their part and that BCA should pursue the matter on their own.
- She stated that the feedback when they pursued the matter with the Ombudsman was that the bank advised that BCA had signed an indemnity form that they were using electronic platforms of transacting on their own risk and therefore could not claim for the loss of these funds.
- JL proposes that the treasurer follows up and gets a letter from the bank and send it to all the Mas so that everyone is informed on what is going on so that this matter can be resolved in the next 2 months.
- ZR recommended BCA Council to lodge a case to the Malaysian Police regarding the fraudulent transfer.
- MS said he thought the meeting asking CZ to conduct a thorough investigation was not proper as he did not think she has the capacity to do so. And that CZ is not giving them a principle explanation and cannot be the one to conduct the investigation since she was the one operating on the account, but the only solution is appointing a special commission of a council to conduct a thorough investigation or even hire a private investigator because people are tired of this matter.
- FO challenged the treasurer and asked why an investigation not done immediately after it had happened.
- CZ advised the meeting that in the past few months, there had been revelations of papers being forged and could not help but think that the issue of the \$30, 300 could have been done by someone from within the organization.
- CZ went on to say money issues and fraud around BCA are way over the \$30,000 that went missing, we are to establish from the USD 1.5million that is under investigation, that we have to know how much went missing, and it is important to know that all these issues that have come to light are because of the controls and the measures that we have been put in place.

- She also went on to say that the event that happened in South Africa is very unfortunate and she argues that whoever committed the fraud wanted to blame her and it was a political vendetta against her.
- She reminded the meeting that before of the policies and paperwork that she put in place as treasurer, other major fraud was discovered.
- She also explained that for 2 years 2015 and 2016, BCA had been under administration with BWF.
- She said she was confident to give the information that she has at the BCA office to the forensic auditors or anyone who wants to perform any investigation. She advised the finance office had worked very hard to put the house in order because the house was a mess perhaps because there were 2 individuals running the show before 2014: Peter Gacheru and Raj Gaya before.
- MZ moved for the meeting to adopt the 2017 financial statement and the 2018 budget; ML and OA seconded, the meeting approved.

#### **4. Motions from Benin Badminton Association – Respect of the BCA Constitution**

- AA explained his motion: all stakeholders must always respect the BCA statutory regulations, constitution and Rules at all time
- OA seconded the motion and motion was adopted unanimously.

#### **5. Motion from Badminton Federation of Cameroon – Eligibility within BCA**

- OA explained the motion of Cameroon in relation to the eligibility within BCA; that is, any person liable to criminal prosecution and currently or previously, under criminal investigation, cannot be eligible to be a candidate for any post whatsoever in the BCA. This is to protect the integrity and governance with regards to the BCA.
- AA seconded the motion
- JL specified that if someone was under investigation it did not mean that the person is guilty. He feared that process in BCA are so long and that they ended up missing the points when it comes to certain things. He said he understood that one could be suspended when under investigation, but it should not take months or years, and BCA should be specific on these motions as well.

- GS stated that the motion was explain and people can agree or disagree, he seconded the motion and proposed the Chair to move ahead with the voting by show of hands.
- The motion carried with 105 for and 4 against.

## 6. Motion from Badminton South Africa - BWF Vice President for Africa

- LK explained that for all other Continental Confederation, the President automatically become the BWF Vice-President and Africa should not be different.
- HM seconded
- Mr Ian Wright and Mrs Sharon Springer were appointed as scrutineers
- SG explained that for the motion to pass, a majority of two third is required. Voting was done in secret ballot and the motion passed with 83 for and 23 against.

## 7. Motion from Badminton Federation of Cameroon - Mandate of President, BWF VP, Deputy President and Treasurer

- OA explained the motion of Cameroon in relation to the mandate of the President, BWF VP, Deputy President and Treasurer.
- GB seconded and a discussion ensued on the matter.
- MB stated that the motion would require a change in the Constitution; especially with regards to clause 9.1 of the BCA Constitution which only states the number of years in a mandate and not the number of mandate.
- After discussion, the members unanimously agreed on the motion:  
"The mandate of the President, Deputy President and Treasurer be a four year mandate renewable once."

## 8. BCA Elections

### 8.1. President

#### Presidential election

- As MZ was one of the candidate for the post of President, he handed over the chairmanship of the meeting to LK.

- LK informed the meeting that BWF had provisionally suspended Mr. Raj Gaya and he was to be removed from the list, and they also received a letter from Evans Yeboah withdrawing.
- EY stated that to the best interests of BCA and for the good of the organization, he was withdrawing his candidacy and make way for the 2 candidates. He went on to wish them good luck.
- LK announced the 2 candidates which were Michel Bau (Seychelles) and Messaoud Zobiri (Algeria)
- Voting process started and LK announces the results which came out as follows; Michel Bau 68 votes, and Messoud Zobiri 41 votes. Michel Bau won the election of BCA president and was declared President.
- LK went on to congratulate MB and thank the Acting President Messaoud Zobiri for what he has done for the federation for the time he was serving.

## 8.2 BWF Vice-President for Africa

- MZ stated that, with regards to the motion from South Africa which was passed earlier on, MB was also declared the BWF Vice President for Africa, hence no election was needed.

### Any Other Business

- FO said the council has been investigating the issue of the \$30,000 for so long and there is no progress, and he does not think the council is taking the issue seriously and secondly 2 of the people involved are in the council.
- FO moved that the meeting nominate 3 people who are outside the council and the meeting gives them a time frame to investigate, and stated that they needed the matter closed and send a strong message.
- GS and KC clarified that what was suggested by FO should not be a motion but a recommendation.
- MB first thanked all the members for voting him as President and reminded everyone that BCA is one family. On the recommendation from FO, he stated that it is Council who should have the mandate to investigate and shed light on the money that was lost. He also

mentioned that there should be a specific Term of Reference and impartial members in the Commission.

- FO said he did not want council members investigating because council members are involved.
- A discussion ensued on the matter.
- GS suggested that the meeting could look into the possibilities of getting help from the forensic team that has been undertaken by BWF and how soon they can come to us then we are able to get feedback from them.
- FO stated that the Term of Reference is only academic as the issue is about the missing money which Council has failed to investigate.
- ML further added that the members wanted to get this issue over and done with, because they had had enough of the council's excuses. She thought it was time for the meeting to be given a chance to take action.
- FO suggested on nominating 3 people for the investigation: Mr Jurgen Leicher, Mr Michael Mustapha and Mr Rodriguez Zhibino.
- GM thought that this was a very sensitive matter and that they couldn't just choose a random person but look at one's background as well.
- GS made an appeal that they needed qualified personnel, and his suggestion was for BCA to hear results of what BWF was already conducting for them.
- ZR argued that qualified personnel here does not relate to only academic qualifications. MM agreed with him.
- CZ stated that she had not said that \$1.5 million was stolen but that it was under investigation. And clarified that BWF had done a forensic audit and have looked into accounts going as far back as 2011, and this investigation is almost complete.
- The meeting agreed on Mr. Leicher, Mr. Mustapha and Mr. Zibhino forming part of the investigative commission.
- JL stated that he was not happy with the way the meeting was run and he did not agree with the following:
  - i) the EGM minutes approval
  - ii) the discussion on the financial issues

- iii) The matter of the investigation on the financials- there are 2 people on Council who are involved and signed the letter. Those 2 people should be suspended if they are under investigation as per the motion that was previously approved.
- ZR disagreed with JL statement and further added that the 2 people cannot be suspended as this is not a criminal case. FO also disagreed with JL stating that it is not a criminal investigation.
  - MS stated that JL should have raised the issue earlier when the matter was discussed and now if it too late.
  - FO also stated that he has in his possession a document from BWF following an investigation which they made in 2015. He further stated that BWF made some recommendation to BCA which was never implemented. He reiterated his views on the impartiality of the commission which should not have included Council Members to avoid any conflict of interest.
  - HM raised the issue about the BCA subscriptions and the amounts that some of the countries are paying which he thought were high since they were paying subscriptions for BCA and BWF.
  - MB advised that there is position which is vacant for a council member until the next AGM with the current situation they were in. He added that council may co-opt a member if they deem it necessary.
  - He advised the council had the power to bring in someone as a council member until the next AGM.
  - MZ thank the members, the BWF representative, the Council and wished all the best to the new President
  - The meeting was adjourned at 17.50.