

DECISION 2025/X

OF THE

BADMINTON WORLD FEDERATION

INDEPENDENT HEARING PANEL

COMPLAINANT: BADMINTON CONFEDERATION OF AFRICA

DEFENDANT: MICHAEL SHAMSU MUSTAPHA

PANEL: Mr. Enric Ripoll Gonzalez (Chair)

Ms. Yuri Yagi

Mr. Vincent Denonville

HEARING DATE: 30 October 2025

DECISION DATE: 4 February 2026

Regarding alleged violations of the:

BWF Code of Ethics

BWF Safeguarding Policy

BWF Code of Conduct

A. PRELIMINARY MATTERS

Introduction

1. On 30 October 2025, Mr. Enric Ripoll, the Chair of the Badminton World Federation (**BWF**) Independent Hearing Panel (**IHP**), convened a hearing panel to adjudicate the disciplinary proceedings brought by the Badminton Confederation of Africa (**BCA**) against Mr. Michael Shamsu Mustapha, pursuant to Article 18 of the BWF Judicial Procedures (10 November 2024 version) (**Procedures**):
 - 1.1. Mr. Enric Ripoll as Chair (**Chair**); and
 - 1.2. Mr. Vincent Denonville and Ms. Yuri Yagi as Members (**Members**),

collectively, the “**Panel**”.
2. The Panel was constituted to determine allegations that Mr. Michael Shamsu Mustapha, President of the Sierra Leone Badminton Association (**SLBA**) and BCA Council Member, committed multiple breaches of BWF regulatory instruments, including (i) the BWF Code of Ethics; (ii) the BWF Safeguarding Policy; and (iii) the BWF Code of Conduct for Elected Officials. These allegations arose from communications and conduct attributed to Mr. Mustapha between 25 March 2025 and 2 April 2025, as documented in the Preliminary Investigation Committee (**PIC**) Report and related evidence

Parties

3. The parties to this matter are:
 - 3.1. the Defendant, Mr. Michael Shamsu Mustapha (**Defendant**), the President of the Sierra Leone Badminton Association (**SLBA**) and Council Member of the Badminton Confederation Africa (**BCA**);
 - 3.2. the Complainant, BCA, the continental governing body for the sport of badminton in Africa recognised by the BWF.
collectively, the “**Parties**”

Procedural and Factual Chronology

4. This section outlines the key communications and procedural rulings which occurred. Not all communications are recorded for reasons of relevance.

Provisional Suspension Proceedings

5. On April 12, 2025, the BCA CEO submitted a request to the BWF Referral Officer for the provisional suspension of the Defendant under Article 16.2 of the Judicial Procedures.
6. On April 17, 2025, the Referral Officer, Mr. Alexander McLin, issued a Provisional Suspension Decision, finding on the balance of probabilities that the Defendant had breached various statutory provisions. The Decision relevantly stated:

Nature of the allegations

The BCA CEO is seeking a Provisional Suspension on behalf of the BCA, in line with Articles 16.2.1 and 16.2.3 of the JP such that the Preliminary Investigation Committee (“PIC”) approved by the BCA Council on 15 April 2025 may “conduct its investigation without interference or intimidation”.

The alleged violations of BWF rules are qualified as “defamatory communications and public attacks”, “breach of confidentiality and professional conduct”, and “inappropriate public remarks and continued threats”.

Mr Mustapha’s “repeated public outbursts” would “violate both the spirit and purpose of the BWF Code of Ethics and reflect a sustained pattern of repeated behaviour that is incompatible with his role as a Council Member. His actions have created an atmosphere of intimidation and unease among Council Members, some of whom have expressed concerns about participating in the upcoming AGM. Mr. Mustapha’s conduct has not only undermined the integrity of the BCA’s governance, but also risks bring the badminton Sport into disrepute”.

Specifically, the identified statutory violations would include:

The BWF Code of Ethics, section 5.2 for failing to uphold dignity and mutual respect, and section 5.3 for engaging in intimidating and threatening behaviour. The relevant sections provide:

“5.2. Dignity All parties shall respect the rights, dignity and worth of all persons and shall act with understanding, tolerance, sensitivity and respect for diversity and shall act without discrimination of any kind. Covered Persons shall not undertake any action, use any words that denigrate an individual, or use any other means that offends the human dignity of a person or group of persons, on any grounds including but not limited to skin colour, race, religion, ethnic or social origin, political opinion, sexual orientation, disability or any other reason contrary to human dignity.

5.3. Harassment Free All forms of harassment, be it physical, psychological, professional or sexual harassment, are strictly prohibited. The welfare of people under the age of 18 is particularly important so as to give them protection from unprofessional practice, abuse and bullying. “

The BWF Safeguarding Policy, sections 3.1.1A and 3.1.2, and 5.1.1.

“3.1 ‘Harassment and Abuse’ are defined in accordance with the definitions set out in the IOC Consensus Statement 2016 (www.olympic.org/athlete365/safesport/):

3.1.1. Harassment and abuse can be expressed in five forms which may occur in combination or in isolation. These include a) psychological abuse, b) physical abuse, c) sexual harassment, d) sexual abuse, and e) neglect.

a) Psychological abuse — means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other 7 treatment which may diminish the sense of identity, dignity, and self-worth.

[...]

3.1.2. Harassment and abuse can be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age disability, socio-economic status and athletic ability. It can include a one-off incident or a series of incidents. It may be in person or online. Harassment may be deliberate, unsolicited, and coercive.

3.1.3. Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power, or authority by an individual against another person.”

The BWF Code of Conduct for Elected Officials, regulation 4.10.

“4.10 Representation to Media: Elected Officials must not make public statements to the media on the activities of the organisation they represent, unless properly authorised to do so.

Elected Officials must refrain from making negative, derogatory or personal comments in relation to Elected Officials and staff through media and social media posts. They must also refrain from comments that may question their professionalism or integrity.”

JP 16.2.2 provides that:

“In deciding whether to impose a Provisional Suspension, the Referral Officer shall consider whether, on the balance of probabilities, the Covered Person appears to have breached the Statutes or failed to comply with the Demand.”

Analysis

The allegations refer to Mr Mustapha’s statements as being of a “public” nature. At the outset, the RO therefore considers whether the platforms and/or channels of communication used by Mr Mustapha are to be considered “public” and/or “social media” for purposes of the applicable regulations.

The majority of the communications at issue were shared on the BCA Council WhatsApp group, composed of the BCA Council Members and its CEO as administrator, totalling 16 people. While a messaging platform such as a WhatsApp may be used for one-to-one communications, it may also be used to interact with specific interest groups and communities. As a result, the notion of whether a group chat is a “private” or “public” space is not always clear. The RO considers that for purposes of determining whether an individual’s (or organizations’s) reputation may be affected by an online statement or allegation, the number of individuals in the group is (while relevant) not the sole determining factor. Indeed, in the present case the members of the WhatsApp group are members of a governing council. Each member’s views can be shaped by a post on the group that can therefore affect the reputation of a given member of the group, or indeed that of the entire organization. As a result, the RO considers that the group may be considered public and/or be considered “social media” for purposes of his assessment.

Turning to the content of the messages sent on the chat group, the issue is whether any one of them, or the messages in their entirety, can be deemed to violate the BWF Statutes. The content and the tone of the messages are both relevant with respect to their interpretation.

The messages to the BCA Council chat group clearly express dissatisfaction with the BCA President, accusing him “disadvantag[ing Mr Mustapha’s] country”, “you and your kind have failed this organization” and “I will address you at the right time”. Mr Mustapha goes on to state in the BCA Council chat group:

“What I don’t tolerate in life is to be taken advantage of. Until. I get my answers or our association gets compensated, there are people here who will continue to see my ugly side.

I have known Simon [Mugabi] for a long time but he is a big disappointment to me and my country. He is not my friend nor do I see him as a colleague. I don’t share jokes with hypocrites.

I have due respect for most people here only a few are in my bad books and they will see me in China.

BCA has a few weeks to AGM to handle or sort this issue. If not the AGM and council meetings will be very messy and embarrassing.

If the people concerned don’t act, they will have themselves to blame. Again you don’t pick a fight with someone willing to die.”

Mr Mustapha then shares a bank document with the BCA President (seemingly without including others on the exchange) in which he states “Your secretariat faked this. [...] Your people are faking bank documents... incredible”. The bank document in question appears to evidence a payment of USD 600 to Mr Mustapha from the BCA in late January 2025.

Finally, Mr Mustapha returns to the BCA Council group chat to express dissatisfaction with the BCA leadership, stating inter alia “[t]his is the only organization where the BLIND are leading those with SIGHT..really pathetic..”.

The RO finds that, particularly when taken together, the messages to the BCA Council group chat and the message to the BCA President alleging forgery are concerning. Moreover, the existence of the apology letter issued to the BAC Council approximately one year prior to the most recent posts indicate that these are not the first such incidents and that Mr Mustapha should have therefore known that his posts were likely to cause concern among the Council. He nevertheless continues with questionable expressions which, while ambiguous at times, appear designed to exert pressure while having a threatening tone and content. What is unambiguous is that Mr Mustapha considers some of the BCA Council Members to be “in his bad books”, and that he intends to be disruptive in upcoming meetings which he intends to attend in person. He goes so far as to state that he is willing to die (this perhaps for dramatic effect, but even so, contributing to the threatening tone).

Conclusion

As a result, when assessing all the evidence provided together, and its resulting pattern, the RO finds it more likely than not that Mr Mustapha has breached one or more of the statutory provisions cited above, such posts being capable of being considered an affront to dignity, a form of harassment and/or defamatory and/or derogatory in violation of elected official’s duties.

Accordingly, the Referral Officer decides that Mr Michael Shamsu Mustapha, a Covered Person under the BWF Judicial Procedures:

- is hereby provisionally suspended as per Article 16.2.2 of the BWF Judicial Procedures;

- the term of the Provisional Suspension shall be limited to the length provided in Article 16.2.3 of the BWF Judicial Procedures.

On April 19, 2025, the Defendant filed an appeal against the provisional suspension. The Appeal relevantly stated:

I am writing to formally appeal the decision to impose a provisional suspension on me, as outlined in your letter dated 17 April 2025, pursuant to Article 16.2.2 of the BWF Judicial Procedures. I respectfully submit that the decision is flawed and should be overturned based on the following grounds:

1. Violation of BCA Constitutional Provisions

The process leading to the provisional suspension violates several provisions of the BCA Constitution, specifically:

- Article 24.2: This mandates that BCA judicial bodies provide fair procedures and respect the fundamental rights of all parties involved.*
- Article 24.3.1: This upholds the principle of presumption of innocence.*
- Article 24.3.4: This guarantees the right to be informed of the nature and cause of charges, as well as the possible consequences.*

I was never informed of the allegations or charges against me prior to receiving your letter on 17 April 2025. This failure to notify me of the nature and cause of the accusations, or their potential consequences, constitutes a clear breach of my fundamental rights under the BCA Constitution. The lack of prior notice undermines the fairness of the process and violates the presumption of innocence, rendering the suspension procedurally invalid.

2. Procedural Irregularities by the BCA Secretary General

The request for my provisional suspension, initiated by BCA CEO Mr. Jeff Shigoli on 12 April 2025, was premature and lacked proper authorization. The BCA Council, which is the competent body to make such a request under the BWF Judicial Procedures, only convened to discuss this matter on 15 April 2025. During this meeting, the Council did not decide to suspend me. In fact, it was agreed that I would participate in the upcoming Annual General Meetings (AGMs) in China.

Mr. Shigoli's request to the BWF on 12 April 2025, prior to the Council's meeting, was made without the Council's approval and therefore lacks legitimacy. Furthermore, Mr. Shigoli's subsequent communication insinuating that the suspension aligns with the Council's decision on 15 April 2025 is misleading and factually incorrect. This misrepresentation of the Council's position undermines the integrity of the process and further invalidates the suspension.

3. Ambiguity and Scope of the Suspension

The suspension decision lacks clarity regarding its scope and application. As an elected BCA Council Member and the President of the Sierra Leone Badminton Association, I hold distinct roles within the badminton community. The suspension appears to pertain to my role as a BCA Council Member, but it does not explicitly address my capacity as a delegate representing the Sierra Leone Badminton Association at the BCA AGM.

As a delegate, I am entitled to represent my country's sovereign rights as a member of the BWF. I intend to attend the AGMs in China in this capacity, as agreed by the BCA Council on 15 April 2025. The lack of specificity in the suspension decision creates unnecessary ambiguity and fails to account for my distinct roles, further justifying its reconsideration.

Conclusion

Based on the above grounds, I respectfully request that the provisional suspension be lifted immediately. The process violated fundamental principles of fairness under the BCA Constitution, was initiated without proper authorization, and lacks clarity in its scope. I am committed to upholding the integrity of the sport of badminton and am prepared to engage constructively to resolve any concerns through a fair and transparent process.

7. On April 22, 2025, the appeal was dismissed by the BWF IHP Single Judge. The relevant parts of the decision state:

26. *While the Single Judge has carefully considered all the facts, evidence, allegations and arguments submitted, the Single Judge refers in these findings only to the submissions and evidence it considers necessary to explain its reasoning.*

27. *The Appeal challenges the Decision on three (3) grounds:*

27.1. the process leading to the provisional suspension violated various provisions in the BCA Constitution;

27.2. procedural irregularities of the BCA Chief Executive Officer; and

27.3. lack of specificity in the Decision.

Provisional suspension process violated BCA Constitution

29. *The Appellant alleges that the failure of the BWF to inform him of the allegations or charges against him prior to being provisionally suspended constitutes a clear breach of several fundamental rights protected by the BCA Constitution.*

30. *This argument fails for two (2) reasons.*

31. *First, the Procedures do not explicitly require the potential recipient of the provisional suspension to be heard prior to its imposition. This is a standard practice in sports disciplinary proceedings. This practice both protects the integrity of any ongoing investigation and minimises the damage (or risk) deriving from any misconduct which is ongoing (or likely to occur). It is a necessary requirement of the disciplinary process, particularly for sensitive investigations.*

32. *Second, the BCA Constitution is not applicable to the process conducted by the RO. The RO is governed by the BWF Statutes and associated rules.*

33. *This ground for appeal is therefore dismissed.*

Procedural irregularities of the BCA Chief Executive Officer

34. *The Appellant alleges that the BCA Chief Executive Officer requested the provisional suspension prematurely and without proper authorisation. The Appellant notes that the BCA Council only convened to discuss the matter one (1) day **after** the formal request was made to the RO.*

35. In response, the BCA posits that although the BCA Council formally approved the establishment of a Preliminary Investigation Committee on 15 April 2025, an emergency meeting had been held on 22 October 2024, which had empowered the CEO to act accordingly and present the matter to the BWF.

36. It is clear to the Single Judge that the BCA Chief Executive Officer **did not** act prematurely and **did have** the necessary authorisation to request a provisional suspension.

37. Article 16.2.1 of the Procedures provides that an “Investigating Party” may request the RO to impose a provision suspension on a “Covered Person” being “investigated or charged”.

37.1. The BCA is clearly the “Investigating Party”. The documents submitted demonstrate that the BCA has been investigating the conduct of the Appellant since at least October 2024. Furthermore, a specific committee has been established to investigate this matter and submit it to the BWF.

37.2. It is not disputed that the Appellant, as President of the SLBA, is a “Covered Person” for the purposes of the Procedures.

37.3. Considering the above, the Appellant is being “investigated”.

38. This ground for appeal is therefore dismissed.

Lack of specificity in the Decision

39. The Appeal alleges that the Decision lacks specificity in that it does not address all the roles which the Appellant holds in badminton. This was not so much a ground of appeal as opposed to a general comment about the Decision.

40. The Appellant is attempting (poorly) to split hairs in this ground.

41. A “suspension” is defined in Article 42.2.1 of the Procedures as a “prohibition on Badminton-Related Activities for a defined period of time...”. The role or roles that an individual who receives a (provisional) suspension are irrelevant. They are suspended – on a worldwide basis – from undertaking all “Badminton-Related Activities”.

42. “Badminton-Relates Activities” are defined in Article 1 of the Procedures as:

1.1.1 Participating in any capacity in a competition or activity authorised or organised by the BWF or any of its Affiliates;

1.1.2 Participating in a training camp, exhibition or practice organised by the BWF or any of its Affiliates; and

1.1.3 Taking part in administrative activities, such as serving as an official, director, officer, employee, or volunteer of the BWF or any of its Affiliates.

43. This ground for appeal is therefore dismissed.

Conclusion

46. The appeal is dismissed.

47. *The Decision is upheld in full.*

48. *The Appellant is provisionally suspended from partaking in all “Badminton-Related Activities” on a **global basis**. The provisional suspension shall lapse on 16 July 2025, unless this matter is referred to the Independent Hearing Panel prior to that date, in which case it shall remain in force until a decision is rendered*

8. On April 15, 2025, the BCA Council mandated a Preliminary Investigation Committee (**PIC**) to assess the Defendant’s conduct. The PIC Report, completed on 16 June 2025, found that the Defendant’s communications breached multiple BWF instruments and recommended a referral to the IHP.
9. On July 3, 2025, the BCA CEO submitted the PIC Report and supporting annexures to the Referral Officer with a request to formally refer the case to the IHP
10. On July 8, 2025, the Referral Officer referred the case to the IHP pursuant to Article 15.4 of the Procedures.

Notice of Charges and Submissions

11. On July 22, 2025, the Secretariat communicated to the Defendant (i) the allegations arising from the PIC Report and accompanying documentation, (ii) the constitution of the Panel, (iii) the Defendant’s procedural rights, including the right to be heard and to elect either an oral hearing or determination on the written record, and (iv) the deadline for the submission of written observations.
12. The Defendant did not file a submission within the time initially prescribed.
13. On August 16, 2025, the Defendant filed a written response. This submission was accepted by BWF’s Secretariat, despite being untimely.
14. No additional written submissions were made by the Defendant before the closing of the submissions phase.

Hearing and Deliberations

15. On October 30, 2025, the Panel held the oral hearing virtually via videoconference beginning at 13:00 CET.
16. The Hearing Participants included (i) the Panel (Chair and Members); (ii) counsel for the Complainants; (iii) counsel for the Defendant; (iv) the Defendant and (v) observers authorised by the Chair. Upon conclusion of the hearing, the Panel reserved its decision and later convened privately to deliberate

Charges

17. The charges stated are reproduced below:

1. Violation of the BWF Code of Ethics – Sections 5.2 (Dignity) and 5.3 (Harassment Free):

Mr. Mustapha is alleged to have made repeated statements that undermined the dignity of fellow Council members and staff.

2. Violation of the BWF Safeguarding Policy – Sections 3.1.1(a), 3.1.2, and 5.1.1 (Psychological Abuse):

It is alleged that Mr. Mustapha engaged in threatening and demeaning communications amounting to psychological abuse, in breach of the BWF’s safeguarding standards.

3. Violation of the BWF Code of Conduct for Elected Officials – Regulation 4.10 (Representation to Media):

Mr. Mustapha is alleged to have made unauthorised, defamatory public allegations against BCA staff, in contravention of the expected standards of public communication applicable to elected officials.

4. Breach of Standards of Professional Conduct and Fiduciary Duties:

Mr. Mustapha's repeated use of inappropriate, abusive, and threatening language is alleged to have undermined the cohesion of the Council and impeded the integrity of its governance processes

B. APPLICABLE RULES

Jurisdiction

18. Article 31 of the BWF Constitution recognises the IHP as a judicial body of the BWF.
19. In accordance with Article 7.5 of the Procedures, the IHP has jurisdiction to decide matters, inter alia, regarding Integrity and Ethics cases, including alleged breaches of (i) the BWF Code of Ethics; (ii) the Safeguarding Policy; and (iii) the Code of Conduct for Elected Officials.
20. The Charges against the Defendant concern alleged breaches of all three of these regulatory instruments. Accordingly, this matter falls directly within the IHP’s jurisdiction pursuant to Article 7.5.1.
21. Article 15.4 of the Judicial Procedures provides that a case is referred to the IHP by the Referral Officer following assessment of the evidence.
22. As such, the Panel has jurisdiction to hear this matter.

Burden of proof and standard of proof

23. Article 32.2 of the Procedures provides that the “burden of proof regarding an allegation of breach rests on the Investigating Party”. In this matter, this is the BCA.
24. Article 32.1 of the Procedures states that the “standard of proof...shall be the balance of probabilities...a matter will be found proved if it is more likely to have occurred than not”.

Violations

25. The Defendant is charged with alleged breaches of the following instruments, all of which are expressly listed under Article 7.5.1 of the Judicial Procedures as falling within the IHP’s jurisdiction:

BWF Code of Ethics

Article 5. 2 – Dignity, requiring Covered Persons to “refrain from statements or conduct that undermine the dignity of others.”

Article 5. 3 – Harassment-Free Sport, requiring avoidance of intimidating, hostile, degrading or offensive behaviour.

BWF Safeguarding Policy

Psychological Abuse, including “intimidation, humiliation, threats, and behaviour that adversely impacts emotional well-being.”

BWF Code of Conduct for Elected Officials

Regulation 4.10 — Public Comments, prohibiting defamatory or inaccurate public accusations against BWF or CC officials or staff.

Judicial Procedures

11.6 Covered Persons are bound to cooperate with the Investigating Party and to provide accurate answers to the Investigating Party.

14.2 Covered Persons shall cooperate with any investigation and disciplinary process carried out under these Procedures, including, without limitation, by providing accurately, completely and without undue delay any information and/or record and/or documentation and/or access or assistance requested as part of such investigation or disciplinary process.

26. These provisions require the Defendant to meet the definition of a category of individuals. Those definitions relevantly state:

Judicial Procedures

“Covered Person” means Officials, Players, or Related Persons and also includes BWF Affiliates as organisations, as well as any natural person or organisation that has accepted BWF’s jurisdiction.

C. SUBMISSIONS AND POSITIONS OF THE PARTIES

27. The following section summarises the allegations, factual assertions, and positions advanced by the Parties, as reflected in (i) the Preliminary Investigation Committee (PIC) Report, (ii) the written submissions contained in the hearing bundle, and (iii) the Defendant’s written response. This summary is limited to information that appears expressly in the evidentiary record. Additional matters may be referred to, where relevant, in **Part D** (Findings).

COMPLAINANT’S SUBMISSIONS

Charge sheet and supporting evidence

28. The Charge Sheet sets out three categories of alleged breaches: (i) breaches of the BWF Code of Ethics; (ii) breaches of the BWF Safeguarding Policy; and (iii) breaches of the Code of Conduct for Elected Officials. The charges are based on communications attributed to the Defendant between 25 March and 2 April 2025.

Evidence Considered by the PIC

29. The PIC Report dated 16 June 2025 summarises the conduct at issue and forms the central evidentiary basis for the referral. The PIC reported, *inter alia*:

29.1. The Defendant sent multiple WhatsApp messages to the BCA Council WhatsApp group that were described as threatening, abusive, defamatory, and intimidating;

29.2. These communications allegedly caused several Council Members to feel unsafe or distressed, particularly concerning their attendance at the upcoming AGM;

29.3. The PIC highlighted specific messages including, but not limited to:

“You and your kind have failed this organisation ... I will address you at the right time, see you soon.”

“Some of you are in my bad books... you will see my ugly side.”

“BCA is the only organisation where the blind are leading those with sight.”

29.4. The PIC also recorded messages directed at an individual Council Member stating she was “a shame and disgrace” and that “even your family will be ashamed to associate with you.”; and

29.5. The PIC concluded that these communications breached (i) the BWF Code of Ethics and (ii) the Safeguarding Policy (psychological abuse).

BCA Submissions

30. In its Submissions, written and oral, the BCA explained in regards to those charges:

Breach of the BWF Code of Ethics – Sections 5. 2 (Dignity) and 5. 3 (Harassment Free):

31. The BCA alleged that Mr. Mustapha made derogatory and demeaning remarks about fellow Council members within a WhatsApp group comprising BCA Council officials. In particular, he is reported to have directed the following statement to the BCA President: “you and your kind have failed this organization.” In a separate direct message to Council Member Dr. Moneoang Leshota, Mr. Mustapha allegedly stated: “you are a shame and disgrace to a respectful country such as Lesotho...even your family will be ashamed to associate with you.” These statements are alleged to constitute a breach of Sections 5. 2 and 5. 3 of the

32. BWF Code of Ethics, which require members to uphold the dignity and respect of others and to maintain a harassment-free environment.
33. The BCA provided messages allegedly sent by Mr. Mustapha directed at the BCA President. In particular, Mr. Mustapha is found stating: *“You and your kind have failed this organisation... I will address you at the right time, see you soon.”* and direct threats, wherein Mr. Mustapha stated: *“BCA has a few weeks to AGM to handle or sort this issue. If not, the AGM and Council meetings will be very messy and embarrassing.”*

Breach of the BWF Safeguarding Policy – Sections 3.1.1(a), 3.1.2, and 5.1.1 (Psychological Abuse):

34. The BCA alleged that on or around 18 October 2024, Mr. Mustapha sent a direct message to Dr. Leshota threatening with tarnishing her image, compromise her personal integrity, and destroy her professional reputation. In a written statement to the Preliminary Investigation Committee, Dr. Leshota indicated that this message caused her significant psychological distress and could potentially jeopardize her candidacy for a senior academic role, a position she described as a once in a lifetime opportunity.
35. These actions are alleged by the BCA to amount to psychological abuse and are in breach of Sections 3.1.1(a), 3.1.2, and 5.1.1 of the BWF Safeguarding Policy.
36. The BCA provided messages, dated 18 October 2024, allegedly sent by the Defendant to Dr. Moneoang Leshota. The message contains personal and degrading language, including: *“You are a shame and disgrace to a respectful country such as Lesotho... Even your family will be ashamed to associate with you”*. The content of this message is alleged to constitute psychological abuse and a violation of the BWF Safeguarding Policy

Breach of the BWF Code of Conduct for Elected Officials – Regulation 4.10 (Representation to Media):

37. The BCA alleged that Mr. Mustapha publicly accused the BCA Secretariat of falsifying official documents. He reportedly circulated a WhatsApp message labeling an official bank document as “fake” amplifying these allegations via social media. This conduct is alleged to have brought the organization into disrepute and is contrary to the standards of communication expected under Regulation 4.10 of the BWF Code of Conduct for Elected Officials.
38. The BCA provided messages allegedly sent by the Defendant in which publicly accused the BCA Secretariat of falsifying an official financial document. He is recorded stating: *“Your secretariat faked this. Your people are faking bank documents... Incredible.”*. This message is cited as a breach of Regulation 4.10 of the BWF Code of Conduct for Elected Officials, which prohibits unauthorised and defamatory public communications by elected representatives

Breach of Professional Conduct and Fiduciary Responsibilities:

39. As a sitting Council Member and Member President of the BCA, Mr. Mustapha owes a fiduciary duty of care and professionalism to his colleagues and the organization. It is alleged

that he repeatedly engaged in offensive and inappropriate communications via official platforms, despite prior concerns over similar conduct. This pattern of behavior is deemed inconsistent with the standard of professional conduct and fiduciary responsibility expected of a BCA official and is therefore alleged to constitute a further breach of his obligations.

40. Additionally, the BCA asserts that Mr. Mustapha has engaged in similar misconduct on previous occasions. In support of this claim, the BCA submitted three documents,

40.1. A letter dated April 18, 2024, sent by the BCA's President, addressed to Mr. Mustapha, formally demanding a written apology for his conduct on the Council's WhatsApp group.

40.2. Two letters of apology from Mr. Mustapha dated 23 April 2024 where he apologises for inappropriate comments previously made on the Council's WhatsApp platform:

40.2.1. One first one addressed to the BCA CEO, Jeff Shigoli;

40.2.2. The second one to the BCA President and Council Members collectively.

41. The BCA alleges that the evidence available shows a pattern of misconduct, reinforcing the allegation that Mr. Mustapha has repeatedly breached his professional and fiduciary responsibilities as a Council Member and as a President of a Member Association.

DEFENDANT'S SUBMISSIONS

42. The Defendant's written submission dated 16 August 2025 contests the allegations and raises objections concerning the interpretation of his communications.

43. In his submission, the Defendant denied that his statements constituted threats, harassment, or defamation. In particular the Defendant *(i)* disputed the characterization of the WhatsApp messages as threats, harassment or defamation, *(ii)* challenged the interpretation of the platform as a public forum, and *(iii)* advanced contextual arguments relating to governance issues within the BCA, asserting that the BCA WhatsApp group was an official platform where his comments were legitimate expressions of concern.

44. The relevant parts state:

1. Nature of the BCA Official WhatsApp Group

The communications cited were made within the BCA Official WhatsApp group, which serves as a formal communication platform for official BCA business. Contrary to its characterization as "social media" in your letter, this group is actively used by the BCA Secretariat to share essential information such as meeting notices, event invitations, financial statements, and annual reports.

Member Associations also engage on this platform to exchange updates and deliberate on badminton-related matters. My participation in this group, therefore, has always been within the bounds of official engagement.

2. Context of My Statements

My comments were a candid expression of concern regarding the abrupt revocation of the AirBadminton event that had been formally awarded to Sierra Leone by the BCA Council. My frustration was directed at the decision-making process, not at any individual. Having served in badminton administration for over 15 years, I am fully aware that the Office of the CEO does not have the authority to independently award or revoke hosting rights for BCA events.

My remarks were rooted in a principled stance — advocating for adherence to the BCA Constitution and transparency in governance. I shared my views within an official communication channel, in the hope of encouraging accountability and upholding the integrity of our processes.

3. Allegations of Threats and Defamation

I firmly reject the claims that my statements constituted threats or defamation. My reference to "bad books" was figurative, not literal, and certainly not intended to intimidate.

My critique of the BCA leadership was a legitimate opinion on governance practices and did not amount to incitement. Furthermore, the statement "you disadvantaged my country" was made in response to Mr. Mugabi's own comment: "My dear brother, Dr. Michael, is Sierra Leone now colonized by Zimbabwe?" — a comment he later described as a joke.

I respectfully contend that colonialism is not a subject for humor in our African context. My response was framed within the parameters of the conversation he initiated, and it was meant to convey the gravity of how the revocation decision was perceived by Sierra Leone.

4. Alleged Breach of Confidentiality

The reference I made regarding a payment purportedly made to me was based on information that has been publicly available to BCA Member Associations. All of them every now and then receive such payments from BCA.

The BCA has, in the past, maintained commendable transparency — even publishing financials that list debtors and creditors. My query, raised in an official group where financial matters are routinely discussed, was intended to seek clarification and ensure transparency.

Before that I asked the BCA Treasurer and Secretariat- from whom I did not get any meaningful feedback. I also respectfully invite the Committee to verify whether any payment could indeed have been processed to me without my banking information on it — as I categorically deny receipt of such payment.

5. Commitment to Due Process and Next Steps

I am fully prepared to cooperate with the ongoing inquiry and will provide any further information or documentation that may be required. I respectfully urge the Committee to consider the full context and good-faith intent behind my communications. I have served on the BCA Council for a couple of years and have been an active participant in the BCA Official WhatsApp group since its establishment in January 2018. I also serve in various international

sporting roles, as acknowledged in your correspondence.

Regrettably, my ongoing concerns pertain to the Secretariat's repeated disregard for constitutional provisions and procedural guidelines — matters I have consistently raised. In a separate letter attached to this submission, I am formally lodging an official complaint regarding those concerns, which I believe are directly relevant to the issues at hand.

45. On the same day, the Defendant submitted an unsolicited submission whose content reads as follows:

I write to formally submit this document outlining my official complaint as stated in my response to your letter dated 14 May 2025. The concern regarding the cancellation of the AirBadminton Championships is raised by both my association and myself in my capacity as a Council Member of the Badminton Confederation of Africa (BCA). The issues enumerated below relate to administrative irregularities, lack of transparency, and procedural inconsistencies within the organization.

1. Unilateral Cancellation of Hosting Rights for the 2024 AirBadminton Tournament

Sierra Leone was the sole country to submit a bid to host the 2024 AirBadminton tournament, a bid that was unanimously approved by Council in 2022. Despite significant financial investments and logistical preparations, BCA canceled our hosting rights without providing any explanation.

Our association formally requested compensation of USD 22,000 to settle obligations with vendors and avert legal action. Regrettably, this request has been ignored by BCA. The lack of communication is unacceptable, especially considering that both the BCA Events Committee and Secretariat found our preparations satisfactory during a joint assessment. Supporting documentation, including meeting minutes, is attached (Ref under AOB #202 and #209).

2. Unexplained Administrative Decisions and Lack of Accountability

I have repeatedly sought clarification on certain administrative decisions without receiving any official response. Specifically, three Council Members investigated a fellow member and submitted a misleading report, resulting in the member's removal. That individual subsequently won an appeal—at a significant financial cost to BCA. I have asked why BCA is paying compensation in a case originally between Zimbabwe Badminton and Mr. Donald Mabo, and why no action has been taken against the Council Members responsible for the erroneous report.

3. Inconsistencies in Council Allowance Payment

I was informed that my Council allowance was paid via bank transfer. However, the initial SWIFT receipt shared with me did not include my banking details. A revised SWIFT receipt was later provided with the correct account information. How could a transfer be processed in my name but with inaccurate or missing details? Both documents are attached for your review.

4. Suspension Without Due Process

I was suspended without being granted a fair hearing. The BCA CEO later submitted minutes to the BWF Judicial Body, claiming I attended a virtual meeting where my matter was discussed. I have no knowledge of this meeting and request access to the recording to verify if I was present or invited to respond to the allegations.

5. Lack of Transparency in the CEO Recruitment Process

As a Council Member, I have requested information on the recruitment process for the current BCA CEO. I have asked to know who sat on the panel, what the interview outcomes were, and to see the credentials of the applicants. These requests remain unanswered, which is concerning for an organization committed to good governance.

6. BCA Legal Status in Mauritius

The registration of BCA as a foundation instead of a confederation in Mauritius was meant to be temporary. We had agreed that if the legal framework in Mauritius did not change by December 2024, the Secretariat would relocate. I have asked since January 2025 why we remain in Mauritius, yet no clarification has been offered.

7. Questionable Timing of My Suspension and AGM Participation

At the Council meeting on 15 April 2025, it was agreed that I would attend the AGM in China. However, I received a suspension letter dated 12 April 2025 just two days later. Why did the Council approve my participation if a decision had already been made to suspend me? I was issued a flight ticket and an official letter of release from work—suggesting no such action had been finalized.

I believe this suspension was orchestrated to prevent me from raising these issues during the AGM, where they would receive broader attention.

8. Lack of Disclosure on Secretariat Resignation

A female staff member, Ms. Marie Louison Yeldy, resigned from the BCA Secretariat in Mauritius. The Council was informed that her resignation was due to workload pressure. I formally requested a copy of her resignation letter for Council review, but this has not been provided. As a Council Member, I am entitled to access such documents.

In Conclusion

While I travel frequently, I am available to attend an interview regarding these matters on a mutually agreed date that does not conflict with my prior commitments. Kindly propose suitable dates, and I will confirm my availability accordingly.

D. FINDINGS

46. The Panel confirms that it has reviewed all evidence and submissions in the Hearing Bundle, the PIC Report, and the Defendant's written response. Only the evidence necessary to explain the Panel's reasoning is set out herein.
47. Under Article 32.1 of the Judicial Procedures, the standard of proof is the balance of probabilities. Article 32.2 places the burden of proof on the Investigating Party, which in this case is the BCA

Threshold Issues

Whether the Defendant is subject to BWF regulations

48. Article 7.5.1 of the Judicial Procedures confirms that the IHP has jurisdiction over matters involving alleged breaches of the BWF Code of Ethics, the Safeguarding Policy, and the Code of Conduct for Elected Officials.
49. The file establishes that the Defendant is the President of the Sierra Leone Badminton Association and a BCA Council Member. Under Article 4 of the Judicial Procedures, such individuals fall within the definition of Covered Persons and are therefore bound by all applicable BWF regulations.

Whether the Defendant received proper notice

50. The Evidence shows that the Defendant was notified of the allegations on July 22, 2025, and informed of his procedural rights, and deadlines for submissions.
51. Article 24.1.1 of the Judicial Procedures provides that notice is deemed effective when issued to a Covered Person's designated or last-known email address.
52. There is no evidence in the file that any notice failed. The Defendant filed a written response (16 August 2025). The Panel therefore finds that notice was properly conducted.

Charges

53. The charges stated are reproduced below:

1. Violation of the BWF Code of Ethics – Sections 5.2 (Dignity) and 5.3 (Harassment Free):

2. Violation of the BWF Safeguarding Policy – Sections 3.1.1(a), 3.1.2, and 5.1.1 (Psychological Abuse):

3. Violation of the BWF Code of Conduct for Elected Officials – Regulation 4.10 (Representation to Media):

4. Breach of Standards of Professional Conduct and Fiduciary Duties:

Charge 1

54. Charge 1 alleges that the Defendant, violated Code of Ethics Articles 5. 2 and 5. 3.

Section 5. 2 - Dignity

“All parties shall respect the rights, dignity and worth of all persons and shall act with understanding, tolerance, sensitivity and respect for diversity and shall act without discrimination of any kind. Persons covered under this Code shall not undertake any action, use any words that denigrate an individual, or use any other means that offends the human dignity of a person or group of persons, on any grounds including but not limited to skin colour, race, religion, ethnic or social origin, political opinion, sexual orientation, disability or any other reason contrary to human dignity.”

Section 5. 3 - Harassment Free

“All forms of harassment, be it physical, psychological, professional or sexual harassment, are strictly prohibited. The welfare of people under the age of 18 is particularly important so as to give them protection from unprofessional practice, abuse and bullying.”

55. The PIC reproduced multiple WhatsApp messages from the Defendant directed at BCA Council Members, including:

“You and your kind have failed this organisation... I will address you at the right time, see you soon”;

“Some of you are in my bad books... you will see my ugly side”;

“BCA is the only organisation where the blind are leading those with sight”.

56. One message addressed to an individual stated: *“You are a shame and disgrace... even your family will be ashamed to associate with you”.*
57. The Defendant does not deny sending the messages. His written submission asserts that they represented legitimate governance-related concerns communicated on an official platform.
58. In the opinion of the Panel, whether a WhatsApp group constitutes an “official platform” has no bearing on whether the content violates the Code of Ethics. The rules govern conduct, regardless of the medium, sending derogatory, demeaning, threatening or harassing messages through social media, email and/or WhatsApp is not an element of the violation and therefore cannot be taken into consideration.
59. The allegations filed by the Defendant, justifying the messages due to the context in which they were expressed, cannot either be taken into account as no evidence of such context has been presented.
60. The language used in the WhatsApp messages is objectively: demeaning (e.g., “blind leading those with sight”), threatening (e.g., “you will see my ugly side”), and humiliating (e.g., “your family will be ashamed”). This aligns with the behaviour prohibited under Articles 5. 2 and 5. 3.

61. Therefore the Panel is of the opinion that the Defendant has violated articles 5. 2 and 5. 3 of the BWF Code of Ethics.

Charge 2

62. Charge 2 alleges a violation of Safeguarding Policy Articles 3.1.1, 3.1.2, 5.1.1.

Sections 3.1.1(a) - Psychological Abuse

“Harassment and abuse can be expressed in five forms which may occur in combination or in isolation. These include a) psychological abuse, b) physical abuse, c) sexual harassment, d) sexual abuse, and e) neglect.

*a) **Psychological abuse** — means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other treatment which may diminish the sense of identity, dignity, and self-worth.”*

Sections 3.1.2 - Harassment and Abuse

“Harassment and abuse can be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age disability, socio-economic status and athletic ability. It can include a one-off incident or a series of incidents. It may be in person or online. Harassment may be deliberate, unsolicited, and coercive”

Sections 5.1.1 - Offences

“The following conducts are breaches of this Policy:

5.1.1. Any form of “Harassment and Abuse” in relation to the badminton community;”

63. The PIC reported that several Council Members experienced distress and safety concerns due to the Defendant’s messages.
64. The evidence provided in this case present messages implying retaliation, humiliation, or reputational harm and the question before the Panel if its content is enough to constitute psychological and emotional abuse within the definitions of Articles 3.1.1 and 3.1.2.
65. The panel wishes to highlight that the articles included in this charge appear to have been willingly drafted to encompass harassment and the abuse in a broad way. In particular Section 5.1.1 alludes to any form of harassment of abuse as a prohibited behavior, Section 3.1.2, explains that the grounds for harassment or abuse can be basically anything therefore not limiting of the violation to a particular form. And Section 3.1.1 (a), clearly refers to psychological abuse as a specific and particular violation of the regulations.
66. A systematic interpretation of the regulations shows a clear intent of the federation to cover all bases to avoid any form of abuse, physical, verbal, direct or indirect, within the badminton community.

67. In the opinion of the Panel the words directed to Dr. Moneoang Leshota in which the defendant said “*You are a shame and disgrace to a respectful country such as Lesotho... Even your family will be ashamed to associate with you.*” Can only be understood as abusive, diminishing, and an example of what an official within the badminton community should not do or say.
68. The written testimony of Dr. Leshota is clear in respect To the psychological distress she suffered after reading the messages. The panel, in any case, wishes to clarify that even if that the addressee of those words would not have suffered Any harm or distress, still calling a fellow official within the badminton community a disgrace if this is not acceptable and it would be still a violation of the relevant regulations.
69. The Defendant In his allegations did not provide any alternative explanation or evidence refuting the emotional impact of his messages. His explanations were limited to the existence of a context and to justify the words in those messages.
70. In regard to the exchange with Mr. Mugabi, the defendant justified that colonialism should not be trivialized in the way the former did, and that he only reacted to those statements characterizing them as a provocation.
71. The defendant despite multiple opportunities and requests from the panel prior and during the hearing, did not address the allegations of breaching the regulations.
72. The Panel finds that the communications exchanged by the Defendant between 25 March 2025 and 2 April 2025 caused distress and emotional harm to certain BCA Council Members.
73. The Panel therefore concludes that, within this temporal scope, the Defendant’s conduct constitutes psychological and emotional abuse within the meaning of Articles 3.1.1 and 3.1.2 of the BWF Safeguarding Policy and is prohibited under Article 5.1.1.
74. The Panel determined this charge succeeded.

Charge 3

75. Charge 3 alleges a violation of Violation of the BWF Code of Conduct for Elected Officials – Regulation 4.10 (Representation to Media).

Regulations 4.10 - Representation to Media

“Elected Officials must not make public statements to the media on the activities of the organisation they represent, unless properly authorised to do so. Elected Officials must refrain from making negative, derogatory or personal comments in relation to Elected Officials and staff through media and social media posts. They must also refrain from comments that may question their professionalism or integrity.”

76. The code of conduct for elected officials establishes in a clear way that elected representatives shall not engage in negative derogatory or personal remarks of fellow officials or staff through any means.

77. The evidence provided in this case, show how the defendant send a message to the official BCA WhatsApp group, Accusing the BCA's secretariat of forging official documents. In doing that the defendant did not provide any evidence to substantiate the accusations.
78. Despite the certainly insufficient certainty with which the BCA provided the evidence, lacking details that could help the panel to ascertain the authenticity of the documents provided, the defendant did not deny his authorship.
79. The defendant in his oral and written submissions explained that the WhatsApp group was considered a formal and official communication platform and not social media, and that his accusations were not defamatory but a product of his concerns about the lack of transparency within the BCA. The defendant alleges that before sending the messages to the group he had contacted the BCA's treasurer looking for an explanation, request whether that was never attended.
80. The defendant, again despite several opportunities, has not denied the authenticity of the evidence provided by the BCA in this regard, and therefore there is no basis to contest it. The accusation of forging bank transfers is severe enough that any reasonable person would immediately deny if falsely accused, taking this into account, the panel is of the opinion that the defendant violated section 4.10 of the above mentioned regulations, by sharing via WhatsApp an accusation of forgery against the BCA's secretariat.

Charge 4

81. Charge 4 alleges that the Defendant, violated Standards of Professional Conduct and Fiduciary Duties.
82. In accordance to the BCA, the conduct of the defendant has not been an isolated case of unprofessional conduct. The letters provided as evidence between the BCA president requesting formal apology, and the defendant's response, show a pattern of misconduct that it's not compatible with the BCA standards.
83. The defendants attitude has undermined the credibility and reliability of the BCA's council, evidence of this is the testimony of Dr. Moneoang Leshota, who described it toxic and difficult environment to work in, precisely the kind of consequence about the policies enabled by the BCA and the BWF aimed to avoid.
84. The panel is of the opinion that the evidence available before them prove in an uncontested way that the defendant violated his obligations towards the badminton community, and in particular the BCA, the BWF, and his fellow officials. Therefore, we can only conclude that the defendant has to be found in breach of the Standards of Professional Conduct and Fiduciary Duties.
85. As a last remark the panel wishes to address the complaint submitted by the defendant within this proceedings in his letter of August 16 2025.
86. In accordance with the regulations in particular article 20 of the judicial procedures it is not included within the procedural rights of the parties involved the right to file a complaint during disciplinary proceedings. In this regard article 26.2 states:

Article 26.2 states: "...The Chair in exercising that discretion shall have regard to the need to give all parties the opportunity to be heard, including to call witnesses, and should give the defendant the opportunity to reply to any submissions made by the investigating party".

87. It seems clear to the panel that the chair has no power or discretion to allow a party in a disciplinary procedure to file a complaint or a counter claim, as part of the response.
88. Nothing prevents the defendant, in any case, to file a complaint following the appropriate mechanisms and regulations and request the BWF to initiate an independent investigation.

Sanction

89. Article 41 of the Procedures stipulates the types of sanctions that may be imposed by the IHP if an individual is found to have committed regulatory violations.
90. When determining a sanction, Article 43.1 of the Procedures states that the *"hearing panel deciding upon the sanction shall determine the type and extent of any sanction, its scope and duration, considering all relevant mitigating and aggravating factors in a case and the degree of guilt of the party when imposing a sanction. The hearing panel shall be bound to impose a proportionate sanction."*
91. Article 43.2 of the Procedures sets out the aggravating and mitigating factors that the IHP must take into consideration when determining a sanction.
92. Aggravating factors include number and extent of breaches, nature of threats, impact on victims, and lack of cooperation.
93. The Procedures do not prevent the Panel from drawing inspiration from the decisions of similarly constituted sporting tribunals or prior BWF decisions.
94. The Panel was guided by CAS jurisprudence regarding the principle of proportionality in disciplinary sanctions, which was recently described as follows:

"The principle of proportionality implies that there must be a reasonable balance between the nature of the misconduct and the sanction. In order to be respected, the principle of proportionality requires that (i) the measure taken by the governing body is capable of achieving the envisaged goal, (ii) the measure taken by the governing body is necessary to reach the envisaged goal, and (iii) the constraints which the affected person will suffer as a consequence of the measure are justified by the overall interest to achieve the envisaged goal. In other words, to be proportionate a measure must not exceed what is reasonably required in the search of the justifiable aim."

(CAS 2016/O/4684 ROC & Lyukman Adams et al. v. IAAF)

Conclusion

95. The Judicial Procedures provide no express guidance as to whether sanctions for multiple violations must be imposed consecutively or cumulatively. Article 43.1 grants the Panel discretion to determine both the type and duration of sanctions, provided they remain proportionate in light of the totality of the circumstances.
96. In exercising this discretion, the Panel has considered: *(i)* the nature and seriousness of the conduct described in the Hearing Bundle (pp. 6–7), *(ii)* the repeated and escalating pattern of threatening and demeaning messages, and *(iii)* the absence of any mitigating circumstances
97. Taking into account the need for deterrence, the protection of participants, and the integrity of BCA governance, the Panel considers a single consolidated sanction appropriate and proportionate in this matter.

Costs

98. Pursuant to Article 40 of the Judicial Procedures, the Panel makes no order as to costs at this stage. Any submissions regarding costs may be filed only after issuance of the reasoned decision.

DECISION

1. MICHAEL SHAMSU MUSTAPHA has:
 - a. violated the BWF Code of Ethics, section 5. 2 for failing to uphold dignity and mutual respect,
 - b. violated the BWF Code of Ethics section 5. 3 for engaging in intimidating and threatening behaviour.
 - c. violated the BWF Safeguarding Policy, section 3.1.1A
 - d. violated the BWF Safeguarding Policy, section 3.1.2,
 - e. violated the BWF Safeguarding Policy, section 5.1.1.
 - f. violated the BWF Code of Conduct for Elected Officials, regulation 4.10.
2. MICHAEL SHAMSU MUSTAPHA is suspended from badminton-related activities for fifteen (15) months.
3. This fifteen (15) months period shall commence from the date of notification of this decision, with the time served by Mr. Mustapha since his provisional suspended being credited towards him.
4. MICHAEL SHAMSU MUSTAPHA is condemned to pay the costs of these proceedings.



Mr. Vincent Denonville



**Mr. Enric Ripoll Gonzalez
(Chair)**

八木由里

Ms. Yuri Yagi