



THE ELDERS STAKEHOLDERS RECONCILIATION

COMMITTEE

ON

THE LEADERSHIP CRISIS OF THE NIGERIA FOOTBALL

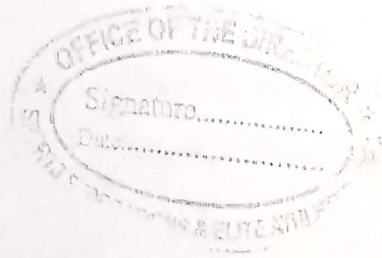
FEDERATION (NFF)

REPORT

AUGUST 30, 2018

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ABBREVIATIONS

CAF	Confederation of African Football
CAFN	Court of Arbitration for Football in Nigeria
CAMA	Company and Allied Matters Act
CAS	Court of Arbitration for Sports
FCT	Federal Capital Territory
FHC	Federal High Court
FIFA	Federation Internationale de Football Association
FMYS	Federal Ministry of Youth and Sports Development
LFN	Laws of the Federation of Nigeria
LMC Ltd	League Management Company Limited
NFA	Nigeria Football Association
NFCA	Nigeria Football Coaches Association
NFF	Nigeria Football Federation
NFPA	Nigeria Football Players Association

1.0 **BACKGROUND**

1.1. The Nigeria Football Federation (NFF) is an off-shoot of the Nigeria Football Association (NFA) which was created by Decree 101 of 1992 presently known as NFA Act Cap 110 LFN of 2004.

1.2 The Act from inception was responsible for the administration, control and regulation of football in Nigeria until 2001. The introduction by FIFA of Standard Statutes in 2001 mandated all Member Associations to adopt and implement Statutes that would henceforth regulate football matters in their respective countries.

1.3 The NFA produced its Statutes, now contained in a document known as the NFF Statutes with the commencement date of December, 2005. It was on the provisions of the Statutes that the election of 2005 was held. The tenure of the Executive Committee from that election was however, truncated shortly after, with the conduct of another election on August 26, 2006. Since then, there have been crises of leadership succession in the NFF which were and are further being complicated by litigations and FIFA interventions.

1.4 It was under these preceding state of affairs that on November 28, 2013 at a General Assembly held in Calabar, an Electoral Committee and Electoral Appeals

Committee were elected to conduct the next election of the NFF Executive Committee scheduled for August 26, 2014 in Abuja.

1.4 At the scheduled General Assembly held in Chida Hotel, Abuja on August 26, 2014, roll-call was taken and quorum formed. However, some members left in solidarity with the former President, Aminu Maigari who had earlier resigned his appointment and at that time was in custody of security operatives. In continuation of the General Assembly presided over by the 1st Vice President, Chief Mike Umeh, acting as the President, a motion was accordingly moved and seconded for the conduct of elections into the Executive Committee.

1.5 Subsequently, the NFF Electoral Committee earlier elected by the General Assembly, chaired by Amoni Biambo took over the proceedings of the meeting and an election was held. The result of the election was thereafter on August 28, 2014 forwarded to the FIFA Headquarters by the Chairman of the Electoral Committee as follows:

S/N	Name	Post
i.	Christopher Musa Giwa	President
ii.	Chief Obinna Ogba	1 st Vice-President
iii.	Chief Johnson Effiong	Chairman of Chairmen
iv.	Adama Yahaya	Board Member

v.	Muazu Suleman	Board Member
vi.	Shariff Inuwa	Board Member
vii.	Sani Mohammed Fema	Board Member
viii.	Farouk Yarma Adamu	Board Member
ix.	Felix Amechi Obuah	Board Member
x.	Anyansi Felix Agwu	Board Member
xi.	Deji Tinubu	Board Member
xii.	Otunba Dele Ajayi	Board Member

However, on the same date, Musa Amadu, the then General Secretary convoked another meeting in Bentley Hotel, Abuja where decisions was taken for an Extraordinary General Assembly to be held in Warri on September 20, 2014.

1.6 On August 29, 2014, FIFA wrote to the then General Secretary, Musa Amadu that it did not recognize the said election and threatened to suspend the NFF if the elected officers were not removed from the NFF Secretariat by midnight of September 1, 2014. Amongst its reasons were:

- i. The absence of some NFF Executive Committee members from the venue at the time of the voting; and
- ii. That the delegates at the General Assembly were there to draw up a "roadmap" which was

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to lead to the elections and not for an Elective General Assembly.

1.7 The decision by FIFA culminated in a sequence of events leading to the convening of an Extraordinary General Assembly where it was resolved that a second Extraordinary General Assembly should be held on September 30, 2014. This Assembly resulted in the conduct of another election into the NFF Executive Committee, the result which was also conveyed to FIFA by Musa Amadu. The names are as underlisted:

S/N	Name	Post
i.	Amaju Melvin Pinnick	President
ii.	Seyi Akinwunmi	1 st Vice President
iii.	Ibrahim Musa Gusau	Chairman of Chairmen
iv.	Christopher Green	Board Member
v.	Suleiman Yahaya-Kwande	Board Member
vi.	Ahmed Yusuf "Fresh"	Board Member
vii.	Sunday Dele Ajayi	Board Member
viii.	Shariff Rabi Inuwa	Board Member
ix.	Hussaini Modibbo	Board Member
x.	Baba Gana Kalli	Board Member
xi.	Felix Anyansi-Agwu	Board Member

It is curious to note that Sunday Dele Ajayi, Shariff Rabi Inuwa and Felix Anyansi-Agwu contested and won both elections.

1.8 The then President of FIFA, Sepp Blatter in a letter dated October 1, 2014 congratulated Amaju Pinnick on his election as the NFF President. This letter of congratulations as well as the earlier letter of August 29, 2014, which did not recognize Giwa's election formed the basis of Chris Giwa's appeal at the Court of Arbitration for Sports (CAS), Lausanne, Switzerland.

1.9 It should be noted that prior to the conduct of the September 30, 2014 election, an action was filed at the Federal High Court in Jos against the conduct of the election whereby the Court issued an interim order against the conduct of the election. Events after the conduct of the September 30, 2014 election against the ruling of the Court resulted in series of litigations on the matter by both parties from the Federal High Court through the Court of Appeal to the Supreme Court.

1.10 On April 27, 2018 the Supreme Court upheld the appeal of Chris Giwa against the judgment of the court of Appeal. The Supreme Court also in its judgment held that the relisting of the case with all the orders by the trial court was in order.

- 1.11 The enforcement of the judgment of the Supreme Court by the supervisory Ministry placed the country on a collision course with FIFA which continues to recognize the Amaju Pinnick led NFF.
- 1.12 It is therefore with a view to finding a lasting solution to the leadership crisis that had plagued Nigerian football since 1999, and the need for peaceful resolution of the current impasse that the Honourable Minister, Federal Ministry of Youth and Sports Development (FMYSD), convened a Stakeholders Roundtable on the state of governance of football in Nigeria.
- 1.13 The Stakeholders Roundtable which held on Tuesday, July 24, 2018 critically examined the challenges of the governance of football in the country. The Stakeholders took among others the following decisions:
- i. Commended the Federal Government through the FMYSD for convening the meeting to address the challenges in the administration of football in Nigeria in order to emplace an enduring solution;
 - ii. Noted the judgment of the Supreme Court of Nigeria on the matters brought before it by one of the aggrieved parties;
 - iii. Frowned at the contemplation of subverting our national laws to the laws of a non-governmental

association. It however canvassed political not legal solutions to resolving the current impasse;

- iv. Noted that the administration of football in the country needs total overhaul in order to attain podium performance and ensure a seamless succession in football administration;
- v. Agreed that a delegation should engage with FIFA in Zurich on the issues affecting football governance and administration in Nigeria; and
- vi. Agreed to set up a 5-Man Reconciliation Committee to engage the aggrieved parties with a view to resolving their differences in the interest of the administration of football in Nigeria.

2.0 MEMBERSHIP

2.1 As a follow up to the decision of the Roundtable, the Honourable Minister approved the composition of the Elders Stakeholders Reconciliation Committee. The Committee was inaugurated on August 6, 2018 by the Honourable Minister at the Conference Room of the Honourable Minister, FMYSD, Block "D" Phase II, Federal Secretariat Complex, Abuja. Members of the Committee are as follows:

S/N	Name	Designation
i.	Col. Abdulmumini Aminu (Rtd)	Chairman
ii.	Alh. Ibrahim Galadima	Member
iii.	Anthony Kojo Williams	Member
iv.	Prof. Onje Gye-Wado	Member
v.	Dr. Sam Sam Jaja	Member
vi.	Dr. Bolaji Ojo-Oba	Member
vii.	Danjuma A. Muhammad	Legal Counsel /Secretariat
viii.	Mr. Stanley N Okebugwu	Secretariat
ix.	Mr. Reuben Tiyatiye	Secretariat

3.0 **Terms of Reference**

3.1 The Terms of Reference (TOR) of the Committee are to:

- i. Identify causes of the current leadership crisis in the NFF;
- ii. Evaluate the dimensions of the current leadership crisis and the contributions of actors to the issue;
- iii. Invite actors in the leadership crisis namely, the Chris Giwa and Amaju Pinnick led Boards to reconciliation table with a view to addressing their concerns towards achieving a

sustainable and win-win solutions to the crisis; and

- iv. Make recommendations that would ensure smooth leadership succession and transition without adversely affecting the development and management of football in Nigeria.

4.0 **METHODOLOGY**

4.1 Methodologies adopted for the assignment were:

- i. Committee meetings.
- ii. Interactions with both actors to the crisis and critical stakeholders in football administration in Nigeria.
- iii. Review of the extant football Statutes and Regulations.
- iv. Review of written submissions by Interviewees.
- v. Study of previous Reports.

5.0 **FINDINGS AND OBSERVATIONS**

5.1 **Causes of the current leadership crisis in the NFF.**

5.1.1 The Committee attributed the causes of the current leadership crisis in the NFF to the following factors:

5.2 **Conduct of two elections which brought Chris Giwa and Amaju Pinnick**

5.2.1 On August 26, 2014, an election previously scheduled in Calabar in November 2013 was conducted in Abuja in accordance with the NFF Statutes 2010 and the NFF Electoral Code. The result of that election won by Chris Giwa was communicated to FIFA on August 28, 2014 by the Chairman of the Electoral Committee. An election which the then NFF General Secretary, Musa Amadu wrote to FIFA dissociating the NFF General Assembly from being part of it.

5.2.2 On September 30, 2014, another election was conducted in Warri in defiance of Jos Federal High Court interim order in Suit No. FHC/J/CS/77/2014 which produced Amaju Pinnick led Board. The then General Secretary of NFF, Musa Amadu wrote to FIFA that a valid election was conducted. Consequently, FIFA President*Sepp Blatter sent a letter of congratulations to Amaju Pinnick thus giving that election FIFA recognition. A position which Chris Giwa contested at the CAS, Lausanne, Switzerland.

5.3.1 **Existence of Multiplicity of Laws Governing Football Administration in Nigeria:**

- i. The NFA Act 2004;
- ii. The NFA Statutes 2005;
- iii. The NFF Statutes 2008;
- iv. The NFF Statutes 2010;
- v. The CAF Statutes;
- vi. The FIFA Statutes; and
- vii. The pending NFF Bill.

5.3.2 These Laws and Statutes were and are still being manipulated by contemporary leadership to suit parochial interests as opposed to national patriotism. The manipulations are used to exclude critical stakeholders and using FIFA to undermine national interest and to further their personal and group interests.

5.3.3 The Committee notes that the proposed NFF Act has passed the first and second reading at both chambers of the National Assembly and is awaiting harmonization for passage into law.

5.3.4 Under Art 1 of the NFF Statutes 2010 the football governing body should be incorporated by guarantee under Part C of the Companies and Allied Matters Act (CAMA). That way, it will get the recognition of our laws.

Of course, among other benefits would be the ease to amend its duly registered FIFA approved Statutes by its General Assembly without reference to the National Assembly as would be the case for a body established by an Act of the National Assembly.

5.4 Rulings of Nigerian Courts and Court of Arbitration for Sports

5.4.1 Whereas the Federal High Court in Jos gave an interim order restraining all the defendants by themselves their servants or agents from interfering with the plaintiff performance of their duties/execution of the office as the Executive Committee of the NFF pending the hearing and determination of the Motion on Notice filed in this case.

5.4.2 The Motion on Notice was equally heard and an interlocutory order was made setting aside the Ordinary General Assembly held in Warri, Delta State. The said enrolled order is dated the October 23, 2014.

5.4.3 Following the intervention and quest for out of Court settlement by the former President of the Federal Republic of Nigeria, His Excellency, Dr. Goodluck Ebele Jonathan, *GCFR*, Chris Giwa filed a motion on notice withdrawing the case which the trial court granted, and

struck out on October 30, 2014. The move to settle the matter amicably out of court between the parties failed resulting in Chris Giwa filing a motion on February 3, 2015 praying the court for an order relisting the case which the court granted and restored the restraining interlocutory orders earlier made, along with the suit.

5.4.4

The Amaju Pinnick group was however aggrieved by the ruling relisting the suit etc, and consequently appealed against same at the Court of Appeal. The appeal was allowed giving rise to Chris Giwa appealing the ruling of the Appeal Court to the Supreme Court. In its ruling, the Supreme Court found merit and accordingly allowed it reversing the ruling of the Appeal Court.

5.4.5

The Committee notes the CAS ruling which stated that *the Panel recognized that the dispute before it arose in connection with a longstanding struggle occurring in Nigerian football between different personalities and factions fighting for leadership within the NFF. In the light of this, and in the interest of avoiding any misuse of the award, the panel wishes to clarify that its task in the present arbitration between the NFF and FIFA was not to opine or adjudge on the political situation in Nigeria football or decide which of the disputing personalities and factions*

is more deserving to hold the reigns of the NFF and manage Nigerian football. On the contrary, the Panel had the limited scope of review to simply determine whether FIFA had sufficient factual and legal grounds, in terms of Article 17 of its own Statutes, to deny its recognition of the NFF elections. In holding that FIFA legitimately denied recognition of 26 August 2014 and that the FIFA President's letter of 1 October 2014 did not constitute an appealable decision, the Panel could not and has not touched on the merits of the political clash plaguing Nigerian football. Therefore, the content of this award should in no way be viewed or treated as the CAS determination on such political feuds, nor as an acceptance, support or rejection of any of the involved personalities and factions.

5.5 **Representation of Bodies in the General Assembly and Executive Committee of the NFF.**

5.5.1 The NFF Statutes excluded critical football bodies, thereby limiting the pool of organizers and technocrats with the capacity to influence effective and efficient football administration. The bodies are:

- i. The Nigerian Referees Association (NRA);

- ii. The National Football Coaches Association (NFCA);
- iii. Nigeria Football Players Association (NFPA).

5.5.2 The General Assembly has inadequate representation of the four leagues, the Nigeria Referees Association, Nigeria Football Coaches Association and the Nigeria Football Players Association.

5.5.3 The Executive Committee has totally excluded the Nigeria Referees Association, the Nigeria Football Coaches Association and the Players Association.

5.6 **Nature of conflicting response by security agencies to the issue**

5.6.1 The involvements of security agencies in the conflict escalated the situation. It is observed that each party had through its contacts and influence engaged security agencies to intimidate the other party and thus brought the operations of the NFF Secretariat to a standstill.

5.7 **Irregular election into the Local Football Councils and State Football Associations leading to perpetuity in office**

5.7.1 Findings by the Committee indicate that there are no proper structures at the Local Football Councils and most State Football Associations. In most cases, elections

are not conducted but persons are rather appointed into these positions.

5.7.2 It should be noted that these officials from the State Football Associations represent 37 of the 44 voting members in an Elective General Assembly. This limited numbers of approved voters are easily manipulated or compromised. These circumstances result in the recycling of the electorate thereby maintaining a perpetuation in the Executive Committee.

5.7.3 The Committee notes that leadership crisis in the NFF always manifests during the World Cup year and this detracts the preparation and participation of the national team.

6.0 **Evaluate the dimensions of the current leadership crisis and the contributions of actors to the issue;**

6.1 The constant approach of the actors in leadership crisis over time, to FIFA and CAF, for protection brings the country to ridicule, through incessant FIFA threat of banning Nigeria.

6.2 Government Agencies with no relevance in football matters show undue interests, thereby expanding the scope of the crisis.

6.3 Leadership crisis attracts a wide range of diverse interest groups and opinions that further fuel the crisis, such as comments from the social media, the press and associates of the parties involved.

6.4 The crisis has significantly impacted negatively on the various leagues. The structure of the Executive Committee of the NFF comprises members charged with the management of the various leagues. Under the present circumstance, the uncertainty of the leadership position has taken away the commitment of those members whose responsibility it is to manage the leagues.

6.5 The constant leadership crisis significantly affects the reputation of the supervisory Ministry, most especially in the seeming unwillingness of the Ministry to implement the recommendations of various Reports before it. This gives the actors the boldness to dare the supervisory authority of the Ministry, thus, the Ministry is seriously doubted to be non-partisan.

6.6 It is observed that the leadership of the Leagues were by appointment as opposed to being elected. In addition, sponsors of the Leagues may lose confidence in their continuous partnership with the League Management Company Ltd, most especially if the parties to the crisis adopt a strategy that could dissuade sponsors of the League. This portends a great danger to the growth of the League as well as the crop of players available for national assignments.

*6.7 Regrettably the Committee observes that since 1999 when crisis started in the leadership of Nigeria football, the standard of the game and its fortunes have continually been on rapid downward trend. The national team (Super Eagles) has been performing below average falling from the 5th position in 1994 to 47th position in July, 2018 FIFA world ranking and in Africa from 1st position in 1994 to the 7th position in July, 2018. Abysmal performance in CAF club competitions has led to the reduction of number of slots to Nigeria from 4 to 2 because of the low quality of the local League created by leadership crisis, and so many other instances.

7.0 Invite actors in the leadership crisis namely, the Chris Giwa and Amaju Pinnick led Boards to reconciliation table with a view to addressing their concerns towards achieving sustainable and win-win solutions to the crisis

7.1 In the course of its assignment and under this TOR, the Committee received both parties to the conflict on separate occasions. The Committee's efforts at bringing the principal actors to a joint session were however, unsuccessful.

7.2 Chris Giwa and some members of his group met with the Committee on Tuesday, August 7, and Thursday, August 16, 2018. He was accompanied by:

Name	Designation
Effiong Johnson	Board Member
Hon. Sani Fema	Board Member
Yahaya Adama	Board Member
Sunday Dele Ajayi	Board Member
Shehu Adamu	Board Member
Emmanuel Ikpeme, Ph.D	Ag. General Secretary

7.3 During interactions, Chris Giwa gave the background to the crisis and therein demanded the following steps to be taken to resolve same:

- i. The domestication of the crisis as a purely Nigerian affair without the involvement of FIFA;
- ii. Respecting the judgment of the Supreme Court by allowing him and members of his Executive Committee to conclude the remaining tenure of their term, and thereafter be allowed to conduct an all-inclusive Elective Congress;
- iii. Convening of a meeting of both factions to air their grievances with a view to finding a lasting solution to the crisis.

7.4 The Committee had an audience on Wednesday, August 15, 2018, with Amaju Pinnick who led other members of his group as listed below:

Name	Designation
Seyi Akinwunmi	1 st Vice President
Shehu Dikko	2 nd Vice President
Ibrahim Musa Gusau	Board Member
Mohammed Alkali	Board Member
Aisha Falode	Board Member
Ahmed Yusuf "Fresh"	Board Member
Dr. Mohd Sanusi	General Secretary

7.5 The group stated its commitment to the peaceful resolution of the conflict which, as a sign of its good faith submitted a "Proposed Roadmap for the Resolution of the NFF Impasse". The proposed Roadmap was a resolution at its Extra-Ordinary General Assembly held in Benin on August 2, 2018.

7.6 At the meeting, the group made the following submissions:

- i. That there was no quorum at the election of Chris Giwa;
- ii. Noted the arrest of some of its members that were crucial to the outcome of the election;
- iii. Noted the CAS judgment which they relied on heavily; and
- iv. Alluded to the letter of the Attorney General of the Federation on stay of action of the Supreme Court judgment.

7.7 On Thursday, August 16, 2018, the group at a meeting with the Committee submitted a Settlement Agreement for onward transmission by the Committee to Chris Giwa.

7.8 The Committee observes serious defective administrative and management structure in the NFF. Where the

President can abuse the processes of hire and fire the General Secretary is considered an aberration.

8.0 **Make recommendations that would ensure smooth leadership succession and transition without adversely affecting the development and management of football in Nigeria**

8.1 **Recommendations**

8.1.1 Arising from the extensive deliberations, the Committee identified the causes and evaluated the dimension of the leadership crisis and makes the following recommendations:

- i. The Committee recommends that there is an urgent need to establish an independent Court of Arbitration for Football in Nigeria (CAFN) to be modeled after the CAS structure and constituted by the Chief Justice of Nigeria (CJN). This is to forestall taking football matters to CAS in Lausanne as a court of first instance
- ii. That the voting General Assembly of the NFF be enlarged to 93 comprising the following
 - a. 37 State Football Associations and the FCT each with two delegates and 1 vote
 - b. Premier League Clubs shall have one delegate and one vote each

- c. The three Leagues (National, Amateur and Women), with 6 votes each to represent the six geopolitical zones with 6 votes each.
- d. Associations (NRA, NFCA, and NFPA) to have six members from each of the six geopolitical zones with six votes each.

This enlarged voting delegate would insulate the elections from brazen manipulations.

- iii. That security agencies should desist from exerting overbearing influences in crisis involving the leadership of the NFF.
- iv. That the management of the Leagues shall be by election and not otherwise. The Committee starkly recommends an urgent review of the incorporation of the LMC Ltd, its operations, management and relationship with the NFF.
- v. That no one person shall be elected into two executive positions at the same time in the Local Football Council, State Football Association or National body.
- vi. To ensure quality leadership, there shall be integrity checks on all aspirants into NFF Boards and its affiliates in accordance with FIFA Reforms.

vii. The appointment and removal of the General Secretary shall be by the recommendation of the Executive Committee subject to confirmation of the General Assembly

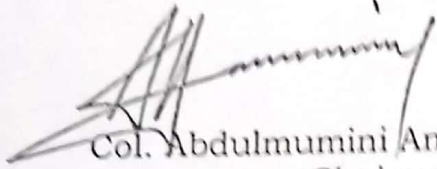
8.2 In view of the judgment of the Supreme Court, the award of CAS and the various submissions, the Committee recommends that Chris Giwa who had suffered some injuries deserves appropriate compensation.

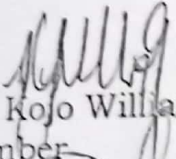
8.3 In the light of the prevailing circumstances, the Committee further recommends:

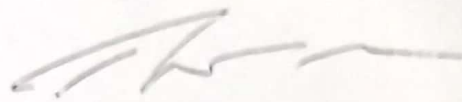
1. The suspension of all football related elections at all levels.
2. Nigeria shall excuse itself from all FIFA activities for not more than two years and communicate same to FIFA. This is to enable the reorganization of Nigerian football in Statutes, structure, technical and finance.
3. Government shall liaise with the National Assembly to put on hold the consideration and passage of the NFF Bill until the reorganization is completed.

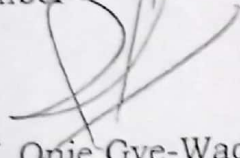
9.0 Appreciation

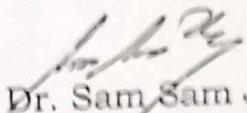
The Committee expresses its profound appreciation to the Honourable Minister and the entire Management of the Federal Ministry of Youth and Sports Development for the opportunity given it to serve in this capacity.

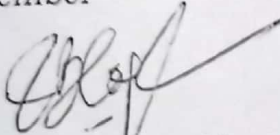

Col. Abdulmumini Aminu (Rtd)
Chairman


Mr. Kojo Williams
Member


Alh. Ibrahim Galadima
Member


Prof. Onje Gye-Wado
Member


Dr. Sam Sam Jaja
Member


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