



**FINAL FINDINGS REPORT  
OF ZIFA RESTRUCTURING  
COMMITTEE  
ANNEXURE I**

# TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY</b>	<b>4</b>
<b>DEFINITION OF TERMS</b>	<b>6</b>
<b>LIST OF ACRONYMS</b>	<b>7</b>
<b>CHAPTER 1: PRELIMINARY ISSUES</b>	<b>8</b>
Part 1 - Introduction	9
Part 2 - ZIFA Restructuring Committee's Terms of Reference	9
<b>CHAPTER 2: METHODOLOGY</b>	<b>10</b>
Part 1 - ZIFA Restructuring Committee's Modus Operandi	11
Part 2 - Forums	11
Part 3 - Literature considered	12
Part 4 - ZIFA Constitution vs SAFA, FAM and FAZ Constitutions	12
<b>CHAPTER 3 – FINDINGS OF THE ZIFA RC</b>	<b>13</b>
Part 1 - The Authority, The Sports and Recreation Commission Act 16 (Chapter 25:15) of 1996	14
Part 2 - ZIFA Statutes	15
Part 3 - ZIFA Electoral Code and ZIFA Elections	18
Part 4 - International Federation of Association Football (FIFA) Statutes	19
Part 5 - Governance Structures	20
Part 6 - Women's Football	32
Part 7 - Ethics and Values	34
Part 8 - Stakeholder Participation and Stakeholder Relations	34
Part 9 - Rebranding of ZIFA	35
Part 10 - Strategic Plan	35
Part 11 - Forensic Audit	35
Part 12 - Issues arising Beyond the Scope of the ZIFA RC's Mandate	36
<b>CHAPTER 4 – SUBMISSIONS BY STAKEHOLDERS</b>	<b>37</b>
Part 1 - The ZIFA Constitution	38
Part 2 - The ZIFA Structure	42
Part 3 - Junior Football Development	47
Part 4 - Women's Football	47
<b>CHAPTER 5 – THE WAY FORWARD</b>	<b>49</b>
<b>BIBLIOGRAPHY</b>	<b>51</b>



# EXECUTIVE SUMMARY

The Zimbabwean Sports and Recreation Commission established the ZIFA Restructuring Committee as a part of the strategic road map to address the problems that have plagued football management and administration in the country. It was appointed in accordance with the provisions of section 21, as well as sections 19(b) and 20(c) of the Sports and Recreation Commission Act (Chapter 25:15) to tackle issues of strategic nature in the search for solutions in Zimbabwe's perpetual football administration problems. The ZIFA Restructuring Committee was not established to assume the roles of the ZIFA board, which was suspended by both the Zimbabwean Sports and Recreation Commission and the International Federation of Association Football (FIFA). The ZIFA Restructuring Committee, which is independent of the Zimbabwean Sports and Recreation Commission and possesses the autonomy to more fully discharge the functions that are outlined in its terms of reference, is made up of experts in various fields of administration, sports management, legal advisory, and business management.

This report was compiled with the dual purpose of carrying out the mandate of:

- (i) identifying the problems that have beset ZIFA.
- (ii) initiating the process for improving the administrative landscape for football in Zimbabwe.
- (iii) Encourage ZIFA to represent the best of administrative ideals as espoused by FIFA.

This mission is furthermore consistent with the overarching objectives of the FIFA set out in Article 2 of the FIFA Statute which include, but are not limited to:

(a) improve the game of football constantly and promote it globally in the light of its unifying, educational, cultural and humanitarian values, particularly through youth and development programmes;

...

(c) draw up regulations and provisions and ensure their enforcement;

(d) control every type of Association Football by taking appropriate steps to prevent infringements of the Statutes, regulations or decisions of FIFA or of the Laws of the Game;

(e) prevent all methods or practices which might jeopardise the integrity of matches or competitions or give rise to abuse of Association Football.

In embarking on the compilation of this report, The ZIFA Restructuring Committee involved the public and other stakeholders as part of a wider consultative process, during which engagement was sought from a general football audience to obtain insights into the state of Zimbabwean football at various levels. The consultations that were carried out as a part of this process were essential to the process of compiling this strategic report. The information gathered from these consultations was used to identify flaws in the ZIFA's constitutive document and to develop recommendations for constitutional reform in line with the best practice guidelines adopted by comparable national, regional, and international football bodies.

Face-to-face consultations, the establishment and use of online portals for public participation, as well as engagement from football fans in the diaspora were all components of the public hearings that were carried out as part of the broader consultative process. The people who took part in these hearings did so of their own free will; the ZIFA Restructuring Committee did not compel anyone to provide evidence or come forward with evidence. Rather, participants were invited to share their observations, perspectives and recommendations in a manner that facilitated cooperation amongst participants and where questions were posed, these were semi-structured to allow participants the flexibility to form their own responses.

This report outlines the findings of the ZIFA Restructuring Committee.



# DEFINITION OF TERMS

**‘Association’**, refers to any football association recognised by and that forms part of the membership of the FIFA, unless different meaning is evident from the context in which the term is used.

**‘BDO Chartered Accountants Zimbabwe’ or ‘BDO’**, refers to a Zimbabwean Partnership and member of BDO International Limited, a UK company limited by guarantee and which forms part of the International BDO Network of Independent member firms.

**‘Club’**, refers to a member of an association that is a Member of the FIFA as defined or of a ‘league’ or ‘division’ as defined recognised by an association that enters at least a single team into a competition.

**‘Confederation’**, refers to a group of FIFA-recognised Associations from the same continent (or assimilable geographic region).

**‘Congress’**, refers to the supreme legislative body of the FIFA.

**‘Executive Committee’**, refers to the executive body of the FIFA.

**‘Laws of the Game’**, refer to the laws of the game of football as authorised and determined by the IFAB from time to time.

**‘League’ or ‘Division’**, refers to an organisation or entity that is subject to the control or authority of an ‘association’ as defined.

**‘Member’**, refers to an ‘association’ as defined that has been admitted into membership of the FIFA by the Congress as defined.

**‘Officials’**, refers to every board member, committee member, referee and assistant referee, coach, trainer, and any other person (except Players) in charge of technical, medical, and administrative matters in an ‘association’ as defined, ‘league’ as defined, ‘division’ as defined or ‘club’ as defined, as well as any other persons required to follow the FIFA Statutes.

**‘Player’**, refers to a football player registered and licensed by any ‘association’ as defined.

**‘Statute’**, refers to the Constitution, Standing-Orders, By-Laws, and Regulations of the ZIFA or any other football association considered in this report.

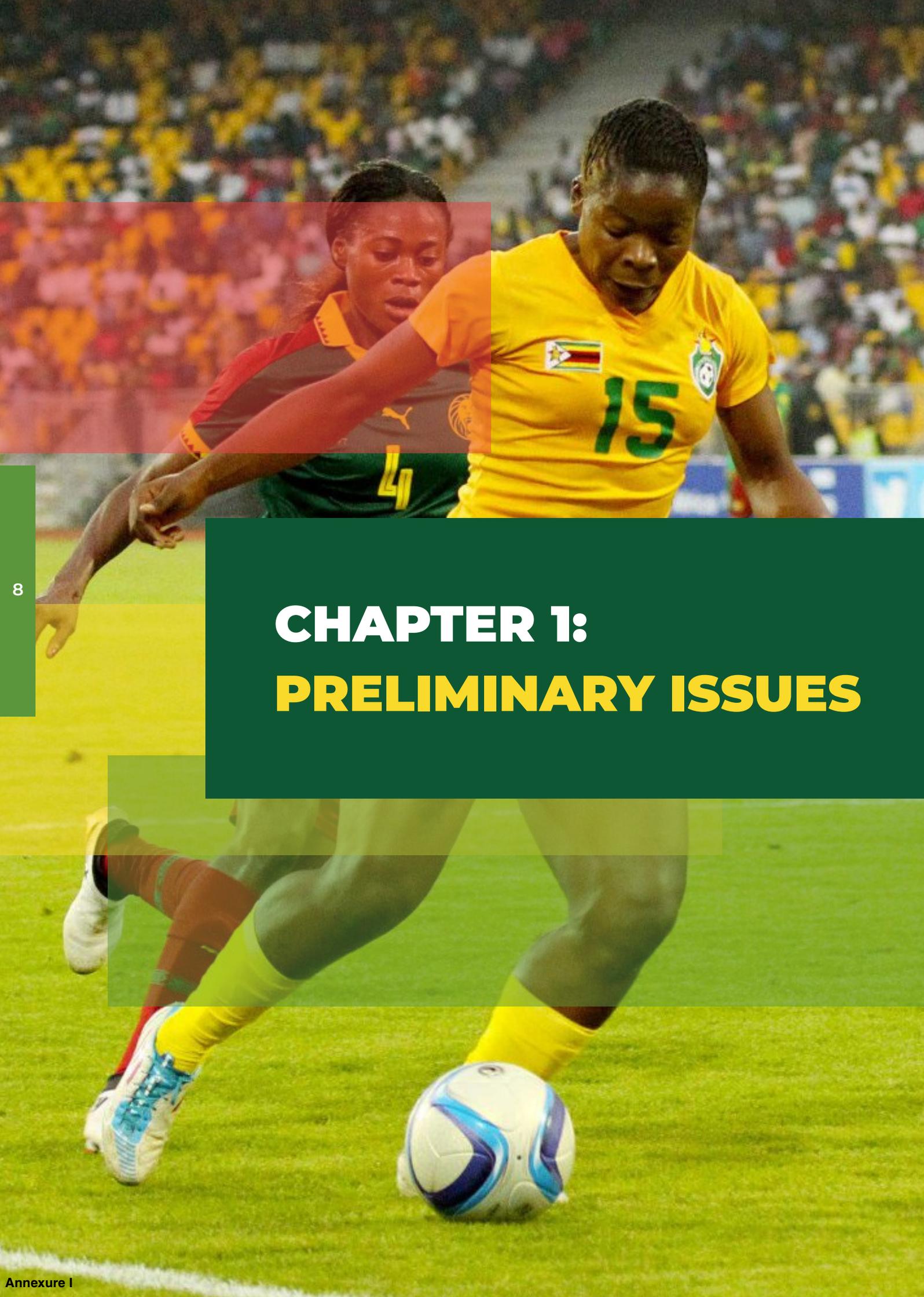
**‘ZIFA Congress’**, refers to the supreme legislative body of the ZIFA.

**‘ZIFA Executive Committee’**, refers to the executive body of the ZIFA.

**‘ZIFA Member’**, refers to any legal or natural person that has been admitted into the membership of the ZIFA by the Congress.

# LIST OF ACRONYMS

<b>AFCON</b>	Africa Cup of Nations
<b>CAF</b>	Confederation of African Football / Confédération Africaine de Football
<b>CHAN</b>	African Nations Championship / Championnat d'Afrique des Nations
<b>COSAFA</b>	Council of Southern Africa Football Associations
<b>FA</b>	Football Association
<b>FAM</b>	Football Association of Malawi
<b>FAZ</b>	Football Association of Zambia
<b>FECAFOOT</b>	Fédération Camerounaise de Football
<b>FIFA</b>	International Federation of Association Football / Fédération Internationale de Football Association
<b>HR</b>	Human Resources
<b>IFAB</b>	International Football Association Board
<b>NAPH</b>	National Association of Primary Heads
<b>NASH</b>	National Association of Secondary School Heads
<b>PSL</b>	Premier Soccer League
<b>SAFA</b>	South African Football Association
<b>SRC</b>	Sports and Recreation Commission
<b>SRC Act</b>	Sports and Recreation Commission Act (Chapter 25:15)
<b>ZIFA RC</b>	ZIFA Restructuring Committee
<b>ZIFA</b>	Zimbabwe Football Association
<b>ZIMRA</b>	Zimbabwe Revenue Authority
<b>ZITSU</b>	Zimbabwe Tertiary Institutions Sports Union
<b>ZSRC</b>	Zimbabwe Sports and Recreation Commission



# CHAPTER 1: PRELIMINARY ISSUES

# CHAPTER 1:

## PRELIMINARY ISSUES

### Part 1 – Introduction

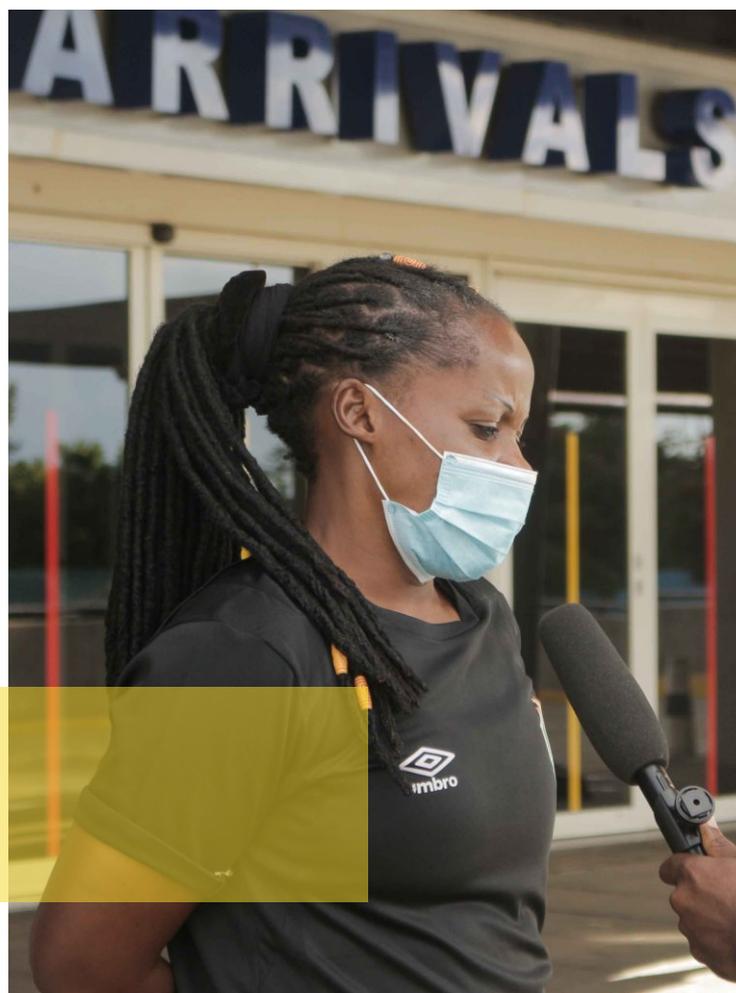
This Findings Report derives from a mandate carried out by the ZIFA Restructuring Committee (ZIFA RC) on behalf of the Sports and Recreation Commission (SRC). This Findings report is primarily an aggregation of the ideas, observations and comments heard from the public. It also captures some of the discussion held by the ZRC. In the end it is an attempt to give the reader a sense of the multiplicity of voices and insights gleaned from all across the nation. Along with written submissions, internal discussions, and a literature evaluation, it incorporates feedback from public and private forums held by the ZIFA RC with interested parties between March and July 2022. When conducting its business and having conversations with members of the public, the ZIFA RC worked according to the tenets of honesty, teamwork, inclusion, and transformation.

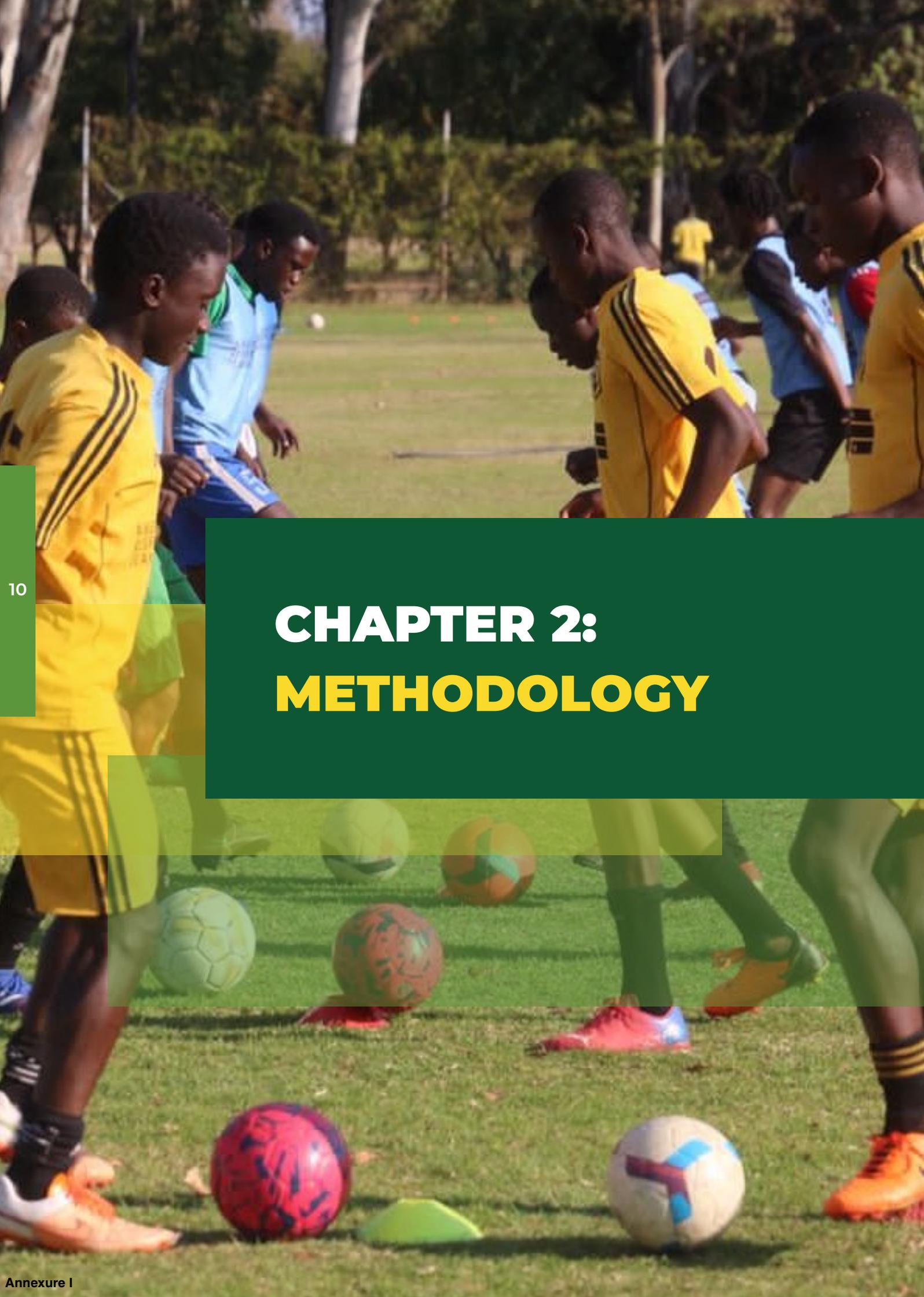
This report's objective is to provide significant insight into the transformation of football in Zimbabwe by describing more clearly the challenges faced by Zimbabwe football and creating an administrative platform that will in future auger success for our football. This report is broken down into five (5) different components. The number of subsections that are included in each chapter varies depending on the subject matter covered. When possible, summary tables, charts, and examples are provided to provide a clear overview and comprehension of the concerns raised and identified. The report contains, in certain sections, a summary of contrasting findings from multiple analyses.

### Part 2 – ZIFA Restructuring Committee's Terms of Reference

The primary responsibility of the ZIFA RC was to study, make recommendations for, and, following approval by the ZSRC, put into action any necessary improvements in the administration of football in Zimbabwe. Please refer to Annexure A for specific information regarding the terms of reference.

As specified in its mandate, the ZIFA RC was responsible for drafting the Scope (Annexure B) for the forensic audit. BDO Chartered Accountants Zimbabwe was ultimately given the contract after being chosen from among the three audit companies that were contacted. The Engagement letter (Annexure C) was signed between BDO Chartered Accountants Zimbabwe' and ZSRC in May of 2022.





# CHAPTER 2: METHODOLOGY

# CHAPTER 2:

## METHODOLOGY

### Part 1 – ZIFA Restructuring Committee’s Modus Operandi

The ZIFA RC gathered its data from both primary and secondary sources of information. The statutes of various national, regional, and football associations were the primary forms of secondary sources that were relied upon to determine best practice standards for constitutional reform. The primary data came from the many engagement forums that the ZIFA RC set up, and responses of participants in the forums were elicited through the use of interviews. It is essential to keep in mind that the ZIFA did not have the ability to issue subpoenas, and as a result, it relied on information that was freely provided. There were no promises made to anyone that the ZIFA RC would resolve any conflicts or grievances between parties with ZIFA, and there were no inducements offered to invitees to attend the forums in exchange for their attendance.

The ZIFA RC urged stakeholders, particularly those with a role inside ZIFA, to provide their points of view (Annexure C). The general public was provided with the chance to submit written views and meet with Committee members at any of the ten SRC provincial offices located across the country (Annexure C1-10). The ZIFA RC was appointed in December of 2021, but work began in earnest in January of 2022. In March of 2022, a number of different public hearing forums were initiated, and discussions were held with officials from the ZIFA, female administrators, and players. The ZIFA RC had meetings with a wider variety of interested parties, including ZIFA councillors, creditors, and debtors.

### Part 2 – Forums

We would like to express our gratitude to all those who agreed to take part in this process. Annexure E contains a list of all of the participants who attended the forum. Efforts were made to involve key ZIFA former executives but were unsuccessful in some cases. Notably, Felton Kamambo, the former president of the ZIFA who was recently removed from his position, decided not to engage with the ZIFA RC on the advice of his legal representative.

For the most part all of the participants around the country expressed a wish to see an improvement in the situation of football in Zimbabwe. The public forums were held in accordance with the schedule provided in Annexure D with the following objectives in mind:

- Providing a forum for the public to express their views on the advancement of football development in the country;
- Educating the committee on the inner workings of football in Zimbabwe from the perspective of a diverse group of stakeholders;
- Developing a database on the current state of football in Zimbabwe; and
- Preparing for the crafting of recommendations on a broader policy and governance structure for football in Zimbabwe moving forward.



### Part 3 - Literature considered

The methodology for this exercise included evaluating the following official documents:

- SRC Act
- ZIFA Constitutions (2009 and 2013),
- ZIFA Electoral Code (unsigned),
- ZIFA Rules and Regulations, and
- Statutes of comparative national football associations; and
- FIFA Statutes.

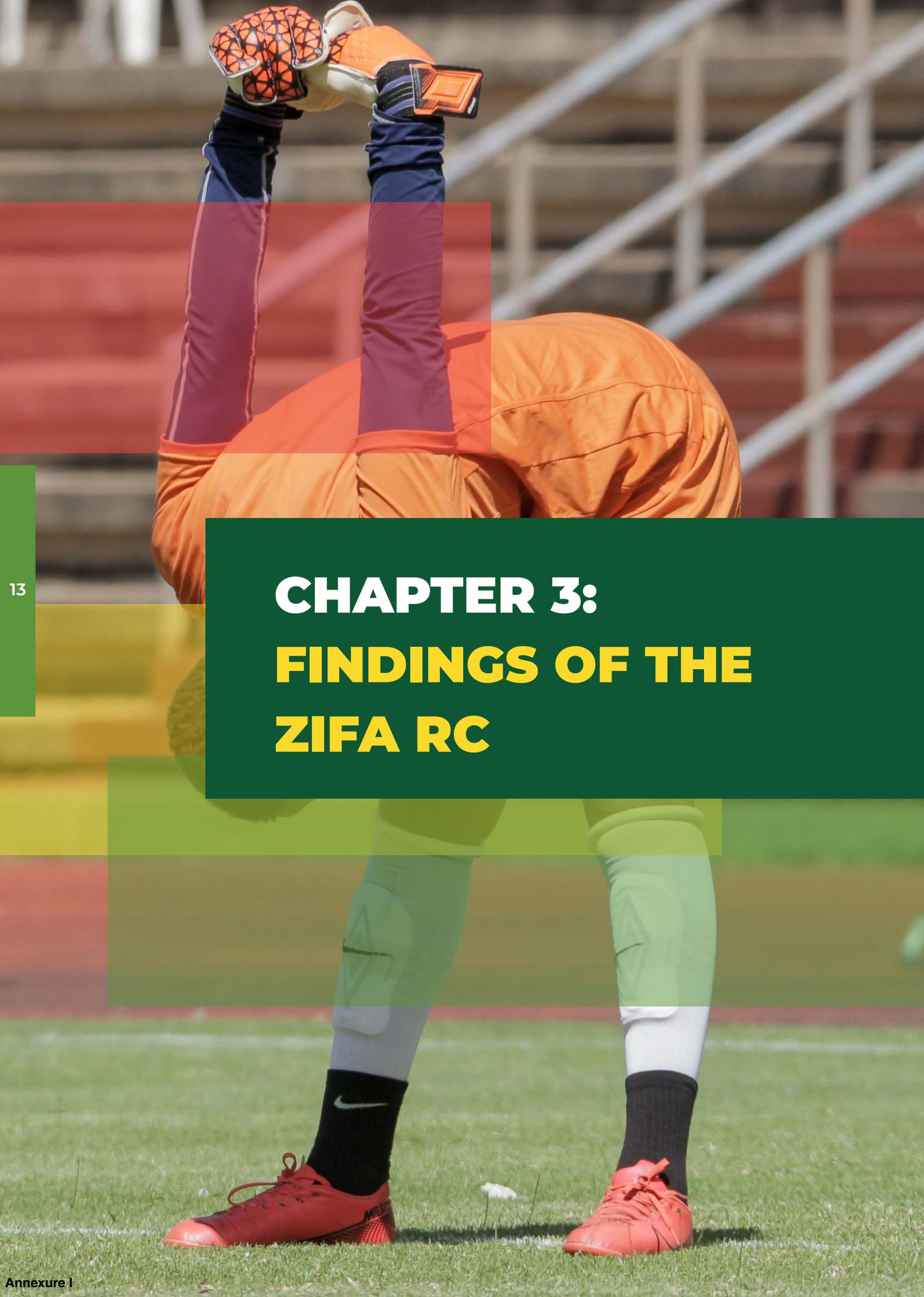
The ZIFA RC also reviewed written submissions received from the following stakeholders (Annexure E):

### Part 4 - ZIFA Constitution vs SAFA, FAM and FAZ Constitutions

The ZIFA RC drew analogies and lessons from the constitutions of other national associations considering the various concerns regarding the administrative effectiveness of the ZIFA Constitution. In this regard, the ZIFA RC reviewed the:

- SAFA Constitution;
- FAZ Constitution;
- FAM Constitution; and
- Tallec Marston, K., Poli, R., Rodrigues, D.&Boillat, C. 2014. Governance Models Across Football Leagues and Clubs. *Réflexionssportives*, Vol. 4, Neuchâtel.





# **CHAPTER 3: FINDINGS OF THE ZIFA RC**

# CHAPTER 3:

## FINDINGS OF THE ZIFA RC

General observations of the ZIFA RC in relation to pertinent Acts and Constitution.

### **Part 1 - The Authority, The Sports and Recreation Commission Act (Chapter 25:15) of 1996**

The SRC is a statutory body that was mandated by the Government of Zimbabwe with oversight over all national sports associations. It was established under section 3 of the SRC Act. According to the provisions of Section 19 of the SRC Act, the SRC is required:

- (a) to co-ordinate, control, develop and foster the activities of sport and recreation;
- (b) to ensure the proper administration of organisations undertaking the promotion of sport and recreation;
- (c) to promote the highest standards of sportsmanship;
- (d) to authorise national and international sporting and recreational activities;
- (e) to advise the Government of the needs of sport and recreation;
- (f) to endeavour to ensure that opportunities for sport and recreation are made available to all persons throughout Zimbabwe;
- (g) to endeavour to provide coaches, instructors and courses for sports, either free or on the payment of reasonable fees;
- (h) to assist registered national associations, registered clubs and schools in the recruitment of coaches and instructors;
- (i) to endeavour to ensure that recreational facilities are established in such work places as the Board considers appropriate;
- (j) to establish, maintain and operate establishments for the accommodation of visiting sports teams or recreational clubs, or groups of persons engaged in furtherance of the purposes of the SRC Act;
- (k) to undertake special projects, with the approval of the Minister, including fund raising, marketing and trading activities, in furtherance of the purposes of the SRC Act;

- (l) to negotiate with registered clubs and registered national associations to ensure that recreational facilities are fully utilised;
- (m) to oversee training programmes for sportspersons;
- (n) to develop, supervise and manage sporting facilities;
- (o) to encourage the production of sporting goods;
- (p) to determine, grant and supervise national sports awards to outstanding sportspersons and sports administrators.

The SRC appointed the ZIFA RC to conduct the affairs of the SRC insofar as they relate to addressing the problems that have plagued football management and administration in the country (see section 19(b) of the SRC Act). This appointment was made in accordance with the provisions of section 20, paragraphs 10, and 22 of the Second Schedule to the SRC Act. Football is listed as a recognised sport under item 24 of First Schedule to the SRC Act.



## Part 2 – ZIFA Statutes

The ZIFA RC makes the following observations regarding the ZIFA Constitution:

- The legal form of ZIFA is outlined in Article 1.1 of the ZIFA Constitution, which states that ZIFA is “a private organization of an associative nature in compliance with the legislation of Zimbabwe which is formed for an unlimited period”. This is in direct opposition to what is stated in Article 2.2 of the FAM Constitution, which identifies the FAM as a national association. The wording of Article 1.1 of the ZIFA Constitution is, on the other hand, very close to that of Article 1.10 of the SAFA Constitution. The fact that the ZIFA is portrayed as a private organisation raises the more fundamental question of when and why public accountability is necessary. The ZIFA RC also takes note of the fact that private organisations that maintain private relationships with their members may at times exercise functions that, despite appearing to be private at first glance, are in fact of such a nature, and are exercised in pursuit of such goals, that they may be considered to be “public”. This is true of ZIFA as a private organisation which has clear public objectives as set out in Article 2 of the ZIFA Constitution. ZIFA is also a recipient of public funds on a fairly regular basis.
- According to Article 29 of the SAFA Constitution which governs amendments to the SAFA Constitution, regulations governing the application of the Statutes and the standing orders of the Congress, the SAFA is mandated to ensure that the text of all amendments to the Statutes shall be forwarded to all Members and submitted to the Commissioner for the South African Revenue Service within thirty days of it having been approved by Congress. There is no evidence that ZIFA has filed any tax returns with the Zimbabwe Revenue Authority, and Article 29 of the ZIFA Constitution does not impose any obligations of this kind on the organisation.
- On 18 November 2013, in accordance with section 29 of the SRC Act, the SRC complied with the necessary requirements to register the ZIFA Constitution.

The ZIFA Constitution was modelled after the FIFA Statutes, but in order to be recognised by FIFA, it must also adhere to the Zimbabwean Constitution and the SRC Act. The FIFA Statutes served as the inspiration for the ZIFA Constitution.

- The current ZIFA Constitution has been revised to align with the Statutes of FIFA.
- The new ZIFA Constitution, as opposed to the ZIFA Constitution of 2009, does not include any reference to the primacy of the SRC. In the event that the ZIFA is dissolved, however, Article 77 requires that its assets be given to the SRC to be held in trust until the ZIFA is re-established. This provision is intended to ensure that the assets are protected. However, Congress retains the ability to appoint another recipient of these assets on the basis of a majority vote of three-quarters.
- The Rules and Regulations of ZIFA govern the day-to-day operations of the organisation. These rules and regulations should originate from Congress and the secretariat, and they should not exceed the authority that is granted by the ZIFA Constitution.
- There is a discrepancy in the usage of some terminology, such as “member” and “delegate,” even though these terms are interchangeable.
- As a result of the absence of definitions for various significant terms, numerous sections are open to a variety of possible interpretations.
- There is no mechanism in place to allow retired football players to participate in the Assembly or ZIFA’s other structures.
- There are a variety of viewpoints concerning the filling of vacant offices prior to the expiration of their terms, most notably the position of President of the ZIFA.
- There are no trainers or officials present in the Assembly at this time.
- Both the NAPH and NASH run football competitions, but neither organisation is a member of a football league. Instead, they are members of ZIFA.
- ZIFA members are not subject to any performance evaluation criteria.

The ZIFA RC's analysis finds as follows:

## ZIFA Constitution

The ZIFA RC notes that the ZIFA's legal form is identical to that of the SAFA in several material respects, except ZIFA's incorporation date is not specified in its Constitution. Additionally, the ZIFA Constitution does not explain how the ZIFA is profiled for the purposes of taxation by ZIMRA, and it does not provide that no member or office-bearer of ZIFA shall have any entitlement to its assets or suffer any liability for its commitments. To that end, the ZIFA RC recommends that Article 1 of the ZIFA Constitution be amended to reflect that the ZIFA has a legal personality separate from its members and can litigate or act or be litigated or acted against in its own name; perpetual succession, the ability to acquire rights and incur obligations, and the ability to own property, both corporeal and incorporeal; and that the ZIFA's property and funds vest in the ZIFA as a legal person and no member of the ZIFA will have or at any time acquire any right or claim to the property or funds of the ZIFA.

The ZIFA RC also notes that the structure of the ZIFA Constitution is like that of other national associations' constitutions such as SAFA, FAM, and FAZ, possibly because the Constitutions are drawn from a template of the FIFA Statutes. Article 10 of the ZIFA Constitution, which governs membership, lists the following ZIFA members:

- Clubs of the PSL;
- National League (once established);
- Regional Leagues;
- Provincial Leagues;
- Area Zones;
- NAPH;
- NASH;
- National Association of Tertiary Institutions Leagues;
- Zimbabwe Women Soccer League;
- Beach Football Groups; and
- Futsal Football Groups.<sup>2</sup>

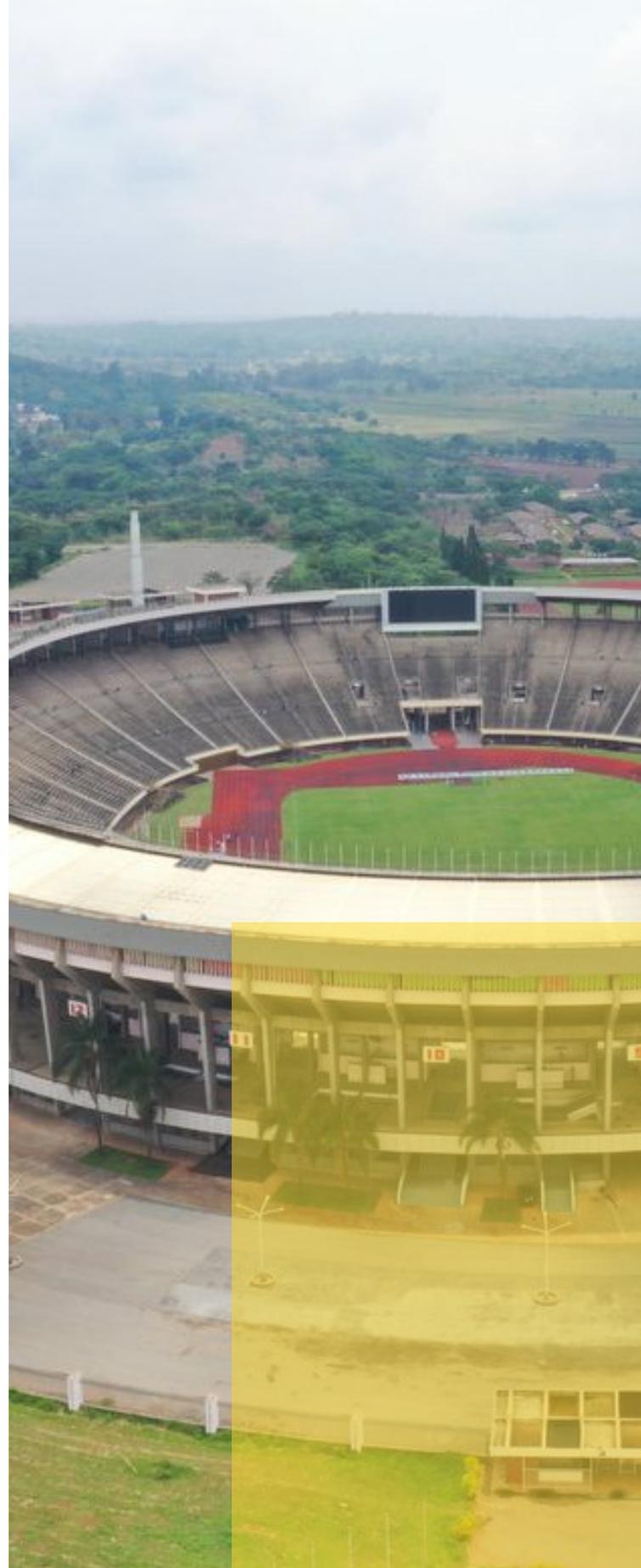
The ZIFA RC noticed that during the public hearings that were held as part of its wider consultative process that there appears to be a general lack of awareness about the existence of the ZIFA Constitution and several participants claimed to have never seen a copy of the ZIFA Constitution. The ZIFA Constitution is not available from any ZIFA website or other online platform.<sup>3</sup> For example, the SAFA, FAM, FAZ, English FA, Scottish FA, Spanish FA, and French FA all publish their respective national football constitutions. Additionally, the ZIFA RC highlights the following:

- The ZIFA Constitution has not been amended since 2013, even though Article 29 allows for amendments at meetings of the Congress in accordance with the procedure laid out in Articles 29.2 – 29.6 of the Constitution.
- Women's football is not specifically regulated in the ZIFA Constitution, and this can be attributed to the absence of a dedicated governing body for women's football.
- Articles 15 and 23 of the FIFA Statutes serve to ensure that football association candidacy is apolitical, whereas the ZIFA Constitution is silent on the matter. Article 5.1 of the FAM Constitution makes it clear that the FAM is neutral regarding party politics and shall ensure that its members remain neutral.
- The ZIFA Codes and Policies are not incorporated into the Constitution to make them binding on members. The ZIFA's Code of Conduct, Code of Ethics, Club Registration Policies, and Code on Referees, like the ZIFA Constitution, are not available online, and copies of these documents are difficult to come by.

<sup>2</sup> Article 10.2 of the ZIFA Constitution states that any legal or natural person who wishes to become a member of the ZIFA must apply in writing to the ZIFA's general secretariat. The application must be accompanied by the mandatory items listed in Article 10.3.

<sup>3</sup> At the time of report compilation, the ZIFA website was inaccessible.

- The ZIFA Constitution does not explicitly address the needs of players with disabilities, youth football, and inclusive representation of women within its structures. According to Article 3(j) of the FAM Constitution, one of the organisation's objectives is to "promote the development of women's football and the full participation of women at all levels of football governance". The South African Deaf Football Association and the South African Intellectually Impaired Football Association which represent vulnerable players and officials, for example, are explicitly mentioned in the SAFA Constitution, and these organizations are recognized as associate members of the SAFA Assembly (see Article 10.2 of the SAFA Constitution)
- The ZIFA Constitution includes a list of the organisation's objectives in Article 2 but it does not provide for the ZIFA's vision, values, or goals. Interestingly, Article 2(a) of the ZIFA Constitution states as one of the objectives of the ZIFA as being: "to improve the game of football constantly, regulate and control it throughout the territory of ZIFA in light of fair play and its unifying, educational, cultural and humanitarian values..." The ZIFA RC submits that the reference to non-existent values in Article 2(a) is unfortunate and blatters the provision.
- The current ZIFA Constitution contains some significant flaws that should be addressed. The ZIFA RC has identified the following sections of the ZIFA Constitution for revision: Articles 1, 2, 5, 7, 10, 13, 14, 18, 19, 21, 25, 27, 32, 33, 37, 38, 39, 40, 41, 47, 52, 57, 59, 62, 63, and 65.<sup>4</sup> The definitions section of the ZIFA Constitution must be updated to clarify the meaning of terms that are loosely and interchangeably used in the ZIFA Constitution, as well as new terminology adopted.



4 The Constitution does not specify term limits for members of the ZIFA Executive Committee or the ZIFA Assembly. It appears that some persons have permanent seats in the ZIFA Assembly despite being inactive. As a result, some members have been in office for twenty years or more, despite coming from areas where there is no football activity. The representatives from Youth Football and the Soccer Coaches Association were removed from ZIFA Assembly. The ZIFA Constitution gives no directives on when of when the ZIFA Assembly should meet in the domestic season and the decision to convene the ZIFA Assembly is left to the ZIFA Executive Committee (see Article 26.2 of the ZIFA Constitution). NAPH, NASH, and the National Association of Tertiary Institutions Leagues only have 2 (two) representatives in the ZIFA Assembly, but they are not affiliated with ZIFA and were brought in to the ZIFA Assembly by individuals seeking additional vote numbers. Beach Soccer and Futsal are represented in ZIFA Assembly despite the fact that there is no evidence of football activity within these entities. There is no provision for supporters and former football players to be included in the ZIFA Assembly or ZIFA structures. The PSL is an arm of the ZIFA but operates outside of the ZIFA and all of the ZIFA's properties were acquired when the ZIFA was still running the PSL.

## Part 3 - ZIFA Electoral Code and ZIFA Elections

Election procedures and requirements are laid out in detail in Article 25 of the SAFA Constitution, whereas the ZIFA Electoral Code is the document that is delegated responsibility for laying out these provisions. To this end, the ZIFA Constitution is silent on the procedures and requirements of elections.

The ZIFA RC notes the following:

- The Electoral College requires investigation as the Electoral Committee lacks independence.
- The Electoral Commission is appointed by the Executive Committee of ZIFA, which could lead to process bias. Football has been infiltrated by the wealthy due to the exorbitant election fees that are designed to exclude or eliminate certain individuals.
- To ensure that the right people with the right skills are filling the right positions, eligibility standards are essential and must be enforced.
- At several different power levels, the game has been taken over by individuals and the media. There is favouritism and nepotism surrounding the appointment and dismissal of members of the ZIFA Executive Committee.
- There is voter bribery and members of the council are complicit in voter bribery.
- The obscenely high nomination fees are paid into the ZIFA account, and the prohibitively expensive costs of appealing contested decisions discourage individuals from exercising the option to appeal.
- The Electoral Code does not specify the requirements that must be met by all potential ZIFA candidates for them to be eligible for election to office.
- Because many Councillors are unable to read and comprehend the ZIFA Statutes, they do not have a working knowledge of the ZIFA Constitution.
- ZIFA does not have any influence or say in the election of NAPH and NASH representatives. In most schools, football is only played for one semester, and even then, only in short bursts.
- Councillors need to be held accountable for the presidents of ZIFA that they appoint.

## ZIFA Electoral Code

The ZIFA RC notes as follows:

- The powers of the Electoral Committee are derived from Articles 3(1), 15, and 26 of the ZIFA Electoral Code.
- Article 2(2) of the ZIFA Electoral Code prohibits any form of government interference in the electoral process or the composition of the elective body the ZIFA Assembly. The Article goes on to state that the national government's rules on elections shall not apply to the elected internal bodies of the ZIFA, and the ZIFA electoral rules shall not require the approval of any government body.
- Article 4(1) of the ZIFA Electoral Code requires the ZIFA Executive Committee to appoint the Electoral Committee. This provision is replicated in Article 34(e) of the ZIFA Constitution which provides that the ZIFA Executive Committee shall appoint the chairperson, deputy chairperson, and members of the Electoral Committee. The function of appointing the Electoral Committee is not shared with any other structure within the ZIFA and this compromises the integrity of the election process.
- During the public hearings, stakeholders claimed that the composition of the Electoral College is skewed. The PSL has 18 (eighteen) teams, and all eighteen (18) governors have voting rights in the College. This gives an undue advantage to the PSL's preferred candidate and may sway votes in the PSL's favour.
- The ZIFA Electoral Code does not protect ZIFA from political interference. In contrast, Article 5.1 of the FAM Constitution explicitly provides that the FAM is neutral in matters of party politics and shall ensure that their own members remain neutral.
- The ZIFA Electoral Code does not specify minimum qualifications for members of the Electoral Committee, and it does not disqualify anyone from being appointed to the said Committee. There are no clear criteria for qualification and experience for candidacy to the Electoral College.
- The ZIFA Electoral Code lacks detailed procedures for the electoral process; there are no chapters dealing with the election of various governance structures ranging from the Zone to the Assembly levels.

- The ZIFA Electoral Code is silent on who votes merely notes that members only have one vote.
- The ZIFA Electoral Code makes no distinction between the terms “delegate” and “member”.
- There are no clear guidelines/criteria for qualification and experience for candidacy.
- There is no minimum number of nominations specified for candidacy.
- There is no provision for voter education and many people may not understand the significance of their vote.
- There are no policies in place to handle electoral processes.
- There are no eligibility requirements for voting in the elections.

#### **Part 4 - International Federation of Association Football (FIFA) Statutes**

The ZIFA RC notes that:

- FIFA is the umbrella body governing football worldwide.
- If a national association’s constitution is to be approved by the world football governing body, it must be written in a way that is consistent with the template or guidelines established by FIFA, which can be found in the FIFA Statutes.
- Participation in competitions run by FIFA, world football’s governing body, is a perk of joining the FIFA. In addition to this, it offers opportunities for training as well as financial and material assistance to member organisations (coaches, referees and administrators). In exchange for membership, organisations must agree to abide by FIFA’s statutes and regulations. If a nation or a member association does not comply with FIFA’s statutes, the membership of that nation or association will be suspended. The importance of ensuring that one’s nation complies with all FIFA regulations has been brought into sharper focus as a result of the disciplinary actions taken against a number of countries for a variety of offences. It should not come as a surprise that this has contributed to FIFA’s further consolidation of its hegemonic control over national football associations, national laws, and national governments.

- According to Boillat et al., FIFA has attained absolute power, which enables it to compel national organisations and governments to deviate from their own national sports regulation strategies.<sup>5</sup> This is made possible by FIFA’s acquisition of a global monopoly on football. Not only does this authority translate into influence, but also into the financial means to support it.
- The issue of government non-interference, which ZIFA takes advantage of on a regular basis, gives organisations the opportunity to do as they please and creates the ideal conditions for corruption.
- Switzerland, which is home to the headquarters of FIFA, does not have a specific statute pertaining to sports law. Instead, the Swiss judicial system adheres to the laws and standards that are already in place.



<sup>5</sup> Boillat, Tallec Marston, Poli and Rodrigues “Governance models across football associations and leagues” 2014 *Réflexionssportives*69.

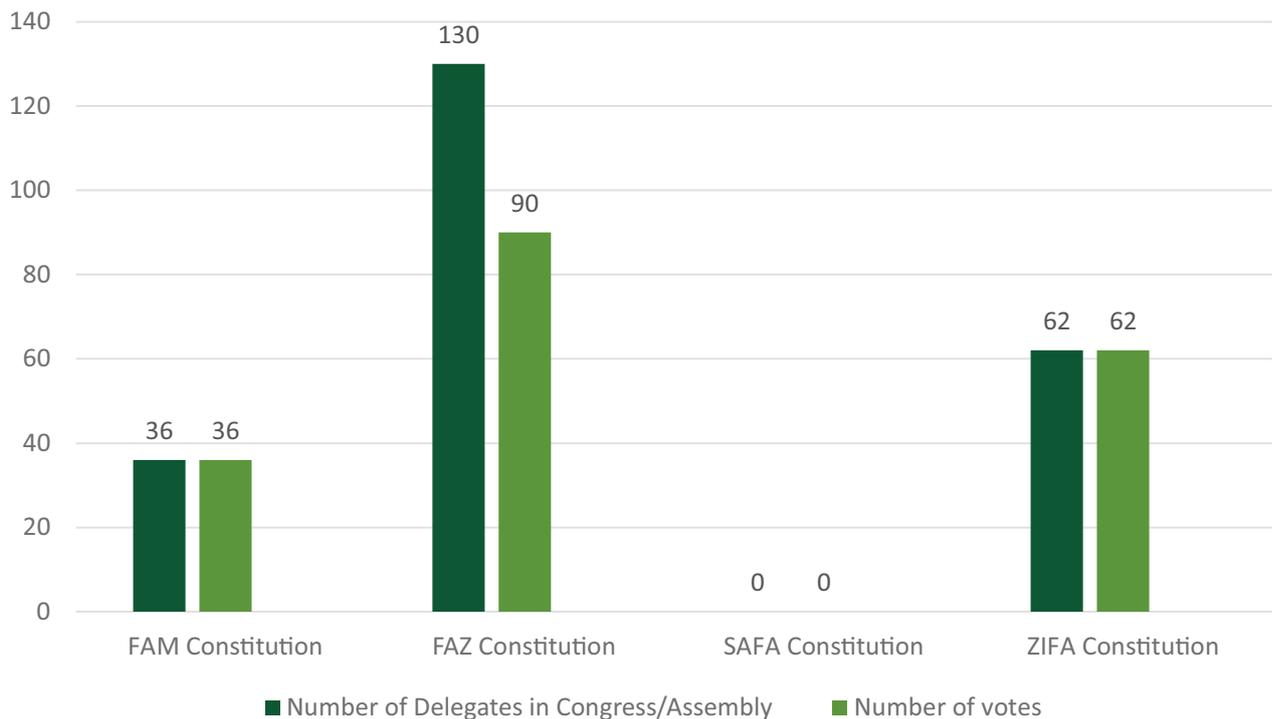
## Part 5 - Governance Structure

The governance structure of the ZIFA, as with other national associations such as the SAFA, FAZ, and FAM is guided by the standard FIFA Statutes. Article 19 of the ZIFA Constitution provides for the governance structure of the ZIFA and the findings pertaining to these structures are outlined below:

### Congress

Article 20.1 of the ZIFA Constitution defines Congress as “the meeting at which all of the Members of ZIFA regularly convene”. Congress represents ZIFA’s supreme and legislative authority and meetings of Congress can be either Ordinary (see Article 26 of the ZIFA Constitution) or Extraordinary (see Article 28 of the ZIFA Constitution). Although Congress is known by a different name in Malawi, that is “the Assembly”,<sup>6</sup> the understanding that Congress/Assembly is supreme can be found in many national FA constitutions. However, after drawing parallels with the SAFA, FAM and FAZ constitutions, the ZIFA RC discovered that the compositions of Congress/Assembly composition and voting rights vary in the comparative jurisdictions studied.

### Associations’ Congress Delegates and Voting Rights (ZIFA, SAFA, FAM and FAZ)



\* The calculation of the representation of SAFA could not be determined at the time of publication.

Fig. 1 Associations’ Delegates in Congress<sup>7</sup>

<sup>6</sup> The ZIFA RC has taken note of the fact that the ZIFA Congress is also known as the “ZIFA Assembly” or the “ZIFA Council”, and that any mention of either is equivalent of mentioning the others. The use of different terminology to refer to an FA’s supreme legislative body is common in many FA constitutions.

<sup>7</sup> The ZIFA RC points out that the SAFA Constitution does not specify the number of delegates to Congress. Instead, it limits the number of delegates per regional association to three (three) and the number of votes per regional association to four (four). Furthermore, the League is limited to 6 (six) delegates with a total of 6 votes. Each Associate Member is limited to two (two) delegates with one vote each. Based on this data, the SAFA Constitution, like the FAZ Constitution, does not grant each member of Congress the same voting rights. Members of Congress have a single vote in Congress under the ZIFA and FAM constitutions.

## ZIFA's Composition of Congress and Voting Rights

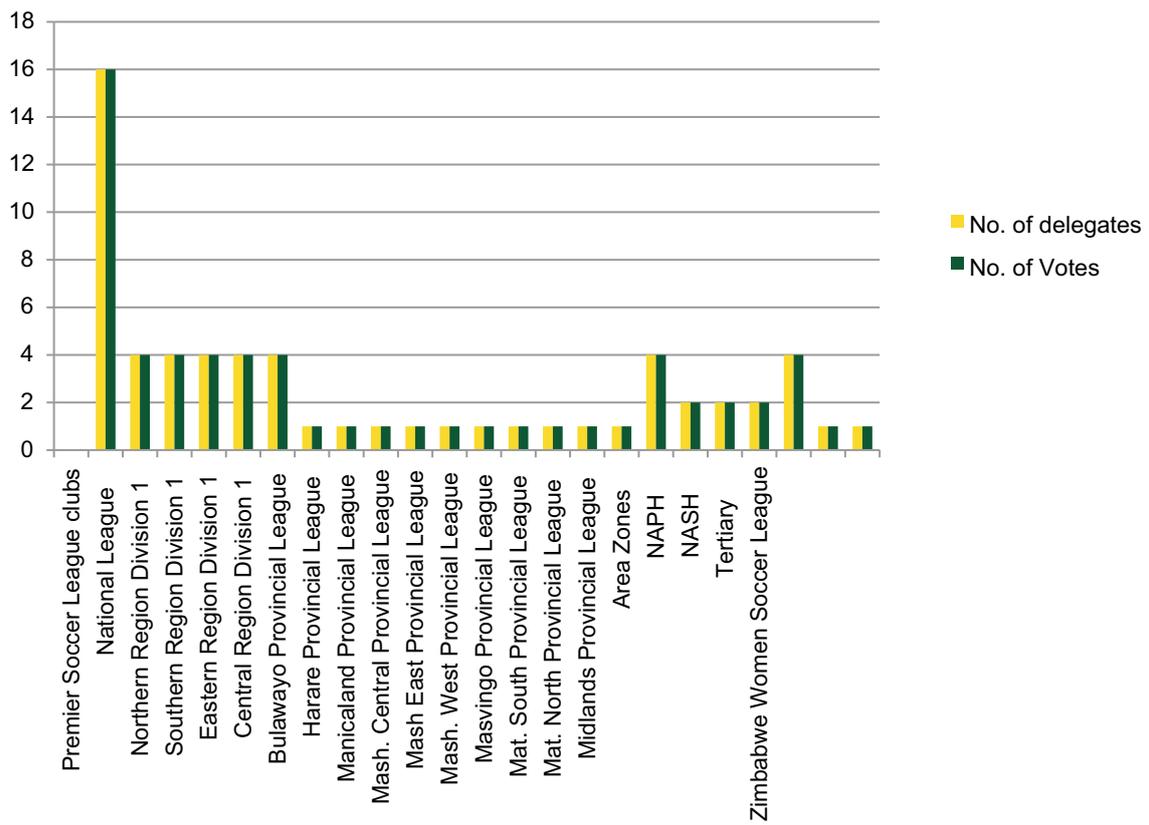


Fig. 2: Composition of the ZIFA Congress and Voting Rights



The composition and representation in ZIFA Congress is as illustrated below:

### Representation in Congress

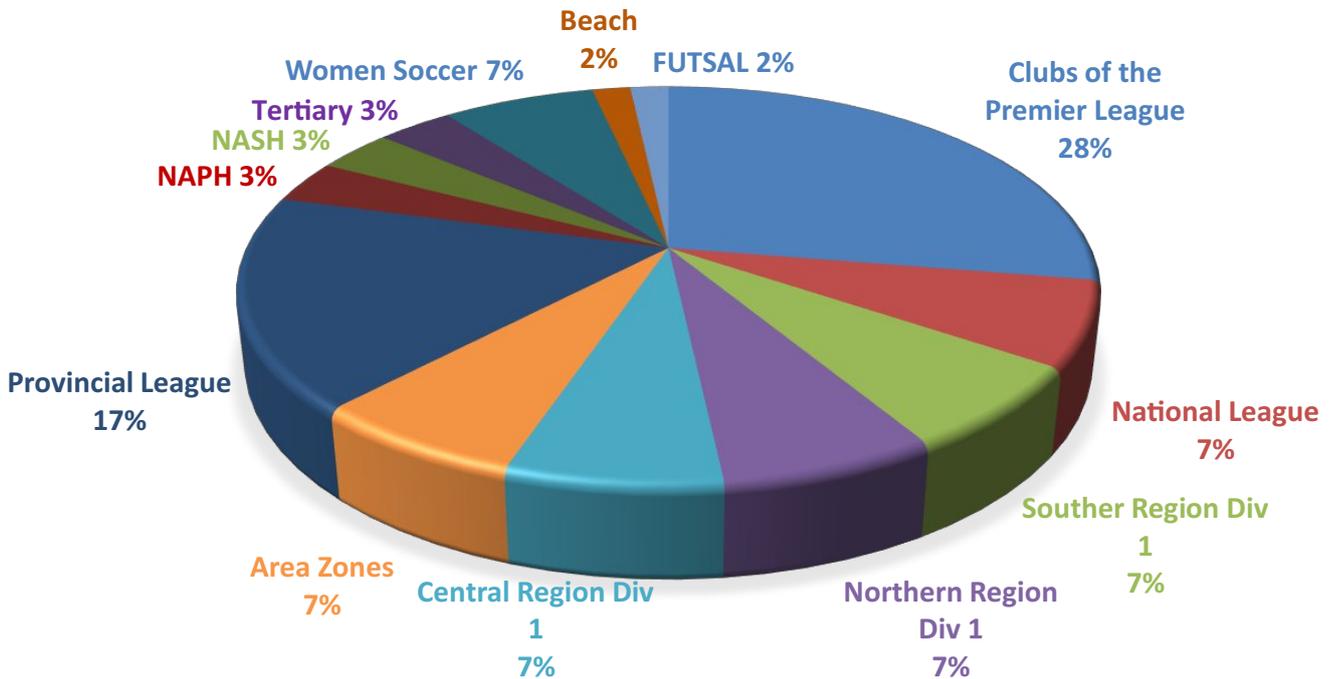


Fig. 3: Composition and Representation in ZIFA Council

### Congress / Assembly

The ZIFA RC notes that in contrast to SAFA, FAZ, and FAM constitutions, the ZIFA Constitution makes no provision in the ZIFA Assembly for Youth Football, Soccer Coaches, or Former Players Associations. The SAFA has granted the South African Football Coaches Association Associate Member status in its Congress. The FAZ oversees associations that represent schools, players, coaches, referees, and tertiary institutions, whereas FAM oversees the National Youth Football League and coaches and referees. The ZIFA RC further points out that the PSL's member clubs are represented in Congress. According to a 2014 study by Boillat et al, this position demonstrates that PSL is an indirect member of the ZIFA and teams from the (Brazilian Premier League), Ligue de Football Professionnel (French association model with self-management), and Ekstraklasa (Poland separate entity model) are also members of their respective national associations' general assemblies.

The ZIFA RC reports that Beach Soccer and Futsal are not fully constituted, but they do have voting rights in the ZIFA Congress. When the constitutions of FAM, FAZ, and SAFA were compared, it was discovered that these national associations also include Beach Soccer and Futsal in their respective Congresses and the presence of seats for these two associations is not surprising. Beach Soccer and Futsal are part of the same association, and each have two (2) delegates to the FAZ Congress. The NAPH and NASH do not pay ZIFA membership fees. In contrast to the ZIFA Electoral Code, the two associations' leadership renewal is governed by NAPH and NASH. Both entities, however, have seats in the Congress and voting rights. South African University Sport is supported by SAFA (Football).

## Representation of ‘Interest Groups’

The ZIFA Constitution does not cater to the membership of several special interest groups. However, the ZIFA RC observed that representation of interest groups in comparative FA Congresses generally ranges from 3 (three) to 5 (five) members. Article 10.2.1 of the SAFA Constitution guarantees the associate membership of the following 10 (ten) interest groups:

- the South African Football Medical Association;
- the University Sport South Africa (Football);
- the South African Football Coaches Association;
- the South African National Defence Force Football Association;
- the South African Masters and Legends Football Association;
- the South African Industrial Football League;
- the South African Deaf Football Association;
- the South African Intellectually Impaired Football Association;
- the South African Indoor Football Association (FUTSAL); and
- the South African Police Service Football Association.

FAZ has player representation and sends 2 (two) delegates to the Assembly. There are also provisions in the FAZ for associations that represent referees and coaches. The associations of referees and coaches each send 2 (two) delegates to the FAZ Assembly. The Italian FA's General Assembly and Executive Committee are both made up of players, coaches, and referees. The Statutes in Ivory Coast require that at least one of the five interest groups represented in the General Assembly (that is, referees, coaches, women's football, football medics, and retired players) serve on the Executive Committee. Specific interest groups, on the other hand, are explicitly represented on the executive committee and nowhere else. National team players serve on the Senegalese FA's Executive Committee.

## Elections

Following an examination of the structure of the ZIFA Congress, the Committee turned its attention to one of the most important aspects of football administration: voting/elections. Both representation and voting power are proportionate under ZIFA, with each delegate receiving one vote.

## Functions of the ZIFA Congress

The authority of the ZIFA Congress is outlined in Article 22(a) – (o) of the ZIFA Constitution, and this includes the authority to making, adopt, or amend the ZIFA Constitution; approving financial statements; approving the annual budget; admitting, as well as suspending, expelling, or revoking a member. Furthermore, the ZIFA Congress elects members of the Executive Committee including the President and the Vice President. A comparison of the SAFA, FAM, and FAZ constitutions revealed that these responsibilities are shared by the three FAs.

## ZIFA Executive Committee

Article 19(2) of the ZIFA Constitution designates the ZIFA Executive Committee as the ZIFA's. The structure of the ZIFA Executive Committee is similar to that of other national associations such as SAFA, FAM, and FAZ, and is based on the FIFA Statutes.

The ZIFA RC submits that the challenge posed by appointing a PSL representative to the Executive Committee rather than electing one is that the member is not “elected” by PSL. This presents a dilemma, as the elected official may develop personal agendas and biases that make them unfit to represent the constituents. In the same way that Cameroon has a case system, ZIFA has a case system in which the league representative to the committee is a specific member of the league governing structure, who is typically the league chairman. The President of the Ligue de Football Professionnel du Cameroun is the sole league representative on the FECAFOOT Executive Committee. In Kenya for example, a league representative on the Kenyan can be chosen by and from the League members.

The ZIFA RC has also noted the following:

- Senegal has the highest proportion of league representation on a national association executive committee, with 6 (six) of the 23 (twenty-three) members representing the League.\
- Women's Football is not represented on the ZIFA Executive Committee, despite the fact that Article 32.1 of the ZIFA Constitution mandates that the said committee must have one representative from Women's Football appointed by the Zimbabwean Women Soccer league and installed by the ZIFA Congress.
- The FAM's ex-officio members include the Chairperson of National Women's Football and the Premier League.
- At least one sitting ZIFA Board member was co-opted into the ZIFA Executive Committee in a move that constituted a flagrant violation of the ZIFA Constitution.
- On the representation of interest groups in the executive committee, Boillat et al's 2014 study revealed that interest groups are infrequently represented in the executive committees of FAs. According to that study, only 9 (nine) national FA executive committees include representation from interest groups, that is: Spain, Italy, England, Cameroon, Senegal, Ivory Coast, India, Japan, and the United States of America.

### **Election to the ZIFA Executive Committee**

The ZIFA RC has noted the following:

- The ZIFA Executive Committee is made up of 8 (eight) individuals mostly elected by the ZIFA Congress. The President and Vice President are chosen by the Congress (see Article 32.1 of the ZIFA Constitution). The PSL selects one representative, while the Zimbabwe Women's Soccer League selects one representative for women's football. The remaining four (4) executive committee members are elected by Congress. The President is elected by Congress without regard his or her affiliation with organisations.
- The ZIFA Constitution makes no mention of decision-making or voting powers in the ZIFA's Executive Committee. Article 35 of the ZIFA Constitution merely provides for the quorum for debates (Article 35.1), quorum for voting (Article 35.2), and the effective dates for decisions taken (Article 35.5).
- Unlike the constitutions of other FAs, the ZIFA Constitution does not establish substantive eligibility conditions (for example, minimum qualifications or accreditation) and procedures for electing ZIFA Executive Committee members. Article 32.4 simply states that members of the ZIFA Executive Committee must have been involved in football administration for at least five years, reside within ZIFA territory, and have not been convicted of a criminal offence under national law. Article 32.5 provides that the President of the ZIFA Executive Committee must be no younger than 40 (forty) years of age.
- The composition of the ZIFA Executive Committee may, in some instances, be determined by the election of its President. The presidential candidate must present an electoral roll to the ZIFA Congress, and if elected, the people on that list will become members of the said Executive Committee. The national organisation rules in Ivory Coast state that certain representatives must be placed on the electoral roll of the presidential candidate. In this system, the President is required to present a list of seventeen candidates for election alongside himself. This roster must include at least three Ligue 1 representatives, two Ligue 2 representatives, two Division 3 representatives, and a representative from one of the national organisation's interest groups.
- The composition of the list can also be partially predefined. In France for example, the Executive Committee of the French FA is determined by a model that combines the electoral rolls of presidential candidates and ex officio members. Although the regulations do not specify whether these individuals must be members of specific interest organisations, the elected President must propose a roster of future Executive Committee members. Ex-officio members are also automatically added to the committee.

## Functions of the ZIFA Executive Committee

The ZIFA RC observed that the ZIFA Executive Committee's functions, as outlined in Article 34 of the ZIFA Constitution, are like those of the executive committees of SAFA, FAM, and FAZ. There is no classification of how decisions are made, according to submissions received from participants during the hearings. Some decisions that must be made by Council are made by the Executive Committee without Council approval.

## Composition of the ZIFA Executive Committee

The ZIFA executive committee is constituted as follows:

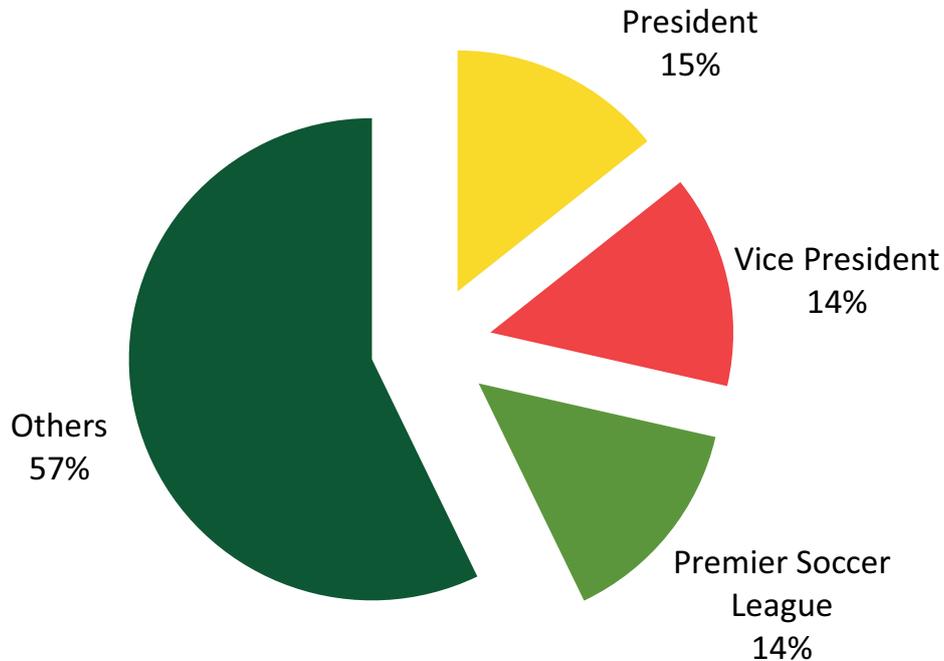


Fig. 4:Composition of the ZIFA Executive Committee

The SAFA Executive Committee is constituted as follows:

## SAFA Executive Committee Composition

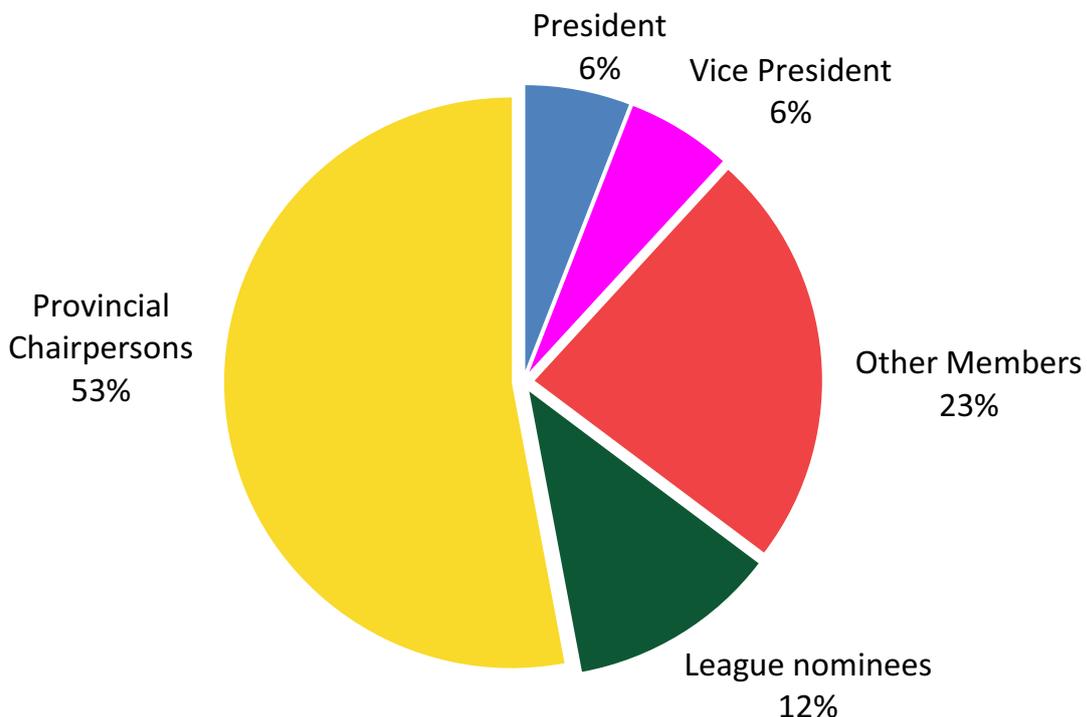


Fig 5 : Composition of the SAFA Executive Committee

The FAM Executive Committee is constituted as follows:

### Composition of the FAM Executive Committee

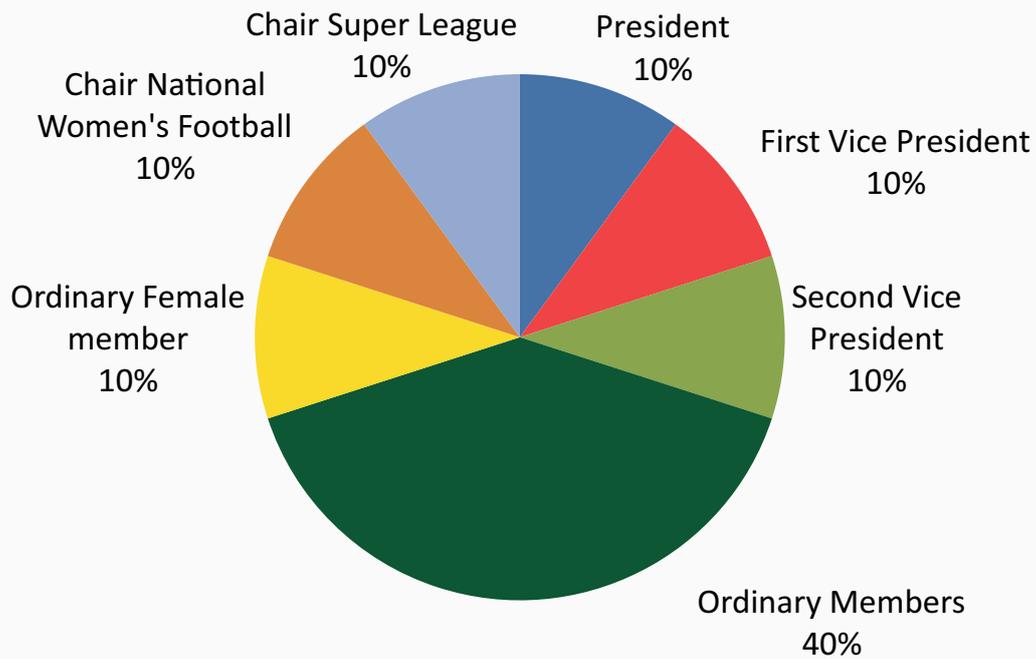


Fig 6 : Composition of Football Association of Malawi Executive Committee

### Composition of FAZ Executive Committee

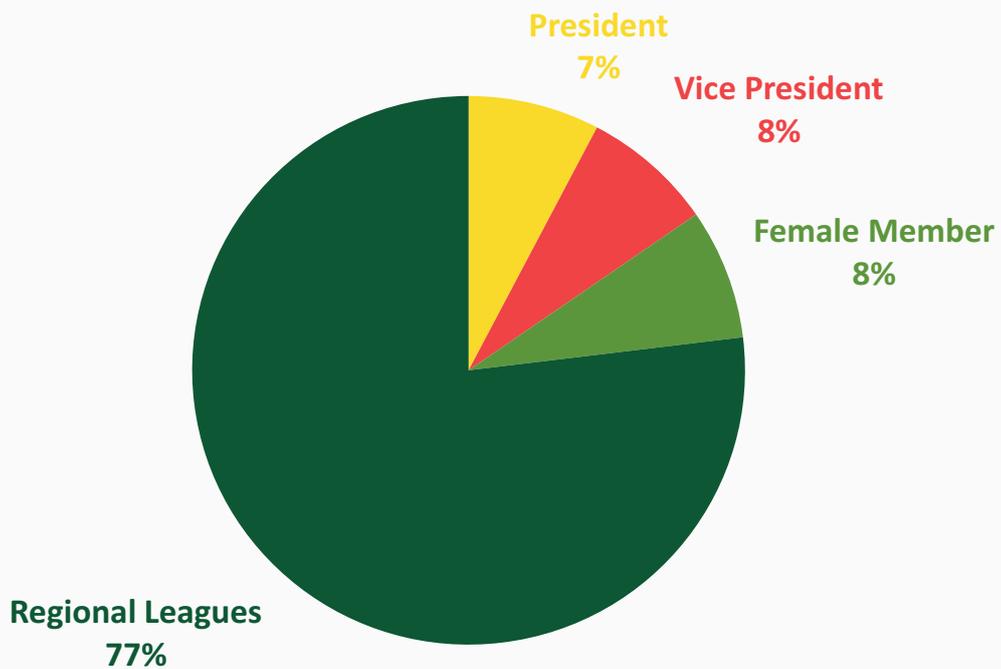


Fig 7:Composition of Football Association of Zambia Executive Committee

## COMPARATIVE ANALYSIS OF COMPOSITION OF EXECUTIVE COMMITTEES

ASSOCIATION	COMPOSITION OF EXECUTIVE COMMITTEE
<b>ZIFA</b>	<ul style="list-style-type: none"> <li>• President, elected by the Congress</li> <li>• Vice President, elected by the Congress</li> <li>• One (1) Premier Soccer League representative appointed by the PSL League</li> <li>• One (1) representative of Women’s Football appointed by Women Soccer League</li> <li>• Four (4) other members elected by Congress</li> </ul> <p>The President, Vice President and the members of the Executive Committee are elected by the Congress. Every candidate in the elections must be proposed by at least one member</p> <hr/> <ul style="list-style-type: none"> <li>• The mandate is for four (4) years and may be re-elected for one additional term.</li> <li>• The Members of the Executive Committee shall have been active in football administration for at least five (5) years, must not have been previously found guilty of a criminal offence as defined under national criminal law and have residence within the territory of Zimbabwe.</li> <li>• President shall be no younger than forty40 (forty) years old.</li> <li>• Member of the Executive Committee representing Women’s Football shall be female</li> <li>• Candidatures must be sent to the general secretariat of ZIFA at least thirty (30) days before the date of the Congress. The official list of candidates must be passed to the Members of ZIFA for the Congress at which the Executive Committee will be elected at least fifteen (15) days before the date of the Congress.</li> <li>• Member of the Executive Committee may not at the same time be a member of a judicial body of ZIFA</li> <li>• If a position, other than that of the President, falls vacant, the Executive Committee shall fill that position until the next Congress when a replacement will be elected for the remaining term of mandate.</li> <li>• If more than 50 percent of the positions become vacant, the General Secretary shall convene an Extraordinary Congress within two months to elect a replacement for the remaining term of mandate under the supervision of the Electoral Committee according to ZIFA Electoral Code.</li> </ul>
<b>SAFA</b>	<ul style="list-style-type: none"> <li>• President;</li> <li>• Four (4) Vice Presidents, directly elected by the Members, one (1) of whom is female and one (1) is Chairperson of the League;</li> <li>• Four (4) Members elected by the SAFA Congress from the National list, one (1) of whom is female;</li> <li>• Two(2) Members nominated by the National Soccer League and elected by the Congress;</li> <li>• Nine (9) Provincial Chairpersons elected by the Congress as nominated by the Provincial Congress.</li> </ul> <p>The President, the Vice-Presidents and the Members of the National Executive Committee are elected by the Congress. Every candidate in the election of National Executive Committee Members must be proposed by at least one Member or Special Member, as the case may be. The Members elected by the League are confirmed by the Congress.</p>

ASSOCIATION	COMPOSITION OF EXECUTIVE COMMITTEE
	<ul style="list-style-type: none"> <li>• The mandate is for four (4) years and may be re-elected.</li> <li>• The Members of the National Executive Committee shall have been active in football, must not have been previously found guilty of a criminal offence and sentenced to a period of imprisonment without the option of a fine and have residency within the territory of the Republic of South Africa.</li> <li>• The official list of candidates is sent to the Members of SAFA along with the agenda for the Congress at which the National Executive Committee will be elected</li> <li>• A Member of the National Executive Committee may not at the same time be a Member of a judicial body of SAFA.</li> </ul> <p>Should a position become vacant, the National Executive Committee shall fill that position until the next Ordinary Congress, when a replacement will be elected for the remaining period of the mandate.</p>
<b>FAZ</b>	<ul style="list-style-type: none"> <li>• The President</li> <li>• Vice President, and</li> <li>• the female member are elected by the Council.</li> <li>• 10 members of the Executive Committee are elected from the respective Regions.</li> <li>• A position will be considered vacant in the case of death, permanent disability or absence from 6 (Six) consecutive Executive Committee meetings.</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• The term of office is four years and may be re-elected for a further 2 (two) terms of office provided member is contesting for a different position from one previously held.</li> <li>• at least 5 years' experience in a leadership position of a Member of FAZ, 3 years of which shall be within the 10 years immediately preceding the elections.</li> <li>• Must not have served a term of imprisonment of at least 3 years, in the 10 years immediately preceding the elections</li> <li>• Must be Zambian citizens and ordinarily resident in Zambia.</li> <li>• All applications for aspiring candidates are sent to the General Secretariat of FAZ. The official list of the duly nominated candidates is passed on to the Members of FAZ along with the agenda for the Council at which the Executive Committee will be elected.</li> <li>• A member of the Executive Committee may not at the same time be a member of a judicial body of FAZ, an employee of FAZ or serving official of a member of FAZ</li> <li>• If a position or up to 50 per cent of the positions of the Executive Committee fall vacant, the Executive Committee fills the position(s) in question until the next elective AGM.</li> <li>• If more than 50 per cent of the positions of the Executive Committee fall vacant, the remaining Executive Committee members must convene an EGM in order for the Council to elect the replacements for the remaining term of office in instances where the vacancy is for the President, Vice President and Female Committee member.</li> <li>• In an event that the vacancies relate to the regional representatives, each of the regions to hold elections to fill the vacancy. An Executive Committee member who assumes office for the unexpired term of office of that Executive Committee is not deemed to have served a term of office, if at the date on which he assumes office, less than 2 years remained before the next elective AGM.</li> <li>• If a vacancy is caused by resignation of an Executive Member, that member is not to be eligible for re-election during the term of office of that Executive Committee.</li> </ul>

ASSOCIATION	COMPOSITION OF EXECUTIVE COMMITTEE
FAM	<ul style="list-style-type: none"> <li>• The President</li> <li>• First Vice President,</li> <li>• Second Vice President,</li> <li>• Four (4) ordinary members</li> <li>• One (1) ordinary female member elected in an all female nomination slot</li> <li>• Chairperson, National Women's Football, <i>ex officio</i></li> <li>• Chairperson, Super League of Malawi, <i>ex officio</i></li> <li>• the female member is elected by the Council.</li> </ul>

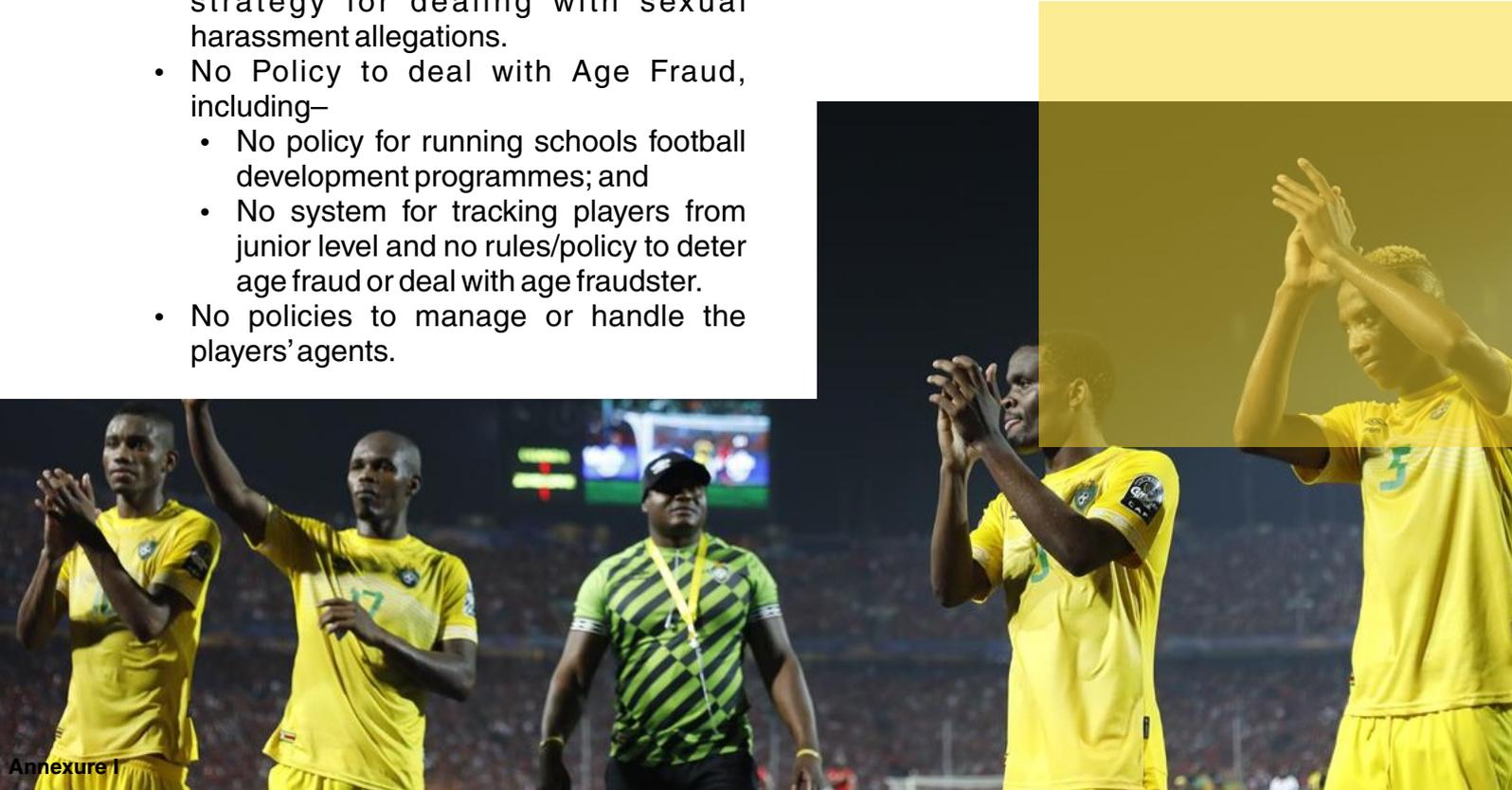
**The ZIFA RC further observed the following:**

- The Emergency Committee is established in Article 40 of the ZIFA Constitution to “deal with all matters requiring immediate resolution between meetings of the Executive Committee”. The President of the ZIFA Executive Committee and 3 (three) members of the ZIFA Executive Committee appointed by the Executive Committee will constitute the Emergency Committee.
- Based on submissions made during the hearings, it has been alleged that the ZIFA Executive Committee has determined that Women’s Football is not represented on the Emergency Committee. No reasons have been given for this. As a result, women’s football does not participate in the Emergency Committee’s decision-making processes for urgent and significant concerns.
- The existing structure of the Emergency Committee’s mandate, according to a review of the submissions, makes it a parallel or extension of the Executive Committee. Article 40 of the SAFA Constitution goes further in outlining the Emergency Committee’s mandate by stating that: “The Emergency Committee will not rule on subjects that are the sole responsibility of the National Executive Committee. It shall not be authorised to make decisions that are the responsibility of other Association authorities and bodies (such as the Chief Executive Officer, Standing Committees, and/or others)”. The Emergency Committee is classified as a “body” in the SAFA Constitution.
- According to Article 38(1) of the ZIFA Constitution, the President of the ZIFA Executive Committee is appointed by the ZIFA Congress for a four-year term that begins upon the conclusion of the ZIFA Congress that elected him or her and the ZIFA President may be re-elected once. The general secretariat shall notify the members of the names of the nominated candidates at least thirty (30) days prior to the date of the ZIFA Congress. Notably, Article 37 which addresses the competencies of the President of the ZIFA Executive Committee fails to specify who the President is directly accountable to for ZIFA’s overall governance and leadership, as well as to whom he or she reports to for Board operational concerns. Article 39 of the ZIFA Constitution requires “internal organisation regulations governing the joint signature of officers”. There are none.
- The President of the ZIFA Executive Committee chooses and fires the General Secretary regardless of the ZIFA Executive Committee’s recommendations to the Human Resources Committee. The President wields disproportionate hiring and dismissal authority over the General Secretary. The Association does not have a human resources department that is responsible for human resource functions. According to an examination of the submissions, there is a sense that the President's Office of the Association has disproportionate jurisdiction under the Association's constitution.

## Governance, Policies, Procedures

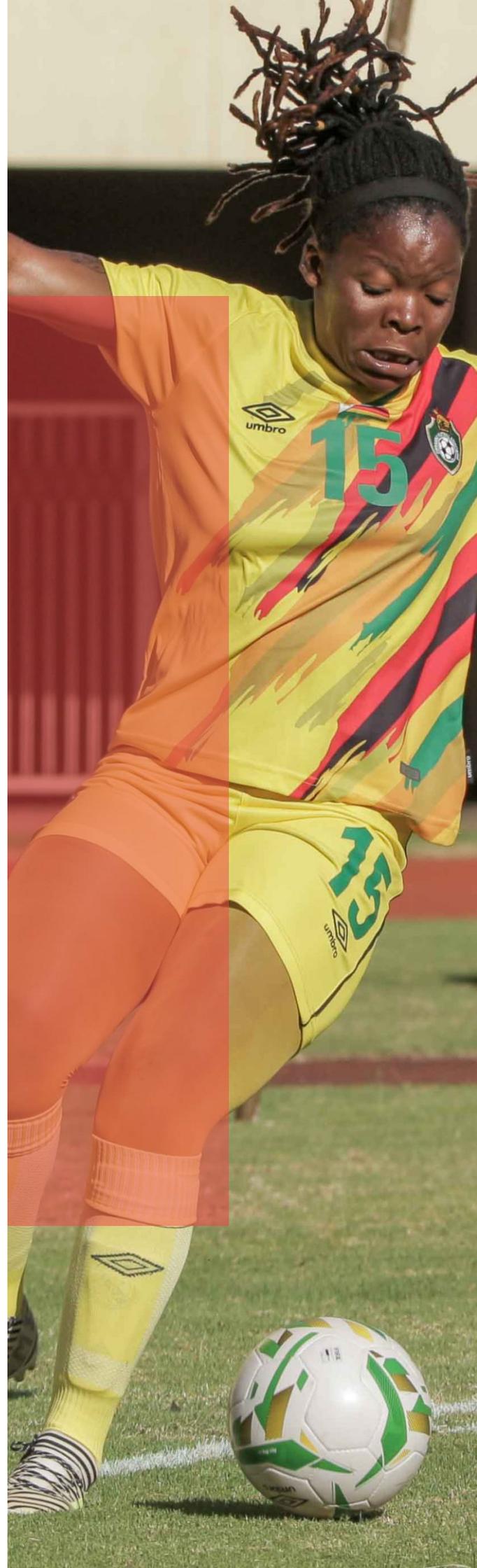
The ZIFA RC observes that the ZIFA does not have administrative policies because it borrows from the SRC Statutes and the FIFA Statutes. The ZIFA RC was unable to review and confirm the existence of the following policies or procedures because they were not made available for review:

- Regulations or policies governing all the association's committees were not made available to the Committee
- HR policies and procedures for recruitment and appointment of senior personnel.
- No HR policies for the engagement and termination of employees' contracts, including that of coaches.
- Football philosophy for the country. The country appears to be experimenting with various styles of play and has yet to master any of them.
- Code of Conduct governing all ZIFA employees, players, and officials.
- No Youth Football Development Policy.
- No proper systems or structures in place for the promotion of youth football development.
- Partial and no strict adherence to Club licensing.
- Non-adherence and enforcement of player compensation policies or transfer fees.
- No Safeguarding Policy. There is no evidence of the Association's policy or strategy for dealing with sexual harassment allegations.
- No Policy to deal with Age Fraud, including–
  - No policy for running schools football development programmes; and
  - No system for tracking players from junior level and no rules/policy to deter age fraud or deal with age fraudster.
- No policies to manage or handle the players' agents.
- No policy to investigate the financial capacity of clubs before they are registered
- No Policies on National Team Players Welfare Issues.
- No policies on sponsorship agreements entered by PSL clubs. Players are not being paid.
- No policies on sponsorship agreements entered by PSL and League sponsors.
- No policy or defined procedures on national team selection.
- No HR policy on compensation and reward/recognition of former national team players as well as former employees for services rendered to Zimbabwe football.
- No policies to deal with corruption, embezzlement, and bribery.
- No fan management policies and no effort to commercialise properties.
- No standard for the training and grading of referees.
- No policy on training fees for coaches and referees.
- No policy to deter match fixing and promote good refereeing.
- No policy on preparing local coaches to become national team coaches.
- No policy to implement or follow up on the implementation of development papers for the association. A paper that was prepared by the late Ben Koufie in 2015 to assist in development was never implemented).



## The ZIFA RC has noted the following:

- All stakeholders agreed that the ZIFA is responsible for organising all youth football competitions.
- There is no deliberate youth football development plan.
- When Youth Football was removed from the ZIFA Congress, the ZIFA failed to prioritise youth football development.
- A serious omission was the lack of representation of the youth football structure on the ZIFA Congress, which would naturally be the coordinating link between the school and tertiary sport systems (NAPH, NASH, National Association of Tertiary Institutions Leagues, and ZTISU) and ZIFA.
- ZIFA lacks a coordinated and sustainable junior development programme that would feed into national teams.
- Coordination is required between ZIFA, NAPH, NASH, National Association of Tertiary Institutions Leagues, and communities. School team coaches must be trained under the auspices of the ZIFA.
- In the absence of junior development programmes, informal football academies sprouted.
- There is no statistical database that informs youth football development policy and this lack of facilitates age fraud.
- The ZIFA receives funds from the FIFA and other bodies for youth football development, but these funds are not channelled towards their intended beneficiaries.
- Youth football teams do not compete in regional or continental tournaments.
- Not every PSL club has a youth football team.
- Football is only played in schools for one term, and that is during the winter season.
- Out-of-school talent is not catered for anywhere because clubs do not have reserve sides.
- Within the ZIFA, there is no safeguarding and protection structure that goes around football academies and youth football teams to monitor and prevent the sexual, physical, psychological abuse of minors.



## Part 6 - Women's Football

The ZIFA RC notes that:

- Women's football is not governed by a separate constitution or code. As a result, the ZIFA Constitution applies mutatis mutandis. The ZIFA Electoral Committee is also responsible for running Women Football elections in accordance with ZIFA Constitution and Articles 1 and 25(3) of the ZIFA Electoral Code. Ultimately, the ZIFA has control over the growth and development of women's football and benefits from the FIFA funds designated for women's football.
- The ZIFA structures do not promote women's decision-making power or responsibility for the development of women's football.
- The ZIFA appears to have spent relatively little time and effort on Women's Football, as evidenced by the ZIFA's inability to recognise, appreciate, and address discrimination concerns in women's football shared by the stakeholders.
- The structures put in place do not appear to have done much to advance the interests of women in football.
- The Mighty Warriors' efforts, as well as Team Management's commitment, were not sufficiently recognised by the country after they qualified for AFCON and the 2020 Olympic games. Their complaints were not treated with the respect they deserved and expected from the ZIFA.
- Over time, the Mighty Warriors have outperformed the Men's national team.
- The FIFA funds women's football development separately. Despite this, Women's Football is not involved in developing budget proposals for the FIFA funds, as well as in their subsequent allocation and disbursement.
- Mighty Warriors assistant coaches and players spoke out about mistreatment by one Mighty Warriors coach.
- The failure of players to report crude, hurtful, or otherwise inappropriate comments and behaviour fostered a culture in which players were discouraged from alerting management of such behaviour with confidence that their concerns would be handled prudently and without fear of retaliation.
- There is no system in place to ensure that players injured on the job receive appropriate medical attention at the expense of the Association. It is up to the players and clubs to cover their medical bills and rehabilitation expenses.
- It has been reported by players that the ZIFA approaches them whenever a new national assignment is available, even though they had not been contacted by the ZIFA in the interim.
- Players do not have first refusal on old uniforms and training equipment when they need to be replaced.
- The interests of the female referees who alleged abuse or harassment from a male referees appear to have been subordinated to the goals of protecting individuals and the ZIFA from damaging accusations.
- Women's movement is unregulated, which disadvantages clubs.
- There is no database for all players.
- It appears that neither the players nor the female referees were explicitly informed of their rights under players' complaints regulations or HR grievance handling procedures.
- The importance of not letting personal relationships (either real or perceived) deter complaints or suggestions for bettering the team's and individuals' experience in the team was not emphasised to former players.
- Rather than raising institutional awareness and taking responsive action by either handling such problems internally quickly or reporting them to higher authorities as appropriate, the ZIFA failed to adequately recognise the female referees' courage in coming forward and raising allegations against an entrenched official who appeared to have support within the ZIFA Executive Committee.
- The ZIFA did not provide any form of support or counselling to the Mighty Warriors players and referees who were allegedly subjected to abusive behaviour, discrimination, or harassment.

- Victims encountered a difficult-to-navigate complaint process that lacked protection from retaliation for players and female referees who raised allegations of harassment/abuse against officials in positions of authority.
- Not all PSL clubs have women's football teams to promote the development of women's football.
- Women's participation in coaching and refereeing is low.
- There is no women's representation at the provincial, district, or area zone levels in any of the provinces visited. All Executive positions are held by men.
- Women are underrepresented on the ZIFA Board.
- Women's football is still classified as "amateur," not professional.
- There is no safeguarding structure, policy, or committee and no mechanism through which abuse can be reported.
- There is no restriction on player movement. Contracts are not honoured, and most women's teams cannot afford salaries, allowances, travel, and sign-on fees.



## Part 7 - Ethics And Values

The ZIFA RC submits that the ZIFA Code of Ethics was not made available for review, so its existence could not be verified. As a result, the ZIFA RC makes the following observations:

- The ZIFA lacks an Ethics Committee and an Ethical Code that are contextualised to the Zimbabwean situation, culture, and values. As a result, offenders are not held accountable.
- There is no evidence of the existence of known, clear, and effective mechanisms within the Association for preventing, reporting, and addressing corruption and bribery issues.
- There is no mandatory sports governance code for the sports sector that would impose restrictions beyond those imposed by law.
- The Ethics Committee has never met.
- It is necessary for the ZIFA to compile and register its own Ethical Code.
- It is preferable that issues concerning safeguarding be addressed in the Ethical Code.

## Part 8 - Stakeholder Participation / Stakeholder Relations

The ZIFA RC found that:

- Stakeholders have low confidence in the ZIFA. Stakeholders, including some members of the ZIFA Congress, view the ZIFA Congress and the ZIFA as separate entities.
- Relations between the ZIFA and the SRC, the government, workers, former players, technical officials, and creditors are strained.
- Former players do not have a registered association and do not participate in the processes or the activities of the ZIFA
- Former players are disillusioned with the league as the ZIFA does not make provision for them.
- ZIFA has failed to cultivate relationships with its creditors, suppliers, service providers, with some amounts owed dating back to 2010. This aspect is critical for future business success.
- There is an unmistakable need for the ZIFA to rebrand following extensive stakeholder consultation to ensure stakeholder buy-in and support.
- There is no policy in place to ensure that the disabled are included in ZIFA structures.



## Part 9 - Rebranding of ZIFA

The ZIFA RC submits that the ZIFA appears to have failed in its ethical and legal obligation to present itself in a favourable light. The ZIFA's reputation has been severely damaged, and its credibility is low. Major sponsors are reluctant to be linked to ZIFA and the Soccer Fans Association's attempts to grow are being hampered by ZIFA's unfavourable reputation. National investors have not partnered with the ZIFA, likely due to its governing structure. When it comes to raising funds, the ZIFA is not very proactive and has managed to botch the packaging of its product.

The ZIFA RC further submits that the aggressive marketing and rebranding of football in Zimbabwe is necessary, and it has been mentioned that the PSL was experimenting with SuperSport. The leadership of ZIFA has been unable to establish a brand.

## Part 10 - Strategic Plan

The ZIFA RC was unable to verify a Strategic Plan for the ZIFA's use in directing its operations and the allocation of its resources. There should be zonal leagues to replace the current system of regional tournaments which forces teams to travel long distances. Very few individuals make attempts to watch live broadcasts of games anymore because the product has lost its lustre. A Board Committee on Branding and Strategic Planning has been formed under the suspended ZIFA Board. Despite this, little effort has been put into implementing previous plans, and now stakeholders are confused about the ZIFA's future.

## Part 11 - Forensic Audit

The ZIFA RC has noted the following:

- Funds and accounts of the ZIFA were not audited in accordance with international auditing standards.
- For many cycles, the same audit firm has audited the ZIFA's books.
- The FIFA was not critical of ZIFA reports.
- The start of the forensic audit was delayed due to a lack of primary records.
- Article 63 of the ZIFA Constitution specifies the ZIFA's revenue sources. Other sources of revenue, such as funds from the FIFA, the CAF, the COSAFA, and national government grants are not acknowledged in the ZIFA Constitution.
- While the government funds the national team for national commitments, the ZIFA is heavily reliant on the FIFA and CAF grants.
- Contrary to the provisions of Article 64 of the ZIFA Constitution, the ZIFA does not cover administrative and salary costs for ZIFA provinces.
- The ZIFA receives FIFA grants for coaches, women's football, Five-A-Side football, youth football development, and sports medicine, but the intended beneficiaries are unaware of how the funds are distributed and (or) used.
- Many stakeholders agreed that the government should be more involved in funding national teams in a planned and organised manner so that the FIFA funds can be channelled towards development.
- The existence of internal audit to ensure compliance prior to the arrival of external auditors could not be confirmed.
- The funds received from the FIFA are not audited by auditors. The FIFA sends their own auditors, but the audits do not go down to the end user.
- Adidas provides equipment for all training programmes.
- Some donated training equipment does not reach the intended beneficiaries and is sold.
- ZIFA is supposed to provide grants to affiliates, but funds are not forthcoming.



## Additional Issues

### Part 12 - Issues arising Beyond the Scope of the ZIFA RC's Mandate

This section is not a detailed examination of the issues, but rather a high-level overview of emerging themes identified by the ZIFA RC through content analysis. The following issues have been identified for further investigation:

- The national government's role in supporting football and sport in general through development payments to the sports association(s), government-to-government agreements, or tax rebates and incentives to corporations that promote sport.
- The National Sports Policy's inability or failure to address the professional aspect of football. The National Sports Policy focuses on recreation at the family level and fails to address several critical issues.
- Local governments' responsibility for encouraging sports development in terms of facility provision has been appropriately elevated. Leisure and community club spaces are being converted into residential stands in both new and old settlements.
- The government's responsibility to ensure that the country has at least one world-class stadium was emphasised through the respective ministries or government-to-government agreements. All the stadiums in the country have been criticised, which does not bode well for the future of football and other sports
- The media, according to some stakeholders, has contributed in part to Zimbabwean football's steady decline through biased reporting and coverage in favour of their financiers. The game has been politicised from differing media perspectives, resulting in the formation of camps and divisions even among supporters.
- Miners' and mining consortiums' contributions to the development of football and football facilities in local communities.
- The requirement for regulations to ensure that football is managed as a business.
- The importance of colleges developing sports administration and sports law education programmes.
- The importance of collaboration between the education and sports ministries in developing sport development strategies and policies.
- The ZIFA's need for strong and purposive marketing.
- The SRC's monitoring duty, as clearly established in the SRC Act as an essential component of due diligence.
- Important governance issues, including revenue distribution, representation, voting power, and decision-making, are all brought to light by the connection between ZIFA and PSL. The ultimate success of football in the country hinges on how this link is managed





# **CHAPTER 4: SUBMISSIONS BY STAKEHOLDERS**

## CHAPTER 4:

# SUBMISSIONS BY STAKEHOLDERS

We have chosen to provide the statements as framed by the participants so as to preserve the diversity of voices.

The following is a compilation of the feedback received from various stakeholders.

### Part 1 - ZIFA Constitution

- It should be noted that the current ZIFA Constitution was modelled after the FIFA Statutes. Following the FIFA blueprint, various outreach efforts were launched to elicit the thoughts of Zimbabwean football's various stakeholders. It is reaffirmed that for the ZIFA Constitution to be registered with the SRC and subsequently accepted by FIFA, its provisions must be drafted in compliance with the SRC Act.
  - Despite the existence of a ZIFA Constitution based on the FIFA Statutes, no constitutional observance appears to exist, and no effort appears to have been made to adapt the ZIFA Constitution to respond to the identified needs of Zimbabwean football. It is also not certain whether the ZIFA Constitution conflicts with any of the guidelines provided in the FIFA Statutes. During the ZIFA RC hearings, it was revealed that some of the ZIFA stakeholders interviewed had never even seen a copy of the ZIFA Constitution, which may help to explain the lack of constitutional observance.
  - The ZIFA Constitution has not been amended since 2013, even though Article 29 of the ZIFA Constitution allows for such amendment by the ZIFA Congress (see Article 29.1). According to the ZIFA Constitution, any proposal to amend the ZIFA Constitution or its Statutes must be submitted to the general secretariat by a member of the ZIFA Executive Committee (see Article 29.2). Such a proposal must be in writing and include a brief explanation.
- The nature of the explanation required under Article 29.2 of the ZIFA Constitution is not clear from the document's text. An absolute majority of more than 50 per cent of ZIFA Members (as defined) eligible to vote must be present for a vote on the proposed amendment to take place, and the proposal to amend the ZIFA Constitution or its Statutes shall be adopted if 75 per cent of ZIFA Members present and eligible to vote agree to it (see Articles 29.3 and 29.4). The process of revising the Constitution was halted in 2020 due to the COVID-19 pandemic and restrictions on organised activities during various levels of national lockdown. Attempts by ZIFA Assembly members to propose constitutional changes in the past have been met with persecution.
- The Constitution Review Committee established by the Kamambo-led executive in 2020 was improperly formed and lacked the legal expertise required to interpret the ZIFA Statutes.
  - Former ZIFA Boards have disregarded the Constitution because of the excessive influence politicians have within the organisation. It is also contended that the ZIFA Congress does little more than rubber-stamp the decisions of the ZIFA Executive Committee on matters of administration and amendments to the ZIFA Statutes.



## Reasons why politicians should not be permitted to hold office in ZIFA

It is important to keep in mind that the rule of non-interference in football was devised by FIFA with the intention of preventing political interference in the football administration of Member nations.<sup>8</sup> The FIFA has always been adamant about maintaining a wall of separation between politics and the game of football. While this may seem like a reasonable principle, there are times when this wall of separation slows down the game and stymies the efforts of legitimate governments to clean up illegal and corrupt activity in the administration of national football. During the past twenty years, the FIFA has threatened and actually carried out the suspension of numerous national football governing bodies due to allegations of political interference, regardless of the achievements of those governing bodies. To this end, the ZIFA RC contends that at a time when FIFA and Football Associations all over the world are being apprehended for their corruption or poor leadership, it should be possible for democratically elected governments to step in and remedy football governance issues for the benefit of the population, vulnerable stakeholders, and the status of football in the country. Furthermore, it would be naive to suggest that governments may not take positive action for fear of being punished by FIFA. To summarise, the ZIFA RC believes that democratically elected governments should step in where it is necessary to remedy football governance issues.

## FIFA's non-interference rule and corruption in national football administration

The non-interference rule is laid out as follows in accordance with Article 61 of the FIFA Statutes: "Recourse to any court of law is prohibited unless specifically provided in the FIFA regulations". It is also not permissible to pursue any kind of provisional matter through the regular judicial process or in a court of law. In addition, the FIFA Statutes, when Article 13.1 is read in conjunction with Article 18, stipulate that members are required to manage their affairs independently and to take precautions to ensure that their affairs are not influenced by any outside parties. When taken together, these two articles give FIFA the authority to control football on a global scale, free from any interference from the governments of the countries that are members or any other third parties. The national association has been tasked with the responsibility of managing, controlling, preserving, and further developing football as a sport. It is required of the associations that they carry out their duties autonomously, free from interference from the government or any other organisations or individuals.

In giving reasons why politicians should not be permitted to hold official positions within the ZIFA, the ZIFA RC submits that corruption in its many forms, poor administration, and a general lack of accountability have all had a detrimental effect on the growth of football in Zimbabwe and across the African continent. The domestic leagues and clubs are run in an unprofessional and manner, with allegations of match fixing being commonplace. In addition to this, political interference creates a context in which "football becomes a complex social construct in which space, culture, politics, and economics intersect to produce very little development of the game as a vibrant commercial entity".<sup>9</sup> This results in very little growth of the game as a potential source of revenue for businesses. The ZIFA RC supports the finding that FIFA's standing statutes of non-interference have frequently resulted in corrupt leaders remaining in their positions for decades at a time.



<sup>8</sup> Farell "FIFA's non-interference rule is holding back serious investigations" 2013HITC Sport. Available at: <https://www.hitc.com/en-gb/2013/05/25/fifas-non-interference-rule-is-holding-back-serious-investigatio/>.

<sup>9</sup> Chiweshe "The problem with African football: Corruption and the (under)development of the game on the continent" 2014 African Sports Law And Business Bulletin 27 27.

## Further Observations of the ZIFA RC

During the hearings the ZIFA RC noted the following:

- It appears that some legal persons, such as Futsal committee, have permanent seats in the ZIFA Assembly. As a result, several Councillors have served for at least twenty years, even though they come from areas where football activity is rare or non-existent.
- It was decided to remove Junior Football and the Soccer Coaches Association from Council representation (Assembly).
- The ZIFA Constitution does not mandate a certain date or time for the ZIFA Congress to meet to conduct its business. The only provision that can be found in Article 26 of the ZIFA Constitution is that Congress must take place once a year at a date and time that is determined by the ZIFA Executive Committee (see Articles 26.1 and 26.2). According to the provisions of Article 26.2, members of the ZIFA Congress are required to be informed in writing by the ZIFA Executive Committee of the date and time that has been set for the Ordinary ZIFA Congress at least sixty days before the meeting that has been scheduled. According to the provisions of Article 26.3 of the ZIFA Constitution, a formal convocation must be made in writing at least fifteen days before the meeting of the Ordinary ZIFA Congress at which convocation the agenda for the Ordinary ZIFA Congress, the President of the ZIFA Executive Committee's activity report, the financial statements, auditors' report as well as any other relevant documents will be provided.
- NAPH, NASH, and the National Association of Tertiary Institutions Leagues have two (2) delegates in the ZIFA Congress, but they are not affiliated with ZIFA. It is submitted that they were roped into the Council by individuals seeking votes. NAPH, NASH, and National Association of Tertiary Institutions Leagues have a combined total of two (2) delegates in the ZIFA Congress.
- There are no provisions in the ZIFA Constitution or its Statutes for supporters or former football players to be included in the ZIFA Congress or ZIFA institutions.
- The Premier Soccer League (PSL) is an arm of the ZIFA but operates independently. All the ZIFA's properties were purchased when ZIFA was running the PSL.
- It has been submitted that those in charge of football structures are not football fans but rather profiteers. Constitutional amendments must guarantee representation for retired players and fans in the Assembly. Football is being managed by incompetent people appointed by the existing structures and there is scant adherence to the composition requirements set out in Article 21 of the ZIFA Constitution.
- Beach soccer and futsal are currently not being played anywhere in Zimbabwe. Both institutions are used to syphon money from the FIFA and the ZIFA, as well as to have delegates at the ZIFA Congress to amass votes when it comes time for elections.
- Former and current Women's Football administrators have proposed the following amendments to the ZIFA Constitution:
  - Amend Article 10.1(i) to read "*Zimbabwe Women Football*";
  - Amend Article 18.4 to read "*Women's Football Honorary Members who have served in Women's Football will be nominated by the Zimbabwe Women Football Executive Committee*";
  - Amend Article 21.1 to read "*The Congress is composed of 104 delegates, 44 from Women Football and 60 from other affiliates*". It should be noted that the current ZIFA Constitution (Article 21) allows for 62 delegates, the FAM Constitution allows for 36 delegates (Article 26), and the FAZ Constitution allows for 130 delegates (Article 21). While both the FAM and FAZ constitutions require female representation in the Congress, the guarantee is limited to two delegates the National Women Football Association and Women League members respectively;
  - Amend Article 21.1.(u) to replace "*Zimbabwe Women Soccer league, 4 delegates*" with "*Zimbabwe Women Football, 44 members*";

- Amend Article 21.4 to read *“The 44 delegates of Zimbabwe Women Football shall all be female”*;
- Amend Article 32.1 to read *“The President must be either male or female, and no candidate may be discriminated against based on gender”*;
- Amend Article 32.2 to read *“The two Vice Presidents chosen by Congress must be gender balanced, with one male and one female”*;
- Women’s football should be given more consideration in terms of its representation on the ZIFA Executive Committee;
- Amend Article 32.3 to include *“one member representing Women Football appointed by Zimbabwe Women Soccer League”*;
- Amend Article 32.4 to include *“one member representing Women Football appointed by the Women Football Congress”*;
- Article 38, which is titled *“Candidates for the office of the President,”* does not specify any professional qualifications and does not mention any relevant experience as a prerequisite for this position;
- Amend Article 41.1 to read *“All ZIFA Standing Committees must include one member from Zimbabwe Women Football”*. The representation of Women’s Football in the ZIFA Standing Committees must be investigated; and
- Amend Article 47 to read: *“The Executive of Zimbabwe Women Football together with the ZIFA secretariat shall organise Women Football competitions throughout from grassroots, provinces, regions, super league and national teams and deal with all matters relating to Women Football. The Executive Committee shall consist of a Chairperson, Deputy Chairperson, and four (4) members of the Executive. The Chairperson shall be a member of the ZIFA Executive Emergency Committee representing Women Football”*.



## Part 2 - The ZIFA Structure

The ZIFA RC made the following observations:

### Congress

- Despite Congress' status as the ZIFA's highest law-making body, the Executive Branch has usurped ultimate decision-making power. Congress now merely confirms Executive Branch actions.
- Appointments to the Executive Committee are made by the ZIFA Assembly (Council) based on individual merit and proof of the necessary qualifications (see Articles 32.4 - 32.6 of the ZIFA Constitution).
- Article 22(a) of the ZIFA Constitution empowers Congress to amend the Statutes, regulations governing the application of the Statutes as well as the standing orders of the Congress.<sup>10</sup>
- There is currently no system in place to assess how well legislators perform their duties in Congress.
- Voting Councillors' terms are presently unlimited.
- Although Beach Soccer and Futsal are no longer actively played, their representatives still sit in the Assembly and have voting rights because they were never formally dissolved.
- There is no cooperation between the NAPH, NASH, National Association of Tertiary Institutions Leagues, clubs, academies, and the association. This is a major issue because coordination between these departments is crucial for spotting and nurturing football talent as players progress through the age group system.
- No cooperation exists between the ZIFA provincial structures and the NAPH, NASH, tertiary institutions, or academies.
- The ZIFA Assembly's membership is not evenly distributed across congressional districts. Some members are elected, but all that is required to be a member of Congress for the PSL is to be the chairman of a PSL club.

### Council Sessions

- Information packets are not distributed on time, and meeting minutes are distributed during the meeting.
- The deliberations of the ZIFA Assembly are insufficient to resolve any issues raised.
- Congress does not deliberate on provincial reports.
- ZIFA financial statements are not made available to the public; however, members are under pressure to accept the accounts so that the ZIFA can receive more funding from the FIFA in accordance with the information made available.
- The previous meeting's minutes are usually distributed on the day of the meeting giving participants very little time to peruse these minutes.
- There is a lot of "bootlicking" in Congress meetings, and councillors have been complaining about this behaviour.
- Uncomfortable issues are suppressed, and some are claimed fall within the exclusive domain of the Executive Board rather than the ZIFA Assembly.
- Neither the subcommittees nor provinces submit activity and event reports to the ZIFA Assembly for assessment and interrogation.
- There are no stakeholder engagements within provincial structures prior to ZIFA Assembly meetings. As a result, issues affecting the provinces are not brought to the Assembly's attention for deliberation, as delegates frequently do not carry the mandate of their structures but rather represent their own agendas.
- Delegates do not communicate with their constituents after returning from ZIFA Assembly meetings.
- Reports from the President, the Chief Executive Officer, Finance, as well as meeting minutes are not distributed to the ZIFA Assembly in advance. These are accelerated during the meeting, and members are pressured to accept them or risk losing FIFA and CAF funding.

<sup>10</sup> Since 2013, no new constitutional amendments have been introduced. The outbreak of the COVID-19 pandemic stymied any further progress toward amending the Constitution in 2020. A number of ZIFA Assembly members have claimed that expulsions have occurred in the past whenever their colleagues attempted to propose constitutional amendments.

## ZIFA Executive Committee

- The ZIFA Executive Committee has been operating independently for a long time and there is no apparent system of checks and balances to constrain the abuse of executive power.
- The Executive Committee's ability to provide reward(s) for favours is one of the ways in which it has managed to entrench itself.
- A current board member was co-opted into the ZIFA Executive Committee in flagrant violation of the ZIFA Constitution.
- Positions in the ZIFA Executive Committee are given to friends and co-workers as a reward for voting for a candidate for the ZIFA Assembly.
- A PSL representative is appointed rather than elected by the organisation.
- The ZIFA Executive Committee believes they are only accountable to FIFA and not to the SRC. This is most likely due to the fact that the SRC did not appoint any members to the ZIFA Board.

## Emergency Committee

- There is no representation from the Women's Football team on the Emergency Committee. As a result, women's football is excluded from the ZIFA's major decision-making processes.
- The Emergency Committee extends the authority of the ZIFA Executive Committee, which incorrectly assumes secretariat functions, manages football on a daily basis, and implements decisions that require the approval of the entire executive or Congress.

## The ZIFA President

- While all presidents start out as good office bearers, they inevitably become corrupt once given too much power by the Constitution. To put it simply, the problem lies in the provisions of the ZIFA Constitution which provides the President of the ZIFA an almost unchained a power to perform various acts. The appointment and removal of the ZIFA Chief Executive Officer, for instance, both require the approval of the ZIFA President.
- The presidency of ZIFA is the only elected position; all others can be filled by appointment.

## The General Secretary

- The General Secretary is of the opinion that he/she is only responsible to the President and owes allegiance to the President as he/she is nominated and removed by the President and not by the ZIFA Executive Committee or Human Resources Committee.

## The Judicial Bodies and Standing Committees

- In practice, judicial bodies and Board Standing Committees are either non-existent or ineffective.
- Women's Football is not represented in every Standing Committee of the ZIFA.
- The vast majority of committee members sit on two or more committees, and most are appointed not based on merit but as a reward for voting and campaigning for executive members.
- It is not explicitly required by the ZIFA Constitution that the majority of appointees to the Standing Committees be members of Congress, but this is the case.
- The Judicial and Appeals Committees are made up of friends and co-workers. Since the judges are the personal lawyers for the ZIFA Executive Committee, there are no effective checks and balances in place.
- To a certain extent, the Secretariat can take over some of the duties traditionally assigned to committees.
- Over time, the Technical Development Committee members progressed to head coaching positions for their respective national teams.
- Expectations had been placed on the High-Performance Committee to play a role in the hiring of coaches; however, there is currently no such committee in place.



## Governance, Policies and Procedures

- Upon taking office, only the ZIFA Executive Committee is inducted, and the FIFA funds the process. Council members are not sworn in when they take office.
- ZIFA's governance structures do not appear to fully comprehend their responsibilities, resulting in inefficient and ineffective execution.
- All decisions are made by the ZIFA Executive Committee, while Congress merely rubber stamps them.
- Through their own businesses, some board members have supplied the ZIFA with commodities at grossly inflated prices.
- Prior to registration, clubs were required to have junior and women's teams, but these requirements were frequently overlooked.
- There are no appropriate mechanisms or institutions in place to promote the growth of junior football due to the lack of a policy. As a result of the disappearance of community clubs, football academies have proliferated across the country. There are no junior teams for girls, and most academies only serve men. According to reports, many Councillors run their own academies where players are recruited.
- With regard to transfer fees and the enforcement of player compensation policies, clubs do not pay transfer fees because they are not mentioned in the Constitution. It is suspected that there is corruption and that clubs bribe the ZIFA officials to avoid paying transfer fees.
- Sexual Harrassment : There is a notable lack of a safeguarding policy. The ZIFA's response to sexual harassment claims lacked policy and strategy. There was no evidence that the female referees and players (former Mighty Warriors) were reassured that they would **not face** retaliation for bringing their complaints to the ZIFA'S attention, particularly on sensitive issues such as discrimination, harassment, and abuse. The senior personnel did nothing to protect the female referees and the accused perpetrators continued to have access to them.

## National Teams

- There is no player agent management/handling policy.
- There are no policies in place to address national team player welfare issues.
- Prior to matches, it is necessary to draft and sign contracts to protect against misleading promises.
- There needs to be adequate provision of nutrition, playing and training equipment, medical insurance, insurance coverage, as well as post-playing career options.
- There is no national team selection policy and the true mechanism for selecting the national team is unknown. Players and agents bribe coaches and/or administrative staff for spots on the national team.
- Geographical diversity is not reflected in the selection of national teams.
- There are no talent scouting units in the ZIFA.
- The recommendations of the Technical Director for the selection of the national team coach were allegedly ignored.
- Players' agents wield undue influence over national team selection.
- There are no human resource policies in place that govern the hiring and termination of employment contracts, including those for coaches. The procedures for hiring and firing national coaches are deficient. A former national team coach was required to return a vehicle that was ostensibly given as a reward for exceptional performance.
- It is necessary to develop a new mechanism for controlling player agents. The current system is vulnerable to corruption.
- Previous players and personnel have not been recognised by management for their contributions to Zimbabwean football.



## Financial Stewardship

The following was confirmed to the ZIFA RC:

- The FIFA provides the majority of ZIFA's financial resources which include US\$1 million per annum for operations. "Operations" include technical (regional teams), grassroots, referees, ZIFA Assembly meetings, and staff wages.
- Payment is made in the local RTGS currency. The funds are liquidated at the bank using the official exchange rate. Salary payments are not governed by any policy.
- Allowances for ZIFA Assembly members are paid in US dollars.
- The FIFA provides an additional US\$2 million in project funding to the ZIFA.
- The FIFA also provides ZIFA with US\$300,000 including US\$100,000 for travel expenses and US\$200,000 for equipment and solidarity.
- The CAF also provides ZIFA with \$250,000 to support CHAN and AFCON tournaments, as well as television rights and prize money.
- The PSL, Regions, Divisions 1 and 2, NAPH, NASH, and National Association of Tertiary Institutions Leagues are not funded by the ZIFA.
- The following was revealed to the ZIFA RC but is subject to confirmation from the forensic audit report of BDO Chartered Accountants Zimbabwe:
  - FIFA funds for development are not being directed to the intended recipients.
  - Provincial audits are not conducted because the provinces lack competent management of their operations and procedures to ensure compliance and accountability.
  - The ZIFA does not provide provinces with funding.
  - No financial incentive exists for Football Association members to join the ZIFA.
  - ZIFA'S technical structure is ineffective and understaffed.
  - There are currently too many football Divisions. Zimbabwean football thrived when there were only the Southern and Northern zones.
  - Travelling long distances to compete in zonal leagues is costly for provincial clubs.
- There are no development programmes for Beach Soccer, Referees, or Junior Football.
- Football is only available during the winter term because the school sports calendar is based on term events.
- No records or databases exist for former or current players. There are no protocols or systems in place to investigate PSL clubs' sponsorship agreements and players are not compensated for their performances.
- According to the FIFA standards, there is no Referees Desk at ZIFA as of 2016. However, a former employee continues to receive correspondence from the CAF and the FIFA addressed to the ZIFA.
- There is no administrative contact between the ZIFA and its members. The ZIFA does not receive a monthly activity report from members.
- The provinces are technically autonomous from the parent organisation, and they do not submit reports to it and receive no funds from it.
- Because the provinces are unable to raise funds to cover the operating costs of provincial offices, they must find other ways to ensure their survival.
- Patterns have emerged that may deviate from best practises, such as charging regions high affiliation fees.
- There is no procedure in place to evaluate ZIFA personnel performance.
- There is no way to keep track of players as they progress from area zones to inter-district to inter-provincial to national team level.
- Election processes necessitate evaluation, and nomination fees are prohibitively expensive, discouraging people from running for office.
- There are no minimum requirements for voting in elections in the ZIFA Constitution.

- The Electoral Committee does not have its own reporting structure. The ZIFA RC notes that footballing mistakes do not disappear overnight. Article 58 of the ZIFA Constitution provides for disciplinary measures that can be taken against legal and natural persons, however, it was impossible to tell whether the judicial bodies are involved in the disciplinary process.
- There are no rules or regulations in place to deal with rowdy or violent spectators and hooliganism.
- Many parties involved are concerned about the selection and appointment of referees.
- ZIFA funding is not used to compensate referees for their services.
- There is no procedure or transparency in the supplier selection process.
- There is no process in place to assess the financial stability of clubs prior to registration. As a result, players are not paid, and some clubs fail after only two matches.
- There are no policies on PSL clubs' sponsorship agreements and players are not being compensated for their performances.
- As with the preceding, there are no policies in place regarding sponsorship agreements signed by PSL and League sponsors. Delta pays administration fees to the PSL but not to the clubs. The prize money is distributed on a sliding scale. The incentive makes no economic sense considering the costs incurred by clubs, leaving them poorer.



sum of: **Zimbabwe National Soccer Team (Warriors)** Or Order

**Thirty Five Thousand Dollars Only**

### Part 3 - Junior Football Development

- Junior football is the foundation for future football development.
- Historically, junior football had thriving structures in all ten provinces, but this is no longer the case.
- Football progress was stunted by the ZIFA Secretariat's vindictiveness towards opposition.
- The FIFA development funds must be channelled to the respective affiliates rather than being administered by FIFA's central office.
- For major matches, junior matches must serve as opening fixtures.
- Every PSL club must field a junior team.
- The Division 1 framework must include a developmental team.
- There is no junior development programme in ZIFA, which would normally feed the national team. Presently, there is no Junior League. Leagues must start with U/9s and end with U/18s. The national squad and competitions receive much of the attention to the detriment of youth football development.
- Because the ZIFA does not administer school football development programmes, it is unable to establish a player and activity monitoring system.
- Because there is no mechanism in place to track junior-level players, age fraud is common. Furthermore, the organisation has no regulations or policies in place to prevent or punish age fraud. The SRC launched an investigation after the U/17s were expelled for age fraud, but the findings were never made public.

### Part 4 - Women's Football

- Women's Football does not have a supreme body that oversees all levels of the sport, from grassroots to the Super League.
- The Women Football Committee is not operating at full capacity.
- Women's Football regions do not participate at the same level in the ZIFA Assembly as their male counterparts, the PSL.
- There is no mechanism in place for women's football coaches to put forward player recommendations to the national team.
- The Mighty Warriors head coach chooses players based on their compatibility with her.
- Leagues are not operating due to a lack of sponsorships.
- It is tough for provincial clubs to travel large distances.
- Provincial clubs incur high travel costs to participate in zonal leagues.
- Women Football is not involved in the FIFA funding application, and the funds are not under Women Football's control. Those who inquired about these funds were met with a suspension.
- The FIFA's funds are not audited for the final recipient.
- Each time the Mighty Warriors entered a camp for national duty assignments, they were treated differently to their male colleagues in terms of lodging quality and pay. This was true before, during, and after national duty missions.
- The Mighty warriors noted a lack of adequate nutrition in national team camps prior to games.
- The Mighty Warriors players expressed their embarrassment at having insufficient resources during international tournaments, where the team's lack of material preparedness (for example kits and practice balls) eroded the country's reputation in the eyes of observers and other participants.
- The Mighty Warriors were guaranteed housing stands and US\$5,000 each upon their return from Rio de Janeiro, but only received US\$5 each.
- Dieticians and psychologists are not on the medical staff of the Women's Football team.



**The following was revealed to the ZIFA RC but is subject to confirmation from the forensic audit report of BDO Chartered Accountants Zimbabwe:**

- FIFA funds for development are not being directed to the intended recipients.
- There is no policy or adherence to distribution protocols for the FIFA donated equipment, leading to suspicions and allegations that it is not delivered to intended recipients but is used in election campaigns or sold.
- There is no funding policy for the PSL, Regions, Divisions 1 and 2, NAPH, NASH, or Tertiary.
- There is no staffing policy for critical structures such as Technical and the Referees Desk.
- There is full medical team for women's football. There are no dietitians, psychologists, or medical doctors, for example.
- There is inadequate competition structure. Travelling long distances for zonal league competitions is becoming prohibitively expensive for provincial clubs.
- There are no development programmes or policies in place for Beach Soccer, Futsal, Referees, or Youth Football.
- There are no records or databases for the players, both former and current.
- There are no procedures or systems in place to investigate the sponsorship agreements entered by the PSL clubs, players are not being paid, there has been no Referees Desk at ZIFA since 2016 (as required by the FIFA), and a former employee continues to receive communication intended for the ZIFA from the CAF and the FIFA.
- There is inadequate management of provincial operations and systems to ensure compliance and accountability. There have been no audits conducted in the provinces.
- There is no financial assistance for provinces.
- There is no financial incentive for members to join the ZIFA.
- No administrative relationship exists between members and the ZIFA. There is no monthly activity report from members to the ZIFA, and the ZIFA does not provide funding to the provinces.
- There are no systems in place to evaluate ZIFA staff performance, and to track players from area zones, inter-district, inter-provincial, and through to the national team.
- There are ongoing labour concerns about former employees who claim they did not receive termination benefits.
- There are no policies in place to combat corruption, embezzlement, or bribery.
- There are no fan management policies or commercialisation efforts.
- There is no referee training or grading criteria.
- Former and current players cannot afford the training fees for coaches and referees.
- It has been claimed that referees accept bribes to assist teams seeking promotion to a higher division/league in winning games.
- There is no policy in place to prepare local coaches for positions as national team coaches. Former Warriors coach, the late Ben Koufie, wrote a development paper in 2015, but it was never implemented.





# **CHAPTER 5:** **THE WAY FORWARD**

# CHAPTER 5:

## THE WAY FORWARD

When the committee started engaging with the public the Chairman would always ask for the participants to educate the committee. The committee is convinced that the best solutions for our football reside in the hearts and minds of the Zimbabwean people. Our task is to create a platform that will allow the best of those ideas to be revealed and then implemented.

In our deliberations we considered various models that are implemented across the world to develop strategic plans for the future of football. The UEFA Grow model is one such model that is soundly conceived and can be a useful framework for ZIFA to develop a Strategic Plan.

### Following the UEFA blueprint

We have followed the UEFA Grow blueprint to develop the new ZIFA strategy. The different steps are outlined below:

1

#### PREPARE

- Develop a high-level plan
- Review the current situation and case for change
- Complete the Football Federations of the Future self-assessment

2

#### STRATEGIC DIRECTION WORKSHOPS

- Define strategic pillars for the new strategy
- Agree mission statement
- Agree vision statement
- Agree 'headline goals'
- Agree values

3

#### UNDERSTAND THE CURRENT SITUATION

- Collect and analyse data to inform strategy workshops
- Conduct benchmarking against other associations
- Conduct consultation interviews with stakeholders
- Perform SWOT (Strengths, Weaknesses, Opportunities, Threats) analysis

4

#### STRATEGIC PILLAR WORKSHOPS

- Set workshop objectives and expected outputs
- Agree objectives for each strategic pillar
- Agree actions for each objective

5

#### DRAFT STRATEGY

- Produce draft strategy and share with the board and external stakeholders for feedback

6

#### REVIEW & REFINE

- Consolidate feedback, test and improve strategy on an iterative basis

7

#### FINALISATION WORKSHOP

- Review and finalise the new ZIFA strategy

8

#### IMPLEMENT & MONITOR PLANNING

- Develop a detailed action plan including monitoring, budget allocation and communications plan

# BIBLIOGRAPHY:

Adjudicatory Chamber of the Ethics Committee. 2022. *Mr Obert Zhoya, Zimbabwe* (Decision FED-263).

Akinsulore, A.O. and Akinsulore, O.M. 2021. FIFA's Minimum Standard Requirement for Professional Football Contract: Assessing Nigeria's compliance. *Nnamdi Azikiwe University Law Review*, 1(2), pp.26-43.

Baker, T.J. and Hedge, D.M. 2013. Term Limits and Legislative-Executive Conflict in the American States. *Legislative Studies Quarterly*, 38(2), pp.237-258.

Bare, K.S., Ncube, L. and Chibuwe, A. 2021. Media, Big men and Power Struggles in Football Bodies: Framing the Impasse between the ZIFA and PSI leadership in Selected Media. *Critical Arts – South-North Cultural and Media Studies Issue*, 35(2), pp.49-84.

Botswana Football Association Constitution, 2019.

Brown Governance Inc. 2007. Executive Committees of the Board: Current Practices, Trends and Context. Available at: <https://www.governancesolutions.ca/governance-solutions/publications/pdfs/Executive%20Committees.pdf>

CAF. 2021. CAF Statutes (2017 Edition).

CAF. 2021. CAF Statutes (2021 Edition).

Carpenter, K. 2013. Global Match-Fixing and the United States' Role in Upholding Sporting Integrity. *Berkeley Journal of Entertainment and Sports Law*, 2, pp.214-229.

Chiweshe, M.K. 2014. One of the boys: female fans' responses to the masculine and phallogocentric nature of football stadiums in Zimbabwe. *Critical African Studies*, 6(2-3), pp.211-222.

CONCACAF. 2016. CONCACAF Statutes (2016 Edition).

Council of Europe. 2014. Council of Europe Convention on the Manipulation of Sports Competitions (Macolin Convention).

Dandah, G. and Chiweshe, M.K. 2021. Zimbabwe Premier Soccer League in the Context of COVID 19. *Journal of Global Sport Management*, pp. 1-18.

# BIBLIOGRAPHY:

Darby, P. 2013. *Africa, Football and FIFA: Politics, Colonialism and Resistance* Routledge.

Davids, J., Naidoo, R. and Coopoo, Y. 2015. Coaches' perspectives on youth football development programmes in the eThekweni region, KwaZulu-Natal, South Africa. *African Journal for Physical, Health Education, Recreation and Dance*, (Supplement 1), pp.236-250.

Düerkop, S. and Ganohariti, R. 2021. Sovereignty in sports: non-sovereign territories in international football. *International Journal of Sport Policy and Politics*, 13(4), pp. 679-697.

Elgujja, A. and Arimoro, A. 2018. FIFA Regulations, Redress in Domestic Courts and Non-Interference: Matters Arising. *Ebonyi State University Law Journal*, 9(2), pp. 187-199.

English Football Association. 2014. *Working Together to Safeguard Football: Our Policy and Procedures*.

*Eskisehirspor Kulübü v. Union des Associations Européennes de Football (UEFA)*, CAS 2014/A/3628.

European Club Association. 2012. Report on youth academies in Europe.

FAM Statutes, 2019.

FAZ Drafts Constitution, 2017.

FIFA Professional Football Player Contract Minimum Requirement, 2008.

FIFA Regulations on Status and Transfer of Players, 2018.

FIFA. 2012. Code of Ethics (2012 Edition).

FIFA. 2016. FIFA Statutes (2016 Edition).

FIFA. 2018. FIFA Statutes (2018 Edition).

FIFA. 2018. FIFA Statutes (2019 Edition).

FIFA. 2019. Disciplinary Code (2019 Edition).

# BIBLIOGRAPHY:

FIFA. 2020. FIFA Statutes (2020 Edition).

FIFPRO. 2020. *Raising Our Game: Women's Football Report*.

Footballers Union of Zimbabwe Constitution. N.d.

Gaillard, W. 2013. Football, Politics and Europe [comments]. *Hague Journal of Diplomacy*, 8(3-4), pp. 333-340.

Garcia-Garcia, B. and Meier H. 2013. The power of FIFA over national governments: a new actor in world politics? Loughborough University Conference.

Garcia-Garcia, B. and Meier H. 2013. Keeping private governance private: Is FIFA blackmailing national governments? Loughborough University Conference.

Guyana Football Federation Constitution, 2022.

Isaboke, A. 2022. Kenya Banned By FIFA For Government Interference. *Capital Sports*. Available at: <https://www.goal.com/en-ke/news/fifa-suspends-kenya-and-zimbabwe-over-government/blte21072f228b5cc8c>

Jaberg, O., Ven, V., Grillo, R.A. and Eichenberger, S. 2018. *Protecting the Integrity of Football: A Legal Analysis of FIFA's Integrity Framework and Challenges Connected to Match Manipulation Proceedings*.

*Josip Simunic v. Fédération Internationale de Football Association (FIFA)*, CAS 2014/A/3562.

Kordas, K. Dropping the Ball: How Can FIFA Address the Match-Fixing Problem Facing Professional Football. *Sports Lawyers Journal*, 23, pp. 107-136.

Lopez, E.J. 2003. Term Limits: Causes and Consequences. *Public Choice*, 114(1-2), pp. 1-56.

Mangenje, L. 2022. Breaking: FIFA suspends Zimbabwean football. *Soccer24*. Available at: <https://www.soccer24.co.zw/2022/02/24/breaking-fifa-bans-zimbabwe/>

Mason, P. 2014. Fifa was the perfect global monopoly – and its crisis is a parable about the future of capitalism. *The Guardian*. Available at: <https://www.theguardian.com/commentisfree/2015/may/31/fifa-corruption-crisis-global-monopoly>

# BIBLIOGRAPHY:

Mills, A., Butt, J., Maynard, I. and Harwood, C. 2012. Identifying factors perceived to influence the development of elite youth football academy players. *Journal of Sport Sciences*, 30(15), 1593-1604.

Moen, M.C. and Palmer, K. 2002. Term Limits, the Standing Committees, and Institutional Response. *Maine Policy Review*, 11(1), pp. 12-25.

National Code on Corporate Governance Zimbabwe, 2014.

Ncube, L. 2014. *The beautiful game? Football, power, identities and development in Zimbabwe* Unpublished Thesis, University of KwaZulu-Natal.

Ncube, L. 2017. Sports Journalists and Corruption in Zimbabwean Football: Reflections on the Asiagate Scandal. *South African Journal for Communication Theory and Research*, 43(3-4), pp. 19-35.

Nhakaniso, D. Zifa scandal exposed. *The Standard*. Available at: <https://thestandard.newsday.co.zw/2019/08/18/zifa-scandal-exposed>

SAFA Standard Statutes – Local Football Association, 2019.

SAFA Statutes, 2022.

Sang, K. 2022. Fifa suspends Kenya and Zimbabwe over government interference. *GOAL*. Available at: <https://www.goal.com/en-ke/news/fifa-suspends-kenya-and-zimbabwe-over-government/blte21072f228b5cc8c>

Sugden, J. and Tomlinson, A. 1998. *FIFA and the contest for world football: who rules the people's game?* Polity Press.

SuperSport. 2019. *The National Soccer League Handbook*.

Talleg Marston, K., Poli, R., Rodrigues, D. and Boillat, C. 2014. Governance Models Across Football Leagues and Clubs. *Réflexions sportives*, 4, Neuchâtel.

The Chronicle. 2022. Restructuring Committee summons ZIFA Officials. 2 December 2022. Available at: <https://www.chronicle.co.zw/restructuring-committee-summons-zifa-officials/>

Trinidad and Tobago Football Association Constitution, 2015.

# BIBLIOGRAPHY:

UEFA. 2014. UEFA Statutes (2014 Edition).

UEFA. 2014. UEFA Statutes (2016 Edition).

UEFA. 2014. UEFA Statutes (2017 Edition).

UEFA. 2020. UEFA Statutes (2020 Edition).

Walid, K. 2017. *The FIFA Rule of Non-Interference: How it Contributes to Corruption and How it Contravenes Kenyan Law* Unpublished Dissertation, Strathmore Law School.

ZIFA Constitution, 2009.

ZIFA Constitution, 2013.

Zimbabwe Premier Soccer League: Rules and Regulations, 2015.