

**DECISION OF THE APPEALS COMMITTEE* RELATING TO
THE APPEAL BY GEORGE KWASI AFRIYIE AGAINST THE
DECISION OF THE ELECTIONS COMMITTEE OF THE
GHANA FOOTBALL ASSOCIATION**

DATE: 15TH SEPTEMBER, 2023

Per a notice of appeal dated 8th September, 2023, Mr. George Kwasi Afriyie is challenging the decision of the Elections Committee of the Ghana Football Association disqualifying him as a candidate for the presidency of the Ghana Football Association.

This appeal is by way of rehearing and therefore we have reviewed all documents which were submitted by Mr. George Kwasi Afriyie in support of his application to contest for the GFA presidency.

We have also reviewed the decision of the Elections Committee as well as the initial and supplementary written submissions in support of the appeal by Mr. George Kwasi Afriyie. A video of the vetting of Mr. George Kwasi Afriyie was also reviewed. We also reviewed videos of interviews the Elections Committee had with Mr. Leslie Bartels and Mr. Jerry Asare. The main issue to be determined is whether or not Mr. George Kwasi Afriyie was properly disqualified by the Elections Committee. In resolving this issue, we shall not be following the extensive grounds of appeal contained in the notice of appeal filed by Mr. George Kwasi Afriyie.

We note from the written submissions in support of the appeal that Mr. George Kwasi Afriyie is alleging that the Elections Committee was constituted by Six (6) persons instead of Five (5) as provided for by the



regulations. Our review of the video of the vetting shows that the sixth person Mr. George Kwasi Afriyie is referring to is the in-house lawyer of the Ghana Football Association. The lawyer was not part of the vetting team and did not ask Mr Afriyie any question. The lawyer only provided administrative assistance to the Committee and this is provided for in the Elections Regulations of the GFA. Article 4(4) of the 2019 GFA Regulations on Elections states as follows;

“4. The Elections Committee shall appoint a secretary from among its members, who shall be responsible for the related logistical matters and who shall take care upon the matters. He may call upon the GFA Secretariat to assist him in his duties”.

The Appeals Committee is of the view that the presence of an employee of the GFA, it's in house lawyer, at the vetting to handle purely administrative functions did not increase the composition of the panel from five to six.

The Statutes of the Ghana Football Association provides that a person seeking the position of president of the GFA shall be nominated by a member of the GFA and this nomination shall be supported or endorsed by Five (5) members of the GFA.

Mr. George Kwasi Afriyie was nominated by SUSUBIBRIBI SPORTING CLUB acting per its General Manager Emmanuel A. Frimpong.

The following members are indicated on the form submitted by Mr. George Kwasi Afriyie as supporting his nomination;

- I. NEW EDUBIASE UNITED F/C acting per its President Yakubu Abdul Salam.

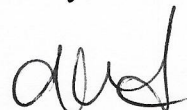


- II. BEREKUM CHELSEA acting per its president Bernard A. Jantuah
- III. ADUANA F/C acting per its CEO George Gyawe.
- IV. BEREKUM CITY F/C acting per its Director Kwaku Afriyie Nsiah-Asare.
- V. VICTORY CLUB WARRIORS F/C acting per its Director Jeffery Asare.

The nomination form for the position of President of the Ghana Football Association is a standard form that makes provision for five members only to support a valid nomination. There is no portion on the form that allows for more than Five (5). Mr. Afriyie's form had five (5) as listed above. All the five supporting clubs also provided Statutory Declaration to the effect that they have not endorsed the forms of any other candidate.

The Committee notes that Mr. George Kwasi Afriyie included a Sixth Statutory Declaration from another person who had not supported his nomination. This document is irrelevant as it is not from a GFA member indicated on the Nomination form as supporting Mr. George Kwasi Afriyie.

We note from the written submission of Mr. George Kwasi Afriyie that he is asserting that he provided six members as GFA members supporting his nomination. This is not true. The only members submitted in support of the application are five (5). As indicated earlier in this ruling, the standard form make provision for only five (5) and therefore Mr. George Kwasi Afriyie cannot assert that he provided six (6) because he submitted six (6) Statutory Declarations. The sole



purpose of the Statutory Declaration is for the member supporting a nomination to state under oath that he is supporting only one candidate. Beyond this, the Statutory Declaration has no other use in the nomination process.

The Elections Committee disqualified Mr. George Kwasi Afriyie on the basis that the endorsement from Victory Club Warriors F/C was incompetent. Mr. Jeffery Asare who signed for and on behalf of Victory Club had indicated on the form that he is a Director of the Club. The Elections Committee established from the Regulations of the Club as well as the records of the GFA that Mr. Jeffery Asare is not a Director of the Club in its Regulations and is also not an authorized signatory as officially provided to the Ghana Football Association by the Club.

In our review of the appeal record, we noticed that the “Authorised Signatories List” submitted by Victory Club Warriors FC to the GFA in a letter dated 9th May, 2023 provided the following as the signatories with their designations and sample signatures;

1. Leslie Kuku Bartels - President
2. Mr. Fatawu Mohammed - CEO
3. Ms. Angela Effah -Director

We also noticed that the Search conducted at the office of the Registrar of Companies provided that the Directors of Victory Club Warriors FC are the following;

Leslie Bartels

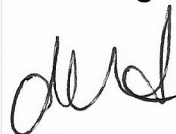
Angela Effah



Angela Effah is also the secretary. Clearly, Jeffery Asare has no legal authority to execute any document on behalf of Victory Club Warriors FC. He did not provide any Power of Attorney giving him the authority to sign the Nomination form for and on behalf of the Club. In separate virtual interviews with Mr. Asare and Mr. Bartels, they both admitted that Mr. Asare is not a Director of the Club and is not authorized to sign any document on behalf of the Club. Mr. Asare informed the Committee that he did not indicate on the form that he is a Director of the club even though he signed same. The Elections Committee was therefore right in concluding that the endorsement by Victory Club Warriors FC in the nomination form is not “errors in the completion of such documents...” as stated in paragraph 2.36 of the Supplementary Written Submissions of Mr. George Kwasi Afriyie.

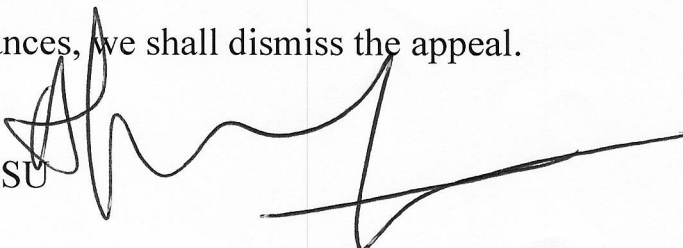
Article 8(3) of the GFA Regulations on Elections provides as follows;
“At the latest two days after the deadline for submission of candidatures, the Elections Committee shall inform in writing candidates who have failed to provide all the relevant documents in support of their candidatures and grant them another three days to complete their applications.....”

We wish to state that this provision is not applicable to the facts of this case. A review of the Checklist for 2023 GFA elections shows that Mr. George Kwasi Afriyie submitted all documents in support of his application. It is not the case that a police clearance certificate or passport picture had not been included which would have warranted the application of Article 8(3) of the Election Regulations.



The invalidity of any document submitted cannot be cured by reference to Article 8(3) of the Elections Regulations. Indeed, if Mr. George Kwasi Afriyie had submitted an invalid Tax Clearance certificate or an invalid Police Clearance certificate, it would have made his nomination invalid. Mr. George Kwasi Afriyie's nomination was supported by only four members of the GFA and therefore his nomination is not valid. In the circumstances, we shall dismiss the appeal.

AGBESI K DZAKPASU
CHAIRMAN



* AGBESI K DZAKPASU
DR. BELLA BELLO BITUGU
DAVID ASUMDA
ABDUL AZIZ MUSAH
EMMANUEL KWASI OPARE WIREDU

