



**CAF DISCIPLINARY BOARD**  
**DECISION 004 – CAI – 25.09.2022**

General Secretary  
**Football Association of Zambia**

Cairo, 10<sup>th</sup> of October 2022

**Re: Complaint submitted in frame of the Women’s African Cup of Nations, Morocco 2022.**

Dear Sir,

We hereby transmit to you the decision of the CAF Disciplinary Board composed of :

Mr. Issa Sama (Burkina Faso)	Acting Chairman
Mr. Youssouf Ali Djae (Comores)	Member
Mr. Boubacar Coulibaly (Mali)	Member

At its meeting held on 25<sup>th</sup> September 2022, the Board examined all the documents relevant to the above-mentioned case.

**I.FACTS:**

1. The elements set out below are a summary of the main relevant facts, as established by the Disciplinary Board based on the complaint as well as the scope of application of the disciplinary Board.
2. The Football Association of Zambia (hereto the FAZ) submitted a complaint against the refereeing during match Zambia vs South Africa played in the frame of the WAFCON 2022.
3. The FAZ alleged that “M Jerome Kelvyn Damon, a South African VAR instructor, founds his way into the VAR room when he wasn’t one of the VAR referees appointed to handle the match and we believe that his presence influenced the VAR decision that led to a goal”.
4. The Disciplinary Board had also received a counter claim by the concerned official to the allegations sent by the FAZ.
5. The case was submitted to the CAF Disciplinary Board which met on September 22, 2022 and rendered a decision on the said case.

**II.CAF’s competence to the Case**

6. Pursuant to articles 40, 42 and 57 of the CAF Statutes, as well as article 3 and 87 of the CAF Disciplinary Code, the CAF Statutes, Disciplinary Code and Regulations are applicable to this procedure.

7. The competence of the CAF Disciplinary Board results from the following articles:
8. Pursuant to article 10 of CAF disciplinary code *“the disciplinary Board is authorized to sanction any breach of CAF Regulations which does not come under the jurisdiction of another body of the Confederation”*.
9. Article 3 of the CAF Disciplinary Code provides that *“By participation in the various CAF competitions, all the persons referred to in article 2 para 2 above acknowledge and accept that they are bound by this code inclusive of any regulations relating to any specific CAF competitions as well as any directives issued by the CAF Secretariat on behalf of the CAF Executive Committee, inclusive of the Laws of the Game as issued by the International Football Association Board.*
10. In the present case, and in accordance with the aforementioned articles of CAF Disciplinary Code, the CAF Disciplinary Board is competent to deal with the case.

### **III. Relevant provisions to the Case**

11. The following relevant provisions apply to the case at hand:
12. Pursuant to Article 6 of the CAF Disciplinary Code: *“1. During matches, disciplinary decisions are taken by the referee. 2. These decisions are final. 3. The jurisdiction of the judicial bodies may apply (cf. art. 11).”*
13. According to Article 41 of the WAFCON Regulations *“41.5 Other protests are to be communicated to the Secretariat of CAF within the 48 hours that follow the match by fax or email, registered mail or express courier. A detailed confirmation by registered letter, fax message, or email must reach CAF Secretariat five clear days from the date of the match at the latest. 41.6 The right of protest fixed to 2000 US\$ (two thousand US dollars) shall be paid to CAF before the protest can be examined. This amount will be refunded if the protest is upheld. 41.7 The decisions taken by the referee on the ground during the match on matters of fact shall not be subject to protests in any case.”*

### **IV. Legal Considerations**

14. On a preliminary basis, the Disciplinary Board would like to recall that, according to the constant practice of the disciplinary bodies of CAF and the regulations, the decisions taken by the referee on the ground during the match on matters of fact shall not be subject to protests in any case.” *(cf Article 41.7 WAFCON Regulations);*
15. In this regard, the Disciplinary Board considered that the Referee’s decisions are final, thus such decisions that are taken on the field of play by the referee cannot be overturned nor reviewed by the Disciplinary Board.

16. Furthermore, the Disciplinary Board noted that FAZ has reported allegations of influence by the VAR instructor Mr. Jerome Damon on the decision of the referee.
17. The disciplinary Board emphasizes that the FAZ has not submitted any evidence that could support their claim of influence. (cf Article 30 DC).
18. The Disciplinary Board having investigated and reviewed the video footage of the said match, has established that the VAR instructor M Jerome Kelvyn Damon was not present at any time in the Video Operating Room (VOR), as such Mr. Damon is innocent from all allegations submitted against him.
19. The Disciplinary Board thus has highlighted the fact that the said allegations should not have been made public in any way as in doing so, CAF officials' reputation and image are threatened, and CAF cannot tolerate such actions.
20. In this respect, the Disciplinary Board recalls the Zambia FA to respect the principles of loyalty, integrity, sportsmanship, and ethics.

#### **IV.DECISION:**

**Consequently, CAF Disciplinary Board decided:**

- **to dismiss the complaint that was submitted by Zambia Federation as it lacks merit.**

Best Regards,

**CONFEDERATION AFRICAINE  
DE FOOTBALL**

A handwritten signature in blue ink, appearing to read "Issa Sama", is written over a light blue rectangular background.

Issa Sama  
Acting Chairman  
Disciplinary Board