



# FEDERATION CAMEROUNAISE DE FOOTBALL CAMEROON FOOTBALL FEDERATION

Affilié à la FIFA en 1962, à la CAF en 1963 et à l'UNIFFAC en 1998

**DECISION N° 022/ECT/CR/2022**

## THE CAMEROON FOOTBALL FEDERATION

THE FEDERAL HOMOLOGATION AND DISCIPLINARY COMMITTEE (FHDC)  
(COMMISSION DE RECOURS)

**BETWEEN:**

**BON A PUBLIER**

**TAMBE ENOW BENARD**

**AND**

**THE SOUTH WEST HOMOLOGATION AND DISCIPLINARY COMMITTEE  
(SWHDC)**

**IN THE YEAR TWO THOUSAND AND TWENTY-TWO AND ON THE 26<sup>TH</sup> DAY OF AUGUST.**

The Federal Homologation and Disciplinary Committee (FHDC), (COMMISSION DE RECOURS) sitting in Yaoundé and composed of the following members:

MESSRS MAITRE ACHET MAGNIGNI-----	PRESIDENT
NDEMO MARIE NOELLE -----	VICE PRESIDENT
NTEDE FAUSTIN -----	RAPPORTEUR
CHIEF NGUTE ABIA II -----	MEMBER

Upon examination of the notice of appeal lodged by **TAMBE ENOW Bernard** on the **18<sup>th</sup> July 2022** and his grounds of appeal on the **22<sup>nd</sup> July 2022** at the secretariat of the Cameroon Football Federation against the decision of the **South West Homologation and Disciplinary Committee** rendered on the **15<sup>th</sup> of July 2022** by the said committee between **Mr. TAMBE ENOW Bernard** and **Mr. Henry NJALLA QUAN Junior**;

The Federal Homologation and Disciplinary Committee (Commission de Recours)

**Mindful of the constitution,**

**Mindful of law no 2018/014 of 11 July 2013 on the organization and promotion of sporting activities in Cameroon,**

**Mindful of FIFA Statutes,**

**Mindful of Statutes, Codes and FECAFOOT Regulations,**

**Mindful of the report on an extra ordinary general assembly of FECAFOOT held on the 13<sup>th</sup> of July 2021,**

**Mindful of the appeal lodged by Mr. TAMBE ENOW Bernard**

Considering that by notice of appeal lodged on the **18<sup>th</sup> July 2022** and grounds of appeal on the **22<sup>nd</sup> July 2022** at the secretariat of FECAFOOT by **TAMBE ENOW Bernard** filed this appeal against the **decision of 15<sup>th</sup> July 2022** by the South West Homologation and Disciplinary Committee. the said committee rendered the





following decision after full hearing of both parties: “ **sitting in its full session and in the presence of all its members and after listening with keen attention from both parties the HDC unanimous involved and applied the provisions of articles 11(1), (2 a, b, d ), (3) of the FECAFOOT disciplinary code read alongside article 24 (1, 2 and 3) of same.**

In sanctioning the said **TAMBE ENOW Bernard**, the **HDC** took his plea of mea culpa into considerations and as such 24(3) shall be applied in his favor thus, he is hereby suspended from all organized FECAFOOT invent as well as all its related activities for a period 10(ten) years as from the date of publication of this decision”;

That, **Mr. TAMBE ENOW Bernard** being dissatisfied with the said decision filed an appeal to this committee;  
On the admissibility of the appeal

This appeal is admissible for haven been filed within the time frame prescribed by the disciplinary code of FECAFOOT and in particular **Section 150 and 151 (1) and (2)** for filing appeal as well as haven acquitted himself with the payment of the cost of this proceeding in conformity with article 154 of the said code. This appeal being judged admissible, we shall proceed with the facts of the case, the grounds of appeal and finally the decision.

#### **FACTS OF THE CASE**

That by a simple communique dated 9<sup>th</sup> of June 2022 by the South West Regional League of FECAFOOT and signed by its president **NDAZEH Valery NCHIAKEH** the South West Regional Homologation and Disciplinary Committee auto seized itself without this communique being addressed to them.

That the content of this communiqué is to the effect that **Mr. TAMBE ENOW Bernard** attacked and threatened on social media the fourth vice president of FECAFOOT.

That these regulations were quiet revealing of that demonic attitude of some football actors towards one another coming from a football guru of Mr. TAMBE’S caliber (**former DR Referee, national CCA member, referee instructor, south west ACAF president**).

That in the communique he is alleged to have participated in a match fixing since 2001.

#### **JUDGEMENT**

Considering the violations of the provisions of **article 139 of the disciplinary code of FECAFOOT** by the South West Regional Homologation and Disciplinary Committee which stipulates that “ **all physical and moral persons may make known to the jurisdictional authorities, the behavior which he judges contrary to the regulations of FECAFOOT or the leagues concerned. These denunciations must be made in writing**”.

Considering that after the perusal of the file and listening to the appellant in the absence of the respondent even though duly summoned, it is evidently found clear that there was no written complaint or denunciation so far made to this committee by the fourth vice president of FECAFOOT **Mr. Henry NJALLA QUAN Junior** or any other person.

Considering that the communiqué dated the 9<sup>th</sup> of June 2022 and signed by the president of the South West Regional League of FECAFOOT was never addressed to this committee in any form of complaint or denunciation nor did he receive a mandate from **Henry NJALLA QUAN Junior** to so do.

#### **ARTICLE 1: ON ADMISSIBILITY**

This appeal by **Mr. TAMBE ENOW Bernard** is admissible haven complied with the provisions of articles 150, 151 (1) (2) and 154(1) of the disciplinary code of FECAFOOT.

#### **ARTICLE 2: ON THE MERITS**

This appeal succeeds in that, the South Regional Homologation and Disciplinary Committee of 15 July 2022 auto seized itself in violation of the provisions of article 139(2) cited supra of the disciplinary code of FECAFOOT.

**ARTICLE 3:** The South Regional Homologation and Disciplinary Committee's decision of 15<sup>th</sup> July 2022 suspending the appellant from all football related activities for a period of ten (10) years is hereby quashed (annulled) with all its consequences.

MESSRS MAITRE ACHET MAGNIGNI

PRESIDENT

NDEMO MARIE NOELLE

VICE PRESIDENT

NTEDE EAUSTIN

RAPPORTEUR

CHIEF NGUTE ABIA II

MEMBER