

FINA EXTRAORDINARY GENERAL CONGRESS – Minutes ***December 18, 2021 in Abu Dhabi (UAE)***

The FINA General Congress started at 12:31 (UAE local time).

1. Welcome

The Master of Ceremony opened the Congress and asked the audience to stand for the UAE Anthem and to remain standing for the FINA Anthem. A FINA promotional video was then showcased.

The FINA President welcomed the FINA delegates, guests and observers in Abu Dhabi and around the world. He then passed the floor to HE Dr Ahmad Belhoul Al Falasi, UAE Minister of State for Entrepreneurship and Small and Medium Enterprises (SMEs), President of the General Authority of Sports, who delivered a welcome speech.

The FINA President introduced HE Aref Al Awani, Abu Dhabi Sports Council Secretary General. HE Aref Al Awani gave a welcome speech.

2. Awards

The FINA President gave the floor to the Master of Ceremony to announce the awards.

The following individuals received their awards from the FINA President himself:

- HH Sheikh Nahyan bin Zayed Al Nahyan was awarded the FINA Order (Laurel Gold Wreath). As he did not attend to the FINA Extraordinary General Congress and HE Aref Al Awani collected the award on his behalf;
- HE Dr Ahmad Belhoul Al Falasi, was awarded the FINA Order (Laurel Gold Wreath);
- HE Aref Al Awani was awarded the FINA Prize;
- Mrs. Carol Zaleski was awarded the FINA Order (Laurel Gold Wreath);
- Mr. Abdulla Alwheibi, UAE Swimming Federation's General Secretary, was awarded the FINA Gold Pin;
- Mr. Kiho Abe, Tokyo Olympic Games Sport Aquatics Director, was awarded the FINA Gold Pin;
- Ms. Camelia Potec was awarded the Presidential Award.

The Master of Ceremony passed the floor to the FINA President to briefly present some interesting introductory miscellaneous matters.

The FINA President announced the conclusion of a collaboration agreement with the International Police Sports Union and invited on stage General Mohammed Hamid Dalmouj Al Zahiri, Vice President of the International Police Sports Union, for the formal joint signature of the collaboration agreement.

The FINA President then passed the floor to Mr. Brent J. Nowicki, FINA Executive Director. The FINA Executive Director announced the renewal of a partnership with Myrtha Pools for the

period 2022-2025 as FINA pool partner. The FINA Executive Director indicated that this partnership not only set down a continuous relation of trust between FINA and Myrtha Pools, but also an extended commitment to athletes, as this partnership will include an internship program for active and retired athletes to work at the Myrtha Pools headquarters in Italy and its various offices around the world. In addition, FINA development programs will benefit in the renewal of this partnership as Myrta Pools will provide with a number of complete swimming pools during the course of the relationship.

3. Verification of quorum

The FINA Executive Director recalled that, according to FINA Rule C 15.9, a quorum is achieved if more than half of the Member Federations are represented, meaning 105 national federations.

The FINA Executive Director confirmed that, based on the attendance sheet signed by each delegate present on site today and based on valid mail votes returned by delegates participating remotely, a quorum was achieved and therefore the Extraordinary General Congress was validly constituted. Mr. Nowicki also noted that seven representatives of the FINA Athletes' Committee, with voting rights, were also present either on site or remotely.

The scrutineers were able to confirm based on the attendance sheet (*attached*) and on valid mail votes returned (*summary attached*) that 143 Member Federations took part to the FINA Extraordinary General Congress, i.e. 122 Member Federations on site, 20 Member Federations remotely and, 1 Member Federation with one delegate on site and the second remotely.

4. Approval of the agenda

FINA President asked the delegates to approve the agenda and asked if anybody wishes to speak about the agenda.

The FINA President gave the floor to the delegate from Porto Rico, Mr. José Augusto Gil Machado, who stated that he approved the agenda. As no one else wished to speak, the FINA Extraordinary Congress tacitly approved the agenda.

The FINA President proposed the FINA Extraordinary General Congress to appoint Mr. Michael Bernasconi as Chairman of the Extraordinary General Congress. As no delegate objected to such appointment, Mr. Bernasconi was tacitly appointed as Chairman of the Extraordinary General Congress.

The FINA President gave the floor to the Chairman of the Congress. The Chairman of the Congress explained the voting system on site with three colored panel, i.e. green (yes), red (no) and white (abstention).

The Chairman noted that, due to the exceptional situation, a number of Member Federations were not able to attend on site in Abu Dhabi, but that they were able to vote by mail vote.

5. Appointment of scrutineers and Ratification of the exceptional decisions taken by the FINA Bureau

The Chairman proposed the appointment of Ms. Lubna Sibtain (PAK), Mr. Jim Miller (USA) and Mr. Craig Hunter (GBR) as scrutineers.

The FINA Extraordinary Congress unanimously approved the appointment as scrutineers of the three individuals proposed by the Chairman of the 2021 FINA Extraordinary General Congress.

Furthermore, the Chairman recalled that the FINA Bureau took two decisions, due to the current situation, related to the right for a Member Federation to appoint a delegate to the Congress (participation to a FINA event's requisite) and to the voting method for the present FINA Extraordinary Congress (votes in person and by email). He noted that these two decisions were communicated to all the Member Federations on 8 December 2021.

The Chairman asked the Extraordinary Congress to ratify the exceptional decisions taken by the FINA Bureau according to FINA Rule C 17.13.9.

The FINA Extraordinary Congress unanimously ratified the two decisions from the FINA Bureau.

6. Report of the Reform Committee

The Chairman passed the floor to the FINA Executive Director. The FINA Executive Committee recalled that one of the first action of the FINA President, following his election at the last FINA Congress in Doha, was to establish a FINA Reform Committee. This FINA Reform Committee drew up a report that was published on FINA website on 5 October 2021. The FINA Executive Committee specified that the FINA Reform Committee set out six pillars of changes and reforms (Governance, Marketing, Events, Communication, Digital Transformation, and Safeguarding, Medical and Equity).

The FINA Executive Director called one by one the members of the FINA Reform Committee and invited the members present to step onto the stage: Dr. François Carrard, Mr. Michael Alberto Bernasconi, Mr. Abdullah Alhayan, Mr. Jack Buckner, Ms. Maureen Croes, Ms. Ayishatu Farida Idriss, Ms. Britta Kamrau, Mr. Darren Kane, Mr. Moses Benon Mwase, Ms. Hana Novotna, Mr. Vanja Udovicic, Mr. Joseph Edward Degroff and Mr. Raymond Hack. Mr. Nowicki also thanked Mr. Christopher Brearton, Mr. Viktor Huszar, and Mr. Alan Abrahamson, who have greatly assisted the FINA Reform Committee on various specific topics.

The FINA Executive Director asked a few selected members of the FINA Reform Committee, as well as to Mr. Huszar and Mr. Brearton, to briefly give an overview on specific aspects of their tasks. He passed the floor to Ms. Maureen Croes and Ms. Ayishatu Farida Idriss to present the governance pillar of the report.

Ms. Farida Idriss made her speech. First, she emphasized the importance to reform and proceed to a general overhaul of FINA Rules. Second, Ms. Idriss highlighted the need to reform the FINA Code of Ethics in order to improve FINA good governance (clarification of the scope, broader jurisdiction, new procedural rules, independence of the new structure, etc.). Ms. Idriss passed the floor to Ms. Maureen Croes for the second part of the governance's pillar presentation.

Ms. Croes made her speech. She underlined the importance to create an independent Aquatics Integrity Unit that shall meet the specific needs of FINA. This integrity unit will oversee three areas: anti-doping, event manipulation and corruptible offenses, and ethical violations.

In relation to anti-doping matters, the Aquatics Integrity Unit will bring true independence in the system, as, at the current time and in certain circumstances, FINA plays both the role of prosecutor and judge.

In relation to event manipulation, corruptible offenses, and ethical violations, the establishment of the Aquatics Integrity Unit will increase independence and transparency of the process.

The FINA Executive Director passed the floor to Mr. Viktor Huszar to present some interesting insights on the aspect of digital transformation. Mr. Huszar indicated that the digital sub-committee of the FINA Reform Committee began its work by conducting an investigation. This investigation enabled the sub-committee to identify a number of gaps in terms of digital FINA media/platforms. Mr. Huszar provided a summary of the results of the investigation, including notably statistics related to Facebook, Instagram, FINA website, Tiktok, Twitter, Youtube, LinkedIn.

Mr. Huszar highlighted, citing the example of the Tokyo Olympic Games, that major events will be the driving force for the future. He also stated that video became the main format on social media.

Mr. Huszar summarized a few recommendations from the FINA Reform Committee, as for instance, to implement performance indicators in FINA events. He concluded his speech by a call for action.

The FINA Executive Director passed the floor to Mr. Chris Brearton to briefly provide a summary of the report in respect of its marketing aspect.

Mr. Brearton began his speech by reassuring that FINA is a tremendous product, but that the FINA President's intent is to determine "what is the art of the possible".

Mr. Brearton stated that the marketing sub-committee broke its plan into two bite-size pieces. First, on short term, the FINA Reform Committee recommended FINA to continue to ensure that FINA events have a maximum coverage in the ordinary course. Second, he explained that, between now and May 2022, the marketing sub-committee will evaluate what the FINA product could be in the future and to understand better the economic and promotional values of FINA rights.

To wrap up, the FINA Executive Director concluded by quoting the Chairman of the FINA Reform Committee, Mr. François Carrard: "*The reform process will test our patience. It will take time, but in the end, I have no doubt that we will be successful*".

Mr. Marco Troll, delegate for Germany, requested the floor. The FINA President passed him the floor. Mr. Troll delivered a compliment speech with respect to the reform led by FINA, under the presidency of Mr. Al-Musallam.

The FINA Chairman asked if any other Member Federations wishes to say a few words in connection with the summary of the FINA Reform Committee's report.

Ms. Pia Margareta Zätterström, delegate representing Sweden, wished to provide three additional thoughts pertaining the first phase of the reforms for the consideration of the FINA Bureau. She indicated that her thoughts were not only shared on behalf of Sweden, but also of other Nordic countries' swimming national federations.

First, she expressed her concerns about the global enforceability within every and all Member Federations of the new FINA Rule C 10.6 (stabilization committee). Second, she suggested that any decision rendered by the FINA Bureau based on the new FINA Rule C 14.7 (withdrawal of a Continental Organization's recognition) should be an interim/provisional decision, which shall then be ratified at the next FINA Congress. Moreover, Ms. Zätterström recommended that such decision from the FINA Bureau should be supported by at least a majority of the FINA Bureau Members being part of the concerned Continental Organization. Third, Ms. Zätterström put forward that, in relation to new FINA Rule C 19.4, the appointment of a technical committee's member, without the support of his/her own national federation, should remain exceptional. She ended her intervention by stating that she does not intent to formally submit a motion in relation to these points but asks all stakeholders to consider them as additional thoughts in the following stages of the reform process.

The FINA President briefly replied to the three points raised by Ms. Zätterström.

The floor was then given to Mr. Max Kanyerezi, delegate representing Uganda, who gave his pledge of support to the reform undertaken by FINA.

In addition, Mr. Mohamed Abdul Turay, delegate representing Sierra Leone, brought his support to the changes initiated under the leadership of the FINA President.

Mr. Ishan Akhry Ameer, delegate representing Sri Lanka, welcomed the change related to new FINA Rule C 10.6 and hopes that that it will have a positive impact for Member Federations which are facing governments who interfere in their internal Aquatics matters.

Finally, Mr. Evenel Mervilus, delegate representing Haiti, gave his pledge of support to the reform led by FINA.

7. President's address

The Chairman passed the floor to the FINA President for his President's address. The FINA President delivered his speech:

"Dear friends and colleagues,

It has been one hundred and thirteen years since FINA was founded in London, England.

Since then, it has faced many situations and challenges, but always adapted with time and continue to be a force for good in so many different ways.

Today, December 18th, 2021, is one of the most important days in the entire history of our great Sport.

In June, you gave me the honour of electing me to be your President. I stood in front of you in Doha and promised you that in six months I would deliver a program of essential reforms that would bring Aquatic Sports into the 21st Century.

Today is the day that I deliver that promise.

Today is the day that we confirm those reforms.

Today is the day that we can look at each other in the eyes and proudly say that FINA has listened, and FINA has changed.

Today is the day that we confirm that our athletes are in the heart of everything we do and everything that we stand for.

I reassure you what I said to you in Doha that we are a team. We are always so much stronger when we work together. Today I really need your support, our team.

We need to send a clear signal to the world that FINA is serious about these reforms, and FINA has entered a new era.

Before I say any more, I want to thank all those who have worked so hard to prepare us for today.

The Reform Committee, under the leadership of its Chairman Francois Carrard and our Executive Director Brent Nowicki, has worked tirelessly to deliver recommendations that could not be clearer.

Every member of the committee has contributed to a report that will completely reshape the way that FINA operates. I want to thank each and every one of you. We all owe you an enormous debt of gratitude.

When I spoke to you in Doha, I highlighted six areas that I believed needed urgent action.

Governance, Marketing, Events, Communication, Digital Transformation and Safeguarding.

It was the task of the Reform Committee to deliver recommendations that would modernise our work in all these areas.

Good governance should be the first pillar of every International Federation.

My friends, I have always been honest with you. The current governance model of FINA is totally inadequate.

We have been criticized, rightly criticized, for a lack of transparency and a lack of independence.

It can never be right for a federation to act both as judge and jury.

Athletes have little confidence in our processes around vital topics like anti-doping and ethics.

If you support these reforms today, then you will be sending a clear message to our athletes that we will protect them and we will introduce systems that defend their rights.

The introduction of an Aquatics Integrity Unit is at the heart of all our reforms.

It is this Unit, entirely independent of FINA, that will investigate potential violations of FINA's anti-doping rules, look at any allegations of event manipulations, listen to whistle blowers in a safe way that gives them the necessary confidence that their identities will be protected, and provide a proper reporting system that will eliminate the power of any single person to determine whether to bring charges before the newly formed Adjudicatory Chamber.

There will be a new Code of Ethics and our constitution will be amended to reflect a greater need for balanced power between FINA, its members, and its athletes at a national level.

No discrimination is a key principle of my Presidency. However, it must be more than just my words. The Reform Committee is recommending enhancements to our constitution that add clear anti-discrimination language. I support this whole heartedly.

We also need to do so much more to improve our diversity. Only 15 per cent of our Bureau members are women. This is clearly completely inadequate. I give my firm backing to reforms to our constitution that will give more women a seat at our top table.

These reforms are essential if we are going to modernize FINA, but they are just the beginning.

There is so much more that needs to be done. You have already heard today about some of the plans to reform our Marketing strategy.

We are currently not promoting our sport as effectively as we should. It is the athletes who should benefit most from these Marketing improvements.

I want to give our athletes greater exposure and more income. We should be proud of the events that we organize.

By working more closely with our sponsors and broadcast partners, we can deliver a better product for these partners – a product that will see a significant increase in global demand.

I say it often, and I will say it again. Our athletes must be at the heart of everything that we do. This means that we need to look at our events program. Our events are the showcase for our athletes – their chance to perform in front of a worldwide audience.

If we do not deliver the best possible events, then we are letting down our athletes. We need to prioritise the Quality of events over Quantity.

FINA currently puts on more than 70 events every year. It is too many. We also need to do more to spread our events across all 5 continents.

We are lucky that we have received exceptional support for hosting events in both Asia and Europe, but FINA is a global federation and must organise its events all across the world. This will be key to us bringing in new audiences.

We also need to look at the benefits of Multisport events. We are witnessing here this week the merits of this.

I am so grateful to the organisers of these World Championships for agreeing to incorporate an Aquatics Festival.

My friends, you can see for yourselves how well this can work, and we need to look at ways that we can build on this in the future.

There is much to discuss, and the formation of a FINA Events Working Group will study all these issues.

As President, I want to see our athletes being given the opportunity to maximise their potential. We must make the changes that help them do that.

Once we have improved structures and improved events in place, we also need to get better at communicating our work to the world.

Whether this is simply finding new ways of telling our athletes' stories, or looking at new forms of digital communication, we can do more.

We need to have a serious thinking about our name. Is FINA the best brand name for an international federation with our great ambitions? Let's listen to the experts. I am open to any change that brings benefits to our federation and its athletes.

You have already heard an excellent presentation today about our digital strategy. If we are going to bring in new and younger audiences, then we need to speak their language and communicate with them on the platforms where they are spending their time. This is going to require radical changes to the way that FINA has worked in the past. We have already seen significant improvements over the past six months, and I am excited to see what the future holds. The sports industry is changing, the habits of the younger generations are changing, and we need to change too.

My friends, there is so much to do, and what I have outlined to you here is just a small part of what lies ahead for us. I pledged to you in Doha in June that I will not let you down. I will work tirelessly to deliver the reforms that FINA needs. But I cannot do this alone. Today is not about me, it is about you. This is your opportunity to have a voice, to vote in favour of a package of reforms that will transform our federation. This is your chance to pledge your support for the changes that we are making. This is your moment to make clear that we stand together in our commitment to make FINA a federation of which our athletes can be proud. A

diverse federation that will not tolerate discrimination. A federation with an independent Aquatics Integrity Unit that can handle any issue fairly. A federation with forward thinking that can organise even better events and attract new audiences to our sport. My friends, today I need your support. I urge you to join me and back these reforms”.

8. Vote on proposals for amending the FINA Rules

The Chairman of the Congress called for the vote on the approval of the Report of the FINA Reform Committee, as well as to changes of FINA Rules. The Chairman recalled that all Member Federations received on 11 October 2021 a memorandum containing all information in respect of the first reform package. He specified that, if accepted, the FINA Reform Committee will continue to work and all Member Federations will have the possibility to present new ideas and proposals and comment on any proposals that the FINA Reform Committee will do. In fact, the Chairman of the Congress underlined that FINA already received some interesting comments from some National Federations or Continental Organizations and that these comments as well as all those that will be duly submitted before the next FINA Congress will be taken in consideration in the next phase of the reforms.

The Chairman asked the following question to the delegates of the Congress: *“Do you approve the recommendations from the FINA Reform Committee as well as the changes to the FINA Constitution, the FINA Rules on the Protection from Harassment and Abuse, and the FINA Code of Ethics?”*

The Chairman confirmed that this item has been approved.

According to the count from the scrutineers, the recommendations from the FINA Reform Committee as well as the changes to the FINA Constitution, the FINA Rules on the Protection from Harassment and Abuse, and the FINA Code of Ethics were approved by 256 yes, 0 no, and 2 abstentions (from Italy).

Ultimately, the Chairman made clear that adopted changes to the FINA Rules on the Protection from Harassment and Abuse shall enter into force immediately (in derogation of FINA Rule C 15.12). The amendments to the FINA Code of Ethics, however, will not come into force until 1st June 2022 (following the FINA Congress in Fukuoka), when the new Aquatics integrity unit will be operational.

The Chairman closed the legal/administrative part of the FINA Congress and gave back the floor to the FINA President.

9. Miscellaneous

The FINA President gave the floor to the Master of Ceremony to introduce the following Organizing Committees reports:

- 2022 Fukuoka FINA World Championships: a presentation video was showcased;
- 15th FINA World Swimming Championships (25m) in Kazan: Mr. Vladimir Leonov, Minister of Sport of the Republic of Tatarstan, provided a status report of the Championships;

- 2023 Doha FINA World Championships: Mr. Khaleel Al-Jabir, FINA Bureau Member and Director General of the 2023 Doha FINA World Championships' Organizing Committee, provided a report and presentation linked with these Championships;
- Paris 2024 Olympic Games: a status report video pertaining to the Paris 2024 Olympic Games was showcased.

10. President's closing speech

The FINA Executive Director passed the floor to the FINA President for some final remarks.

In relation to the 2022 Fukuoka FINA World Championships, the FINA President indicated that the organizing committee is currently doing a good job and that FINA sent last November a delegation in Fukuoka to report of the advancement of the preparation of the Championships. The FINA President specified that the preparation is going in the right direction, but that a point is currently discussed pertaining to the FINA Masters. To clarify, the FINA President explained that the 2022 Fukuoka FINA World Championships will follow strict COVID protocols, very similar to the ones that were applied for the Tokyo 2020 Olympic Games. The FINA President confirmed that FINA demanded that the same protocols shall apply to the FINA Masters. No agreement has been reached in this respect with the 2022 Fukuoka FINA World Championships' Organizing Committee. The FINA President specified that FINA will keep informed the FINA family in this respect when more details will be defined.

In relation to the FINA World Swimming Championships (25m) in Kazan, the FINA President declared that he is convinced that they learned from their previous experience, notably by hosting the FINA World Championships in 2015, and will be able to host very good FINA World Swimming Championships (25m) in a very compact area.

In relation to 2023 Doha FINA World Championships, the FINA President mentioned that the preparation is moving forward as expected and that no specific issue is at the current time identified.

In relation to the Paris 2024 Olympic Games, the FINA President informed the audience that he recently visited the organizing committee and that he is very confident about the quality of these Olympic Games for FINA athletes. He also praised the idea to host the open water competitions in the Seine river.

The FINA President asked the audience if anyone has any questions or remarks in relation to these four upcoming important events.

A member of the audience asked the FINA President what his prospect about high diving in Paris 2024 are.

The FINA President reminded that the sport program of the Paris 2024 Olympic Games was defined and approved a long time ago before the appointment of the new FINA Bureau. However, he made clear his intent and strategy to place high diving at the heart of FINA sports activities in the future, the most recent example being this high diving event in Abu Dhabi organized in less than four months.

The FINA President thanked the delegates for having approved the first phase of the FINA reform. He underlined that the FINA Reform Committee is continuing its tasks with the aim to present the second phase of the reform in Fukuoka next May.

The President reiterated the need for FINA to continue its review of the overall costs of its headquarters and operations in Lausanne, as highlighted in the Reform Report. The President noted that the Executive Director would begin a financial audit of the overhead and operational expenses of the current premises to assess the best use of FINA financial resources in the future and examine the feasibility of alternative headquarters.

This first phase of reform notably included the agreement in principle to establish the Aquatics Integrity Unit. Elections for various positions within this body will have to be conducted in Fukuoka. In the light of the proximity in time of the next FINA Congress, the FINA President proposed the delegates to call for an extraordinary congress, instead of an ordinary one, in Fukuoka, as it will give more time to Member Federations to propose adequate candidates for the positions to be elected.

As no objection has been raised, the proposal from the FINA President had tacitly been approved by the FINA Extraordinary Congress. The next FINA Congress in Fukuoka will be an extraordinary congress.

The FINA President closed the FINA Extraordinary General Congress, warmly thanking all delegates for coming to Abu Dhabi in this difficult time, all athletes for having come competing in this Aquatics Festival, the FINA Reform Committee for its hard work since last June, and all the FINA Bureau Members for their dedication to numerous meetings in a very short period of time.

The FINA President wished a happy New Year to the audience and a safe flight back home to them.

The FINA Congress ended at 14:53 (UAE local time).

Husain Al-Musallam
FINA President

Encl:

- Attendance sheet;
- Summary quorum and votes;
- Valid mail votes returned.