

MINUTES OF THE FINA EXTRAORDINARY GENERAL CONGRESS 2022

Held on 12 December 2022 at 11:00 (AEDT)

1 Convention Centre PI, South Wharf VIC 3006, Australia, and remote participation

Agenda

1. Opening by the FINA President
2. Verification of quorum
3. Appointment of scrutineers
4. Speech by the FINA President
5. Approval of the agenda
6. Approval of the budgets for 2023 and 2024
7. Update and final report from the FINA Reform Committee
8. Proposals for changes and amendments of the FINA Rules: Approval of the FINA Constitution
9. Election substitute AQIU
10. Closing speech by the FINA President

List of Member Federations attendance

A total of 124 Member Federations were present either on-site or remotely, so the quorum according to the Constitution is achieved and the meeting is valid.

Seven representatives of the FINA Athletes' Committee, with voting rights, were also present remotely.

1. Opening by the FINA President

The FINA Extraordinary General Congress started at 11:00 (AEDT).

Mr. Husain Al Musallam, FINA President, opened the FINA Extraordinary Congress by welcoming all the participating delegates and gave a short introductory speech, notably thanking the hosting member federation of the upcoming FINA Swimming World Championships 2022 (25m).

He then gave the floor to Dr. Michelle Gallen, President of Swimming Australia. After paying her respects to the traditional owners of the land, she welcomed all the delegations present in Australia.

2. Verification of quorum

The FINA President gave the floor to Mr. Brent J. Nowicki, FINA Executive Director, who recalled that, according to FINA Rule C 15.9, a quorum is achieved if more than half of the Member Federations are represented.

He confirmed that, based on the attendance sheet signed by each delegate present on site today and based on the presence of delegates participating remotely, a quorum was achieved and therefore the Extraordinary General Congress was validly constituted.

Mr. Michele Bernasconi, Chairman of the Congress, then explained how to access to the translation services, as well as the voting system and process. He conducted a test vote.

3. Appointment of scrutineers

The Chairman of the Congress proposed the appointment of Ms. Ana Croger (AUS), Mr. Craig Hunter (GBR) and Mr. Haoran Yuan (CHN) as scrutineers.

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

4. Speech by the FINA President

The Chairman of the Congress gave the floor back to the FINA President for his welcome speech.

First, the FINA President recalled that he was happy that the whole swimming community is assembled here in the beautiful city of Melbourne and that he was convinced we will see over the next week world class performance by incredible athletes.

Second, he explained that he is so proud of the reforms made in the last eighteen months since he took over the FINA Presidency. FINA had worked hard to put its athletes first. He mentioned some of the people who assisted him to implement the reforms led since his entry into office: the FINA Executive Director for his hard work and dedication and the members of the FINA Reform Committee for their expertise.

Third, the FINA President explained that it is the time to discuss a change of name for the federation. While the name FINA has served the institution well in the past, times have changed and FINA needs also to change with the time. He indicated that FINA needs a name that reflects the whole FINA family. He also made clear that athletes were consulted, people were listened, and experts were brought in this decision and that a strong feeling that FINA should change its name emerged. He stated that the clear recommendation for the new name of the federation should be "World Aquatics".

Fourth, the FINA President highlighted that the federation additionally needed an updated Constitution. He summarized select highlights of the reform: a Constitution aligned with the Olympic Charter; an increased representation of women within the Bureau; a diminution of the number of Committees.

In summary, he concluded his speech by stating that he today needs the delegates support to go even further: to have a name and a Constitution that are designated for the 21st Century.

5. Approval of the agenda

The Chairman of the Congress recalled the agenda items to follow. The FINA President asked the assembly to approve the agenda.

The FINA Extraordinary Congress unanimously approved the agenda.

6. Approval of the budgets for 2023 and 2024

The FINA Treasurer, Mr. Dale Neuburger, presented the FINA Treasurer's Report related to the budget 2023 and 2024 and informed the general assembly that such report has been reviewed by the Audit Committee and approved by the Bureau. The FINA Treasurer mentioned that the 2023 and 2024 budgets are available on FINA's website providing full transparency to all, as well as the external audits performed by PricewaterhouseCoopers for the years 2014 to 2021 to enable context on an overall eight-years period. Moreover, he indicated that each delegate received in his/her delegate packets a copy of the Treasurer's Report, the Audit Committee Report and the 2023 and 2024 Budget in annex.

The Treasurer explained that financial results on a year-to-year basis show operating surpluses and deficits that are unlike the patterns FINA has experienced in past years, in reason notably of the pandemic – which caused great disruption to Olympic sport, necessitating postponement of numerous events on the Aquatic calendar – and the hostilities in Ukraine – which caused the re-assignment of championship events previously awarded – For these reasons and to provide the highest level of clarity and transparency to the Congress, the Treasurer presented an eight-year summary which encompasses the financial results of 2017 to 2021 and financial projections for 2022, 2023, and 2024.

The FINA Treasurer described the key points of the FINA historic income statement and forecast. He also underlined that, despite the uncertainties encountered during these years, FINA did not retreat; instead, FINA support programs never wavered.

He then provided highlights for 2022 and highlights on the budgets for 2023 and 2024, which include notably:

- A significant \$43.3 million USD surplus over the next two years, while providing an increasingly active Development Programme, prize money outlay, and championship event program. This substantial surplus over the next two years is a direct result of championship event postponements in previous years, and this reinforces the necessity of viewing overall financial results over an extended eight-year time period;
- In 2023, the FINA World Championships will be staged in Fukuoka (JPN), and 2024 will have the trifecta of an Olympic Games, FINA World Championships, and FINA World Swimming Championships (25m);
- FINA expects to have enhanced marketing and broadcast arrangements, new championship event partners, and advanced analytical methodology to provide greater efficiency in the delivery of programs and event; and

- FINA continues to believe that there is huge untapped potential for the Aquatics sport and for FINA, and FINA will strive to unlock this potential by modernizing and repositioning the organization, with “best practices” of good governance.

After the conclusion of the Treasurer’s Report, the FINA President asked if any delegates would have any question in relation to such report.

The Chairman of the Congress then invited the Congress to formally approve the budgets for 2023 and 2024 as presented by in the Treasurer’s Report.

The FINA Extraordinary General Congress unanimously approved the budgets for 2023 and 2024.

7. Update and final report from the FINA Reform Committee

Mr. Michele Bernasconi, in his capacity of Chairman of the Reform Committee, presented the FINA Reform Committee Report. He began by explaining the journey of the Reform Committee, dividing different phases. The starting point was the mandate given following the election of the FINA President. It was followed by the discussions within the Reform Committee, with national federations, with specialists, that led to the first reforms in Abu Dhabi. Finally, the current phase was the proposal to the Bureau in October to adopt a totally new Constitution. He recalled that the Bureau accepted this proposal and that such Constitution must now be approved by Congress.

The Chairman of the Reform Committee summarized the highlights of the reformed Constitution, i.e. commitment to FINA’s values, new measures for FINA to ensure safe, peaceful and regular conduct of FINA competitions – worldwide, for all disciplines; more power to Athletes; enlarged FINA Bureau, new age and term limits, new strong, independent and efficient Aquatics Integrity Unit (AQIU); diminution of the number of Specialized Committees, which shall be appointed, as necessary, by the Bureau; and new control and good governance process.

The Chairman of the Reform Committee commented on input received pertaining to the new Constitution proposal that mainly relate to the independence of the AQIU, term and age limits, number of elected members of the Athletes Committee, and membership FINA Bureau Members in national federations bureau bodies.

He then gave an overview on redactional changes proposed by the Language Working Group and specified that such changes have already been accepted by the FINA Bureau.

As a conclusion, the Chairman of the Reform Committee summarized that the Reform Committee recommend the adoption of the new Constitution, to start entering into force on 1 January 2023, with the redactional changes stressed out earlier and with the proposal to change the association’s name from “*Fédération Internationale de Natation*” to “*World Aquatics*”. He also drew reference to the Transitory Provisions of the new Constitution which calls for a new election for the President and Treasurer in 2023.

The Chairman of the Reform Committee gave back the floor to the FINA President. The FINA President provided the opportunity for a representative of each Continental Organizations to comment the reform. Mr. Sam Ramsamy spoke for Africa, Ms Jihong Zhou for Asia, Mr. Antonio Silva for Europe, Mr. Juan Carlos Orihuela for America and Mr. Matthew Dunn for Oceania. Each of them commented on the reform and confirmed the support of their continental confederation.

The FINA President opened the floor for any questions from the delegates.

The Australian delegate took the floor and mentioned that several new elements in the Constitution are promising for the future, including notably the creation of the AQIU.

The Norwegian delegate expressed reservation on behalf of the Norwegian Swimming Federation, namely that a term of eight years is not a desirable step forward. He proposed that the adoption of the Constitution be postponed until 2023. The Chairman of the Congress thanked the delegate for his remarks, which he fully respected, but considered that the time to adopt this reform is now and is ideal to take place today.

The Malian delegate spoke and expressed his concerns about access to swimming competitions and related costs. The Chairman of the Congress noted that such intervention did not concern matters surrounding the new Constitution but nevertheless provided an answer to the Malian's delegate's remark.

The Haitian delegate thanked all the individuals involved in the reform work. He stressed that in the future he would like to see delegates representing national federations also having the opportunity to see their athletes competing and not being forced to leave the host country directly after the Congress. The FINA President answered the Haitian delegate and indicated that such concerns would be taken into consideration in the future.

The Ukrainian delegate took the floor and applied with request to continue the FINA sanctions against Russian and Belarusian athletes and officials and to exclude them in any status from FINA events in 2023 and until the end of the invasion of Russian troops on the Ukrainian territory. The FINA President responded to the Ukrainian delegate's remarks and stressed that the decision over whether Russian and Belarusian athletes should be allowed to return to international competition would be made by the "whole Olympic family" but not "at this moment". More information would be provided in the future.

8. Proposals for changes and amendments of the FINA Rules: Approval of the FINA Constitution

The Chairman of the Congress opened the vote related to the Bureau proposal to adopt a new FINA Constitution with the relevant transitory provisions, as submitted to each Member Federation on 20 October 2022 and including the redactional changes presented today, as well as the change of association's name from "*Fédération Internationale de Natation*" to "*World Aquatics*".

He specified that the new Constitution would entry into force on 1 January 2023.

Following the counting of the votes both online and on site, the Chairman confirmed that the new Constitution has been approved with the small redactional changes and including the association's change of name from "*Fédération Internationale de Natation*" to "*World Aquatics*".

The vote for the new Constitution was clear passed with clear majority having only 2 federations against (Norway and Austria) and 4 abstentions.

The FINA President then introduced a "*We Are*" video message from the various athletes of the newly united Aquatics community.

The FINA President noted that the Bureau will meet after the Congress to discuss the additional Bureau members positions. Here, the President highlighted that these positions would be considered vacancies to be filled by the Bureau for a term of office from 2023 to 2025, following which a new election would follow.

9. Election substitute AQIU

As next order of business, the Executive Director informed the Congress that one appointed member of the AQIU, Mr. Jordi Lopez (ESP), had to resign for personal reasons and proposed that Mr. Lopez be replaced by Mr. Alexandre Mestre (POR).

The FINA Extraordinary General Congress approved the appointment of Mr. Mestre in replacement of Mr. Lopez.

10. Closing speech by the FINA President

The FINA President concluded with a brief closing message.

The FINA Congress ended at 12:39 (AEDT)



Husain Al-Musallam
FINA President



Brent J. Nowicki
Executive Director

Encl:

- Attendance sheet;
- Quorum and results of the votes;