

Nyon, 13 May 2017

Mr Julio Maglione
FINA President

Dear Julio,

I have noted the contents of your letter and carefully evaluated your comments.

Just like you, I also want to be absolutely frank, totally honest and straightforward and provide you with further perspectives related to the topics that you've raised when interpreting the points addressed in my letter to the European Federations.

As stated in your letter, both Tamás Gyárfás (LEN Treasurer, and member of the FINA Executive) and I were not in agreement with a number of the decisions taken in respect of changes effected to the Constitutional Rules.

Hence, allow me to explain to you, yet again, the reasons leading to my disappointment and complete disillusionment. These are mainly related to the fact that you were the one who actually changed his position and thinking process.

I must remind you that you were elected FINA President in Rome, in 2009, also thanks to my strong support to your candidacy. At that time you told the FINA delegates that you were going to keep the Presidency for only one term. This, you said at the time, was being done in order to improve governance within FINA.

By 2011 your point of view had changed completely. You decided you would stay on for a second term at the helm, allegedly, upon the request of so many. And, I remind you, I supported you once again.

To underline the seriousness of your intention, the FINA Constitution was amended, and a two-term limit for the Presidency was then set. At the same time, in order to clarify things with the delegates and avoid any doubt, the age limit of 80 years to hold any FINA position was also included in the Constitution.

Shortly after another completely inconsistent step was taken. Both the two-term limit and the 80-year age limit rules which had been recently introduced were both removed from the FINA Constitution. Something of the sort had never been seen in FINA's history, i.e., adding two new rules and, just as quickly, removing them within a few years - and after just one mandate.

I will be honest with you. Considering that the IOC has also decided that 80 is the age limit to hold an effective role, I am certain that there must be a logical rationale behind it. I believe that this same rule should be applied also within International Federations and therefore also in FINA.

To be clear, and quite in contrast to what I have said here above and to what sounds and looks reasonable, I would not mind if you would have been elected President for a third term, at the age of 82.

Nonetheless, shaping the FINA Constitution on demand based on your ever changing personal interests and desires, is not only inappropriate but also totally unacceptable.

Do you honestly believe that the above truly reflects and sticks to what you wrote (i.e., "...the proposed changes have been made in the context of the international sport environment... This isn't a measure against anybody, it is just a principle of good governance aimed at modernizing the FINA administration"), in the letter addressed to me?

If at all needed, further proof of how you have allowed that forces that be to derail the FINA Constitution came about in 2015 when yet another baseless and uncalled for amendment was introduced. You proposed, supported and accepted the idea that FINA – in the middle of a four-year term – should introduce a new position and elect a First Vice-President while, at the same time, you deemed it appropriate to alter the role and reduce the powers of the Honorary Secretary, until such time when the position is abolished at the 2017 Congress in Budapest.

As a result of this amendment to the FINA Constitution you have allowed one Continent, Asia, to take over the roles of Treasurer and of First Vice President, created ad hoc for Husain Al-Musallam.

You have accepted to first elect and subsequently keep Husain Al-Musallam in the post of FINA First Vice-President despite the fact that Kuwait had been suspended by the IOC, and consequently by FINA, and that their athletes can only compete under the FINA flag. You agreed to allow that Kuwait can appoint officials eligible for the second highest position within FINA.

Again, in your letter you claim to promote the principles "...of a good governance aimed at modernizing the FINA administration" but I must remind you that:

- you are not prepared to follow the principles you promote in your letter when there was a clear interference in the 2016 LEN Elections by another FINA Vice President, Dale Neuburger (Americas), who also played an active role as Director of TSE Consulting, which is a commercial partner of FINA. You are certainly aware that he publicly highlighted on his LinkedIn profile that TSE made an agreement with LEN Presidential candidate Erik van Heijningen, "to orchestrate his campaign" during the LEN Elections. Is this something a FINA President should accept? I honestly do not believe so. And,
- you are not even ready to follow the principles you promote in your letter when there was a clear interference in the 2016 LEN Elections by another FINA Vice President, Husain Al-Musallam (Asia), as officially reported by several European Federations. And,
- you are not prepared to take a clear position when worldwide news – published by The London Times and not by SwimVortex – report that Husain Al-Musallam is officially named as an alleged conspirator by the US Department of Justice in a serious case of bribery within FIFA. Football, the world's No. 1. Sport, has distanced itself. Yet, nothing happens in FINA and FINA's only comments found in the press are just beating around the bush.

Had you at any stage shown your willingness to understand and manage the issues mentioned above, I would have never gone to CAS, even if allowed to do so by the Constitution. This is not my style. I absolutely agree that one should sort out and resolve problems within the FINA Family, but when the FINA leadership allows such unacceptable behaviour, there is no other alternative. The responsibility of the current situation within FINA rests solely on your shoulders.

The above facts are well known to you and they are certainly not in line with the principles stated in your letter to me, i.e., the principles of "...a good governance aimed at modernizing the FINA administration" and "...to achieve a great unity in the diversity of our members".

I need to underline that my idea of "culture of sports" is that FINA must be the main actor in wide spreading the Aquatic disciplines around the world. I think that the irreplaceable activities of all Continental Organizations, that I unquestionably respect, contribute not only to the local success of the world of Aquatics, but also to the global one.

I feel you are intentionally avoiding the essential arguments in your letter. You refer to statistics on the committee's membership whilst pretending not to recognize how serious some of the problems are.

Over more than two decades you have really done a great deal for FINA, as Treasurer first and as President later. Nonetheless, at present you appear to be unable or unwilling to solve the emerging problems and handle the clashes.

There is no doubt that you love the FINA Family just as much as the FINA Family loves you, and everyone, including myself, recognizes your merits.

I take this opportunity to send you my best regards and wish you all the best for the future.



Paolo Barelli
FINA Honorary Secretary
LEN President