

ANNEX 2

Rome, 8th November 2018

To the attention of the FINA Executive Director
Mr. Cornel Marculescu

Subj.: **NON APPROVED EVENT – UNAUTHORIZED RELATIONSHIPS**

Dear Mr. Marculescu,

Italian Swimming Federation (FIN) acknowledges receipt of FINA's letter dated 30 October 2018 in which it stated that the Energy for Swim 2018 competition, organized by FIN, and to be held in Torino, Italy on 20 and 21 December 2018, according to the subject matter of the letter from FINA, is a "**NON APPROVED EVENT – UNAUTHORISED RELATIONSHIPS**".

FIN notes FINA's subjective re-classification of this National Competition as an "International Competition" using a so called "interpretation" of FINA Rule BL 12.3. FIN does not agree with FINA's classification of Energy for Swim 2018 as an International Competition (with reference to the FINA Constitution, Rules and By Laws), nor does FIN agree with FINA's so called interpretation and application of FINA Rule BL 12.3 in these circumstances.

However, putting aside (for now) the differences of opinion between FINA and FIN in relation to the classification of the Energy for Swim 2018 competition, both FINA and FIN have a duty to all Athletes to clarify the ambiguity surrounding the implications, which include potential FINA disciplinary sanctions, for any Athletes who participate in the Energy for Swim 2018 exhibition competition in non-FINA Member affiliated capacities.

I have already received a number of communications from Athletes concerning the competition. Such communications include confirmations of Athletes' intentions to participate enthusiastically in an event of the sport and others include expressions of interest pending clarification of FINA's intention to sanction any Athletes that participate.

The lateness of the announcement of FINA's position on the classification of the event has created a difficult position for all involved. FINA, FIN and the Athletes face significant uncertainty so close to the dates of the competition, but we should also not forget about the host city, the organizing committees, the commercial partners, the workers and volunteers and the businesses and communities that set to benefit from this celebratory event, which will have significant positive social and economic impacts on all involved.

It is not in the interests of FINA, FIN, or anyone else associated with aquatics sports, to have a dispute between a group of influential Athletes and FINA. Given the late timing of FINA's announcement, I believe that the best way forward is for FINA to guarantee to the Athletes the right to participate at the Energy for Swim 2018 competition. This has to be our common desire. In the absence of a serious and understandable reason, it is simply not correct to deprive the Athletes (or athletes in any sport) of the opportunity to demonstrate their talent and earn money.

Please note that the event organized by FIN, which is inside of the FIN calendar, is exclusively aimed at promoting aquatics, the city of Torino, but, most importantly, the Athletes. Some Athletes have already confirmed to me that they welcome the opportunity to experience a 2-day swimming celebration, which will give them and their fellow Athletes an opportunity to enhance their image and personal brands, compete in friendship, and to win financial rewards, granted thanks also to the event's sponsors.

The rewards reserved for the Athletes would have contributed to satisfying the Athletes' real dedication, who, on a daily basis, are committed to arduous trainings in order to face competitions and to reach their sporting goals.

I ask FINA to have a fair and wise approach to these difficult circumstances by approving of this swimming meet, authorizing the Athletes to attend at the City of Torino Energy for Swim 2018 event and not threatening sanctions.

I look forward to hearing from you as soon as possible.

Regards.



Paolo Barelli
President