



FÉDÉRATION  
INTERNATIONALE  
DE NATATION

# 2021 FINA REFORM COMMITTEE REPORT

**FINA HEADQUARTERS  
LAUSANNE, SWITZERLAND  
4-5 OCTOBER 2021**

Lausanne, 6 October 2021

Dear President Al Musallam,

On 5 June 2021, you took office as the 17<sup>th</sup> President of the Fédération Internationale de Natation (FINA). In your inaugural address to the Aquatics world, you promised sweeping reform across all aspects of FINA's work and highlighted the importance of innovation, transparency, and cultural change.

As you stated, the FINA of today must continue to respect and nurture the foundational roots set down in 1908, but in doing so, it shall not leave a single stone unturned in the way in which it looks to the future. After all, reform is not a single event. It is a process that will test our patience.

Your inaugural address highlighted several critical areas of reform, notably in the following areas:

- Governance
- Marketing
- Events
- Communication
- Digital Transformation
- Safeguarding, Medical and Equity

In furtherance of your objectives, you assembled an independent Reform Committee and tasked this group with providing specific recommendations on areas of reform. This Reform Committee was assisted by various Sub-Committees who worked together with our Reform Committee to provide you with this Reform Committee Report.

As you will note, the Report sets out "key" areas of reform that the Reform Committee strongly suggests implementation on the occasion of the FINA Extraordinary General Congress in Abu Dhabi on 18 December 2022. These "Phase One" reforms should provide immediate and transparent change to FINA.

The Reform Committee also suggests that the mandates of the Sub-Committees, as well as the Reform Committee itself, be maintained such that additional time is afforded to consider significant and important change in a variety of other areas of needed reform. These "Phase Two" reforms would be provided to you for implementation at the FINA Congress in Fukuoka (2022).

Finally, on behalf of the Reform Committee and Sub-Committees, thank you for your trust and confidence.

We remain at your disposal for any further assistance.

Respectfully yours,



Dr. Francois Carrard  
Chairman, FINA Reform Committee

## **2021 FINA REFORM COMMITTEE REPORT**

FINA is at a critical crossroad. On the one side, FINA has established itself as a leading International Federation in the world of Olympic Sport. It affords more sporting opportunities to its athletes, both at the Olympics and beyond, than most other sports in terms of events with a complete gender balance. It has grown to include six disciplines (Swimming, Diving, High Diving, Water Polo, Open Water Swimming, and Artistic) and its opportunities in each discipline are endless. On the other side, these sporting opportunities have stalled in areas of marketing, promotion and digital transformation. Moreover, significant issues of transparency and communication persist and need immediate attention. The direction FINA now takes going forward will determine its fate in the future.

In order for FINA to continue its positive, on-going efforts to promote Aquatic sport around the world, it must work to restore public and stakeholder confidence, make significant modifications in its institutional structure and operational processes, and make the organization more transparent and accountable. In doing so, it will maintain its position in the world of Olympic Sport and continue its focus on its genuine mission: to support and promote Aquatics athletes and events worldwide.

### **I. THE REFORM COMMITTEE**

Members of the 2021 FINA Reform Committee, comprising of twelve Members,<sup>1</sup> was established on 5 June 2021 and has been led by an independent Chairman, Me. Francois Carrard. The Reform Committee was assisted by the reports and comments generated by various Sub-Committees, comprised of over 40 individuals, who met on multiple occasions, and whose work was overseen by Mr. Brent J. Nowicki, FINA Executive Director. Various other individuals with knowledge in the Aquatics world outside of the Sub-Committees were similarly consulted and their feedback considered.

The Reform Committee met in Lausanne on 4 & 5 October 2021 to discuss this volume of material, ideas and recommendations. As a consequence, many of the proposals in this report reflect views and recommendations that have been expressed by others. The Reform Committee would, therefore, like to acknowledge and thank everyone who has contributed to this important process.<sup>2</sup>

The Reform Committee now issues this report to FINA for its 18 December 2021 meeting in Abu Dhabi (UAE) in order to recommend relevant, appropriate and needed changes to the FINA Constitution, practices and approach – all with the aim of significantly improving the governance, transparency and culture of the organization. It is expected that these recommendations will be submitted to the Extraordinary General Congress on 18 December 2021 in Abu Dhabi so that the necessary amendments to the FINA Constitution may be approved. A draft of these constitutional changes, as well as other draft documents, are included as part of this report.

Given the volume of recommended reform and noting that many of these proposals require further consideration, the Reform Committee considers it necessary to maintain its mandate to continue its debate of these additional proposed reforms. For this reason, this report is considered Phase One. It is expected that a Phase Two report will be issued at a later stage.

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<sup>1</sup> Mr. Jack Buckner (GBR), Ms. Maureen Croes (ARU), Dr. Addullah Al Hayyan (KUW), Mr. Moses Benon Mwase (UGA), Mr. Raymond Hack (RSA), Dr. Britta Kamrau (GER), Ms. Farida Iddriss (GHA), Me. Michele Bernasconi (SUI), Mr. Darren Kane (AUS), Mr. Joseph Edward Degroff (USA), Mr. Vanja Udovicic (SRB) and Ms. Hana Novotna (CZE)

<sup>2</sup> The Reform Committee especially appreciates the assistance of Mr. Christopher Brearton (USA), Mr. Viktor Huszar (HUN) and Mr. Alan Abrahamson (USA), who presented to the Reform Committee on various specific topics.

Finally, there were no dissenting opinions in this Report. The recommendations of the Reform Committee were approved unanimously by its members and it is recommended that this Report be forwarded to the FINA Bureau.

## **II. THE SIX PILLARS OF PROPOSED REFORM**

### **A. THE FIRST PILLAR: GOOD GOVERNANCE**

For years FINA has been criticized for the way in which it handles not only alleged anti-doping rule violations, but all other matters of integrity such as ethical violations and corruptible offenses. Alleged offenses were referred to the respected adjudicatory body in clandestine fashion, often without explanation why certain matters were considered alleged offenses and others were not. The adjudicatory bodies within FINA – while facially independent – were not operationally independent from FINA. Athletes, in particular, have had little faith in the integrity of the FINA anti-doping, adjudication and ethical system.

Put simply, independence is the hallmark of any integrity system and the current systems employed by FINA lack this necessary independence and transparency.

#### **1. Aquatics Integrity Unit**

In the lead up to his re-election as IOC President in 2021, Mr. Thomas Bach laid out the 15 priorities of the Olympic Movement until 2025 in a document called Agenda 2020+5. One of the priorities highlighted in Agenda 2020+5 is the need for the Olympic Movement to reinforce the fight against doping and all ethical and integrity violations. Ensuring that these violations are investigated and adjudicated by specific units independent of the International Federations is key for the Olympic Movement to meet this priority.

In light of this, many International Federations have already created independent integrity units to manage Anti-Doping and other Integrity issues such as event manipulation, ethical violations, harassment, and other disciplinary allegations. For all of these examples, each international federation tailored how the independent integrity unit operates and is governed in order to meet their specific needs and challenges.

After having examined the current structure in place at FINA, the Reform Committee recommends the creation of an independent Integrity Unit by FINA (i.e. the “Aquatics Integrity Unit”) to oversee three separate areas: (1) Anti-Doping; (2) Event Manipulation and Corruptible Offenses; and (3) Ethical Violations. An overview on the application of each area within the Aquatics Integrity Unit is set out below:

##### **i. Anti-Doping**

Under the current FINA system, out-of-competition anti-doping testing is currently managed by the Independent Testing Agency (ITA); in-competition testing is handled by FINA vis-à-vis the organizing committee of each event. FINA maintains the results management responsibility as it concerns any positive test, subsequently charges the athlete, and asserts an anti-doping rule violation (ADRV) before the FINA Anti-Doping Panel. In this respect, FINA essentially is acting as the prosecutor and the judge in maintaining complete control over the results management responsibility, deciding who to charge with an ADRV, and then determining to bring the case to its own internal panel. This process arguably lacks the operational independence required under WADA’s International Standard for Results Management.

To alleviate the lack of independence within the current system, the Reform Committee considers that the Aquatics Integrity Unit should be responsible for the following (as it concerns anti-doping):

- a. Monitor compliance by FINA with its obligations as a signatory to the World Anti-Doping Code and its integrity compliance obligations;
- b. Investigate potential violations of the FINA Doping Control Rules;
- c. Handle all anti-doping responsibilities of FINA, which have not already been delegated to independent third-party agencies;
- d. Prosecute potential violations before the Court of Arbitration for Sport's Anti-Doping Division (CAS ADD) (in lieu of the FINA Doping Panel);
- e. Pursue/defend appeals to the CAS Appeals Arbitration Division from first-instance decisions of the CAS ADD;
- f. Obtain relevant intelligence and information and share relevant intelligence and information with relevant authorities; and
- g. Educate FINA Officials, Member Federations, Member Federations, Athletes, Athlete Support Personnel, and others who are bound by the FINA Rules about their anti-doping obligations, and monitor their compliance with those obligations.

## ii. **Event Manipulation and Corruptible Offenses**

Allegations of event manipulation strike to the core of fair play and FINA has an absolute obligation to ensure that its events are free from interference and manipulation. In the current FINA system, allegations of event interference and/or manipulation are usually derived from whistleblower(s). Such allegations are notified to the FINA Executive who according to C 24.7 of the FINA Constitution, would determine whether to refer the matter to the FINA Ethics Panel. In turn, the Ethics Panel would investigate, hear and determine any alleged violation and impose any necessary sanction.

The Reform Committee considers the independent decision-making authority of the FINA Executive as to whether to refer a matter to the Ethics Panel potentially problematic. Moreover, equally potentially problematic is the investigative responsibility of the Ethics Panel, who is in essence acting as the investigator, prosecutor and jury, in each matter.

Moreover, allegations of event manipulation and corruptible offenses often require hundreds of hours of investigation before they can be asserted and prosecuted. The first allegations received by whistleblowers very often do not meet the burden of proof to establish a violation. They need to be followed up on and investigated thoroughly by experienced individuals in order to sustain the evidence required to bring the case forward. Following up with the whistleblowers and keeping them updated on the process is also time consuming. This cannot reasonably be expected from the members of the FINA Ethics Panel who are volunteers.

The Reform Committee considers that the Aquatics Integrity Unit should be responsible for the following (as they concern event manipulation and corruptible offenses):

- a. Investigate alleged event manipulations and corruptible offenses through a newly-formed Investigative Chamber, with the assistance of a Chief Ethics and Compliance Officer;
- b. Follow-up with whistleblowers and witnesses in a confidential and independent manner, and provide support where needed to protect the identity of whistleblowers and witnesses;

- c. Provide a proper independent reporting system that would eliminate the ability of a single person to determine whether (or not) to bring charges before the newly-formed Adjudicatory Chamber;
- d. Develop a focused education plan including e-learning courses, seminars, webinars and on-site promotion at events;
- e. Prosecute potential violations before the Adjudicatory Chamber; and
- f. Pursue/defend appeals to the CAS Appeals Arbitration Division from first-instance decisions of the Adjudicatory Chamber.

### **iii. Ethical Violations**

The process and procedure for adjudicating ethical violations within FINA is neither transparent nor clear, and historically left too much discretion in the hands of the FINA Executive to determine whether to pursue an ethical claim (or not). Because of these issues, the Reform Committee suggests removing C 24 from the FINA Constitution and replacing it with a new Code of Ethics. Included therein is an Investigative Chamber, a Chief Ethics and Compliance Officer and an Adjudicatory Chamber. A draft proposed new Code of Ethics is attached as Exhibit A.

The Reform Committee considers that the Aquatics Integrity Unit should be responsible for the following (as they concern ethical violations):

- a. Investigate alleged ethical violations through a newly-formed Investigative Chamber, with the assistance of a Chief Ethics and Compliance Officer, in accordance with the Code of Ethics;
- b. Provide a proper independent reporting system that would eliminate the ability of a single person to determine whether (or not) to bring charges before the newly-formed Adjudicatory Chamber;
- c. Prosecute potential ethical violations before the Adjudicatory Chamber; and
- d. Pursue/defend appeals to the CAS Appeals Arbitration Division from first-instance decisions of the Adjudicatory Chamber.

### **iv. Composition**

The Aquatics Integrity Unit would be governed by an independent board composed of:

- a. a Chairperson of the Board, elected by the General Congress, upon recommendation from the FINA Bureau; and
- b. a Vice-Chairperson of the Board, elected by the General Congress, upon recommendation from the FINA Bureau; and
- c. three independent Members of the Board (including, at least, one retired elite athlete), elected by the General Congress, upon recommendation from the FINA Bureau; and
- d. a Chief Ethics and Compliance Officer, elected by the General Congress, upon recommendation from the FINA Bureau.

The Board would have a critical governance role rather than a management function, similar in style to that of a corporate board. It would be responsible for approving and reviewing strategy, policies and plans for the Aquatics Integrity Unit and for appointing and monitoring the performance

of a Chief Ethics and Compliance Officer. It is expected that in its initial stages, the Aquatics Integrity Unit would require approximately two to three staff, including the Chief Ethics and Compliance Officer (who could conduct such work remotely). The day-to-day work of the Aquatics Integrity Unit would be managed by an Integrity Manager.

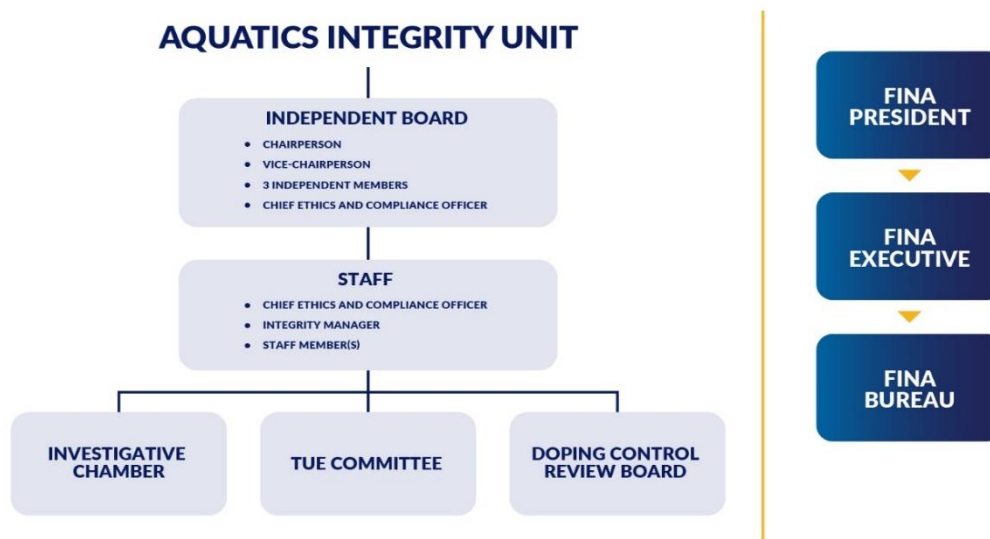
Additionally, the Integrity Unit would be comprised of an Investigative Chamber, which from time-to-time could seek the assistance of the Chief Ethics and Compliance Officer. The members of the Investigation Chamber, as well as the Chief Ethics and Compliance Officer, shall be independent from FINA and all National Federations and Continental Organizations, and be elected by the FINA Congress in Fukuoka (2022) on the recommendation of the FINA Bureau.

The Doping Control Review Board, which currently provides independent anti-doping expertise to FINA and the TUE Committee, which currently decides on the Therapeutic Use Exemption requests from athletes, would both retain the same roles but would become committees of the Aquatics Integrity Unit in order to maintain independence from FINA.

Currently, anti-doping rule violations are adjudicated by the FINA Doping Panel. The Doping Panel is composed of legal experts who work on a voluntary basis and who are appointed by the FINA Bureau. After having reviewed the current format of the FINA Doping Panel as well as the other solutions now offered to international federations, the Reform Committee considers that the anti-doping rule violations brought forward by the Integrity Unit should be adjudicated by the CAS ADD, for the following reasons:

- a. Doping Panel members are appointed by the FINA Bureau and the clerk of the Doping Panel is the FINA Office so this leaves a risk of allegations of conflict of interest;
- b. There is little transparency in the current adjudication process of anti-doping violations within FINA; and
- c. The CAS ADD is completely independent of FINA, so any claims of conflict of interest could no longer stand.

The below graph shows how the Committee believes the Integrity Unit should operate independently from FINA:



### Conclusions and Timeline

The Committee considers that FINA should establish an Aquatics Integrity Unit to independently address anti-doping, event manipulation and corruptible offenses and ethical violations. This unit should be operational from 1 June 2022 following the following timeline:

**Extraordinary Congress of 18 December 2021 (Abu Dhabi):** The General Congress would approve the recommendation of the Reform Committee to establish an Aquatics Integrity Unit.

**January 2022 – May 2022:** The FINA Bureau launches the election process for the Integrity Unit Board Members. FINA Office finalizes the rules and the required amendments to the Constitution.

**General Congress of May 2022 (Fukuoka):** The General Congress would confirm the rules of the Aquatics Integrity Unit and election the Integrity Unit Board members, upon the recommendation of the FINA Bureau.

**1 June 2022:** The Aquatics Integrity Unit begins its operations.

## **2. Modification of Code of Ethics**

Historically, the FINA Code of Ethics left large latitude to certain individuals to take decisions. The process for such investigations and referral to the Ethics Panel was not transparent, and created significant distrust within the FINA Family and general public. A detailed review of the Code of Ethics was, therefore, conducted, and the end result is a comprehensive, transparent and procedurally-friendly revised Code of Ethics.

The new Code of Ethics defines the most important core values for behaviour and conduct within FINA, as well as with external parties. The conduct of persons bound by this Code of Ethics reflects both the principles and objectives of all persons within FINA, National Federations, Continental Organizations and local clubs around the world, and refrains from anything that could be harmful to these aims and objectives. Importantly, this new Code of Ethics disbands the prior Ethics Panel in favour of an Adjudicatory Chamber established under the Aquatics Integrity Unit.

A summary of key changes within the Code of Ethics is as follows:

- a. A clear direction as to who is covered under the Code of Ethics: all members of the FINA Bureau, National Federations, Continental Organizations, as well as those Officials, Referees, Coaches, Athletes, Staff, Medical and Support Personal and Media attachés associated therewith, regardless of whether they are elected, employed, or appointed to any position. It shall also apply to consultants and contractually-connected individuals or entities representing or serving FINA, National Federations and Continental Organizations or any other bodies or personnel falling under the provisions of the FINA Code.
- b. A new composition and structure:

The Code is governed by an Investigative Chamber, an Adjudicatory Chamber, and a Chief Ethics and Compliance Officer.

- The Investigative Chamber is composed of five (5) Independent Members as follows: one (1) Chairperson, one (1) Vice Chairperson and (3) Members.



- The Adjudicatory Chamber is composed of five (5) members as follows: one (1) Chairperson, one (1) Vice Chairperson, and three (3) Members.
- The Chief Ethics and Compliance Officer will lead the investigations of alleged breaches of this Code.

The members of the Investigation Chamber, as well as the Chief Ethics and Compliance Officer, shall reside within the Aquatics Integrity Unit and be independent from FINA and all National Federations and Continental Organizations, and be elected by the General Congress, upon recommendation from the FINA Bureau.

Similarly, members of the Adjudicatory Chamber shall be independent from FINA and all National Federations and Continental Organizations, and be elected by the General Congress, upon recommendation from the FINA Bureau. Additionally, they shall remain independent from the Aquatics Integrity Unit.

- c. An expansive reach of jurisdiction to protect the entire FINA Family, notably with ethical violations and/or cover-ups at the National and Continental levels.
- d. Clear procedural rules and processes that eliminate the ability of one individual from deciding when to pursue an alleged ethical violation.
- e. A requirement to have all candidates for positions within FINA to sign a transparent Eligibility Questionnaire.

#### **Conclusion and Timeline**

The Committee considers that a revised and updated Code of Ethics (See Exhibit A) should be enforced as from 1 June 2022 according to the following timeline:

**Extraordinary Congress of 18 December 2021 (Abu Dhabi):** The General Congress should approve the attached Code of Ethics for implementation on 1 June 2022.

**January 2022 – May 2022:** The FINA Bureau launches the appointment process for the Integrity Unit Board Members and notably the Adjudicatory Chamber, which would replace the function of the prior Ethics Panel.

**General Congress of May 2022 (Fukuoka):** The General Congress would confirm the Integrity Unit Board members upon the recommendation of the FINA Bureau.

**1 June 2022:** The new Code of Ethics would take force.

#### **i. Constitutional Reform**

The Reform Committee considers it necessary to conduct a general review and overhauling of the FINA Constitution. In the same way, the FINA General Rules - the basic regulations for FINA competitions in Swimming, Open Water Swimming, Diving, High Diving, Water Polo, Artistic Swimming, and Masters Competitions, as well as the FINA By-Laws – need review and reconsideration. While not legally improper, the multi-layers of these governing documents over time creates confusion and provides for contradictory governing language between documents.

In the interim, the Reform Committee recommends narrowly focused amendments to the Constitution which reflect a greater need for balanced power and control between FINA and its Members. Such changes reflect the need for more protection against wrongdoings by FINA Members and Continental Organizations and greater involvement and engagement between the Bureau and its Committees.

Following the adoption of the foregoing changes, the mandate for the Governance Sub-Committee should be extended to consider, for example, specific amendments to the FINA Constitution such as an alignment of the Presidential term limits with those of the IOC and moreover, an extension of the Bureau to reflect the need for greater inclusion of women.

### **Conclusion and Timeline**

The Reform Committee considers that certain narrowly focused changes should be made to the FINA Constitution (attached as Exhibit B) should be approved and enforced according to the following timeline:

**Extraordinary Congress of 18 December 2021 (Abu Dhabi):** The Extraordinary Congress should approve the attached amendments to the Constitution for implementation.

The Reform Committee should conduct a detailed review and overhaul of the Constitution, By-Laws, and General Rules, ideally according to the following timeline:

**General Congress of May 2022 (Fukuoka):** The General Congress should confirm a new, complete Constitution, By-Laws, and General Rules.

**1 June 2022:** The new Constitution, By-Laws, and General Rules would take force.

## **B. THE SECOND PILLAR: MARKETING**

FINA's marketing strategy has been best characterized as passive. While its partners have displayed strong loyalty to FINA, and the revenue derived therefrom has largely been within market rate, the Reform Committee considers there to be two major flaws in FINA's marketing endeavors. First, there appears to be little to no brand activation between FINA and its partners, and the relationship appears more like a transaction than a partnership. Second, FINA has principally relied on a single marketing agent to deliver its revenue and services to its partners. While the results are considered reasonable, the current FINA partners are regionally focused and therefore, the global aspect of FINA is not well represented.

The Reform Committee recommends the approval of a two-tiered marketing approach (short-term and mid-term).

### **1. Short-term objectives**

FINA has a number of sponsorship and broadcast agreements that end in 2021, and interim solutions should be found for these in order to both maintain revenue streams and also to ensure the widest exposure of events in 2022, and eventually through to 2024.

The FINA World Championships in Fukuoka in May 2022, and the FINA World Swimming Championships (25m) in Kazan in December 2022, as well as the World Cups in both Diving and High Diving, and eventually the annual events of the Swimming World Cup, Diving World Series, Water Polo World League Super Finals, and the Artistic Swimming World Series Super Final, are all events which have until now been exploited in terms of broadcast, and to some extent sponsorship.

FINA should seek to secure short-term agreements for these events, in the territories where exposure is not yet secured.

In the meantime, FINA's immediate objective must be to define its short-term and long-term strategy, and identify and conclude agreements with collaborators to better exploit FINA's commercial inventory in the future on a truly global basis. In order to achieve the best possible relationship(s) with these partners, it is in FINA's best interests not to commit to new / renewed sponsorship and broadcast rights agreements with a longer term in order to have the maximum amount of inventory and opportunity available when the new strategy is implemented.

## 2. Long-term objectives:

FINA must undertake research to assess its current brand and property value and identify key markets and new commercial opportunities, where there is potential to generate new revenue and expose each of its disciplines. This should take place in alignment with any rebranding efforts and the analysis of the events calendar.

FINA should review and amend its marketing / sponsorship strategy and structure, which may be work that can be done in cooperation with one or more future marketing agent(s), including:

- Updating / modernisation of media/sponsor rights packages with a focus on digital marketing rights and opportunities.
- Reviewing the national event marketing structure / system.
- Investigating new revenue stream opportunities, particularly in digital marketing, including new technologies such as non-fungible token (NFTs), virtual advertising, e-commerce / merchandising opportunities, etc. Determine how best to engage with its sponsors and broadcast partners, to motivate them to activate and exploit their rights in wider way to generate more exposure for FINA disciplines and generate more value for the partners.
- Develop staffing and third-party support models to execute the contemplated plan.
- Above all, FINA needs to assess its preferred option for future exploitation of its commercial broadcast, media and sponsorship inventory, and to identify the right partner(s) to cooperate with.

### Conclusion and Timeline

The Committee considers that the following reforms should be approved and enforced in accordance with the following timeline:

**Short-Term:** (i) Renew all agreements on short-term basis as to the extent necessary to avoid any gap in coverage of FINA's events over such short term period; (ii) conduct marketing rights and brand recognition study; (iii) review and identify and gage necessary internal and third-party support and focus on revenue generation and partner-related activation support; and (iv) develop a long-term broadcast, digital and marketing strategy and create brand identity around long-term vision for FINA.

**Long-Term:** (i) Prepare to launch a "new" FINA broadcast, digital and marketing strategy with strategic partners who share the same long-term vision; and (ii) design activation plan to benefit from a "win-win" relationship with broadcast and sponsorship partners; and (iii) engage necessary internal third-party support to execute strategic plan.

## C. THE THIRD PILLAR: EVENTS

Over the past few months many discussions have taken place concerning the density of FINA's events calendar and prior approach of "quantity over quality" of FINA events. Recognizing the important need for detailed consideration in the area of FINA events, a long-term and in-depth review with the below identified areas of priority must occur.

The Reform Committee considers that that mandate of the Sub-Committee reviewing FINA events should be maintained to continue its works in this area. In the interim, the Reform Committee highlights the following changes that should begin immediately.

### **1. Increased collaboration with our Event Organisers**

Event Organisers/Local Organising Committees are of key importance in the delivery of FINA's sporting events. Conversations with those organisers believe that there is a lack of guidance and standardisation of FINA's requirements in several areas. An event planning guide should be prepared. FINA must do more to collaborate with its partners and provide assistance where needed. The Reform Committee suggests that the FINA Office establish enhanced channels of communication and project management with all Event Organisers regardless of the size of their event.

Additionally, consideration should be given to working with third parties who are motivated and financially equipped to stage events at the required level provided that technical areas of the sport(s) are satisfied.

### **2. Review of the Calendar and the Location of FINA Events**

With over 70 events per year, the calendar has become too dense. FINA should immediately consider a Working Group to examine both the necessity and feasibility of these events to ensure the maximum benefit and participation. It is suggested that this Working Group communicate with the National Federations to determine the optimum timing of FINA events as well.

Additionally, more than 70% of FINA Events have been organised in two continents - Asia and Europe - and a few cities have organised a large percentage of all major events over the past 10 years.

In order to increase the exposure of our events, the reach of new public and the continuous engagement of our global community, the Reform Committee suggests promoting the organisation of our events across all 5 continents and in those locations that will boost the importance of our competitions. Moreover, further consideration must be given to the accessibility of the event.

### **3. Multisport Events**

Grouping events by its nature will optimise the use of the resources invested into the local organisation and maximise its media exposure while offering the possibility to spectators to view a wider range of opportunities. It is considered that this will consequently result in more engagement with our organisation end events.

As part of this initiative, FINA should review its calendar, location and competition model, and assess the possibility of hosting events jointly where schedules will offer full programmes for spectators.

A first example, and learning experience for FINA, will take place during the Abu Dhabi FINA Swimming World Championships where 3 other additional events will be organised in conjunction. Early feedback is that this is a positive and well received approach, and should be part of expanded format of multi-sport events. This said, caution should be given so as to not dilute the value of the World Championships and importantly, to ensure a clear and proper financial structure to avoid over expenditure on these events.

### **4. Review of Competition model**

FINA's World Series for all our disciplines have remained static in the past few years with the following main challenges:

- Limited generation of revenue streams
- Limited star-athlete engagement
- Limited media and TV exposure
- Reduced number of interest in hosting

In order to shape a sustainable model for all our disciplines, FINA should address this matter with the creation of a Working Group to establish new competition model formats that can address the above-mentioned issues. Such a committee will need additional time to deeply consider the current model and take advice and considerations from various national federations, athletes, and sponsors.

#### **5. Closer consideration of our athletes' expectations**

Athletes are the “raison d'être” of the sport system. Therefore, in order to maintain the integrity and value of our sport, it is critical that the sport experience be positive for athletes. FINA's events prioritize a necessary platform for athletes to perform at their highest level and to receive the credit and exposure required to sustain our sporting system. This will allow our sport to professionalise and will empower our athletes, magnify the opportunities of our organisation. Athletes, therefore, should be part of this Working Group.

#### **6. Increase Prize Money; Reduce Expenditure**

FINA must strategically look at the costs of its events – not only to its organizing committees but also its own investment costs in each event. There is a concern that event costs are increasing at a rate that does not match the quality out-put of these events. The Reform Committee considers that FINA must actively consider the costs of its events with a “quality over quantity” analysis.

Additionally, FINA must continue to reduce its overall expenditure. An assessment should be conducted by the FINA Audit Committee as to the costs of the FINA headquarters, especially given the urgent need for additional office space.

### **Conclusion and Timeline**

Event reform must be a high priority area of reform for FINA. But it should not be rushed and FINA must remain strategic in its planning. For this reason, no strategic proposals or plans are set out in this Reform Report, save for a strong recommendation that a dynamic and informed Working Group be established to further consider this area of necessary reform.

**Short Term:** Immediately establish Working Groups to consider shortcomings in FINA events including the following:

- Increased collaboration with Event organizers, including the preparation of an event planning guide.
- A “quantity over quality” assessment of FINA events.
- A detailed review of the competition calendar, with consideration given to global location of FINA events.
- Review of the competition model to maximize value of such events.
- Direct engagement with athletes to meet their expectations for the quality and value of FINA events.

**Long Term:** Execute roll-out of new calendar of FINA events with a focus on quality over quantity, following direct engagement with organizers and athletes. Consider staff spacing issues.

#### **D. THE FOURTH PILLAR: COMMUNICATION**

FINA's overall communication strategy needs wide-ranging reconsideration.

At the outset, the Reform Committee considers that FINA should do a better job of telling the stories of its Athletes. As set out below, a new digital strategy should also be implemented that could bring FINA's communication approach within modern times.

Additionally, the identity of a major international federation should not cause confusion. The Reform Committee suggests that FINA (i.e. the "Fédération Internationale de Natation") consider new branding or potential name change to align itself with its current values and audience. FINA needs to embrace not only being a world governing body in Aquatics, but it must be critically mindful of the growing nature of the sport. The world wants engagement, excitement, and a brand it can identify with. FINA must listen to its broadcasters, media partners, fans, and Athletes - and perhaps most importantly, engage with more young people who are the future of Aquatics.

With this, the Reform Committee recommends that FINA (or its replacement name) consider to re-brand itself with a more representative logo to represent what FINA stands actually stands for – water.

Finally, the Reform Committee is mindful to note that FINA's historical "no communication communication" approach with its members, partners, Athletes and the media must immediately cease. And when it communicated, its outward communication on important matters such as eligibility during the period of the Olympic Games was littered with misleading and incorrect information. A functioning communication strategy must be implored with a strong focus on reactivity, and a clear and concise written communication approach.

#### **Conclusions and Timeline**

The following is a summary of the proposed reform on Communication, which should be implemented immediately:

- a. Employ a double-check system on all communications concerning major events, especially concerning qualifications, eligibility and selection.
- b. Rebuild credibility with stakeholders and public by being transparent and authentic.
- c. Develop a strategy for telling the good stories of the work done by the federation, the heroics of its Athletes, and the constant hard work of the entire FINA family.
- d. Acknowledge receipt of all communication and seek to respond within short order.

To the extent the content of this Reform Report is accepted, FINA may consider employing a third-party entity to prepare an identification analysis with an aim toward the re-naming and re-branding of FINA.

#### **E. THE FIFTH PILLAR: DIGITAL TRANSFORMATION**

FINA is living a crucial moment concerning its digital future. Over the past few years, the sport industry rapidly evolved, and the Covid-19 pandemic eventually accelerated the process of digital transformation for sport federations, leagues, and clubs around the world.

Sport companies are facing new important challenges, such as the loss of TV linear audience during live events or the poor interest of younger generations for traditional sports. Younger generations (Gen-Z and Millennials) have changed the way of consuming sports. Their participation in traditional sports is declining their preferences are leaning towards entertainment experiences through action sports. Indeed, reports indicate that only 53% of the new generations consider themselves “sports fans”, of those 21% are “avid fans” and 32% “casual fans”, which is less than older generations. They tend to be more sensitive and attracted to short and snappy videos and less inclined to watch an entire game. Documentaries and other original content are also booming.

In response, the Reform Committee assessed the current digital structure by running a high level quantitative and qualitative examination. The first part of the research focused on the current FINA digital performances and insights, and the comparison with other international federations. The second part analysed the ongoing digital activities from a qualitative perspective.

This research enabled Reform Committee to define a list of main critical issues that affect the FINA digital eco-system. The main outcomes were as follows:

1. FINA does not reach the Top 10 of most of the digital and social media platforms comparing international federations.
2. The size of the digital and social media audiences is very small considering other top international federations.
3. The fan base of star athletes from Aquatics is limited.
4. FINA’s presence for young generations is limited.
5. Positive trends are coming from the Olympic Games 2020, with encouraging results on organic engagement and reach.

The Reform Committee also analysed the different areas and activities that compose the FINA digital eco-system identifying a series of critical issues that have a negative impact on the current strategy. Here, FINA must be digitally recognised as a global entity able to overtake any geographical and social boundaries to promote aquatic sports in the world. But, practises like the usage of one official language in the off- and on-line communication, and a shortage of tailored activities and campaigns to promote aquatic sport at a regional level are limiting the access for FINA to thousands of aquatic sport fans around the world.

Moreover, the lack of relationships with athletes has a negative impact in the way FINA can produce original content on its channels. Also, the online reputation is negatively influenced due to the lack of positive feedback about FINA and its events by the stakeholders.

FINA historically has only produced a limited amount of digital content (images, video, story, interview or text produced for a digital purpose) and original stories compared to other international federations. This is especially true during periods in which there were no live FINA events. The lack of human and technological resources has a direct consequence in the (negative) ability to create original content.

Compared to other sports, FINA offers a poor digital user experience to watch and interact during its events. This issue is mainly related to the technological solutions, which should be implemented to enrich the user experience during live events. The TV production is also affected by this lack of innovation.

FINA is also not taking advantage of any new technology to offer an innovative and original way of consuming live events live and on-demand (i.e. live stats, augmented reality, wearable devices). Moreover, for basic services like live streaming and results, there is no standardisation among all the FINA events. Only the first-tier events have acceptable standards.

Currently, FINA doesn't have either a photo or a video platform solution accessible from athletes and media to re-use and share content. And any value related to a brand and its presence online is considered "digital identity". FINA currently has a poor reputation and a general negative sentiment across the online audience.

All the activities related to social media, content/video production and live streaming are managed in-house. The website technical maintenance and development are outsourced while the content production and the daily management is run internally. The Reform Committee also notes that none of the FINA's digital properties are currently included in the selling proposition to seek and attract new partners and sponsors. No revenues come from the digital activities apart from the Facebook and You Tube video monetisation. Moreover, FINA does not include its digital properties in any of the marketing and sales packages dedicated to partners. The digital media value of digital properties as social media posts and videos, the brand-new FINA website and mobile application is still unknown.

### Conclusion and Timeline

To solve the current issues and meet the expectations of a first-tier international federation, the Reform Committee recommends the launch of a new digital development plan for the period 2021-2024. The suggested digital development plan crosses six new operational areas identified to fit the challenges FINA has to face in the short future:

- a. **Live streaming and VOD:** All activities covering live events and replays. OTT (Over-the-top) custom solutions and/or live streaming on third party channels as You Tube are included in this area of work, the testing of new features and technological solutions to enhance the user experience.
- b. **FINA website and third platforms:** All activities set to enhance and develop new features in the new FINA website launched in February 2021.
- c. **Social Media & Community Management:** All activities set to create engagement, increase reach and video views, enlarge the community on the social media channels (including launching a TikTok account); Open new social media channels and all the activities set for running social media paid campaigns and remarketing.
- d. **Digital Content Production & Distribution:** All activities set to produce, edit, store and distribute digital content from FINA events, initiatives and special projects.
- e. **Digital Support to Athletes, Coaches LOCs & NFs:** All activities establishing the ongoing and structured digital collaborations and partnerships with FINA main stakeholders.
- f. **Digital Revenue Streams:** All activities launched to set new digital partnerships and new sources of revenues.

The goal of the digital development plan should result in the following indicators:

- Become the Main Digital Access Point for the Aquatics Community.
- Target new strategic markets and set digital activations with a tailored approach.
- Add new languages in the digital communication.
- Build a dedicated platform to connect aquatic sports lovers (FINA athletes, Masters athletes, sport fans, national federations etc.).
- Set new vertical digital channels for each FINA discipline.
- Connect and engage the younger generations to make them the future Aquatic sport lovers.
- Establish solid and ongoing digital collaborations with Athletes, Coaches, National Federations and Organizing Committees.



- Increase and enhance the digital content production for quality, quantity and variety.
- Strengthen the media value of the FINA Digital Ecosystem (platforms & content).
- Revamp the FINA digital brand and increase awareness.
- Ensure the first online revenue streams coming from native digital partnerships.

## **F. THE SIXTH PILLAR: SAFEGUARDING, MEDICAL AND EQUITY**

The Reform Committee reviewed and analyzed the processes and procedures related to the way in which FINA approaches issues of Athlete safeguarding, medical and equity/discrimination in Aquatic sports. In general, the Reform Committee believes that considerations should be made for working groups, policies, and inclusion ideas. More specifically, the Reform Committee has set out the following proposals for consideration which, for the most part, are not currently addressed in FINA programming.

### **1. Anti-Discrimination Policies**

Discrimination comes in many forms and the FINA President has made clear that there is no space for discrimination within the waters of FINA. The Reform Committee considers it important to enhance the anti-discrimination language set out in the FINA Constitution to fully address any outstanding issues of racial, religious and sexual orientation discrimination. Such a revision could provide comfort for those feeling insecure and discriminated against, and at the same time, legitimize the FINA President's no discrimination agenda.

In addition to the enhancement of the FINA Constitution on this issue, FINA may consider developing educational plans and initiatives to better educate the aquatics community about these issues.

### **2. Diversity**

The Reform Committee considers there to be a need for greater diversity in Executive Boards and Committees. This change can be driven by the formation of an Equity and Diversity Committee, or through constitutional reform. The former with a long-term approach; the later with immediate impact.

The Bureau currently consists of 33 members, inclusive of the Executive Director and Honorary Life Presidents. Of those members, 5 are women (i.e. 15%). Compare this to the IOC which is comprised of 103 members; 39 of whom are women (i.e. 38%).

Further seats should be afforded to women within the Bureau and as necessary, an enlargement of the Bureau could be considered to effectuate this change. Constitution reform in this respect is needed.

### **3. Mental Health and Wellbeing**

Every Aquatic athlete, irrespective of age and status, deserves to train and compete in an environment free from unwarranted physical and psychological stresses such as harassment and abuse. Protections against many of these stresses and abuses are set out in the FINA Rules on the Protection from Harassment and Abuse. There are, however, mental stresses that are self-inflicted or not caused by a third person, but rather inherent to the nature of competitive sport and the enormous pressures that follow.

The Reform Committee suggests that FINA consider the implementation of a mental health and support program to address mental health aspects across its aquatic disciplines.

#### 4. FINA Rules on the Protection from Harassment and Abuse

In consideration of the Reform Committee's proposal to develop the Aquatics Integrity Unit, the Rules on the Protection from Harassment and Abuse need to be modified to reflect that the adjudication of any allegations should be handled by the Adjudicatory Chamber, not the Ethics Panel. Additionally, the Reform Committee consider small modification in the Rules on the Protection from Harassment and Abuse as follows:

- i. Elimination of the Event Safeguarding Officer on the premise that his/her role is generally redundant to that of the Athletes Safeguarding Counsel.
- ii. Amendment of the Rules to reflect that claim should be filed with the Independent Protection Officer, with a copy to the FINA Office.

Promotion of the Rules must also be a priority for FINA to ensure that National Federations are compliant with their obligations and that athletes are aware of their rights.

A new version of the Rules on the Protection from Harassment and Abuse, with recommended reform to be effective 1 June 2022, are attached as Exhibit C.

#### Conclusion and Timeline

The Reform Committee suggests that FINA engage in the following actions to create immediate reform:

- a. Enhance the anti-discrimination provisions of the FINA Constitution, to be approved by the Congress, on the recommendation of the Bureau at the General Congress of May 2022 (Fukuoka).
- b. Examination of FINA Constitution to determine specific recommendations to increase diversity in FINA Bureau and Committees. Such recommendations should be approved by the Congress, on the recommendation of the Bureau at the General Congress of May 2022 (Fukuoka).
- c. Consider establishment of an Athlete mental health and support program
- d. Accept modifications to FINA Rules on the Protection from Harassment and Abuse (Exhibit D) following approval by the Congress, on the recommendation of the Bureau at the Extraordinary Congress of 18 December 2021 (Abu Dhabi).

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### III. CONCLUDING REMARKS

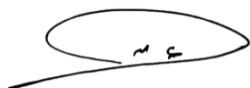
The Reform Committee concludes where it began: Reform is not a single event. It is a process that will test our patience. The Reform Committee is aware that many of the recommended actions need sufficient and possibly substantial resources to be implemented. While the Reform Committee encourages FINA to act swiftly on the reform set out above, it must do so with great detail and care to ensure that a solid foundation for the future of Aquatics is forged.

The Reform Committee remains at FINA's disposal to continue its mandate and provide a Phase Two report with further reform. At your instruction, such report will be prepared for implementation at General Congress of May 2022 (Fukuoka).

## FINA REFORM COMMITTEE MEMBERS



Dr. François **CARRARD**



Mr. Abdullah **ALHAYYAN**



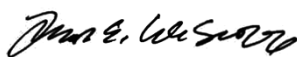
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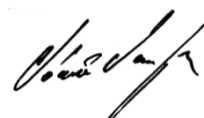
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