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Mr. Cornel Marculescu, Executive Director
FINA
Chemin de Bellevue 24a/24b
CH – 1005 Lausanne
SWITZERLAND
Via email sportdep@fina.org

17 December 2017

Dear Mr. Marculescu,

As I am sure you have read, the European Commission recently ruled against the International Skating Union (ISU) regarding the ISU's rules preventing non-ISU competitions. The board of the World Swimming Coaches Association (WSCA) requests that you initiate the process for removing similar rules from FINA.

The WSCA requests that GR-4 be removed from the FINA rulebook as it most closely mirrors the rules deemed illegal by the EC. We urge FINA to get in front of this issue to avoid dealing with the EC and to demonstrate leadership to other International Federations.

Specifically:

- The European Commission claim that ISU rules which had permitted sanctions...for those participating in unlicensed events were unfairly persecuting athletes and preventing the innovation and growth of the sport.
- The severe penalties the ISU imposes on skaters also serve to protect its own commercial interests and prevent others from setting up their own events.
- "The ISU now has to comply with our decision, modify its rules, and open up new opportunities for athletes and competing organisers, to the benefit of all ice skating fans."
- "In particular, the ISU should not impose or threaten to impose unjustified penalties on athletes who participate in competitions that pose no risk to legitimate sports objectives. If the ISU maintains its rules for the authorisation of third party events, they have to be based on objective, transparent and non-discriminatory criteria and not be intended simply to exclude competing independent event organisers.
- The European Commission accused the ISU of "pursuing its own commercial interests to the detriment of athletes and organisers of competing events".
- It also claimed they were limiting opportunities for athletes and preventing sporting innovation.

- The ISU now have 90 days to "stop its illegal conduct" and change its rules.

The WSCA requests that you use this 90-day period to initiate the process of removing GR – 4 from the FINA rulebook in order to gain compliance with the EC's ruling on the ISU case and to free athletes and event organizers to innovate to the benefit of swimming and our sport's top athletes.

Thank you,

A handwritten signature in black ink, appearing to be the name 'G. Block'.

George Block, President
World Swimming Coaches Association