



# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

## Federation Internationale de Natacion

For the attention of: Mr Cornel Marculescu

FINA Executive Director

Chemin de Bellevue 24a/24b

CH - 1005 Lausanne

SWITZERLAND

By email: [sportsdep@fina.org](mailto:sportsdep@fina.org)

Copy to: FINA Bureau; FINA Executive; and The Asia Swimming Federation (AASF)

Date: 03 July 2017

Subject: Complaint to FINA

Dear Mr Marculescu

**Mr Husain Al Musallam**

## Introduction

I, Mr. Homoud Obaid Al-Hajiri (Current Chairman of the KSA Board Interim Committee), write to you on behalf of, and with the authority of, the Kuwait Swimming Association (KSA) regarding the candidacy of Mr Husain Al Musallam for FINA Bureau membership, and his nomination to the position of FINA Vice President on behalf of the FINA Continental Organisation of Asia. The candidacy for FINA Bureau membership will be subject to vote at the FINA General Congress on 22 July 2017 and we understand that Mr Al Musallam's ratification as FINA First Vice President on behalf of Asia will also be confirmed at the General Congress.

On 3 October 2016 the KSA formally notified the AASF and FINA that it withdrew the nomination of Mr Al Musallam as a delegate of the KSA, therefore formally revoking his standing as a legitimate, FINA Member Federation supported, candidate and nominee for positions within the AASF and FINA. The AASF and FINA have ignored the KSA.





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It is apparent that Mr Al Musallam, a national citizen of Kuwait, (**a Federation Member currently suspended by FINA**), as an unrecognised and unsupported individual of the

KSA, is receiving unfair and groundless preferential treatment by the AASF and FINA. The KSA is concerned and disappointed that both the AASF and FINA are willing to show such a blatant level of discrimination and disrespect towards the KSA, its members and most importantly its hard working athletes in the context of Mr Al Musallam's continued participation within the AASF and FINA.

The KSA is working collaboratively with the State of Kuwait Public Authority for Sport with a view to addressing the issues which led to the International Olympic Committee suspending the Kuwait Olympic Committee, which in turn led to FINA suspending the KSA on 28 October 2015. However, whilst the KSA acknowledges its suspension by FINA, it wishes to exercise its constitutional rights as a Member Federation of FINA to take a firm stance against discrimination, particularly when the livelihoods of its athletes are at stake.

No doubt the sporting world at large will also be interested to learn about the full extent of FINA's preferential treatment towards a senior official, which is in direct discrimination to the status of normal hard working individual member athletes.

Please accept and acknowledge this letter as formal notice of the KSA's complaint concerning the conduct of the AASF and FINA with regard to the invalid acceptance of Mr Al Musallam's candidacy for FINA Bureau membership and his nomination to the position of FINA Vice President on behalf of the FINA Continental Organisation of Asia.

It is imperative that, in the context of what is set out below, FINA addresses this complaint urgently. In the interests of good governance, and to avoid future constitutional uncertainty, FINA is requested to openly clarify its position concerning Mr Al Musallam, and respond to the KSA, ahead of the General Congress.



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In the absence of a response from FINA, or if an unsatisfactory response is received, then the KSA reserves its position to raise a motion of urgency, pursuant to the FINA Constitution Rule C 15.13, that requests the General Congress to address the issues raised in this Complaint at the FINA General Congress on 22 July 2017.

## Background

On 28 October 2015 FINA imposed a suspension on the KSA and notified it via a letter dated 28 October 2015 (**Attachment 1**) (**Suspension**). The Suspension would carry the following consequences:

1. Participation of the Kuwaiti athletes to FINA competitions/event and/or other international competitions/events recognized by FINA under FINA flag, FINA code for accreditation and FINA hymn (in the event of any Kuwaiti athlete wins a competition);
2. No voting right to the FINA General Assembly (Ordinary and Extraordinary);
3. The current Board of Directors of the KSA will be recognized by FINA **once the suspension will be lifted** (I have added underlining and bold text by way of further emphasis throughout this Complaint)

KSA Board of Directors

President	H.E. Sheik Khaled Al Bader M Al Sabah
Vice President	Hameed Al Garib
Secretary general	Husain Al Musallam
Assistant Sec. Gen.	Faiz Al Tawheed
Treasurer	Houmod Al Hajeri
Assistant Treasurer	Salem Al Hasawi



4. The suspension shall be respected by **all** FINA members



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The consequences of the Suspension for the KSA, its Board of Directors, its member clubs and its athletes were clearly stated. The Suspension did not suspend any fundamental constitutional rights nor did it terminate Kuwait's membership with FINA. Rule C 8 RIGHTS AND DUTIES OF MEMBERS states:

*"All Members are entitled to*

*C 8.1.1 to use the services of FINA,*

*C 8.1.2 ...,*

*C 8.1.3 to be recognized as the only Aquatics' governing body of its country or Sport Country, by everybody, including its National Olympic Committee."*

A Member's fundamental and constitutional duties and rights are not affected by a temporary suspension.

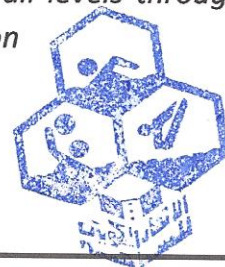
The FINA Constitution is underpinned by its core Objectives (Rule C5), its ethical values (defined within the FINA Code of Ethics) and, in addition to those wider core principles, Rule C4 DISCRIMINATION states expressly:

*"FINA shall not allow any discrimination against national federations or individuals (competitors, officials, judges, delegates, etc.) on the grounds of race, gender, religion or political affiliations."*

Rule C5 OBJECTIVES states:

*"The objectives of FINA are:*

- a) to promote and encourage the development of Aquatics in all possible regards throughout the world,*
- b) to provide fair and drug free sport,*
- c) to promote and encourage the development of international relations,*
- d) to encourage participation in Aquatic disciplines at all levels throughout the world regardless of age, gender or race, FINA Constitution*
- e) ...,*





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f)...

g)..., and

h) to carry out such other activities as may be desirable to promote the sport."

The above constitutional principles are applicable to all Members of FINA and should be kept in mind when considering this Complaint. The KSA would also like FINA to have reference to the English version of the KSA Constitution, which is included at **Attachment 2**.

Article 4 (10) of the KSA Constitution states:

**"The KSA is the only authority to nominate the KSA Representatives to become members of Kuwait NOC, AASF and FINA and choosing those who represent the State of Kuwait to attend the regional, continental and international meetings."**

In accordance with Article 4 (10), on 13 March 2016 the KSA wrote a letter to the AASF nominating its delegates to the AASF and FINA (**Attachment 3**). The nominations were:

H.E. Sheikh Khalid B. Al-Sabah	-	President of AASF
Mr Husain Al Musallam	-	First Vice President of FINA
Mr Bashar Al Saffar	-	TDC Member in AASF and FINA
Mr Salem Al Hasawi	-	TSC Member in AASF
Mr Ahamed Farman	-	TWPC Member in AASF

Despite the Suspension, the KSA did not receive any communication from the AASF and/or FINA rejecting these nominations. This created a peculiar situation where, despite the wording of the Suspension which confirmed that the KSA Board of Directors would not be recognised during the Suspension, it appeared that the AASF and FINA were prepared to allow officials of Kuwait to participate in the AASF and FINA in their capacity as a Member Federation official. This is in direct contravention of the wording of the Suspension and in stark contrast to the unfortunate position of the Kuwaiti athletes.





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Shortly after the KSA had nominated its delegates to AASF and FINA, a number of individuals on the KSA Board of Directors resigned from their positions. The KSA Board received signed letters of resignation from the following Board members:

- Sheikh/Khalid Al-Bader Al-Sabah - Chairman - resigned on 23 August 2016
- Mr Homoud Obaid Al-Hajeri – Treasurer – resigned on 3 September 2016
- Mr Faeiz Abdullah Al-Tawhid - Assistant General Secretary – resigned on 3 September 2016
- Mr Salem Kheder Al-Hasawi - Assistant Treasurer – resigned on 3 September 2016

As a consequence of the resignations, the KSA Board was inquorate and incapable of coordinating and managing the affairs of the KSA. For the avoidance of doubt, the KSA is solely responsible for the organisation of aquatics sports in Kuwait. The KSA is also responsible for the management and administration of the financial and technical affairs of aquatics sports in Kuwait. This responsibility is enshrined in the KSA Constitution at Article 2 (See Attachment 2). FINA has acknowledged the membership of the KSA, and respected its autonomy since 1968.

Strangely, on 3 September 2016, the KSA received a letter from FINA which was addressed to H.E. Sheikh Khalid B Al-Sabah (who had resigned from the KSA Board of Directors 10 days prior to the date of that letter). A copy of the letter is enclosed at **Attachment 4**. It appeared from the content of the letter that FINA was confusingly linking State of Kuwait legislation affairs, which are linked to the Suspension, with internal administrative affairs of the KSA. FINA stated, in a surprisingly imperative tone, that it would not recognise any resignation of any KSA Board members, nor any decision taken by a KSA General Assembly.

Despite the peculiar content of the letter from FINA (and its lack of impact on the autonomy of a Member Federation's administrative activities in light of FINA Constitution Rule C 8.1.3 and C 8.2.6), the KSA notified its Members, the State of Kuwait Public Authority for Sport and the Kuwait Olympic Committee of the resignations and the inquorate state of the KSA Board. Given the severity of the implications of the KSA having an inquorate Board, particularly in light of the ongoing discussions with the State





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of Kuwait Public Authority for Sport, the International Olympic Committee and various international sports governing bodies (including FINA), the appropriate number of KSA Member Clubs moved to hold an Extraordinary General Assembly Meeting (EGAM).

Article 17 of the KSA Constitution states that an EGAM will have only one agenda item and can be called for, amongst other reasons:

- A) *The important and urgent matters which cannot be dealt with in the ordinary general assembly; and*
- B) **In case of the absolute majority of the KSA Board members resigning.**

The EGAM took place on 22 September 2016. A certified translation of a copy of the minutes of the EGAM can be found at **Attachment 5**. The minutes of the EGAM set out in detail the constitutional procedural steps to be followed to validly call and hold an EGAM. There is no doubt that the majority vote, of a quorate EGAM, confirms that the EGAM was constituted and concluded properly and in accordance with the KSA Constitution.

The result of the vote taken at the EGAM was that a temporary committee was installed to carry out the duties of the KSA Board in accordance with Article 18 of the KSA Constitution (Attachment 2). The temporary committee members where confirmed as:

Mr Homoud Obaid Al-Hajiri	-	Committee Chairman
Mr Salem Al-Hasawi	-	Committee Secretary
Mr Faiez Abdullah Al-Tawhid	-	Committee Treasurer

In light of the absence of any procedural or constitutional irregularity as far as the calling and holding of the EGAM, and the establishment of the interim committee, is concerned, the KSA would like to draw FINA's attention to the following Articles of the KSA Constitution:

Article 4 (10) of the KSA Constitution states:





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**"The KSA is the only authority to nominate the KSA Representatives to become members of Kuwait NOC, AASF and FINA and choosing those who represent the State of Kuwait to attend the regional, continental and international meetings."**

Article 31 (3) states that it is the right and duty of the **KSA Board** to nominate the KSA Representatives to become members of Kuwait NOC, AASF and FINA.

Article 4 (12) states:

**"The KSA has full responsibility to maintain its independency and autonomy in accordance with FINA Rules."**

The KSA is also keen to highlight the following Rules contained within the FINA Constitution:

**"C 8.2 All Members are obliged:**

...

**C 8.2.6 to manage its affairs independently and not be influenced by third parties."**

In the spirit of full transparency, good governance, and in accordance with the KSA and FINA Constitutions, the KSA Board (via the hand of its interim committee, which was the only body with authority to do so) wrote to FINA on 27 September 2016 to notify FINA of the EGAM, the grounds for calling it and the outcome. The KSA respectfully requested that FINA ratify and recognize the EGAM and its outcome. A copy of the KSA's letter to FINA of 27 September 2016 is at **Attachment 6**.

The KSA received no response from FINA

On 3 October 2016, in exercising its constitutional rights (specifically with regard to Article 4(10) and (12) and Article 31(3) above, which had already been approved by FINA), the KSA wrote to both the AASF and FINA to withdraw the KSA's nomination of Husain Al Musallam to AASF and FINA to the capacities of Vice President on behalf of







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ASIA and FINA Bureau membership respectively. A copy of that letter is at **Attachment 7**.

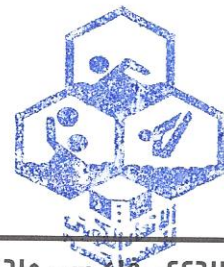
The KSA had formally withdrawn its nomination of Mr Al Musallam prior to the AASF General Congress being held on 9 October 2016 in Doha, Qatar. In light of these circumstances, the KSA cannot understand how Mr Al Musallam has retained his nomination as FINA Vice President for Asia, nor can the KSA understand how Mr Al Musallam can be actively pursuing re-election to the FINA Bureau, particularly in light of the following FINA Rule (or the current Suspension):

*"C 17.5 The FINA Bureau shall consist of twenty three (23) voting members.*

*C 17.5.1 Sixteen (16) members shall be elected by the General Congress in accordance with the elections of their respective Continental Organizations...The Continental Organizations shall inform the FINA Executive Director in writing of the names of their candidates at least three (3) months in advance. Only candidates proposed by the respective Continental Organizations can be presented for vote in the General Congress provided that they have been previously approved by the Member Federation of which those candidates are citizens."*

In light of the above, it is extremely concerning to consider that FINA and the AASF have acted in complete disregard to the independent wishes and rights of the KSA (notwithstanding the KSA's current Suspension), however, it is outrageous to consider that FINA and the AASF have applied preferential treatment to one individual person, Mr Al Musallam, in a manner which appears to involve numerous flagrant breaches of the FINA Constitution.

In the wider context of this scandal, which ultimately highlights the worrying and saddening culture of discrimination towards the KSA and its athletes to the benefit of one individual (who happens to be a senior official within FINA), I, on behalf of the KSA, wrote to FINA President Julio Maglione on 2 December 2016 to raise the KSA's concerns. A copy of the KSA's email is attached at **Attachment 8**.





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On 16 December 2016 FINA replied, in brief terms, by confirming that the KSA is temporarily suspended and that Kuwaiti athletes can compete in FINA competitions under the FINA flag. FINA's response email is attached at **Attachment 8**. Whilst FINA was keen to underline the consequences of the Suspension, as far as the Kuwaiti athletes were concerned, FINA failed to address the fundamental constitutional flaw connected to Mr Al Musallam's participation in AASF and FINA activities.

FINA's explanation of its position concerning Mr Al Musallam has been and remains incomplete, unsatisfactory, unconstitutional and disrespectful to the KSA, its athletes and the FINA members. It is the view of the KSA that the conduct of FINA, the AASF and Mr Al-Musallam is in blatant breach of the FINA Constitution.

## Summary of Complaint and alleged breaches of FINA Constitution

In light of the clear wording of the Suspension, which confirmed that FINA would not recognise the Board members of the KSA, (**which included express reference to Mr Al Musallam**), by continuing to acknowledge Mr Al Musallam as an officer of Kuwait, and allowing him to openly participate in AASF and FINA activities, from the date of the Suspension until the date of this Complaint (and up to the conclusion of his current tenure at the General Congress), there have been direct breaches of the FINA Constitution for the following reasons:

- The AASF and FINA have directly discriminated against the KSA, its member clubs and its athletes by allowing Mr Al Musallam to participate in FINA activities. By reference to FINA's letter of 3 September 2016, this discrimination appears to be based on political affiliations (see Attachment 4) and therefore engages **Rule C 4**.
- FINA's discrimination of Kuwait contravenes **Rule C 5(c)** which obliges FINA to promote and encourage the development of international relations.
- FINA's preferential treatment of an individual officer, in direct opposition to its discriminatory treatment of the KSA, its clubs and athletes, is not conducive to promoting the sport of aquatics. This conduct contravenes **Rule C 5 (h)**.





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- As the Suspension is currently in place, by ignoring the express wording of the Suspension, the AASF and Mr Al Musallam are in breach of **Rule C 12.4** which obliges **all members** to recognise and enforce sanctions.
- The above conduct infringes the FINA Code of Ethics with regard to the principles of **Equality (Ethics Code V.A.1), Fair Play (Ethics Code V.C.3)**.

By the AASF and FINA firstly accepting the delegate nominations put forward by the KSA on 13 March 2016 (despite the Suspension), but then attempting to interfere with the internal administration of a Member Federation, when it was exercising its constitutional rights to do so, and refusing to acknowledge the KSA Board and its wishes to withdraw its delegate nomination of Mr Al Musallam, there have been the following breaches of the Constitution:

- **Rules C 4 and C 5 (c)** (as above).
- FINA Code of Ethics principles of **Equality (Ethics Code V.A.1), Fair Play (Ethics Code V.C.3)** (as above).
- By attempting to aggressively interfere with the delegate nomination exercise, and then refusing to recognize the KSA Board (in its interim committee capacity) FINA has encroached on the autonomy of a Member Federation and its right to be recognised as the only national governing body for aquatics in that country. This is in breach of **Rule C 7.2** (and is incompatible with Articles 4 (10), 4 (12) and 31 (3) of the KSA Constitution).
- FINA's conduct further infringes the KSA's right to manage its affairs independently, and not be influenced by third parties (which is ultimately an issue concerning the current Suspension). This is a breach of the right prescribed by **Rule C 8.2.6**.

By the AASF and FINA accepting Mr Al Musallam as a candidate for FINA Bureau membership for the term 2017-2021, whilst the Suspension remains in place and





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without the formal nomination and support of a Member Federation, the following provisions of the Constitution have and will be infringed:

- **Rules C 4, C 5 (c), C 5 (h), C7.2, C 8.2.6, C 12.4** and principles of **Equality (Ethics Code V.A.1) and Fair Play (Ethics Code V.C.3)** (as above).
- Mr Al Musallam has no nomination or support from the KSA. By the AASF nominating Mr Al Musallam as a FINA Vice President, and FINA accepting that nomination, **Rule C 14.6.7** has been infringed (which requires a Continental Organisation to elect its bureau members with nominations **emanating from the respective member federations**).
- Mr Al Musallam's participation, and potential voting capacity, in the General Congress, whilst a national of a suspended Member Federation engages **Rule C 15.3.3**. Kuwait is suspended and therefore cannot nominate delegates to attend the General Congress. Which makes these circumstances even more astonishing if Mr Al Musallam is capable of voting and being elected to a position of significant seniority within FINA.
- By Mr Al Musallam being capable of election to the FINA Bureau membership, and nomination to the position of FINA Vice President (**or even First Vice President**), without Member Federation approval (and subject to the election routes listed at C 17.5), **Rule C 17.5.1 or C 17.5.2** is engaged and infringed.
- The AASF was in possession of the notice from the KSA withdrawing Mr Al Musallam's nomination as a delegate prior to its General Congress Elections on 9 October 2016. By the AASF presenting Mr Al Musallam as a candidate for Vice President on behalf of Asia, without a valid nomination from the KSA, the provisions of **Rule C 17.6.2** are contravened. The Continental Organisation has not validly presented a Vice President candidate.

The circumstances detailed in this Complaint present a host of concerning questions about the governance framework of FINA. At the very least, the conduct of FINA, AASF and Mr Al Musallam has created great constitutional uncertainty for the future. At





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worst, the conduct highlights a culture of collusion, inequality, discrimination, exclusivity and selfishness which is endemic at the senior levels of FINA.

Not only does this Complaint present a very serious case for FINA to answer but it also presents an opportunity for FINA to clearly and openly clarify its position concerning Mr Al Musallam and to restore confidence amongst its members in its ability to govern the world of aquatics sports properly and fairly.

In light of the numerous and very serious breaches of the FINA Constitution, including breaches of the FINA Code of Ethics, the KSA presents this Complaint to all appropriate decision making and arbitral bodies within FINA for consideration and response. Should FINA fail to respond in substantive terms before the FINA General Congress then the KSA will apply for a motion of urgency (even in the absence of KSA representatives at the General Congress) to be subject to a vote, in accordance with Constitution Rule C 15.13, to incorporate the Complaint onto the General Congress agenda and for its content to be addressed accordingly at the General Congress.

Please note, to the extent it is required, if FINA fails to accept a motion of urgency at the General Congress (as described), then the KSA will not hesitate to escalate this dispute to the Court of Arbitration for Sport in accordance with FINA Constitution Rule C 26. We trust that this action will not be necessary and look forward to FINA's full and substantive response within **14 days**, failing which an application for a motion of urgency to be heard at the General Congress will be lodged with the FINA Honorary Secretary and FINA Executive Director.

Yours sincerely

Mr. Homoud Obaid Al-Hajiri

Interim Committee Chairman

For and on behalf of Kuwait Swimming Association

# ATTACHMENT 1



FÉDÉRATION  
INTERNATIONALE  
DE NATATION

President  
DR. JULIO MAGLIONE  
Uruguay

First Vice President  
HUSAIN AL MUSALLAM  
Kuwait

Honorary Secretary  
PAOLO BARELLI  
Italy

Honorary Treasurer  
PIFAT PANIANGVAI  
Thailand

Vice Presidents:

TAMAS GYARFAS  
Hungary

DENNIS MILLER  
Fiji

DALE NEUBÜRGER  
United States of America

SAM RAMSAMY  
South Africa

Members:

FERNANDO CARPENA  
Spain

ERROL CLARKE  
Barbados

DIMITRIS DIATHESPOULOS  
Greece

DR. MOHAMED DIOP  
Senegal

MATTHEW DUNN  
Australia

BEN EKUMBO  
Kenya

ANDRIY KRYUKOV  
Kazakhstan

EUGENIO MARTINEZ  
Cuba

DR. MARGO MOUNTJOY  
Canada

COARACY NUNES FILHO  
Brazil

DONALD RUKARE  
Uganda

VLADIMIR SALNIKOV  
Russia

KAZUO SANO  
Japan

ERIK VAN HEIJNINGEN  
Netherlands

QIUPING ZHANG  
China

JIHONG ZHOU  
China

Honorary President  
MUSTAFA LARFAOUI  
Algeria

Executive Director  
CORNEL MARCULESCU

**Kuwait Swimming Federation**  
H. E. Sheikh Khalid B. Al-Sabah  
President  
[kuwaitswimming@hotmail.com](mailto:kuwaitswimming@hotmail.com)

Lausanne, October 28<sup>th</sup> 2015

### KUW – Suspension of the Kuwait Swimming Federation

Dear President,

Further to our letter dated on August 8<sup>th</sup> 2015 to the Kuwait Swimming Association (enclosed), FINA has required the Kuwait Swimming Association and its members, mainly the clubs, to comply with the obligations of FINA Constitution (C 7.3, C 7.4, C 8.2.6, C 8.2.9, C 9.1.6).

With reference to the last correspondence from IOC on October 27<sup>th</sup> 2015, the IOC has suspended the Kuwait Olympic Committee due to the implementation of the new Law 117/2014 and 25/2015 on the National Kuwaiti Sports Organizations.

In view of the above, FINA has decided to **suspend** the Kuwait Swimming Association and its members, including the clubs, according to FINA rule C 12.2. This suspension aims to protect the FINA Aquatics Family in Kuwait from the implementation of the above laws and for the sake of the principle of autonomy in Kuwait.

Therefore, the consequences of suspension are the following:

1. Participation of the Kuwaiti athletes to FINA competitions/event and/or other international competitions/events recognized by FINA under FINA flag, FINA code for accreditation and FINA hymn (in the event any Kuwaiti athlete wins a competition);
2. No voting right to the FINA General Assembly (Ordinary and Extraordinary);
3. The current Board of Directors of the Kuwait Swimming Federation will be recognized by FINA once the suspension will be lifted.

#### Kuwait Swimming Federation's Board of Director

President	H.E. Sheik Khaled Al Bader M Al Sabah
Vice-President	Hameed Al Garib
Secretary General	Husain Al Musallam
Assistant Sec. Gen.	Faiz Al Tawheed.



FÉDÉRATION  
INTERNATIONALE  
DE NATATION

President  
DR. JULIO MAGLIONE  
Uruguay

First Vice President  
HUSAIN AL MUSALLAM  
Kuwait

Honorary Secretary  
PAOLO BARELLI  
Italy

Honorary Treasurer  
PIPAT PAMANGVAIT  
Thailand

Vice Presidents  
TAMAS GYARFAS  
Hungary

DENNIS MILLER  
Fiji

DALE NEUBURGER  
United States of America

SAM RAMSAMY  
South Africa

Members

FERNANDO CARPENA  
Spain

ERROL CLARKE  
Barbados

DIMITRIS DIATHESOPOULOS  
Greece

DR. MOHAMED DIOP  
Senegal

MATTHEW DUNN  
Australia

BEN EKUMBO  
Kenya

ANDREY KRYUKOV  
Kazakhstan

EUGENIO MARTINEZ  
Cuba

DR. MARGO MOUNTJOY  
Canada

COARACY NUNES FILHO  
Brazil

DONALD RUKARE  
Uganda

VLADIMIR SALNIKOV  
Russia

KAZUO SANO  
Japan

ERIK VAN HEIJNINGEN  
Netherlands

QIUPING ZHANG  
China

JITONG ZHOU  
China

Honorary President  
MUSTAPHA LARFAOUI  
Algeria

Executive Director  
CORNEL MARCULESCU

Treasure  
Assistance Treasure  
Houmod Al Hajerri  
Salem Al Hasawi

4. The suspension shall be respected by all FINA members.

In order for FINA to lift the suspension, the Law 117/2014 and 25/2015 on the National Kuwaiti Sports Organizations shall be amended in compliance with FINA Constitution (FINA rule BL 14) and the modifications required by the IOC in its correspondence from October 13<sup>th</sup> 2015 to the Kuwait Government.

Thank you for your kind attention and cooperation.

Yours sincerely,

**Cornel Marculescu**  
FINA Executive Director

In copy:

- Thomas BACH, IOC President
- Sheikh Ahmad Al-Fahad AL-SABAH, President of the Association of National Olympic Committees (ANOC) and the Olympic Council of Asia (OCA)
- Taha AL KISHRY, AASF Director General
- FINA Executives



## ATTACHMENT 2

**KUWAIT SWIMMING ASSOCIATION  
CONSTITUTION**

### Definitions and Abbreviations

The following words, definitions and their respective abbreviations stated in this constitution will mean the following:

Word	Definition	Abbreviation
Association	Kuwait Swimming Association	KSA
KSA Board Member	All the elected Members by KSA General Assembly	
KSA Executive	Executive Committee consist of KSA President, Secretary General, One KSA elected Member	EB
National Olympic Committee	Kuwait Olympic Committee	KOC
FINA	Federation International de Natation	FINA
Asian Federation	Asian Amateur Swimming Federation	AASF
International Olympic Committee	International Olympic Committee	IOC
Government	Government of State of Kuwait	GOV
The Authority	Public Authority for Youth and Sport	PAYS
The Olympic Games	The Olympic Games	OG
Asian Games	Asian Games	AG
World Anti-Doping Agency	World Anti-Doping Agency	WADA
Aquatics Sports	Swimming, Diving Water Polo, Open Water, synchronized swimming	Swimming, Diving Water Polo, Open Water, synchronized swimming
Kuwait competition season	Starts on 1 January ends on 31 December every year	
Fiscal Year	1 January ends on 31 December every year	

## **Fundamental Principles**

Kuwait Swimming Association is an independent sports organization in-charge of the Aquatic Sport activities in State of Kuwait and it's affiliated to FINA, and recognize FINA as the only body in the world which governs Swimming, Open Water Swimming, Diving, Water Polo, Synchronised Swimming and Masters Internationally . KSA has a juridical and legal personality, it is represented by the elected President of Kuwait Swimming Association. KSA at all time in fully complies with the rules and regulations of Federation Internationale de Natation (FINA) and those of the World Anti-Doping Agency (WADA) as well.

Kuwait Swimming Association shall cooperate with governmental and non-governmental organizations and establish good relations with them in order to carryout its tasks successfully.

Kuwait Swimming Association must be fully independent and shall resist all kinds of pressures including the political, legal, religious or economic ones that may prevent it from complying with the rules and regulations stated in the constitution of FINA.

Kuwait Swimming Association Constitution must not be in conflict with FINA constitution and Rules and if there are any conflict in KSA constitution with FINA, FINA Rules & Constitutions shall prevail. KSA shall comply and act in accordance with all the decisions, Rules and Regulation taking by the FINA Congress and FINA Bureau.

### **Article (1)**

#### **The establishment of the Association**

Kuwait Swimming Association established in the State of Kuwait in 1964. Since then KSA kept carrying out its tasks and duties till FINA officially given it's recognition in 1968 in accordance with FINA rules and regulations.

### **Article (2)**

KSA is the sole responsible organization for Aquatic Sports in the State of Kuwait. KSA is also responsible for managing and developing the administration, financial and the technical affairs of Aquatic Sports in the State of Kuwait; the KSA shall carryout these tasks in accordance to the rules, regulations and decisions of FINA.

### **Article (3)**

The General Assembly of KSA consists of sports clubs recognized by KSA, the Sport Club must participate in minimum of 2 age groups in Kuwait competitions in each year or season (swimming or diving or water polo or open water) in a local competition organized by KSA in accordance with FINA Rules. Each Club must achieve minimum technical standard as stipulated in KSA decision and rules.

The general assembly members of Kuwait Swimming Association are to be considered as indirect members of FINA and AASF and they must abide at all times by the rules, regulations and decisions of FINA, AASF and KSA.

### **Article (4)**

#### **Objectives and authorities**

- 1- KSA is the sole organization in overall charge of aquatic sports in State of Kuwait
- 2- KSA has the supreme authority for participating and representing State of Kuwait in the regional, continental, world championships and in Olympic Games (athletes and officials).
- 3- KSA to promote and encourage the development of aquatic sports in all possible manifestations throughout the State of Kuwait
- 4- KSA provide drug free aquatic sports in State of Kuwait
- 5- KSA to adopt necessary FINA rules and regulations to hold competitions in aquatic sports in State of Kuwait
- 6- KSA to organize competitions in Kuwait annually in accordance with FINA Rules
- 7- KSA is the sole authority for managing the technical, financial and administrative aspects of the aquatics sports in State of Kuwait
- 8- KSA shall maintain at all times FINA rules
- 9- KSA to cooperate with the FINA/AASF and other National Federations in different aspects and fields related to the aquatic sport.
- 10- KSA is the only authority to nominate the KSA Representatives to become members of Kuwait NOC, AASF and FINA and choosing those who represent the State of Kuwait to attend the regional, continental and international meetings.

- 11- Creating a good sport atmosphere among the members through organizing cultural, educational and social activities for the members.
- 12- KSA has full responsibility to maintain it's independency and autonomy in accordance with FINA Rules.
- 13- KSA is responsible for informing and getting prior approval from FINA for any amendments in the current constitution of KSA.
- 14- KSA is responsible for establishing Standing Committee and Ad-Hoc Committees
- 15- KSA shall comply with the Anti-Doping Rules set out by FINA
- 16 - KSA will allow out-of-competition Ant-Doping controls by FINA in Kuwait as indicated in FINA Rules DC 8.2.4
- 17- All KSA Members (Competitors, Competitor Support Personal, Coaches , physicians, Team Leaders, and Club Members) must follow FINA Rules of Anti-Doping as indicated in FINA Rules DC 14.1
- 18- KSA will do all nesscary requirement to implement effectively FINA Anti-Doping Rules on all of KSA members as indicated in FINA Rules DC 14.2

## **Membership**

### **Article (5)**

- 5.1 Any recognized sport club in the State of Kuwait have the right to be a member of KSA. In order to be a member of KSA, the sport club must participated of minimum of 2 age group (swimming or diving or water polo or open water) and achieving required minimum technical standards as stipulated by KSA.
- 5.2 Club must fill and complete the form of membership of KSA, the form must be arranged by KSA and indicate the following in formations.
  - A- Name and address of the sport club
  - B- Name of the Board of Directors of Sport Club
  - C- Copy of the Sport Club's constitution and should not be in conflict with the constitution of KSA.
  - D- A detailed report about the aquatic sport activities and technical standard of the age group and the team.

E- Names of technical and administration of aquatic sports within the Club

- 5.3 The above information should be addressed to KSA Secretary General who should report to KSA Board within 30 days from the date of receipt of such application for final decision.
- 5.4 If application was accepted, the membership seeker shall pay the membership fees and subscription within 30 days as from the date of approving the membership. Otherwise, this approval will be cancelled.
- 5.5 In case of rejecting the application of membership, KSA Board has to mention the reason of refusal and the disapproved membership sport club may apply again after the club fulfill requirements of KSA as stipulated in this constitution
- 5.6 The new member will have the voting right in the General Assembly meeting after two years of the date of his membership acceptance on condition that the new member must participate and achieve minimum technical standard stipulated by KSA.

#### **Article (6)**

##### **Rights and duties of Member.**

All the Members are entitled:

- 1- to use the services of KSA
- 2- to take part in KSA Championships in accordance with FINA/KSA Rules
- 3- to support KSA in its efforts to achieve its objectives
- 4- to act in accordance with the decisions of the KSA Board and General Assembly
- 5- to pay an annual fee and other financial obligations to KSA
- 6- comply with the Constitution/decisions of KSA
- 7- Comply with the rules and regulations of FINA and AASF.
- 8- Preventing any political, legal, religious or economic involvement in aquatic sports in State of Kuwait
- 9- Informing the KSA about any change occurred in it's constitution or the names of the Board Members and the structure (administration, technical and athletes) of the aquatic sports in the Sport Club

## **Termination of membership**

### **Article (7)**

The member will lose his membership in the following cases:

- A – If the sport club member no longer exist
- B - If the sport club member withdraw it's affiliation, or
- C - If the member is expelled by KSA Board or KSA General Assembly
- D- If the sport club member did not participate for one year in KSA organized competitions, or the Sport Club Member did not achieve the minimum technical standards set by KSA in organized competitions by KSA in one year
- E – KSA Board shall have the power to expel a sport club member for significant violation of KSA/FINA Rules, decisions and Constitutions.
- F- KSA Board has to inform to expelled Member within 7 days from the date of KSA decision

## **Renewing the membership**

### **Article (8)**

The expelled Sport Club can renew his membership by submitting a new membership application provided that condition and the reason for past nullification has been excluded. In the case of reinstatement, the membership is considered as new and the Member needs to follow the new procedures and rules.



## **General Assembly**

### **Article (9)**

9.1 KSA General Assembly is the highest authority of KSA and shall have the power to decide upon any matters arising in KSA. KSA General Assembly decision must not be in conflict with FINA Rules & Regulations.

The President of KSA shall preside at all General Assembly meetings or his absence Vice President. In the event both President and Vice President are absence the KSA Board can authorize the Secretary General to preside over the meetings.

9.2 General Assembly of KSA shall consists of:

A: One delegate duly appointed from each affiliated and recognized Sport Club Member which has paid their annual subscription fee. The Sport Club member must be a recognized member of KSA for two years (24 months before the General Assembly meeting) and must have participated in minimum two age group of Kuwait aquatic competitions and achieved the minimum technical standard set by the KSA, with one vote. Notice of the appointment of delegates, certified in writing by the Member the represent, must be lodged with the KSA Secretary General prior to the commencement of the General Assembly. One representative of every member sports club which has duly paid its annual subscriptions.

B: All Members of KSA Board without voting right

C: FINA Bureau Member having Kuwaiti nationality without voting right

D: KSA can invite representative from Public Authority for Youth & Sports (PAYS) or Government as Observer (PAYS representative have only the right to raise any notes about the fund been received from PAYS or the Government)

9.3 There are two types of General Assembly:

A. Ordinary general assembly meeting: to be convened every year, within 90 days after the culmination of fiscal year. KSA must inform about the General Assembly date, place and agenda to KSA General Assembly Members seven days before the meeting (by E-mail or fax or by registered post). KSA has to

invite the members of the ordinary general assembly meeting who have paid their annual subscription fee. A simple majority of the total affiliated Members (50% +1) is required for quorum and taking any decision.

- B. Extraordinary general assembly meeting; shall be convened based on the decision of KSA or upon request of two third of the KSA Members with only one Agenda item. KSA must inform about the Extraordinary General Assembly date, place and agenda to KSA General Assembly Members seven days before the meeting (by E-mail or fax or by registered post). KSA has to invite the members of the extra ordinary general assembly meeting who have paid their annual subscription fee. A simple majority of the total affiliated Members (50% +1) is required for quorum and taking any decision.

#### **Article (10)**

##### **Agenda for General Assembly**

A list of the sports clubs that have the right to attend the meeting with their delegate's signatures

- A- KSA Administration and Technical Reports.
- B- The audited financial report for the last fiscal year.
- C- Technical, Administration and Financial activities and budget for the next fiscal year.
- D- The proposals received from Member Sport Clubs after approved by the KSA Board.
- E- Appointment of external auditor.
- F- Election of new KSA Board every four years after the completion of Olympic Games

#### **Article (11)**

Every four years an ordinary General Assembly meeting within 90 days from the culmination of Olympic Games regardless of the participation of Kuwait's participation in Olympic Games an election must be taken place for new KSA Board for a period of four years in accordance with this Constitution and Rules.

#### **Article (12)**

If a position for a member of the KSA Board has become vacant for any reason, the KSA should inform the general assembly members about the reasons of the vacancy within 30 days and call for election to fulfill the vacancy within 90 days. The procedure of this constitution will be applied for the election.

#### **Article (13)**

KSA General Assembly meeting can be started if simple majority (50% + 1) is attended on the notified time of the meeting. If the simple majority is not attended the time of the meeting can be postponed for one hour if there is no attendance of the absolute majority of members after the extension which has been set for the meeting. Otherwise the meeting can be postponed for seven days. In this case the secretary general or his representative must inform all the members of the new date of the meeting by (e-mail or fax or registered post) 3 days before the General Assembly meeting. The new General Assembly meeting will be valid if the absolute majority of members attend it.

#### **Article (14)**

If the required quorum achieved at the beginning of the General Assembly the meeting will be continued until the end of agenda regardless of the attendance afterwards. Any decisions taken in General Assembly must have the approval of simple majority of attendees (50% +1). The General Assembly if needed can forward to the KSA Board any unresolved issues by the General Assembly, KSA Board can take the decisions based on FINA Rules and KSA Constitution.

#### **Article (15)**

The decisions of the general assembly meetings will be true and valid if the absolute majority (50% + 1) of members agree. But if the votes for one decision were equal, voting should be repeated again and if the equality happens for the second time, the disputed issue will be forwarded to KSA Board in order to reach final decisions which should be not in conflict with FINA Rules.

Any decision related to the election of the KSA Board (President, Secretary General, Board Members) the successors are who achieved more votes. If no majority votes occurs the elections must be repeated, if they are equaled for the second time, the

successor should be chosen by lot. The candidate will be a successor if there are no other candidates. The candidates will be chosen by secret ballot. KSA Board will elect a Vice President and Assistant Secretary General during their first meeting.

#### **Article (16)**

The election forms will be prepared by KSA to the KSA General Assembly Members, all the required information's and intending position for KSA Board to be indicated in the form; this form to be sent seven days before the election. Filled form to be received back by KSA three days prior to the election date. KSA will prepare the ballot paper. Each person is entitled to be elected for only one position (President or Secretary General or Board Member). If any persons submit the nomination for more that one position is considered as null and void.

#### **The extraordinary general assembly meeting**

#### **Article (17)**

The extraordinary general assembly will have only one Agenda item and can be called for any one of the following issues;

- A- The important and urgent matters which can not be dealt with in the ordinary general assembly meeting.
- B- In case of the absolute majority of the KSA Board members resigned.
- C- To terminate the Membership of any of KSA Board or KSA General Assembly due to clear violation of FINA/KSA Rules, Regulations or Decisions.
- D- To amend KSA constitution after the written approval of FINA
- E- To review the KSA Reports (budget, financial accounts) if these issues were not confirmed during the ordinary general assembly meeting.

#### **Article (18)**

In case the majority of KSA Board Members fall vacant for any reasons the General Assembly will choose a temporary committee consisting three members to carryout the duties of KSA for a period of maximum 90 days in accordance with the rules of this constitution.

#### **Article (19)**

The meeting of the extraordinary general assembly will be valid if simple majority (50% +1) of the members attend the meeting. The decisions of the extraordinary general assembly must be approved by the simple majority of members of the meeting. If there is no simple majority the meeting to be postponed for seven days. The Secretary General will inform about new date by (email, fax or registered post). Again if the attendees are still less than the simple majority, the Board will be responsible for making the decision concerning the discussed issue.

#### **Article (20)**

The extraordinary general assembly shall not be held to discuss a matter which has been discussed before in a similar extraordinary general assembly meeting and a decision has been adopted for it. In this case, the meeting shall be held one year after the date of that decision.

#### **Article (21)**

The representative of the club in the general assembly meeting shall meet the following conditions and requirements:

- 1- Kuwaiti nationality having minimum of 35 years age.
- 2- The representative should not be a player or a coach or a referee registered in KSA or other Kuwaiti Sport Federation
- 3- He/She must be confirmed by an official notification signed by the sports club.
- 4- He/She should not be penalized by KSA. If he/she was penalized, the decision of the cancellation of penalty should be taken place 3 years prior to the General Assembly meeting.
- 5- All Sport Club Member Delegates should attend the meeting at the exact time. If any one was absent for any reasons at the beginning of the General Assembly meeting he/she can not discuss any agenda items he/she was missed.

#### **Article (22)**

The general assembly can not discuss any item which is not included in the agenda.

### **Article (23)**

Voting method in general assembly meeting should be decided by the Chairperson except the election that should be by secret ballot.

### **Article (24)**

If any of the agenda item(s) uncompleted due to unexpected circumstance the meeting can be adjourned on condition that it should be continued in 7 days time to discuss the remaining items included in the agenda.

The date and place of the next meeting shall be set by the Chairperson. The secretary general will send notification by (email or fax or registered post) about the date and time of the next meeting. However, the decisions that have been adopted in the first meeting should be valid and in effect.

### **Article (25)**

The secretary general will send notification letters (by email or fax or registered post) to the members of the general assembly to inform them of the date and place of the next meeting if the meeting is not held on time because of unexpected circumstances. In this case there should not be any modifications in the agenda or the names of candidates.

### **Article (26)**

Only the members, who have the right to attend the first meeting, can attend the postponed the general assembly meeting.

## **Structure and qualification for KSA Board Members**

### **Article 27**

The General Assembly shall elect 5 persons for KSA Board every four years within 90 days after the culmination of Olympic Games. The KSA will be In-charge of the aquatic sport in State of Kuwait in accordance with FINA/KSA Constitution & Rules. KSA Board consists of:-

A- Any FINA Kuwaiti member/members. (He/She has the right to vote).

- B- The elected President, Secretary General and three Members have the right to vote. The qualification in Article 28 must be applied.
- C- KSA Board can appoint a maximum of four members having experience and competence in aquatic sports, the qualification stipulated in Article 28 of this constitution must be applied.
- D- The Board Member is forbidden to receive salary or job (Coach, Referee, Club aquatic management) in KSA or any other Kuwaiti Sport organization in State of Kuwait

#### **Article (28)**

Any person who stands for KSA Board member election shall meet the following qualifications:

- 1- The candidate shall be Kuwaiti national and not less than thirty five years old at the time of nomination.
- 2- The candidate should have clean history and no criminal or offense charges for the last 10 years period. He/She should not have any penalty imposed by KSA for the past 10 years.
- 3- The candidate shall have experience in aquatic sport as (Athlete or Coach or Referee or Administrator) not less than eight years.
- 4- The candidate shall have high school education or a degree in the field of sport.

#### **Article (29)**

Each sport club is entitled to nominate two candidates who meet the requirements as stipulated in Article 28. Only one candidate of each sport club can declare winner out of the two who achieved more votes. If sport club nominate one candidate for executive position (President, Secretary General) and one as Board Member only one of the nominations can be elected by the General Assembly.

## **KSA Board**

### **Article (30)**

- 30.1** The KSA Board shall consists of 5 elected persons:
- A- Elected President by the General Assembly for 4 years
  - B- One Vice President who is elected by General Assembly as KSA Board Member, KSA Board nominated him/her as Vice President for 4 years in the first meeting of the KSA Board
  - C- Elected Secretary General by the General Assembly for 4 years
  - D- Elected two Members by the General Assembly for 4 years
  - E- Maximum four Members appointed by the KSA Board
  - F- Any FINA Kuwaiti member
- All the KSA Board Members must meet the requirements as stipulated in Article 28 of this Constitution.
- 30.2** KSA Executive Committee shall consist of President, Secretary General, One of the elected Members of KSA.
- 30.3** The Executive Committee of KSA will be responsible for making decisions matters referred to it in the KSA Rules and Regulations or matters referred to it by the KSA Board or for other cases, which need decisions between the meetings of the KSA Board. The President may, from time to time, call persons with knowledge in special areas to attend meetings with the Executive Committee.
- 30.4** The Executive Committee shall meet on call by the President, when there are items of such importance that cannot be solved by the President alone.
- 30.5** A simple majority will suffice for convening the meeting of the KSA Board. The Members of the KSA shall serve until their successors are elected and take office.
- 30.6** The Members of the outgoing KSA Board will be eligible as candidates for any position within the incoming KSA Board.
- 30.7** If KSA Board Member has been absent from two consecutive meetings without reasons acceptable to KSA Board, the KSA Board, shall have the right to declare such Member has forfeited his/her membership. The KSA Board according to this constitution may then fill the vacancy.



## **Rights and Duties of KSA Board**

### **Article (31)**

- 1- Achieving the objectives of the Association which are mentioned in Article 4 of this constitution.
- 2- Administrating the affairs of the KSA and managing its technical, administrative and financial matters within the limit of the rules and regulations of the constitution of the KSA as well as those of FINA.
- 3- Nominating the representatives of the KSA for the membership of NOC Kuwait, AASF and FINA.
- 4- Organizing Kuwait championships (all aquatic sports) according to FINA Rules
- 5- Organizing international championships (all aquatic sports) according to FINA Rules
- 6- Selecting and nominating (athletes and officials) to represent State of Kuwait in all international aquatic sport championships and congress
- 7- Approve the titles of Referees, Starters, Judges for appointment and nomination for local and international competitions in accordance with FINA Rules
- 8- Approve the management of the aquatic Sport (Coaches & Administrators) in each Sport Club Members
- 9- Forming different standing committees and supervise and control their activities
- 10- Appoint executive director and KSA staff and decide their duties and rights
- 11- Appoint internal Accountant who will keep all financial records of KSA and prepare the yearly financial statements to KSA Board and to the external Auditor.
- 12- Look into complaints and protests from General Assembly Members and take appropriate decisions in accordance with the Rules of KSA/FINA
- 13- Acknowledge administrative and financial reports of the Association, the work plan of the Association and the project of the proposed estimated budget.
- 12- Submit proposal to KSA General Assembly
- 13- Decide on all published regulations for KSA competitions in accordance with FINA Rules
- 14- To discuss and make decisions on any matters pertaining to the affairs of KSA
- 15- To make decisions in case of emergency

- 16- To approve the new membership of any Sport Club as KSA General Assembly Member after evaluating the sport club status that meet the requirements and the minimum standard set by KSA & it's constitution.
- 17- Authorizing the executive Board to take decisions on behalf of KSA
- 18- The KSA Board may decide to consider proposals from Members to put forward to the KSA General Assembly meeting.
- 19- Set the minimum technical standard for aquatic sports (swimming, diving, water polo, open water polo) for participating in Kuwait competitions.

**Article (32)**  
**Power & Duty of President**

- 1- The President is solely responsible for the management and all activities of KSA
- 2- He is the official spokesman and representative of KSA at a law court as plaintiff or defendant. The President may take any action or decision on behalf of KSA when circumstance prevent from being taken by the KSA General Assembly or KSA Board. If the President is unable to fulfill the duties of his office, the Vice President will replace him until the President has recovered his ability or if he is in a condition of permanent disability until a new President is elected at the next General Assembly.
- 3- President preside over the GA and Board meetings
- 4- Represent the KSA at national and international meetings and congress or name a representative in his behalf
- 5- Ensure and supervise all the works of all the Standing Committees form by KSA
- 6- Supervise the preparations of the financial, administration and other reports and submit to KSA Board for consideration and then present them before General Assembly
- 7- Sanction expenditure prescribed by the financial regulations approved by the KSA GA
- 8- Establish permanent or other standing or ad hoc commissions and working groups whenever it appear necessary, also establish their term of reference
- 9- Signing on all financial and banking documents of KSA.

- 10- Signing all the contracts and agreements on behalf of KSA.
- 11- Coordinate with Secretary General for inviting KSA Board and General Assembly
- 12- Signing the minutes of KSA Board and General Assembly meetings
- 13- Authorizing the Vice President to carryout the duties of the President during his absence

**Article (33)**  
**Power & Duty of Vice President**

- 1- The Vice President is appointed by KSA Board after he wins the election by General Assembly, his term for 4 years
- 2- He carryout the duty of the President in his absence

**Article (34)**  
**Power & Duty of Secretary General**

- 1- Secretary General is elected by KSA General Assembly for 4 years term
- 2- He is the link between KSA Board and GA Members
- 3- To call for meetings of KSA Board and General Assembly after coordinate with the President
- 4- He send invitation and hold the record of the KSA Board and General Assembly meetings
- 5- He co-sign the minutes of KSA meetings with KSA President
- 6- He is annex-officio member of all Standing Committees of KSA
- 7- He prepare the administration and technical reports
- 8- He supervise, coordinate and follow-up the tasks and duties of Secretariat of KSA and administration staff
- 9- Signing all the letters of the KSA except for the ones deemed necessary to be signed by the KSA President.
- 10- Supervising the administrative registers, contracts and all the correspondence papers of the KSA.
- 11- Authorizing the Assistant Secretary General with some of the tasks of the Secretary General during his absence.

**Article (35)**  
**Power & Duty of Assistant Secretary General**

The duties of Assistant Secretary General:

- 3- The Assistant Secretary General is appointed by KSA Board after he wins the election by General Assembly, his term for 4 years
- 4- He carryout the duty of the Secretary General in his absence

**Article 36**

The Internal Accountant's Tasks:

- 1- KSA Board is responsible for appointing Internal Accountant and setup his terms and conditions
- 2- He shall ensure the account of KSA are kept in appropriate manner and audited by certified an external auditor who is appointed by the KSA GA
- 3- He shall be In-charge of day to day financial administration of KSA under the direct supervision of KSA President and Secretary General except the signing on Banking documents including cheques.
- 4- He shall be the ex-officio member of Finance Committee
- 5- He shall submit monthly financial statements to KSA Board
- 6- Keeping a sum of 500 K.D in cash for encountering the urgent periodical expenditures.
- 7- Enforcing the financial decisions of the KSA Board.

**Article (37)**

The fiscal year of the KSA is from 01 January of the current year to 31 December of the following year.

**Article (38)**

The revenues of the KSA consist of:

- 1- Admission fees and annual fee of KSA Members as decided by the KSA Board
- 2- Revenues from the marketing programme of KSA

- 3- Grant being received from FINA, Olympic Solidarity and Kuwait Olympic Committee
- 4- Funds allocated from the Kuwait Government through Public Authority for Youth & Sports (PAYS). Government and or PAYS have the authority to carryout monthly inspections on the utilization of the funds being provided by them to KSA and allowed to debate about this fund during the KSA General Assembly
- 5- Any other revenues subject to the approval of KSA Board

**Article (39)**

The members' admission fees and annual subscriptions shall be fixed as follows:

- 1- A sum of 200 K.D as a member's admission fee at the Association.
- 2- A sum of 100 K.D as a member's annual subscription.

All the members shall pay the subscription fees as from the beginning of the fiscal year of the Association and till a deadline of thirty days as from the convening of the general assembly of the Association.

**Article (40)**

The fund of the KSA shall be deposited in its name at one of the accredited Kuwaiti banks in Kuwait. The Public Authority for Youth and Sports shall be notified of the name of the bank and the account number.

**Article (41)**

The fund of the KSA including the movable and immovable properties of the KSA shall be considered its properties and none of its members shall have no rights therein. The fund of the KSA shall be spent for achieving the objectives of KSA. The surplus of revenues can be invested according to KSA financial policy to ensure a financial stability to maintain and develop the objectives of KSA.

**Article (42)**

The accounts of the KSA shall be audited by an external certified auditor appointed by the KSA General Assembly.

**Article (43)**

The Public Authority for Youth and Sport as well as the relevant governmental organizations have the right to audit the government fund paid by PAYS to KSA.

## **General Provisions**

### **Article (44)**

If one of the Federation members or one of those affiliated to it violates any of the regulations of the Federation or the resolutions of the Board, acts in such a manner that offends any of his counterpart members, those affiliated to it, any of the Federation Board Members, defame any of the individuals, harm their interests or damage their properties and the contents therein, the Board shall, after conducting a written investigation with him in which investigation he is proved to be guilty and refraining from attending the investigation after having been notified by a registered letter, apply one of the sanctions stipulated in the regulations of the Federation.

### **Article (45)**

The Association shall join or be affiliated to any sports federation or authority outside the State of Kuwait

### **Article (46)**

Any amendments to this constitution can only propose by KSA Board or KSA General Assembly Members. Implementation of the amendments to this constitution can be only done after written approval from FINA and then endorse by KSA Board and KSA General Assembly.

### **Article (47)**

KSA Constitution and that of FINA complement each other; in the event of any discrepancy between the two texts relating to the interpretation of any article of this constitution, FINA's interpretation prevails.

This Constitution been approved by Kuwait Swimming Association General Assembly held on .....

Signed by:

**President**

**Sheikh Khaled B. Al Sabah**

**Secretary General**

**Husain Al Musallam**

# ATTACHMENT 3



# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

**KUWAIT SWIMMING ASSOCIATION**

FINA Member

March 13, 2016

Mr. Taha Sulaiman Al-Kishry  
Director General - AASF  
Fax: +968 24490660

Sub : Nominations for AASF and FINA 2017-2021

Dear Taha,

I present to you the best greetings of Kuwait Swimming Association, referring to the above mentioned subject that Kuwait Swimming Association is nominating the following delegates to AASF and FINA positions during the tenure of 2017-2021.

- |    |                                |                              |
|----|--------------------------------|------------------------------|
| 1. | H.E. Sheikh Khalid B. Al-Sabah | President of AASF            |
| 2. | Mr. Husain Al-Musallam         | First Vice-President of FINA |
| 3. | Mr. Bashar Al-Saffar           | TDC Member in AASF & FINA    |
| 4. | Mr. Salem Al-Hasawi            | TSC Member in AASF           |
| 5. | Mr. Ahamed-Farman              | TWPC Member in AASF          |

With Best regards,

  
Faez A. Al-Tawhid  
Asst. Secretary General - KSA

Tel: 22611848 / 858 / 868 - Fax: 2263 7615 / 22662139  
Cable : Swimming - P.O.Box: 5467, Safat, 13055 Kuwait  
E-mail : kuwaitswimming@hotmail.com

تلفون : 22611848 / 858 / 868 - فاكس : 2263 7615 / 22662139  
برقية : سويمنج - ص.ب. 5467 - السفاهة - الكويت  
www.kuwaitswimming.com



## ATTACHMENT 4

**President**  
DR. JULIO MAGLIONE  
Uruguay

**First Vice President**  
HUSAIN ALMUSALLAM  
Kuwait

**Honorary Secretary**  
PAOLO BARELU  
Italy

**Honorary Treasurer**  
PIPAT PANIANGVAIT  
Thailand

**Vice Presidents**

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Australia

BEN EKUMBO  
Kenya

ANDREY KRYUKOV  
Kazakhstan

EUGENIO MARTINEZ  
Cuba

DR. MARGO MOUNTJOY  
Canada

COARACY NUNES FILHO  
Brazil

DONALD RUKARE  
Uganda

VLADIMIR SALNIKOV  
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Netherlands

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China

AFIMED AL FALASI  
UAE

**Honorary President**  
MUSTAPHA LARFAOUI  
Algeria

**Executive Director**  
CORNEL MARCULESCU

الإتحاد الكويتي للسباحة  
رقم الوارد: 239  
التاريخ: 2016 / 9 / 3

**KUWAIT SWIMMING ASOCATION**  
H.E. Sheikh Khalid B Al-Sabah  
President

[Husain.ksports@outlook.com](mailto:Husain.ksports@outlook.com)

Lausanne, 3 September 2016

Dear H.E. Sheikh Khalid B Al-Sabah,

**RE: Suspension of the Kuwait Swimming Association**

FINA will not recognize any initiative, decision or action taken based on, or under the threat of the new law 34/2016 in Kuwait, where this law allows the Government to interfere and manage Kuwait Swimming Association in contradiction to FINA and the Kuwait SA Constitution, taking into consideration in particular the threat of the Criminal Punishment under Art.30 of the law 34/2106 against the Kuwait Swimming Federation Board of director members and its general assembly members (the clubs).

Therefore, FINA will not recognize any resignation, or similar actions, of any Kuwait SF Board of Director Members nor any decision by the general assembly members of Vote of No Confidence on Kuwait SF Board of Director under the in force of law 34/2016.

Sincerely,



**Cornel Marculescu**  
Executive Director

GM/mvsv

# ATTACHMENT 5



## TRANSLATION

**Kuwait Swimming Association  
FINA Member**

**Minutes of Meeting of the Extraordinary General Assembly  
of Kuwait Swimming Association held on 22/09/2016**

Day : Thursday

Date : 22/09/2016

Venue : Kuwait Swimming Association's Meeting Room Time : 7:00 pm

**Present Members of Kuwait Swimming Association**

Name	Capacity	Signature
Mr. Faiez Abdullah Al-Tawhid	Assistant General Secretary	Signature
Mr. Homoud Obaid Al-Hajiri	Treasurer	Signature
Mr. Salem Kheder Al-Hasawi	Assistant Treasurer	

**Absent Members of Kuwait Swimming Association**

Name	Capacity
H.E Sheikh/ Khaled Al-Bader Al-Sabah	Chairman of the Board of Directors
Mr. Hameed Jasem Al-Ghareeb	Deputy Chairman of the Board
Mr. Hussein Ali Al-Musallam	General Secretary

**Sports Club Members of the General Assembly**

Club	Name	Capacity	Signature
Kuwait Sea Sport Club	Mr. Ali Ahmad Ali Al-Qabandi	Member of the Board	Signature
Kuwait Sporting Club	Mr. Waleed Ali Saleh	General Secretary	Signature
Al-Arabi Sporting Club	Mr. Abdul-Razzaq Abdullah Maarifi	Member of the Board	Signature
Al-Yarmouk Sporting Club	Mr. Yunus Ibrahim Taher Al-Ibrahim	Deputy Chairman of the Board	Signature
Kazma Sporting Club	Mr. Omar Yusuf Al-Mulla	Assistant Treasurer	Signature
Qadsia Sporting Club	No one came		

**Public Authority for Sport**

Name	Capacity
Mr. Georges Farah Yusuf	counsellor at law in his capacity as an observer with no right to vote, deliberate, or express opinion

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## TRANSLATION

**Kuwait Swimming Association  
FINA Member**

**Proceedings of the Meeting**

At the invitation of Kuwait Swimming Association to the Association's General Assembly Members in letter no. 259/2016 dated 0609/2015 to attend the Extraordinary General Assembly, the meeting was convened at the specified venue and date in the presence of 5 out of 6 clubs, then the Assistant General Secretary called on the present members as follows:

Kuwait Sea Sport Club	Mr. Ali Ahmad Ali Al-Qabandi	Member of the Board
Kuwait Sporting Club	Mr. Waleed Ali Saleh	General Secretary
Al-Arabi Sporting Club	Mr. Abdul-Razzaq Abdullah Maarifi	Member of the Board
Al-Yarmouk Sporting Club	Mr. Yunus Ibrahim Taher Al-Ibrahim	Deputy Chairman of the Board
Kazma Sporting Club	Mr. Omar Yusuf Al-Mulla	Assistant Treasurer

Having the quorum met by the General Assembly members, the Extraordinary General Assembly meeting was convened according to the statute

The meeting was opened at exactly 7:00 pm by the Association's Assistant Mr. Faiez Abdullah Al-Tawhid, pursuant to articles 9 and 33 of the Association's statute by welcoming the present member clubs at the General Assembly

He extended thanks to all General Assembly members who were keen to do everything which would preserve the sports and athletes in our beloved Kuwait and to sustain the grace of safety and security in prosperity and security in the presence of His Highness, the Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, and H.H. the Crown Prince Sheikh/ Nawaf Al-Ahmad Al-Jaber Al-Sabah, May Allah protect them

Later on, the item pertaining to the meeting of the Extraordinary General Assembly was presented as follows:

**Item pertaining to the meeting**

**(Carrying over the duties of Kuwait Swimming Association given the vacancy of the majority of the Board seats in accordance with the accredited statute**

Having discussed and perused the resignations submitted by the Board members, Messrs.: (Representatives of Qadsia, Al-Arabi, Kuwait and Sea Sport clubs) and the letters sent by the member clubs regarding the request to hold an Extraordinary General Assembly

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Murgab - Shuhada Street, Al-Rabeea Bldg, Tel.: 22410924 - Fax: 22410925 - Mob.: 99972253 - 99812226  
Al-Falahaheel, Mecca Street Opp. KFC. Tel.: 23927241 - 23927246/7 - Fax: 23927249, Mob.: 99972243

المرقاب - برج الشاهد - شارع عبدالله مبارك - هاتف: ٢٢٤٧١٣٠٨ - ٢٢٤٣٨٨١٤ - فاكس: ٢٢٤٧١٣٠٧ - تيل: ٩٤٩٩٥٢٢٤  
المرقاب - شارع الشهداء - عمارة الربيعية - هاتف: ٢٢٤١٠٩٢٤ - فاكس: ٢٢٤١٠٩٢٥ - تيل: ٩٩٨١٢٢٢٦ - ٩٩٨١٢٢٢٥  
الفحيجيل - شارع مكة - مقابل كفتاكس - هاتف: ٢٢٤٧٢٤١٧ - ٢٢٤٧٢٤١٧ - فاكس: ٢٢٤٧٢٤١٩ - تيل: ٩٩٨٧٢٤٢



The representative of Al-Arabi Sporting Club, Mr. Abdul-Razzaq Abdullah Maarifi submitted a proposal to appoint a temporary committee to carry out the duties of Association to accept the resignations submitted by the Board Members and the vacancy of the majority of the Board seats and pursuant to the provisions of article 20 of Kuwait Swimming Association's statute which stipulates that "In case the majority of KSA Board Members fall vacant for any reasons the Extraordinary General Assembly will choose a temporary committee consisting of three members to carry out the duties of KSA for a period of maximum 90 days in accordance with the rules of this statute". He also proposed to form the committee of the following gentlemen:

Mr. Homoud Al-Hajiri as a Chairman, Mr. Salem Al-Hasawi as a Secretary, Mr. Faiez Al-Tawhid as a Treasurer

Representatives of Al-Yarmouk and Kuwait Clubs noted that they completely agree with the proposal submitted by Al-Arabi Sporting Club, and Kazma Club's representatives noted that he agrees on the names endorsed for the temporary committee but he reserves on the distribution of positions

Sea Sport Club's representative has expressed his reservations on holding the meeting according to article 20 and article 9 of the statute

The General Assembly asked the temporary committee to take all actions contained in the statute and to address the International Swimming Federation, Public Authority for Sport and Kuwait Olympic Committee

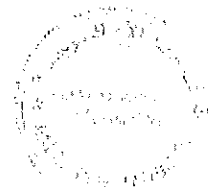
**And therefore, the General Assembly has decided the following:**

To form a temporary committee to carry out the duties of the Association according to the accredited statute given the vacancy of the majority of the resigned board members, then to appoint the temporary committee of three members pursuant and in application of article (20) of the statute as follows:

Mr. Faiez Abdullah Al-Tawhid	Committee Chairman
Mr. Homoud Obaid Al-Hajiri	Committee Secretary
Mr. Salem Kheder Al-Hasawi	Committee Treasurer

The meeting was concluded on the respective date at exactly 7:30 pm after the above said is proved as a matter of record

Signatures



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الفحيحيل - شارع مكة - مقابل كنتاكي - هاتف: ٢٢٤١٧٢٤١/٧ - ٢٢٤١٧٢٤٩ - فاكس: ٢٢٤١٧٢٤٩ - نفاخ: ٩٩٨١٢٢٢٤



# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

محضر اجتماع الجمعية العمومية فير العادية  
للالاتحاد الكويتي للسباحة المنعقد في 2016/9-22

التاريخ: 2016/09/22

اليوم: الخميس

الساعة: 07:00 مساء

المكان: قاعة اجتماعات الاتحاد الكويتي للسباحة

الحضور من أعضاء مجلس إدارة الاتحاد الكويتي للسباحة:

التوقيع	الصفة	الاسم
	أمين السر العام المساعد	السيد / فايز عبدالله التوحيد
	أمين الصندوق	السيد / حمود عبيد الهاجري
	أمين الصندوق المساعد	السيد / سالم خضر الحساوي

الغياب من أعضاء مجلس إدارة الاتحاد الكويتي للسباحة:

الصفة	الاسم
رئيس مجلس الإدارة	سعادة الشيخ / خالد البدر الصباح
نائب رئيس مجلس الإدارة	السيد / حميد جاسم الغريب
أمين السر العام	السيد / حسين علي المسلم

الأندية الرياضية أعضاء الجمعية العمومية:

التوقيع	الصفة	الاسم	النادي
	عضو مجلس إدارة	السيد / علي أحمد علي القبندى	النادي البحري الرياضي
	أمين السر العام	السيد / وليد علي صالح	نادي الكويت الرياضي
	عضو مجلس إدارة	السيد / عبدالرزاق عبدالله معرفي	النادي العربي الرياضي
	نائب رئيس مجلس الإدارة	السيد / يونس إبراهيم طاهر	نادي البرموك الرياضي
	أمين الصندوق المساعد	السيد / عمر يوسف الملا	نادي كاظمة الرياضي
		لم يحضر أحد	نادي القادسية الرياضي

الهيئة العامة للرياضة:

الصفة	الاسم
مستشار قانوني بصفته مراقب، ليس له حق التصويت أو المشاركة بالمداوله، أو ابداء الرأي	السيد / جورج فرج يوسف

Tel: 22611848 / 858 / 868 - Fax: 2263 4615 / 22662139

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# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

## وقائع الاجتماع

بناءً على الدعوة الموجهة من الاتحاد الكويتي للسباحة لأعضاء الجمعية العمومية للاتحاد بالكتاب رقم 2016/259 المؤرخ في 2016/09/06، وذلك لحضور اجتماع الجمعية العمومية غير العادية للاتحاد فقد انعقد الاجتماع بالمكان والزمان المحدد بحضور عدد (5) أندية أعضاء من أصل (6) أندية، ثم قام السيد/ أمين السر العام المساعد بالمناداه على الحضور، وجاء على النحو التالي:-

النادي البحري الرياضي	السيد / علي أحمد علي القبدي	عضو مجلس إدارة
نادي الكويت الرياضي	السيد / وليد علي صالح	أمين السر العام
النادي العربي الرياضي	السيد / عبدالرزاق عبدالله معرفي	عضو مجلس إدارة
نادي اليرموك الرياضي	السيد / يونس ابراهيم طاهر الابراهيم	نائب رئيس مجلس الإدارة
نادي كاظمة الرياضي	السيد / عمر يوسف الملا	أمين الصندوق المساعد

وبعد اكتمال النصاب من أعضاء الجمعية العمومية فقد تم انعقاد اجتماع الجمعية العمومية غير العادية للاتحاد وفق النظام الأساسي.

افتتح الاجتماع السيد / فايز عبدالله التوحيد، أمين السر العام المساعد للاتحاد، إعمالاً للمادة (9) والمادة (33) من النظام الأساسي للاتحاد، في تمام الساعة 7.00 مساءً مرحباً بالسادة الحضور، ممثلي الأندية الأعضاء بالجمعية العمومية.

وتوجه بالشكر إلى كافة أعضاء الجمعية العمومية الذين حرصوا على العمل على كل ما من شأنه المحافظة على الرياضة والرياضيين ببلدنا الحبيب الكويت. وأن يديم الله نعمه الأمن والأمان في والازدهار والاستقرار في ظل حضرة صاحب السمو أمير البلاد المفدى الشيخ صباح الأحمد الجابر الصباح حفظه الله ورعاه وسمو ولي عهده الأمين.

ومن بعد ذلك عرض البند محل اجتماع الجمعية العمومية غير العادية، وهو التالي بيانه:-

## البند محل الاجتماع:

إدارة شؤون الاتحاد الكويتي للسباحة، نظراً لظروف أغلبية أعضاء مجلس إدارة الاتحاد، وذلك وفق

## النظام الأساسي المعتمد:-

بعد المناقشة، والاطلاع على الاستقالات المقدمة من أعضاء مجلس الإدارة، السادة: (ممثلي أندية القادسية، العربي، الكويت، البحري)، والكتب الموجهة من الأندية الأعضاء في شأن طلب عقد جمعية عمومية غير عادية.

Tel: 22611848 / 858 / 868 - Fax: 2263 4615 / 22662139

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# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

تقدم السيد عبدالرزاق معرفي ممثل النادي العربي الرياضي، بمقترح تعيين لجنة مؤقتة لإدارة شؤون الاتحاد لقبول الاستقالات المقدمة من أعضاء مجلس الإدارة وخطو مقاعد أغلبية مجلس الإدارة، وإعمالاً لأحكام المادة (20) من النظام الأساسي للاتحاد الكويتي للسباحة، والتي تنص على أنه "في حالة خلو مقاعد أعضاء أغلبية مجلس الإدارة لأي سبب من الأسباب، تختار الجمعية العمومية غير العادية لجنة مؤقتة من ثلاثة من أعضاء الجمعية العمومية، وذلك لإدارة شؤون الاتحاد وذلك لمدة أقصاها تسعين يوماً، وبموافقة الاتحاد الدولي للسباحة وبما يتوافق مع أحكام هذا النظام". كما اقترح أن يكون تشكيل اللجنة من السادة التالي أسمائهم:-

السيد حمود الهاجري رئيساً، السيد، سالم الحساوي، أمين سر، السيد/ فايز التوحيد أميناً للصندوق، وأفاد كل من ممثل نادي اليرموك وممثل نادي الكويت أنهما يتفقا مع المقترح المقدم من النادي العربي تماماً، وأفاد السيد / ممثل نادي كاظمة بأنه يتفق على الاسماء التي طرحت للجنة المؤقتة إلا أنه تحفظ على توزيع المناصب.

وأفاد ممثل النادي البحري تحفظه على عقد الاجتماع وذلك وفق المادة 20 ، والمادة 9 من النظام الأساسي.

وطلبت الجمعية العمومية من اللجنة المؤقتة اتخاذ كافة الإجراءات الواردة بالنظام الأساسي، ومخاطبة الاتحاد الدولي للسباحة، والهيئة العامة للرياضة، واللجنة الأولمبية الكويتية.

## وعليه قررت الجمعية العمومية غير العادية ما يلي:-

تشكيل لجنة مؤقتة لإدارة شؤون الاتحاد وفقاً للنظام الأساسي المعتمد، نظراً لخلو أغلبية مقاعد مجلس الإدارة المتقدمين باستقالتهم، تم تعيين اللجنة المؤقتة من ثلاثة أعضاء إجمالاً وتطبيقاً للمادة (20) من النظام الأساسي، وذلك على النحو التالي بيانه:-

السيد / حمود عبيد الهاجري - رئيساً للجنة.

السيد / سالم خضر الحساوي - أمين سر اللجنة.

السيد/ فايز عبدالله التوحيد - أمين صندوق اللجنة.

وانتهى الاجتماع في تاريخه، وفي تمام الساعة السابعة والنصف مساءً بعد اثبات ما تقدم.



Tel: 22611848 / 858 / 868 - Fax: 2263 4615 / 22662139

Cable : Swimming - P.O.Box: 5467 Safat, 13055 Kuwait

E-mail : kuwaitswimming@hotmail.com

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# ATTACHMENT 6



الاتحاد الكويتي للسباحة  
عضو الاتحاد الدولي  
**KUWAIT SWIMMING ASSOCIATION**  
Fina Member

Date: 27/09/2016

REF:279/2016

To: Mr. Cornel Marculescu  
FINA, Executive Director  
Cc: AASF

**Subject: The KSA Extraordinary General Assembly**

At the beginning, we wish to extend our gratitude for the effort exerted by your federation to support and develop the swimming games worldwide.

With reference to the above mentioned subject, kindly be informed that 4 members of the Kuwait Swimming Association have resigned from their positions. The resigned Board Members constitute the majority of the KSA Board of Directors. Thus, it became impossible to meet the quorum of the Board meetings pursuant to the KSA Statute.

In this regard, we wish to state that Article 20 of KSA Statute Stipulates that in case the Board positions are vacant for any reason, an Extraordinary General Assembly meeting should be held to choose an interim committee of 3 members empowered to manage the KSA affairs for maximum period of 90 days with the approval of FINA Federation and in accordance with KSA Statute.

In order to resolve the above mentioned vacancies in the Board, the KSA members called for a meeting of Extraordinary General Assembly with one Agenda item which is: "The management of the KSA Affairs with the vacancy of majority of Board Members."

1



# الاتحاد الكويتي للسباحة

## عضو الاتحاد الدولي

### KUWAIT SWIMMING ASSOCIATION

Fina Member

The KSA Extraordinary General Assembly met on 22 September 2016 and chose an interim committee to manage to KSA affairs pursuant to article 20 of the Statute.

The Interim Committee is constituted of:

- Mr. Homoud Obaid Al-Hajeri – President of the Committee.
- Mr. Salem Khader Al-Hasawi- Secretary General of the Committee.
- Mr. Faiez Abdallah Al-Tawhid- Treasurer of the Committee.

In light of these circumstances, the Committee is obligated to notify FINA of all the procedures that took place regarding the recent events, in order to clarify whether the Kuwait Swimming Federation has followed the right legal procedures(According KSA Statute Article 9) as agreed with KSA approved constitution & FINA Statute. Hence the detailed procedures are mentioned in the following points:

- ❖ (5) of general assembly members of the KSA Clubs (Kuwait Sporting Club, Arabic Sporting Club, Kuwait Sea Sport Club, Kazma Sporting Club, Al Yarmouk Sporting Club) requested an extraordinary general assembly meeting to be held in accordance with the provisions of Article 9 and article 17 of the constitution in order to discuss the implications of the suspension decision and take appropriate decisions in this regard. (Attachment No 1).
- ❖ In the wake of the suspension (4) of the KSA Board Members have resigned on the following dates:
  1. On August 23, 2016, Sheikh Khalid Al-Bader Mohammad Al-Ahmad Al-Sabah resigned from his position as a chairman and waived his membership of the Kuwaiti Swimming Federation, (Attachment No2)



# الاتحاد الكويتي للسباحة

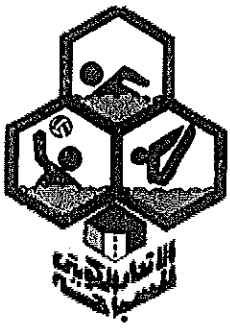
عضو الاتحاد الدولي

**KUWAIT SWIMMING ASSOCIATION**  
Fina Member

2. On September 3, 2016, Mr. Homoud Obaid Al-Hajiri -KSA Treasurer of the KSA and as a member of it, has resigned. (Attachment No 3).
3. On September 3, 2016, Mr. Faiez Abdallah Al-Tawhed- Assistant Secretary and as a member of the KSA, has resigned. (Attachment No 4).
4. On September 3, 2016, Mr. Salem Kheder Al-Hasawi – Assistant Treasurer of KSA and as a member of it, has resigned. (Attachment No 5).

On September 3, 2016, all General Assembly members of the KSA were informed of the (4) resignations of the majority of the members of the Board of Directors. Furthermore, it was clarified that the Board of Director's meeting for KSA cannot be held due to lack of quorum, and According to KSA Statute Article 20 In this regard, we wish to state that Article 20 of KSA Statute Stipulates that in case the Board positions are vacant for any reason, an Extraordinary General Assembly meeting should be held to choose an interim committee of 3 members empowered to manage the KSA affairs for maximum period of 90 days with the approval of FINA Federation and in accordance with KSA Statute.

- ❖ On September 6, 2016 (4) Clubs of KSA requested to determine a date for an Extraordinary General Assembly meeting of the KSA and these clubs are (Kuwait Sporting Club, Arabic Sporting Club, Kazma Sporting Club, Al Yarmouk Sporting Club). According to KSA Statute Article (14.B) The clubs proposed that the Extraordinary General Assembly meeting should be held to on Thursday, 22/09/2016 promptly at 7 pm, in order to discuss the resignations of members and how to manage KSA affairs with all circumstances. (Attachment 7).
- ❖ On September 6, 2016, all General Assembly Club members (Kuwait Sporting Club, Arabic Sporting Club, Kuwait Sea Sport Club, Kazma Sporting



# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

**KUWAIT SWIMMING ASSOCIATION**  
Fina Member

Club, Al Yarmouk Sporting Club, Qadisiyah Sporting Club) in addition to Public Authority for Sport have been invited by KSA to attend the Extraordinary General Assembly of KSA, also all attachments regarding the same subject have been sent, according to the KSA Statute approved by FINA. (Attachment No. 8).

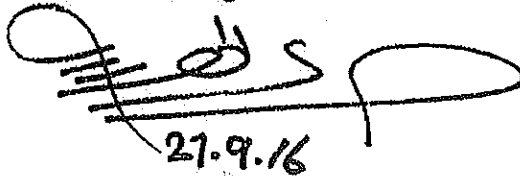
- ❖ The KSA Extraordinary General Assembly was held on 09.22.2016 in presence of (5) of Clubs members out of (6) Clubs. Fortunately, the discussion took place in a Democratic atmosphere, According to KSA Statute Article 18 , which ended by forming an interim committee for KSA management based on the applied constitution, due to the absence of most board members who resigned. (Attachment No. 9).

Based on the foregoing, the KSA Interim Committee requests your kind approval on the mentioned decision taken by the KSA Extraordinary General Assembly meeting held on 22 September 2016 according to its statute.

Please take into consideration that your earliest response is of great importance. We will be at your disposal for any clarifications you may request. Thank You for your continuous support.

Sincerely Yours,

Mr. Homoud Obaid Al-Hajiri  
President of the Interim Committee  
Kuwait Swimming Association



27.9.16

4



TRANSLATION

S\_0772 /AA5/NS

## Al-Arabi Sporting Club

Date : 28/0/2016  
Our Ref : 692/2016

Messrs. / General Secretary - Kuwait Swimming Association

Greeting,

**Subject: Requesting the invitation to hold an Extraordinary General Assembly**

Al-Arabi Sporting Club extends its best regards, wishing you an everlasting progress and prosperity

With reference to the subject above, and whereas the International Swimming Federation has issued a decision to suspended the activity of Kuwait Swimming Association, and whereas article (4/9) the Association's statute stipulates that "Extraordinary general assembly meeting: shall be convened upon request of two third of the KSA Members or the General Assembly with only one Agenda item. The General Assembly should only discuss the matters listed in the agenda, and KSA must inform about the Extraordinary General Assembly date, place and agenda to KSA General Assembly Members fifteen days before the meeting (by E-mail or fax or by registered post), etc.

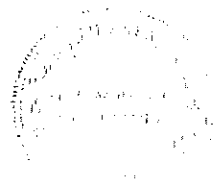
Article 17 also stipulated that the Extraordinary General Assembly shall only convene to consider one matter on the agenda (important and urgent matters which cannot be dealt with in the ordinary General Assembly meeting)

Accordingly, we're hereby requesting an invitation to hold an Extraordinary General Assembly meeting for the Association soonest possible according to the laws and bylaws regulating this matter provided that the meeting agenda is limited to the following item

- To discuss the decision of suspension and consequences, and to take the appropriate decisions in this regard,

Sincerely yours,

General Secretary  
Abdul-Razzaq Khaled Al-Modaf  
Signature



ترجمة Translation	ترجمة Translation
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ترجمة Translation	
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Our ref ٢٠١٦/٢٩٢ اشارتنا

Date 2016/08/28 التاريخ

الإتحاد الكويتي للسباحة	المحترم
رقم الوارد:	235
التاريخ:	2016/08/28
الموضوع: طلب الدعوة لعقد جمعية عمومية غير عادية	

السيد / أمين السر العام  
الاتحاد الكويتي للسباحة

تتية طيبة وبمعد ...

الموضوع: طلب الدعوة لعقد جمعية عمومية غير عادية

يهنئ بفتح النادي العربي فالص التحيات والامنيات بطوام التقدير والازدهار .  
وبالإشارة إلى الموضوع أعلاه ، ونظراً لصدور قرار من الاتحاد الدولي للسباحة بوقف نشاط الاتحاد الكويتي للسباحة، وحيث أن النظام الأساسي للاتحاد في المادة (4/9) (الجمعيات العمومية - ب: الجمعية العمومية غير العادية) تنص على "تتعقد الجمعية العمومية غير العادية للاتحاد الكويتي للسباحة ، بطلب من ثلثي أعضاء مجلس إدارة الاتحاد أو الجمعية العمومية، ولا يجوز أن تناقش الجمعية العمومية غير العادية إلا الأمور المدرجة على جدول الأعمال، ويقوم الاتحاد بإبلاغ الجمعية العمومية للاتحاد بموعد ومكان وجدول أعمال قبل خمسة عشر يوماً من تاريخ انعقاد الاجتماع بواسطة (البريد الإلكتروني أو الفاكس أو خطاب مسجل).... إلخ".

ونصت المادة 17 على أن تعقد الجمعية العمومية غير العادية للنظر في موضوع واحد على جدول أعمالها ( المسائل الهامة والعاجلة التي لا تختص بها الجمعية العمومية العادية).

وبناءً عليه نتقدم لكم بطلب الدعوة لعقد اجتماع للجمعية العمومية غير العادية للاتحاد في أقرب وقت ممكن وفقاً للقوانين واللوائح المنظمة لهذا الأمر ، على أن يكون جدول أعمال الاجتماع خاص بالبند التالي:-  
- مناقشة قرار الإيقاف وتداعياته واتخاذ القرارات المناسبة في هذا الشأن.

وتفضلوا بقبول فائق التحية والتقدير ...

أمين السر العام  
عبد الرزاق خالد المصنف



2016-08-28

ahmed shawqi





## TRANSLATION

**Kuwait Swimming Association  
FINA Member**

August 23, 2016

**Dears/ Members of the Board of Kuwait Swimming Association**

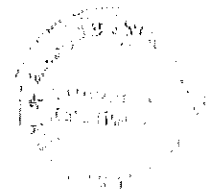
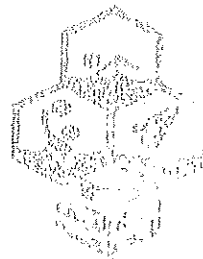
**Subject: Submitting my Resignation from my position as the  
Chairman and Member of the Association**

I'm hereby submitting to your esteemed Board my resignation as a treasurer and a member of the Association, and in this regard, I can only extend many thanks and great gratitude to the brothers, the members of the Board of Directors and all staff in the Kuwait Swimming Association. Stressing in the same context on keeping my family and personal relations with everybody, and wishing you the best of luck and success and looking forward to finding a fundamental solution to the Kuwaiti sports in general and to the water sports in particular which would reflect in prosperity and success to our beloved Kuwait and its athletes under the wise leadership of His Highness, Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, and H.H. the Crown Prince Sheikh/ Nawaf Al-Ahmad Al-Jaber Al-Sabah, May Allah protect them

With all due respect and appreciation

Submitted by: Sheikh/ Khaled Bader Mohammad Al-Ahmad Al-Sabah  
(Signature)

Kuwait Swimming Association
Incoming Mail No.: 228
Date: 23/08/2016



ترجمة Translation	
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ترجمة Translation	
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# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

23 أغسطس 2016

السادة الكرام/ أعضاء مجلس إدارة الاتحاد الكويتي للسباحة الموقرين

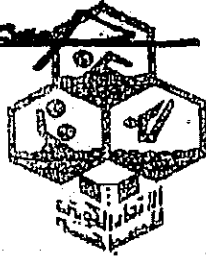
الموضوع: التقدم بطلب استقالتي من رئاسة الاتحاد وعضويته.

أتقدم بموجب كتابي هذا إلى مجلسكم الموقر بطلب قبول استقالتي من رئاسة الاتحاد الكويتي للسباحة وعضويته، ولا يسعني بهذا المقام إلا أن أتقدم بجزيل الشكر وعظيم الامتنان إلى السادة الأخوة أعضاء مجلس الإدارة وجميع العاملين في الاتحاد الكويتي للسباحة، مؤكداً في ذات السياق احتفاظي بعلاقاتي الأسرية والشخصية التي تربطني بالجميع، و متمنياً لكم دوام التوفيق والسداد، متطلعاً لإيجاد حلاً جذرياً للرياضة الكويتية عامة وللألعاب المائية خاصة، مما سينعكس على كويتنا الحبيبة ورياضيها بالازدهار والنجاح، في ظل القيادة الحكيمة لسيدي حضرة صاحب السمو أمير البلاد الشيخ صباح الأحمد الجابر الصباح، وسمو ولي عهده الأمين الشيخ نواف الأحمد الجابر الصباح، حفظهما الله ورعاهما.

وتفضلوا بقبول فائق الود والتقدير،،،

مقدمه

الشيخ / خالد بدر محمد الأحمد الصباح



الإتحاد الكويتي للسباحة
رقم الوارد: 228
التاريخ: 23/8/2016

23/8/2016  
مكتب إدارة الاتحاد  
يحول إلى



TRANSLATION

S\_0772 /AA5/NS

Dears/ Members of the Board of Kuwait Swimming Association

**Subject: Submitting my Resignation from my position  
as a Treasurer and Member of the Association**

I'm hereby submitting to your esteemed Board my resignation as a treasurer and a member of the Association, and in this regard, I can only extend many thanks and great gratitude to the brothers, the members of the Board of Directors and all staff in the Kuwait Swimming Association. Stressing in the same context on keeping my family and personal relations with everybody, and wishing you the best of luck and success and looking forward to finding a fundamental solution to the Kuwaiti sports in general and to the water sports in particular which would reflect in prosperity and success to our beloved Kuwait and its athletes under the wise leadership of His Highness, Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, and H.H. the Crown Prince Sheikh/ Nawaf Al-Ahmad Al-Jaber Al-Sabah, May Allah protect them

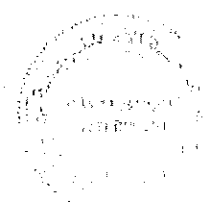
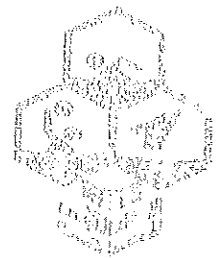
With all due respect and appreciation

Submitted by: Homoud Obaid Al-Hajeri  
(Signature)

Copy to:

- Kuwait Olympic Committee
- General Assembly Members
- Public Authority for Sport

Kuwait Swimming Association
Incoming Mail No.: 238
Date: 03/09/2016



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ترجمة Translation	
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Mingab, Shahed Tower, Abdullah Al-Tabarak St. - Tel.: 22471308 - 22438814 - Fax: 22471307 - Mob.: 94995224  
Mingab - Shuhada Street, Al-Rabeea Oldg., Tel.: 22410924 - Fax: 22410925 - Mob.: 99972253 - 99812226  
Al-Fahsheel, Mecca Street, Opp. KFC Tel.: 23927241 - 23927246/7 - Fax: 23927249, Mob.: 99972243

المرقاب - برج الشاهد - شارع عبدالله مبارك - هاتف: 22471308 - 22438814 - فاكس: 22471307 - نقال: 94995224  
المرقاب - شارع الشهداء - عمارة الربيعية - هاتف: 22410924 - 22410925 - فاكس: 99972253 - 99812226  
النجيبيل - شارع مكة - مقابل كفتاكي - هاتف: 23927241 - 23927246/7 - فاكس: 23927249 - نقال: 99972243

السادة الكرام / اعضاء مجلس ادارة الاتحاد الكويتي للسباحة الموقرين

الموضوع : التقدم بطلب استقالتي من امين الصندوق للاتحاد وعضويته

أتقدم بموجب كتابي هذا إلي مجلسكم الموقر بطلب قبول استقالتي من أمين الصندوق للاتحاد الكويتي للسباحة وعضويته ، ولا يسعني بهذا المقام إلا أن أتقدم بجزيل الشكر وعظيم الإمتنان إلى السادة الأخوة أعضاء مجلس الإدارة وجميع العاملين في الاتحاد الكويتي للسباحة ، مؤكداً في ذات السياق احتفاطي بعلاقتي الأسرية والشخصية التي تربطني بالجميع ، ومتمنياً لكم دوام التوفيق والسداد متطلعاً لإيجاد حلاً جذرياً للرياضة الكويتية عامة وللألعاب المائية خاصة ، مما سينعكس على كويتنا الحبيبة ورياضيها بالأزدهار والنجاح ، في ظل القيادة الحكيمة لسيدي صاحب السمو أمير البلاد الشيخ صباح الأحمد الجابر الصباح ، وسمو ولي عهده الأمين الشيخ نواف الأحمد الجابر الصباح ، حفظها الله ورعاها .

وتفضلوا بقبول فائق الود والتقدير ،،،

مقدمه

حمود عبيد الهاجري



- نسخة للجنة الأولمبية الكويتية

- نسخة لأعضاء الجمعية العمومية

- نسخة للهيئة العامة للرياضة (للعلم)

الإتحاد الكويتي للسباحة
رقم الوارد : 238
التاريخ : 2016 / 9 / 13





## TRANSLATION

Dears/ Members of the Board of Kuwait Swimming Association

**Subject: Submitting my Resignation from my position as an Assistant General Secretary and Member of the Association**

I'm hereby submitting to your esteemed Board my resignation as a treasurer and a member of the Association, and in this regard, I can only extend many thanks and great gratitude to the brothers, the members of the Board of Directors and all staff in the Kuwait Swimming Association. Stressing in the same context on keeping my family and personal relations with everybody, and wishing you the best of luck and success and looking forward to finding a fundamental solution to the Kuwaiti sports in general and to the water sports in particular which would reflect in prosperity and success to our beloved Kuwait and its athletes under the wise leadership of His Highness, Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, and H.H. the Crown Prince Sheikh/ Nawaf Al-Ahmad Al-Jaber Al-Sabah, May Allah protect them

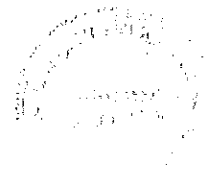
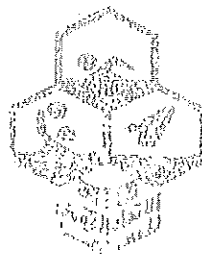
With all due respect and appreciation

Submitted by: Faiez Abdullah Al-Tawhid  
(Signature)

Copy to:

- Kuwait Olympic Committee
- General Assembly Members
- Public Authority for Sport

Kuwait Association	Swimming
Incoming Mail No.: 236	
Date: 03/09/2016	



ترجمة Translation		ترجمة Translation	
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السادة الكرام / اعضاء مجلس ادارة الاتحاد الكويتي للسباحة الموقرين

الموضوع : التقدم بطلب استقالتي من أمين السر المساعد للاتحاد وعضويته

أتقدم بموجب كتابي هذا إلي مجلسكم الموقر بطلب قبول استقالتي من أمين السر المساعد للاتحاد الكويتي للسباحة وعضويته ، ولا يسعني بهذا المقام إلا أن أتقدم بجزيل الشكر وعظيم الإمتنان إلي السادة الأخوة أعضاء مجلس الإدارة وجميع العاملين في الاتحاد الكويتي للسباحة ، مؤكداً في ذات السياق احتفاطي بعلاقتي الأسرية والشخصية التي تربطني بالجميع ، ومتمنياً لكم دوام التوفيق والسداد متطوعاً لإيجاد حلاً جذرياً للرياضة الكويتية عامة وللألعاب المائية خاصة ، بما سينعكس على كويتنا الحبيبة ورياضيها بالأزدهار والنجاح ، في ظل القيادة الحكيمة لسيدي صاحب السمو أمير البلاد الشيخ صباح الأحمد الجابر الصباح ، وسمو ولي عهده الأمين الشيخ نواف الأحمد الجابر الصباح ، حفظها الله ورحاها .

وتفضلوا بقبول فائق الود والتقدير ،،،

مقدمة

فايز عبدالله التوحيد

سار

- نسخة للجنة الأولمبية الكويتية

- نسخة لأعضاء الجمعية العمومية

- نسخة للهيئة العامة للرياضة (للعلم)

الإتحاد الكويتي للسباحة
رقلم الوارد : 236
التاريخ : 2016 / 9 / 3



Dears/ Members of the Board of Kuwait Swimming Association

**Subject: Submitting my Resignation from my position  
as an Assistant Treasurer and Member of the Association**

I'm hereby submitting to your esteemed Board my resignation as a treasurer and a member of the Association, and in this regard, I can only extend many thanks and great gratitude to the brothers, the members of the Board of Directors and all staff in the Kuwait Swimming Association. Stressing in the same context on keeping my family and personal relations with everybody, and wishing you the best of luck and success and looking forward to finding a fundamental solution to the Kuwaiti sports in general and to the water sports in particular which would reflect in prosperity and success to our beloved Kuwait and its athletes under the wise leadership of His Highness, Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, and H.H. the Crown Prince Sheikh/ Nawaf Al-Ahmad Al-Jaber Al-Sabah, May Allah protect them

With all due respect and appreciation

Submitted by: Salem Kheder Al-Hasawi  
(Signature)

Copy to:

- Kuwait Olympic Committee
- General Assembly Members
- Public Authority for Sport

Kuwait Swimming Association
Incoming Mail No.: 237
Date: 03/09/2016



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السادة الكرام / اعضاء مجلس ادارة الاتحاد الكويتي للسباحة الموقرين

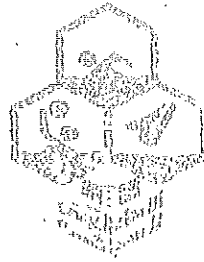
الموضوع : التقدم بطلب استقالتي من امين الصندوق المساعد للاتحاد  
وعضويته

أتقدم بموجب كتابي هذا إلي مجلسكم الموقر بطلب قبول استقالتي من أمين الصندوق المساعد للاتحاد الكويتي للسباحة وعضويته ، ولا يسعني بهذا المقام إلا أن أتقدم بجزيل الشكر وعظيم الإمتنان إلى السادة الأخوة أعضاء مجلس الإدارة وجميع العاملين في الاتحاد الكويتي للسباحة ، مؤكداً في ذات السياق احتفاظي بعلاقتي الأسرية والشخصية التي تربطني بالجميع ، ومتمنياً لكم دوام التوفيق والسداد متطلعاً لإيجاد حلاً جذرياً للرياضة الكويتية عامة وللألعاب المائية خاصة ، مما سينعكس على كويتنا الحبيبة ورياضيها بالأزدهار والنجاح ، في ظل القيادة الحكيمة السيدي صاحب السمو أمير البلاد الشيخ صباح الأحمد الجابر الصباح ، وسمو ولي عهده الأمين الشيخ نواف الأحمد الجابر الصباح ، حفظها الله ورعاها .

وتفضلوا بقبول فائق الود والتقدير ،،،

مقدمه

سالم خضر الخساوي



- نسخة للجنة الأولمبية الكويتية

- نسخة لأعضاء الجمعية العمومية

- نسخة للهيئة العامة للرياضة (للعلم)

الإتحاد الكويتي للسباحة
رقم الوارد : 237
التاريخ : 2016 / 9 / 13







## TRANSLATION

**Kuwait Swimming Association  
FINA Member**

Date : 03/09/2016  
Ref : 246/2016

**Mr. / General Secretary of Al-Arabi Sporting Club**

Greetings,

**Subject: Resignation of the Kuwait Swimming Association's Board Members**

We send you our best regards, and with reference to the subject above, we're hereby informing you that the Kuwait Swimming Association has received a number of 4 resignations of Kuwait Swimming Association's Board Members, namely as following:

- |                                      |                                    |
|--------------------------------------|------------------------------------|
| (1) Sheikh/ Khaled Al-Bader Al-Sabah | Chairman of the Board of Directors |
| (2) Mr. Homoud Obaid Al-Hajeri       | Treasurer                          |
| (3) Mr. Faez Abdullah Al-Tawhid      | Assistant General Secretary        |
| (4) Mr. Salem Kheder Al-Hasawi       | Assistant Treasurer                |

Based on the statute of Kuwait Swimming Association, and after submitting the aforesaid resignations, we're hereby informing you on the default of holding the Kuwait Swimming Association's Board Meeting due to the lack of quorum, and pursuant to article 20 of the statute which stipulates that "In case the majority of KSA Board Members fall vacant for any reasons the Extraordinary General Assembly will choose a temporary committee consisting of three members to carry out the duties of KSA for a period of maximum 90 days with the approval of Kuwait Swimming Association and in line with the provisions of this statute"

For your information and instruction to those concerned to take the necessary actions in this regard,

That you for your good cooperation,

Best regards,

Assistant General Secretary  
Faez Abdullah Al-Tawhid  
Seal and Signature

Copy to:  
- Public Authority for Sport  
- Kuwait Olympic Committee

Attachments: As mentioned above



ترجمة Translation	ترجمة Translation
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ترجمة Translation	
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# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

الإشارة: 2016 / 246

التاريخ: 2016/9/3

السيد / أمين السر العام نادي العربي الرياضي  
المحترم  
تحية طيبة وبعد ،،،

## الموضوع : استقالة أعضاء مجلس الإدارة الاتحاد الكويتي للسباحة

نهديكم أطيب التحيات .... وبالإشارة الى الموضوع أعلاه، نفيدكم علماً بأن ورد إلى الاتحاد الكويتي للسباحة عدد (4) استقالات لمجلس الإدارة الاتحاد الكويتي للسباحة وهم كالتالي :

- (1) الشيخ / خالد البدر المحمد الصباح - رئيس مجلس الإدارة (مرفق صورة)
- (2) السيد / حمود عبيد الهاجري - أمين الصندوق (مرفق صورة)
- (3) السيد / فايز عبد الله التوحيد - أمين السر العام المساعد (مرفق صورة)
- (4) السيد / سالم خضر الحساوي - أمين الصندوق المساعد (مرفق صورة)

استناداً للنظام الأساسي للاتحاد الكويتي للسباحة وبعد تقديم استقالات سالفه الذكر، تحيطكم علماً بأنه يتعثر عقد اجتماع مجلس الإدارة الاتحاد الكويتي للسباحة لعدم اكتمال النصاب القانوني لعقد الاجتماع. ووفقاً لما نص النظام الأساسي مادة (20) " في حالة خلو مقاعد أعضاء اغلبية مجلس الإدارة لأي سبب من الأسباب، تختار الجمعية العمومية غير العادية لجنة مؤقتة من ثلاث أعضاء الجمعية العمومية وذلك لإدارة شئون الاتحاد وذلك لمدة أقصاها تسعين يوماً وبموافقة الإتحاد الدولي للسباحة وبما يتوافق مع أحكام هذا النظام".

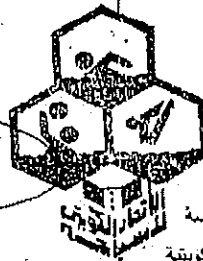
لذا يرجى التكرم بالعلم والإحاطة والتفضل بالإيعاز لمن يلزم لاتخاذ الاجراءات اللازمة بهذا الشأن

شاكرين لكم حسن تعاونكم معنا ،،،

وتفضلوا بقبول وافر التحية والاحترام ،،،

أمين السر العام المساعد

فايز عبد الله التوحيد



(1) البيئة العامة للرياضة

(2) اللجنة الأولمبية الكويتية

كما بأعلاه

نسخة إلى:

المرفقات:

Tel: 22611848 / 858 / 868 - Fax: 2263 4615 / 22662139

Cable : Swimming - P.O.Box: 5467 Safat, 13055 Kuwait

E-mail : kuwaitswimming@hotmail.com

تلفون: ٢٢٦١١٨٤٨ / ٨٥٨ / ٨٦٨ - فاكس: ٢٢٦٣٤٦١٥ / ٢٢٦٦٢١٣٩

برقيا : سويمنج - ص.ب. ٥٤٦٧ الرمز البريدي ١٣٠٥٥ الصفاة - الكويت

www.kuwaitswimming.com



TRANSLATION

S\_0772 /AA5/NS

## Al-Arabi Sporting Club

Date : 06/09/2016

Our Ref : 732/2016

Messrs. / Kuwait Swimming Association's Board of Directors

Greeting.

**Subject: Setting a date for the convening of the Extraordinary  
General Assembly of Kuwait Swimming Association**

Al-Arabi Sporting Club extends its best regards, and with reference to the subject above, and further to your letter no. 246/2016 received by us on 03/09/2016 with includes the resignation of:

- |                                     |                                    |
|-------------------------------------|------------------------------------|
| 1- Sheikh/ Khaled Al-Bader Al-Sabah | Chairman of the Board of Directors |
| 2- Mr. Himoud Obaid Al-Hajeri       | Treasurer                          |
| 3- Mr. Fayez Abdullah Al-Tawheed    | Assistant General Secretary        |
| 4- Mr. Salem Khodor Al-Hassawi      | Assistant Treasurer                |

And whereas we've sent you the letter no. 692/2016 on 28/08/2016 requesting to hold an Extraordinary General Assembly of the Association to consider the matters related to the Association's management, and we haven't receive any reply so far

And whereas the aforesaid members have submitted their resignations referred to – being the majority of members – which would prevent the meeting of Association's Board according to the statute, and then prevents the Board of Directors from carrying out its duties and functions contained in the aforesaid statute which would entail the irregularity of work at the Association, and for the importance and in preservation of the Association's interests, and the interests of its members, and for the smooth running of work

Therefore, kindly note that after consulting with the other General Assembly members; we suggest calling the KSA's Extraordinary General Assembly to convene on Thursday corresponding to 22/09/2016, (7:00 pm) at the Kuwait Swimming Association's Head Office to consider and to decide on the resignations of the aforesaid members and the way to carry out the duties of Kuwait Swimming Association and the implications entailed

And in case you failed to carry out the invitation procedures, the meeting will take place on the specified date, and the aforesaid subject will be considered for being and agenda including all implications entailed

Best regards,  
General Secretary  
Abdul-Razzaq Khaled Al-Modaf - Signature

Kuwait Swimming Association
Incoming Mail No.: 241
Date: 06/09/2016

ترجمة Translation	ترجمة Translation
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ترجمة Translation	
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Our ref / أشارتنا ٤٠١٦/٧٢٤

Date — 2016/09/06 التاريخ

المحترمين / السادة / مجلس إدارة الاتحاد الكويتي للسباحة  
لتحية طيبة وبعد ....

**الموضوع : تحديد موعد لانعقاد الجمعية  
العمومية غير العادية للاتحاد الكويتي للسباحة**

بهديكم النادي العربي خالص التحيات، وبالإشارة إلى الموضوع أعلاه، وعطفاً على كتابكم رقم (2016/246) الوارد إلينا بتاريخ 2016/09/03 والمتضمن استقالة كل من :

- |                                     |                          |
|-------------------------------------|--------------------------|
| 1- الشيخ / خالد البدر المحمد الصباح | رئيس مجلس الإدارة .      |
| 2- السيد / حمود عبيد الهاجري        | أمين الصندوق.            |
| 3- السيد / فايز عبدالله التوحيد     | أمين السر العام المساعد. |
| 4- السيد / سالم خضر الحساوي         | أمين الصندوق المساعد.    |

وحيث أنه قد سبق وأرسلنا لسيادتكم الكتاب رقم (2016/692) المرسل لسيادتكم بتاريخ 2016/08/28 م بطلب عقد اجتماع جمعية عمومية غير عادية للاتحاد للنظر في الأمور المتعلقة بإدارة الاتحاد، ولم يصلنا رد منكم حتى تاريخه.

وحيث أن تقدم الأعضاء السابق ذكرهم باستقالاتهم المشار إليها من شأنه - حال كونهم أغلبية الأعضاء - أن يمنع مجلس إدارة الاتحاد من الاجتماع وفقاً للنظام الأساسي، ومن ثم يمنع من قيام مجلس الإدارة من إدارة شؤون الاتحاد، ومن مباشرة مهامه واختصاصاته الواردة بالنظام المشار إليه، مما يترتب على ذلك من عدم انتظام العمل بالاتحاد، ولدواعي الأهمية وحفاظاً على مصالح الاتحاد ومصالح أعضائه وحسن انتظام العمل به.

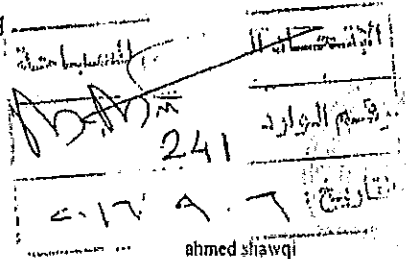
لذا... برجاء الإحاطة بأن بعد التشاور مع أعضاء الجمعية العمومية الآخرين، نقترح دعوة الجمعية العمومية غير العادية للاتحاد الكويتي للسباحة للانعقاد يوم الخميس الموافق 2016/09/22 الساعة (السابعة مساءً) بمقر الاتحاد الكويتي للسباحة وذلك للنظر والبست في استقالات الأعضاء المشار إليها أعلاه، وكيفية إدارة شؤون الاتحاد الكويتي للسباحة وما يترتب على ذلك من آثار. وفي حالة عدم قيامكم بإجراءات الدعوة للاجتماع سيتم الانعقاد في الموعد المحدد والنظر في الموضوع المشار إليه باعتباره جدول أعمال، مع ما يترتب على ذلك من آثار.

وتفضلوا بقبول فائق التحية والتقدير ...

أمين السر العام

عبد الرزاق خالد المصطفى

2016-09-06





## TRANSLATION

**Kuwait Swimming Association  
FINA Member**

Date : 06/09/2016  
Ref : 254/2016

**Mr. / General Secretary of Al-Arabi Sporting Club**

*Greetings,*

**Subject: Invitation to attend the Extraordinary General Assembly  
of Kuwait Swimming Association on Thursday 22/09/2016**

We send you our best regards, and with reference to the subject above, we're hereby informing you that the Kuwait Swimming Association has received a number of 4 letters (copy attached) from the clubs members of the General Assembly as follows:

- (1) Al-Arabi Sporting Club letter dated 06/09/2016, Ref No.: 732/2016
- (2) Kazma Sporting Club letter dated 05/09/2016, Ref No.: 868/2016
- (3) Kuwait Sporting Club letter dated 06/09/2016, Ref No.: 825/2016
- (4) Al-Yarmouk Sporting Club letter dated 05/09/2016, Ref No.: 1377/2016

Which includes a request for invitation to hold an Extraordinary General Assembly on Thursday corresponding to 22/09/2016 at Kuwait Swimming Association's Head Office to consider and to decide on, and the meeting agenda includes a single item related to the resignations of the majority of the Board members and the way to carry out the duties of Kuwait Swimming Association in accordance with the accredited statute and the implications entailed

Based on the foregoing, we're inviting you to attend and hold an Extraordinary General Assembly on Thursday corresponding to 22/09/2016, 7:00 pm at Kuwait Swimming Association's Head Office, 4<sup>th</sup> floor at the Kuwait Olympic Committee's Building

Thank you for your good cooperation,

Sincerely yours,

Assistant General Secretary  
Faiez Abdullah Al-Tawhid  
Seal and Signature

Copy to:  
- Public Authority for Sport  
- Kuwait Olympic Committee

Attachments: As mentioned above



ترجمة Translation		ترجمة Translation	
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ترجمة Translation	
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Murgab, Shalhed Tower, Abdullahi Mubarak St. • Tel.: 22471308 - 22438814 • Fax: 22471307 • Mob.: 94995224  
Murgab - Shuhada Street, Al-Rabeaa Bldg., Tel.: 22410924 • Fax: 22410925 • Mob.: 99972253 - 99812226  
Al-Fahaheel, Mecca Street, Opp. KFC Tel.: 23927241 - 23927246/7 • Fax: 23927249, Mob.: 99972243

الرقاب - برج الشامد - شارع عبد الله مبارك - هاتف : ٢٢٤٧١٣٠٨ - فاكس : ٢٢٤٧١٣٠٧ - تقال : ٩٤٩٥٢٢٤  
الرقاب - شارع الشهداء - عمارة الربيعية - هاتف : ٢٢٤١٠٩٢٤ - فاكس : ٢٢٤١٠٩٢٥ - تقال : ٩٩٨١٢٢٢٦ - ٩٩٨٧٢٢٥٢  
النجييل - شارع مكة - متابل كنتاكي - هاتف : ٢٢٤١٧٢٤١ - فاكس : ٢٢٤١٧٢٤٧ - تقال : ٩٩٨٧٢٤٢



# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

الإشارة: 254 / 2016

التاريخ: 2016/9/6

المحترم

السيد / أمين السر العام نادي العربي الرياضي |

تحية طيبة وبعد ...

## الموضوع : دعوة حضور الجمعية العمومية الغير العادية للاتحاد الكويتي للسباحة الخميس 2016/9/22

نهديكم أطيب التحيات .... وبالإشارة الي الموضوع أعلاه، نفيدكم علماً بأن ورد إلى الاتحاد الكويتي للسباحة عدد (4) كتب من الأندية الأعضاء الجمعية العمومية مرفق صورة وهم على النحو التالي :

- (1) كتاب نادي العربي الرياضي المؤرخ 2016/9/6 رقم الإشارة 2016/732
- (2) كتاب نادي كاظمة الرياضي المؤرخ 2016/9/5 رقم الإشارة 2016/868
- (3) كتاب نادي الكويت الرياضي المؤرخ 2016/9/6 رقم الإشارة 2016/825
- (4) كتاب نادي اليرموك الرياضي المؤرخ 2016/9/5 رقم الإشارة 2016/1377

والذي يتضمن طلب دعوة عقد جمعية العمومية الغير عادية يوم الخميس الموافق 2016/9/22 الساعة السابعة مساءً بمقر الاتحاد الكويتي للسباحة وذلك للنظر والبت ويتضمن جدول الأعمال الإجتماع بنبدأ واحداً يتعلق باستقالات أعضاء أغلبية مجلس الإدارة وكيفية إدارة شؤون اتحاد الكويتي للسباحة وفق نظام الأساسي المعتمد وما يترتب على ذلك من آثار.

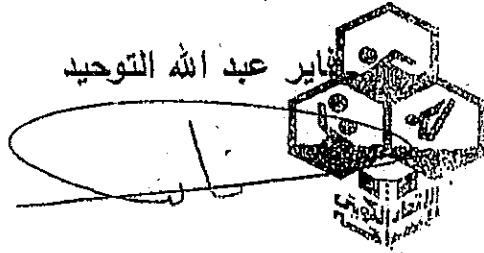
وبناء على ما تقدم فإننا ندعوكم لحضور وعقد جمعية عمومية غير عادية يوم الخميس الموافق 2016/9/22 الساعة السابعة مساءً بمقر الاتحاد الكويتي للسباحة الدور الرابع بمبنى اللجنة الأولمبية الكويتية.

شاكرين لكم حسن تعاونكم معنا ...  
وتفضلوا بقبول وافر التحية والاحترام ...

أمين السر العام المساعد

محمد سعيد

شاكرين لكم حسن تعاونكم معنا ...



(1) الهيئة العامة للرياضة  
(2) اللجنة الأولمبية الكويتية  
كما بأعلاه

نسخة إلى:

المرفقات:



Tel: 22611848 / 858 / 868 - Fax: 2263 4615 / 22662139

Cable : Swimming - P.O.Box: 5467 Safat, 13055 Kuwait

E-mail : kuwaitswimming@hotmail.com

تلفون: ٨٦٨ / ٨٥٨ / ٢٢٦١١٨٤٨ - فاكس: ٢٢٦٣٤٦١٥ / ٢٢٦٦٢١٣٩

برقيا: سويمنج - ص.ب ٥٤٦٧ الرمز البريدي ١٣٠٥٥ الصفاة - الكويت

www.kuwaitswimming.com



## TRANSLATION

**Kuwait Swimming Association  
FINA Member**

Date : 06/09/2016  
Ref : 257/2016

**Mr. / General Secretary of Kuwait Sporting Club**  
Greetings,

**Subject: Invitation to attend the Extraordinary General Assembly  
of Kuwait Swimming Association on Thursday 22/09/2016**

We send you our best regards, and with reference to the subject above, we're hereby informing you that the Kuwait Swimming Association has received a number of 4 letters (copy attached) from the clubs members of the General Assembly as follows:

- 1- Al-Arabi Sporting Club letter dated 06/09/2016, Ref No.: 732/2016
- 2- Kazma Sporting Club letter dated 05/09/2016, Ref No.: 868/2016
- 3- Kuwait Sporting Club letter dated 06/09/2016, Ref No.: 825/2016
- 4- Al-Yarmouk Sporting Club letter dated 05/09/2016, Ref No.: 1377/2016

Which includes a request for invitation to hold an Extraordinary General Assembly on Thursday corresponding to 22/09/2016 at Kuwait Swimming Association's Head Office to consider and to decide on, and the meeting agenda includes a single item related to the resignations of the majority of the Board members and the way to carry out the duties of Kuwait Swimming Association in accordance with the accredited statute and the implications entailed

Based on the foregoing, we're inviting you to attend and hold an Extraordinary General Assembly on Thursday corresponding to 22/09/2016, 7:00 pm at Kuwait Swimming Association's Head Office, 4<sup>th</sup> floor at the Kuwait Olympic Committee's Building

Thank you for your good cooperation,

Sincerely yours,

Assistant General Secretary  
Faiez Abdullah Al-Tawhid  
Seal and Signature

Copy to:  
- Public Authority for Sport  
- Kuwait Olympic Committee

Attachments: As mentioned above

ترجمة Translation		ترجمة Translation	
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ترجمة Translation	
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# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

الإشارة: 257/ 2016

التاريخ: 2016/9/6

المحترم

السيد / أمين السر العام نادي الكويت الرياضي

تحية طيبة وبعد ،،،

الموضوع : دعوة حضور الجمعية العمومية الغير العادية

للاتحاد الكويتي للسباحة الخميس 2016/9/22

نهدبكم أطيب التحيات .... وبالإشارة الى الموضوع أعلاه، نفيدكم علماً بأن ورد إلى الاتحاد الكويتي للسباحة عدد (4) كتب من الأندية الأعضاء الجمعية العمومية مرفق صورة وهم على النحو التالي :

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- (2) كتاب نادي كاظمة الرياضي المؤرخ 2016/9/5 رقم الإشارة 2016/868
- (3) كتاب نادي الكويت الرياضي المؤرخ 2016/9/6 رقم الإشارة 2016/825
- (4) كتاب نادي اليرموك الرياضي المؤرخ 2016/9/5 رقم الإشارة 2016/1377

والذي يتضمن طلب دعوة عقد جمعية العمومية الغير عادية يوم الخميس الموافق 2016/9/22 الساعة السابعة مساءً بمقر الاتحاد الكويتي للسباحة وذلك للنظر والبت ويتضمن جدول الأعمال الإجتماع بنبدأ واحداً يتعلق باستقالات أعضاء أغلبية مجلس الإدارة وكيفية إدارة شؤون اتحاد الكويتي للسباحة وفق نظام الأساسي المعتمد وما يترتب على ذلك من آثار.

وبناء على ما تقدم فاننا ندعوكم لحضور وعقد جمعية عمومية غير عادية يوم الخميس الموافق 2016/9/22 الساعة السابعة مساءً بمقر الاتحاد الكويتي للسباحة الدور الرابع بمبنى اللجنة الأولمبية الكويتية.

شاكرين لكم حسن تعاونكم معنا ،،،

وتفضلوا بقبول وافر التحية والاحترام ،،،

أمين السر العام المساعد

أبر عبد الله التوحيد

استلمت  
عصن محمد رويس

2016/9/6

(1) الهيئة العامة للرياضة

(2) اللجنة الأولمبية الكويتية

كما بأعلاه

نسخة إلى:

المرفقات:

Tel: 22611848 / 858 / 868 - Fax: 2263 4615 / 22662139

Cable : Swimming - P.O.Box: 5467 Safat, 13055 Kuwait

E-mail : kuwaitswimming@hotmail.com

تلفون: ٨٦٨ / ٨٥٨ / ٢٢٦١٨٤٨ - فاكس: ٢٢٦٦٢١٣٩ / ٢٢٦٣٤٦١٥

برقيا: سويمنج - ص.ب ٥٤٦٧ الرمز البريدي ١٣٠٥٥ الصفاة - الكويت

www.kuwaitswimming.com







## TRANSLATION

**Kuwait Swimming Association  
FINA Member**

**Proceedings of the Meeting**

At the invitation of Kuwait Swimming Association to the Association's General Assembly Members in letter no. 259/2016 dated 0609/2015 to attend the Extraordinary General Assembly, the meeting was convened at the specified venue and date in the presence of 5 out of 6 clubs, then the Assistant General Secretary called on the present members as follows:

Kuwait Sea Sport Club	Mr. Ali Ahmad Ali Al-Qabandi	Member of the Board
Kuwait Sporting Club	Mr. Waleed Ali Saleh	General Secretary
Al-Arabi Sporting Club	Mr. Abdul-Razzaq Abdullah Maarifi	Member of the Board
Al-Yarmouk Sporting Club	Mr. Yunus Ibrahim Taher Al-Ibrahim	Deputy Chairman of the Board
Kazma Sporting Club	Mr. Omar Yusuf Al-Mulla	Assistant Treasurer

Having the quorum met by the General Assembly members, the Extraordinary General Assembly meeting was convened according to the statute

The meeting was opened at exactly 7:00 pm by the Association's Assistant Mr. Faiez Abdullah Al-Tawhid, pursuant to articles 9 and 33 of the Association's statute by welcoming the present member clubs at the General Assembly

He extended thanks to all General Assembly members who were keen to do everything which would preserve the sports and athletes in our beloved Kuwait and to sustain the grace of safety and security in prosperity and security in the presence of His Highness, the Amir of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, and H.H. the Crown Prince Sheikh/ Nawaf Al-Ahmad Al-Jaber Al-Sabah, May Allah protect them

Later on, the item pertaining to the meeting of the Extraordinary General Assembly was presented as follows:

**Item pertaining to the meeting**

**(Carrying over the duties of Kuwait Swimming Association given the vacancy of the majority of the Board seats in accordance with the accredited statute**

Having discussed and perused the resignations submitted by the Board members, Messrs.: (Representatives of Qadsia, Al-Arabi, Kuwait and Sea Sport clubs) and the letters sent by the member clubs regarding the request to hold an Extraordinary General Assembly

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The representative of Al-Arabi Sporting Club, Mr. Abdul-Razzaq Abdullah Maarifi submitted a proposal to appoint a temporary committee to carry out the duties of Association to accept the resignations submitted by the Board Members and the vacancy of the majority of the Board seats and pursuant to the provisions of article 20 of Kuwait Swimming Association's statute which stipulates that "In case the majority of KSA Board Members fall vacant for any reasons the Extraordinary General Assembly will choose a temporary committee consisting of three members to carry out the duties of KSA for a period of maximum 90 days in accordance with the rules of this statute". He also proposed to form the committee of the following gentlemen:

Mr. Homoud Al-Hajiri as a Chairman, Mr. Salem Al-Hasawi as a Secretary, Mr. Faiez Al-Tawhid as a Treasurer

Representatives of Al-Yarmouk and Kuwait Clubs noted that they completely agree with the proposal submitted by Al-Arabi Sporting Club, and Kazma Club's representatives noted that he agrees on the names endorsed for the temporary committee but he reserves on the distribution of positions

Sea Sport Club's representative has expressed his reservations on holding the meeting according to article 20 and article 9 of the statute

The General Assembly asked the temporary committee to take all actions contained in the statute and to address the International Swimming Federation, Public Authority for Sport and Kuwait Olympic Committee

**And therefore, the General Assembly has decided the following:**

To form a temporary committee to carry out the duties of the Association according to the accredited statute given the vacancy of the majority of the resigned board members, then to appoint the temporary committee of three members pursuant and in application of article (20) of the statute as follows:

Mr. Faiez Abdullah Al-Tawhid	Committee Chairman
Mr. Homoud Obaid Al-Hajiri	Committee Secretary
Mr. Salem Kheder Al-Hasawi	Committee Treasurer

The meeting was concluded on the respective date at exactly 7:30 pm after the above said is proved as a matter of record

Signatures



ترجمة Translation		ترجمة Translation	
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ترجمة Translation	
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# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

محضر اجتماع الجمعية العمومية غير العادية  
للإتحاد الكويتي للسباحة المنعقد في 2016/9-22

التاريخ: 2016/09/22

الساعة: 07:00 مساء

اليوم: الخميس

المكان: قاعة اجتماعات الاتحاد الكويتي للسباحة

الحضور من أعضاء مجلس إدارة الاتحاد الكويتي للسباحة:

الاسم	الصفة	التوقيع
السيد / فايز عبدالله التوحيد	أمين السر العام المساعد	
السيد / حمود عبيد الهاجري	أمين الصندوق	
السيد / سالم خضر الحساوي	أمين الصندوق المساعد	

الغياب من أعضاء مجلس إدارة الاتحاد الكويتي للسباحة:

الاسم	الصفة
سعادة الشيخ / خالد البدر الصباح	رئيس مجلس الإدارة
السيد / حميد جاسم الغريب	نائب رئيس مجلس الإدارة
السيد / حسين علي المسلم	أمين السر العام

الأندية الرياضية أعضاء الجمعية العمومية:

النادي	الاسم	الصفة	التوقيع
النادي البحري الرياضي	السيد / علي أحمد علي القبدي	عضو مجلس إدارة	
نادي الكويت الرياضي	السيد / وليد علي صالح	أمين السر العام	
النادي العربي الرياضي	السيد / عبدالرزاق عبدالله معرفي	عضو مجلس إدارة	
نادي اليرموك الرياضي	السيد / يونس إبراهيم طاهر الابراهيم	نائب رئيس مجلس الإدارة	
نادي كاظمة الرياضي	السيد / عمر يوسف الملا	أمين الصندوق المساعد	
نادي القادسية الرياضي	لم يحضر أحد		

الهيئة العامة للرياضة:

الاسم	الصفة
السيد / جورج فرج يوسف	مستشار قانوني بصفته مراقب، ليس له حق التصويت أو المشاركة بالمداولات، أو ابداء الرأي

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# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION

Fina Member

## وقائع الاجتماع

بناءً على الدعوة الموجهة من الاتحاد الكويتي للسباحة لأعضاء الجمعية العمومية للاتحاد بالكتاب رقم 2016/259 المؤرخ في 2016/09/06، وذلك لحضور اجتماع الجمعية العمومية غير العادية للاتحاد فقد انعقد الاجتماع بالمكان والزمان المحدد بحضور عدد (5) أندية أعضاء من أصل (6) أندية، ثم قام السيد/ أمين السر العام المساعد بالمناداه على الحضور، وجاء على النحو التالي:-

النادي البحري الرياضي	السيد / علي أحمد علي القبدي	عضو مجلس إدارة
نادي الكويت الرياضي	السيد / وليد علي صالح	أمين السر العام
النادي العربي الرياضي	السيد / عبدالرزاق عبدالله معرفي	عضو مجلس إدارة
نادي اليرموك الرياضي	السيد / يونس ابراهيم طاهر الابراهيم	نائب رئيس مجلس الإدارة
نادي كاظمة الرياضي	السيد / عمر يوسف الملا	أمين الصندوق المساعد

وبعد اكتمال النصاب من أعضاء الجمعية العمومية فقد تم انعقاد اجتماع الجمعية العمومية غير العادية للاتحاد وفق النظام الأساسي.

افتتح الاجتماع السيد / فايز عبدالله التوحيد، أمين السر العام المساعد للاتحاد، إعمالاً للمادة (9) والمادة (33) من النظام الأساسي للاتحاد، في تمام الساعة 7.00 مساءً مرحباً بالسادة الحضور، ممثلي الأندية الأعضاء بالجمعية العمومية.

وتوجه بالشكر إلى كافة أعضاء الجمعية العمومية الذين حرصوا على العمل على كل ما من شأنه المحافظة على الرياضة والرياضيين ببلدنا الحبيب الكويت. وأن يديم الله نعمه الأمن والأمان في الازدهار والاستقرار في ظل حضرة صاحب السمو أمير البلاد المفدى الشيخ صباح الأحمد الجابر الصباح حفظه الله ورعاه وسمو ولي عهده الأمين.

ومن بعد ذلك عرض البند محل اجتماع الجمعية العمومية غير العادية، وهو التالي بيانه:-

### البند محل الاجتماع:

إدارة شؤون الاتحاد الكويتي للسباحة، نظراً لخلو أغلبية أعضاء مجلس إدارة الاتحاد، وذلك وفق

### النظام الأساسي المعتمد:-

بعد المناقشة، والاطلاع على الاستقالات المقدمة من أعضاء مجلس الإدارة، السادة: (ممثلي أندية القادسية، العربي، الكويت، البحري)، والكتب الموجهة من الأندية الأعضاء في شأن طلب عقد جمعية عمومية غير عادية.



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# الاتحاد الكويتي للسباحة

عضو الاتحاد الدولي

KUWAIT SWIMMING ASSOCIATION  
Fina Member

تقدم السيد عبدالرزاق معرفي ممثل النادي العربي الرياضي، بمقترح تعيين لجنة مؤقتة لإدارة شئون الاتحاد لقبول الاستقالات المقدمة من أعضاء مجلس الإدارة وخلق مقاعد أغلبية مجلس الإدارة، وإعمالاً لأحكام المادة (20) من النظام الأساسي للاتحاد الكويتي للسباحة، والتي تنص على أنه "في حالة خلو مقاعد أعضاء أغلبية مجلس الإدارة لأي سبب من الأسباب، تختار الجمعية العمومية غير العادية لجنة مؤقتة من ثلاثة من أعضاء الجمعية العمومية، وذلك لإدارة شئون الاتحاد وذلك لمدة أقصاها تسعين يوماً، وبموافقة الاتحاد الدولي للسباحة وبما يتوافق مع أحكام هذا النظام". كما اقترح أن يكون تشكيل اللجنة من السادة التالي أسمائهم:-

السيد حمود الهاجري رئيساً، السيد، سالم الحساوي، أمين سر، السيد/ فايز التوحيد أميناً للصندوق. وأفاد كل من ممثل نادي اليرموك وممثل نادي الكويت أنهما يتفقا مع المقترح المقدم من النادي العربي تماماً، وأفاد السيد / ممثل نادي كاظمة بأنه يتفق على الاسماء التي طرحت للجنة المؤقتة إلا أنه تحفظ على توزيع المناصب.

وأفاد ممثل النادي البحري تحفظه على عقد الاجتماع وذلك وفق المادة 20 ، والمادة 9 من النظام الأساسي.

وطلبت الجمعية العمومية من اللجنة المؤقتة اتخاذ كافة الإجراءات الواردة بالنظام الأساسي، ومخاطبة الاتحاد الدولي للسباحة، والهيئة العامة للرياضة، واللجنة الأولمبية الكويتية.

## وعليه قررت الجمعية العمومية غير العادية ما يلي:-

تشكيل لجنة مؤقتة لإدارة شئون الاتحاد وفقاً للنظام الأساسي المعتمد، نظراً لخلو أغلبية مقاعد مجلس الإدارة المتقدمين باستقالتهم، تم تعيين اللجنة المؤقتة من ثلاثة أعضاء إعمالاً وتطبيقاً للمادة (20) من النظام الأساسي، وذلك على النحو التالي بيانه:-

السيد / حمود عبيد الهاجري - رئيساً للجنة.  
السيد / سالم خضر الحساوي - أمين سر اللجنة.  
السيد/ فايز عبدالله التوحيد - أمين صندوق اللجنة.

وانتهى الاجتماع في تاريخه، وفي تمام الساعة السابعة والنصف مساءً بعد اثبات ما تقدم.



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# ATTACHMENT 7



**KUWAIT SWIMMING ASSOCIATION**

Fina Member

**الاتحاد الكويتي للسباحة**

عضو الاتحاد الدولي

Ref: 291/2016

Date: 03/10/2016

To

**Mr. Taha Al Kishry,**

Executive Director - AASF

Cc : To

**Mr. Cornel Marculescu**

Executive Director – FINA

& All AASF Member Federations

**Subject : NOMINATIONS FOR AASF and FINA – 2017-2021**

With reference to our previous letter dated March 13, 2016 regarding the above subject, we wish to inform you that the interim committee elected by the General Assembly of the Kuwait Swimming Association (Hereafter the "KSA") which is entitled to manage the KSA, decided to withdraw the nomination of Mr. Husain Al Musallam as a candidate for the position of **First Vice President** in the International Swimming Federation ( Hereafter "FINA") or any other membership or candidature for Mr. Husain Al Musallam in the Bureau committee or body within FINA and AASF.

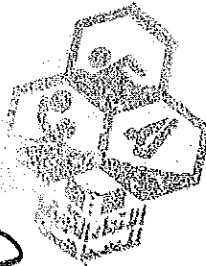
We will be at your disposal for any clarification you may request.

Thank you for your understanding.

Sincerely yours,

**Mr. Homoud Obaïd Al Hajiri**

President of the Interim Committee





# ATTACHMENT 8

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**From:** Kuwait Swimming <kuwaitswimming@hotmail.com>  
**Sent:** 07 June 2017 10:51  
**To:** Salem AlHasawi  
**Subject:** [spam] Fw: KUW - The suspension of kuwait swimming Faderation



**Salem Al Hasawi**  
Secretary General  
Kuwait Swimming Association

---

**From:** FINA LEGAL <legal@fina.org>  
**Sent:** Friday, December 16, 2016 7:14 PM  
**To:** KUW - Kuwait  
**Cc:** jmaglione.fina@cou.org.uy; ASIA SWIMMING FEDERATION  
**Subject:** KUW - The suspension of kuwait swimming Faderation

Dear Mr. Salem Al Hasawi,  
Thank you for your email below.  
I would like to confirm that the Kuwait Swimming Association is temporary suspended by FINA due to the government interferences.  
The Kuwaiti athletes are not affected in any way by this decision and they can compete in any international event under the FINA flag.  
Yours sincerely,  
Cornel



FÉDÉRATION  
INTERNATIONALE  
DE NATATION

Cornel MARCULESCU  
fina EXECUTIVE DIRECTOR  
Phone +41 21 310 18 96 Mail  
Fax +41 21 312 66 10 Web [www.fina.org](http://www.fina.org)

[fina.org](http://fina.org) - Official FINA website

[www.fina.org](http://www.fina.org)

FINA is the international governing body of swimming, diving, water polo, synchronized swimming and open water swimming.

Address FINA Office / Ch. de Bellevue 24a/24b / 1005 Lausanne / Switzerland



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**From:** Kuwait Swimming <[kuwaitswimming@hotmail.com](mailto:kuwaitswimming@hotmail.com)>  
**Date:** 2 December 2016 at 08:51:06 GMT-5  
**To:** "[sportsdep@fina.org](mailto:sportsdep@fina.org)" <[sportsdep@fina.org](mailto:sportsdep@fina.org)>,  
"[jmaglione.fina@cou.org.uy](mailto:jmaglione.fina@cou.org.uy)" <[jmaglione.fina@cou.org.uy](mailto:jmaglione.fina@cou.org.uy)>,  
"[jmaglione.fina@adinet.com.uy](mailto:jmaglione.fina@adinet.com.uy)" <[jmaglione.fina@adinet.com.uy](mailto:jmaglione.fina@adinet.com.uy)>  
**Cc:** "Taha S. Al-Kishry" <[aasf@omantel.net.om](mailto:aasf@omantel.net.om)>  
**Subject:** Fw: The suspension of kuwait swimming Faderation

Dear Mr. Maglione,

We hope this email finds you well.

At the beginning, we wish to extend our gratitude for the effort exerted to support and develop the swimming games worldwide. Also, we would like to express our admiration and respect of your bright sports career. It goes without saying that your contributions to FINA has made fundamental improvements to it.

Furthermore, regarding the suspension of Kuwait Swimming Association which is preventing our swimmers and players from participating in the International championships thru FINA representing Kuwait Swimming Association under the Kuwaiti Flag, we find it unfair to the Kuwait Aquatic, also it conflicts the **FINA objectives** (Goals) which depicts the great slogan of FINA which affirms "**WATER IS OUR WORLD**", as well as the **FINA constitution Article No. C.5 Objectives** that clearly mentions:

***a) to promote and encourage the development of Aquatics in all regards throughout the world.***

*b) to promote and encourage the development of international relations.*

*c) to encourage participation in Aquatic disciplines at all levels throughout the world regardless of age, gender or race.*

On the other hand, FINA Executive office doesn't recognize the official Interim committee of Kuwait Swimming Association which is been formed by an official Extraordinary General Assembly which was held on the 22nd September 2016 at Kuwait Swimming Association Head Quarter.

Over and above, **we sadly inform** you that we had a great loss of a potential swimmer 2 months ago due to the lack of activities & proper trainings in our swimming program, which caused this swimmer to neglect all swimming trainings altogether and get involved in an accident that took his life.

Accordingly, we kindly request that you reconsider the decision of suspending the Kuwait Swimming Federation and discuss this issue in your next Executive Board Meeting on the 3<sup>rd</sup> of December, at Windsor Canada. We plea that you lift the suspension off the Kuwait Swimming Federation and the Kuwaiti Athletes and allow us to participate in GCC regional events and competitions as well as Arab championships.

Looking forward to receive your response in this regard.,

Thanks & Regards



**Salem Al Hasawi**

Secretary General of Interim Committee

Kuwait Swimming Association



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[www.avast.com](http://www.avast.com)