



ВСЕРОССИЙСКАЯ ФЕДЕРАЦИЯ ПАРУСНОГО СПОРТА
РОССИЙСКИЙ ПАРУСНЫЙ ГОНОЧНЫЙ СОЮЗ, ОСНОВАН В 1912 ГОДУ

RUSSIAN YACHTING FEDERATION
RUSSIAN YACHT RACING UNION, ESTABLISHED IN 1912

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If you have a story, a photo, an idea... **contact us**. At Scuttlebutt World Headquarters, we spend each work day cultivating the items sent to us, and scanning the Internet for content and imagery. The success of Scuttlebutt is largely due to our community of readers and their commitment to promote the sport.

Dear Ladies and Gentlemen

Subject: Your article published on Sailing Scuttlebutt on 10.10.2018 about the submission of UKR to exclude RUS from World Sailing

Sailing Scuttlebutt has published on 10.10.18 an article on this issue. This article does not clearly state that this is the wording of the Submission of the Sailing Federation of Ukraine (SFU) on which the WS Council has to vote during the November WS Conference in Sarasota (USA). This article can be understood as an opinion of your internet-magazine that Russian Sailing Federation (RYF) should be excluded from WS because of infringing RRS 89.1 by organizing regattas in Crimea.

This is encouraging the Russian Sailing Federation to file the following counter statement, which we request to be published in your magazine as well.

1. Crimea has not been annexed in 2014 by the Russian Federation.

On 16.3.2014 the population of Crimea voted on a referendum to be incorporated to Russia or to stay as an independent republic of Ukraine.

The population of Crimea and the city of Sevastopol voted with 96% in favour to be incorporated to Russia. The request of Crimea to be incorporated was accepted by Russia. Therefore, Crimea was not annexed, but incorporated to Russia. Since then Crimea is part of Russia and the sailing in Crimea is therefore governed by the Russian Sailing Federation (RYF) and not any longer by the Sailing Federation of Ukraine (SFU).

The World Sailing (WS) regulation 19.16.b and 33.7 has rulings on the eligibility of a competitor and for a Race Official in the case if a part of an existing country is incorporated into another country in that way that a competitor or Race Official may represent the new country. These rules shall be applied analogue also for the organizing authority in the meaning of RRS 89.1.

2. The UN general assembly has no power to make binding decisions on people's law.

The question whether Crimea is part of Ukraine or of Russia is a question of people's law. The only authority to make binding decisions on people's law is the International Court of Justice (ICJ) in Den Hague (NED). Until now Ukraine has not even put forward a claim to the International Court of Justice that Crimea is still part of Ukraine territory.

Neither the UN General Assembly nor IOC do have the power to make final decisions on that subject.

3. The RYF was not the organizing authority (OA) of the RUS Windsurfing Nat. Champ. 2017 in Crimea.

The OA of the Russian National Windsurfing Championship in Sept. 2017 in Sevastopol was alone the Sevastopol Sailing Federation. The RYF was not the OA. Not even the Notice of Race has been approved by the RYF.

In addition, the Funboard Class championship started on Aug.20th 2017. Only with letter of Sept. 10th WS informed RYF that the organizing authorities of sailing events on Crimea must be affiliated to the national authority of Ukraine. This message of WS came only after this event. The Formula and Slalom championship started on Sept. 17th. Concerning that event the message of WS came to the RYF too late to try to stop the event.

Therefore, it is not true that RYF did not respect a notice of WS.

4. The RYF is not acting as OA in any sailing event in 2018.

During the WS Conference in November 2017 in Mexico, the parties (SFU, RYF) and WS achieved an agreement in that way that WS will highlight in the Crimean regatta calendar for 2018 (19 events) those events, WS thinks, should not take place in Crimea. WS has marked 7 events in the calendar. On the request of WS and supported by RYF, five events were voluntarily cancelled.

The other two events (Nat. Sailing league High- and Premier Division) are events of the National Sailing League Ltd. which is a private company on which the RYF has no authority. The National Sailing League Ltd. was unable to cancel the events because of severe contractual penalty and additional severe damage consequences.

These circumstances addressed under no. 1 - 4 show that RYF did neither infringe RRS 89.1 nor did RYF persistently disregard the WS Constitution and decisions of the WS Board.

Therefore, there are no grounds to exclude the RYF from WS.

5. WS shall not dispute political matters.

The whole issue about the legal status of Crimea is a political matter on which WS shall not have a discussion (const. art. 28d and art. 56).

The legal status of Crimea is not of direct relevance to yachting and shall not be discussed in WS.

6. The way out of the dispute between SFU and RYF

Considering the actual situation and not the political situation on Crimea, concerning the promotion of sailing, it is a fact that in this area only the Sevastopol Sailing Federation and the Crimea Regional Sailing Federation are showing regatta activities.

Neither the SFU nor its affiliated members show any activities to organize regattas in Crimea. In fact, if SFU is claiming the sole right to run regattas in Crimea, it behaves like the "emperor without clothes". If the authorities on Crimea would stop to organize events, then the sailing activities on Crimea with the famous sailing area in Sevastopol would die out completely. Crimea would become an empty area concerning the sailing sport.

The RYF does not want to up hurdles against SFU and its affiliated members to organize regattas in Crimea. Therefore, RYF proposes that SFU, RYF and its affiliated members may organize regattas in Crimea. If one of them wishes to be also involved as organizing authority it has the right to act as co-organizer with the same rights and duties.

By following this proposal both parties can leave behind all political disputes and can work together in co-operation to promote sailing in Crimea.

Vladimir Silkin
Russian Yachting Federation
President



Date: 15th October 2018