

September , 2008

Summary of Board of Enquiry's Interim Findings:

1. "Comissão Aerodesportiva Brasileira" (CAB - the Brazilian Air Sports Commission) is considered both by Brazil's Civil Aviation Authority (ANAC) and the Brazilian Government as its representative for aero clubs, general aviation and air sports, both at internal and international level. The foundations for such a position can be found in CAB's seat in the Consultative Body of ANAC.
2. The laws relating to the ANAC and its Consultative Body make no express mention of the possibility that the entity occupying the seat reserved for the representative of general aviation, aero clubs and air sports may use this position to claim the right to represent Brazil in international fora such as the FAI. However, because internally they consider the CAB to be the representative of this sector, the Brazilian public authorities will naturally reflect their internal decision at international level when questioned about which entity they believe should be considered as Brazil's representative.
3. It should be noticed that there are legal proceedings pending, which in the case that any of these find against CAB, might imply a change in seats at the Consultative Body of ANAC.
4. At present CAB is able to gather around it the most significant members of air sports in Brazil and many of those have freely and willingly expressed before FAI (in a coordinated fashion) that the Aero Clube do Brasil (AeCB) should no longer represent them. CAB has actually started to replace AeCB in FAI.
5. AeCB has consistently failed to produce evidence of any support from Brazil's internal air sports institutions and itself seems to have only very limited air activities (besides failing to make timely payments). Since 2005, its annual nominations of air sport delegates to many FAI Air Sport Commissions have been contested.
6. As a consequence, and notwithstanding the fact that a power shift may take place at any time due to consecutive law suits being brought forward by the entities or people that used to control (and apparently still do) the AeCB, CAB seems on all accounts to be considered by the internal agents of air sports in Brazil as best prepared to represent them in FAI matters.

Recommendations of FAI Executive Board to General Conference

1. The CAB should be awarded FAI's representation for Brazil, for a time-limited trial period of no more than 2 years, subject to review at the end of the first year, when a final decision may be taken. This recommendation is subject to the following conditions:
 - CAB must accept responsibility for the payment of Brazil's annual subscription to the FAI.
 - CAB must offer membership to the ABP (Brazilian Paragliding Association).
 - CAB must accept that it does not have the power to sub-delegate sporting powers (such as Sporting Licence issue) to its constituent associations such as ABUL, ABVL etc. It must exercise international sporting powers centrally.

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2 It is recommended that AeCB nominally retains its Membership in FAI during the trial period, but without sporting powers and without voting rights.

3. Should the trial period indicate that permanent Membership of FAI should be offered to CAB, it is strongly recommended that AeCB be invited to remain a member of FAI on conditions outlined in 4 below.

4. In view of the historical record of the Aeroclube do Brasil and its long association with FAI, it should be invited to join a special membership category of "Honourably Retired Members", without voting rights, subject to the acceptance by the General Conference of the Statute changes needed to introduce this new membership category.

5. The Brazilian aero modelling association COBRA, is a special case due to the Brazilian authorities' use of a particular definition of that activity, which appears to prevent its association with CAB. It is therefore recommended that COBRA be admitted to FAI as an Associate Member for aero modelling for Brazil, alongside CAB, if that remains its wish.

6 The Board of Inquiry should remain available to review the Brazilian air sports situation at the end of the trial period or if the situation warrants further assessments during that time.