International Civil Aviation Organization

INFORMATION PAPER

HIGH-LEVEL CONFERENCE ON AVIATION SECURITY (HLCAS)

Montréal, 12 to 14 September 2012

Agenda Item 1:   **ICAO Global Risk Context Statement**
Agenda Item 2:   **Enhancing air cargo security**
Agenda Item 3:   **Combating the insider threat**
Agenda Item 4:   **The evolution of the aviation security audit process – transparency**
Agenda Item 5:   **Capacity-building and technical assistance**
Agenda Item 6:   **Ensuring the sustainability of aviation security measures – equivalence**
Agenda Item 7:   **The role of the Machine Readable Travel Document (MRTD) Programme, Advance Passenger Information (API) and Passenger Name Record (PNR)**
Agenda Item 8:   **Driving technology developments and innovation**
Agenda Item 9:   **Any other business**

POSITION OF CUBA REGARDING EACH ITEM OF THE CONFERENCE AGENDA

(Presented by Cuba)

1.   INTRODUCTION

1.1   Based on the content of the Working Paper No. 1 (HLCAS-WP/1) presented by the Secretariat on the agenda, the provisional program and the organization of the high level Conference on aviation security, according to which the meeting will be carried out with the minimum amount of paper possible, and only documents produced during this meeting shall be distributed on paper, in this Information Paper Cuba summarizes its position on each Matter of the Conference Agenda, according to what is stated in Attachment A, to notification SD3939/1-12/6, referred to the key problems affecting aviation security and on which decisions need to be made, as well as other problems to be analyzed during the Conference.

2.   POSITION OF CUBA ON EACH ISSUE OF THE CONFERENCE AGENDA

2.1   **Issue 1: ICAO status on the risk in the world context**:

2.1.1   Through Resolution A37-17, adopted in the 37th period of sessions of the Assembly and the Statement on Aviation Security, the basis were set to add, in the Amendment of Annex 17 and other ICAO ruling documents, the need to have evaluations based on risk analysis. For this reason, the Group of experts on threats and risks (WGTR) presented a text draft, to the AVSEC Group of experts, of the status of the risk situation that the States could undertake as a support methodology of their own risk assessments with an exhaustive analysis of the different threats to civil aviation after the tasks of intelligence and exchange of information.

2.1.2   Cuba acknowledges the work performed by the Group of experts on aviation security in reference to the elaboration, by the ICAO, of the Status on the risk context faced by aviation security at global scale, which will offer an updated description, in a regular fashion, of the threats and risks situation

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prevailing worldwide; as well as the supply of valuable data on aviation security by the Member States in order to facilitate and permanently improve their domestic programs for aviation security in civil aviation.

2.2   **Issue 2: Improving air cargo security**:

2.2.1   Cuba coincides with the idea that the most efficient way to face the continued terrorist threat is to particularize, understand and react to potential risks affecting civil aviation in general, as well as the lives/goods transported (passengers, luggage, cargo and mail), which could also come from civil aviation itself.

2.2.2   Cuba supports the project of fundamental principles on air cargo and mail security, presented in the Appendix to the Working Paper (WP) -12 on how to improve air cargo security (presented by a considerable group f countries and organizations).

2.2.3   Cuba supports the recommendation that such principles are used as a general guide orienting the future work of ICAO and the Contracting States in the area of air cargo and mail security. Principles proposed:

1) It is essential to have a solid, sustainable and resilient air cargo security system.
2) The strong security standards efficiently applied increase air cargo and mail security worldwide.
3) A global approach should be adopted in the chain of supply for air cargo and mail safety.
4) Supervision and quality control on air cargo security are essential in a solid and safe chain of supply.
5) International co-operation and co-ordination are the key to a safe chain of supply for world air cargo and mail.
6) Technical assistance and creation of capacity are Necessary elements.

2.3   **Issue 3: Fighting internal threats**:

2.3.1   Cuba acknowledges that the most efficient way to face the continued terrorist threat is to particularize, understand and react to potential risks affecting civil aviation in general, as well as the lives/goods transported (passengers, luggage, cargo and mail), which could also come from civil aviation itself.

2.3.2   Cuba considers a very difficult matter to prevent, detect and face an act of unlawful interference carried out with the internal support of persons who are not passengers with access to security-restricted areas, even when these persons have had their background records verified.

2.3.3   Cuba has presented a Working Paper to the Conference regarding this Item in the Agenda, inviting the high level Conference on Aviation Security to evaluate the possibility that, in Amendment 13 of Annex 17, the text of standard 4.2.6 would be modified to read as follows:

"Each Contracting State shall ensure that 100% of persons other than passengers, together with items carried, being granted access to security restricted areas are screened."

2.4   **Issue 4: Evolution of the audit process on aviation security – Transparency**:

2.4.1   Cuba acknowledges the active and important role played by he USAP in strengthening and increasing aviation security of the States and, at the same time supports the practice of audit-methodological-activities, within the USAP framework, which may be most adequate to continue

reinforcing international civil aviation security, taking into account the universal and confidentiality principles and linking audits results to the supply of specific assistance and the efforts in the creation of capacities.

2.4.2   Cuba supports the conclusions issued by the Secretariat in its Working Paper (WP)-4 on the evolution of the universal security audit program regarding a viable and desirable methodology for the future of USAP by means of the establishment of a continuous-monitoring-approach (CMA) combining this with an approach based on the audit risk, for its application in all ICAO Member States and within the established framework in the transition plan in order to promote international civil aviation security efficiently.

2.4.3   Likewise, Cuba supports the conclusions issued by the Secretariat in its Working Paper (WP)-3 on the evolution of the universal security audit program reaffirming the need to improve transparency in USAP audits results, in views to assure that a proper balance exists between the need to communicate deficiencies of States in their jurisdiction and the interests of other States in reference to these deficiencies, duly taking into consideration the need to keep sensitive aviation security information out of the public knowledge as an essential element to strengthen aviation security worldwide even further.

2.4.4   Cuba has sustainably maintained its contribution to the Universal Security Audit Program (USAP) through its participation, by means of an audit specialist certified by ICAO, as part of a team of international auditors, in audits performed to different States during the 1st and 2nd cycle of the USAP.

2.5   **Issue 5: Technical assistance and creation of capacities**:

2.5.1   Cuba acknowledges that, as a previous condition for the supply of assistance, priorities are to be established according to the risks and the level of preparation of the State facing the problems.

2.5.2   Cuba expresses its disposition to provide technical assistance and considers the creation of capacities as very important elements to provide instruction as a basic means to increase aviation security level, mainly in those States where this is most required.

2.6   **Issue 6: Guaranteeing sustainability of aviation security measures – Equivalence**:

2.6.1   Cuba acknowledges and supports the conclusions and recommendations issued by the Secretariat in its Working Paper (WP)-13 on the sustainability of aviation security measures, stating that:

- Sustainability of measures and arrangements on aviation security is a strategic matter which is important to all entities with responsibilities related to aviation security;

- Security measures based on risk, results oriented, rationalization of security measures, maximization of technology, mutual recognition of equivalence and unique security control, as well as the harmonization and preparation for cases of crisis, are principles of policy and practices, the application of which can significantly contribute to the sustainability of the measures and arrangements on aviation security;

- More emphasis should be placed on reaching a proper balance level between effectiveness of security measures and facilitation;

- Policy principles and practices described in the referred Working Paper are to be adopted by the States in order to ensure sustainability of their domestic civil aviation security programs;

- Guidance texts to support States in their efforts to maintain domestic programs on sustained civil aviation security are to be elaborated and promoted by ICAO;

- ICAO, States and different parts are to co-operate to develop and apply means to achieve sustainability in aviation security;

2.7   **Issue 7: function of the mechanic-reading- travel- documents program (DVLM; advanced passenger information (API) and the passengers name register (PNR)**

2.7.1   Cuba has implemented and complies with the regulations established in Document 9303, referred to the mechanic-reading-travel-documents, and works in the implementation of passports with capacity for biometric identification.

2.7.2   Cuba supports initiatives referred to in Working paper P/2, presented by the Secretariat, in order to reach uniformity in API/PNR data-exchange-systems in a way that efficiency in the use of such data is increased for aviation security purposes, and considers important to work in the implementation of an interactive API system (API-i) as an effective alternative for AVSEC purposes.

2.8   **Issue 8: Promotion of technical progress and innovations**:

2.8.1   Cuba acknowledges and appreciates the technical progress obtained in the field of aviation security as a way to improve efficiency in aviation security. Likewise, Cuba has made efforts and implemented prohibition on liquids, aerosols and gels (LAG), but confronts great dificulties, however, in purchasing inspection technologies capable of detecting liquid explosives, which prevents lo gradually eliminate some LAG restrictions in the case of carry-on baggage.

2.8.2   Cuba considers, however, that the lack of detection technology should not limit the execution of security inspections required, by means of using other alternative means such as canine technique, manual inspection and others, which are highly effective when these techniques are properly applied.

2.9   **Issue 9: Other issues: Status of regional initiatives in the field o aviation security**.

2.9.1   Cuba considers that progress has been made in strengthening aviation security through regional co-operation and appreciates the results of Regional Conferences on Aviation Security held in the last two years as highly valuable.

2.9.2   We have received and work jointly with representatives and specialists of several States and air operators, which have been previously authorized to visit our airport facilities, with the purpose to observe the compliance with the aviation security measures we have implemented. Exchanges of experiences and information of mutual interest and value on AVSEC have been performed.

2.9.3   Co-operation has been maintained with other States within the Region, in a proper and official fashion, while exchanging confidential information on aviation security, and implemented security requirements of other States and air operators, due to threats regarding a specific flight or a number of air operations during certain periods of time.

3.   **CONCLUSIONS**

3.1.1   Aviation security constitutes, in its essence, a challenge by itself since it is presents deep complexity in subjects such as technical elements, economic, legal and political considerations which has a direct impact on National Security, and requires a constant evaluation of specific threats and risks, thus allowing States to implement preventive measures with the purpose to counteract terrorist threats in an efficient and harmonized fashion.

3.1.2   Cuba considers that we are facing a great opportunity to strengthen co-operation between all States of the World Regions, as a premise to achieve a common front in preventing act of unlawful interference which could be plotted against international civil aviation, and this no doubt wound constitute a contribution to the fight against terrorism and to world peace, and for this purpose:

- Reaffirms that the International Civil Aviation Organization is the ruling body in aviation security matters, with full faculties given by its condition of specialized agency of the United Nations Organization.

- Considers that, as a concept, there are no terrorist countries, but terrorists inside countries, who have residence or are sheltered in some countries and who could plan and execute actions against civil aviation security, defined as acts of unlawful interference.

- Reiterates its support and demands compliance with the statement in Resolution 17 of the 37th Assembly, which reads: "*Calls upon all Contracting States to confirm then resolute support for the established policy of ICAO by applying the must effective security measures individually and in cooperation with one another to prevent acts of unlawful interference and to punish the perpetrators, planers, sponsors, and financiers of conspirators in any such acts*."

- Denounces that, although 35 years have elapsed since the criminal sabotage perpetrated on an airborne Cuban aircraft, which caused the death of 73 persons, this abominable act remains without punishment, and Resolution A/22-5, numeral 2, has not been complied with as yet.

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