



Agenda Item 3: 38th Session of the ICAO Assembly

Agenda Item 7: Aviation Security (AVSEC) Matters
**7.3 ICAO/LACAC NAM/CAR/SAM Aviation Security and Facilitation
Regional Group (AVSEC/FAL/RG)**

**AVIATION SECURITY INFORMATION EXCHANGE BETWEEN CENTRAL AMERICAN
STATES**

(Presented by Nicaragua)

SUMMARY	
<p>This Information Paper presents the experience gained by the Central American area in handling threats related to terrorism and activities occurred that had happened in our States, such as: airspace violation, drug transportation, aircraft hijacking, fraudulent use of aircraft registrations, money laundering, illegal human trafficking, etc. Additionally, we present the benefits of establishing a Regional Procedure for Aviation Security Information Exchange, which helps to ensure the orderly and safe use of civil aviation, and achieve acceptable security levels in each State and throughout the Central American area, as established by the International Civil Aviation Organization.</p>	
<p>References:</p> <ul style="list-style-type: none">• Chicago Convention• Risk Context Statement• DGAC/CAP/97 – NE/15 (only in Spanish)• Final Report – DGAC/CAP/97	
<p>Strategic Objectives</p>	<p><i>This information paper is related to Strategic Objectives:</i></p> <p>A. Safety – Enhance global civil aviation safety</p> <p>B. Security – Enhance global civil aviation security</p>

1. Introduction

1.1. One of the objectives of the International Civil Aviation Organization (ICAO) is to ensure the safe and orderly development of international civil aviation. In this context, ICAO has promoted cooperation and increasingly active participation of the contracting States in all processes and/or measures that involve strengthening and implementation of their strategic objectives.

1.2 During the 97th Meeting of Directors of Civil Aviation of Central America and Panama (DGAC/CAP/97), the State of Nicaragua presented Working Paper 15, that established the need for procedures to deal with the imminent threat that involves terrorism and criminal activity committed through the use of air transport, that compromise the safe and orderly development of international civil aviation. The working paper was supported by all participants and it was agreed that the interested States would establish a procedure allowing aviation security information exchange in the Central America area.

1.3. The State of Nicaragua in its many interventions at the High Level Conference on Aviation Security (September 2012) and the Global Air Transport Conference (March 2013), both held at ICAO Headquarters in Montreal, Canada, has publicly expressed its concern regarding the use of civil aviation in criminal activities such as drug trafficking. Explaining how the Central American States have witnessed how the organized crime has tried to penetrate the civil aviation systems in order to study and evade the security at airports to implement criminal actions that acquire even forms of terrorist activities.

1.4. Geographically, Central America figures as a transit bridge and therefore has been affected by the use of aircraft and crews that are linked to criminal activities, presenting several cases of stolen aircrafts in international airports that plough through airspace by using fraudulent aircraft registration of other countries in the Region, evading registration controls and security, and undertaking illegal activities.

1.5. Nicaragua has incorporated as a government policy to combat against drug trafficking, serving as a wall against this criminal activity and considered necessary to seriously address this issue and jointly face these threats, along with all Central American States.

2. Background

2.1. Considering that Annex 17 currently does not recognize the criminal acts listed above as acts of unlawful interference, that there is not a Standard nor a Recommended Practice on the subject and that the ICAO Aviation Security Manual (Doc 8973) address the issue only from the risk analysis point of view.

2.2. As an initiative of the State of Nicaragua and now of all Central American States, has been proposed as a fundamental objective to activate information crossing between our States, to achieve greater control and surveillance on the recording from aircraft registration as well as the aviation personnel, preventing the spread of harmful scourge of organized crime in the area, through the application of risk assessments of civil aviation, led by the civil aviation authorities.

2.3. That the Conclusion 97/8 of the DGAC/CAP/97 Meeting establishes that the Central American States review and agree a functional protocol for information exchange system of aviation security between the States of Central America.

3. Development

3.1. The State of Nicaragua has developed and approved the Security Regulations applied to internal threats to combat unlawful acts against Civil Aviation in Nicaragua, which objective is to establish the procedures to coordinate and facilitate access to the appropriate State authorities of Nicaragua, to inspect aircrafts registered with national or foreign registration for preventing unlawful interference acts against civil aviation and ensuring safe operations.

3.2. In compliance with Conclusion 97/8 of the DGAC/CAP and in accordance with the commitments made by all States of the Central American Region, coordination meetings were held, starting on 14 March 2013, with representatives of all Central American States where they presented the draft document on the *Civil Aviation Authorities of Central America and Belize Information exchange Procedure*, which, after an exchange of considerations between State's representatives, establishes:

- a. Information exchange the aviation authorities of each State shall keep their counterparts in other States, informed at all times of the events that occur in their States, related to civil aviation abuse, as well as the measures applied in each case.
- b. Development and management of a Database for the effective functioning of the information exchange among States, the Aeronautical Fixed Service (AFS) for each State, will be used as a tool, and to accomplish this task each State will have an electronic database (any database that the State has available) containing all the elements required to exchange and appoint suitable personnel to jointly work with the designated technical team.
- c. Immediate threat information the aviation authorities of Central America will provide, immediately, any situation that occurs within their their State concerning the interests of aviation security.
- d. States action in the implementation of punitive measures, each State, in accordance with its national legislation and international agreements that are part of, shall perform the corresponding actions and measures.
- e. Establishment of a Contact, the aviation authorities of Central American States will be responsible for appointing the point-of-contact.
- f. Confidentiality of information, the aviation authorities of each State commit themselves to protect all information provided, in order to prevent it of being used by other people that may risk, when disclosing it, the aviation and national security interests of States.

3.3 On 20 May 2013, coordination with all the Central American States, security information exchange exercises initiated, in order to implement the commitments agreed upon between the Directors of Civil Aviation of Central America and Belize regarding the security information exchange, in accordance with the approved stated procedure, and evaluate the effectiveness of the response of the Civil Aviation Authorities of Central America and Belize to meet the information exchange procedure in any time of day, weekends and holidays.

4. Conclusions

4.1. Considering that the Information Exchange Procedure of the Civil Aviation Authorities of Central America and Belize, developed in coordination with all the States of the Central American area works as a Regional Agreement in Central America as a framework to establish procedures on:

- a. information exchange and coordination between the different Directorates of Civil Aviation, on aircraft and aviation technical personnel linked to acts that attempt against the objectives established by the Chicago Convention; and
- b. allowing to update information on aircraft registered in the States, as well as aviation technical personnel, exchange updated information and publish on time and accurately the registration cancellations, the information on the causes of the cancellation as well as having a databank assisting States to take the necessary measures.

4.2. The Meeting is invited to

- a. note the provided information;
- b. establish similar information exchange and coordination procedures between their different Directorates of Civil Aviation, especially on those aircraft and aeronautical technical personnel involved with unlawful acts; and
- c. support the Central American area in its initiative of coping with the threat implied by terrorism and the different types of criminal activities performed using air transport with purposes non compatible with the Chicago Convention, through the establishment of the *Information Exchange Procedure of the Civil Aviation Authorities of Central America and Belize*, which will be presented as a working paper during the 38th Sessions of the ICAO Assembly.