



DCA - ARUBA	
IN:	15 JUL 2019
NR:	DL - 191444
AAN:	BIR
Advies voor:	

Department Civil Aviation of Aruba
Ing. Edwin Kelly MB
Director
Sabana Berde 73-B
Oranjestad, Aruba

Aruba 12 July, 2019

Our ref: ACM 07-12-19/FRA-049

Subject: Meeting follow-up

Dear Mr. Kelly,

We hereby would like to respond to your communication dated July 8th, 2019 regarding the specific actions taken or planned to be taken by Aruba Airlines, with respect to the false accusations in the international press about our involvement in the "illegal expatriation of Cuban citizens"

In order to defend ourselves against these false allegations, on June 26th, 2019, we provided a complete explanation as to why the accusations that were unjustly made against Aruba Airlines are false and without any factual basis, through a letter addressed to the Minister of Transport, Communication and Primary Sector, Mr. C.V.J. Romero. The same letter was sent that day to the president of the Parliament (*Staten*) of Aruba, Mr. J.E. Thijsen. A copy is attached as **Annex 1** to this letter.

The letter attached as Annex 1, explains in detail the procedures that were followed in the two incidents that have been the reason for the false allegations, therefore, we have attached to the Annex 1, all the evidence that supports our position and demonstrates the regular process of the purchase of the tickets and check in process of the above mentioned passengers.

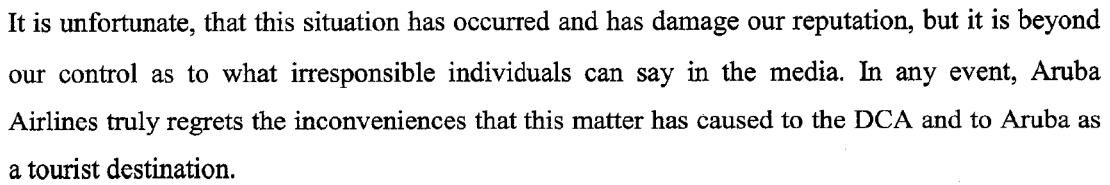
Also, enclosed please find the following documents that support other actions we have taken to demonstrate these are false accusations:



1. A copy of Aruba Airlines letter requesting our local handling company in Havana, Commercial Take Off, to provide us a with a complete file and a statement detailing the facts surrounding this matter attached as Annex 2.
2. A copy of Aruba Airlines letter requesting our local handling company in Georgetown, Roraima Airways, to provide us a with a complete file and a statement detailing the facts surrounding this matter thereof is attached as Annex 3.
3. A copy of Aruba Airlines letter requesting ECASA (Empresa Cubana de Aeropuertos y Servicios Aeronáuticos S.A.) the company operating in José Martí International Airport, in Havana, which responsibilities include air traffic control, aviation safety, check-in and baggage handling, to provide the cameras videotapes of the days and times the passengers Eliecer Gongora Izaguirre and Daniel Llorente Miranda completed their check in process in order to embark the flight to Georgetown as Annex 4.
4. In furtherance of what we agreed in our meeting the following wording has been added in the electronic ticket: "The purchase of this ticket has been made voluntarily by the passenger. Additionally, we have added: "After signing of this ticket, passenger also confirms to accept our Contract of Carriage described in our web page: <http://www.arubaairlines.com/p/policy>" A copy of the corrected electronic ticket is attached as Annex 5.
5. Additionally, we have included in the Contract of Carriage the following statement: "The purchase of the ticket is made only under the free will of the passenger" A copy the is attached as Annex 6.

Further, Aruba Airlines will be releasing a press statement on short notice through both its Aruba and Miami offices to address this matter and to strongly dispute the false and baseless accusations made against us. A copy of the press statement will also be provided to you as soon as it is available.

Also, please find attached a Letter from our local counsel confirming Aruba Airlines legal actions taken and to be taken to defend ourselves against these false accusations.



Entrusted to have informed you accordingly, I remain,

CC: Mr. Esteban Valles-President/GEO, Managing Director



RECEIVED JUN 28 2019

A handwritten signature in blue ink, appearing to be "J. J. J. J.", written over the "RECEIVED" stamp.

COPY

June 26th, 2019

Minister of Transport, Communications and Primary Sector
Mr. Crispin V. J. Romero
L.G. Smith Boulevard 76
Oranjestad, Aruba,

**Re: Aruba Airlines Communication Regarding
Cuban Passengers Accusations**

His Excellency Mr. Crispin V. J. Romero

The purpose of this communication is to defend ourselves against the false accusations made against Aruba Airlines, about our involvement and complicity with the Cuban Government for the forced expatriation of Cuban citizens. Specifically, we have been accused of participating in the forcible and illegal expatriation of two Cuban citizens, as in the case of **Eliécer Gongora Izaguirre** and **Daniel Llorente Miranda**.

In the first case, it has been denounced that **Eliécer Góngora Izaguirre** was compulsorily taken to the airport without an issued ticket. Likewise, it has been falsely alleged that the modus operandi of said expatriation was through a conversation between Cuban police officers with the crew of Aruba Airlines to enter the passenger on the flight AG 902 from Havana, Cuba to Georgetown, Guyana.

In addition to this, we are accused of having treated the passenger in a discriminatory manner with the rest of the passengers, that he was not offered any type of drink or food and that he even fainted on the plane due to the torture and famine that he passed in his days of detention.

We must note that, **Eliécer Góngora Izaguirre's** ticket, was purchased by a travel agent in Cuba, through a call center in Miami. The ticket number is 2090340112122 and the Reservation Code is EPISKK. This ticket was purchased at 1:28 pm on February 20th, 2019 with a promotional cost of CUC 580. Also, it is important to make clear that the flight was not operated by Aruba Airlines aircraft or crew since in that date we were operating that route under an ACMI Lease Agreement with WOW Airlines. Therefore, the reference made about

Cumana 69 – Oranjestad, Aruba – Dutch Caribbean
INFO@arubaairlines.com



COPY

27 JUN 2019

June 26th, 2019

Parliament of Aruba
His Excellency Mr. Juan Edberto Thijsen
President Parliament of Aruba
L.G. Smith Boulevard 76
Oranjestad, Aruba

**Re: Aruba Airlines Communication Regarding
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under an ACMI Lease Agreement with WOW Airlines. Therefore, the reference made about having a conversation with Aruba Airlines crew is not possible since our crew was not operating those flights. Also, the passenger refers to Aruba Airlines and the use of the crew manifest as an instrument of entry into Georgetown as a crew of Aruba Airlines, however, this is also a false allegation since the crew is always declared in all our destinations.

As explained above, the passenger presents Reservation, Ticket and Boarding Pass, therefore, the above allegations do not agree with our procedures in the acceptance of the passenger for boarding.

Please find as an Annex, the Ticket and history of the Reservation, the files received by the check-in system of the terminal 2 RESIBER (IBERIA MADRID) and the delivered declaration.

In the second case, the passenger **Daniel Llorente Miranda**, has also testified that for his forced expatriation, the State Security introduced him in a coercive way into the agency of Aruba Airlines in Cuba, bought his ticket took him to the airport, violating all types of security controls in order to access directly to the runway and enter him into the airplane.

Contrary to what has been reported, **Daniel Llorente Miranda's** ticket was acquired in the commercial office that we have in Havana, Cuba. The ticket number is 2090820003424 and the Reservation Code is YWMHFH. This ticket was purchased at 3:27 pm on May 15, 2019 with a cost of CUC 670. This flight was operated by Aruba Airlines due to the termination of the ACMI Lease Agreement with WOW Airlines. Please find in the Annex the Ticket and history of the Reservation, the files received by the check-in system of the terminal 2 RESIBER (IBERIA MADRID) and the delivered declaration.

These passengers voluntarily presented themselves to the counter without being accompanied by any government officer or authority, did their check-in process in a regular way as the other passengers, and received their boarding passes and were checked through the local



dispatch system of terminal 2 of the Jose Marti International Airport. Airport Agents for Aviation Security must request a valid passport in order to issue a boarding pass.

In the Annex, are attached the files received by the IBERA - RESIBER system for the reconciliation of passengers flown with our ticket system. The automated archive generated by the IBERIA dispatch system in service for the company "Cubana de Aeropuertos y Servicios Aeronáuticos", travels directly to our emails with information in an integrated manner. Please refer to the Annex for a copy of the automated emails sent by the system at the closure of the counter in its original format and the PRL in MULTIPART format. We have also attached the Advanced Passenger Information collected at the airport for both passengers. All documents attached are in the systems with the original sources which are verifiable if required.

It is important to point out that our ground staff, pilots or flight attendants did not receive any notification from any Cuban Government authorities regarding expatriate citizens nor any information that would indicate that we were in the presence of a passenger who was in a violation of their human rights. There were no irregularities or behaviors that could lead Aruba Airlines personnel to suspect these passengers were subject of an illegal procedure, nor any information provided by the passenger to the personnel indicating the cause of their trip.

As the flagship airline of Aruba, we have a high sense of responsibility with our air transport service and certainly the allegations and accusations made by these passengers are dishonest and do not rely on any proof. We have been accused of placing our air transport service at the order of the Cuban Government to carry out these forced expatriations under coercive and coercive conditions. We can confirm, Aruba Airlines did not incur in any kind of complicity to perform such acts, and that Aruba Airlines carries out its duties in compliance to Local and International regulations.



been the victim of a smear campaign and we have been used as a vehicle to assert the pretensions of the dissidence of the Government of Cuba.

For all the above, we reaffirm that we are an Aruban airline, committed to the commercial service of air passenger transport and that we do not have any kind of agreement with the Cuban Government or its authorities to carry out this type of practices that would be in a violation of all applicable civil aviation laws.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "E. Valles".

Esteban J. Valles
CEO

A handwritten signature in dark ink, appearing to read "A. Mendez".

Accountable Manager

Cc: Parliament Members of Aruba

Cumana 69 – Oranjestad, Aruba – Dutch Caribbean
INFO@arubaairlines.com



Oranjestad, 20 de junio de 2019.

COMMERCIAL TAKE OFF S.A.

Calle 23 No. 113, esquina a O, Vedado, Plaza de la Revolución
La Habana, Cuba.

Director General

Re: Caso Eliecer Gongora Izaguirre

Estimado Sr. Gutiérrez,

Por medio de esta vía acudo a usted para solicitar su colaboración frente a una acusación realizada en contra de Aruba Airlines por parte del pasajero Eliecer Gongora Izaguirre, el cual viajó en fecha 21 de febrero del presente año desde la Isla de Cuba con destino a Georgetown, Guyana con un ticket identificado con el No. 2090340112122.

Según indica el pasajero, el motivo de su viaje se debe a que fue deportado desde la República de Cuba hacia la República de Guyana, con la complicidad de la aerolínea Aruba Airlines.

Sin embargo, la realidad es que el pasajero compró su boleto hacia la ciudad de Georgetown voluntariamente y realizó su proceso de chequeo y embarque en condiciones normales, sin compañía de ningún funcionario del Gobierno de Cuba.

Es por lo anteriormente expuesto, que solicitamos de sus buenos oficios, para que nos provean de una declaración sobre el proceso de embarque del pasajero en cuestión, indicando si existió alguna irregularidad durante el mismo. También, solicitamos amablemente que nos apoyen facilitándonos las filmaciones del Aeropuerto Internacional Jose Martí del día del vuelo, en orden de evidenciar frente a las Autoridades de Aruba, que este pasajero realizó su viaje con normalidad y que no hemos sido cómplices ni estamos involucrados en ningún tipo de deportación.

Agradecidos de antemano, quedamos de ustedes a la espera de solventar este incidente.

A handwritten signature in dark ink, appearing to read "E. Valles", written over a horizontal line.

Esteban J. Valles
Presidente

Cumana 69- Oranjestad, Aruba- Dutch Caribbean
INFO@arubaairlines.com

[Insert Roraima Headletter]

Georgetown, Guyana
June 21st, 2019

**STATEMENT REGARDING PASSENGERS ELIECER GONGORRA IZAGUIRRE
AND DANIEL LLORENTE MIRANDA**

Through this statement, we hereby confirm that both passengers ELIECER GONGORRA IZAGUIRRE (TKT # 2090340112122) and DANIEL LLORENTE MIRANDA (#2090820003424) of flight 0902 of Aruba Airlines, arrived at Cheddi Jagan International Airport on February 21st, 2019 and May 16th, respectively, without any companion and carried out all the migratory and customs processes in a regular form. Also, we can confirm, we did not receive any notification from any Cuban Government authorities regarding expatriate citizens.

There were no irregularities or behaviors that could lead the airport personnel to suspect the passengers were subject of an illegal expatriation procedure, nor any information provided by the passengers to the handling personnel indicating the cause of their trip.

We are firmly convinced that, Aruba Airlines, did not incur in any kind of complicity to perform such acts the passengers are claiming, and carried out its duties in compliance to local and international regulations.


CEO



Oranjestad, 3 de Julio de 2019.

ENVIADO VIA EMAIL [REDACTED]

Empresa Cubana de Aeropuertos y Servicios Aeronáuticos S.A. (ECASA)
Van Troi y Final, Boyeros, La Habana, Cuba.

Re: Casos Eliécer Góngora Izaguirre y Daniel Llorente Miranda

Estimados,

Por medio de esta vía acudimos a ustedes para solicitar su colaboración frente a las acusaciones realizadas en contra de Aruba Airlines por parte de los pasajeros **Eliécer Góngora Izaguirre y Daniel Llorente Miranda**, los cuales viajaron en fecha 21 de febrero de 2019 y 16 de mayo de 2019 con los tickets identificados con los No. **2090340112122 y 2090820003424** respectivamente, desde la Isla de Cuba, Havana con destino a Georgetown, Guyana, quienes alegan que participamos y somos cómplices en su expatriación forzosa de manera ilegal.

En el primer caso, se ha denunciado que **Eliécer Góngora Izaguirre** fue llevado de manera forzosa al aeropuerto sin ticket emitido, y fue ingresado a la aeronave del vuelo AG902 con destino a Georgetown después de una conversación entre los funcionarios policiales que lo llevaban y el crew de Aruba Airlines. Asimismo, el pasajero **Daniel Llorente Miranda**, también ha declarado que, la Seguridad del Estado lo introdujo de manera coercitiva en la agencia de Aruba Airlines en Cuba, compró su boleto y lo llevó al aeropuerto, violando todos tipo de controles de seguridad para acceder directamente a la pista e introducirlo en el avión.

Es importante resaltar que el boleto de **Eliécer Góngora Izaguirre** fue comprado 1:28 pm del 20 de febrero de 2019 por lo que si se emitió un ticket. El número del boleto es 2090340112122 y el código de reserva es EPISKK. Además, es importante aclarar que el avión y la tripulación de Aruba Airlines no operaron en esa fecha ya que en ese momento realizábamos dicha ruta bajo un contrato de arrendamiento tipo ACMI con WOW Airlines. Por lo tanto, la referencia hecha acerca de tener una conversación con la tripulación de Aruba Airlines no es posible ya que nuestra tripulación no estaba operando esos vuelos.

Respecto al pasajero **Daniel Llorente Miranda**, al contrario de lo que se ha informado, su boleto fue adquirido a las 3:27 pm del 15 de mayo de 2019 en la oficina comercial que tenemos en La Habana, Cuba sin ningún tipo de coerción. El número del boleto es 2090820003424 y el código de reserva es YWMHFH.

Ambos pasajeros presentan reserva, boleto y tarjeta de embarque, por lo tanto, las alegaciones anteriores no concuerdan con nuestros procedimientos en la aceptación del pasajero para el embarque. Asimismo, ambos se presentaron voluntariamente en el mostrador sin estar acompañados de ningún funcionario o autoridad del gobierno, hicieron su proceso de registro de manera regular como los demás pasajeros y recibieron sus tarjetas de embarque y se verificaron a través del sistema de despacho local de la terminal 2 de El Aeropuerto Internacional José Martí.

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Cabe señalar que nuestro personal de tierra, pilotos o tripulantes de cabina, no recibió ninguna notificación de las autoridades gubernamentales cubanas con respecto a los ciudadanos expatriados, ni ninguna información que indicara que estuvimos en presencia de un pasajero al que se le violaban sus derechos humanos. No hubo irregularidades ni comportamientos que pudieran hacer que el personal de Aruba Airlines sospechara que estos pasajeros estaban sujetos a un procedimiento ilegal, ni ninguna información proporcionada por el pasajero al personal que indicaba la causa de su viaje.

Es por lo anteriormente expuesto, que solicitamos de sus buenos oficios, para que por favor permitan que una persona designada de la Embajada del Reino de los Países Bajos en Cuba, como representante del Reino de los Países Bajos, observe las filmaciones del Aeropuerto Internacional Jose Martí, de los días y las horas en donde ocurrió el proceso de chequeo de los pasajeros mencionados para los vuelos del 21 de febrero de 2019 y 16 de mayo de 2019, en orden de evidenciar frente a las Autoridades de Aruba y de los Países Bajos, que estos pasajeros realizaron su viaje con normalidad y que no hemos sido cómplices ni estamos involucrados en ningún tipo de expatriación forzosa.

Agradecidos de antemano, quedamos de ustedes a la espera de solventar este incidente.

[Redacted signature]
[Redacted name]
Aruba Airlines

ELECTRONIC TICKET *** TEST MODE // RECEIPT NOT VALID ***

PASSENGER ITINERARY RECEIPT
RECIBO DE ITINERARIO DE PASAJEROS

TICKET NBR: 2090240007221
BOLETO NRO:

ARUMIA SOPORTE

5600 NW 36 ST SUITE 106, MIAMI
MIAMI
FLORIDA, UNITED STATES
OFFICE ID: US-14393
TELEPHONE/TELEFONO:
MAIL INFO: WEBHELP@ARUBAAIRLINES.AW

ISSUE DATE/FECHA DE EMISION: 08 JUL 2019
ISSUE AGENT/AGENTE EMISOR: AUA00AGEV
NAME/NOMBRE: TEST/TEST
FOID/D.IDENTIDAD:

ISSUING AIRLINE/LINEA AEREA EMISORA : ARUBAANSE LUCHTVAART MAATSCHAPPIJ
ADDRESS/DIRECCION : CUMANA 69. ORANJESTAD. ARUBA
RUT : 2373397-1-801163 DVO
TICKET NUMBER/NRO DE BOLETO : 209-0240007221

BOOKING REF./CODIGO DE RESERVA: C1/MLQVJZ

FROM/TO DESDE/HACIA	FLIGHT CL VUELO	DATE FECHA	DEP HORA	FARE BASIS BASE TARIFARIA	NVB	NVA	BAG EQP.	ST ESTATUS
HAVANA GEORGETOWN	AG 900 Y	15JUL	0730	YHAVGEO			20K	OK
*** NOT VALID FOR TRAVEL ***								

ENDORSEMENTS/ENDOSOS-RESTRICCIONES : NON END/NON REF/PENALTY APPLY FOR CHANGES
TOUR CODE :
FORM OF PAYMENT/FORMA DE PAGO : CASH
*** TEST MODE // RECEIPT NOT VALID ***

FARE CALC./CALCULO DE TARIFA: HAV AG GEO 0.00NUC0.00END ROE1.000000 (ADT)

AIR FARE/TARIFA : USD	0.00
TAX/IMPUESTOS : USD	
TOTAL : USD	0.00

CONDICIONES DE TICKET:

NO REEMBOLSABLE. NO TRANSFERIBLE. NO ENDOSABLE. PERMITE CAMBIOS AL ITINERARIO
PUEDA ESTAR SUJETO A DIFERENCIA EN LA TARIFA Y UNA PENALIDAD DE 40.00 - 250.00. SALIDA
IMPUESTOS/TASAS DE MIA, AUA, BON ESTAN INCLUIDOS. IMPUESTO DE LLEGADA AUA TAMBIEN INCLUIDO. IMPUESTOS DESALIDA DE CUR NO INCLUIDOS.
VALIDO POR UN AÑO A PARTIR DE SU FECHA DE EMISION. EL REEMBOLSO DE BOLETOS PROCEDERA EN CIRCUNSTANCIAS EXCEPCIONALES A
DISCRECION DE LA LINEA AEREA TAL COMO ENFERMEDAD SERIA QUE HACE IMPOSIBLE VIAJAR
O EN CASO DE MUERTE. ALGUNOS IMPUESTOS Y TARIFAS NO SERAN REEMBOLSABLES POR EL PAIS DE DESTINO.
LAS TARIFAS ESTAN SUJETAS A CAMBIOS SIN PREVIO AVISO, SE APLICAN CONDICIONES Y RESTRICCIONES. ALGUNAS CONDICIONES Y
LAS RESTRICCIONES PUEDEN APLICARSE A LAS TARIFAS ESPECIALES.

CONDICIONES DE TRANSPORTE:

USTED DEBE ESTAR EN EL AEROPUERTO DE 04 HORAS (MIA, AUA) O DE 03 HORAS (CUR, BON, SXM) ANTES DE LA SALIDA DE SU VUELO. COMPRADO
EQUIPAJE: 23 KG Y 62 PULGADAS MAX (01 PIEZAS) LLEVAR EN 8 KG Y 9 X 15.5 X 21.5 MAX. PARA
CUR Y BON, SOLO 01 PIEZA DE EQUIPAJE (23 KG) Y 01 CARRY ON (8KG) PERMITIDO. MAXIMO DE DOS (2)
BOLSAS EXTRA. BOLSAS ADICIONALES SON 50.00 PARA NUESTROS DESTINOS.
LA COMPANIA NO ES RESPONSABLE DE LAS CONEXIONES PERDIDAS CON OTRAS LINEAS AEREAS QUE NO SE REFLEJAN EN ESTE BOLETO.
PASAJEROS QUE NO SON CIUDADANOS DEL PAIS DE DESTINO DEBE TENER UN BOLETO DE VIAJE REDONDO. POR RAZONES DE SEGURIDAD,
LA COMPANIA NO ADMITE MUJERES CON MAS DE 27 SEMANAS DE EMBARAZO.
PARA MAS INFORMACION, VISITE POR FAVOR: HTTP://WWW.ARUBAAIRLINES.COM
EL COMPRADOR DEL BOLETO ES RESPONSABLE DE LOS DATOS PROPORCIONADOS DEL PASAJERO.
LA COMPRA DEL PRESENTE BOLETO SE HA REALIZADO DE MANERA VOLUNTARIA POR EL PASAJERO,
SIN COERCION O COACCION ALGUNA. NOMBRE: FIRMA:

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2- Applicability

2.1 General

Subject to Article 2.2 and 2.3, these Conditions of Carriage apply to all carriage by air purchased by you from us or in any case where we have a legal liability to you in relation to your flight. These conditions also apply to gratuitous and reduced fare carriage except to the extent that we have provided otherwise in relevant contracts or passes.

2.2- Overriding law

These Conditions of Carriage apply unless they are inconsistent with any applicable law, in which event such law shall prevail. If any provision of these Conditions of Carriage is invalid under any applicable law, the other provisions shall nevertheless remain valid.

2.3- Conditions prevail over regulations

Except as provided in these Conditions of Carriage, in the event of inconsistency between these Conditions of Carriage and any of the regulations dealing with particular subjects, these Conditions of Carriage prevail.

3- Tickets

3.1- Ticket Prima Facie Evidence of Contract

- a. We will only carry you if you are the Guest named in The Ticket.
- b. We may ask you to prove that this is the case.
- c. We sell some tickets at discounted fares which may be partly or completely non-refundable. You should choose the fare which best suits your needs and consider taking out insurance to cover tickets where you might have to cancel your ticket.
- d. The purchase of the ticket is made only under the free will of the passenger.

3.2- Changes to your ticket and non-use

- a. Changes to your ticket will only be made in the following circumstances and subject always to the regulations set out in the fare rules available on our website