

[Redacted Section 40]



Our Reference: CT&UKOps_DFC

See Distribution

Date: 16 May 2007

PROCEDURES FOR DIPLOMATIC FLIGHT CLEARANCE OF FOREIGN STATE AIRCRAFT OVERFLYING OR LANDING IN THE UNITED KINGDOM AND ITS OVERSEAS TERRITORIES

1. I am writing to inform you of the procedures required by the United Kingdom (UK) for the authorisation of State aircraft entering UK airspace or landing on UK territory and that of its Crown Dependencies and Overseas Territories (the Diplomatic Flight Clearance (DFC) or DFC procedure). Please note that this letter entirely replaces the instructions issued by the Ministry of Defence (MOD), Foreign Liaison Staff (FLS) on 17 November 2004 and all previous instructions and arrangements. There have been some changes and I would ask you to note the procedures outlined below carefully.
2. These procedures will come into force on 21 May 2007 and will continue in force until a further notice from this branch.

Requirement

3. Under Article 3 of the Convention on International Civil Aviation 1944 (the 'Chicago Convention') 'no State aircraft of a contracting State shall fly over the territory of another State or land thereon without authorisation by special agreement or other wise and in accordance with the terms thereof'. Aircraft defined below wishing to enter UK airspace and that of its Crown Dependencies and Overseas Territories must therefore obtain DFC. The responsibility for granting DFC remains with the MOD Counter-Terrorism and United Kingdom Operations Directorate (CT&UKOps), consulting with other UK Government departments as required.

Requirement for Diplomatic Flight Clearance

4. Article 3 of the Chicago Convention describes State aircraft as aircraft used in military, customs and police services. In the UK, DFC must be sought for:

- a. aircraft registered as military aircraft in their country of origin that enter UK airspace or land anywhere in the UK or its Crown Dependencies and Overseas Territories.
 - b. all civil, police, customs and other State aircraft undertaking international flights landing or taking off from UK military airfields.
5. Civil, police, customs and other State aircraft working in the service of the military (but not registered as military aircraft) do not require such authorisation when using UK commercial airfields.
6. There is no special dispensation given to UK military airfields operated in support of the US Forces. Aircraft landing at these airfields require DFC in accordance with the instructions outlined above.¹
7. States who wish to clarify their definition of military registered aircraft or wish to widen the definition of State aircraft beyond that outlined above, should contact CT&UKOps with a proposal. Proposals should be generic and consistent with the Chicago Convention.

Procedures

8. A flow chart illustrating whether non-UK registered aircraft entering the airspace of the UK and its dependent Territories require DFC is at Annex A. A request form for DFC is at Annex B. The following rules apply:
- a. full details of any Munitions of War² and their intended destination are to be included in any application for DFC. If landing at a civilian airfield, the civilian authorisation process for landing with Forbidden Goods³ must be followed before permission to land will be granted and this may take up to 4 weeks. [Redacted Section 26]
 - b. full details of Forbidden Goods and their intended destination are to be included in any application for DFC.
 - c. details of any VIP⁴ travelling on board are to be provided.

¹ Foreign aircraft wishing to use USAF bases in the UK and its Overseas Territories must also obtain a Permission to Land Number (PLN) from the US DoD Washington.

² Munitions of War are defined as any weapon or ammunition; any article containing explosive, noxious liquid or gas; or any other thing which is designed or made for use in warfare or against persons, including parts, whether components or accessories, for such weapon, ammunition or article. (CAP 393 - UK Air Navigation: The Order and the Regulations Section 1, Part 5, Article 69).

³ Forbidden Goods are those goods that would require specific authorisation by the UK's Secretary of State for Transport if carried on civil aircraft. The definition of such goods is detailed in ICAO Technical Instructions; Document 9284. Commercial aircraft carrying Forbidden Goods landing at UK military airfields require authorization by the Secretary of State for Transport as well as DFC. Military aircraft carrying Forbidden Goods landing at civilian airfields require authorisation by the Secretary of State for Transport as well as DFC. Note that in a change to previous instructions, UK no longer uses the term Dangerous Air Cargo (DAC) within the DFC procedure. This removes the potential for confusion between DFC procedures and separate air safety procedures concerned with the safe handling of Dangerous Goods under Civil Aviation Authority and IATA Regulations. As indicated in paragraph 11, appropriate air safety and other regulations must be followed, whether or not we require declaration of such cargos through the DFC procedure.

⁴ VIPs are considered as Heads of State or other persons a country wishes to be treated as a VIP.

- d. photographic imagery or electronic surveillance equipment is not to be carried without prior permission.
- e. DFC is valid for 72 hours from the original requested time of arrival of the flight. Flight delays within this period are to be notified directly to the airfields concerned by the operating authority or the aircraft captain. Delays outside this period require a new request to be submitted.
- f. all administrative arrangements with airfields are the responsibility of the country making the DFC application. If the airfield does not provide permission to land prior to the flight taking place, the DFC will be automatically revoked.
- g. UK's Crown Dependencies and Overseas Territories which require special arrangements are outlined at Annex D.

9. **Time Required for Notification.** The following notice is required (without such notice requests may be turned down):

- a. for the use of UK airfields - a minimum of one weeks notice;
- b. for overseas airfields (except RAF Akrotiri) - a minimum of 2 weeks notice;
- c. for RAF Akrotiri in Cyprus - a minimum of 3 weeks notice;
- d. In exceptional circumstances of urgent Government or military need, short notice requests may be passed to CT&UKOps, or outside normal working hours (Monday to Thursday 0900 hours-1700 hours, Friday 0900 hours-1500 hours), to **[Redacted Section 40]**. Full details should be submitted in writing, together with the request form (Annex B), including the reason for the short notice in requesting clearance. No guarantee of clearance can be assumed.

10. **Block Clearance for DFC.** The UK has bi-lateral arrangements with some countries, providing dispensation from the requirement for routine DFC. This is designated as Block Clearance. CT&UKOps notifies countries that have been granted Block Clearance status on an approximately annual basis. Embassies and High Commissions with Block Clearance need only apply for DFC, using the form at Annex B (the previous notification form has been withdrawn), when flights include the following:

- a. Munitions of War;
- b. Forbidden Goods;
- c. VIPs, when the aircraft carrying the VIP lands in UK. In a change from previously issued instructions, countries granted Block Clearance do not need to notify us of aircraft carrying VIPs that overfly UK airspace without landing;
- d. Flights that intend to use the UK's overseas military airfields;
- e. Overflight or landing in Cayman Islands or Turks and Caicos Islands.

Legal and Regulatory Requirement

11. All aircraft, crews and passengers, whether provided with DFC or not, overflying or landing in the UK, must abide by UK criminal and civil law, and must follow relevant air safety, cargo, and air traffic regulations. Customs and immigration procedures must also be followed, as advised by HM Revenue and Customs and by the UK Immigration Service. Criminal and other sanctions will be applied to aircraft, crew and passengers who breach UK criminal or civil law and relevant regulations. The granting of DFC does not constitute permission to engage in any conduct which would risk placing the UK in breach of its international obligations and/or would amount to a misuse of civil aviation for any purpose inconsistent with the Chicago Convention in accordance with Article 4.

Confidentiality

12. MOD will regard information on individual flights provided through the DFC procedure as confidential, though we reserve the right to publish generic and statistical information. This may include the number of applications from each country and the number carrying VIPs and Munitions of War. It will not include information on the identities of VIPs on particular flights, or the nature of the munitions being carried. If, under the UK's Freedom of Information Act, we believe there may be legitimate public interest in the release of detailed information on particular flights, we will consult with the relevant Embassy or High Commission prior to release of the information.

Questions

13. We will be happy to provide further clarification of these procedures on request.

[Redacted Section 40]

Annexes:

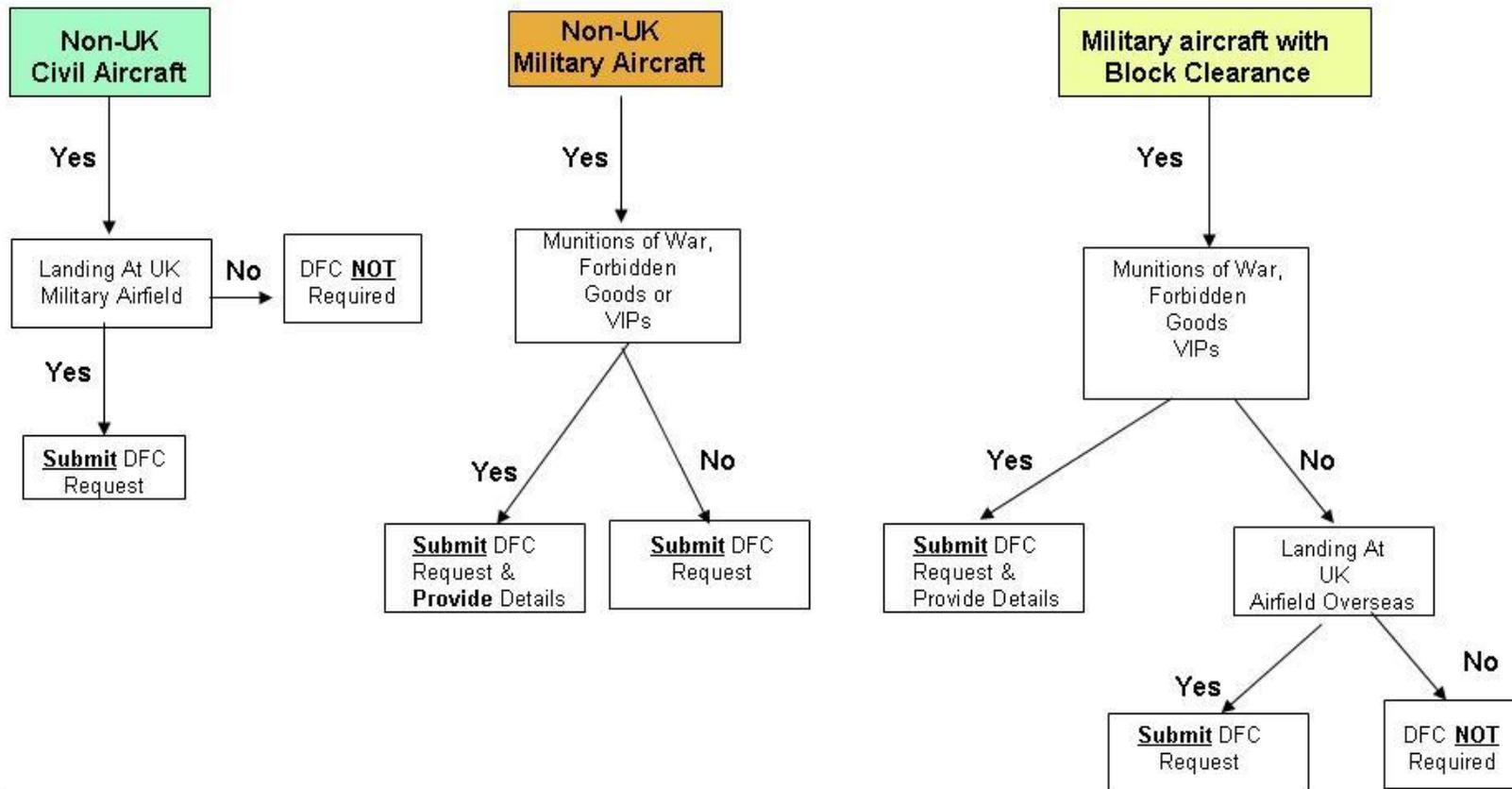
- A. DFC Flowchart.
- B. DFC Request Form.
- C. **[Redacted Section 26]**
- D. UK Crown Dependencies and Overseas Territories which require Special Arrangements.

Distribution:

All Foreign Embassies, High Commissions and Consulates

UK DIPLOMATIC FLIGHT CLEARANCE FLOWCHART

Annex A to
CT&UKOps DFC
Dated 16 May 07



Notes:

1. Embassies must obtain permission to land directly from the airfield.
2. For UK Military airfields overseas and UK Territories allow 2-3 weeks for each request. See Annex D.
3. For USAF Bases in the UK and its Territories permission to land must also be sought from the USA.

REQUEST FOR DIPLOMATIC FLIGHT CLEARANCE AIRCRAFT

**Annex B to
CT&UK
Ops DFC**

Working hours:

[Redacted Section 40]

Outside working hours: Contact [Redacted Section 40] (this number is only to be used outside working hours)

Use mouse, arrow keys or tab keys to move from field to field.

Use mouse left button or space bar to check/uncheck square boxes.

Country: []

Date of application: [dd/mm/yyyy / /] Date of flight: [dd/mm/yyyy / /]

Aircraft Type: [] Radio callsign: []

Captain's name: [] Captain's rank: []

Type of flight: Civil Military VIP: Yes No Reason for Flight/VIP details: []

Dangerous Goods/Munitions of War

Yes No

Insert N/A as required for irrelevant columns.

UN Number	Weight	Quantity	Description

Use continuation sheet if required.

Overflight (including Entry and Exit timings.)

Entry Point [] Exit Point []

(All times Zulu)

Landing

DDHHMMZMMM
YY

Airfield of origin [] DDHHMMZMMM YY ETD: []

Last airfield before UK [] ETA: [] ETD: []

UK airfield requested [] ETA: [] ETD: []

Alternative []

First airfield after UK [] ETA: [] ETD: []

Destination airfield [] ETA: []

Facilities Requested	Yes	No	Details
Customs	<input type="checkbox"/>	<input type="checkbox"/>	[]
Accommodation	<input type="checkbox"/>	<input type="checkbox"/>	[]
Fuel	<input type="checkbox"/>	<input type="checkbox"/>	[]
Transport	<input type="checkbox"/>	<input type="checkbox"/>	[]
Embassy to meet	<input type="checkbox"/>	<input type="checkbox"/>	[]
Guards	<input type="checkbox"/>	<input type="checkbox"/>	[]

*** Flight Clearance is subject to requested airfield issuing a Permission To Land Number (PLN) ***

Originator's name and rank: []

Telephone: [] Fax: []

e-mail: [@]

Any other comments add here: []

[Redacted Section 26]

OVERSEAS TERRITORIES GUIDANCE

ASCENSION Is. Ascension is a UK territory but the airfield is operated by the USAF. It is the responsibility for all Embassies or High Commissions to request authority to land from the US DOD Washington. A DFC may be granted subject to US DOD issuing a Permission to Land Number (PLN).

BERMUDA. Standard UK guidance applies for Bermuda, however, additional time may be required for the administration.

CAYMAN ISLANDS It is the responsibility of all Embassies or High Commissions to request authority to land or overfly the Cayman Is. directly from the Governor's office.

CYPRUS RAF AKROTIRI Restrictions apply for the use of the airbase at Akrotiri. Applications should be made 3 weeks in advance.

DIEGO GARCIA Strict restrictions apply on the use of Diego Garcia and routine applications are unlikely to be granted. Applications should be made 3 weeks in advance.

TURKS AND CAICOS Is. Authorisation to land or overfly must be granted by the Governor's office and therefore applications should be made at least 2 weeks in advance.