

BIOT: Flight Notifications and Immigration Controls

Context

BIOT has no permanent population and Diego Garcia is the only island in with a temporary population, currently about 2,500 (UK and US service personnel, and largely Filipino support staff.) Immigration controls are set out in the 2004 Orders in Council.

Diego Garcia has the territory's only airport. It is managed by the DG 21¹ but customs and immigration are the responsibility of UK military personnel. The Senior Customs and Immigration Officer has a staff of 11, though all have other duties. The volume of immigration work varies but very roughly on average there may be 200 civilians arriving and departing each week and similar numbers of military personnel. There have been surges of military personnel transiting – these have been manageable because immigration processing military visitors is far simpler than civilians.

BIOT is not open to tourists but yachts² may be given a permit for up to one month to moor at some of the Northern islands but not overnight on land. Diego Garcia is closed other than to people making official visits. The only other visitors are crews caught for illegal fishing and brought to Diego Garcia for trial. Vessels in distress are allowed to enter under SOLAS regulations. Similarly commercial aircraft in difficulty might request to land in Diego Garcia.

The UK and US have signed a series of bilateral agreements to regulate the use of the islands. With respect to military operations, the 1976 Exchange of Notes, states:

As regards the use of the facility in normal circumstances, the Commanding Officer and the Officer in Charge of the United Kingdom Service element shall inform each other of intended movements of ships and aircraft. In other circumstances the use of the facility shall be a matter for the joint decision of the two Governments.

Types of flights using DG

There are up to five flights per week to and from Diego Garcia operated by AMC (Air Mobility Command, a Major Command of the US Airforce) – three from Singapore (Paya Lebar base) and two from Bahrain³. The former follow a circular route including stops in Japan. The planes are DC8s and C17: the former take a maximum of 30 passengers, the latter can be configured to take more.

¹ The arrangements are not expected to change significantly when G4S takes over the contract in early 2013.

² The documentation of yachts (permits, passports etc) may be checked by either the Senior Fisheries Protection Officer (SFPO) on board the patrol boat, Pacific Marlin, or by Customs and Immigration staff participating in "Brit Ops". The SFPO is not an immigration officer and would not stamp a passport. The latter could stamp the passport, but would normally not date it as they would be unable to be certain about the exact date of entry into BIOT territory.

³ It is unusual for passengers to transit DG on AMC flights e.g. from Bahrain to Singapore. AMC flights usually overnight in DG to rest the crews, rather than "splash and dash", in which case passengers would disembark and pass through immigration controls.

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Filipino support staff also arrive on chartered planes from Manila roughly every quarter⁴. In addition there are military flights. There are usually two RAF flights per year from Brize Norton via Bahrain. The numbers of US flights vary significantly with operation needs. [Redacted Section 27]

Some military aircraft (and ships) from third countries request diplomatic clearance to make a stop in Diego Garcia to refuel. These have to be cleared by the BIOT Administrator in consultation with MoD and BritRep. In general, third parties who are allowed to stop to refuel, are not allowed to stay overnight, or any longer than necessary, though this is at the BritRep's discretion.

Documentation concerning the notification and recording of flight arriving, transiting or departing Diego Garcia

The Senior Customs & Immigration Officer (SCIO) is informed of all flights on a daily flight schedule which typically looks 5 days in advance. It includes AMC and military flights. The information on AMC flights is forwarded by PACAF (Pacific Air Forces, Hawaii.) The information on the schedule includes origin and next destination of the flight, date and time of arrival and departure, type of aircraft and tail number, and sometimes the call sign. These schedules have been archived (electronically) since April 2012. Additionally a hard copy is produced for each date, and all General Declarations and passenger lists for that day are attached to it. These are checked by the SCIO the following day, and since May 2012 archived.

[Redacted Section 26]

Since June 2012, the SCIO receives copies of the PPR (Pre-positioning request) by e-mail. These are for military flights only and are produced by the Air Ops tower. The PPR contains similar information to the daily flight schedule, plus fuel requirements and details of any hazardous cargos. They are prepared for the airport management rather than for customs and immigration staff. These are archived electronically – and backed up on the Onenet server.

If the tower cannot authorise a PPR e.g. because of nature of the cargo, they pass it on to the US CO, who in turn consults the Brit Rep. The flight will only appear on the summary, once this process has taken place.

Country Clearance Chits are advanced warning of the nationality of visitors being brought to Diego Garcia for project work.

General Declarations are raised by the Captain of the aircraft or vessel, and are presented to the Customs Officer on arrival. Normally they bear the logo of the organisation they work for. Very rarely a flight may arrive without a general declaration, in which case one would be produced by the Customs Officer on BIOT paper. These are held since January 2004.

General Declarations are made by arriving flights only. They include details of owner/operator; marks of registration and nationality; flight number; date; departed from; crew number and sometimes names; sometimes the number of passengers but never names.

⁴ These flights, known as “pack-in, pack-out” are subject to the same controls as AMC flights. However because of the significantly larger number of passenger, the departure controls are started a couple of days in advance.

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Daily occurrence logs are produced by BIOT Customs and Immigration Officers. These are held since 26 October 2002. They are written in manuscript in a large book, rather than electronically. Monthly summaries have also been produced since 2008.

Passenger Manifests for AMC flights are held by AMC on island for three years⁵. BIOT Administration did not receive these unless copies were requested, but since May 2012 copies of incoming and outgoing manifests are now attached with the relevant General Declaration to the daily statistic sheets. AMC flight manifests include names, and where appropriate, ranks of passengers; plus some generic information about the flight's origin and destination, tail number etc which duplicates information on the General Declaration.

Forms 77, which cover fuel and water requirements are also kept by AMC.

The US XO sends the Brit Rep a summary each month of all arrivals and departure. This is record rather than a forecast.

Arrival at Diego Garcia airport

UK Customs and Immigration staff meet every flight. The Duty Customs Officer is paged for all arriving flights (military and civilian), and is aware of all departures. Generally staff have good notice of incoming flights – it takes at least five hours to get to DG.

Passengers disembarking at DG go to an arrivals hall where they are separated between military and civilian passengers. Immigration staff do not go on board planes and passengers who remain airside are not subject to controls.

All arrivals are briefed on BIOT and its laws. Baggage is checked by customs officers with sniffer dogs.

Civilians fill out a green arrival card. While on island, the visitor keeps one half of the card with his passport. The green cards are kept by month and are held since January 2004. Passports are also scanned into a database. (This has been backed up by CD weekly, but following an upgrade this will be done on an external hard drive.) On departure the scans are deleted, making the database effectively a record all civilians on DG at any moment.

Military staff have their ID checked. Their details are not entered on to the passport database but a copy of the passenger manifest is filed with that day's statistics sheet.

Refuelling stop-overs at Diego Garcia airport

AMC rarely transit DG – see footnote 3.

Crew and passenger on military flights stopping to refuel would be allowed to use the airport facilities without being subject to immigration controls, though the officials might ask to see the

⁵ Manifests for most of 2004 and parts of Jan/Feb 2004 were found in August 2012. AMC would normally have destroyed these, but given the current interest in this period, BIOT Administration will keep these.

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passenger manifest. There are no controls on passengers and crew not leaving the aircraft. UK (and US) officials may only board a plane at the request of the captain.

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