



An Roinn Gnóthaí Eachtracha agus Trádála
Baile Átha Cliath 2

Department of Foreign Affairs and Trade
Dublin 2

Ms. Clare Daly T.D.
Dáil Éireann
Leinster House
Kildare Street
Dublin 2

9th August 2016

Our Ref: FOI/Req/16/100

Dear Deputy Daly,

I refer to your request dated 8th July 2016 made under the Freedom of Information Act 2014 for access to records held by the Department of Foreign Affairs and Trade, as follows:

All statistical reports received by the Department in relation to US military aircraft that flew through Irish airspace in each month from January 2015 to June 2016 inclusive, with details of when each report was received.

I refer also to the acknowledgement of your request which was sent to you on 20th July 2016.

This Department received 18 notifications of overflights by US military aircraft through Irish airspace in relation to the time period under consideration. The date of each record and the number of overflights it referred to is detailed in the table below.

Date of each record	Number of Overflights
03/02/2015	47
10/03/2015	48
02/04/2015	40
07/05/2015	63
02/06/2015	36
08/07/2015	37
05/08/2015	29

04/09/2015	13
01/10/2015	25
03/11/2015	11
02/12/2015	71
04/01/2016	85
08/02/2016	81
04/03/2016	53
11/04/2016	99
06/05/2016	168
13/06/2016	145
01/07/2016	167

I have identified 18 records that fall within the scope of your request which are listed in the attached schedule. I have made a decision to refuse access to these records under the following sections of the FOI Act:

Section 33 (1) A head may refuse to grant an FOI request in relation to a record (and in particular but without prejudice to the generality otherwise of this subsection, to a record to which subsection (2) applies) if, in the opinion of the head, access to it could reasonably be expected to affect adversely— (d) the international relations of the State

Section 33 (2) This subsection applies to a record that— (b) contains a communication between a Minister of the Government or his or her Department or Office and a diplomatic mission or consular post in the State or of the State

Section 35 (1) Subject to this section, a head shall refuse to grant an FOI request if—(a) the record concerned contains information given to an FOI body, in confidence and on the understanding that it would be treated by it as confidential

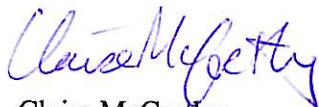
I have carefully considered both the nature and source of these records and I am satisfied that, on balance, the public interest is best served in refusing access to these records.

Right of appeal

If you are unhappy with this decision you may appeal it. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by e-mail to foi@dfat.ie. Your correspondence should include a fee of €30 for processing the appeal. For methods of payment please contact the FOI Unit at foi@dfat.ie or 01-4082857.

You should make your appeal within four weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely,



Claire McCarthy
International Security Policy Section