

## **From deceit to discovery: The strange flight of 4L-AWA**

by Sergio Finardi, Brian Johnson-Thomas, Peter Danssaert

On Saturday 12 December 2009 Thai authorities seized an aircraft at Bangkok's Don Mueang airport. The Ilyushin-76 had stopped on the 11<sup>th</sup> December for refuelling while en-route from Pyongyang to Tehran, and was carrying 35 tonnes of arms and ammunition. While the media rushed to make unproven claims about the plane and alleged former owners of the aircraft, little attention was paid to the web of companies, the flight plan, and final destination.

### **A complex web of holding companies**

According to data obtained by TransArms and the International Peace Information Service (IPIS) the aircraft (registered in Georgia as 4L-AWA) is owned by a company in the United Arab Emirates, operated by another company in Georgia, which then leased it to a company in New Zealand, that chartered the plane to another company in Hong Kong. The Ilyushin's aircraft registration certificate number shows that 4L-AWA is owned by Overseas Cargo FZE based in Sharjah, United Arab Emirates but operated by Air West of Georgia.<sup>1</sup> The aircraft was then wet leased by Air West to SP Trading in 2009<sup>2</sup>. Incorporation documents for SP Trading Limited show that the company is located in New Zealand<sup>3</sup>, and the lease agreement is signed by Lu Zhang on behalf of SP Trading.<sup>4</sup> According to the New Zealand companies' register, Lu Zhang is a director in at least 50 different companies.<sup>5</sup> Further documentation reveals that the aircraft was chartered by Union Top Management Ltd (UTM) to fly "oil industry spare parts" from Pyongyang to Tehran.<sup>6</sup> One of the parties alleges that UTM was represented by individuals from Switzerland and Ukraine.<sup>7</sup> Union Top Management was incorporated in Hong Kong on 2 November 2009 by another company, Easytime Development Ltd, which had as a shareholder a company in the British Virgin Islands<sup>8</sup>. Dario Cabrerros Garmendia, the director of UTM who signed the Charter agreement<sup>9</sup> with SP Trading on 4 December 2009, resides in Barcelona, according to records in the Hong Kong companies registry. The documents show that on 10 November 2009 Mr. Garmendia was allotted 99% of the UTM shares.<sup>10</sup>

### **Flightplan at odds with experienced arms traffickers?**

The flightplan that has been submitted is a bit complex because, as so often happens, it has been changed three times between the initial filing of the plan and the actual flight. Usually such changes occur due to weather considerations although, in this particular case, the availability of aircraft fuel at Pyonyang appears also to have been a determining factor. The sequence of flight hours are consistent with an IL-76T cruise speed with (410 knots) and without (430 knots) 35 tons of cargo, plus take off and landing times, depending on the leg. They also seem consistent with the maximum prudent range of an IL-76T (between 2,500 and 3,000 nautical miles), although 'pushing the envelope' produces another hour's flying time.

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1 Aircraft Registration Certificate Number 299, issued by Georgian Civil Aviation Authority.

2 Lease Agreement Aircraft between Air West and SP Trading (Number 05-11-2009/01).

3 Incorporation documents SP Trading Limited.

4 Lease Agreement Aircraft between Air West and SP Trading (Number 05-11-2009/01).

5 Email Mike Lewis (Amnesty International), 16 December 2009.

6 Charter agreement between SP Trading and Union Top Management Ltd dated 4 December 2009 (Number 38/167-76).

7 Email confidential source, 18/12/2009.

8 Incorporation documents Union Top Management Ltd (UTM) (Companies Registry Hong Kong). Founding member of UTM is Easytime Development Ltd, incorporated in Hong Kong on 29 November 2007. (Incorporation documents Easytime Development Ltd., Companies Registry Hong Kong) Shareholder of Easytime at time of incorporation was Global King Ventures Ltd (BVI). (Incorporation documents Easytime Development Ltd., Companies Registry Hong Kong.)

9 Charter agreement between SP Trading and Union Top Management.

10 Return of Allotments – UTM (Companies Registry Hong Kong).

The flight plan is intriguing considering that the oil industry spare parts on the packing list<sup>11</sup> and airway bill<sup>12</sup> had been allegedly substituted for arms and ammunition. For general cargo the flight plan is a fairly normal one, but for smuggling guns the flight plan is a recipe for disaster. The best option – for an illicit arms transfer - would have been an overflight over China towards the former Soviet republics and then to Tehran, but this was allegedly discarded by the representative of UTM due to commercial reasons.<sup>13</sup> Based on the authors' analysis of the flight plans this could almost seem like a deliberate attempt to let an arms flight out of Pyongyang be impounded, coincidentally in the same country holding Victor Bout, which is subject to competing pressure for extradition from the United States and Russia.

It is further alleged by one of the parties that a direct flight to Tehran from Pyongyang was not deemed a desirable option by the representatives of Union Top Management. Indeed, SP Trading was told that “*the equipment was produced in the USA (and) it should be brought to Ukraine first for handling*”.<sup>14</sup> Given the sensitivities which exist in the international community regarding trade with both Iran and North Korea it is understandable that charterers were keen to obfuscate the actual details of the relevant part of this flight. It is also true that, had the statement made by Union Top Management been true and the drilling equipment had been produced in the USA, then it would certainly have fallen foul of US Treasury regulations regarding trade both with Iran and North Korea. It should be noted that in the final version of the flight plan, the aircraft had to depart and later land at an airport a few miles North of Baku where the operational Air Force Base Nasosnaya is located.

### **The alleged Bout connection**

Considerable media attention has focussed on the alleged history of the aircraft, and various connections are made to past events, therefore implying that past and current events are interrelated. Much attention is being given to the ownership of the aircraft without regard to the identifications of either the lessee or the charterer. Certainly, ill-informed speculation in the international media of a link to alleged arms trafficker Viktor Bout, currently imprisoned in Bangkok pending an appeal hearing by the US and Thai authorities in the battle to extradite him to the USA, appear to be totally without foundation. In the arcane and esoteric world of former Soviet aircraft registration it is only possible to say that it is ‘highly probable’ that this aircraft is the same plane which, up to a decade or so ago, was part of a fleet of aircraft which ‘quite likely’ were under the control of Mr. Bout. But this is rather like saying that possession of one’s vintage Jaguar, which a decade ago was used as the getaway car in a bank job, makes one a bank robber. Evidence may be found in the future to link past and current owners, but the authors have seen no documentation to prove that this is the case.

As previously stated, spurious connections to Victor Bout are being made through the alleged identity of the aircraft. According to documents received from the Georgian Civil Aviation Authority 4L-AWA has the manufacturing number 0003426765 as stated in its Georgian certificate<sup>15</sup> and in the Aero Transport Databank (ATDB)<sup>16</sup>. Soviet Transports says instead that the manufacturing number of 4L-AWA is unknown.<sup>17</sup> What is known about the aircraft? The aircraft that bears the manufacturing number 0003426765, an Il-76M, (the military version which has some 5 metric tonnes of body armour, thus drastically reducing its payload) started with the registration CCCP-86846 (Soviet Air Force), became RA-86846 (Russian Air Force), was converted to a

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11 Packing List 20091201/787.

12 Airway Bill (copy).

13 Email confidential source, 18/12/2009.

14 Email confidential source, 18/12/2009. Handling was performed by a Ukrainian company, Aerotrack Limited (See Airway Bill for further details; the researchers have repeatedly tried to contact Aerotrack but to no avail.)

15 Aircraft Registration Certificate Number 299.

16 ADTB analysis.

17 <http://www.scramble.nl/sovdb.htm>.

civilian Il-76T (presumably by the removal of armour plating) and in 1992-1997 was operated by Veteran Airlines, Russia, (subsidiary of Veteran Airlines, Ukraine), then reportedly exported to Malaysia. In 1998 it resurfaced – if the same - with Air Cess/Air Pass (the latter 90% Air Cess and 10% Air Foyle/Norse Air) in Swaziland (3D-RTA) and in 1999 with Centrafrian Airlines as TL-ACY.<sup>18</sup> As such – according to Soviet Transports – it was seen until March 2003 at Ras Al Khaimah, in the United Arab Emirates.<sup>19</sup> Finally, the passage to GST Aero and registration number UN-76007 seems to have implied a change of the engines, which appear no more in a grey colour but painted blue, as the 4L-AWA.<sup>20</sup> It is alleged that Air Cess and Centrafrian Airlines were connected to Victor Bout.<sup>21</sup> Is it possible, based on this allegation, to conclude that there still is a connection to Victor Bout? Certainly proving this requires substantial evidence and not a past history of ownership.

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18 <http://www.aerotransport.org/>.

19 Peter Hillman et al. "More than half a century of Soviet Transports," THS, 2004 edition and updates.

20 For subsequent passages see ATDB. If one compares photographs of RA-86846, 3D-RTA, and UN-76007 (in order of registration time) there are some differences, it seems that the first and the latter are similar, but the 3D-RTA is different (not counting the colour of the engines).

21 The single piece of (public) evidence, that we are aware of, that links Victor Bout to Air Cess is a business card found by the US Treasury in the home of Richard Chichakli (out of hundredths of seized documents), which states that "Victor A. Butt" was the general manager of Air Cess Liberia.

I.P.I.S. vzw - Transarms

Packing List 20091201/787		
Box Qty	Content	Gross Weight
87	Geothermal Rigs spare parts MTEC 6	2610 kg
1	Percussion drilling rig spare parts – model Buffalo 3000	125 kg
40	Rotary Drilling Rig spare parts – model Watertec 6	20800 kg
13	Mid-range Watertec 40 spare parts	6760 kg
2	Mintec 6 spare parts	90 kg
1	Mintec 12.8 spare parts	43 kg
1	Mintec 6 parts	1250 kg
2	Bespoke Mineral Exploration Machine spare parts	2000 kg

FLIGHT PLAN				
FLIGHT	ADEPT	ADES	N/M	DATE
DOC. 1	PROPOSED (CONTRACT)			
AGW 731	UKKM – GOSTOMEL	UBBB - BAKU ALIEV	1,013	12-7
AGW 731	UBBB - BAKU ALIEV	VCBI - COLOMBO	2,557	12-8
AGW 731	VCBI – COLOMBO	VTBS - BANGKOK	1,291	12-9
AGW 731	VTBS – BANGKOK	ZKPY - PYONGYANG	*2,021	12-10
AGW 732	ZKPY – PYONGYANG	VTBS - BANGKOK	*2,021	12-10
AGW 732	VTBS – BANGKOK	VCBI - COLOMBO	1,291	12-11
AGW 732	VCBI – COLOMBO	OMFJ – AL FUJAIRAH	1,726	12-11
AGW 732	OMFJ – AL FUJAIRAH	UKKM - GOSTOMEL	1,940	12-12
AGW 731	UKKM – GOSTOMEL	OIII – TEHRAN MEHRABAD	1,270	12-12
AGW 732	OIII – TEHRAN MEHRABAD	UBBB - UBBB - BAKU ALIEV	293	12-12
TOTAL			15,423	
DOC. 2				
AGW 731	UKKM – GOSTOMEL – FERRY	UBBI – NASOSNAYA - TECH STOP	1,011	12-7
AGW 731	UBBI – NASOSNAYA	VCBI – COLOMBO – TECH STOP	2,557	12-8
AGW 731	VCBI – COLOMBO	VTBS – BANGKOK – TECH STOP	1,291	12-9
AGW 731	VTBS – BANGKOK	ZKPY – PYONGYANG – <b>ON LOAD</b>	*2,021	12-9
AGW 732	ZKPY – PYONGYANG	VTBS – BANGKOK – TECH STOP	*2,021	12-10
AGW 732	VTBS – BANGKOK	VCBI – COLOMBO – TECH STOP	1,291	12-11
AGW 732	VCBI – COLOMBO	OMFJ – AL FUJAIRAH – TECH STOP	1,726	12-11
AGW 732	OMFJ – AL FUJAIRAH	UKKM – GOSTOMEL – <b>ON LOAD</b>	1,940	12-12
AGW 731	UKKM – GOSTOMEL	OIII – TEHRAN MEHRABAD	1,270	12-12
AGW 732	OIII – TEHRAN MEHRABAD	UBBI – NASOSNAYA - TECH STOP	291	12-12
TOTAL			15,419	
DOC 3	FINAL FLIGHT PLAN			
AGW 731	UBBI – NASOSNAYA	OMFJ – AL FUJAIRAH – TECH STOP	975	12-9
AGW 731	OMFJ – AL FUJAIRAH	VTBS – BANGKOK – TECH STOP	2,594	12-10
AGW 731	VTBS – BANGKOK	ZKPY – PYONGYANG – <b>ON LOAD</b>	2,021	12-10
AGW 732	ZKPY – PYONGYANG	VTBS – BANGKOK – TECH STOP	2,021	12-11
AGW 732	VTBS – BANGKOK	VCBI – COLOMBO – TECH STOP	1,291	12-11
AGW 732	VCBI – COLOMBO	OMFJ – AL FUJAIRAH – TECH STOP	1,726	12-12
AGW 732	OMFJ – AL FUJAIRAH	UKBB – KYIV BORISPOL – <b>ON LOAD</b>	1,916	12-12
AGW 731	UKBB – KYIV BORISPOL	OIII – TEHRAN MEHRABAD – <b>OFF LOAD</b>	1,247	12-13
AGW 732	OIII – TEHRAN MEHRABAD	LYPG – PODGORICA – TECH STOP	1,537	12-13
TOTAL			15,328	