



ABOUT CIVIC IDEA

Civic Initiative for Democratic and Euro-Atlantic Choice - Civic IDEA is a non-governmental organization based in Georgia, covering global issues.

The mandate of the organization serves the realization of Democratic and Euro-Atlantic choice, institutionalizing it and bringing to every citizen.

Democratic and Euro-Atlantic choice means the formation of free and fair state based on equality, where citizens equipped with the rule of law feel safe and secure.

Civic IDEA has been actively monitoring China's growing influence in Georgia. This month, the latter has published the report "Who is in charge of the post-cold war world? Chinese influence operations in Academia, Media & CSOs: The case of Georgia", which evaluates the CCP's influence operations in Academia, Media and CSOs. Civic IDEA case study Georgia, however, the report is written with a comparative perspective of similar practices in other countries. Today, China's activities in Georgia do not pose a direct, visible and immediate threat, but the ignorance of respectable and authoritative organizations, security services of our partner countries, numerous EU studies, recommendations and decisions by the Georgian government is another clear example of the disruption of foreign policy incentives and a vague vision concerning Georgia's long-term success and the development.



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The General Prosecutor's Office of Belarus conducted an investigation at the Orsha Aircraft Repair Plant (OARP), purchased by "Motor Sich" in Belarus, to find 93 missing rocket engines lost at the Ukrainian-Russian border.

The Ukrainian Court arrested the stocks of "JSC Motor Sich", as in 2016 the Security Service of Ukraine (SBU) suspected Vyacheslav Boguslaev (honorary president of "Motor Sich") of illegally selling a controlling stake of the company shares to the Chinese firm "Beijing Skyrizon Aviation Industry Investment Co".

The Algerian branch of "Motor Sich" participated in a fake auction for a \$ 4.3 million worth project in Nigeria , becoming part of a fraud scheme involving two Nigerian businessmen.

An unidentified Antonov AN-12 aircraft, entering Indian airspace through an unauthorized route and declaring itself an "irregular flight" from Tbilisi, actually turned out to be a flying cargo for "Motor Sich".

The Ukrainian SBU launched a new investigation and accused the executives of the "Motor Sich" plant in Donbas of "financing terrorism", manifested in their illegal payments to the Russian-backed military forces in the conflict region.

January 14 - The US Department of Commerce added the Chinese Skyrizon Aviation Industry Investment Co. Ltd (the parent company of "Motor Sich") to the list of sanctioned companies.

January 22 - "Motor Sich" has signed a trilateral memorandum on cooperation with the Georgian State Military Scientific-Technical Center DELTA and Tbilisi Aircraft Manufacturing (TAM), also known as "JSC Tbilaviamsheni".

January 29 - Ukrainian President Zelensky signed a decree imposing sanctions on the Chinese Skyrizon.

INTRODUCTION

Georgia & the Ukrainian "Motor Sich"

Civic IDEA keeps monitoring the controversies surrounding the Chinese companies that operate in Georgia, have tainted international reputation, are suspected or accused of corrupt deals in various countries, but continue to access the local markets and gain a foothold through "collaborating" with local political elites.

In 2020, we already notified you of the following Chinese companies: the CEFC China Energy, Sinohydro, 23rd Bureau Group Co. Ltd., and Tebian Electric Apparatus Stock Co. Ltd. They actively operate in Georgia, are responsible for many large-scale projects, and, at the same time, have a damaged international reputation. Civic IDEA's Monitoring Reports (China Watch Reports) can be found both in Georgian and English languages on our website www.civicidea.ge, also on our Facebook page https://www.facebook.com/GeorgianCivicIDEA. In 2021, Civic IDEA will maintain informing you about many other similar companies.

This time, our attention was drawn to the Ukraine-based military-industrial company "Motor Sich".

On January 23, 2021, based on the information spread by the Ministry of Defense of Georgia, it became known that through the active involvement of the State Defense Ministry, the above-mentioned Ukrainian company signed a trilateral memorandum with the Georgian State Military Scientific-Technical Center DELTA and Tbilisi Aircraft Manufacturing (TAM), also known as "JSC Tbilaviamsheni".



In the official statement, we read that the cooperation and, consequently, the memorandum "aims to develop the military industry and modernize aircraft belonging to the defense forces." The same disclosure announces that "the company is already repairing helicopter engines and gears owned by the defense forces." However, previously, nothing was publicly known about the existing cooperation between the "JSC Tbilaviamsheni" and the Ukrainian company, disguised to strengthen Georgia's defense capabilities.

Information about the current contractual relations was later confirmed by the Ministry of Defense in a <u>statement</u> issued on January 31, 2021: ""The contract between the company "Motor Sich" and JSC "Tbilaviamsheni", concerning the engines and the reduction gears of the Mi-24 helicopter gunships, has already been signed. The cooperation envisages mo-

^{1.} See the information on the website of the Ministry of Defense, "a trilateral memorandum was signed between Delta, Tbilaviamsheni and the Ukrainian military -industrial company Motor Sich" at - https://mod.gov.ge/ge/news/read/8056/ssst c-deltas-ss-tbilaviamshensa-da-ukrainul-samxedro-samrewvelo-kompania-motor-sich-s-shoris-sammxrivi-memorandumi-gaformda , As well as on the pages of various news agencies and media outlets. for example, https://www.interpressne ws.ge/ka/article/638596-deltas-tbilaviamshensa-da-ukrainul-samxedro-samrecv elo-kompania-motor-sich-s-shoris-sammxrivi-memorandumi-gapormda/ Informati on was also spread by the Ukrainian media https://tv5.zp.ua/news/motor-sich-modernizuvatime-gruzinski-vertoloti/ ; https://defence-ua.com/news/motor_sich_dop omozhe_gruziji_modernizuvati_gelikopteri_mi_8-2677.html

dernization and repair of the engines of the Mi--24 combat helicopters."²

It is noteworthy to find out exactly when a cooperation agreement was signed between JSC "Tbilaviamsheni" and "Motor Sich", as, since 2017, the company has been under constant investigation by the security services and represents an object of attention of our strategic partner, the United States.

Unfortunately, such information is not publicly sought, suggesting that the Georgian side was well aware of its relationship with a controversial company with a damaged reputation and under investigation in various countries. Consequently, the state authorities did not disclose information about the cooperation.

In June 2020, while presenting the Minister's report to the Parliament, Irakli Gharibashvili, then Minister of Defense of Georgia, mentioned aviation development, among other issues. During the speech, he focused on the joint events planned with the Georgian State Military Scientific-Technical Center DELTA and Tbilisi Aircraft Manufacturing (TAM) "Tbilaviamsheni".

"As a result of the joint cooperation of JSC "Tbilaviamsheni" and "DELTA", the preparatory works for the restoration-rehabilitation-modernization of the existing aircraft are underway. In particular, we will start the rehabilitation and upgrade process of Su-25 and Mi-24 military helicopters in Delta hangars very soon."— commented Irakli Gharibashvili.

The Ministry also referred to the Mi-24 rehabilitation agreement in its statement of January 31, 2021, as an ongoing contractual obligation between "Motor Sich" and JSC "Tbilaviamsheni". We can assume that in June 2020, this collaboration was already established. Moreover, we should not forget that in 2019, the world media outlets already aired the warning to avoid the danger of being caught in China's "debt trap" policy, brought to Kyiv by the US President's National Security Adviser John Bolton. Bolton's messages referred to "Motor Sich" and its new Chinese owners. In 2020, the media reported the ongoing investigation concerning the "potential financing of terrorism" by the company "Motor Sich". The statements of the world media outlets and the testimonies of various countries, are overwhelmed with the claims, accusations, and suspicions against the company mentioned above.

Special mention should be made that the ambiguities and problems surrounding "Motor Sich" became known as early as in 2014, when, despite the Russian occupation of Crimea and the ongoing military confrontation in eastern Ukraine, "Motor Sich" together with other Ukrainian companies, continued to cooperate with the Russian Armed Forces providing them with military needs. This fact was reported by the Washington Post in 2014. Over the years, many think tanks and defense and security experts have written about the Russian connections of the Ukrainian company. For example, according to the information acquired by the Jamestown Foundation, "Motor Sich" has funded the fighters of the self-proclaimed "Donetsk

^{2.} Check the statement of the Ministry of Defense on the official Facebook page https://www.facebook.com/mod.gov.ge/photos/a.116763301689754/4080052028 694175/

^{3.} See, for instance, a study published by the Wilson Center in 2020 https://www.wilsoncenter.org/blog-post/motor-sich-and-americas-pressure-camp aign-ukraine-can-it-keep-chinese-bay

People's Republic" for two years. Particularly in 2015, such funding amounted to about 32 million Rubles (650 thousand USD). At the same time, the assistance included the provision of various material and technical needs.⁴

A study concerning the trade ties between the director of "Motor Sich" and the Russian Federation published in Ukraine in September 2020 is of particular interest. The latter is based entirely on classified documents.

"Echoes of rocket scams: how "Motor Sich" got involved in an international scandal" ⁶ - 2018

Ukrainian State "Authorities probe "Motor Sich"'s alleged 'financing of terrorism" ⁷ - 2021

U.S. Department of Commerce has included Chinese Skyrizon Aviation Industry Investment Co. Ltd in the list of sanctioned companies.⁸ -2021

"Ukraine president approves sanctions against China's Skyrizon" ⁹



Unfortunately, as it usually happens, the Georgian government either ignored all these circumstances, or worse, was fully informed about the activities of a particular company and, despite the high-security threats, still decided to cooperate with it.

A very brief overview of publicly available information, regarding the growing interest in "Motor Sich" and its activities in 2017-2021. This data is collected through a very simple and easy survey of publicly available internet search resources.

"SBU initiates criminal proceedings over the sale of Ukraine's "Motor Sich" to Chinese investors". 5 - 2017

- 4. See the full information on the website of the Ukrainian branch of Radio Liberty https://www.radiosvoboda.org/a/news-motor-sich-finansuvannya-dnr/30064 956.html?mc_cid=af45316925&mc_eid=4b516b0c01
- 5. SBU initiates criminal proceedings over the sale of Ukraine's Motor Sich to Chinese investors, Tuesday, September 12, 2017 at https://www.uawire.org/sbu-files-case-on-account-of-motor-sich-being-sold-to-chinese-investors
- 6. Эхо ракетных афер: как «Мотор Сич» оказалась втянутой в международный скандал, И почему это именно сейчас ну очень не вовремя Цей матеріал також доступний українською, КИРИЛЛ РАЗУМОВСКИЙ, 12 ИЮНЯ 2018 at https://mind.ua/ru/publications/20185629-eho-raketnyh-afer-kak-motorsich-okazalas-vtyanutoj-v-mezhdunarodnyj-skandal
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- 9. Ukraine president approves sanctions against China's Skyrizon, By Natalia Zinets, at https://www.reuters.com/article/ukraine-china-sanctions-idUSL1N2K411U

What are the accusations of the Ukrainian investigation against "Motor Sich"?

In a statement issued by the Ministry of Defense of Georgia on January 22, 2021, we read that "Motor Sich" is one of the leading companies in the world, which has been producing aircraft and helicopter engines for more than 100 years. The engines produced by the company are used on various types of aircraft in more than 100 countries." The data provided by the Georgian MoD may be valid. Hence, we do not plan to argue on this issue, especially since the information above gives absolutely no holdfast in 2021 regarding their recent cooperation or even the joint agreement. Therefore, the knowledge of how intensively Soviet Ukraine spread its products to the other countries under the USSR influence is meaningless in this respect.

Unfortunately, the Ministry of Defense did not inform the public that the company with which they decided to work to enhance our country's defense capabilities was sanctioned by the U.S. Department of Commerce. After us, unveiling these facts together with the TV Channel "Formula", two days before the MoD announcement (January 31) aiming to protect the reputation of "Motor Sich" (January 29), Chinese Skyrizon (the parent company of "Motor Sich") became subject to sanctions by a special act of the President of Ukraine.10 The sanctions imposed by the President of Ukraine block the ownership of "Motor Sich" by the Chinese Skyrizon and make it impossible for the latter to carry out trading operations and move its capital outside of Ukraine.

By January 2021, under the sanctions, we face reality when the main shareholder of "Motor Sich" is another company, Beijing Skyrizon Aviation Industry Investment Co. Ltd., the firm affiliated with various Chinese military agencies. However, the latter has no access to such property rights due to the ongoing investigation, the freezing of its stakes by the Ukrainian court, and the President's sanctions. Various operations and current business relations involving "Motor Sich" may become the subject of lengthy and costly litigation in the future, once the Chinese Skyrizon regains control over it.

In 2019, the Ukrainian SBU launched a new investigation and accused the executives of the "Motor Sich" plant in Donbas of "financing terrorism", manifested in their illegal payments to the Russian-backed military forces in the conflict region.

According to a statement issued by them in July, the Donetsk branch of "Motor" Sich provided financial assistance to the Moscow-backed militants of the self-proclaimed "Donetsk People's Republic". In September of the same year, the Ukrainian security service launched a new investigation into the alleged subversive activities of



^{10.} For more information on President Zelensky's sanctions against "Motor Sich", please see https://www.reuters.com/article/ukraine-china-sanctions-idUSL1N2K411U

"Motor Sich". This probe concerns the secret connections of this firm with the Russian Federation.

A Short timeline of the developments in Ukraine

2016 - Transfer of a controlling stake of "Motor Sich" to a Chinese company by Vyacheslav Boguslaev

2017 - Initiation of a criminal case by the Ukrainian Security Service and freezing the shares of "Motor Sich"

2019 - Agreement reached between the Ukrainian State Military Industrial Corporation and the Chinese Skyrizon

2020 - A threat notice sent to the Ukrainian state institutions by the Chinese Skyrizon

2021 - Sanctioning of the Chinese Skyrizon by the President of Ukraine

- According to the Ukrainian intelligence service, "Motor Sich" handed over military equipment and dual-use equipment to Russia, which is considered an <u>illegal act</u> in Ukraine since 2014 and contradicts the national interests of Ukraine. Nevertheless, suspicion still exists that "Motor Sich" continues to covertly provide the separatists with the necessary equipment and financial resources.
- Since 2016, the close ties with the Russian Federation were not sufficient for the owner, honorary president, and shareholder of "Motor Sich", Vyacheslav Boguslaev. He started cooperating with China, thus, doubly damaging

Ukraine's national security. The same year, The Security Service of Ukraine blamed Vyacheslav Boguslaev) for illegally handing 56% (controlling stake) of the "Motor Sich" shares to Beijing Skyrizon Aviation Industry Investment Co. Ltd.



- In 2017, Ukrainian SBU officially launched a new criminal case concerning the sale of Ukraine's "Motor Sich" to a foreign investor, sabotage, and other illicit proceedings. As a result, the Kyiv District Court issued an order to block the deal between Boguslaev and the Chinese investors. The order also froze 41 percent of "Motor Sich"'s stakes possessed by five offshore companies. The case reveals that Beijing Skyrizon Aviation tried to use its subsidiary firms registered in the British Virgin Islands and Panama to purchase a majority stake in "Motor Sich". Since then, "Motor Sich" has been under the surveillance of the Ukrainian special services.

In 2019, Chinese investors Skyrizon Aircraft Holding and Xinwei Technology Group resumed the fight for "Motor Sich" in Ukraine and reached an agreement with one of the local factories. According to reports, Chinese companies also tried to pursue a "debt trap" policy in Ukraine, offering a loan of \$100 million to the Ukrainian aviation industry to neutralize the existing tense situation. Military-industrial corporation Ukroboronprom, hol-

ding 25 percent of "Motor Sich" shares, has reached an agreement with Chinese firms for joint control of the company, 41 percent of the shares still stayed arrested by the court.

- In 2020, the Chinese company Skyrizon Aircraft Holdings itself has sent <u>a notice</u> to the Ukrainian Ministry of Justice and threatened them by filing the international arbitration case against Ukraine, as its Security Service <u>blocks</u> the shares from the day of its acquisition and prevents the Chinese company from managing "Motor Sich", at the end resulting in a total loss of \$ 3.5 billion.
- On January 29, 2021, Ukrainian President Zelensky signed a decree imposing sanctions on the Chinese Skyrizon. According to Reuters, ""Ukraines sanctions block Skyrizons assets, restrict their trading operations and prevent it from moving capital outside of Ukraine for three years."

Following Zelensky's sanctions, the Ukrainian SBU conducted the searches in Zaporizhzhia, interfering with the board meeting of "Motor Sich" shareholders. As stated in their report, they accuse the Skyrizon and other owners of 'illegal provision for the destruction of the joint-stock companys production capacities, which carry national economic and defense importance for the country.



The front of a plane is mounted on the administrative center of the Motor Sich engine factory in Zaporizhia, Ukraine. The factory employs tens of

US involvement in the "Motor Sich" scandals

The US policy towards Chinese companies represents an important factor, especially in the defense and security sectors. In the case of Ukraine, this factor is even more striking, as Washington is Kyiv's largest military donor, creating a significant conflict under the Trump administration in Ukraine's efforts to increase its cooperation with Chinese companies and attract new commercial contracts from Beijing.

The occurrence that access to "Motor Sich" technology could open up new opportunities for China is a matter of concern for the United States because one of the main goals of Beijing's mass production of jet fighters or any other military equipment will be to seize US air and army advantage. According to researchers at the Wilson Center, the decision made by the Antimonopoly Committee of the Ukrainian court to freeze the controlling stake of "Motor Sich" bought by China Skyrizon, was greatly influenced by US pressure. Moreover, according to Reuters, as early as 2019, the Trump administration attempted to gain control over the Ukrainian "Motor Sich". However, given that the US government can not directly influence American private enterprises and force them to invest in

Ukraine, these negotiations also ended in vain. Nevertheless, the United States continues to support Ukraine in strengthening its state institutions, establishing democratic and transparent governance, attracting Western investors, improving the investment climate, and thus, expanding its capacity to restore trust and the rule of law.

The statements made by the Trump adviser Mr. John Bolton in 2019, which unequivocally and directly opposed the interests of the Chinese military industry in Ukraine, were a clear confirmation of the US-China confrontation. "We laid out our concerns about ... unfair Chinese trade practices, threats to national security we've seen in the United States..." - This is a statement from his 2019 visit to Ukraine, where he warned the local officials about the dangerous consequences of the cooperation with China.



The Trump advisor raised concerns that the presence of the Chinese military companies in Ukraine poses a threat to its military technology and state secrets. Mr. Bolton did not specifically emphasize "Motor Sich" during his visit but expressed his concerns about China's "debt trap" policy and made it clear that he does not want to see Ukraine among the Chinese debtor states. The visit of the Presidential Adviser had a specific impact on the Ukrainian authorities because, as mentioned above, we later saw the sanctions imposed by Ukraine on the Chinese investors.

Ukrainian sanctions have been fueled by similar US practices. On January 14, 2021, the Chinese Skyrizon Aviation Industry Investment Co. Ltd (the parent company of "Motor Sich") was added to the list of companies <u>sanctioned</u> by the US Department of Commerce.¹¹

The license requirement for this entity that will be listed on the MEU List applies to the export, reexport, or transfer (in-country) of any item subject to the EAR listed in supplement no. 2 to part 744. For this one entity added to the MEU List by this rule, BIS imposes a license review policy of a presumption of denial as set forth in § 744.21(e).

No license exceptions are available for exports, reexports, or transfers (incountry) to listed entities on the MEU List for items specified in supplement no. 2 to part 744, except license exceptions for items authorized under the provisions of License Exception GOV set forth in \S 740.11(b)(2)(i) and (ii) of the EAR.

The acronym "a.k.a." (also known as) is used in entries on the MEU List to identify aliases, thereby assisting exporters, reexporters, and transferors in identifying entities on the MEU List.

For the reasons described above, this final rule adds the following one entity to the MEU List:

China

Beijing Skyrizon Aviation Industry Investment Co., Ltd.

Washington restricted the Chinese firm from gaining access to the US exports. According to US Commerce Secretary Wilbur Ross, the latter is trying to "acquire and indigenize foreign military technologies." Foreign military technologies comprise the Ukrainian military equipment and machinery.

^{11.} Check the full documentation about the sanctioning of the Chinese Skyrizon Aviation Industry Investment Co. at the following links: https://www.federalregiste r.gov/documents/2021/01/15/2021-00995/addition-of-entity-to-the-entity-list-and-addition-of-entity-to-the-military-end-user-meu-list-and, Also at the official website of the US Department of Commerce https://www.commerce.gov/news/press-rele ases/2020/12/commerce-department-will-publish-first-military-end-user-list-naming

International scandals related to "Motor Sich"

Ukraine is not the only country that, in case of interest in the proposed Ukrainian company, the state authorities will meet in the online space while conducting proper and professional due diligence for verifying its readiness for further cooperation. Below are some of the highlights of the scandals involving "Motor Sich" and its De Jure owner, Chinese Skyrizon.

Belarus

"Motor Sich" is featured in the scandals related to the Orsha Aircraft Repair Plant (OARP) in Belarus. In 2011-2013 the Ukrainian company acquired more than 39% of the shares of the OARP, where later in 2016, the General Prosecutor's Office of Belarus conducted an investigation to find the <u>93 rocket engines</u> lost at the Ukrainian-Russian border. ¹²

Nigeria

"Motor Sich" has been involved in several other scandals occurring in Nigeria and India. According to the Organized Crime and Corruption Reporting Project (OCCRP), the two Nigerian businessmen, Aboubacar Hima and Aboubacar Charfo, without any experience in defense and security sectors, have announced a fake auction for a \$ 4.3 million worth project regarding the construction of a special hangar for Nigerien President Mahamadou Issoufou's official plane. They rigged bids by using the firms under their control, to generate the illusion of competition. One of the companies that participated in the fake auction was the Algerian branch of "Motor Sich". The businessmen kept close ties with the Nigerian government and that is why the Nigerian ruling party never initiated the investigation of this case. The company itself denied participation in this auction.

India

After banning the Chinese applications, India has launched an investigation against the clandestine activities of various Chinese companies that operate in their security sector. This investigation has likewise covered the Ukrainian and, in fact, the Chinese-owned company "Motor Sich". Surprisingly for us, Georgia is also involved in the suspicious machinations of this company in India. In May 2019, an unidentified Antonov AN-12 aircraft entered Indian airspace through an unauthorized route. Earlier that year, India restricted this air route due to the February Indo-Pakistani confrontation. The Indian Air Force tried to contact the plane, but the latter did not respond. Therefore, the Indian side had to launch fully armed Sukhoi fighters to seize the unknown plane.



Shortly afterwards, the plane declared itself a "non-scheduled flight" that started from Tbilisi, Georgia, and headed to New Delhi via Karachi. The Defense Ministry of India has never given a clear explanation of this incident. Nevertheless, the Times of India revealed that the so-called "Georgian plane" in reality was flying cargo for "Motor Sich".

There are several other controversies regarding the Ukrainian Chinese-governed "Motor Sich" company that the Georgian Ministry of Defense is not aware of or prefers to intentionally ignore while hosting their corrupted shareholders and signing the cooperation memorandum with them. The sad reality shows us that within the framework of the memorandum, the scandalous company will take an active part in the production of Georgian military aircraft in the future.

^{12.} Follow the link and continue reading about the "Motor Sich" scandals in Belarus https://airsoft-unity.ru/instructions/teper-oficialno-orshanskii-aviaremontnyi-zavod-vnov-stal-gosudarstvennym-rossiisko-belorusskoe-i.html

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