

## Annex 21

## Response and signed affidavit from Israel Ziv

Affidavit

I, the undersigned, Israel Ziv, bearer of I.D. no. 054905377, after been cautioned to state the truth and that failing to do so I will be liable for the penalties prescribed by law, do hereby state in writing as follows:

1. I make this affidavit in the context of my request to be questioned by the Defense Export Controls Agency at the Ministry of Defense ("DECA") on my behalf and on behalf of Global NTM Ltd., Global Law Enforcement and Security Ltd. and Global IZ Group Ltd, all companies owned by me.
2. All of the factual claims made in this affidavit are known to me personally.
3. On December 14, 2018, the OFAC authority of the U.S. Department of the Treasury released an action regarding the addition of myself and companies owned by me to the SDN list, and the imposition of the sanctions entailed thereby (the "Release" and the "Sanctions" respectively).
4. Already at the outset I shall emphasize that prior to the Release, I was neither investigated nor questioned by any authority or function, either in the U.S.A. or in any other country. The Release came to me out of the blue, and from that date forth I have been forced to deal with the serious implications of the said Release, in order to protect my reputation and business.
5. Immediately upon learning of the Release, I asked, **of my own initiative**, that DECA, as the agency in charge of defense control out of Israel, investigate the matter, in order to clear my name.
6. In this affidavit, I shall address the accusations made against me in the Release, and shall argue that there is not a shred of truth to the Release.
7. In addition, I shall be happy to fully cooperate with any action requested by DECA.
8. **The claims against me (that are denied), as stated in the Release**  
 In the Release, several actions which I allegedly carried out in South Sudan are attributed to me and to companies under my ownership. Following are the actions ascribed in the Release:
  - a. **The supply of weapons and ammunition to both the Government of South Sudan and the opposition.**
  - b. **The use of an agricultural company in South Sudan as a cover to conceal weapons deals in the astronomical sum of approximately \$150 million.**
  - c. **The planning and organization of attacks by mercenaries on South Sudanese oil fields and infrastructure, in an effort to create a conflict that only I could solve.**
  - d. **Bribery of Government of South Sudan officials.**
9. I shall now address the claims made against me in the Release, one by one.

a. **Contrary to the Release – I never supplied weapons or ammunition in South Sudan – neither to the Government nor to the Opposition and never brokered or facilitated any such transactions**

- (1) I hereby declare that I have never supplied weapons or ammunition in South Sudan, either to the Government or to the opposition, or to any other party, either directly or indirectly, either personally or through the companies which I own.
- (2) I hereby declare also that neither me nor the companies owned by me have brokered or facilitated any such transactions.
- (3) In this context I note that I have approached the Minister of Defense of South Sudan who confirmed, in a letter signed by him, that according to an investigation carried out by his office, no basis has been found for the said accusations against me.  
  
\*\*\* The letter of the Minister of Defense is attached hereto as **Annex A**.
- (4) It is worth mentioning, that the Release mentions a transaction of US\$ 150 million!!! This amount cannot be hidden. Obviously, it is not possible to carry out such a transaction without alerting the global banking system or any authority.

b. **Contrary to the Release – my activity and that of the companies owned by me in South Sudan in the agricultural sector is genuine and extensive activity in agriculture only, and is not a “cover” for concealing arms dealing**

- (1) In recent years, I have engaged in civil projects in a range of areas, in which context I have been involved in extensive agricultural projects in South Sudan, **that provide food security to dozens of thousands of residents** in this wretched and conflicted country, in the project known as Green Horizon (the “Project”). The Project is genuine and is not a cover for other activity.
- (2) The Project is carried out by me and by companies under my ownership, according to agreements signed between us and the Government of South Sudan.
- (3) The Project is carried out nationwide in South Sudan, over 8 regions (States).
- (4) The size of the Project’s farming areas amounts to dozens of thousands of acres, and is a complete system of sorts for the agricultural sector in South Sudan, from the level of the seed to the sale to end customers.
- (5) During the course of its activity, the Project has become a large food producer in South Sudan, and it supplies food to dozens of thousands of the country’s residents.

- (6) The Project operates, *inter alia*, 4 agricultural farms for the growing of corn and rice, vegetables and fruits.
- (7) In addition to the agricultural farms, the Project holds activity in the Gum Arabic sector, and maintains cooperation with hundreds of small farmers in a few centers around the country.
- (8) For the first time in the history of the said country, use is made in the agricultural sector, as part of the Project, of the most innovative technologies in the industry, including irrigation systems, agricultural crops in buildings, the implementation of special strains that increase soil productivity, etc.
- (9) Amongst other things, the advanced technologies I implement enable the supply of food to the country's residents also during the dry season, which is not at all to be taken for granted in this country.
- (10) Alongside payments to Israeli experts who travel from Israel for the Project, the Project provides a livelihood to thousands of local residents. The Project provides local workers with various training. *Inter alia*, practical agronomic know-how and experience is relayed in the Project by the top agricultural experts from Israel, as well as teaching and training in the operation of tractors and heavy equipment, agronomic training for locals, etc.
- (11) The Project supports, *inter alia*, entire communities in the country, which suffer hunger in arid years and are forced to migrate and appeal to aid organizations to supply their most basic needs.  
  
 \*\*\* A letter from the Minister of Agriculture of South Sudan, addressed to the Ambassador of Israel in South Sudan, in support of the aforesaid, is attached hereto as Annex B.
- (12) In his letter, the Minister of Agriculture points out the importance of the Project to the economy and people of South Sudan, and the severe consequences of termination of the Project.  
  
 \*\*\* A letter from our attorney in South Sudan, describing the business, legal and social aspects of the Project is attached hereto as Annex C.
- (13) All the proceeds from the Project were transferred to bank accounts in Israel and were duly reported to Israeli tax authorities.

**c. Contrary to the Release, I never planned attacks on oil fields or infrastructure sites, either by mercenaries or otherwise**

- (1) The Release ascribes to me and to companies under my ownership the planning of "attacks on South Sudanese oil fields and infrastructure", supposedly in an effort to create a situation that only we could solve.
- (2) I have never initiated and/or planned and/or been in any way involved in the planning and/or execution of any attack in South Sudan, and specifically any attack on oil fields or infrastructure in the country.

d. **Contrary to the Release, I never bribed any Government of South Sudan official**

- (1) In the Release, I and companies under my ownership are ascribed serious offenses of bribery, and it is claimed that I bribed Government of South Sudan officials.
- (2) **There is not a shred of truth to this claims, and I was not involved in any offense of bribery.**
- (3) It is for good reason that the U.S. Department of the Treasury does not state details about government officials who had supposedly been bribed by me, and had there been any, clearly their name too would have been listed in the Release and Sanctions would have been imposed on them too.

10. **I have no acquaintance or relationship with the other persons named in the Release**

- 10.1. The Release names two other persons – Mr. Gregory Vasili (“**Mr. Vasili**”) and Mr. Obac William Olawo (“**Mr. Olawo**”).
- 10.2. I have no relationship or connection with Mr. Vasili or Mr. Olawo, and I do not know why I am mentioned alongside them.

11. **Conclusion**

- 11.1. As specified in this affidavit, I declare that I do not have and never have had any connection to arms dealing and the other accusations made against me by the U.S. Department of the Treasury.
- 11.2. Anything set forth above about myself applies also to the companies owned by me.
- 11.3. Unfortunately, I find myself in a Kafkaesque situation in which I cannot respond to concrete and specific claims or evidence, which were never presented to me, and against which I have never been afforded the opportunity to defend myself.
- 11.4. The danger that the Project may be canceled, led the President of South Sudan, Mr. Salva Kiir Mayardit, to write the Prime Minister of Israel, Mr. Benjamin Netanyahu, and ask for his help to sustain the Project.

\*\*\* A copy of the President's letter is attached hereto as **Annex D**.

- 11.5. I therefore repeat my request that a comprehensive and thorough investigation be carried out by DECA, in which I am certain that it will soon transpire to you that there is not a shred of truth to the general claims vaguely asserted by the U.S. Ministry of the Treasury.

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This is my name, this is my signature and the content of my affidavit is the truth.

Israel Ziv

Certification

I hereby certify that on 10.3.19 appeared before me, Adv. Moshe Kahn, Mr. Israel Ziv who is known to me personally, and after I cautioned him to state the truth, and that if he fails to do so he would be liable for the penalties prescribed by law, he confirmed the veracity of his statement and signed it at my presence.

Moshe Kahn, Adv.

משה כהן, עו"ד  
MOSE KAHN, ADV.