





A. On 1 October 2021, the 5th of June of the Joint "A" and "S" Unit) "for (the # of A66), a # of # (e 660' ! e" # of # 60s# f)" a", ) "g \*e( 60s)# o" f(o ! # Bas(a #o # E(-) & u# ' s#a#) o".<sup>4</sup>

10. On 20 November -e( 2021) # of # 5th of June of the Joint "A" and "S" Unit) "for (the # of C\*) ef 5 u ! a" Resou(, es Off), e( ; C5 RO<= of # 60s# ! o2e ! e" # f(o ! # Bas(a #o # E(-) & u# ' s#a#) o" )" # "e@# -u ge# a" of # "o" l(e" e / a& of # A66), a" # Es +TA effe, #) 2e 1 Ja"ua( ' 2022.<sup>B</sup>

11. On 22 November -e( 2021) # of # C\*) ef of >) ss) o" Su660( # ; C> S<= "o#) f) e # of A66), a" # of # "o" l(e" e / a& of \*e( +TA /) #\* UNA > I -e' o" \$1 De, e ! -e( 2021 as # 60s# s\* / as e", u ! -e() "g / as a66(o2e - ' #\*e U") #e Na#) o"s 4e" e(a& Asse ! -& ' ; 4e" e(a& Asse ! -& ' <= fo( (e 660' ! e" # f(o ! Bas(a #o E(-) & )" #\*e 2021 -u ge#.<sup>%</sup>

12. F) #\* CODID11A ! easu(es a" -u ge#a( ' , o"s#(a)" #s (esu&#)" g )" a (e, (u) # ! e" # f(ee8e fo( (egu&a( -u ge# 2a, a", ) es) UNA > I ) "o# ) ! ! e)a#e& ' ) ! 6&e ! e" # #\*e e, ) s) o" #o (e 660' #\*e 60s# f)" a", ) "g #\*e A66), a" # Es 60s#) o".<sup>7</sup>

13. On 1 January 2022) # of # A66), a" # se6a(a#e f(o ! UNA > I.<sup>C</sup>

14. The C> S "o#) f) e # of A66), a" # #\*a# \*e( se6a(a#) o" e" #) #&e ! e" #s / ou& -e su-Ge, # #o a66), a-&e (u&es fo( &o, a& s#a#f a" #\*a# #\*e A66), a" # / ou& -e )" fo( ! e ; #\*(oug\*ou# #\*e , ou(se .<<sup>A</sup>

1B. On 27 +e-(ua( ' 2022) # of # A66), a" # s#a(#e #o / o(0 fo( >e(, ' Co(6s.<sup>10</sup>

1%. Du() "g se##&e ! e" # "ego#a#) o"s /) #\* UNA > I o" 4 A66) 2022) a" offe( / as ! a e #o #\*e A66), a" # / \*o a, , e6#e )#.<sup>11</sup>

<sup>4</sup> Re6k'9 6age B9 6a(a. 1\$.

<sup>B</sup> Ibid., a# a" "e@ R/B. A66), a#) o"9 6age 49 6a(a. 1\$.

<sup>%</sup> A66), a#) o"9 se, #) o" DII9 6age B9 6a(a.1. A66), a#) o"9 a" "e@ #) #&e Memo- non-renewal of FTA Nassir.

<sup>7</sup> Re6k'9 6age B9 6a(a. 12.

<sup>C</sup> Ibid., 6a(a. 1B.

<sup>A</sup> A66), a#) o"9 se, #) o" DII9 6age B9 6a(a.1. A66), a#) o"9 a" "e@ #) #&e Memo non-renewal of FTA Nass).

<sup>10</sup> Re6k'9 a" "e@ R/2.

<sup>11</sup> A66), a#) o", se, #) o" DII, 6age B9 6a(a. B.

17. On 17 > a' 2022<sup>9</sup> #\*e C5RO ,o"#a,#e #\*e A66k),a"# - ' e ! a)ls a" ,a&&s /)#\*  
a" a&#e("#a#)2e 6(o6osa&.12 5e (efe((e #o #\*e)( ,o"2e(sa#)o" o" UNA > IEs offe( #o  
(e)"s#a#e #\*e A66k),a"#)" #\*e E(-)& u#' s#a#)o" a" #oo0 "o#e of #\*e A66k),a" #Es (efusa&  
of #\*e 6os)#)o".1\$ Du()"g #\*e)( ,o"2e(sa#)o"9 #\*e A66k),a"# a 2)se #\*e C5RO #\*a# s\*e  
) "o# /a"# #o !o2e #o #\*e E(-)& u#' s#a#)o" -e,ause s\*e \*a "o 0"o / &e ge of #\*e  
. u( )s#a" &a"guage a" ,u&#u(e).14

1C.



27. As the Applicant's affidavit shows, the fact that the Respondent's submission, dated 16 February 2023, is a copy of the Respondent's submission, dated 16 February 2023, is not in dispute. The Respondent's submission, dated 16 February 2023, is a copy of the Respondent's submission, dated 16 February 2023.

Respondent's submissions

The Respondent's submission, dated 16 February 2023, is a copy of the Respondent's submission, dated 16 February 2023.

2C. The Respondent's submission, dated 16 February 2023, is a copy of the Respondent's submission, dated 16 February 2023.

a66(o2e UNA > lEs P(o6ose Bu ge# o" 2A >a' 2020. T\*e O(ga")8a#)o" ,a" (es#(u,#u(e so ! e o( a&& of )#s e6a(# ! e"#s a" u")#s e2e" )f )# (esu&#s )" a loss of e ! 6ko' ! e"# fo( )#s s#aff ! e ! -e(s.

\$4. T\*e A66&),a"# / as )"fo( ! e o" \$1 O,#o-e( 2021 - ' #\*e 5ea of #\*e Jo)"# A"a' s)U)"# of #\*e (e e6ko' ! e"# of #\*e 6os# f)"a" ,)"g \*(e (6os)#o". O" \$ No2e ! -e( 2021) \*e)"fo( ! e 5RS o" #\*e 6os# ! o2e ! e"#)" #\*e "e@# -u ge# /)#\* "o"l(e"e / a& of #\*e A66&),a"#Es +TA effe,#)2e 1 Ja"ua(' 2022.

\$B. Af#e( #\*e CODID11A a" -u ge#a(' ,o"s#(a)"#s ease 9 UNA > l ) ! 6&e ! e"#e #\*e 4e"e(a& Asse ! -&'Es (e e6ko' ! e"# e,)s)o".

\$%. T\*e A66&),a"# \*a "o #e( ! of a66o)"# ! e"# / \*),\* / ou& 6(e2e"# #\*e O(ga")8a#)o" f(o ! (es#(u,#u("g9 &# a&o"e o"e / \*),\* / ou& e@#e" -e'o" #\*e e@6)(a#)o" of \*(e +TA.

\$7. T\*e A66&),a"# / as \*o& )"g a" +TA /)#\* "o &ega& e@6e,#a#)o" of (e"e / a&. 5e( +TA s\*a&& "o# -e ,o"2e(#e #o a" ' o#\*e( #'6e of a66o)"# ! e"# /)#\*)" #\*e O(ga")8a#)o". T\*e A !)"#s#(a#)o" ga2e a (easo" fo( #\*e e@e(,)se of )#s )s,(e#)o" "o# #o (e"e / #\*e A66&),a"#Es +TA / \*),\* / as &eg)# ! a#e a" su66o(#e -' fa,#s.

\$C. Na#)o"a& P(ofess)o"a& Off),e(s a(e &o,a&&' (e,(u)#e a" go2e("e -' s#aff (u&e 4.4 /)#\* "o e"#)#&e ! e"# #o #(a2e& o( (e&o,a#)o" (e&a#e e@6e"ses u" e( s#aff (u&e 4.B:a=. ;As su,\*9 #\*e O(ga")8a#)o" oes "o# (eass)g" #\*e ! #o a"o#\*e( u# ' s#a#)o" e2e" )f )#s #\*e sa ! e ! )ss)o" o( ,ou"#(' . Lo,a&&' (e,(u)#e s#aff ! e ! -e(s ! a' -e ,o"s) e(e fo( 2a,a" ,)es )" o#\*e( u# ' s#a#)o"s o"&' #\*(oug\* #\*e 6(o,ess / \*e(e- ' #\*e' a66&' a&o"g /)#\* o#\*e( ,a" ) a#es a" 6e(so"a&&' a-so(- #(a2e& a" (e&o,a#)o" e@6e"ses.EE

\$A. T\*e a66&),a#)o" s\*ou& -e )s ! )sse as #\*e A66&),a"# fa)&e #o es#a-&)s\* #\*a# #\*e ,o"#es#e e,)s)o" / as u"&a / fu&.

40. T\*e a66&),a#)o" )s "o# ! oo#. T\*e T()-u"a& )s a / a(e #\*a# o" 17 >a' 20229 UNA > l offe(e #o (e)"s#a#e #\*e A66&),a"# #o a" +TA IA/A66 Co((es6o" e" ,e 5e&a&





,o" f&),# e"2)(o" ! e"#) / \*),\* "ee s a(e ! a")fo& 9 (e?ues#s fo( ass)s#a", e a" s#(a#eg)es  
fo( e2e&o6 ! e"# ! us# -e ,oo( )"a#e 9 su-s#a"#)a#e 9 a" "o# u6&),a#e . A# #\*e sa ! e  
#) ! e9 l(a? / as fa&&)"g -e\*)" )" )#s )"f(as#(u,#u(e9 ,a6a,)# ' #o e&)2e( se(2),es9 a"  
so,)oe,o"o ! ), )" ),a#o(s o / )"g #o ,)2& u"(es# a" &a,0 of )"2es# ! e"#.

4A. I" )#s (eso&u#)o" 14C\$ :200\$=9 #\*e Se,u()#' Cou",)& (e?ues#e #\*e Se,(e#a(' 1  
4e"e(a& #o a66o)"# a S6e,)a& Re6(ese"#a#)2e fo( l(a? #o ass)s# #\*e ,ou"#(' )" )#s 6o&#),a&  
#(a"s)#)o" a" )" ! ee#)"g )#s \*u ! a")#a()a"9 (e,o"s#(u,#)o"9 a" e2e&o6 ! e"# "ee s.  
Su-se?ue"#&'9 - ' a o6#)"g (eso&u#)o" 1B00 :200\$=9 #\*e Se,u()#' Cou",)& e,) e #o  
es#a-&)s\* UNA > l #o su66o(# #\*e S6e,)a& Re6(ese"#a#)2e )" #\*e fu&f& ! e"# of #\*e  
afo(e ! e"#)o"e ! a" a#e. T\*e Cou",)& (e2)e / e a" e@6a" e #\*e ! a" a#e #\*(oug\*  
fu(#\*e( (eso&u#)o"s a" #\*e ! a" a#e / as e@#e" e u"#)& \$1 > a' 2020.

B0. T\*e o-(e,#)2e9 #o / \*),\* #\*)s >)ss)o" ,o"#()-u#es9 )

)! 6!e!e"#a#o" of #\*e Refo(! B)&& as a o6#e -' #\*e Pa(&)a!e"# of #\*e .u( )s#a" Reg)o" #\*e >)ss)o"Es fa,)&)#a#o" of "ego#)a#)o"s a! o"g Oe' s#a0e\*o& e(s#o \*e&6 #\*e! (es#a(# #\*e 6(o,ess fo( #\*e e2e&o6!e"# of (e,o! !e" a#)o"s ,o",e(")g #\*e )! 6!e!e"#a#o" of a(#),&e 140 of #\*e Co"s#)#u#)o" of l(a?9 o" )s6u#e -ou" a(es#l a" #\*e >)ss)o"Es e2e&o6!e"# a" su-!)ss)o" of (e,o! !e" a#)o"s9)",&u)"g -es# 6(a,#),e e@a! 6&es9 #o "a#)o" a& au#\*o(#)es9 a# #\*e)( (e?ues#9 o" #\*e "a#)o" a&,o"s#)#u#)o" a& (e2)e / .

B2. I# (esu&#s f(o! 6a(a. 1C of #\*e P(og(a! !e9 ,o"s#(u,#)2e "ego#)a#)o"s a" )a&logue a!o"g .u( )s\* 6o&#)#,a& a,#o(s #oo0 6&a,e /)#\* #\*e ,o"#(-u#)o" of #\*e >)ss)o"Es goo off),es a" ass)s#e )" #\*e fo(!a#)o" of a" )" ,&us)2e (eg)o" a& go2e(" !e"# )" #\*e .u( )s#a" Reg)o". UNA > l9 #\*(oug\* #e,\*"),a& e@6e(#)se )" go2e("a",e a" ,o"s#)#u#)o" a& !a##(s9 e@a!)"e )ssues affe,#)g #\*e (e&a#)o"s\*s)6 -e# / ee" Bag\* a a" E(-)&9 es6e,)a&&' #\*ose (e&a#)"g #o #\*e )! 6!e!e"#a#o" of A(#),&e 140 of #\*e l(a?) Co"s#)#u#)o"9 a" 6(ese"#e #\*e f)" )"gs #o #\*e l(a?) au#\*o(#)es fo( fu(#\*e( ,o"s) e(a#)o"s. Bag\* a a" E(-)& 6u(sue e"\*a",e se,u(#' ,oo6e(a#)o"9 es6e,)a&&' )" )s6u#e #e(())o(es9 / \*e(e ISIL / as (esu(ge"#l a" #\*e >)ss)o" ,o"#)ue #o a 2o,a#e fo( -e##e( ,oo6e(a#)o" )" #\*e se,u(#' se,#o( -e# / ee" Bag\* a a" E(-)& a" #o su66o(# #\*e )! 6!e!e"#a#o" of #\*e Go)"# se,u(#' !e,\*a")s! .

B\$. T\*e 6(og(a! \*a !a" ' ,o"se?ue",es )" s#aff)"g (e?u)(e!e"#s: #o su66o(# #\*e >)ss)o"Es s#(a#eg), a" o6e(a#)o" a& 6(o)()es 6&a""e fo( 20219 #\*e >)ss)o" 6&a""e #o s#(e"g#\*e" )#s ,a6a,)# ' )" a(eas su,\* as &og)s#), ,oo( )"a#)o"9 )"fo(!a#)o" #e,\*"o&og' se,u(#'9 o ,u6a#)o" a& safe#' a" s#aff / e&fa(e9 &a(ge&' -' (e6(o)()8)"g e@s#)"g (esou(,es #\*(oug\* (eass)g" !e"#9 (e e6&o!e"# a" (e,&ass)f),a#)o". +o( 20219 !a" ' s#aff)"g ,\*a"ges / e(e e"2)sage a" 9 a!o"g o#\*e(s9 o"e 6os)#o" of l"fo(!a#)o" A" a&' s# :Na#)o" a& P(ofess)o" a& Off),e(=)" #\*e Jo)"# A" a&'s)U)"# / as (e e6&o'e f(o! Bas(a #o E(-)&.

B4. UNA > l \*a )" )#)a&&' e,) e "o# #o (eass)g" #\*e A66&),a"# #o E(-)& -e,a#se s\*e / as a Na#)o" a& P(ofess)o" a& Off),e( )" Bas(a. Na#)o" a& P(ofess)o" a& Off),e(s ;a(e

"o# e@6e, #e #o -e ! o-) &e9 (a#\*e( )#)s a"#), )6a#e #\*a# #\*e' / )&& &ea2e #\*e o(ga")8a#)o"  
u6o" #\*e ,o! 6&e#)o" of #\*e)( #e( ! / )#\*)" #\*e ,o! !o" s's#e ! <.

BB. As #\*e(e (e ! a)"e "o 6os# #o f)"a",e #\*e A66&),a"#Es 6os)#o" )" Bas(a9  
UNA > I "o#)f)e #\*e A66&),a"# #\*a# \*e( +TA /ou& "o# -e (e"e/e -e'o" \$1  
De,e ! -e( 2021 a" 9 a, ,o( )"gk'9 #\*e A66&),a"# /as se6a(a#e f(o! se(2),e o" 1  
Ja"ua(' 2022.

B%. T\*e T(-u"a& )s a /a(e #\*a# #\*e A66&),a"# /as offe(e a ,o"#(a, # / )#\* #\*e u#'  
s#a#)o" )" E(-)&. T\*)s offe( /as e#e(!)"e -' #\*e e2e&o6)"g ,o"#e@# as a-o2e  
!e"#)o"e a" -' #\*e o6e(a#)o"a& 6(o())#es 6&a"e fo( 20219 "o#a-&' / )#\* (efe(e" ,e  
#o #\*e .u( )s#a" (eg)o" H as !e"#)o"e 9 #\*e offe( /as "o# a, ,e6#e -' #\*e A66&),a"#9  
/ \*o ) "o# / )s\* #o !o2e #o E(-)& -e, ause of \*e( u"fa ! )&)a)#' / )#\* #\*e .u( )s#a"  
&a"guage a" ,u&#u(e).

B7. T\*e A66&),a"#Es ,&a) ! #\*a# UNA > I u"ka / fu&&' ,\*a"ge #\*e #e( !s of \*e(  
a66o)"# !e"# :a" )" 6a(#),u&a(9 / \*e)"# offe(e E(-)& as #\*e "e / 6&a, e fo( \*e( ,o"#(a, #  
#o -e (e"e/e 9 #\*e 6&a, e of #\*e 6e(fo( ! a",e -' #\*e s#aff !e ! -e(=)s / )#\*ou# !e()#.

BC. I" #\*e T(-u"a&Es 2)e / 9 #\*e offe( -' #\*e A !)"s#(a#)o" fo( / o(0)" E(-)& /as  
fu&&' (us#)f)e 1g)2e" #\*e ,)(,u !s#a",es a" #\*e 4e"e(a& Asse ! -&' e, )s)o"s1 a" )#  
/ou& -e )ff),u&# #o f)" )# u"ka / fu& o( u"(easo"a-&e e2e" )f)# /ou& \*a2e ,ause a  
,\*a"ge)" #\*e u#' s#a#)o" of #\*e s#aff !e ! -e( ,o",e("e .

BA. 5o / e2e(9 #\*e T(-u"a& "o#es #\*a# UNA > I ) "o# ,\*a"ge #\*e A66&),a"#Es #e( !s  
of a66o)"# !e"# H (a#\*e(9 #\*e A66&),a"#Es +TA e@6)(e )" a, ,o( a",e / )#\* )#s o / " #e( !s  
o" \$1 De,e ! -e( 2021H #\*e offe( #o 0ee6 / o(0)"g )" #\*e u#' s#a#)o" of E(-)& /as o" &'  
a" offe( #o se##&e #\*e )s6u#e / )#\* #\*e A66&),a"# a" #\*a#9) f a, ,e6#e 9 /ou& \*a2e &e #o  
a "e / a" )ffe(e"# ,o"#(a, #.

%0. T\*e Hersh ,ase :20141UNAT14\$\$=9 ,)#e -' #\*e A66&),a"#9)s "o# o" 6o)"#. I"  
#\*a# ,ase9 a" )" #e("a#)o"a&&' (e,(u)#e 6(ofess)o"a& s#aff !e ! -e( /as / )&&)"g #o ,\*a"ge  
u#' s#a#)o"s. 5e(e9 #\*e A66&),a"# )s "e)#\*e( a" )" #e("a#)o"a&&' (e,(u)#e 6(ofess)o"a&

staff! e! -e( "o( /)&&)"g #o ,\*a"ge u# ' s#a#o"s9 a" #\*e(e / as "o a !)"s#(a#)2e  
e,)s)o" #o ,\*a"ge #\*e u# ' s#a#o" of #\*e +TA / \*e" )# / as 'e# )" fo(,e.

%1. Also #\*e A66k),a"#Es ,&a) ! #\*a# #\*e A !)"s#(a#)o" ) "o# a,# fa)&'9 Gus#&' a"  
#(a"s6a(e"#&' )" ea&)"g / )#\* \*e( )s -ase&ess. 5e( +)(s# Re6o(#)"g Off),e( a 2)se \*e(  
o" \$1 O,#o-e( 2021 of #\*e (e e6&o' ! e"# of #\*e 6os# f)"a",)"g \*e( 6os)#o" f(o! Bas(a  
#o #\*e E(-)& u# ' s#a#o)"9 / e&&)" a 2a",e of #\*e e,)s)o".

%2. The A66k),a"# \*as 6(ese"#e "o e2) e",e #\*a# #\*e ,o"#es#e e,)s)o" / as  
#a)"#e -' e#@#(a"eous ,o"s) e(a#)o"s. O" #\*e ,o"#(a('9 #\*e e2) e",e a##a,\*e #o #\*e  
a66k),a#)o" es#a-&)&s\*es #\*a# #\*e A66k),a"#Es su6e(2)so(s \*a a fa2o(a-&e 2)e/ of \*e(  
6e(fo( ! a" ,e.

%. I" &)g\*# of #\*e fo(ego)"g9 #\*e a66k),a#)o" )s )s! )sse .

!/i&ned'  
Judge +(a",es,o Buffa  
Date #\*)s 24<sup>th</sup> a' of Jul' 2023

E"#e(e )" #\*e Reg)s#e( o" #\*)s 24<sup>th</sup> a' of Jul' 2023

!/i&ned'

A-e"a . / a0'elBe(0o9 Reg)s#(a(9 Na)(o-)