



# Danish National Contact Point finds aircraft leasing company Nordic Aviation Capital failed to meet OECD human rights expectations in its business in Myanmar

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Justice For Myanmar welcomes the findings of the Organisation for Economic Co-operation and Development (OECD) National Contact Point in Denmark (NCP Denmark) that Nordic Aviation Capital (NAC) failed to meet expectations in the OECD Guidelines for responsible business.

NCP Denmark found that:

- NAC had not conducted adequate risk-based due diligence on its downstream business relationships, including lessees and buyers in Myanmar, specifically naming Air KBZ.
- In its business relationship with Air KBZ, NAC did not sufficiently follow the OECD Guidelines to prevent or mitigate adverse human rights impacts.
- In its operations in Myanmar, NAC did not adequately react to the context of armed conflict.
- NAC had not prioritised engaging with local stakeholders in Myanmar over potential risks.
- More broadly, NAC did not demonstrate that it had identified and addressed actual and potential adverse impacts associated with its own operations and business relationships.
- NAC only introduced a human rights policy in November 2023 and NCP Denmark was not able to confirm how the policy was communicated in its businesses relationships, how it was enforced, and whether it was made public.

National Contact Points have a mandate to hear complaints of irresponsible business conduct of multinational companies and were established under the OECD Guidelines. These Guidelines require companies to conduct human rights due diligence on their entire value chain, with a view to identify, prevent and mitigate human rights harms linked to their products, services and business relationships.

The Danish NCP's statement is in response to a complaint brought by Justice For Myanmar against NAC, a global aircraft leasing company that also provided financing services for leasing. The company was acquired by Dubai Aerospace Enterprise (DAE) in May 2025. DAE is owned by the Dubai government.

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The complaint, submitted in June 2024, presented first-hand evidence from inside sources and public information showing that ATR aircraft transferred by NAC to Air KBZ and the KT Group in Myanmar were in fact being operated by the Myanmar Air Force for troop insertion, transport of weapons and ammunition, surveillance, reconnaissance and VIP travel.

The NAC aircraft in question are MSN 545, MSN 602, MSN 658 and MSN 1085, commissioned by the Myanmar Air Force as 0005, 0004, 0003 and 0011.

MSN 602 and 658 were transferred by NAC to the crony conglomerate KT Group in 2013. Once the aircraft arrived in Myanmar, they were immediately transferred to the Myanmar military, as leaked contracts and human sources have confirmed.

ATR aircraft with MSN 545 and MSN 1085 were transferred by NAC to Air KBZ and then by Air KBZ to the Myanmar Air Force. MSN 1085 was commissioned by the Myanmar Air Force in December 2021, following the military's illegal coup attempt.

Air KBZ was rebranded as Mingalar Aviation in January 2024 after the crony conglomerate 24 Group took full ownership of the airline from KBZ Group.

Justice For Myanmar found that the Myanmar Air Force operates at least 10 ATR aircraft and uses them in operations in which it commits international crimes. The military is able to sustain this fleet because civilian airlines like Mingalar Aviation/Air KBZ ensure that it has sustained access to parts and services needed to maintain airworthiness.

We call on NAC and its parent company, Dubai Aerospace, to implement the Danish NCP findings in full and follow the [business advisory note](#) issued by the US government in 2024. The advisory note makes clear the risk that Myanmar's commercial aviation sector, including services, components, and fuel, is deeply intertwined with the military's aviation operations. NAC should publicly release its human rights due diligence and be transparent over any decision it makes to continue doing business in Myanmar.

### **Concerns regarding the Danish NCP's approach**

While the NCP rightly concludes that NAC failed to meet its human rights due diligence responsibilities, Justice For Myanmar remains concerned that the final statement does not go far enough.

Notably, NCP Denmark decided to limit their investigation to NAC's business with Air KBZ, thereby excluding NAC's transactions with KT Group, and failed to consider key contracts with the military for the ATR aircraft. This exclusion was due to the NCP's five-year [statute of limitations](#). The OECD Guidelines do not require such statute, meaning the NCP is requiring

additional criteria beyond the Guidelines expectations. The impacts stemming from NAC's transfers are still ongoing as the military continues to operate the aircraft and are committing international crimes with total impunity – therefore Justice For Myanmar asserts that the NCP should have considered the evidence provided in relation to these transfers.

Furthermore, examining past business, especially when impacts are ongoing, should be part of any ongoing human rights diligence. The exclusion of key evidence appears to have led the NCP to conclude that it cannot sufficiently substantiate the claim that aircraft transferred by NAC to entities in Myanmar have come into possession of the Myanmar military and are used by the military for human rights violations. Justice For Myanmar rejects this conclusion.

In making its conclusion and considering the extensive evidence that Justice For Myanmar made available, the NCP also failed to consult any aviation industry experts, despite Justice For Myanmar's request that such experts be interviewed. The NCP consulted individuals that Justice For Myanmar believes to have a clear pro-business agenda and who lacked sector expertise. If NCP Denmark had consulted aviation industry experts, Justice For Myanmar believes that the NCP could have had support to comprehend the evidence provided and produce a final report that adequately detailed the extreme human rights risks of businesses in the Myanmar aviation sector.

**More information:**

Read OECD Denmark's final statement [here](#).

Read JFM's 2024 feature, the companies enabling the Myanmar military's use of ATR aircraft for the transport of troops, arms and reconnaissance, [here](#).

Justice For Myanmar is a covert group of activists using research, data visualisation and reporting to expose the companies and criminals profiting from brutality, war crimes and mass-scale suffering.

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