



VIKTOR BOUT... THE MYTH AND THE REALITY

Countless thousands – if not millions of words have been written and spoken about Viktor Bout and, frankly, over 90% of what has been said and written is absolute rubbish or pure speculation. This judgement may seem a little harsh so let us very briefly explain a little further: -

The United Nations Reports: - Countless people and organisations have cited UN arms embargo investigation reports as the basis for the 'case against Bout'. However, in all of them there are only two accusations that are said to be linked to precise events. but the evidence supporting those accusations was never made public.

The UNITA Rebels: - Bout readily admitted making many flights including for a Russian arms company to the Angolan government, but as regards the evidence of sanctions violations made by the UN monitoring group (S2000/203), an Interpol outside expert - to whom the subsequent panel commissioned a report to examine the evidence gathered by previous panels - concluded that documents supplied to the Panel by Western intelligence agencies "were often misleading" and were "not clearly identified, not dated, referenced or had the possibility to be easily verified". In other words the UN monitoring group allegations were what you and we would categorise as suppositions rather than verified facts.

The FARC Rebels: - It gets worse - the 'case against Bout' was supposedly strengthened by the Farah and Braun book entitled 'The Merchant of Death' which claimed to detail his alleged flights supplying thousands of AK47's to the FARC in 1999. Alas for those claims, before the publication of that book, a Peruvian Court definitively established that they were not flights made by Bout, nor indeed by any aircraft ever associated with him.

The Taliban Link:- Wrong again, Viktor Bout's business connections were with the Northern Alliance, not their bitter enemies the Taliban as Farah and Braun claim, and most of the flights to Kabul carried consumer goods. US and other aircraft operators working on behalf of the US government made massive arms shipments to the Northern Alliance forces dwarfing any arms deliveries made by Bout's aircraft.

The Congo-Great Lakes Link: - Yes, Viktor flew supplies into the Democratic Republic of the Congo, principally at the behest of Presidents Paul Kagame of Rwanda and Yoweri Museveni of Uganda. So did several British crews and the odd American one. The crews were not given any choice by the Rwandan and Ugandan military over what they carried for them into the Congo. As regards the famous Dirk Draulans photo, yes it was Viktor, but no it wasn't his aircraft...as an aviation expert in the entourage of a very senior UN official on an informal peacekeeping mission to then Vice-President Bemba bore witness.

The 'Sting' Operation: - In March 2008 the international media chorus was that Viktor Bout "has been arrested in Thailand for allegedly supplying arms to Colombian FARC rebels". He was not. He was arrested on a lesser, but easier to prove, charge of conspiracy to provide surface-to-air missiles and other weapons to a foreign terrorist organisation. This charge arose not out of any investigation of any crime which Victor Bout may have been complicit in, but simply out of a 'sting' operation mounted by the US Drug Enforcement Administration using the testimony of its highly paid agents and dubious witnesses. Even the presiding Judge at his trial said in her summing-up that, absent the 'sting' operation, he would never have appeared in any U.S. Court.

As Amnesty International said at the time of his arrest: "Victor Bout is not the only person accused by the UN arms embargo investigators of brokering and trafficking arms in defiance of the Security Council...like all trials it must be fair and the truth of who shipped all those arms to humanitarian catastrophes must come out." But in the end Victor Bout's trial in New York was not about the crimes Bout was accused of by the UN and others.

Peter Danssaert, Sergio Finardi and Brian Johnson Thomas are writing a book to illuminate this sorry saga. Meanwhile, they invite you to consider the following:

Brief reflections on the main accusations against Victor Bout

- (a) Everyone has the right to defend her/himself in a Court of Justice against accusations waged against her/him. The UN has no right to act as a substitute a Court of Justice and substitute professional prosecutors and judges with "experts" composing its panel, most of which had not and still have not any professional experience in law enforcement investigations.
- (b) Victor Bout readily admitted that his aircraft were hired to transport arms amongst many other traded goods to different countries, but he claimed this was legally sanctioned by governments and has denied deliberately trafficking arms. He was never tried for the accusations that made him the "poster-boy" of illegal arms traffickers, the supposed justification for DEA's sting operation.
- (c) The Thai authorities extradited Bout to be tried on matters related to the 'sting' operation only - Bout has still not been tried for the accusations waged against him in the UN arms embargo reports and those in the book by Douglas Farah and Steven Braun.
- (d) That DEA 'sting' operation and the subsequent extradition hearings effectively closed the road to any fair trial of Victor Bout. His trial in New York amidst rising media frenzy was designed by the Justice Department so that none of the UN report and other accusations would ever be tested in any Court. The 'sting' operation effectively sheltered his accusers from providing evidence to support their claims.
- (e) Instead of building a prima facie case with evidence of illegal arms trafficking, the DEA 'sting' operation amounted to a form of entrapment, a practice forbidden in the US law. In the end, the judge herself declared that, if it were not for the sting operation, Victor Bout would not be appearing in any US Court.
- (f) Accusations never tested in Court became transformed by repetition into "facts" repeated in countless articles until they created the belief that Victor Bout did not deserve a trial because he had been already "tried" by the UN. However, the UN reports are neither created nor intended to function as an extra-judicial tribunal. The UN investigators were not compelled to show publicly the evidence on which their accusations were based.
- (g) Not a single journalist, among thousands who published articles on Victor Bout, has ever published documentary evidence or other verifiable proof to support the UN accusations of illegal arms trafficking. Yet they should know that accusations = facts = culprit is not the kind of justice we have developed over the centuries.
- (h) Do you know that in mid-2000 Jon Mason-Ponting, of the Interpol General Secretariat, was tasked - by the UN panel on Angola that authored the December 2000 report with the famous accusations against Bout - to carry out an analysis of the information and documents collected by previous UN panels (chaired by Ambassador Fowler). In his report (whose findings and conclusions were copiously reproduced by the panel) Mason-Ponting wrote: *"Many of the documents had no clear source, neither administration nor country of origin. Virtually none of the documents had clearly defined dates, those that did were often misleading, being dated at the time they were supplied to the UN Mechanism rather than the date they were actually compiled. [...] The bulk of the information that was provided from the Mechanism came from the previous sanctions Mechanism (headed by Ambassador Fowler). The information was not evaluated in a way that lent itself to the standard procedures used in intelligence analysis. Often the source of the information was not clearly identified, was not dated, referenced or had the possibility to be easily verified. On several occasions, when it was possible to identify sources, many of them disclosed information that was virtually identical. This normally indicates validity of the information as it is able to be corroborated; however it is the analyst's impression that, for the most part, several of these identified sources took ownership of this information. This appears to have convinced the original panel of the validity of the information while the true source had not been identified. With reference to the objectives stated earlier, it is clear that significant gaps still remain in the intelligence. These gaps require further investigation and analysis. The information gaps could indicate two distinct scenarios - the first being that the current project has not been able to identify the direct links that connect the subjects of this report to UNITA or the arms companies. A more likely scenario is that there remain a network of indirect links - key individuals, intermediaries - who have not yet been identified."*

Unfortunately no further inquiries were actually carried out by the UN to fill the "information gap" identified by Mason-Ponting.

Further reading:

- The Arms Flyers. Commercial Aviation, Human Rights, and the Business of War and Arms. Sergio FINARDI & Peter DANSSAERT, July 2011 (http://www.ipisresearch.be/publications_detail.php?id=368)
- The Arms Flyers. Commercial Aviation, Human Rights, and the Business of War and Arms - Addendum: Documents & Maps. Sergio FINARDI & Peter DANSSAERT, July 2011 (http://www.ipisresearch.be/publications_detail.php?id=369)
- Dead on Time - arms transportation, brokering and the threat to human rights. Amnesty International, 2006 (<http://www.amnesty.org/en/library/info/ACT30/008/2006>)