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October 30, 2000



ACTION

MEMORANDUM FOR DON KERRICK

THROUGH: GAYLE SMITH AND RICHARD CLARKE
FROM: GRANT HARRIS AND LEE WOLOSKY
SUBJECT: Strategy Update on Arms Trafficker Victor Butt

Following the DC on Sierra Leone on August 7, you asked what could be done to curtail the activities of international arms trafficker Victor Butt. This memo updates you on our efforts and requests your assistance in engaging the Justice Department in a coordinated international effort to shut down Butt and his organization.

BACKGROUND

The Victor Butt Organization (VBO) has been the largest supplier of illicit arms and air transport services in sub-Saharan Africa since the mid-1990s. VBO operates at least 60 aircraft (including IL-76s), has 200+ personnel, and maintains facilities in several countries. VBO's main base of operations is in Sharjah, United Arab Emirates, although the organization maintains regional hubs in Luanda and Kigali.

Butt, through the supply of large and small arms to conflicts in Sierra Leone/Liberia, Angola and the Democratic Republic of the Congo, violates numerous UN sanction regimes and contributes significantly to human misery and the frustration of U.S. foreign policy objectives in Africa. Butt has delivered arms (including MI-8T helicopters and associated rockets) to Liberian President Charles Taylor; many of these arms quickly find their way to the RUF in Sierra Leone and threaten the security of UNAMSIL forces. In addition, Butt has violated UN sanctions against UNITA since early 1997 and transports arms and troops for rebels in the Democratic Republic of the Congo. He also appears to traffic in multiple rocket launcher systems, SAMs and anti-tank guided missiles, among other weapon systems. Finally, Butt trades in conflict diamonds across Africa and recently transported released ASG hostages to Libya from the Philippines.

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Reason: 1.5(b)(c)(d)
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CLINTON LIBRARY PHOTOCOPY

STRATEGY

An NSC-led interagency working group is pursuing a three-pronged strategy with the objective of shutting down Butt's organization through the incarceration of its principals: Victor Butt and his brother, Sergey. ^{1.4(c)}

absent Victor and Sergey, the organization will cease to operate in any significant manner). We are working closely with the British, who have recently pursued aggressive methods intended to protect their deployment in Sierra Leone. We are pursuing the three tracks described below simultaneously; the first option is the most developed, while the last one - the only option fully within our control - may not be being fully explored by U.S. law enforcement authorities. In addition, we have had difficulty getting the Justice Department to participate in the international enforcement effort.

1. South Africa

We have approached the South Africans to explore their willingness to pursue criminal charges against Victor and Sergey. South Africa expelled Butt in 1998, and remains concerned about Butt's destabilizing activities in the region, particularly with regard to UNITA. South Africa recently approached the UAE to express these concerns. Upon issuance of a South African warrant, Butt can be extradited or expelled from UAE, and tried and incarcerated in South Africa. Earlier this month, State discussed this issue with South Africa, which has begun to explore a legal basis for an investigation, indictment and warrant.

2. UAE

We are working with senior UAE security officials to explore whether Victor and Sergey might have violated UAE law, or whether UAE might be willing to extradite or expel the Butts to a third-party state such as South Africa. Although we are in the early stages of working with the UAE on this issue, we expect our close working relationship on similar matters to result in cooperation.

3. United States

We believe that the VBO's activities in the United States warrant close scrutiny by U.S. law enforcement agencies, and we have asked the Justice Department to consider whether those activities may have violated U.S. criminal law. On at least one

occasion, Butt has received payment for arms shipments to Liberia out of a U.S. bank; he appears to have an operative based in Vienna, Virginia; and one of his lieutenants visited the United States in August. Butt operates a U.S.-registered aircraft that is owned by a U.S. carrier and is trying to purchase "stealth" telecommunications equipment -- possibly subject to export controls -- from a U.S. firm.

NEXT STEPS

- A small team is in South Africa this week to discuss the political and legal plausibility of South African arrest warrants that can then be executed in the UAE. Assuming favorable results, we would want to follow up by sending a team of experts to assist South African prosecutors and investigators in developing a case.
- We will follow-up initial conversations with senior UAE officials (one of whom is now in the United States).
- We would like your assistance in engaging DOJ, both to prioritize a possible U.S. criminal investigation and to participate in interagency efforts to assist an international enforcement action.
- Undersecretary Pickering is expected to be briefed on Butt sometime this week.

RECOMMENDATION

That you convey, as soon as possible, the attached points to Deputy Attorney General Eric Holder.

Concurrence: Mary DeRosa

Attachment

Tab I Kerrick-Holder talking points