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Declassified Under Authority of the
 Interagency Security Classification Appeals
 Panel, E.O. 13526, sec. 5.3(b)(3) ISCAP
 Appeal No. 2017-190, document 2
 Declassification Date: May 2, 2022

PREC: IMMEDIATE
 CLASS: ~~SECRET~~
 LINE1: OAASZYUW RUEHSAA7991 2861335-SSSS--RHEHNSC.
 LINE2: ZNY SSSSS ZZH
 LINE3: O 121335Z OCT 00
 LINE4: FM AMEMBASSY PRETORIA
 OSRI: RUEHSA
 DTG:
 ORIG: AMEMBASSY PRETORIA
 TO: RUEHC/SECSTATE WASHDC IMMEDIATE 5369
 INFO: RUEHAD/AMEMBASSY ABU DHABI IMMEDIATE 0069
 RUEAIIA/CIA WASHDC IMMEDIATE
 RUCNFB/FBI WASHDC IMMEDIATE
 RHEHNSC/NSC WASHDC IMMEDIATE
 SUBJ: DISCUSSIONS WITH SOUTH AFRICA ON VICTOR BUTT
 TEXT: ~~SECRET~~ PRETORIA 007991



ROGER CHANNEL

STATE FOR AF DAS WITNEY SCHNEIDMAN

E.O. 12958: DECL: 10/10/2010
 TAGS: PREL, PINR, SF
 SUBJECT: DISCUSSIONS WITH SOUTH AFRICA ON VICTOR BUTT

REFS: A. STATE 195051
 B. SECURE FAX OCTOBER 6, 2000

CLASSIFIED BY AF DAS WITNEY SCHNEIDMAN. REASONS 1.5 (B) AND (D) .

1. ~~(S)~~ AF DAS WITNEY SCHNEIDMAN MET IN PRETORIA OCTOBER 8 WITH SOUTH AFRICA'S DEPUTY FOREIGN MINISTER AZIZ PAHAD TO BRIEF PAHAD ON ILLICIT ARMS AND AIR TRANSPORT ACTIVITIES OF VICTOR BUTT AND PROVIDE A NON-PAPER SUMMARIZING POSSIBLE UN SECURITY COUNCIL RESOLUTIONS VIOLATED BY BUTT AND HIS ASSOCIATES. (PROVIDED REFS). EMBASSY PRETORIA'S POLCOUNSELOR ACCOMPANIED DAS SCHNEIDMAN.

2. ~~(S)~~ FOLLOWING HIS DELIVERY, SCHNEIDMAN REQUESTED THAT THE SOUTH AFRICAN GOVERNMENT (SAG) INDICT BUTT AND ISSUE A WARRANT FOR HIS ARREST. ONCE THE WARRANT IS ISSUED, SCHNEIDMAN SAID THE U.S. WOULD WORK WITH THE UNITED ARAB EMIRATES (UAE) TO HAVE BUTT BROUGHT TO SOUTH AFRICA FOR JUSTICE.

3. ~~(S)~~ SCHNEIDMAN NOTED THAT THE U.S. STRATEGY DIFFERED FROM THAT OF BRITAIN, WHICH IS ALSO

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CONCERNED ABOUT BUTT'S ACTIVITIES IN AFRICA. BRITAIN IS PLACING PRESSURE ON BUTT'S OPERATIONS TO FORCE HIM TO STAY ON THE MOVE. THE U.S. WANTS BUTT "OUT OF BUSINESS" AND IS BROACHING AN OPTION IT BELIEVES WOULD ACCOMPLISH THIS. SCHNEIDMAN SUGGESTED THAT THE LEGAL BASIS FOR SOUTH AFRICA INSTITUTING PROCEDURES AGAINST INDIVIDUALS IN SOUTH AFRICA ACTING CONTRARY TO OBLIGATIONS UNDER UNSC RESOLUTIONS ON ARMS TRAFFICKING COULD BE ITS ARMS AND AMMUNITION ACT NO. 75 OF 1969 WHICH PROHIBITS THE EXPORT OR IMPORT OF ARMS AND AMMUNITION, INCLUDING TRANSIT THROUGH SOUTH AFRICA, WITHOUT A PERMIT.

4. ~~(S)~~ PAHAD ASKED IF SCHNEIDMAN HAD ANY INDICATION THAT BUTT HAD "FRIENDS" IN SOUTH AFRICA? SCHNEIDMAN RESPONDED NO, CITING THE SAG'S EFFECTIVENESS IN EXPELLING BUTT. SCHNEIDMAN DID DRAW PAHAD'S ATTENTION TO THE NAME OF RONALD DE SMET, WHICH HE SAID APPEARED TO BE A SOUTH AFRICAN NAME. HE SAID THE U.S. WOULD ALSO LIKE ADDITIONAL INFORMATION ON THE EXPULSION.

5. ~~(S)~~ PAHAD AGREED TO PROVIDE THE INFORMATION. HE NOTED THAT THE BUTT CASE HAD COME TO HIS ATTENTION WHEN AN "ENTHUSIASTIC" LOWER LEVEL OFFICER (NO. 2) AT SOUTH AFRICA'S EMBASSY IN THE UNITED ARAB EMIRATES (UAE) DISCUSSED THE ISSUE WITH BOTH U.S. AND BRITISH EMBASSY OFFICIALS. HE SAID IT WAS LATER UNDERSTOOD THAT THE MATTER WOULD BE HANDLED FURTHER AT HIGHER LEVELS. CONTINUING, PAHAD TOLD SCHNEIDMAN THAT HE WOULD DISCUSS THE BUTT CASE AND SCHNEIDMAN'S PRESENTATION WITH BULELANI NGCUKA, SOUTH AFRICA'S NATIONAL DIRECTOR FOR PUBLIC PROSECUTIONS, RATHER THAN WITH THE INTELLIGENCE SERVICES. NGCUKA HAS OVERSIGHT OF SOUTH AFRICA'S DEVELOPING INVESTIGATIVE SERVICE (SIMILAR TO THE U.S.'S FEDERAL BUREAU OF INVESTIGATION) CALLED THE SCORPIONS. PAHAD EXPLAINED THAT BY SELECTING THE SCORPIONS AS THE VEHICLE FOR THE SAG'S INVESTIGATION, IT WOULD SUPPORT SOUTH AFRICA'S EFFORTS TO TRY TO MOVE SOME TRADITIONAL INTELLIGENCE WORK OVER TO LAW ENFORCEMENT. THIS WOULD ENABLE THE SAG TO USE THE EVIDENCE IT GATHERED IN A PROSECUTORIAL ACTION.

6. ~~(S)~~ PAHAD SAID HE WOULD TRY TO TALK TO NGCUKA THE NEXT DAY (OCTOBER 9), POSSIBLY IN CAPE TOWN, WHERE PAHAD WILL BE MOST OF NEXT WEEK. SOUTH AFRICA WOULD "MOVE IN PRINCIPLE", PAHAD SAID, TO SUPPORT THE REQUEST BUT THE QUESTION THAT WILL BE ASKED IS "WHAT IS THE PROCEDURE AFTERWARDS?" "IF SOUTH AFRICA INDICTS BUTT AND ISSUES A WARRANT, WILL THE UAE BE PREPARED TO SEND HIM OUT?" SCHNEIDMAN RESPONDED THAT THE U.S. WANTED TO KNOW IF THE SAG IS ABLE TO PROCEED WITH AN

INDICTMENT AND IS ASKING THAT SOUTH AFRICA CONSULT WITH THE
U.S. B
EFORE TAKING ACTION WHILE THE U.S. PLEDGES TO DO THE
SAME WITH SOUTH AFRICA. LEWIS

TOR: 10/12/00 10:02:33

DIST: SIT: BABBITT BYRNE NSC HARRISG SMITH