

U.S. Judge Lets Bout's Case Proceed to Trial

July 12, 2011

The  **Moscow Times**

NEW YORK — A U.S. judge has rejected Russian businessman Viktor Bout's attempt to dismiss a weapons dealing case against him on the grounds that he has no connection to the United States and that U.S. conduct in the case was outrageous.

U.S. District Judge Shira Scheindlin wrote Monday that the law only requires that Bout acknowledge that he knew the crimes he was accused of would harm the United States for him to be brought to Manhattan for trial.

She said prosecutors sufficiently claimed that he did so in March 2008 at a two-hour tape-recorded meeting in Bangkok, Thailand, with U.S. operatives posing as representatives of Colombian terrorists.

Prosecutors say Bout indicated at that meeting that he understood that the confidential sources wanted to buy weapons to use against U.S. forces in Colombia and said the United States was also his enemy.

Bout was brought to the United States last year from Thailand to face charges that he conspired to sell weapons to a terrorist group. Prosecutors say they have audiotapes of Bout discussing the arms deals. The government said Bout said he would prepare everything that was needed after the confidential sources advised that the terrorist group planned to use anti-aircraft weapons to kill American pilots, according to evidence cited by the judge.

Bout, who is scheduled for trial in October, has pleaded not guilty to charges that he conspired to sell millions of dollars of weapons to men posing as members of the Revolutionary Armed Forces of Colombia, or FARC, a U.S.-designated foreign terrorist organization operating in Colombia. Prosecutors say he offered to sell 700 to 800 surface-to-air missiles, 5,000 AK-47 firearms, millions of rounds of ammunition, land mines, night-vision equipment and ultra-light airplanes that could carry missiles.

The Russian government has complained that Bout's extradition to the United States from Thailand was unlawful and political. And his lawyers argued in court that he was being prosecuted for "purely political reasons" after authorities realized the U.S. military continued hiring Bout's companies to supply U.S. soldiers in Iraq even after he was banned in July 2004 by the Treasury Department from doing business with the United States.

Bout's lawyer, Albert Dayan, said he had not yet read the decision and had no immediate reaction to it. On Thursday, he filed papers in the case in which he said the catalyst for the investigation that resulted in Bout's arrest began at the White House in 2007.

"We have found no comparable reported case in United States legal history wherein high United States officials targeted and caused the dogged pursuit and prosecution of a named individual for purely political reasons," he wrote.

He said Bout had never before been charged with a crime in any country involving illegal arms trafficking or arming violent dictators and no one had ever accused him of contemplating a crime against the United States until the sting operation that resulted in his 2008 arrest.

Scheidlin wrote that she would rule at a later point on Dayan's request that the case be tossed out on the grounds of vindictive prosecution, unlawful extradition and other arguments.

Original url:

<https://www.themoscowtimes.com/2011/07/12/us-judge-lets-bouts-case-proceed-to-trial-a8206>