Testimony :: Mr. Roman Kupchinsky

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As the Soviet empire collapsed in 1989, huge stores of weapons and munitions – ranging from Kalashnikov automatic rifles to tanks, attack helicopters and fighter aircraft suddenly appeared on the world black market for arms. Without proper export controls and often unguarded, these weapons soon became valuable commodities in the hands of numerous arms dealers who rapidly found buyers for them in countries under international arms embargos. The illegal arms market is estimated to be some $8 billion dollars last year[1], or about a quarter of all arms sales.

These weapons were often stockpiled by the military and police forces of former Soviet republics which found themselves in dire financial difficulties and when an opportunity arose to sell them, and with a substantial bribe as an added incentive, often did so. At that time many of the newly elected governments turned a blind eye to this activity while some government officials benefited from such sales.

One such country is Moldova. In a case made public last year, officials in the break-away region of Moldova known as Trans-Dniester, discovered 400 fake customs seals which were being used by arms dealers to trans-ship arms from Belarus to the Middle East. The arrested chief Customs director turned out to be the son of the president of the self-proclaimed republic.[2] Interestingly enough, the government in Minsk has recognized the breakaway region as a legal state.

In Moldova itself, in 1994 the defense ministry sold MiG-29 fighter aircraft and missile launchers to South Yemen using the good offices of the Russian state arms company Rosvooruzheniye. The deal was worth $40 million.[3]

In 2002 a scheme was uncovered by a Moldovan newspaper whereby organized crime gangs were importing oil products from Belarus and using the proceeds to buy arms for Chechen fighters. The oil products were being resold through state companies to fake off-shore companies and the proceeds went to buy arms.[4]

Today in Moldova there are 35 well organized criminal clans which have close relations to Ukrainian and Russian organized crime groups. One of these clans has over 1,200 members. Working closely with criminal groups in the Trans-Dniester, these clans have recently embarked on drug smugglings as an new means of earning revenue. But the arms business is still the mainstay of criminality in Moldova.

This is particularly true in Bulgaria were the arms industry employed over 100,000 people in 1989. At its peak, the industry’s annual production capacity was estimated to be as high as $5 billion. This industry earned 9% of the country’s export earnings. The country’s largest state owned arms trading firm, Kintex had supplied various terrorist groups during the Cold War and there was fear that it would continue to do so after the fall of communism. In the 1990’s Bulgaria became a market place for illegal arms dealers to purchase their wares. In 1992 the Bulgarian government admitted that it had illegally sold more than $15 million of weapons to Iraq on the basis of fake end user certificates. Forbes Magazine estimated that the combined illegal sales of Kintex in 1992 were $100 million. Such items as Hind helicopters destined for Iraq and West Africa were often purchased in Bulgaria and then flown to different locations by either the Bulgarian government itself or by arms dealers of different nationalities.[5]
The director of Kintex at the time responded to allegations of illegal sales to Croatia by saying he had “no idea where the weapons went, and anyway it’s not my problem.”[6]

In West Africa, especially in Liberia and the Ivory Coast, former citizens of the Soviet Union, aided by other arms dealers soon found buyers. The government of Liberian President Charles Taylor was one such client. Barred from purchasing arms by a United Nations imposed embargo, he and his son Chuck Jr. soon became major buyers of large quantities of small arms and even attack helicopters bought under false pretenses in Russia, Bulgaria, Belarus, Kyrgyzstan and Ukraine and paid for the goods in cash, and often in diamonds. These weapons were used by the Revolutionary United Front (RUF) forces in Sierra Leone to inflict a reign of terror against the civilian population during the war in that region.

Another target country for these post-Soviet weapons became the former Yugoslavia. Tons of small arms were smuggled to Croatia in 1992-1995 by these arms merchants, some of whom are presently on trial in Italy for this activity. Some of these arms eventually made their way into the hands of IRA operatives, others were resold to Albanian drug dealers.

Using fake End User Certificates and at times no certificates at all, these dealers were able to purchase large quantities of arms, transport them and avoid difficulties by giving bribes to a range of officials in the countries where these weapons were bought.

In addition to sales by individual arms merchants, there have been examples of rogue states, notably Iraq, officially and covertly trying to buy military equipment from governments and private companies in the former USSR. Some of these attempts were unsuccessful but there are a number of cases where the results were mixed.

**Russian, Belarusian Arms Sales to Iraq**

The recent revelations of sales by Russian companies of GPS jamming devices and other military equipment for the Iraqi regime are only the tip of the iceberg.

On 23 March 2003 U.S. State Department official Brenda Greenberg told “CNN” that senior U.S. officials had made a series of requests to Russian officials to halt the sale of anti-tank missiles and jamming equipment to the Iraqi military. Ms. Greenberg was quoted by the “Financial Times” on 24 March as telling “CNN”: “We thus have raised the issue with the Russian government a number of times, including at senior levels and particularly in the last two weeks.”

According to the “Financial Times” U.S. intelligence discovered that “employees of Aviaconversia, the company reported to have been providing equipment to Baghdad, were still providing assistance in Iraq.”[7]

The British “Guardian” reported on 24 March that Russian officials in Moscow and Washington had been given names, addresses, telephone numbers “and in some cases, shipping dates and ports of exit.”

The “Associated Press” on 24 March quoted a number of Russian officials, including the director of Aviaconversiya, Oleg Antonov, who denied the charges and said “we have never delivered anything to Iraq.” Yet Antonov himself admitted that he had 15 meetings with Iraqi representatives in Russia and in Iraq discussing these sales.[7]

Reports that Russia has been selling arms to Iraq have surfaced a number of times in the past few months. On 23 February the “Sacramento Bee” ran a story that Russian-made S-300P missiles had been sold by a Russian-Belarusian company. On 8 February the “Financial Times” reported that Russian suppliers had attempted to sell Igla surface-to-air missiles: “where the ultimate destination of Iraq was concealed by using ‘cover’ purchasers in neighboring countries such as Syria.”

Writing in the “Moscow Times” of 27 March, Pavel Felgenhauer, a Russian military specialist stated: “Andrei Kokoshin, who was in charge of arms export control inside the Defense Ministry for several years, is clearly guarded in the wording of his denial (of arms sales). Maybe this can be partially explained by the fact that in 1997 I told Kokoshin I had evidence Moscow was constantly and massively breaching the arms sanctions regime on Iraq. (In 1997 Kokoshin did not confirm, comment on or deny the allegations.)

In September 1990, after Saddam Hussein’s invasion of Kuwait, the Soviet government issued executive order 1422 that banned all arms and military technology trade with Iraq “in accordance with the UN Security Council resolution.” Some 80 percent of the hardware of the Iraqi military is Soviet-made. If sanctions had indeed been watertight since September 1990,
today there would not be a single Iraqi jet or helicopter flying, tank rolling, or radar or SAM battery operating due to a lack of spare parts and adequate maintenance. Hussein's army and Republican Guard would long ago have disintegrated.

There have been large-scale breaches of the sanctions regime all these years. These violations are the main reason that today so much force is needed to dislodge Hussein.”

Felgenhauer writes that in January 1997, he received reliable information that in 1995 and 1996 Iraq acquired 20 Mi-24 Hind attack helicopters in violation of the arms embargo. A Bulgarian trading company called Kintex apparently shipped the Hinds in containers into Iraq.

The author writes in the “Moscow Times” that: “The country of origin of the Hinds may have been Russia or Ukraine.”

Robert Goldberg, a writer specializing in bioterrorism and medical innovation, provided the following information in the “Wall Street Journal” European edition on 27 March. “In 1999 Russia agreed to sell Saddam Hussein $100 million worth of military hardware. The deal involved Ahmed Murtada Ahmed Khalil, the transport and communications minister, who ran the biological weapons program at the Salman Pak facility outside Baghdad, and who knew exactly what Iraq would need in order to rebuild its WMD program after the Gulf War.”

The Belarus Connection

According to “Jane's Intelligence Digest” from March 28, 2003 in January 2003, Lebanese intelligence officers were tipped off by their Western counterparts that a large consignment of innocently labeled cargo in Beirut airport which had arrived from Belarus in fact contained military equipment. The 12 tons of equipment discovered included 600 helmets, army uniforms, 240 wireless communication sets for tank crews and other military items which had arrived on board a flight from Minsk on 12 January (see JID 12 January 2003). Investigations revealed that the military equipment was destined for Iraq and was being shipped via Syrian middlemen. Belarusian officials denied that the material had originated in Belarus but accepted that Minsk, just like Syria, could be a transit country for them. Lukashenka, Russia's closest ally in the CIS, described the Lebanese accusations as “thoughtless and senseless statements.”

“Jane’s Intelligence Digest” writes that “Between 1996-2000, Belarus ranked tenth in the world's arms exporters, not far behind Ukraine which was in seventh place, although Ukraine is a far larger and more populous state. Belarusian arms deals, in common with arms exports from Russia and Ukraine, are highly secret and the details are not open to public scrutiny. Funds earned from Belarusian arms exports go directly into secret funds controlled by the country's controversial president, Aleksandr Lukashenka. These accounts are handled internally by the presidential administration and are used to help prop up the authoritarian regime ruled over by the former Soviet-era collective farm director.”

Ukraine and the Kolchuga Affair

The case of the alleged Ukrainian sale of the Kolchuga radar system to Iraq in 2000 is in a different category[8]. In this case, the facts show that the President of Ukraine, Leonid Kuchma himself ordered a covert operation to sell the radars. This was not a decision by the government of Ukraine, but by the President himself in league with the head of the security service and the head of the State arms sales company. President Kuchma denies selling these radar units and it has been impossible to track the matter down by a joint American-British commission sent to Ukraine last year to investigate this purported sale. Maybe they will be found in Iraq by the forces of the coalition fighting there now.

But the Kolchuga affair is only one of a number of allegations that Ukrainian arms made their way to Iraq. The activities of Ukrainian arms enterprises in Kharkiv and other cities were described in an excellent article in Commentary (July/August 2001) by Gary Milhollin and Kelly Motz which showed that Ukrainian involvement with the arms trade with Iraq goes back to 1993.[9]

Organized Crime, Corruption and Arms Sales

One of the most persistent problems with such arms sales is that thus far, not one individual suspected of such activity from the former Soviet Union has been prosecuted in his or her country. All prosecutions to date have been in the West. To make matters worse, suspects wanted on Interpol arrest warrants for arms smuggling are today living peacefully in these countries. And while the security services know who the rogue arms merchants are and the names of officials who have received large
bribes to facilitate their sales; it seems that they enjoy immunity from punishment.

It is apparent that the nexus of crime and government in these countries is what protects the arms dealers and other members of organized crime gangs from prosecution. A glaring example of this is that one of the men accused in Italy of complicity in arms sales to Croatia was elected a member of a regional council in Russia last year. In another incident which took place last year, the spokesperson for the Russian branch of Interpol was holding a press conference in Central Moscow where he was asked about the whereabouts of a known arms dealer, one Viktor Bout. He replied that Bout was not in Russia and he had no idea where he might be. At that exact moment, Bout was less then kilometer away giving an interview for a large Russian radio station, Echo Moskvy. And despite letters from members of this Congress to Russian authorities to have Bout turned over to Belgium to stand trial, nothing has been done. Mr. Bout seems to have some very high level protection within the Russian government and its law enforcement agencies.

In my research on illegal arms sales I have often come across one common thread linking the illegal sale of arms to official state sales--in both cases there seems to be a popular view that arms sales are not dangerous transactions. If a government can legally sell Kalashnikov’s to some less than enlightened regime and at the end of the year brag to its citizens how much money the country made from these sales, then it is very difficult to convince its citizens that illegal sales are dangerous crimes. This prevailing view that arms sales are “soft crimes” is what needs to be combated in these countries.

If it is common practice for Russian army units in Chechnya is to sell automatic rifles to the rebels, and the next day these rifles are used to kill dozens of their fellow soldiers, and the sellers are not punished, then how can one expect any punishment for a dealer who sells rifles to Liberia or to Al-Qaeda?

It should be kept in mind that arms dealers are also members of transnational organized crime groups. Take for example the case of helicopter sales to Liberia in 2000. In this transaction there were Russians, Slovaks, Kyrgyz and Moldavians all working together. I would like to provide a few examples of the scope of these operations.

**Transnational Criminal Gangs and Arms Deals**

On 2 July 2000, the LOT helicopter repair plant at Trencin in Slovakia signed a contract with Kyrgyzstan’s Ministry of Defense for the repair and refurbishment of two Mi-24 helicopter gunships belonging to Kyrgyzstan.[10] The arrangements were made by the Kyrgyz Defense attaché in Moscow, a Major General Urazmatov. The first Mi-24 arrived in Slovakia in late June 2000 aboard an Il-76 (registration number TL-ACU) with the approval of the Slovak Defense Ministry. It was repaired and flew back to Kyrgyzstan. The second Mi-24 arrived in October 2000 and was to have been picked up by an Il-76 in February 2001. The transportation in both cases had been arranged through a private airline company, Centrafrican Airlines. However, the Slovak authorities became suspicious. Their inquiries turned up some interesting facts. Kyrgyzstan's Ministry of Defense was not aware that any of its helicopters were to be repaired in Slovakia. In fact, the helicopters in question had been sold to an arms broker, Alexander Islamov. The repair contract in Trencin set up by Major General Urazmatov was thus concluded without the knowledge of the Ministry of Defense of Kyrgyzstan. The second Mi-24 was then grounded.

Soon after the grounding of that Mi-24, Peter Jusko, a Slovak businessman representing a company called Pecos, arrived in Trencin claiming the Mi-24 helicopter belonged to him. Jusko was already known to Slovak authorities as the director of an arms brokerage called Joy Slovakia. As a UN panel of experts later learned, one of the directors of Joy Slovakia was Alexander Islamov, the same person who had bought the helicopters from Kyrgyzstan. The UN also learned that Joy Slovakia had done business with the Slovak military in the past. The Slovak Defense Ministry had once sold them small arms destined for Guinea. The UN experts were even shown a copy of the End-User Certificate for the deal with Guinea. But the arms were never delivered to Guinea—or even ordered by them. The End-User Certificate that Joy Slovakia had presented was a forgery. The weapons had been smuggled into Liberia.

The second Il-76 airplane, whose mission was to transport the now-grounded helicopter in Slovakia, had been registered in the Republic of Congo and in the Central African Republic. Requests for landing the Il-76 in Slovakia had come from the MoldTransavia Company in Moldova, owned by one Pavel Popov and the billing address for the airplane was in the United Arab Emirates. As it turned out, the Il-76 was owned by Victor Bout who was also the owner of Centrafrican Airlines—which shared the a post-office box (P.O. Box 2190 in Ajman) in the United Arab Emirates with another Bout front, Transavia Travel Agency, and San Air General Trading, which is owned by one Sergey Denisenko. In March 2001, San Air and Centrafrican Airlines moved to new offices in the rebel-controlled Ajman Freezone and now are part of the entity known as CET Aviation Enterprise.

This Il-76 picked up the first helicopter that was repaired in Slovakia on 2 August 2000 and filed a flight plan back to Kyrgyzstan. However, it arrived in Kyrgyzstan from Tbilisi, Georgia only for a fuel stop on 22 August. It left immediately
stating that it was heading for Conakry in Guinea. But flight-control logs show that it never went to Guinea; instead it landed at Roberts International Airport in Liberia on 23 August. All evidence points to the conclusion that it delivered the Mi-24 there.

**Milosevic and Arms**

In 1994 President of the Federation of Yugoslavia, Slobodan Milosevic, set up a scheme. He would secretly use money collected by his customs service to pay the thugs who were committing genocide in his country and for the weapons needed for this “ethnic cleansing.” A series of cover companies were set up in Cyprus and the deals began. Among other items, military helicopters were purchased from the Ukrainian company UkrSpetzExport, and $1.4 million was wired to their account. In February of that year, some $500,000 was wired by Milosevic’s men from Nicosia Cyprus into the account of Aviatrend Company owned by a man living in Moscow named Valeriy Cherny which arranged for the transport of these helicopters and for arms. The Aviatrend name would resurface again over the years as a company heavily involved in smuggling guns to Africa. The helicopters purchased from Ukraine by Milosevic were used to gun down innocent civilians in the conflict in Yugoslavia. It is also true that at the time the helicopters were sold by the Ukrainians, there was no arms embargo on the former Yugoslavia. Nonetheless, there is a record of payment of $100,000 into the Nauru bank account (account number 47069 of V.E.) for an unnamed Ukrainian official involved in the deal.

A full report on this was presented to the War Crimes Tribunal in the Hague last year by the prosecution.

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**Early Russian Sales**

Leonid Leonidovich Lebedyev has three known private addresses in Moscow. He along with Mark Rafaylovich Garber are among the 31 founders of “Korporatsia Sintez” (KS) registered in Moscow and headed by one Tukhvatulin R.H. with headquarters in Moscow at Malaya Nikitskaya street 29, building 1. KS was involved mainly in the oil business in Russia, but did not limit itself to this. KS actively bought into other energy companies in Russia and had extensive dealings with a company by the same name in Ukraine.[11]

Lebedyev’s Moscow based KS, through a series of agreements with the Russian State arms trading company, Rosvooruzhenye, sold the oil that Rosvooruzhenye received as barter payment for Russian military equipment it sold to Iran in the early 1990’s. Sintez sold the Iranian oil but never paid the Russian government for it and parked $36 million in off-shore accounts in Jersey (U.K.). Part of this money was used for illegal arms trafficking to Croatia. The rest went into VAT scams based on fake oil exports from the Tyumen oil company through Zhukov’s Sintez company in Odessa, Ukraine. According to Sources in Moscow, the president of Tyumen Oil Company at the time, used approximately $100 million of Lebedyev’s money and invested it in illegal businesses. Last year Mr. Lebedyev was elected to a local council in Russia and now enjoys immunity from prosecution. He is also a co-defendant at a trial currently taking place in Turin Italy where a number of arms traders are on trial. Unfortunately, Mr. Lebedyev has refused to participate in the trial.

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**How Arms were Sold to Croatia**

At the time of the war in the Balkans in the early 1990’s, the United Nations imposed an arms embargo on Croatia. This embargo however, was systematically broken by many states and arms traffickers, and few faced charges afterwards. At that time, in February 1992, Dmytro Streshinsky, a former citizen of Ukraine, arrived in Kyiv and asked a few old friends to set up a branch of his Panamanian registered company “Global Technologies International” in the capital of Ukraine. They willingly agreed and soon afterwards a subsidiary company, Global Technologies Ukraine, (GT Ukraine) was registered in Kyiv, Ukraine with Anatoliiy Fedorenko, a former KGB officer according to some press reports, as president and Andriy Vazhnyk as his deputy. Streshinsky went right to business. First he contacted the State arms sales company, “Progress” (the predecessor of UkrSpetzExport) and made them an offer. He explained to them that he represented a ‘wealthy client’ one willing to pay cash on the line for weapons, all sorts of weapons. He would show the company a valid end-user certificate and they would get cash. At this time, the Ukrainian military was hurting badly. The fall of the USSR had left them almost penniless and they needed to pay their troops, not to mention have something left over to train them, feed then and house them. After some horse trading, they came up with a price, two prices in fact. One for the equipment Streshinsky wanted to buy. It was a rock bottom price. The other was a side payment to the military men who consented to do business with him, in other words a bribe. Originally
On September 24, 2000, the British newspaper the “Observer” reported that the International Criminal Tribunal for the Former Yugoslavia (ICTY) had found Andabak, a Croatian Serb general, innocent due to lack of evidence. The ICTY had previously charged Andabak with involvement in the arms embargo violation.

The trial found Andabak, who was tried in absentia, innocent due to lack of evidence. However, in December 1999 a shipment of 600 kilos of cocaine sent from Ecuador was confiscated in the Port of Rijeka in December 1999 on a report from the Vienna office of the DEA. The man behind this shipment turned out to be Andabak who was arrested and eventually released on bail.

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Yugoslavia questioned General Ivan Andabak over his alleged involvement in supplying the Real IRA with weapons, including the rocket-propelled grenade fired at MI6 headquarters in London that month. Andabak is still at large.

As we can see, the links between organized crime, narcotics and arms smuggling is a strong one indeed in the Balkans. The recent assassination of Zoran Djindjic, the Prime Minister of Serbia has been tied to his efforts to control the drug traffic in the country. The police in a shoot out recently killed his suspected assassin, and now it might be even more difficult to ascertain the truth in this case.

It therefore is no wonder that Bosnian Serb companies were selling military items to Iraq and refurbishing Iraqi fighter aircraft. The middleman in these deals was the Yugoslav state arms trading company Jugoimport. Belgrade blamed the government of former Yugoslav President Slobodan Milosevic for arranging the sales to Iraq, but did go ahead and fire an assistant to the defense minister and the general manager of Jugoimport for their role in the affair.

Some Observations

From these few examples, and there are numerous such cases, it is clear that many of the governments in the former USSR and Central Europe look upon such sales with a nod and a wink at best and are often complicit in the illegal sales themselves.

The reasons for the ease with which these sales have taken place are not difficult to find.

1. The vast scope of corruption in these countries. As an example; in Russia alone in 2002 the dollar value of bribes given to officials of different levels totaled some $30 billion. It is important to remember that most often it is not the governments themselves which sell arms on the sly to rouge regimes, but individuals and organized crime groups. They succeed because of the high level corruption within the governments and the lack of sufficient controls on exports of arms.

2. Lack of punishment for arms dealers. This can be tied in with corruption and a government attitude of general protection for “our own people.”

   What I believe was taking place when it came to Iraq was that an infrastructure of surrogate arms sellers came to be. Nobody was touching them for they were doing that, which many people in their governments wanted to, but could not do; sell weapons to Iraq or other anti-Western regimes in order to make money and satisfy their ideological hatred of America.

3. The relative ease with which end-user certificates can be forged. In most of the above examples, forged end user certificates were presented to companies and governments as proof that the sales were legitimate. That many of the governments involved did not bother to carefully check the authenticity of these certificates is a separate issue, but there is a need to establish a new international system of identifying the end user for arms sales.

In my research I have often wondered what makes it so easy for the arms dealers to get away with it. The answer I have been able to come up with is that many people do not see arms smuggling as a major evil. In the popular post communist view of things, this is seen as another business. If Russian soldiers can sell their weapons to Chechen fighters who turn around the next day and kill other Russian with these weapons and the sellers remain unpunished, why should a person selling weapons to Iraq be punished? The seller does not pull the trigger, the buyer does. I firmly believe that most of the export controls in place in these countries will remain meaningless until this myth is dispelled.
1. Seattle-Post Intelligencer, 9 July 2001

2. Trans-Dniester Region Is Staging Point For Belarusian Arms
28/02/2002, “Voice Of America”

3. ITAR-TASS 23 August 1994

4. FLUX, 13 June 2002


6. BTA News Agency, 26 April 1993, as quoted by Human Rights Watch


8. “Selling the Kolchuga to Iraq” RFE/RL Organized Crime and Corruption Watch, 19 April 2002


11. Interrogation of Alexander Zhukov in Turin, Italy on 3 December 2001


13. IBID

14. IBID


16. “Nacional (Croatia), October, 2000