

## *Chapter 11: Africa – From the privatisation of security to the privatisation of war?*

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### **Introduction**

**I**n 1986, the noted Kenyan scholar, Ali Mazrui wrote that the African state, since independence, has been subject to two competing pressures: the push towards the militarisation of politics and the pull towards the privatisation of the state; and the competition between capitalist greed and the quest for naked political power.<sup>1</sup> Mazrui argued that Western-style imported political institutions in Africa had established shallow roots. Africans internalised capitalist greed through colonialism, but failed to internalise free market discipline. In the process, Western consumption patterns were much more effectively transferred than Western production techniques. Western tastes were acquired more quickly than concomitant skills. The profit motive was adopted without the efficient calculus of entrepreneurship. As a result, “... *in a technologically underdeveloped society in the twentieth century, ultimate power resides not in those who controlled the means of production [as postulated by Marx], but in those who controlled the means of destruction [captured by the soldier/bandit with an AK-47].*”<sup>2</sup> Africa has therefore been “... *torn between the forces of anarchy on the one side, in the sense of decentralised violence, and the forces of tyranny, on the other side, in the sense of orchestrated centralised repression.*”<sup>3</sup>

While there is much to gain from Mazrui, he is wrong in one crucial respect. The analysis reflected in this book would indicate that the trend towards the militarisation of politics and the privatisation of the state, in fact, have become mutually reinforcing in Africa. The expansion of the private security industry, including the role of mercenaries, has exemplified this trend. As African state collapse has continued through the 1980s and 1990s, access to political power has increasingly constituted a way to monetary reward. Hence the phrase ‘the privatisation of the African state’ – the political and commercial subjugation and exploitation of the state and the general populace in the interests of élite commercial, often criminal, gain.

The years since Africa attained general independence have seen the modern legitimisation of African military involvement in the affairs of neighbouring states, either through the transfer of arms, support or acquiescence to neighbouring dissidents, direct invasion or raids. While the academic discourse is dominated by the repetition of the fallacy that conflict in Africa has become more intrastate than interstate in character, the reverse is true. In a continent characterised by soft and unclear borders within which state control often does not extend beyond the end of the urban sprawl, military and political interference in the affairs of neighbouring countries is the norm. At the last count, nearly a third of sub-Saharan Africa’s 42 countries were embroiled in armed conflict, and more and more African rulers are seeking military solutions to political problems. At least thirteen have sent troops to neighbours’ wars. Tensions have erupted in war between Ethiopia and Eritrea. Elsewhere, Senegal is helping to squash a rebellion in Guinea-Bissau, as did South Africa in Lesotho, while Namibia,

Zimbabwe, Rwanda, Uganda, Chad and others are all embroiled in the conflict in the Democratic Republic of Congo.

By the late 1990s, non-indigenous hired military assistance had become endemic to a country such as Sierra Leone without having brought any greater degree of stability. In fact, instability was a function of their continued employment. Following the termination of an earlier contract with the Gurkha Security Guards (GSG), the South African company, Executive Outcomes (EO) had initially brought a sense of security to the conflict-torn, diamond-rich country. During May 1997, at a time when President Kabbah was deciding between a new contract with EO<sup>4</sup> or placing his trust in the Nigerian-led peacekeeping forces in Freetown, he was ousted in a bloody *coup d'état* by a group of young, middle-ranking officers of the Sierra Leone Military Forces.<sup>5</sup> Some months later, EO's sister mercenary company, Sandline International<sup>6</sup> played a central role in the reinstatement of Kabbah as president. Sandline provided intelligence, logistical and air support during the Kabbah operation, as well as 35 tons of military equipment from Bulgaria to the Nigerian-led forces of the Economic Community of West African Monitoring Group (ECOMOG), which did most of the fighting. None of these efforts appeared to have brought long term stability to Sierra Leone, as the Revolutionary United Front rebels were battling ECOMOG for control of Freetown itself by January 1999.<sup>7</sup>

While the apparent collaboration between the British government and Sandline International has seen the issue investigated and debated vigorously in Britain, the co-operation between private military companies and a regional grouping such as ECOMOG is a development that has attracted almost no comment or interest from the academic community. At the level of the United Nations, the debate about outsourcing military-type services is pursued vigorously, yet subregional enforcement structures such as ECOMOG have much less compunction about such alliances. Sandline assisted ECOMOG in 1998 in a direct supportive role. Its helicopters ferried ECOMOG commanders across the country, at one point rescuing ECOMOG commander, Brigadier Maxwell Khobe and UN officials from an RUF fire-fight. In the same year, 1998, Sandline was engaged in a disastrous operation in Papua New Guinea, largely on behalf of Branch Energy and Heritage Oil and Gas. The company had subcontracted EO for the provision of military instructors, but the operation failed when the Army commander publicly objected, having been paid off by a competitor.<sup>8</sup>

In a similar vein to the co-operation between ECOMOG and Sandline, the security services that LifeGuard Security provided to UN relief operations in and around Freetown have not raised much controversy – despite the fact that both LifeGuard, Sandline and EO personnel are drawn from the same recruitment pool.<sup>9</sup> Although not discussed at any great length here, this trend is certain to expand and grow in the years that lie ahead. Some may also question the real difference between Sandline's support to ECOMOG and the alleged use of French or South African helicopter pilots under contract by ECOMOG.<sup>10</sup>

But one must balance this version of events with a healthy dose of pragmatism. Western governments and large multinational corporations do not want to be associated with political conflict in their operating environments and have every reason to end such conflicts – preferably on terms which are to their own advantage. Many of the countries in Africa where

large multinational companies operate, are politically unstable – civil war, political turmoil and corruption rage unabated. Democratic governments may expect serious political problems at home should evidence of too direct a role emerge. Shareholders may feel equally uncomfortable about the means used to ensure the continued extraction of minerals in far-flung and hostile countries such as Angola, the Democratic Republic of Congo, Sierra Leone and Liberia. Yet, if conflict cannot be ended and appears to be endemic, the opportunity to exploit the situation for commercial gain, if the pickings are rich enough, is difficult to resist.

At the conclusion of this study, three areas require comment. The first, and most crucial evidence that has been led in this study relates to the nexus between the twin processes of the privatisation of the state in Africa, central to the structural adjustment agenda, and the response to privatisation by many of the post-colonial African élite. It will be argued that it is this nexus between these trends that currently provides space for the expansion of private military activity in Africa. The second area deserving comment relates to the debate around the legitimacy and efficacy of such involvement. It is essential that these issues are satisfactorily resolved if national governments and the international community are to find appropriate mechanisms of oversight and transparency to deal with this rising phenomenon. The final section contains a number of tentative policy proposals.

### **The African state and the privatisation of security**

From an African perspective, it has to be questioned whether peace is to be kept only at the cost of African states placing their natural resources in pawn. By extension, one might ask whether those countries lacking the necessary and conveniently exploitable unassigned assets are by implication excluded from such assistance by the private sector. Of course, it may also be argued that these resources can only be exploited and the proceeds taxed to benefit the general good, if relative security is established.

It does seem evident, however, that companies and entrepreneurs – if they can command reliable private military assistance – will be in a better position to negotiate concessions than other businesses without such connections. Is the time that far off when private companies will do battle, literally, for access to the natural wealth of Africa, as did the chartered companies of yesteryear? Should this happen, it will be because the international community have ceased to regard Africa as a continent entitled to the consideration of the community of nations and African problems as a vital threat to their own growth and tranquillity.

Another, potentially more worrying question must also be raised, however. It is one that may not have occurred either to those who deplore the use of private military companies and mercenaries or those who see this as an inescapable necessity given the reluctance of the major players in the international community to assist in the risky business of peace enforcement in remote and relatively unimportant areas. It has to do with the nature of the African state: in part, its weakness, but also the matter of its essence and *raison d'être*. It also raises the tricky question of the difference between a recognised state and a legitimate state.

What distinction are we to draw between the security and survival of the state and the security and survival of its present ruling élite? In so many cases, it appears that the latter, rather than the former consideration, actually dictates policy. In this respect, the 'privatisation of war' takes on another, rather more sinister meaning, as heads of state deploy the instruments of sovereignty for personal and private ends. More worrying is the tendency of the diplomatic community – which has its own interest in preserving the myth of abstract and disinterested sovereignty – to ignore this reality, at least in public. Under such conditions, it is hardly likely that the mainspring of African, and other foreign and domestic politics will be correctly identified, surely a prerequisite for considered international intervention.

In a recent draft paper on the criminalisation of the African state,<sup>11</sup> the Gorée Institute argues that, while donor governments and organisations have extolled the virtues of structural adjustment programmes for some years and have introduced the concept of 'good governance' which, in their view, should enhance the process of the democratisation of African political systems and the strengthening of civil society, other processes were rather more in evidence. The widespread demand for democracy, which had weakened the grip of dictatorships and single-party states, had been largely contained by countermeasures implemented by the holders of power themselves. The process of democratisation has been co-opted and used to legitimise and disguise the continuation of the same political and economic order. Even in cases where a change in government has taken place, the Institute argues, this had often proved insufficient to cause any profound break with the entrenched political-economic systems. On this basis alone, the much vaunted democratisation of Nigeria, Africa's most populous state, must be questioned. How strong are the democratic forces in Nigeria when faced with an entrenched military-economic élite – and how relevant are they to the majority of people of that troubled country?

Structural adjustment programmes were intended to eliminate unproductive forms of economic behaviour and rent-seeking corruption, as well as to reduce the influence of political interests in economic life and decision-making. The results, however, have been varied. The privatisation of public companies and banks and the promotion of a minimum state at the instigation of aid donors have led to the privatisation of many of the sovereign functions of the state including tax collection, customs services, the issuing of banknotes, the maintenance of internal security and shortly, national defence. Driven by the neo-liberal agenda, the commercialisation and outsourcing of the powers of weak, unconsolidated governments have created new opportunities for private security companies and other actors. The apparent loss of the coherence of the state has also encouraged the emergence of new forms of power relations, notably between the central government and local actors, and of new institutions, such as vigilante groups and private militias. The creation of new economic and financial opportunities has seen the emergence of national and transnational actors who are directly implicated in criminal economic activities such as drug-trafficking, trade in stolen cars, general smuggling, and more. In short, the outsourcing and commercialisation of state functions in unconsolidated states have not proven to be a panacea for the lack of capacity, corruption and poor delivery that have characterised the post-colonial state.

The current fashion of privatising services that, for up to a century ago, were the sole preserve of the state, has seen the commercial sector move into areas such as the provision of domestic and professional security, including armed response, and even the running of prisons.

There has also been a growing tendency on the part of defence ministries, eager to reduce their recurrent budgets and to divert their resources to the ‘sharp’ end of their establishments, to outsource certain of the administrative and logistical tasks that increasingly assume a complexity for which civilian skills are better suited. This form of privatisation has taken on global dimensions with Africa also participating, albeit in a way dictated by the confines of its meagre resources. At the international level, the United States has been at the forefront of the effort by northern powers to downsize the UN through the modernisation of its management, the cutting of costs and a reduction in waste, commensurate with global business trends. The agenda has primarily been to modify UN mandates and *modus operandi* in line with ‘northern’ priorities and practice that have gained credence with the fall from favour of leftist economic policies. While these economic policies have generally proven successful in developed societies, the verdict with regard to developing societies in Africa in particular, is not yet out.

As police forces fail to cope with petty and violent crime that emanate from a society in which gross inequalities of wealth and opportunity prevail, and where the sanctity of life is mocked by the misery in which most are compelled to struggle for an existence, those with properties to defend have to pay for this service. When the comparatively well-off attempt to secure their possessions and personal safety against would-be criminals, the result in Africa and often elsewhere, has been a proliferation of private security companies, and the apartheid of security described in this book by Lock. Ironically, the growth of the private security industry thrives upon the creation and deepening of a climate of anxiety and fear among the relatively wealthy, so that insecurity and security form an ever-accelerating spiral of subjective impressions.

It has also been shown how the globalised economy, particularly international corporations, have wrested important assets from African state control in many instances. This economic vulnerability has eroded the ability and competence of the state to survive, while insecurity and rising poverty within the state have led to an increased ethnic awareness and the development or resumption of a variety of forms of identity politics. These, together with Africa’s cross-border ethnic communities, have therefore further softened borders that were already porous and unenforceable.<sup>12</sup>

The results and characteristics of these challenges have recently been recognised as part of the growth in organised crime in much of Africa – to the extent that writers such as Bayart, Ellis and Hibou have taken to refer to the ‘criminalisation of the African state’.<sup>13</sup>

Organised crime is traditionally viewed as group activities with hierarchical relationships that permit the leaders to earn profits or control territories or markets, internal or foreign, by means of violence, intimidation or corruption, both in furtherance of criminal activity and to infiltrate the legitimate economy.<sup>14</sup> Many of the elements of this definition apply equally to the way in

which business is done between multinationals and the domestic political-military élite in weak African states – hence, the phrase ‘the criminalisation of the African state’ – the invasion of the political arena by criminal practices.

Seen through this prism, criminality remains a wide concept, but clearly includes

*“... economic and financial practices that are generally considered to be forms of theft or fraud such as the diversion of foreign aid, the illegal export of capital, the looting of capital and natural resources, the large-scale forgery or falsification of foreign-branded consumer goods, systematic tax evasion and money-laundering; or types or economic activity that are regarded as illegal according to the laws of virtually every country in the world, such as currency forgery. A further example is the illegitimate use of the coercive resources of the state or the use of violence which is private and, hence, illegitimate.”<sup>15</sup>*

*“Far from being a tendency peculiar to the political life of Africa, the criminalisation of the state and of the economy can be properly understood and apprehended only in the context of globalisation. In as far as Africa is concerned, this process of criminalisation expresses the re-negotiation by African societies of their insertion into the international system far more than it represents the marginalisation of the continent. Furthermore, criminalisation is not the outward sign of a decline, collapse or dislocation of the state but is one of the modes in which it is formed. It is therefore quite possible that, in the long run, this proves to be quite compatible with the process of democratisation.”<sup>16</sup>*

For example, sub-Saharan Africa has witnessed a spectacular increase in the occurrence of widespread fraud in recent years – a wave of duplicity and deceit which affects medical and pharmaceutical products, foodstuffs and products for human consumption, fertilisers, and much more.

There can be little doubt that the activities of private security companies, acting on behalf of and in collusion with multinationals and the local élite are aimed at securing certain benefits for their paymasters – to provide a particular value-added service. Sometimes, this may be to enable mineral exploitation to the exclusive benefit of certain companies or groups. Seen in isolation, little fault can be found with such endeavours. The private security industry is wide-ranging, and involves billions of dollars, with the greatest part of its business probably being entirely legitimate and conducted in accordance with generally accepted business practices, norms and standards. Companies are entitled to seek legitimate business. Governments must establish mechanisms for oversight and regulation, both individually and collectively – where they exist and can do so.

Yet, the trend is part of a larger one – the recent growth in the predatory exploitation of economic resources across large swathes of Africa. Evidence of these practices include the development of quasi-military poaching and hunting, of armed raids, cattle-rustling and vehicle theft, the unregulated cutting of hardwood – the expansion of a trend consisting of soldier/rebels and policeman/criminals. This trend is also reflected in the rise of African warlords who are motivated by ethnic survival, political ambition and personal gain to control those areas where the government writ no longer holds sway. It is this trend that sees armed

rebels halt the famous Dakar rally during January 1999, search the participants for valuable goods and hold them to ransom in defiance of the local security forces.

## **The legitimacy and efficacy of the use of private military companies**

The British debate on the involvement of a private military company in the reinstatement of President Kabbah of Sierra Leone, referred to above, casts an interesting light upon the public and private attitudes towards this form of private military activity. On 5 May 1998, in a leading article entitled *Double-edged sword — The case for a pragmatic assessment of mercenary forces*, The Times expressed its amazement at the Foreign Office's handling of the affair, which seemed designed to deny itself any credit in achieving the restoration of the legitimate government of Sierra Leone, despite numerous indications that this was an important aim of British policy in Africa. Moving on from the unfathomable ways of politicians, the writer focused on a less ephemeral aspect of the involvement of Sandline International in Sierra Leone.

*“This is a ‘scandal’ to be kept in perspective. But it raises a wider question, about what relationships governments should have with the private military companies that have become a fixture of the post-Cold War world. Mercenaries have been used down the ages, often openly and effectively ... They could have a modern role. When national armies are being cut back and publics will not stand for casualties, the choice may be between limited privatisation of peacekeeping, or no action at all. The manpower engaged in UN peacekeeping has been cut by 70% since its peak in 1994. The answer is not to criminalise operators who have skills the world needs, but to develop a coherent framework to make them more transparent and improve accountability. That, if the moralists permit, is the main lesson that policymakers should draw from this affair.”*

Tim Spicer, the retired Scots Guards officer who heads Sandline International, published a comment piece in the Sunday Times of 24 May. After sketching some of the gratuitous atrocities inflicted by the rebels upon the civilian population, he reiterated his opinion that Sandline was proud to have played a part in restoring a responsibly elected government.

*“I sometimes wonder if the people who have talked so disparagingly of ‘mercenaries’ from the comfort of their armchairs in recent weeks have any idea of what a dangerous world it is out there. Since the end of the cold war smouldering ethnic conflicts have broken out all over the globe. In the old days, one or other of the superpowers would have snuffed them out. Now, the forces of the traditional ‘policemen’ are depleted. Most have neither the resources nor the political will to involve themselves in faraway conflict, particularly if it is not nationally significant. Local armies can’t always deal with conflict. So how can countries create a safe, stable environment for peaceful existence and economic growth? Often they can’t and are left on their own with catastrophic results. That’s where private military companies (PMCs) come in.*

*Sandline and other PMCs are part of a wholly new military phenomenon. Could things have been different in Burundi or Rwanda if an effective military force had been deployed quickly? The answer is yes. Thousands of lives could have been saved, but nobody went.”*

Spicer proceeded to make a number of points about the sensitivity of his company in accepting contracts, with due consideration of the client's legitimacy, honesty and regard for human rights.<sup>17</sup>

The same sentiments are reflected on the Sandline International website, which also states, as a matter of policy that "... *the company only accepts projects which, **in the view of its management**, would improve the state of security, stability and general conditions in client countries. To this end the company will only undertake projects which are for:*

- *Internationally recognised governments (preferably democratically elected);*
- *International institutions such as the UN;*
- ***Genuine, internationally recognised and supported liberation movements;***
- *And which are ...[w]here possible, **broadly in accord with the policies of key western governments** ..."*<sup>18</sup>

The contradictions evident in such a policy statement, while understandable at the corporate, competitive level, are truly breathtaking at the international level. Ten years ago, the *União Nacional para a Independência Total de Angola* (UNITA) was considered a genuine, internationally recognised and supported liberation movement in most Western capitals, while the African National Congress (ANC) of Nelson Mandela was branded a bunch of terrorists by more than one Tory cabinet member some years earlier.

The fact that upmarket companies, such as Sandline and Executive Outcomes, were not prepared to work for anything but 'recognised governments' does not mean that other, more shady companies with no public relations division, website and brochures will not do so.

The question is 'who decides'. Clearly, this cannot be purely left to the management of a private military company, hired by multinational corporations with clear commercial interests, or to clients consisting of the narrow élite governing countries and approved by intelligence agencies of 'key Western governments'. To do so would be to abrogate any whiff of international law and accountability to commercial interests and to leave peace and security to the jungle of unregulated predatory corporate exploitation.

Spicer has criticised the rogue elements that, by public association, damage the reputation of the respectable parts of this particular service sector, and has urged in favour of the introduction of regulatory legislation instead of outlawing the mercenary industry as did South Africa in 1998. However, there are some who might cavil at the assumption that the human rights record of Kabbah's government was quite as good on his return to Freetown. In fact, some 2 000 suspects were rounded up as collaborators with Koroma's junta, and many found themselves facing the prospect of being tried for their lives. Others were even less fortunate and were summarily executed by the militias or mobs. A related concern has to do with Sandline's apparent enhancement of the Kamajors' military effectiveness, which may impact upon the domestic politics of the country for some time to come.

Kadir Jasin, writing in Malaysia's *New Straits Times* on 26 May 1998, gave the issue a different perspective. He pointed out that the end of the bipolar Cold War conflict had reduced the incentive for outside powers to ameliorate or end conflicts in areas of remote interest. "*To the rest of the world, it means a new form of extra-territorial intervention is taking shape – the so-called 'privatised peacekeeping' when big powers 'franchise' their foreign military operations to mercenaries, renegades and international gun-runners.*"<sup>19</sup>

The question was echoed by *Africa Confidential* in its issue of 29 May 1998<sup>20</sup> when it asked to what extent the British government could or should entrust the making and implementation of foreign policy to private military and mining companies, even in countries of little strategic importance. However successful the Sierra Leone project was in restoring the rule of a legitimate government, and possibly also in containing the regional hegemonic goals of Nigeria, some members of the Commons' Foreign Affairs Committee were understandably hesitant to approve of this kind of precedent.

What has been the concern of this volume, however, has not been so much the private security companies – though these do impinge on the military security arena, as seen in the case of Angola – but on the role of companies purveying military services even as far as participating in combat operations. In this, it appears, Africa may be 'leading the field'. This is not to say that mercenaries have not been contracted to participate in other wars – it is an established and continuing phenomenon – but they seem to be attaining new levels of professionalism and organisation in and from Africa. This is the trend towards 'private military companies' or PMCs that Sandline's CEO, Spicer so boldly proclaims.

The problem often facing government commanders is how to augment their forces, to regain a significant, if not decisive, advantage in the field over their irregular opponents. Often, there is little to choose between the quality of government forces and rebels. The response of companies such as EO and Sandline International has been to revert to classic counterinsurgency doctrine – mobilise and arm sympathetic sectors within the local population against the rebels. As a result, communities such as the Kamajors were trained, armed and used against the RUF by both Sandline and EO in Sierra Leone. Similar to the indiscriminate arming of the population of Luanda by the MPLA some years earlier, when UNITA appeared to threaten the capital city, the independent observer must ask what contribution this irreversible militarisation of society makes to future peace.

On the broader international front, the downsizing of conventional forces in the aftermath of Russia's economic collapse and the disbanding of the Warsaw Pact left a sudden surfeit of weaponry and men-at-arms on the world market, neither of which were as readily converted to pacific usage as the peace dividend optimists had hoped. In Africa, the end of the Cold War removed many of the external restraints upon incipient conflicts and slow wars, and the withdrawal of the patronage of the great powers left the continent's fragile state structures exposed to challenge in a way unprecedented since independence.

In South Africa, the redesign and reorientation of the SANDF prompted many of the most skilled exponents of counterinsurgency warfare to seek private employment in their chosen field, at precisely the time when their skills were likely to be most in demand.

The need to employ private security and military companies also relates to the nature of African forces and their changing relationships with the former colonial and other external powers. In the aftermath of the Cold War, there is less appetite among overseas powers to donate equipment and expertise to maintain or enhance the operational capability of the forces of client states. Even France has indicated that it can no longer afford to mount costly military interventions each time trouble erupts in Francophone Africa, nor can it maintain garrisons in Africa on the same scale that it had done previously.<sup>21</sup> Certainly, there have been exceptions to this, with attempts to instil Western traditions of military professionalism, partially in the hope that these will dissuade African militaries from intervening in the political arena. There have also been a number of initiatives to improve the peacekeeping capabilities of African militaries, though it remains uncertain whether the use of such skills will be limited to the narrow field for which they were intended, as seen in the case of the Ugandan deployment into the Democratic Republic of Congo.

Unable to trust that the UN Security Council would accord Africa the priority to which its states were entitled – especially as problems in areas of greater strategic and global importance required attention from the cash-strapped world body – Africa's leaders turned perforce to the more robust of the private military companies that could assist their weakened security forces.

### **The future of regulation and oversight**

The international community has long been unwilling to concede and discuss the structural collapse in many African societies that have been described in this volume, nor the fundamentals that underlie the trend. The whole structure of diplomacy and international recognition rests on the state as the cornerstone and building block of international law and international relations. Heads of state, in little more than the titular meaning of the word, participate in, and are accorded, the same status, in practice and in law, as elected leaders of consolidated democracies, while many of the policies of the traditional donor countries and the structure of the global financial system condemn the poorest of the poor to remain locked in apparent eternal poverty. The result is a façade and a sense of inviolability in the nature of state borders while leaders conceal or simply refuse to acknowledge the extent of state collapse. International law has never objected to other states helping to prop up a weak state, but has little room for a private company helping to secure sovereignty. Elsewhere, warlords such as Charles Taylor capture the power in a feeble state with a firm resolve to seize and exploit those valuable assets still remaining for their own use.<sup>22</sup>

Since any regulatory system must inevitably rely first on national regulation and oversight, and then on international agreement and co-operation, the reality of a rampant superpower that believes in the sanctity of its own laws alone, as well as an unconsolidated and unequal international state structure and state collapse are therefore particularly difficult challenges to overcome in confronting the issue at hand: how to regulate and oversee the activities of private security and military companies in weak African states.

It has already been illustrated that the links between private security companies, mining companies, governments and individuals are complex and obtuse. In some cases, such as

between Military Professional Resources Incorporated (MPRI) and the US government, the links are overt. In these cases, companies tender for work on a competitive basis and are paid in accordance with standard and accepted commercial practices. With other relationships, such as that between Sandline International and the British government, the links are less overt, but are clearly revealed during events such as those that occurred in Sierra Leone during 1998. In these latter cases, there is generally little transparency with regard to payment, shareholding and, indeed, the process of awarding contracts to a company like Sandline whose profitability and veritable survival depend upon absolute confidentiality.<sup>23</sup> As a result, analysts such as Pech and Vines point to the vested interests of the Canadian company DiamondWorks in Sierra Leone, where it owns the Koidu diamond mine, the Sewa diamond concession, and the Sierra Rutile titanium mine, its close links to Sandline, and the role the latter played in restoring Kabbah to power.<sup>24</sup>

There is no clarity about the exact relationship between governments, such as Britain, and private security companies, such as Sandline. In its own interest, the former publicly distances itself from the latter, while the latter publicly associates itself with the former. Unable to penetrate the hidden world of interaction between the Foreign and Commonwealth Office, MI6, Sandline, DiamondWorks and Kabbah – and to distinguish reality from public pronouncement – the analyst and observer can only guess at the truth.

Many companies argue in favour of ‘corporate good practices’ as part of a system of oversight over private security companies. Following the introduction of value-added financial statements and a greater sense of corporate social responsibility that is evident among Fortune 500 companies, there is, undoubtedly, some usefulness to be gained from such practices.<sup>25</sup> However, it must be acknowledged, at the same time, that these practices are often restricted to the national boundaries of developed societies where intense competition, not some inherent sense of social obligation, has seen corporations adopting a social responsibility ethos to advance their competitive edge in the market. In the rough justice that is Africa, where business can literally be of a cut-throat nature, Generally Accepted Accounting Practice (GAAP) has little, if any, impact. Leaving the market to regulate itself, in this instance as in so many others, will provide little comfort – or real oversight. Asking competitive companies operating in an unregulated, brutal and corrupt marketplace to apply ‘First World’ business practices, is to ask the bottom line to challenge the corporate sense of social responsibility, where the latter often does not even apply.

The global community has embarked upon various initiatives to control illegal and harmful practices, many of which were discussed in the chapter by Sandoz. Yet, the efficacy of these measures are varied and lacking. For example, Britain, while publicly deploring the use of mercenaries, has no legal means of curbing mercenary activity other than the obsolete Foreign Enlistment Act of 1870. No one has been tried under the provisions of this Act for more than a hundred years. France and Belgium have also banned the recruitment of mercenaries, but have not enforced these laws in recent years. The US Neutrality Act of 1937 prohibits the recruitment of mercenaries in that country (but not being a mercenary *per se*), as does the Australian Foreign Incursions and Recruitment Act of 1978. The United Kingdom, along with most other European Union and G8 countries, have not signed the 1989 UN Convention against the Use, Training and Recruitment of Mercenaries, because they regard the

Convention as legally unenforceable. As pointed out by Abraham, the legal impact of the Convention is rendered tenuous by the fact that five of the sixteen signatories had either hired or dealt with mercenaries (Angola, the Republic of Congo, Nigeria and the former Zaire) or was a significant source of mercenaries (the Ukraine).<sup>26</sup>

The failure of the international community and of international law to address this problem, has much to do with the difficulty of having to define the nature of the service that is to be outlawed. Thus far, this debate has revolved around unsuccessful attempts at defining mercenarism. Indeed, this was why the Diplock Committee of Privy Counsellors that was appointed to inquire into the recruitment of mercenaries in the UK chose not to regulate ‘mercenaries’ in 1976. A precise definition of such services is particularly essential, since individuals will potentially be deprived of important rights as a consequence of falling into a prescribed category.<sup>27</sup> The Diplock report concluded that:

*“... any definition of mercenaries which required positive proof of motivation would ... either be unworkable, or so haphazard in its application between comparable individuals as to be unacceptable. Mercenaries, we think, can only be defined by reference to what they do, and not by reference to why they do it.”<sup>28</sup>*

It could well be asked to what extent the infatuation with the term ‘mercenary’ has become an obstacle rather than an aid to oversight and regulation. An approach that seeks to regulate all types of foreign security services, including military and paramilitary services, would arguably be much more fruitful.

Clearly, some type of common position among the members of the European Union, which include countries with a long history of mercenary involvement in Africa such as France, Britain and Belgium, could go a long way in curbing the activities of private military companies. Such measures, however, will not affect the new sources of mercenaries in Africa, increasingly consisting of former soldiers from the Federal Republic of Yugoslavia (Serbia and Montenegro), Bosnia and Herzegovina, and the Ukraine, often with arms from Yugoslavia and Bulgaria.

South Africa, which has shown much less compunction with respect to the practical implementation of well-intended government policy, boldly enacted the Regulation of Foreign Military Assistance Act in 1998. The Act aims to outlaw mercenary activity and regulate the provision of ‘foreign military services’ in similar fashion to the system regulating arms exports. Yet, by January 1999, there had apparently not been a single application under the Act to the National Conventional Arms Control Committee (NCACC), charged with the implementation of the legislation. The fact that the leading department in legislative terms is the South African Department of Defence, undermines the effectiveness of this legislation without a greater role for a department with the information (the intelligence agencies), motivation (Department of Foreign Affairs) or means (Department of Justice) to act. Abraham holds that,

*“[t]he legislation was rushed through parliament without sufficient thought being given to the problem of definition. If the object was to avoid the pit-falls of defining mercenarism in terms*

*of motivation, a more effective definition of what constitutes mercenarism could, instead, have looked to the purpose for which the mercenary is employed. Ordinarily, the legitimacy of that purpose is reflective of the legitimacy of the employer. And, of all, it is purpose that is of ultimate concern. However, simply to define mercenary activity as ‘participation ... in armed conflict ... for private gain’ is to render the definition meaningless.”<sup>29</sup>*

Whatever the real or potential ability of the South African government to enforce the provisions of the Act, the fact remains that EO closed its doors three months after the Act came into effect, leaving more than one commentator speculating on the causal relationship. The South African precedent should therefore serve as a spur for developed countries, who have many more means to enforce what was, in South Africa’s case, probably largely symbolic legislation. At the same time, the ability of a company whose major asset is a well-managed database of former military personnel and the right connections to relocate to a different country, to mutate and change or conceal its identity, must serve to sober too enthusiastic an analysis.

For the international community, particularly for agencies that operate within what has become known as complex emergencies, the establishment of a roster of ‘accredited’ private security companies that are vetted and trained to accompany aid convoys, protect humanitarian relief workers and even provide limited traditional peacekeeping duties, is probably a minimum requirement. Such companies would have to apply for certification that would be endangered by transgressing a set series of standards. Admittedly, this would only apply to a limited number of companies, and then only to those who are interested in operating within a legitimate environment. Both the UN and individual governments may also wish to deploy a much smaller observer team – alongside a private company engaged in peacekeeping duties – as an independent check on activities in the field. But these companies would probably not include the ‘classic’ private military companies such as Sandline.

Until the international community can come up with a clear legal response to what constitutes illegal private military involvement, as opposed to mercenary activity, conventions such as the International Convention Against the Recruitment, Use, Financing and Training of Mercenaries will remain toothless and useless. International conventions on mercenaries and that of the Organisation of African Unity (OAU) both contain definitions that focus on acts aimed at overthrowing or undermining the constitutional order and territorial integrity of the state. Working for a recognised government therefore clouds the legal basis for the classification of activities as mercenary.

Generally, attempts at regulating international private military and security activities, human rights standards and those conventions dealing with organised crime and mercenaries should be strengthened. For example, the monitoring of cross-border movements of cash and appropriate negotiation instruments between countries are generally well established within the developed world, but absent in much of Africa. The same argument could be used with regard to bank secrecy and the availability of records and extradition agreements. Similarly, existing war crimes statutes provide for legal action against personnel who have participated in committing atrocities – provided that proof of such actions can be found and that the legal

client, the supported government, wishes to extradite and proceed with legal steps. The well-known principle which is followed in cases of international crimes is 'extradite or prosecute'. A similar approach should be adopted to deal with atrocities committed by private security and military companies.

The proposed Protocol Against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition and other related Materials, as part of the draft Convention on Transnational Organised Crime, offers the opportunity to advance international co-operation and co-ordination in terms of the control and investigation of the activities of private security companies that overstep the mark. Although in itself insufficient, this measure will provide additional resources to regulate international private military activity.

## Conclusion

A change in the debate regarding foreign private security companies seems to be emerging. Whereas the debate was obsessed with mercenaries and all the emotive and ideological baggage that accompanied this term until recently, much of the contemporary writing and thinking are moving away from the unhelpful and often sterile attempts to judge actions as being mercenary or not. In a perceptive paper, Clapham underlines the need to objectively confront the internal security dilemma facing many African states. He points to "... *two basic criteria by which any security system needs to be judged: its efficiency in maintaining some kind of order on the one hand, and its accountability to those people whose security is at stake on the other.*" In similar vein to many of the arguments evident in this volume, he argues that the

*"... emergence of 'mercenary' forces, which have prompted much of the concern about the privatisation of security in modern Africa, is far more the result than the cause of the underlying problems of African security: and rather than being inherently or necessarily evil, such forces need to be assessed alongside other would-be solutions to the African security dilemma, each of which – supposedly 'national' armies most definitely included – has its own elements of privatisation."*<sup>30</sup>

Many of the trends discussed in this chapter can be illustrated by events in Luanda where the private security company TeleServices dominates and virtually controls the market along the coast and oil areas (as does Alpha 5 in the diamond areas). According to Vines, the main shareholders of TeleServices are the chief of staff of the armed forces, the commander of the army, the head of intelligence, the Angolan ambassador to Washington and the Interior Minister (who received a 25 per cent stake, apparently as a reward for helping to evict Defence Systems Limited (DSL), the rival company).<sup>31</sup> In this manner, senior Angolan government officials have outsourced core government functions to private companies for personal gain and further eroded an already weak state. Such actions can surely only serve to undermine the remaining legitimacy of the MPLA government in the eyes of foreign investors and local inhabitants alike. In January 1998, Ballesteros, the UN Special Rapporteur on the use of mercenaries, wrote that private security forces were "... *incapable of replacing those agencies responsible for the State's inherent and pre-emptory role to protect life and*

*security ...*” and blamed the collapse of President’s Kabbah’s government in Sierra Leone on the regime’s dependence on EO.<sup>32</sup>

The question whether this incestuous collaboration constitutes organised criminal activity is a moot point. In fact, the relationship between organised crime, the international arms bazaar and the private military industry is a key area that has not been the subject of vigorous investigation. Thus far, the international debate has been driven by the focus on arms trafficking in attempts to track and evaluate global defence equipment flows. Little, if any, attention is paid to tracking the various services that accompany such deliveries or that create the demand for such deliveries.

The activities of the private security industry have, in fact, not been the focus of significant research, although there has recently been an upsurge in interest. There remains a clear requirement for the collection and sharing of much more information on this industry in a much more concerted manner than was the case in the past. There are, as yet, no common definitions, standards and methodologies that can be used – illustrated by the problems in even defining the concept ‘mercenary’. There has similarly been little attempt at analysing trends in a country such as South Africa which has seen a veritable explosion in the private security industry in recent years. At a global level, little effort has been made to gain a greater understanding of the nature and impact of the private security industry as a global force with its own significance. The one important exception is provided by the reports and activities of the UN Special Rapporteur who has significantly and consistently added to the body of knowledge on the industry throughout recent years. His is an endeavour that should continue and even be expanded.

Whatever point of departure is used, there are a variety of political and economic reasons for the upsurge in the activities of private security companies in Africa. On the political front, some of these organisations have assisted governments in their struggle against opposition groups and have propped up dictators – often at the behest of corrupt leaders or for commercial gain. The mining and oil industries often have to provide their own security to protect fixed investments worth millions of dollars. As a result, giants such as Lonrho, Rio-Tinto Zinc, Anglo American and Barrick have utilised the services of security organisations such as DSL,<sup>33</sup> Keeny-Meeny Services (KMS),<sup>34</sup> the Control Risks Group<sup>35</sup> and Kroll Associates. Shell, British Petroleum (BP), Mobil and Texaco have been known to utilise private security organisations for a variety of services from guarding oil installations and fields to augmenting the security forces/military of host governments. Texaco used EO in Angola, while the Israeli company International Security Consultants (ISC) or the US company, AirScan has provided services for Chevron in Cabinda.<sup>36</sup> Yet, the unbridled expansion of the activities of foreign private military companies, even foreign private security companies cannot be envisaged in Africa. Only a few African countries have exploitable minerals and valuables of sufficient short term return, such as oil and diamonds, to provide the revenue streams required to pay the hefty fees that are charged. Tea, cocoa and coffee are high volume, low price commodities that tend to degrade as a country’s infrastructure collapses. Extracting copper, ferrochrome, gold or asbestos requires massive capital injections that are difficult to justify to shareholders in a world characterised by falling base commodity prices.<sup>37</sup>

Private security companies that want to operate more or less like regular businesses, with a sustainable and growing market share, a marketable corporate identity and the possibility to trade profitably on international stock exchanges, such as DSL, will only engage in failing African states at their own peril. Working for international organisations such as the UN High Commissioner for Refugees (UNHCR), the World Health Organisation (WHO) and CARE within African states is, however, an entirely different manner and both legitimate and potentially lucrative.<sup>38</sup>

With no vital or strategic interests at stake in Africa, the Permanent Five Security Council members have proven increasingly reluctant to risk their soldiers' lives in Africa. The stated preference is to build African capacity to deal with Africa's crises. Given the immense gulf in equipment and training that separates them, it seems inevitable that the result will be the development of a two-tiered system of global peacekeeping – one set of standards for the developed world and another for Africa. And different criteria may open the doors for less scrupulous players who rely on force of arms and coercion rather than a careful mandate from the UN Security Council. In this scenario, the primary goal of enduring foreign and domestic private security companies will be to protect international aid organisations that deliver emergency food and other aid, and to replace the armed forces of developed countries in retraining and professionalising those of the countries of Africa.

After Somalia the disinclination of even heavily armed American-led NATO forces in Bosnia to undertake any activity that might risk casualties – much less to engage in actual warfighting – also stands in marked contrast to the role of the Nigerian-led peacekeeping forces in Liberia and, especially, Sierra Leone. Similarly, African leaders such as Dos Santos (Angola), Nujoma (Namibia), Museveni (Uganda), Mugabe (Zimbabwe) and others are prepared to have their armed forces sustain casualties in neighbouring countries to a degree that is unthinkable in the developed world. It thus seems that, at least in environments where high-technology weaponry is no substitute for the common foot soldier, the developed world has ample armaments and little stomach for their use, while African peacekeeping forces lack not the will, but sometimes the tools.

What capacity do Western governments really have to control the activities of private companies, whether they are engaged in mining, mineral exploration or private military security? And what political will could democratic governments garner from their electorate and from their domestic political opponents to regulate such activities? This study has focused on the current phenomenon of foreign private security companies as a clear symptom of the malaise of the crumbling African state, and as part of the response of weak African states to globalisation.

But it should be borne in mind that, in the case of a country such as Angola, war is both made possible by, and is a competition for the spoils of Africa's curse of abundant and extractable natural resources. While the multinational oil companies continue to pump oil for Western consumption in Angola – handsomely benefiting the private pockets of the senior MPLA élite in Luanda, who are free to mortgage future oil concessions and profits to fuel the war – and while UNITA is able to extract and sell untraceable rough diamonds, hard wood and other resources in neighbouring countries, there can be little chance of an end to the war. The

developed world can regulate private military companies and avoid overt involvement in the slaughter that is Angola at the start of 1999. But this will neither make any difference to the MPLA and UNITA, who can fund their campaigns through profits from the sale of minerals, nor to the population at large. Thus, both the activities of companies such as EO and corporations like Chevron, EXXON, Agip and Elf Acquitaine will have to be curtailed if the international community is serious about ending the war in Angola. Doing the one without the other will make very little difference, except, of course, if all you really intend to do, is to avoid being seen too close to where the trigger is pulled, while you are passing on the ammunition from the shadows.

### ***Endnotes***

- 1 A A Mazrui, *The Africans: A Triple Heritage*, BBC Publications, London, 1986, p. 15
- 2 *Ibid.*, p. 16
- 3 *Ibid.*, p. 20
- 4 To provide a 500-man combat and small intelligence unit.
- 5 In one sense, EO had never left Sierra Leone. Their presence was assured by the company LifeGuard which guarded a variety of installations belonging to the mining company Branch Energy and its subsidiaries. See K Pech, *Too Late for the Mercenaries*, *Weekly Mail & Guardian*, 30 May 1997.
- 6 Based in London's Chelsea district, but registered in the Bahamas.
- 7 In a press release dated 5 August 1997, EO denied that it had any business links with LifeGuard Ltd. See <[www.eo.com/presrel/pressrel.asp?series=21](http://www.eo.com/presrel/pressrel.asp?series=21)>, December 1998.
- 8 The head of the armed forces blew the whistle on Sandline, in part because he had been accepting payments (some £31 000) from a rival company, the UK-based J & S Franklin Corporation. Franklin has a long history of supplying military equipment to Africa and introduced GSG to Sierra Leone. See A Vines, *Mercenary Operations in African in the 1990's: Trends, Issues and Problems*, paper read at the conference on *The Privatisation of Security in Africa*, South African Institute of International Affairs, Johannesburg, 10 December 1998, p. 12.
- 9 *Militias and Market Forces*, *Africa Confidential*, 38(21), London, 23 October 1998, p. 1
- 10 Reported in *ECOMOG Troops Surround S Leonean Rebel Forces*, *The Citizen*, Johannesburg, 22 January 1999. It is unclear from the report whether the pilots were from a private company or on contract from the French military.
- 11 Gorée Institute, *Draft Concept Paper on Criminalisation Project*, Gorée Island, February 1998, p. 1.
- 12 J Mackinlay, *War Lords*, *RUSI Journal*, London, April 1998, p. 26.
- 13 J Bayart, S Ellis & B Hibou, *The Criminalisation of the State in Africa*, James Currey, Oxford, 1999.
- 14 Loosely taken from the *Draft United Nations Convention against Transnational Organised Crime*, Buenos Aires, September 1998.
- 15 Gorée Institute, op. cit. p. 2.
- 16 *Ibid.*, pp. 2-3.

- 17 See <www.sandline.com/company/index.html>, 31 December 1998.
- 18 See <www.sandline.com/company/index.html>, 31 December 1998, p. 1. Emphasis added.
- 19 A Kadir Jasin, *Big Power Adventurism Poses New Kind of Threat to Weaker Nations*, New Straits Times, 26 May 1998.
- 20 *Private Armies, Public Relations*, Africa Confidential, 39(11), 29 May 1998, <www.africa-confidential.com>
- 21 Paris has closed two bases in the Central African Republic (CAR) and reduced its standing force in Africa from 8 500 to 6 300 troops who are stationed at its five remaining African garrisons. France has also cut its financial assistance to African armed forces by Ffr 23 million to US \$139 million in 1998. See J A C Lewis, *France Reviews Commitment in Africa*, Jane's Defence Weekly, London, 6 January 1999, p. 18.
- 20 Charles Taylor of Liberia has been particularly successful at exploiting the local timber and diamonds to become France's third largest supplier of tropical hardwoods. See Mackinlay, op. cit., p. 27; and J Herbst, *Contemporary Efforts at Regulation: A Local and International Perspective*, paper read at the conference on The Privatisation of Security in Africa, op. cit., pp. 2-3.
- 21 See, for example, the emphasis on client confidentiality in the material on the Sandline International website at <www.sandlines.com/home/index.html>
- 22 Vines, op. cit., p. 15; see Chapter 5.
- 23 This is acknowledged by Sandline: "PMC's must be willing to open themselves up for inspection beyond the requirements of company law ... This is an essential factor in establishing acceptability and credibility in the eyes of the world community." See, *Should the Activities of Private Military Companies be Transparent?*, <www.sandline.com/company/index.html>, 31 December 1998, p. 5.
- 24 G Abraham, *The Contemporary Legal Environment*, paper read at the conference on The Privatisation of Security in Africa, op. cit., p. 20.
- 25 Ibid., p. 4.
- 26 Quoted in ibid., p. 17.
- 27 Ibid., p. 24.
- 28 C Clapham, *The Changing Nature of Mercenary Activity in Africa: An Historical Analysis*, paper read at the conference on The Privatisation of Security in Africa, op. cit., pp. 2-3.
- 29 Vines, op. cit., p. 21.
- 30 Quoted in Herbst, op. cit., p. 2.
- 31 The company was founded in 1981 and comprised former British special forces personnel. The company was taken over by a US firm, Armor Holdings, in April 1997. It has provided security services to oil and gas, surveying and mining companies in Algeria, the DRC, Angola and Mozambique. It was also involved in mine-clearing, refugee camp security and related security and protection services for the UN, the Red Cross and a variety of aid agencies and NGOs. Among its clients, DSL can count the UN mission in the former Yugoslavia in 1992. In Angola, its clients included Angolan parastatals Sonogol (oil) and Endiama (diamonds), along with a cement factory, four embassies (including the US Embassy) and the main hotels in Luanda. In the DRC, DSL's subsidiaries, USDS and Sapelli SARL, protected installations belonging to the SOCIR oil refinery of Congo-SEP (the Belgian oil company Petrofina's subsidiary) and the US Embassy. Other DSL clients include De Beers, Shell, Mobil, Amoco, BP and Chevron; CARE and GOAL; and several UN agencies and missions. The company claims experience in Algeria, Botswana, Kenya, Malawi, Mozambique, Rwanda, Somalia, Sudan and Uganda. Its French subsidiary, CIAS, is now trying to get a contract to protect the projected 1 100 km pipeline between the southern Chad oil fields and the port of Kribi in Cameroon. In

- supporting the missions of such organisations as the UN and the World Bank, DSL has gained gradual respectability. See K O'Brien, *Freelance Forces – Exploiters of Old or New-age Peacebrokers*, *Jane's Intelligence Review*, August 1998, p. 42. During the eighties, DSL acquired other former Special Air Service companies such as Intersec and Falconstar.
- 32 A British company that employs former special forces soldiers.
- 33 Control Risks Group provides security services mainly to oil and oil industry-related corporations in Algeria. Its South African operation is believed to have been virtually closed down.
- 34 A list of some of the other more well-known security firms that operate in Africa would include the following. **Saladin Security Limited** who provided bodyguards and security advisors in Algeria and the Yemen. In the past, it has offered training for security forces and (in South America) has provided interventionist forces. **Eurisc Limited** operated in the DRC, Angola and South Africa and attempted to establish itself in Nigeria. **Alpha** is a Russian company founded in 1991 by former KGB special forces personnel. Alpha apparently has agreements with DSL. **Gray Security Limited** is a South African based security firm that operates in South Africa and, more recently, Angola. Gray Security is apparently linked to **TeleServices**, also active in Sierra Leone. In 1994, the Israeli company **Lev'dan** signed a \$50 million contract with the government of Congo-Brazzaville to train the local army and presidential bodyguard. **Rapport Research and Analysis Limited** is a small, new organisation that has operated successfully in the former Zaire and Rwanda, since early 1997, providing security cover and liaison for NGOs. **SP International**, based in Paris, is a small security and information company that provides security staff in a number of Francophone countries. According to *Africa Confidential*, op. cit., **Alpha 5** was founded jointly by the *Forças Armadas Angolas* Chief of Staff, General João de Matos and Executive Outcomes. **Riscon (Kenya)** provides security advice, personnel and equipment in Kenya, Zimbabwe and Tanzania. It is also able to provide a useful service in Mozambique and Uganda. **Secrets** is a French company active in Cameroon. Another French company active in Togo is **Service and Security**. **Eric SA** is a French company competing on behalf of DSL to win oil installation security contracts in Algeria., O'Brien alleges that the French government used **Geolink** as a cover for the provision of mercenary forces in support of former Zairian president Mobutu during the final stages of his regime. **Alpha Bravo Associates Limited** provided security services in Nigeria, Ghana, Liberia, Côte d'Ivoire and in remote areas of Sierra Leone. It also has operatives with on-the-ground experience in Algeria, former Zaire, Somalia, Somaliland, Kenya, Uganda, Rwanda, Congo-Brazzaville, Cameroon, Angola, Namibia and South Africa. **Stability Control Agencies (Stabilco)** is South African-based and run by Mauritz le Roux, and was involved in the former Zaire. The US, Florida-based, company **AirScan** has had the contract to protect the oil installations in Cabinda since 1995. Of these, DSL is probably the most important, enduring and legitimate with some 130 contracts for 115 clients in 22 countries.
- 35 Herbst, op. cit., p. 12.
- 36 Ibid., p. 13.