

- ♦ the constant danger of intervention by mercenary forces, which take advantage of armed conflicts, inter-ethnic confrontations and power struggles, as has been evident in most of the cases where violence has jeopardized the right of African peoples to peace, security and political stability;
 - ♦ the fact that in recent years, the usual means of recruiting mercenaries — hiring them directly through an agent who tends to be a former mercenary or a recruiting office operating from a third country — have been supplemented by the establishment of firms providing consulting services, military training and private security; and, these firms engage in activities which are apparently legal, but in fact they work with mercenaries and represent a danger to the economies, democracy and self-determination of peoples;
 - ♦ political instability — situations of successive, virtually endemic crises in which the struggle for power among factions reveals reluctance towards, and misunderstanding of, the rules of democracy on the part of political leaders who do not hesitate to engage in militarism and create armed groups around themselves;
 - ♦ the weak institutional structure of the armed forces, which as a result assume in practice the role of deliberative bodies, with the capacity to arbitrate internal political disputes and resolve them by military means;
 - ♦ the fact that many internal armed conflicts, some of them due to ethnic mistrust and resistance, embrace whole regions and the belligerents hire mercenaries to boost their military potential;
 - ♦ the prolongation of armed conflicts which is fuelled by the lucrative business for organizations which hire and supply mercenaries and for arms dealers;
 - ♦ the fact that the insecurity of rulers has caused them not to hesitate to organize militias or military apparatuses for their personal protection, in which the training and visible presence of foreign mercenaries has exacerbated rivalries and contributed to armed confrontations; and, recruitment of these paramilitary corps of bodyguards from members of the ethnic group to which the ruler belongs leads to the recruitment by other political leaders of their own armed militias;
 - ♦ poverty, insecurity and lack of prospects that foster in some young people a marked tendency towards violent behaviour, leading to the emergence of armed gangs which engage in extortion and usury vis-à-vis the population;
 - ♦ the fact that a significant number of young people, driven by hunger and unemployment and skilled in the handling of weapons, find that the mercenary life offers lucrative employment and a lifestyle very similar to that of the putative heroes of a number of television series;
 - ♦ the presence in the region of transnational conglomerates engaged in promoting their own interests, leading to the exploitation of natural and energy resources;
 - ♦ the fact that interference by such transnational conglomerates in internal affairs and encouragement of armed conflicts in pursuit of their own interests are not inconsistent with the presence of mercenaries, either to protect their facilities on territories that were literally abstracted from the authority of states which were prevented by the conflicts from exercising that authority, or to lend military support to the faction associated with the interests of the multinationals; and
 - ♦ the fact that there are the modern private security companies which provide many different kinds of services, economic advice and sophisticated military training; these services are covers for former professional soldiers and mercenaries who, in exchange for large sums of money, offer themselves as a solution to countries experiencing instability and armed conflicts and the consequent impossibility of developing their enormous natural resources.
- The section of the report providing a critical analysis of the present situation notes, *inter alia*, that:
- ♦ in general, mercenaries are usually present in situations of domestic or international armed conflicts because the parties to a conflict have specific military needs which entail the assistance and hiring of professional soldiers;
 - ♦ mercenaries are used as a means of violating human rights and jeopardizing the self-determination of peoples or the stability of legitimate governments;
 - ♦ armed conflicts, terrorism, arms trafficking, covert operations relating to the interest of a third power acting to harm one or more parties to an armed conflict, a government's inability to ensure security within its own territory, and violence linked to extremist intolerance foster or create the market for mercenaries, defined as foreign experts acting individually or through companies whose "skilled" services are sought because of their proven experience in military matters;
 - ♦ there is no legal system that authorizes or tolerates mercenaries and the fact that a government hires mercenaries or turns to "qualified" companies that provide mercenary services for its own defence and to strengthen positions during armed conflicts should not be invoked in claiming that its action is legal;
 - ♦ with these points in mind, the use of mercenaries may be explained by the following reasons: military professionalism; experience in warfare; concealment of the real mastermind; greater safety in acting without