

vidual and Community Rights Advocacy Forum, who was reportedly arrested in May 1997 and charged under article 64 of Criminal Code on two counts of unlawful assembly. Information indicated that the arrest was in response to his role in organizing a peaceful demonstration to protest the government's contract with Sandlines International to provide foreign military personnel in Bougainville. The government did not respond to the case.

Freedom of opinion and expression, Special Rapporteur on: (E/CN.4/1998/40, para. 57)

In the section dealing with women and freedom of expression, the report refers to a case in PNG in which compensation for the killing of a clan leader, based on a complex tribal calculation, was determined to be \$15,000, 25 pigs and an 18-year-old woman who said "no" to the arrangement because she wanted to finish high school and learn to be a typist. She was then forced to take refuge in Port Moresby, some 500 kilometres from her angry relatives.

Mercenaries, Special Rapporteur on the use of: (E/CN.4/1998/31, paras. 93–99)

With regard to Bougainville, the report recalls that a cease fire was signed between the government and the Bougainville Revolutionary Army (BRA) in late 1994. The Special Rapporteur (SR) stated: the peace process did not unfold as planned and a number of events, including the assassination of the rebel leader Théodore Miriong in October 1996, resulted in renewed military action; and given the situation, the Prime Minister decided to sign a contract with Sandline International, a company registered in the Bahamas, under which it was to provide various military assistance services to the Papua New Guinea Defence Forces (PNGDF). According to the terms of the contract, Sandline International undertook, *inter alia*, to: provide advice and military assistance to support the PNGDF in their task of protecting the territorial sovereignty of the country and retaking control of important national resources, specifically the mineral deposits in Panguna; provide tactical training for the Special Forces Unit (SFU); furnish intelligence services in support of military operations; and conduct offensive military operations in Bougainville in conjunction with the PNGDF for the purpose of neutralizing the forces of the Bougainville Revolutionary Army and of regaining control of the Panguna mine.

In order to furnish this military assistance, Sandline International undertook specifically, *inter alia* to: send a command, administration and training team to establish the necessary liaison with the PNGDF, develop a logistical and communications infrastructure, initiate the information gathering and intelligence operations, and begin training the SFU; send and deploy, throughout the territory of PNG, Special Forces officers and troops, aircraft and helicopter crews, engineers, intelligence agents, special teams of operatives, and others; and send arms, ammunition and equipment, as well as any personnel necessary for their maintenance and for training in their use.

The report notes that the government undertook to pay Sandline International US\$36 million for the three-month initial period of the contract, to grant to Sandline International's expatriate personnel all tax exemptions, facilities and privileges in connection with their entry into, departure from, and stay in the country, and in general, to grant all the authorizations, waivers, permits and licences necessary for them to fulfil their contractual obligations. The government also undertook to instruct its civil servants and the members of the Defence Forces to recognize the military ranks of the company's personnel as established by the command structure and, accordingly, to obey orders from higher ranking company personnel. The government recognized that Sandline International's personnel were authorized to commit themselves to, initiate or fight in military operations, repel attacks, arrest and detain persons suspected of planning or conspiring to plan an act of aggression, and, in general, defend the population from threats of any kind.

The SR recalled that at the end of March 1997, 40 of Sandline's personnel were forced to leave Papua New Guinea when there were widespread protests within the Defence Forces and mutinies in Port Moresby in response to the signing of the contract. The government eventually agreed to appoint a commission of inquiry to investigate the Sandline International contract.

The commission's conclusions were not known at the time the SR's report was prepared, but the SR stated that the available information indicated that the crisis in PNG was triggered by the implementation of the contract between the government and the private security company Sandline International. The information also indicated that the armed forces and civilians saw the presence of foreign soldiers recruited by a foreign company, and the subordination of national bodies to foreigners, as a violation of sovereignty and the right to self determination.

SECURITY COUNCIL

In April the Security Council agreed to a statement by the President (S/PRST/1998/10, 22 April 1998) in which the Council, *inter alia*: expressed strong support for the Agreement on Peace, Security and Development on Bougainville, signed at Lincoln University, New Zealand, on 23 January 1998 (the Lincoln Agreement) by the government, the Bougainville Transitional Government, the Bougainville Resistance Force, the Bougainville Interim Government, the Bougainville Revolutionary Army and the Bougainville leaders, with regard to a cease fire among conflicting parties; welcomed the extension of the period of truce and that a permanent and irrevocable cease fire would take effect on 30 April 1998 as stipulated in the Lincoln Agreement; encouraged all parties to continue to cooperate to achieve and maintain peace, to renounce the use of armed force and violence, to resolve any differences by consultation, both now and in the future, and to confirm their respect for human rights and the rule of law; welcomed the establishment of the peace monitoring group composed of civilian and military per-