

members of the various warring forces numbered in the hundreds of thousands and most were people who did not know how to do anything but make war, represented a definite potential for destabilisation and were experts in the handling of sophisticated weapons.

The report summarizes the issues addressed and points raised during meetings between the SR and officials at the Ministry of Justice, the Truth and Reconciliation Commission, the Ministry of Safety and Security, the Intelligence Department of the South African Defence Force, the Pretoria Attorney-General's Office, the Ministry of Water Affairs and Forestry, the Arms Control Commission and the division of Multilateral Affairs in the Department of Foreign Affairs.

The report also summarizes discussions held with the directors of Executive Outcomes (PTY) Ltd. The points asserted by the directors during the meeting included that: EO was officially registered in Pretoria as a security service company and was part of a holding company, Strategic Resources Corporation (SRC), which included companies with various social purposes that provided different economic services; all EO activities were entirely legal and contracts were concluded only with lawfully constituted and lawfully established governments, not with armed opposition movements or groups of rebels or insurgents; EO had first concluded contracts with the South African government to provide military training for the army and had then concluded contracts with the Angolan state-run oil company, Sonangol, to protect its oil wells; in July 1993, the high command of the Angolan Armed Forces asked EO to provide military training services for its troops, which it did until 1996 when the last military instructor left, because of the pressure on EO to get out of Angola; other companies in the holding company were still in Angola, but involved in exclusively economic activities; the government of Sierra Leone had requested EO's involvement in training the army and the company had agreed on condition that the government hold talks with the armed opposition to achieve peace, and, that once peace had been achieved, it should hold democratic elections; EO's men had taken part in some military action in Sierra Leone, but had done so at the request of humanitarian agencies which wanted food aid to reach the interior of the country; the accusations that EO had received mining concessions in exchange for their presence in Sierra Leone were absurd; Strategic Resources Corporation had received requests for services from 34 governments, including the governments of some central Asian countries, and from one armed opposition movement; the latter request was rejected by the company; the company does not sell or supply weapons; the other firms in the holding company provide various services, including medical and pharmaceutical services, hospital construction and equipment, civil engineering, water purification, drinking water supplies, transport and so on; all of EO's logistical support is made available to the people of the country where it works; and the company has been involved in development and humanitarian work.

The SR noted that: the South African authorities have taken a firm stand in prohibiting South Africa's territory and nationals from being involved in mercenary activities; the principles which govern national security in South Africa include that no South African citizen may participate in

armed conflict, nationally or internationally, except as provided for by the Constitution or national legislation; national security must be pursued in compliance with the law, including international law, and national security is subject to the authority of Parliament and the national executive; extreme-right racist organizations initially organized paramilitary squads to which some mercenaries moved; there has been an increase in the number of private security companies to which persons who are experts in the use of repressive violence and mercenaries have moved; most of these companies provide services in South Africa and are subject to the general laws; and, Executive Outcomes and similar companies have come to rival the state in taking on a function traditionally assigned to the state, namely, security — not only that involving police functions, but also national security, which includes the organization of the armed forces and the maintenance of public order, the sovereign exercise of the authority of the state, and the integrity of the national territory.

The Special Rapporteur recommended that:

- ▶ the area of activity for private security companies should be defined more carefully and the requirements for employment in these companies and the activities of their personnel should be more strictly regulated;
- ▶ the Commission on Human Rights and the Office of the High Commissioner for Human Rights follow closely the drafting of revised legislation in South Africa and be ready to collaborate with the government, at its own request, and with any other government which may want to amend its legislation along similar lines.

Racial Discrimination, Special Rapporteur on: (A/52/471, paras. 10, 12)

The report to the 1997 General Assembly refers to the legacy of apartheid, inter-ethnic conflicts and problems related to massive immigration, and notes that the government has imposed restrictions on immigration which are considered to be discriminatory towards foreigners. The Special Rapporteur has indicated an interest in undertaking a mission to South Africa and is awaiting a reply from the government to his request for an invitation.

Sale of children, child prostitution, child pornography, Special Rapporteur on: (A/52/482, para. 20)

The Special Rapporteur's interim report to the General Assembly notes that child prostitution appears to be a growing problem — particularly in large cities like Cape Town, Durban and Johannesburg — which is linked to the increasing number of street children who have left their homes for economic and social reasons or as a result of the breakdown of families and traditional values.

Violence against women, Special Rapporteur on: (E/CN.4/1997/47, para. 2, Section IV)

In the section dealing with trafficking in women and forced prostitution, the report notes that refugee women from Mozambique are lured across the border into South Africa by promises of work only to be sold as concubines or wives to South African men. The report notes that, in South Africa, in an effort to remedy gender bias in police interactions with victims of rape and sexual violence, including sexual harassment, police stations have been made more friendly and confidence-inspiring to better meet the needs of rape victims.