SOUTH AFRICA'S ROLE IN THE PRIVATE MILITARY INDUSTRY IN THE POST-COLD WAR CONFLICT ENVIRONMENT WITH SPECIFIC REFERENCE TO THE SOUTH AFRICAN CONNECTION TO ERINYS INTERNATIONAL

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Abstract

Since 1652, South Africa has played a prominent role in the Private Military Industry. Following the end of the Cold War, companies such as Executive Outcomes have continued to exert influence in the global security arena, and since 9/11 and the so-called Global War on Terror (GWOT), South Africans have remained part of the private security environment. Particularly through Erinys, although not limited to this company, South Africans have contributed to this rising phenomenon in Iraq and elsewhere, and this article attempts to document the history and operations of this company in Iraq against the global background – both synchronically and diachronically – from a South African point of view.

Keywords: Erinys; Executive Outcomes; Private Military Companies (PMCs); Iraq; contractors.

Sleutelwoorde: Erinys; Executive Outcomes; private militêre maatskappye (PMC's); Irak; kontrakteurs.

1. INTRODUCTION

The recent highly controversial war in Iraq and particularly the role of Blackwater has prompted a surge in academic and public interest in the phenomenon of Private Military Companies (PMCs), to the point where Google now returns 51 million results after the keyword search [private military company], with Google Scholar delivering 1,29 million results (as on 19 July 2012). Popular culture has also addressed the topic in films such as *Blood Diamond* (2006) and *War Inc.* (2008), and even the airsoft and computer gaming industries now incorporate PMCs in their games. Although Blackwater is usually at the top of the list receiving writers' attention, authors such as Lynch (2005) and Ortiz (2006) have also rediscovered the major shipping companies of the seventeenth century, such as the Vereenigde Oost-Indische Compagnie (VOC), in the context of current PMC scholarship, and it is safe to say that there are few aspects of this topic that have not yet received scholarly attention.

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South Africans are often mentioned in academic discussions of PMCs. Between Singer (2002), Isenberg (2004a) Schreier and Caparini (2005), Ortiz (2006), Jäger and Kummel (2007), Gallup (2008), and Shores (2008) – all of them international studies – South Africa/South Africans are mentioned 201 times, illustrating the prominent role played by South Africans in this milieu. Abrahamsen and Williams (2008:542) claim that the "largest South African involvement in Iraq is in all likelihood through Erinys International," which provides impetus for the South African focus taken in this article. Furthermore, since Erinys was one of the largest private employers of security forces in Iraq (Gallup 2008:67-68), it is an important company to document. However, although companies such as Blackwater and Executive Outcomes have been studied exhaustively, the same is not true for Erinys. While the company is mentioned only four times in Gumedze (2011a), it did not receive a single mention in Gama (2008), and on the international circuit the vast majority of studies, such as Singer (2002), Isenberg (2004a), Schreier and Caparini (2005), Elsea, Schwartz and Nakamura (2008), Gallup (2008), Shores (2008), TerLuun (2008), and Cotton, Petersohn, Dunigan, Burkhart, Zander-Cotugno, O'Connell, and Webber (2010), only provide fragmented information on Erinys as part of a general overview of PMCs. This article attempts to rectify the situation by focusing on Erinys itself, but also by placing Erinys within the global context of PMCs. It also attempts to document part of the environment in which South Africans function in the post-Cold War private military/security milieu.

2. THE HISTORICAL DEVELOPMENT OF PRIVATE MILITARY COMPANIES (PMCS)

Singer's 2002 paper on the Private Security Industry carries the subtitle *The rise of the privatized military industry and its ramifications for international security.* "Rise" is in some ways an inapt word to describe the increasing involvement of the private sector in providing security in conflict zones; "return" is perhaps more suitable, since before 1648 (the end of Europe's Thirty Year's War), the use of private armies was the norm (Small 2007:10).

Private contractors have been active throughout history. O'Brien (2008:11) writes that mercenary forces have contributed to the industry of warfare at least since Pharoah Ramses II ruled Egypt (1279-1213 BC) and who employed Shardana mercenaries from Iona as his personal guards, as well as 11 000 warriors as foreign auxiliaries. In 401 BC, Darius III hired Memnon of Rhodes and 10 000 Greek soldiers to fight against Alexander the Great at the Battle of Granicus River (*Ibid*.). At the time of the near-simultaneous 1066 invasions of England, half of William the Conqueror's army was made up of mercenaries (Ballard 2007:42), while Harald

Hardrada had been part of the Varangian guard, a private security force composed mostly of Scandinavians and employed by the emperor of Constantinople.

South Africa has a close association with the private military industry since inception. The Vereenigde Oostindische Compagnie (VOC) founded the outpost at the Cape of Good Hope in 1652 (see e.g. De Villiers 2012), and at the time, the company was "the richest private company the world had ever seen, with over 150 merchant ships, 40 warships, 50 000 employees and a private army of 10 000 soldiers" (Kramer 2007:27). These were utilised to protect its employees and trade interests from indigenous inhabitants and pirates and furthermore to fight, amongst others, the English East India Company with which "open hostilities" broke out in 1619, and against the Portuguese (Lynch 2005:31). As such they were but one of many private companies that utilised violence to secure trade (Ortiz 2006:8). The VOC Governor General, Jan Coen, illustrated how interwoven the company regarded the business and military aspects of its operations when he remarked: "Trade cannot be maintained without war, nor war without trade" (quoted in Lynch 2005:30). Ortiz (2006:1-2) argues that it is with these companies that modern PMCs should be compared, rather than with the *condottieri* that Machiavelli (1992:33-37) describes.

During the 18th century, private soldiers were active throughout the globe. To supplement the 8 000 soldiers stationed in America at the outbreak of the Revolutionary War, Britain hired 10 000 Native Americans and 30 000 German mercenaries (Underwood 2012:323-324). Mercenaries ultimately fought on both sides during the United States' Revolutionary War and in the Civil War (Ballard 2007:42-43), "tech reps" provided technical assistance during WWII (see Cotton *et al*. 2010:9), and there were over 80 000 private contractors at any one time supporting the US military in the Vietnam War as well (Messner 2007:61, see also Kidwell 2005:16).

The role played by private contractors has, however, escalated in recent years: During Operation Desert Storm in 1991, there were 50 military personnel involved for every one contractor, while in 2003's Operation Iraqi Freedom the ratio was 10 to 1 (Isenberg 2004a:19). As Kramer (2007:30) recognises: "The private security business is not a new phenomenon. But the industry gained momentum with the end of the Cold War." Singer (2002:193) names three reasons why PMCs grew in importance in the 1990s: the end of the Cold War and the vacuum this produced in the market of security, transformations in the nature of warfare, and the normative rise of privatization.

The end of the Cold War resulted in a major downscaling of standing armies worldwide, but this also coincided with the outbreak of numerous conflicts in, especially, the developing world and in Eastern Europe. The effect was a simultaneous surge in the supply of trained soldiers and a demand for them, as

particularly developing countries had lost the strategic significance they had held during the Cold War (for instance Angola), and Western governments became less inclined to become involved in conflicts (Senekal 2010:176-180). Kramer (2007:29) writes: "It is because of the reluctance of the militarily potent members in the international community to commit resources that weak governments and the humanitarians request private security."

Furthermore, modern weaponry has become more complex to operate and maintain, resulting in the contracting of private companies to work more closely with the military. For instance, by 2005, PMCs performed over 50% of the maintenance required by the US Air Force, and operated many of their communications systems—including those at the North American Aerospace Defence Command (NORAD) facility in Cheyenne Mountain near Colorado Springs (Kidwell 2005:3). This is recognized by Army FM 3-100.21, which observes, "the increasingly hi-tech nature of our equipment and rapid deployment requirements have significantly increased the need to properly integrate contractor support into all military operations … the future battlefield will require ever increasing numbers of often critically important contractor employees" (Kidwell 2005: 35).

Schreier and Caparini (2005:5) write: "Privatization has gone hand in hand with globalization. Both dynamics are supported by the belief that comparative advantage and competition maximize efficiency and effectiveness." Privatization in general had an influence on private military companies, and particular contributions were made in the US by the Clinton and then Bush administration's privatization initiatives. The effect has been massive. During the war in Iraq "the number of all types of contractors (armed security contractors as well as unarmed logistical support, reconstruction, and base operations maintenance contractors) was often close to, and at times surpassed, the number of US military personnel in the country" (Cotton *et al*. 2010:12).

3. TERMINOLOGY: PMC AND MERCENARY

Although often referred to as "mercenaries" by those critical of private security contractors (such as Harding 1997:89 and Clarno and Vally 2005), this term is used inaccurately in a legal sense (see e.g. Elsea, Schwartz and Nakamura 2008:17-19, Cotton *et al*. 2010:16-17 and Senekal 2010:173-175). Messner (2007:58) claims that the term is often applied to PMCs either out of ignorance, "or because of an ideological desire to tarnish and prejudice the perception of the industry". Hillary Clinton for instance referred to private contractors as "mercenaries" in February 2008 as part of her presidential campaign (Underwood 2012:318). Despite numerous studies citing the difference, many scholars (such as Francis 1999 and

Buchner 2007) also continue to use the term "mercenary" as if it were synonymous with "private security contractor". To some the distinction remains one of semantics rather than pragmatics. Francis (1999:324), for instance, writes: "Replacing the 'mercenary' stereotype with the term 'military company' is more like clothing an illegitimate activity with a cloak of legitimacy." Similarly, Quinn (2006) writes, "'Security and risk management company' is simply a politically correct name to describe those companies that hire and then rent out ruthless mercenaries to carry out the US government's dirty work in Iraq – the murder of any Iraqi who gets in the way of the US corporate looting of Iraq's wealth." In Quinn's view, Erinys becomes part of a "Zionist" conspiracy linked to Apartheid, much like the media attempted to link Apartheid with Executive Outcomes by calling them "racist dogs of war"(Barlow 2007:103).

The International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the UN in 1989, provides the following definition (see Messner 2007:66):[2]

1. A mercenary is any person who:
    a) Is specially recruited locally or abroad in order to fight in an armed conflict;
    b) Is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a party to the conflict, material compensation substantially in excess of that promised or paid to combatants of similar rank and functions in the armed forces of that party;
    c) Is neither a national of a party to the conflict nor a resident of territory controlled by a party to the conflict;
    d) Is not a member of the armed forces of a party to the conflict; and
    e) Has not been sent by a state which is not a party to the conflict on official duty as a member of its armed forces.
2. A mercenary is also any person who, in any other situation:
    a) Is specially recruited locally or abroad for the purpose of participating in a concerted act of violence aimed at:
        i) Overthrowing a government or otherwise undermining the constitutional order of a state; or
        ii) Undermining the territorial integrity of a state;
    b) Is motivated to take part therein essentially by the desire for significant private gain and is prompted by the promise or payment of material compensation;

2 See also the Protocol Additional to the Geneva Convention of 12 August 1949, relating to the Protection of Victims of International Armed Conflicts, Geneva, ICRC, 1977: Article 47: Mercenaries (see Schreier and Caparini 2005:15).

c) Is neither a national nor a resident of the state against which such an act is directed;
d) Has not been sent by a state on official duty; and
e) Is not a member of the armed forces of the state on whose territory the act is undertaken (UN Mercenary Convention 1989).

For instance, although EO may be considered a boundary case because of its extensive involvement in combat, Senekal (2010:174) writes that it is inaccurate to classify them simply as "mercenaries", since they a) act on behalf of a legitimate, UN recognized government in order to provide stability (both in Angola and Sierra Leone), and b) because they were contracted to provide security, training and an advisory service; combat was (at least initially) an unintended result. Section 1.a), 2.a)i) and 2.a)ii) of the above therefore does not designate EO operatives as mercenaries.

Crucially, PMCs are not recruited to fight in an armed conflict (see however PCCs below), but rather provide training, logistics, security and other support operations. O'Brien (2008:65) says that the term is "generally applied to any private corporation operating in a combat zone or conflicted area that does not engage in pro-active, offensive operations but with authorization to use deadly force when necessary". Andy Melville, Project Director, Erinys Iraq, remarks that this was Erinys's objective.

> "We are only equipped to carry out defensive operations. We don't have any offensive capability at all. Essentially, we are a taxi service, and we're equipped to defend ourselves if we're attacked. Our entire doctrine, all of our policies and standard operating procedures, all revolve around getting out and getting away from the area of threat, getting out of the contact area" (Smith 2005).

PMCs do however *become* a party to the conflict, since e.g. protecting a pipeline in Iraq (as done by Erinys) requires subverting insurgent attempts to destroy that pipeline, and thus insurgents target private security guards alongside government security forces. Schreier and Caparini (2005:31) note:

> "[I]n Iraq, insurgents ignore distinctions between security guards and combat troops. What is more, they have made convoys, headquarters, and buildings housing state authorities, prime targets. As a result, security contractors have increasingly found themselves in pitched battles, supplying services which are difficult to distinguish from what soldiers of regular armed forces do."

Nevertheless, the distinction between PMCs and mercenaries has been set forth convincingly in studies like Singer (2002), Elsea, Schwartz and Nakamura (2008), and Cotton *et al.* (2010:16-17). Schreier and Caparini (2005:7) perhaps make the clearest distinction between the mercenaries and operators in PMCs, arguing that the distinctive characteristic of PMCs is "corporatisation":

> "PMCs are hierarchically organized into incorporated and registered businesses that trade and compete openly on the international market, link to outside financial holdings, recruit more proficiently than their predecessors, and provide a wider range of military services to

> a greater variety and number of clients. Corporatisation not only distinguishes PMCs from mercenaries and other past private military ventures, but offers clear advantages in both efficiency and effectiveness."

A formal definition of a PMC can be taken from the Centre for Public Integrity (quoted in Schreier and Caparini 2005:17):

> "[A] registered civilian company that specializes in the provision of contract military training (instruction and simulation programs), military support operations (logistic support), operational capabilities (special forces advisors, command and control, communications, and intelligence functions), and/or military equipment, to legitimate domestic and foreign entities."

In the interest of accuracy, this definition is used throughout this article to describe Erinys as a PMC rather than a group of mercenaries.

O'Brien (2008:3-4) further distinguishes between combat support/ sustainment-related, and combat-related companies within this private military environment. Combat support/sustainment companies specialize in logistics, maintenance and construction, for instance Kellogg, Brown, and Root (KBR), Titan Corporation and Bechtel Group, Inc. Combat-related companies can be subdivided into four categories: private combat companies (PCC), private military companies (PMC), commercial security companies (CSC) and freelance operators, while private military companies can be further divided into proxy military companies and private security companies (PSC) (O'Brien 2008:3):

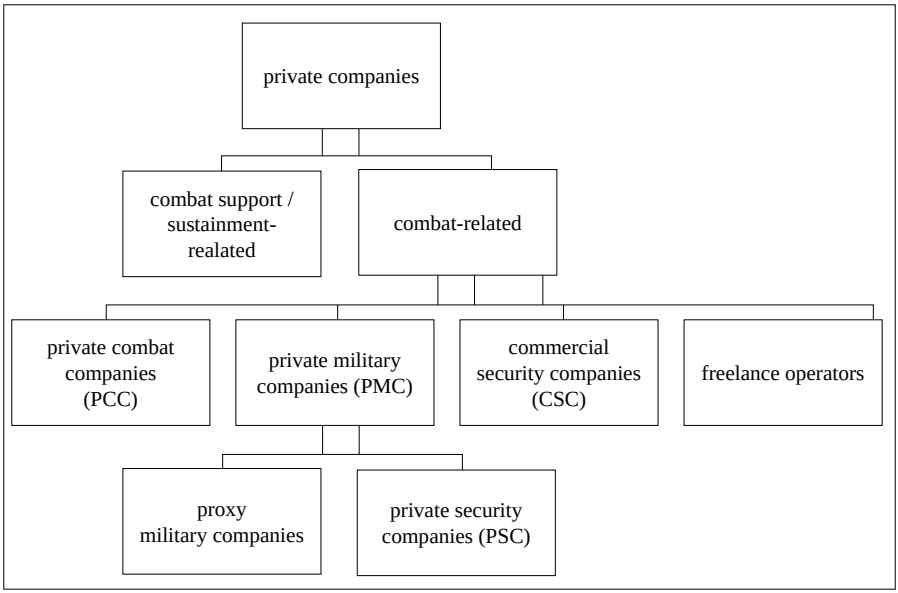

Figure 1: O'Brien's division of PMCs

O'Brien (2008:5) calls Executive Outcomes a private combat company (PCC), while Blackwater is an "all purpose" private military company – both a proxy military company as well as a private security company – and MPRI a proxy military company. The latter types "are private companies that act in accordance with their parent nation's national objectives. Proxy companies may or may not use direct force, but always seek the explicit permission of their parent nation to accept a contract of an application of force nature" (O'Brien 2008:3). Importantly, proxy military companies are at least partially a party to the conflict: both Blackwater and MPRI further US objectives, while PSCs such as Erinys or ArmorGroup do not act in accordance to foreign policy. Freelance operators are essentially "a euphemism for modern mercenaries" (O'Brien 2008:67). O'Brien (2008:65) writes that the "classic PMC engages in multiple operations ranging from security to training to military advising", which allows their operations to overlap with PSCs, who are "PMCs that focus on site and personnel security" (O'Brien 2008:66). In general, PSCs are PMCs that operate in conflict zones, such as ArmorGroup. Erinys would therefore be categorized as a PSC in this classification, but note that it falls under PMCs, since the company operates in conflict zones.

4. SOUTH AFRICA AND POST-COLD WAR PMC INDUSTRY

Although not the first PMC, Executive Outcomes is arguably the world's and South Africa's most notorious PMC.[3] In popular culture, it is one of the companies mentioned in the Lamb of God's song, "Contractor" (*Wrath* 2009); one recognises the company in the film *Blood Diamond* (2006). EO is now the name of an online PC game alliance, and a web domain, www.executiveoutcomes.com, claims it was inspired by the company (Uzi 2006). Few studies of PMCs, whether purely academic or more popular, neglect to mention EO, and Gumedze (2011b:39) claims: "the activities of Executive Outcomes had a significant influence in shaping the discourse on PMSCs today". Allegations were made against EO that it had been involved in the illicit diamond trade (see e.g. Gama 2008:50), but Barlow (2007:308-314) and Ellis (quoted in Corcoran 2011:253-254) claims this was not the case.

EO was not the only South African PMC operational in the 1990s. In 1998, even South African embassies in the Democratic Republic of the Congo (DRC) and Angola were guarded by employees of another company, Defence Systems

3 Since Executive Outcomes is so well documented, this section is merely provided as a short background. Note, however, that in terms of O'Brien's (2008:65) classification, EO is not a PMC, but rather a PCC. In following the vast majority of literature, I, however, include EO as a PMC, although recognising that this company does represent "one end of the spectrum of outsourced security" (O'Brien 2008:65).

Limited (DSL)[4] (Bothma 1998:6). EO is, however, the most well-known company associated with PMCs in the period between the end of the Cold War and what O'Brien (2008:1) refers to as the Global War on Terror or GWOT.

Founded in 1989 by Eeben Barlow,[5] ex-32 Battalion officer and later part of the Civil Cooperation Bureau (CCB), EO initially provided specialised training for the South African security services during the final years of National Party rule. In 1993, EO was contracted by Simon Mann and Tony Buckingham, CEO of Heritage Oil & Gas, and its subsidiary, Ranger Oil, to recover equipment lost when UNITA (União Nacional paraa Independência Total de Angola) captured the town of Soyo in Angola. Following the successful recovery of the equipment, EO was contracted to train the Angolan army until 1996. According to Barlow (2007:299), EO "had trained a demoralised and defeated army and turned the tide of the 20-year-long Angolan war", but the Angolan government terminated the EO contract because of "US and UN political blackmail". He cites the arrival of an American PMC shortly after EO's departure on 12 January 1996 – a theory corroborated by Sandline's Tim Spicer (1999:51), who names the US firm as MPRI (Military Professional Resources Inc.).

In 1995, EO was contracted by Valentine Strasser's government in Sierra Leone. Hough (2007:11) writes: "(I)n just over a week on the ground they managed to expel the RUF [Revolutionary United Front] from Freetown, pushing them 126 km back into the jungle. EO soldiers are reported to have called fighting the RUF 'child's play' after defeating a stronger guerrilla force in Angola." In Sierra Leone, EO was directly contracted to conduct combat operations, thus making the company a PCC rather than a classic modern PMC such as Erinys (see O'Brien 2008:33). As in Angola, international diplomatic pressure forced EO's departure before their gains could be cemented, but the company's successes in both Angola and Sierra Leone established their reputation as an effective company. O'Hanlon and Singer (2004:92) for instance claim: "Despite having nearly twenty times the budget and personnel of Executive Outcomes, the UN force took years and multiple crises to come close to the same results – and required substantial help from the UK" (O'Brien 2008 also argues EO's effectiveness).

O'Brien (2008:60) believes, "Executive Outcomes, considered the most successful PMC venture in modern history, operated as a pure PCC in the days before political debate on the use of PMCs." EO's disbandment in 1998 is often cited as the result of South African anti-mercenary legislation (see e.g. Buchner 2007:395 or Armstrong 2008:36), although this is strongly disputed by

4 According to Armstrong (2008:29), Alistair Morrison, who later served on the board of directors of Erinys, founded DSL in 1981.

5 Gama (2008:51) erroneously claims that EO was founded by Tony Buckingham, and in fact does not mention Barlow once.

Barlow himself. Legislation was, however, partly a response to EO's activities (Gumedze 2011b:39). By 2005, South Africa was the country that had adopted the most comprehensive regulations of private military companies and their supply of military assistance services abroad (Schreier and Caparini 2005:107), but this legislation has been widely criticised (see e.g. Schreier and Caparini 2005:108, Messner 2007:64 and Taljaard 2008:94). Through the South African Regulation of Foreign Military Assistance Act (FMA), the *Regulation of Foreign Military Assistance Bill* (Bill 54D-97) aims at regulating the industry and prohibits companies from getting involved in foreign conflicts. However, with the bill being ineffective on the one hand, and battling with limited resources on the other, Schreier and Caparini (2005:108) believe the bill almost seems moot: "Due to a lack of resources and perhaps will, South Africa seems to be unable to further monitor and enforce its legislation." For instance, one security contractor claimed that he had left for Iraq after submitting his application and payment in full, without getting any response from the government (Kirsten 2004:19). This bill was augmented by the Prohibition of Mercenary Activity and Prohibition and Regulation of Certain Activities in an Area of Armed Conflict Bill of 2005 (B42–20051), but, as previously, it is "unwieldy, overly sweeping and draconian" (Messner 2007:64), not to mention difficult to implement. The subsequent passing of the Act (2006) retains "a variety of constitutional flaws" (Taljaard 2008:94), such as difficulties with Section 22 of the Bill of Rights, which grants the right to freely choose a trade, occupation or profession.

Regardless of the reasons for its design and implementation (see e.g. Garratt 2008:11 and Gumedze 2011b:58), the existence of such tough regulations constitutes another segment of the PMC environment where South Africa has played a prominent role, and apart from the popular, historic and academic position occupied by EO, this is another of its enduring legacies.

Following EO's disbandment, the war in Iraq saw a renewed interest in the PMC issue. According to Isenberg (2004a:23), more than 1 500 South Africans were believed to be in Iraq under contract to various PMCs and CSCs by 2004. The humanitarian agency CARE also hired former South African intelligence experts to advise on security (Ter Luun 2008:46). Clarno and Vally (2005) claim that the number of South Africans in Iraq was estimated to range from 5 000 to 10 000, although this is unconfirmed.

Many South African companies were small enterprises, such as Gray Security, and at other times, South Africans were employed by international firms such as Dyncorp, Hart Security, Olive Security, or Global Risk Strategies. The South African-owned firm, Meteoric Tactical Solutions (MTS), is based in Pretoria and run by former members of South African Special Forces. Headed by Festus van Rooyen, the company acquired a £270 000 contract with the British Department

for International Development to provide bodyguards and drivers for its most senior official and his personal staff in Iraq (Isenberg 2004a:36). The company also protected the Swiss Embassy in Iraq (Taljaard 2008:92).

5. ERINYS: COMPANY BACKGROUND

> "To create and maintain a safe and secure environment to enable our clients to focus on their core activities in order to allow them to achieve their business objectives in remote and difficult places with the minimum acceptable risk to people, assets and reputation." (Erinys Mission Statement)

Erinys was founded by Jonathan Garratt,[6] a former officer in the British Army and a South African resident, and Fraser Brown, who is also a former member of the British Army (Schoonakker 2003:5). On 19 July 2001, Erinys Africa (subsequently renamed Erinys South Africa) was registered with the registration number 2001/015368/07, with offices in Midrand, attorneys Deneys Reitz, a bank account at First National Bank, and audited by Price Waterhouse Coopers (Price Waterhouse Coopers 2002:3). Both Garrett and Brown were appointed as directors on 27 July 2001, and before joining Erinys as a director on 8 August 2002, Sean Cleary served in the South African Navy on the staff of the Commander Maritime Defence before commencing a diplomatic career in the Middle East, USA and Namibia (Anonymous 2006). He is also the former managing director of Strategic Concepts (Pty) Ltd. In 2003, Alistair Morrison, a former SAS officer who received the Military Cross for participating in the airline hostage rescue in Mogadishu in 1977 (Barnett and Smith 2004), joined Erinys. Morrison left Erinys in 2004 to take up a senior position in Kroll, but in December 2008, Morrison rejoined Erinys as chairperson, and at the time of writing, he served as director, with Garratt as CEO.

In July 2011, Erinys International Limited sold its assets and subsidiaries to Erinys Holdings Limited, a new company established specifically for this transaction and owned by Hart Security Holdings Limited (Erinys 2011b).

Erinys (2012) states its "five hallmarks" of the "Erinys Approach":

1. A sophisticated understanding of the value to our clients in creating a safe and secure environment.
2. A willingness to engage with host nation communities to resolve security challenges and a readiness to recruit, train, develop and embed local talent and capabilities in the services we offer.
3. Close and continuous contact with our clients to ensure we adjust and adapt our services to meet emerging and new requirements.

6 Armstrong (2008:151), however, claims the firm was founded by Sean Cleary, who "left the company in 2003 to become a political adviser to Jonas Savimbi, leader of the UNITA rebel forces in Angola". This is impossible, since Savimbi was killed in 2002. Quinn (2006) also believes Erinys was founded by Cleary.

4. World-class consultants and security project personnel, highly trained, with appropriate language skills and cultural awareness.
5. Rigorous quality control, assurance and compliance.

The company provides a range of services for the oil and gas, mineral extraction, transport and logistics, defence, maritime protection and manufacturing industries, including designing and developing security strategies, designing security processes and procedures, designing and integrating technology in a security environment, and physical protection. The latter includes convoy, VIP and site protection, as well as designing perimeter fences, lighting and access control, although the company is also involved in the training of local security personnel. As part of its security services, Erinys also offers InSight, which includes:

- Daily, weekly and monthly open and closed source intelligent digests and analysis.
- Client directed research and reports.
- Threat, vulnerability and risk assessments.
- Investigative and due diligence services.
- Incident updates and analysis.

Erinys International's clients include Absa, Anglo American, De Beers, Denel, Iscor, Motorola, Sasol, Rothmans, Siemens, Unilever and Vodacom (Kirsten 2004:19), but it is the contracts in Iraq that made the headlines.

As of 1 February 2011, Erinys belongs to the International Code of Conduct for Private Security Providers (ICoC) – a "multi-stakeholder initiative convened by the Swiss government" which aims

> "to set private security industry principles and standards based on international human rights and humanitarian law, as well as to improve accountability of the industry by establishing an external independent oversight mechanism. As a minimum, the Code states that the mechanism is to include certification, auditing, monitoring and reporting. [...] By signing the ICoC, signatory companies publicly commit to operate in accordance with the Code and to work with relevant stakeholder (*sic*) to establish this mechanism and related standards by the middle of 2012" (International Code of Conduct for Private Security Providers 2012).

The ICoC constitutes an independent regulation authority as an answer to previous calls for an international body, capable of ensuring ethically responsible conduct by PMCs. Erinys's membership highlights the company's commitment to ethical and professional conduct – making the distinction between mercenaries and Erinys as a PMC much clearer.

6. ERINYS IN IRAQ

6.1 Contracts and operations

Erinys International received a contract worth $39,5 million from the Coalition Provision Authority (CPA) in August 2003 (Klopper 2003:6), "to supply and train 6 500 armed guards charged with protecting 140 Iraqi oil wells, 7 000 kilometres of pipelines and refineries, as well as power plants and the water supply for the Iraqi Ministry of Oil" (Isenberg 2004b). The contract's objectives were:

- The contractor to initially provide the preponderance of the security architecture and then slowly transfer that responsibility to Iraqi control over a two year timeframe.
- The end state is a well-trained guard force and a mature security infrastructure capable of protecting the multi-billion dollar oil infrastructure (Erinys 2005:2).

An advance party of Erinys employees arrived in Baghdad on 8 August 2003, conducted ground reconnaissance of the major oil and gas nodes, generally assessed the situation, and identified sites where regional headquarters could be housed (Erinys 2005:13). On 19 August, the three regional survey teams and the balance of the Project Management Team also arrived in Baghdad. The former were tasked with a detailed reconnaissance, while the latter were to conduct detailed planning of all aspects of the project, as well as the design of the communications infrastructure (Erinys 2005:15). Erinys established itself quickly and began training local recruits by 29 September (Erinys 2005:17).

Due to the deteriorating security situation in Iraq towards the end of 2003, Erinys had responsibility for 9 000 guards and over 200 fixed oil sites, but it had only been contracted to train 6 500 guards (Erinys 2005:24). By the end of January 2004, Erinys's Oil Protection Force (OPF) numbered around 11 000 personnel (Erinys 2005:31). The contract was expanded in 2004 to train 14 500 personnel, 140 sites were added, and 2 100 of the guards were to be trained for mobile patrol duties (Brown 2005), which resulted in the number of vehicles being increased from 111 to 500 (Erinys 2005:31). The nature of the company's contract also meant that out of 534 security companies identified by Gallup (2008:67-68), Erinys employed the most armed personnel. In 2004, the Coalition Provision Authority in Iraq awarded a $10 million contract to Florida-based AirScan Inc. for aerial surveillance of the pipelines in support of Erinys (Isenberg 2004b). Holmes (2005:iii) claims that from August 2003 to December 2004, Erinys Iraq "mobilized, trained, equipped and effectively managed a 16 000 strong Iraqi guard force", but Isenberg (2008:97) mentions the 2006 audit report by the special inspector general for the reconstruction of Iraq, which could only find evidence of 11 400 guards

having been trained. In addition, according to Iraqi government auditors, around 6 000 AK 47s could not be accounted for. Erinys subsequently handed over "boxes of documentation" to support their case, although acknowledging "continual problems with the ownership, contractual oversight, and tasking of the oil security force" (Isenberg 2008:97).

The Erinys OPF was initially placed under the operational supervision of Task Force RIO, a US Army Corps of Engineers organization responsible to the CPA, and executed by Erinys on behalf of the Iraqi Oil Ministry (Erinys 2005:4). Erinys operated in Northern, Central and Southern Iraq, with headquarters in Mosul (in the Northern Oil Company complex at Kirkuk), at the Al-Dourah refinery complex on the southern edge of Baghdad. The southern headquarters was initially established in the British logistics base at Shaiba – just outside Basra – before moving to within Basra itself (Erinys 2005:14). These operating regions "would, wherever possible, be coterminous with the operational boundaries of the Coalition Major Subordinate Commands (MSCs)" (Erinys 2005:7). The national head office was established in the Al-Mansour District of Baghdad (Erinys 2005:11). Established initially as a component of Task Force RIO, Task Force Shield emerged as the body that "would act not only as the contractual and operational socket into which the Erinys OPF was to be plugged, it would enable the linkages to CJTF-7 at all levels" (Erinys 2005:16).

It should be noted that the vast majority of Erinys's employees were Iraqi citizens, not foreign personnel. As Metz and Millen (2004:28) argue, the recruitment and training of local forces is a tried-and-tested counterinsurgency (COIN) tactic, as for instance used by the British during the conflict in Malaya, and indeed there have been few counterinsurgencies where local forces did not shoulder a substantial part of the burden (Corum 2006:v). Marston (2008:235) confirms this approach: "Proper training and build-up of local indigenous forces is key to clearing and holding any contested region in a successful counterinsurgency campaign." Local recruits have the following key benefits:

- They can overcome language and cultural barriers, which means that the local population is more willing to come forward, and they are more able to get intelligence across, resulting in better intelligence received by COIN-forces.[7]
- They know their surroundings well, and can therefore serve as useful guides.

7 Like Executive Outcomes in Sierra Leone, Erinys emphasised the importance of establishing a security information network by liaising with Coalition and Iraqi forces, civil authorities, tribes and local communities. The intention was "to establish an 'information shield' through the integration of information resources relevant to the OPF's operations, which would generate threat intelligence, in turn allowing countermeasures to be implemented within the Erinys limit of exploitation, or in support of Coalition Forces" (Erinys 2005:9).

- They help undermine insurgent claims that COIN-forces are an occupying force – both nationally and internationally – thus strengthening the image of the government and undermining insurgents.
- They reduce casualties suffered by foreign COIN-forces, preventing public opinion from turning against the war.

For these practical reasons, COIN-forces have usually spent considerable effort in recruiting local forces. This trend also applies to the private security industry: already in the 17th and 18th centuries, the British East India Company used *sepoys* – mostly high caste Hindus – to support security for trade purposes (Bruce 2007:25). After the Battle of Plassey in 1757, *sepoys* were replaced by Rajputs and Brahmans to form 80% of the Indian Army (O'Brien 2008:15). Coming from a Special Forces background themselves, Executive Outcomes also recruited local troops successfully in Sierra Leone, in particular the Kamajors (see Barlow 2007). Against this backdrop, Holmes (2005:iv) claims: "Erinys senior management, almost exclusively with a British Army background, instinctively understood from the outset that for the project to be credible as an Iraqi solution, it had to be accepted by those it served (ultimately the Ministry of Oil) and employed (ordinary Iraqi citizens from all walks of life)."

Erinys recruited Iraqis with former military experience, preferably able to communicate in English, and also ideally with experience in working with westerners. The ex-armed forces background "was regarded as important because officers who had served in the Iraqi Army, Air Force and Navy were still held in generally high regard throughout Iraqi society" (Erinys 2005:8). However, recruits had to be vetted properly to prevent infiltration by insurgents, and due to time-constraints this often meant vetting recruits while in training, rather than beforehand (Erinys 2005:20), but vetting was always carried out.

Another aspect of Erinys's work, although falling outside the scope of the OPF (Erinys 2005:12), involves close protection services, including personnel from the Flour Corporation, the personnel of the Army Corps of Engineers, the British Broadcasting Corporation (BBC), and United States Agency for International Development (USAID) (Shores 2008:40). For Anham LLC – "a leading diversified contracting organisation with extensive operational interests across the Middle East, North America, Central Asia and Europe", Erinys provided "integrated and comprehensive security and support services across Iraq", including "business and communications support services, fixed site guarding and security services, as well as a dedicated Personnel Security Detail comprising highly trained security officers deployed on armoured civilian vehicles" (Erinys 2011a). To date no Anham site guarded by Erinys has been breached, and no Anham personnel in transit have suffered casualties. By 2010, Erinys – like Blackwater and Aegis – had not lost a client to enemy fire (Cotton *et al*. 2010:52).

6.2 Casualties

Providing security in a hostile environment such as Iraq is of course dangerous. Blackwater claimed that 32 employees were killed and more than 46 wounded while providing security in Iraq from March 2004 to 2008 (Elsea, Schwartz and Nakamura 2008:5). The most well-known incident was the 31 March 2004 Fallujah attack, during which four Blackwater contractors were killed and their bodies hanged from a bridge, which sparked the major media interest in the use of PMCs in Iraq. On 9 April – barely a week after the Fallujah attack – insurgents ambushed a 19-truck convoy operated by KBR and killed six contractors (Smith 2005). On 30 August, insurgents captured and executed 12 Nepalese cooks employed by Morning Star (Iraq Coalition Casualties: Contractors 2012).

Date	Name	Place of death	Employer
2004/01/31	Francois Strydom	Baghdad	SASI
2004/04/06	Gray Branfield	Kut	Hart Security
2004/04/12	Hendrik Visagie	US hospital	Erinys
2004/04/22	Francois de Beer	Baghdad	Meteoric Tactical Solutions
2004/04/29	Unknown	Basra	Construction company
2004/04/30	Unknown	Falluja	Unknown
2004/08/16	Herman Pretorius	Mosul	Dyncorp
2004/10/05	Unknown	Kirkuk	Iraqi construction company
2004/10/12	Johan Botha	Baghdad	Omega Risk Solutions
2004/10/12	Louis Campher	Baghdad	Omega Risk Solutions
2004/11/15	Johan Terry	Basra	Olive Security
2004/11/?	Jacques Oosthuizen	Tikrit & Mosul	Erinys
2005/06/07	Sean Ronald Laver	Habbaniya	Hart Security
2005/11/14	Ignatius du Preez	Baghdad	Dyncorp
2005/11/14	Johannes Potgieter	Baghdad	Dyncorp
2005/11/14	Miguel Tablai	Baghdad	Dyncorp
2005/12/22	Jan Strauss	Baghdad	Unknown
2006/03/06	Morne Pieterse	Basra	Hart Security
2006/05/08	Richard Kolver	Baghdad	Unknown
2006/08/19	Edmund Bruwer	Iraq	Cochise Consultancy
2007/02/15	Glen Joyce	Baghdad	Dyncorp
2007/08/28	Frans Robert Brand	Iraq	ArmorGroup

According to the website www.icasualties.org (2012), 468 contractors of all nationalities died during the war in Iraq, although the list is admittedly incomplete.

Hundred and ninety of overall contractors killed were Americans, and 54 British. Twenty-two of the 468 were South Africans, although the list only mentions two South African deaths in the employment of Erinys.

Erinys alone suffered about 21 killed and 26 wounded by 2004 (Isenberg 2004a:29) (although Iraq Coalition Casualties: Contractors 2012 mentions only 11). On 11 November 2003, James Wilshire, an Erinys operations manager from the Central Region and his Iraqi translator, Majid Husein Jasim, were killed in an ambush south of Baghdad whilst returning to Al-Dourah by road. This prompted a review of Erinys's security procedures, in particular the low-profile approach,[8] which in turn led to the implementation of armoured vehicles (Erinys 2005:22). On 19 October 2006, an Improvised Explosive Device (IED) between Hilla and Al-Kut killed two British employees of Erinys (a third Ukrainian employee died the following day), while on the same day another IED near Bagdad killed another British employee (Iraq Coalition Casualties: Contractors 2012).

On 28 January 2004, a vehicle-borne IED was detonated near the Shaheen Hotel in Baghdad. Francois Strydom – a former member of Koevoet – was killed, while Deon Gouws – a former officer from Vlakplaas – was seriously injured (Isenberg 2004a:75), along with many others. They were working for the US Indiana-based company Security Applications Systems International (SASI), which was at the time sub-contracted by Erinys International. This incident resulted in vehement protests by anti-war and anti-PMC commentators (see below).

On 7 April 2004, Hendrik "Vis" Visagie, a former member of the SAPS's Special Task Force, was critically injured during an ambush while escorting a convoy of Iraqi diplomats and ministers from Amman, Jordan, to Baghdad for Erinys (Anonymous 2004:2). Visagie was at the time a member of the personal security team to the GRD commander, Maj. Gen. Ron Johnson (O'Hara 2004:4). The incident occurred during a skirmish between Shi'a radicals and Ukrainian forces in Al-Kut, 185 km southeast of Baghdad, and Isenberg (2004a:76) states that it is believed that the incident occurred during the same fighting in which Gray Branfield had been killed. Visagie died from his wounds on 12 April after having been treated in the 31st Combat Support Hospital in Baghdad (O'Hara 2004:4).

On 10 October 2004,[9] another South African contractor and former SAPS officer working for Erinys, Jacques Oosthuizen, died in an ambush between Tikrit and Mosul (Cruywagen 2004:11).

8 Low profile (what Armstrong 2008:109 calls "grey man" tactics) means that vehicles move about without making themselves obvious, e.g. by not openly carrying weapons or by moving about in vehicles that blend into the environment. High-profile refers to adopting a threatening posture in armoured vehicles with weapons carried openly, designed to deter attacks.

9 The ANC's Daily News Briefing of 17 November (ANC 2004) wrongly claims that Oosthuizen died on 10 November, whereas Erinys (Roberts 2005) claims 10 October.

These casualties caught the attention of the media in South Africa and overseas, and as the following section will show, South African involvement became part of the controversy that always accompanies PMCs, and in this case Erinys.

6.3 Controversy

Singer (2002:190) notes how literature on PMCs (he uses the term PMF – Private Military Firms) remains highly polarised, constituting either a defence or a condemnation of PMCs. During the war in Iraq, the media tended to focus on incidents that showed PMCs in a negative light, such as the Nisour Square killing of 17 Iraqi civilians by employees of Blackwater on 16 September 2007 in Baghdad, and the involvement of Titan and CACI in the Abu Ghraib scandal. However, Johann R Jones, director of the Private Security Company Association of Iraq, noted that although there had been some "bad apples" in the private security industry in Iraq, "bad apples" were present in the Multinational Forces-Iraq (MNF-I) – the US-led military coalition – as well (quoted by Finer 2005). This attitude is echoed by Isenberg (2004a:10): "Generally, their personnel have conducted themselves professionally and are more in tune with the local culture than are regular US military forces. In several, little noted, cases they performed above and beyond the call of duty, coming to the aid of regular Coalition forces, when they did not have to do so." Messner (2007:61) furthermore recalls that "sexual abuse by UN peacekeepers in Cambodia, Congo, Haiti, Mozambique, Sierra Leone and elsewhere" illustrate the UN's own inability to control their "bad apples".

As with Executive Outcomes and Blackwater, Erinys has also been the subject of controversy in the media. This first occurred when the company secured its initial contract over better-known competitors. The leader of the Iraqi National Accord (an exile group with close links to the CIA), Iyad Allawi, accused one of his main rivals, Ahmed Chalabi of the Iraqi National Congress, of orchestrating the deal "in order to set up a private militia that would end up undermining central authority over the vital oil sector" (Perelman 2004). Ronnie Coleman of the South African firm, Coleman Marketing, also questioned the manner in which the contract was awarded (Klopper 2003:6).

The second major controversy occurred when Francois Strydom was killed in the abovementioned 28 January 2004 IED incident. Nevaer (2004) writes that the suicide bomber "also blew the lid off a dirty little secret of the Coalition Provisional Authority: Due to its 'outsourcing' of privatized security services, the CPA has put terrorists, mercenaries and war criminals on the payrolls of companies contracted by the Pentagon." Regardless of the questionable factual accuracy of deeming Strydom and Gouws "terrorists", "mercenaries" or "war criminals", the revelation that former security force personnel of apartheid South Africa were involved in the

reconstruction of Iraq cast a dark cloud over not only Erinys, but also PMCs as a whole, since the members of security forces of pre-1994 South Africa are frequently seen in a negative light. The same perception often accompanied EO during the 1990s (Senekal 2010:172). Erinys subsequently terminated the subcontract, criticising SASI's inadequate background vetting (Erinys 2008).

In November 2004, Britain's *Observer* obtained photographs of an Iraqi boy allegedly abused by Erinys staff in Kirkuk (Barnett and Smith 2004). The incident supposedly occurred in May 2003, and Barnett and Smith (2004) claim: "Pictures obtained by The Observer show two employees of Erinys restraining the 16-year-old Iraqi with six car tyres around his body." Erinys acknowledged that the boy had been detained for allegedly stealing cables, and added: "On learning of the circumstances leading to the arrest of his son, the father expressed shame at his son's activities and requested that he be taught a lesson. In the presence of his father, two Erinys employees restrained the youth using tyres" (Barnett and Smith 2004). Erinys however denied that the boy had been ill-treated beyond his father's consent.

Continuing the thread of controversy, Erinys was also linked to the death of Alexander Litvinenko, the former KGB officer who was murdered in Britain in 2006 (Armstrong 2008:152). Following Litvinenko's death, traces of Polonium 210 were found in the Grosvenor Street offices of Erinys where Litvinenko had visited shortly before his death (Goldenberg 2007). Quinn (2006) claims the incident cast doubt over Erinys itself: "For traces of Polonium, a biological weapon, to be found in the offices of a company founded by a former official in the South Africa Apartheid regime immediately raises red flags." However, as was noted earlier in this article, Erinys was not founded by a South African and the inclusion of the term "Apartheid" here serves merely to discredit Erinys.

On 18 October 2007, Erinys employees wounded two civilians near Kirkuk when their vehicle failed to stop after Erinys had halted traffic in order to change a tyre of one of their convoy vehicles. The subsequent US Army investigation found that Erinys acted properly, according to clearly defined Rules of Engagement, but a BBC Panorama incident portrayed the incident differently. Erinys states: "The BBC Panorama team deliberately chose to ignore inconvenient facts and to 'spin' their information so as to give an unfavourable impression of the actions of the Erinys team, who complied at all times with the law and with the terms of their contract." Similarly, the UK-based organization War on Want published various reports on PMC companies in Iraq (e.g. Mathieu and Dearden 2006), claiming human rights abuses and the killing of innocent civilians by Erinys employees. The Kirkuk incident is one such recurring allegation, and Erinys (2008) writes:

> "In breach of normal journalistic practice, no War on Want representative has ever put these allegations to Erinys in advance of publication and sought their response. In fact, War on Want has taken stories that originated in the mainstream press, and deliberately stripped

> out comments by any Erinys spokesman together with any explanatory press releases from other sources."

Mark Townsend's *Observer* article (2009) is also at odds with the information provided by Erinys, e.g. claiming that three instead of two civilians were injured, that one civilian was struck by shrapnel (Erinys claims a bullet ricocheted when they attempted to fire a disabling shot into the engine), and that Erinys personnel shot them and then drove away, leaving them to their fate, as opposed to the Erinys account that states they ensured that the injured received medical treatment (Erinys 2008).

In 2007, Erinys became the first PMC to be sued by a member of the US military (Goldenberg 2007). On 25 October 2005, specialist Christopher Monroe was struck and killed by an Erinys convoy in southern Iraq while on guard duty. Erinys, however, claimed that it was cleared of wrongdoing by a US military investigation, adding: "It was a very tragic accident for which Erinys and its employees have been thoroughly exonerated" (Goldenberg 2007).

Following each of these incidents, Erinys seemingly co-operated with the relevant authorities and issued their own press releases in an attempt to counter the negative image of the company propagated by the media.

7. CONCLUSION

As this article has shown, South Africans have been part of the global academic discourse on PMCs, whether historians discuss the origins of PMCs (through the VOC), the rise of the private military industry after the end of the Cold War (EO), or in the post-9/11 environment. Although it is not a South African company, Erinys constitutes a significant chapter in a long line of South African involvement in the private military industry, even if South Africans merely feature as members of staff. The company is typical of the contemporary private military company in that it strives towards professionalism and an ethical code of conduct, unlike previous South African endeavours in this arena that have come to be associated with illegal operations. Erinys continues to operate as a "private corporation operating in a combat zone or conflicted area that does not engage in pro-active, offensive operations" (O'Brien 2008:65), and as this article has illustrated, the company is a clear example of the modern PMC.

Erinys differs greatly from EO, particularly since the company never conducted offensive operations and should rather be classified as a PSC than a PCC in O'Brien's (2008) classification, which also means that the distinction between mercenaries and PMCs is much clearer than in the case of EO. The perception exists that EO had been involved in illegal activities, as is clear from e.g. Gama's (2008) study, while Erinys has gone out of its way to ensure that it retains a

reputation as a professional, ethically sound PMC, and by 2011 this assurance has been demonstrated by its willingness to commit to the ICoC. Allegations that Erinys's conduct has been unethical have been refuted by making use of official US Army investigations (in the case of Christopher Monroe and the 18 October 2007 Kirkuk incident), or otherwise by taking steps to rectify existing inadequacies when identified (as in the SASI subcontract). However, as is clear from the SASI-incident and Quinn's (2006) writing on Litvinenko, Erinys's South African connection became a weapon in the discourse on PMCs in general and Erinys in particular. Nevertheless, Erinys has weathered controversy much better than the most notorious PMC during the war in Iraq, Blackwater, who has struggled to rid itself of the negative image it acquired after Nisour Square, to the point of changing its name first to Xe, and later to Academi. Although Erinys has adapted over the years, it continues to trade under the brand Erinys, and because of its commitment to transparent and ethical conduct, it is unlikely that the company would ever experience a scandal approaching the controversy surrounding EO or the Sandline Affair. While EO may be seen as a company that straddles the divide between mercenaries and PMCs, in Erinys the evolution from a group of mercenaries to a PMC is brought to fruition.

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