

REYNOLDS PORTER CHAMBERLAIN

David Price Solicitors & Advocates
21 Fleet Street
London
EC4Y 1AA

Direct Tel: 020 7306 3597

Direct Email: jys@rpc.co.uk

AND BY FAX 0207 353 9990

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4th November 2004

Dear Sirs,

AFRICA CONFIDENTIAL AND ERINYS INTERNATIONAL AND ERINYS IRAQ LTD

We write further to our telephone conversations yesterday morning (Baglow/Schopflin), agreeing the text of the letter from Mr Jonathan Garratt of your clients, and the settlement of this matter.

We enclose a PDF version of the current issue of *Africa Confidential*. As agreed, Mr Garratt's letter appears on page 7.

We confirm that the letter was published on the basis set out on the second page of your fax. This includes the publication of Mr Garratt's letter online on www.africa-confidential.com and www.blackwellsynergy.com (which is available to subscribers only). The article of 11th June will be restored to a re-launched *Africa Confidential* website when it goes live next week. Then, online readers of Mr Garratt's letter will be able to see a link on that page to the 11th June article and vice versa.

On the Blackwell Synergy website, each edition of *Africa Confidential* appears in PDF form and it is not possible to insert hyperlinks between articles. However, there will be cross-references between Mr Garratt's letter and the 11th June article. The cross-reference in the online PDF version of Mr Garratt's letter will refer readers back to the volume of *Africa Confidential* in which the original article was published. The cross-reference in the 11th June article will state: "Please see AC Vol 45 No 22 for Erinys' response".

We will forward to you a hard copy of the 5th November issue of *Africa Confidential* when we receive it from our clients.

Yours faithfully,

RPC

REYNOLDS PORTER CHAMBERLAIN

Enc



Chichester House
278-282 High Holborn
London WC1V 7HA

Tel: 020 7242 2877
Fax: 020 7242 1431
DX B1 Chancery Lane

Email: rpc@rpc.co.uk
www.rpc.co.uk

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5 November 2004

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replenished via a compulsory broadcasting licence fee, levied on all salaries.

Biya is far removed from the caricature of an African strongman who works around the clock to cement his power and confound his enemies. Indeed, he is very often far removed from Cameroon itself, spending long spells abroad, particularly in Switzerland. Nicknamed 'Le Sphinx', he is legendary for failing to attend major international summits and gatherings and for adopting the lowest possible public profile, even on the risky territorial dispute with Nigeria over the Bakassi Peninsula (AC Vol 43 No 17).

Africans and foreigners who support the good governance goals enshrined in the New Partnership for Africa's Development could have seized the chance of October's elections to run the rule over an incumbent who has boldly volunteered for scrutiny under the African Peer Review Mechanism. Yet the AU didn't even send electoral observers. African diplomats in Yaoundé muttered about tight budgets, yet there was money to send an AU team to observe polling in tranquil Botswana three weeks later.

Taking the electoral biscuit

By any yardstick, the elections were a poor version of the real thing. How poor is hard to say since the government's priorities have not included a population census since 1987. There are thought to be 16 million Cameroonians and a potential electorate of half that number. So an official registered electorate of 4.6 mn. is small, particularly when the presence of dead and phantom voters was widespread and crudely apparent.

The rest of the process was little better, starting with the legal fiction that the new National Elections Observatory 'supervises and controls' the electoral process. Nobody informed the stalwart prefects and sub-prefects of the Ministry of Territorial Administration and Decentralisation, who ran the show as tightly as ever. This included zealous registration of RDPC supporters, failing to display the electors' register on time, using state resources to campaign for Biya and taking charge of the count. With the pro-Biya bias of most of the civil service and CRTV's fawning performance, there was never going to be much doubt about the outcome.

In any case, Biya really had nobody to beat. The opposition entered the fray in chaotic order, fielding 15 candidates. Some were Biya spoilers, some were egomaniacs, others seemed mainly interested in the 20 mn. CFA francs (US\$40,500) payable to each candidate.

Only Fru Ndi's Social Democratic Front had coherent policy proposals but the party is a shadow of its former self. Defections, Fru Ndi's bossy style and the last-minute failure to field a joint opposition candidate all weighed heavily. The SDF failed to mobilise in the populous North and its domination in the two English-speaking provinces only helped the RDPC's portrayal of the party as a front for secessionists.

The supposed Francophone alternative to Biya, coalition candidate Adamou Ndam Njoya, polled a paltry 4.47 per cent, no improvement on his score in the watershed elections of 1992 when, many commentators believe, Fru Ndi defeated Biya.

Optimists hope that Biya will use his last term to clean up public finances and prepare the ground for genuine elections in 2011. Sceptics, on the other hand, expect the presidential inner circle, many of whom are from his Beti tribe, to resist any reforms that will leave them vulnerable to a settling of scores. Jostling for the succession is certain to increase with Edouard Akane Mfoumou, a former Economy and Finance Minister, among the leading aspirants. France will undoubtedly have a word to say about who takes over in one of its few remaining African fiefdoms.

SOUTH AFRICA/IRAQ

A very private war II

Erinys Iraq replies to Africa Confidential

Further to your article 'South Africa/Iraq: A very private war' of 11 June 2004, we wish to respond to the allegations made:

a. Contract Renewal: You reported that Erinys secured renewal of its security contract (due to expire on 5 August 2004) in May 2004, due in part to an alleged closeness to Ahmed Chalabi, head of the Iraqi National Congress, and his family. There has never been any relationship between Erinys Iraq or International with Chalabi and the decision to extend the contract was not made until August 22nd 2004, several months after Mr Chalabi's departure from government.

b. Initial contract: Erinys Iraq was awarded the initial security contract in an open and competitive tender. Although Erinys Iraq Ltd was a recently established company, its directors and senior managers had relevant operational experience. The Coalition Provisional Authority stated that Erinys was awarded the contract on both price and technical quality.

c. Military Company: Erinys is not a military entity. Erinys Iraq provides security and risk management services in Iraq. Security personnel carry weapons as authorised by the Ministry of the Interior to deter attack on the facilities they are guarding.

d. Breach of South African Law: You reported that Kader Asmal, then Chairman of the South African National Conventional Arms Control Committee (NCACC), had said that the NCACC had not received an application from Erinys International to operate in Iraq as required by the Foreign Military Assistance Act and that the Department of Public Prosecutions was investigating Erinys. Erinys believes that South Africa's Foreign Military Assistance Act does not apply to Erinys International or Erinys Iraq because they are not South African companies. Erinys International has been involved in open discussions with the NCACC about its position and has made representations in respect of its South African employees in Iraq (to whom the Act may apply).

e. Recruitment: You reported that Erinys recruits most of the soldiers on the Iraq contract from South Africa and that they are cheaper than other expatriates. The majority of the international employees of the Erinys Group in Iraq are British. We can confirm that in Erinys at least a South African employee is paid the same as an employee from the UK.

Yours faithfully,

Jonathan Garratt, Erinys Iraq Limited

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Subscription enquiries to: Africa Confidential, PO Box 1354, 9600 Garsington Road, Oxford OX4 2XG England.
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