

Cops provoked Marikana miners

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Rustenburg - Crowd-control experts would testify that police conduct had provoked striking Marikana miners, the Farlam Commission of Inquiry heard on Tuesday.

"Acts of force, like what happened here; putting a razor wire [between police and protesters] was or can be considered highly provocative," said **George Bizos** for the Legal Resources Centre and the Bench Marks Foundation.

He was questioning national police commissioner **Riah** Phiyega about events that led to the fatal shooting of 34 miners at Marikana, North West, on 16 August last year.

Bizos contended that a heavy police presence and their use of water cannon, tear gas, and stun grenades without warning had escalated the situation.

Phiyega denied this and said the police presence was meant to calm the situation, not escalate it.

"Visible policing should be a deterrent," she said.

Police had plenty of experience in handling protests and had dealt with more than 33 000 protests in recent years.

A video clip depicting North West police commissioner General Zukiswa Mbombo was played for the commission.

In the clip, Mbombo said: "We will ask them [the miners] to leave. What I am saying is that today we are ending this matter," said Mbombo.

In the clip, she said she would not disclose what the plan of action was.

Secret plan

Bizos asked Phiyega what the secret plan was and whether it had been related to Police Minister **Nathi Mthethwa**.

"The responsibility of the dispersal lay in the hands of the provincial commissioner... We don't report to the minister on everything," said Phiyega.

"It's not the type of information I would communicate with the minister... The operational duties are not the responsibility of the minister."

Phiyega said controlling the situation was part of her duties and that of the provincial commissioner.

Bizos asked why 16 August was marked as "D-day" to disperse the protesters.

"Why didn't they wait a day or two and continue with negotiations?"

He also wanted to know why Bishop Johannes Seoka had not been given a chance to address the miners before the shooting.

"According to a report I received, there was an agreement that on 16 August there would be a handing in of weapons on that day," she said.

The public hearing in Rustenburg continues.

It forms part of the commission's inquiry into the Marikana events