



COUNCIL
FOR THE ADVANCEMENT OF THE
SOUTH AFRICAN
CONSTITUTION

MEDIA STATEMENT ON THE KILLING OF THE MOTHUTLUNG PROTESTORS

14 January 2014

CASAC is outraged at the killing of two people at the hands of the police during a protest against a lack of water services in Mothutlung in the North West province yesterday.

Citizens would have every right to expect that lessons would have been learned and remedial measures implemented in the aftermath of the killing of Andries Tatane in April 2011, the Marikana massacre in August 2012 and the killing of Mido Macio in Daveyton in February 2013. So far no one has been held to account for the killings of Tatane, Macio and the dead of Marikana. The failure to act against the perpetrators of these killings will only serve to undermine respect for the rule of law.

So despite the protestations of the Minister of Police that a culture of impunity does not permeate the South African Police Service (SAPS) we have seen no evidence of a change in the manner of public order policing.

CASAC Chairman Siphon Pityana says:

“Indeed it appears that a policy of maximum force is prevalent within the SAPS, a view that CASAC outlined in its written submission to the Farlam Commission of Inquiry. The obfuscation of SAPS officials testifying before the Farlam Commission strengthens the perception that the police are not prepared to accept responsibility for their actions and to be formally held accountable.”

We are concerned that over a year after the Human Rights Commission published its report on the killing of Andries Tatane, its recommendations appear to have been ignored by the SAPS – these recommendations included the following:

- that SAPS improves the ‘training of police officers in managing and regulating gatherings to ensure that future police interventions in public protests result in a more peaceful and non-violent outcome’;
- that SAPS together with the HRC develop a training manual for the SAPS Public Riot Unit;
- SAPS to actively engage with communities where there are popular protests;
- That the Minister of Police and Minister of Cooperative Governance & Traditional Affairs (COGTA) report twice a year on measures put in place to address the

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phenomenon of increasingly violent community protests. COGTA is also required to report on measures to ameliorate systemic failures in local government and interventions to avoid service delivery protests.

The Minister of Police must urgently clarify the position of the SAPS with regard to the circumstances when live ammunition may be used, and what measures have been put in place to ensure that the constitutional rights of the public are respected by the SAPS.

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