

RECORDING FROM 40:33 TO 72:02

MR MOKOENA : You wanted to see us?

SAPS COMMISSIONER : I wanted to see you.

MR MOKOENA : We also want to see you but, you know.

SAPS COMMISSIONER : Maybe let me be first. One it was about whilst we are busy that side trying to plan in terms of what we need to do I needed to check from your side what is the actions that are in progress in terms of your thinking, your - in terms of your policy arrangements and all that, what are you busy doing because I was saying to GRAHAM it is important that I get to understand because whatever decisions you are making from this side they obviously have got an impact on what we are doing. And that is one main reason why I needed to come in to be talking to you, but also tracking from the discussions that we had last night you were not in...

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MR MOKOENA : No, I was not in the meeting.

SAPS COMMISSIONER : Yes, you were not in the meeting.

...(INAUDIBLE).... I think from the issues that she raised and I also wanted to understand what do you think will be a way forward now based on that discussion, and also based on what is currently in place right now and how do you see yourself securing the situation back to normal or, you know, I wanted to understand those two main issues. Because right now I just had a discussion with them because I went up - yes, so.

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MR MOKOENA : Yes, okay.

INTERRUPTION BY A TELEPHONE CALL

SAPS COMMISSIONER : General? Yes, General. I am still well General. I was just going to call you and give you a run-down feedback but can I - can you give me an hour General because we are moving in and maybe after an hour I can give you a feedback in terms of what will have transpired? No, it is still quiet but we just got information just now

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SAPS COMMISSIONER : that there are once again mobilising in another side, whilst in that mountain, I was there, there are about 800 to a 1000 that are there, so we were thinking that whilst they at that number we can maybe settle(?) them around, but they are once again mobilising on the other side, they say the Western side. So we just want to observe that but I will come back to you in an hour's time. All right, thanks bye.

END OF TELEPHONE CALL

SAPS COMMISSIONER : Like I said.

MR MOKOENA : Yes. I think okay, a couple of positions. 10
One is, I mean it is our intention also just like it is your intention
...(INAUDIBLE - SCRATCHING SOUND).... Our priority is, we want
people arrested, okay. It is very clear AMCU is behind it, very clear, in
actual fact we have a recording that we are going to play for you. One
of them made a clear statement on television last night, that is why I
phoned you, I said well I am not a trained intelligence officer but you
know these statements say actually they have been to the mountain,
they have spoken to the people and they are issuing statements that
they have made and they have presented demands to management of
12 500. So we expect people to be arrested because ...(INAUDIBLE).... 20
it is going to happen somewhere else, somewhere else and the police
are going to be compromised, we going to be compromised, I do not
know people can feel that nothing happened. That is why I think it is
very important for us we want to see somebody arrested so that the
message gets across that the 9 people who were killed
...(INAUDIBLE).... Secondly, we believe, honestly speaking with our poor
intelligence it is very, very clear AMCU leaders are behind that. And if
they do not get arrested and we do paperwork afterwards, you know, the
people who gather at that mountain will still believe their leaders who
are doing this. And our plan going forward is we are not 30

MR MOKOENA : forcing workers to come to work for now because we cannot really guarantee because we do not know, you know, are these people still or not. Tomorrow we want to issue an ultimatum because we have a court interdict that we have actually got issued.

SAPS COMMISSIONER : Issued.

MR MOKOENA : We want to give everybody the benefit of the doubt today and your forces to settle and do things, so we do not want to say come to work while the situation is very tense. So your team are the only ones tomorrow which ...(INAUDIBLE).... to advise us 10 whether we should issue an ultimatum and ask people to come to work. We do not want to do that and compromise your plans. So in terms of security, if you ask me COMMISSIONER, we really are reliant on you leading us. Going forward our actions will be determined by the work that you do because we do not want to be running off ..(INAUDIBLE).. the things that we wanted to do we have stopped them and said no, no, no, let the police guide us now, is it safe, can we do this, can we do that. So if you ask what our plans are, are plans are we await your team to guide us and say we can do ...(INAUDIBLE).... we have 20 arrested people, we have done this, and then we will develop action plans following resolving the problem of security. And the reason why we say this COMMISSIONER is the entire EXCO at LONMIN, because this is no longer an HR issue, it has become a security issue. We can only start doing HR issues when the security is sorted out so that we do not confuse security issues with HR issues. We have rejected quite a number of positions and people indirectly trying to start negotiating, AMCU you will notice their press statements. So they have thrown stuff into the media to say, oh we have asked management to give everybody 12 000. Now the media are going to say, but management then you must talk to AMCU. 30

SAPS COMMISSIONER : Yes.

MR MOKOENA : You see what I mean. And we say we are not going to talk wages because there is no reason for us to open wages.

LONMIN : And by the way with AMCU we do not have any collective bargaining arrangements....

MR MOKOENA : We do not have anything. So we avoid legitimising illegal behaviour. That is our position. So we will not make any decision COMMISSIONER without asking your counsel and advice so that we do not compromise the integrity of police work here. And people who report cases and then the wife and the husband and when they are sober they go ...(INAUDIBLE)... We are not in that situation. 9 people have died, we are not going to start talking to parties suddenly who say, yes but you know these workers say they want money, and that is what AMCU are saying. So now it means they are taking over the - they are the leaders of that group.

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SAPS COMMISSIONER : Okay.

MR MOKOENA : So we have a recording here.

LONMIN : In fact one of them explicitly said,

COMMISSIONER ...

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MR MOKOENA : LONMIN will remain ungovernable.

LONMIN : Went to the mountain and we come back from the mountain with these instructions.

MR MOKOENA : Yes.

LONMIN : And if you do not ...(INAUDIBLE)....

MR MOKOENA : Then the community is going to follow suit. Now if this was in ...(INAUDIBLE - SCRATCHING SOUND)...., that is serious intimidation, that is serious threats.

SAPS COMMISSIONER : Actually that is ...(INAUDIBLE).... it is a direct ...(INAUDIBLE).... get that telephone and download it and

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SAPS COMMISSIONER : then go and arrest them.

MR MOKOENA : Yes, the recording is here.

SAPS COMMISSIONER : There is just one thing which I want to say. I understand that obviously we are supposed to meet in terms of informing you how far are we with regard to what we are doing, but I think also as management you need to implement safety in the workplace ...(INAUDIBLE).... I do not see any ...(INAUDIBLE).... in giving your instruction with regard to no work, no pay or in giving an instruction that says we give you this opportunity to come to work by this date, failing which ...(INAUDIBLE)...., if it is in your policy then it must be done. 10

MR MOKOENA : Yes.

SAPS COMMISSIONER : Because look, there is what we may be creating here, goes from ...(INAUDIBLE).... our side, in creating a situation where these people feel that we are in control, the employer does not tell us anything, they do not worry that we are not at work, they do not call us even to come to work, the police are not also arresting us. You understand, whilst you know - now what we have just decided, because when I went up I wanted to view and see what is going on, so when I was on there I told these guys, I said look these 20 people they are less than 1000, with the number of police officers that we have let us settle these people. Let us not do anything, let us settle them, let us talk to them and say listen bring your firearms and you will leave here one by one, and we give you enough time to do that. If they do not do that, I said - and I am listening to what you just said now about tomorrow - I said to them if you do not do that, if they do not surrender their arms...

MR MOKOENA : Their arms, their weapons.

SAPS COMMISSIONER : Weapons, we leave them. Move your vehicles, come back and park here. Because why, this evening I am 30

SAPS COMMISSIONER : getting 480 members, tomorrow when we go there for the second time now, that we were there today and they did not surrender, then it is blood. So I want us to be in a position to say whilst you are saying you will call them, or you will allow us to give ...(INAUDIBLE)... but tomorrow they must be told that the company expects them to be at work.

MR MOKOENA : Yes, and we have that, it is prepared.

SAPS COMMISSIONER : And failing which these are the consequences ...(INAUDIBLE)... you should know of, so that as and when I am moving in tomorrow, because tomorrow our plan is very tight 10 and very - you know, we are not going to bed tomorrow. But I said let us beg now because remember we are tied up by these new amendments in our law that says we should not shoot, we should not do this, you know these things, you know, from TAKANE's incident and all that. So I said to them if - and once again the other thing why I delayed them, remember what was happening yesterday, it was annoying to the cops. If we could have sent them there....

MR MOKOENA : Emotions are high.

SAPS COMMISSIONER : Emotions are very high. Whatever instruction you will have given, but because of the emotions... 20

MR MOKOENA : They would have forgotten about the instruction, yes.

SAPS COMMISSIONER : They will have forgotten about the instruction and I do not want a situation where 20 people will be dead. This is not what we are here for, what we are here for is to maintain and make sure that there is peace, between us and between the people and the company. So I said - even now, they were telling me now to say but GENERAL if they show us firearms and they give us firearms, I said take the firearm but those that will have illegal firearms we will have to arrest them but those that have got legal firearms tell them I need your 30

SAPS COMMISSIONER : licence and your firearm because we have to do ballistic testing. But you do not do anything, we will come back and arrest them if this firearm is ballistically tested and it is found to have been ..(INAUDIBLE).. So I said let us go in peace now but let us tell them, because we have got our negotiators now, let us tell them that we are coming here, we want you to surrender your firearms, we also want you to leave here and we give you this time, and if they refuse we leave them, we do not touch them, we leave them, because it is an assignment. I want to give them an assignment for tonight to think that...

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MR MOKOENA : They have won.

SAPS COMMISSIONER : They have won the battle, but once again they cannot won the battle - they cannot think that they have won the battle through us and ...(INAUDIBLE)... the company. Somehow there is somebody that has got a law here that is very clear that needs to be complied with by them because they are still employees of LONMIN. So I think I am trying to say BARNARD, let us put in our systems right.

MR MOKOENA : Okay.

SAPS COMMISSIONER : And then let us communicate what needs to be communicated to them, because you do not have to shy away from that. It does not matter how it will anger them and whatever, that is the policy of the company, they know. But once again also we are ready for tomorrow if there - if it angers them in any way tomorrow we ...(INAUDIBLE)... and obviously ourselves we are prepared to move in a different direction.

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MR MOKOENA : Yes. So I think what we will do is we will print the - in all the languages we use here that communicate for people to return to work, these are the rules, and we will have them ready tomorrow and we will get our chopper to drop them in this

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MR MOKOENA : village, piece of paper, people will pick them up and read. We will drop them over the mountain also where they gather. So we just - that is what I wanted to talk to you about because I did not want us to do something and you say, oh but LONMIN management. So now the two plans go together.

SAPS COMMISSIONER : Yes.

MR MOKOENA : We will go print these little brochures, get our Chopper tomorrow and drop them and we will use the radio stations. I briefed the journalists today that we may be, depending on the situation, issuing an ultimatum tomorrow. So at least they will start also sending... 10

SAPS COMMISSIONER : Sending that message.

MR MOKOENA : Yes. They will expect ...(INAUDIBLE)... so what are you doing now.

SAPS COMMISSIONER : You see I want us to - you remember last night ABIE I raised this thing that when we were dealing with IMPALA we had a lot of allegations and rumours and some of these allegations they were pointing to the management that the management is colluding with AMCU and so on and so forth. And at some point - at some point ourselves we were asking ourselves questions to say but these rumours that we are getting, these issues that are being said, they might find truth somehow because we looking at how the management was moving forward in terms of taking action, in terms of - you know, because what we believe is, is that whether there is this unrest now this unrest does not withdraw out policy, our policies are still intact, they need to be implemented in the best way and the unrest situations then should take its own form. But like I said yesterday that once we are on site as the cops then we take control of the security issue, but the administrative issues should also take their own life. So at the end of the day when we were dealing with these issues we ended 30

SAPS COMMISSIONER : up ourselves not being comfortable in terms of understanding whether the IMPALA mine management really is colluding with the mine. But also remember from a political point of view there was even this feeling that you know, the mining sector wants to replace NUM, you know, with a new face and maybe that is why these things are erupting. So I think yesterday, ABIE will recall - you will recall when this discussions with the NATIONAL COMMISSIONER came, she also from the discussion that she raised with you and, you know, and some of these questions that she raised, you remember I raised them in the morning in our meeting, and she also felt that you know, it is difficult to separate management from giving these people a leeway, and if management gave these people this type of a leeway how do we separate them now from an allegation that can come and say but they are supporting them. So I want us to, when you said people must be arrested, I want us to be very clear that any information that we get we should get so that we arrest people. That is our interest, because yourselves here as management you will clear yourselves from this...

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MR MOKOENA : Perception.

SAPS COMMISSIONER : Perception, you know.

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MR KWADI : Yes.

SAPS COMMISSIONER : You will clear yourself by ensuring that you de-fuse, you give out information that is related to this thing and we are able to actually act on that information. Because I think even when we were trying to talk about it last night, she asked me a question that says you know - well, this one I am not sure, because the LONMIN shareholders I do not know much about them.

MR MOKOENA : Yes.

SAPS COMMISSIONER : But when I was speaking to MINISTER MTHETHU he mentioned a name to me that is also calling him, that is

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SAPS COMMISSIONER : pressurising him, unfortunately it is a politically high...

MR MOKOENA : It is CYRIL.

SAPS COMMISSIONER : CYRIL RAMAPHOSA, yes. Now remember now when I was talking to the NATIONAL COMMISSIONER last night she says to me, look GENERAL who are the shareholders here, so I said I do not know the shareholders but I know that when I spoke to the MINISTER he mentioned CYRIL. And then she says, now I got it. You know why she says she got it? Remember CYRIL was in the appeal committee of MALEMA, remember?

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MR MOKOENA : Yes.

SAPS COMMISSIONER : And he was very strong in terms of the decision that was made.

MR MOKOENA : Yes.

SAPS COMMISSIONER : And remember that in IMPALA, MALEMA came with our PREMIER and spoke to those people about that they should make their demands but in a way that - and after that we ourselves as the police we managed to, you know, manage the situation after MALEMA came. Now our discussion with the NATIONAL COMMISSIONER was around this thing that say is this thing now happening such that again MALEMA come and de-fuse this thing, so that it becomes as if MALEMA has taken charge of the mining - the mine.

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MR MOKOENA : Yes.

SAPS COMMISSIONER : Once again remember MALEMA's view that the mine should be...

MR MOKOENA : Nationalised.

SAPS COMMISSIONER : Nationalised and all of that. So it has got a serious political connotation that we need to take into account, but which we need to find a way of de-fusing. Hence I just told these guys

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SAPS COMMISSIONER : that we need to act such that we kill this thing.

MR MOKOENA : Immediately, yes.

SAPS COMMISSIONER : When tomorrow we have to move in, if today we do not find co-operation in these people we need to move in such that we kill it. Because we need to protect a situation where any jick-and-jiff from a political area...

MR MOKOENA : Let me interrupt you. Let me interrupt you, okay. Amongst the 1000 calls I got yesterday I got a call from GODI, GODI...

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SAPS COMMISSIONER : THEMBA GODI. He is operating in this area, Moruleng and all that.

MR MOKOENA : He is.

SAPS COMMISSIONER : So I know, he was phoning me now.

MR MOKOENA : MOKOENA, you know, I am sorry man, in the name of the Lord, I am told you have problems and look we can come there and talk to the workers. Who am I speaking to? What - what, which newspaper? I mean the line is faint. I mean...

SAPS COMMISSIONER : You thought it is a journalist.

MR MOKOENA : Yes, I thought it is a journalist. No, no, THEMBA GODI. I said you know what, let me come back to you because I am actually with the reporters now. I am thinking, you know what, why would - who is this guy, where does he fit in all this scheme? Okay, no okay.

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SAPS COMMISSIONER : Yes.

MR MOKOENA : I am going to have the same problem, and immediately he was there, after, at meetings in the communities, rallies, post.

SAPS COMMISSIONER : Even here in Moruleng with this thing of CHIEF DINGANE and NYALALA, operating there, he called me now he

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SAPS COMMISSIONER : was complaining about the fact that the Municipality are refusing him to have - what do you call this - a rally?

MR MOKOENA : Yes.

SAPS COMMISSIONER : And so I must intervene.

MR MOKOENA : Yes.

SAPS COMMISSIONER : So he already wanted to talk about this with me...

MR MOKOENA : Oh so he phoned you also?

SAPS COMMISSIONER : Now, as I was driving here.

MR MOKOENA : But that is it, ...(INAUDIBLE).... Limpopo, 10
Mpumalanga, not this constituency ...(INAUDIBLE).... I said that is JOSEPH's constituency, oh, what if - is this such a coincidence that guys who are from Mpumalanga and Limpopo are now here? I mean, I said ah, let me ...(INAUDIBLE).... Now I said to my senior, you know, MOJALE we need to treat this with you know, not public consumption now. Man, what are we doing - do we know what we are doing.

SAPS COMMISSIONER : Yes. ...(INAUDIBLE)....

MR MOKOENA : So I agree with you COMMISSIONER, if we can arrest these people, because the longer it goes it is giving all the other opportunists to comment and seize the opportunity and then it 20
gets out of control.

SAPS COMMISSIONER : That is it.

MR MOKOENA : So I think yes, let tomorrow be the D-day where we issue the ultimatum and say if you do not show up for work, sorry that is it. So we will go tonight, go and print all those brochures in the languages that we want to use, use our choppers tomorrow, drop them around at all the strategic places...

GRAHAM : Please just get them to me early, I will do it during the night shift, because there is issues with the chopper. I hear you.

MR MOKOENA : Yes.

GRAHAM : But it is also - just to add a sixpence.

What is it also doing is our morally correct people who actually want to be at work, our security people who actually want to see the law done, they are going to also see because they are becoming demoralised.

MR MOKOENA : Yes.

SAPS COMMISSIONER : Exactly.

GRAHAM : They are also going to see that, wow these people are working together and not bugging around, and that is important BARNARD. Okay.

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MR MOKOENA : No, no, I think - so JOMO I think we need to...

COMMISSIONER INTERRUPTED WITH TELEPHONE CALL

ASIDE CONVERSATION FOLLOWS

MR MOKOENA : We will sort it out. Oh, you have seen that?

GRAHAM : I have got my attorney, we are working very closely with the attorneys, very close. We have now, ...(INAUDIBLE)... they are very ...(INAUDIBLE)... Okay, so why

I am saying to this ...(INAUDIBLE)... they need to get their

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strategies right. We have deployed 140 people across the

...(INAUDIBLE)..., SAP to go and interact with our security as

the operations ...(INAUDIBLE)... we have got now the horse

units, we want to deploy as well for visible policing. If this

comes out now what you guys are saying we can get that out

and then let her go and get on with that briefing

...(INAUDIBLE)... It is at a critical stage. I am sorry.

SAPS COMMISSIONER : I think it is very right what GRAHAM is saying, because you know, we need to show our employees, all of them in a balance that we are still in control.

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MR MOKOENA : Yes.

SAPS COMMISSIONER : Because these that are working, the lawyers are asking themselves questions, what now, what is happening? So if you decide to stay away from work nobody worries, nobody cares, nobody says nothing. So I think - but also I think the plan gels nicely. I support the idea that they must not be given the notice tonight, rather early in the early hours of tomorrow so that it works together with our plan.

GRAHAM : I will work with your planners on that.

SAPS COMMISSIONER : Yes. 10

GRAHAM : Remember I just want to add, your guys have been sitting out here now for 26, 28 hours already. It will also let them because they - you know when the guys are sitting they do not get into a good mood, they back - the issue from yesterday, now they are sitting and they seeing. This will just kick-start that we are moving correctly. So it is to make sure that we are also giving the moral support to the guys that have come in to help us. Okay.

SAPS COMMISSIONER : No, they are going to - we already deployed them now before this because now they have to call them back for this operation. We deployed them to the key areas. 20

GRAHAM : Yes, we deployed 110.

SAPS COMMISSIONER : Yes.

GRAHAM : And we going to deploy the horses and ... (INAUDIBLE)....

SAPS COMMISSIONER : But we bringing them back now because I want all of them to move all of them at once to that area. So after that I think they will once again group them into different or...

GRAHAM : CARLITZ is on top of that with me Ma'm.

SAPS COMMISSIONER : Yes.

MR MOKOENA : But I mean COMMISSIONER I need to 30

MR MOKOENA : say that I mean I do not like what I see here, this is not the place I want to be associated with, imagine how many employees feel ...(INAUDIBLE)....

SAPS COMMISSIONER : ...(INAUDIBLE)....

MR MOKOENA : ...(INAUDIBLE).... It is not what they want, people just want to come to work, get their salaries, go back home - so I mean I completely agree with you, we cannot afford to have this there for the whole week and wait and - and you know, these are government resources. We say it clear and how do you justify that.

SAPS COMMISSIONER : That is what I was saying, you know, the 10 other key challenge is that all of these members that are here, I have to pay them. So how much am I going to cough out for all these days? I mean I have to - I have given them now up until the weekend if we cannot sort this thing, but my hope is that by tomorrow the latest or...

MR MOKOENA : But I must tell you, the ones that impress me is this ...(INAUDIBLE).... These are snipers or what?

SAPS COMMISSIONER : Which ones?

MR MOKOENA : The military - the special...

SAPS COMMISSIONER : Oh the special task force?

MR KWADI : Yes, no I like those ones. 20

SAPS COMMISSIONER : Those ones are the ones that...

MR MOKOENA : You know we used to see these guys from a distance when we were - so I mean now it is like wow. Do not train our people to become like this.

GRAHAM : Ma'm - Ma'm, I asked him with the BaPong story I asked him give me a water cannon as you showed me and how to use it, he refused to. I could have resolved it without this, he did not want to give me a water cannon.

MR MOKOENA : How do I trust an ex-Rhodesian.

SAPS COMMISSIONER : Now he is going to give you. 30

MR MOKOENA : Remember when we crossed to Zim
years ago, they shot at us, so there is still a ...(INAUDIBLE)... score to
settle there.

GRAHAM : I thought it was you that I was looking
for. I thought it was you.

MR MOKOENA : Settle a score.

SAPS COMMISSIONER : But...

GRAHAM : Thank you Ma'm.

SAPS COMMISSIONER : Gentlemen, the other thing which I think
is important, in all your other local mines...

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ANOTHER TELEPHONE CALL INTERRUPTION

SAPS COMMISSIONER : I wanted us to look at if we resolve this
here it has to be resolved across the board of LONMIN mine, and I was
thinking because when we were talking here last night, I was thinking
that some of these ANGLO gold mines.

GRAHAM : SAMANCOR.

SAPS COMMISSIONER : Yes, that are around, I mean I was
talking to them and I may need to also after this, after we finished here,
I may need to talk to their management so that we start to
...(INAUDIBLE)... type of a plan, because this is going to spread. But
as we have spoken yesterday, myself and PETROS because it may
even get to, you know, Gauteng and so on, so we have arranged that
we need to deploy teams now in terms of ensuring that we have
discussions around. Because this thing wanted to happen in one mine
here.

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GRAHAM : I was going to brief you.

SAPS COMMISSIONER : Which one? In Mapong? Which one

GRAHAM : No, it was here Ma'm. The two clusters
with the mines, with SAMANCOR and all the small mines around here,
we are already in this and they are here with us by the way right now.

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GRAHAM : So they are already abreast of what is going on, so what you are asking - remember those briefings that we set up?

SAPS COMMISSIONER : Yes.

GRAHAM : At ..(INAUDIBLE).. on a Saturday?

SAPS COMMISSIONER : Yes.

GRAHAM : So that is still going with your two clusters Ma'm. But then we need to capitalise on that.

SAPS COMMISSIONER : We need to capitalise on that.

GRAHAM : And make sure that we have got the learnings from here, definitely in there otherwise it is going to go there, it is going to start and it is going to come back to us. 10

SAPS COMMISSIONER : It is going - yes, no exactly. No, it is true. So I was just saying it is important that we now really be very, you know, upfront in terms of what needs to happen and what needs to be done and so that it does not catch us again unaware like this and so on. But I think we will stop.

MR MOKOENA : You know what I mean we have an opportunity to arrest ...(INAUDIBLE).... If you - at least as LONMIN I mean we are very clear, we are not changing rules, we are not giving in to any criminal side type of engagements, because if we do that they are going to ANGLO. That is what they did at IMPALA, they come to LONMIN they do the same thing, but if we stop it here and say sorry, you want issues, you have issues, you present them through the normal structures that are lawful. Whilst we have under deals and arrangements and all that, forget it. 20

SAPS COMMISSIONER : That is the....

GRAHAM : And the co-operation around us.

MR MOKOENA : Yes.

GRAHAM : Then we are on the right track Sir. Yes, 30

GRAHAM : okay.

MR MOKOENA : Okay, thanks COMMISSIONER.

SAPS COMMISSIONER : Right, thank you.

END OF MEETING (72:02)