

'Bersih 3.0 faced extreme provocation from police'
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The Bersih 3.0 rally held in Kuala Lumpur on April 28, 2012, suffered extreme provocation from the police force, with, among other things, 909 tear gas canisters fired at the people, the High Court in Kuala Lumpur was told today.

Former Bersih 2.0 co-chairperson Ambiga Sreenevasan in her testimony today added: "Firing 909 tears gas canisters is an extreme provocation by the police. They provoked and attacked the people by the manner they fired tear gas and water cannons."

According to the Home Ministry, Ambiga said, a total of 909 tear gas canisters and 58 tear gas hand grenades were fired by the police just to disperse the 200,000-strong crowd.

The former Bar Council chairperson added that the rally would not have turned rowdy if the police had given their cooperation, as did the security forces in the anti-GST and Blackout 505 protests.

Ambiga (right) was the first defendant in the trial of the civil suit filed by the Malaysian government against her and 14 other steering coalition members over damages and losses caused during the Bersih 3.0 protest on April 28, 2012.

The government is claiming special compensation amounting to RM122,000 as the costs for repairing damaged police vehicles, other costs, interests and other relief deemed fit by the court.

It is also seeking a declaration that the defendants, as the organisers of the Bersih 3.0 rally, had violated Section 6 (2)(g) of the Peaceful Assembly Act 2012, as they had the responsibility, among others, of ensuring that the gathering would not cause damage to public property.

Following this, some of the Bersih representatives filed separate counter-claims against the government.

On a suggestion by the senior federal counsel Azizan Md Arshad that the police action was justifiable, Ambiga disagreed, saying the force had in fact posed danger to the people by firing tear gas straight into the crowd.

"The police were endangering the life of the people," she said during her cross-examination.

"The moment the police fired tear gas and chemical-laced water to disperse the crowd, control was taken out of the hands of Bersih 2.0."

Ambiga reiterated that crowd control and ensuring public order during the rally was a joint responsibility of the Bersih 2.0 steering committee members and the police.

To an earlier question from Azizan as to whether the Bersih 2.0 committee knew that Dataran Merdeka was a private place managed by the Kuala Lumpur City Hall, Ambiga said: "Yes, according to the by-law. But we don't see it that way."

Asked whether the 6,000 volunteers prepared by Bersih 2.0 were sufficient to handle the estimated 100,000-strong crowd, the size of which had eventually doubled up, Ambiga said it would have been more effective if the police had helped out.

The hearing before Justice John Louis O'Hara continues tomorrow.

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