






VIII

FLAT 3607

STEIDL

THE WALTHER COLLECTION



REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF HOME AFFAIRS
FORMAL RECOGNITION OF REFUGEE STATUS IN THE RSA
REFUGEES ACT, 1998 (ACT 130 OF 1998)



It is hereby certified that the person whose particulars appear below has, in terms of section 24 (3) (a) of the Refugees Act 1998 (Act 130 of 1998), been recognised as a refugee in the republic of South Africa (RSA) from 2005-03-29 to 2007-03-28 on condition that this formal recognition shall become null if he/she departs permanently from the Republic.

The refugee shall within 14 days of receipt hereof apply for a Refugee Identity Document in the RSA, and is not entitled to a South African Identity Document. The refugee may take up employment and study.

DEPARTMENT OF HOME AFFAIRS
 PRIVATE BAG X109
 2005-03-29
D. D. DIRECTOR GENERAL
 DATE: 2005-03-29
DEPARTMENT OF HOME AFFAIRS

DEPARTMENT OF HOME AFFAIRS
 PRIVATE BAG X109
 2005-03-29
 PRETORIA 0001
ISSUING OFFICE (33)

PARTICULARS OF RECOGNISED REFUGEE IN THE RSA

THUMB PRINT:  PHOTO: 

NAME AND SURNAME : [REDACTED]
 GENDER : MALE
 DATE OF BIRTH : 1981-02-20
 COUNTRY OF BIRTH : ZAIRE
 NATIONALITY : ZAIRE
 MARITAL STATUS : NEVER MARRIED
 PASSPORT NUMBER : N/A

Cont/d...Dependants

THE PAPER TRAIL

Note by Ivan Vladislavić

The Ponte evictions began in mid-2007 and went on into the following year. When Mikhael Subotzky and Patrick Waterhouse first visited the block early in 2008, they found that the vacated flats had been ransacked. Among the broken furniture and abandoned possessions, carelessly scattered and trampled underfoot, they found an extraordinary array of papers: identity documents, CVs, certificates, time sheets, affidavits, refugee visa application forms, hospital reports, drafts of letters on pages torn from exercise books, rental statements, notebooks, photographs, posters, maps. It was only after many visits, in the winter months of 2008, that they began to collect and preserve these documents.

This paper trail shows that there were at least two people living in Flat 3607: Jerome Matondo Kabangu and Promise Ilunga Kinkela.* Most of the papers belonged to Kabangu.

Kabangu was born in the Democratic Republic of Congo in 1981 and grew up on the shores of Lake Tanganyika. As he tells it, his life was disrupted by the war in the late 1990s, with the murder of his father and the persecution of his family. After hiding in the bush for some time, he made his way to Lubumbashi, where he finished his schooling in 2001 and also did a diploma in pharmacology. To avoid being forced into the army, he joined up with some cousins, including Kinkela, and fled the country. They went from Manono to Pweto, and then across the border into Zambia, where they received help at the Roman Catholic mission. After ten days, they crossed into Zimbabwe and went straight on to South Africa, entering the country illegally in April 2003.

Like many migrants before and since, they headed for Johannesburg. The city has always been a magnet for people who want to make a new start. There is usually work to be had and you can put a roof over your head. But it is not easy, as the new arrivals

also discover. Johannesburg has a way of chewing people up and spitting them out.

For the first few years, Kabangu lived in a flat in Olivia Road, before moving a few blocks away to Flat 3607 in Ponte. He found work in a Wimpy and trained as a waiter and bartender at a hotel school in Bree Street. In the CV that reflects this qualification, he described himself as a presentable, clean-living and punctual young man: 'I am honest and reliable, and get on well with my Fellowmen.' Later he received a certificate from the Yebo Nonke Security Services and Training Academy and became a security guard.

In one of many statements about his arrival in South Africa, Kabangu says he acquired refugee status within weeks. The abandoned documents show that the Department of Home Affairs granted a request for asylum in 2005, issuing him with a certificate of exemption that would have to be renewed upon expiry. He later received a refugee ID document.

Kabangu never seems to have settled down in his new home. In June 2003, within months of arriving in Johannesburg, he filled out an application form for permanent residence in Canada, in which he described the circumstances that had turned him into a refugee. If this application was ever submitted, it must have been rejected. In July the following year, he filled out an application for an Australian offshore humanitarian visa, presumably with the same negative result.

In September 2006, Kabangu was working as a security guard at a complex in Honeydew. When he refused access to a white couple who had no business in the complex, the man began to hurl racial abuse at him. Incensed by the guard's smiling response, the man drew a gun and fired a shot, which missed. Kabangu laid a charge of attempted murder at the Honeydew Police Station and filled out an official complaint form addressed to the South African Human Rights Commission. A follow-up letter from the Commission shows that he submitted the complaint, but he may not have taken the matter further. Around the same time, he wrote to the commander of the Honeydew Police Station to thank him for his handling of the case, which had led to the arrest of the accused.

Promise Ilunga Kinkela lived sometimes in Flat 3607 and sometimes in another flat along the corridor. He seems to have been

Kabangu's cousin and to have followed the same route into South Africa. He certainly tried to cut the same paths out of the country, although at different times. In January 2004, his application for migration to Australia as a refugee was rejected by the High Commission in Pretoria. As late as November 2006, a letter on the subject of the immigration medical examination shows that he was trying to get to Canada.

The stories scattered among the papers left in Flat 3607 are fragmentary and uncertain. Kabangu and Kinkela filled out various application forms, but there is no sign that they were ever submitted. To complicate things, the forms of the two cousins are jumbled together with those of several other relatives, all offering similar answers to certain questions. Disentangling the applicants provides little assurance: these are people desperate to prove that they are deserving of refugee status or humanitarian assistance. Reconstructing their stories accurately and checking their veracity would be a complex task for an historian or a psychologist – perhaps even a detective – and is far beyond the scope of this note.

At a glance, however, the papers reveal some fascinating things. One of the most striking is the instability of Jerome Matondo Kabangu's name. He uses a dozen different versions, varying the order of the three main elements, occasionally adding a new one and often changing a spelling. His first name becomes his surname, his middle name becomes his first name. The name Jerome morphs into John, used as both first name and surname. His middle name Matondo becomes Mande and then a more recognisably South African Mandla. His surname goes from Kabangu to Kanda. His initials turn on themselves like a palindrome: he is JMK and KMJ. His name, an open-ended play on variants, is an index of his efforts to fashion a new identity.

The papers are full of telling repetitions. The key sections of the application forms, especially those that tell the story of leaving the DRC and make a case for not returning there, are written and rewritten many times. There are divergent versions of the same events in the same hand. If these are not fictions, they are certainly elaborations. In variations on a theme, someone is trying to perfect a story, to get it straight or make the most of it.

Among the papers are several letters addressed to the South

African Consulate in Lubumbashi in support of visa applications by Congolese citizens wishing to travel to South Africa. In one sequence, a handwritten document becomes a sworn statement on an official form (unsigned and uncertified) and then a typewritten letter. These successive drafts, searching for clarity and formality, trace an approach to the bureaucracy, an attempt to meet its requirements and crack its codes.

Nearly all the letters, even the formal ones, are stained and tattered. The occasional dusty shoeprint is easily explained by the circumstances in which the papers were found, but the signs of wear tell other stories. The value of these papers lay in their use. They were carried in pockets or folded into wallets. Some of them are faded to the point of illegibility. The refugee identity papers issued by Home Affairs literally fall apart in your hands when you open them. Their ruined state is a sign of how close they were kept.

Why then were they left behind? It may be that the tenants of Flat 3607 had to leave in a hurry with no chance to sort and pack. Or it may be that the documents had outlived their usefulness. Perhaps it was simply time for Jerome Matondo Kabangu to give his name another twist and move on to a new address.

* Not their real names



In August 1998 when my City of Kalemie was besieged by rebel troops
I took them my City was mistreated by their rebels soldiers. ~~from~~ things got
worse. When one day in the middle of the night a group of soldiers came
to our house, broke the floor and got in. One of them told my father
that he was a spy ^{for the government} and to provide all information about
a rebel position. When my father denied about that those rebels
started to kick him up, beat him badly. When I and one
Cousin of mine tried to stop them, they came to us and tied
up our legs and arms, beat us all over until my cousin
died and was ~~was~~ ^{was} fainter. They told us to remain a silence
~~before~~ they left. Following day my father went to
report to the head officer of my City about the matter.
Unfortunately nothing was done at all, and the case was
not even opened.

My father did his best so that they can investigate about the
murder of my cousin's murder but it was unsuccessful until my
father got tired and gave up the case.

Few days later they came back, broke the floor and got in. They
found all of us in the house, we were intimidated. They assault

On my father, forced him to make love with my elder sis-
ter in front of all of us that was unimaginable when my
father refused. They started to beat him up badly.

As I was very sick and ^{could not} ~~was~~ even walk. 2 of them took me
from my bedroom where ^{was sleeping} ~~was~~ I slept to the living room, I found
my father laying down and they were trampling him. My father
was tortured until he got dead because he was not crying
anymore. ~~Before~~ ^{As} we were crying ~~and~~ they put cloth in
our mouths so that we could not make noise. They undressed my
elder sister and my mother and raped them in front of us.

Before they left they shot my dad and they told us to go
and report again about the matter. They took my mother to ~~Kinkira~~
After that we were staying in the house ^{destination} without a peace
of mind because we were expecting them to come back any time
and maybe I could be a next victim. When I recovered
My Mother told me to go away for fear that I lost my life also.

I managed to ~~run~~ ^{go} into the bush from the bush to Njunga
from Njunga to Kabalo - Namono where I found my uncle
~~and his kid~~ ^{and his kid} Now living in Canada
at Vancouver.

Kick him - told him to remain a silence ^{remain} and anything say it's
time to return to him.

acomp Run

19.11.1998 my father died
In 1998 August 02 when my city of Kalemie was besieged by foreign troops
my life was miserable, the problem started when they accused my father
of Co-operating with governmental force led by the ^{late} Laurent Kabila.
My father was arrested and beaten badly and all people ^{who} were found
that night in the house were beaten badly, my mother and my sister
were raped ~~several~~ ^{several} times in front of me and my father. When
I tried to stop them, one of them hit me ^{with} something on my head and
I was fainter. After that they destroyed all our property and were
setting our house on fire. After few days, I heard that my father
~~was dead~~ ^{was dead} and my mother and sister were taken to unknown des-
tination. In the same period, young people were accused to coe-
perating with militia (Mai-mai) and they were killed, and those
persecutions took place in Area CITE precisely in QUATRE COIN
in Kalemie that they decided to fly and leave my life due to
that situation. I fled and hid myself ⁱⁿ the bush. From there
I joined a group of young ^{people} and we managed to run away to Njunga,
From Njunga to Kabalo, from Kabalo to Lubumbashi. I reported
to the orphanage led by Father FREDERICK, with his help, I finished
my high school two years later. After that, I was arrested by the current
Congolese Government led by Joseph Kabila to join the Compulsion mili-
tary training to MUKA near KIKASI town but I did manage to
escape to Namono in Katanga Province where I found my uncle
[redacted] From there we proceeded to Pretoria, From Pretoria (AR)
to Republic of Zambia. There, we were assisted by the Roman
Catholic Church. After 10 days, we left the Mission straight to
Republic of South Africa through Zimbabwe. On 13 May 2003 we reached
Durban due to the intimidation, murder, assault, robbery, brutality
killings, tortures, Genocides, mistreatment of the innocent civilians
and to what happened to my family. I will no longer be interested and
willingly to stay in R. Congo.

we were raped, when I tried to stop them, they beat me on my head with
back of pistol, and I was faint. ~~When~~ When I wake up I saw
only some people who were around me crying. My father
my mother and my older sister were not there, they were
taken to unknown destination after few days my father
they told me that my father was died, it was in October

1/2 2nd 1998

2nd me

Guernse

Cheftombe

and they
were
setting on fire
our property

1st me

24 FEBRUARY 1998

When these rebels
After ~~few~~ I decided to fly and join a group of young who
were running away from my area "CITE" precisely because
that of that persecution which took place in my area "CITE"
precisely to CLVAIRE CORX in August 1998
from Kalemie, we escaped to NYUNGU, from NYUNGU to KASOLO
from Kasolo to Lusumba Shira. Reported to the orphanage led
by Father Frederick, a Belgian priest, by his help I did finish
my high school and although I was at the

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081 505 176

099 702 450

099 712 205

Contacteur : ED

They destroyed my family for no reason.

- * All Children must be protected from all forms of abuse.
 - i.e. Putting them by force into the army
 - i.e. Using them unfairly for one's benefits that is likely to be risky and dangerous. that is likely to interfere with their education that is likely to be harmful to their physical, mental or spiritual development and social development.

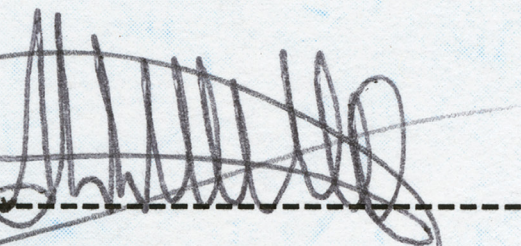
- * Sexual abuse, harassment, violence, intimidation and grabbing property must be stopped and everyone who commit those crime must be arrested although ~~he~~ have a relative with a president ~~or he has~~ or who he is, and go to Court.

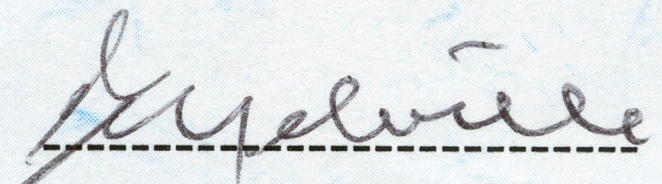
boat
~~boat~~

[REDACTED]

has successfully completed a Basic Astronomy course
comprising the following modules:

Stars
The Sun
Small Bodies
The Terrestrial Planets
The Earth-Moon System
Orbits in the Solar System
The Dynamics of the Earth
The Jovian Planets and Pluto
Orbits Outside of the Solar System
Celestial Mechanics and the Solar System


D. L. Willie
Astronomy Dept.


N. Melville
Principal

04 FEB 2007

VINCEMUS INVESTMENT
T/A
PONTE CITY
BOX 1095
HOUGHTON 2041

THAT NO 3607

HE NAME [REDACTED]

HE OPEN HIS CURR BRUEN WITH HIS FINGER

PRINT HE PAID R50.00. HE OFFICE WILL

TAKE THE FINAL DECISION

HE SIGN FOR HIS R50.00 *my*

SEE SIGN [REDACTED]

LETTER OF APPEAL.

Dear Sir / Madam;

I hereby beg to appeal to be reconsidered as legal immigrant in the country ~~as~~ it would not be conclusive for me to go back to my country (plus to) because of circumstances beyond my control.

Dear Sir / Madam,

I hereby beg to appeal to be reconsidered as refugee in the country



21. In your own words, tell us exactly what happened. Include all the information, which you think is important. Be as brief as possible. If you need more space, please use a separate piece of paper.

THE INCIDENT HAPPENED WHEN I WAS ON DUTY. I AM A SECURITY GUARD. I WAS IN THE GUARD HOUSE, DOING ACCESS CONTROL WHEN A UNKNOWN WHITE COUPLE ARRIVED AT THE GATE. THEY TYPED A NUMBER ON THE INTERCOM. I HEARD A VOICE FROM THE PANEL SAID: "WE DO NOT KNOW YOU." THEN THE LADY ASKED ME IF I COULD OPEN THE GATE FOR THEM. I SAID TO HER THAT WE DO NOT HAVE ANY CONTROL OVER THE GATE. I ASKED THE LADY IF SHE KNEW THE PHONE NUMBER OF THE PERSON THEY WERE GOING TO VISIT. BUT SHE SAID THAT SHE DID NOT KNOW. I ASKED HER THE SURNAME OF THE PERSON THEY WANTED TO VISIT AND THE CAR HE OR SHE DRIVES. SHE GAVE THE NAME WHICH IS NOT LISTED IN THE INTERCOM, AND I WASN'T ABLE TO HELP THEM. SUDDENLY THE MAN TALKED TO THE LADY WHY SHE WAS SPEAKING TO ME, I AM USELESS GUARD AND I COULD NOT HELP THEM, I AM STUPID. I THINK I AM CLEVER. I DID NOT ARGUE WITH THE MAN. BUT I WAS JUST SMILING. THEN HE ASKED ME WHY I WAS SMILING. FOR AND STARTED TO INSULT ME, HE CALLED ME RESPECTING NAMES AND FULL OF PREJUDICE.

— PLEASE SEE ATTACH —

22. Have you reported this case to anyone else?

0 Yes 0 No

YES

If yes, who? (E.g., the police; a lawyer; the Public Protector)

HONEYDEW POLICE STATION

23. Can we use your name in news reports or letters we write for you?

0 Yes 0 No

NO BECAUSE OF SECURITY REASON

24. Did anybody see what happened? (Please only tell us about people who actually saw what happened. Do not tell us about people who heard about what happened from someone else.)

Their name or names: MY PARTNER [REDACTED] / ANI ONE RESIDENT OF THAT COMPLEX (JOHN'S FATHER) AND HE'S A POLICEMAN

I WAS JUST QUIET, WHEN THAT WHITE MAN WAS CALLING ME NAMES. THEN MY PARTNER ASKED ME IF THAT MAN WAS DRUNK. I SAID: "I DON'T KNOW BUT IT SEEMS LIKE HE WAS OUT OF HIS MIND. I WAS WATCHING HIM AND HE WAS SWEARING AT ME, CALLED ME WITH RACIST NAMES. THEN I WENT OUT TO TAKE THE PLATE NUMBER, THE MAN SAID TO ME: "WHAT A FUCK I AM GOING TO DO WITH THE PLATE NUMBER." I SAID NOTHING. AFTER THAT I WENT BACK INTO THE GUARD HOUSE. THE LADY WAS TRYING TO STOP HIM TALKING BUT THE GUY WAS KEPT ON INSULTING ME THEN HE CALLED ME "A BABOON" I GOT ANGRY AND WENT OUT WHERE THEY WERE PARKING THEIR CAR.

I WANTED TO ASK HIM WHY HE WAS INSULTING ME TO THAT EXTENT, REFERRING ME TO THE ANIMAL. IT HURTED ME, I WENT STRAIGHT TO HIM, HE WAS SEATING IN FRONT OF HIS CAR, SCREAMING WHAT I CAN DO. WHEN I REACHED WHERE HE WAS, HE OPENED THE DOOR OF HIS CAR THEN PULLED HIS GUN AND SHOT ME, FORTUNATELY HE MISSED ME, AND I COULD NOT BELIEVE IT BECAUSE I WAS CLOSE TO HIM. I RAN AWAY INTO THE COMPLEX LIKE A FOOL, DROPPED ALL WHAT I WAS HOLDING, INCLUDING THE PAPER ON WHICH I WROTE THE PLATE NUMBER. BEFORE THEY DROVE OFF THEY TOOK THAT PAPER. FORTUNATELY MY PARTNER WROTE AND WROTE ALSO THE PLATE NUMBER. I DID OPEN THE ATTEMPTED MURDER CASE AT HONEYDEW POLICE. THE CASE NUMBER IS [REDACTED]

PART D

PAGE 6 OF 6

18 Authority to disclose personal information

To assist in the processing of my application for immigration to Canada and to facilitate my settlement in Canada if I am selected, I hereby authorize the release of information related to my identity, including any personal information from my immigrant case file, medical file, and information I have provided in interviews to a visa officer to:

- the United Nations High Commissioner for Refugees
- the International Organization for Migration
- any organization under contract or that has signed a Memorandum of Understanding with Citizenship and Immigration Canada to provide refugee processing services
- any service providing organization that will be providing me with settlement services upon my arrival in Canada
- provincial health authorities in Canada

I further authorize the release of information related to my identity, including any personal information from my immigrant case file, medical, criminal or security file, and information I have provided in interviews to:

- potential sponsorship groups in Canada who may be interested in sponsoring me (and my family, if any) ☒ YES ☐ NO
- the sponsor in Canada who signed a sponsorship for me (and my family, if any) ☒ YES ☐ NO

It is important for you to know that the consent to release your personal information to sponsors and potential sponsors is completely voluntary.

Signature of applicant

Day Month Year
3, 01, 06 12, 00, 3
Date

The information you provide on this form is collected under the authority of the Immigration and Refugee Protection Act and will be used for the purpose of assessing your application for permanent residence in Canada. This information will be retained in the Personal Information Bank CIC PPU 042 entitled Immigrant Case File. Under the provisions of the Privacy Act and the Access to Information Act, individuals have the right to protection of and access to their personal information. Instructions for obtaining information are provided in InfoSource, a copy of which is located in all Citizenship and Immigration Offices.

Citizenship and Immigration Canada
Citoyenneté et Immigration CanadaPROTECTED WHEN COMPLETED - B
PAGE 1 OF 2APPLICATION FOR
PERMANENT RESIDENCE
IN CANADA

Category under which you are applying (see instructions)

- ☐ Family class ☒ Refugees outside Canada
☐ Economic class Other

Space reserved
for applicant's photoHow many family members (including yourself) are included
in this application for permanent residence in Canada? 1

Language you prefer for:

Correspondence: ☐ English ☒ FrenchInterview: ☐ English ☒ French Other

1. Your full name (as shown in your passport or travel document)

Family name

Given name(s)

2. Your sex ☒ Male ☐ Female

3. Your date of birth 2, 01, 02 21, 98, 1

4. Your place of birth Town/City LUBUMBASHI

Country D.R. CONGO

5. Your country of citizenship D.R. CONGO

6. Your native language HOLO-HOLO

7. Your height 158 cm OR ft in

8. Colour of your eyes BROWN

9. Your current marital status

- ☒ Never married ☐ Married ☐ Widowed ☐ Legally separated
☐ Annulled marriage ☐ Divorced ☐ Common-law

If you are married or in a common-law relationship, provide the date on which you were married or entered into the common-law relationship

10. Have you previously been married or in a common-law relationship?

- ☒ No ☐ Yes Give the following details for each previous spouse or partner. If you do not have enough space, provide details on a separate sheet of paper.

Name of previous spouse or partner

Date of birth

Type of relationship ☐ Marriage ☐ Common-law union

From Day Month Year to Day Month Year

11. Your knowledge of English and French

- Can you communicate in English? ☒ Yes ☐ No
Can you communicate in French? ☒ Yes ☐ No

12. Education

How many years of formal education do you have?

What is your highest level of completed education?

- ☐ No secondary ☐ Bachelor's degree
☒ Secondary ☐ Master's degree
☐ Trade/Apprenticeship ☐ Ph D
☐ Non-university certificate/diploma

13. Your current occupation N/A

14. Your mailing address (include city and country)

15. Your residential address, if different from your mailing address

16. Your telephone numbers

Country code Area code Number

At home

Alternative () ()

17. Your e-mail address, if applicable

18. Details from your passport

Passport number

Country of issue

Date of expiry

19. Your identity card number, if applicable

20. Where do you intend to live in Canada?

City/Town Vancouver, Burnaby

Province British Columbia (B.C.)

IMM 0008 (06-2002) E
GENERICThis form is made available by Citizenship and Immigration Canada and is not to be sold to applicants.
(DISPONIBLE EN FRANÇAIS - IMM 0008 F GÉNÉRIQUE)

Canada



AUSTRALIAN HIGH COMMISSION
Migration Office

292 ORIENT STREET (CORNER SCHOEMAN) ARCADIA PRETORIA
0083
PRIVATE BAG X150 PRETORIA 0001

TELEPHONE: (012) 3423740 FACSIMILE: (012) 3424222

PLEASE QUOTE

FILE REF : [REDACTED]

12 January 2004

Mr [REDACTED]

1 Lilian Avenue
Ponte City Flat 3601
Johannesburg 2000
Republic Of South Africa

06. 167/03/04
184/03/04

068/03/04
082/03/04
Hotel
10

Dear Mr [REDACTED]

I regret to advise that your application for migration to Australia under the Refugee and Humanitarian (migrant) Class XB has not been successful. You have failed to satisfy the relevant criteria and therefore you have not been granted a visa.

This decision was made by assessing the information and claims made in your application against the requirements of Australia's Migration Act and Regulations.

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