

"PV23"

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AFFIDAVIT

I, the undersigned

ABEDNEGO TAHWA

do hereby make oath and state that:

BACKGROUND

1. I am a 23-year-old unemployed male, born on 16 March 1986, currently residing at the Central Methodist Mission, Johannesburg (the "Church") situated at Pritchard Street, Johannesburg.
2. Except where the context indicates otherwise, the facts stated in this affidavit are within my personal knowledge and, to the best of my knowledge and belief, are both true and correct.
3. I am originally from a rural area called Shurugwi in Zimbabwe. My mother and sister have remained there. I attended school up to Form 4. In 2005 I was employed by Zimasco, an iron smelting company, as a slinger (I unloaded from a crane) for two years.

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4. There are severe economic problems in Zimbabwe. Additionally, I was being harassed to join either ZANU-PF or the MDC. I left for Masvingo, where my uncle lives, with my 20 year old brother to get travel documents to come to South Africa.
5. On 15 May 2009, we arrived in Messina where I received an asylum-seeker's permit, valid for six months. It expires in November 2009. I still have this permit.
6. My brother and I came to Johannesburg looking for work, and arrived at the Church on 18 May 2009. We learned about it from some people at Park Station in Johannesburg.
7. I took a course in hotel and catering work at a college on Commissioner Street, Johannesburg, but on completion I could not get this kind of work. In the meantime, I was working for a doctor in the Lister Building on Jeppe Street, Johannesburg, where I supervised those who were handing out leaflets for him.
8. I continued to stay at the Church because the doctor paid me so little I could not afford to rent a place. I still stay there because I am not working now after the arrest.

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9. I do get food at the church as almost every day they cook sadza maize porridge and distribute it. I can wash there in the toilets. There are showers too but sometimes they chase us out of there, so sometimes we go to wash in Hillbrow.
10. I am not part of the structures at the church. I have no family other than my brother here in Johannesburg. My uncle does not return my calls.

3 JULY 2009 ARRESTS

11. On Friday, 3 July 2009 I was sleeping outside the Church, next to the Church wall. We were given blankets by Médecins Sans Frontières (MSF), and my brother and I shared ours. I estimate that it was midnight when the police arrived, because the next time I saw the time in the police station it was past 1:00 a.m.
12. Two Metro Police officers woke us from sleeping. They were wearing uniforms, but I could not see their names. One of them kicked me in my stomach and my ribs on my left hand side. As they kicked me up, I was trying to collect everything but they said to leave it. They said to leave everything and go where the others are going, in front of the High Court. My brother was initially with me, but he managed to get into the Church and avoided arrest.

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13. I sat down at the Court and the big police vehicles came to take us to what I later heard was "John Vorster" police station.
14. The police were forcing people with an electric shocker to get into the vans. I do not know its proper name of it but I do know it is painful. I was shocked as I was getting into the van, on the left hand side of my back. The police were saying I was slow. I did not understand the other things they said but it was clear that their tone was rough. They beat people and used force to get people into the vans.
15. It was my first time being taken by the police and I was very scared. I was in shock. I was surprised at how they came and why they came. They did say we were under arrest for loitering but they did not show any warrant. I asked them how we were loitering, when we were asleep; they responded that it is loitering, told us to get into the van, and that we were delaying. They then used the electric prodder again to make me get into the van.
16. There were many people in the van. I did not count, but I could not sit because of the number people.

AT THE POLICE STATION

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17. The van drove us to Johannesburg Central Police Station, which others said was called "John Vorster," (the "Police Station").
18. When we arrived we were asked to sign papers with the word "loitering" written on top. We signed our names, our dates of birth and where we came from. I was not happy to sign as I had been asleep, but I did not refuse after they slapped me on both sides of my face. I noticed that if anyone refused, the police beat them until they signed.
19. Then we were taken to the cells. Each cell has a big room, with a small chamber on the right side, which was very smelly. It had a urinal and a toilet but these were very dirty. We were given one blanket each and a mat to sleep on the uneven cement floor. The room was cold despite the number of people, twenty-four, in my room. In the cells we were counted every morning and every evening. I think they wanted to check that we were all still there.
20. In my cell we were all different ages, but there were only men. There was a small sink for drinking water but no place to wash.

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21. We were given half a cup of tea and two slices of bread at 9:00 a.m. Saturday, and for lunch two slices of bread and soup. In the evening we received a small helping of sadza maize porridge or rice, with soup.

EFFECT OF THE 3 JULY 2009 ARRESTS

22. The smell in the cell made me feel sick. After I was released I was very weak from hunger and felt as though I had contracted some form of malaria because I was hot, then cold, and shivering. I described my symptoms to the MSF doctors at the clinic at the Church and they gave me some pills to take three times a day. I am better now. I do not have nightmares of the arrest.
23. In the arrest I lost a bag containing my uniform of black trousers and a white long-sleeved shirt, which I had bought for my hotel and catering course. My brother and I lost our blankets when they were taken by the police and put into the Zenzeleni vehicles that collect dirt on the street.
24. I have never been arrested before, and I have not been arrested since then.



DEPONENT





THUS DONE AND SWORN TO BEFORE ME at JOHANNESBURG on this the }
day of *September* 2009 by the deponent who acknowledges that she/he knows and
understands the contents of this affidavit and has no objection to taking the
prescribed oath and regards same as binding on his/her conscience.

C. N. P. 252

COMMISSIONER OF OATHS

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