

TIRRO Asylum Determination Centre
Pretoria Event Centre ,203 Soutter Street,Pretoria West
Tel: (012) 306 0800 ,Fax: 086 518 3362

TO : TSHITADI MAKANGU FISTON
TSHINGOMBE TSHITADI

DATE OF HEARING : 24/06/2010

FILE NUMBER : TIRCOG000910610

COUNTRY : CONGO

DATE OF BIRTH : 10/11/1982

GENDER : MALE



RSDO DECISION

RSDO Decision

ur application for asylum lodged in terms of section 22 of the Refugees
of 1998 (hereafter referred to as the Act), is rejected as

ounded

rms of Section 24 (3) (c) of the Act.

n

claimed that you left your country due to instability. You said the so
forcing you to join the army. You said they even arrested you. Yo
g for your life you flee the country for msafety and security

W

3 of the Act provides the grounds under which an application
nd states that a person qualifies as a refugee if that person:

Date of birth: 10/11/1982 Country of birth: DR. CONGO
 Nationality: CONGOLESE
 Passport number: 972008000910610
 Present residential address: _____

Contact details:

Tel: _____ Cell number: _____

E-mail address: LIKHNBONBES200@gmail.com

Date when you received the rejection letter: _____

Reason (s) for appeal:

VIEW OUTCOM: CERTIFICAT STATUT: APPLY: LEAVE: /electorot
 COLLECTED JELIQUON: ACT/No. B10 of 1998: (State: leave/ISA. 1.
 10/09/2016 ISSUE: Place TIRRO ADDRESS CHANGE AFFIDAVIT:
 WITH LEAD FORM() ANNEX: 1 Extension to 14 Extent 1. CENIC
 10. 9.04. to 2014. REPORT NEAREST CONTROL Home AFFAIRS:
 RK. PERMIT a condition Renumer. end/ RESIDENCE PERMITS
 + VISA: EXPIRE DATE 05/09/2016. 11 Extension 12. Ext. 13, 14.
 3, 4, 5, 6, 7, 8, 9, 10. RECORD: INDEX: CERTIFICATE COPY: SATS: VALUE:
 SEBOOK/700000: IN PROGRESS: July: Clearance certificate 97: //CEI
 'Ambassy: Reception Ruling: CENA: Labour Court outcom
 Permit: Leave: overstay DR. CONGO Consul: No: Exatcol.
 Sect 37(6) Sect 22(6) was No. Accuracy: Case 97BOOK: Merge
 Port. Occupation Professionel: Variation: Status ID: Cond: REG

SIGNATURE OF APPLICANT: [Signature]

DATE: _____

SIGNATURE OF OFFICIAL ACCEPTING THE APPLICATION _____

NAME AND SURNAME _____

POSITION: _____

Official stamp

DHA- Form 49



DEPARTMENT OF HOME AFFAIRS
REPUBLIC OF SOUTH AFRICA
NOTICE OF APPEAL

[Section 8(4) and (6); read with regulation 7(3)]

REFERENCE NUMBER: TIRC06000910610

To: The DIRECTOR-GENERAL

hereby wish to apply for review or appeal in terms of section 8(4) or 8(6) of the Immigration Act, 2002 (Act No 13 of 2002) as amended.

FOR OFFICIAL USE

Office of application _____

Date of Appeal application _____

IMPORTANT: PLEASE READ CAREFULLY

1. To be completed in detail in English. Please print in black ink.
2. The completed form must be accompanied by the relevant documents, in support of your appeal.
3. Applicant (s) advised to keep copies of all documentation submitted for appeal.
4. Attach copy of the rejection letter.

PERSONAL DETAILS OF APPLICANT

Name: IPHITADI ITHINGOTIBE FLITON

Names (s): ITHINGOTIBE FLITON

(a) Owing to a well-founded fear of being persecuted by reason of his or her race , tribe, religion, nationality, political opinion or membership of a particular social group, is outside the country of his or her nationality and is unable or unwilling to avail himself or herself of the protection of that country, or, not having a nationality and being outside the country of his or her former habitual residence is unable or, owing to such fear, unwilling to return to it; or

(b) Owing to external aggression, occupation, foreign domination or events seriously disturbing or disrupting public order in either a part or the whole his or her country of origin or nationality, is compelled to leave his or her place of habitual residence in order to seek refuge elsewhere: or

(c) is a Dependant of a person contemplated in paragraph (a) or (b).

Burden of Proof

The UNHCR Handbook on Procedures and Criteria for Determining Refugee Status, at paragraph 196, page 47, affirms the assertion that "it is a general legal principle that the burden of proof lies on the person submitting a claim."

The standard of proof is real risk and must be considered in light of all circumstances i.e past persecution and forward looking appraisal of risk (real risk).

Credibility

The claim was in line with generally known facts and consistent with the country of origin Information.

Reason for Decision

From the applicant's evidence, it is clear that he had a fear of being affected by the war. And also it is true that he was subjected to extreme violence together with his family. It is true that DRC has been unlawful for the past years. The approved approach is firstly to consider the state of mind of the applicant in determining whether genuine fear exist a subjective test and then to proceed objectively to determine upon the evidence whether such fear is well founded.

Looking backwards the evidence shows that the applicant's fear may have been well founded as country of origin information indicates that there was no security in DRC pre-2003. But that is no longer valid because the test is a forward-looking one. Country information indicates that a transitional government was set up in July 2003 with Joseph Kabila as president, joined by four (4) vice-presidents representing the former government, former rebel groups, and the political opposition. Since the formation of this government, significant progress has been made in terms of bringing stability in the country, except in the eastern part of DRC where there are still some security concerns. The recent country report clearly indicates that there is no particular treatment imposed on a person merely because his or her family served in the former army under the Mobutu regime.

Furthermore country of origin information reports that in February 2006, Congo's parliament passed an election law that opened a way for groundbreaking legislative and presidential elections that peacefully took place on 31 July 2006.

Therefore, your application for asylum is rejected as unfounded in terms of Section 24(3)c of the Refugees Act NO N130 OF 1998.

Right of Appeal

Kindly take notice that should you wish to lodge an appeal application with the Refugee Appeal Board in terms of Section 26 (1) of the Act, your letter of appeal must be submitted within 30 working days from the date of receipt of this letter.

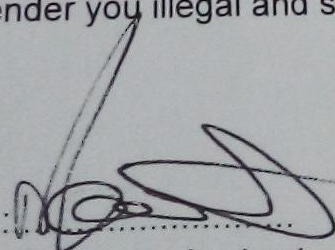
The notice further that failure to appeal within the stipulated period will render you illegal and therefore subject you to deportation from the Republic of South Africa.

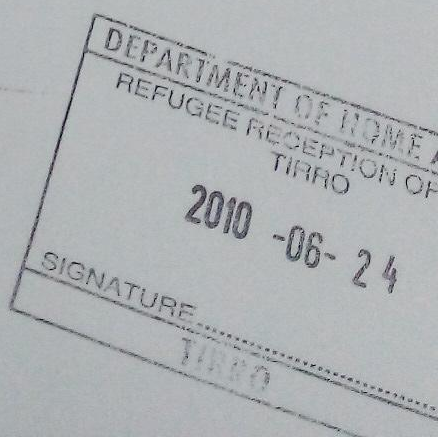
If you intend not to lodge an appeal before the appeal board, you are required to depart from the republic within 30 days from receipt of this letter. Failure to do so will render you illegal and subject you to deportation in terms of the Immigration Act.

Sincerely,

Signature

Name


: Bridgette Ledwaba
: 24/06/2010



CHECKLIST

CASE NO: JR 2461/2015

Date: 01 August

SECTION OF THE LRA/ TYPE OF MATTER: REVIEW APPLICATION

SERVICE OF APPLICATION: 11/12/2015

OPPOSED

Notice of Opposition		UNOPPOSED	✓
Answering Affidavit/ Response to SoC			
Replying Affidavit			

NOTICE OF SET DOWN SENT TO PARTIES:

APPLICANT		RESPONDENT	
Hand	✓	Hand	
Fax		Fax	✓
Post		Post	

REVIEW APPLICATIONS:

	CCMA & Commissioner Cited	✓
	Award Signed	✓
	Rule 7A (6) Record & Transcript	✓
	Rule 7A (8)	✓

CONTEMPT APPLICATIONS:

Persons cited as Respondents:

HEADS OF ARGUMENT FILED:

APPLICANT	x	RESPONDENT	x
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MATTER INDEXED:	✓
MATTER PAGINATED:	✓

NOTES: The Ruling is not attached to the Founding Affidavit of the Review Application however it is attached to the 7A(6) Bundle at page 14.

Official: Aisha Asruff Date: 01/08/2016



IN THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

CASE NO: JR 2461/15

Honourable Acting Justice Venter **ORDERED on 18 January 2017**

In the matter between:

TSHITADI FISTON TSHINGOMBE

Applicant

and,

NOGADA SECURITY SERVICES

Respondent

ORDER

Having heard both parties and having considered the matter:

IT IS ORDERED THAT:

The application for review is dismissed.

There is no order as to costs.

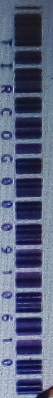
THE COURT

REGISTRAR



REPUBLIC OF SOUTH AFRICA
DEPARTMENT: HOME AFFAIRS

Section 22 of the Refugees Act No. 130 of 1998



ASYLUM SEEKER TEMPORARY VISA

REF REFUGEE NO. TRS000000910610

Permission is hereby granted to the following person as holder of this permit in terms of the RSA of part thereof as determined in part B thereof

A. PERSONAL PARTICULARS OF HOLDER

SURNAME: TSHIKOMBE TSATLAD
RESIDENTIAL ADDRESS: Jynedla
FIRSTNAME(S): TSATLAD MUKANYU FISTON

DATE OF BIRTH: 1992.11.10
NATIONALITY: CONGOLESE
FILE NUMBER: TRS000000910610
ALTERNATIVE FILE NUMBER:

SEX: MALE
COUNTRY OF ORIGIN: CONGO
PLACE OF ISSUE: PRT TGS-A
EXPIRY DATE: 2022.03.05

B. CONDITIONS

1. The holder of the permit may reside temporarily in the Republic of South Africa for the purpose of applying for asylum in terms of the Refugees Act No. 130 of 1998
2. The permit holder shall, without prejudice to the rules, rules and regulations of the Department of Home Affairs, apply for asylum in terms of the Refugees Act No. 130 of 1998
3. The permit holder shall, without prejudice to the rules, rules and regulations of the Department of Home Affairs, apply for asylum in terms of the Refugees Act No. 130 of 1998
4. Failure to comply with the conditions of this permit will be dealt with in terms of Section 31 (b) and Section 22 (6) of the Refugees Act 1998
5. All permit holders are obliged to respect the laws of South Africa
6. This permit will lapse if the permit holder does not appear at the designated Refugee Reception Office or if he/she departs from the Republic without prior authorisation from the Director General
7. All other permits issued prior to the issuance of this permit are automatically nullified
8. Other conditions: (WAITING FOR HEARING DATE)

TSATLAD MUKANYU FISTON TSHIKOMBE TSATLAD agrees to the conditions above and understands that a breach thereof will result in an offence in terms of Section 31 of the Refugees Act

PLACE: Pretoria
DATE: 2021.04.06

CAPTURED BY:

PRINTED BY:

OFFICIAL REPRESENTATION

REFUGEE RECEPTION OFFICIAL

NAME: Mphahlele Mphahlele

OFFICIAL REPRESENTATION

APPOINTMENT FORCE NO

21600031

22000031

DATE

2021.04.06

2021.04.06

PLACE

Pretoria

Pretoria

ORIGINALLY ISSUED IN: Pretoria

REFUGEE OFFICIAL SIGNATURE

NUMBER OF EXTENSIONS: 11

PERMIT EXPIRY DATE: 2022.03.05

For verification of this document, please contact DHA
asmverifications@dha.gov.za



South African Police Service

Suid-Afrikaanse Polisiediens

SWORN AFFIDAVIT

I/EK BHANGOMBE SHIPPO Age/Ouderdom 42 YRS
ID 1982-11-12 TEL: (072) 529 8946
Address/Adres: 40120 Percy Street Rockview
Coln

Statement/ Verklaring:

I STATE UNDER OATH THAT WITH THIS
AFFIDAVIT I WANT TO RECOVER MY
Asylum paper

I know and understand the contents of the declaration.

I have no objection in taking the prescribe oath.

I take the prescribed oath as binding on my conscience.



SOUTH AFRICAN POLICE SERVICE

DETECTIVES
HILLBROW
SOUTH AFRICAN POLICE SERVICE

POINT OUT NOTE
WE CARE ABOUT OUR COMMUNITY

1. To all members of the SAPS:

The bearer of this note Mr/Ms/Miss TSHINGOMBE TSHITADI
is the complainant / witness in a case of Common ROBBERY

R.F.N: CAS 299/11/2024

under Hillbrow cas 1/11/2024

Please arrest the suspect (s) 17 persons and BT files
complainant?

• Warrant of arrest issued /not issued.

If pointed out by Bearer of this note please notify any police officer or the

investigating officer at Hillbrow SAPS 082 5577116

at tel no (011) 488-6511/488- 6517/10111

2. Complainant:

2.1 You are kindly notified that the investigation will temporarily be
suspended.

2.2 If you have any new information please contact the investigating officer.

3. Original received by: _____

SIGNATURE

Name in print: TSHINGOMBE TSHITADI

Activate Windows
Go to Settings to activate Windows.

Request for Extension or Reprint of Section 22/ 24 visa Template

Please complete electronically or using black ink:

File number as it appears on the document:	TIRCOG0009/06/0
Full Names and Surname as it appears on visa:	TJHINGOMBETSHITADI-FISTON / TJHTADIITAKA NGU
Cell Number:	0725298946
Alternative contact number:	0725298946
E-mail address:	TJHINGOMBETSHITADI@GMAIL.COM
Current physical address:	20 PERCY STREET ROCKVIEW FLAT 103 / VOYIL STREET JHB / GAUTENG

Please attach to the request for extension:

1. Copy of current visa;
2. In the event of a lost visa, please attach a commissioned affidavit stating the date the visa was lost. The affidavit must also indicate a SAPS case number, where available.
3. Proof of address (Utility bill, Lease agreement or Affidavit).

I declare the above to be correct

Activate Windows
Go to Settings to activate Windows.

TRANSCRIBER'S CERTIFICATE

This is to certify that, **insofar as it is audible**, the foregoing is a true and correct transcript of the proceedings recorded by means of a mechanical recorder in the matter of:

TSHITADI FISTON TSHINGOMBE v NOGADA SECURITY

Case NUMBER: JR2461/15
Recorded AT: Labour Court
Date HELD: 2017-01-18
Matter TO TRANSCRIBE: Whole case
Transcriber: Ms M Brits
Date COMPLETED: 2017-04-11
Number OF CD/AUDIO FILES: 1
Number OF PAGES: 8

REPORT ON RECORDING

Words and phrases due to the following reasons:

Not positioned close to microphone.

Interfering each other.

Transcriber's annotations incomplete.

Where annotations are furnished, names are transcribed phonetically.

DIGITAL AUDIO
RECORDING TRANSCRIPTIONS

No: 86 Cnr Juta & Melle Street, Arbour Square, 6th Floor Braamfontein, JHB

TEL / FAX 011 339 4362 FAX: 086 726 6628

SUID-AFRIKAANSE POLISIEDIE

STATION COMMANDER
RELIEF - B

2017-06-27

CLIENT SERVICE CENTRE
HILLBROW

SOUTH AFRICAN POLICE SERVICE