

**IN THE HIGH COURT OF SOUTH AFRICA  
(GAUTENG LOCAL DIVISION, JOHANNESBURG)**

**CASE NO: 76755/18**

In the matter between:

**JOAO RODRIGUES**

Applicant

and

**NATIONAL DIRECTOR OF PUBLIC  
PROSECUTIONS OF SOUTH AFRICA**

First Respondent

**MINISTER OF JUSTICE AND  
CORRECTIONAL SERVICES**

Second Respondent

**THE MINISTER OF POLICE**

Third Respondent

**IMITIAZ AHMED CAJEE**

Fourth Respondent

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**SUPPORTING AFFIDAVIT OF PIERS ASHLEY PIGOU**

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I, the undersigned

**PIERS ASHLEY PIGOU**

do hereby make oath and state:



*up- [Signature]*

1. I am an adult male residing in Johannesburg. I am the International Crisis Group's Senior Consultant for Southern Africa. Formerly, from 2011 I was Crisis Group's Southern Africa Project Director, overseeing the organisation's research and advocacy activities in South Africa, Zimbabwe, Madagascar and Angola.
2. I hold an M.A. in Southern African Studies from York University and a B.A. (Hons) in Politics from Portsmouth Polytechnic.
3. Before joining the International Crisis Group, I was:
  - 3.1. the Program Manager at the Foundation for Human Rights,
  - 3.2. a Senior Associate for Southern Africa at the International Center for Transitional Justice,
  - 3.3. Director of the South African History Archive,
  - 3.4. Research and Advocacy Coordinator at the Institute for Democratic Alternatives in South Africa/
  - 3.5. Researcher at the Center for the Study of Violence and Reconciliation;
  - 3.6. Researcher at the Community Agency for Social Enquiry;
  - 3.7. Investigator for the Truth and Reconciliation Commission in South Africa,
  - 3.8. International Advisor to the Truth-Seeking Division of the East Timorese Truth, Reconciliation and Reception Commission.



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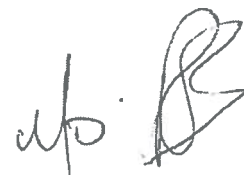
4. I was attached to the investigation unit of the Gauteng office of the Truth and Reconciliation Commission.
5. During 1997 I was asked to investigate the detention and death in custody of Ahmed Timol. I was able to identify and collate records from a range of state and private archives relating to Timol and others arrested during the sweep on activists during 1971. This was a few months before I left the full time employ at the TRC at the end of May 1997.
6. During this period, I spoke with the daughter of Joao Rodrigues, the police officer who, according to official records had been in the room with Timol when he allegedly jumped from the 10th Floor. I had been informed that Rodrigues' daughter has been encouraging her father to engage with the TRC.
7. As a result of this interaction, I was able to locate and speak on the phone with Mr Rodrigues who at the time was working for SanParks. We arranged to meet in Pretoria at the SanPark offices. He indicated when we spoke telephonically that he was willing to discuss the case. Several days later I drove to Pretoria as arranged and met Mr Rodrigues at his place of work.
8. However, at this meeting he was no longer amicable nor was he willing to cooperate. He came across as reticent and insisted that our entire interaction be



u/p: 

recorded with a voice recorder. He was not willing to talk to me about what has happened with Timol and our interaction was concluded rather quickly.

9. I indicated that the TRC needed to hear his version of events directly, and I informed him that I would be advising the TRC to subpoena him in terms of Section 29 of the TRC Act. I subsequently made such a recommendation to the Commission, but most regrettably this was not done.
10. It appeared to me that between the time of my initial telephonic contact with Mr Rodrigues and the time we met, he had either by himself, or as a result of the intervention of another, decided not to cooperate with the TRC.
11. I specifically deny the claim made by Rodrigues that if he had been supplied with the evidentiary materials from the 1972 inquest he would have cooperated with the TRC. When I met with him at his office at SanParks he was completely firm in his view that he wanted nothing to do with the TRC inquiry. This is precisely why I recommended to the TRC that he should be compelled to appear under a subpoena.
12. As far as I am aware Mr Rodrigues never approached the TRC to disclose what he knew about the death of Ahmed Timol.





**PIERS PIGO**

I certify that the deponent has acknowledged that he knows and understands the content of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and affirmed to before me at Brixton SAPS on this 07 of January 2019 the regulations contained in Government Gazette Notice No. R1258 of 21 July 1972, as amended, and Government Notice No. R1648 of 19 August 1977, as amended, having been complied with.



**COMMISSIONER OF OATHS**

FULL NAMES: Neo Pankos Heisen

DESIGNATION: Commissioner

ADDRESS: High Str. Brixton JHB