

Powell can be extradited despite being a 'refugee'

ANC demands his prosecution

RANJINI MUNUSAMY

JOHANNESBURG — The IFP says it does not know if its former strongman, Phillip Powell, is a political refugee.

IFP secretary-general Musa Zondi said yesterday that if Powell had applied for asylum in Britain, where he has been living for the past four years, this would not have been authorised by the IFP.

"He would have done so in his personal capacity. He is not a project of the IFP, but an individual," Zondi said. The British government declined to comment on the matter yesterday.

The ANC is demanding that the national prosecuting authority (NPA) extradite Powell and charge him with gun-running.

Powell led the NPA to a stash of seven tons of weapons in northern KwaZulu-Natal in 1999, part of a 70-ton consignment given to the IFP by former Vlakplaas commander Eugene de Kock.

The cache was blown up immediately by the NPA and Powell left for Britain shortly afterwards to study.

The ANC stepped up the pressure on the NPA last month to prosecute Powell after explosives were discovered in the former Ulundile legislature building. Police speculated that these were part of the arsenal passed on to Powell.

The NPA has claimed now that it is unable to act on a warrant of arrest issued for Powell last year.

Spokesperson Sipho Ngwema said the prosecuting authority had received legal advice that Powell had political refugee status.

KwaZulu-Natal premier S'bu Ndebele said the provincial government would invoke the Promotion of Access

to Information Act to force the NPA to declare the terms of its agreement with Powell.

He said both the ANC and IFP were under pressure from their former combatants who were serving long sentences in prison in relation to incidents of political violence in KwaZulu-Natal.

"They want to be given access to the same facility in the law to get asylum for their crimes. They are ready to talk about what they have done. They want to know why only one person has been given this special dispensation," Ndebele said.

A press attaché at the British high commission in Pretoria, Nick Sheppard, said the British home office in London said yesterday that it did not comment on individual cases.

"If the individual in question, or his or her legal representative, makes his or her status public, the home office can confirm it. But to protect the privacy of the individual we are unable to say whether he applied even for asylum," Sheppard said.

Applications for political asylum in Britain are considered under the United Nations Refugee Convention and the European Union Convention on Human Rights. But the protection does not extend to criminal cases.

"The UK immigration status of an individual is irrelevant in relation to the issuing by the South African authorities of an arrest warrant. Any application for extradition from the UK would then be considered on its merits in the usual way," said Sheppard.

This means Powell could be extradited still to face criminal charges for gun-running.



BOK BEAT: Drummers from the Drum Cafe rehearsed their performance yesterday, for tomorrow's big match between the All Blacks and the Springboks. The entertainment, organised by the Event Production Company, goes together with the handing out of 25 000 djembe drums by Vodacom to spectators on Saturday. Pictured here is drummer Israel Sebone. PHOTO: ANTONIA KIM

Cell giant drums up support with rugby djembes

DAVID SHAPSHAK

JOHANNESBURG — The vuruzela will take a back seat to the djembe drum tomorrow when Vodacom gives away 25 000 of these African staples at Ellis Park when the Springboks take on the All Blacks.

Drum Café founder Warren Lieberman, whose *Drumstruck* theatre

show is heading to Broadway, will be teaching 25 000 rugby fans how to play the drum and will lead them in a 10-minute drumming session before the Tri-Nations Test match.

"I don't think there have been that many drums in one place before," Lieberman told THISDAY.

"The most has been five or 10 thousand in one place. As a group of

drummers, it is probably the biggest that has ever happened."

Drum Cafés have been opened around the world, mostly by South African expats who have taken the African drumming phenomenon to America, Australia, the UK and Canada.

Drum Café troupes have performed at the Queen's golden jubilee

in London and for heads of state including former president Nelson Mandela, US President George W Bush, British Prime Minister Tony Blair and Australian Prime Minister John Howard.

Drumstruck ran at the Market Theatre earlier this year, prompting offers to take it to Broadway in New York.

UK 'not concerned' about SA passports

MARLENE BURGER

PRETORIA — South African visitors to Britain will not face undue scrutiny on arrival, despite claims that international terrorists are using stolen or illegal passports to cover their tracks.

Home Affairs Minister Nosiviwe Mapisa-Nqakula said from London yesterday she had received assurances from the British government that South African travel documents "will continue to be treated at face value and the integrity of our passports remains intact".

Mapisa-Nqakula is holding talks with Des Brown, minister of state in Britain's Home Office, following recent concerns that crime syndicates are selling South African passports to members of al-Qaeda and bogus political refugees. American customs officers have been instructed to pay special attention to international travellers entering the US from Britain, Mexico and Canada on SA passports, amid heightened fears that Islamic extremists are planning terror attacks in the run-up to the presidential elections in November.

The alarm was raised about South African travel documents falling into the wrong hands when several boxes of blank passports were seized during an anti-terror raid in London in March. More recently Pakistan and US intelligence agencies have claimed to have evidence that al-Qaeda favours South African passports.

The home affairs department has acknowledged the involvement of corrupt officials in the passport black market and is taking steps to crack down on theft. Last week 39 officials were arrested in the Free State in connection with passport fraud.

But Mapisa-Nqakula said yesterday that despite four South African passport-holders being refused entry to Britain last month because their documents were "suspicious", she had been assured that "South Africans are welcome to visit the UK". However, anyone trying to enter Britain under false pretences could expect to face the wrath of the authorities.

Husband cleared of murder charges

YAZEED KAMALDIEN

JOHANNESBURG — Police have dropped a murder charge against a prominent businessman accused of killing his estranged wife, who disappeared eight months ago.

Gauteng provincial police spokesperson Inspector Dennis Adriaio confirmed yesterday that a charge of murder against Michael Jacobus, 40, had been dropped in Soweto's Protea magistrate's court on Wednesday.

However, he said investigators remained convinced that Jacobus's estranged wife, Tereze Jacobus, 38, was dead.

Police have opened an inquest docket "because we are still searching for Tereze's

body", Adriaio said.

He said police had "circumstantial evidence" linking Jacobus, a senior executive at a large black empowerment company, to the alleged murder of his wife.

"The forensic lab proved that human blood was found in the boot of his wife's car, but could not verify that it was her blood."

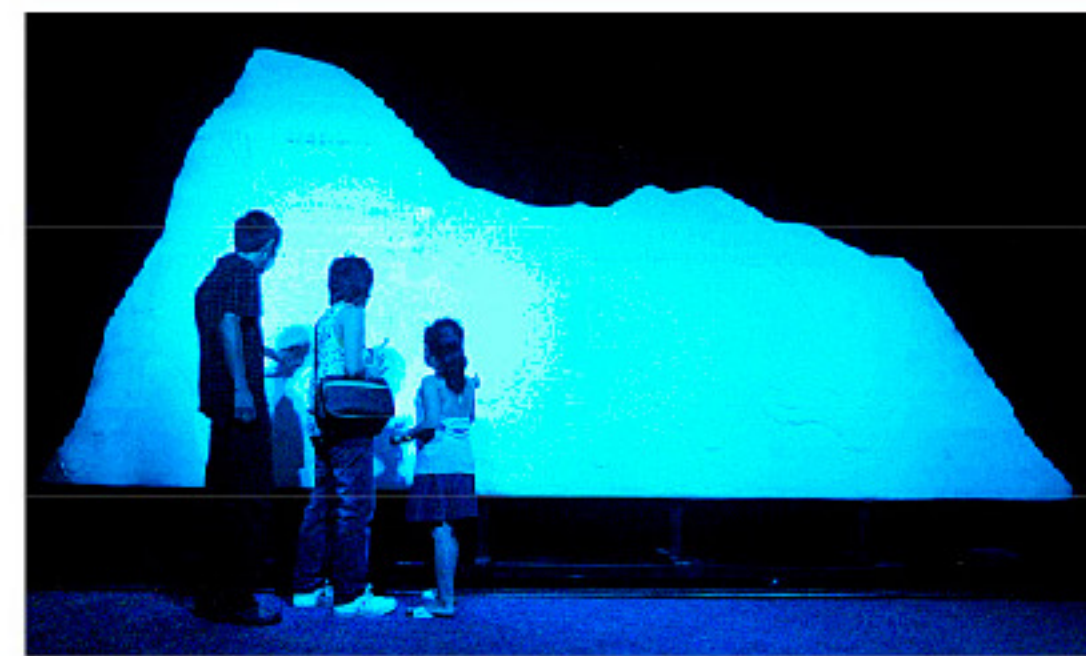
Tereze Jacobus was last seen on December 11 when she left her Eldorado Park home. Three days later, her friends reported her missing. Police investigators later found blood stains in her car's boot and a blood-spattered cricket bat in her house. Jacobus was subsequently arrested, charged with murder and released on R1,5 million bail. He

vehemently denied killing his wife, maintaining that she was alive in the Eastern Cape.

But, Adriaio said, an extensive police search had failed to locate her.

"We are still searching for her. We searched a number of places and followed up every lead we could get. We decided to withdraw the court case because if the accused is acquitted, he can't be charged again for the same [crime]. If we find the body and more evidence then we can't charge him again for murder."

Adriaio said there had been "only six or seven cases" in South Africa when an accused murderer had been convicted without the victim's body being found.



SINKING FEELING

Chinese visitors touch a wall of ice shaped like an iceberg during the opening of the Titanic Experience and Priceless Artefact Exhibition in Shanghai. The interactive exhibition of almost 300 priceless artefacts from the ill-fated luxury liner opened yesterday. PHOTO: ANTONIA KIM

Diana's road death to be investigated anew

PARIS — French authorities have launched a new probe into the autopsy on the chauffeur who was driving Diana, Princess of Wales, the night she died in Paris.

The new investigation comes after his parents challenged the conclusion that he caused the crash because he was drunk, officials said yesterday.

The inquiry into blood tests conducted on Henri Paul, the chauffeur who died along with Diana and her boyfriend Dodi Al-Fayed in the crash on August 31, 1997, was initiated after a long battle by Paul's parents and Dodi's multimillionaire father, Mohamed Al-Fayed, to have the blood samples re-examined. They claim their son was not an alcoholic and that the samples

that formed the basis of the official conclusion blaming him for the deaths did not come from Paul's body.

A French appeals court in June agreed that magistrate Corinne Goetzmann was wrong to dismiss the parents' allegations last year without conducting an investigation. The court sent the case back to her for further action.

Mohamed Al-Fayed's lawyer has sent a letter to Goetzmann demanding she recuse herself and was considering asking the appeals court to step in if she refused, sources close to the case said.

The development marks another twist in the legal battle that continues nearly seven years after the death of Diana. *Sapa-AFP*

SA women discover unknown husbands

PRETORIA — More than 40 South African women have discovered that they had been married without their knowledge, the home affairs department said yesterday.

They were among some 2 000 women checking their marital status on the department's records as part of a campaign to curb the problem of women being unknowingly married to foreigners.

The department would assist victims of such unions to expunge their marriages at no cost, it said in a statement. "We have already made

arrangements with the department of justice, where we are able to de-register or expunge a marriage without the long process of having to go to court, as long as the people concerned satisfy the requirements set out."

The department reiterated its concern about "the spate of fraudulent marriages or marriages of convenience" around the country, particularly in Mpumalanga.

It urged South African women to check that their marital status was correctly reflected on the department's books. *Sapa*

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