

Report on purported bid to sell Limbang to Brunei PM sues the Review

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By ZAHARAH AZIZ

KUALA LUMPUR, Tues. — Datuk Seri Dr Mahathir Mohamad is suing the Hong Kong-based weekly news magazine *Far Eastern Economic Review* and its editor for libel over an article on a purported attempt to sell Limbang in Sarawak.

The article claimed that Dr Mahathir had discussed the possible sale of Limbang, in Sarawak's Fifth Division, to Brunei for a starting price of US\$6 billion, during his visit to the oil-rich Sultanate in March.

The Prime Minister is seeking unspecified damages for libel con-

tained in the article appearing on Page 11 of the magazine published on May 21.

He is also seeking unspecified damages for libel contained in an apology and retraction on Page 3 of the magazine published on June 4.

Dr Mahathir also wants an injunction to stop editor Derek Davies and the Review (first and second defendants), their servants, agents or others from publishing or causing to be published the same or similar defamatory words.

His suit was filed with the civil division of the High Court registry by Attorney-General Tan Sri Abu Talib Othman.

The Review report attracted a lot of attention and was even debated in Parliament.

In his action, Dr Mahathir said the Review enjoyed wide circulation in Malaysia and other neighbouring countries.

He also said that on page 11 of the magazine published on May 21 under the "Intelligence" column, the defendants caused to be printed and published words concerning him in the way of his office as Prime Minister under the heading "Sarawak sale?"

He said the words in their natural and ordinary meaning

↓ TURN TO P2. COL 7

Magazine intends to contest suit

NST

2161987

★ FROM PAGE ONE

were understood to mean that:

- he was engaged in an "unconstitutional and surreptitious attempt" to sell to a foreign country, Brunei, a part of the territory of the State of Sarawak which is a component of the Federation of Malaysia;

- he, in order to achieve this end, was party to a decision to lie about the purpose of his visit to Brunei; and,

- he was unfit to act as Prime Minister of Malaysia.

Dr Mahathir said that by reason of the publication of the words, he has been damaged in his character as the Prime Minister and has been brought into public scandal, odium and contempt.

He also said that by a letter dated May 26, the Attorney-General acting on his behalf wrote to Mr Davies with a proposal for publishing a full and complete apology.

Notwithstanding the letter, both defendants failed and refused to apologise, but on the contrary under the headline "Retraction and Apology" caused words to be printed and published on Page 3 of the June 4 issue of the magazine

concerning him in the way of his office as Prime Minister.

Dr Mahathir said the words in their natural and ordinary meaning were understood to mean that:

- although he had denied the truth of the words set out in the article on the alleged sale, the words complained of were based on sources which had been proved to be both well informed and reliable;

- other reports from the same sources proved reliable;

- the words set out in the article were true; and,

- he had complained about the words set out in the article and that the nature of his complaint was not that the article was false and defamatory but that it was actuated by malice.

Dr Mahathir said he had been further damaged in his character as Prime Minister and has been brought into public scandal, odium and contempt.

He added that unless restrained, the defendants intend to further publish the same or similar words.

The Review's deputy editor Mr Philip Bowring said the magazine would contest the suit.