

PM: Discard ³⁶ wrong notion about judges

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By WAN HAMIDI HAMID

SUBANG JAYA: Datuk Seri Dr Mahathir Mohamad said the international law community should discard the preconceived notion that judges in developing countries are not independent.

"The problem is that if somebody who is favoured by them gets a court decision that is not in his favour, then the court is not free.

"But when the court passes sentence on members of the Government, and once the court did pass the death sentence on a minister, nobody said the court was not independent.

"So it all depends on who is being tried. If a favourite son or a favourite leader is being tried and he is not acquitted, then the court is presumed not to be independent.

"But if somebody who is loathed by them, probably me for example, were to be brought to court, and the court decides against me, then of course the court is independent." he said after opening the Commonwealth Law Conference yesterday.

The Prime Minister also criticised the "American habit" of arresting and

Wringing foreign citizens to the United States for trial, stating that it is against international law.

Dr Mahathir said as much as US President Bill Clinton was free to make comments about Malaysia's administration of law, he (Dr Mahathir) too was free to give his views about the United States.

Expressing his opinion, Dr Mahathir said: "I don't think that arresting (former Panama president) Noriega to bring him to the US to be tried under a law which Noriega is normally not subjected to is fair either. That's my view."

He also expressed his dislike over Clinton's continuous bombing of Iraq to force President Saddam Hussein to surrender.

"I hope (what I said) is not something considered as interfering in the affairs of the US," he said.

He said Clinton was entitled to his opinion when he expressed his "deep concern" about the jailing of a Canadian journalist in Malaysia for contempt of court.

Murray Hiebert, Malaysian bureau chief of the *Fur Eastern Economic Review*, opted to go to jail on Saturday after the Court of Appeal reduced his sen-

tence from the original three months to six weeks. (See judgment on Page Eight)

When asked whether Clinton's statement was considered interference in Malaysia's domestic affairs, Dr Mahathir said:

"He (Clinton) is free to make that statement. But if he were to send troops here to release Hiebert, then I will call that interference. He hasn't done that. I think he is entitled to his opinion."

On whether he regarded the jailing of Hiebert as an embarrassment to Malaysia as he was the first journalist to be jailed in a Commonwealth country in 50 years, Dr Mahathir said it was for the court to decide.

"Of course you are going to assume that I directed the court (to give the sentence) That -also shows you are free to decide," he said.

Clinton in his statement released in Auckland where he was attending the Asia-Pacific Economic Co-operation (Apec) Summit, said that putting a journalist in jail for doing his job undermined the press freedom that played a critical role in building a democratic society.