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Mahathir-Law

JUDGES IN DEVELOPING COUNTRIES ARE FREE TOO, SAYS PM

PETALING JAYA, Sept 13 (Bernama) -- Prime Minister Datuk Seri Dr Mahathir Mohamad said the international law community should discard the idea that judges in developing countries are not independent.

" I would hope that they do not have a pre-conceived idea that developing countries do not allow our judges to be independent," he told a news conference after opening the 12th Commonwealth Law Conference at the Sunway Pyramid Convention Centre here today.

He said the problem was that the court was not considered free when they passed an unfavourable decision on a favoured person.

Citing a death sentence passed by the court on one minister, he said nobody deemed that the court was not independent although it involved a government minister.

" The problem it seems, if somebody who is favoured by them, yet the court's decision that is not in his favour then the court is not free.

" But if the court passes sentence on members of the government and once the court actually passed sentence of death on one minister, nobody said the court was not independent," he said.

Dr Mahathir said it all depended on who was being tried.

" If a favourite son or favourite leader is being tried and he is not acquitted, then the court is viewed being not independent.

" But if somebody, for example if I were brought before the court and the court decides against me then the court is independent," he said.

Dr Mahathir said it was the right of the international law community to discuss law administration in this country and they probably had a different perception about it.

Asked about United States President Bill Clinton's expressed disappointment over the Court of Appeal's rejection of the appeal of a Far Eastern Economic Review correspondent for contempt of court, Dr Mahathir said Clinton was free to make any statement and was entitled to his opinion.

"I think that he is entitled to his opinion and I'm entitled to mine," Dr Mahathir said

However, the prime minister said the "American habits" of arresting citizens of other countries and bringing them back for trial in the US, like Panama's military leader Manuel Noriega, were against international law.

The White House, in a statement released in Auckland, where Clinton is attending the annual Asia-Pacific Economic Cooperation (APEC) summit said: "Putting a journalist in jail for doing his job undermines the press freedoms that play such a critical role in building a democratic society."

Murray Hiebert, 52, was sentenced in 1997 for an article about a suit brought by Chandra Sri Ram, the wife of Court of Appeal judge Gopal Sri Ram, against the International School of Kuala Lumpur.

On Saturday, Court of Appeal president Justice Lamin Yunus, sitting with Justices Ahmad Fairuz Sheikh Abdul Halim and Dennis Ong, dismissed Hiebert's appeal against conviction, and reduced his original jail term of three months to six weeks and granted a stay of execution pending appeal.

Asked if Clinton's statement on Hiebert amounted to interference, Dr Mahathir said: "He is free to make that statement but if he were to send some troops here to release Hiebert then I will call that interference."

Saying that Clinton should not continue with the US habit of arresting

citizens of other countries as this was contrary to international law, the prime minister said: "I think he shouldn't do that. I also dislike the continuous bombing of Iraq in order to force out Saddam Hussein."

Asked on what Malaysia could do to compel the five United Nations' permanent members to forego their veto rights, Dr Mahathir said there was nothing much that Malaysia could do.

"In a feudal system, we cannot have reforms if we have to depend upon asking the feudal ruler to give consent, he is not going to consent.

"So, there is nothing much we (Malaysia) can do. We are small country. We have to dream and bear it," he said.

Asked if there was any new initiative to pursue the matter, the prime minister said Malaysia had always been talking and expressing her views on matters of concern with the UN and would continue to do so.

Asked on his expectations of the conference, Dr Mahathir said: "While it is good to focus on the administration of law in the different countries, it is also good to focus on the behaviour of countries in the international arena which is far from being democratic."

The four-day conference, which is being attend about 1,500 delegates of the international legal community, was the first held in Asia, since the establishment of the Commonwealth Lawyers' Association in 1983.

-- BERNAMA

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