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Court-Anwar (Mahathir)

PM FILES DEFENCE IN RESPONSE TO ANWAR'S RM100 MILLION SUIT

KUALA LUMPUR, April 2 (Bernama) -- Prime Minister Datuk Seri Dr Mahathir Mohamad has filed his statement of defence in response to the RM100 million defamation suit brought by his former deputy, Datuk Seri Anwar Ibrahim, against him.

The statement of defence was filed by Messrs Shearn Delamore and Co on March 22, 1999 at the registry of the High Court in Wisma Denmark.

Anwar, 51, who is also former finance minister, has claimed that Dr Mahathir has slandered him in a press conference held at the Prime Minister's Department on Sept 22, last year.

In his defence, Dr Mahathir said the alleged defamatory words were published in his capacity as Prime Minister of Malaysia on an occasion of qualified privilege.

He said that the words were published with an honest belief in the truth of the words and were not made recklessly without disregard for the truth or untruth of the words.

Dr Mahathir also denied that the offending words were calculated to disparage Anwar in his private or official capacity.

He admitted that a press conference was held at his office which was attended by national and foreign journalists on Sept 22, last year and said he had uttered the words in response to a question posed by a journalist as to the reasons why Anwar had been dismissed from his offices.

Dr Mahathir said the words were published in the course of discussion of government and political matters which concerned Anwar in relation to his suitability for the offices he held and after due inquiry and investigation into the matters.

He denied that he had spoken the alleged defamatory words because he knew that it would be published in the local and international media, including the Sun newspaper, Newsweek and CNN International.

He said he was concerned that his reasons for Anwar's dismissal from the cabinet should be known and contended that his former deputy is not entitled to any damages, whether compensatory or exemplary or otherwise.

Therefore, Dr Mahathir is asking the court to dismiss Anwar's suit against him with costs.

Anwar has until April 5 to reply to the prime minister's defence. Otherwise, Dr Mahathir will have the right to file an application to strike out the writ of summons and the amended statement of claim under Order 18 Rule 19 of the Rules of the High Court 1980.

Apart from the damages, costs and other reliefs deemed fit by the court, Anwar is also seeking an injunction to restrain Dr Mahathir from further making any defamatory statements against him.

In his amended statement of claim, Anwar said Dr Mahathir falsely and maliciously spoke and published to local and foreign journalists, of matters concerning him in his conduct as deputy prime minister.

He said the offending words were uttered by Dr Mahathir with the intention calculated to disparage him in both his private and official capacities, including as deputy prime minister and finance minister.

Anwar said the defamatory words were published in the Sun newspaper dated Sept 23, last year under the heading "Anwar's behaviour despicable: PM" which was widely circulated in Malaysia.

It was also published in the Newsweek dated Oct 5, 1998 under the title "Here's Mud in Your Face - Accusations of sexual misconduct and corruption

in an Asian smear war that rivals even Washington's", he said.

Anwar said the offending words were also televised widely over CNN International and other television and radio stations worldwide.

He claimed that the publication of the offending words had caused grave injury to his character, credit and reputation both nationally and internationally.

The former deputy prime minister is also suing Sun Media Corporation Sdn Bhd, seeking another RM100 million in damages for libel over the article published in its newspaper following a suit against the prime minister.

Anwar, who was sacked on Sept 2, last year was later charged with five counts of corrupt practice and another five of sodomy before the High Court.

The High Court will deliver its verdict on four of the corrupt practice charges on April 14 and the other charges have yet to be heard.

-- BERNAMA

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