

26 MAY 1999

Court-Mahathir

WORDS UTTERED IN PRESS CONFERENCE WERE TRUE IN SUBSTANCE, SAYS MAHATHIR

KUALA LUMPUR, May 26 (Bernama) -- Prime Minister Datuk Seri Dr Mahathir Mohamad, in applying to strike out the RM100 million defamation suit filed against him by Datuk Seri Anwar Ibrahim, affirmed that the words uttered by him at a press conference in his office on Sept 22 last year were true in substance and fact.

In his affidavit in support, filed on May 24, Dr Mahathir was seeking to set aside Anwar's suit because it did not disclose any reasonable cause of action against him and was scandalous, frivolous, vexatious and an abuse of the court process.

The "Summons in Chambers" was filed at the High Court at Wisma Denmark here according to Order 18 Rule 19(1)(a), (b) and (d) Rules of the High Court 1980.

Dr Mahathir also said references in his statement to the press on that day regarding Anwar were accurate and true based on the facts that Sukma Darmawan Sasmitaat Madja and Dr Ahmad Munawar Anees were sentenced to six months jail by the Sessions Court.

They were sentenced on Sept 19 last year after pleading guilty to allowing themselves to be sodomised by Anwar.

Dr Mahathir said in view of the admissions of guilt by Sukma and Dr Munawar, he verily believed that he had a complete and absolute defence to Anwar's claim.

Anwar, 51, claimed that Dr Mahathir slandered him at a news conference held at the Prime Minister's Department on Sept 22, last year.

He claimed that Dr Mahathir had falsely and maliciously spoke to local and foreign journalists of matters concerning him in his conduct as deputy prime minister and the publication of the offending words had caused grave injury to his character, credit and reputation both nationally and internationally.

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

Anwar, in his reply said the defence of qualified privilege was not open to Dr Mahathir.

Anwar said the Prime Minister could not rely on the defence of qualified privilege because Dr Mahathir, in uttering and causing to be published and re-published, both nationally and internationally, the offending words, had acted maliciously and in bad faith.

Apart from the RM100 million in damages, costs and other reliefs deemed fit and proper by the court, Anwar is also seeking an injunction to restrain Dr Mahathir from further making any defamatory statements against him.

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

Anwar, who was sacked from the Cabinet on Sept 2, last year is serving a six-year jail term after he was convicted by the High Court on four counts of corrupt practice on April 14.

He also goes on trial from June 7 on a charge of sodomy.

--BERNAMA

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