

**Najib may be subpoenaed by Paris court**  
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**By Susan Loone**

Prime Minister Najib Abdul Razak could be subpoenaed to appear in a Paris court over the controversial Scorpene submarine deals involving millions of ringgit in commissions to both government and military officers.

NONENajib was defence minister when the RM7.3 billion arms deal was struck to purchase two submarines.

The deal, which also included similar sales to Pakistan and Taiwan, has scandalised France where its officials were alleged to have received multi-million dollar 'commissions' from French submarine-maker DCN.

If Najib is indeed subpoenaed, he may have to travel to Paris in a month or two when the case is heard in open court, which could prove unpleasant for him.

NONEHowever, asked if Najib could ever be dragged to court, Joseph Breham (right), the lawyer representing the NGO Suaram - which filed the case against the French submarine-maker in 2009 - said the idea is very "far-fetched".

"Najib could be subpoenaed, but it is only a possibility that is still very far fetched at the moment," he said in an email interview from Paris.

"Once an instruction judge is nominated, we can consider this," added the lawyer who visited Kuala Lumpur last year to gather evidence.

Under French law, an instruction judge is a magistrate responsible for conducting an investigative hearing to determine whether a case proceeds to criminal trial.

The case can be thrown out if the judge finds insufficient evidence.

French lawyer speaks in London

Breham was in London last Friday to brief Malaysians living there about the case.

NONEIt gained international limelight when his law partner William Bourdon (left) was deported from the Kuala Lumpur International Airport in July, after attending a forum in Penang.

Both lawyers are from Sherpa, a non-profit NGO which has been exposing alleged corruption by government leaders in several countries.

Organised by Solicitors International Human Rights Group, the London forum featuring Breham and Suaram director Cynthia Gabriel presented the latest findings on the kickbacks allegedly paid by Malaysian officials to DCN, and who may include Najib.

Gabriel said Breham told the London crowd that an instruction judge would be appointed as early as the end of this month.

ops scorpene dinner 220711 cynthia gabriel"That is confirmed, which is great as we can now proceed with the case," she said via a text-message from Paris.

"There was a delay in the matter earlier. Breham told us that this was due to a disagreement between the

public prosecutor's office and judiciary," Gabriel (left) added before attending a meeting with the French lawyer.

DCN Scorpene class submarine sales to India, Pakistan, Chile and Malaysia have been deemed "questionable" by French authorities and similar military deals have ended up with several deaths in Taiwan and Pakistan.

Breham had told the forum that French President Nicholas Sarkozy, who is also under probe for the Karachi deaths involving French engineers, may move to stop the appointment of an instruction judge.

The bribing of foreign public officials in international business transactions is a punishable crime in France since the country became a signatory to the Organisation for Economic Cooperation and Development Convention on Combating Bribery of Foreign Public Officials in International Business Transactions.

It has been revealed in the Malaysian Parliament that the submarine deal netted Perimekar, an obscure consulting company, RM540 million in "support services", allegedly an euphemism for commissions.

Perimekar is a subsidiary of KS Ombak Laut Sdn Bhd, in which Maslinda Makhzan, the wife of Najib's close confidante Abdul Razak Baginda, is the major shareholder.

Abdul Razak and two of Najib's bodyguards were charged with the murder of Mongolian national Altantuya Shaariibuu with C4 explosives in a jungle clearing in Shah Alam in 2006.

Altantuya, who spoke fluent French, was believed to be an interpreter during the submarine deal.

While the two police officers were convicted and sentenced to death, Razak was acquitted without his defence being called. Najib has denied any involvement with Altantuya and her murder.