

Can Najib survive Scorpene's sting?

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Prime Minister Najib Abdul Razak sealed his own fate, 11 years ago at a meeting to discuss the Scorpene submarine purchase. The date was July 14, 2001.

As any history student will tell you, the storming of the Bastille in Paris, on the morning of July 14, 1789, signalled the beginning of the French revolution. Every year, the French celebrate their National or Bastille Day, on July 14.

From now on, Malaysians may also attach some significance to July 14. It might not be the start of a Malaysian revolution, but it was on July 14, 2001, that Najib held a meeting with DCNI, the subsidiary of the French shipmaker DCN.

Najib, who was the defence minister at the time, had allegedly demanded that the French pay US\$1 billion (RM3 billion) to the Malaysian company Perimekar, as a condition for meeting him.

These details were divulged by the French investigators for Suaram, and form only the tip of the iceberg. Their list of witnesses includes Najib, Abdul Razak Baginda and the current Defence Minister Zahid Hamidi. All are required to testify in Paris.

It has not been a good week for the PM. The government's response to the Bersih sit-down protest has attracted international condemnation. In the week which coincided with World Press Freedom Day, his policemen have been accused of brutality and his administration has been villified for media censorship.

Independent foreign observers have criticised Najib for mishandling the peaceful protest, and denying the rakyat their fundamental right to freedom of assembly.

Two newspapers face legal action; the *New Straits Times*, by an Australian senator, Nicholas Xenophon, because the paper libeled him, and *Utusan Malaysia*, which ran a front-page story that the Opposition politician Azmin Ali was involved in a tryst.

Diminishing support

With the French court case looming, corruption scandals rocking his cabinet and further delays to GE13, Najib fears that support for him and his party will diminish further.

Is it any wonder that a few days ago, Najib tried to distract us, by claiming that Bersih's sit-down protest was a plot to topple his government?

Najib's opposition to Bersih 3.0 is a clear indication that Umno knows that it cannot win a clean election. He knows he cannot allow a free and fair election.

That explains the concerted effort by Umno and the Election Commission (EC) to cheat. In desperation, Najib has accused Bersih 3.0 of wanting to turn Dataran Merdeka into Tahrir Square.

In a press conference last week, Suaram confirmed that the French judicial probe had evolved from a "civil complaint" into a "criminal investigation."

The French lawyer acting for Suaram, Joseph Breham said: "Investigations so far have provided sufficient evidence to point our finger at Malaysian officials in this (court) hearing."

Suaram secretariat member and lawyer Fadiyah Nadwa Fikri said, "....The parties involved in the scandal would soon be charged in the French criminal court. It's going to be bigger than it already is now".

Suaram secretary-general Cynthia Gabriel (*left*) called the Scorpene scandal, "the Great Malaysian Robbery" with several companies, including the pilgrimage fund (Lembaga Tabung Haji) and the military servicemen's pension fund (Lembaga Tabung Angkatan Tentera) being used to obscure the money trail.

Gabriel said, "The Malaysian and French people have clearly been misled, cheated and robbed of their monies through blatant corruption and mismanagement of funds in the name of national safety and security."

The former finance director of DCN, Gerarde Philippe Maneyas, alleged that Malaysian officials in the deal had been bribed.

With the introduction of new laws in France and the Organisation for Economic Co-operation and Development (OECD) Convention in 2002, bribes made to foreign officials are considered a criminal offence. Previously, these bribes were tax-deductible.

As a result of these laws and the OECD, all documentation relating to arms deals would replace reference to the payment of "commissions" with "payment to service providers".

Terasasi surfaces

The French inquiry also revealed the presence of a previously unknown company, Terasasi, which is owned by the PM's former aide, Abdul Razak Baginda.

Baginda (*left*) also owned Perimekar, and both these companies received several million euros in commissions and kickbacks. Baginda's wife and father are also linked to Perimekar and Terasasi.

Interestingly, French investigators found an invoice from Terasasi to a French company, Thint Asia International, dated Aug 28, 2004 for 359,450 euros (RM1.43 million) with a handwritten note saying: "Razak wants it in a hurry." Needless to say, the race is on to discover which "Razak" this refers to.

Despite the rapid pace of development by the French investigators, members of Najib's cabinet

have remained eerily silent.

One thing is clear. Najib cannot be non-committal in future press conferences and abruptly terminate them when any reference is made to Scorpene. He cannot use that old trick of saying he will go the mosque and swear on the Quran. He cannot avoid the French subpoena without risking an international arrest warrant.

Despite the internal power struggles in the upper echelons of Umno, none of those who wish to be PM has appeared to lodge the first knife in his back. Perhaps, they all realise that despite Najib's unpopularity, they have to band together to save their skin.

Najib faces a dilemma. He needs the support of Umno members so he can remain as PM, because it is said that a head of state enjoys immunity while he is in office. Once he stands down, he becomes another ordinary person and will be prosecuted, for any crimes committed.

Najib probably rues the day he entertained the French on July 14, 2001. Even Swiss bank accounts and exile to a "friendly" country are no guarantees of freedom.

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