

**Najib's lawyer: Can foreign investigators act against M'sian PM?**  
**MalaysiaKini.com**  
**Apr 13<sup>th</sup>, 2016**

Is it under the jurisdiction of foreign investigators to initiate action against the Malaysian prime minister?

This point is raised by Mohd Hafarizam Harun, who is one of Prime Minister's Najib Abdul Razak's lawyers.

"The first issue you should look at is whether they have jurisdiction to take action against a prime minister of Malaysia, who is a Malaysian citizen and not the citizen of Switzerland, Germany or even the US.

"So can you (foreign investigators) extend your extra-territorial jurisdiction outside your country and bind a non-citizen?" he asked, according to *Channel News Asia* today.

1MDB, which is Najib's brainchild, is currently the focus of several international probes, including in Switzerland, Singapore, the United States and Luxembourg, in relation to suspected misappropriation of funds and allegations of money-laundering.

Najib is also the chairperson of 1MDB's advisory board.

Last month, the Swiss Attorney-General's Office (OAG) said it is in contact with Malaysia over its request for Mutual Legal Assistance (MLA) in the criminal proceedings concerning 1MDB.

The OAG's communication specialist Anthony Brovarone had said his office cannot provide further information on the matter but is satisfied with Malaysia's reaction.

Meanwhile, 1MDB has consistently denied any wrongdoing, but pledged to cooperate with any lawful authority and investigation.

## **International convention**

Commenting on Hafarizam's remarks, lawyer Andrew Khoo told *Malaysiakini* that "a corrupt act is a corrupt act" regardless of who committed it.

"Unless that person is claiming sovereign immunity. Even if such immunity exists in a country, it does not normally extend to acts of alleged corruption," he explained.

Khoo along with fellow lawyer Syahredzan Johan also told *Malaysiakini* that countries have jurisdiction over offences committed within their borders, even if the persons charged with the offence are not citizens of that country.

There is also an international convention stating that head of states, senior ministers and cabinet members are immune to arrest and prosecution, including those that are cross-jurisdictional.

Copyright © 1999-2012 Mkini Dotcom Sdn. Bhd  
Source: <https://www.malaysiakini.com/news/337685>