

**LETTER | M'sians should celebrate decision to extradite N Korean to the US**

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LETTER | I am writing in response to the decision by the North Korean regime on March 19, 2021, to sever diplomatic relations with Malaysia. As a Malaysian, I think the focus should be directed to the Malaysian judiciary.

The decision made by the Federal Court to honour the extradition treaty between Malaysia and the US is exemplary. Extraditing Mun Chul Myong is the epitome of Malaysia's relentless commitment towards strict enforcement in United Nations-backed sanction and global financial transparency.

Long has Malaysia been tarnished alongside other countries such as Belarus, Russia and India as amongst the breeding grounds for North Korean trans-boundary covert crimes.

In 2017, Glocom – a Malaysian based tech company – was identified by the United Nations as a front-company supporting North Korea's cybercrimes global

network.

Lest Malaysians forget, the murder of the estranged half-brother of Kim Jong Un – Kim Jong Nam – was carried out also in Malaysia in 2017. The murder has led to the suspension of diplomatic relations between both countries.

Thus, it is time for Malaysia to take a stern stand against the illicit criminal activities believed to be sponsored by the North Korean regime. Enough is enough. North Korea has to understand that decision was taken against a North Korean suspect, not against the North Korean government. Hence, the sovereignty of the North Korean regime remains intact.

Moreover, Mun Chul Myong was not a North Korean diplomat; an esteemed profession that is subject to another international treaty i.e. the Vienna Convention on Diplomatic Relations 1961.

If Mun Chul Myong was a diplomat, the issue of diplomatic immunity, amongst others, will come into play. In such a case, Malaysia will address the issue tactfully to avoid the recurrence of the expulsion of former North Korean ambassador Kang Chol as *persona non grata* in 2017.

In either situation, Malaysia has to act objectively, and such objectivity is guided

by universal values such as the rule of law and natural justice. Mun Chol Myong has been afforded the right to a fair trial in Malaysia up to the ultimate level, the Federal Court.

During the extradition proceedings, his defence lawyers stated that their client was caught in the diplomatic cross-fire between North Korea and the US, not between North Korea and Malaysia. This is evident to show that Malaysia is not bowing to external pressures as alleged by North Korea. In fact, the proceedings in Malaysia are only for extradition purposes. The actual criminal hearing will be conducted entirely in the U.S.

North Korea has to adjust her misconception of Malaysia as her enemy since Malaysia, as a sovereign State, is merely assisting a legally binding extradition treaty with the US.

As an isolated state with few friends, North Korea should keep her neutral friends like Malaysia closer, especially during the post-Covid-19 era. In a globalised world, North Korea could not afford to be too naive in diplomatic relations by resorting to a knee-jerk reaction such as severing her diplomatic relations with Malaysia, a decision which Pyongyang will later regret.

On the other hand, the Federal Court has lived up to its prestige as the ultimate

pillar of justice. The decision has sent a reverberation not only in Malaysia but also to the entire world.

To date, Mun Chol Myung is the first-ever North Korean suspect to be extradited by any country in the world to the US, and Malaysia is the first country in the world to manage to do so. This is a feat that ought to be celebrated by all Malaysians.

As a nation, we have to acknowledge the independence, competency and transparency of the Malaysian judiciary, which lately has been under intense criticism following a number of decisions on high-profile cases. The extradition of Mung Chul Myong is the embodiment of such ethos.

The ground-breaking Federal Court decision has paved the way for meaningful contributions to other stakeholders in international relations and assisted in the growth of international law.

Member-states in Asean could leverage the decision as a strategy in addressing the incessant presence of North Korean illicit activities in the region; the same way how North Korea has exploited the region as her hotbed for cybercrimes and evasion of economic sanctions.

North Korea has been manipulating the legal and institutional weaknesses in the Southeast Asian region in achieving this end. Therefore, Asean must manage issues related to North Korea collectively via regionalism, and Malaysia has taken the first step through a no-nonsense approach.

That giant leap was taken by the Malaysian judiciary and it truly deserves recognition.

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