

**M'sia, Britain ink treaty on transnational crimes**  
**Malaysiakini.com**  
**July 21, 2010**

Malaysia and Britain today signed a treaty to cooperate in the prevention and combating of transnational criminal activities.

The two countries signed the Treaty on Mutual Assistance in Criminal Matters, signifying both governments' highest commitment in the matter and providing for cooperation between their respective law enforcement authorities.

Attorney General Abdul Gani Patail inked the pact on behalf of Malaysia while Britain's High Commissioner to Malaysia William Boyd McCleary represented his country.

Mutual assistance in criminal matters is the process by which states request and render assistance in the collection of evidence to be used in a criminal matter, for example an investigation or criminal proceedings.

As such, this treaty intends to facilitate this process between Kuala Lumpur and London by putting in place a formal bilateral mechanism for the gathering of relevant evidence in each other's countries for the purpose of criminal investigations and criminal proceedings in their respective countries without affecting the existing informal mechanism.

"This treaty has taken two and a half years to conclude and represents a significant advancement of cooperation between the law enforcement agencies of Malaysia and the United Kingdom," said Abdul Gani in his remarks before the signing ceremony at the residence of the British high commissioner in Kuala Lumpur.

The treaty features a broad range of assistance, including the taking of evidence by way of judicial process, the taking of voluntary statements of persons, the provision of relevant documents, records and items.

Making arrangements for persons to assist in an investigation or appear as a witness, executing search and seizure, effecting service of documents.

Identifying, tracing and recovery of proceeds of crime and property and instrumentalities derived from or used in the commission of an offence and any other form of assistance not prohibited by the laws of the requested state.

Treaty will not immediately come into force

Malaysia and Britain began the negotiations on the treaty out of mutual interest to enhance the two countries' cooperation to combat transnational crime, including international terrorism, trafficking in persons and smuggling of migrants.

Abdul Gani said the treaty actually formalised successful mutual assistance cooperation which had been ongoing on the basis of the respective domestic laws since 2003, and the principal advantages were the institutionalisation of clearer procedures in the making and execution of requests for mutual assistance in criminal matters and reciprocity.

He said that though the treaty was signed today, it would not automatically or immediately come into force but upon the exchange of the instruments of ratification between the parties.

"On our part, Malaysia will ensure its internal procedures are completed expeditiously for this purpose," he said.

Abdul Gani said the treaty also provided for assistance in the recovery and repatriation of proceeds of crime in forfeiture measures as an added sanction and deterrent.

McCleary, in his remarks, said he was confident the signing of the treaty would lead to more and closer collaboration between the two countries' authorities and greater success in the joint efforts to fight crime.

He pointed out that there had been numerous instances of actual mutual legal assistance given by each side upon request, citing the instance of Operation Gecko by British police which resulted in the conviction of six Malaysians and Britons.

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Source : <http://www.malaysiakini.com/news/137980>