

IPU not recommending pardon for Anwar
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The Inter-Parliamentary Union (IPU) will not recommend a royal pardon for Anwar Ibrahim for his corruption charge, a setback on efforts to overturn his political disqualification, which expires in April next year.

The Geneva-based United Nations permanent observer said this was because Anwar, who is Parti Keadilan Advisor, has to make the first move.

"... for Mr Ibrahim to be granted a pardon, he himself had to submit a pardon petition," read a report on the decision adopted by the Committee of the Human Rights of Parliamentarian's 116th Session held in mid-Jan.

As only "a prisoner or a member of his family" may petition the king for a pardon, the petition by Anwar's supporters in May 2005 does not count, the committee added.

The former deputy prime minister was convicted for corruption and sodomy in 1999 and 2000 respectively after he was sacked.

The sodomy conviction was overturned in 2004 due to lack of evidence. Although released the same year, Anwar's corruption conviction stuck, resulting in a five-year ban from active politics.

In making its decision, the committee said it understood that a personal petition by Anwar would be seen to contradict the politician's declaration of innocence.

"Nothing lastly that Mr Ibrahim does not wish to submit a pardon petition since this would be tantamount to an admission of guilt, and that he has brought a defamation lawsuit against the former Prime Minister, Dr Mahathir, for the statements he made during the judicial proceedings against him," read the report.

However, the committee still recommended that Anwar seek to be pardoned despite any reservation.

"[IPU] notes that there is nothing to prompt it to change its conviction that Mr Ibrahim's trials and conviction were based on a presumption of guilt, and that he should therefore be granted a pardon so as to enable him once again to fully participate in the political life of his country," read the report.

Appeal to ROS

The committee said this in response to a request by Anwar's defence counsel that IPU recommended a pardon. The lawyers were present at the committee's Jan meeting.

Prior to this, a delegation of Anwar's supporters made their case to the IPU assembly in Geneva last Oct.

On whether the prime minister has a say in the pardoning process, the committee concluded that "the prime minister has no role to play in the pardon procedure since he was

not a member of the [Malaysian] Pardon Board.”

Referring the Article 40 of the Constitution, the committee said that the prime minister can only act on the advice of the cabinet or a minister acting on the cabinet’s behalf.

Article 40 is superceded by Article 42, which grants the king unrestrictive powers to pardon any offence tried or committed.

In anticipation for the PKR annual assembly in May, party officials are expected to file an appeal to the Registrar of Society so that Anwar may be made president.

The IPU, which has 143 national parliaments for members, coordinates inter-country parliamentary dialogue and promotes representative democracy.

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