

**Mahathir hits back at 'abuse of power' claim**  
**Malaysiakini.com**  
**Apr 8, 2008**

Former premier Dr Mahathir Mohamad has staved off accusations that he had interfered with Anti-Corruption Agency (ACA) investigations, saying he is willing to be probed on the matter. MCPX

mahathir khir toyo kmu forum 010408 05In a scathing letter published by The Sun today, Mahathir wrote at length about a meeting with former ACA chief Shafee Yahya. This has become a subject of controversy, as highlighted recently by former UN special rapporteur Param Cumaraswamy.

On April 2, The Sun had published Param's letter which called on the ACA to probe Mahathir for abuse of power based on Shafee's testimony during the Anwar Ibrahim sodomy trial in 2000.

In the course of his testimony, Shafee had alleged that Mahathir had instructed him to drop investigations involving the director-general of the Economic Planning Unit (EPU) then.

Elaborating on the incident, Mahathir admitted that he met Shafee regarding the alleged high-handedness of ACA officers during a raid on the EPU director-general's office.

Mahathir said he asked Shafee several questions to determine the validity of the complaint, including whether Anwar had ordered the raid.

"He denied it but he became angry when I asked whether he intended to pursue his investigation. Raising his voice, he accused me of trying to stop him from carrying out his duty," wrote Mahathir.

"Angrily, he said that he was a senior civil service officer and that I had no right to question him about his work. I was shocked at his loud accusation against me. No civil servant however senior had spoken to me like that. I was rendered speechless."

Mahathir said the exchanges took place in the privacy of the prime minister's office. As such, his assumption is that Shafee had volunteered information to lawyers involved in the trial.

"(Clearly) Shafee saw Anwar's trial as an opportunity to make statements detrimental to my reputation. Shafee was an angry man and what he said in court was opportunistic and seem(ed) to reflect his desire to take revenge against me.

"I can only assume that this was what motivated him, because what he divulged did not help Anwar much. But it did put me in a very bad light."

He expressed belief that the Shafee's allegations were not probed by the authorities because the courts were "busy and there are tens of thousands of cases which have yet to be heard".

"Maybe the fault is with the Attorney-General or police. I would not know. Still I welcome any investigations by impartial people as to the truth or otherwise of what I say in this letter."

### **'Hatred well known'**

The second portion of the letter was dedicated to criticising Param and another senior lawyer Karpal Singh - the latter had also called for Mahathir to be probed over Shafee claims in his testimony.

"Their hatred of me is well known and apparently has not abated even after I am no longer prime minister," said Mahathir.

On Param specifically, Mahathir said the animosity was the result of his adamance that the former should be brought to court for an allegedly libelous remark.

Mahathir was referring to a libel suit filed by Insas Bhd and Megapolitan Nominees Sdn Bhd - linked to tycoon Vincent Tan - against Param in 1996. Param claimed immunity because of his post with the United Nations at the time.

"My stand was that his immunity was only with regard to the specific work for the UN. If he breached Malaysian laws on matters not related to this work, then he cannot plead immunity.

"His libelous words against a Malaysian individual had nothing to do with his work for the UN. He should therefore be liable, and his immunity could not be invoked.

"But he got the UN to back him. It was even hinted that if Malaysia prosecuted him, then our case before the International Court of Justice on the issue of the ownership of Sipadan and Ligitan would be jeopardised.

"Accordingly I agreed that he should not be prosecuted. Luckily it was only libel. Had Param Cumaraswamy murdered a person, and he claimed immunity, then there would indeed be a miscarriage of justice."

On suggestions that he should apologise for his role in the sacking of former Lord President Salleh Abbas, Mahathir maintained that he had done what was required of him under the Federal Constitution and the law.

He described the call to apologise as "frivolous, unwarranted and stupid".

"If Param or Karpal is not convinced perhaps they should use their considerable knowledge of the law to shut my mouth," he added.