

Police to probe PI's two statutory declarations
Malaysiakini.com
Jul 4, 2008

The police will investigate the two statutory declarations made by private investigator P Balasubramaniam, said Deputy Inspector-General of Police Ismail Omar today.
MCPX

According to Bernama, he announced that the police would continue to carry out their investigations as there might be hidden motives involved.

p balasubramaniam private investigator najib razak baginda altantuya murder case 3 "We will investigate both. The one (he distributed) yesterday and the retraction he made today.

"There might be intentions to create diversion, so we should carry out a thorough investigation," he said.

Former Special Branch officer Balasubramaniam today retracted his statutory declaration that implicated Deputy Prime Minister Najib Abdul Razak with murdered Mongolian national Altantuya Shaariibuu.

Lawyer M Arulampalam - who spoke on behalf of Balasubramaniam at a press conference this morning - said the statements contained in the private investigator's previous statutory declaration were inaccurate and not the truth.

"I wish to retract the entire contents of my statutory declaration dated July 1, 2008. I was compelled to affirm the said statutory declaration under duress," Balasubramaniam said in the new statutory declaration.

Explanation needed

Yesterday, Balasubramaniam - a witness in the Altantuya murder trial - distributed a statutory declaration which claimed that Najib had a sexual relationship with the Mongolian national and that he was the one who introduced the deceased to political analyst Abdul Razak Baginda.

However, Najib denied the allegations and described them as malicious lies aimed at tarnishing his image.

Abdul Razak is currently on trial for Altantuya's murder with two police officers. The trio face the death penalty if found guilty.

According to the private investigator's lawyer Americk Singh Sidhu, he has not been in contact with his client since 4.45pm yesterday.

Americk had told Malaysiakini that Balasubramaniam received a phone call from the police soon after his press conference with PKR de facto leader Anwar Ibrahim yesterday asking him to come to Brickfields.

"I advised him that as a law-abiding citizen, he should go and see them. I haven't heard from him since," he said.

lim kit siang 02Meanwhile, DAP veteran Lim Kit Siang said Balasubramaniam's U-turn in issuing a new statutory declaration will only make the public believe the first statutory declaration more.

"When Balasubramaniam made his first statutory declaration yesterday linking Najib with Altantuya, Malaysians were divided between those who believed his statutory declaration and those who did not.

"Without explaining what was the duress which coerced him to make shocking disclosures linking Najib with Altantunya, he has succeeded in making even those who had doubted his first statutory declaration to come around to believe it – while achieving very little effect in creating doubt among those who had believed his first statutory declaration," he said.

ACA's dilemma

In another development, former United Nations special rapporteur on the independence of judges and lawyers Param Cumaraswamy said the Anti-Corruption Agency (ACA) is facing a dilemma in investigating Attorney-General Abdul Gani Patail and Inspector-General of Police Musa Hassan.

It was reported that the ACA would be investigating the allegations against Abdul Gani and Musa based on a the police report lodged by Anwar on July 1.

param cumaraswamy "The ACA are subject to the direction of the public prosecutor which office is headed by the AG, how could the investigations be seen impartial and effective?" asked Param.

"Would the AG delegate these powers to his subordinate to act independently and courageously? Even then would his subordinate act without fear or favour against his or her superior?" he added.

He said the situation justifies the need to legislate for the appointment of a special prosecutor to investigate and prosecute in such circumstances.

"If need be, the Constitution should be amended to provide for such an appointment in accordance with principles of good governance and accountability in public administration.

"With regard to decisions on investigations whether to prosecute or not to prosecute it may be desirable to leave it in a separate office of a Director of Public Prosecutions established by legislation," he stated.