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# Chin Peng must show documents: Court

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by **R. Surenthira Kumar**  
newsdesk@thesundaily.com

**KUALA LUMPUR:** Chin Peng, the former secretary-general of the outlawed and disbanded Communist Party of Malaya (CPM), has to produce documents to back his claim that he is a Malaysian citizen.

The order was made by High Court (Appellate and Special Powers) Judge Datuk Mohamad Zabidin Mohd Diah yesterday after allowing an application by the government who wanted Chin Peng to furnish his birth certificate and details of his citizenship.

"The documents requested by the defendants (government) are important and relevant to prove his entitlement to come back. Therefore, the defendants'

application is allowed," said Mohamad Zabidin.

He said the court had also scrutinised the affidavit filed by Chin Peng in support of his case.

It stated that Chin Peng and a number of former CPM members had applied many times to seek permission to return and live here but the government had turned down their requests.

Chin Peng's lawyers had argued it is irrelevant whether he can produce the documents or not, because under the Peace Accord in 1989, the CPM members were acknowledged as Malaysians and they were entitled to return to the country.

In addition, the affidavit stated that the government has a list of CPM members who are eligible to return to the country, and nearly 90% of them have been allowed to do so.

Following yesterday's decision, Chin Peng's main suit - to seek his return here - will not proceed until the details requested by the defendants are produced to the court.

Chin Peng, also known as Ong Boon Hua, had sued the internal security minister, inspector-general of police, armed forces chief and the government, claiming he had

the right to return home.

Raja Aziz Addruse, who represented Chin Peng together with Darshan Singh Khaira and Chan Kok Keong, said they will appeal the decision.

Darshan Singh said he would file the appeal with a certificate of urgency and hopes the appeal would be heard before Aug 31, in conjunction with the 50th Merdeka anniversary.

He also said Chin Peng had a right to return here because of a treaty, known as the Agreement between the Government of Malaya and the Communist Party of Malaya to Terminate Hostilities, acknowledged him and the others as Malaysians.

The Attorney-General's Chambers was represented by Azizah Nawawi and Suzana Atan.

Chin Peng is said to have been born on Oct 20, 1923, in Sitiawan, Perak, and now resides in Thailand. He had sought to return here following two peace agreements signed between the government and the CPM on Dec 2, 1982, in Haadyai.

In a statement filed with the suit, Chin Peng described himself as a Malaysian-born, has always been a Malaysian, and will die as a Malaysian who is loyal to Malaysia.

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