

What happened to probe on Mahathir?

letters

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I READ with interest, though much to my amusement, Tun Dr Mahathir Mohamad's letter (*theSun*, March 28). The former prime minister, among others, referred to lack of public faith in domestic enforcement agencies and called for reliable foreign agencies "to carry out investigations here to clear the name of the government". He even volunteered to subject himself to investigation by foreign agencies for any misdeeds by

him during his 22-year premiership.

There is one alleged misdeed of Mahathir which needs investigation. In 1998 Datuk Seri Anwar Ibrahim was investigated for interference with police investigations. He was charged with corruption under Section 2(1) of the (Emergency Powers) Ordinance 1970 for the alleged offence. He was found guilty and jailed for six years.

During Anwar's second trial in June 2000 before Justice Arifin Jaka, the then director of the Anti-Corruption Agency, Datuk Shafee Yahya, gave sworn testimony. In the course of his testimony Shafee was asked about an investigation the

ACA earlier carried out on the then director-general of the Economic Planning Unit. The transcript of the notes recorded by the judge of this part of the testimony reads as follows:

Counsel: Adakah Dato' menggeledah pejabat Ketua Pengarah EPU di Jabatan Perdana Menteri?

Witness: Ada.

Counsel: Was a big sum of money found in the drawer of the Pengarah EPU for which he could not explain?

Court: What is the relevancy? No need to answer.

Counsel: Did Dato' Seri Anwar Ibrahim directed (*sic*) you to raid the

office of the Ketua Pengarah EPU?

Witness: Tidak.

Counsel: Did Dato' Seri Anwar ask you to close the case against the director?

Witness: No.

Counsel: Did anyone ask you to close the case?

Witness: Yes, the Prime Minister did.

Counsel: Narrate the circumstances under which the PM asked you to close the investigation.

Counsel: Were you called up by the PM?

Witness: Yes. I was told off, "How dare you raid my senior officer's office?" I was taken aback and I replied, "This was based on official complain (*sic*) by an aggrieved party." I did what was officially required under the law. He accused me of trying to fix the former DG of EPU. I replied that is totally wrong because it is wrong in law to fix anybody. As a Muslim it is a big sin to fix anybody. He asked me, "Did Dato' Seri Anwar Ibrahim ask you to raid the office?" I said, "no. It was based on an official complain and to be fair to Dato' Seri Anwar when I mentioned the complain against the EPU Chief. I inform Dato' Seri Anwar of my intention to raid but he said, "Have you cleared this with the PM?" I said, "I mentioned this to PM the PM kept quite (*sic*)."

Counsel: What was the tone of PM when he asked you whether Dato' Seri Anwar asked you to raid. Was it in an angry tone or normal conversation tone?

Witness: The tone was rather accusatory.

Counsel: The EPU was directly under the PM's Department.

Court: No more questions on the investigation on the EPU Chief. I am not satisfied of the relevancy of such evidence.

Counsel: Was the EPU responsible for awarding privatisation of projects.

Witness: As far as I know it is.

Counsel: After you were scolded by the PM did you inform anybody about this?

Witness: I informed the Chief Secretary to the Government.

Counsel: What was your reaction when the PM scolded you and told you to close the case against the DG of EPU?

Witness: I was highly dissolution (*sic*) and when I went home I told my wife

I wanted to resign. But in view that I have two or three months to finish my extension - my wife persuaded me not to resign.

Counsel: Why did you feel dissolution and decide to resign?

Witness: In my whole carrier (*sic*) with the government, this was the first time my boss accused me of trying to fix somebody and also my dissolution in the way the PM was interfering with my duty.

- t.t. Dato' Hj. Arifin bin Hj. Jaka

The following day on June 13, 2000 the media reported these proceedings and in particular Shafee's testimony. Thereafter concerned personalities lodged police reports calling for Mahathir to be investigated for interference with the ACA's investigations. Nothing was heard of the investigations.

The alleged interference was sometime in June 1998. In response to Shafee's reported testimony Mahathir was reported in the media to have said that he could not remember the incident.

Here was a clear and glaring situation where the head of the ACA gave sworn testimony of Mahathir's interference on an ongoing investigation by the agency. Yet to date the public do not know what happened to not only that investigation of the Ketua Pengarah EPU but investigation of Mahathir for interfering with the ACA's investigation. Yet earlier the deputy prime minister was investigated, charged, prosecuted, convicted and sentenced for interferences with police investigations.

Now, if there was no truth in the evidence given by Shafee in court then Shafee should have been charged for perjury. That never happened.

Hence, what happened to the investigations on Mahathir? It certainly is not too late to reopen the file if at all one was opened after Shafee's revelation in Court in June 2000. Otherwise fresh investigations should commence. As Mahathir may not be confident with the ACA investigating him the present government should invite a credible foreign agency to investigate him for the alleged interference.

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