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# Sodomy trial: Ruling a key victory for Anwar

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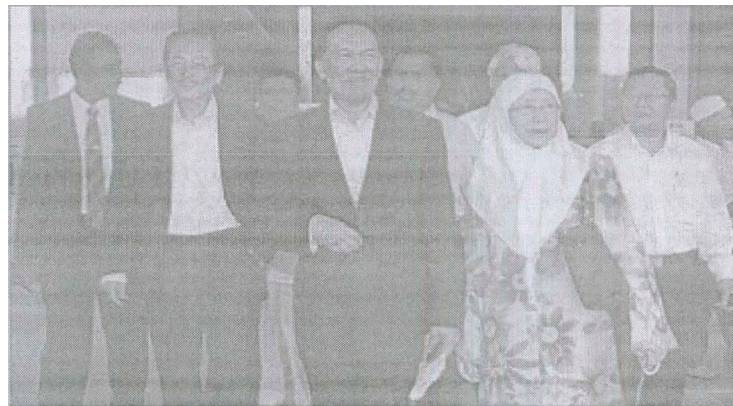
## DNA evidence put up by prosecution ruled inadmissible by judge

KUALA LUMPUR: Malaysian opposition leader Anwar Ibrahim won a key victory in his sodomy trial yesterday as the DNA evidence that the prosecution had linked with his accuser was ruled inadmissible.

The High Court's decision was a major boost for the former deputy premier, who was jailed on separate sex and corruption counts a decade ago. The sex charges were overturned on appeal later. Anwar faces 20 years in jail if found guilty of the new charges.

The court yesterday found that a toothbrush, water bottle and towel taken from the lock-up where he was held overnight after his arrest in July 2008 were improperly obtained.

"I find that in this case the DNA samples from the three items... were obtained by unfair means from the



Anwar and his wife Wan Azizah Wan Ismail at the court. He was in high spirits after the decision, which ruled the DNA linked with his accuser as inadmissible. PHOTO: THE STAR/ASIA NEWS NETWORK

accused," said Judge Mohamad Zabidin Mohd Diah, adding that they were to be "excluded from evidence".

Anwar was in high spirits after the decision, which meant that the prosecution would now have to rely on the evidence of his accuser, former aide Saiful Bukhari Azlan, who said he was sodomised by the opposition leader.

"I am grateful for the verdict and this just further supports what I have said, that I am being persecuted unfair-

ly by the authorities in their bid to silence me," Anwar told reporters.

Government chemists testifying before the court have said that the DNA from the items - which has been identified as only "male DNA" - matched samples taken from Mr Saiful, 25.

At the opening of the trial last month, the prosecution said tests on the young accuser had found traces of Anwar's semen.

The trial also heard from one of the

chemists that there were multiple unidentified DNA profiles found on Saiful's person and his trousers.

Prosecutor Yusof Zainat Abiden said the High Court decision was "unexpected", but indicated that he believe there was still a case against Anwar.

"DNA is merely corroborative evidence," he told Associated Press.

"People have been convicted without any such evidence," he added.

Anwar has described himself as the victim of a plot to prevent him from taking power, following the spectacular gains made by the opposition the last general election in 2008.

The 63-year-old father of six refused to provide DNA evidence, saying he fears it would be misused.

Malaysian Bar Council president Ragnath Kesavan said fife High Court's decision, which came after failed legal petitions by Anwar's lawyers, severely undermined the prosecution's case. "They should withdraw the proceedings because as it stand now, there is nothing to link Anwar the DNA evidence which has been produced."

Human Rights Watch has urged Malaysia to drop the charges, condemning the case as a "charade of justice

Anwar his previously been turned down on bids to have the presiding judge disqualified for bias, as well as attempts to gain access to medical reports and video footage.

Sodomy, even among consenting adults, is illegal in Malaysia.

Anwar's trial continues today.

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