

1MDB was Najib and Najib was 1MDB, says witness

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KUALA LUMPUR: Datuk Seri Najib Razak, who is accused of abusing his position and money laundering amounting to RM2.3bil from 1Malaysia Development Bhd (1MDB), was the embodiment of the sovereign wealth fund he allegedly embezzled from, the High Court heard.

Datuk Shahrol Azral Ibrahim Halmi, 49, said there was no difference in his mind between the entity and the former prime minister.

"Whatever Najib wanted done, I needed to get it done. At that time, I was trying to reconcile what the 1MDB board wanted and 1MDB board of advisers chairperson (Najib) wanted.

"It did not exist in my mind that it was between 1MDB and Najib because 1MDB was Najib and Najib was 1MDB," he said.

Shahrol said this when explaining the rush in signing the joint

venture (JV) deal between 1MDB and PetroSaudi International Ltd (PSI) in 2009 during cross-examination by Najib's lawyer Tan Sri Muhammad Shafee Abdullah yesterday.

"It is important to set the context on why the decision on the PSI deal was done quickly and I bulldozed everything through. I believed this was what Najib wanted," he added.

It was also revealed in court that fugitive financier Low Taek Jho, or known as Jho Low, had been advising both sides of the JV.

"Jho was already advising Najib earlier than PSI.

"When he (Jho) called me telling me he was playing the role of adviser to PSI, it was clear to me that he wanted to create a win-win for the two countries on behalf of Najib," Shahrol said.

Shafee then questioned him whether that would have constituted a conflict of interest.

"At that time, I took it that Jho was a trusted adviser of Najib and he

knew to facilitate the deal.

"I didn't go more than that. I took it in good faith and for the good of the country, that is why Najib wanted to do it (the JV)," Shahrol said.

Shafee: Did you tell the board (about Jho advising PSI)?

Shahrol: I think I did tell.

Shafee: Was it recorded?

Shahrol: It was not recorded.

The witness explained that matters relating to Low was not recorded in meeting minutes as there were instructions to "minimise Low's involvement on 1MDB on paper".

This led to Shafee questioning Shahrol's duty in the company.

Shafee: You owe a duty to the board.

Shahrol: Yes.

Shafee: What kind of duty is this?

Shahrol: Fiduciary.

Shafee: What is that?

Shahrol: Involving the finances of the company.

Shafee: No! Fiduciary is a duty to be transparent and honest and act

in the best interest of the board and the company. Obviously you didn't understand the word, do you understand?

Shahrol: Well, I was honest and transparent.

Shafee: Let the judge decide whether you were being honest or not. How can you not understand directors having fiduciary duty?

Shahrol: Yes I do.

Shafee: But you didn't know what it means.

Shahrol: The technical definition, yes.

Shafee: I'm putting to you, you don't seem to care about your fiduciary duty to the company.

Shahrol: I disagree.

Najib, 66, faces 25 charges in total – four for abuse of power that allegedly brought him financial benefit to the tune of RM2.3bil and 21 for money laundering involving the same amount of money.

The hearing before Justice Collin Lawrence Sequerah continues on Tuesday.

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Facing the law: Najib arriving for the 1MDB trial at the Kuala Lumpur High Court. — Bernama