

'DR M DIDN'T CONSULT ME ON BATU PUTEH'

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Former A-G Apani says ex-PM should have sought his advice before withdrawing ICJ case

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FORMER attorney-general (A-G) Tan Sri Mohamed Apani Ali has hit out at Tun Dr Mahathir Mohamad over the Batu Puteh issue, saying the former prime minister erred in not seeking his advice on the matter.

"Tun should have asked for my advice as I was the A-G and not my subordinates at the Attorney-General's Chambers," he told the

New Straits Times.

Dr Mahathir had said he acted on the advice of Apani's officers on the Batu Puteh, Middle Rocks and South Ledge issues.

"At the time, I was forced to go on leave. They called it garden leave," said Apani, referring to the period after the change of government following the 14th General Election.

"When I was on garden leave, Dr Mahathir withdrew the case at the International Court of Justice (ICJ), which was already fixed for a hearing in June 2018."

On May 28, 2018, Malaysia withdrew its application to review the ICJ's award of Batu Puteh's sovereignty to Singapore.

The matter is now the subject of a Royal Commission of Inquiry.

Apani said he was ready to testify.

On Monday, Minister in the Prime Minister's Department

(Law and Institutional Reform) Datuk Seri Azalina Othman Said told the Senate that the prime minister at the time decided on the matter on his own without consulting the A-G, who was on garden leave.

She did not name anyone, but it was an apparent reference to Dr Mahathir.

In 2008, the ICJ decided that Batu Puteh belonged to Singapore, Middle Rocks to Malaysia and South Ledge to the island state in the territorial waters in which it is located.

In June 2017, Malaysia applied to the ICJ to request for an interpretation of the judgment, but the application was withdrawn in 2018.

In 2022, then prime minister Datuk Seri Ismail Sabri Yaakob said there was possible negligence and oversight on Dr Mahathir's part in the Batu Puteh issue.