

'IT WAS NOT A UNILATERAL DECISION'

Then ministers present during meeting to discuss the Batu Puteh issue, says Dr M

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FORMER prime minister Tun Dr Mahathir Mohamad again denied that the move to withdraw Malaysia's application to review the International Court of Justice's (ICJ) ruling on Batu Puteh was a unilateral decision.

Maintaining that it was a collective decision, he said cabinet members of the then Pakatan Harapan administration were present when the review was tabled for discussion, but none commented on it or objected.

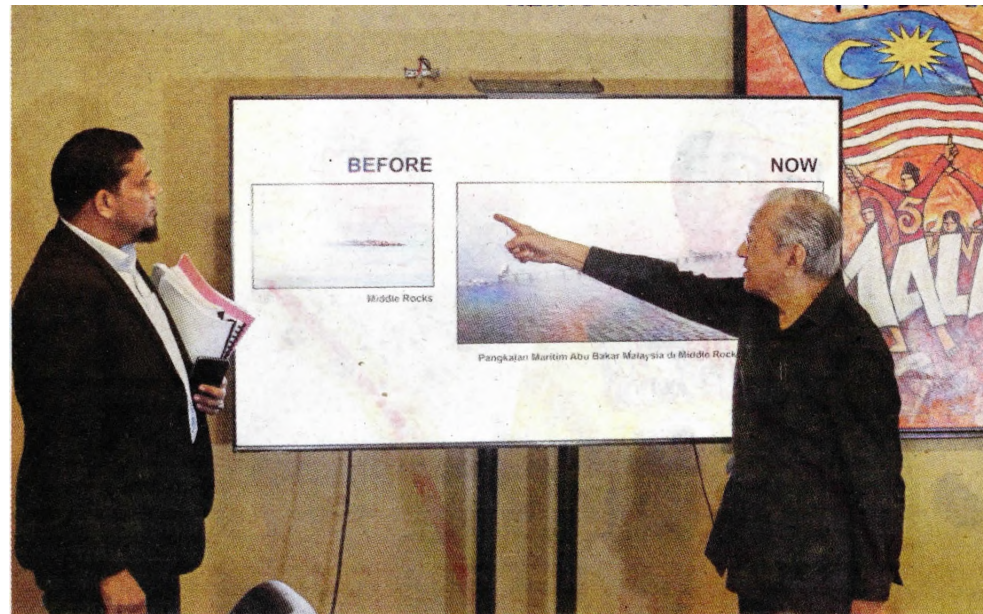
He said former ministers present during that cabinet meeting should be called in as witnesses as part of the investigation into the matter.

He said the Royal Commission of Inquiry (RCI) on the issue appeared to single him out.

"It seems to pinpoint that I was the one responsible, but it was the cabinet (decision).

"All these people were in the cabinet meeting. If they had any complaints or objection to the decision, they could have spoken. None of them said anything. We can assume they all agreed.

"If I was treacherous, then the



whole cabinet, including the (then) deputy prime minister, was treacherous," Mahathir said at a press conference yesterday.

Dr Mahathir's lawyer, Zainur Zakaria, asked why 47 pages of the RCI's 271-page declassified report were redacted if its aim was to disclose the truth to the public.

Last Friday, Prime Minister Datuk Seri Anwar Ibrahim said the RCI's findings on Batu Puteh, Middle Rocks and South Ledge revealed a failure tantamount to treachery against the country.

He said Dr Mahathir's 2018 administration should have fought for every inch of Malaysian territory.

Anwar's remarks came after the RCI, tasked with reviewing the handling of the Batu Puteh, Middle Rocks and South Ledge

sovereignty case, recommended that a criminal investigation be initiated against Dr Mahathir.

The RCI said Dr Mahathir withdrew the application to the ICJ for an interpretation of its ruling without consulting the cabinet in 2018.

RCI chairman Tun Md Raus Sharif handed over the report to His Majesty Sultan Ibrahim, King of Malaysia on Aug 12.

In 2008, the ICJ ruled that Batu Puteh belonged to Singapore, while Middle Rocks was awarded to Malaysia.

It ruled that the ownership of South Ledge would be determined based on the delimitation of territorial waters.

Malaysia filed an application to review ICJ's ruling in 2017, but it was withdrawn in May 2018.

Yesterday, Dr Mahathir dismissed the "treacherous" label, saying he did not gain anything from the decision other than his "difficult relationship" with Singapore at the time.

He said the decision was made for Malaysia's benefit as Middle Rocks was considered to be more valuable than Batu Puteh.

"What did I gain from that? I gained nothing. It was a decision for the country. I knew Middle Rocks is valuable for us. We can develop it," Mahathir said, comparing it with Pulau Layang-Layang.

In another statement, Dr Mahathir said legal experts told him that Malaysia's application to review the ICJ ruling on Batu Puteh had a slim chance of success and would fail.

He said legal experts told him this in May 2018 during a briefing on the application.

He said the conclusion was made based on legal opinions the government had obtained in 2017.

He claimed that a week after becoming prime minister again, he met the solicitor-general and learnt that the latter was not involved in the matter.

"I was informed that the date for the oral hearing at the ICJ had been scheduled for June 11 to 22, 2018. I asked whether Malaysia had a strong case or not.

"He (solicitor-general) said none of them (including the deputy solicitor-general) were in a position to explain the merits of the case because they were not involved.

"Only Tan Sri Mohamed Apandi Ali (former attorney-general) and the appointed Malaysian lawyers and experts were involved."

Dr Mahathir claimed that the lawyers Apandi appointed — Datuk Firoz Hussain and Datuk Abu Bakar As-Sidek — did not provide any clarification, objection or opinion on the matter.

He took aim at Apandi, saying he was not a good attorney-general for being involved in the decision to release then prime minister Datuk Seri Najib Razak from prosecution for misusing SRC International funds.

"He declared Najib did nothing wrong, but Najib was proven guilty in all three courts," Mahathir said.

He said he was ready to be investigated if the government decided to pursue a criminal investigation based on the RCI's recommendation.

Former prime minister Tun Dr Mahathir Mohamad says former cabinet ministers should be called in as witnesses in the probe into the Batu Puteh issue, NSTP PIC BY MOHD FADLI HAMZAH