

FEDERAL COURT APPLICATION

PM seeking clarity on his position in carrying out official duties, says aide

KUALA LUMPUR: Claims that Datuk Seri Anwar Ibrahim is seeking legal immunity in a civil suit filed by his former aide, Muhammed Yusoff Rawther, are misleading, said the prime minister's senior political secretary.

Datuk Seri Shamsul Iskandar Mohd Akin said Anwar's application to the Federal Court was to seek clarity on his position in carrying out official duties when facing a civil suit based on claims that preceded his appointment as prime minister.

"There is no attempt in the application to seek absolute immu-

nity. Rather, the issue raised is whether such civil action could interfere with the efficiency of a prime minister in carrying out the executive functions of state.

"This is a legitimate and lawful matter to be referred to the Federal Court, the highest judicial institution in the country with the jurisdiction to interpret the Federal Constitution fairly and objectively.

"It is irresponsible to equate this legal application with authoritarianism. In fact, in countries that uphold democracy, the concept of qualified immunity is

often discussed to balance the needs of state administration with individual rights," he said in a statement.

Shamsul Iskandar was responding to a report earlier that Lawyers for Liberty had called on the attorney-general to intervene in Anwar's application to have questions of law referred to the apex court.

One was on whether "a sitting PM enjoys a qualified immunity from civil suit" and the other was whether a civil suit would impair the effective discharge of his executive functions and undermine

the constitutional separation of powers.

In a statement, LFL director Zaid Malek described the questions posed by Anwar's new lawyers last week, in their application in the ongoing sexual assault civil suit, as preposterous.

Shamsul Iskandar said the prime minister was not above the law but should not be subjected to politically motivated legal actions that could disrupt national governance.

"If the allegations are true, our judicial system functions transparently and independently to

hear and decide based on facts and the law, not perception or media pressure."

Between May 23 and May 27, Anwar's new lawyers filed applications to refer constitutional questions to the Federal Court and requested a postponement of the civil trial, which had been scheduled for June 16 to 25.

The High Court convened a case management meeting via Zoom on May 28, where the judge ordered both parties to submit legal arguments on the applications. Both applications will be heard on June 3.