

Kit Siang: Apandi has exceeded his powers as AG
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DAP veteran says Apandi Ali is under tremendous pressure following developments such as the US DoJ's actions and the charging of the Brazilian president for graft.

KUALA LUMPUR: Attorney-General Mohamed Apandi Ali has usurped the powers of the cabinet in claiming that the US Department of Justice's (DoJ) action against alleged money-laundering involving 1MDB is "politically motivated", Lim Kit Siang said.

The veteran politician added that Apandi had exceeded his powers, and had especially usurped the power of the foreign minister.

He said in a statement today: "The decision whether the United States, or any other country, had been 'politically motivated' in taking action, whether legal or otherwise, which are prejudicial to the national interests should be made by the cabinet and not by the attorney-general.

"It is for the attorney-general to submit such a case to the cabinet but it is for the cabinet to decide and act on whether the US DoJ's action is 'politically motivated'".

The MP for Gelang Patah was commenting on remarks by Apandi yesterday in Kelantan.

Apandi had described the latest DoJ civil lawsuits to seize more assets said to have been purchased with stolen 1Malaysia Development Berhad funds as politically motivated.

The AG also said the DoJ had never made any formal application to the Malaysian Attorney-General's Chambers to obtain further information on the claims that 1MDB funds had been used to purchase the US\$540 million (RM2.3 billion) worth of assets in the US that the DoJ now wants to seize.

Lim said: "In our system of government, it is the AG who is answerable to the cabinet and not the cabinet which is answerable and beholden to the AG!

"Of course, everybody knows that the AG would not unilaterally act in this fashion to usurp the powers of the cabinet if he did not have the 'green light' from the prime minister himself, but this does not in any way justify the AG usurping the powers and functions of the cabinet."

He claimed that Apandi was behaving as the most “political” attorney-general in the nation’s history, even more “political” than Kadir Yusuf who was both the attorney-general and a member of the cabinet in the early Merdeka years.

The DAP parliamentary leader said: “Apandi is under intense pressure recently as a result of various developments, starting with the updated US DoJ kleptocratic suits on June 15.”

Other developments are: the interview of the former Bank Negara governor Zeti Aktar Aziz who “clearly pointed an accusing finger at Apandi”; the handing over to the US DoJ investigators by American actor Leonardo DiCaprio and Australian supermodel Miranda Kerr of their multi-million US dollar gifts from Jho Low purchased from allegedly stolen 1MDB funds; and the charging of Brazilian President Michel Temer for corruption by Brazilian attorney-general Rodrigo Janot, becoming the first Brazilian sitting head of state to be formally charged with a crime.

“But these extraordinary pressures cannot be reasons or excuses for Apandi to usurp the powers and functions of the cabinet,” Lim said.

He advised Apandi to heed the view of Abu Talib Othman, who served as attorney-general from 1980 to 1993, that the DoJ need not consult Malaysian authorities about the 1MDB case as investigations were confined to its jurisdiction.

Abu Talib said the US was concerned about the use of its financial system to purchase assets allegedly using laundered money.

“The question of getting in touch with the Malaysian attorney-general does not arise,” Abu Talib had said in response to Apandi’s complaint that the DoJ did not refer to his office about the 1MDB case.

Lim said it was public knowledge that Apandi had refused to co-operate when the Swiss attorney-general had sought his cooperation in the Swiss investigations into 1MDB transactions.

Noting that Singapore, Switzerland and Luxembourg were among countries where action had been taken over 1MDB transactions, Lim asked: “Is Apandi suggesting that Singapore, Switzerland, Luxembourg are among the countries, together with the United States, which are involved in an international political conspiracy to topple the (Prime Minister) Najib Razak government?”

He asked Apandi to state clearly who, or which party exactly, was involved in this conspiracy.

Lim added: “Today is the last chance for the cabinet to redeem itself to prove that it is not a cabinet of kleptocracy but a cabinet of loyal and patriotic Malaysians who care deeply about the nation’s good name and standing in the international community.”

The cabinet meets on Wednesdays.

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