

Malaysia's UMNO Goes After A Critic
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By John Berthelsen

Never mind 150 million euros in bribes, a dead woman and a global scandal, go for the whistle-blower's throat

In November of 2009, Suaram, the Kuala Lumpur-based human rights NGO, asked a French investigative law firm to look into what appeared to be huge bribes and kickbacks paid to Malaysian politicians by the French state-owned defense company DCN and its subsidiaries for the 2002 purchase of two submarines and the lease of a third.

The story was complicated by the sensational 2006 death of a Mongolian translator and party girl, Altantuya Shaariibuu, who was shot by two of then-Defense Minister Najib Tun Razak's bodyguards and her body was blown up with military explosives. While the bodyguards were convicted of her for-hire killing, the court appeared to have actively suppressed any mention of who allegedly paid the two to kill her, raising Suaram's concerns that there would be no justice delivered.

In the intervening three years, Suaram's request to the law firm, headed by the Paris-based William Bourdon, resulted in a probe that exposed nearly 150 million euros in questionable funds paid to a close friend of Najib Tun Razak, now Malaysia's prime minister.

Eventually, when a Paris-based investigating magistrate began to examine the evidence, the court turned up voluminous memos, emails and other documents from a raid on DCN's offices indicating that massive bribes had been paid with the full knowledge of Alain Juppe, the French foreign minister, Mahathir Mohamad, then the prime minister of Malaysia, and Najib, who had negotiated the purchase. The evidence detailed a host of other sleazy dealings.

Some 133 documents listing the alleged criminal dealings were obtained independently by Asia Sentinel and **posted here on June 25** on the Internet. Although the documents are in French, those who do not speak the language can get them onto their computer screens and click on Google Translate. While the grammar is somewhat primitive, their meaning is very clear. Those who do not want to bother may read two stories that Asia Sentinel published on the subject on 25 June. They can be found **here** and **here**.

The publication of the documents kicked off a storm in France and Malaysia. But what the publication of the French documents or the investigation did not do was spur any probe of the purported criminal activities in Malaysia.

What it did do, however, was to precipitate an unprecedented attack by a wide range of pro-government bloggers, ruling coalition politicians and others on the reputation and integrity of Suaram, and by extension against Asia Sentinel for printing the documents.

Suaram, an acronym for Suara Rakyat Malaysia, or Voice of the Malaysian People, was born in the wake of the infamous 1987 Operation Lalang ordered by Mahathir to use the Internal Security Act to jail 108 opposition members, union officials, activists and others. Suaram was created to work for the abolishment of the ISA and to protect the rights of those who had been jailed and others like them. Suaram insists that it is a nonpartisan organization although its leaders do include many opposition members including Kua Kia Soong, a former Democratic Action Party member of parliament who was detained for more than a year under the ISA, Syed Husin Ali, currently deputy president of Parti Keadilan Rakyat, Anwar's party, and many others.

Cynthia Gabriel, the Suaram director, has particularly borne the brunt of the attacks. "If you ask me, they are spinning, just spinning, blackening our name, attempting to cause disrepute so that the public will lose trust in us," Gabriel said in an interview.

In particular, she said, her organization has been falsely accused of money laundering and terrorism by a lawyer for the ruling United Malays National Organization.

In addition, Ismail Sabri Yaakob, the domestic trade, cooperatives and consumerism minister and a prominent member of the United Malays National Organization, also called the reform organization's accounts were "highly suspicious" and demanded an investigation. Accordingly, Suaram has become a target for Malaysia's Companies Commission, the Social Security Administration, UMNO, the Inland Revenue, the controversial Malay supremacy organization Perkasa, and the UMNO-owned newspapers Utusan Malaysia and the New Straits Times, Gabriel said.

In July the companies commission attempted to raid Suaram's offices – without a valid warrant -- despite the fact that the NGO had already agreed to produce all the documents required for the commission's investigation.

Suaram reaffirmed its intent to cooperate with the authorities for documents although the companies commission has neither asked for the documents nor notified the organization it was under investigation. That was followed by the Social Security Administration's demand on Aug. 3 to produce a list of documents by Aug. 30 although the officer in charge was "clueless to our presence even after being shown the letter sent to us which was signed off by none other than himself," Suaram said in a press release signed by Nalini Elumalai, the organization's executive director.

One blog, "the Unspinnners," accused Suaram of being an agent of the US Central Intelligence Agency, presumably to overthrow the country, and of "foreign subversion" despite the fact that Malaysia is one of the US's staunchest allies in the region and that US soldiers train on its soil.

The popular blog Rocky's Bru, written by Ahirudin bin Attan, a former editor of a variety of UMNO-owned publications, spent days on the question of why Suaram and Asia Sentinel were publishing the documents. A flock of other blogs have asked the same questions. The Unspinnners demanded that "Don't bullshit about the submarine case. Suaram have no proof and their facts are all wrong! They are slanderous."

Unfortunately what none of the bloggers, politicians, government bureaucrats or newspapers have been able to refute is the 133 documents themselves that were presented by French police to the French investigating magistrate. They were not created by Suaram's lawyers or Suaram or Asia Sentinel. The bulk of them came from DCN's files and they dealt with Malaysian contacts. They were presented to the court on April 7, 2010 by investigators from the anti-organized crime unit of the French Directorate of Judicial Police, not Suaram, not Suaram's lawyers and not by Asia Sentinel.

Taken together, they reveal allegations of attempted blackmail, bribery, influence peddling, misuse of corporate assets and concealment, among other allegations, both in France and Malaysia. They tie Altantuya Shaariibuu to the case despite numerous protestations by the critics that she had never visited France or had anything to do with the submarine transaction.

The documents indicate that DCN and its subsidiaries steered the money to two companies controlled by Prime Minister Najib's best friend, Abdul Razak Baginda, in contravention of the OECD convention on bribery by routing the money through

companies controlled by Jean-Marie Boivin, the former DCN finance director, who stepped out of the defense contractor to in effect become the thin wall of insulation between DCN and the Malaysian officials who got the money.

As much as UMNO and the UMNO cronies would like to discredit Suaram, the one thing they can't discredit is those documents. But they can certainly be expected to keep trying.

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