

Malaysia: Justice for murdered Mongolian national and demands accountability for Malaysian courts and French tax payers

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FORUM-ASIA member in Malaysia, SUARAM has no choice but to seek justice for a murdered Mongolian national in 2006, whose body was blown up using military explosives by two bodyguards of Premier Najib Tun Razak. This statement from SUARAM was issued on 17 April 2010.

MALAYSIA - SUARAM seeks justice for murdered Mongolian national and demands accountability for Malaysian courts and French tax payers.

SUARAM has been forced to seek justice for Altantuya Shariibuu and Malaysian and French tax payers in the French courts since the Malaysian courts have failed to shed light on the grisly murder of Altantuya and the reasons for her murder. Although two former bodyguards of the Prime Minister have been charged, the motives for the murder have not been probed by the Malaysian court.

We believe that there is more to the murder of Altantuya and that what is in question is millions of ringgit in commissions associated with the RM4.7 billion Scorpene submarines deal. This has grave consequences for both Malaysian and French tax payers.

French lawyers have filed with Parisian prosecutors on behalf of Suaram, Malaysia's leading human rights organization which has always fought for human rights and "People before Profits" policies.

This scandal is of concern also to French tax payers because it involves France's biggest defense conglomerates, the state-owned shipbuilder DCN. DCN's subsidiary Armaris manufactures the Scorpene submarines sold to Malaysia among other countries.

It has already been brought up in the Malaysian Parliament that €114 million (RM500 million) has been paid to a Malaysia-based company called Perimekar, for "coordination and support services" for the submarines transaction. Perimekar was wholly owned by another company, KS Ombak Laut Sdn Bhd, which in turn was controlled by Najib's aide, Razak Baginda. Baginda's wife Mazalinda was the principal shareholder in this company. Perimekar was registered in 2001, a few months before the signing of the contracts for the sale and the company did not appear to have the financial resources to complete the contract. None of the directors and shareholders of Perimekar have any experience in the construction or maintenance of submarines.

Altantuya Shaariibuu, a 28-year-old Mongolian translator and Razak Baginda's jilted lover, had participated in negotiations over the purchase of the submarines. By her own admission in a letter

found after her death, she was attempting to blackmail Razak Baginda for US\$500,000. She was shot in October 2006 and her body was blown up with military explosives by two bodyguards attached to Najib's office after Razak Baginda went to Najib's chief of staff, Musa Safri, for help in stopping her demands.

After being acquitted in November 2008 under questionable circumstances of participating in her murder, Razak Baginda left the country for England. The bodyguards were convicted but no motive was ever established for their actions despite a confession by one which was not allowed in court, but which said they would be paid a large sum of money to get rid of her.

The submarine deal was never brought up in court during the murder trial which saw prosecutors, defense attorneys and the judge judiciously keeping Najib's name out of the proceedings.

A private detective hired by Razak Baginda to protect him from Altantuya's advances filed a statutory declaration after the trial indicating that Najib had actually been the victim's lover and had passed her on to Razak Baginda. The detective, P. Balasubramaniam, said later that he was forced to leave Kuala Lumpur. He eventually emerged from hiding in India to say that he had been offered RM5 million (US\$1.57 million) by a businessman close to Najib's wife to leave town. He also said he had met Najib's younger brother, Nazim and was told to recant his testimony.

Many Malaysians do not realize the proportion of the country's wealth being spent on arms, the commissions being paid for arms and in many cases, questionable purchases of arms. Compare that with the gross shortage of schools and hospitals, water and other utilities that so many Malaysians face and the obscenity of it all can be clearly seen.

For example, RM5 billion worth of arms (or the cost of just two submarines!) is equivalent to building at least 5000 new schools! Do you know that since Independence in 1957, the total number of Chinese and Tamil schools in Malaysia has not exceeded 2000? Their total number today (less than 1900) has in fact decreased compared to what it was in 1957! Whenever there are demands for more and better schools and hospitals, the government invariably pleads a scarcity of funds.

Malaysia's fabulous arms deals since Najib became the Defence Minister in 1999 should put our national priorities in perspective.

Transparency International considers the arms trade the most corrupt legal trade and estimates that,

"The official arms trade accounts for 50% of all corrupt international transactions and a conservative estimate of the level of arms deal commissions (the means by which bribes are generally made) is around 10% of the value of contracts." (Transparency International, press release, 25 April 2002, quoted in CAAT August 2006)

Wasting money on arms prevents it being spent on health, education, clean water or other public services. In addition, arms sales damage development through the conflicts they provoke and sustain. Conflict in turn often creates refugees, internal displacement and the disruption of public services.

SUARAM hopes the French justice system will reveal more than what the Malaysian judicial system has failed to deliver so far and will bring justice and closure to the family of Altantuya, and force the French and Malaysian Governments to be accountable to their peoples on the submarines contract.