



**Resolution Adopted at the Extraordinary General Meeting of the Malaysian Bar
Held at Renaissance Kuala Lumpur Hotel (Saturday, 12 September 2015)**

Resolution on the Allegations of Financial Impropriety Concerning 1MDB and its Related Companies, the Transfer of MYR2.6 Billion and the Flow of MYR42 Million into the Prime Minister's Personal Bank Accounts, and Matters in Connection Therewith

WHEREAS:

- (1) There have been numerous media reports on allegations of serious financial impropriety concerning 1Malaysia Development Berhad ("1MDB"), a company wholly owned by the Government of Malaysia.
- (2) On 11 May 2015, the then-Chairman of the Public Accounts Committee ("PAC") of Parliament and Member of Parliament for Pulai, Datuk Nur Jazlan bin Mohamed, issued a statement stating that the PAC would start its inquiry into 1MDB and that it intended to question several persons, including the present Chief Executive Officer of 1MDB, Arul Kanda Kandasamy, as well as his predecessor, Datuk Shahrul Ibrahim Halmi.¹ Both were initially scheduled to give evidence on 26 May 2015.² This was later adjourned to 4 and 5 August 2015³ at their request (but did not ultimately take place).
- (3) On 2 July 2015, the *Wall Street Journal* ("WSJ")⁴ and *Sarawak Report* ("SR")⁵ reported that government investigation documents had disclosed that:
 - (a) funds amounting to approximately USD700 million (MYR2.6 billion) were transferred into the personal bank accounts of the Prime Minister of Malaysia, Dato' Sri Mohd Najib bin Tun Abdul Razak ("Prime Minister"), in AmIslamic Bank Berhad in March 2013. WSJ also reported that the original source of the funds was unclear and the subsequent use of the funds was unknown; and
 - (b) another set of funds totalling MYR42 million was transferred from SRC International Sdn Bhd ("SRC", a former subsidiary of 1MDB) to Gandingan Mentari Sdn Bhd, then to Ihsan Perdana Sdn Bhd, and finally to the personal bank accounts of the Prime Minister.
- (4) On 3 July 2015, the Prime Minister responded to the aforementioned reports by WSJ and SR, stating, "*I have never taken funds for personal gain as alleged by my political opponents — whether from 1MDB, SRC International or other entities, as these companies have confirmed.*"⁶ On 8 July 2015, the Prime Minister issued another statement reiterating, "*I have never taken 1MDB funds for personal gain.*"⁷

- (5) The Prime Minister’s solicitors wrote a letter to WSJ seeking “clarification” of the aforementioned report.⁸ WSJ’s publisher replied stating, “*We stand behind our fair and accurate coverage of this evolving story.*”⁹
- (6) The Prime Minister has not expressly denied that MYR2.6 billion and MYR42 million were deposited into his personal bank accounts, as reported by WSJ and SR.
- (7) On 4 July 2015, the then-Attorney General of Malaysia, Tan Sri Abdul Gani bin Patail (“Tan Sri Gani”) announced that a multi-agency task force (“Special Task Force”) had commenced investigation into the allegations of funds transferred to the Prime Minister’s personal bank accounts.¹⁰ The Special Task Force consisted of Tan Sri Gani; the Governor of Bank Negara Malaysia (“BNM”), Tan Sri Dato’ Sri Dr Zeti Akhtar Aziz (“Tan Sri Zeti”); the Inspector General of Police (“IGP”), Tan Sri Khalid bin Abu Bakar; and the Chief Commissioner of the Malaysian Anti-Corruption Commission (“MACC”), Tan Sri Abu Kassim bin Mohamed.
- (8) On 7 July 2015, in a joint media statement, the Special Task Force announced that based on the investigations undertaken by the agencies represented in the Special Task Force, an order to freeze six bank accounts of suspected parties was issued on 6 July 2015.¹¹ In addition, investigators seized documents relating to 17 bank accounts from two banks to facilitate the investigation. Investigators also seized documents pertaining to non-compliance of BNM’s rules and procedures by the banks involved.
- (8A) On 8 July 2015, the Special Task Force raided the office of 1MDB in Kuala Lumpur and seized documents and computers. Earlier, on 3 July 2015, the Special Task Force had also raided the offices of SRC, Gandingan Mentari Sdn Bhd and Ihsan Perdana Sdn Bhd, and also seized documents.
- (9) On 8 July 2015, the Malaysian Bar issued a press statement¹² urging:
 - (a) The Special Task Force to conduct a comprehensive, detailed, and unfettered investigation into the allegations made by WSJ and SR; and
 - (b) The Prime Minister to take a leave of absence from office pending the outcome of the ongoing investigation of the Special Task Force, to avoid any perception of interference by him in the investigation, as the Attorney General is the chief legal adviser to the Government, the MACC is under the purview of the Prime Minister’s Department, and BNM falls under the portfolio of the Minister of Finance (who is the Prime Minister).
- (10) Between 21 to 26 July 2015, five individuals were detained by the MACC over the investigation into 1MDB, and subsequently released. They were Jerome Lee, group executive director of Putrajaya Perdana Berhad, Datuk Shamsul Anwar Sulaiman of Ihsan Perdana Sdn Bhd, and three other individuals — Ariffin Ismail Shahul Hameed, Datuk Rosman Abdullah and Tazri Talib.¹³

- (11) Various actions, including administrative action, have been taken to harass and intimidate those who have been critical of 1MDB and the Prime Minister:
- (a) On 24 June 2015, the Minister of Home Affairs, Dato' Seri Dr Ahmad Zahid bin Hamidi, accused The Edge Media Group (the publisher of *The Edge Financial Daily*) and its owner Datuk Tong Kooi Ong, of publishing inaccurate reports and false information relating to 1MDB.¹⁴ On 29 June 2015, the Ministry of Home Affairs issued a show-cause letter to *The Edge Financial Daily* over its reports on 1MDB,¹⁵ giving it seven days to provide a written explanation on why action should not be taken against it under the Printing Presses and Publications Act 1984;
 - (b) On 1 July 2015, the publisher and Chief Operating Officer of The Edge Media Group, Ho Kay Tat, in response to the show-cause letter, sought clarification as to which were the offending articles relied upon by the Ministry of Home Affairs, and reiterated that all their articles were based on carefully evaluated evidence and were truthful;¹⁶
 - (c) On 19 July 2015, the Malaysian Communications and Multimedia Commission issued an administrative order¹⁷ under Section 211 and Section 233 of the Communications and Multimedia Act 1998 to block the SR website, due to perceived threats to national security. SR has been one of the sources of allegations of wrongdoing involving 1MDB, which has implicated the Prime Minister;
 - (d) On 20 July 2015, subsequent to the said disclosure by WSJ and SR, *The Edge Financial Daily*, which had been publishing a series of articles critical of financial transactions involving 1MDB, published a flow-chart detailing the money trail involving global banks in an article entitled "*How Jho Low & PetroSaudi schemed to steal money from the people of Malaysia via 1MDB*".¹⁸ In an accompanying note, the publisher stated that its report was based on evidence that included bank transfer documents and bank statements, and that they would be handing over these documents, and the hard disk that contained them, to the investigators. The publisher maintained that their reports on 1MDB "*had exposed how a group of individuals — Malaysians and foreigners — schemed a multi-billion ringgit fraud against the people of Malaysia*";
 - (e) On 22 July 2015, it was discovered that the Director General of Immigration, under the Immigration Act 1959/63, had imposed a ban on overseas travel on Member of Parliament for Petaling Jaya Utara, Tony Pua Kiam Wee; Member of Parliament for Pandan, Mohd Rafizi Ramli;¹⁹ and Datuk Tong Kooi Ong;²⁰ without providing any reason. These persons had been at the forefront of criticism of 1MDB or in the exposé of alleged wrongdoing concerning 1MDB;
 - (f) On 23 July 2015, the Ministry of Home Affairs, under Section 7(1) of the Printing Presses and Publications Act 1984, imposed a three-month suspension order on *The Edge Weekly* and *The Edge Financial Daily*, on grounds of possible public alarm over the publication of reports concerning 1MDB and allegations in them that implicate the government and national leaders.²¹ The Edge has commenced a judicial review action against the Minister of Home

Affairs, and has been granted leave to challenge the suspension order but has failed to obtain a stay against the order;²² and

- (g) On 23 July 2015, Ho Kay Tat was summoned for questioning by the Royal Malaysian Police (Polis DiRaja Malaysia, “PDRM”) over articles relating to 1MDB that were carried in *The Edge Financial Daily*, for an offence under Section 124B of the Penal Code.²³ On 28 July 2015, it was reported that PDRM had summoned Ho Kay Tat for questioning again, and further, Datuk Tong Kooi Ong as well.²⁴
- (12) During the UMNO Cheras Division gathering held on 26 July 2015, the then-Deputy Prime Minister Tan Sri Dato’ Haji Muhyiddin bin Mohd Yassin (“Tan Sri Muhyiddin”), said, *“I must speak the truth. I cannot bluff because I know millions of people. Berjuta rakyat bersamamu. Apakah ada di dalam kerajaan yang rasa bertanggungjawab dan mahu berbuat sesuatu dan pecahkan sesuatu supaya satu pembetulan mesti dibuat. Sebab itu saya kata, “apa hal 1MDB.” Kalau mereka sudah membawa beban besar kepada negara 42 billion lebih, katanya tanggungan, maka ahli-ahli Lembaga Pengarah harus bertanggungjawab. Betul? ... Dan saya beritahu Perdana Menteri, “sack them, remove them.” Sepatutnya you sack them. Saya kata kalau saya ada sebuah syarikat, saya tak ada syarikat, dulu saya punya dan saya tahu bisnes dan sebab tunggang terbalik, rugi begitu banyaknya, apa saya buat? What you do? Stay? Don’t stay. Go. Resign. Leave. You are responsible. You have to bear the responsibility. Tapi saya minta maaf. I am sorry to say Prime Minister, maybe he listen but that is not important. Saya sebut di sini sebab inilah pertama kali, platform yang saya cakap dalam parti.”*²⁵
- (13) On 28 July 2015, the following events occurred:
 - (a) Tan Sri Gani, the then-Attorney General and a pivotal member of the Special Task Force, was abruptly removed from office, barely 69 days from his retirement date, purportedly due to his failing health. In his place, the Government appointed Federal Court Judge Tan Sri Dato’ Sri Haji Mohamed Apandi bin Haji Ali (“Tan Sri Apandi”);²⁶
 - (b) The Director of the Special Branch (“SB”) of the PDRM, Datuk Seri Akhil Bulat, was abruptly replaced, three weeks before his contract expired, and put on retirement leave;²⁷
 - (c) The then-Deputy Prime Minister, Tan Sri Muhyiddin; and the then-Minister of Rural and Regional Development, Dato’ Seri Haji Mohd Shafie bin Haji Apdal (both of whom had publicly called on the Prime Minister to explain the scandal engulfing 1MDB) were dismissed from Cabinet by the Prime Minister;²⁸ and
 - (d) Four of the 13 members of the PAC — which had been investigating the 1MDB allegations — including its Chairman, were appointed Minister or Deputy Minister, in effect disqualifying them from membership of the PAC and crippling the PAC’s ongoing investigation into 1MDB.²⁹ The PAC proceedings scheduled on 4 and 5 August 2015, for the evidence of the present and former CEO of 1MDB to be taken, were postponed by the Speaker of the Dewan

Rakyat, who said the PAC could not proceed until the new Chairman is selected.³⁰

- (14) On 29 July 2015, the five MACC oversight panels issued a joint press statement appealing for the Special Task Force to be allowed to conduct the investigation without any interference or pressure from third parties.³¹
- (15) On 30 July 2015, SR disclosed two purported draft charge sheets in an article entitled “*Arrest Warrant for the Prime Minister — The Real Reason the Attorney General Was Fired*”, and alleged that the purported draft charge sheets were the reasons for the removal of Tan Sri Gani.³² The first alleged charge sheet stated that the Prime Minister and other persons had committed corruption offences under the MACC Act 2009. The second alleged charge sheet stated that the Prime Minister, as Finance Minister and “*Ameritus [sic] Advisor*” to SRC, had committed criminal breach of trust under the Penal Code. Both Tan Sri Apandi³³ and the MACC³⁴ have denied the existence of these alleged charge sheets.
- (16) On 30 July 2015, MACC issued a press statement,³⁵ denying that its officers were involved in a conspiracy to topple the Government, and that, as an independent commission, it is responsible for conducting investigation freely, transparently and professionally, without fear and favour, regardless of the persons involved.
- (17) On 1 August 2015, a former adviser to the MACC, Tan Sri Rashpal Singh; a member of the secretariat for administration and finance of the anti-money laundering task force at the Attorney General’s Chambers (“AGC”), Jessica Gurmeet Kaur; and a Deputy Public Prosecutor seconded from the AGC to the MACC, Ahmad Sazilee Abdul Khairi; were arrested, and subsequently released.³⁶ The office and home of at least one of them were raided, and documents related to MACC’s investigation were reportedly removed.³⁷
- (18) As at early August 2015, MACC personnel became the focus of police investigation into allegations of leaking of confidential information and involvement in a supposed conspiracy to overthrow the Government, purportedly in violation of Section 124B of the Penal Code. These actions taken by the authorities against the MACC are listed in **Appendix A**. In this regard:
 - (a) Minister in the Prime Minister’s Department in charge of governance and integrity, Senator Datuk Paul Low Seng Kuan, reportedly stated on 6 August 2015 that PDRM “*are showing high-handedness*”, and that it “*is important that [MACC] do what they need to do.*”³⁸
 - (b) The Chairman of MACC’s Consultation and Corruption Prevention Panel Tan Sri Johan Jaaffar expressed “*dismay over the spate of raids and arrests by the police*”, and “*reiterated the need for the agency to be allowed to execute its duties unhindered*”.³⁹
- (19) On 3 August 2015, the MACC issued a statement stating that the MYR2.6 billion in the Prime Minister’s personal bank accounts did not originate from 1MDB but was a “*donation*”.⁴⁰ The MACC also announced that it intended to question the Prime

Minister on the “*donation*”.⁴¹ To date, there has been no indication that the MACC has indeed questioned the Prime Minister.

- (20) On 5 August 2015, PDRM obtained a warrant of arrest⁴² against Clare Rewcastle-Brown @ Clare Louise Brown, a journalist based in the UK who runs the SR website, in relation to investigation under Sections 124B and 124I of the Penal Code, for publishing a false report on the purported draft charge sheets in the article entitled “*Arrest Warrant for the Prime Minister — The Real Reason the Attorney General Was Fired*” in order to implicate the Prime Minister for criminal offences. PDRM subsequently submitted a request for a “red notice” to Interpol. The request was reviewed by Interpol, and subsequently refused on 9 August 2015.⁴³
- (21) On 5 August 2015, the Special Task Force was disbanded by Tan Sri Apandi Ali.⁴⁴ Further, it was reported that a new task force named the National Revenue Recovery Enforcement Team (“NRRET”) — consisting of the AGC, BNM, PDRM, Customs Department, and Inland Revenue Board — was set up by the AGC.⁴⁵ The Acting Chief Commissioner of the MACC reportedly said that the MACC had been excluded from the NRRET but it will continue with its investigation.⁴⁶ Subsequently, on 25 August 2015, the AGC announced that the MACC is one of the eight entities in NRRET, and that “*NRRET is not in any way involved with any investigations involving IMDB and its related companies.*”⁴⁷
- (22) On 9 August 2015, the IGP announced that the investigation into the MACC has been temporarily postponed to avoid “*various assumptions that were made that had altered public perception*”,⁴⁸ and the MACC has recently announced that it is still investigating the “*donation*”⁴⁹ as well as the funds transferred from SRC into the Prime Minister’s personal bank accounts.
- (23) On 13 August 2015, the IGP stated that PDRM had questioned seven BNM officers under the Financial Services Act 2013 over the leak of confidential information/documents.⁵⁰ He had earlier said that PDRM would haul up several officers from BNM and other commercial banks for questioning in its investigation into the leaking of confidential information/documents.⁵¹ PDRM has also taken action against the officers of BNM.
- (24) On 13 August 2015, Tan Sri Zeti stated that BNM had completed its investigation, which was relating to transactions by IMDB, and had submitted its investigation papers to the Attorney General with recommendations for the appropriate enforcement action.⁵² She also said, “*I have to be very careful with what I say that it has to be within the confines of the law. Otherwise, the moment I step out of this door, I will face arrest for talking about an individual account. I am sure you don’t want that to happen.*”⁵³
- (24A) Also on 13 August 2015, Tan Sri Zeti is reported to have said that investigating MYR2.6 billion in donations to the Prime Minister’s personal bank accounts is not within BNM’s purview.⁵⁴
- (25) Subsequent to the replacement of the Director of the Special Branch of the PDRM on 28 July 2015, the Deputy Director of the Special Branch, Datuk Abdul Hamid Bador, was abruptly transferred out of the Special Branch on 19 August 2015 to the Prime

Minister's Department.⁵⁵ He has since alleged that there was a secret "*Hang Tuah*" gang behind moves to hide information⁵⁶ and witnesses⁵⁷ relating to 1MDB, and that his transfer to the Prime Minister's Department was to put him in "*cold storage*" in a post that was "*non-existent*".⁵⁸ He has also alleged that witnesses are hiding abroad with the help of certain parties.⁵⁹ He has since been issued with a show-cause letter.⁶⁰

- (25A) On 20 August 2015, it was reported that the AGC had terminated the services of Jessica Gurmeet Kaur, and there were subsequently issues concerning the revocation of her permanent residency status in Malaysia.⁶¹
- (26) In an interview to the press on 16 August 2015,⁶² the Urban Wellbeing, Housing and Local Government Minister Datuk Abdul Rahman Dahlan appeared to imply that the Prime Minister had interfered in the MACC's investigation into the deposit of funds from SRC and the transfer of MYR2.6 billion, into the Prime Minister's personal bank accounts.
- (27) In the said interview, Datuk Abdul Rahman Dahlan spoke of an alleged deliberate attempt to "*criminalise*" the Prime Minister and force him out of office. It was also reported that he had stated that "*drastic action*" was needed to "*take these people out first*", and there was a "*... flurry of action taken by the Prime Minister*".
- (28) On 30 August 2015, former Prime Minister Tun Dr Mahathir Mohamad held a press conference, where he is reported to have said, "*... He (The Prime Minister) had no proof so to tackle the PAC, Public Accounts Committee, he offered them jobs to become Deputy Minister. This is a kind of bribery. And now the PAC is not functioning. The other agencies also cannot work because whenever you make a report, the police will not take action. And the new AG will not take action. So, he has undermined the constitution and the legal system of this country. There is no more rule of law ... He created 1MDB to borrow money and then the money disappeared. And suddenly 2.6bil ringgit appeared in his account. Not in UMNO but in his account. He is using this money to bribe people. So, we want to ask, why did you stop the investigation on your 2.6bil. Where did this money come from? Don't tell lies about Arabs giving 2.6bil. No Arab will give to anybody that kind of money. Nobody will give a lot of money to anybody, not that amount, 2.6bil. So, where does the money come from? The only money that can come maybe through 1MDB.*"⁶³
- (29) The categorisation of the funds as a "donation" raises more questions than answers. There has been further varying and contradictory accounts or explanations as to the origin and purpose of the "donation", as seen in **Appendix B**. Questions also abound as to why a substantial part of the funds was subsequently remitted out of the country to Singapore. The Prime Minister's personal bank account was then closed.⁶⁴
- (30) The series of events since the disclosure by WSJ and SR has given rise to the inference that there has been interference in, and obstruction of, the investigation to the point where investigation has been compromised.
- (31) The drastic, oppressive and chilling measures taken since 28 July 2015 appear to have derailed, hindered or obstructed the investigations or inquiries into 1MDB, the remittance of MYR2.6 billion, and the remittance of MYR42 million by SRC into the personal bank accounts of the Prime Minister.

- (32) The far-reaching actions taken since 28 July 2015 have been an assault on the independence of the Special Task Force that had been investigating the allegations made by WSJ and SR that implicated the Prime Minister, and these actions have further impaired or compromised the integrity of the investigation by the Special Task Force.
- (32A) The abovementioned measures and actions have been attributed to the Prime Minister, the Government, and/or agencies under the Government.
- (33) The manner in which the PAC has been crippled and its investigation stymied gives rise to serious questions about the ongoing proceedings of the PAC and the ability of the Legislature to act as an effective check and balance on the activities of the Executive.
- (34) The action taken by PDRM against the MACC was intimidatory and oppressive, and is widely seen as having interfered with, and obstructed, MACC's investigation into the transfer of funds into the Prime Minister's personal bank accounts, as well as an attack on the independence of the MACC and its emasculation as a corruption-combating agency.
- (35) The abrupt and unexplained disbanding of the Special Task Force — which was established to solely focus on investigating the allegations of funds transferred to the Prime Minister's personal bank accounts, and issues relating to 1MDB — before the completion of its tasks casts doubt on the sincerity and commitment on the part of the Government to investigate the said allegations. The announcement by Tan Sri Apani that the individual agencies that were represented in the Special Task Force would continue carrying out their individual investigations within their respective purview detracts from the original focus and coordinated collaboration between the heads of the agencies of the Special Task Force.
- (36) In light of the action taken against officers of BNM, and the statements made by Tan Sri Zeti, there are serious concerns raised as to whether the investigation by BNM, as a member of the Special Task Force, has been thwarted and compromised. Further it is inexplicable that BNM has concluded that the "*donation*" of MYR2.6 billion is not within its remit, despite the relevant provisions in the Central Bank of Malaysia Act 1958; Financial Services Act 2013; Exchange Control Act 1953; Capital Markets and Services Act 2007; and Anti-Money Laundering, Anti-Terrorism Financing and Proceeds of Unlawful Activities Act 2001.
- (37) The replacement of the Director of the Special Branch and now the transfer of the Deputy Director of the Special Branch suggest that there has also been interference with, and obstruction of, the investigation conducted by the Special Branch of the PDRM.
- (38) Datuk Abdul Rahman Dahlan's statements in reference to the pre-emptive measures taken by the Prime Minister appear to validate the already pervasive public perception that there had been active and deliberate steps taken by the Prime Minister or the authorities to interfere, impede and derail the investigation, to mask wrongdoings, and to exculpate wrongdoers.

- (39) In light of Datuk Abdul Rahman Dahlan’s statements, it can be inferred that the Prime Minister or the authorities — under his instruction or the instruction of his subordinates — have undermined and subverted the investigation into the transfer of funds into the Prime Minister’s personal bank accounts.
- (40) There appears to be a concerted effort to weaken and compromise various institutions involved in the investigation into the transfer of funds into the Prime Minister’s personal bank accounts.
- (41) There are grave concerns that there would be a cover-up or whitewash of wrongdoing, and the exoneration or exculpation of wrongdoers.
- (42) In light of the above, and the tremendously grave concerns that have arisen, and recalling the objects of the Malaysian Bar as set out in Section 42(1) of the Legal Profession Act 1976, in particular:

Section 42(1)(a): to uphold the cause of justice without regard to its own interests or that of its members, uninfluenced by fear or favour;

Section 42(1)(d): where requested so to do, to express its view on matters affecting legislation and the administration and practice of the law in Malaysia;

Section 42(1)(g): to protect and assist the public in all matters touching ancillary or incidental to the law;

THEREFORE, it is hereby resolved that:

- (a) The Malaysian Bar condemns the interference with, and the subversion of, the cause and administration of justice, and the investigation and inquiry into the allegations of financial impropriety concerning 1MDB and its related companies, and the transfer of MYR2.6 billion and the flow of MYR42 million from SRC, both into the Prime Minister’s personal bank accounts.
- (b) The Malaysian Bar condemns the abrupt removal of Tan Sri Gani; the crippling of the PAC; and the harassment, intimidation and oppression of investigating officers or personnel of the AGC, MACC, BNM, and the Special Branch of the PDRM.
- (c) The Malaysian Bar demands that the Malaysian Government immediately advise the Yang di-Pertuan Agong to establish a Royal Commission of Inquiry (“RCI”), which should comprise members who are independent, impartial and of unimpeachable integrity, to inquire into and investigate:
 - (i) the allegations of financial impropriety concerning 1MDB and its related companies;
 - (ii) the transfer of MYR2.6 billion into the Prime Minister’s personal bank accounts; and

- (iii) the flow of MYR42 million from SRC into the Prime Minister's personal bank accounts;

and to report on, and make public, its findings and recommendations, including any further action that needs to be taken.

- (d) The Malaysian Bar notes that several members of the administration are advocates and solicitors of the High Court of Malaya, and the Malaysian Bar reminds such members of the administration that, whether in active practice or not, all advocates and solicitors are expected at all times to protect and further the rule of law and to uphold justice. The Malaysian Bar further reminds such members of the administration that the failure to maintain the core values of the legal profession would render them liable to disciplinary action under the Legal Profession Act 1976.
- (e) The Malaysian Bar mandates the Bar Council to take any and all steps that it deems appropriate in order to affirm and preserve the rule of law, to uphold the Federal Constitution, and to protect the administration of justice, including but not limited to, instituting a legal suit(s) against any person(s) responsible for the interference with, impediment to, or obstruction or perversion of, the administration of justice, and the investigation into:
 - (i) the allegations of financial impropriety concerning 1MDB and its related companies;
 - (ii) the transfer of MYR2.6 billion into the Prime Minister's personal bank accounts; and
 - (iii) the flow of MYR42 million from SRC into the Prime Minister's personal bank accounts.

¹ Press statement entitled "KENYATAAN MEDIA YB DATUK NUR JAZLAN TAN SRI MOHAMED, PENERUSI JAWATANKUASA KIRA-KIRA WANG NEGARA (PAC) PARLIMEN MALAYSIA MENGENAI PROSIDING SYARIKAT 1MALAYSIA DEVELOPMENT BERHAD (1MDB) KEMENTERIAN KEWANGAN MALAYSIA", issued by Chairman of the Public Accounts Committee ("PAC") of Parliament, Datuk Nur Jazlan bin Mohamed on 11 May 2015

(<http://www.parlimen.gov.my/images/webuser/pac/kenyataan%20media/110515-1MDB.pdf>).

² (a) "Arul, Shahrol no show at PAC inquiry on 1MDB", *The Star Online*, 25 May 2015

(<http://www.thestar.com.my/Business/Business-News/2015/05/25/Arul-Shahrul-no-show-at-PAC-inquiry-on-1MDB/?style=biz>).

(b) "Arul Kanda explains why he could meet Shahrir but not PAC", *The Malaysian Insider*, 29 May 2015

(<http://www.themalaysianinsider.com/malaysia/article/arul-kanda-explains-why-he-could-meet-shahrir-but-not-pac>).

³ "1MDB's Arul, ex-CEO to face PAC in early August", *New Straits Times Online*, 17 June 2015

(<http://www.nst.com.my/news/2015/09/1mdb%E2%80%99s-arul-ex-ceo-face-pac-early-august>).

⁴ "Investigators Believe Money Flowed to Malaysian Leader Najib's Accounts Amid 1MDB Probe", *Wall Street Journal*, 2 July 2015 (<http://www.wsj.com/articles/SB10130211234592774869404581083700187014570>)

⁵ "SENSATIONAL FINDINGS! - Prime Minister Najib Razak's Personal Accounts Linked To 1MDB Money Trail MALAYSIA EXCLUSIVE!", *Sarawak Report*, 2 July 2015 (<http://www.sarawakreport.org/2015/07/sensational-findings-prime-minister-najib-razaks-personal-accounts-linked-to-1mdb-money-trail-malaysia-exclusive/>).

-
- ⁶ “Najib: I have never taken funds for personal gain”, *The Star Online*, 3 July 2015 (<http://www.thestar.com.my/News/Nation/2015/07/03/PM-statement-on-allegations/>).
- ⁷ Press statement entitled “Kenyataan YAB Dato’ Sri Mohd Najib Razak”, issued by the Prime Minister of Malaysia, Dato’ Sri Mohd Najib bin Tun Abdul Razak on 8 July 2015 (<https://najibrazak.com/bm/blog/kenyataan-yab-dato-sri-mohd-najib-razak/>).
- ⁸ “Najib’s lawyers ask WSJ for “clarification””, *Free Malaysia Today*, 8 July 2015 (<http://www.freemalaysiatoday.com/category/nation/2015/07/08/najibs-lawyers-ask-wsj-for-clarification/>).
- ⁹ “Dow Jones stands by WSJ reports”, *The Star*, 8 July 2015 (<http://www.thestar.com.my/News/Nation/2015/07/08/Dow-Jones-stands-by-reports/>).
- ¹⁰ Press statement entitled “Media Statement: Special Task Force Investigates Allegations of Funds Transferred to the Prime Minister’s Account”, issued by Tan Sri Abdul Gani Patail on 4 July 2015 (http://www.bnm.gov.my/documents/2015/statement_20150704.pdf).
- ¹¹ Press statement entitled “Special Task Force Investigation on Allegations of Transfer of Funds Into Prime Minister’s Accounts”, issued by Tan Sri Abdul Gani Patail, Tan Sri Zeti Akhtar Aziz, Tan Sri Khalid Abu Bakar, Tan Sri Abu Kassim Mohamed on 7 July 2015 (http://www.bnm.gov.my/index.php?ch=en_press&pg=en_press_all&ac=3225&lang=en).
- ¹² Press statement entitled “Conduct Independent Investigation into Disclosures Relating to 1MDB Comprehensively and with Integrity”, issued by the Malaysian Bar on 8 July 2015 (http://www.malaysianbar.org.my/press_statements/press_release_%7C_conduct_independent_investigation_into_disclosures_relating_to_1mdb_comprehensively_and_with_integrity.html).
- ¹³ (a) “In 1MDB-linked case, Jerome Lee freed on RM100,000 bail”, *The Malaysian Insider*, 24 July 2015 (<http://www.themalaysianinsider.com/malaysia/article/in-1mdb-linked-case-jerome-lee-freed-on-rm100000-bail>).
- (b) “Datuk from 1MDB-linked company second person remanded”, *The Malaysian Insider*, 22 July 2015 (<http://www.themalaysianinsider.com/malaysia/article/datuk-from-1mdb-linked-company-second-person-under-remand>).
- (c) “3rd person linked to 1MDB case remanded”, *The Malaysian Insider*, 24 July 2015 (<http://www.themalaysianinsider.com/malaysia/article/3rd-person-linked-to-1mdb-case-remanded>).
- (d) “4th person remanded in 1MDB probe, court allows bail for another”, *The Malaysian Insider*, 25 July 2015 (<http://www.themalaysianinsider.com/malaysia/article/1mdb-investigators-arrest-4th-suspect-bail-for-another>).
- (e) “Despatch rider latest to be remanded in 1MDB probe”, *The Malaysian Insider*, 26 July 2015 (<http://www.themalaysianinsider.com/malaysia/article/despatch-rider-latest-to-be-remanded-in-1mdb-probe>).
- ¹⁴ “Zahid: The Edge must be held responsible for inaccurate reports”, *The Star Online*, 24 August 2015 (<http://www.thestar.com.my/News/Nation/2015/06/24/Zahid-on-incorrect-news-reports>).
- ¹⁵ “The Edge gets show-cause letter over 1MDB reports”, *MalaysiaKini*, 1 July 2015, (<http://www.malaysiakini.com/news/303691>).
- ¹⁶ “The Edge wants Home Ministry to specify offending articles on 1MDB”, *The Malay Mail Online*, 1 July 2015 (<http://www.themalaymailonline.com/malaysia/article/the-edge-wants-home-ministry-to-specify-offending-articles-on-1mdb>).
- ¹⁷ Press statement entitled “MCMC Sekat Laman Sesawang Yang Mengganggu-gugat Kestabilan Negara”, issued by the Malaysian Communications and Multimedia Commission on 19 July 2015 (<http://www.skmm.gov.my/Media/Press-Releases/MCMC-Sekat-Laman-Sesawang-Yang-Mengganggu-gugat-Ke.aspx>).
- ¹⁸ “How Jho Low & PetroSaudi schemed to steal money from the people of Malaysia via 1MDB”, *The Edge Financial Daily*, 20 July 2015 (<http://www.theedgemarkets.com/my/article/how-jho-low-petrosaudi-schemed-steal-money-people-malaysia-1mdb>).
- ¹⁹ “Pua and Rafizi barred from leaving country”, *MalaysiaKini*, 23 July 2015 (<http://www.malaysiakini.com/news/305833>).
- ²⁰ “The Edge’s boss faces travel ban, too” *MalaysiaKini*, 22 July 2015 (<http://www.malaysiakini.com/news/305851>).
- ²¹ (a) “The Edge Weekly, daily suspended for 3 months from July 27”, *The Malaysian Insider*, 24 July 2015 (<http://www.themalaysianinsider.com/malaysia/article/the-edge-weekly-daily-suspended-for-3-months-from-july-27>).
- (b) Letter from Kementerian Dalam Negeri to Ketua Pengarang *The Edge Malaysia & The Edge Financial Daily* dated 23 July 2015.
- ²² “The Edge publisher fails to get stay on suspension order”, *The Malaysian Insider*, 14 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/the-edge-publisher-fails-to-get-stay-on-suspension-order>).
- ²³ “The Edge’s Ho Kay Tat summoned for questioning over 1MDB reports”, *The Malay Mail Online*, 23 July 2015 (<http://www.themalaymailonline.com/malaysia/article/the-edges-ho-kay-tat-summoned-for-questioning-over-1mdb-reports>).
- ²⁴ “The Edge group owner, publisher summoned by police again”, *New Straits Times Online*, 28 July 2015 (<http://www.nst.com.my/news/2015/09/edge-group-owner-publisher-summoned-police-again>).

-
- ²⁵ “Muhyiddin reiterates 1MDB board should be sacked”, *The Star Online YouTube Channel*, 26 July 2015 (<https://www.youtube.com/watch?t=21&v=ZqfYfUJrfYk>).
- ²⁶ Press statement entitled “PELANTIKAN PEGUAM NEGARA MALAYSIA”, issued by Tan Sri Dr Ali bin Hamsa on 27 July 2015 (http://www.pmo.gov.my/ksn/dokumenattached/media_statement/files/KENYATAAN_AKHBAR_PELANTIKAN_PEGUAM_NEGARA.pdf).
- ²⁷ “Home Ministry appoints new Special Branch director effective today”, *The Malaysian Insider*, 28 July 2015 (<http://www.themalaysianinsider.com/malaysia/article/home-ministry-appoints-new-special-branch-director-effective-today>).
- ²⁸ “Malaysian PM reshuffles cabinet, dumps deputy after 1MDB criticism”, *Reuters*, 28 July 2015 (<http://uk.reuters.com/article/2015/07/28/uk-malaysia-politics-idUKKCN0Q206V20150728>).
- ²⁹ “PAC members’ elevation into Cabinet puts 1MDB probe in doubt”, *The Malaysian Insider*, 28 July 2015 (<http://www.themalaysianinsider.com/malaysia/article/pac-members-elevation-into-cabinet-puts-1mdb-probe-in-doubt>).
- ³⁰ “Pandikar: No PAC hearing till new chair appointed”, *MalaysiaKini*, 30 July 2015 (<http://www.malaysiakini.com/news/306725>).
- ³¹ Press statement entitled “1MDB: MACC INDEPENDENT OVERSIGHT PANELS WANT INVESTIGATION TO BE INDEPENDENT AND FREE FROM INTERFERENCE”, issued by the five MACC Independent Oversight Panels on 29 July 2015 (<http://www.sprm.gov.my/files/1MDB%20MACC'S%20OVERSIGHT%20PANELS%20WANT%20INVESTIGATION%20TO%20BE%20INDEPENDENT%20AND%20FREE%20FROM%20INTERFERENCE.pdf>).
- ³² “ARREST WARRANT FOR THE PRIME MINISTER! - The Real Reason The Attorney General Was Fired - EXCLUSIVE!”, *The Sarawak Report*, 30 July 2015 (<http://www.sarawakreport.org/2015/07/arrest-warrant-for-the-prime-minister-the-real-reason-the-attorney-general-was-fired-exclusive/>).
- ³³ “Malaysia says charge sheet against Najib is false, an attempt to topple PM”, *Channel News Asia*, 31 July 2015 (<http://www.channelnewsasia.com/news/asiapacific/malaysia-says-charge-shee/2021350.html>).
- ³⁴ “MACC lodges police report denying draft charge sheet against Najib”, *The Malay Mail Online*, 3 August 2015 (<http://www.themalaymailonline.com/malaysia/article/macc-lodges-police-report-denying-draft-charge-sheet-against-najib>).
- ³⁵ Press release entitled “SPRM NAFI PEGAWAI SPRM TERLIBAT KONSPIRASI JATUHKAN KERAJAAN”, issued by the Malaysian Anti-Corruption Commission on 30 July 2015 (<http://www.sprm.gov.my/files/SPRM%20NAFI%20PEGAWAI%20SPRM%20TERLIBAT%20KONSPIRASI%20JATUHKAN%20KERAJAAN%20300715.doc.pdf>).
- ³⁶ “Police arrest DPP in today’s 1MDB sweep”, *The Malaysian Insider*, 1 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/police-arrest-dpp-in-todays-1mdb-sweep-say-sources>).
- ³⁷ “Special Branch raids deputy public prosecutor’s office at MACC for 1MDB documents”, *The Malaysian Insider*, 2 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/special-branch-raid-deputy-public-prosecutors-office-at-macc-for-1mdb-docum>).
- ³⁸ “Police crackdown on MACC high-handed, says Paul Low”, *The Malaysian Insider*, 6 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/police-crackdown-on-macc-high-handed-says-paul-low>).
- ³⁹ “Allow MACC to do its work to allay public distrust, says commission’s panel”, *The Malaysian Insider*, 6 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/allow-macc-to-do-its-work-to-allay-public-distrust-says-commissions-panel>).
- ⁴⁰ Press statement entitled “HASIL SIASATAN BERKAITAN DANA RM2.6 BILION”, issued by the Malaysian Anti-Corruption Commission on 3 August 2015 (<http://www.sprm.gov.my/files/HASIL%20DANA%20RM%202.6%20BILION.pdf>).
- ⁴¹ Press statement entitled “PENJELASAN MENGENAI ISU DANA RM2.6 BILION DAN SIASATAN SRC INTERNATIONAL”, issued by the Malaysian Anti-Corruption Commission on 5 August 2015 (<http://www.sprm.gov.my/files/PENJELASAN%20MENGENAI%20ISU%20DANA%20RM2.6%20BILION%20DAN%20SIASATAN%20SRC%20INTERNATIONAL.pdf>).
- ⁴² “Cops obtain arrest warrant for Sarawak Report founder”, *The Malay Mail Online*, 4 August 2015 (<http://www.themalaymailonline.com/malaysia/article/cops-obtain-arrest-warrant-for-sarawak-report-founder>).
- ⁴³ “No Red Notice on Clare Rewcastle-Brown”, *Free Malaysia Today*, 9 August 2015 (<http://www.freemalysiatoday.com/category/nation/2015/08/29/no-red-notice-on-clare-rewcastle-brown/>).
- ⁴⁴ “1MDB special task force disbanded, says MACC”, *The Malaysian Insider*, 5 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/1mdb-special-task-force-disbanded-says-macc>).
- ⁴⁵ “New task force minus MACC set up to probe 1MDB”, *Free Malaysia Today*, 21 August 2015 (<http://www.freemalysiatoday.com/category/nation/2015/08/21/new-task-force-minus-macc-set-up-to-probe-1mdb/>).

-
- ⁴⁶ “MACC excluded from new task force probing 1MDB”, *MalaysiaKini*, 20 August 2015 (<https://www.malaysiakini.com/news/309333>)
- ⁴⁷ Press statement entitled “NATIONAL REVENUE RECOVERY ENFORCEMENT TEAM (NRRET)”, issued by the Attorney General’s Chambers on 25 August 2015 (<http://www.agc.gov.my/pdf/Latest%20Info/press/PRESS%20RELEASE%20NATIONAL%20REVENUE%20RECOVERY%20ENFORCEMENT%20TEAM%20NRRET.pdf>).
- ⁴⁸ “IGP: Cops postpone probe on MACC info leak”, *Free Malaysia Today*, 9 August 2015 (<http://www.freemalaysiatoday.com/category/nation/2015/08/09/igp-cops-postpone-probe-on-macc-info-leak/>).
- ⁴⁹ “MACC says it again: Probe on RM2.6b, SRC still ongoing”, *Malay Mail Online*, 23 August 2015 (<http://www.themalaymailonline.com/malaysia/article/macc-says-it-again-probe-on-rm2.6b-src-still-ongoing>).
- ⁵⁰ “IGP: Bank Negara officials probed under FSA”, *MalaysiaKini*, 13 August 2015 (<http://www.malaysiakini.com/news/308474>).
- ⁵¹ “IGP: Cops to question Bank Negara officers next over Sarawak Report info leak”, *Malay Mail Online*, 1 August 2015 (<http://www.themalaymailonline.com/malaysia/article/igp-cops-to-question-bank-negara-officers-next-over-sarawak-report-info-lea>).
- ⁵² “1MDB: Probe by Bank Negara done, says Zeti”, *Astro Awani*, 13 August 2015 (<http://english.astroawani.com/malaysia-news/1mdb-probe-bank-negara-done-says-zeti-69652>, on 3 September 2015).
- ⁵³ “Dr Zeti: Bank Negara’s 1MDB probe finished”, *The Star Online YouTube Channel*, 12 August 2015 (<https://www.youtube.com/watch?v=eHCInPG9ChU>).
- ⁵⁴ “RM2.6 billion donation to Najib not within Bank Negara’s purview, says Zeti”, *The Malaysian Insider*, 13 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/rm2.6-billion-donation-to-najib-not-within-bank-negaras-purview-says-zeti>).
- ⁵⁵ “Now Special Branch deputy director transferred to Prime Minister’s Department”, *The Malaysian Insider*, 19 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/special-branch-deputy-director-gets-transfer-letter-after-weeks-of-rumours>).
- ⁵⁶ “SB man to expose brains behind 1MDB clampdown”, *Free Malaysia Today*, 22 August 2015, (<http://www.freemalaysiatoday.com/category/nation/2015/08/22/sb-man-to-expose-brains-behind-1mdb-clampdown/>).
- ⁵⁷ “Man wanted by MACC in SRC probe hiding in New Zealand, ex-SB deputy claims”, *Malay Mail Online*, 23 August 2015 (<http://www.themalaymailonline.com/malaysia/article/man-wanted-by-macc-in-src-probe-hiding-in-new-zealand-ex-sb-deputy-claims>).
- ⁵⁸ “Ex-Special Branch No. 2 finally receives letter from Bukit Aman”, *The Malaysian Insider*, 2 September 2015 (<http://www.themalaysianinsider.com/malaysia/article/ex-special-branch-no.-2-finally-receives-show-cause-letter>).
- ⁵⁹ “Certain parties helping witnesses in SRC probe hide abroad, says ex-SB man”, *The Malaysian Insider*, 23 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/certain-parties-helping-witnesses-in-src-probe-hide-abroad-says-ex-sb-man>).
- ⁶⁰ “Ex-SB deputy given two weeks to explain media remarks on transfer”, *Malay Mail Online*, 3 September 2015, (<http://www.themalaymailonline.com/malaysia/article/ex-sb-deputy-given-two-weeks-to-explain-media-remarks-on-transfer>).
- ⁶¹ “Former A-G officer in 1MDB probe faces deportation”, *The Star Online*, 20 August 2015 (<http://www.thestar.com.my/News/Nation/2015/08/20/ex-ag-lawyer-faces-deportation/>).
- ⁶² “Swimming against the tide to get to the truth”, *The Star Online*, 16 August 2015, (<http://www.thestar.com.my/News/Nation/2015/08/16/Swimming-against-the-tide-to-get-to-the-truth-Barisan-Nasional-strategic-communications-director-Da/>).
- ⁶³ “HANGAT! Tun Dr Mahathir sertai Bersih 4”, *Taiping kiniTV YouTube Channel*, 30 August 2015 (https://www.youtube.com/watch?v=l_mKmWFHuho).
- ⁶⁴ “PM’s Anonymous ‘Donation’ Was Transferred Back To Singapore! MAJOR EXCLUSIVE”, *Sarawak Report*, 14 August 2015 (<http://www.sarawakreport.org/2015/08/pms-anonymous-donation-was-transferred-back-to-singapore-major-exclusive/>).

Appendix A: Action Against MACC by the Authorities

- (1) On 4 August 2015, it was reported that the MACC held a special “*solat hajat*” session to pray for MACC staff, their families, their community and for a corruption-free country.¹
- (2) On 5 August 2015, MACC Special Operations Division Director Dato’ Haji Bahri Mohamad Zin reportedly said that he was baffled by the arrest of Deputy Public Prosecutor Ahmad Sazilee Abdul Khairi, and raised the ominous spectre of “*hidden hands*” at work. He also reportedly said, “*You may have (political) powers, but I have Allah.*”²
- (3) As at 5 August 2015, the police had questioned senior MACC officers, including Director of the Special Operations Division, Dato’ Haji Bahri Mohamad Zin; Deputy Director of the Special Operations Division, Datuk Tan Kang Sai; Director of the Forensic Division, Datuk IG Chandran; and Officer in the Special Operations Division, Tuan Roslan Tuan Mat.³ The police reportedly arrested two officers who were investigating the SRC, who were subsequently released. In addition, the police raided the MACC’s Special Operations Division and reportedly removed documents from the possession of MACC personnel.⁴
- (4) On 5 August 2015, MACC Deputy Chief Commissioner (Prevention), Datuk Hj Mustafar Ali, was reported to have said that “*when action is taken on an investigating officer [during an ongoing investigation], it somewhat jeopardises the investigation*”.⁵
- (5) On 7 August 2015, two MACC officers, Director of Special Operations Division, Dato’ Haji Bahri Mohamad Zin, who was key to the investigation into SRC (and who had protested that “*hidden hands*”⁶ were behind the arrests of MACC officers), and Strategic Communications Director Datuk Rohaizad Yaacob were abruptly transferred into the Prime Minister’s Department.⁷ The transfer orders were subsequently rescinded on 10 August 2015 after widespread criticism. The two officers were reinstated to their previous positions in MACC.⁸

¹ “MACC holds solat hajat for their staff”, *The Star Online*, 4 August 2015 (<http://www.thestar.com.my/News/Nation/2015/08/04/MACC-prayers-recent-events/>).

² “MACC director: By God, I’ll find the culprits”, *Malaysiakini*, 5 August 2015 (<http://www.malaysiakini.com/news/307499>).

³ (a) “MACC Special Operations deputy director hauled up over 1MDB probe”, *Astro Awani*, 5 August 2015 (<http://english.astroawani.com/malaysia-news/macc-special-operations-deputy-director-hauled-over-1mdb-probe-68562>).

(b) “Another two MACC officers give police statements”, *The Star Online*, 4 August 2015 (<http://www.thestar.com.my/News/Nation/2015/08/04/1mdb-two-more-macc-officers-give-statements-to-police/>).

⁴ “Cops disrupted or SRC probe, decries MACC”, *MalaysiaKini*, 6 August 2015 (www.malaysiakini.com/news/307509).

⁵ “Arrest of MACC officers jeopardises investigation – MACC deputy chief”, *Astro Awani*, 6 August 2015 (<http://english.astroawani.com/malaysia-news/arrest-macc-officers-jeopardises-investigation-macc-deputy-chief-68650>).

⁶ “Hidden hands behind arrests, hints MACC man”, *MalaysiaKini*, 8 August 2015 (<http://www.malaysiakini.com/news/307222>).

⁷ “Two MACC directors transferred to PM’s Department over ‘disciplinary issues’, source confirms”, *MalayMail Online*, 7 August 2015 (<http://www.themalaymailonline.com/malaysia/article/two-macc-directors-transferred-to-pms-department-over-disciplinary-issues-s>).

⁸ “Reinstated – Two directors remain in MACC”, *The Star Online*, 10 August 2015 (<http://www.thestar.com.my/News/Nation/2015/08/10/MACC-officers-transfer/>).

Appendix B: “Donations”

- (1) The Minister in the Prime Minister’s Department, Dato’ Seri Azalina binti Dato’ Othman Said was reported, on 31 July 2015,¹ to have said:

“Bagi saya kalau orang derma duit kat saya suruh jaga anda semua dan simpan atas nama saya, itu hubungan saya dengan penderma... apa salahnya.

Kecuali orang kata, ‘Datuk saya derma duit ini untuk Umno, untuk Parlimen, untuk NGO’, saya kena ikut cakap penderma.

Dalam isu duit (RM2.67 bilion), saya tak melihatnya sebagai isu besar... bagi saya itu budi bicara orang yang derma duit,....”

- (2) The Minister for Urban Wellbeing, Housing and Local Government, Datuk Haji Abdul Rahman bin Haji Dahlan was reported, on 1 August 2015,² to have said:

“I wish to inform that the Umno constitution provides for the party president to have a trust account on behalf of the party. It is not impossible or surprising if the (current) Umno president and previous presidents have a trust account for the party.”

It was further reported that Datuk Abdul Rahman Dahlan and fellow party members felt more confident with the donations being placed in the president’s account as it was safer there, further stating, *“in fact it is the responsibility of the party president to find funds for party activities.”*³

- (3) The Minister for Youth and Sports, Khairy Jamaluddin was reported, on 4 August 2015,⁴ to have said:

“Not only Umno and BN, every politician receive donations from their supporters to help them in political works ... So there’s nothing to prohibit an individual from receiving it as long as he receives it in trust for the party.”

Khairy Jamaluddin was further reported to have said that he *“was made to understand the contribution came from supporters and donors. We hold to MACC’s statement that the donation came from one donor and supporter.”*⁵

- (4) A statement by Member of Parliament for Johor Bahru, Tan Sri Datuk Seri Shahrir bin Abdul Samad who, in a report dated 8 August 2015,⁶ in response to questions posed by the Chief Minister of Johor, Datuk Seri Khaled Nordin’s son, Akmal Saufi, was reported to have said:

“... As stated by MACC, the money was a donation. Were these donations contributed to the government, for UMNO’s purpose or personal purposes?”

Answer: For politics - UMNO and BN...”

....”

- (5) Further statements made by Datuk Abdul Rahman Dahlan in a report dated 11 August 2015 state that *“there are donors out there who believe in certain objective that they want to donate and in this case, they donated to UMNO.”* He added, *“[t]hey (donors) do want ‘orang kampung’ houses and rural roads to be fixed, giving better access to education and raise the quality of lives.”*⁷
- (6) The Minister of Tourism and Culture, Dato’ Seri Mohamed Nazri bin Abdul Aziz, stated in a report dated 11 August 2015, that *“[t]he donation was given to us by a friendly nation, a nation which is not much stronger than us. Not like the US that can influence us.”* He went on to state that *“this is just a brotherly nation which wants to see certain parties win in the general election because we are friendly to them. There’s nothing wrong.”* He also said that the *“money [was] a donation for the election.”*⁸
- (7) A statement by UMNO Kuantan division chief, Dato’ Wan Adnan bin Wan Mamat, saying that the money was a form of appreciation to Malaysia stating that *“[i]t was an appreciation to Malaysia for championing Islam and for practising Sunni Islam (Ahli Sunnah Wal Jamaah)”*, as reported on 17 August 2015.⁹
- (8) Deputy Prime Minister and Minister of Home Affairs, Dato’ Seri Dr Ahmad Zahid bin Hamidi confirmed, in a report dated 22 August 2015, *“that the donation was from the Middle East because I saw the documents and met with the chief investment officer of the donor and the financial trustee of the family of the donor.”* As to why the money was donated to Malaysia, he added, *“He gave three reasons – the first because Malaysia is fully committed to anti-terrorism and Malaysia had the Prevention of Terrorism Act (POTA), the Penal Code and the Security Offences (Special Measures) Act 2012, as we do not want terrorists to disrupt (the nation).”*¹⁰
- (9) A statement by the Deputy Minister of Transport, Datuk Abdul Aziz bin Kaprawi, who claimed that DAP was funded by the Jews during the 13th General Election in 2013, saying *“[i]f we loose [sic], DAP will be in power. DAP with its Jewish funds will control the country.”* He then went on to say that it was *“[b]ased on this fact, [that] our friends in the Middle East saw the Jewish threat through DAP.”*¹¹
- (10) According to Kepong UMNO Division Chief, Datuk Haji Rizuan bin Abdul Hamid, in a report dated 23 August 2015, the donation was donated by an *“Arab king and prince”*, stating that it was because of the Prime Minister’s anti-Jewish stance that the Arab royal family decided to make the large contribution. He went on to state that it was *“[b]ecause of that, the Arab king, Arab prince generously made the political donation for use during the 13th general election.”*¹²

¹ “RM2.6 billion masuk akaun Najib bukan isu besar, kata menteri”, *The Malaysian Insider*, 31 July 2015 (<http://www.themalaysianinsider.com/bahasa/article/rm2.6-bilion-masuk-akaun-najib-bukan-isu-besar-kata-menteri>).

² “Umno allows trust account under president’s name”, *Malaysiakini*, 1 August 2015 (<http://www.malaysiakini.com/news/306984>).

³ “Rahman: ‘Safer’ if funds in Najib’s account”, *The Star Online*, 4 August 2015 (<http://www.thestar.com.my/News/Nation/2015/08/04/rahman-dahlan-umno-members-agree-funding-goes-to-president-account/>).

⁴ “No law against political donations in Malaysia, Khairy says”, *MalayMail Online*, 4 August 2015 (<http://www.themalaymailonline.com/malaysia/article/no-law-against-political-donations-in-malaysia-khairy-says>).

-
- ⁵ “Khairy: RM2.6b came from supporters”, *Malaysiakini*, 4 August 2015 (<http://www.malaysiakini.com/news/307272>).
- ⁶ “RM2.6 billion donation: Shahrir responds 15 questions by Johor MB’s son”, *Astro Awani*, 8 August 2015 (<http://english.astroawani.com/malaysia-news/rm2-6-billion-donation-shahrir-responds-15-questions-johor-mbs-son-68947>).
- ⁷ “Abdul Rahman defends RM2.6b donation by overseas donors to Umno president”, *The Sun Daily*, 11 August 2015 (<http://www.thesundaily.my/news/1516733>).
- ⁸ “Donation came from ‘brotherly’ nation, says Nazri”, *The Malaysian Insider*, 11 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/donation-came-from-brotherly-nation-says-nazri>).
- ⁹ “Najib’s RM2.6 billion is from Saudi Arabia as thanks for fighting Isis, claims Umno leader”, *The Malaysian Insider*, 16 August 2015 (<http://www.themalaysianinsider.com/malaysia/article/najibs-rm2.6-billion-is-from-saudi-arabia-as-thanks-for-fighting-isis-claim>).
- ¹⁰ “Zahid: RM2.6b donation was for M’sia’s anti-terrorism efforts”, *The Sun Daily*, 22 August 2015 (<http://www.thesundaily.my/news/1527589>).
- ¹¹ “RM2.6b donation given is help UMNO fight ‘Jewish influenced’ DAP – Aziz Kaprawi”, *Astro Awani*, 22 August 2015 (<http://english.astroawani.com/malaysia-news/rm2-6b-donation-given-help-umno-fight-jewish-influenced-dap-aziz-kaprawi-70842>).
- ¹² “RM2.6b a political donation from ‘Arab king, prince’, Umno leader reveals”, *The Malay Mail Online*, 23 August 2015 (<http://www.themalaymailonline.com/malaysia/article/rm2.6b-a-political-donation-from-arab-king-prince-umno-leader-reveals>).