

The following letter was sent to Dr. Mahathir Mohamed, the Prime Minister of Malaysia, demanding that Tian Chua, a prominent Malaysian human rights activist and the vice president of a leading opposition political party, be immediately released from prison. The letter, dated December 2, 2002, was signed by the Lawyers Committee for Human Rights, the Fair Labor Association, the International Labor Rights Fund, the Clean Clothes Campaign and the Maquila Solidarity Network.

The letter states that Tian Chua's imprisonment appears to be part of an ongoing campaign to silence and obstruct the work of Malaysian labor and human rights advocates.

[Click here](#) to take action and send your own letter to the Malaysian government demanding Tian Chua's release.

December 2, 2002

Dato Seri Mahathir Mohamed
Prime Minister of Malaysia
Jalan Dato Onn
50502 Kuala Lumpur, Malaysia

Dear Dr. Mahathir,

The Lawyers Committee for Human Rights, the Fair Labor Association, the International Labor Rights Fund, Clean Clothes Campaign and Maquila Solidarity Network are deeply concerned over the continued imprisonment of the internationally renowned labor and human rights advocate, **Mr. Tian Chua**. Mr. Chua, who is the Director of the Labor Resource Centre and Vice President of the Parti Keadilan Nasional (National Justice Party), was arrested and detained in April 2001 along with nine other human rights advocates.

We represent international labor and human rights organizations from the United States, Canada and Europe that are working to improve labor conditions in factories producing goods for American, Canadian and European companies. Together we are organizing a conference of some 50 labor and human rights advocates from the main export producing regions of Asia. The conference will be held in Bangkok, Thailand in January 2003. We are currently inviting participants from each country, and had planned to invite Mr. Chua, as a representative of the labor rights community in Malaysia, to discuss strategies for improving working conditions in Malaysia. However, Mr. Chua's continued imprisonment makes his important contribution to this discussion impossible. The indefinite imprisonment of Mr. Chua violates several fundamental human rights standards which are universally accepted and he should therefore be released immediately.

Mr. Chua was incarcerated in April 2001, just prior to a planned demonstration marking the second anniversary of the sentencing of Anwar Ibrahim. As you are aware, police arrested and detained him pursuant to the Internal Security Act, which permits the arrest of anyone suspected of posing a threat to national security. He is now detained indefinitely under executive order, in

violation of his right to be free from arbitrary detention, contained in Article 9 of the *Universal Declaration of Human Rights*. At no point has Mr. Chua been presumed innocent, had the opportunity to seek legal review of his detention in court, or had the opportunity to rebut evidence brought against him. These factors also amount to violations of his fundamental right to receive a fair trial safeguarded in Articles 8, 10 and 11 of the *Universal Declaration* and Principle 36 of the *UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment* (1988). In addition, Mr. Chua has been subject to numerous violations of his right to be free from torture and inhuman treatment, protected by Article 5 of the *Universal Declaration*. According to reports we have received, in the weeks following his arrest, he was kept in solitary confinement in tiny windowless cells, denied access to lawyers, subjected to intensive interrogation and only eventually granted brief family visits in the presence of police officers.

It appears that Tian Chua has been imprisoned specifically for carrying out his important work to promote and protect human/workers' rights and for his political affiliations. In addition, the Federal Court of Malaysia has recently held that his arrest was unrelated to any purported national security risk. Moreover, it is widely believed that his case is part of an ongoing campaign to silence and obstruct the work of Malaysian labor and human rights advocates by detaining them under the ISA. This suggests widespread disregard for the fundamental guarantees of the right to freedom of expression and association found in Articles 19 and 20 of the *Universal Declaration*.

We urge the government of Malaysia to reverse this trend of disregard for basic international human rights standards and to urgently release Mr. Chua and those advocates who have been arbitrarily detained under the ISA for striving to improve labor conditions in Malaysia. It is imperative that labor conditions improve in Malaysia, and advocates like Mr. Chua are essential to ensuring that this happens. Improved labor conditions are especially critical in a country that relies heavily on exports. Major multinational companies are increasingly reticent to source from countries with a poor labor and human rights record. These companies appreciate the role of local advocates such as Tian Chua in their efforts to improve conditions for workers in their factories. Our conference will build and strengthen these relationships by bringing together labor rights advocates from around the region. If Mr. Chua and Malaysia's other prominent advocates remain in detention into 2003, Malaysia will not form part of this important discussion. Instead, it will send an unfortunate message about Malaysia's attitude towards those campaigning for fair and safe conditions in factories and its willingness to strive for improved labor conditions.

We will continue to monitor the case of Mr. Chua in the lead-up to our January 2003 Conference in Bangkok and to press for his release from prison. We would appreciate any timely information concerning measures taken by you to address our concerns in this matter.

Respectfully,

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Lawyers Committee for Human Rights

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