

**Asahi Kosei (M) Sdn. Bhd must respect Human Rights and Worker Rights
Reinstate Thiha Soe and Aung San Without Loss of Benefits**

We, the 82 undersigned organizations, groups and networks are shocked at how Asahi Kosei (M) Sdn Bhd has unjustly treated its workers, in particular the 31 Burmese Migrant Workers, working at the factory at Lot 3377, Jalan Perusahaan Utama, Taman Industri Selesa Jaya, 43300 Balakong, Selangor Darul Ehsan, Malaysia.

On or about 31/1/2011, 31 Burmese migrant workers complained about non-compliance by the employer with their agreement. The workers alleged that the employer was paying them far less than what was promised. They also expressed disappointment in the wrongful deductions from their wages, which included deduction for hostel charges when the agreement was that the employer shall provide free accommodation. They also raised their disagreement with the deduction of RM50-00 for every day that a worker does not come to work, when the daily rate of pay is only RM20. They also wanted paid medical leave, which really is already a legal right in Malaysia.

In response, the workers informed us that on 7/2/2011 a gang of persons came and threatened them at their hostel. The police allegedly came with these persons. Before they left, these persons took all cooking utensils and materials, television, cooking gas, refrigerator, table fan and rice cooker) used by the workers. They switched off the electric main switch, and left the workers in the dark with no electricity. These persons reasonably can be assumed to be workers/agents of the employer.

Two workers, without their consent, were allegedly taken to the Kuala Lumpur International Airport (KLIA) with the impression that the employer will be sending them back to Burma (Myanmar). Fortunately, the said 2 workers managed to escape and run away.

On 8/2/2011, the workers lodged a complaint with the Malaysian Human Rights Commission (SUHAKAM) and also were preparing the formal paperwork required to lodge a complaint with the Labour Department.

On 9/2/2011, the employer had a meeting with the said 31 workers, whereby they proposed:-

- a) an increase the salary to RM23 per day (whereby previously it was RM20),
- b) that there will be no more allowances (previously RM2/day was paid as shift allowance and RM30 as monthly allowance)
- c) that if worker is absent for 2 days in one month, they will deduct RM-50 (previously for ever day absent, the employer deducted RM50)
- d) Hostel Charges shall be reduced to RM30 per month (previously it was RM50 per month)

The employer then gave the workers an ultimatum that they sign the new contract now, or be terminated and sent back to Burma immediately. The workers were not given any opportunity or time to consider the proposal, or to discuss the matter further.

Finally, all workers save 2, cowed under pressure and signed the new contract. The 2 workers who did not sign are Thiha Soe (PP No: A 458011) and Aung San (PP No: A432863), whereby Aung San was the worker who signed the complaint for and on behalf of all the workers when the complaint was lodged at the Human Rights Commission on 8/2/2011.

Thiha Soe and Aung San were then handed over by the employer to the recruitment agent, possibly to send them back to Burma. Both workers have been separated and taken to different undisclosed location. Both workers do not want to be sent back to Burma, and want to continue working at Asahi Kosei(M) Sdn Bhd factory in Balakong.

Asahi Kosei(M) Sdn Bhd, a subsidiary of Asahi Kosei Japan Co. Ltd., which makes Die-Cast Aluminium Parts for HDD(Computer Parts), VTR, And Automotive parts for, amongst others, Hitachi Ltd Automotive Systems, Hitachi Seisakusho, Denso(Toyota), Kawasaki Heavy Industry, Hitachi(Thai), Modenas, Seiko Instrument, Hitachi Global Storage, Matsushita Kotobuki, Matsushita Electronics, Toshiba, Maxtor, Seiko Epson, Kanematsu Device, Sony, Hitachi, Matsushita, JVC, Mitsubishi Electric, Philips, Sharp, Sanyo, Toshiba, Thomson, Yaskawa and Hitachi Mexico. It is sad that some companies with declared code of conducts and standards are seen to be associated with companies that violate worker and human rights.

We the undersigned ___ organizations, groups and networks

- a) Call for Asahi Kosei(M) Sdn Bhd to immediately reinstate Thiha Soe and Aung San without any loss of benefits, and if they have already been sent back to Burma to cause that they be brought back to Malaysia to work;
- b) Call for Asahi Kosei(M) Sdn Bhd to apologize to its workers for the wrongs it did, and to pay fair compensation/damages for their actions/omissions that violated rights of their workers;
- c) Call for Malaysian government and/or the relevant Ministries/Department to take necessary action against Asahi Kosei(M) Sdn Bhd and the said recruiting agent concerned to ensure that justice is done for the workers;
- d) Call on the Malaysian government to legislate and make actions of preventing workers access to justice an offence with a substantial penalty, that will deter employers resorting to termination and/or deportation as a threat and/or means to avoid legitimate claims by their workers;
- e) Call on Local Councils and State authorities, who do issue permits and allow factories to operate within their jurisdiction, to ensure that such factories do not violate human rights and worker rights. Asahi Kosei (M) Sdn Bhd operates in the state of Selangor;
- e) Call on the Malaysian government to ensure that no migrant worker is sent back to their country of origin before first verifying that all outstanding and/or potential claims and disputes between worker and employer (and/or agent or other relevant party) in Malaysia have been fully and finally settled.
- f) Call on Hitachi, Sony, Philips and other companies who do have a Code of Conduct and/or who proclaim that they hold human rights and worker rights as important, who have been listed as customers of Asahi Kosei (M) Sdn Bhd and/or Asahi Kosei Japan Co. Ltd should seriously re-evaluate their relationship with such companies that clearly do not respect human rights and worker rights.
- g) Call on consumers and/or investors to take into consideration human rights, including worker rights of companies and their supply chain when they do invest and/or purchase their consumer products.

Abra Tinguian Ilocano Society - Hong Kong (ATIS-HK)
Abra Migrant Workers Welfare Association (AMWWA)
APFS Labor Union, Japan
ALIRAN, Malaysia
All Burma Students League
APFS Labor Union, Japan
Asia Pacific Mission for Migrants (APMM), Hong Kong
Association of Concerned Filipinos in Hong Kong (ACFIL-HK)
Association of Indonesian Migrant Workers, Hong Kong
Asia Pacific Students and Youth Association (ASA)
BAYAN Hong Kong
BAYAN USA
Campagne Vêtements Propres, Belgium
Centre d'appui aux Philippines - Centre for Philippine Concerns, Canada
Cordillera Alliance in Hong Kong (CORALL-HK)
Building and Wood Workers International (BWI)
Burma Campaign Malaysia
Burma Partnership
Centre Communautaire des Femmes Sud-Asiatique, Montréal, Canada
Centre d'appui aux Philippines - Centre for Philippine Concerns, Canada
Cuyapo Association Hong Kong
Democratic Party for New Society (DPNS), Burma
Empower, Thailand
FICAP-Aichi
Filipino Friends in Hong Kong
Filipino Migrants Association (FMA)
Filipino Migrant Center (FMC) in USA
Filipino Migrant Workers' Union - Hong Kong (FMWU)
Filipino Women Migrant Workers Association (FILWOM)
Filipino Women's Organization in Quebec, Canada
Free Burma Coalition, Philippines
Friends of Bethune House (FBH), Hong Kong
GABRIELA Hong Kong
GABRIELA-Japan
GABRIELA-Nagoya
Globalization Monitor (GM), Hong Kong
GoodElectronics Network
Health Equity Initiatives, Malaysia
HMISC (Hsinchu Catholic Diocese Migrants and Immigrants Service Center), Taiwan
IMA Research Foundation, Bangladesh
International Metalworkers' Federation (IMF)
Johor Textile And Garments Workers Union
KAFIN-Nagoya
KAFTI (Japan)
Kilusang Mayo Uno, Philippines
Legal Support for Children and Women (LSCW), Cambodia
LIKHA Filipino Migrant Cultural Organization
MADPET - Malaysians against Death Penalty and Torture
May 1st Coalition, USA
Migrante B.C. (Canada)
Migrant Care, Indonesia
MIGRANTE Europe, Netherlands
Migrante International
MIGRANTE-Japan
Migrante - Middle East
MIGRANTE-Nagoya
MIGRANTE Sectoral Party - Hong Kong
Mission Volunteers (MOVERS)
National Human Rights Society (HAKAM), Malaysia
National Union of Transport Equipment and Allied Industries Workers(NUTEAIW)
Network of Action for Migrants in Malaysia (NAMM)
Pangasinan Organization for Welfare, Empowerment and Rights (POWER)
Persatuan Kesedaran Komuniti Selangor (Empower)
Persatuan Masyarakat Selangor & Wilayah Persekutuan (PERMAS)
PHASE TWO (People for Health and Safety in Electronics), Scotland
Philippine Society in Japan
Pinatud a Saleng ti Umili (PSU)

Project Maje ,Portland, Oregon USA
Pusat Kommas
Quê Me: Action for Democracy in Vietnam, France
Suara Rakyat Malaysia (SUARAM), Malaysia
Thai Committee for Refugees (TCR)
Think Centre, Singapore
Transient Workers Count Too (TWC2), Singapore
United Filipinos in Hong Kong (UNIFIL-MIGRANTE-HK)
United Indonesians Against Overcharging, Hong Kong
Vietnam Committee on Human Rights, France
WARBE Development Foundation, Bangladesh
Workers Assistance Center, Philippines
Workers Hub For Change (WH4C)
World Forum for Democratization in Asia
Yaung Chi Oo Workers Association (YCOWA), Thailand