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*From the Private Secretary*

30 July, 1982

The Prime Minister has asked me to thank you for your telegram of 27 July about the reportedly imminent execution of three men under sentence of death in Malaysia. You will since have read in your newspapers that the three men in question, together with two others, have been granted a stay of execution following the submission of further arguments by their Counsel.

As you say, their crimes are indeed serious. Any appearance of intervention by us in Malaysia's domestic affairs or legal processes could bring about the wrong result.

We would need to be very sure that any plea for clemency to the Malaysian Government would be received in the spirit in which it was intended and would help rather than hinder the interests of the condemned men. As you no doubt know, the Ten made a collective appeal to the Malaysian Government on behalf of one of the men to whom you refer - Tan Chay Wa - in May and we and our partners are urgently considering at this very moment a further plea, covering this time all five current cases. I dare say that you will hear further news of this on the European Parliamentary net as soon as we do.

A. J. COLES

Richard Caborn, Esq., M.E.P.



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Foreign and Commonwealth Office

London SW1A 2AH

30 July 1982

*Type letter by despatch  
today. M  $\frac{20}{7}$ .*

*Dear John,*

Malaysia

Thank you for your letter of 29 July enclosing a copy of a telegram to the Prime Minister from the Chairman of the British Labour Group in the European Parliament. As I dare say you will recall, there has been a certain amount of concern expressed in Parliament here about the resumption of executions in Malaysia of people sentenced to death for offences falling within the scope of the Malaysian Internal Security Act. Among other manifestations there is Early Day Motion No 466, about which Mr Robert Parry MP had a brief exchange with the Leader of the House on 27 May. And there have been written Questions and Answers in both Houses.

Our concern throughout has been to steer a course between appearing unsympathetic to suggestions that HMG should try to persuade the Malaysian Government to be merciful, and risking an intervention or interventions which might well do no more than irritate the Malaysians and conceivably even damage the interests of the condemned. We have therefore declined to commit ourselves to any bilateral UK approach to the Malaysians, while being prepared to go along with proposals for collective interventions by the Presidency on behalf of all the Ten. The Belgian Presidency did in fact make an appeal in May on behalf of one of the men mentioned in Mr Caborn's telegram and the Danish Presidency are likely to make another in the very near future, this time covering all those whose executions had been expected around the end of this week - until the stay of execution.

/I thought

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/ I thought you might find it helpful to have the background spelt out a little and I attach a draft reply for you to send to Mr Caborn accordingly. This might need to be updated, if you decide not to despatch it before the weekend, since the situation is plainly rather fluid.

Yours ever,

*J E Holmes*  
for (J E Holmes)  
Private Secretary

A J Coles Esq  
10 Downing Street



DRAFT: ~~minute~~/letter/~~teletype~~/~~dispatch~~/~~note~~

TYPE: Draft/Final 1+

FROM:  
Mr A J Coles

Reference

DEPARTMENT: TEL. NO:

SECURITY CLASSIFICATION

TO:  
Richard Caborn Esq MEP

Your Reference

- Top Secret
- Secret
- Confidential
- Restricted
- Unclassified

Copies to:

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SUBJECT:

.....In Confidence

The Prime Minister has asked me to thank you for your telegram of 27 July about the reportedly imminent execution of three men under sentence of death in Malaysia. ↑

CAVEAT.....

As you say, their crimes are indeed serious. <sup>Any appearance</sup> Moreover, ~~we have to be cautious about doing anything that might be considered as intervention in Malaysia's domestic affairs or legal processes.~~ <sup>of</sup> <sup>by us</sup> And you will since have read in your newspapers that the three men in question, together with two others, have been granted a stay of execution following the submission of further arguments by their Counsel.

*could bring about the wrong result.*

~~It follows that~~ <sup>we</sup> we would need to be very sure that any plea for clemency to the Malaysian Government would be received in the spirit in which it was intended and would help rather than hinder the interests of the condemned men. As you no doubt know, the Ten made a collective appeal to the Malaysian Government on behalf of one of the men to whom you refer - Tan Chay Wa - in May and we and our partners are urgently considering at this very moment a further plea, covering this time all five current cases. I dare say that you will hear further news of this on the European Parliamentary net as soon as we do.

Enclosures—flag(s).....

*ASL 20/7*



30 JUL 1962



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THE PRIME MINISTER, THE RT HON MRS MARGARET THATCHER PM  
FROM  
RICHARD CABORN MEP, CHAIRMAN OF THE BRITISH LABOUR GROUP IN  
THE EUROPEAN PARLIAMENT

THREE YOUNG MEN ARE TO BE DONE TO DEATH IN MALAYSIA ON FRIDAY.  
I IMPLORE YOU TO INTERCEDE URGENTLY ON THEIR BEHALF AND TO MAKE  
EVERY EFFORT TO SPARE THEIR LIVES.  
THEIR CRIMES ARE SERIOUS - BUT ONLY A SOCIETY UNDER JACK-BOOT  
RULE COULD TOLERATE PUNISHMENT BY DEATH.  
THE MEN CONCERNED -- TAN CHAY WA, LIM KWANG YEOW AND  
CHIOU THIAM GUAN -- HAVE ALREADY BEEN JAILED FOR UP TO FIVE  
AND A HALF YEARS.  
BRITAIN HAS RECENTLY SET MANY PROUD EXAMPLES FOR OTHER TO  
FOLLOW. I URGE YOU NOW TO PRESS ON THE NEED FOR THE MALAYSIAN  
GOVERNMENT THE NEED FOR CLEMENCY AND THE HUMANITARIAN  
TREATMENT OF THESE PRISONERS.

RICHARD CABORN

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10 DOWNING STREET

From the Private Secretary

29 July 1982

BT R. CABORN

MALAYSIA

I enclose a copy of a telegram which the Prime Minister has received and which, as you will see, may require action today.

The sender of the telegram, Mr. Richard Caborn, the Chairman of the British Labour Group in the European Parliament, gives the names of three persons who, he says, are to be "done to death in Malaysia on Friday".

I should be grateful if you would consider whether action is advisable and in any case let me have a draft reply to the telegram for my signature on behalf of the Prime Minister by 2 August.

A. J. COLES

F.N. Richards, Esq.,  
Foreign and Commonwealth Office.