

August 8, 2014

RE: TPIA action requested in case of Natural Fruit v. Andy Hall

note: An unofficial Thai translation of this letter is attached and available at:

<http://business-humanrights.org/en/letter-to-thai-pineapple-industry-association-on-andy-hall-thai>

Dear TPIA Member,

We write to you today to express deep concern with recent actions by a fellow member of the Thai Pineapple Industry Association (TPIA), Natural Fruit Co. Ltd., and Natural Fruit's CEO and TPIA President, Wirat Piyapornpaiboon. The case Natural Fruit has brought against labor rights researcher, Mr. Andy Hall, has received [international media attention](#) and has been described as an "international embarrassment" to Thailand. Natural Fruit's apparent effort to silence human rights defenders tarnishes the reputation of the TPIA and the entire Thai pineapple export industry. We ask that you take immediate action within the TPIA to urge that Natural Fruit drop its case against Andy Hall and cooperate with worker groups and NGOs to resolve alleged labor rights violations at its factories. If Natural Fruit continues on its current course, TPIA members should act together to preserve the integrity of the organization by sanctioning Natural Fruit, up to and including removal of Mr. Wirat Piyapornpaiboon as TPIA president and revocation of Natural Fruit's membership in TPIA.

Natural Fruit filed its first criminal defamation charge against Mr. Hall on February 4, 2013, after he contributed to a report by the Finnish NGO Finnwatch that alleged serious labor rights abuses at the company's factory in Prachuap Khiri Khan province. The report, [Cheap has a High Price](#), gathered worker interviews to document violations including child labor, underpayment of wages, confiscation of migrant workers' travel and work documents, and failure to provide legally mandated paid sick days, holidays and leave. Natural Fruit has continued to file cases against Mr. Hall, now totaling three criminal defamation charges, one civil defamation action and two criminal charges under the Computer Crimes Act. If found guilty of all the charges, Mr. Hall faces up to seven years in prison on each count and about \$9.5 million in damages. The trial is scheduled to begin in September 2014.

Both before and after publication, Finnwatch and Mr. Hall made overtures to Natural Fruit to request comments and work together to resolve the issues alleged in the report. If, as Natural Fruit claims, the allegations are false, it should be straightforward for the company to clear up any issue and demonstrate that it is adhering to labor laws. By refusing to work with civil society and instead launching an aggressive legal battle against Mr. Hall, Natural Fruit is sending a message that it would rather intimidate critics and silence those who advocate on behalf of migrant workers than engage in genuine dialogue about conditions in its factories.

We would hope instead that Natural Fruit would pursue the matter in accordance with the [United Nations Guiding Principles on Business and Human Rights](#), which calls upon businesses to "address adverse human rights impacts with which they are involved" as a foundational principle.






TPIA should not remain silent while its President's company undertakes punitive, unjust actions against Andy Hall. Already, internet searches for the Thai Pineapple Industry Association bring more results condemning Natural Fruit for its actions than positive stories of your work promoting the Thai pineapple











industry. This negative publicity hinders TPIA's ability to carry out its stated mission, and the trial has not yet even begun. Once the trial has begun, current and potential buyers may weigh the risks of becoming associated with the case and its connection with the TPIA and its member companies.



To protect its members and the industry it represents, we believe that TPIA must take immediate action. We hope that you will work with other members of the TPIA to encourage Natural Fruit to drop the charges against Mr. Hall and engage constructively with civil society to demonstrate that all its members are in compliance with labor laws. If Natural Fruit refuses, we ask that the TPIA revoke Natural Fruit's membership and remove Mr. Piyapornpaiboon as TPIA president.

We hope you will give immediate attention to this issue and look forward to a response outlining your plans regarding Natural Fruit. We would also welcome the opportunity to discuss this matter with you further. Please forward any action you take on this matter to Bobbie Sta. Maria, stamaria@business-humanrights.org, at Business & Human Rights Resource Centre (BHR), or Abby McGill, abby@ilrf.org, at the International Labor Rights Forum. We will keep track of actions taken by TPIA members, information that may be registered in relevant sections of our websites and will be circulated to the 18,000 subscribers of BHR's Weekly Update newsletter. We are also actively reaching out to retailers in the United States and Europe on this issue, and will convey to them our views on which members of the TPIA are taking this attack on human rights seriously.










Sincerely,














<i>International Organisations</i>		
1.		Asia Pacific Mission for Migrants (APMM)
2.		Building and Wood Workers' International
3.		Burma Partnership
4.		Business and Human Rights Resource Centre
5.		European Coalition for Corporate Justice (ECCJ)
6.		Fortify Rights
7.		Global Migration Policy Associates

8.		Human Rights Watch
9.		International Centre for Trade Union Rights
10.		International Trade Union Confederation (ITUC)
11.		International Transport Workers Federation (ITF)
12.		The International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF)
13.		Migrant Forum in Asia
14.		Migrant Rights International
15.		Observatory for the Protection of Human Rights Defenders, a joint programme of FIDH (the International Federation for Human Rights) and the World Organisation Against Torture (OMCT)
16.		South East Asia Committee for Advocacy
17.		UNI Global Union











<i>Asia/Pacific</i>		
18.		Association for Community Development, Bangladesh
19.		Australian Council of Trade Unions (ACTU)
20.		Batis Center for Women, Philippines
21.		Cividep, India















22.		Cambodian Center for Human Rights
23.		Caritas Lebanon Migrant Center, Lebanon
24.		Center for Indian Migrant Studies, India
25.		Center for Migrant Advocacy (CMA), Philippines
26.		Community Legal Education Center, Cambodia
27.		Community Resource Centre, Thailand
28.		Defend Job Philippines
29.		Equitable Cambodia
30.		Greenwatch Dhaka, Bangladesh
31.		Humanitarian Organisation for Migration Economics (HOME), Singapore
32.		Hope Workers Center, Taiwan
33.		Hsinchu Catholic Diocese Migrants & Immigrants Service Center (HMISC), Taiwan
34.		Human Rights Defenders and Promoters (HRDP), Myanmar
35.		Human Rights and Development Foundation, Thailand
36.		Human Rights Working Group (Indonesia)
37.		Inclusive Development International, Cambodia






38.		Indian Media Forum in the United Arab Emirates
39.		Indian National Rural Labour Federation (INRLF)
40.		International Migrants Alliance Research Foundation, Bangladesh
41.		Jakarta Legal Aid Institute (LBH Jakarta), Indonesia
42.		Kanlungan Center, Philippines
43.		KontraS, Indonesia
44.		Legal Support for Children and Women (LSCW), Cambodia
45.		Migrant Care, Indonesia
46.		Migrant Domestic Workers Welfare Trust, India
47.		Migrant Forum India
48.		Migrants Rights Council India
49.		Migrant Support Qatar
50.		Migrant Workers Rights Network, Thailand
51.		National Domestic Workers Movement, India
52.		Pakistan Rural Workers Social Welfare Organization (PRWSWO)

53.		Pourakhi, Nepal
54.		Pravasi Nepali Coordination Committee (PNCC), Nepal
55.		Refugee and Migratory Movements Research Unit (RMMRU), Bangladesh
56.		Slave Free Seas, New Zealand
57.		Solidarity Network with Migrants Japan
58.		State Enterprises Workers' Relations Confederation (SERC), Thailand
59.		Tamilandu domestic Workers Union, India
60.		Tamil Nadu Domestic Workers Welfare Trust, India
61.		Tamkeen Fields for Aid, Jordan
62.		Thai Labour Solidarity Committee (TLSC)
63.		Transient Workers Count Too, Singapore
64.		Uniting Church in Australia, Synod of Victoria and Tasmania
65.		Welfare Association for the Rights of Bangladeshi Emigrants (WARBE) Development Foundation
66.		Women's Rehabilitation Centre (WOREC) Nepal
67.		Youth Action Nepal

<i>Africa</i>		
68.		Egiclan Energy Producing Host Landlords Nigeria

<i>North America</i>		
69.		American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), United States
70.		Fair World Project, United States
71.		Farmworker Association of Florida, United States
72.		Food Chain Workers Alliance, United States
73.		Four Freedoms Forum, United States
74.		Green America, United States
75.		Hawaii Institute for Human Rights, United States
76.		International Brotherhood of the Teamsters, United States and Canada
77.		International Labor Rights Forum, United States
78.		Lawyers' Rights Watch Canada
79.		United Food & Commercial Workers International Union, CLC (United States & Canada)

<i>Europe</i>		
80.		Centre for Research on Multinational Corporations (SOMO), Netherlands
81.		Danwatch, Denmark
82.		Eettisen Kaupan Puolesta (Eetti), Finland
83.		Environmental Justice Foundation, United Kingdom
84.		Ihmisoikeusliitto (Finnish League for Human Rights)
85.		Fairfood International, Netherlands
86.		Finnwatch, Finland
87.		Finn Church Aid FCA, Finland
88.		Front Line Defenders, Ireland
89.		Kepa, Finland
90.		NaZemi, Czech Republic
91.		Platform of Filipino Migrant Organisations in Europe, Netherlands
92.		Polish Institute for Human Rights and Business
93.		Suomen Lähetyssseura, Finland
94.		Swedwatch, Sweden

95.		Trade Union Congress (TUC), United Kingdom
96.		Trade Union Pro, Finland
97.		Trade Union for the Public and Welfare Sectors, Finland
98.		Transnational Institute (TNI), Netherlands
99.		Transnational Migrant Platform, Netherlands

<i>Individuals</i>	
100.	Holy Allan, Hong Kong
101.	Regina Fuchs, Germany
102.	Meena Gopal, India
103.	Ray Jureidini
104.	Christopher Ng, Singapore
105.	Mahendra Pandey, Nepal
106.	Bindhulakshmi Pattadath, India
107.	S Irudaya Rajan
108.	Mehru Vesuvala
109.	Yuyun Wahyuningrum