

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](mailto:stamaria@business-humanrights.org), at Business & Human Rights Resource Centre (BHR), or Abby McGill, [abby@ilrf.org](mailto: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,














| <b>International Organizations</b> |  |   |
|------------------------------------|--|---|
| 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  |











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

|     |  |   |
|-----|--|---|
| 22. |  <b>ចក្ខុវិស័យសិទ្ធិមនុស្សកម្ពុជា</b><br>Cambodian Center for Human Rights          | Cambodian Center for Human Rights   |
| 23. |  <b>Caritas</b><br>LIBAN  | 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. |  <b>អង្គការ សមធម៌កម្ពុជា</b><br>equitable cambodia                                  | Equitable Cambodia  |
| 29. |  <b>GREEN WATCH</b> D H A K A<br>Daily people's voice for sustainable life         | Greenwatch Dhaka, Bangladesh  |
| 30. |   | Humanitarian Organisation for Migration Economics (HOME), Singapore           |
| 31. |   | Hope Workers Center, Taiwan   |
| 32. |   | Hsinchu Catholic Diocese Migrants & Immigrants Service Center (HMISC), Taiwan |
| 33. |  | Human Rights Defenders and Promoters (HRDP), Myanmar                          |
| 34. |  <b>HRDF</b><br>Human Rights and Development Foundation                           | Human Rights and Development Foundation, Thailand                             |
| 35. |  <b>HRWG</b><br>Indonesia's NGO Coalition for International Human Rights Advocacy | Human Rights Working Group (Indonesia)  |
| 36. |   | Inclusive Development International, Cambodia                                 |















|     |   |   |
|-----|---|---|
| 37. |   | Indian Media Forum in the United Arab Emirates                  |
| 38. |    | Indian National Rural Labour Federation (INRLF)                 |
| 39. |   | International Migrants Alliance Research Foundation, Bangladesh |
| 40. |    | Jakarta Legal Aid Institute (LBH Jakarta), Indonesia            |
| 41. |    | Kanlungan Center, Philippines                                   |
| 42. |    | KontraS, Indonesia  |
| 43. |    | Legal Support for Children and Women (LSCW), Cambodia           |
| 44. |   | Migrant Care, Indonesia   |
| 45. |   | Migrant Domestic Workers Welfare Trust, India                   |
| 46. |   | Migrant Forum India   |
| 47. |   | Migrants Rights Council India                                   |
| 48. |   | Migrant Support Qatar   |
| 49. |  | Migrant Workers Rights Network, Thailand                        |
| 50. |  | National Domestic Workers Movement, India                       |
| 51. |  | Pakistan Rural Workers Social Welfare Organization (PRWSWO)     |

|     |   |  |
|-----|---|--|
| 52. |    | Pourakhi, Nepal  |
| 53. |    | Pravasi Nepali Coordination Committee (PNCC), Nepal  |
| 54. |    | Refugee and Migratory Movements Research Unit (RMMRU), Bangladesh                          |
| 55. |    | Slave Free Seas, New Zealand   |
| 56. |    | Solidarity Network with Migrants Japan   |
| 57. |    | State Enterprises Workers' Relations Confederation (SERC), Thailand                        |
| 58. |   | Tamilandu domestic Workers Union, India  |
| 59. |   | Tamil Nadu Domestic Workers Welfare Trust, India   |
| 60. |  | Tamkeen Fields for Aid, Jordan   |
| 61. |  | Thai Labour Solidarity Committee (TLSC)  |
| 62. |  | Transient Workers Count Too, Singapore   |
| 63. |  | Uniting Church in Australia, Synod of Victoria and Tasmania                                |
| 64. |  | Welfare Association for the Rights of Bangladeshi Emigrants (WARBE) Development Foundation |
| 65. |  | Women's Rehabilitation Centre (WOREC) Nepal  |
| 66. |  | Youth Action Nepal   |






|               |  |   |
|---------------|--|---|
| <b>Africa</b> |  |   |
| 67.           |  | Egiclan Energy Producing Host Landlords Nigeria |

|                      |   |  |
|----------------------|---|--|
| <b>North America</b> |   |  |
| 68.                  |    | American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), United States |
| 69.                  |    | Fair World Project, United States  |
| 70.                  |    | Farmworker Association of Florida, United States   |
| 71.                  |    | Food Chain Workers Alliance, United States   |
| 72.                  |   | Four Freedoms Forum, United States   |
| 73.                  |  | Green America, United States   |
| 74.                  |  | Hawaii Institute for Human Rights, United States   |
| 75.                  |  | International Brotherhood of the Teamsters, United States and Canada                           |
| 76.                  |  | International Labor Rights Forum, United States  |
| 77.                  |  | Lawyers' Rights Watch Canada   |
| 78.                  |  | United Food & Commercial Workers International Union, CLC (United States & Canada)             |

|               |
|---------------|
| <b>Europe</b> |
|---------------|

|     |  |   |
|-----|--|---|
| 79. |   | Centre for Research on Multinational Corporations (SOMO), Netherlands |
| 80. |   | Danwatch, Denmark   |
| 81. |   | Eettisen Kaupan Puolesta (Eetti), Finland                             |
| 82. |   | Environmental Justice Foundation, United Kingdom                      |
| 83. |   | Ihmisoikeusliitto (Finnish League for Human Rights)                   |
| 84. |   | Fairfood International, Netherlands                                   |
| 85. |   | Finnwatch, Finland  |
| 86. |    | Finn Church Aid FCA, Finland  |
| 87. |   | Front Line Defenders, Ireland   |
| 88. |   | Kepa, Finland   |
| 89. |   | NaZemi, Czech Republic  |
| 90. |  | Platform of Filipino Migrant Organisations in Europe, Netherlands     |
| 91. |  Polish Institute for Human Rights and Business | Polish Institute for Human Rights and Business                        |
| 92. |   | Suomen Lähetysseura, Finland  |
| 93. |   | Swedwatch, Sweden   |



|     |   |   |
|-----|---|---|
| 94. |  | Trade Union Congress (TUC), United Kingdom              |
| 95. |  | Trade Union Pro, Finland                                |
| 96. |  | Trade Union for the Public and Welfare Sectors, Finland |
| 97. |  | Transnational Institute (TNI), Netherlands              |
| 98. |  | Transnational Migrant Platform, Netherlands             |

| <b>Individuals</b> |                                |
|--------------------|--------------------------------|
| 99.                | Holy Allan, Hong Kong          |
| 100.               | Regina Fuchs, Germany          |
| 101.               | Meena Gopal, India             |
| 102.               | Ray Jureidini                  |
| 103.               | Christopher Ng, Singapore      |
| 104.               | Mahendra Pandey, Nepal         |
| 105.               | Bindhulakshmi Pattadath, India |
| 106.               | S Irudaya Rajan                |
| 107.               | Mehru Vesuvala                 |
| 108.               | Yuyun Wahyuningrum             |