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PRESS RELEASE

Thai court's decision to indict migrants' rights activist a blow to human rights

The Bangkok South Criminal Court decided today on Monday 24 August to indict migrants' rights researcher and human rights defender Andy Hall in a criminal defamation and computer crimes act case filed against him by a pineapple processing company, Natural Fruit Company Ltd.

- The Bangkok South Criminal Court had an opportunity to put an end to a saga of intimidation already lasting 30-months aimed at nothing but gagging a human rights defender. Regrettably the Court chose instead to press on with a trial of these unfounded charges, said Sonja Vartiala, executive director of Finnwatch.

Natural Fruit has filed altogether four cases against Andy Hall following the publication and dissemination of a Finnwatch report 'Cheap Has a High Price' in early 2013. The report, which Andy Hall contributed research to, was based on information gathered through interviews with the workers of a Natural Fruit Company Ltd. pineapple processing factory and exposed labour rights violations at the plant.

Natural Fruit did not comment on the research findings prior to the publication of the report, although given ample opportunity to do so.

The criminal defamation and computer crimes act case, to which today's decision to indict relates to, is the most severe of all the cases filed against Andy Hall, and carries a maximum penalty of seven years imprisonment.

Following today's decision, Andy Hall is expected to be summoned to appear at the court. He will then be detained awaiting trial. He will have an opportunity to seek release on bail.

- To equate someone's reputation with another person's liberty is always disproportionate. Thailand should abolish its criminal defamation laws as they infringe on freedom of expression, said Vartiala.

- At this point, the prospects for Andy Hall to receive a fair trial are looking grim, she added.

Of the other three cases, one is for criminal defamation and the other two are civil defamation cases where damages of 400,000,000 baht are being claimed by Natural Fruit Company Ltd.

Prakanong Court heard the first criminal defamation case already in 2014. The hearings were marred with the prosecution's failure to make full disclosure to

the defence of all evidence available to them, Thai authorities' failure to provide critically important information to the defence when requested and witness intimidation among other issues. Subsequently, the Prakanong Court dismissed the charges. The Office of the Attorney General has appealed the decision, urging the case to be reopened. A decision on this appeal is expected on 25 September 2015.

The hearings for the civil defamation cases have not been scheduled yet.

To date no one has been held accountable for the labour rights violations at the Natural Fruit pineapple processing plant.

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