

International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations



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Mr. Nirut Ruplek
General Secretary
Thai Pineapple Industry Association
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Date: August 25, 2014
Ref: ro/sl/0115

By email: nidtpia@hotmail.com, info@thaipineapple.org

CONCERNS: the case against Mr Andy Hall and alleged human rights violations in Thailand's fruit industry

Dear Mr. Nirut Ruplek,

The IUF is the global trade union federation representing workers throughout the food chain. We have 389 affiliates in 125 countries, including Thailand and the UK, the home country of Mr. Andy Hall.

We have has received an English language translation of your August 13, 2014 letter to Mr. Komsan Tongsiri, State Enterprises Workers' Relations Confederation (SERC) in response to a joint letter of August 8, 2014 inviting TPIA to encourage Natural Fruit Co. Ltd.to withdraw the law suits against Andy Hall and address allegations of labour rights violations by Natural Fruit.

Your letter characterizes the criminal and civil law suits brought by Mr. Wirat Piyapornpaiboon, president of Natural Fruit, against Andy Hall, as a "personal matter." However, criminal prosecutions that result in State-sanctioned restrictions on liberty through bail requirements and which could result in a sentence of imprisonment are a public matter. It is our understanding that the complainant, Natural Fruit can withdraw the criminal charges against Andy Hall, and we urge TPIA to press Mr. Wirat Piyapornpaiboon to do this.

We believe criminal and civil law suits have been brought against Andy Hall in retaliation for reports (by Finnwatch and others) of serious labour rights violations by Natural Fruit in order to deter other reporters from exposing wrongdoing. As the concerned association, TPIA should take action to promote adherence to the law by Natural Fruit and other TPIA members.

The IUF, like other organizations following this case, believes that the prosecution of Andy Hall is a misuse of the criminal law to punish the peaceful expression of views and information of public interest

The IUF calls on TPIA to:

- urge Natural Fruit to immediately cease all reprisals against Mr. Hall, including the withdrawal of all criminal charges and civil law suits against him;
- urge Natural Fruit to address and remedy all concerns raised in *Cheap Has a High Price*;
- urge Natural Fruit to allow a full investigation by independent and competent persons of all allegations of unfair and/or illegal labour practices.

The IUF firmly believes that the only sustainable way to improve workers' conditions and livelihoods is through workers having and exercising the right to be members of and to be represented by an independent, democratic trade union. TPAI should require its members to abide by both the fundamental conventions of the International Labour Organisation, especially those on freedom of association and the right to bargain collectively, and the UN Guiding Principles on Business and Human Rights. Those TPAI members that operate internationally must apply the OECD Guidelines for Multinational Enterprises.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'R. Oswald', with a long horizontal line extending to the right.

Ron Oswald
General Secretary