

Written at: 4/149 Udomsuk Soi 30  
Bangna District  
Bangkok 10260

Thursday 28<sup>th</sup> August 2014

**Subject: Explain and Share Opinion on Thai Pineapple Industry Association (TPIA) Letter**

**To: Mr. Nirut Ruplek (Secretary General, TPIA)**

**Referenced: TPIA Letter 29/2014, issued 13<sup>th</sup> August 2014**

I am writing in response to a letter you sent to me via the State Enterprise Workers Relations Confederation (SERC). The international solidarity campaign referred in the Thai Pineapple Industry Association's (TPIA) letter to SERC was a letter dated 8<sup>th</sup> August 2014, signed by over 100 individuals and organisations. This letter was addressing TPIA and Mr. Wirat Piyapornpaiboon or Natural Fruit Company Ltd. regarding multiple criminal and civil prosecutions against me.

I wish to inform you that this international solidarity campaign was conducted independently of me. This was an international campaign supporting me but more importantly a number of principles highlighted below as important to the international labour and human rights community. This campaign was not instigated by me as all concerned organisations have the ability and knowledge to make their own decisions to support such a campaign. The description of the signatories to the campaign as 'related to Andy Hall' is incorrect. I inform you that the words as written in your letter are inappropriate.

The act of Natural Fruit Company Ltd. prosecuting me in multiple criminal and civil cases has brought and continues to bring disrepute and negative consequences to Natural Fruit Company Ltd itself as the prosecution is seen as intimidating activists working on migrant rights issues. In addition, the prosecution has impacted negatively on the reputation of TPIA, the Thai pineapple industry, export related industries in Thailand and the Thai Government and Thai society.

The TPIA has a goal to promote the success of the Thai pineapple industry generally and not to protect or promote the interests of one member who may well engage in wrongful activities. As such, TPIA should reflect carefully on what benefits result to TPIA and Thailand and its economy from actions by Mr. Wirat Piyapornpaiboon and Natural Fruit Company Ltd. in prosecuting me. I am simply an individual who is a migrant rights defender with a positive intention to defend those workers who have been treated unjustly. My prosecution has now become public and internationally well known. This dispute has already gone far beyond a personal issue between Mr. Wirat, Natural Fruit Company Ltd. and myself.

On a more serious note, the accusations and description of my personal character and motives in TPIA's response letter have negatively impacted on me. The words used in your response have affected my international and professional reputation. These words have impacted negatively in many regards on the respect given to me and my professional reputation both within the Thai

business community but also, importantly, overseas. For your information, I wish to request yourself and TPIA to consider in detail my Curriculum Vitae that can be viewed online on the blog site [www.andyjhall.wordpress.com](http://www.andyjhall.wordpress.com) that contains information that explains as follows:

- a. For over a decade, I have worked hard to promote and defend the rights of migrant workers, particularly from Myanmar. Despite having received a first class honours degree in law and studied a PhD in Australia and the UK, I worked without significant remuneration or support and with personal dedication to build up a respected and successful migrant rights programme in Thailand. I work with the intention only of promoting rights of migrants.
- b. I have often disputed with persons, companies or officials who abuse the rights of migrant workers. It is often required that such disputes be of a public nature when private negotiations do not result in improvements in working conditions. I have found public airing of disputes results in significant improvement in conditions.
- c. My primary goal through my work has always been to promote and protect the rights of migrant workers in Thailand and which I have always considered to be in the interests of the sustainability, profitability and success of Thailand's economy and businesses. My work has always been intended to ensure a prosperous democratic society in Thailand based on national, economic and human security where the rule of law is respected and enforced equally for all persons, whatever nationality, ethnicity or social or economic status. I have worked hard to recommend to the Thai and Myanmar governments particularly through industry and via campaigning and extensive academic and research preparation to develop a realistic and fair migration policy that equally promotes national, economic and human security of Thailand, business and migrant workers also.
- d. I work closely and constructively with several industry associations in Thailand, including the current President of the Thai Food Processing Association (TFPA), Ms. Ghanyapad Tantipitpong, both in her capacity as the President of this Association and as a key shareholder in SAICO, a leading Thai pineapple company, to address migrant labour challenges facing the pineapple industry in Thailand. I have recently positively engaged, alongside Finnwatch, Vita Food and its main owner, Dr Singh Tangcharoenchaichana, in dialogue to address migrant labour challenges this pineapple export company faces. As a result of the positive intent and commitment displayed by me to engage with industry to address migrant labour challenges, I continue to work closely not only with the TFPA but also with the Thai Tuna Industry Association (TTIA) and the Thai Frozen Foods Association (TFFA). Both of these associations provided sureties for my bail in the case prosecuted against me by Natural Fruit Company Ltd. I am currently an advisor to factories in Thailand and work to assist these factories to improve migrant labour conditions also.
- e. Increased media reporting on the Natural Fruit Company Ltd. prosecutions against me results from the intense interest and concern of the international community on protection of human rights defenders, migrant rights and unjust abuse of criminal laws to silence or challenge those seeking to promote rights and address corporate irresponsibility. It is the right and duty of the media to report on such issues. I also always respond positively to requests for interviews from media whether they sympathise or support my work or not.

All news or information that has been announced by myself via media networks, by Finnwatch in their numerous reports or by other colleagues in the international community regarding labour conditions at the Natural Fruit Company Ltd. factory in Thailand, or indeed in other TPIA member factories, has been based on genuine, ethically conducted interviews with migrant workers working at the factory. For safety and to ensure reliability of data, these interviews were initially conducted in secrecy.

However, in the case of Natural Fruit Company Ltd. research, after the initial data collection stages were complete, Natural Fruit Company Ltd. has been given the opportunity, time and space to respond to these allegations of abuse at its factory by allowing Finnwatch, researchers or media to enter its premises and inspect conditions or interview workers regarding the allegations. Generally, Natural Fruit Company Ltd., in contrast to all other companies I have engaged in the past, has not taken this course of action to demonstrate its lawful conduct or provide evidence to refute accusations made against it to me or others such as Finnwatch. This is a course of action that remains open to them.

In addition, I would like to bring to the attention of TPIA members the official Thai government labour inspection report of Natural Fruit Company Ltd. I understand a number of unlawful situations were found to exist inside Natural Fruit Company Ltd. premises, supporting Finnwatch's report findings. In addition, a significant number of Finnish and international journalists have investigated conditions at Natural Fruit Company Ltd. and reported also significant rights violations occurring there. Finnwatch likewise published a 2014 follow up report on conditions in Natural Fruit Company Ltd. factory, utilizing a third party researcher, that found ongoing labour and human rights violations in the factory.

Regarding a bad intention of alleged actions to convince others to sign up to campaigns or letters that negatively impact on TPIA, organisations listed on the international campaign referring to TPIA and Natural Fruit Company Ltd. are internationally respected and knowledgeable organisations that have surely carefully assessed the content of a campaign document developed by a number of organisations independently from me and have made a decision to sign or not. These organizations have reputations for promoting international human rights and have, in my opinion, simply encouraged TPIA and Natural Fruit Company Ltd. to cooperate with those seeking to end Natural Fruit Company Ltd's negative course of action against me and others defending worker rights. I consider the campaign aimed only towards positive dialogue with Natural Fruit Company Ltd. and TPIA to promote the rights of migrant workers and those working to promote migrant rights in Thailand.

I send this letter to you, the TPIA and all its members in good faith and in order to share with you information that should carefully consider for your further actions.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'At Hall'.

Mr. Andy Hall