



**FTA**  
Foreign Trade Association

To  
Ambassador of the Kingdom of Thailand to  
the Kingdom of Belgium, Luxemburg and the European Union  
Mission of Thailand to the European Union  
Chaussée de Waterloo 876  
B-1000 Brussels

Brussels, 11<sup>th</sup> July 2017

**Subject: Increased partnership in sustainability – Call for out-of-court settlement of the “Thammakaset case”**

Excellency,

The Foreign Trade Association (FTA), as Europe’s premier association of retailers, importers and brand-names (representing more than 2,000 companies with a combined turnover in excess of 1,000 billion euro) has a long-established relationship with the Royal Thai Embassy in Brussels and different ministries in Bangkok. With this letter, I would like to reiterate the clear intention of my association to further deepen our institutional cooperation and working relations on the many issues of joint interest, notably in the field of sustainable supply chains. I also take the liberty to provide our view on the ongoing “Thammakaset case”.

Your country is an increasingly important market for both sourcing and sales activities of the FTA membership. Our member companies are buying considerable volumes from more than 300 Thai producers, mainly food, fishery products and clothing. The objective to expand our level of cooperation and to contribute to prosperous and responsible business relations is therefore of paramount importance to us.

Thailand has experienced many positive and dynamic changes in recent months regarding the promotion of sustainable business conduct and the respect of labour rights in supply chains. A whole series of government activities to augment capacities of Thai enterprises on social and environmental performance are carried out and more measures are to come. This is an essential move to further improve the reputation of Thai producers and to secure economic success and a high level of customer satisfaction, notably with FTA members being also part of the Business Social Compliance Initiative (BSCI) which is FTA’s sustainability programme to improve working conditions in global value chains. While the country is setting positive development in motion, the intensive debate about labour and environmental standards in your agricultural sector is likely to continue until your measures and policies are fully becoming effective.

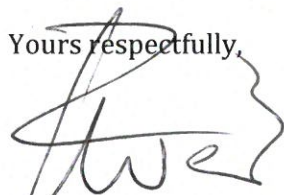
In light of this, the Thammakaset legal case, which started in June 2016 when it was revealed that 14 migrant workers were working under illegal conditions, is an important litmus test. The Thammakaset poultry farm, a sub-supplier of Betagro, triggered legal proceeding against these migrant workers, the Migrant Workers Rights Network (MWRN), and Andy Hall in

person for alleged defamation and computer crime. The FTA and an important number of its members are closely following this legal proceeding. The freedom of expression is a fundamental right and victims of illegal labour practices and human rights defenders need to be able to openly voice their viewpoints and concerns. Therefore, we encourage both parties to fully exploit the possibility of an extra-judicial settlement of the case, as we firmly believe that the path of constructive and open dialogue should be privileged. We hope that we can count on your support in pursuing this objective. A court case, in contrast, might lead to a “lose-lose” situation and has the potential to have adverse reputational impact.

FTA is and will remain a close partner of Thai authorities and companies. More specifically, I wanted to draw your attention to planned activities of the BSCI. One core priority for 2017-18 is to achieve further improvements in working conditions in our Thai-based food supply chain. This aim is of particular importance to 17 large European supermarket chains, organised in a FTA ad hoc task force on this very issue; all of them being major customers of Thai poultry, fish and seafood producers. The partnership in the joint project to enhancing capacities of Thai companies on social performance is key in this regard.

We look forward to intensifying our cooperation and to offer our support and advise, whenever needed and appropriate. FTA and its members will closely monitor the ongoing case which will hopefully deliver a satisfactory outcome to all involved parties. On a final note, I will ask my colleagues to propose suitable dates for a meeting to discuss the essential next steps in the important area of sustainable supply chains.

Yours respectfully,



**Christian Ewert**  
FTA Director General