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Alleged victims of human trafficking sue Thai, US companies including Walmart suppliers

By Cliff White, Editor

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Seven Cambodian workers are suing two American and two Thai seafood companies, arguing they were victims of human trafficking and forced into involuntary servitude in seafood packing factories in Thailand.

The defendants in the suit, filed Wednesday, 15 June, are California-based Rubicon Resources and affiliate Wales & Co. Universe, and Thai companies Phatthana Seafood and S.S. Frozen Food. They are accused of taking part in a joint venture that profited from the plaintiffs' trafficked labor, in violation of U.S. and international law.

The plaintiffs, Keo Ratha, Sem Kosal, Sophea Bun, Yem Ban, Nol Nakry, Phan Sophea and Sok Sang, [filed a complaint](#) for damages and a demand for jury trial in a U.S. federal court in California. They are suing under provisions of the Trafficking Victims Protection Act, which stipulates victims of human trafficking may file a civil action against those who knowingly benefit financially from human trafficking or forced labor.

“What happened to me was wrong,” Ratha said. “I filed this suit so companies would think twice before exploiting trafficked workers in the future and to help the workers who were exploited with me.”

Ratha claims he was offered a job paying USD 250 (EUR 222.50) per month with the possibility of overtime, in exchange for eight hours of work per day, free accommodation and paychecks cut every two weeks. He was charged USD 150 (EUR 133.50) to obtain a passport and USD 200 (EUR 178.00) as a recruitment fee. After arriving in Thailand, Ratha said in his complaint that

his passport was confiscated and he was paid USD 135 (EUR 120.14) per month but his rent and other salary deductions did not leave him with enough money to afford food. In addition, Ratha said he lived in unsanitary, overcrowded facilities, sleeping on a concrete floor in a room with a leaky roof., and his working conditions required him to work with chlorine, which caused him breathing problems. Ratha said he tried to quite but was told he couldn't leave could not retrieve his passport until he paid off his recruitment fee.

The other workers involved in the suit allege they were recruited with similar promises as those made to Ratha and were met with similar working and living conditions as Ratha faced. Some fell into debt while working since they were charged for equipment, transportation and healthcare whether they used it or not, they allege, and one worker, Phan Sophea, could not return to Cambodia for his mother's funeral because he did not have enough money to "ransom" his passport back, his complaint alleges.

"When they finally returned home, these men and women had nothing to show for their hard labor and their families were poorer than before," said Agnieszka Fryszman, the lead attorney for the villagers, who are being represented by three law firms. "Fortunately, in the Trafficking Victim's Protection Act, Congress gave trafficked workers the tools they need to obtain justice when companies knowingly profit from forced labor in their supply chains."

The lawsuit alleges the four companies named in the suit are all vertically aligned as affiliates or business partners of Chanthaburi Seafoods (CSF Group) and work with each other to move processed seafood from Thailand to the United States. They sell shrimp and other seafood to large U.S. customers including Walmart, the suit claims.

The workers are seeking awards of monetary damages for wages promised but not paid, loss of assets and opportunities due to illegal conduct, mental anguish and pain, as well as requesting punitive and exemplary damages and coverage of their attorneys' fees.

Rubicon Resources CEO Brian Wynn did not respond to a request from SeafoodSource for comment.

Reports by the United Nations, Human Rights Watch, the Community Legal Education Center, the Labour Rights Promotion Network, Johns Hopkins' School of Public Health, the Solidarity Center and the U.S. Department of Labor have detailed the widespread use of human trafficking and forced labor in the Thai seafood industry, the lawsuit states.



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