

## 【受領通知】OECD多国籍企業行動指針違反に関する問題提起（インフロニアHDグループ）

木村俊介 <shukku9998@gmail.com>

2026年1月5日 9:00

To: JAPANESE NCP <jpn-ncp@mofa.go.jp>

Cc: investment@oecd.org, rbc@oecd.org, アメリカNCP <USNCP@state.gov>, info@oecdwatch.org

**Subject:** Supplemental Information and Reporting Expectations Regarding the OECD Submission (Filed on 15 September 2025)

Dear Japanese NCP Representatives,

I hope this message finds you well.

My name is **Shunsuke Kimura**, and I am the **whistleblower** who submitted the Specific Instance on **Infroneer Holdings Group** under the OECD Guidelines for Multinational Enterprises, dated **15 September 2025**.

I sincerely appreciate your formal notification confirming the acceptance of my submission. This decision aligns with the international expectations surrounding this case.

### [1] Confirmation of Japanese NCP's Primary Responsibility

This matter was also submitted to the U.S. NCP, which replied on **9 December 2025** as follows:

“Given the geographic location of the company and the lead jurisdictional interest of the Japanese NCP, we deferred the matter...”

This response is officially disclosed as **Evidence No.79** at the link below:

📎 <https://www.whistleblower-protection.org/evidence-timeline/timeline/evidence-no79>

On the same day, the **OECD Secretariat (Investment Division, RBC Unit)** also confirmed:

“The assessment of whether a case is accepted, rejected, or if procedural timelines have been met is the sole responsibility of the relevant National Contact Point.”

This correspondence is disclosed as **Evidence No.78**:

📎 <https://www.whistleblower-protection.org/evidence-timeline/timeline/evidence-no78>

These responses clearly establish the **jurisdictional responsibility** of the Japanese NCP, and your acceptance is institutionally consistent.

### [2] Supporting Materials and International Coordination

I hereby authorize full sharing of the following site with the concerned company and relevant experts, in line with **Procedural Guidance II.C.4** and the **2021 Council Recommendation, Paragraph 20**:

📎 <https://www.whistleblower-protection.org>

(Annexes 0–7, Evidence No.00–82, structural compensation models, legal references, and evaluation framework)

All of these materials have already been submitted to the **U.S. NCP** and the **OECD Secretariat** to ensure international consistency.

### [3] Institutional Violations by the Company (Recorded)

On **16 April 2025**, the company explicitly rejected my whistleblower report by labeling it as a “misuse of the system,” and refused to initiate any review or investigation.

The issues reported included:

- 52 unreported workplace accidents
- Accounting manipulation through misclassification of occupational injuries as private illness (3 consecutive fiscal years)
- Complete operational refusal of the internal whistleblower system
- Consideration of disciplinary action in retaliation
- Total denial of investigative obligations

These responses clearly breach the following provisions of the Guidelines:

- II.2 (Due diligence obligation)
- VIII.1 (Remedy and redress)
- III (Disclosure and accountability)

I strongly urge the NCP to clearly name these violations and the company involved in its **final report**, avoiding vague expressions or omissions.

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## [4] Reporting Obligation and Compensation Model

Regardless of whether mediation proceeds, the Japanese NCP remains bound by:

- **Procedural Guidance II.C.4** (Final report issuance)
- **I.C.2 and 2021 Council Recommendation ¶16** (Systemic evaluation duty)

As outlined in **Annex 2**, I have proposed a **structural redress model** based on institutional damage and symbolic accountability:

- **A. Structural Redesign Fund:** JPY 29.81 billion
- **B. Personal Redress (Symbolic Compensation):** JPY 8.94 billion (30% of A)
- **Total: JPY 38.75 billion** ( $\approx$  USD 256 million)

This is not a private negotiation offer but a **structurally derived benchmark** based on:

- **OECD Guidelines VIII.1**
- **UNCAC Article 33 (Protection of reporting persons)**

Full model available as **Evidence No.68**:

📎 <https://www.whistleblower-protection.org/evidence-timeline/timeline/evidence-no68>  
(PDF also attached to this email.)

I respectfully request that this benchmark model be explicitly cited in your final report to establish a fair starting point for any future redress discussion.

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## [5] Refusal of Mediation ≠ Absence of Remedy Obligation

Should the company refuse mediation, such refusal would **still constitute a breach of**:

- **Chapter I.2** (Good faith cooperation)
- **Chapter II.7** (Constructive engagement)

A **lack of agreement** on mediation does **not negate the obligation to provide remedy**.

This fact should be explicitly recorded in the final report as a matter of institutional responsibility.

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## [6] Procedural Expectations

I respectfully request that the Japanese NCP follow the provisions set out in its updated **Specific Instance Procedure (Feb 2025 version)**, including:

- II.B.3: Notification and forwarding to the company
- II.C.3: Confidentiality and transparency principles
- II.D.1: Use of expert input
- I.C.2: Sharing of draft report for fact-checking

 [Procedural Document (JP NCP)]  
<https://www.mofa.go.jp/mofaj/files/100004429.pdf>

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## [7] Transparency & Distribution

This message, including all supporting documentation, has been concurrently shared with:

- OECD Secretariat ([investment@oecd.org](mailto:investment@oecd.org), [rbc@oecd.org](mailto:rbc@oecd.org))
- U.S. NCP ([USNCP@state.gov](mailto:USNCP@state.gov))
- OECD Watch ([info@oecdwatch.org](mailto:info@oecdwatch.org))

Thank you once again for your formal acceptance of this case. I look forward to your continued engagement in a manner consistent with the institutional responsibilities under the OECD framework.

Respectfully,  
**Shunsuke Kimura**  
Whistleblower  
[shukku9998@gmail.com](mailto:shukku9998@gmail.com)  
 <https://www.whistleblower-protection.org>

2025年12月25日(木) 10:09 JAPANESE NCP <[jpn-ncp@mofa.go.jp](mailto:jpn-ncp@mofa.go.jp)>:

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 Annex2\_StructuralRedesignFund\_NCP.pdf  
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