

## Annex6: Structural Proof via Company-Issued Documents

– Institutional Violations Evidenced by the Company’s Own Official Records –

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### ■ 1. Purpose

This annex provides structural evidence that the core violations of the OECD Guidelines for Multinational Enterprises are explicitly documented in official statements issued by the company itself.

These materials are not based on the whistleblower’s personal claims but consist of signed, dated, and authenticated documents issued by the company, including termination notices and statements denying the validity of whistleblower reports.

Accordingly, they constitute **self-incriminating records**, leaving no room for denial, reinterpretation, or dispute.

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### ■ 2. Key Documents Issued by the Company

#### (a) Notice of Termination (Evidence No.10)

- **Date:** April 23, 2025
- **Issuer:** Maeda Corporation (President: Mr. Souji Maeda)
- **Contents:** Formal notice of termination based on internal company regulations.
- **Structural Violation:** Termination was directly triggered by whistleblowing activity.
  - **✗** OECD Guidelines, Chapter II, Paragraph 11 (Protection of Whistleblowers)
  - **✗** OECD Guidelines, Chapter IV, Paragraph 2 (Respect for Human Rights)
  - **✗** UNCAC Article 33 (Protection of Reporting Persons)

**(b) Statement of Termination Grounds (Evidence No.12)**

- **Date:** April 25, 2025
- **Issuer:** Maeda Corporation (President: Mr. Souji Maeda)
- **Contents:** Declares that whistleblowing to administrative authorities “damaged the company’s reputation,” and uses this as justification for dismissal.
- **Structural Violation:** Written acknowledgment of retaliatory intent based on protected disclosure.
  - ~~✗~~ OECD Guidelines, Chapter V, Paragraph 1 (Employment & Industrial Relations)
  - ~~✗~~ OECD Guidelines, Chapter VIII, Paragraph 1 (Responsible Business Conduct)
  - ~~✗~~ UNGP Principles 29 & 31 (Access to Remedy; Legitimacy, Transparency)

**(c) Rejection of Whistleblowing and “¥20 Billion Demand” Label (Evidence No.09)**

- **Date:** April 16, 2025
- **Issuer:** Infroneer Holdings – Compliance Hotline
- **Contents:** Unilaterally dismissed the whistleblower’s report as “abuse of the system,” falsely characterizing it as a “¥20 billion demand,” and refused to investigate.
- **Structural Violation:**
  - Mischaracterizing the whistleblower’s protected disclosure as a threat.
  - Failing to conduct a due diligence-based investigation of verifiable evidence.
    - ~~✗~~ OECD Guidelines, Chapter II.A.10–14 (Risk-Based Due Diligence)
    - ~~✗~~ OECD Guidelines, Chapter III (Disclosure Obligations)

#### **(d) Record of Disputed Separation (Evidence No.13)**

- **Date:** June 2, 2025
  - **Issuer:** Maeda Corporation – Human Resources Department
  - **Contents:** Documents that the whistleblower formally disputed the stated reason for separation.
  - **Structural Violation:**
    - Despite formal notice of disagreement, the company made no correction, retraction, or effort toward remedy.
    - Constitutes an institutional refusal to remedy, contrary to NCP expectations and international standards.
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### **■ 3. Structural Characteristics of the Evidence**

- **Self-Issued and Authenticated**
    - All records are issued directly by the company, bearing official signatures, dates, and letterhead—rendering authenticity irrefutable.
  - **Direct Causality**
    - Termination documents explicitly cite whistleblowing as the trigger, confirming a retaliatory causal link.
  - **Systemic Denial of Institutional Obligations**
    - The company redefined whistleblowing as a monetary threat, refused investigation, and proceeded with punitive dismissal—demonstrating a pattern of structural denial and suppression.
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### **■ 4. International Implications**

- As demonstrated, **the burden of proof has already shifted to the company.**
  - The whistleblower need not establish retaliation—**the company has formally documented it.**

- For the U.S. NCP, OECD Secretariat, and international stakeholders, this case offers:
    - **Uncontested, authenticated structural proof** of violations of the OECD Guidelines
    - **A formal precedent** for whistleblower protection under international frameworks
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## ■ 5. Conclusion

The structural strength of this case lies in the following:

- The company itself **produced and disseminated documents that constitute institutional violations.**
- These documents have already been **submitted as official annexed evidence (PDF format).**

→ Therefore, this is **not a matter of allegation**, but rather a **formal acknowledgment of institutional misconduct** by the enterprise itself.

👉 A failure to engage in good-faith mediation would not only overlook the whistleblower's testimony but also the company's own authenticated records, thereby risking diminished confidence in the NCP mechanism and the overall credibility of OECD oversight.

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📎 This annex confirms the role of this case as a **structural model for whistleblower protection and institutional accountability**, providing compelling justification for immediate and responsible engagement by the NCP.

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