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PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

**Written statement^{*} submitted by Japanese Workers' Committee for Human Rights
(JWCHR), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[19 February 2008]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

Multinational Financial Corporation's Discrimination Against Temporary Employees

Foreign fund insurance company, disregarding Japanese labor legislation, dismissed temporary employees.

We have repeatedly reported on how employee's human rights have been violated by big corporations in Japan. AIG-Star Life Insurance Company is under the umbrella of one of the world biggest financial group AIG.

When AIG-Star Life Insurance Company moved part of its Tokyo headquarters' function to Nagasaki, it fired short-term contracted employees. Though those employees were short-term contracted, they had been working for years renewing their contracts for form's sake year by year. Those employees' workload is the same as full-time employees. When AIG-Star Life Insurance Company hired those employees, it set the retirement age as 60.

According to the Japanese Labor Law, the contract is considered as a limitless one when a fixed-term contract is continually renewed for many years. AIG-star Life Insurance Company dismissed many employees in Tokyo, while hiring part-time employees in Nagasaki and receiving 13 billion yen (About 12 million US dollars) from the government.

The dismissed employees from AIG-star Life Insurance Company joined the Financial Industry Labor Union. During the collective negotiations, the Company said that they could not reshuffle the dismissed employees. When the Labor Union asked for the reasons and grounds for dismissal, the Company did not respond to this. Because of insincere attitude of ALG-Star Insurance Company, the Labor Union laid a complaint against the Company for honest negotiations to the Tokyo Labor Relations Commission. The Tokyo Labor Relations Commission ordered AIG-star Life Insurance Company to comply with the negotiations. The order was definite and clear.

The suit, which AIG-star Insurance Company filed against the Labor Union for defaming the Company by distributing the bills which publicized the issue, was spiteful of the Labor Union's activities. And, the suit was totally dismissed.

The decision stated the dismissal as unjust and said that AIG-star Insurance Company was dishonest to the Labor Union. The decision clarified that the Company went against what they had said in recruiting and making staff changes. The decision recognized that it was unfair dismissal when the company laid off the employees against their expectations of the continuity of their jobs.

However, AIG-star Insurance Company has not yet withdrawn its dismissal.

The dismissal had no justifiable grounds. This was done under the discriminations against the temporary workers, in violation of human rights of those workers. Only short-term temporary workers were dismissed. Multi-national corporations should follow the laws of the nations in which they operate. AIG-star Insurance Company violates article 2 and 26 of the International Covenant on Civil and Political Rights.

We protest against the multi-national corporation's business attitude because it violates human rights and it is against the Global Compact, "Protect human rights, not violate human rights." In Japan people are beginning to be aware of social responsibility of corporations. To protect and respect human rights, we strongly call for your help and for your support to settle AIG-star Insurance Company's issue. We sincerely hope that the Human Rights Council would accelerate the discussion on "rules for conducts of multinational corporations" from the human rights point of view.
