

## Section 7

# Protecting Information and Communications Users

### 1. Protecting Telecommunications Users

Telecommunications, such as cell phones and the Internet, have become indispensable forms of social infrastructure in people's lives. At the same time, however, improper use of such media in a manner that disturbs others has been becoming a serious issue. Accordingly, the MPHPT has been establishing necessary systems to deal with problems for consumers that are caused by improper use of telecommunications. As a countermeasure for spam (unsolicited e-mail), the "Law on Regulation of Transmission of Specified Electronic Mail" entered into force in July 2002. The first order to take an appropriate action was given to an illegal Tokyo-based operator in December 2002. As a measure to counter malicious "wangiri" calls (random single-ring calls by commercial businesses aimed at making profits on return calls) to cellular phones, the "Study Group on Approaches to Dealing with Nuisance Communications" was held from August 2002, and a report was compiled in October 2002. In response to the report, the MPHPT submitted to the Diet a bill partially amending the Wire Telecommunications Law to establish penal provisions for "wangiri" calls in October 2002; this bill was approved and enacted in December 2002. Moreover, as the casting of aspersions and the infringement of privacy of others on Web pages and BBS have come to present serious problems, the "Law on Restrictions on the Liability for Damages of Specified Telecommunications Service Providers and the Right to Demand Disclosure of Identity Information of the Sender" was enforced in May 2002 to deal with such a situation. The MPHPT also holds Liaison Meetings for Supporting Telecommunications Consumers among other activities to enhance and increase administrative steps for consumer protection.

### 2. Promoting Measures for Information Security and Privacy Protection

#### (1) Efforts toward ensuring information security

The progress of information technology (IT) could bring immense benefits to people's lives and economic activities on one hand, but on the other, attacks on information and communications could cause serious damages to the entire society because society is becoming highly dependent on information and communications systems. At the end of January 2003, a large-scale Internet failure

occurred in the Republic of Korea and other countries. Since bolstering information security measures is indispensable in promoting IT strategies in the future, the MPHPT has been taking actions including: [1] research and development of network security technologies; [2] investigation and study of secure operating systems; [3] formulation of guidelines on wireless Internet security; and [4] measures against unauthorized access.

Furthermore, the MPHPT launched the "IT Security Site for Citizens" in March 2003 in order to raise public awareness of information security among the general public.

The IT security measures for the entire government are mainly devised by the IT Security Promotion Committee and the IT Security Expert Meeting established in the IT Strategic Headquarters. As for the measures against "cyber terrorism" for protecting important infrastructures including information and communications systems, the "Special Action Plan on Countermeasures to Cyber Terrorism of Critical Infrastructure" was formulated in December 2000. The activities based on the Special Action Plan have been strengthened and promoted from May 2002.

#### (2) Protecting personal information in the telecommunications business field

In the advanced information and communications network society in which digitized data are promptly distributed via networks, protection of personal information is becoming more important than ever. Since there have been incidents of leakage of personal information in the telecommunications business field in recent years, there is a strong demand for securer protection of personal information in this field. As a legal system for protection of personal information, the government submitted a "Bill on the Protection of Personal Information," which comprehensively covered all fields, to the 156th session of the Diet; this bill was enacted in May 2003.

#### (3) Securing safety/reliability of telecommunications

Due to the dramatic changes in the telecommunications field, there is a growing need to consider policies for ensuring important telecommunications responding to the development of communications services and diversification in modes of use. Therefore, the MPHPT has held the "Study Group for Ensuring Important Telecommunications in the Telecommunications Business" since April 2002.

### 3. Overcoming the Digital Divide

As of October 2002, the number of households that can subscribe to high-speed Internet access networks was approximately 35 million for digital subscriber lines (DSL), approximately 23 million for cable Internet, and approximately 16 million for fiber to the home (FTTH), indicating that the goal for establishing an Internet-accessible environment under the “e-Japan Priority Policy Program” has been accomplished. However, installation of optical fiber networks by private carriers has not made progress in remote areas due to the problem of economic viability, and a digital divide pertaining to geographic factors has been surfacing, giving rise to calls for policy measures to be taken by the central and local governments. Accordingly, the MPHPT established the “Grant for FTTH networks in Rural Areas” in fiscal 2002. It also makes effort to rectify the regional gaps in cell phone service areas and in the broadcasting field.

Furthermore, the MPHPT implements measures for realizing IT equipment and services that can respond to various disabilities of the handicapped and the elderly in order to resolve the digital divide caused by disabilities and age.

### 4. Improving the Environment for Radio Spectrum Use

For the purpose of securing a radio user environment without mixed or obstructive signals, and also digitalizing licensing procedures and promoting a more efficient way of radio use in order to cope with the sudden increase in radio stations, the MPHPT introduced the Spectrum User Fee System in April 1993. This is a system to have the

expenses pertaining to the common-benefit administrative affairs for all radio stations borne by all licensees who are the beneficiaries. With regard to the standards and certification system for telecommunications equipment (terminal equipment and specified radio equipment), the MPHPT established the “Study Group on Conformity Assessment Systems for Terminal Equipment and Specified Radio Equipment” in May 2002, and in response to the study group’s report in December 2002, introduced the Self-Verification of Conformity to Technical Regulations that comprises ex post facto measures, such as orders and penalties, for telecommunications equipment. In addition, it submitted bills partially amending the Radio Law and the Telecommunications Business Law to the 156th ordinary session of the Diet to introduce a registration system free of the State’s discretion for designated certification agencies.

Due to the rapid diffusion and advancement of radio wave use by cell phones and other services, the MPHPT has set up appropriate standards to prevent the radio waves used for radio communications from having an unfavorable impact on the human body, and continues research on the matter, in order to eliminate concerns that the radio waves emitted from radio facilities may be harmful to humans and to allow people to use radio waves safely with a sense of reassurance.

In addition, the MPHPT conducts proper monitoring and supervising activities, such as measures against the problem of unnecessary radio waves and measures against illegal radio stations.