

Study Group on Countermeasures against Unwanted Junk Mail—2nd Meeting Summary of Minutes

1. Date and Time

August 22, 2007; 10:00–12:10

2. Location

Conference Room 1101, 11th floor, Ministry of Internal Affairs and Communications

3. Attendees (honorifics omitted)

(1) Members

Hiroyasu Asami, Yoshio Igarashi, Hisashi Iguchi, Keigo Inoue (alt.: Yasuo Nakayama), Hisamichi Okamura, Takamasa Kishihara, Hiroyuki Kuwako, Shinichiro Sakata (alt.: Akira Uemura), Osamu Sakuma, Tetsuya Takase, Toru Takahashi, Miki Nagata, Ikufumi Niimi, Takashi Noguchi, Kazushi Hayashi, Naoya Bessho (alt.: Yuka Koga), Tsuneo Matsumoto, Takamichi Miyosi, Masafumi Yoshimitsu

(2) Observer

Shigeyoshi Wakabayashi

(3) MIC Representatives

Terasaki (Director-General, Telecommunications Bureau), Takeuchi (Director-General, Telecommunications Business Department), Ando (Director, General Affairs Division, Telecommunications Bureau), Sato (Director, Telecommunications Consumer Policy Division), Kawauchi (Director, IT Security Office), Yoshida (Senior Planning Officer, Telecommunications Consumer Policy Division), Naito (Deputy Director, Telecommunications Consumer Policy Division), Ogi (Deputy Director, Telecommunications Consumer Policy Division), Oiso (Specialist, Telecommunications Consumer Policy Division)

4. Agenda

(1) Opening

(2) Summary of Minutes of the 1st meeting

(3) Discussion items

- Current situation regarding and countermeasures against unwanted junk mail (including hearing expert opinions)
- Regulations on unwanted junk mail in other countries
- Points of discussion regarding the legislative framework (draft)

(4) Closing

5. Meeting Proceedings

(1) Opening

(2) Summary of Minutes of the 1st meeting

Summary of Minutes of the 1st meeting (Document 1) was approved.

(3) Discussion items

(a) Current status of and countermeasures against unwanted junk mail

The Secretariat explained Document 2.

Expert opinion was heard. Shuji Sakuraba, Senior Program Manager, Applied Research and Development Department, Internet Initiative Japan, Inc. explained Document 3, and Teruaki Honma, Leader, Development 4, FMC Platform Development Department, Platform Development Division, KDDI Corporation explained Document 4.

Questions and answers concerning the above are summarized as follows.

- What kind of structure does a bot have? What is the essential difference between bots and viruses? In the case of unwanted junk mail sent using botnets, is this done individually using bots all over the world to send a large quantity of mail?

→ Because bots operate based on commands received from outside, they cannot be detected by users. Viruses, on the contrary, can be detected by users. This is one way in which viruses differ from bots. In addition, bots automatically transform users' computers into other bots. There are various types of bots, including those that spontaneously attempt to receive commands as well as those with an automatic updating function. There are also networks of bots, and it seems that there are some who sell the use of them. Cyber Clean Center provides the service of informing the ISP once a bot is detected. Records of its activities show there are a lot of bots. OP25B is a means of disabling bots and it works successfully in Japan.

- Why has the introduction of OP25B abroad been delayed?

→ The introduction of OP25B causes a certain level of inconvenience; however, some countries are introducing it urged by our recommendation.

- Is there any inexpensive method by which small and medium-sized enterprises using their own domain name can introduce a spam filter at the level of their server? What is the actual percentage of use?

→ Each ISP has its own gateway-type services, which allow the original domain name to be maintained. The number of companies introducing such services is increasing.

- Even if technical measures such as OP25B are effective now, they may not be so in the future. It will be necessary to study potential countermeasures against unwanted junk mail with the aim of fundamentally resolving the issue.

- Unwanted junk mail damages networks. The whole Internet society may be affected more than individual end users.
- Since obstacles to law enforcement include the difficulty of tracing the senders of unwanted junk mail, tracing capabilities will need to be strengthened.

(b) Regulations on unwanted junk mails in other countries

(c) Points of discussion points regarding the legislative framework (draft)

The Secretariat explained Documents 5 and 6, which was followed by questions and answers summarized below.

- The opt-in system will be preferable from the perspective of international cooperation.
- The advantages of both the U.S. system and the European system should be incorporated.
- The point made about a problem of the opt-out system being that informing senders of rejection messages actually causes unwanted junk mail will need to be verified.
- Now that access to Web sites is widely available, sending mail sent to check user intentions will be less justifiable.
- If the opt-in system is to be introduced, a verbal agreement should be also regarded as a valid method of obtaining consent.
- If the opt-in system is to be introduced, it will be unnecessary to have a specific period in which consent can be given, provided there are opportunities to reject mail.
- The reason measures taken in the Netherlands and Austria are highly effective may be the heavy penalties imposed. I would like to know the reasons.
- As in done in various countries, Japan should regulate bot commanders.
- Is there a practical outcome to regulating bots?
- It might be worth considering a provision similar to that contained in the legislation regarding the unlawful use of mail for inclusion in the Law on Regulation of Transmission of Specified Electronic Mail.
- The requirements for telecommunications carriers to stop providing services may also have to be reviewed.
- "Advertisement" is currently included as a requirement in the definition of specified electronic mail; however, this will need to be reviewed in considering the present situation regarding unwanted junk mail.

End