

**Study Group on Countermeasures against Illegal/Harmful Information
on the Internet—4th Meeting
Summary of Minutes
(Proposal)**

1. Date and Time

Wednesday, February 27, 2008; 10:00–12:00

2. Location

Shared Conference Room 1, 9th floor, Central Government Bldg. No. 7

3. Attendees (honorifics omitted)

(1) Members

Yoshio Igarashi, Hisamichi Okamura, Shuji Kato, Takamasa Kishihara, Tamayo Kimura, Hiroyuki Kuwako, Fumiaki Koizumi, Akio Kokubu, Yoko Kobayashi, Shinichiro Sakata, Satoshi Seki, Nobuyuki Takahashi, Masao Takahashi, Tsuyoshi Takenouchi, Toshiaki Tateishi, Hiroshi Tano, Miki Nagata, Keigo Inoue (proxy for Nakayama), Yasuo Hasebe, Makoto Haruta, Hiroki Hirasawa, Naoya Bessho, Masao Horibe, Toru Maruhashi, Suguru Yamaguchi, Seiji Yoshikawa

* Saito and Matsuyama were absent.

(2) Observers

Counselor (IT Office), Cabinet Secretariat; Director for Policy of Youth Affairs, Cabinet Office; Director, Cybercrime Division, National Police Agency; Director, Information Economy Division, Ministry of Economy, Trade and Industry; Director, Youth Division, Ministry of Education, Culture, Sports, Science and Technology

(3) MIC Representatives

Terasaki (Director-General, Telecommunications Bureau), Takeuchi (Director-General, Telecommunications Business Department), Ando (Director, General Affairs Division, Telecommunications Bureau), Taniwaki (Director, Telecommunications Policy Division), Kurose (Director, Computer Communications Division), Ninomiya (Director, Telecommunications Consumer Policy Division), Yoshida (Senior Planning Officer, Telecommunications Consumer Policy Division), Okamura (Assistant Director,

Telecommunications Consumer Policy Division), Naito (Assistant Director, Telecommunications Consumer Policy Division), Ishii (Assistant Director, Telecommunications Consumer Policy Division)

4. Agenda

(1) Opening address

(2) New study group members (Secretariat)

(3) Internet content evaluation system

Naoto Kikuchi, Associate Professor, Research Institute for Digital Media and Content, Keio University

(4) Education and campaign on proper usage of the Internet

- "e-NetCaravan Initiative"

Yoshihiro Yamada, Director-General in charge of the Initiative, Project Planning Division, The Foundation for MultiMedia Communications (FMMC)

- "ICT Media Literacy Development Program"

Noriyuki Matsukawa, Director, ICT Accessibility and Human Resources Development Division, Information and Communications Policy Bureau, MIC

(5) Opinions of elementary and junior high school students and their parents on accessing the Internet via mobile phones

Shuji Kato, Vice President, National Congress of Parents and Teachers Associations of Japan

(6) Items to be included in the abstract of the interim report (proposal) (secretariat)

(7) Closing

5. Meeting Summary

(1) Opening address

(2) Subjects

(i) New study group members

The study group approved the proposal that Fumiaki Koizumi, CAO of mixi, Inc., join the study group as a new member.

(ii) Internet content evaluation system

Keio University Associate Professor Kikuchi gave a presentation based on Reference 3. The following questions and answers were subsequently asked and given.

Q: Unlike conventional media, the Internet is a global communication network. A website

serving Japanese users could be run on servers in the United States. How would the evaluation system you have introduced cope with content transmitted from overseas?

A: We recognize that it is a difficult challenge. However, international coordination among copyright holders is underway. It is one of the issues to be solved for a third-party organization in making adjustments with overseas parties and building consensus.

Q: The evaluation system was, I think, mentioned in an announcement that may affect future reports, but it has raised some questions about the system. For the institutional planning, the basic philosophy is that a wide choice for users is important, but the announcement did not give us such an impression. If it is a third-party organization that certifies good websites, it just creates another bottleneck that replaces the current whitelist. Wouldn't it be better to purport to create a blacklist that only prohibits access to problem websites? There are also concerns that if the certification criteria are too strict, they could create a barrier for new entrants, which also endorses blacklisting rather than whitelisting. The announcement introduces evaluation bodies in other content areas. However, the content in those areas are supplied by specific people. On the other hand, on the Internet, everyone can supply content. It would be necessary to review whether it is justifiable to create a third-party organization for the Internet based on the examples in other fields that are characteristically different. In addition, the system is said to target commercial content for the time being, but there is a high possibility that the websites run by volunteers and public institutions may remain untouched.

Q: Eirin (Film Classification and Rating Committee) is an institution that examines existing content. Their system is not adequate for handling content in cyberspace. I believe that the announcement does not intend to introduce an evaluation body in another content field as it is. I would like to hear which parts you are considering to modify before introduction.

A: We think it is not necessary to have a single third-party evaluation body. Our ultimate goal would be to allow selection by each receiver. The import of the announcement is that the content provider should take some measures for the present. We understand that the application of the certification criteria requires clarity to prevent the creation of barriers for new entrants. For the difference from other organizations, we are planning to consider the management system as well as content. An organization that accepts a gray area in addition to black or white judgment is one possibility. The planned organization is not intended to make firm judgments as the organizations listed as references do.

Q: Reviews by Eirin and similar organizations are conducted from a single viewpoint, whether the films contain sexual content. However, judgments on cyber pornography involves wide-ranging issues such as whether it runs against the Act against Unjustifiable Premiums and Misleading Representations, which require a sophisticated review mechanism. By the way, is it correct to think that the judgments by the third-party organization are reflected in the additions of whitelist items and deletions of blacklist items?

A: That's correct.

Q: If we have several third-party organizations, how do the carriers deal with them? If a website that is certified by a third-party organization causes trouble, who bears the liability? The ambiguity in the sharing of responsibility could be one of the causes of the discreet attitudes of the carriers.

A: The carriers think that they should provide the widest possible variety of content.

Q: Currently, there is no definite criteria on whether a website is harmful or not. If we have such criteria, it will be useful for eliminating harmful information as well as certifying websites. Our understanding is that the import of the announcement by Professor Kikuchi is adding the websites certified by a third-party organization to the whitelist as the first step. We think our industry should deal with this matter even more positively. We hope the scholars and persons of experience who discuss the third-party organization will lay down criteria that are fair and widely accepted.

Q: We agree with the basic philosophy. The system is said to target commercial content for the time being. However, one problem is that the filtering could hinder access to non-commercial content. We hope you, if possible, work toward targeting a wide spectrum of content from the beginning. The bearing of costs for the project should be discussed separately.

Q: How will the display of advertisements that are inappropriate for youth be treated in judgment?

A: We think it should be also the target of judgment.

Q: If the system initially targets commercial content, the websites catering to youth are affected. Thus, it naturally follows that those websites are more severely examined compared to the other sites. When the targets are expanded to other websites, it is necessary to review the criteria. For filtering, we already have criteria such as "SafetyOnline3" and such based on which each party concerned is making efforts. In future discussions, it is important to consider existing efforts such as this. What do you think of it?

A: I totally agree with you.

(iii) Education and campaign on proper usage of the Internet

Yamada, Director-General in charge of the Initiative, Project Planning Division, Foundation for MultiMedia Communications (FMMC), gave a presentation based on Reference 4. Matsukawa, Director, ICT Accessibility and Human Resources Development Division, Information and Communications Policy Bureau, MIC, then gave a presentation based on Reference 5. The following questions and answers were subsequently asked and given.

Q: It seems the e-NetCaravan Initiative tends to emphasize only the risks and dangers of the Internet. Does it mention any good points of the Internet in the actual activities?

A: I have not touched on the subject today, but we actually talk about the advantages of the Internet at the beginning of each session.

Q: Are the web access from PCs and that from mobile phones separated? Is the separation to continue in the future?

A: The future is under consideration. For the time being, we bring them under one heading, "Internet." We will not separate them by tools.

A: Some are specific to mobile phones, but the others are common to both. As this activity targets fifth- and sixth-graders, we chose mobile phones as a topic. This issue will be reconsidered in the future.

Q: How about providing the program content on a website for children?

A: The main purpose of the e-NetCaravan Initiative is to provide lectures to parents and teachers. We also think it is important to educate children. The e-NetCaravan Initiative occasionally introduces various efforts such as the "ICT Media Literacy Development Program" that was presented earlier.

A: For the main targets of the program, the fifth- and sixth graders, we think a booklet form is easier to handle. We therefore provide a printable booklet version for downloading. With Internet ancillary materials, children can learn more effectively.

Q: It is an excellent activity, but the reality is that parents have a strong impression that it is difficult to understand what is going on. For media literacy, it is difficult for them to discover what material they can get from where. I think we really need a portal site on media literacy that compiles information on what one can learn and where.

A: The Cabinet Office is considering the establishment of a "Consumer Education Portal Site." There is a possibility of working in conjunction with this effort.

(iv) Opinions of elementary and junior high school students and their parents on accessing the

Internet via mobile phones

National Congress of Parents and Teachers Associations of Japan Vice President Kato gave a presentation based on the "Excerpts from the Report on the Result of the Consciousness Survey on Children and Media" Reference. The following questions and answers were subsequently asked and given.

Q: For the description on page 77, is there data organized by ages of the children?

A: This survey focuses on fifth-graders, eighth-graders, and parents. There is no breakdown for the fifth and the eighth grades. We suppose that not many fifth-graders have mobile phones.

Q: The situation may be quite different between ages. It would be preferable to have a breakdown into age groups. On page 84, many children answered that no rule is imposed on their mobile phone usage. On the other hand, most parents responded that they made rules. What do you think the disagreement means?

A: Our analysis has not reached the level of specifics like that.

Q: It may often happen that each family has a different opinion on what is harmful. Is there any description on the families taking the responsibility for their own decisions? What do you think of self-responsibility?

A: I understand there are some differences in the rules families impose on mobile phone usage, but we think we need to implement common rules such as those on illegal information. There is a gap between the amount of information available between the carriers, the parents and school staff. I think it would not be fair to demand self-responsibility in such a situation.

Q: Many people support spreading the use of filtering. In reality, however, less than half of them have implemented that technology. What do you think the discrepancy indicates?

A: We do not think there is a discrepancy in the survey result. It may also be because of insufficient description and understanding. The preferable form may be that filtering is activated by default and parents can deactivate it on their own authority. This is the consensus among PTA members.

(v) Items to be included in the abstract of the interim report (proposal)

The secretariat gave a presentation based on Reference 6. The following questions and answers were subsequently asked and given.

Q: On "the range of responsibility of the carriers for adding a website to the blacklist" on page 4, what responsibility are assumed? Is it the responsibility in a civil case or the

responsibility for the users? The whitelisting system also involves the issues on responsibility. On "the items to be informed to the users and get-acquainted period in the blacklisting system," the requirement for informing associated with the dismissal due to the implementation of filtering applies similarly to whitelisting. In addition to filtering, it might be necessary to consider methods for verifying user ages.

Q: The mobile phone networks are quite different from the ordinary computer networks. The current discussion on mobile phone filtering in this Study Group deals with a rather local topic in the world of computer networks. There are strong concerns that when the results of discussions are compiled into a report, they are generalized and applied universally. We hope that the report will include a note that the content is applicable to only mobile phones, or that the report will be a balanced one incorporating the discussions on the adequacy of the current filtering and on social cost bearing, the technological development follow-ups, and users' self-responsibility.

Q: Is it possible to estimate the cost for improving the current filtering system that shuts out the users' choice and implementing a new more usable filtering? I would think our discussion should be based on specific cost estimation, no matter if it is a rough estimate.

Q: On "Good Content," if this expression indicates content that should be put on the whitelist, it presents a problem. There are disputes on the evaluation of content. Defining the criteria for judging non-harmful content and defining the criteria for judging good content are not the same. I think the discussion on non-harmful content should come first. The fact that the description starts with the "Good Content" title would raise some concern.

Q: The fact that the report is specific to mobile phones should be clearly stated. "Good Content" might be interpreted as good content for children. The point is that we are discussing a third-party organization that defines appropriate criteria for filtering. For the versatility of filtering services, the current PC filtering services are available by pages rather than websites. We hope the promotion of providing this type of filtering services will be mentioned in the report. There are some descriptions on what are required for filtering services. We think they should also include the discussions on the aid for developing required technology in some way. For a third-party organization, in addition to the openness and neutrality of the third-party organization, the assurance of clarity of the criteria themselves defined by the organization would be required.

Q: I agree with you in clearly stating that the discussion is focused only on mobile phones. The past discussions assume the implementation of filtering, and the interim report also

seems to have a similar tendency. However, it should be clarified that filtering is only one of the methods for blocking access to illegal and harmful information on the Internet. With the above issues unresolved, it would be inappropriate to push forward with the introduction of filtering. If it takes time to solve the problems with filtering, we could choose to suspend promotion of implementing filtering. I think the report should mention that the current filtering model has issues in blacklisting as well as whitelisting. For the variety of filtering services, we should also consider using the filtering services provided by entities other than carriers. Considering the "Evaluation of Whitelist and Blacklist," if a website matches a certain category, it is automatically filtered out. We think the current status is highly problematic and hope only problem sites are included on the blacklist. For the third-party organization, the philosophy of certifying good websites is inappropriate. The judgment should be based on ruling out harmful information. In addition to neutrality and openness, the principles of the third-party organization should preferably include the user's right to choose.

(3) Closing