

**Minute Summary of the 8th Meeting of the Study Group on
Actions against Illegal and Harmful Information on the
Internet**

1. Date and time: April 28, (Fri) 2006 14:00 to 16:00
2. Location: Shared Conference Room No.2, Low-rise Building
(1F), Ministry of Internal Affairs and Communications
3. Attendees

Members: Eguchi, Kokubu, Goto, Shimada, Chiba,
Nagata, Takada (by proxy), Noguchi, Bessho,

Horibe (Chairman), Yoshikawa

Ministry of Internal Affairs and Communications
Suda (Director-General of the Telecommunications Bureau), Terasaki
(Director-General of the Telecommunications Business Department),
Furuichi (Director of Telecommunications Consumer Policy Division), Yajima
(Planning Officer of Telecommunications Consumer Policy Division), Shibuya
(Assistant Director of Telecommunications Consumer Policy Division), Ishii (Assistant Director of Telecommunications Consumer Policy Division), Hiramatsu (Assistant Director of Telecommunications Consumer Policy Division)

4. Proceedings

(1) Opening

(2) International comparison relating to transmitter
information disclosure systems

- (3) Measures against illegal information and international cooperation efforts in the United States and European countries
- (4) Issues relating to anonymity on the Internet
- (5) Schedule for subsequent meetings
- (6) Closing

5. Major discussions

(International comparison relating to transmitter information disclosure systems)

- In Japan, disclosure of transmitter information can be requested without judicial mediation under Article 4 of the Provider Responsibility Restriction Law, but the

United States and European countries have only transmitter information disclosure systems through judicial mediation. While the complexity of the procedure for transmitter information disclosure depends on each country, it seems that the requirements are less strict in the United States compared with other countries. However, we hear that, at the same time, criticisms exist within the States that they are disclosing transmitter information too readily. As for disclosure of transmitter information, it is important to conduct comparison and examination carefully while considering the background of the justice system in each country.

(Measures against illegal information and efforts toward international cooperation in the United States and European countries)

- In cases where information is stored in a server abroad and if the information is deemed illegal in both the accessing country and the country where the server is installed, it may be addressed through INHOPE, an international organization of hot lines, or international cooperation between investigative organizations.

However, it is currently difficult to address information that is not illegal in the country where the server is installed, even though the information is illegal in the

accessing country.

- It seems that international cooperation has been working relatively effectively in regard to information that is deemed to be illegal globally, such as child pornography.

(Issues relating to anonymity on the Internet)

- Anonymity exists on the Internet in various layers such as gateways and applications. Therefore, eliminating anonymity in a layer is senseless while it is not practical to eliminate anonymity in all layers.

Elimination of anonymity may lead to infringement of freedom of expression and freedom to communicate

anonymously.

- Concerning crimes making inappropriate use of anonymity, we must fully discuss possible measures after understanding what kinds of behavior have taken place using anonymity and considering effectiveness and cost.
- Because crimes misusing anonymity have been a concern on the Internet, measures to eliminate anonymity under the Cellular Phone Abuse Prevention Law are being taken as, for example, to pre-paid type cellular phones.