

III-5-1 Social issues

(1) Dealing with new social problems

Measures are being taken to prevent inappropriate use of telecommunications.

The widespread use of the Internet, as well as other developments in info-communications services, have dramatically widened benefits for consumers and the choices available to them. However at the same time, new social problems associated with the new technology are increasingly becoming evident. Among them are the distribution of libel, the invasion of privacy and the posting of illegal and harmful content over the network, such as pornography or advertisements for poisonous substances. These acts are particularly serious because they target a potentially huge number of people.

Of the complaints concerning info-communications services received by MPT during July - October 1998, the largest number related to e-mail, reflecting the increase in Internet users in Japan (Fig.). The ministry has taken various steps to address such problems, as detailed below.

1. "Study Group on the Improper Use of Info-communications and the Appropriate Handling of Complaints"

From July 1998, MPT hosted a "Study Group on the Improper Use of Info-communications and the Appropriate Handling of Complaints," with the aim of grasping the current state of improper use of info-communications and of finding solutions to these problems. The study group compiled a report in February 1999, which lists the following countermeasures against improper use of info-communications:

- 1) the public should be made aware of the basic social rules to be followed in using info-communications services, and of ways to protect themselves from harmful content;
- 2) the government and telecommunications carriers should develop technologies to block inappropriate and malicious use of networks; and,
- 3) the support systems should be established to grant telecommunications carriers the right to

give warnings and to remove inappropriate information from the network.

The study group also gave due consideration to the fact that it is the legal protection against the disclosure of the identity of information distributors that is making it difficult to charge offenders with disseminating illegal content over the Internet. In its report, the study group suggested that "before allowing the identities of information distributors to be disclosed, discussions have to be continued to clarify legal issues pertaining to the procedures of such disclosure, the reasons for it, the appointment of disclosure organizations, and other such issues."

2. Measures against inappropriate use of telephone message services

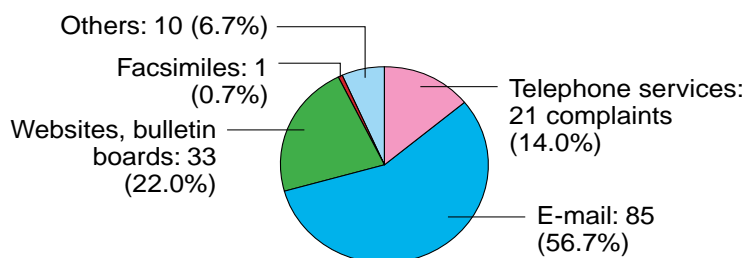
From December 1998 to January 1999, a man approached several women, using telephone message services (also known as voice mail services), and deceived them into taking sleeping pills to rob of their money. Some of these women made deeply unconscious were left outdoors and died.

To prevent similar incidents, in January 1999 MPT asked the Telecom Services Association, Japan, (TELESA) to implement appropriate measures. TELESA subsequently held a public meeting to explain its guidelines, aiming to warn people about the potential dangers of contacting strangers through voice mail services.

3. Measures against fraudulent "international information services"

During fiscal 1999, a number of people in Japan became the victims of fraudulent "international information services." When they responded to such promises as "free online pornography," they were lured into signing up for an extremely expensive international telephone service. MPT has been distributing leaflets to caution Internet users against such types of fraud.

Fig. Complaints about inappropriate use of info-communications



Source: "Report from the Study Group on Improper Use of Info-communications and Appropriate Handling of Complaints," MPT

(2) Meeting the needs of the elderly and people with disabilities

Creating a barrier-free environment for access to information technology

"Basic Guidelines on the Promotion of an Advanced Information and Telecommunications Society" were adopted in November 1998 by the Advanced Information and Telecommunications Society Promotion Headquarters. The guidelines propose the creation of an environment that allows elderly people and those with disabilities to enjoy easy access to information technology. This is seen as a matter of priority in establishing an advanced info-communications society (Refer to I-5-2-(5)).

In line with this proposal, MPT is working on the following measures to meet the needs of the elderly and people with disabilities through the use of info-communications:

1. "Guidelines for Universal Designs"

June 1998 saw the final report of the "Committee to Promote Info-communications Support Systems for People with Disabilities," jointly established by MPT and the Ministry of Health and Welfare. Based on the report, MPT compiled guidelines stipulating a range of functions that telecommunications facilities must have, in order to enable them to be easily used by anyone, including elderly people and those with disabilities. These "Guidelines for Universal Designs" covered the accessibility, usability, and compatibility of telecommunications equipment and public telecommunications facilities, and were put into effect in October 1998.

One month later in November 1998, the Telecommunications Access Conference was established, bringing together representatives of relevant industries. Referring to the guidelines, the conference formulated its own voluntary rules on the construction of telecommunications facilities.

2. R&D on barrier-free communications and broadcasting systems

Since fiscal 1997, the Telecommunications Advancement Organization of Japan (TAO) has been promoting research and development of next-generation communications and broadcasting systems that can easily be accessed by everyone. These systems will be able to respond to the exact needs of people with disabilities, by using networks to control a range of functions and distribute applications that are automatically adjusted to match the needs of each individual (Fig.).

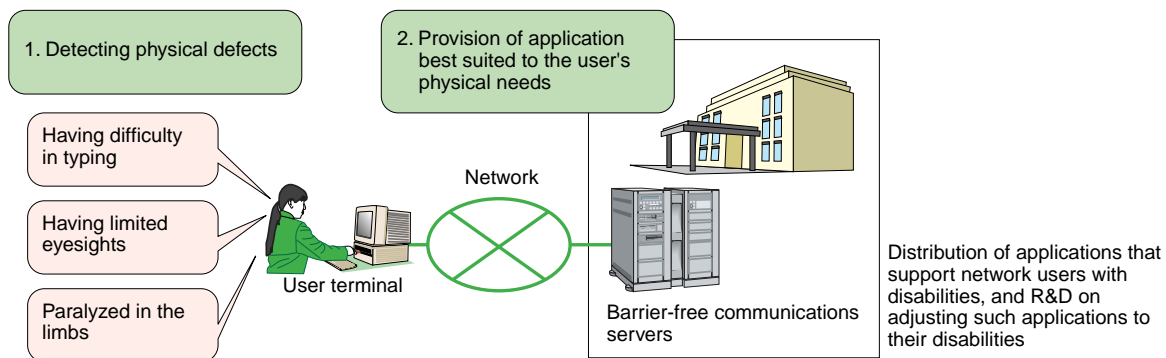
3. "Study Group on Achieving a Barrier-Free Environment in Info-communications"

In December 1998, MPT launched a "Study Group on Achieving a Barrier-Free Environment in Info-communications," together with the Ministry of Health and Welfare. The study group has been discussing the ideal elements of an environment in which all citizens, including the elderly and people with disabilities, have equal access to the info-communications services.

4. Subsidies for R&D on communications and broadcasting services that benefit the elderly and people with disabilities

TAO provides subsidies to companies to cover part of their development work on new communications and broadcasting services that are beneficial to elderly or disabled citizens. During fiscal 1998, TAO granted subsidies to 19 such research projects.

Fig. Image of R&D on the next-generation barrier-free systems
(An example: Technology to machine-detect the level of disabilities through voice communication.)



Related sites: Basic Guidelines on the Promotion of an Advanced Information and Telecommunications Society (<http://www.kantei.go.jp/jp/it/981110kihon.html>); Telecommunications Advancement Organization of Japan (TAO) (<http://www.shiba.tao.or.jp/>)

(3) Protecting privacy in telecommunications services

Revisions have been made to update the “Guidelines on the Protection of Personal Data in Telecommunications.”

With the aim of protecting the privacy of people using telecommunications services, MPT compiled “Guidelines on the Protection of Personal Data in Telecommunications” in September 1991. MPT encouraged companies and the public to be aware of the guidelines and to put them into practice. Nonetheless, developments such as the explosive growth of the Internet, as well as the increasing diversity of telecommunications services, led to MPT revising the guidelines to include specific rules for the various types of personal data handled by service providers.

Under the auspices of MPT, the “Study Group on Privacy Protection in Telecommunications Services” met from May 1998 until submitting its report to MPT in October 1998. The report recommended that the September 1991 guidelines should be revised to add new items to the existing five basic principles: 1) restrictions on the collection of personal data, 2) restrictions on the use and disclosure

of personal data, 3) appropriate management of collected personal data, 4) participation by individuals in handling personal data, and 5) clarification of responsibility for personal data. The report proposed that provisions be set for each of six items: communications logs, itemized bills, callers’ personal data, location information, blacklist information and telephone number information. It also stressed that legal frameworks should be prepared as soon as possible to facilitate effective protection of personal data in telecommunications services, while maintaining transparency in their administrative procedures.

MPT made the revisions proposed by the study group and published the new guidelines in December 1998. MPT will strive to make the guidelines widely known to the public and continue its work to find practical ways of ensuring the protection of personal data.

Table New provisions in the guidelines for dealing with specific types of information

	Contents
Communications logs	<ol style="list-style-type: none"> 1. Telecommunications carriers are permitted only to keep logs of customers' telephone calls that are necessary for their operations, such as charging, billing, complaints handling, and preventing wrongful use of services. 2. Telecommunications carriers must erase communication logs when they become unnecessary; for example, when a predetermined record-keeping period has passed, or when the purpose for keeping the logs has been achieved. 3. In principle, telecommunications carriers must not disclose the contents of communication logs to others.
Itemized bills	<ol style="list-style-type: none"> 1. When telecommunications carriers issue itemized bills, descriptions on the items must not transcend the original meanings of those items. 2. Before issuing or disclosing itemized bills to subscribers and people accessible to the bills, telecommunications carriers must take necessary measures to protect subscribers' secrecy of communications and personal data from invasions.
Callers' personal data	<ol style="list-style-type: none"> 1. When providing services that allow callers to be identified, telecommunications carriers must provide mechanisms to allow callers to turn off the service for each line or each call, so as to protect their personal data, such as telephone numbers. 2. Disclosure of callers' personal data in the caller ID service and other similar services is an exception to the general rule that telecommunications carriers must not disclose customers' personal data.
Location information	<ol style="list-style-type: none"> 1. In general, telecommunications carriers must not disclose information about a subscriber's location to unauthorized parties. 2. When telecommunications carriers provide a location detection service for subscribers to mobile telephone services, or when entrusting such services to another company, they must take necessary measures to protect the rights of mobile telephone subscribers.
Blacklist information	<ol style="list-style-type: none"> 1. Telecommunications carriers are allowed to exchange blacklist information, such as the names of subscribers who refuse to pay their bills, only if the sharing of such information is considered appropriate and indispensable to stopping the recurrences of such conduct. Sharing of such information is not allowed if it could damage the rights of blacklisted subscribers. 2. Telecommunications carriers are allowed to use the shared blacklist information only for background checking of new subscription applications. 3. When telecommunications carriers provide or receive blacklist information, they must take extra care in handling it. They must also inform those who appear on any blacklist and, upon their request, make necessary corrections to information.
Telephone number information	<ol style="list-style-type: none"> 1. Telecommunications carriers must ask subscribers if they want to be listed in the carriers' telephone directories or other telephone number information services. Carriers must remove from their directories details of any subscriber who chooses not to be listed. 2. In general, when telecommunications carriers publish telephone directories or provide telephone number information services, the information they offer must not go beyond the intrinsic purposes of these services. 3. In telephone directories or telephone number information services, the way of presenting information must not infringe the rights of subscribers. 4. In principle, telecommunications carriers must not provide telephone number information by any other means than telephone directories and telephone number information services. 5. When telecommunications carriers provide telephone number information to any third party for the purpose compiling telephone directories or offering telephone number information services, the two parties must sign a contract which includes the aforementioned rules.

III-5-2 Improving the telecommunications usage environment

(1) Complaints and inquires about telecommunications services

III-5

In fiscal 1997, about 40% of complaints and inquires concerned domestic phone calls.

MPT accepts users' complaints and inquires about telecommunications services, and uses the information obtained to try to improve services and ensure they are secure and easy to use. Complaints and inquiries addressed to MPT are analyzed, and the results reflected in the ministry's requests and advice to telecommunications carriers.

The following is the summary of complaints and inquires received by MPT during fiscal 1997.

1. Number of complaints and inquires

A total of 1,071 complaints and inquiries were received during fiscal 1997 at the Telecommunications Consumer Affairs Office (until July 1997, the Tariff Division). This figure showed a dramatic increase of 340 % from fiscal 1996 (Fig. 1).

Month-to-month growth in the number of com-

plaints turned upward from July 1997 (Fig. 2). This shift can be partly attributed to the setting up of the Telecommunications Consumer Affairs Office which gave users a clear destination for complaints and inquires, as well as collaboration with the Consumer Information Center and consumer groups.

2. Complaints and inquires by type of service

Among complaints and inquires about all telecommunications services, those concerning phone calls within Japan ranked top, accounting for about 40% of the total. In second place was about cellular or PHS services, while complaints about international calls came third (Fig. 3).

As for what users complained about, "sales activities" came first, followed by "attitude of sales personnel" and "billing" (Fig. 4).

Fig. 1 Total number of complaints and inquires

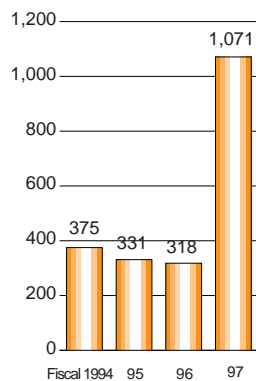


Fig. 2 Total number of complaints and inquires per month

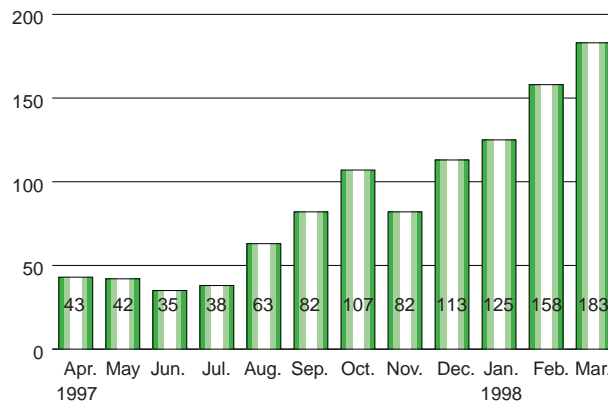


Fig. 3 Number of complaints and inquires by service

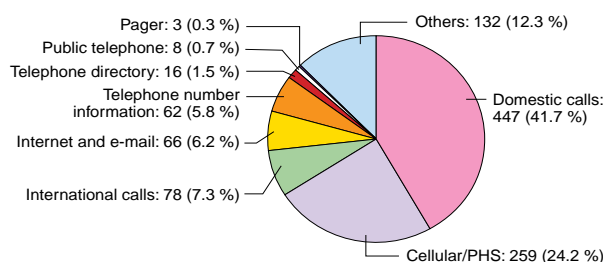
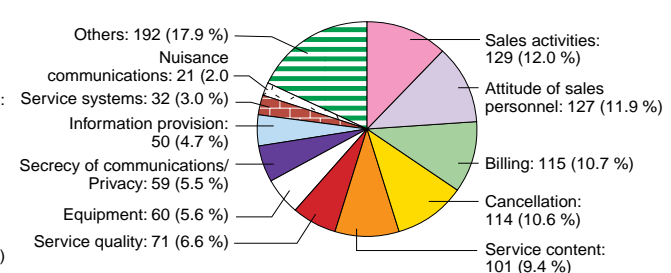


Fig. 4 Details



Source: MPT

Note: "Information provision" includes Dial Q², Two-shot Dial and international provision services.

(2) Surveys on telecommunications services

Over 30% of those surveyed are in favor of caller ID services.

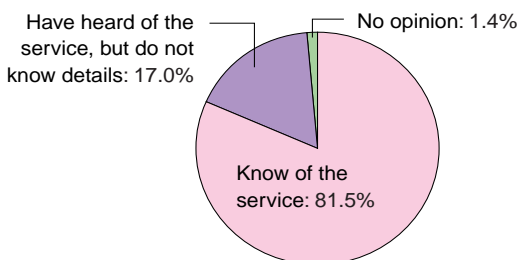
Since fiscal 1994, MPT has surveyed users regarding certain telecommunications services, in order to gather a wide variety of opinions and requests concerning those services. MPT then reflects the results in its policies, with the aim of increasing users' satisfaction and sense of security regarding telecommunications services.

Fiscal 1998's first survey took place in July 1998 and covered the issues of: 1) services that reveal the phone numbers of callers; 2) a new form of telephone directory on CD-ROM; and 3) the exchange of information among cellular and PHS carriers about subscribers who refuse to pay telephone bills (Fig.).

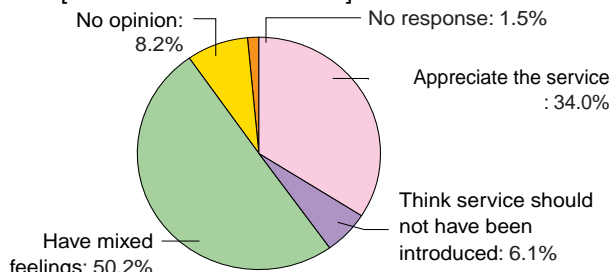
Fig. Results of the first survey fiscal 1998 survey of telecommunications services (summary)

1) Caller ID service

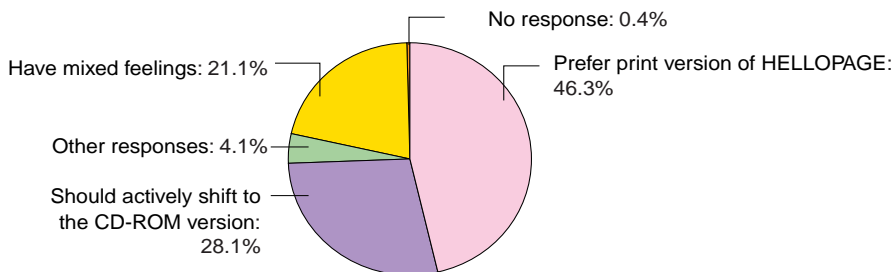
[Knowledge of the service]



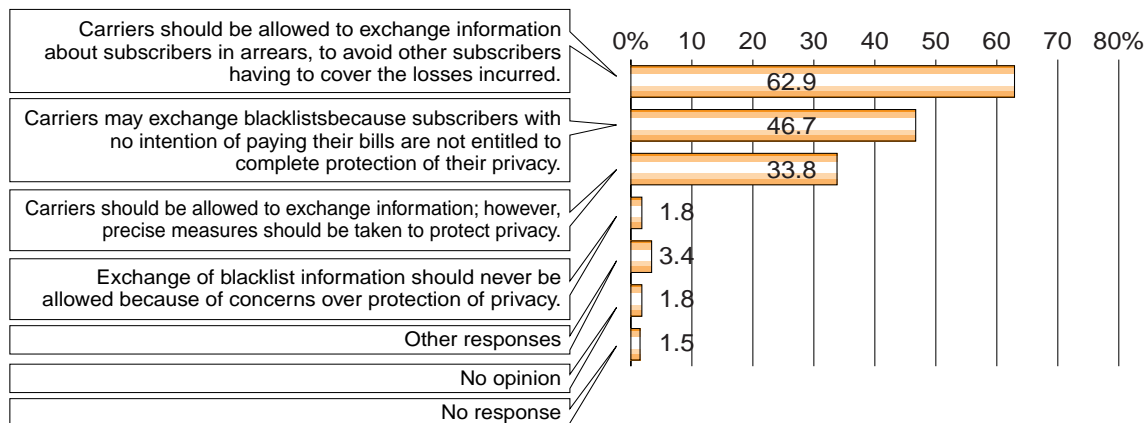
[Evaluation of the service]



2) Distribution of "HELLOPAGE" telephone directories on CD-ROM



3) Exchange of blacklists among cellular and PHS carriers (multiple answers)



Note: The survey targeted a sample of 1,000 people. Of the 1,000 questionnaires distributed, 968 were returned (Response rate: 96.8%).

III-5-3 Encouraging the responsible use of radio waves

(1) Measures for protecting the human body from radio radiation

III-5

Environmental preparation for info-communications advancement

Regulations have been established on human exposure to electromagnetic fields, in order to ensure the safe use of radio waves.

The Association of Radio Industries and Businesses (ARIB) established "Radio-Frequency Exposure Protection Standards (ARIB STD-38)" as guidelines to protect the human body from radio emissions in the construction and operation of a radio station. These standards were based on the "Radio-Radiation Protection Guidelines for Human Exposure to Electromagnetic Fields" that the Telecommunications Technology Council submitted to MPT in June 1990.

However, as radio emissions become more and more common in close proximity to people, due to the rapid increase in usage of cellular phones and other mobile communications devices, concerns were expressed there could be adverse effects on human health. In response to such concerns, the "Study Group on the Desirable Application of Radio-Radiation Protection Guidelines for Human Exposure to Electromagnetic Fields" compiled a report in March 1998 that recommended regulations with compulsory standards should be adopted, rather than simply relying on the existing voluntary guidelines used by the private sector.

Based upon the findings of the report, in July 1998 MPT asked the Telecommunications Technology Council to investigate methods of measuring the strength of electromagnetic fields to evaluate their conformity with the Radio Radiation Protection Regulations for Human Exposure to Electromag-

netic Fields. The council reported its findings on the issue to MPT in November 1998, outlining simple, unified methods for measuring and calculating electromagnetic field strength, which could be used by radio station licensees to check conformity with the regulations.

In line with the report, in October 1998 MPT revised the Rules for Enforcement of the Radio Law by adding a stipulation for safety facilities against radio frequency exposure to the human environment. The revised regulations will be enacted from October 1999. Meanwhile, the ministry has made public the methods adopted for calculating the strength of electromagnetic fields and is making efforts to raise public awareness of these methods.

In a related project, since October 1997 MPT has been holding sessions of the "Committee to Promote Research on the Possible Biological Effects of Electromagnetic Fields" and has been promoting the study and discussion of ways to assess the biological safety of electromagnetic fields. From the results of experiments on short-term exposure to radio emissions using rats, the committee confirmed that the level of radiation emitted from cellular phones in accordance with the Radio-Radiation Protection Regulations does not cause disorders of blood brain barrier. However, the committee will continue to study how long-term exposure to radio emissions affects the brain.

Table Revision to the Regulations for Enforcement of the Radio Law

Regarding specific sites (limited to places where people normally gather or pass through) where the electromagnetic field strength emitted from a radio station exceeds stipulated limits, the radio station licensee is obliged to prevent persons other than radio station maintenance personnel to enter the sites. (The Regulations for Enforcement of the Radio Law, Article 21-3.)

Note: The "stipulated limits" are those in the "Radio-Radiation Protection Regulations for Human Exposure to Electromagnetic Fields" (Refer to Appendix 44).

(2) Controlling radio waves in specific public places

MPT has begun accepting license applications for experimental radio stations to deter mobile telephone radio wave in specific public places.

The rapidly diffusing cellular and PHS phones in Japan become nuisances in public places, such as theaters or trains. To investigate this issue, in April 1998 MPT established the "Study Group on Radio Wave Usage, for Prevention of Public Nuisance Caused by Mobile Phone Calls in Specific Locations." From the viewpoints of both users of mobile phones and the general public, the group studied such issues as the desirability of preventing radio waves from reaching cellular phones and other mobile devices in theaters, concert halls and other

public places. It also discussed regulatory frameworks and technical issues.

In June 1998, the study group compiled its report, which recommended that licensees should be allowed to radio stations that can suppress radio waves in specific locations under certain conditions. Based on the report, MPT established conditions for licensing the experimental radio stations and, in December 1998, began accepting license applications to operate them.

Table Outline of conditions for operating experimental radio stations that can suppress radio waves in certain locations

1. Places where radio waves can be suppressed

- 1) R&D facilities of radio equipment manufacturers and cellular or PHS carriers
- 2) Concert halls, theaters and entertainment halls, under the following conditions:
 - a) The effect of the suppression is limited to specific locations, which are not open to an unspecified number of people
 - b) The suppression of radio waves to mobile phones, etc. should clearly benefit visitors to the relevant locations by ensuring uninterrupted performances.
 - c) Users of mobile phones, etc. at the locations have been informed that radio waves will be suppressed there.

2. Type of radio station

Experimental radio station

3. Purpose of radio stations

To collect data concerning the characteristics of radio propagation, as well as effects on the operation of cellular phones and other mobile terminals.

4. Licensees

Besides radio equipment manufacturers or cellular phone and PHS carriers, managers of concert halls, theaters and entertainment halls may be licensees of these experimental radio stations.

III-5-4 Improving the viewing environment

(1) Promotion of policies for TV viewers

Broadcasters have established voluntary guidelines to avoid programs affecting viewers' audio-visual sensory functions.

In December 1997, it was found that television programs using advanced image display techniques could adversely effect human health, as exemplified by the so-called "Pocket Monster" incident, in which some viewers of a children's animation program suffered fits and other ill effects.

In order to prevent a recurrence, and to protect children's health in particular, MPT organized the "Study Group on Broadcasting and Audio-Visual Sensory Perception."

The study group discussed: 1) analysis on the problems that celluloid animation images exert an impact on audio-visual functions; 2) analysis on countermeasures being promoted in other countries; 3) relations with new image display methods such as digital animation, etc. ; 4) differences in the impacts on human body by growth process; 5) an impact of sounds on auditory functions; and, 6) a favorable viewing environment.

The group compiled an interim report in April 1998 and the final report in June 1998. Regarding the image display techniques for animated films, the interim report recommended that:

- 1) Broadcasters should voluntarily formulate guidelines that are as specific as possible;
- 2) The guidelines should cover flashes of light, recurring patterns, the brightness of images and use of red, and
- 3) In order to prevent the recurrence of damaging incidents, broadcasters should make efforts to disclose information and raise public awareness.

In its final report, the study group also included similar recommendations on the image display methods for all other types of broadcast programs in addition to animated films.

Based on the report, broadcasters voluntarily formulated their own programming guidelines and reflected these guidelines on their Standards of Broadcast Programs (Table). As part of its effort to improve these voluntary guidelines, MPT is planning to further promote studies in some areas where sufficient research data is not available, such as the effects on audio-visual functions of image display methods using digital technology.

Table Broadcasters' voluntary guidelines, based on the report of the "Study Group on Broadcasting and Audio-Visual Sensory Perception"

Guidelines	Points
Guidelines regarding image display techniques for animation and others The Japan Broadcasting Corp. (NHK) and the National Association of Commercial Broadcasters in Japan (NAB), April 8, 1998	<ol style="list-style-type: none"> 1. Usage of flashing image and light more than three times a second should be avoided in principle, and the following points should be provided attention: <ol style="list-style-type: none"> 1) Usage of bright red flashes should be provided particular attention. 2) For flashes at more than three times a second, it is necessary, on the condition that they clear the requirement stated in previous paragraph 1), that these flashes should not exceed five times a second and changes in the brightness on the screen should be 20% or less. In addition, the expression should not be used longer than for two consecutive seconds. 2. Reversal of a strongly contrasting image and changes in brightness on the screen exceeding 20% should not be in principle used for more than three times a second. 3. Display of regular patterns, such as stripes, whirlpools and concentric circles, at almost full-screen size should be avoided.
The Japan Broadcasting Corp. Domestic Standards of Program Editing (NHK) May 26, 1998	<p>Chapter 1. General standard for program editing Article 11. Expression Added the following paragraph</p> <p><u>7. Pay attention on an impact of image display techniques of animation and others on human bodies</u></p>
NAB Broadcasting Standard April 1, 1999	<p>Chapter 8. Attention to be provided for expression Added the following paragraph in the chapter</p> <p><u>(59) Pay attention to the possible effects on viewers of rapidly flashing images and techniques of rapidly changing image display.</u></p>

(2) Young people and broadcasting

A wide variety of measures have been discussed to ensure that broadcasting helps foster young people's social development.

The number of criminal offenses committed by juveniles in Japan has been increasing in recent years, and fostering the socialization of young people is an issue that should be tackled by the entire government. For its part, MPT hosted the "Study Group for Research on Young People and Broadcasting" from May 1998, which is charged with addressing young people's issues from the standpoint of their relationship with the media.

The study group held discussions to determine what basic policies should be established concerning three aspects of the relationship between young people and broadcasting: 1) what measures should be taken by Japan as a broadcasting developed country

and as a signatory of the UN treaty on the rights of children; 2) what voluntary measures should be taken by broadcasters at their own discretion, and 3) how mutual trust between broadcasters and viewers can be further promoted.

The study group compiled a report in December 1998 that presents seven proposals (Table 1). Based on the report, MPT, NHK and the National Association of Commercial Broadcasters in Japan jointly established an "Experts' Group on Youth and Broadcasting" in January 1999. The group is planning to release a report in June 1999, detailing practical ways to implement policy in this field.

Table 1 Outline of the report by the "Study Group for Research on Young People and Broadcasting"

1. Enhancement of Broadcast Programs for Young People
• Enhancement of programs that will have a positive effect on young people
• Promotion of educational and other programs in schools and other institutions
2. Improvement of Media Literacy
• Cooperation among the administrative agencies, viewer associations, broadcasters, educational institutions and other parties concerned
• Effective methods for improving media literacy should be developed and promoted.
3. Promotion of Research on Young People and Broadcasting
• Continuous efforts in this area should be made by universities, research agencies and other relevant parties.
• Information should be gathered from other countries and international agencies on research into young people and broadcasting.
4. Utilization of Third-Party Organizations and Others
• Further development of a system for receiving complaints as well as opinions from viewers and in turn reflecting them in broadcast programming
5. Consideration of Broadcast Time
• Consideration should be given to the time of day when programs are broadcast that might be unsuitable for young people.
• Suitable broadcast times should be determined by broadcasters at their own discretion.
6. Improvement in Provision System of Program Information
• There should be study of the best way to provide information about the content of programs (such as a standard for rating programs, prior on-screen notification of program content, etc.), and broadcasters should establish guidelines based on this study and provide program information in accordance with those guidelines.
7. The V-Chip (Note)
• Further consideration and investigation should be conducted on the issue of the V-Chip, taking into account progress in implementing these proposals, as well as advances being made in digital technology, etc.
8. Schedule for Future Proceedings
• So that the above proposals can be implemented as early as possible, a new experts' group needs to be set up, preferably within six months, to work out the details of each proposal without delay .

Note: The V-chip is a device built into a television set or other terminal which blocks certain programs, such as those containing a lot of violence or sex scenes, by recognizing code signals attached to each program in advance. "V" stands for violence. Broadcasters voluntarily rate their programs and attach designated codes to them before airing.

Table 2 Policies concerning young people and broadcasting in other countries and areas (as of the end of March 1999)

	Restriction on broadcast time	Prior notification of program content	V-chip
U.S.	Introduced	Introduced	Ruled to introduce
U.K.	Introduced	Introduced	Not introduced
France	Introduced	Introduced	Not introduced
Germany	Introduced	Introduced	Not introduced
Canada	Introduced	Introduced	Decided to introduce
Republic of Korea	Introduced	Introduced	Not introduced
Singapore	Introduced	Introduced	Not introduced
Hong Kong	Introduced	Introduced	Not introduced
Australia	Introduced	Introduced	Not introduced
New Zealand	Introduced	Introduced	Not introduced
Japan	Not introduced	Not introduced	Not introduced