Section 7
Protecting Information and Communications Users

1. Consumer Administration in Telecommunications Services

It is thought that the main cause of trouble concerning contracts between telecommunications carriers and consumers, such as contracts relating to DSL or IP phones, is often the fact that consumers conclude the contract without fully understanding the content of the telecommunications service because, for example, the explanation by the carrier is difficult to understand. Therefore, the Telecommunications Business Law was revised in the 156th session of the Diet to newly establish accountability. The amendment stipulates that a carrier or agent must explain the content to the consumer at the time of concluding a contract and that a carrier must accurately and promptly deal with any complaint or inquiry from a consumer.

Also, toward improvement of the situation concerning spam mail (unsolicited e-mail), as well as orders to take treatment and other enforcement of the "Law on Regulation of Transmission of Specified Electronic Mail " and other legislation, the MPHPT is making efforts to promote voluntary responses by carriers and increased awareness among users.

Furthermore, as countermeasures against illegal and harmful contents, the MPHPT is providing assistance to business groups on the formulation of related guidelines and conducting a publicity campaign so that 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" (so-called the Law Concerning the Liability of Internet Service Provider) can be properly operated.

2. Promoting Measures for Information Security and Privacy Protection

(1) Strengthening public-private cooperation toward the ensuring of information security, etc.

In order to promote countermeasures relating to responses at the time of outbreak of incidents involving the violation of information security and liaison and cooperation between the public and private sectors, including the gathering and analysis of information on security violations that abuse information and communications networks and obstruct the supply of diverse IT services and the protection of and cooperation among networks through the sharing of the results of analysis among members, Telecom-ISAC Japan was established in July 2002 by three business groups and seven telecommunications carriers. In order to detect the out-

break of incidents as early as possible and prevent the escalation of damage caused by information security violations, Telecom-ISAC Japan has begun research and development and the construction of a setup with the aim of building a wide-area monitoring system for the swift detection of proliferating incidents.

From fiscal 2003 Telecom-ISAC Japan is building a database for the collection and active preservation of computer viruses and so on and a test bed of mock networks for related research and is scheduled to establish a setup for speedy response to emergency situations caused by the outbreak of a virus and a setup for the joint use of the said test bed by outside researchers.

(2) Research and development relating to secure operating systems

In fiscal 2003 the MPHPT implemented an objective and impartial evaluation of the merits and demerits of open-source operating systems and non-open-source operating systems from various perspectives, including security, operation, and cost, with the aim of contributing to studies on the introduction of open-source operating systems for e-government and e-local government. As a result of this evaluation, it was proposed that since an OS that is best for all information systems does not exist, in the building and operation of each information system, a study of the information security countermeasures that should be taken should be made prior to system procurement and that selecting the best OS for each system through a method of comprehensive evaluation would be most appropriate.

(3) Protecting personal information in the information and communications field

Regarding the protection of personal information that covers all fields in a comprehensive manner, the government in May 2003 promulgated the Law Concerning the Protection of Personal Information, which will go into full effect in April 2005. Regarding the appropriate handling of personal information in the light of this law, the MPHPT will reach a certain specific conclusion on the handling of personal information in the information and communications field by the time the law goes into full effect, with reference to the discussions and reports of the Study Group Concerning Information Privacy in the Telecommunications Business Field, which has been held since February 2003, and the Study Group on Protecting Personal Information in the Field of Broadcasting and Satellite Broadcasting in the Age of IT, which has been held since May 2004.

(4) Measures to upgrade emergency information functions, etc. in the telecommunications business

Upon receiving the report of the Study Group for Ensuring Important Telecommunications in the Telecommunications Business, the MPHPT in November 2003 submitted an inquiry to the Telecommunications Council to look into measures for the upgrading of emergency information functions, etc. in the telecommunications business. The MPHPT also set up the Committee for the Advancement of Emergency Message Systems under the Telecommunications Council, which is currently engaged in deliberations.

3. Overcoming the Digital Divide

In regions that have disadvantageous conditions, such as depopulated areas, the construction of network infrastructure by private companies is not making headway because of such problems as profitability, and the digital divide caused by geographical factors is becoming striking. As a result, policy responses by the central and local governments are called for. The MPHPT is responding to the regional divide through various projects, including the construction of Subscriber Fiber-Optic Networks, the construction and maintenance of transmission towers for mobile telecommunications, and the construction of facilities to ameliorate poor reception of commercial television and radio broadcasting. The MPHPT is also making efforts to address the digital divide caused by disabilities and age, for example by supporting IT use by disabled and elderly persons and expanding subtitled broadcasting.

4. Improving the Environment for Radio Spectrum Use

In order to ease concern that radio waves emitted from radio equipment have an unfavorable effect on the human body and to establish an environment in which people can use radio waves safely and with peace of mind, the MPHPT is promoting research on the effect of radio waves on the human body and other issues, formulating appropriate standards for preventing the impact of radio waves on equipment, and implementing continuing studies. Also, the MPHPT is conducting the appropriate supervision and management of radio waves and, regarding telecommunications equipment, promoting the swift market entry of wireless equipment and terminal equipment. In order to contribute to economic revitalization and the strengthening of international competitiveness, the MPHPT has introduced the Self-Verification of Conformity to Technical Regulations system, which enables the swift development of products because manufacturers themselves are able to confirm conformity with technical standards beforehand. Furthermore, in order to prevent obstruction by interference and so on, the MPHPT has prepared ex post facto surveillance and orders, including penalties.

Section 8
Promoting R&D

1. Developing R&D Policies in the Information and Communications Field

In order for Japan to achieve sustainable economic development and for the Japanese people to lead safe lives with peace of mind, it is necessary to make active and strategic investment in selective areas of science and technology and to maintain and develop the competitiveness of industry through the promotion of research and development. From this perspective, the Second-Term Science and Technology Basic Plan (approved by the cabinet in March 2001) placed special priority on four fields of science and technology, including the information and communications field, and stipulated that R&D resources should be allocated to these fields in a preferential manner.

In consideration of the government's overall policy, the MPHPT submitted an inquiry to the Telecommunications Council to study R&D and standardization strategy with the aim of giving shape to the basic strategy on R&D and revising the R&D Basic Plan (Third Edition). In March 2003, as its basic thinking on such topics as linking the results of R&D to industrialization, incorporating the perspectives of users and makers in R&D, and uniformly promoting R&D and standardization so as to widely diffuse the results of R&D, the Telecommunications Council outlined the R&D issues and policies that should be tackled in the R&D Basic Plan (Fourth Edition), the R&D Implementation Strategy, and the Standardization Strategy.

Also, in consideration of the fact that such issues as standardization in R&D and response to intellectual property strategy have come to be viewed as increasingly important in recent years, the MPHPT in April 2004 formulated the MPHPT Guidelines for Evaluating Research and Development on Information and Communications.