

June 22, 2006

Japan's Measures against Spam

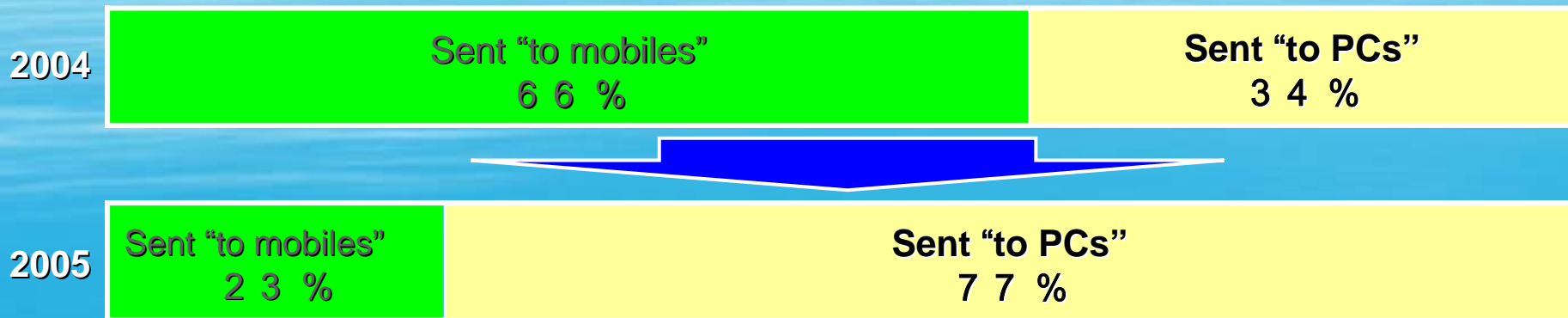
Yoshichika Imaizumi

Telecommunications Bureau,

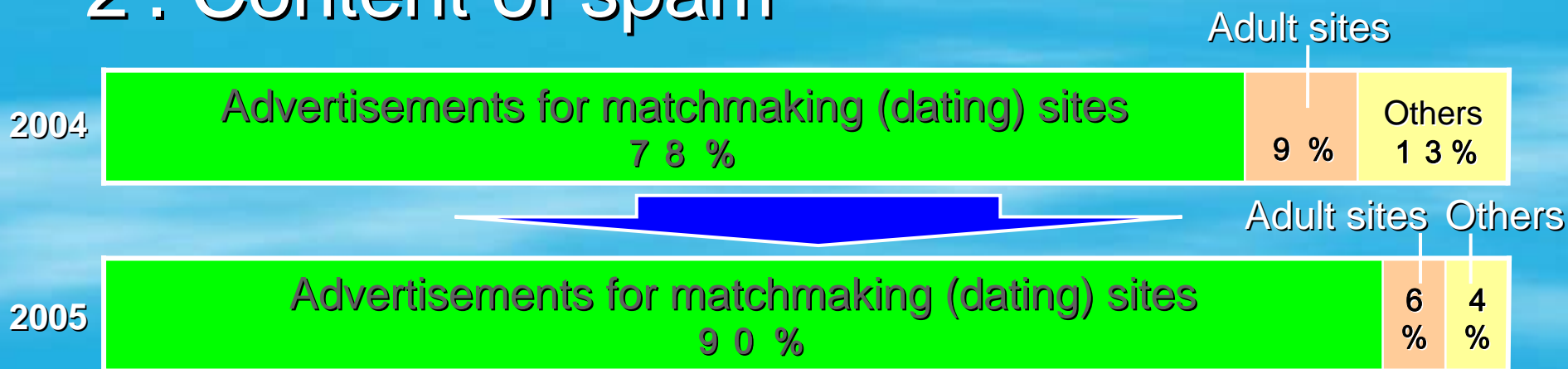
Ministry of Internal Affairs and Communications (MIC), Japan

Characteristics of spam in Japan

1. Media

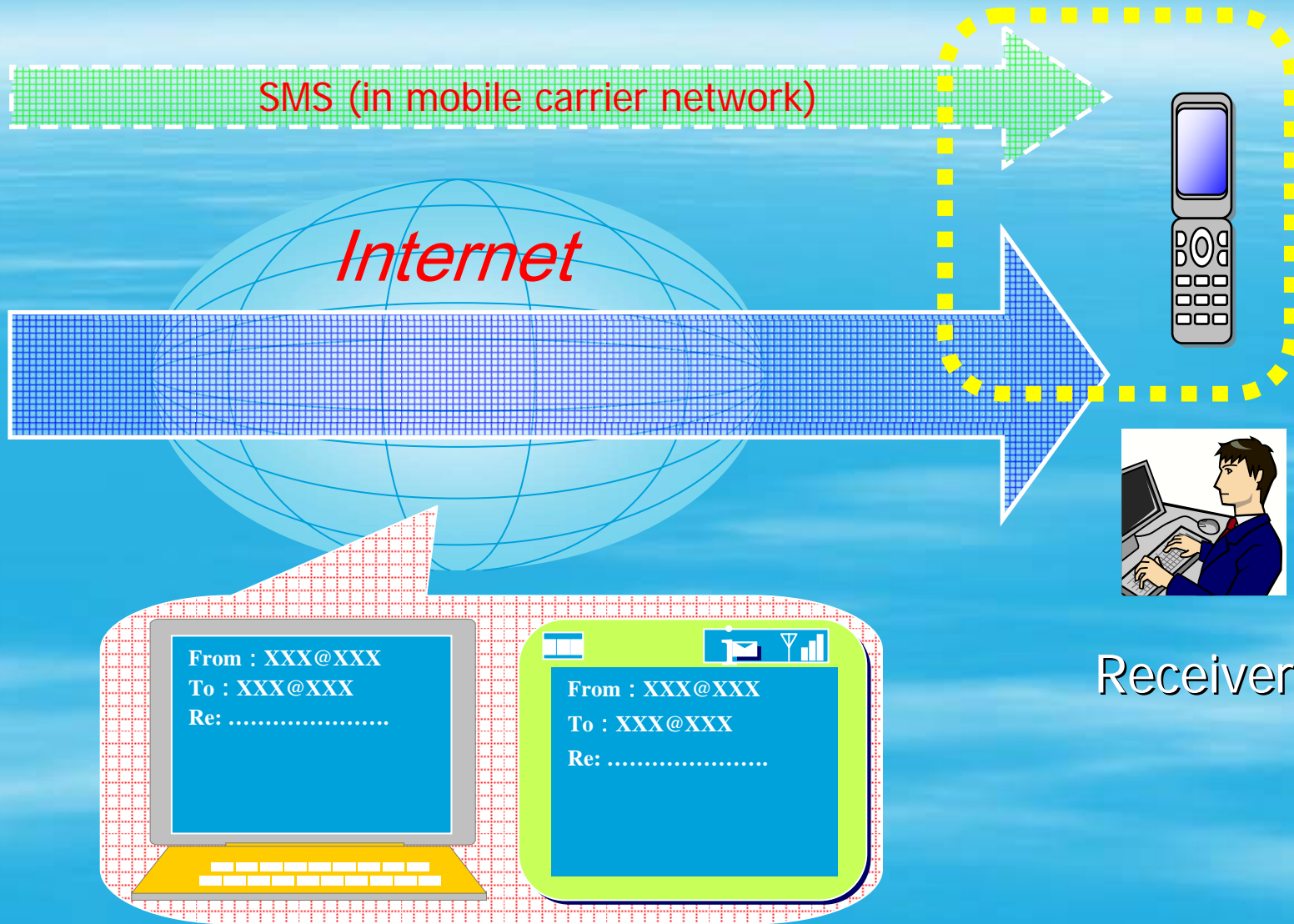


2. Content of spam



Source: Survey by Japan Computer Communications Association, 2004 –2005

What is "Mobile spam" in Japan?



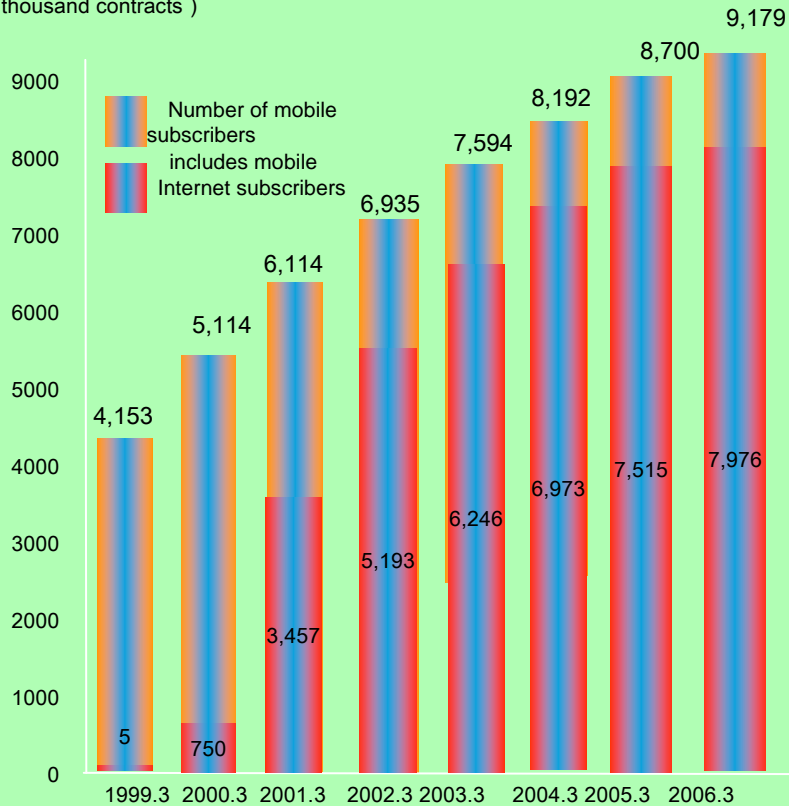
The word "Mobile spam" includes not only SMS, but also e-mails sent to mobiles by means of the Internet.

Japan Currently Enjoys a Major Lead in Mobile Internet

- ◇ The number of mobile Internet contracts has jumped to approximately 80 million in only 7 years.
- ◇ Internet compatibility with mobiles in Japan stands at 94.1%; the world leader in this area.

Change in the number of mobile phone subscribers

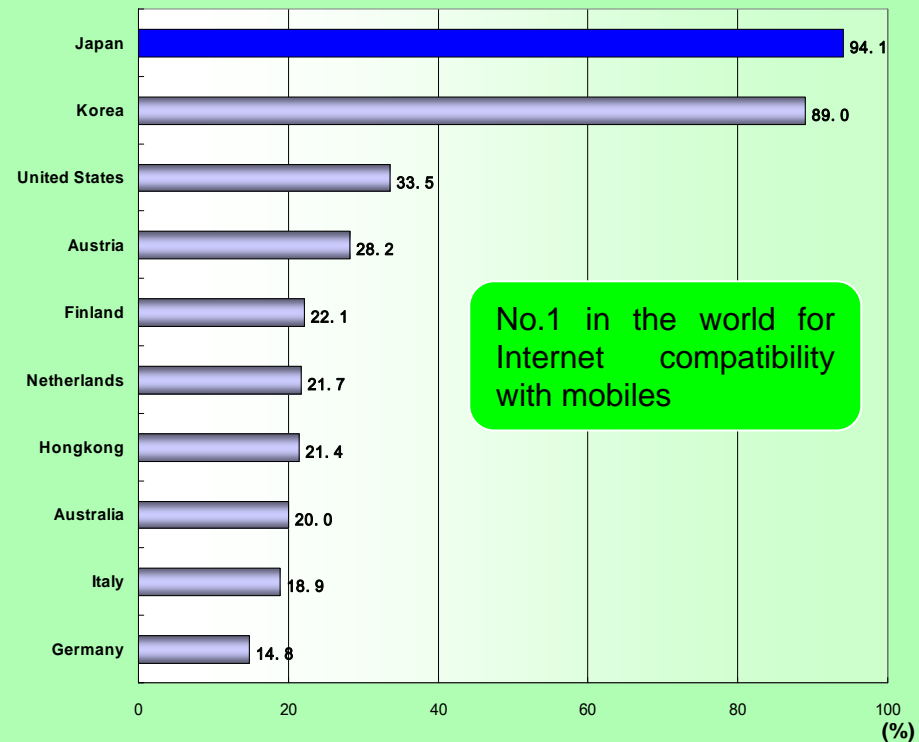
(10 thousand contracts)



Source :Telecommunications Carriers Association

Mobile phone Internet compatibility rate in principal countries (as of September 2004)

(Ratio of mobile Internet contracts as a percentage of total mobile telephone contracts).



No.1 in the world for Internet compatibility with mobiles

Based on documents by Baskerville Communications

History of spam in Japan

2001 Spam sent "to mobiles" significantly increased

→ Self-regulation by mobile operators

Administrative guidance by Government to implement new measures

2002 Two Laws enacted

→ The Law on Regulation of Transmission of Specified Electronic Mail (Anti-spam Law) & Specified Commercial Transactions Law

(For PC spam as well as Mobile spam)

2003 Spread of Domain-Designation Service (to Block PC spam)

Spam sent "from mobiles" increased

→ Self-regulation (e.g. suspension of service for spammers) by mobile operators Promotion of self-regulation by Government (. . .

and decreased

2004 Spam (mainly sent "from PCs" to mobiles) is still a serious problem

→ Anti-Spam Law stipulates that the Government has to consider whether it should be amended or not within three years of its enforcement (→ by the end of June 2005).

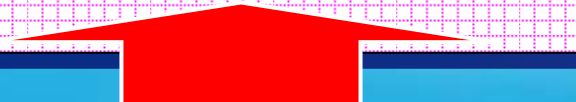
→ MIC set up a Study Group on a framework to handle spam on October 7, 2004.

2005 Revision of Anti-Spam Law

→ Based on the Study Group's recommendations, an amendment bill to the Anti-Spam Law including the introduction of direct penalties was submitted to the Diet in March 2005, approved on May 15, and **enforced on November 1, 2005**

Five items of the anti-spam strategy by MIC

1. Effective enforcement by Government
2. Self-regulation by the private sector
3. Developing technologies
4. Enhancing awareness
5. Seeking international cooperation



Final report 'Study Group on a framework to handle spam' was announced on July 22, 2005, and a comprehensive strategy was proposed.

1. Effective Enforcement by Government

Revision of the Anti-spam Law (1)

1. Introducing direct penalties for malicious spammers

- Before the revision, we adopted a “two-step punishment” for illegal spammers. The first step is an “Administrative Order” by the Minister and the second step is the imposition of a fine (Indirect penalties).
- => Direct penalties (fine of up to one million yen or one-year imprisonment) for malicious spammers who disguise their information such as e-mail addresses.

2. Expanding the areas covered by the Anti-spam Law

- Before the revision, e-mails sent only to private-use addresses were covered by the law.
- => Include e-mails sent to business-use addresses

Revision of the Anti-spam Law (2)

3. Widening the scope of prohibited areas to fictitious addresses

- Before the revision, sending only clearly “advertisement” e-mails to fictitious addresses was banned.

=> Include blank e-mails and e-mails apparently from friends that are sent for advertisement

4. Widening the scope of legitimate refusal of service by ISPs

- Before the revision, ISPs could refuse mail services in only a limited number of cases.

=> If there are “legitimate reasons” to refuse services, such as causing a log jam of other e-mails due to the extraordinarily large amount of e-mails, ISPs can refuse to provide such senders with services. (Facilitate ISPs’ voluntary action against spammers.)

MIC also amended the ministerial ordinance in November 2005 to include SMS as a target of the anti-spam law in Japan.

2. Self-Regulation by Private Sector (...and Government's promotion)

Promotion of self-regulation from 2003

November 2003

Establishment of "Working Group for Anti-Spam" made up of all mobile operators in Japan (6 groups) and MIC



Request that all mobile operators adopt uniform countermeasures to shut out spammers (sent "*from Mobiles*")



1. Suspension of service for spammers
2. Ceiling on the number of e-mails that can be sent from mobiles
 - Making mobile users more aware of spam issues in collaboration with WG members

Mobile Carrier's Voluntary Actions

Number of suspended lines

NTT DoCoMo	4,088 as of 30 Nov, 2005
KDDI (au)	42,000 as of 31 April, 2006
Vodafone	20,700 as of 5 April, 2006

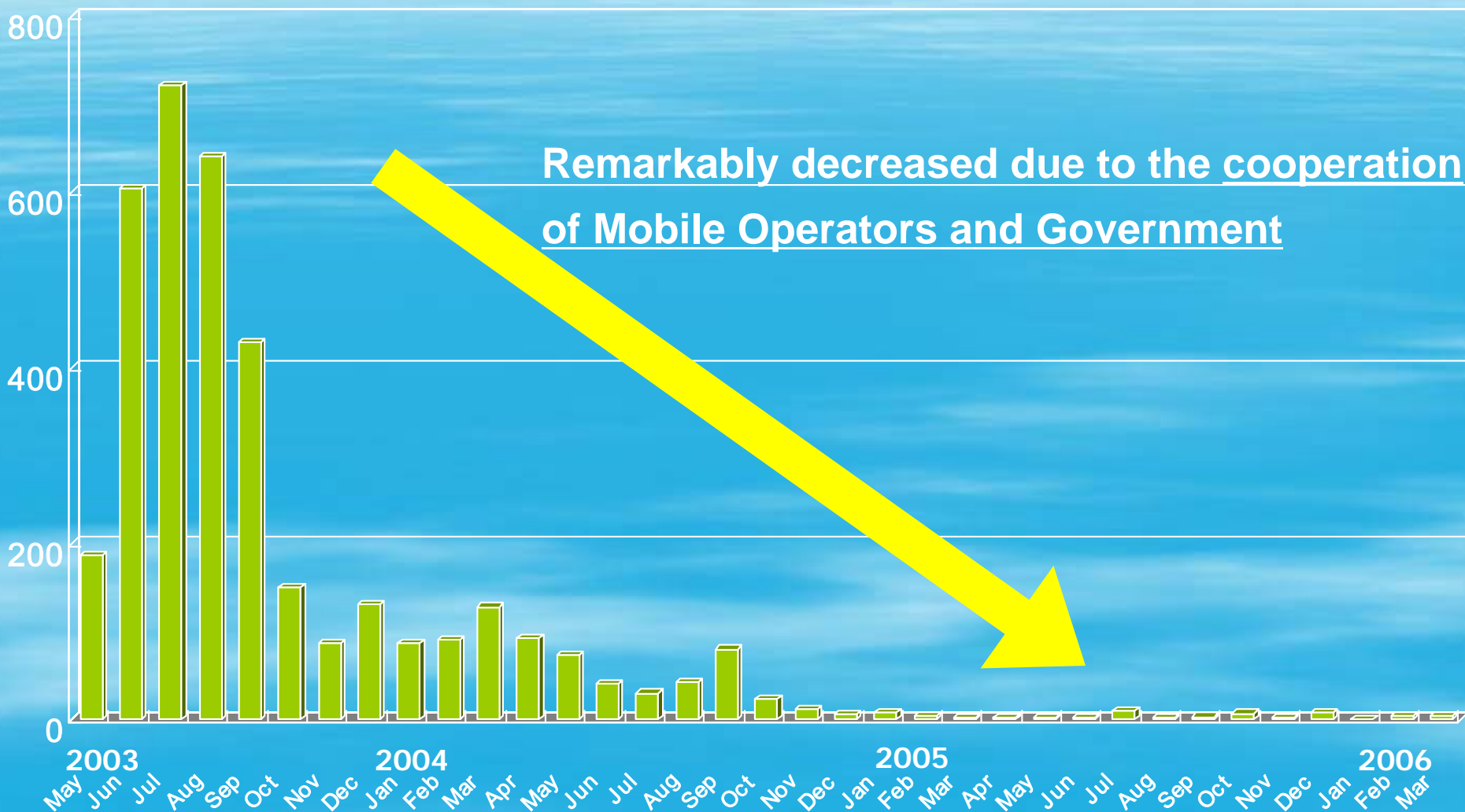
Ceiling on the number of e-mails that can be sent from mobiles

NTT DoCoMo	The number of e-mails that can be sent per line per day is limited to less than 1,000. (20 October, 2003) → Limited to less than 200. (8 January, 2004)
KDDI (au)	Suspension of services for senders (lines) who send more than 1,000 e-mails a day. (18 September, 2003) The number of e-mails that can be sent per line per day is limited to less than 1,000. (23 August, 2004)
Vodafone	The number of e-mails that can be sent every three hours is limited to less than 120. (22 December, 2003)

Countermeasures to SMS spam by Mobile Carriers

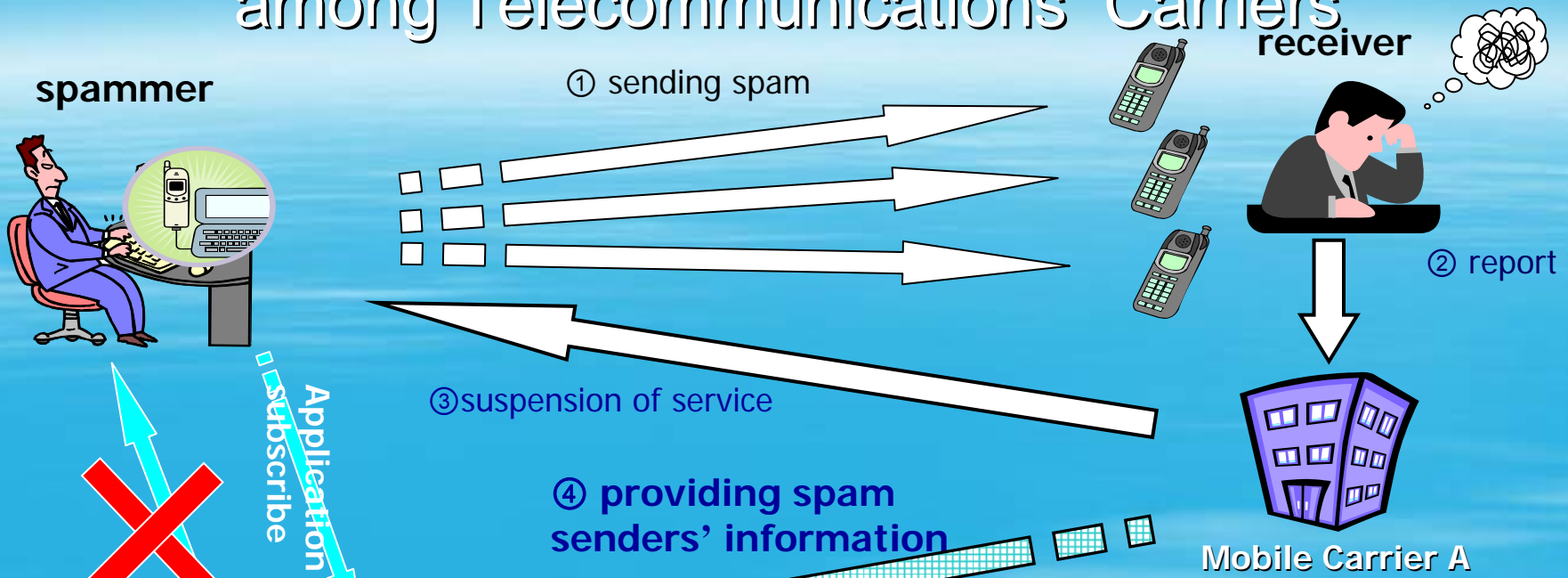
- to SMS spam senders
 - limitation on the number of SMS sent from mobiles
 - suspension of lines of the spammers using SMS
- for the subscribers of SMS
 - provision of the function to deny receiving SMS
 - provision of the function to deny receiving SMS, which includes URLs and telephone numbers on the texts.

Trend in the amount of spam sent "from mobiles"



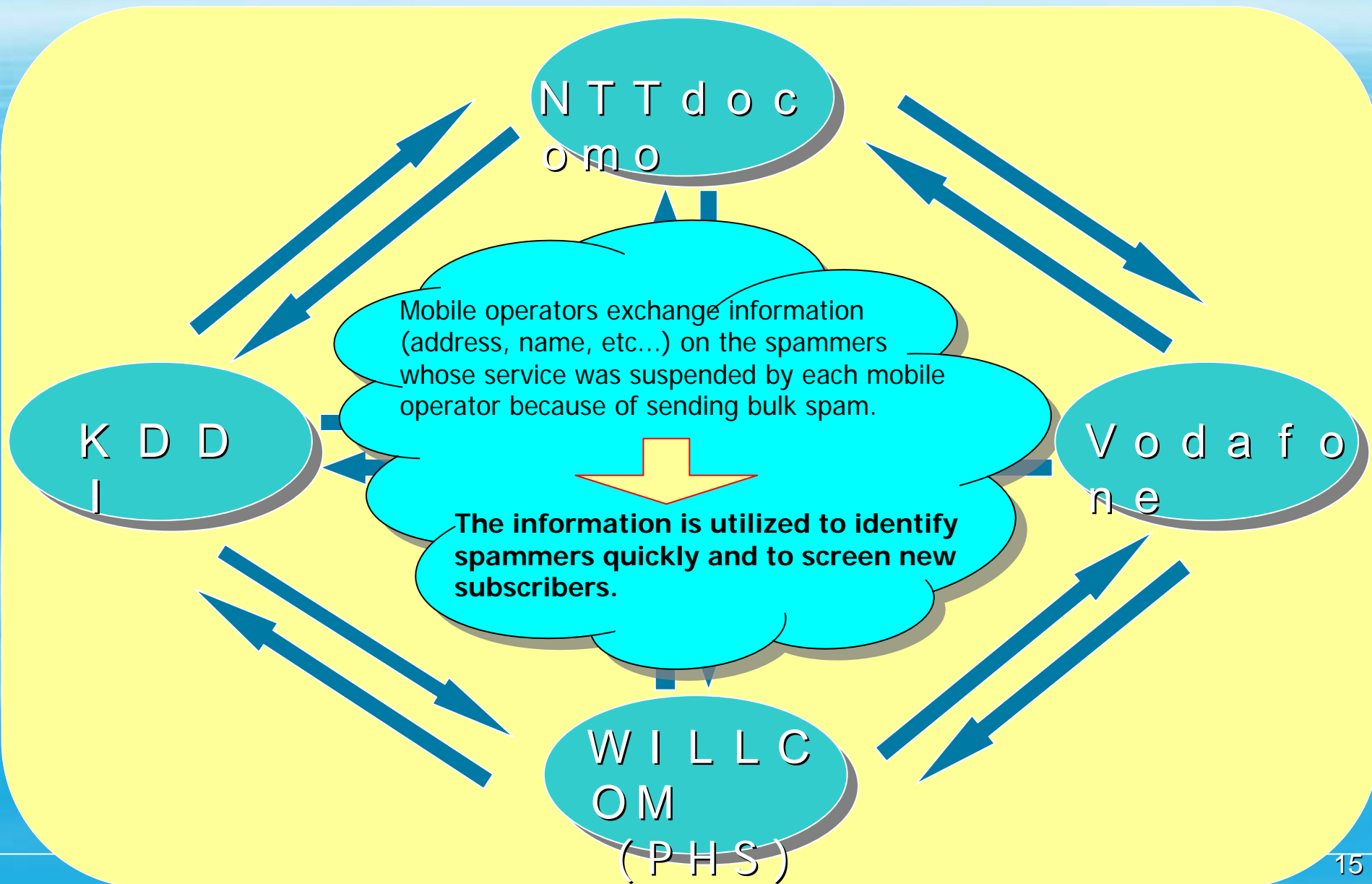
Source: Survey by Japan Computer Communications Association
(Sample-based survey using monitoring terminals)

Exchange of Information on Spammers among Telecommunications Carriers



- Currently, mobile carriers only suspend their service to 'spam senders' based on the contract.
- However, a spammer, whose service was suspended by mobile carrier A can continue to send spam as a subscriber to another mobile carrier (B).
- Therefore, it is very important to exchange information among mobile carriers to identify spammers quickly and utilize the information to screen new subscribers.
- **The exchange was enacted by adding a new provision to “the Guidelines on the Protection of Personal Information in the Telecommunications Business” (October 2005).**
- **Launched by mobile carriers in March 2006.**

Introduction of Exchange of Information on the Spammers among Mobile Operators (2006, March 1 ~)



3. Developing Technologies

Development of Technologies for Anti-spam

- ◆ **Filtering Services**
- ◆ **Authentication Technology**
- ◆ **Port 25 Blocking**

ISPs worried about whether these technologies go against the “Secrecy of Communications” provision in the Telecommunications Business Law.

MiC's Actions

- ☆ ***Clarification of the legality of these technologies***
- ☆ ***Promotion of these technologies***

4 . Enhancing Awareness

5. Seeking International Cooperation

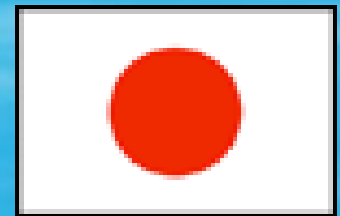
Multilateral

- **OECD** (Anti-spam toolkit, etc.)
- **LAP** (London Action Plan)
- **ITU** (WSIS)
- **APEC** (TEL33 in Calgary)
- **ASEM** (Joint statement, February 2005)
- **“Seoul-Melbourne Multilateral MoU”**

Bilateral

- **MIC** holds several bilateral meetings with the EU, UK, France, Germany, Italy, Canada, Australia, etc.
- **MIC** signed the Joint Statement with France.

We Look Forward to Cooperating with You!!



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