

JAPAN'S CYBERSPACE POLICIES

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Executive Summary

1. In Japan, the e-commerce sector generated US\$70.83 billion of sales revenue in total in 2014. Rapid augmentation of internet access by the Japanese and the accelerated development of information and communications technologies require more regulations of cyberspace.
2. In December 2007, the Ministry of Internal Affairs and Communications study group drafted a blueprint, the *Final Report on a Comprehensive Legal System for Communications and Broadcasting*, on internet regulations.
3. The report recommendations probably represented a shift from protecting online confidentiality, anti-censorship controls and freedom of information to more vigorous cyberspace security, protection of the young and intellectual property rights enforcement.
4. The second wave of recent internet regulations in Japan is associated with the *Act on the Protection of Specially Designated Secrets 2013* which focuses on state-related objectives like national security rather than legal enforcement of private rights or parental protection of under-aged users.
5. The Japanese government's second wave of regulatory reforms for cyberspace based on national security is not without justifications. In 2012, a year before the *Act*, Japanese state websites were attacked by a Twitter feed @op_japan belonging to the international hacking organisation, Anonymous.
6. There is social resistance to the 2013 *Act* which made illegal whistleblowing activities that leak official secrets to the public or the international media. It has both supporters and detractors.
7. Supporters argue that this would make it harder for Japanese official secrets or intelligence shared by its allies with Japan to be known in the public realm.

8. Detractors consider the definition of official secrets as vague and wide-ranging and may be used to intimidate journalists and non-profit organisations that monitor government activities and human rights groups.
9. The chairperson of the National Public Safety Commission cabinet minister Taro Kono who oversees the National Police Agency warns that Tokyo is at risk of attacks by the Islamic State to destabilise the country.
10. To cope with the possibility of cyberattacks, Tokyo is consulting and understudying the more experienced Central Intelligence Agency and British intelligence organisation MI6 in this area.