MAPPING DIGITAL MEDIA:
JAPAN

OPEN SOCIETY
FOUNDATIONS

Mapping Digital Media: Japan

A REPORT BY THE OPEN SOCIETY FOUNDATIONS

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Contents

Mapping Digital Media

The values that underpin good journalism, the need of citizens for reliable and abundant information, and the importance of such information for a healthy society and a robust democracy: these are perennial, and provide compass-bearings for anyone trying to make sense of current changes across the media landscape.

The standards in the profession are in the process of being set. Most of the effects on journalism imposed by new technology are shaped in the most developed societies, but these changes are equally influencing the media in less developed societies.

The **Mapping Digital Media** project, which examines the changes in-depth, aims to build bridges between researchers and policymakers, activists, academics and standard-setters across the world. It also builds policy capacity in countries where this is less developed, encouraging stakeholders to participate and influence change. At the same time, this research creates a knowledge base, laying foundations for advocacy work, building capacity and enhancing debate.

The Media Program of the Open Society Foundations has seen how changes and continuity affect the media in different places, redefining the way they can operate sustainably while staying true to values of pluralism and diversity, transparency and accountability, editorial independence, freedom of expression and information, public service, and high professional standards.

The Mapping Digital Media project assesses, in the light of these values, the global opportunities and risks that are created for media by the following developments:

- the switch-over from analog broadcasting to digital broadcasting;
- growth of new media platforms as sources of news;
- convergence of traditional broadcasting with telecommunications.

Covering 60 countries, the project examines how these changes affect the core democratic service that any media system should provide—news about political, economic and social affairs.

The **Mapping Digital Media** reports are produced by local researchers and partner organizations in each country. Cumulatively, these reports will provide a much-needed resource on the democratic role of digital media.

In addition to the country reports, the Open Society Media Program has commissioned research papers on a range of topics related to digital media. These papers are published as the **MDM Reference Series**.

Mapping Digital Media: Japan
Executive Summary

Japan may be the world's most advanced country in the development and application of digital technology. Despite two decades of economic stagnation, digitization has proceeded rapidly. Digital satellite broadcasting was launched in 2000 and for terrestrial television in 2003. Digital switch-over was completed and analog broadcasting discontinued in July 2011, except in the case of three prefectures seriously damaged by the devastating earthquake and tsunami that hit the country in March 2011.

Of the country's more than 50 million households, 99.1 percent have access to broadband services, with an internet usage rate of more than 75 percent of the population, in spite of the fact that Japan has an ageing society.

Japan has also led the way in mobile data technology, starting with mobile service provider NTT DOCOMO's "i-mode" service in 1999, and culminating in the so-called "one-seg" broadcasting technology for mobile launched in 2006. Today, some 94 percent of mobile subscribers enjoy 3G services.

Yet this is a tale of technological revolution and diversification of delivery, not one of substantial media change or diversification of content. The mainstream media still dominate the production and distribution of news, while much of the advance in delivery has been associated with access to entertainment, not a plurality of voices in social and political life.

For a long time, the established newspaper landscape has been dominated by five quality national newspapers with a combined circulation of 50 million. The ubiquitous house-to-house subscriber distribution system has helped to contain the circulation decline that has hit so many other countries. Added to this are the established news bureau networks and the influence of the closed *kisha* club or "press club" system of news gathering, which make it difficult for independent outsiders to penetrate the official news-makers' domain. As a result, the big five have continued to occupy the commanding heights of news content generation and distribution, including on digital platforms. At the same time, journalism has become more preoccupied with speed and less with depth.

Television is the most popular medium, and this has been the case since the 1970s. Average viewing, at more than three and a half hours a day, has declined slightly, especially among the young, who—as elsewhere—are migrating to mobile devices. But they appear to be in search of social contact and entertainment, not a platform for dissent in a relatively conformist society.

Japan's widely respected public service broadcaster, the Japan Broadcasting Corporation (NHK) has not been a leader in the adoption of digital technology; its one-way information approach was sometimes less useful than were social networking and user-generated content sites in the emergency efforts following the earthquake. Nevertheless, it has largely kept pace. Financed by a user fee contract (not a licensing system), NHK takes its public service role very seriously, delivering copious quantities of news and current affairs programming. It is thus widely regarded as the most trustworthy source, even though its audience share for the main evening news bulletin is no more than one in six households. There is growing need for a review of the principles and practices of public service broadcasting in general, and of NHK in particular, including its governance structure.

NHK has been accused by some critics of countering the competition from five national commercial channels with "populist" content and broadcasting techniques. But others are equally critical of NHK for not holding on to younger viewers. Still others say it is not doing enough to contribute to a greater diversity of voices in Japanese society, in particular those of minorities, women, and marginal citizens' groups. Such groups have made some use of digital media to get their voices heard, but levels of citizen activism are low. "Citizen journalism" has failed to take off, and user-generated content consists primarily of social networking and video sharing.

By contrast, political elites have taken advantage of some of the opportunities offered by digital media, such as getting their message across directly, including on social network sites, but the proliferation of diverse voices has been more limited than might have been expected.

Nonetheless, digitization has aided the process whereby many elements of Japanese society have engaged more with a diverse world. This has in turn encouraged those who have sought to project their voices more effectively in Japan's public sphere.

On the business front, there has been substantial investment in technological development. However, the commercial and corporate landscape remains largely unchanged by the digital effect, with little by way of innovation in content or revenue sources, even though internet advertising spending has risen as mainstream media revenues declined. Cost-cutting has been the chief means of adjustment. The problem of financial instability of media organizations has the potential to lead to a crisis in political communication that could be damaging to democracy in Japan, given the central role the media play in this realm. There is a need to explore greater cooperation between newspapers and broadcasters as well as the options offered by paid-for internet services, in spite of the potential short-term consequences these measures might involve for newspaper circulation and independence. Moreover, measures are necessary to counter the detrimental effects of cost-cutting on training budgets and, in turn, on the quality and depth of journalism.

The legal and regulatory framework has been characterized by pragmatic adjustment and accommodation, with media policies maintaining a balance between the public interest and media independence and freedom of expression, which are enshrined in the post-war constitution and are jealously guarded. Frequency allocation has been carried out through a mixture of consultation and a "beauty contest" system; while there is little evidence of any discrimination or favoritism, consideration is being given to an auction system in future.

Meanwhile, the government has amended the Broadcast Act to facilitate greater convergence of telecommunications and broadcasting that some observers believe might be the catalyst for further diversity in delivery and pluralism of content.

While no general law has been passed to apply to the internet or to news on the internet, several specific laws have been passed with respect to internet content. These cover defamation (and the removal of defamatory material by service providers), "illegal and harmful information" such as child pornography, drug dealing and fraud, "public morals" and "public order", as well as the "safety and security" of young people. While civil libertarians might be concerned by such measures, there is no evidence that the authorities have sought to abuse them in order to silence dissent or critical opinion. The emphasis has been on what has become known as "co-regulation" or "enforced self-regulation." In the case of broadcasting, where there are specific and general rules and regulations regarding content, the approach has been one of "administrative guidance" rather than punishment in the event of violation.

As media scholar Kenta Yamada has observed, since the end of the Second World War, "the authorities have been restrained in their use of power [with regard to the media] and the media have been prudent in not going too far in the exercise of their freedom of expression."[1]

The relevance of both public service and social media in times of disaster since the earthquake and tsunami has been a much debated topic. It has prompted studies and policy proposals addressing past performance and future readiness in this high-risk island nation. This study identifies the issue as one of high priority for future research and policy consideration.

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1.   Kenta Yamada, *Law of Journalism,* 2nd edition, Gakuyo-syobo, p. 90.

Context

Japan enjoyed a long period of high economic growth through to the end of the 1980s. But since the bursting of the bubble economy in 1990, there has been little growth: the nominal GDP in 1992 was ¥478 trillion (US$3.85 trillion at the 1992 exchange rate) and ¥474 trillion in 2009 (US$5.1 trillion at the 2009 exchange rate). In the past few years, industries, especially manufacturing, have shifted their production bases overseas. The unemployment rate remained around 2 percent until the early 1990s, but it has been more than double that since the turn of the century, even exceeding 5 per cent in 2009 and 2010.

Japan is also an aging society. In 2007, those aged 65 years and over made up 21.5 percent of the total population. Moreover, since that year, the death rate has exceeded the birth rate.

The overwhelming majority of the population is Japanese and speaks Japanese. The number of foreign residents has recently increased, with about 2.18 million registered at the end of 2009. This is 1.71 percent of the total population, about 1.4 times what it was in 1999. The largest foreign population is Chinese (about 680,000 or 31.1 percent of the total). The second is Korean (about 578,000, or 26.5 percent of the total).

The dominant religions are Shintoism and Buddhism. Most Japanese count themselves as both.

Social Indicators

Population (number of inhabitants): 127.15 million
Number of households: 47.38 million

Figure 1.
Rural/urban breakdown (% of total population)

Rural (34.2%)   Urban (65.8%)
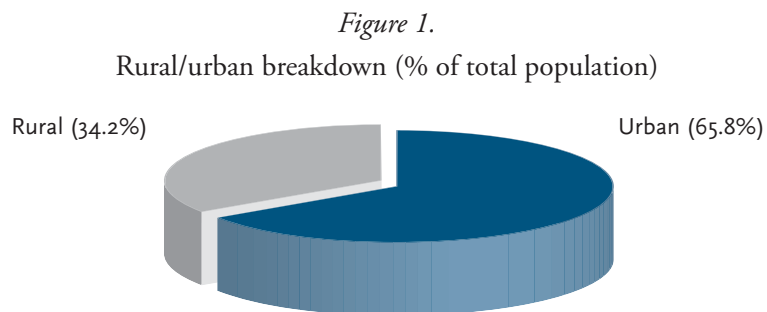
Source: International Monetary Fund (IMF), 2009.

Figure 2.
Ethnic breakdown (% of total population)

Registered foreign population (1.7%)
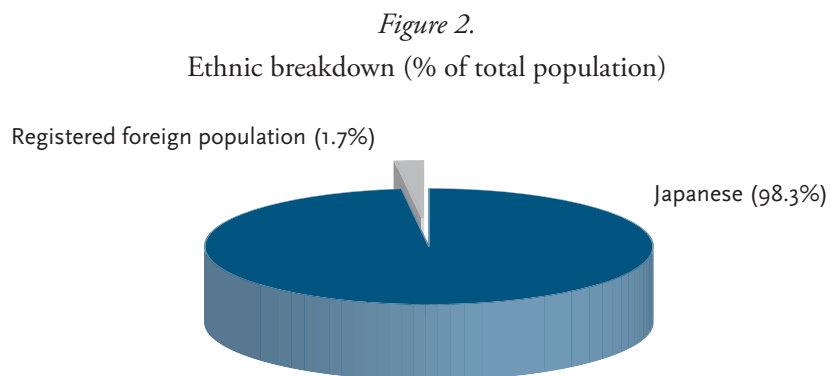
Japanese (98.3%)

Source: Japanese Ministry of Justice, 2010.

Figure 3.

Religious composition* (% of total population)

Other (10%)   Shinto (84%)

Buddhist (77%)
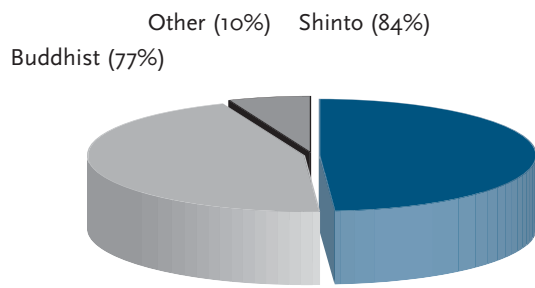
Note: * Many people count themselves as having more than one religion.

Source: Japanese Ministry of Education Culture, Sports, Science, and Technology, 2010.

Economic Indicators

Table 1.

Economic indicators

	2005	2006	2007	2008	2009	2010	2011	2012
GDP (current prices), total in US$ billion	4,552	4,362	4,377	4,886	5,068	5,390	5,683	5,877
GDP (in US$ current prices), per head	35,633	34,150	34,267	38,271	39,740	42,325	44,682	46,282
Gross National Income (GNI) (current $), per head	38,950	38,590	37,760	38,000	37,520	42,130	n/a	n/a
Unemployment (% of total labor force)	4.4	4.1	3.8	3.9	5	5.1	4.9	4.7
Inflation (average annual rate in % against previous year)	−0.2	0.3	0	1.3	−1.3	−0.9	−0.3	0.2

Note:　　n/a: not available.
Sources:　　International Monetary Fund (IMF), except for GNI data from the World Bank.

1. Media Consumption: The Digital Factor

1.1 Digital Take-up

1.1.1 Digital Equipment

Table 2.

Households owing media equipment in Japan, 2005–2010

	2005		2006		2007		2008		2009		2010	
	No. of HH (million)	% of THH	No. of HH (million)	% of THH	No. of HH (million)	% of THH	No. of HH (million)	% of THH	No. of HH (million)	% of THH	No. of HH (million)	% of THH
TV set	50.0	99.3	50.8	99.4	51.5	99.5	52.2	99.7	52.6	99.4	53.09	99.5
PCs*	32.5	64.6	34.9	68.3	36.7	71.0	38.2	73.1	38.7	73.2	39.8	74.6

Notes: * Includes households with any kind of computer: home PC, laptop, or other

HH = households owning the equipment; THH = total number of households in the country; PC = personal computer.

Source: Japanese Cabinet Office, *Consumer Attitude Survey* (2010)[2].

1.1.2 Platforms

The Japan Broadcasting Corporation (*Nippon Hōsō Kyōkai,* NHK), as a public broadcaster, has the duty to provide nationwide broadcasting, according to the Broadcast Act. Digital broadcasting was launched on broadcasting satellite (BS) television[3] in 2000 and terrestrial television in 2003. In July 2011, analog broadcasting was due to be discontinued and television broadcasting entirely digitized. Communication

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2. See http://www.esri.cao.go.jp/jp/stat/shouhi/shouhi.html (only in Japanese) (accessed 10 February 2012).

3. In Japan, satellite television services are relayed by two types of satellite: broadcasting and communication, represented as BS and CS in this report.

satellite broadcasting has been digitized since 1998. Almost all Japanese households are able to subscribe to terrestrial, BS, or CS television. It is in fact possible for anyone in the Tokyo prefecture, for instance, to subscribe to as many as 470 television channels (nine terrestrial, 334 BS and CS channels, and 127 cable—known as CATV—channels), including pay channels.[4]

Half of all households subscribe to CATV in Japan and 98.6 percent of CATV subscribers can access digital terrestrial television (DTT) services. In mid-2010 there were 537 CATV channels.

Table 3.

Platform for the main TV reception and digital take-up up in Japan, 2005–2011 (end March)*

	2005		2006		2007		2008		2009		2010		2011	
	No of HH (mn)	% of TVHH	No of HH (mn)	% of TVHH	No of HH (mn)	% of TVHH	No of HH (mn)	% of TVHH	No of HH (mn)	% of TVHH	No of HH (mn)	% of TVHH	No of HH (mn)	% of TVHH
Terrestrial reception†	50.0	99.3	50.8	99.4	51.5	99.5	52.2	99.7	52.6	99.4	53.1	99.5	53.3	99.6
– of which digital	4.3	8.5	7.8	15.3	14.4	27.8	22.9	43.7	33.0	60.7	44.7	83.8	50.8	94.9
Cable reception	17.9	35.4	19.2	38.0	20.6	40.3	21.9	42.3	23.0	44.0	24.7	46.7	26.0	48.8
– of which digital							n/a							
Satellite reception‡	18.13	36.0	18.41	36.0	18.91	36.6	19.43	37.1	20.04	37.9	20.82	39.0	21.7	40.7
– of which digital							n/a							
IPTV**	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0.4	0.9	0.7	1.3	0.9	1.7
Total	50.0	99.3	50.8	99.4	51.5	99.5	52.2	99.7	52.6	99.4	53.1	99.5	53.3	99.6
– of which digital***	4.3	8.5	7.8	15.3	14.4	27.8	22.9	43.7	33.0	60.7	44.7	83.8	50.8	94.9

Notes: * The figures refer to the percentage of digitalized main TV sets in multi-TV households. (Many Japanese households have a digital TV and sometimes several analog TV appliances, all of which show up in the research figures.)

** IPTV: total number of subscribers of 5 IP multicast broadcasting operators.

*** It refers solely to digital terrestrial penetration.

† Terrestrial reception: number of households is estimated by percentage in the survey.

‡ Satellite reception: total number of subscribers to NHK-BS, WOWOW, SkyperfecTV! and e2 by Skaper.

HH: Households owning the equipment; TVHH: Total number of households in the country; mn: million; n/a: not available.

Sources: Japanese Cabinet Office, *Consumer Attitude Survey* (March 2010); MIC, *Information and Communications Main Data* (March 2011), *Terrestrial Digital TV Penetration Survey* (November 2010), *The Present State of CATV* (December 2010).

High-speed broadband telecommunication infrastructure has been put into place rapidly. In March 2011, all households in broadband service areas were able to access broadband services if they wanted it. There were 17.2 million FTTH (fiber to the home) subscribers, 10.13 million ADSLs (asymmetric digital subscriber line), and 4.3 million cable subscribers.[5]

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4. Ministry of Internal Affairs and Communications (MIC), 2009.

5. MIC, March 2010.

Japan has long been a leader in mobile data technology. NTT DOCOMO launched its "i-mode" data service in 1999. High-speed third generation (3G) mobile services have spread widely since they were launched in 2001. In March 2010, 93.7 percent of mobile subscribers had 3G mobile phones.

Table 4.
Internet* and mobile† penetration rates in Japan, 2005–2010*

	2005	2006	2007	2008	2009	2010
Internet	70.8	72.6	73.0	75.3	78.0	78.2
of which broadband	46.0	49.3	49.4	55.3	59.9	60.9
Mobile telephony‡	71.6	75.5	79.8	84.0	87.7	91.0
of which 3G	33.2	50.1	68.7	82.1	88.9	93.7

Notes: *   Total broadband subscriptions as percentage of total internet subscriptions.
          †   Total active SIM cards as percentage of the total population.
          ‡   Mobile telephony: mobile phone and PHS (Personal Handyphone System).
          Internet data collected end December; mobile telephony data collected end March.

Sources: MIC White Paper 2011; TCA (Telecom Carriers Association).

1.2 Media Preferences

1.2.1 Main Shifts in News Consumption

News in Japan is mainly consumed via newspaper and terrestrial free-to-air television. Five general newspapers have established nationwide sales networks and have large circulations. Nationwide television news programs are broadcast by the public service network and by five private networks.

Tables 5 and 6 show changing patterns of media exposure and usage, which in the case of the internet have doubled in eight years and in the case of other media have gradually declined.

Table 5.
Daily media usage in Japan (% of population aged 15–69 years), 2001–2009

	2001	2003	2005	2007	2009
Television	92.3	90.8	88.8	91.3	89.8
Newspaper	69.6	69.8	68.1	66.5	62.7
Internet	21.3	32.6	36.9	39.2	43.7
Radio	23.3	22.3	21.9	20.1	20.5
Magazine	5.4	4.1	4.2	4.9	3.8

Source: Nihon Shinbun Kyokai, *National Survey of Media Usage and Evaluation*, Tokyo, 2009.[6]

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6.   See http://www.pressnet.or.jp/adarc/data/rep/index.html (accessed 26 February 2011) (only in Japanese).

Table 6.

Average daily media usage* (minutes) in Japan, 2001–2009

|	2001	2003	2005	2007	2009
Television	224.0	209.0	199.2	203.4	199.3
Radio	119.0	113.0	92.1	96.0	92.9
Newspaper	24.3	24.3	24.0	23.4	22.9
Magazine	29.3	25.2	26.3	25.1	24.7
Internet	54.0	71.3	88.5	93.3	105.3

Note: * Percentage of population aged 15–69 years.

Source: Nihon Shinbun Kyokai, *National Survey of Media Usage and Evaluation*, Tokyo, 2009.[7]

Over the past five years or so, terrestrial television and newspapers have remained reasonably stable as two of the most important news media. Radio, however, has decreased, while the internet has risen sharply in importance.

Figure 4.

Comparison of media usage* in Japan, 2005–2010
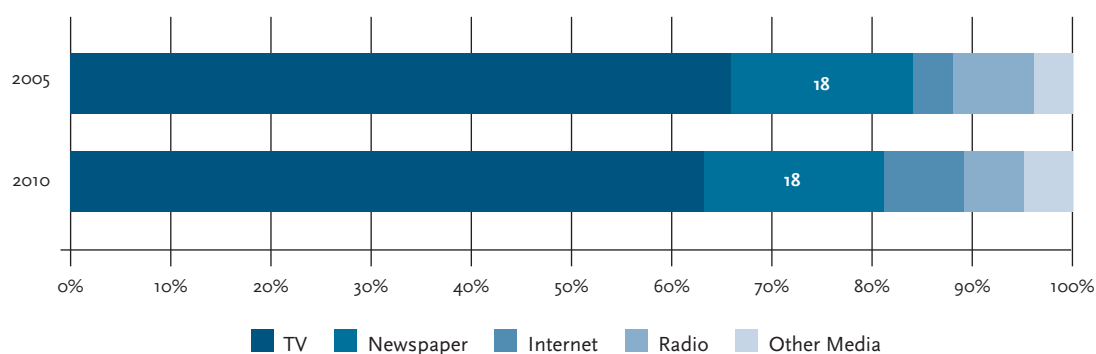
Note: * Respondents were asked, "Which [one] medium is the most important for you when following the trends and events in society?"

Source: NHK Broadcasting Culture Research Institute, *NHK Monthly Report on Broadcast Research* (August 2010, p. 23; only in Japanese).

Japan has an extremely high rate of newspaper consumption. This is partly the result of a comprehensive house-to-house delivery system. According to Pressnet (the Japan Newspaper Publishers and Editors Association),[8] total circulation was 50 million in 2009. This was down from its peak in 1997, largely as a result of an increase in the number of households, especially the young living alone, not subscribing to the delivery service.

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7. See http://www.pressnet.or.jp/adarc/data/rep/index.html (only in Japanese) (accessed 26 February 2011).

8. Pressnet is an independent organization representing some 150 daily newspapers, news agencies, and broadcasters. See See http://www.pressnet. or.jp/english/ (accessed 26 February 2011).

As with most other countries, television is the most popular mass medium in Japan. Average viewing time has been over three hours a day since the 1970s. However, it is gradually decreasing (see Table 6), especially among the young. For example, according to the survey on which the table is based, 55 percent of respondents rated television as their "most essential medium" and 14 percent the internet. Among young respondents (16–29 years), television was named by 37 percent and the internet by 32 percent.[9]

Indeed, access to and use of the internet have spread rapidly in Japan. The MIC has estimated the number of internet users to be more than 94 million and the penetration rate to be 78 percent of the population (see Tables 7 and 8). Most internet users in Japan access the internet via both personal computer (PC) and mobile telephony. Game consoles that can connect to the internet, such as Wii and Playstation 3, have proved popular since around 2006. Users are able not only to play online games but also to download some game data via the internet. However, such users do not use this connection for web-browsing, SNS, or news research.

Social networking services (SNS) and microblogging platforms, such as Twitter, are also growing fast. Mixi, the largest SNS in Japan, had 20 million users in March 2010. The number of Twitter users increased from 2.57 million in September 2009 to 7.52 million in March 2010.[10]

Table 7.
Number of internet users in Japan, 2006–2010

	2006	2007	2008	2009	2010
Total	85,290,000	87,540,000	88,110,000	90,910,000	94,080,000
– by PC	66,010,000	80,550,000	78,130,000	82,550,000	85,140,000
– by PC + mobile telephony	48,620,000	60,990,000	59,930,000	61,960,000	64,920,000
– by PC only	15,850,000	16,270,000	14,690,000	15,070,000	12,920,000
– by mobile telephony	69,230,000	70,860,000	72,870,000	75,060,000	80,100,000
– by mobile telephony only	19,210,000	6,880,000	9,920,000	8,210,000	8,850,000
– by TV and game console	1,630,000	3,360,000	3,580,000	5,670,000	7,390,000

Note: All data collected end March.

Source: MIC, *Communication's Usage Trend Survey* (April 2010, p. 1).[11]

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9.   NHK Broadcasting Culture Research Institute, *NHK Monthly Report on Broadcast Research,* August 2010, p. 15 (only in Japanese).

10.   *Asahi Shimbun,* 20 April 2010.

11.   See http://www.soumu.go.jp/johotsusintokei/statistics/statistics05a.html (accessed 2 November 2011).

Table 8.

Internet penetration rate (%) in Japan

	2006	2007	2008	2009	2010
Internet users (% of total population)	70.8	72.6	73.0	75.3	78.0
– by PC (% of internet users)	77.4	92.1	88.7	90.8	90.5
– by mobile telephony (% of internet users)	81.2	80.9	82.7	82.6	85.1

Note: All data collected end March.

Source: MIC, *Communication's Usage Trend Survey* (April 2010, p. 1).[12]

1.2.2   Availability of a Diverse Range of News Sources

Digitization has helped to diversify access to news, but for now it has not helped to diversify news content. News on the internet is mostly produced by existing mass media organizations. The general newspapers, such as *Yomiuri Shimbun*, *Mainichi Shimbun*, and *Sankei Shimbun*, the newswire *Jiji Press,* and private news networks such as Nippon News Network (NNN), Japan News Network (JNN), and Fuji News Network (FNN) distribute news on Yahoo! News Japan. *Nihon Keizai Shimbun* (*Nikkei*) started an electronic edition in March 2010.[13]

Internet users have access to news provided by the existing mass media such as the Tokyo Broadcasting System (TBS) and Fuji News Network (FNN) on YouTube, the most popular video-hosting site in Japan. At the same time, all broadcasting companies, including NHK, and newspaper publishers post their own news on their websites. Table 9 shows that national media are the top five most viewed news websites.

Table 9.

Unique users of Japanese news media companies' websites in 2009

	Website	Users (million)
1	NHK Online (TV: national broadcasting)	16.8
2	Mainichi.jp (national newspaper)	16.3
3	Yomiuri Online (national newspaper)	15.2
4	TBS (TV: national broadcasting)	13.7
5	Nippon TV (TV: national broadcasting)	13.4

Note: Figures are the sum of the number of viewers from 1 April 2008 to 31 March 2009.

Source: Dentsu Inc., *The Research for Information and Media Society*, Tokyo (2010, p. 187; only in Japanese).

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12.   See http://www.soumu.go.jp/johotsusintokei/statistics/statistics05a.html (accessed 2 November 2011).

13.   With this service, the *Nikkei* on your computer looks exactly as it was published in print (sometimes known as an "e-paper").

The national media also provide news by mobile telephony, while digital broadcasters distribute their television programs via mobile telephony. The digital broadcasting service that uses one of the terrestrial digital television broadcast segments for transmission of television directly to mobile terminals is called "one-seg". One-seg users account for 21 percent of mobile telephony users and their most popular genre is news.[14]

The contents of digital broadcasting are the same as analog broadcasting, although the number of news program channels has increased on BS and CS digital broadcasting and on cable. These channels—except for BS 11, BBC World and CNNj—are operated by the terrestrial television networks. Added to news provided by the terrestrial television networks, the international news programs and talk shows are more frequently broadcast in these channels. Despite the rich diet of news on these channels, only 10 percent of the population watch them more than once a week.[15]

There has been much discussion and debate about the effects on news media of the growth of weblogs, live broadcasts such as USTREAM, and user-generated sites such as YouTube and Twitter.[16] Mass media companies have kept pace with these trends and have improved their content on their websites. However, there has not been much innovation in journalistic practices. For example, a citizen journalism experiment failed, partly for financial reasons (see sections *3* and *4*). The consensus seems to be that the internet has not brought about much change in the overall trends of audience consumption of news produced by existing mass media organizations. Access has expanded, but content has not diversified.

1.3.   News Providers

1.3.1   Leading Sources of News

The discussion here covers newspapers, television, and the internet in Japan, but not radio. This is because it has not been customary for ordinary people to receive news via radio, which is mainly used for entertainment.

1.3.1.1 Print Media

Japan's quality newspapers enjoy larger circulations than mass papers in other countries. There are also newspapers whose content can be described as tabloid, dominated by sport, show business, gambling and occasionally sensational reporting of political and social affairs. Such papers account for only about 10 percent of gross daily newspaper circulation.

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14. NHK Broadcasting Culture Research Institute, *NHK Monthly Report on Broadcast Research,* March 2010, p. 24 (only in Japanese).

15. NHK Broadcasting and Culture Research Institute, *NHK Monthly Report on Broadcast Research,* December 2010, p. 5 (only in Japanese).

16. "A New Phase of Internet Journalism," *Journalism*, December 2009; "Searching for New Standards of Broadcasting," *Journalism,* May 2010 (only in Japanese).

The general newspapers can be divided into national and local. The latter are of two types: those aimed at the prefectural level and those at a wider area, such as *Hokkaido Shimbun, Chunichi Shimbun,* and *Nishi Nihon Shimbun.* The national newspapers, known as *Godaishi* (which means five biggest newspapers), are *Yomiuri Shimbun, Asahi Shimbun, Mainichi Shimbun, Nihon Keizai Shimbun (Nikkei),* and *Sankei Shimbun.* The *Godaishi* account for around half of the daily newspaper market in Japan. However, their subscriber numbers are gradually declining because of the increasing number of young households that do not subscribe, as noted in section *1.2.1.*

Table 10.

Top five Japanese newspapers by number of subscriptions

	2005	2006	2007	2008	2009
Yomiuri	10,067,683	10,033,271	10,029,975	10,020,392	10,020,688
Asahi	8,246,208	8,121,988	8,112,903	8,048,703	8,023,842
Mainichi	3,982,133	4,001,840	4,003,116	3,900,544	3,830,582
Nikkei	3,024,530	3,041,437	3,028,612	3,052,000	3,053,852
Sankei	2,168,152	2,186,837	2,208,524	2,220,762	1,889,069
Total	27,488,706	27,385,373	27,383,130	27,242,401	26,818,033

Sources: Pressnet, *Newspaper Year Book*; Dentsu Inc., Tokyo (2010; only in Japanese).

1.3.1.2 Television

NHK, the public broadcasting service, and five private news networks provide television news. The five private networks are Nippon News Network (NNN), All-Nippon News Network (ANN), Japan News Network (JNN), TX Network (TXN), and Fuji News Network (FNN). Five commercial television broadcasters in Tokyo occupy a central position as the key television stations in each network. At the same time, the networks have agreements according to which specific national newspapers supply them with news content—NNN from *Yomiuri*, ANN from *Asahi*, JNN from *Mainichi*, TXN from *Nihon Keizai Shimbun*, and FNN from *Sankei*.

NHK and the private television stations all broadcast news shows at almost the same time in the morning, early evening, and night. The morning shows tend to place an emphasis on more entertainment news stories, while the evening bulletins deliver hard news.

It is assumed that the ratings influence the content of the private television stations, and this is widely criticized for lowering the standard of the news agenda.

1.3.1.3 Online

The Japanese are gradually turning more and more to the internet for delivery of the news. Table 11 shows the NHK website at the top of the news website league of unique users in recent years. Among the national papers, the website of *Yomiuri Shimbun* accounts for the largest number of users. Only in 2010 did Mainichi.

jp have a larger number of users than Yomiuri.co.jp. The websites of TBS and Nippon Television have the largest number among the five commercial television broadcasters in Tokyo.

Table 11.

Top five Japanese news websites by numbers of unique users

	2008		2009		2010	
	Domain Name	**Unique users**	**Domain Name**	**Unique users**	**Domain Name**	**Unique users**
1	Nhk.co.jp	13,470,000	Nhk.or.jp	15,770,000	Nhk.or.jp	16,812,000
2	Yomiuri.co.jp	12,473,000	Yomiuri.co.jp	15,018,000	Mainichi.jp	16,316,000
3	Tbs.co.jp	11,561,000	Ntv.co.jp	12,630,000	Yomiuri.co.jp	15,248,000
4	Ntv.co.jp	11,286,000	Fujitv.co.jp	12,539,000	Tbs.co.jp	13,738,000
5	Nikkansports.com	11,178,000	Tbs.co.jp	12,076,000	Ntv.co.jp	13,413,000

Source: Dentsu Inc., *The Research for Information and Media Society*, Tokyo (2010; only in Japanese).

1.3.2 Television News Programs

The main news programs in terrestrial free-to-air television have the same contents in both analog and digital delivery. For this reason, digitization has not had any discernible effect on audience trends.

The evening news ratings are shown in Table 12. The top three are the evening news shows of the NHK public service broadcaster and TV Asahi's "*Hodo Station*".

Table 12.

Ratings of Japanese TV news shows (2009)

	TV station	**News show**	**Start time**	**Airtime (minutes)**	**Rating (%)**
1	NHK	*NHK News 7*	19.00	20	16.9
2	TV Asahi	*Hodo Station*	21.54	76	13.9
3	NHK	*News Watch 9*	21.00	60	11.3
4	Nippon TV	*News Zero*	23.24	64	8.1
5	Tokyo Broadcasting Service	*News 23*	23.00	54	5.9
6	Fiji TV	*Live 2009 News Japan*	23.45	65	5.8
7	TV Tokyo	*World Business Satellite**	23.30	58	4.3

Note: * Covers mainly economic news.

Source: Video Research Ltd.[17]

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17.   See http://www.videor.co.jp/eng/company/index.html (accessed 2 November 2011).

Table 13 shows the change in total household viewership for the NHK's two news programs over the past five years. Viewership of the 7 p.m. news has modestly increased. In the case of the 9 p.m. news, changes were made to the content line-up that appear to have led to a drop-off in viewers between 2006 and 2007, but since then there has been no significant change that might be associated with digitization or alternative delivery platforms.

Table 13.
Audience share of NHK news programs (%) in Japan, 2005–2009

	2005	2006	2007	2008	2009
NHK News 7	15.8	15.2	15.3	16.8	16.9
NHK News 9	14.3	14.1	n/a	n/a	n/a
NHK News Watch 9	n/a	n/a	11.0	11.5	11.3

Note:　　n/a = not available.
Source:　　Video Research Ltd.

1.3.3　Impact of Digital Media on Good-quality News

There has been much progress in the diversification of television channels delivered by satellite, such as BS and CS. In particular, there has been an increase in the number of 24-hour news channels, including the Japanese-language ones (NEWS 24 of Nippon Television, News Bird of TBS, Asahi Newstar of TV Asahi, Nikkei CNBC) as well as foreign broadcasters (CNNj and BBC World News). While these developments are not related, digitization has accelerated this process. Nippon Television, TV Asahi, TBS, and Fuji Television broadcast their own BS news programs through the BS channel, although audiences are small.

While the diversification of channels has at least partly led to an improvement in the quality of news, it is difficult to conclude that it has anything to do with a diversification of news sources. While Japan has several internet-based "citizen" news organizations, such as Oh My News and Japan Alternative News for Justices and New Cultures (JANJAN), they have not proved commercially viable.[18] As discussed in section *1.2*, news in Japan is still predominantly consumed via newspapers and television.

This does not mean mainstream mass media have been largely unaffected by advances in digitization and the development of the internet. After all, that part of total news consumption that newspapers and television have enjoyed has been declining. Media analysts and the news organizations themselves believe this trend is likely to accelerate in the near future, and they are looking into how to keep pace with these rapid changes. Not only journalism practitioners but also the general public are increasingly interested and intrigued by what the internet in particular has meant for the flow of information from both home and abroad. Such an

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18.　JANJAN continues primarily through the efforts of volunteers contributing to the JANJAN blog.

interest has been fuelled further by high-profile instances of leaked information, in particular by WikiLeaks, as well as internet live broadcasting and the use of such communication tools as Twitter by communication and public elites. But in Japan most of this has been primarily about distribution rather than sources.

1.4   Assessments

Japan has witnessed and participated in the worldwide trend toward the greater use of the internet for accessing news. But the traditional platforms—newspapers and television—have maintained their long-standing influence on the public.

The digital era has brought considerable diversification in access to information: in broadcasting, BS, CS, and IPTV have emerged to supplement and challenge existing terrestrial television and CATV, and the number of television channels has increased dramatically. At the same time, sending and receiving information via the internet has become easier. The diffusion of broadband services makes it possible to send and receive wide-bandwidth data such as movies and that of mobile services has made digital delivery ubiquitous.

On the other hand, there is little evidence to support the view that the process has advanced the case for the diversification of news sources. Citizen participation in journalism has been limited and, so far, commercially unsustainable. Newspapers and television have maintained their overwhelming presence, even though newspaper subscriptions and television ratings have both been gradually declining.

2. Digital Media and Public or State-Administered Broadcasters

2.1 Public Service and State Institutions

2.1.1 Overview of Public Service Media—News and Current Affairs Output

The Japan Broadcasting Corporation (*Nippon Hōsō Kyōkai,* NHK),[19] the sole public broadcaster in Japan, was transformed into an independent public body by the Broadcast Law of 1950 and started to deliver television services in 1952. NHK had been under the control of the Japanese Government before World War II and General Headquarters during the post-war occupation.

Today NHK operates under several specific conditions and requirements of public service broadcasting, such as editorial independence, universal availability, the broadcasting of information, education, and entertainment, as well as public funding through license fee income. It is overseen by a 12-member Board of Governors, appointed by the prime minister and approved by both houses of the Diet (parliament), and responsible for all important matters concerning NHK's management policy and operation, including the annual budget, operational plan, and basic programming policy. Its chairman is chosen from among the board members themselves. NHK is therefore similar in many ways to the BBC in the United Kingdom. However, the funding system in Japan is based on a direct contract between households and NHK, not in the form of a license to receive all broadcasting. Some 97 percent of NHK's income comes from these fees.[20] Another 0.5 percent comes in the form of a government grant for NHK's overseas broadcasting.

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19. *Nippon Hōsō Kyōkai* means Japan Broadcasting Corporation in English.

20. The terrestrial contract fee is ¥14,910 (US$194) per year and satellite ¥25,520 (US$332).

The present services and scale of NHK are as follows:

- **Service portfolio**

  Terrestrial television: General TV (GTV) and Educational TV (ETV)

  BS channels: BS1 and BS Premium[21]

  Radio: Radio 1, Radio 2 and FM radio

  Data broadcasting and "one-seg" broadcasting (mobile broadcasting)

  Overseas broadcasting: NHK World Radio Japan and NHK World TV

  Online, including a 'catch-up' service

- **Revenue**

  Total revenue for the fiscal year 2010: ¥683.9 billion (US$8.9 billion)

  Income: ¥659.8 billion (US$8.6 billion) (96.5 percent)

  Government grant for overseas broadcasting: ¥3.5 billion (US$45.5 million) (0.5 percent)

  Other income such as commercial business: ¥20.6 billion (US$267.8 million) (3 percent)

- **Employees**

  10,617 in 2009

NHK does not provide a 24-hour news channel but delivers comprehensive news programs through GTV and BS1. In this section, we concentrate on the news output of GTV because the channels delivered by both BS and CS are not widely available to the public, with total viewing share less than 10 percent, according to Video Research Ltd.[22] News programs on the satellite broadcasting platforms are not significant enough to have an impact on society.

The total news and current affairs programming on GTV in the fiscal year 2009 accounted for 4,285 hours and 8 minutes, some 49.1 percent of total broadcast hours.[23] This category includes not only regular straight news programs but also some current affairs programming such as "*NHK Special*," which is broadcast from 9–9.49 p.m. every Sunday night and "*Close up Today*," which is broadcast from 7.30–8 p.m. every weekday.

NHK's national news programming consists of: "*NHK News Good Morning Japan*" from 4–8 a.m., Monday to Friday; "*News*" every hour on the hour from 12 noon to 6 p.m. and midnight; "*NHK News 7*" from 7–7.30 p.m. every day; "*News Watch 9*" at 9–10 p.m. every weekday; and "*Biz Sport*" from 11.30–11.50 p.m. every weekday. NHK also broadcasts "*Regional Evening News*" at 6.10–7 p.m. and brief local news bulletins almost every hour on the hour throughout the day.

The most popular news program is "*NHK News 7*," which captured 16.9 percent of average viewing share in 2009.[24] "*News Watch 9*" achieved 11.5 percent.

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21. BS1 mainly delivers international news and sports and BS Premium focuses on culture and entertainment programs.

22. Video Research Ltd. See http://www.videor.co.jp/eng/company/index.html (subscription necessary to access).

23. Terrestrial broadcasters in Japan are required to report their programming ratio to the Minister of Internal Affairs and Communications.

24. The viewing data used in this section are owned by Video Research Ltd.

Figure 5.

News and current affairs programs on NHK GTV (% of total broadcasting time), 1960–2009*
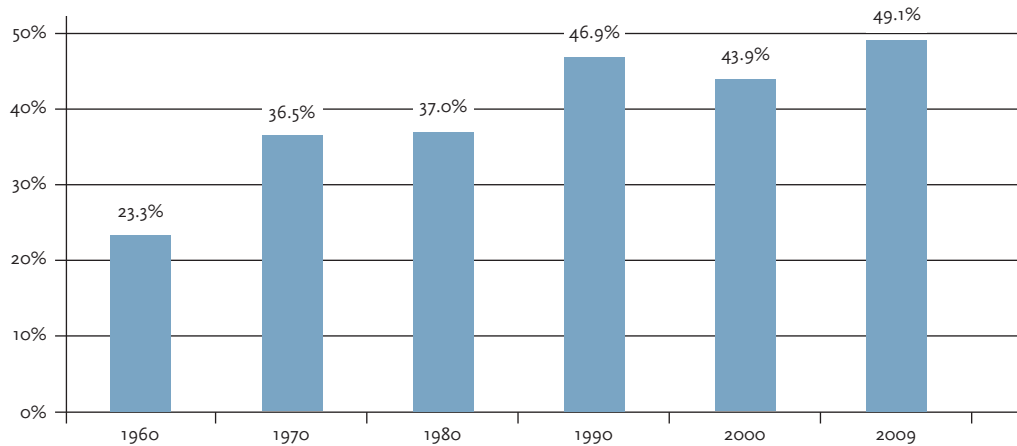
Note: * Fiscal year.
Source: NHK, 2009.

NHK's news and current affairs programs therefore account for almost half of its total broadcast time. Among commercial terrestrial television channels, this proportion was almost half that of NHK, 20.3 percent in 2009. The Broadcast Act requires both commercial terrestrial television broadcasters and NHK to broadcast news, education, culture, entertainment, and other programs in a balanced manner. This does not involve quantitative requirements, but it is the commonly accepted view that there should be no overdependence on either entertainment or news. Having said that, in 2008 the government did require license holders of digital terrestrial television (DTT) broadcasting to devote a minimum of 10 percent of their time to educational programs and 20 percent to cultural programs.

From a qualitative perspective, on the other hand, content analyses have been conducted since the 1970s, beginning with the so-called "International Flow of Information" global research conducted by UNESCO. And every 10 years, the International Communication Flow Project-Japan (ICFP) researches what it calls "Foreign Elements in Japanese TV programs."[25] This project is aimed at researching the effects television programs have on Japanese images of foreign countries and people. The latest research concluded that imported content and foreign elements in Japanese-made programs have declined in terrestrial television programs, but topics related to Europe and the United States were still at the top of the list. However, the amount of information on Asia has been gradually increasing. There has also been research spurred by big global events, such as the terrorist attacks on the United States in 2001 and the Iraq War in 2003, including the NHK Broadcast and Research Institute's "Comparative International Research on Television News Broadcasting of the Iraq War."[26] In recent years, several university academics have carried out a "critical

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25.   The latest research was conducted in July 2009, focusing on nightly news programs. Its findings were published in the *Annual Bulletin of NHK Broadcasting Culture Research Institute*, 2011, No. 55, at http://www.nhk.or.jp/bunken/research/title/year/2011/index.html (only in Japanese).

26.   It analyzed the evening news programs of ABC and Fox in the United States, the BBC in Britain, Al-Jazeera in Qatar, and NHK and other main commercial television stations in Japan.

discourse analysis" based on the words and texts of news programs.[27] Among them was a study by Tanaka Toko, a lecturer at Jumonji University, who criticized "news populism," saying it deprived people of the power of thinking and judging.[28]

Japan's dual broadcasting system encourages NHK and commercial broadcasters to compete for quality. This competition became more acute from 1985, when TV Asahi introduced its main news program and created "*News Station*,"[29] a format that had a great impact on subsequent news reporting and captured a large viewing share. Other commercial television stations made similar innovations, recognizing that the success of "*News Station*" was evidence that even news could attract higher viewing numbers. Yokoyama Shigeru called the 10-year period from 1983 to 1993 the "era of news reporting," when news programs stopped serving as fillers between entertainment programs and became golden eggs.[30] "*News Station*" aspired to become the most understandable news program and introduced a new stage-managed technique in news programming, including flips and popular audio-visual effects. The other stations, including NHK, followed suit. Tanaka Toko was among those who did not applaud the changes, however.

2.1.2 Digitization and Services

As in other countries, digitization in Japan has led to a proliferation of channels—more than 400 through BS and CS satellite broadcasting. But the policy emphasis has not been on channels but on high-definition television (HDTV),[31] data broadcasting, and one-seg broadcasting for mobile receivers.[32] For this reason, NHK has the same number of television channels as it did in the analog era: two terrestrial and three BS channels.[33] These channels have been gradually converting to HDTV, a process due to be completed in 2011. At the same time, NHK provides multiple daytime programming on ETV via standard-definition television.

Data broadcasting, one of the new services on DTT, delivers a variety of information in the form of text, graphics, and pictures to television screens. NHK runs such services on both DTT and BS digital platforms, including weather forecasts, national and local news, information on earthquakes and tsunamis, program information, traffic information, public service information, and so on. Local information is available when users register their town. Interactive data broadcasting services allow viewers to participate in a program by voting or completing questionnaires when the television is connected to the internet.

One-seg broadcasting was launched in April 2006. This allows users to watch television programs and to access data broadcasting on their mobile devices.

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27. Professor Ito Mamoru of Waseda University leads this group.

28. Tanaka Toko, "Popularisation of News and Media Populism," in *Sociology of Television News*, Sekai Shiso Sha, Tokyo, 2006 pp. 128–149.

29. In 2004, the name was changed to "*Hodo Station*". Despite this, and changing its main presenter, it still had the highest viewing share in 2009.

30. Yokoyama Shigeru, "Some Trends of Television Programming in Japan Over the Past Fifty Years," *NHK Nenpo*, NHK Broadcast and Culture Research Institute, Tokyo, 2002.

31. HDTV is referred to as "Hi Vision" in Japan.

32. The name "one-seg" comes from the use of one segment of a DTT bandwidth consisting of 13 segments.

33. The number of NHK's BS television channels decreased from three to two in April 2011.

NHK's services are subject to the terms of the Broadcast Act, and its provision of programs via the internet is defined as a discretionary service. NHK has also launched "NHK On Demand (NOD)," a catch-up service for television programs, while it also runs websites that supplement its core television services. Currently, the law prohibits it from offering a simulcast streaming service.[34] NOD users have to pay an additional fee of at least ¥1,000 (US$13) because the law requires NHK to make a clear difference in accounting between mandatory services and discretionary services.

2.1.3   Government Support

NHK and all existing commercial broadcasters were given terrestrial digital frequency along the same allocation lines as existed with their analog broadcasting and no new entries were permitted in terrestrial broadcasting.[35] In this respect, it might be said that they were given a privileged position in the government's digitization policy. NHK was also allowed to launch a new local television service in Kanto district, which covers Tokyo and six other prefectures—home to nearly one-third of the country's total population.[36]

But NHK has received no financial support from the government, and the costs associated with digital switch-over have had to be covered by fee income alone, which media observers argue has maintained NHK's independence from government. These costs—covering everything from infrastructure, such as transmission and studio facilities, to building new services, such as HDTV, data broadcasting, and one-seg broadcasting—are expected to reach about ¥65 billion (US$840 million).[37] As for the country's 201 commercial broadcasters, they too have met the expenses of digitization from their own resources, with the exception of some tax preference treatment (see section *6.2.1*).

2.1.4   Public Service Media and Digital Switch-over

NHK has low audiences for its television programs compared with the commercial broadcasters. Every June and November, NHK conducts research on audience behavior, which shows that average television viewing time peaked at 3 hours and 55 minutes per day in 2004. In June 2010, the figure was 3 hours and 35 minutes. Of this, just 56 minutes went to NHK programs.

To get a perspective on television viewing in a changing media landscape, NHK conducts a nationwide survey of "reach" twice a year, which is divided into total reach, broadcast reach, and non-broadcast reach. (Broadcast reach means the ratio of real-time viewing of NHK's television and radio programs. Non-broadcast reach means the ratio of viewing of NHK programs by some other means—such as time-shift viewing of

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34.   The government allowed NHK to conduct a simulcast streaming service for radio programs from April 2011 because reception problems had been resolved, especially in large cities.

35.   The digital terrestrial broadcasting licence requires license holders to broadcast most of their analog programs in digital format, and so all broadcasters in fact provide simultaneous broadcasting.

36.   According to this arrangement, NHK's Ibaraki stations began four new programs of news and information dedicated to its local audience in 2004.

37.   NHK presented these costs as part of its budget submission to the Committee of Internal Affairs and Communications in the House of Representatives in March 2000.

television programs recorded on DVR and DVDs, and through the internet and IPTV.[38] Total reach consists of both categories.)

The June 2010 research showed that broadcast reach was 73 percent, non-broadcast reach 20.9 percent, and total reach 74.5 percent. Table 14 shows that non-broadcast reach in 2010 increased by 2.7 percent from the 2009 figure. NHK's management regards the total reach rate as an indicator of its performance and aims to increase it to 80 percent by the end of the fiscal year 2011.

Table 14.

The ratio of reach of NHK programs (%)

Month/year	11/2007	06/2008	11/2008	06/2009	11/2009	06/2010
Total reach	75.6	76.9	76.1	76.1	76.8	74.5
Broadcast reach	74.6	76.9	75.4	74.9	76.8	73.0
Non-broadcast reach	17.0	19.4	17.9	18.1	18.2	20.9

Source: NHK research, 2007–2010.

NHK's share of television viewing time is relatively small and is unequally distributed across age groups; it is weighted more towards people in their 60s and 70s. In June 2010, NHK's research showed the following breakdown.

Table 15.

Percentage of each age cohort who view NHK

Age group (years)	%
13–19	52
20–29	54
30–39	61
40–49	67
50–59	82
60–69	90
70–79	91

Source: NHK research, 2010.

The number of registered foreigners in Japan has increased over the past 40 years. According to Ministry of Justice statistics, there were about 2.2 million in 2009, up by 1.57 million from 1999, but still less than 2 per cent of the total population. A panel set up by the chairman of NHK published a report in 2006, in which it was recommended that one of NHK's BS television channels should be switched to an English language

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38.   "Reach" is defined as viewing NHK programs for at least five minutes in a week.

service for foreign residents. In response, NHK has added voice-over in English to its "*NHK News 7,*" while "*NHK World,*" the overseas broadcast in English, has been made available on the internet and some of its programs are now broadcast on GTV.

However, most of Japan's registered foreigners are not native English speakers. Research conducted by the NHK Broadcasting and Culture Research Institute pointed out the need for multi-language services and found that many foreigners were dissatisfied with the way they were portrayed in news and general programs.[39] On Radio 2, NHK delivers news in English, Spanish, Portuguese, and Korean for 10 or 15 minutes per day and re-broadcasts some news produced for Radio Japan, NHK's overseas radio station.

Commercial or non-profit community FM radio stations thus perform the most extensive role of providing broadcast services for foreigners.[40] Among them, FM Waiwai delivers 10 different language services on the radio and through the internet.

As for online offerings, NHK has been tightly constrained compared with other public service media, such as the BBC. Even after the convergence amendment to the Broadcast Act in 2008, NHK's public role remains limited to broadcasting. It may use the internet and telecommunications networks as a means for delivery, but the Act limits the scale and range to activities that are "in association with TV programs". It also may not stream television programs on the internet while they are being broadcast. In the case of "NHK On Demand," which includes a catch-up service and premium archived television programs, an additional subscriber fee is required because only NHK's core services are funded by the receiving fee contract.

2.2 Public Service Provision

2.2.1 Perception of the Public Service Media

While NHK has become part of daily life over the past almost 60 years, it has not engaged in much public discussion about its mission and governance. However, a massive financial scandal in 2004, which revealed fraud, embezzlement, and misappropriation of receiving fee income, did considerable damage to the NHK's trust and support among the public. For the first time since 1950, NHK suffered a fall in fee income because more than 30,000 people in 2004 and 3 million the following year chose not to pay, leaving the broadcaster with a ¥4.5 billion (US$58 million) hole in its accounts. In actual fact, the Broadcast Act does not make clear whether paying a receiving fee to NHK is a legal obligation, and there is no sanction against people who do not pay.[41] An opinion survey by NHK in 2005 revealed a decline in supporters for the first time since the

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39. The research began in 2008 as a study into the role of broadcasting in a multicultural society, surveying users and people in the media in Hamamatsu City in Tokai region, where many Brazilian immigrants have settled. Some 1,000 people from China, South Korea, Brazil, and the Philippines responded to questionnaires.

40. FM Haro! in Hamamatsu in Japanese and Portuguese and FM Waiwai in Kobe are often pointed to as good examples. FM Waiwai was established to provide public information to Korean-Japanese and foreigners coming from Korea, Vietnam, the Philippines, and China in Kobe at the time of the Great Hanshin Earthquake in 1995.

41. This legal flaw has given rise to the concept of "free rider" in NHK's funding system.

broadcaster started testing the views of the public in 1985.[42] Those who thought NHK was "necessary" fell from 88 per cent in 2000 to 79 percent, and those who thought it "completely necessary" fell to 28 percent from 40 percent, the lowest since the survey began.

By 2009, however, fee income reached the same level as in 2004 before the scandal, and supporters increased to 85 percent in 2010 after big changes in the top management and institutional culture. Whereas before, the chairman of NHK was usually appointed from within, since 2008 the position has been filled from the private sector.[43]

Since 2007, NHK has conducted a quarterly "Assessment of Broadcasting."[44] Questions cover such things as the overall "value" of the broadcaster, "trust in NHK," and "distinctiveness which commercial broadcasters do not have," while perceptions cover such things as "accuracy and fairness" and "protecting people's lives and property from natural disasters and accidents by providing relevant news promptly." Figure 6 shows the March 2011 survey's finding for respondents who scored 5 and 4 (the two highest ratings on any given question) on overall value.

Figure 6.
Overall value on NHK
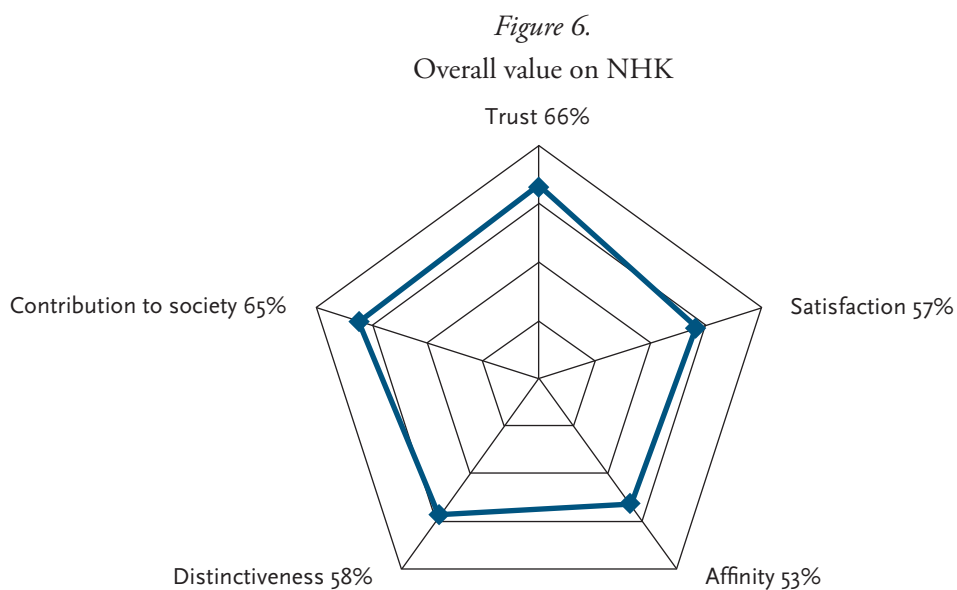
Source: NHK, *Assessment of Broadcasting*, March 2011.

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42. The "Japanese and Television, 2005" survey was conducted in the form of face-to-face interviews on 5 and 6 March 2005, targeting 3,600 individuals of both sexes, aged 16 and older, throughout the country. The rate of response was 53.3 percent, or 1,920 people. Data from the 2005 research is not available on NHK's website, but the summary of the 2010 research is at http://www.nhk.or.jp/bunken/summary/yoron/ broadcast/pdf/100616.pdf (only in Japanese).
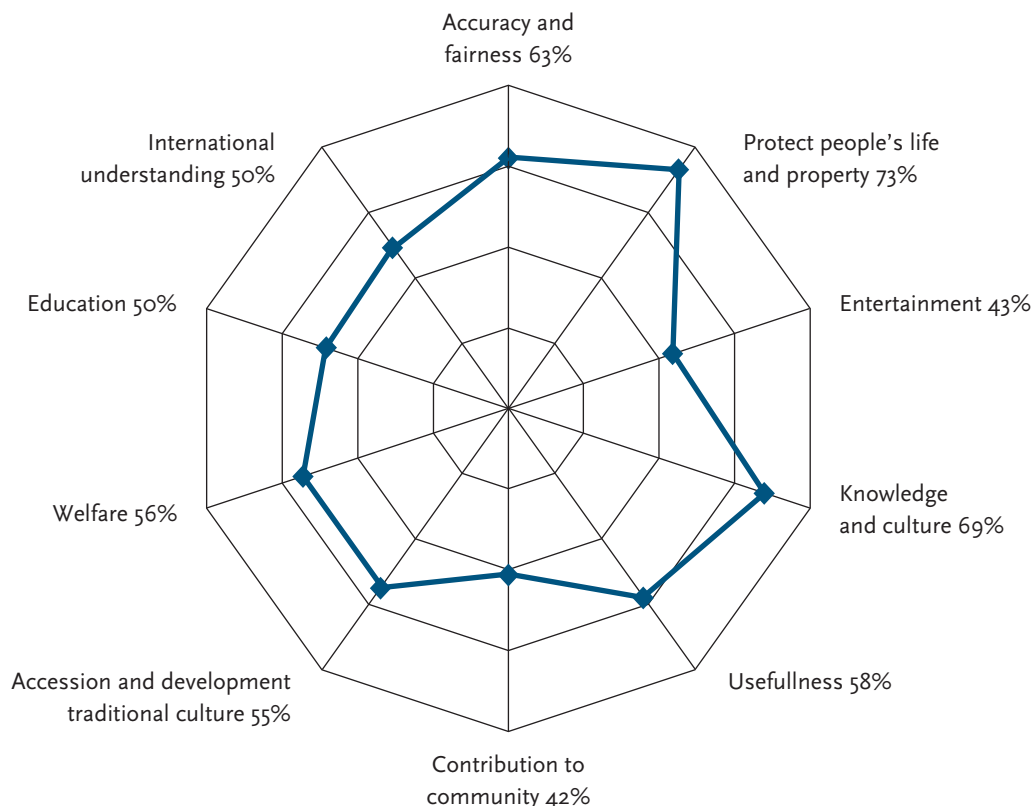
43. Mr Matsumoto Masayuki, a former vice chairman of Central Japan Railway Company, became chairman in January 2011 after Mr Fukuchi Shigeo from Asahi Beer Company left office.

44. Random direct dialing (RDD) is used to collect data by telephone from about 1,300 people over the age of 20. Respondents are asked to rate statements on a scale of 1 to 5, where 5 is the most positive response. See http://www.nhk.or.jp/bunken/summary/yoron/broadcast/pdf/110404. pdf (only in Japanese).

Perceptions of NHK's performance are shown in Figure 7. "Protecting people's lives and property" always gains the highest score, while "entertainment" and "contribution to the community" have remained low.

Figure 7.
Perceptions of NHK's performances

Accuracy and fairness 63%

Protect people's life and property 73%

Entertainment 43%

Knowledge and culture 69%

Usefullness 58%

Contribution to community 42%

Accession and development traditional culture 55%

Welfare 56%

Education 50%

International understanding 50%

Source: NHK, *Assessment of Broadcasting*, March 2011.

In parallel with the financial scandals and loss of trust among the public, an argument over NHK's political independence broke out in 2005. *Asahi* newspaper accused NHK of altering a progam on "comfort women" during the Second World War, after coming under pressure from senior politicians.[45] NHK investigated and has never conceded the allegations publicly.

Some media commentators maintain that there is a constitutional fault in the process for the approval of NHK's business plan, which has to be presented to the Minister of Internal Affairs and Communications every year before being passed on, with comments, to the relevant committees in both houses of parliament. This process is seen by some as making the broadcaster vulnerable to subtle political influence. For example, Matsuda Hiroshi—a famous journalist, now a professor and author of a book on NHK—argues that there

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45.   NHK aired a series of four program entitled "*How we could ensure justice for war crimes*" on ETV in January 2001. This series aimed to reconsider "crimes against humanity" such as human rights infringements and brutality in the framework of international law. The "comfort women" issue was the subject of one of the series programs. It was based on The Women's International War Crimes Tribunal on Japan's Military Sexual Slavery held in Tokyo in December 2000.

has always been an "unhealthy relationship" between NHK and the government based on behind-the-scenes maneuvering, with the issue of the user fee perceived as a "backstage deal."[46] This view is shared by many Japanese journalists as well as Professor Ellis S. Krauss at the University of San Diego, who claims there is a contradiction between the broadcaster's independence under the law and the political influence that occurs in reality.[47] On the other hand, some argue that parliamentary debates of NHK's annual business plan and its budget help to make NHK more accountable to the public.

2.2.2 Public Service Provision in Commercial Media

The Broadcast Act (Article 1) establishes three purposes for all broadcasting:[48]

1) To secure maximum availability and benefits of broadcasting to the public.

2) To assure freedom of expression through broadcasting by guaranteeing impartiality, integrity in broadcasting, and autonomy.

3) To make broadcasting contribute to the development of a healthy democracy by clarifying the responsibility of those people engaged in broadcasting.

All broadcasters are subject to this article. In addition, under the notion of spectrum scarcity and social responsibility, they have to abide by the following guideline: "Any broadcaster shall, in compiling broadcast programs for television broadcasting, maintain harmony among the broadcast programs, except those provided in accordance with a special business project, by providing a general cultural or educational program, as well as news and entertainment programs." Nonetheless, they decide independently how to break down broadcast programs into the specified categories when they report their annual performances to the Ministry of Internal Affairs and Communications (MIC), since there is no separate independent broadcast regulator (see section 7.2). Instead, content regulation in broadcasting can be described as a combination of "light touch" regulation with self-regulation by broadcasters, but with the hidden power of government. Between 2000 and 2009, the MIC issued 23 administrative directives, of which 52 percent were breaches of broadcast standards. (Of the others, 10 percent involved political fairness and 38 percent, false reporting.)

In some cases, commercial television broadcasters have increased the number of shopping programs and categorized them in their annual performance reports as "cultural programs." Some politicians have viewed this seriously enough to have moved to change the law to force the broadcasters to publish their programming plans with clearer categorization in advance of each new fiscal year. Not everyone views this as a simple case of better accountability to the public. Professor Yamada Kenta, who specializes in journalism and media law, is concerned that such a change in the law might be used as a means to strengthen the regulatory power of government.[49]

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46. Matsuda Hiroshi's book, *NHK*, was published in 2005 by Iwanami Shoten, at http://www.iwanami.co.jp/ (only in Japanese).

47. Ellis S. Krauss, *Broadcasting Politics in Japan: NHK and Television News*, Cornell University Press, 2000. Japanese translation published in 2006.

48. See http://www.soumu.go.jp/main_sosiki/joho_tsusin/eng/Resources/laws/pdf/090204_5.pdf.

49. "Implications and issues of Broadcast Law 2010" (monthly report), p. 25, National Broadcasting Association of Japan, June 2010.

There has in the past been some discussion about public support for commercial media to provide public service content and programs, including a call for a public service broadcasting fund similar to the idea that came out of the Report of the Committee on Financing the BBC (the Peacock Committee) in 1986. But it has not gone anywhere.

2.3 Assessments

NHK has improved and enlarged its public service role gradually in line with broadcasting technological development. It may be able to do so further after digital switch-over if it is permitted by law to offer programs and content whenever receiving fee payers want them (on demand), which it is currently prohibited from doing.

A further public service role might be performed by releasing archived programs to the public.[50] NHK has started a trial project under which academics and graduates are allowed access to these archives.

There remains, however, a fundamental issue about how NHK might be able to make itself relevant to all fee payers in a fully digitized world. With universal funding and the need to offer something for everyone, NHK needs to explore how it can help to build inclusiveness in a fragmented society with accurate news and current affairs reporting of a society with multiple viewpoints. NHK itself says its management strategy places much emphasis on offering a public sphere to bring people together.[51]

In pursuit of such a goal, NHK recognizes that it is important not only to develop an improved service via the internet, such as on-demand delivery, but also to increase its reach, especially among younger audiences. This would involve making substantial changes to the content and tone of programs, which in turn could place the broadcaster at risk of further criticism from its traditional supporters, mostly older people, as well as from commercial broadcasters. Ujiie Saiichiro, the late chairman of NTV (Nippon Television Network Corporation), one of the largest commercial television broadcasters, complained about what he saw as a tendency by NHK to attach a higher value to entertainment, and said that NHK was losing its identity as a public broadcaster, imitating commercial programs.[52] Commercial television broadcasters are also critical of any plans for NHK to expand its online services, such as simulcast streaming of television programs, arguing that this would be unfair competition because of NHK's privileged funding through the users fee.[53]

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50. There are 700,000 programs and 4.7 million news items that NHK has begun to convert from analog to digital format.

51. "Wherever you are, NHK. NHK's Corporate Plan 2009–2011" (in English), at http://www.nhk.or.jp/pr/english/corporate-plan/corporate-plan.pdf (accessed 8 March 2012).

52. Interview published by Toyo Keizai, 15 January 2011.

53. For example, Hirose Michisada, chairman of the National Association of Commercial Broadcasters in Japan (NAB), at a press conference in November 2010.

Meanwhile, NHK continues to enjoy a good reputation among its audience for both the originality of its programs and the quality of its news reporting, which is more highly respected than that of the commercial broadcasters and newspapers.[54] For instance, NHK conducted a comprehensive report about the earthquake and tsunami on 11 March, 2011. Live coverage by all the television and radio channels continued from 11–18 March. NHK also offered a "simul-streaming" service of GTV's news programs on Ustream Asia until 25 March, with the permission of the Minister of the MIC. This event reaffirmed the significance of NHK as a public service. According to a survey by the Nomura Research Institute,[55] 80.5 percent of respondents regarded NHK as the most important and trusted media outlet. Foreign journalists in Japan also praised NHK's coverage of the earthquake and tsunami. However, there has been criticism that NHK's coverage of the Fukushima Nuclear Plant tended to follow the official "line" because of its firm commitment to accuracy.

It is fair to say that NHK maintains an important role in Japanese society and is likely to continue to do so by making up for the weaknesses in the performance of traditional newspapers and terrestrial broadcasters in these times of transition for all mass media.

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54. See research done in November 2010 by the advisory committee on the future of funding by the President of NHK, at http://www9.nhk.or.jp/pr/keiei/seido/pdf/shiryou005.pdf (only in Japanese).

55. See http://www.nri.co.jp/news/2011/110329.html (only in Japanese).

3. Digital Media and Society

3.1   User-Generated Content (UGC)

3.1.1   UGC Overview

Of the top 10 websites in Japan as of March 2011, five—Fc2, YouTube, Ameblo, Livedoor, and Wikipedia—are UGC sites or contain strong UGC components (see Table 16). All the others are portals (except Rakuten), attracting users for their news, stock price information, and auctions and are usually not regarded as UGC sites. With respect to ownership of these sites, none is an affiliate of any mainstream media company (such as television or newspaper). Softbank, the third biggest telecoms carrier in Japan, is the largest shareholder of Yahoo Japan Corporation, which operates the Yahoo.co.jp website. Also NTT, the number one telecoms carrier, owns NTT Resonant, which operates Goo.ne.jp.[56]

Table 16.

Top 10 websites in Japan (March 2011)

Website	Content
Yahoo.co.jp	Portal site with many features, including search engine
Google.co.jp	Portal site with many features, including search engine
Fc2.com	Webhosting for various services, including UGCs such as blogs
YouTube.com	UGC site for video
Google.com	Portal site with many features, including search engine
Ameblo.jp	Webhosting for various services, including UGCs such as blogs
Livedoor.com	Webhosting for various services, including UGCs such as blogs
Rakuten.co.jp	Online shopping mall
Wikipedia.org	UGC site for free encyclopedia
Goo.ne.jp	Portal site with many features, including search engine

Source: Alexa.[57]

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56.   Softbank has held 42.2 percent of Yahoo Japan Corporation shares since March 2010. NTT Resonant is wholly owned by two NTT Group companies, NTT Communications and NTT DOCOMO.

57.   See http://www.alexa.com/topsites/countries/JP (accessed 15 September 2011).

In Japan, as elsewhere, video sites are popular. Among providers listed in Table 17, Gyao! and Daini Nihon TV are not UGC sites, given that they transmit one-way videos to users who only receive and watch them. Therefore, the most popular video UGC websites are YouTube, NikonikoDoga, and Ustream. Gyao! and Ustream are Softbank's affiliates, and Daini Nihon TV is a website which is operated by Nihon TV, one of the major terrestrial television broadcasters. NikonikoDoga is operated by Dowango, an independent company.

Table 17.

Number of visitors to major video websites (April 2010)

Website name	Visitors (million)
YouTube	25.0
Gyao!	13.0
NikonikoDoga	8.4
Ustream	1.0
Daini Nihon TV	0.8

Source: Nielsen, August 2010.[58]

3.1.2   Social Networks

The top nine most popular social networking services (SNS) sites are shown in Table 18. Among them, only Twitter, Mixi, and Facebook fall into the strict definition of SNS, in which registered users maintain online communities and exchange information. Although Mixi is a uniquely Japanese independent SNS, the other two are operated by U.S.-based companies. In addition, because mobile broadband in Japan is the world's most developed, SNS sites aimed primarily at mobile users, such as the two independent sites, Gree and DeNA, are also popular. In July 2010, Gree and DeNA had almost as many registered users as Mixi at around 20 million.[59]

Table 18.

Visitors to major SNS websites (April 2010)

Website name	Visitors (million)
Wikipedia	26.9
Yahoo! Chiebukuro	26.1
YouTube	25.0
Ameblo	22.0
2 Channel	11.5
Twitter	9.9
Mixi	9.3
COOKPAD	6.9
Facebook	1.9

Source: Nielsen, August 2010.[60]

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58.   See http://www.jmra-net.or.jp/pdf/document/membership/release/OnlineReport_JP.pdf (only in Japanese).

59.   Weekly *Toyo Keizai* magazine, 9 October 2010.

60.   See http://www.jmra-net.or.jp/pdf/document/membership/release/OnlineReport_JP.pdf (only in Japanese).

3.1.3 News in Social Media

Among the "widely defined" SNS sites shown in Table 18, only Twitter, Mixi, and Facebook have functions that provide real-time exchange of social information including news. Although this news content is not officially edited content supplied by major newspaper and broadcasting companies, it often provides quick and useful information. In particular, Twitter has been increasing its number of registered users very rapidly,[61] and is playing a growing role in the dissemination of news and information in Japan. For example, after the earthquake and tsunami in March 2011, many people used Twitter to find information related to the disaster. Even the Japanese government recognized the importance of the site and started providing earthquake and nuclear power plant crisis information via Twitter.[62]

Meanwhile, existing media giants have developed their websites to meet the growing demand for online information and interactivity. Table 19 shows the ranking of sites operated by terrestrial television stations by registered users, which are substantially below those for the sites listed in Tables 17 and 18 above.

Table 19.

Number of registered users of major video websites by TV broadcasters (April 2010)

Website name	Registered users
Daini NihonTV	844,000
NHK on demand	753,000
Fuji TV on demand	276,000
Teleasadoga	164,000
TBS on demand	56,000

Source: Nielsen, August 2010.[63]

In recent years, Japanese newspapers and terrestrial television stations have been eager to use Twitter, Facebook, YouTube, and so forth to gain a presence on these popular sites. For example, in early April 2011, *Asahi Shimbun* and NHK tweeted information about their 40[64] and 55[65] Twitter accounts, respectively. However, the established media have not made much progress in adapting their ways from their traditional "one-way" communication approach. In fact, they mostly use the emerging media simply to advertise articles and programs that are being carried on their established platforms. The weakness of this approach was evident in the case of the earthquake and tsunami, where one-way information was only of limited value when compared with what was happening on the UGC and SNS platforms.

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61.   See ClickZ, "Twitter on Track to Lead Social Networking in Japan," at http://www.clickz.com/clickz/stats/1896027/twitter-track-lead-social-networking-japan.

62.   See the Japanese government official site at http://www.kantei.go.jp/.

63.   See http://www.jmra-net.or.jp/pdf/document/membership/release/OnlineReport_JP.pdf (Japanese only)

64.   See http://www.asahi.com/twitter/, 10 April 2011.

65.   See http://www.nhk.or.jp/toppage/external_service, 10 April 2011.

3.2 Digital Activism

3.2.1 Digital Platforms and Civil Society Activism

As a democratic country, Japan enjoys public participation in politics. However, such participation tends to be limited. The World Value Survey shows that only 2.8 percent of Japanese people have "participated in a legal demonstration within five years."

Japanese scholars of mass communication, media, and the information society have long discussed citizen participation using alternative media, in particular, cable television and the internet. More recently, they have recognized the growing role of SNS in this regard.

According to a Cabinet Office survey, 40.9 percent of Japanese non-profit organizations (NPOs) and citizens' organizations make some use of the internet. Of these, 84.1 percent use email for their activities and 59.8 percent have their own websites. Some NPOs have even ventured into internet broadcasting, such as OurPlanet-TV.

For example, when many temporary workers were laid off with the further slowdown in the economy as a result of the global financial crisis in 2008, soup kitchens and job-hunting counseling services were provided by NPOs, which tried to motivate volunteers through the internet. However, there is no firm evidence of the role the internet might have played in these activities, and it would be fair to say that of the many things the NPOs did, the internet can be seen as only one tool.

The accident in the Senkaku Islands

An incident in which a Chinese fishing boat collided with a patrol vessel from Japan's Coast Guard is pointed to as an example of the awakening of public opinion by a non-media person through digital media. The Japanese and Chinese governments have conflicting accounts of this incident, which happened on 7 September 2010 off the Senkaku Islands in Okinawa prefecture and led to a diplomatic stand-off between the two countries. In Japan, there was much controversy about whether the video which recorded the incident from the patrol vessel should be published. However, an office staff member of Japan's Coast Guard took it upon himself to post the video on YouTube, precipitating saturation coverage in the mainstream media and criticism of the Japanese government for poor management of information and what many said was "weak-kneed" diplomacy towards China. The controversy resulted in a sharp decline in the government's approval rating in November from 53 percent to 35 percent. Moreover, there was an outpouring of nationalist sentiment and opinion on the internet in Japan as well as support for the Coast Guard staff member on 2-channel and Twitter, although others blamed him for inflaming extreme nationalism. He was subsequently disciplined and left the Coast Guard service.

3.2.2 The Importance of Digital Mobilizations

There is little evidence to suggest that digital mobilizations play any more significant a role in Japanese life than occasionally to shake up mainstream journalism. Part of the explanation for this lies in the fact that in Japan citizen participation of any description is weak. According to a survey by the NHK Broadcasting Culture Research Institute, there has been a steady decline over the past 35 years in the proportion of the population who might be described as participating in some form of activism in their workplace or in the wider society or political arena.

While in modern Japan, NPOs and CSOs play a significant role in various fields, public interest in these activities remains very low. A Cabinet Office poll from 2005 found that 39.7 percent of respondents "know" an NPO, but that 91.8 per cent had never participated in the activities of an NPO. Some 49.9 percent said they got their information on NPOs from the mass media, while just 13.4 percent said they used an administrative release, a private organization's newsletter or an NPO's website. While the reach and availability of digital media platforms have developed well in Japan, very few people actively use them for citizen activities. While grassroots activities might be expected to grow, it is still the case in present-day Japan that the mainstream mass media are the most influential media in the political process and in motivating public opinion.

3.3 Assessments

Digitization has contributed to the diversity of access to news. However, the mainstream mass media have the greatest influence over the production and distribution of that news. Although organizations involved in civil activism, such as NPOs, have actively used new digital media, citizen participation is low, as is the use of new media for gaining information about social and political issues.

4. Digital Media and Journalism

4.1 Impact on Journalists and Newsrooms

4.1.1 Journalists

The influence of Japan's national newspapers and national broadcasters is very great. This is partly due to the fact that they produce daily news through highly institutionalized and routine practices.

The mainstream media have two main means by which they dominate the production and distribution of news. The first is through a long-established system of branch offices, bureaus, and communication stations across the country as well as correspondents working abroad.[66] The second is the *kisha* club (press club) system, which operates in all government agencies, local authorities, public agencies, and influential private associations. This club system, to which all mainstream mass media members belong and which is responsible for initiating press conferences, functions as a front-line base for reporters to formally or informally gather information from sources.[67] While the system enables reporters to access, produce, and transmit news efficiently, critics say this leads to a uniformity of news, an excessive dependency on official information, and exclusivity. This latter criticism has come chiefly from freelance journalists and alternative media organizations.

Most mainstream media organizations have their own news websites. Some of the national newspapers already have or are planning electronic-only editions.

Journalists are greatly aware of the changes taking place in their industry. A recent survey asked journalists how various changes had affected the way in which they do their jobs. They found "very influential" the following things: the diffusion of the internet in daily life (56.4 percent); the progress of IT in news production (35.3 percent); and the development of web journalism (33.6 percent).[68]

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66. Primarily in East Asia, North America, and Europe.

67. See http://www.pressnet.or.jp/english/about/kishaclub.htm.

68. This survey, which was aimed at 1,000 journalists living in Japan, was conducted by Nihon University. S. Ohi, *The Picture of Journalists in Japan: Stability and Change by the Survey of 1,000 Journalists, AIR 21,* January 2008, pp. 27–58 (only in Japanese).

Another recent study found that 52.1 percent of journalists in Japan thought they were having to write more stories for the web, 63.8 percent that they were gathering information through the web more, and 79.8 percent that they were placing more emphasis on flash reports.[69]

As discussed in section *1*, five national newspapers have their own news websites. Competition between them has increased the importance of flash reports, which tend to be straight news. One national newspaper posts a third of all the stories in its newspapers on its news website. On the other hand, feature stories, long stories, or background stories often appear only in the newspapers.

At the same time, these leading newspapers have improved the contents of their sites by, among other things, offering a database and charging services such as web magazines with more in-depth articles for subscribers. A journalist on a national newspaper, who is in charge of such a paid-for web magazine, says he first produces stories for the newspapers and then posts more detailed and analytical stories on the web magazine, which he says is targeted at more well-informed subscribers.[70]

Thus, the news production process of Japan's national newspapers has been changed through the development of the internet and digitization, but the foundation of traditional news production has remained largely unchanged.

In fact, journalism organizations in Japan started actively to use the internet in their news-gathering activities in about 2000. That means that most young reporters, who are now active in the front line, take the internet and digital media in the news-gathering process for granted. However, when you ask them what this has meant for how they work, the answers are interesting. Recent research found that only 16 percent of journalists questioned in one study thought the internet had decreased the occurrence of face-to-face interviews. In fact, only 14 percent said they had felt any change to the traditional news-gathering process.[71]

In 2002, Pressnet gathered journalists' views on the *kisha* club system.[72] While this research pointed out the rapidly changing circumstances surrounding news gathering, it also emphasized the necessity of the *kisha* club system for information disclosure and monitoring of the authorities.

This attitude survey shows that journalism organizations and journalists in Japan have tried to become accustomed to digitization. However, a comparison with the situation in South Korea, where the internet has more influence and the press clubs are open to internet journalism, points to the conclusion that acceptance among journalists and media organizations of the role of the internet in Japan is limited.[73]

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69. The research was aimed at the journalists of the national newspapers in Japan and Korea. One hundred journalists were questioned in each country. C.S. Kim, "The Reformation of Editorial Room in the Internet Era: From the Attitude Survey of Journalists in Japan and Korea," *Journalism,* July 2009, pp. 73–85 (only in Japanese).

70. Interview with a journalist from *Asahi Shimbun*, Tokyo, 9 February 2011.

71. C.S. Kim.

72. See http://www.pressnet.or.jp/english/about/kishaclub.htm.

73. C.S. Kim.

For journalists in the mainstream mass media, opinions conveyed over the internet are not regarded as having much influence. A survey of journalists revealed that while 72.7 percent think highly of the news websites of the news media organizations, a similar proportion (71.3 percent) have low regard for internet newspapers, and 63.7 percent hold personal opinions, such as weblogs, in equally low regard. While in Japan some 30 percent of journalists feel "encouraged" by the practices associated with weblogs, in Korea the proportion is 50 percent.[74]

Thus, journalists in Japan are not much influenced by internet opinions. Similarly, in Japan only 8.5 percent of journalists feel "a little influence" on their reporting from the internet. When asked, "Do you worry about becoming the target of critics for your stories on the web?" just 14.9 percent say they worry about this, but 51.1 percent say they do not. In answer to the question, "Do you think the internet makes it more difficult for you to judge the value of news?" just 13.8 percent say "Yes" and 70.2 percent "No".

4.1.2 Ethics

While Japan's Constitution guarantees freedom of speech and expression, there is no consensus regarding journalistic ethics, a subject that is much debated. Added to this is the fact that the internet has brought into sharper relief a number of ethical questions, most prominently that of privacy.

Pressnet set up "The Canon of Journalism" (Press Code of Ethics), enacted in 1946 when journalism in Japan reflected deeply on its role in World War II. The code was revised in 2000 to take into account the rise of social media and other changes in the media environment. Thus, it now advocates "freedom and responsibility," "accuracy and fairness," "independence and tolerance," "respect for human rights," and "decency and elegance."[75]

As for the broadcast media, Article 3 of the Broadcast Act is based on the premise of freedom of expression and decrees conserving public order and morality, maintaining political equality, reporting undistorted facts, and showing as many points of a controversy as possible. The Broadcast and Human Rights/Other Related Rights Committee (BRC) was established by NHK and private broadcast organizations in 1997.[76] The committee was reorganized in 2003 to become part of the Organization for Broadcasting Ethics and Program Improvement. In this capacity, it deliberates on ethical problems and gives advice (see section 7).

When surveyed, journalists listed the following description of their role: "Accurate information service" (42 percent), "watchdog of the authorities" (40 percent), and "pursuit of social justice" (12 percent).[77] Thus, they are keenly aware of the ethics enshrined in the Press Code of Ethics and the Broadcast Act.

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74. C.S. Kim.

75. See http://www.pressnet.or.jp/english/about/canon.htm.

76. See http://www.bpo.gr.jp/bpo/english/brc.html (accessed 10 February 2012).

77. *The Survey of 1,000 Journalists*. Respondents selected one of 12 options.

However, Japanese journalism is often open to the criticism that it enjoys a cozy relationship with sources. Other problems include inaccurate reporting and abuse of privacy, as well as the publication of fake and fabricated stories. Another age-old problem is plagiarism—lifting stories from other news organizations. This problem has spread with the proliferation of web-based news sources and worsening of business conditions.

This has led to attempts to educate journalists in ethics. Since in Japan, training of journalists is primarily done on-the-job, with new recruits being trained by their seniors, some media organizations have been introducing reforms to this system.[78]

Moreover, public debate about journalism and ethics in Japan and a growing consciousness about the right to privacy has been made manifest in the Personal Information Protection Law of 2003 (implemented in 2005). Critics maintain that this has led to an overprotection of personal information, with anonymity becoming the norm in all walks of life. The consequence for journalists has been a weakening of information sources and sourcing and named attribution in their stories. In 2009, the Pressnet published a "position document" proclaiming the need for a revision of the law.[79]

4.2 Investigative Journalism

4.2.1 Opportunities

Japanese journalism, like its counterparts in many other countries, takes investigative reporting very seriously. There have been numerous cases of exposure of maladministration at the very top of society, with notable high-profile examples in the past such as Prime Minister Kakuei Tanaka's "money-power politics" in 1974,[80] and the so-called Recruit Cosmos share-for-influence scandal in 1988.[81] This tradition of good investigative reporting has continued to the present day, a practice that is highly valued by audiences and journalists alike. However, journalists say they find it difficult to do an adequate job of investigation in their routine work. Research shows that only 2.5 percent "fulfill the task of examining the truth of the government's disclosure," while 69.9 percent say they "do not fulfill it" or "do not fulfill it enough."[82] As a result, most journalists over-rely on the sources provided though the *kisha* club system, and say it is difficult to find enough time and resources to do investigative reporting.

For those who do pursue investigative journalism, the internet is, of course, a great information and research aid. For example, journalists from *Asahi Shimbun* drew on online reports by various public services, online government reports of political funding, and the online newsletter of a politician's local prefecture to unearth a

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78.   Interview with a senior researcher from the journalism school of *Asahi Shimbun*, Tokyo, 1 February 2011.

79.   See http://www.pressnet.or.jp/statement/privacy/pdf/iken20090327.pdf (only in Japanese).

80.   Journalist Takashi Tachibana investigated the prime minister's use of bribery and corruption through contracts, influence peddling, and party financing, which eventually toppled him and led to his conviction.

81.   Journalists from *Asahi Shimbun* unveiled a web of illegal dealings between part of the business community and the Liberal Democratic Party, including the use of shares in the Recruit Cosmos real estate company as bribes.

82.   *The Survey of 1,000 Journalists*.

scandal in which a politician exerted pressure on regulatory authorities in order to favor a particular company. As with all good investigations, there was, of course, the need to check the originality of documents and to conduct interviews for supportive evidence, but it was possible to construct the original storyline through several internet sources.[83]

One journalist who edits a blog on the news site of one of the country's national newspapers specialized in stories related to medical care and science. After coverage in the newspaper of controversy surrounding homeopathic medicine, the blog gathered further information regarding victims of pseudo-scientific and inadequate treatment. The debate spread to other blogs and attracted tremendous interest. From this, the newspaper was able to find victims and publish more detail about the problem.[84]

4.2.2 Threats

The *Asahi Shimbun* has called on its readers and internet users to provide information as a "supplement" to its own reporting. In 2008, it introduced a section on its news site where it encouraged users to post confidential information. There are one or two such submissions every day, which are then checked out by professional journalists in the investigative reporting group to judge their veracity and importance. Although there has not yet been an attention-grabbing result from this enterprise, the increased competition for timely flash news that has emerged as a result of internet-based and mobile news delivery has distracted journalists from the pressing and time-consuming tasks of investigative journalism.

Furthermore, as noted above, the Personal Information Protection Law has served as a constraint on all journalistic activity in Japan, not least this kind of reporting. While the law did not arise directly as a result of digitization, it emerged out of growing privacy awareness that came with a general spread of the information society. As many as 94.4 percent of journalists say they think that this law affects their practices.[85]

A further threat comes in the form of abuse by anonymous internet users on the electronic bulletin board "2-channnel", the country's largest such platform for exchanging views on a range of themes from politics to subcultures.[86] While this abuse is aimed at media organizations, specific stories, and sometimes specific journalists, the attitude survey and interviews with journalists show that they are not particularly concerned about this.

4.2.3 New Platforms

While digitization allows greater access to information and wider dissemination through reproduction and providing links through social media, it has not, as yet, raised public awareness on investigative reporting. There are still occasions, however, when a particular piece of investigative journalism touches a nerve and can cause something of a public sensation. One example is when a national newspaper reported the illegal

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83. Interview with a journalist from *Asahi Shimbun,* 9 February 2011.

84. Interview with an editor from *Asahi Shimbun*, 22 February 2011.

85. This percentage is the sum of the responses to the statement: "The law affects journalistic practices a lot" (66.2 percent) and "to some degree" (28.2 percent). *The Survey of 1,000 Journalists*.

86. See http://2ch.net (accessed 8 March 2012).

practice of "disguised contract labor" by a major corporation, which was then reproduced by "2-channel" and provoked considerable controversy and debate.[87]

4.2.4 Dissemination and Impact

While some famous journalists have tried to publish investigative reporting on the blogs The Journal and My News Japan, and some other blogs have garnered some public attention by providing their own information on events and affairs, investigative reporting by mainstream mass media organizations still carries the most influence and gains the most public attention.

There has also been some investigative reporting by eminent individuals who do not belong to mass media organizations, however, most prominent and famous non-fiction writers have reached an advanced age and rarely publish on the internet.

Similarly, citizen journalism has not really taken root in Japan. While in the first few years of the 2000s, several such organizations were established, they had limited success. For example, JANJAN was established in 2003 and Oh My News Japan in 2006. The intention was that ordinary citizens would report and comment on events and issues close to their lives and communities. However, page views on Oh My News Japan, which reached as many as 200,000 a day in 2006, plummeted to 70,000 just a year later.[88] In the case of JANJAN, advertising revenue over the past two years has declined to a third of what it was in its heyday.[89] Oh My News Japan shifted its focus to consumer experience reporting by arranging tie-ups with some private companies in 2008, and finally closed its website in April 2009. JANJAN suspended publication in March 2010 and then relaunched in the form of a blog-style news site, JanJanBlog.

4.3   Social and Cultural Diversity

4.3.1 Sensitive Issues

Matters concerning foreign residents and ethnic minorities in Japan and gender matters are issues that, as in many countries, are sensitive. While the overwhelming majority of people in the country are Japanese and speak the native language, 1.71 percent of the total population are registered as alien. The second highest number, after Chinese, are Korean; their history in the country is closely related to the Second World War and the pre-war colonial policy towards the Korean peninsula, and this remains a source of discrimination and dissatisfaction. In addition, there are the indigenous Aynu people who live mainly in Hokkaido prefecture, as well as the 1.4 million people who live in Okinawa prefecture, which became part of Japan about 130 years ago and was subjected to forced assimilation.[90] Issues regarding discrimination towards these minorities are largely invisible in day-to-day life, but when there is a related event, they become part of public controversy.

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87.   Interview with a journalist from *Asahi Shimbun* on 9 February 2011.

88.   *Asahi Shimbun,* 21 April 2009.

89.   *Asahi Shimbun,* 9 March 2010.

90.   Okinawa Prefecture (ed.), *Painful History of Modern OKINAWA)*, Iwanami Shobo, Tokyo, 1996 (only in Japanese).

Japan is also criticized for lagging behind the rest of the developed world in the social advancement of women. In the Global Gender Gap Index, Japan comes in at 98th out of 135 countries.[91] The Asia-Japan Women's Research Center uses the internet to publish information and opinions about gender problems in the country.

Among these sensitive issues, the one most likely to flare up is Okinawa because of the long presence there of U.S. bases. After the war, Okinawa prefecture was separated from Japan and governed by the United States, which stationed its forces there. Despite the fact that Okinawa became a part of Japan again in 1972, not much has changed. Some 75 percent of U.S. forces present in Japan are still in Okinawa.[92] The people of Okinawa believe they are discriminated against, and from time to time they protest against their situation.

4.3.2   Coverage of Sensitive Issues

Apart from the general guidelines for reporting contained in the Press Code of Ethics and the Organization for Broadcasting Ethics and Program Improvement (see section *4.1.2*), there are no explicit regulations regarding coverage of ethnic minorities, foreign residents, or gender issues. In any event, mainstream mass media organizations, with rare exceptions in the case of a few journalists, do not aggressively report such issues, which to a large extent are considered taboo.

4.3.3   Space for Public Expression

Digitization has been a double-edged sword with regard to public expression. On the one hand, it has provided a platform for minority groups to express their opinions, but on the other hand it has allowed wider dissemination of discriminatory opinions. For example, Japan's largest bulletin board, "2-channel," contains anonymous messages aimed at minorities and foreigners, in particular, those from East Asian countries.[93] The case cited above of the clash between Japan and China that followed the collision of two sea vessels is an example. Many messages posted on "2-channel" expressed anti-China opinions that were not covered in the mainstream media. They also criticized the Japanese government as weak-kneed and called for anti-government and anti-China demonstrations.

4.4   Political Diversity

4.4.1   Elections and Political Coverage

The Public Office Election Act (Act No. 100, 15 April 1950) obliges broadcast media to disseminate the views and backgrounds of candidates in elections for members of the House of Representatives and the House of Councilors. This Act is designed to set the framework for fair elections, and broadcast media do tend to strive for impartiality in reporting on candidates and political parties during elections. At the same

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91.   See http://www3.weforum.org/docs/GGGR11/GGGR11_Rankings-Scores.pdf (accessed 28 November 2011).

92.   Okinawa Prefecture (ed.), *Painful History of Modern OKINAWA*, Iwanami Shobo, Tokyo, 1996.

93.   *Asahi Shimbun,* 30 April 2008.

time, the Act, although it was passed before the internet existed, has had the effect of severely restricting use of the internet by political parties and candidates during campaigns. In the same vein, as the Act seeks to prohibit wealthy candidates from unlimited distribution of leaflets, so with regard to the internet, candidates are limited in how much they can email and make use of their websites. Critics say this is unrealistic. In fact, in the 2009 Lower House election, the Liberal Democratic Party published its campaign manifesto, which criticized the Democratic Party of Japan, on its website, which was accessed more than 570,000 times during the campaign.[94] There have been calls for a change to the legislation, but so far to no avail.

4.4.2 Digital Political Communications

This is an area in which there has not been much research done as yet. However, one very visible sign has been an attempt to introduce a new type of polling on the internet. For example, the polls by "Everyone's Politics" on Yahoo! Japan, and "Poll on the Net" on NicoNicoDouga, are different from those carried out by the major mass media companies. With only a web ID, users can take part and can even choose the theme of the poll.

Observers of political communication point to four things that digitization has brought to the process. First, there has been an increase in the number of digital platforms on which the political elites have been able to disseminate their messages. BS and CS have allowed a growing number of channels that have broadcast more and deeper debates on policies. Second, politicians and political parties are beginning to aggressively use tools on the internet such as Twitter. Third, while the impact of the established mass media is still largest, there is more diversity. The opinions of journalists who do not belong to any of these large organizations are now getting some attention. Fourth, it is more difficult for the political elite to ignore opinions posted on bulletin boards, Twitter, and the like.

Having said that, the influence of most of those who have made greater use of the internet is limited to raising issues rather than having an impact on how those issues are debated and resolved.[95]

Meanwhile politicians, who do not like their comments to be selected or edited by the mass media, have started to turn to internet broadcasting, which has become the preserve of freelance and IT journalists, rather than those who work for the mainstream media. Some politicians, in particular those wanting to avoid close scrutiny, have begun to use YouTube as a means of communicating directly with audiences. (Other internet broadcasting services include Video News.Com and the video-sharing sites NicoNicoDouga and Ustream.)

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94. *Asahi Shimbun,* 1 September 2009; *Yomiuri Shimbun,* 24 August 2009.

95. Interview with political communication scholar Iwao Osaka of Rikkyo University, Tokyo, 12 February 2011.

4.5 Assessments

Digitization has affected the work of journalists in many ways. On the one hand, journalists have used digital media as an effective tool for researching and reporting, adding immensely to the efficiency and quality of the news. On the other hand, they have become caught up in the competition to be first online. This has trapped many of them in a cycle of routine reporting that has undermined their ability to do more investigative journalism. Meanwhile, digitization has yet to make inroads on the foundation of Japanese news culture, in particular the *kisha* club system.

There is still little development in the use of digital media to disseminate information and views by—and of—minority groups. The influence of digitization has been most evident in institutionalized political communications, for instance in the context of an election.

5. Digital Media and Technology

5.1   Spectrum

5.1.1   Spectrum Allocation Policy

The Ministry of Internal Affairs and Communications (MIC) is responsible for frequency policy and management in accordance with the Radio Act.[96] Its duties include:

- the allocation of frequencies based on the decisions of the International Telecommunications Union (ITU) World Radiocommunication Conference;[97]

- the study of technical requirements to introduce technical standards for a new digital system and frequency assignment for the system;

- the establishment and publication of a license policy;

- the reception and examination of applications for radio licenses;

- the issue of radio licenses (i.e. frequency allocation).

In deciding on standards and policies for frequency management, the MIC conducted consultations with the Radio Regulatory Council, the Telecommunications Council,[98] special study groups, and teams composed mainly of specialists and related parties outside government, to ensure that the procedure would be transparent. Then the MIC sought public comments on draft proposals it drew up based on these consultations.

As outlined in section *2.1.3*, NHK and the incumbent commercial broadcasters were given terrestrial digital frequencies along the same lines as their analog broadcasting allocations, and no new entries were permitted in terrestrial broadcasting. Although this involved the so-called "beauty contest" procedure (in which applicants' prospectuses are compared), there have been generally few complaints of discrimination among

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96.   The Act was amended slightly in 2011.

97.   The conference has been held every two to five years since 1993 to review the international treaty, regulation, and rules concerning radio frequencies.

98.   Both councils are established and operated by the MIC as its consultation boards for ICT regulations and are composed of independent members.

the ICT industry. This is because the measures have been relatively open and transparent and no significant lack of spectrum emerged until around 2008–2009. However, some new mobile entrants, such as Softbank, have complained about unequal treatment.[99]

Although the introduction of frequency auctions has been called for since the 1990s on the grounds that they would provide for a more transparent and efficient allocation procedure, both incumbents and new entrants have opposed such measures. *Nikkei IT Pro*, a trade paper in the Nikkei newspaper group, reported that "only some scholars have sought to promote the idea of auctions, while both the MIC and existing operators have opposed it because 1) the ministry would be deprived of its regulatory rights and 2) there would be additional costs for operators involved."[100]

As result of the full transition to digital television in July 2011, the vacant 700 MHz frequency band (so-called "digital dividend") is supposed to be reallocated to mobile operators in 2012. The MIC showed its intention to issue three licenses through the traditional prospectuses comparison method. Although any applicants, including both incumbent and new entrant mobile operators, are qualified to acquire the licenses (one for each), some proposed that the licenses should be allocated through auction.

However, as stated below, it was officially decided through the MIC's "Panel Discussion Concerning Frequency Auctions" that an auction will be introduced in 2013 when new frequencies are allocated for the next generation (4G) of mobile services.

5.1.2   Transparency

Voices calling for a more efficient allocation of frequencies have increased. And in 2011, the MIC said it would review the introduction of auctions as a result of two developments.[101] First, the current ruling party (the Democratic Party) promised at least a partial auction system in its policy agenda ("INDEX2009") when it took over from the Liberal Democratic Party-led administration in 2009. Second, as DTT has replaced analog, and because of the growing demands for frequency for next-generation wireless broadband services, pressure for a redesign of the frequency regime has increased.

When the Democratic administration took office, it set up an "ICT Policy Task Force for a Global Era" to conduct an overall review of ICT policy. Four sub-committees were established, looking into a variety of related issues, including frequency assignment, for about a year starting in October 2009. The working group under the task force that reviewed frequency policy published a document called "Action plan for redesign of frequency to realize wireless broadband" at the end of November 2010.[102]

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99.   See the litigation of Softbank in footnote 112.

100. "*Postponement again? Why has the frequency auction not progressed in Japan?*" 7 February 2011, at http://itpro.nikkeibp.co.jp/article/COL-UMN/20110202/356777 (only in Japanese) (accessed 8 November 2011).

101. From an article concerning spectrum policy, *Nikkei Shinbun Online*, 27 September 2010, at http://www.nikkei.com/tech/business/article/g=96 958A9C93819499E0E5E2E2818DE0E5E2EBE0E2E3E2E2E2E2E2E2;df=2;p=9694E0E5E2EBE0E2E3E2EAE7E4EB (only in Japanese) (accessed 8 November 2011).

102. MIC, at http://www.soumu.go.jp/main_content/000094917.pdf (only in Japanese).

This plan stressed that "… transparency and equality should be ensured at the time of reviewing and deciding frequency assignment." The action plan recommended the following:

- That it was worth considering an auction system based on a market mechanism to arrive at a fair and efficient use of frequency and to ensure transparency of the licensing procedure.

- That an auction system could mean a new burden on licensees, and that it was therefore necessary to fully explain the rationale for it to the public. Also, the target for such an auction should be decided on in such a way as not to raise competition policy problems between incumbents and new entrants.

- That in the event of a rise in costs associated with a frequency redesign, consideration should be given to whether a market mechanism could be used to resolve that issue.

Besides the task force, the MIC has also been conducting its triennial review of the spectrum user fee[103] through a special research group. It discussed the auction scheme along with the budget, usage, and level of fee. The MIC invited comments in August 2010 on this spectrum user fee review draft report, including the auction proposal. According to comments published by the MIC, most broadcasters and telecommunications carriers were not positive about an auction system.[104] The MIC also published an action plan to realize an ultra-fast broadband deployment subject to the above-mentioned task force's conclusion. In the action plan, the MIC expressed its intention to design a frequency auction scheme within the fiscal year 2011.

In line with this, the MIC initiated a "Panel Discussion Concerning Frequency Auctions" between March and December 2011 to carry out studies relating to the introduction of frequency auctions. The MIC published its own research paper acknowledging that only a few OECD member nations, such as Japan, Korea, and France, have never experienced auctions.[105] Telecoms and broadcast operators have basically maintained their opposition. The panel summarized these operators' arguments as follows: "If one allocates frequency based only on economic principles, equality of frequency would be rather impaired and operators would face difficulty providing lower priced services and maintaining their mission of securing the public interest due to the increase in the financial burden."[106] Professor Hajime Yamada of Toyo University, maintains that the "prospect of the introduction of auction is still vague because of the strong opposition from existing operators."[107]

5.1.3 Competition for Spectrum

Granted that competition for spectrum is not acute, owing to the policy of favoring incumbents (see section *5.1.1*), there have been no cases in which competition has led to attempts by broadcasters or telecoms companies to gain undue advantage through unfair lobbying or any other means.

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103. This Spectrum User Fee System was introduced on 1 April 1993 to cover costs associated with securing adequate radio environments for users.

104. MIC, at http://www.soumu.go.jp/main_content/000079477.pdf (only in Japanese) (accessed 8 November 2011).

105. MIC, at http://www.soumu.go.jp/main_content/000105811.pdf (only in Japanese) (accessed 8 November 2011).

106. MIC, at http://www.soumu.go.jp/main_content/000131156.pdf (only in Japanese) (accessed 8 November 2011).

107. Hajime Yamada, from Agora Blog, "Towards the realization of frequency auction", 30 September 2011, at http://agora-web.jp/archives/1387412. html (only in Japanese) (accessed 8 November 2011).

5.2   Digital Gatekeeping

5.2.1   Technical Standards

In addition to global internet technology, there are a number of other technologies that have been in development in Japan. They include Internet Protocol (IPTV) on fixed lines and "one-seg" broadcast over wireless lines. Although IPTV standards are integrated subject to the international standard (ITU-T), one-seg technology originated in Japan. Furthermore, regarding more advanced multimedia broadcasting for mobile, the MIC admitted both the standard of Qualcomm, the San Diego-based multinational (supported by a Japanese company, KDDI), and another standard invented in Japan (supported by NTT DOCOMO and others). Both standards competed to acquire one commercial license and the MIC selected an operator who plans to use the Japanese standard. Although there were some doubts about the MIC's decision to select only one provider from two applicants, the MIC was advised by the Radio Regulatory Council meeting on 14 April 2010 that it would be better to select just one provider rather than two, and the MIC accepted the Council's recommendation.[108] This case suggests that market entry is sometimes coordinated by the MIC, however, on the basis of recommendations by the independent council.

Currently, there is no significant domestic discussion concerning any technical standard for an integrated platform transmitting both telecommunications (fixed, mobile) and broadcasting (terrestrial, cable television, satellite). As for the digital television standard for both terrestrial and mobile in Japan, the "ISDB-x" standard based on the ITU's recommendation was adopted. Although the standard is different from some other major countries/areas, such as the United States and Europe, the Japanese government, vendors, operators, and others believe it is critical to win the so-called "global technical standard war" to survive in the era of globalization. However, some academics and industry experts have said that too much adherence to Japan's unique standard could lead to the standard being used only in Japan and therefore adversely affecting some Japanese interests.

5.2.2   Gatekeepers

Under the Broadcast Act, cable television operators have a "must-carry" obligation in "difficult to watch areas" (i.e. zones where interference occurs). However, outside such areas, cable television broadcasters need to get retransmission permission from terrestrial television broadcasters. It is true that major terrestrial television operators located in larger cities such as Tokyo and Osaka are more dominant than all the cable operators. Therefore, the meaning of "must-carry" is considerably different from that in, say, the United States, where cable operators are of huge significance. However, as explained below, there are legislative safeguards to constrain abuse of market power by terrestrial television stations in Japan.

Subject to the Broadcast Act (mainly Section 140 to 144),[109] if an operator providing broadcasting services using fixed telecommunications facilities wants to retransmit a terrestrial television operator's programs,

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108. The Radio Regulatory Council came up with the recommendation mainly from the perspective of "avoiding excessive entry" and "integrating standards."

109. The Broadcast Act was largely amended by integrating related laws and regulations in 2011, coming into force on 30 June 2011.

including digital ones, the former is required to get permission for retransmission through negotiations with the latter (i.e. the terrestrial television company).[110] In the event that the operator fails to get such permission, it can appeal for mediation and arbitration through the Telecommunications Business Dispute Settlement Commission or an MIC Minister.

Although terrestrial television companies are not obliged to give retransmission permission in all cases unconditionally, thanks to such dispute resolution systems there are limits to the "gatekeeping" function they can perform in this respect. As for program production, although most video channels, including news, are made by terrestrial television companies or their affiliates, these programs are also viewable through cable television services, further indicating that there are no significant gatekeeping issues involved.

5.2.3   Transmission Networks

In principle, frequency allocation is based on guidelines drawn up by the government (mainly the MIC). It is possible for transmission network operators to express their opinions in the meetings of councils and study groups, which review government policy and submit comments on regulatory consultative documents. In the event that they are still dissatisfied with government decisions, there are formal arrangements for petitioning and bringing an administrative lawsuit to challenge them. Indeed, there have been such lawsuits in the past.[111] There are therefore no cases of undue measures being brought to bear on the process.

5.3   Telecommunications

5.3.1   Telecoms and News

As of 29 June 2011, there were 539 cable operators (licensed under the former Cable Television Broadcast Act)[112] and 26.43 million households (49.4 percent of all households) subscribing to cable television services that provide their own channels. Among the type of broadcast services supplied over telecoms carriers' fixed broadband access networks, there were five operators using IP multicast technology (so-called IPTV). The five include three major telecoms carriers, NTT, KDDI, and Softbank (or their affiliates), and there were 930,000 household subscribers to these carriers' IPTV services.[113] In addition to the five IPTV operators, there are about 20 broadcasters using cable television-type radio frequency transmission technology.

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110. Subject to Section 140 of the Broadcast Act, retransmission is mandated for operators on the retransmission side (mainly cable) in areas where airwave reception is limited.

111. For example, in 2004, Softbank Corp. appealed a decision by the MIC not to reallocate the 800 MHz bandwidth to the company. The appeal was later withdrawn, but that was mainly due to the fact that the company acquired Vodafone Japan.

112. The Act was integrated with the Broadcast Act: see footnote 148.

113. MIC, at http://www.soumu.go.jp/main_sosiki/joho_tsusin/pdf/catv_genjyou.pdf (released in September 2011).

However, no significant differences exist between IPTV and cable television program menus, and the content of news channels viewable on them comes mainly from the terrestrial television channels (except for some limited regional community information). This means that both IPTV and cable television provide very few original news programs.

Also, beginning in April 2006, one-seg broadcasting, which enables viewing via terrestrial television mobile terminals, was launched. According to research published in August 2010 conducted by the Mobile Marketing Data Labo Inc. (MMD),[114] the rate of mobile users who accessed a one-seg service at least once in the last month was high—some 72.5 percent of total mobile users. However, the content of one-seg is in effect just real-time retransmission of terrestrial television.

As explained above, cable and telecoms (fixed/mobile) operators essentially provide diversity of viewing in terms of both time and place, but they cannot be regarded as providers of unique news content.

As of the end of June 2011, there were 35.53 million broadband subscribers. By type of broadband operator, there were 28.63 million for telecoms (FTTH and ADSL) and 5.73 million for cable television.[115] In addition, 99 percent of total mobile users (123.13 million) are able to access high-speed internet access via 3G.[116] This percentage is extremely high compared with other nations. These mobile broadband subscribers usually read and view text news and short streaming-type news items, mainly supplied by newspaper and broadcasting companies in addition to the common broadcasting services.

5.3.2 Pressure of Telecoms on News Providers

Because both the creation and supply of news have originated and been controlled by newspaper companies and their affiliated terrestrial television broadcasters, cable and telecoms operators have not been able to exert pressure on them. IPTV services provided by NTT, KDDI, and Softbank (or their affiliates) have not included retransmissions of analog terrestrial television programs. However, with regard to digital broadcasting, NTT's affiliated IPTV operator started retransmission of digital channels based on agreements reached in May 2008, and has been expanding retransmission areas nationally.

In addition, NTT's affiliated IPTV operator (Hikari TV) broadcast specific news supplied by TBS (TBS Newsbird), Nikkei News Paper Company (Nikkei CNBC), and BBC World News. Also, KDDI's IPTV operator (au Hikari TV) broadcast Nikkei CNBC and BBC World News.

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114. News release from the MMD dated 16 August 2010, at http://mmd.up-date.ne.jp/news/detail.php?news_id=582 (accessed 8 November 2011).

115. MIC, "Quarterly Data on Telecommunications Service Contract Numbers and Market Share (End of June 2011)," at http://www.soumu.go.jp/menu_news/s-news/01kiban04_01000025.html, (only in Japanese).

116. Telecommunications Carriers Association, "Number of subscribers by Carriers (as of September 30, 2011)," at http://www.tca.or.jp/data-base/2011/09.

Separately, there have been some disputes about the events that local terrestrial television companies have not allowed to be retransmitted by cable television services operating in neighboring prefectures ("out of area retransmission"). However, even in such cases, there are no examples of cable television companies having put unfair pressure on terrestrial television broadcasters, even though some of the cable television operators appealed the cases for the MIC's arbitration.[117]

5.4   Assessments

The MIC has always assigned important parts of frequency allocation to councils and study groups and published proposals summarizing the results of their discussions. In the consultation process, they conduct open hearings involving major related parties, with such proposals open to the public with all concerned parties able to submit their views and comments. These are in turn published together with the MIC's thoughts. It is, of course, difficult for the final decision to consist of a perfectly balanced outcome for all parties concerned, which is why some critics have advocated a procedure that applies pure market principles, such as auction.

On the matter of frequency regulation, some academics and industry experts claim that the introduction of an auction and the opening up of white space would lead to more competition and a narrowing of the digital divide. For example, if more frequency is created and allocated effectively, it will help provide high-speed broadband to rural residents who currently cannot get it. These matters are now in discussion in the public arena.

The public interest and welfare have been regarded as of great importance. For example, a draft report (July 2010) reviewing policy on the utilization of white space submitted by the "Study Team for Activation Vision of New Frequency" states on its front page: "As frequency is a scarce national resource, Article 1 of the Radio Act prescribes that 'the purpose of this Act is to promote the public welfare by ensuring the fair and efficient utilization of radio waves'. It is a big responsibility for the nation to use radio waves effectively to enhance the convenience of citizens."

The "ICT Policy Task Force for a Global Era" (see section *5.1.1*) conducted public hearings with civil society organizations such as regional NPOs as well as a women's federation and a support organization for the disabled. The task force also invited comments on its draft report, receiving a total of 1,068. They ranged from individuals to civil society groups such as the Japan Consumer's Association as well as user groups, such as the Japan Telecommunications User Association.

In general, overall policy and regulation with regard to the allocation of frequency in Japan seems to have worked well until recently. However, for the next generation of broadband, many observers believe it will be necessary to weigh the merits and demerits of new regulatory tools such as auction.

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117. In June 2010, a cable operator in Kochi prefecture appealed for arbitration to the MIC minister, requiring permission for retransmission from a local terrestrial television operator in neighboring prefectures. However, it was rejected because "human inter-connection is low between both areas and the need for retransmission is also low." This is the first case in which the plea of a terrestrial television operator was accepted.

6. Digital Business

6.1 Ownership

6.1.1 Legal Developments in Media Ownership

The Broadcast Act states: "The guiding principles for the enjoyment of freedom of expression through core broadcasts by as many persons as possible [is to create] opportunities for core broadcasting for as many persons as possible."[118]

To realize the desired levels of pluralism, diversity, and regionalism in broadcasting, there is a limit to the number of broadcast companies that can be owned or controlled by one party.[119] In principle, one company may not own television and radio stations and publish a newspaper. A broadcasting company may not own more than 10 percent of any other broadcasting company (and if they are in a different area, more than 20 percent).

Developments with regard to multimedia and multi-channel broadcasting have led to a revision of this principle. An amendment to the Broadcast Act in 2007 introduced the concept of a "Certified Broadcast Holding Company." These are permitted to own terrestrial and satellite broadcasting subsidiaries.[120] However, to prevent concentration of ownership of a holding company, any one stockholder is limited to an equity stake of up to a third.

At the end of September 2011, TBS (owned by Tokyo Broadcasting Holdings), Fuji TV (owned by Fuji Media Holdings), and TV Tokyo (owned by TV Tokyo Holdings) adopted this holding company system. Fuji Media Holdings' subsidiaries include Kyodo Television (a television program maker), Fuso-sha (a publisher), and Pony-Canyon (a music publisher). But it owns just two broadcasting stations: Fuji TV and Nippon broadcasting (a radio station). Tokyo Broadcasting Holdings' subsidiaries include TBS Vision (a television

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118. Article 91 (2)(i).

119. Article 93 (1), (2).

120. Articles 158 to 166. In the case of terrestrial broadcasting stations, the maximum number of subsidiaries is 12.

program maker). It also owns two stations, TBS Television and TBS Radio. TV Tokyo Holdings' subsidiaries include BS Japan (a satellite broadcaster) and TV Tokyo Broadband (a mobile content distributor).

These television and radio stations cover the Kanto area,[121] and had a close relationship before the law was amended. What this in effect means is that media ownership diversity has not changed since the revision.

A further revision of the Broadcast Act, in 2010, provided for a separation of software (broadcast content providers) and hardware (the operation of broadcasting stations). Until then, terrestrial broadcasting stations owned both. This revision thus laid the foundation for possible new types of services and ownership arrangements (see section *7*).

The Broadcast Act also specifies the terms of foreign investment in broadcasting. In the case of a terrestrial broadcasting company, this may not exceed 20 percent.

In the case of print media, there is a law that permits daily newspaper corporations to limit their stockholders to parties having relations with their business in their statutes of incorporation.[122] This is designed to secure the independence of the financial capital of daily newspaper corporations and has not been revised in recent years.

There is no specific rule regarding ownership of internet media, except with regard to foreign ownership of NTT, the incumbent telecoms carrier, which cannot exceed a third.[123]

6.1.2   New Entrants in the News Market

While the distribution platform for news has been diversified by the diffusion of broadband and mobile telecommunications, there has been little change in the landscape of news providers. There have been some newcomers, but they have not fared well. One example is J-CAST, which was established in 1997 by a former magazine chief editor. Since 2006, it has operated an independent news website called J-CAST News, but its primary function is providing news in which J-CAST adds information and commentary to news reported by other newspapers and television news. It gets profit from advertising revenue and news distribution to web portals. It recorded about 25 million page views in September 2010.

There has been even less success in the arena of so-called "citizen journalism." There have been several start-ups but few that have lasted (see sections *1.2*, *1.3*, and *3.2*). One, JanJan, which was set up by a former newspaper chief editor in February 2003, discontinued its service in March 2010 because of financial difficulties and later restarted as a news blog, JanJan Blog, in May 2010.[124]

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121. Kanto consists of seven prefectures, including Tokyo, and contains around 32 percent of Japan's population.

122. Article 1, Act Concerning Limitation of Assignment of Stock of Joint-Stock Corporation Aiming to Publish a Daily Newspaper (Act No. 212, 8 June 1951).

123. Article 6, Act on Nippon Telegraph and Telephone Corporation, etc. (Act No. 85 from 25 December 1984).

124. See http://www.janjannews.jp/.

6.1.3 Ownership Consolidation

Likewise, there has been little activity in the field of mergers and consolidations in the media industry between 2005 and 2009. The only attempt of note was in October 2005 when Rakuten, which manages an internet "shopping mall" and owned more than 15 percent of TBS, unsuccessfully proposed a merger of the two companies to create a single telecommunications and broadcasting service. A further attempt involving these two companies in 2009 floundered over a disagreement regarding the price, which ended in a Supreme Court ruling that in effect put an end to the plan. There have been no other major consolidation moves in the industry.

6.1.4 Telecoms Business and the Media

With Japan's well-established high-speed broadband network, consumption of content requiring substantial bandwidth, in particular movies, has proved popular. Leading examples of content distribution services by telecommunications operators are as follows.

Gyao. Around 15 million users visit this movie distributor monthly, gaining sometimes free, sometimes paid-for access to about 43,000 films and sports footage for viewing on their PCs. Gyao was launched by the Usen Corporation, a wired broadcast company, which in April 2009 sold a 51 percent stake to Yahoo! Japan. Other smaller shareholders include Nagoya Broadcasting Network, TBS, Fuji Television, TV Asahi, and TV Tokyo. All are major broadcasters in Tokyo.

Hikari TV. NTT Purara, a subsidiary of NTT, also offers an internet-based movie distribution service to 1.2 million subscribers with estimated sales of ¥30 billion (US$386 million).[125]

Japanese household appliance companies Panasonic, SONY, and others jointly established a company to provide video-on-demand services for television and recorders, called acTVila.[126] About 2.5 million television sets have been connected to this service via acTVila terminals.

Thus, while telecommunications operators have created new distribution platforms, they have not invested in existing media companies and their influence on those companies is limited.

6.1.5 Transparency of Media Ownership

Under Article 24 of the Financial Instruments and Exchange Act (Act No. 25 of 1948), all Japanese joint-stock corporations have to submit annual securities reports to the Financial Services Agency (FSA). Furthermore, since April 2008, public companies have been required to submit quarterly reports to the FSA (Article 24-4-7) detailing their business, financial, and operational results. Both these types of reports can be viewed on the internet and therefore are open to public scrutiny. False information in these reports carries heavy penalties.

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125. *Weekly Diamond* (accessed 15 January 2011).

126. See http://actvila.jp (accessed 15 January 2011).

There have been cases involving media companies where the authorities have taken disciplinary steps. Nippon TV was forced to correct information about its stockholders in its annual securities report in November 2004 and the Tokyo Stock Exchange placed the company's shares under supervision for a while. And in 2005, the MIC found cases of ownership concentration over the legal limit, warning 71 broadcasting companies and requesting them to take measures to prevent a recurrence. Since then, the ministry has implemented a new rule requiring it to be notified of any change involving more than 10 percent of a media company's total shareholding. Such companies are also required to make public the identities of stockholders who own more than 10 percent of their shares.

6.2   Media Funding

6.2.1   Public and Private Funding

With the exception of NHK (see section *2*), which receives revenue from a subscription fee, public funding of the media is very limited. One exception has been the spectrum user fee system (see section *5.1*), a part of which was designed to provide a smooth transition to digital terrestrial broadcasting. This provided support for the construction of digital relay stations in rural areas and digital support centers (see section *7.1.1.2*), but did not involve any direct revenue support for broadcasting companies themselves. The amounts of funding from the spectrum user fee in recent years are: ¥62.8 billion (US$808 million) in 2009, ¥95.6 billion (US$1.2 billion) in 2010, and ¥66.2 billion (US$851 million) in 2011.

Table 20.
NHK budget, 2005–2010

Fiscal year	2005	2006	2007	2008	2009	2010
Budget (billion yen)	634.3	643.2	655.7	664.4	669.9	683.9
Budget (US$ billion)	1.3	52.0	53.0	53.8	54.2	55.3

Source: NHK

Broadcasting companies are also eligible for favorable debt and tax treatment (fixed property tax and real estate acquisition tax) for the installation of digital radio facilities and program production facilities (Provisional Measures Act Concerning Promotion of High-Television Broadcasting Facility). These measures are valid until the end of March 2015. None of these arrangements are believed to have had any effect on the independence of the media.

Neither does anyone believe government advertising expenditure plays any role in influencing the media, as it is such a small proportion of total advertising revenue in the overall media market. In 2006, the government advertising budget was ¥10 billion (US$128.6 million), of which the largest part—a quarter—went to television. Budget cuts led to a fall of about 50 percent to ¥5 billion (US$61 million) by 2010 (see section *7.3.1*).

As for private funding, the sources are the same as in most other countries (subscription and advertising revenues), although these have declined since 2005. Revenues of both satellite and CATV broadcasters have increased between 2005 and 2009. Around 80 percent of the revenues of cable companies come from subscription fees.[127]

Table 21.

Revenues of TV broadcasters in Japan, by platform, 2005–2009

Year	Terrestrial TV						Satellite TV		Cable TV	
	NHK		Private broadcasters		Total					
	¥ bn	US$ bn	¥ bn	US$ bn	¥ bn	US$ bn	¥ bn	US$ bn	¥ bn	US$ bn
2005	674.9	8.7	2,367.9	30.5	3,042.8	39.2	204	2.6	384.8	4.9
2009	665.8	8.5	2,065.5	26.6	2,731.3	35.0	242.6	3.2	513.4	6.6

Note: bn = billion.

Sources: *Yearbook of Commercial Broadcasters in Japan*, National Association of Commercial Broadcasters in Japan (NAB) and *Yearbook of NHK*; MIC, "The present situation of CATV."

Total revenues of news corporations in Japan fell from ¥2,418 billion (US$31 billion) in 2005 to ¥2,001 billion (US$25.9 billion) in 2009. Of these, revenues from sales of newspapers were stable (¥1,256 billion (US$16.2 billion) in 2005 and ¥1,210 billion (US$15.6 billion) in 2009) because of the widespread and largely consistent home delivery system. But revenues from advertising decreased from ¥743.8 billion (US$9.6 billion) to ¥479.1 billion (US$6.2 billion) during the same period because of a shift of advertising spending to the internet, and because of the slowdown in the national and global economies. Other revenues also decreased, from ¥419.1 billion (US$5.4 billion) to ¥312.8 billion (US$4 billion) over the same period.[128]

Some of these trends are visible in Figure 8, which shows advertising expenditures slowing in the mass media but growing for the internet. Observers suggest the main reason for this shift has been the increasing number of users who watch diverse types of content on the internet, which has been made possible by the development of broadband and mobile internet services. At the same time, advertising expenditures are largely governed by the state of the economy. In the wake of the global economy's sudden downturn after 2008, advertising expenditures have nosedived, putting a crimp in the content business.

Thus, media companies have had to find new revenues, turning to multi-use and digitization, as described in section *6.2.2*.

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127. "Basic research of information and communications industry in 2010," MIC.

128. "Estimated total revenue of newspaper corporations," *Nippon Shinbun Kyokai*, the Japan Newspaper Publishers and Editors Association (NSK).

Figure 8.

Advertising expenditure, breakdown by sector (¥100 million), 2005–2009
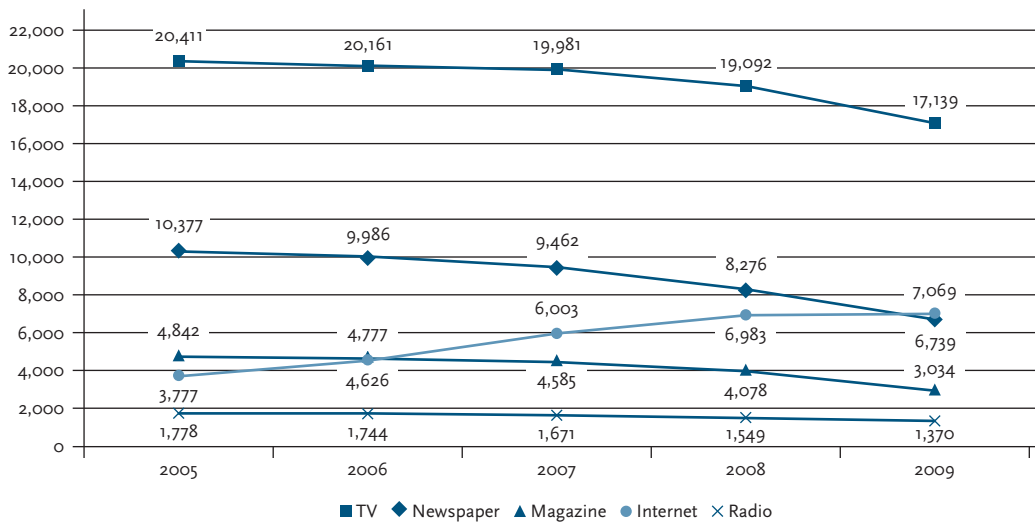
Source: Prepared with data from Advertising Expenditures in Japan, Dentsu, 2010.

A new source of revenue for the media has been from the real estate sector, as land prices are still very high in large cities, especially Tokyo. Some media companies in Tokyo have launched lease businesses. For example, in 2009 TBS recorded a loss of ¥10.3 billion (US$132.5 million) in its broadcasting business, but a profit of ¥7.5 billion (US$96.5 million) in its real estate business.[129]

6.2.2   Other Sources of Funding

With Japan's economy stagnant for almost 20 years, as well as the structural changes taking place in the media industry, broadcasters and other media companies are in search of new revenue sources. One source is so-called "contents multiuse." Popular television programs, such as animations and drama, are published as DVD packages after they have been broadcast, with some of these being distributed via the internet, in some instance with charges, others without. Some of these programs are also sold abroad.

With regard to the print media, one source of new revenue is the e-book business, which some companies launched in earnest in 2010. The Japanese e-publishing market was estimated at ¥65 billion (US$835 million) in 2010.[130] Even though the genre of e-books is somewhat concentrated (88 percent are for mobile phones and most of them are e-comics), the size of the market was 13.2 percent bigger than the year before.

The *Nikkei Shinbun*, the biggest financial newspaper, launched an e-paper distribution service in April 2010 with various subscription rates. By August 2011, it was able to boast about 140,000 paid subscribers and over a million free subscribers. *Sankei Shinbun* distributes its newspaper to iPad users for a monthly subscription fee of ¥1,500 (US$19.30).

129. TBS Investor Information 2010, at http://www.tbsholdings.co.jp/ir/en/ir_annual.html (accessed 25 May 2011).

130. *Sankei Shinbun*, at http://sankei.jp.msn.com/economy/news/110727/its11072708070000-n1.htm (only in Japanese) (accessed 1 November 2011).

Asahi Shimbun also launched an e-paper, *Asahi Shimbun Digital*, for PC and smartphone in May 2011. New subscribers pay ¥3,800 (US$48.80) a month. Existing subscribers pay an additional ¥1,000 (US$12.86).

In December 2010, Radiko, a company established to broadcast radio stations inside their service areas via the internet, began full-scale service after test runs over the previous nine months. The average number of listeners was 4 million per week in March 2011.[131] By the end of September 2011, 46 radio stations were providing programs.

So far, however, none of these innovations has made up for the decline in revenues over the past several years.

6.3   Media Business Models

6.3.1   Changes in Media Business Models

There has in fact been little in the way of changes in media business models in Japan. This is partly due to the fact that existing media organizations have coped with falling revenues by cutting salaries and costs.

Some major newspapers, such as *Nikkei* and *Asahi*, have begun introducing web content pay services, although they have not made up for falls in revenue from their traditional newspaper business. On the cost side, some newspapers have outsourced their printing to other newspapers (e.g. *Yomiuri* has assigned its printing and distribution to local newspapers in some prefectures.

Broadcasters have been able to separate their hardware and software (content) businesses by virtue of an amendment to the Broadcasting Act in 2011 (see section *7.2.3*). One radio station, in order to survive in a difficult business environment, chose to stick to content production and sold the hardware side of the company in July 2011. In addition, many broadcasters offer their programs through the internet, but in many cases this is limited to some news programs rather than streaming services. The exceptions are those radio stations that specifically launched internet distribution services, such as Radiko (see section *6.2.2*).

Since the 1990s, content distribution has stretched to encompass many new media channels and devices such as digital terrestrial broadcasts, satellite broadcasts, CATV, mobile phones, and e-book readers. The move to digital formats and advances in the internet and mobile phone networks has utterly transformed distribution. Indeed, television programs used to be broadcast first by terrestrial television stations, and then after their initial run certain programs, such as popular animations and drama, were sold or rented in DVD format and rebroadcast on satellite stations or CATV networks. In the last few years, distribution channels have diversified, with the entrance of video distribution from on-demand services on television station websites that allow viewers to watch past television programs on a fee basis through the internet.

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131. Radiko press release, 6 April 2011.

In the second half of 2009, Amazon rolled out its Kindle e-book reader worldwide. In February 2010, the Japanese publishing industry responded. Some 21 major publishers established the Electronic Book Publishers Associations of Japan (EBPAJ), joined later by a further 20 publishing companies. To investigate ways of promoting the use of published material in a digital, networked society, three ministries—the MIC, the Ministry of Education, Culture, Sports, Science, and Technology, and the Ministry of Economy, Trade, and Industry—initiated the "Panel Discussions Promoting Beneficial Use of Publications in a Digital Network Society" in March 2010. The panel's report, released at the end of June, called for "wider reproduction of knowledge within the digital networked society through the stable and unimpeded production and distribution of publications," "the realization of an open electronic publication environment," "the arrangement of an access environment to 'knowledge infrastructure'," and "the assurance of user safety and security."

In parallel with this report, work on a Japanese e-book platform is moving ahead, which is expected to encourage even wider e-book acceptance in Japan. Sony, Toppan (a printing and electronics company), KDDI (a fixed and mobile telecommunications carrier), and *Asahi Shimbun* (the newspaper) established a company to operate an e-book platform in November 2010. NTT's DoCoMo (the mobile carrier), Dai-nippon-insatsu (a printing and electronics company), and the CHI Group established a company to operate an e-book store in December 2010. Some major book shops also expressed their intention to launch e-book sales.

6.4   Assessments

As is the case in many other developed countries, Japan has been experiencing a steady fall in mass media revenue, partly as a result of the global recession, and partly due to the challenges faced by the multimedia through the process of digitization. In rural areas especially, these challenges have proved even more difficult to overcome.

It has been made possible to consolidate broadcasting companies to some extent because of the introduction of the "Certified Broadcast Holding Company" system. But existing media companies have chosen to stick with their traditional business models and have tried instead to grasp new opportunities to stem the decline in revenues.

There has been new investment, pretty well all of it on the technology side. Terrestrial broadcasting companies have invested around ¥1 trillion (US$13 billion) in digitization nationwide, most of it from their own capital, while investment by the state has been in limited areas, such as measures to counter poor reception in broadcasting and public relations campaigns to disseminate information on digitization.

The number of satellite television channels will continue to increase as a result of digitization, and a new broadcasting service for mobile terminals called "multimedia broadcasting" will be launched in 2012. These services are focused on special groups. Thus, the influence of these channels on existing broadcast media is likely to be limited.

As for newspapers, their circulations have been substantially insulated from the effects of the digital revolution by the home delivery service.

But the internet advertising market is growing rapidly and is now bigger than that of newspapers, magazines, and radio. This trend is likely to continue, with the result that the existing mass media are likely to try to make use of it to generate revenue, such as through the distribution of some television programs and the publication of e-newspapers.

Given that Japan's media have not found sufficient alternative revenue sources, their major counter-measure has been cost-cutting, including reducing employee numbers as well as personnel and operating expenses. But this has had the effect of putting a strain on both the quality and quantity of media infrastructure, affecting both the journalists themselves and their news content. At the same time, most of what the established media have put out via the internet has been limited to news flashes offered without charge. Some observers believe that in the longer run these forces will lead to a reorganization of media businesses, as media companies are forced to consolidate by becoming media conglomerates that include both newspapers and television stations.[132]

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132. See, for example, Takashi Kawachi, *What is the next media?* Chikuma Shinsyo, Tokyo, 2010.

7. Policies, Laws, and Regulators

7.1   Policies and Laws

7.1.1   Digital Switch-over of Terrestrial Transmission

7.1.1.1 Access and Affordability

In 2000, an information technology (IT) strategy headquarters was established with the prime minister at its head and its membership made up of ministers of state and other knowledgeable persons to set the policy and implementation strategy guidelines for government-related ICT.

In 2001, its first deliberations resulted in something called the "e-Japan Strategy". Since then, there has been an "e-Japan Strategy II" (in 2003), an "IT new Reform Strategy" (2006), and an "i-Japan Strategy 2015" (2009). Because there was a change in government in 2009, there has also been a "New ICT Strategy" (May 2010) with a target year of 2020. The main goal of the new strategy has been changed from integrating the network infrastructure to promoting usage of ICT.

The most important aim of digitization of broadcasting is to realize the efficient use of radio frequency. In Japan, demand for radio frequency is very high because both the number of mobile broadband subscribers and the size of data have increased enormously.

Under an amendment to the Radio Act in July 2001, a master plan for broadcast dissemination and frequency use and a plan for digital terrestrial broadcasting (Channel Plan)[133] directed that analog television broadcasting would be terminated on 24 July 2011, 10 years from the date of the amendment. The Channel Plan prescribes the allocation of radio frequency for digital terrestrial broadcasting.

Until 2011, analog and digital signals were broadcast simultaneously, and the MIC resolved any issues regarding interference between the two. Analog reception equipment for apartments had to be replaced by digital equipment (about 2.13 million cases nationwide). In addition, allowance had to be made for

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133. Both plans were official notices/ordinances of the MIC.

common reception equipment for radio disturbance by tall buildings (about 6,600 cases nationwide) and common reception equipment in rural areas (about 12,000 cases nationwide). The MIC had to overcome such problems as the fact that in some cases ownership of such equipment was unclear, owners could not afford to replace the equipment, or owners did not understand what they had to do. It did so by providing information to the public on the digital switch-over and by partly financing (half to a third of the total cost) the installation of digital equipment. Various interim measures were also introduced in difficult cases, especially in rural areas, where coverage was inadequate. For such spots, a tentative satellite broadcasting service, which broadcast terrestrial digital television programs in the Tokyo area, has been offered from March 2010 to March 2015. People living in those areas had to install satellite dishes, offered by the government, if they wanted to watch these television programs.

Meanwhile, during the changeover period, the MIC conducted a "Survey on Penetration Rate of Terrestrial Digital TV Broadcasting" every six months. The December 2010 survey reported that 94.9 percent of households had at least one digital receiver, such as a digital television set and tuner. The MIC's target at that time was 96 percent.

In three prefectures that were seriously damaged by the Tohoku earthquake on 11 March 2011, the MIC announced that the termination of analog terrestrial television broadcast would be postponed by a maximum of one year.

Terrestrial television broadcasting was digitized in other prefectures on 24 July 2011 as planned. MIC call centers ("Digital TV support centers") received about 123,700 calls on 24 July. On 22 August, they received about 3,000 calls. "Most of them were questions about functions and settings of digital TV sets," according to a press report. "Thus, an MIC executive official said that the switch-over went more smoothly than we expected."[134]

7.1.1.2 Subsidies for Equipment

Between 2009 and 2011, households that received official assistance or had a disabled resident or which were exempt from residence tax or the NHK subscription fee (estimated to be about 1.4 million households) were offered digital tuners, including installation, without charge. The budget for this assistance was about ¥54 billion (US$694 million). About 970,000 households had applied by the end of September 2011.

In addition, an "Eco-point" program was launched in May 2009. Under this scheme, points equivalent to 10 percent of the price of a digital television set were offered according to certain energy-saving functions. Purchasers were able, for example, to exchange "eco-points" for a gift certificate and the scheme proved very popular. The budget was ¥693 billion (US$8.9 billion). (This program was not aimed exclusively at digital televisions: winners of "eco-points" could use them to purchase air-conditioners and refrigerators as well.)

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134. *Yomiuri Shinbun*, 24 August 2011.

7.1.1.3 Legal Provisions on Public Interest

An MIC study group[135] was set up to estimate the economic effects of switch-over, which it found to be worth some ¥27.8 trillion (US$357 billion) in the 20 years from July 2001—when switch-over was legislated for—to July 2021, 10 years after switch-over. These amounts consisted mainly of ¥10.8 trillion (US$139 billion) from new services and businesses using radio frequencies made available by the switch-over (details in the paragraph below), ¥9.5 trillion (US$ 122 billion) from investment for the expansion of digital terrestrial broadcasting nationwide, and ¥7 trillion (US$90 billion) from new services and businesses.

The MIC's allocation of radio frequency was as follows: existing analog terrestrial broadcasting services were allocated the 370 MHz bandwidth; digital terrestrial broadcasting services were allocated the 240 MHz bandwidth; the 130 MHz bandwidth was set aside for other services and businesses which might be deemed new multimedia services for mobile broadcasting (see section *2*), disaster prevention information services by public facilities, an Intelligent Transportation System (ITS) that enables the exchange of information such as the distance between vehicles (M to M communications) to avoid car accidents, and mobile services.[136]

Furthermore, during the analog era, most television sets did not have a subtitle function for the deaf and for elderly people with hearing difficulties. Most digital television sets have this function and the proportion of television programs with subtitles has increased.[137]

7.1.1.4 Public Consultation

The Information and Communications Council, the members of which are knowledgeable persons such as academics, business executives, journalists, lawyers, and consumer groups, has served as a consulting council to the MIC. A committee of this council has considered the question of the promotion of digital terrestrial broadcasting, including the role of government in promoting public understanding, as well as the responsibilities of the senders and receivers of digital broadcasting. The council has produced seven reports since 2004 that have formed the backdrop to the MIC's policies for promoting digital broadcasting.

From the outset, the government launched the process of the digitization of broadcasting based on a report by the "Study Group on Digital Terrestrial Broadcasting" of the former Ministry of Post and Telecommunications in October 1998. As with the council described above, the members of the study group were knowledgeable persons such as academics and industry executives.

In the public debate surrounding the process, some critics and academics expressed doubt about the necessity for digitization of broadcasting. They argued that digitization would be a waste of money because

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135. Their findings were published in May 2009 (only in Japanese).

136. See MIC official documents such as "How to use the terrestrial digital broadcast and the role of administration in its diffusion," 7th interim report, the Information and Communications Council, 2010.

137. See MIC official documents, such as "How to use the terrestrial digital broadcast and the role of administration toward diffusion of it," 7th interim report, the Information and Communications Council, 2010 (only in Japanese).

all information networks, including broadcasting, would be integrated via the internet in future. Some academics also argued for a postponement of the end of analog broadcasting because of the possibility that not all subscribers would changeover to digital.

7.1.2   The Internet

7.1.2.1 Regulation of News on the Internet

There are no laws or regulations aimed specifically at the distribution of news on the internet and mobile platforms. Laws pertaining to such long-standing considerations as defamation, fraud, invasion of privacy, and obscenity apply to all communication, not just digital, but where any of these matters arise with regard to news content the law might be seen to apply to the news as well.

7.1.2.2 Legal Liability for Internet Content

Clause 2, Article 21 of the Constitution states: "No censorship shall be maintained, nor shall the secrecy of any means of communication be violated." Article 4 of the Telecommunications Business Act states: "The secrecy of communications being handled by a telecommunications carrier shall not be violated." These principles stem from the view that protection of liberty is vital to a person's private life, and that telecommunications are a necessary communication tool for social life.

In Japan, there is no comprehensive general law regarding internet content, in spite of the rapid penetration of the web in the private and social lives of Japanese people. For the time being, self-regulation is the dominant practice.[138] The merit of such a self-regulation is that it can quickly cope with problems caused by the rapid progress of internet technologies and services. Recently, however, specific laws have been established in some areas.

One such law is the Act on Restrictions on the Liability for Damages of Specified Telecommunications Service Providers and the Right to Demand Disclosure of Identity Information of the Senders (Act No. 137 of 2001).[139] This act enables those who are defamed on the internet to request telecommunications service providers to delete information and to reveal the sender's information, if it fits the conditions of the law. There are no sanctions in cases where the ISPs do not comply with requests.

Then there are the "Guidelines Concerning Counter-measures to Illegal Information on the Internet" (November 2006, revised January 2010).[140] ISPs do not necessarily have lawyers to judge whether information is illegal or not, and some of them are too small to employ staff to watch out for illegal information. Thus, the

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138. Kazuyuki Takahashi, Shigeki Matsui, and Hidemi Suzuki (eds.), *Internet and Law*, Yuhikaku, Tokyo, 2010.

139. For an English translation of the law, see http://www.soumu.go.jp/main_sosiki/joho_tsusin/eng/Resources/laws/pdf/H13HO137.pdf (accessed 15 March 2012).

140. Issued by the Telecommunications Carriers Association, Telecommunication Service Association, Japan Internet Provider Association, and Japan Cable and Telecommunication Association, at http://www.telesa.or.jp/consortium/illegal_info/pdf/20100115guideline.pdf (only in Japanese).

guidelines are aimed at identifying typical illegal information and at preparing processes that ISPs can follow to prevent the uploading of illegal information, such as child pornography, drug dealing, and fraud, or what to do when such information is posted.

In the event of the dissemination of harmful information against public order and morals, the "Model Clause of Contract Concerning Counter-measures Against Illegal and Harmful Information" (November 2006) permits ISPs to take steps, for example, by terminating a contract with an abusive user.[141]

In the case of information considered harmful to young people, the Act on Establishment of Enhanced Environment for Youth's Safe and Secure Internet Use (Act No. 79 of 2008) obliges mobile internet service providers to offer filtering services to young people, and to offer filtering services or filtering software to ISPs, if they are requested.

These regulations would apply to news providers only in the event that their news content contains information or allegations of the kind specified in the laws and guidelines.

There is obviously a tension between these regulations and the constitutional right to freedom of expression. On the other hand, prompt counter-measures are requested to minimize the damage caused by illegal and harmful information on the internet. The intention is not only to have regulation—which needs time to become effective—but also steps that can be taken by those that are regulated. It is also intended that this should promote collaboration between the regulator and the regulated. This has become known as "co-regulation" or "enforced self-regulation." The Act on the Establishment of Enhanced Environment for Youth's Safe and Secure Internet Use is based on this concept.[142]

7.2   Regulators

7.2.1   Changes in Content Regulation

The Ministry of Post and Telecommunications (MPT) has been in charge of policy-making and regulation in telecommunications and broadcasting since 1952. In 2001, the MPT was merged with the Ministry of Home Affairs and the Management and Coordination Agency to form the Ministry of Internal Affairs and Communications (MIC).

Telecommunications and broadcasting are governed by the Radio Act, the Wire Telecommunications Act, the Broadcast Act, and the Telecommunications Business Act.[143] Under the Broadcast Act, broadcasters are

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141. The Model Clause covers the prohibition of illegal and harmful activities by users, such as breach of copyright, invasion of privacy, fraud, and aiding suicide; prohibition of access to non-users; deletion of information in certain circumstances; blocking child pornography, etc. It is issued by the Telecommunications Service Association.

142. Kazuyuki Takahashi, Shigeki Matsui, and Hidemi Suzuki (eds.), *Internet and law*, Yuhikaku, Tokyo, 2010, pp. 152–153 (only in Japanese).

143. For English translations of these acts, see http://www.soumu.go.jp/main_sosiki/joho_tsusin/eng/laws.html (accessed 15 March 2012).

required to observe certain principles.[144] For example, according to Article 4 (1) a broadcaster, in compiling broadcast programs for domestic broadcasting:

1) shall not disturb public security and good morals and manners;

2) shall be politically impartial;

3) shall broadcast news without distorting facts;

4) as regards controversial issues, shall clarify the point at issue from as many angles as possible.

Violations are not subject to punishment but to "administrative guidance" by the MIC (see section *7.3.2*), which is "guidance, recommendations, advice, or other acts by which an Administrative Organ may seek […] certain action or inaction […] where such acts are not Dispositions" (Article 2 (vi), Administrative Procedure Act). This guidance is "realized based solely upon the voluntary cooperation of the subject party" (Article 32 (1)) and "persons imposing Administrative Guidance shall not treat the subject party of Administrative Guidance disadvantageously owing to the subject party's non-compliance with the Administrative Guidance in question" (Article 32 (2)).

Some academics argue that the idea behind this is that the principles are a set of ethical guidelines, rather than laws that carry penalties, because this approach maintains the autonomy of the broadcasters.[145]

The Broadcast Act also specifies standards for broadcast programs (Article 5) and requires broadcast companies to establish a consultative organization on programs (Article 6). Furthermore, any person who feels his or her rights have been infringed by a program can request a correction. If this is proven, the broadcaster is required to broadcast a correction or retraction (Article 9).[146]

With digitization, the difference between broadcasting and telecommunications has become less clear than in the analog era. As a result, the MIC launched a "Study Group Concerning Basic Policy for Telecommunication and Broadcasting," which in 2006 proposed a revision of the existing legal framework. And in August 2009, the Information and Communications Council of the MIC submitted a "Report Concerning the Overall Legal Framework of Telecommunications and Broadcasting," which proposed a legal framework based on horizontal layers—dividing information and communications technology and business into network infrastructures, platforms, and contents/applications layers. As a result, the existing eight acts have been integrated into four: the Radio Act and the Wire Telecommunications Act for the regulation of infrastructure, the Telecommunications Business Act for business, and the Broadcast Act for broadcasting content.[147] These took effect at the end of June 2011. (Regulations aimed at illegal and harmful content on the internet are discussed in section *7.1.2.2*.)

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144. See http://www.soumu.go.jp/main_sosiki/joho_tsusin/eng/Resources/laws/pdf/090204_5.pdf (accessed 15 March 2012).

145. For example, Kenta Yamada, *Law of Journalism*, 2nd edition, Gakuyo-syobo, 2010, p. 186.

146. Hidemi Suzuki, Kenta Yamada, and Hiroyoshi Sunagawa, *Understanding the Broadcast Act*, Shoji-Homu, Tokyo, 2009, p. 95.

147. The four acts that were integrated were: the Act Concerning Wire Broadcasting Telephone Business, the Act to Regulate the Operation of the Cable Sound Broadcasting Service, the Cable Television Broadcast Act, and the Act Concerning Broadcast on Telecommunications Service.

7.2.2 Regulatory Independence

The MIC is in charge of telecommunications and broadband regulation. The interim report of the Administrative Reform Conference headed by the prime minister in September 1997 proposed the separation of regulation and policy-making in information and communications. At that time, the MPT was in charge of both functions. In the final report in December 1997, however, the MPT was merged with the MIC and the functions were not separated. However, the MIC is in charge of telecom regulation.

Broadcasting and telecommunications regulations have to pass the deliberations of the Information and Communications Council.[148] Those for radio have to pass the deliberations of the Radio Regulatory Council.[149] This means that they have to go through a process of public comments that involves publication of draft regulations on the councils' websites.

In September 2009, the MIC launched the "Forum Concerning People's Rights in the ICT Area," consisting of knowledgeable persons, including academics, journalists, as well as representatives of NPOs and newspaper companies. One topic discussed in the forum was the establishment of an independent regulator. Many members "showed anxiety and problems to establish such a regulator."[150] In a December 2010 report, the forum said that "to protect freedom of speech and expression … the consensus among members is that voluntary and independent efforts by related parties is the most important" way to conduct regulation of the media, rather than through a regulatory organization.

7.2.3 Digital Licensing

When in 1985 NTT was privatized and the market was liberalized, it was then felt that the network infrastructure had to be regulated. A two-type classification was introduced. Type I telecommunications carriers owning a network had to seek permission to launch their business. Type II companies were those that used the networks of Type I. Type I companies required "permission" and Type II companies were required to "notify" the ministry.[151] In 2004, these categories were abolished and notification was only necessary for anyone launching a business, and only carriers over a certain size needed to do so. Only certain basic criteria would disqualify a business.[152]

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148. The role of the Information and Communications Council is to research and deliberate important policy issues on the distribution of information and the use of radio in the event of inquiries by the Minister of Internal Affairs and Communications, and to give opinions to the minister. The members of the Council are appointed by the MIC from persons possessing the experience and knowledge necessary to make fair judgments from the standpoint of public welfare, according to the Cabinet order concerning the Information and Communications Council.

149. The role of the Radio Regulatory Council is to submit reports for inquiries by the minister and to submit recommendations to the minister. The members of the Council are appointed by the minister with the consent of both the House of Representatives and the House of Councilors from persons possessing the experience and knowledge necessary to make fair judgments from the standpoint of public welfare, according to the Radio Act.

150. "Report of the Forum Concerning People's Rights in the ICT area," MIC, 2010, p. 39.

151. "Notification" involves filling in an application and submitting it to the MPT.

152. Such as a criminal conviction (Article 12).

In the case of broadcasting, previously, a license under the Radio Act was necessary for the installation of a wireless broadcasting station and the allocation of radio frequency (see section 5). In the case of wire broadcasting, only notification was necessary, as well as permission to use the facility. Similarly, with satellite broadcasting a facility-supplying broadcaster needed a license to set up a radio station, whereas a program-supplying broadcaster needed only to register. A telecommunications service broadcaster also needed to register.

Wireless broadcasting station licenses last for five years and have to be renewed. When terrestrial television broadcasters moved over to digital format, existing broadcasters had their licenses reissued.[153]

When the Broadcast Act was revised, broadcasting was divided into "core" and "general" broadcasting. Terrestrial television, satellite television (BS and a part of CS), and radio were classified as core broadcasting (Article 2 (2)). Program-supplying (software) has to be authorized under the Broadcast Act. Establishing a radio station (hardware) requires a license under the Radio Act. This enables plural broadcasters to establish a hardware company to seek efficiencies of scale. Existing wireless broadcasters providing both software and hardware can undertake an existing re-licensing process under the Radio Act. Other broadcasters such as cable television and cable sound broadcasting are categorized as "general" broadcasting, which requires only notification and registration.

Because additional frequencies were allocated to Japan in the 2000 ITU World Radiocommunication Conference, additional BS digital channels became available. There was also a diversion of frequency for BS analog broadcasting due to terminate by the end of July 2011. As a result, nine new broadcasters were approved out of 29 applicants by "beauty contest" in June 2009. Further BS digital channels were allocated in October 2010, with six broadcasters approved out of 15 applicants. These broadcasters were due to launch their services from December 2011.

In both these cases, the MIC published the standards for screening and had briefing sessions for applicants. Indeed, there has been progress in the transparency of the licensing process—public comment is invited when the procedures are formulated, and in some cases public hearings have been held. In the case of multimedia broadcasting, the MIC held public hearings three times (see section 5).

7.2.4 Role of Self-regulatory Mechanisms

The Broadcast Act requires broadcasters through self-regulation to establish and publicize "standards for broadcast programs" (Article 5), to broadcast corrections where necessary, and to have a "consultative organization" (Article 6) consisting of people from outside the company with particular knowledge, as well as representatives from the audience to maintain the propriety of broadcast programs.

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153. Re-licensing of a radio station is considered a formality, merely a renewal of the term of validity (Judgment of Television 12 channel case, Supreme Court, December 24, 1968).

In addition, the Broadcasting Ethics and Program Improvement Organization (BPO) has been in operation since 2003.[154] The BPO is a voluntary organization funded and organized by NHK, the National Association of Commercial Broadcasters in Japan (NAB), and the broadcasters themselves. The board of directors consists of a chief director and no more than eight directors (from NHK and the NAB). In the description of itself on its website, BPO says:

> BPO, in view of the public nature of broadcasting and its significant influence on society, aims to deal, on a voluntary basis, with complaints and ethical issues surrounding broadcasting from an independent, third-party standpoint promptly and effectively as an advocate for viewers' and listeners' basic human rights, while also ensuring freedom of speech and expression in broadcasting, with the goal of contributing to accurate broadcasting and higher broadcasting ethics.[155]

It has three committees:

> The Committee for the Investigation of Broadcasting Ethics, which holds discussions to improve broadcasting programs and performs corroboration with respect to alleged falsified broadcasting; the Broadcast and Human Rights/Other Related Rights Committee (BRC), which aids parties whose human rights are infringed by broadcasting; and, the Broadcast Committee for Youth Programming, which organizes opinion exchanges and conducts surveys and research designed to improve broadcast programs targeting the youth.

Some media experts have voiced fears that BPO members, most of whom are lawyers, academics, and journalists —not broadcasters—may be out of touch with the realities faced by broadcasters.[156] One television producer voiced similar concerns, saying producers sometimes feel the presence of the BPO hanging over them.[157]

Expert opinion is divided. Some critics say BPO evaluations and examinations of broadcasters' activities are not enough.[158] Others say that the BPO does a good job and its quasi-judicial system copes well with complaints and ethical issues related to broadcasting.[159]

In the case of newspapers, the Japan Newspaper Publishers and Editors Association (JNPEA) abides by the Canon of Journalism and the Newspaper Advertising Code of Ethics,[160] and each newspaper has its own code of ethics.

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154. The BPO came about through a merger of the Broadcast Programming Improvement Council, which was created by the National Association of Commercial Broadcasters in Japan and NHK in 1969, and the Broadcast and Human Rights/Other Related Rights Committee created in 1997.

155. BPO Homepage (in English) at http://www.bpo.gr.jp/bpo/english/index.html.

156. Kenta Yamada, *Law of Journalism,* 2nd edition, Gakuyo-syobo, 2010.

157. "Report of the Forum Concerning People's Rights in the ICT Area," MIC 2010, p. 19.

158. "Report of the Forum Concerning People's Rights in the ICT Area," MIC 2010, p. 19.

159. Japan Federation of Bar Associations, "Report of the Forum Concerning People's Rights in the ICT Area," MIC 2010, p. 21.

160. JNPEA Homepage (in English) at http://www.pressnet.or.jp/english.

Critics say such codes have limited effectiveness because they do not have legal binding force and can be self-justificatory.[161]

None of these frameworks has changed with, or as a result of, digitization.

To address the issue of illegal and harmful information distributed via the internet, various industry associations[162] have been established and have drawn up guidelines to deal with the problem.

In addition, a filtering service has been introduced to protect minors from accessing illegal and harmful information via their mobiles. The Content Evaluation and Monitoring Association, a third party, was established in April 2008 to evaluate harmful internet sites and gives authorization to those sites that meet its screening standards.

7.3   Government Interference

7.3.1   The Market

There have been no obvious cases of interference by state authorities that have had the effect of distorting the media market. Even when it comes to state funds being used for specific public purposes, the amounts are small and there are no examples of these being used to further any vested interest, whether state or private.

NHK, for instance, can be directed by a government minister to broadcast certain information internationally, such as matters related to the protection of the lives, bodies, and property of Japanese nationals overseas; important policies of the state; culture, tradition, and socio-economy of the state; and other important matters of state (Article 65 (1), the Broadcast Act). Such requests have to be approved by the Radio Regulatory Council. Costs are borne by the State (Article 67 (1)). In 2010, the state spent ¥2,450 million (US$31.5 million) on international television broadcasting and ¥950 million (US$12.2 million) on international radio broadcasting . (See also section *2.1.3*.)

Broadcasters are also required by law to broadcast the political views and backgrounds of election candidates for the House of Representatives and the House of Councilors. Costs are borne by the state (Article 150, the Public Office Election Act).

State public relations programs are sourced from state budgets. Because of budget cuts, these have fallen about ¥9 billion (US$115 million) to about ¥5 billion (US$64 million) over the past few years. The state has ceased producing PR programs for television and limits its broadcasts to two radio programs.[163]

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161. Jungo Kimura, *Information and Communications Law*, Toyo Keizai Shinpo, 1999.

162. Telecom Carriers Association, Telecom Services Association, Japan Internet Providers Association, and Japan Cable and Telecommunication Association.

163. These programs (each 10 minutes and 30 minutes) are broadcast twice a week.

State spending on PR is concentrated on television and radio spot commercials and advertisements in magazines and newspapers. The amount is very small compared with the total revenue of the mass media (see section *6.2*).

7.3.2 The Regulator

As one scholar of the media has observed, since the end of the Second World War, "rather than the media gaining its freedom of expression by 'fighting' through suits, the authorities have been restrained in their use of power [with regard to the media] and the media have been prudent in not going too far in the exercise of their freedom of expression. It can be said that freedom [of expression] has been exercised moderately by them."[164] It is thus fair to conclude that there have been no cases of abuse of power by any media regulator.

As outlined in section *7.2.1*, if a broadcaster violates any of the principles contained in the Broadcast Act, the MIC will exercise its responsibility of administrative guidance. There have been few such cases—only 23 between 2000 and 2009. A little over one-third of these have been concerned with distorting facts, just over half with failing to meet the standards for broadcast programs,[165] and a few others to do with political partiality.[166]

There has been no case in which the MIC has, for example, rejected the re-license application of any broadcaster because of a violation of the Broadcast Act. In March 2007, when fabricated data were found in a program broadcast by Kansai Telecasting Corporation (KTV),[167] the MIC issued KTV with a warning—the most severe form of administrative guidance—and requested that the broadcaster implement measures to prevent a recurrence. The MIC also informed KTV that it would take severe action if it violated the Broadcast Act again. In 2008, KTV succeeded in its application for its license to be continued.

7.3.3 Other Forms of Interference

It is rare for the authorities to exert extra-legal pressure on the digital media. *Asahi Shimbun* recounted a case during the earthquake/tsunami in March 2011.[168] The newspaper said that in the period that followed the disaster many rumors appeared on websites. The National Police Agency (NPA) sent a document requesting ISP associations to direct ISPs to delete information which were regarded as false rumor. The police put in 41 requests to delete what they regarded as false rumors and ISPs deleted 13 such cases. The newspaper commented that "such a measure has not been seen in the past that the police are intrusive on contents of expression."[169]

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164. Kenta Yamada, *Law of Journalism,* 2nd edition, Gakuyo-syobo, p. 90.

165. For example, in 2006 in a feature program on war crimes committed by the Imperial Japanese Army, a picture of a person who had nothing to do with the events was broadcast.

166. For example, in 2004 a television program that was judged to be a PR exercise for one political party.

167. The KTC broadcast a program on health in which it was claimed that "*natto*" (fermented soybeans; a traditional Japanese food) was good for losing weight, pointing to medical data and comments by professors. After the program was broadcast, "*natto*" was sold out in many shops. Other media questioned the reliability of the program, and KTV found that its staff had fabricated the medical data and the professors' comments.

168. *Asahi Shimbun*, 2 May 2011.

169. "Police demands to delete information on the web," *Asahi Shimbun,* 2 May 2011.

7.4   Assessments

Digitization has led to the framework of policy, law, and regulation which divided telecommunications and broadcasting during the analog era to be changed substantially. At the heart of these changes were amendments to the Broadcast Act and other acts in November 2010.

Along with a generalized increase in public consultation via the internet, information and processes related to the laws and regulation of the media have been more widely distributed. Bills regarding media policy and regulation are published on the relevant ministerial websites seeking public comments.

As the distinction between telecommunications and broadcasting that existed during the analog era has become less clear with evolving digital technologies and services, so the legal and regulatory structures have had to be revised. As part of this process, there has been a distinction made between the "hardware" and "software" involved in the broadcasting business that has led to greater pluralism and diversity in digital broadcasting.

Meanwhile, the Broadcast Act has embraced the principle of broadcasters' self-regulation, resulting in a relatively restrained regulatory environment. At the same time, technological advances have meant a proliferation of information on the internet as well as the means to upload it, leading perhaps inevitably to an increase in illegal and harmful information. While this has meant that new regulatory measures are under discussion, those involved are aware of the need to ensure that these are in harmony with the right to freedom of expression as well as the plurality and diversity of that expression characterized by the emergence of co-regulation.

8. Conclusions

8.1   Media Today

Digital media have been diffused rapidly in Japan and social media have been widely adopted, mostly for inter-personal or intra-group communication and entertainment. The potential for these media to be used as very effective communication tools in emergency situations was brought dramatically to the attention of the Japanese population immediately after the earthquake and tsunami struck the country in March 2011 There remains, however, an information gap between generations (younger and older) and regions (urban and rural).

These technological and social forces that have transformed the way in which people receive information and communicate with one another have also had an impact on the news business, from the way in which news is gathered and reported through to the means of its delivery. However, the consensus among practitioners of the profession seems to be that the impact has been limited, and the traditional media system (notably the notoriously closed press club) has survived with the mainstream media companies continuing to dominate the production and delivery of (reliable) news.

At the same time, most media policies have succeeded in maintaining a balance between the public interest and media independence and freedom of expression.

In the broadcast world, on the other hand, NHK has remained at the center of the delivery of public service content and has retained the trust of a great part of the Japanese population. Its source of revenue is stable, assuring it and its audience of a continuation of high quality content and innovation of broadcasting technology. In future, however, NHK will have to address the fact that it is not winning the battle to attract younger audiences away from more popular manifestations of the digital experience.

While to some observers, Japan is a unified and closed society, digitization has aided a process whereby Japanese people have engaged with the forces of globalization in recent years, diversifying the ethnicity, interests, and voices in society. Social movement organizations (NPOs and non-governmental organizations) have found it easier to express their opinions and interests through the mass media. However, their influence

on the policy debate is very limited, as the proportion of citizens who utilize the internet to participate in the political process is small.

As for Japan's political elites, they have begun to take a much greater part in transmitting information via digital media. Politicians appear on internet television, and political parties and politicians are more active in using blogs, Twitter, and other social network services.

8.2   Media Tomorrow

The government has revised the Broadcast Act to facilitate the convergence of telecommunications and broadcasting, and is also discussing changes to media policy aimed at better adapting to the digital age, in particular the use of an auction procedure for allocating radio frequency. The development of ICT will bring about new digital platforms, which is why policy and regulation aimed at ensuring diversity and pluralism of digital media should be pursued.

Traditional mass media in Japan are suffering severe financial problems. They are beginning to seek new ways to continue practising sound journalism with limited resources. New digital platforms such as BS digital will be utilized for this purpose.

As is the case in other countries, the capacity and functionality of mobile devices are increasing day by day in Japan. The media will have to adapt and take advantage of the opportunities rather than resist, while regulators might find it necessary to redesign frequency allocation more efficiently (including a thorough review and trial of an auction procedure).

9. Recommendations

9.1 Public Service in the Media

9.1.1 Review of Public Service Broadcasting

Issue

While NHK remains the most trusted source of news for the majority of Japanese, it has not adequately embraced the many opportunities provided by digital technology to widen and deepen its public service function. Moreover, sufficient attention has not been paid to ways in which all broadcasters might be assisted in carrying out public service media responsibilities.

Recommendation

All interested parties should engage in a comprehensive debate on the principles, practices, and regulatory framework for the provision of public service broadcasting in general, and on NHK in particular, including all aspects of its governance. Participants in this debate should not be confined to those bodies that already perform existing governance and regulatory functions, such as the relevant ministry and the Diet, but should include other interested parties, such as civil society organizations, academic and research institutes, and commercial media.

9.2 Journalism

9.2.1 Mass Media Research and Journalism Training

Issues

The important role played by the mass media in the healthy functioning of democracy in Japan is being threatened by:

- The deteriorating finances of existing media organizations: Cost-cutting has been the primary means of dealing with this problem, with the result that the quality of journalism is being undermined by diminishing resources, a lack of support for in-depth reporting and investigative journalism, as well as cuts in training budgets.

- The slow and erratic emergence of alternative sources of online and mobile news and current affairs: Experiments with citizen journalism have had limited success, and the mainstream media have not responded imaginatively enough to the opportunities presented by digital technologies for delivery, new revenue sources, and more interactive content provision.

Recommendations

A research and education body should be set up under the auspices of the Japan Newspaper Publishers and Editors Association (Pressnet), and in collaboration with other media and journalist organizations, as well as interested pioneers of civic and alternative online media. This body should:

- look into creative responses to the financial challenges facing the mainstream media;

- promote cooperation and creative cross-fertilization between existing mainstream media and digital alternatives, including opportunities for more investigative and other forms of in-depth journalism;

- seek to establish training opportunities and institutions for journalists in collaboration with interested universities.

List of Abbreviations, Figures, Tables, and Companies

Abbreviations

3G	Third Generation Mobile Telecommunications
4G	Fourth Generation Mobile Telecommunications
ADSL	Asymmetric digital subscriber line
ANN	All-Nippon News Network
BPO	Broadcasting Ethics and Program Improvement Organization
BRC	Broadcast and Human Rights/Other Related Rights Committee
BS	Broadcasting satellite
CATV	Cable television
CS	Communication satellite
DTT	Digital terrestrial television
DVD	Digital video disk
DVR	Digital video recorder
EBPAF	Electronic Book Publishers Association of Japan
ETV	Educational TV
FNN	Fuji News Network
FSA	Financial Services Agency
FTTH	Fiber to the home
GDP	Gross domestic product
GNI	Gross national income
GTV	General TV
HDTV	High-definition television
ICFP	International Communication Flow Project-Japan
ICT	Information and Communication Technologies
IICP	Institute for Information and Communications Policy
IMF	International Monetary Fund

IPTV	Internet Protocol television
ISP	Internet service provider
IT	Information technology
ITU	International Telecommunications Union
JANJAN	Japan Alternative News for Justice and New Cultures
JNN	Japan News Network
KTV	Kansai Telecasting Corporation
MIC	Ministry of Internal A☒airs and Communications
MMD	Mobile Marketing Data Labo Inc.
MPT	Ministry of Post and Telecommunications
NAB	National Association of Commercial Broadcasters in Japan
NBN	Nagoya Broadcasting Network
NHK	*Nippon Hōsō Kyōkai* (Japan Broadcasting Corporation)
NNN	Nippon News Network
NOD	NHK On Demand
NPA	National Police Agency
NPO	Non-profit organization
NSK	*Nihon Shinbun Kyokai* (Japan Newspaper Publishers and Editors Association)
NTT	Nippon Telegraph and Telephone Corporation
NTV	Nippon Television Network Corporation
OECD	Organization for Economic Cooperation and Development
PC	Personal computer
PHS	Personal Handyphone System
RDD	Random direct-dialing
SIM	Subscriber Identity Module
SNS	Social networking service
TBS	Tokyo Broadcasting System
TCA	Telecom Carriers Association
TXN	TX Network
UGC	User-generated content
UNESCO	United Nations Educational, Scientific, and Cultural Organization

Figures

Tables

Companies

ABC
acTVila
Al-Jazeera
Alexa
All-Nippon News Network
Amazon
Ameblo
Apple
Asahi Shimbun
au Hikari TV
BBC (World)
CHI Group
Chunichi Shimbun
ClickZ
CNNj
Dai-nippon-insatsu
Dentsu Inc.
Dowango
Educational TV
Facebook
Fc2
FM Haro!
FM Waiwai
Fox
Fuji Media Holdings
General TV
Google
Hikari TV
Hokkaido Shimbun
J-CAST
Japan Broadcasting Corporation (NHK)
Japan News Network
Jiji Press
Kansai Telecasting Corporation
KDDI Corporation
Livedoor
Mainichi Shimbun
Mixi

Mobile Marketing Data Labo Inc.
Nagoya Broadcasting Network
Nielsen
Nihon Keizai Shimbun (*Nikkei*)
Nihon TV
Nikkei CNBC
Nikkei IT Pro
Nikkei Shimbun
Nippon News Network
Nippon Telegraph and Telephone Corporation
Nippon Television
Nishi Nihon Shimbun
NTT Communications
NTT DOCOMO
NTV (Nippon Television Network Corporation)
OurPlanet-TV
Panasonic
Qualcomm
Radiko
Rakuten
Recruit Cosmos
Sankei Shimbun
Softbank
SONY
Tokyo Broadcasting Holdings
Toyo Keizai
TV Asahi
TV Tokyo Holdings
Twitter
TX Network
Usen Corporation
Video Research Ltd.
Vodafone
Wikipedia
Yahoo!
Yomiuri Shimbun
YouTube

Mapping Digital Media: Country Reports

1. Romania
2. Thailand
3. Mexico
4. Morocco
5. United Kingdom
6. Sweden
7. Russia
8. Lithuania
9. Italy
10. Germany
11. United States
12. Latvia
13. Serbia
14. Netherlands
15. Albania
16. Hungary
17. Moldova

Mapping Digital Media is a project of the **Open Society Media Program** and the **Open Society Information Program.**

Open Society Media Program

The Media Program works globally to support independent and professional media as crucial players for informing citizens and allowing for their democratic participation in debate. The program provides operational and developmental support to independent media outlets and networks around the world, proposes engaging media policies, and engages in efforts towards improving media laws and creating an enabling legal environment for good, brave and enterprising journalism to flourish. In order to promote transparency and accountability, and tackle issues of organized crime and corruption the Program also fosters quality investigative journalism.

Open Society Information Program

The Open Society Information Program works to increase public access to knowledge, facilitate civil society communication, and protect civil liberties and the freedom to communicate in the digital environment. The Program pays particular attention to the information needs of disadvantaged groups and people in less developed parts of the world. The Program also uses new tools and techniques to empower civil society groups in their various international, national, and local efforts to promote open society.

Open Society Foundations

The Open Society Foundations work to build vibrant and tolerant democracies whose governments are accountable to their citizens. Working with local communities in more than 70 countries, the Open Society Foundations support justice and human rights, freedom of expression, and access to public health and education.

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