



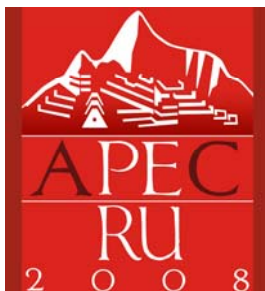
**Asia-Pacific
Economic Cooperation**

2008/TELWG38/LSG/002

Agenda Item: 4b

Consulting Stakeholders during a Proceeding in Japan

Purpose: Information
Submitted by: Japan



**Liberalization Steering Group (LSG) Meeting
Lima, Peru
15-16 October 2008**

APEC TEL38 workshop “Stakeholders Engagement and Consultations”

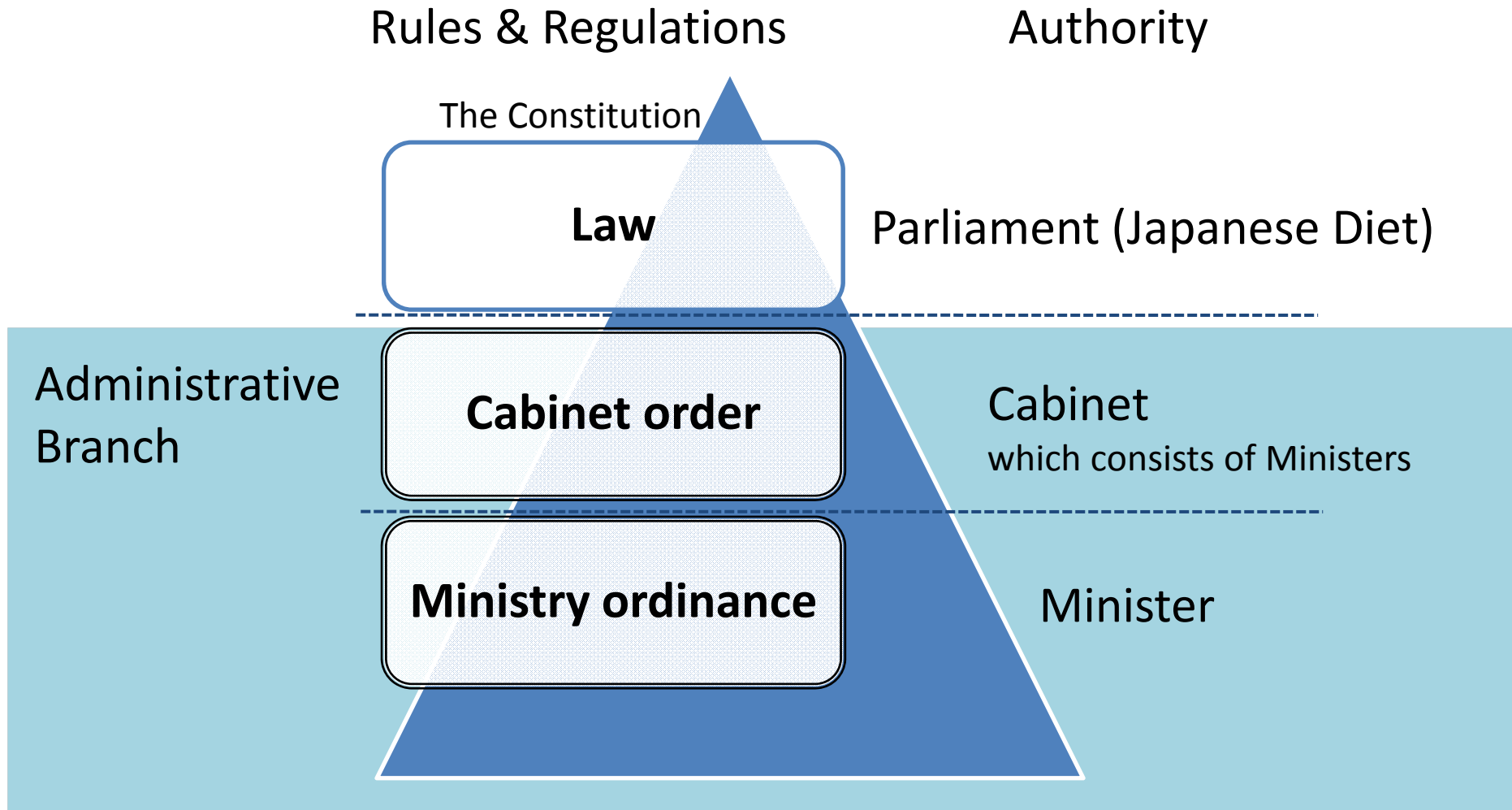
Consulting Stakeholders During a Proceeding in Japan

Oct. 14, 2008

Massa NAKANO

Ministry of Internal affairs and Communications (MIC), JAPAN

Legal Structures in Japan



- Prime Minister presides over the Cabinet which consists of 17 ministers.
- Ministry of Internal affairs & Communications is a telecom regulator

OUTLINE

A Procedure of Rulemaking in Administrative branch

Draft
Proposal

Council

Public
Consultation

Rule

Academics, Business leaders,
NPOs, and so on

Users, Entrepreneur,
Everybody!

More dialogues with stakeholders,

More - Transparent

- Accurate

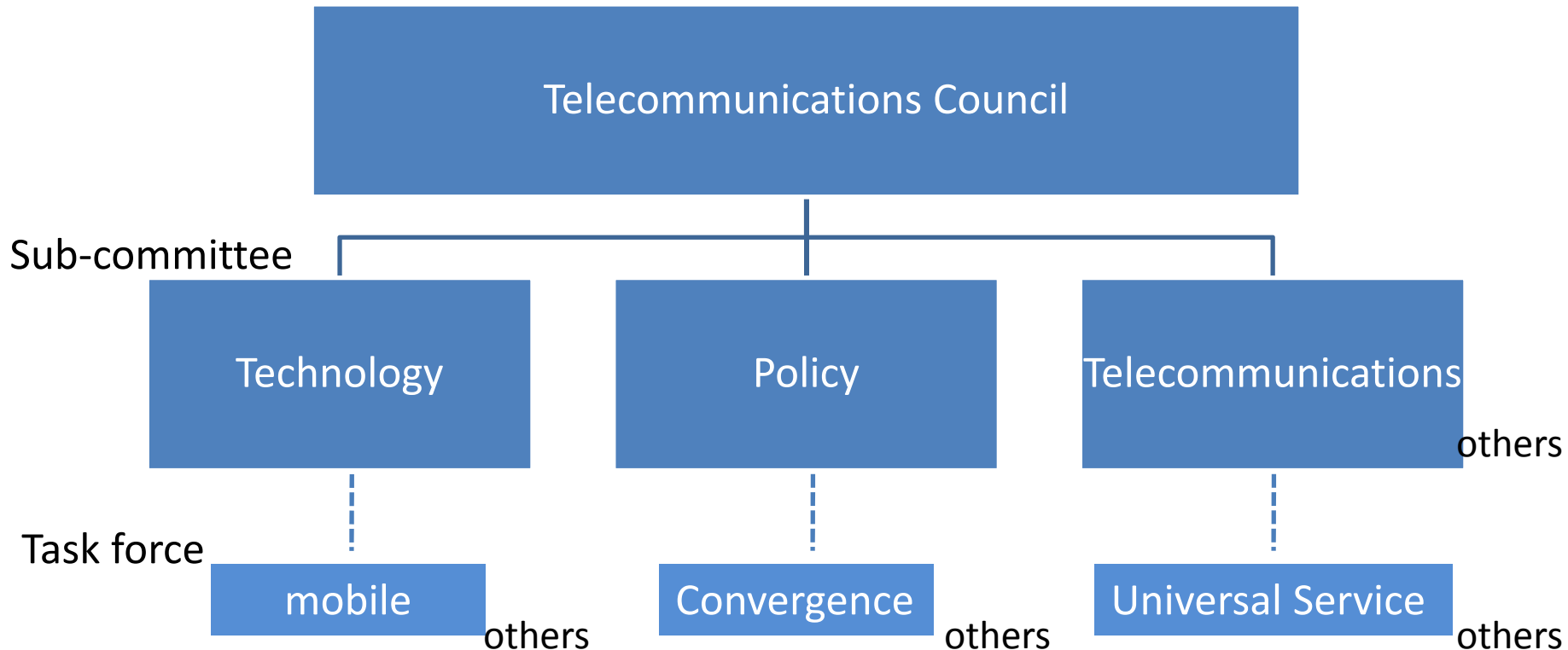
- Relevant and so on

MIC's Council

A Council is an advisory board to the Minister

The MIC has over 10 councils which consist of respective experts.

- Telecommunications Council, - Local Government Finance Council, Statistic Council, and so on



Telecommunications Council

Who are the members of the Council?

Telecommunications Council (30 members)

Academics

(13 members)

- Engineering
- Economics
- Business
- Public administrations

Business leaders

(10members)

- Manufacturers
- Consultants
- Financial institutions

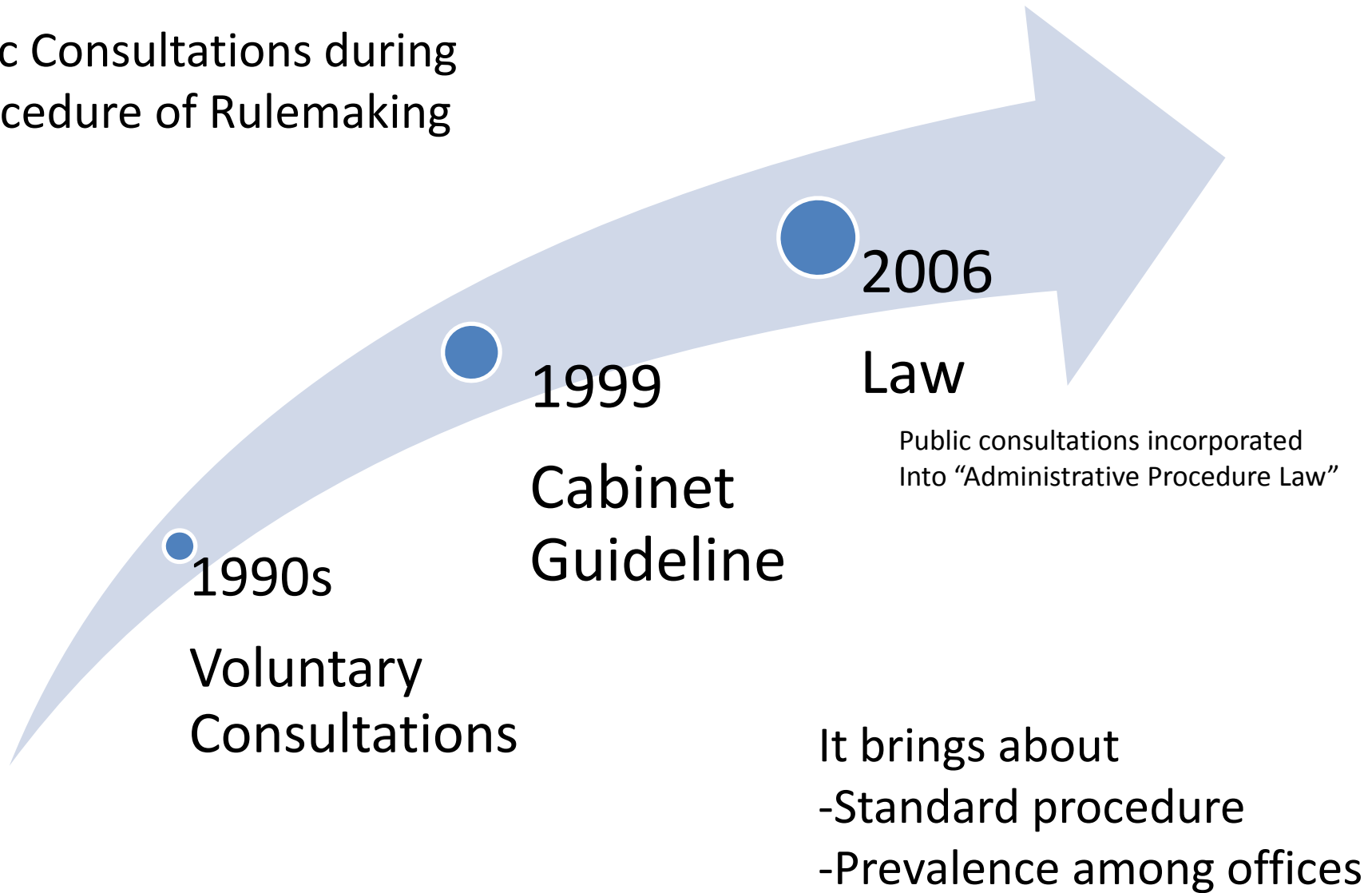
Others

(7 members)

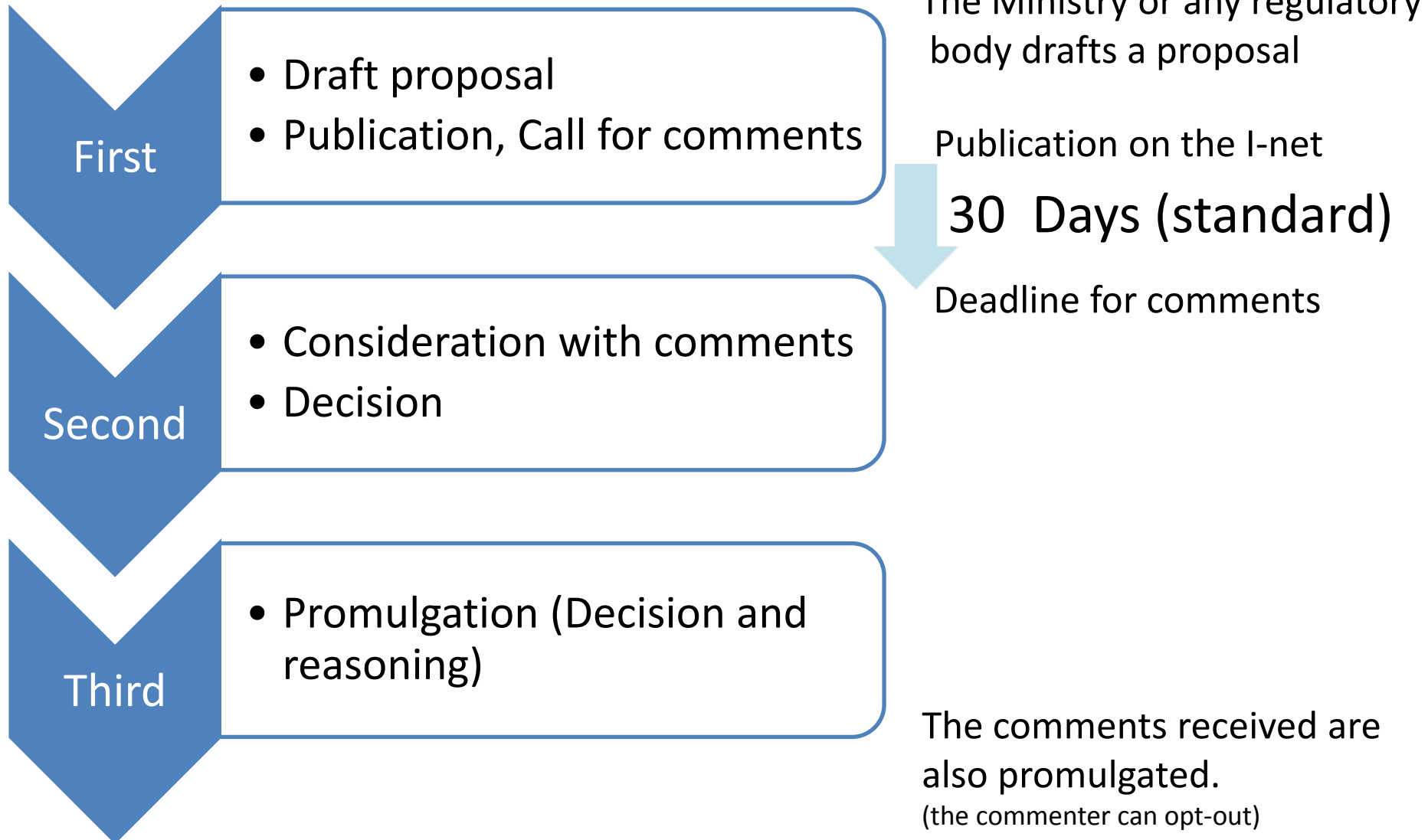
- City Mayors
- NPO leaders
- Workers union
- Journalists

Public Consultation

Public Consultations during
a Procedure of Rulemaking



Public Consultations Procedure



Case: Wireless Broadband Access (2.5GHz)

Technical standard

2006

Feb 27: Council started discussion

May 8: Council held stakeholders' hearing

Nov 17: Council publicized draft report and started public consultation

Dec 21: Council finalized its report of technical standard

2007

Mar 14: MIC drafted provisions and consulted with Council

May 16: Council approved



License criteria

2007

May 15: MIC consulted with Council and started public consultation

Jul 11: Council issued its report

Aug 7: MIC finalized license criteria, and started to receive applications

Oct 10: Publicized applications (4 applicants)

Nov 19: MIC held stakeholders' conference



Comparative evaluation by MIC

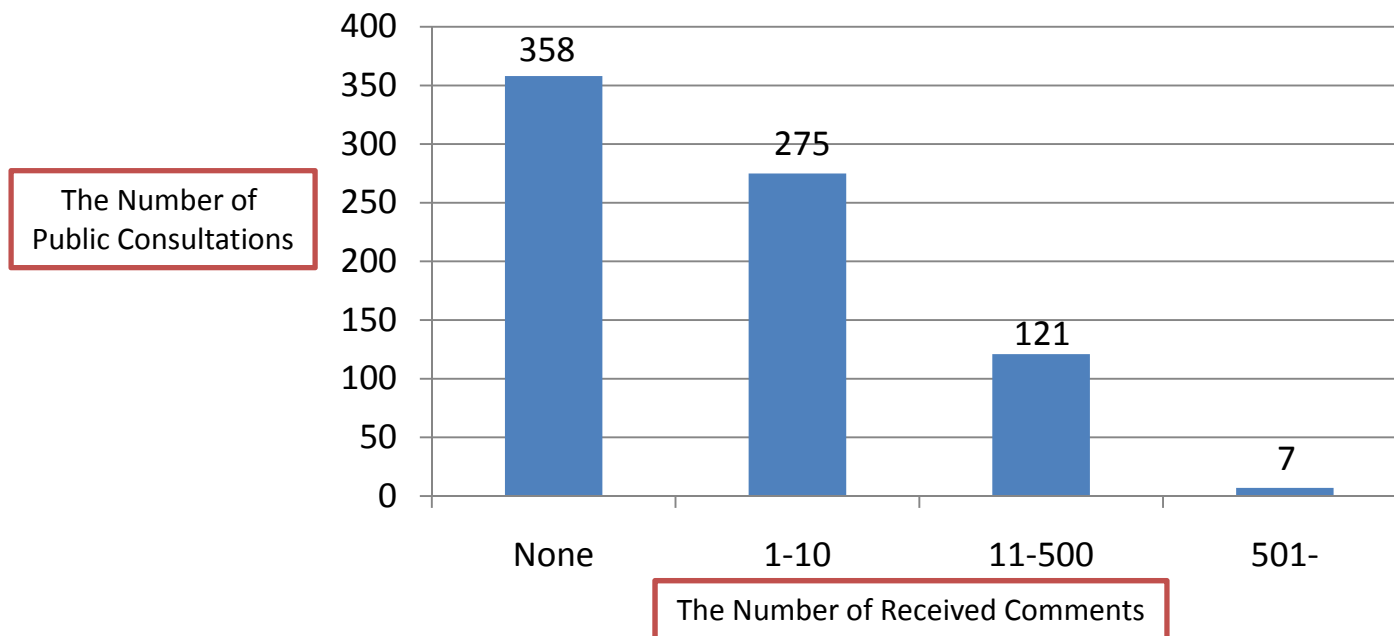
Dec 21: MIC decided on 2 licensees

Overall, how was Public consultation?

The one year after the law enacted

Apr. 2006- Mar.2007

Public consultation	761
Terms for consultation, over 30 days	93.8%
Comments adopted	25.3%



For a better future

Some critics say:

-Consultation term (30 days standard) is too short.

e.g. foreign companies needs more time for translation, and consultation with overseas.

-Are they (gov. officials) really listening to submitted opinion ?

e.g. there have not been big changes based on submitted comments.

-There is a danger of manipulation and agitation.