Snapshot

AI, Disinformation, and Elections in Japan

Yuko Kasuya

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INTRODUCTION

This report examines three key issues regarding the use of generative AI as a tool for creating disinformation during election campaigns in Japan. First, it reviews the regulatory environment surrounding AI, highlighting the government's limited interest in imposing strict regulations on AI development. Second, the report describes Japan's legal framework for election campaigns, known for its strictness, which likely contributes to the relatively low levels of election-related disinformation in the country. Finally, the report analyzes the limited spread of disinformation during the October 27 election for the House of Representatives, noting that so far no reports are found about AI-generated fake news during this election. The report concludes with possible future research avenues.

JAPAN'S LENIENT APPROACH TO REGULATING GENERATIVE AI

In 2023, the Japanese government took an international initiative on AI governance, known as the Hiroshima AI Process. This was launched under the leadership of former Prime Minister Fumio Kishida when he hosted the G7 Summit in Hiroshima, his home

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constituency. The initiative's aim was to establish global governance standards for generative AI and a statement was issued during the Summit as to how to implement the projects under this initiative.[3]

Following this commitment, the Japanese government established two government-funded bodies dedicated to AI-related matters. The first is the AI Safety Institute,[4] launched in February 2024 and housed under the Information-Technology Promotion Agency (IPA). The second is the GPAI Tokyo Expert Support Center, which became the third such center globally, following those in Paris and Montreal. Part of the Global Partnership on Artificial Intelligence (GPAI)[5], this center is situated within the National Institute of Information and Communications Technology and was launched in July 2024.

However, when it comes to legal initiatives to regulate AI, which usually includes matters related to disinformation, the Japanese government has done only a few.[6] In April 2024, Japan's Ministry of Internal Affairs and Communications (MIC) and the Ministry of Economy, Trade, and Industry (METI) introduced the AI Guidelines for Business Ver 1.0. These guidelines are designed to promote responsible and ethical development, deployment, and management of AI technologies across various business sectors.

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[3] https://www.soumu.go.jp/hiroshimaaiprocess/en/index.html.
[4] https://aisi.go.jp/about/
[5] Established in 2020, Global Partnership on Artificial Intelligence (GPAI) is an international and diverse body that unites prominent experts from fields. Its members are Australia, Canada, France, Germany, India, Italy, Japan, Mexico, New Zealand, the Republic of Korea, Singapore, Slovenia, the United Kingdom, the United States, and the European Union.
[6] Legal protections for personal data in generative AI applications are covered under the Act on the Protection of Personal Information (APPI), which was enacted in 2003 and became effective in 2005.

Probably reflecting this situation, in April 2024, the Vice President of Public Affairs at OpenAI, a U.S.-based company, praised Japan's stance on AI regulation during an interview with the Asahi Shimbun. She noted that "Japan has consistently taken an approach that avoids overly strict AI regulations." (Murai & Wake 2024).

Similar to the governmental sector, Japan's civil society sector is slow to act on the regulation of AI. As of the writing of this report, several AI-focused civil society organizations in Japan have been launched, but they do not actively address the issue of disinformation generated by AI at the present stage. For example, Generative AI Japan (GenAI) was established in January 2024 as a central hub for companies and experts engaged in generative AI-related fields. Its aim is to facilitate research groups, events, and cross-industry collaborations, sharing best practices and promoting industry standards. Another organization, the Association to Generalize Utilization of Generative AI (GUGA), is primarily to encouraging adoption of generative AI technology across industries in Japan. As discussed in the fourth section of this report, one of the reasons why these organizations have not prioritized addressing AI-generated disinformation can be due to the relatively limited number of AI-generated disinformation in Japan, compared to countries like the United States and Indonesia.

STRICT REGULATIONS ON ELECTION CAMPAIGN

Japan is known for its highly restrictive regulations on election campaigns under the Public Offices Election Law (POEL), enacted in 1950. While enacted in the post-WWII era, many of the contents of the POEL are carried over from the election law enacted in 1925, when Japan was not a democracy (Somae 1986). Its scope and reach are exceptionally broad, with some arguing that it is the most restrictive campaign law among democratic nations (Freeman

2016). Japanese critics often refer to it as a "*bekarazu-ho*" or "law of must nots."

The POEL imposes a notably short campaign period (typically two weeks for the House of Representatives, with some variation depending on the level of the elected office), strictly prohibits campaigning before the official period begins, and bans door-to-door canvassing. Additionally, it includes an extensive range of micro-regulations from the size of the candidate posters to the types of food that can be provided for volunteers.[7]

With the rise of the internet, the POEL was revised in 2013 to permit online electioneering. However, the revisions retained the restrictive spirit of the law, with many provisions regarding internet use primarily consisting of "do not" clauses. For instance, as shown in Figure 1, a pamphlet produced by the Ministry of Internal Affairs and Communications (MIC) to disseminate information on the revisions, exemplifies the continuity of strict regulation extended to the cyberspace. The title of this pamphlet is "These Prohibited Acts are Subject to Prosecution!" and it illustrates the "don'ts" under the revised POEL.

The four panels in the bottom half are specifically concerned with disinformation. In the second segment titled "Examples on the Penalties concerning Slander and Impersonation," (誹謗中傷・なりすまし等に関する刑罰(例)), the panels inform that spreading disinformation on candidates, defamation and slander, impersonation, and tampering candidates' websites are all criminal offenses.

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[7] https://laws.e-gov.go.jp/law/325AC1000000100

Figure 1: Prohibited Acts under the Revised POEL

Source: https://www.soumu.go.jp/main_content/000427851.pdf

While Japan faces its own challenges with disinformation, particularly in areas like health and the pandemic (Ministry of Internal Affairs and Communications, 2022), when it comes to politics, however, Japan's internet sphere is relatively less affected by the spread of fake news (Kobayashi and Ichihara, 2024). One possible reason is the highly restrictive election campaign law, which may discourage potential spreaders of political disinformation from engaging in such activities.

LIMITED DISINFORMATION IN THE 2004 ELECTION CAMPAIGN

Japan held its most recent House of Representatives election on October 27, 2024. The dissolution of the lower chamber was announced on October 9, and the official campaign period commenced on October 15. Consequently, in accordance with the provisions of the POEL, the campaign period was limited to just two weeks.

During the short campaign period, Japan's fact-checking NGOs actively worked to identify and address election-related disinformation, which can be categorized into three main types. The first category includes false claims about party policy platforms and campaign promises. For instance, misinformation circulated about the Democratic Party For the People (DPFP)'s stance on allowing married couples to have separate last names (JFC, 2024a). The second category pertains to the integrity of election management. Examples include narratives discrediting media election coverage based on flawed exit polls (Miyamoto, 2024), claims that some voters were unable to vote due to undelivered ballots at polling stations (JFC, 2024b), and allegations of inaccurate vote counting (JFC, 2024c). The third category involves fake news aimed at damaging the reputation of specific candidates or parties. This includes false reports of a candidate accepting

bribes (JFC, 2024d) and allegations of sexual harassment (JFC, 2024e).

Importantly, compared to other types of disinformation reported by fact-checking NGOs, the volume of election-related fake news was relatively low. Additionally, none of the false information detected during the campaign period reported so far was generated by AI. While experts had issued warnings about the potential for deepfakes in the lead-up to the election, citing examples from U.S. elections (Sankei, 2024), the reality was that the two-week campaign period was not inundated with AI-generated content. Instead, most instances of disinformation consisted of "traditional" or human-made fake news.

Several factors contribute to the limited presence of election-related disinformation in Japan. One key reason is the stringent election campaign laws, as discussed in the previous section. Another factor is the relatively high level of trust Japanese voters place in traditional media, which reduces their reliance on social media for political information. Furthermore, Japanese citizens are generally less inclined to use social media to express political opinions (Kobayashi & Ichihara, 2024).

CONCLUDING REMARKS

The combination of strict election laws, a relatively well-trusted traditional media landscape, and a cultural reluctance among voters to discuss politics on social media likely contributes to the very limited spread of AI-generated political disinformation in Japan. Despite the Japanese government's reluctance to impose regulations on the use of generative AI, AI-driven disinformation has yet to emerge as a major social issue in the country.

Finally, I want to conclude this report by highlighting how AI can be used to strengthen democracy rather than focusing on its potential harms. A notable example is the case of Takahiro Anno, a 33-year-old AI engineer who ran as an independent candidate in the 2024 Tokyo Metropolitan gubernatorial election. During his campaign, Anno used AI to collect and summarize voter concerns and to efficiently manage his volunteer network, even optimizing the placement of campaign posters across Tokyo. Despite being a political newcomer, he finished 5th in the race, running under the slogan "Use technology to ensure no one is left behind." In future Japanese elections, Anno or others inspired by his approach may leverage generative AI in innovative and constructive ways, offering a new perspective for researchers studying AI's role in democratic processes.

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