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Innovation with Inclusion: Japan's AI Regulation and the Hiroshima AI Process

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Research area: policy and law on information technologies, AI governance, law and ethics

- ◆ Project Associate Professor of the Graduate School of Media and Governance, Keio University
- ◆ Visiting Associate Professor at the National Institute of Informatics (NII)
- ◆ Visiting Researcher, Institute for Future Initiatives, The University of Tokyo
- ◆ Affiliate Scholar, Georgetown Law Institute for Technology Law & Policy

Bio: <https://www.law.georgetown.edu/tech-institute/people/distinguished-fellows-and-non-resident-fellows/kyoko-yoshinaga/>

➤ Expert member:

(In Japan)

- Commission on "AI Guidelines for Business, Ministry of Economy Trade and Industry
- The Advanced AI Utilization Advisory Board, Digital Agency
- External expert member of "AI Ethics Boards" at several AI development companies
- Project member of "Moonshot R&D Program-Goal 1", Japan Science and Technology Agency

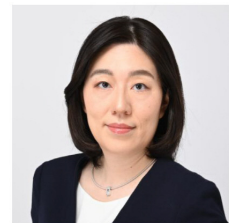
(Internationally)

- Expert at GPAI (Global Partnership on Artificial Intelligence) - Future of Work WG, co-leads of Co-generated work project at Data Governance WG, SAFE Projects (AI Safety) Bio: <https://oecd.ai/en/community/kyoko-yoshinaga>

Previously,

Researcher at Mitsubishi Research Institute(2003-2023)

Visiting Fellow, Yale Law School Information Society Project (Yale ISP, 7/2010-5/2011)



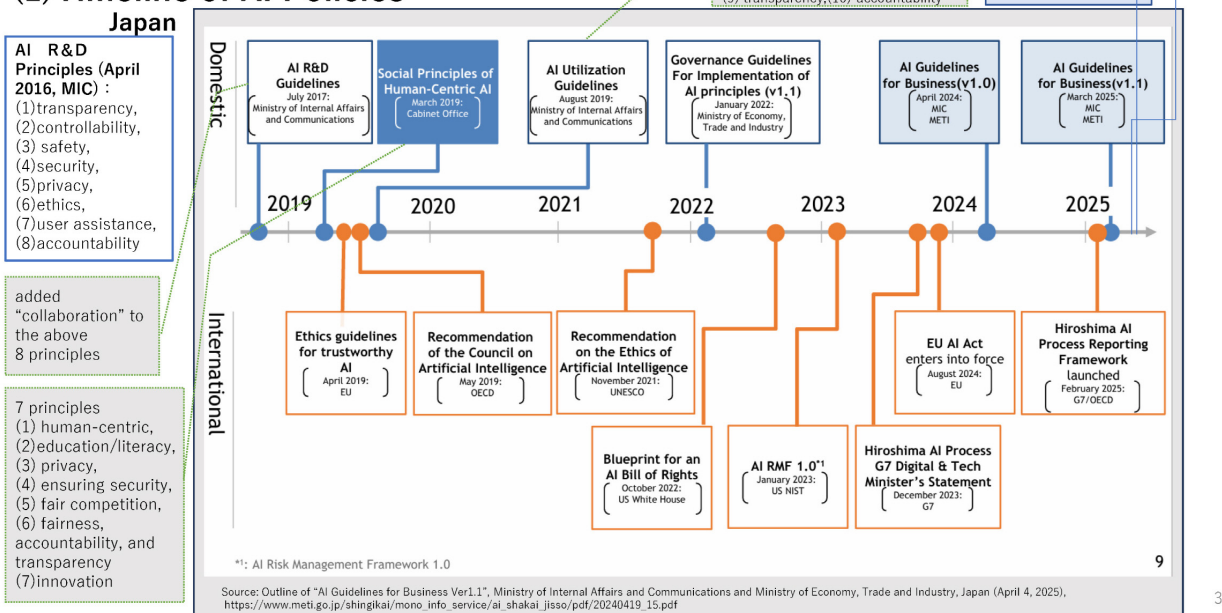
Today's talk

1. Japan's AI Regulations
2. Hiroshima AI Process
3. Innovation with Inclusion

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1. Japan's AI Regulations

(1) Timeline of AI Policies

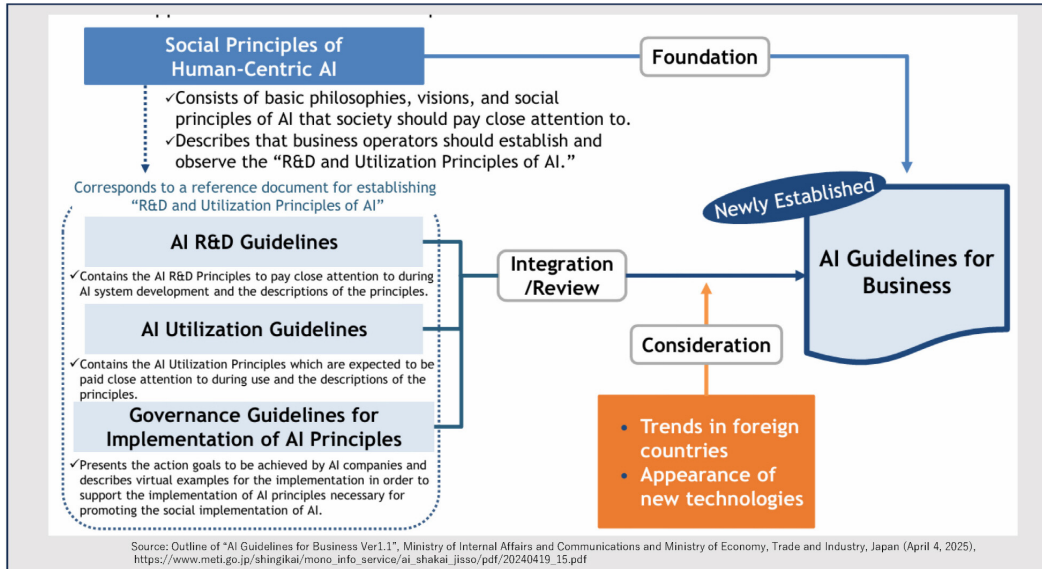


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1. Japan's AI Regulations

(2) AI Guidelines for Business

Merging 3 former guidelines into one.



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1. Japan's AI Regulations

(2) AI Guidelines for Business

Features

- Risk-based approach
- Agile Governance
- Support **voluntary efforts** by business operators
- Coordinate with **international discussions**
- Involve **multiple stake holders** (academic and research institutions, civil societies including general consumers, private sector companies, etc.)
- **Living Document**

Outline and Guidelines:

MIC: https://www.soumu.go.jp/main_sosiki/kenkyu/ai_network/02ryutsu20_04000019.html

METI: https://www.meti.go.jp/shingikai/mono_info_service/ai_shakai_jisso/20240419_report.html

Structure

Main Part: *Why, What*
 Definitions
 Aim
 Basic Principles
 for all AI business actors and for each AI business actor (AI Developers, AI Providers and AI Business Users)

Appendix: *How*
 examples, best practices, precautions, checklists, hypothetical case studies, correspondence between the guideline and other (domestic and international) guidelines

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1. Japan's AI Regulations

(3) Guidelines for Procurement and Use of Advanced AI in Public Sector

- The Guideline for Japanese Governments' Procurements and Utilizations of Generative AI for the sake of Evolution and Innovation of Public Administration
- Released on May 27, 2025.

https://www.digital.go.jp/assets/contents/node/basic_page/field_ref_resources/e2a06143-ed29-4f1d-9c31-0f06fca67afc/6e45a64f/20250527_resources_standard_guidelines_guideline_04.pdf

- CAIO (Chief AI Officer) within each ministries, report the use of AI and the status of risk mitigation efforts to the Advisory Board.
- An Advisory Board within the Digital Agency will serve a cross-ministerial function, providing advice and facilitating information-sharing across ministries.

1. Japan's AI Regulations

(4) AI Act

Act on Promotion of Research and Development, and Utilization of AI-related Technology (AI Act)

- Approved by the Parliament on May 28, 2025.
- Full enforcement: September 1, 2025.
- Key Point: **The government may require business operators for information, analyze cases where rights or interests have been infringed, and consider countermeasures, including conducting investigations (Article 16).**

Outline of the Act on Promotion of Research and Development, and Utilization of AI-related Technology (AI Act)

Necessity of a new law	Japan is lagging behind in AI development and use.	Many citizens are concerned about AI.
	Along with existing laws and business acts, a new law is needed to promote innovation while mitigating risks.	
Outline of the act	Purpose	Improving people's lives , and developing the national economy
	Basic Principles	<ul style="list-style-type: none"> • Importance for economic society and national security → Keeping R&D capabilities, and enhancing international competitiveness • Comprehensive and systematic promotion from basic research to utilization • Ensuring transparency, etc. for appropriate R&D and utilization • A leadership role in the international cooperation
	AI Strategic Headquarters	Chairman : the Prime Minister, Members : all cabinet ministers – Requesting the necessary cooperation from the relevant administrative agencies
	AI Basic Plan	Basic policy on measures that the government should take for the promotion of R&D and Utilization
	Basic Measures	<ul style="list-style-type: none"> • Promotion of R&D, and expansion and share of facilities (data center, etc.) and data • Ensuring human resources, and promoting education • Participating in formulating international norms • Establishing guidelines in accordance with the international norms • Collecting information, investigating cases where human rights and interests are infringed • Guidance, advice and announcement to business operators and citizens
	Responsibilities	<ul style="list-style-type: none"> • Responsibilities of the government, local governments, R&D institutes, business operators and citizens, and strengthening coordination among stakeholders • Business operators shall cooperate with measures implemented by the government, etc.
Supplementary Provisions	Reviewing provisions (necessary measures as required)	
Establishing a legal system aiming to be a global model	<ul style="list-style-type: none"> • In accordance with international norms, promoting innovation while mitigating risks • Aiming to be the friendliest country to develop and utilize AI 	

https://www8.cao.go.jp/cstp/ai/ai_hou_gaiyou_en.pdf

1. Japan's AI Regulations

(5) Other comprehensive guidelines

- **Contract Guidelines on Utilization of AI and Data**, METI, June 2018

This guide provides an overview of key issues, sample clauses, and drafting considerations for contracts involving data use and AI development.

checklist: February, 2025.

https://www.meti.go.jp/policy/mono_info_service/connected_industries/sharing_and_utilization/20250218003-ar.pdf

- **Guidelines for Machine Learning Quality Management, 4th Edition, (Revision 4.2.0)**, National Institute of Advanced Industrial Science and Technology, December 2023

This guideline defines quality standards for machine learning components to help service providers and developers improve AI system reliability and reduce risks from AI errors.

<https://www.digiarc.aist.go.jp/publication/aiqm/AIQuality-requirements-rev4.2.0.0113-signed.pdf>

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1. Japan's AI Regulations

(5) Other comprehensive guidelines

Japan AI Safety Institute (AISI) : <https://aisi.go.jp/>

- AI Safety Evaluation Tools Released as OSS, September 12, 2025.
- Data Quality Management Guidebook, March 31, 2025.
- Red Teaming Methodology Guide for AI Safety (Version 1.10), March 31, 2025.
- AI Safety Evaluation Perspective Guide (Version 1.10), March 28, 2025
- Crosswalk 2 between AI Guidelines for Business and the U.S. NIST AI Risk Management Framework (RMF), September 18, 2024.

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1. Japan's AI Regulations

(6) Sector-specific guidelines

- Education: **Guideline for the Use of Generative AI in Primary and Secondary Education**, July 4, 2023

Ver.2.0: December 26, 2024.

Guideline for the Use of Generative AI in Primary and Secondary Education (Ver.2.0) [Summary]



This guideline is intended for primary readers of school education personnel, such as teachers, school boards, and others, and is designed to serve as a reference for realizing the appropriate use of generative AI in schools. It provides an overview of generative AI, basic concepts, and key points to keep in mind depending on the situation and the subject.



1. About Generative AI	3. Important points to keep in mind when working in schools
<p>Overview of Generative AI</p> <ul style="list-style-type: none"> Generative AI is a broad term for AI based on AI models that can generate text, images, programs, etc. Not only general-purpose services but various delivery formats and providers have emerged and are being introduced into the education sector. While various risks have been pointed out, technological countermeasures are also progressing. 	<p>Situations in which teachers and staff make use in their schoolwork</p> <ul style="list-style-type: none"> It is expected that utilizing Generative AI in schoolwork will lead to work style reforms, such as improving the efficiency and quality of school affairs. It is important for teachers and staff to become familiar with new technologies and be aware of their convenience and concerns in order to advance students' learning. It is useful to understand the mechanisms and characteristics of generative AI and actively utilize it to the extent that they can judge the appropriateness of the generated content.
<p>2. Basic Concept</p> <p>Human-centered Utilization</p> <ul style="list-style-type: none"> It is important to view generative AI as a potentially useful tool and to use the output as one of the references, with human judgment and responsibility at the end, based on risks and concerns. Use the information only after examining whether it contributes to the development of qualities and abilities as defined in the curriculum guidelines and whether it is effective in achieving the objectives of educational activities. The role of teachers as learning professionals is becoming more important. <p>Strengthening the development of Information Literacy</p> <ul style="list-style-type: none"> It is important to consciously develop an understanding of how generative AI works, how to apply it to learning, and the ability to master generative AI in each subject. With generative AI in social life in mind, it is necessary to further enhance the development of information utilization skills, including information ethics. 	<p>Situations in which students make use in their learning activities</p> <ul style="list-style-type: none"> Consideration should be given to the developmental stage and the state of information utilization ability, and measures should be taken to address risks and concerns before considering its use. In doing so, it is necessary to examine whether it contributes to the development of qualities and abilities set out in the curriculum guidelines and whether it is effective in achieving the objectives of educational activities. To enhance the understanding of the AI system and the ability to apply it to learning, by combining and switching back and forth between "learning about the AI itself," "learning how to use it," and "actively using it in each subject area, etc." <p>Points to be considered by the Board of Education, etc.</p> <ul style="list-style-type: none"> It is important for the Board of Education to take the lead in designing the system and showing the direction. It is necessary to take flexible measures that fully consider the circumstances of each school, and rigid implementation such as uniformly prohibiting or mandating teaching is not desirable. It is necessary to create an environment that promotes the appropriate use of generative AI by publicizing and sharing previous cases, teaching materials, and know-how, and by providing training. <p>Points to keep in common</p> <ul style="list-style-type: none"> Appropriate use with safety Ensuring information security Personal information, privacy and copyright protection Ensuring fairness Ensuring transparency and accountability to stakeholders
<p>Reference Materials</p> <ul style="list-style-type: none"> Check items for each situation and subject, examples of previous initiatives at pilot schools using generative AI, training materials that can be used in schools, etc. 	

https://www.mext.go.jp/content/2025_0422-mxt_shuukyo01-000030823_001.pdf

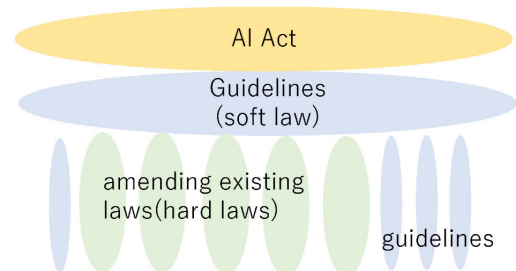
1. Japan's AI Regulations

(7) Basic Approach

- **Soft-law approach to AI comprehensively**

<background>

- AI use is a solution to social issues.
 - e.g. labor shortages (low birthrate, aging population)
- Time lag between law (legislation and enforcement) and technology (speed and complexity)
- Rule-based regulations with detailed obligations might hinder innovations.



Goal is to realize “**Society 5.0**”-a **human-centric society** in which both **economic growth** and **solutions for social challenges** are achieved through “**Cyber-Physical System (CPS)**”

cited from “AI Guidelines for Business Ver. 1.0” (April 19, 2024), MIC and METI

- **Hard-law approach sector-specifically**, amending existing laws (when necessary)
 - e.g. The Act on Improving Transparency and Fairness of Digital Platforms (TFDPA), The revised Financial Instruments and Exchange Act

Also revising laws to promote the use of AI e.g. the revised Road Traffic Act and Road Transport Vehicle Act

2. Hiroshima AI Process

- launched in May 2023
 - "Hiroshima AI Process Comprehensive Policy Framework", the first international framework-December 2023
 - guiding principles
 - a code of conduct
- aimed at promoting the safe, secure and trustworthy advanced AI systems

<https://www.soumu.go.jp/hiroshimaaiprocess/en/index.html>

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2. Hiroshima AI Process

Friends Group

- launched in May 2024
- a voluntary framework of countries supporting the spirit of the Hiroshima AI Process, toward globally promoting safe, secure, and trustworthy AI
- 56 countries (as of May 2025)

<https://www.soumu.go.jp/hiroshimaaiprocess/en/supporters.html>

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3. Innovation with Inclusion

	Action	Example
Within Organizations	Build diverse AI Development teams + Establish external boards (AI Governance Board, AI Ethics Board)	Gender balance, varied expertise
	Document and AI Policy and adopt and internal Code of Conduct	AI Policy, Code of Conduct
National Level	Take a multi-stakeholder approach (include civil society in expert committees)	Consumer protection organization included
	Design SME-and AI start-up- friendly regulations	Regulations that support SMEs/ AI start-ups
International Level	Promote continuous dialogues across countries and regions	Hiroshima Friends Group, GPAI (Global Partnership on Artificial Intelligence), United Nations

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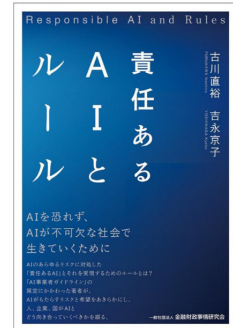
감사합니다! *Thank you!* ありがとうございます!

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Kyoko Yoshinaga**Recent related publications:**

<Books>

- Naohiro Furukawa and Kyoko Yoshinaga, "Responsible AI and Rules", KINZAI, May 2024 (in Japanese, Kindle available at amazon.co.jp)
- The U.S. Regulatory Framework on Profiling, *Legal Issues of AI Profiling: Personal Data Protection and Privacy in the Era of AI* (official title in Japanese), Shojihomu, November 2023.
- Co-author "3X - A Future That Will Be Shaped By Innovative Technologies and Community", DIAMOND, May 2021



<Journals>

- Editor and author, Commentary on the EU AI Act, Special Edition of NBL, Shojihomu, August 2025.
- "Overview of the EU AI Act (Part 9 – Final): Enforcement, Remedies, Obligations of General-Purpose AI Model Providers, Codes of Conduct and Guidelines, Delegated Powers and Committee Procedures, Penalties (Articles 74–113)," Shojihomu NBL No. 1278 (15 November, 2024)
- "Overview of the EU AI Act (Part 8): Innovation Facilitation, Governance, Database for High-Risk AI, Post-Market Monitoring and Serious Incident Reporting (Articles 57–73)," Shojihomu NBL No. 1277 (1 November, 2024)
- "Overview of the EU AI Act (Part 6): Standards for High-Risk AI, Conformity Assessment, Certification and Registration (Articles 40–49), Transparency Obligations for Certain AI Providers and Deployers (Article 50)," Shojihomu NBL No. 1275 (1 October, 2024)

Kyoko Yoshinaga**Recent related publications:**

<Journals (continued)>

- "The EU AI Act and Perspectives on Regulating Emerging Technologies" [Special Issue: Science, Technology, and Societal Challenges], Mita Hyoron, 5 August, 2024: https://www.mita-hyoron.keio.ac.jp/features/2024/08-4_2.html
- "The Use of Generative AI in Education: An Overview of Initiatives at U.S. Law Schools and Reflections on Its Application in Legal Education" [Special Feature: Legal Challenges and Practice of Generative AI], Yuhikaku ONLINE, 29 January, 2024: <https://yuhikaku.com/articles/-/18714>
- Jason D. Schloetzer, Kyoko Yoshinaga, *Algorithmic Hiring Systems: Implications and Recommendations for Organisations and Policymakers*, YSEC Yearbook of Socio-Economic Constitutions 2023- Law and the Governance of Artificial Intelligence, Springer, 2024: https://link.springer.com/chapter/10.1007/16495_2023_61
- "The Need for Social Dialogue Not To Lose "Humanity" By Technology", 13th Human, Phronesis 22, DIAMOND, April 2020: https://www.mri.co.jp/knowledge/magazine/phronesis_022.html, <https://www.diamond.co.jp/book/9784478109885.html>

<Webinar>

"AI Governance Series" co-hosted by the Yale ISP and Georgetown Institute for Technology Law & Policy

<https://www.law.georgetown.edu/tech-institute/initiatives/ai-governance-series/>