Spam - Sharing The Singapore Experience

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Spam Situation in Singapore
Spam Situation in Singapore


• IDA commissioned a survey on unsolicited e-mails in Oct 2003 involving 1,005 e-mail users from 1,549 households

• Almost all e-mail users have received spam (94%) with spam accounted for almost 1 out of every 3 e-mails received

• Productivity loss due to handling spam by e-mail users in Singapore is estimated at S$23 million per year

• Time spent on handling spam accounts for 17% of all time spent on e-mails (6.6 mins per day for each spam recipient)

• On average, spam from overseas-based companies formed about 77% of the total spam received

25 May 2004 – Multi-pronged Spam Control Approach announced

- Legislation
- Industry Self-Regulation
- Public Education
- International Co-operation
Multi-pronged approach

International co-operation

Legislative framework

Marketer

Marketer’s ISP

Anti-spam guidelines

End user’s ISP

End user

Public education

Spam Situation in Singapore

- Public Consultation on the Legislative Framework for Spam Control
  - Ended on 26 July 2004
  - 60 responses from the public
  - Respondents include ISPs, consumer protection groups, individuals, academics…etc
  - Almost all in favour of legislation to control spam
  - A variety of views on the details
    - e.g. Bulk vs non-Bulk, amount of damages, guidelines for ‘legitimate spam’…etc (details in a later slide)
Elements of Spam Control Legislation

Balance is the Key Element

• Main Purpose of Legislation is to curb indiscriminate form of email spam
  • E.g. spammers who sent out millions of emails harvested from the Internet
• A balance approach is needed to take into consideration both the interests of consumers and email marketers
  • Businesses should not be deprived of using emails to reach out to their customers
  • Consumers should be able to choose between receiving or not receiving spam
• Email users should understand that legislation is not the ‘silver bullet’ to end all spam
  • Normal precautionary measures used in the handling of emails and spam control technology should also be adopted
Hybrid Approach

- **Opt-In for**
  - Sending of emails using dictionary attacks or use of email address harvesting software

- **Opt-Out for**
  - Sending of other unsolicited commercial emails that comply with a set of stated rules including
    - ADV label
    - Unsubscribe facility
    - Correct subject title
    - ...others

Something For Everyone

- **For consumers and businesses**
  - Increases transparency & accountability of e-mail marketing on what is permitted / not permitted
  - Empowers consumers & businesses who receive spam to decide how to deal with unsolicited commercial e-mail

- **For ISPs**
  - Gives ISPs (and indirectly, their subscribers) a right of legal recourse against spammers who spam indiscriminately

- **For marketers**
  - Will not stifle legitimate online marketing and e-commerce
  - Creates a level playing field for legitimate marketers
... by increasing transparency, accountability & ...

- Merchant
- Who engages
- Spammer
- Who sends
- Use of automated spamming tools
- Spam
- Non-functioning unsubscribe mechanism
- Misleading subject title
- No <ADV> label
- ISP
- To
- Right of recourse
- Legal protection to act against spammers
- ISP subscriber

... empowering the user

- Merchant
- Engages
- Spammer
- Sends
- Unlawful spam
- ISP
- To
- Right of recourse
- ISP consumer
- Filter all emails with ADV labels
- Business
- Represented by
Tricky Issues Include

- Bulk versus non-Bulk
  - Should bulk requirement be imposed? If not, would personal unsolicited commercial emails e.g. emails among friends be affected? If so, what should be the bulk requirement?

- Statutory Damages?
  - Should a pre-established range of damages be imposed as proving of damages for spam related incidents is difficult?

- Guidelines?
  - What kind of guidelines to impose on legitimate email marketers so that they can still communicate with their customers?

- Exceptions?
  - Should there be any exceptions, perhaps for the Government?

Industry Self-Regulation
Industry Self-Regulation

Efforts by ISPs

Major Internet Service Providers (ISPs), under the facilitation of IDA, have come together to set up anti-spam guidelines. These guidelines serve as guiding principles to be adopted jointly by the ISPs to help reduce e-mail spam for their subscribers.

Efforts by DMAS (Direct Marketing Association of Singapore)

The DMAS has launched an E-mail Marketing Code of Practice for its members. It will also be setting up a Consumer Communications Preference Programme to be launched before the end of this year that will allow e-mail users to register their preference not to receive unsolicited commercial e-mail.

Public Education
Public Education

➤ 42% of e-mail users in Singapore are unaware of how they can protect their e-mails against spam

➤ National Anti-Spam Website (www.antispam.org.sg)
➤ IDA Anti-spam Awareness Drive
➤ SiTF Anti-spam Initiative
➤ Public Education Efforts by CASE and SBF

International Cooperation
What Could We All Do?

- Spammers would relocate to territories without spam control regime
  - Crucial for countries to implement regime, either in the form of legislation or industry self-regulation
- Spam is a relatively ‘new’ issue for legislative control
  - Legal framework needs time to evolve, cases have to be tested in court to highlight any inadequacies in the legislation
- Sharing of information & approaches
  - Information sharing among countries to shorten the learning curve in implementing spam control regime

Conclusion and Summary

➤ No silver bullet for spam
➤ Multi-prong approach is needed
  ➤ Legislation
  ➤ Public education
  ➤ Industry-self regulation
  ➤ International cooperation