

RECORD OF OUTCOMES OF THE G-REX VIRTUAL CONFERENCE ON SPAM ORGANISED BY THE ITU HELD ON 30 MARCH 2004

At the opening the Chairman Dr Bob Horton, (Acting Chairman of the Australian Communications Authority) thanked all participants for their participation in the G-REX Virtual Conference on regulatory Cooperation on SPAM. The agenda and list of participants are attached.

The following is a summary of discussions and outcomes of the conference.

Points Raised in Discussion

- Spam is a serious global problem that requires a global solution. It could affect global broadband take-up unless security issues like spam are fixed. Spam is also often a vehicle for fraud, computer viruses and other offences.
- Need to ensure regulators are talking to the right people in each country (the survey shortly to be conducted by the ITU-D will assist in this respect).
- Some countries are not currently in a position to cooperate other than sharing ideas and knowledge on practices.
- Countries with developed spam practices and/or legislation can assist countries that are yet to enact anti spam laws by sharing examples of practices.

Cooperative actions that regulators can take may include:

- Establishment of working links amongst regulators;
- Sharing technical expertise, commercial intelligence, educational strategies and material;
- For joint enforcement, use of existing and cooperative international fora such as the ITU, OECD, ICPEN and regional fora like the EU and APEC;
- Support for technical enforcement partnerships;
- Enforcement and regulatory policy co-development; and
- Comparison and promotion of publicity messages.

An example of a memorandum of understanding (MoU) between Australia and Korea was provided, which provides for:

- Exchange of skills, knowledge and information about known sources of spam and;
- Conduct of joint anti-spam operations to the extent of local legislative provisions.

Development toward multi-lateral frameworks for international cooperation (whether called a MoU or something else) could include:

- Designated representatives and channels
- Exchange of information about policies and strategies
- Improvement of cross-border law enforcement
- Exchange of delegations and visits
- Encouragement of global industry collaboration
- Encouragement of international cooperation

There seem to be two levels at which international cooperation is required:

1. A high level and broad reaching encouragement of all of the world's regulators to recognise spam as a serious problem; and provide for sharing skills, knowledge and experience. This could be addressed through ITU possibly as a first non binding step (in the same vein as Recommendations produced by the T and R Sectors of the ITU).
2. Once legislation is established, an arrangement for joint enforcement action against individual spammers, stronger interactions between regulators in countries with national spam laws and the resources to enforce them. This could be developed through a more focussed forum such as ICPEN.

Next steps

As a group – development of an agenda for the ITU WSIS Thematic Meeting on Countering Spam (7-9am July 2004) which will involve as many as possible of the 189 ITU member states. Some suggestions for the agenda:

Day one: Discussion of what's happening globally in terms of the problems, practices and approaches taken.

Day two: Discussion of principles which may underpin future cooperative action;

Day three: Development of a template (such as a multi-lateral MOU, or multi-lateral framework) for such co-operative action.

Outcomes

In light of the varying positions of countries in terms of their approach and readiness to counter spam there are two potential streams of activity which could be pursued:

1. An exchange of ideas and information on approaches to spam and encouraging all the world's regulators to act against spam; and
2. Cooperation on enforcement, where spam laws and resources exist.

The first stream will be well serviced by the exchange of ideas and practices planned to kick off the ITU WSIS Thematic Meeting on Countering Spam.

In relation to a second stream, there already exists a group of working-level officials from six countries who are pursuing options of closer co-operative action which may involve the drafting of a multilateral framework for cooperation to be signed by the end of December 2004. Participants are welcome to join this group.

Dr Bob Horton
Acting Chairman
Australian Communications Authority