

ITU Workshop  
The Evolving Regulatory Environment for Future Mobile  
Multimedia Services

GSM Association  
Mobile Spam

Mainz  
22<sup>nd</sup> June 2006

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# The GSM Association



213 countries, 690 operators, 180 key partners

# Mobile Spam

- Unsolicited communications sent via SMS or MMS
  - Advertising a commercial service or product
  - Encouraging a premium rate response (typically fraudulent)

# Mobile Spam

- Mobile spam may exploit or annoy customers
- But has NOT been an issue compared to internet email spam
- Mobile environment is inherently resistant to spam

# Operator Measures

- Economic measures
    - ‘Calling party pays’
    - Withholding fraudulent premium service payments
    - Revised roaming agreements
  - Customer tools
    - Spam reporting facilities
    - Unsubscribe mechanisms
  - Technical initiatives
    - Network filtering
    - Traffic analysis
- } *where laws allow*

# National Measures

- Most countries have national laws relevant to unsolicited SMS and MMS
- Operators have procedures for identifying and dealing with fraudulent messaging

# However...

- Spam sent across networks, or internationally, is harder to combat
- There is disparity in national legal environments
- Consumer irritation has the potential to undermine new services

## GSMA objective:

### *Coordinated approach to mobile spam*

- Ensure customers receive minimal amounts of spam
- Provide a common basis for operators to work together and share best practice
- Protect the secure and trusted environment of mobile services

**Goal:** Global Code of Practice

**Progress:** Endorsed by GSMA Board, launched Feb 2006

# The Code of Practice

- Voluntary
- Covers unsolicited SMS and MMS communications
- Designed to be complementary to local initiatives and national legislation

# The Code applies to:

- Commercial messages sent to customers:
  - without their consent
  - encouraging them directly or indirectly to call or send message to premium rate number
- Bulk unlawful or fraudulent messages sent to customers
  - e.g. faking, spoofing, scam messages

# Key Commitments

1. Include anti-spam conditions in contracts with third party suppliers
  - Commitments not to send spam, to provide customers with opt-out of further communications, and penalties for breach
2. Provide a consent mechanism for customers with respect to operators own mobile marketing communications
  - Clear and transparent consent processes; records of consent; and obvious, clear and efficient opt-out of further communications
3. Work co-operatively with other mobile operators to fight spam
  - Nationally and internationally

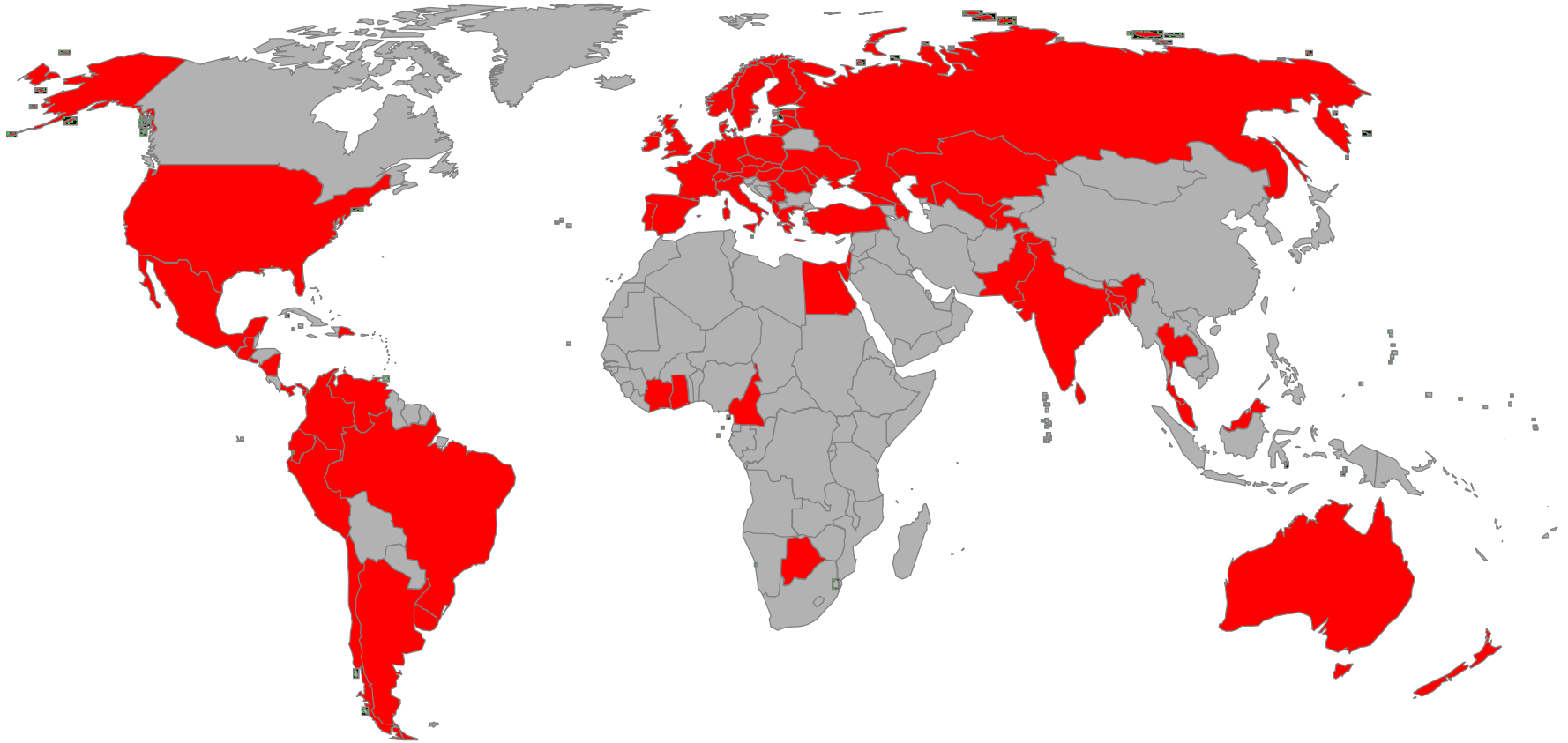
# Key Commitments

4. Provide customers with information and resources to help them minimise the level and impact of spam
  - Information and advice (through customer services, print and website)
  - Spam reporting facilities
  
5. Undertake other anti-spam activities
  - Anti-spam policy and procedures
  - Investigation of complaints
  - Adoption of GSMA recommended techniques
  - Monitoring traffic for signs of spam (where allowed)
  
6. Encourage governments and regulators to support industry

# GSMA Commitments

1. Monitor the adoption, implementation and need for further action
2. Invite signatories to provide information on effectiveness
3. Assist in resolving inter-network issues and cases of persistent illegal or fraudulent activity related to mobile spam

# Coverage to date



> 60 countries, >500m subscribers

Confidential

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# Next Steps

- Encourage operator sign-up
- Examine issues associated with other types of spam
- Encourage governments and regulators to support industry in its efforts

# Governments and Regulators

- Support industry self-regulation mechanisms
- Support the development of responsible mobile marketing and premium rate industries
  - Codes of practice that promote effective consent principles, transparency and clear pricing
- Review national legislation that may inhibit anti-spam activities, for example
  - Permit the use of network level filtering to identify and prevent mobile spam reaching customers.
  - Address data protection / privacy law or premium rate payment issues that may hamper mobile operators' ability to investigate mobile spam abuses.
- Consider steps that prevent spammers from profiting financially
  - Allow operators to withhold payments to suspected mobile spam destinations, pending investigation of their spam activities by the relevant public authorities



Thank you

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