

**ITU WSIS Thematic Meeting on Countering Spam
Geneva, 7-9 July 2004**

Chairperson's Opening Remarks 0945-1000, Wednesday 7 July 2004:

Thank you Mr Utsumi. As Chairperson of this symposium I would also like to welcome and thank you all for attending this symposium on countering spam. The symposium is regarded as a "Thematic" meeting associated with the WSIS process. The particular theme is the protection and preservation of the important global resource that we have in the internet – a resource that is critical to both the developed world as a business and social tool and the developing world as a passport to equitable participation, economic, social and educational development.

Spam is a serious problem for the internet today and it's clear that a global, coordinated approach is needed. Every regulator and industry organisation of every country can make a contribution to the fight against spam. Most of us here today are mostly recipients of spam that originated outside our jurisdictions. I ask that you each look at the delegates of other organisations beside you and know that they are glad you are here today. Of course we're all pleased to have such a good attendance here today as an indication of your commitment to combat spam globally and are grateful for the efforts of the ITU for arranging this timely and urgent symposium.

This symposium could not have been better scheduled at a better time, as we are increasingly seeing spamming technology being used for criminal purposes, for hacking into computers for the purposes of theft and other crimes. Spam has become a transport system for malevolent payloads and containing spam is a key to containing these other blights on our society. It is critical that organisations with responsibility make an urgent concerted effort on the issue of spam and appreciate the international and national aspects of approach.

I trust that this meeting will assist all countries to embrace not only a strong national approach to spam, but also a clear international component to their anti-spam responses.

We should consider the objectives for this meeting. I would suggest that this meeting should aim for an:

- Appreciation of the need for anti spam measures that could include new legislation;
- Establishment of a loose network of information resources for legislators and practitioners considering spam legislation; and
- Development of a checklist or set of principles to assist new efforts in anti spam efforts.

The first step is to identify and use, or create laws to prohibit spam in one's own country. Its not that the law changes things of themselves but the existence of anti spam laws makes complementary anti spam actions defensible and useful. The other reality is that no one will be able to stop spam by themselves. However, each set of laws should be seen as part of a web of anti-spam laws stretching across the globe.

The existence and enforcement of a wide set of anti-spam laws will trap spammers, making it harder for them to move their operations to safe havens. Furthermore, once enough laws are in place, it is likely that the remaining safe havens will find themselves under pressure from their own business community to follow suit – as internet service providers and companies in their trading partners choose to blacklist them.

If a web of laws is to be passed, then it is obviously useful if they have access to the common experiences of peers so that they can be as effective and workable as possible. One of the aims of

this symposium is to share information about what existing anti-spam laws look like; summary details of such laws, contact points and possible additional resources from or needs of anti spam regulator organisations including feedback from organisations enforcing such laws. Such research is already under way in the ITU and the ITU will be able, with your assistance to complete and then compile this resource for emerging anti spam regulation.

Once laws are in place, cooperation in enforcement becomes important. Major spamming operations are often multinational in nature, so international cooperation among regulators is needed.

The types of actions that the regulators of countries can take include:

- Establishing and maintaining working level links with other peer national regulators to share information about spam originating from each others' jurisdictions and to receive and act (if necessary), jointly on information about spam; and
- Sharing technical expertise and commercial intelligence about spam and spammers, as well as knowledge about strategies for dealing with spam;
- Sharing educational and publicity material and strategies.

In my country Australia we have found that legislation is a necessary beginning, but it is only one part of the solution. A five layered approach has been established and is offered to organisations here today and to other peer bodies. These layers are:

1. Strong legislation
2. Technological measures
3. Industry partnerships, especially with Internet Service Providers, mobile carriers and marketers
4. Education of consumer s E-marketers, ISPs and business end-users about anti spam measures and good Internet security practices
5. International cooperation.

Many of these measures will not be taken by regulators, but by the Internet industry, the mobile industry, business, consumers and anti-spam groups.

Therefore, in addition to concerted action by regulator organisations, there is a need for international cooperation at the levels of industry, consumer, business and anti-spam groups. This cooperation may be able to be assisted and facilitated by national regulator organisations.

This symposium will give ample opportunity for discussion of what is happening globally in terms of the problems, practices and approaches taken. Importantly, the meeting will also develop initial principles which may assist or even underpin anti spam action. Also, contact with organisations from nations that have anti spam laws, should assist organisations from nations yet to, or currently considering, such actions.

The structure of the symposium is as follows:

For today, Sessions One and Two will be chaired by Mr Robert Shaw an Internet and Policy advisor from the ITU's Strategy and Policy Unit. This session will provide valuable background material on the scope of the global spam problem and I trust show that we should focus on spam as a danger to responsible commerce and social interaction. Session Three this afternoon will focus on the technical solutions currently available to curb spam. This session will be chaired by Mr Suresh Ramasubramanian who is the coordinator of the Asia Pacific Coalition Against Unsolicited Commercial Email (APCAUCE) and Manager of Anti-spam operations of Outblaze Ltd, a global messaging service provider based in Hong Kong. The last session today will focus on consumer education and awareness issues and will be chaired by Ms Vivienne Peters who is

an Executive Committee member of the International Telecommunications User Group (INTUG) the headquarters of which are based in Belgium.

Tomorrow, Sessions Five and Six will deal with spam legislation and enforcement, recognising that spam is a cross border issue. Session Five will be chaired by Mr Phillipe Gerard from the Information Society Directorate General of the European Commission, and Session Six by Mr John Palfrey, the Executive Director of the Berkman Center for Internet and Society from the Harvard Law School in the United States of America. Session Seven will focus on current and planned international activities in relation to multi-lateral and bi-lateral cooperation. This session will be chaired by Mr Wonki Min, the Director of the International Policy Division of the Ministry of Information and Communication in the Republic of Korea. The last session of the day will comprise of a panel discussion on multilateral and bilateral cooperation which I will chair.

On the final day of the symposium, Mr Jean-Jaques Sahel the newly appointed Head of International Communications Policy from the Department of Trade and Industry from the United Kingdom will chair a session in which the previous session chairs will participate. This session will involve discussion of the possible practical initiatives and principles for cooperative action which can address the problem of spam in a comprehensive and coordinated manner. The outcome of this session will be a report which will be circulated for discussion prior to the end of symposium. Depending on the outcomes of the symposium, it is envisaged that the report is likely to include a set of principles which can be taken back to each participant's member countries for consideration of how each member state may contribute to national measures and international cooperation in combating spam. This set of principles is a precursor to work that the OECD is about to embark on to produce a more definitive policy toolkit on legislative approaches to spam and work being contemplated within ICPEN on practical measures and training for anti spam practitioners.

Of course, the discussion of international cooperation on combating spam, should not cease at the end of the symposium but rather based on the agreed principles and contacts made at this symposium, should translate into effective cross border relationships focussed on curbing spam.

So there are intersecting efforts that should mutually reinforce each other. Amongst these the ITU has a unique characteristic of the reach of its membership and the equitable concern for the diverse membership it has. These characteristics of the ITU potentially give it a useful role in say

- Hosting a register of capabilities, needs and interests as a resource for organisations in both developed and less developed member countries
- Assisting a broadly based Memorandum of Understanding (or other arrangement) for cooperative action and support to sustain and protect our international dependence and investment in the Information Age and as a key element of WSIS concerns.

We could give ourselves a target of 2 years to bring spam under satisfactory control. The world can't wait any longer than that – and we would be thanked for the initiative.

The symposium will give participants an opportunity to hear from a wide range of speakers from regulatory organisations, industry and spam interest groups. There will be ample time after each session to ask questions of each of the speakers. There will also be breaks in the morning and afternoon and for lunch which will provide an opportunity to discuss issues further with each of the speakers and to establish useful working links with other organisations.