SPAM - Sharing The Singapore Experience

Presented by Suryahti Abdul Latiff
Manager, International

Infocomm Development Authority of Singapore

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1/ SPAM Situation in Singapore

SPAM Situation in Singapore

The Facts: IDA Survey on Unsolicited E-mails (2003)

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

- Spam accounted for 1 out of 3 email received
  - 77% of the total spam comes from overseas

- Estimated productivity loss due to spam is at S$23 million per year

- Spam accounts for 17% of time spent on emails
  - 6.6 mins per day for each spam recipient

- Awareness of anti-spam solution is high (74%) but only a third (36%) of the users actually use them

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SPAM Situation in Singapore

- **High Media Interest in Spam**
- **Spam has made front page news on all major local dailies**
  - The Business Times, The Straits Times, The Computer Times, Lianhe Zaobao (Chinese Language Press) & Berita Harian (Malay Language Press)
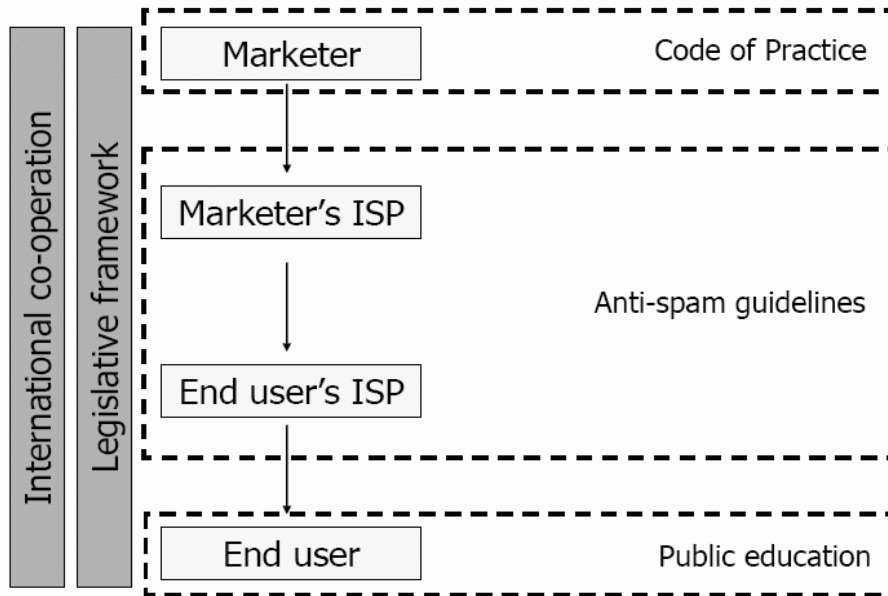- **More than 80 spam-related articles between the 5 months from May 04 to Sep 04**

SPAM Situation in Singapore

- **25 May 2004 – Multi-pronged Spam Control Approach announced**
- **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)

Multi-pronged SPAM Control Approach

- Legislation
- Industry Self-Regulation
- Public Education
- International Co-operation

Multi-pronged approach

International co-operation	**Legislative framework**	Marketer	Code of Practice
		Marketer's ISP	
		End user's ISP	Anti-spam guidelines
		End user	Public education

www.ida.gov.sg

2/ 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**
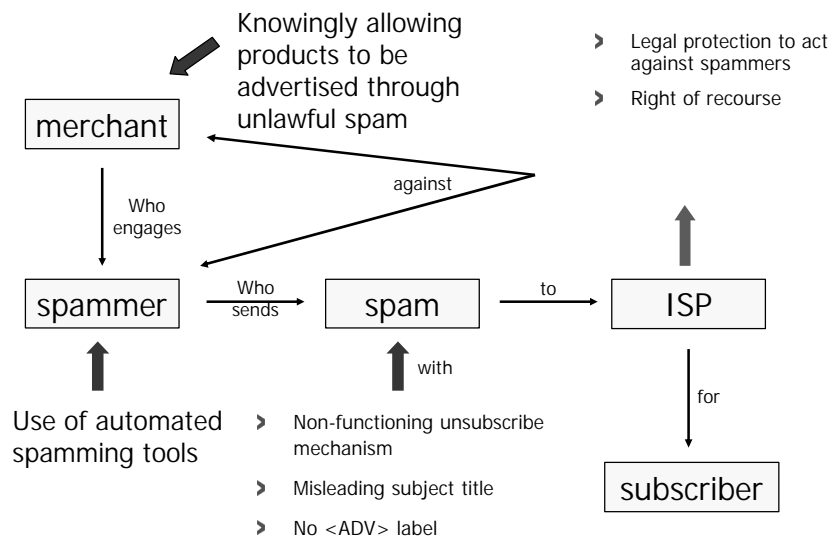
Hybrid Approach

- **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
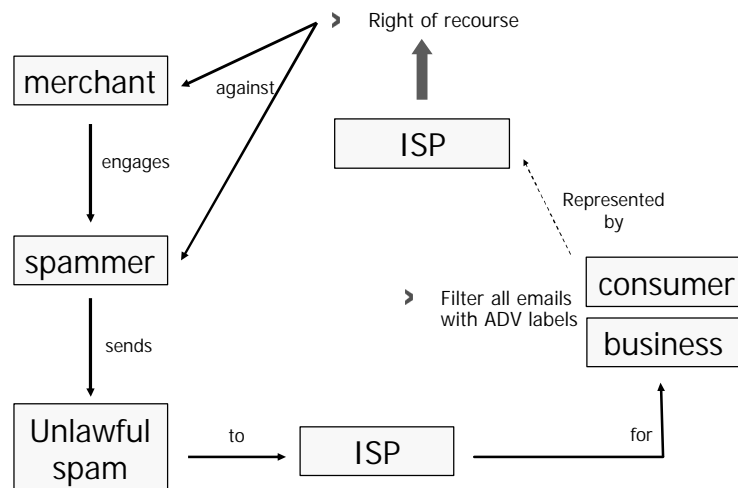   - Correct subject title
        - …others

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 & …

Knowingly allowing products to be advertised through unlawful spam

> Legal protection to act against spammers
> Right of recourse

merchant

against

Who engages

spammer → Who sends → spam → to → ISP

for

Use of automated spamming tools

with

> Non-functioning unsubscribe mechanism
> Misleading subject title
> No <ADV> label

subscriber

… empowering the user

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?

3/ 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 three ISPs to help reduce e-mail spam for their subscribers. (www.antispam.org.sg/joint-statement.html)

> 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. (www.antispam.org.sg/dmas-guideline.html)

4/ Public Education

Public Education

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

> Singapore Anti-Spam Resource Centre (www.antispam.org.sg)

> IDA Anti-spam Awareness Drive – part of larger public education on cybersecurity

> SiTF Anti-spam Initiative – held an Anti-Spam Forum in 2004

> Public Education Efforts by Consumer Association of Singapore (CASE) and Singapore Business Federation (SBF)

Public Education

5/ 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

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Antispam in Singapore

- Infocomm Development Authority of Singapore
- Attorney-General's Chambers
- 3 major ISPs
    - Pacific Internet
    - SingNet
    - StarHub Internet
- Consumer Association of Singapore
- Singapore infocomm Technology Federation
- Singapore Business Federation
- Direct Marketing Association of Singapore

United against SPAM

Committed to can spam: (from left) Ms Cheryl Kong, deputy division director of Singapore Business Federation, Mr Saw Ken Wye, chairman of Singapore infocomm Technology Federation, Ms Lisa Watson, chairman of Direct Marketing Association of Singapore, Mr Charles Lim, principal senior state counsel, AGC, Mr Leong Keng Thai, deputy chief executive of IDA, Mr Seah Seng Choon, executive director, Consumers Association of Singapore, Mr Walter Lee, Wireless Broadband/IP VAS, StarHub Interactive, Ms Ooi Lay Yong, chief executive officer of SingNet, and Ms Marian Phuah, vice-president of Consumer Lifestyle Group, Pacific Internet.
Source: Singapore Press Holdings - Computer Times

Conclusion and Summary

> No silver bullet for spam

> Multi-prong approach is needed
> > Legislation
> > Public education
> > Industry-self regulation
> > International cooperation

Thank You

(www.ida.gov.sg)