International Anti-Spam Co-operation

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Enforcement cooperation

- Build domestic enforcement capacity
- Look for common ground
- Coordinate between agencies with different functions differen functions
- Maximize benefits in case selection
- Information sharing

Enforcement Cooperation Boundaries

- Definitional differences

- Procedural differences esp Evidence

- Timeliness and Jurisdictional reach

- Innovative responses – legal thrust and parry

- Associated bureaucracy / legal technicalities

- Key value

  - Local platform for international outreach

  - Containment of the obliging and accessible

  - Sanction for other action

Some Themes about Co-operation

- Early cooperative action is better than later
- Any arrangement must bridge different legal and national approaches
- A general arrangement can be later expanded across all parties or some of them
- An acceptable established arrangement that has a body of experience behind it would be quicker and easier than to construct new ones.

Practicalities of International cooperation

- Much can be achieved with simple arrangements
- Non-binding arrangements are easier and more flexible than formally binding ones
- Information-sharing arrangements present fewer hurdles to establishment than enforcement-cooperation arrangements
- Inter-agency / working-level arrangements are easier than inter-governmental arrangements
- Effectiveness of arrangements best complemented by voluntary a informal Internet operations & practices
- Need not have legislation in place - cooperation would assist a developing anti spam program

Layers of International Action

- ## Anti-Spam Regulator

  Set and facilitate cooperation agenda, Link national and international enforcement, cooperate with peer / overseas bodies, share intelligence, insights and information

- ## ISP Associations

  Encourage / facilitate ISP interaction

- ## ISPs

  Good practice end user contracts
  Self regulation and policing
  Internet security and clean mail

- ## CERTs

  Centres of trust on network / operational issues

- ## Consumers

  Lodge complaints and spam emails with spam agency
  Support national intelligence gathering,
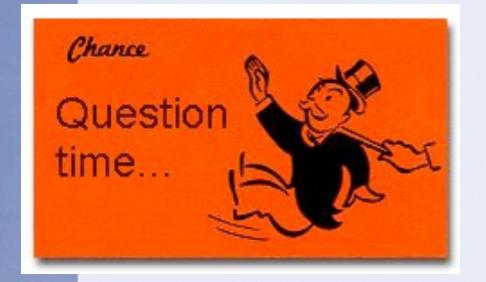 Keep computers secure

Next tests of success

- Will we be able to find spammers?
- Will we be able to *reach* them?
  - International co-operation is crucial – until now we have focussed on our own backyard
- Will it make a difference?
  - Multi-layered approach to cooperation is needed
  - Enforcement cooperation is one important element
  - Key driver of all forms is the anti spam regulator

It's just one part of the jigsaw

- International cooperation is crucial but needs local action.

- It must be seen as operating at several levels

- Anti spam laws must envisage international cooperation

- However, Spam will be on the menu for a while yet.

Further Reading

ACA webpage on spam

http://spam.aca.gov.au