

## SPAM MUST BE BANNED BECAUSE...

- Consumer confidence in e-commerce must be protected.
- *E-Commerce is booming in Germany - where a ban on junk e-mail is already in place.*
- Legitimate “opt-in” direct marketers suffer from the negative image created by “spamming”.
- *It is quite common for Internet users to have a “rubbish” account, whose address is used just for online activities which could result in junk mail. Such activity makes junk e-mail an even more pointless activity.*
- Unsolicited e-mail involves the carrier and consumer paying for marketing by companies with whom they have no business relationship—this would be unthinkable in the offline world, it must be banned in the online world!

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### Targeted Direct Marketing?

*“This year, an estimated  
65.6 million pieces of  
junk mail will be sent  
to dead people in  
Britain.”*

*Financial Times, 28th  
August 2000*

Spam News



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## HUGE SUPPORT FOR BAN ON JUNK E-MAIL

**Consumers’ organisations and Internet Service Providers have expressed strong support for the European Commission’s proposal to ban unsolicited e-mail as part of the review of the Telecommunications Data Protection Directive.**

The European Internet Service Providers’ Association said that “*it is completely unacceptable that advertisers should be allowed to invite themselves to use our networks and consumers’ telephone bills to send marketing e-mails, abusing the personal data of European consumers in the process. It is excellent to see Europe taking the lead on this important issue*”.

Relief has also been expressed by mobile phone users, after reports from the UK that “spammers” have already started sending junk “SMS” (text) and WAP e-mail— which causes even more cost and inconvenience than existing junk e-mail.

A ban on unsolicited e-mail will not have any effect on e-commerce for a variety of reasons. For example,

1. the reputation of unsolicited e-mail is so bad that virtually no reputable companies are involved in sending it.
2. The Internet offers a wide range of other direct marketing opportunities including targeted marketing on search pages, advertising embedded in e-mail newsletters and opt-in mailing lists.

**DID YOU KNOW?**  
Spam is already banned  
in Germany?

## ***Why your Voters want a ban on SPAM!***

### CONSUMERS AND SPAM

The sending trafficking and abuse of personal e-mail addresses damages consumer confidence.

**The Parliament supported an amendment to the E-Commerce Directive saying Spam should not cost money to the consumer. It is time to support this principle.**

Spam shifts the cost of advertising from the advertiser to the consumer and Internet Providers.

**The vast majority of unsolicited e-mail is untargeted and often pornographic.**

Opt-in gives consumers control over who can send them e-mail, thereby increasing the likelihood of their opening the commercial e-mails they receive from legitimate opt-in sources.

**Over 35,000 European consumers have signed a petition calling for a ban on unsolicited commercial e-mail.**

Spam is expensive. It costs both time and money to download and delete.

#### **Current Spam confusion**

Recital 15 of the E-Commerce Directive says that ALL interception of e-mail should be prohibited by Member States while Recital 30 of the same Directive says that ISPs should be “encouraged” to intercept unsolicited e-mail using filters.

### SPAM IN THE WORKPLACE

It is estimated that, in the UK alone, the costs to business of unsolicited communications is £5,000,000,000 per year (source: Novell).

**Spam can cause e-mailboxes to become full, resulting in the loss of legitimate e-mail.**

Almost no reputable companies are involved in sending unsolicited e-mail. The only effect of a ban will be to enable European data protection laws to be enforced for e-mail addresses.

**The lack of a regulatory answer to Spam damages the reputation of the direct marketing industry as a whole.**

“The ‘free’ distribution of unwelcome or misleading messages to thousands of people is an annoying and sometimes destructive use of the Internet’s unprecedented efficiency” – Bill Gates.

#### **DID YOU KNOW?**

[Spam is already banned in Denmark and Austria.](#)

## **Interview with Jean-Christophe Le Toquin, President of EuroISPA European Internet Service Providers’ Association**

### **Spam News: Why are ISPs so opposed to junk e-mail?**

ISPs are opposed to junk e-mail because it is a practice where there are no winners, only losers. The Direct Marketing industry loses because the abuse of personal data inherent in junk e-mail damages the reputation of direct marketing of all sorts, ISPs lose because it costs time and money in terms of bandwidth and technical problems with mail servers, and customers lose due to the time and cost involved in deleting junk e-mail.

### **Spam News: But don’t some people argue that unsolicited e-mail is good for e-commerce?**

Spam involves the wholesale abuse of personal data, thereby undermining the huge amount of work which has already gone into increasing consumer confidence in electronic commerce, as well as increasing cost for end users. It is completely untrue to say that this practice is good for e-commerce.

### **Spam News: Does filtering offer a solution?**

Filtering will never offer a complete solution. We must protect our customers’ privacy, which means that we cannot read their e-mails to find out which is Spam and which is not. Therefore, we must use automatic criteria which must not be too restrictive and thereby result in the filtering of valid e-mail. This consideration means that it is impossible to produce filtering technology which is 100% effective—as much as we would like to do this. Even then, it is ridiculous to have a situation where the marketer sends e-mail and the ISP then pays for the bandwidth to receive it before paying for the technology to delete it.

### **Spam News: Is a ban the only option?**

Data protection rules are unenforceable without a ban and filtering is only a partial solution. The only way to protect consumers is to ban Spam.