



FEDERATION OF EUROPEAN DIRECT MARKETING

SPAM and Self-Regulation – Panellist Contribution February 3, 2004

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Thanks for the invitation.

Our interest as marketers is very clear – Spam very seriously threatens consumer and (increasingly) business confidence in legitimate email marketing.

Let me be undiplomatic – Spam is a cancer which could kill legitimate interactive marketing in its infancy.

As we have seen there is no ‘silver bullet’, no precise surgery we can use to eradicate this pest. Effective control can only be achieved by a mixture of legislation, self-regulation, co-regulation, technical solutions – and the message I got from yesterday was that technical solutions were now a major weapon in our arsenal – there is also private prosecutions, firm law enforcement, including following the money, and of course education of both consumers and business. All these solutions working together will control this danger.

FEDMA developed, as Philippe mentioned, a co-regulatory code negotiated between the national data protection authorities, the Commission and ourselves last year. These rules are applicable to all those who use direct marketing, not only our own members.

The first code was media neutral. We are starting this year to prepare specific annexes on Spam and other issues.

This will help lay down rules for legitimate marketers and give additional help to the national data protection authorities across frontiers in Europe.

It will provide a discipline for marketers, not stop spammers, and it will need firm enforcement by authorities.

To conclude, we would like to join in an appeal to governments, law enforcement agencies, authorities, technical solution developers, industry and consumers to co-operate in putting in place the many solutions.

A word of warning – this will be a never-ending process: spammers will find ways round and new places to hide themselves. We have a concentration now, but we’ll need to keep this effort up indefinitely!

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