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# Anti-SPAM Guidelines

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The Supreme Council of Information & Communication Technology 'ictQATAR'

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## Definitions

- **Bulk Messages:** Electronic communication are regarded as Bulk if the same sender transmits:
  - More than 100 electronic messages contain the same or similar subject matter during 24-hours period;
  - More than 1,000 electronic messages containing the same or similar subject matter during a 30 day period; or
  - More than 10,000 electronic messages containing the same or similar subject-matter during a one year period.
  - With the exception of :
    - non-commercial, personal electronic messages that are circulated within small group of friends or acquaintances ;
    - Government or official mass communications.
- **Commercial Electronic Messages (CEM):** Electronic messages that are sent in individual or bulk format for legitimate commercial, advertisement purposes with the consent of the recipient
- **Critical Information Infrastructures:** a set of information technology and communications systems, services, and data assets, supporting Qatar's national Infrastructures.
- **DDOS Attack:** distributed denial-of-service attack (DDoS attack) is an attempt to make a computer or network resource unavailable to its intended users or function.
- **Electronic Communication:** Any communication of information by means of telecommunications.
- **Hosting Providers (Providers):** Commercial entities providing web hosting services for other businesses, entities or individuals.
- **Internet Service Provider (ISP):** a person that is licensed to provide one or more telecommunications services to the public or licensed to own, establish or operate a telecommunications network to provide telecommunications services to the public. This includes providers of information or content provided using a telecommunications network.

- **Personal Information:**
  - A. Any information about an individual whose identity is apparent or can reasonably be ascertained either from that information or from a combination of that and other information; and / or
  - B. Any information, including location data, that can reasonably be linked to a specific individual irrespective of whether or not the identity of the individual is apparent from that information or from a combination of that and other information.
- **Person:** A natural or a juridical person.
- **SPF:** Sender Policy Framework, is an industry framework for email validation, Sender Policy Framework is defined in IETF publication RFC 4408.
- **SBC:** Session Border Controllers are devices regularly deployed in Voice over Internet Protocol (VoIP) networks to exert control over the signalling deployed on the borders between two service provider networks in a peering environment.
- **Q-CERT:** Qatar Computer Emergency Response Team is a Government sponsored organization under the auspices of Supreme Council for Information and Communications Technology (ictQATAR).
- **Telecommunication:** The transmission, emission or reception of writing, signs, signals, images, sounds, data, text or information of any kind or nature by wire, radio, optical or other electromagnetic means of communications, or by any other telecommunications means.
- **Unsolicited Electronic Messages (UEM):** Bulk electronic messages that are sent indiscriminately. Without the request or implicit consent of the recipient(s), the content is often “advertisement” in nature. Also known as **SPAM**.

## 1 Legal Mandate

Articles (4) and (5) of Decree Law No. (36) of 2004 establishing ictQATAR acknowledges the Supreme Council of Information and Communication Technology as the highest competent authority in the affairs of communications and information technology has the authority and competence necessary for the discharge of such affairs and in particular the authority to regulate and to make policies for the two sectors of Communication and Information Technology in the state of Qatar.

## 2 Introduction

This document aims to provide *recommendations* on how **Unsolicited Electronic Messages (UEM)** and **Commercial Electronic Messages (CEM)** should be handled within the State of Qatar.

The aim of this document is to promote optimal use of electronic means and reduce the burden of **UEM** on both individuals and organizations within the State of Qatar. It also aims to reduce the burden to those affected by **UEM** generated from within the state of Qatar.

## 3 Scope and Application

This document specifies the types of **UEM** that are prohibited and the necessary conditions for sending **CEM**.

The document **SHOULD** apply to any person sending or causing to send **UEM** or **CEM** originating from within the State of Qatar. It also applies to **UEM** or **CEM** entering the State of Qatar. This document covers email and SMS and does not cover Fax, Instant Messaging, Internet Pop-Ups or Voice telemarketing.

#### 4 Prohibited Electronic Messages

4.1 A person should NOT deliberately send, or cause to be sent, UEM that contain:

- 4.1.1 Fraudulent or deceptive subject headers or content;
- 4.1.2 Content that is prohibited or contravenes with the legislations of the State of Qatar;
- 4.1.3 Content that contains any malicious executable code.

4.2 A person should NOT send, or causes to be sent electronic messages or use systems that may be used for the harvesting of electronic addresses, and hence facilitate the sending of UEM.

4.3 A person should NOT send, or cause to be sent, electronic messages utilizing systems or services for which they do not have authorization.

#### 5 Consent Requirements for Commercial Electronic Messages (CEM)

5.1 A person (the sender) should NOT send, or cause to be sent, CEM to an individual from whom explicit consent has not been obtained, unless the consent is inferred.

5.2 Inferred consent MAY be assumed where:

- 5.2.1 The sender has obtained details of the individual in the course of a relationship with that individual, for example, where there has been a sale or negotiations for the sale of a product or service to that individual, where the individual is a regular donor of a specific charity or where the individual is an active member of a not-for-profit organization.
- 5.2.2 The content of the CEM is related to the purpose for which the relationship exists.

5.3 Inferred consent should NOT be assumed from the mere fact that the relevant electronic address or mobile telephone number is available in the public domain.

5.4 A person who seeks explicit consent for sending, or causing to be sent CEM should, when requesting consent, set out clearly:

- 5.4.1 The purpose or purposes for which consent is being sought;
- 5.4.2 Information to allow identification of themselves and, where applicable, notice of their role as an agent for an organization.

## 6 Withdrawal of Consent

- 6.1** A person who has received CEM based on explicit or inferred consent MAY withdraw that consent by replying with / sending a notice to the effect that they no longer want to receive CEM from that sender. It's recommended that senders of these electronic messages ensure that:
- 6.1.1** Effect is given to a notice of withdrawal of consent without delay, and within five (5) business days after receiving the notice;
  - 6.1.2** They desist from sending any further CEM to that person; any further communication following the (5) days window mentioned in article 6.5.1 SHALL be considered as UEM;
  - 6.1.3** Following the (5) days window, and if sender failed to comply with articles (6.1.1 and 6.1.2) the recipient may report this UEM by forwarding the UEM Email to ([incidents@qcert.org](mailto:incidents@qcert.org)) or by forwarding the UEM SMS to the number 44933408.
- 6.2** For the purpose of article 6, the mechanism for withdrawal of consent MAY be under the control of the sender, a service provider or a similar third party SHALL be:
- 6.2.1** Functional, effective and not onerous, for example the recipient can simply reply with [Unsubscribe] in the email subject line or by sending [Stop] by SMS;
  - 6.2.2** Provided at no cost to the person withdrawing consent;
  - 6.2.3** In case of Withdrawing consent by SMS, normal SMS fees will apply;
  - 6.2.4** Available in Arabic and in English.

## 7 General Requirements for Commercial Electronic Messages (CEM)

- 7.1** Senders of CEM SHOULD ensure that where explicit or inferred consent, as defined in sections 5.2, 5.3, and 5.4 is present:
- 7.1.1** The CEM clearly and accurately identifies the individual or organization that authorized the sending of the message; including an email address and/or a telephone number by which the sender can be readily contacted.
  - 7.1.2** the CEM includes accurate information, which SHALL be valid for at least thirty (30) days after the message is sent, about how the recipient can readily contact the sending individual or organization;
  - 7.1.3** They inform recipients on how they can unsubscribe and withdraw consent from receiving CEM. The unsubscribe mechanism SHALL comply with the provisions outlined in articles 6.1 and 6.2;
  - 7.1.4** Where possible, within the subject field of the CEM, a label indicating that this is a CEM is applied. This label SHOULD be “[ADV]”;
  - 7.1.5** They are not prohibited as defined in section 4.1.

## 8 Related Rules and Regulations

- 8.1** IctQATAR MAY issue additional regulations, rules, orders or technical controls and guidelines related to this document, ensuring that consumers and service providers are protected from UEM.