

ETNO Expert Contribution commenting on draft ECC/REC/(05)09 – Customer Protection in case of misuse of international E.164 Resources

Executive Summary

The Expert Contribution contains ETNO comments on ECC draft Recommendation (05)09 on the customer protection in case of misuse of international E.164 resources.

Although ETNO welcomes any initiative to combat misuse of numbers, the Association has doubts concerning the effectiveness of the proposed Early Alert System (EAS). In elaborating possible measures, the technical and economical limitations of currently existing PSTN/ISDN networks should be borne in mind.

1. Introduction

The European Telecommunications Network Operators Association ETNO welcomes the opportunity to respond to the ECC recommendation on customer protection in case of misuse of international E.164 numbering resources. This misuse is also a major concern for the network operators, whose aim is to protect their customers, potentially affected by fraudulent behaviour.

ETNO is the recognised voice of the European Telecommunications network operators with over a decade of experience in shaping EU telecoms policy. The association represents 41 companies from 34 European countries. They account for an aggregate turnover of more than 210 billion Euros within Europe and employ more than one million people. The association is widely recognised for its expertise on various topics including technical and regulatory matters, but also issues such as network naming and addressing, environmental protection, sustainability and network security.

2. General comments

During the last few years, many activities have been launched to address the issue of numbering misuse. This has been carried out in different bodies, at several levels:

- in the ITU on an international level,
- by individual regulators and operators at national level and at the level of their respective European bodies, such as ECC and ETNO.

This recommendation formulates an initiative on a European level and therefore is most welcome. ETNO has studied the draft recommendation and would like to share some concerns with ECC:

- ETNO believes that the scope of the problem is wider than that covered by the draft recommendation, which restricts the problem only to international number resources misuse. Fraudulent misuse applies also to National Premium Rate numbers that can also be used for (other forms of) misuse.
- ETNO has doubts on the effectiveness of the Early Alert System. The set of procedures for EAS does not seem to align with the dynamics of the problem of number misuse. This will be analysed more extensively in the next sections.

3. Comments on the main text

ETNO feels that the recommendation would become more effective if the following points were taken into account:

- The proposed EAS procedures appear to be time-consuming and will thus not result in early alerting.
- Fraudulent destinations can be specific for a Member State due to cultural, linguistic or ethnical background. This may result in dissimilar behaviour of customers visiting websites. Different websites can provide different auto-diallers – who make use of different numbers. For instance the Cook-Islands can form a real problem in country A whereas it is not in use as a destination for auto-dialler calls from country B. This could mean that in some cases no supporting Member State(s) can be found although a problem with a given destination exists. This could equally be the result of existing differences in routing arrangements and commercial agreements between operators.
- Most effective fraud prevention and protection would be achieved if the pan-European EAS was used complementary to national EAS-es.
- In most countries where blacklists exist, they appear to be publicly accessible. Therefore it would be logical to have the EAS blacklist publicly available as well.
- Noting the existence of the work within the ITU, it is not clear how, if at all, the EAS would co-exist with the E.156 “Procedures to Determine ITU action on reported misuse of E.164 Number Resources”, scheduled for approval at the ITU-T SG2 meeting in May 2006.

4. Comments in relation to Annex 2: List of possible measures for customer protection

General comments

Annex 2 lists possible measures for customer protection in case of misuse. Within this list only measures related to operators are mentioned, even though this misuse is not initiated from the operators, but from access to the Internet through Internet Service Providers. There are many parties involved in the misuse and all

share a part of the responsibility. Each of these parties should take preventive measures, which includes Internet Service Providers and customers themselves.

From the network operator point of view the choice of measure(s) depends upon a number of parameters, such as national circumstances, the state of the network and the extent of the problem. It should be left to the operator's discretion as to which, if any, of the measures are used.

Moreover in the introduction of Annex 2 these measures are addressed to the "Carrier (pre)selected operator or to the local loop operator". On one hand the local loop operator has no access whatsoever to routing information and therefore can take no preventive measures. On the other hand the party, or parties, carrying out the international handling, are not mentioned. They are very much involved in this chain of communications and are the ones who can bar such calls.

Detailed comments

In the chapter on "measures that can be taken" (5), a number of suggestions are mentioned. As their feasibility, both technical and economical, is highly dependent upon local situations and network conditions, these suggestions cannot always be met with appropriate solutions:

- Call barring is subject to technical and economical restrictions, and should only be undertaken following an investigation to identify which entity is performing the misuse. For instance, call barring on the basis of individual numbers is not possible - due to limitations in routing capacity in the networks. Removing these limitations would result in extensive investments in the existing ISDN/PSTN networks, while operators world-wide are focussing their investments on building next-generation IP networks.
- The selective call barring, as described in the definitions, with a customisation on an individual customer basis, i.e. different customers can choose different numbers of international codes to be barred, or the override mechanisms on a single number basis adjusted to customer specific request with PIN-codes is technically and economically not feasible. On top of the investments in the PSTN/ISDN networks needed for individual number barring, additional investments would be needed for a new authentication system.
- When suspension of direct dial access to the destination is mentioned, it should be clarified what is meant with the term destination, i.e. individual number, number block, country code, zone number or international dialling code. As stated above, extensive call barring of individual numbers is technically not possible.
- Concerning "more detailed tariff transparency": in most Member States appropriate regulation of tariff transparency is already in place.
- Allowing the customers to refuse to pay part of the bills is not adequate in most of the operator-customer interaction models. Working out financial settlements between operators and customers should be left to national procedures and commercial conduct.
- Handling of customer complaints relating to the misuse of numbers should not be subject to generic dispute resolution systems or harmonised procedures. In current practice, handling customer/operator disputes on a case-by-case basis appears to be effective and most appropriate.

