

Recommendation of the Council on Cross-Border Co-operation in the Enforcement of Laws against Spam

OECD Legal Instruments



This document is published under the responsibility of the Secretary-General of the OECD. It reproduces an OECD Legal Instrument and may contain additional material. The opinions expressed and arguments employed in the additional material do not necessarily reflect the official views of OECD Member countries.

This document, as well as any data and any map included herein, are without prejudice to the status of or sovereignty over any territory, to the delimitation of international frontiers and boundaries and to the name of any territory, city or area.

For access to the official and up-to-date texts of OECD Legal Instruments, as well as other related information, please consult the Compendium of OECD Legal Instruments at http://legalinstruments.oecd.org.

Please cite this document as:

OECD, Recommendation of the Council on Cross-Border Co-operation in the Enforcement of Laws against Spam, OECD/LEGAL/0344

Series: OECD Legal Instruments

© OECD 2025

This document is provided free of charge. It may be reproduced and distributed free of charge without requiring any further permissions, as long as it is not altered in any way. It may not be sold.

This document is available in the two OECD official languages (English and French). It may be translated into other languages, as long as the translation is labelled "unofficial translation" and includes the following disclaimer: "This translation has been prepared by [NAME OF TRANSLATION AUTHOR] for informational purpose only and its accuracy cannot be guaranteed by the OECD. The only official versions are the English and French texts available on the OECD website http://legalinstruments.oecd.org"

Background Information

The Recommendation on Cross-Border Co-operation in the Enforcement of Laws against Spam was adopted by the OECD Council on 13 April 2006 on the proposal of the Committee on Consumer Policy and the Committee for Information, Computer and Communications Policy (now called Digital Policy Committee). This Recommendation was developed in view of the potential for economic and social harm caused by spam, and the potential for further problems as a result of the convergence of communication technologies and the emergence of ubiquitous communications and a mobile Internet. With the growing volume of cross-border complaints and investigations on spam and spam-related threats, this Recommendation recognises cross-border co-operation in the enforcement of legislation against spam as a fundamental element to overcome the challenges to information gathering and sharing, facilitate timely investigative assistance, and correctly identify enforcement priorities, in order to develop an effective international enforcement framework. Hence the Recommendation calls Adherents to establish an effective framework of laws, Spam Enforcement Authorities, and practices for the enforcement of Laws Connected with Spams and establishes a framework for Spam Enforcement Authorities to cooperate with foreign Spam Enforcement Authorities.

About the OECD

The OECD is a unique forum where governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and to help governments respond to new developments and concerns, such as corporate governance, the information economy and the challenges of an ageing population. The Organisation provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies.

The OECD Member countries are: Australia, Austria, Belgium, Canada, Chile, Colombia, Costa Rica, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Mexico, the Netherlands, New Zealand, Norway, Poland, Portugal, the Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Türkiye, the United Kingdom and the United States. The European Union takes part in the work of the OECD.

OECD Legal Instruments

Since the creation of the OECD in 1961, around 460 substantive legal instruments have been developed within its framework. These include OECD Acts (i.e. the Decisions and Recommendations adopted by the OECD Council in accordance with the OECD Convention) and other legal instruments developed within the OECD framework (e.g. Declarations, international agreements).

All substantive OECD legal instruments, whether in force or abrogated, are listed in the online Compendium of OECD Legal Instruments. They are presented in five categories:

- Decisions are adopted by Council and are legally binding on all Members except those which
 abstain at the time of adoption. They set out specific rights and obligations and may contain
 monitoring mechanisms.
- Recommendations are adopted by Council and are not legally binding. They represent a
 political commitment to the principles they contain and entail an expectation that Adherents will
 do their best to implement them.
- **Substantive Outcome Documents** are adopted by the individual listed Adherents rather than by an OECD body, as the outcome of a ministerial, high-level or other meeting within the framework of the Organisation. They usually set general principles or long-term goals and have a solemn character.
- **International Agreements** are negotiated and concluded within the framework of the Organisation. They are legally binding on the Parties.
- Arrangement, Understanding and Others: several other types of substantive legal instruments have been developed within the OECD framework over time, such as the Arrangement on Officially Supported Export Credits, the International Understanding on Maritime Transport Principles and the Development Assistance Committee (DAC) Recommendations.