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'.XXX' Sponsored Top-Level Domain - Is it a solution to curb child abuse due to Internet Pornography?

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Abstract

The proposal of having a zone for adult entertainment over Internet was previously not accepted by ICANN (Internet Corporation For Assigned Names and Numbers) until the recent approval of 'xxx' domain for adult entertainment. Among other reasons the main reason to launch a specific domain for adult entertainment was to combat the child abuse cases due to internet pornography or child pornography in particular. This analysis is a submission of the effectiveness of 'xxx' domain. The effectiveness of 'xxx' will not depend on what 'child abuse' is but on the general practice of the children as to how and from where they access the Internet.

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1. What is a sponsored top-level domain name?

A domain name (which is a series of alphabets/characters) is easier to remember than the Internet protocol address (which is a series of numbers) of a particular web-site. It is always convenient to type www.yahoo.com rather than typing 204.71.200.67. The series of character strings in a domain name is separated by dots. Each character string is called as 'label'. The right-most level name in a particular domain name is called as the 'top-level domain' or the 'TLD'. In case of www.yahoo.com it is 'com'. Each 'top-level domain' includes many second-level domains, like 'yahoo' and each second-level domain may include many third-level domains, like 'www'. Usually all the 'TLDs' which comprises of three or more characters are called 'generic' TLDs or 'gTLDs' (like 'com' is a 'gTLD'). They can be again sub-divided into 'sponsored' and 'non-sponsored' 'gTLDs'. '.XXX' is a sponsored 'gTLD' sponsored by the 'The International Foundation for Online Responsibility (IFFOR)'[1]. IFFOR has been delegated pre-defined policies of ICANN[2] regarding the way sponsored '.xxx' should be operated.

2. Child abuse due to Pornography over Internet

The interpretation of the word 'pornography' is different in different countries and the presence of global medium of Internet makes it even more difficult to assign a definition to 'pornographic content'. 'Pornographic content' can broadly feature adults, meant to be distributed for the adult entertainment and it can also comprise of content featuring children. Child pornography is illegal in most countries and has got support of international community to limit its effect.[3]

Internet directly or indirectly is proving to be a conduit for child abuse.[4] It may happen through various forms and incidents. It could be abusive pictures of children being published and or distributed over Internet, in an internet chat room used for grooming the children for later paedophilic activities, through a latest mobile phone[5] and last but not the least by way of downloading and or sharing abusive pictures of children from web-sites. Internet is a global thing likewise child abuse through Internet has spread its tentacles to the detriment of a child's interest around the world. This section will not take into account the cases of child abuse with respect to each and every country. It will assess the current risk either due to the practice of Internet

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[1] IFFOR is the Canadian company which has taken the initiative to make '.xxxTLD' as a zone for adult entertainment community.

[2] ICANN is the acronym for Internet Corporation For Assigned Names and Numbers. ICANN is an international non-profitable organisation responsible for Top Level Domain Name System Management among other things.

[3] Y Akdeniz, "The Regulation of Pornography on the Internet"(1997) 1 The Journal of Information, Law and Technology, @: *http://elj.warwick.ac.uk/jilt/internet/97_1akdz/*

[4] Child abuse, child pornography and the internet: A report on child pornography on the internet and its links to child abuse; Published**:** 2004 by the NCH children's charity organisation UK , @: *http://www.nch.org.uk/information/index.php?i=94*

[5] Latest mobile phone technology is the third generation mobile communication and the usage of General Packet Radio Service (GPRS) can prove the latest resource to watch for which can be used for child abuse

access by the children or the structure of Internet on the basis of the reports published by various organisations and self regulatory bodies in major countries which might lead to child abuse due to pornography over Internet. It will also cover the various approaches thought for and implemented to restrict the possible number of child abuse cases due to the presence of child pornography in Internet.

Although it has not been proved completely that coming in contact with abusive pictures of children or children themselves in Internet in one way or the other is directly related to later on paedophilic activities or child abuse, time and time again the vulnerabilities of the children and imminent threat because of internet have been raised by number of initiatives. For example in United Kingdom, following the amendments in the Criminal Justice and Public Order Act 1994, section 1 of the Protection of Children Act, 1978, states: "it is an offence for a person (a) to take, or permit to be taken or to make, any indecent photographs or pseudo-photographs of a child; (b) to distribute or show such indecent photographs or pseudo-photographs."

Children, either because of their vulnerable age-group to which they belong or due to the lack of information of the imminent danger are easy prey for crime resulting from Internet.

According to a recent survey by the London School of Economics and Political Science on the safety of the children of UK and the role of parents in their use of internet, the safety of children is questionable.[6] In the age of communications children and teenagers do their assignments and homework using the Internet extensively. Three important facts which have come up of the survey are as follows. Firstly majority of the 9-19 years old access the Internet either from home or school. This fact would help in justifying the position taken by ICANN by approving the '.xxx' domain. Secondly most of them interviewed have seen pornography over Internet either accidentally or because of pop-up advertisements. Last but not the least a staggering 46 % of the children interviewed have given their personal information like hobbies, email addresses, full name, age, name of the school, phone number or photographs over Internet to complete strangers. The American organisation, "Pew Internet & American Life Project" carried out a survey called 'Protecting Teens Online' in the year 2005 among age group 12-17 years.[7] Their report showed that 87% of the teen Internet users access the Internet from home and the remaining 13% from schools, cyber cafes, friends place or places. The worrying thing is 79% of the interviewed teens admitted that they are not careful while giving out personal information to strangers. These children were completely unaware of the danger lurking in the Internet.

The Internet Watch Foundation (IWF), UK, one of the major self regulatory bodies with an aim to combat child abuse online, in their annual report for the year 2004 has given some important facts about the trends of potentially illegal contents in web-sites with regard to child abuse.[8] Firstly there has been an increase in websites containing

[6] UK Children Go Online: Final Report Published in April 2005, @: *http://personal.lse.ac.uk/bober/UKCGOfinalReport.pdf*

[7] Pew Internet and American Life Project: Protecting Teens Online , Report published 13 March 2005, @: *http://www.pewinternet.org/pdfs/PIP_Filters_Report.pdf*

[8] Annual Report 2004 : The Internet Watch Foundation, @: *http://www.iwf.org.uk/documents/20050204_annual_report_2004.pdf*

potentially illegal content to 20% in the year 2004 in comparison to 17% in 2003. Secondly there has been a shift of demographic locations of these web-sites containing potentially illegal contents from Europe to countries where free hosting of web-sites is popular. Thirdly 50% of the web-sites containing potentially illegal contents relating to child abuse were 'Pay-Per-View'. This indicates that abusive images of children over Internet have been highly commercialised.

These surveys and reports give a general though a narrow view of the point of access of Internet, the practice of the children when they are online and the present status of child pornography over Internet, considering it only covers two major countries of the world.

While the assessment of reports shows the amount of risk the children or the teenagers are facing and the imminent dangers, in practical life it is to be seen how far these practices have led to child abuse cases. The children's charity organisation NCH has claimed that child pornography over Internet has led to the increase in child abuse cases in recent years.[9] We will not debate into whether pornography or child pornography in particular has led to the increase in child abuse cases but there is a genuine concern about child safety over Internet. This issue has been raised by the various organisations and there is a series of ongoing and upcoming initiatives which signifies that the threat of child safety over Internet is real. There is a surge in the effort by the global community to protect the interests of children world wide.

In the year 1999, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) in their International Conference in Paris formulated a declaration and action plan to consider ways of combating paedophilia and child pornography on the Internet.[10] The aim was to ensure the safety of children from the effect of harmful and illegal material available in Internet.

The 'Virtual Global Task Force' was launched in January 2003 to exterminate online child abuse and exploitation. This organisation is a joint initiative of the UK's National Crime Squad in association with UK industry leaders and the law enforcement agencies in United States, Canada, Australia and the Interpol. The virtual global taskforce is a perfect example of international co-operation in sharing intelligence to curb child abuse online. The industry partners in UK are Microsoft/MSN, AOL (UK), Vodafone and the BT whose joint collaboration has inducted the international child protection responsibility in every sphere.

Whether it is the 'Operation Ore'[11] launched in UK or the 'Operation Xenia'[12] in Austria, their target has been similar, to locate the possible suspects which may result in child abuse and international co-operation. 'Operation Ore' resulted from the arrest of a computer consultant in Texas, United States which accounted for 1300 arrests in

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[9] Internet Porn 'Increasing Child Abuse' ,@:*http://society.guardian.co.uk/children/story/0,1074,1121332,00.html*

[10] Sexual Abuse of Children, Child Pornography and Paedophilia on the Internet: An international challenge - Expert Meeting, UNESCO, Paris, 18-19 January ,@: *http://www.unesco.org/webworld/child_screen/conf_index.html*

[11] Operation Ore: Can the UK cope? @: *http://news.bbc.co.uk/1/hi/uk/2652465.stm*

[12] Austrian Crackdown on Child Porn, @:*http://www.thestatesman.net/page.news.php?clid=3&theme=&usrsess=1&id=79942*

UK. 'Operation Xenia', a part of an international effort to purge child abuse was launched in Austria, Vienna. Recently we had the operation 'Ice Breaker' where co-ordinated effort in thirteen European countries to curb child pornography resulting from internet was executed.[13]

The software service industries have also contributed to either reduce or track possible suspects online. Software like cyber patrol or cyber nanny has added dimension to the world wide effort. These are mainly parental control software which helps in filtering the inappropriate material available over Internet. They act as a tool for the parents who want to guard their children from online dangers. The Yahoo chat service has also decided to stop chat services to over hundred chat rooms after reports came in that they were being used as a place to groom children for later on child abuse.[14]

The above discussion summarises the world effort in either assessing the risk or countermining the risk in various ways for reducing child abuse which is related to online pornography. These steps were taken before the decision of ICANN to have the domain '.xxx' as an identifiable adult content region.

3. The target of '.xxx' domain system

"The .xxxTLD is a voluntary, industry-led, market driven and non-regulatory effort".[15]

Among other things the '.xxx' domain system has been set up with a vision to curb the child pornography from Internet and create a specific zone for adult pornography.

The target is to combat child pornography by ensuring that children are not being marketed or targeted online , to end domain names which are either misleading or intended only to target the consumers interested in child pornography and ensure that adults know the 'virtual red light zone' in case they wanted to avoid it.

The ICM Registry which is responsible to manage the databases of the '.xxx' sites will not be monitoring content except that the sexually explicit content must feature adults only and child pornography is made completely illegal.

4. The effectiveness of the '.xxx' domain name

The initiative and the approval of the '.xxx' domain is a re-assertion of the fact, along with the steps already taken up by the various organisations in either assessing the risk or preventive measures that child abuse due to availability of pornographic material or in particular child pornographic material online, is in a bad shape and would worsen if not taken care of.

Making a specific zone for adult entertainment will ensure one thing that parents would know where a child should not visit. The naming of the zone would also make

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[13] Co-ordinated action in 13 countries against child pornography, @: *http://www.europol.eu.int/index.asp?page=news&news=pr050614.htm*

[14] Yahoo closes chat rooms after misuse, @: *http://www.hindustantimes.com/news/181_1408676,00030010.htm*

[15] ICANN Approves .xxx Sponsored Top-Level Domain Application ,@: *http://www.icmregistry.com*

All the citations have been visited in June

the task of the parental control software easier to block any web-site ending with '.xxx'. Up until now these softwares would usually block a site on the basis of content of a particular site or on the basis of existing databases containing the names of web-sites with objectionable contents. This approach has got two problems selection or de-selection on the basis of content filtering would mean many genuine web-sites dealing with sex education would be disregarded. Also blocking on the basis of names is not very effective because the web-sites with objectionable materials change domain name at regular intervals.

The assessment of the reports of various organisations in the previous section has showed that majority of the children and the teenagers access the Internet either from house or school. So making a specific zone for adult entertainment would help when most of the children are accessing the Internet from home or school using parental control software. This will ensure there are no ugly surprises or accidental visits for the children while accessing the Internet.

Also though the ICM registry will not be monitoring content yet will only allow contents which feature adults and which are free from child pornography. This in one way ensures that as when web-sites with domains '.xxx' start, will have pornography excluding child pornographic images.

Although there are advantages of this '.xxx' initiative as explained above, the shortcomings are plenty.

Firstly this initiative has little or no effect when there is no parental software blocking the web-sites ending with '.xxx'. This actually means this initiative will have less impact when Internet is accessed away from school or house or where there is no supervision. Although we have got the information that mostly children access Internet from home or school there is a small but sizable percentage that access from cyber cafes or other places. Besides this report on the percentage of children accessing the Internet from either their house or school only throws light on the situation of the world's developed nations. It does not say about children of the developing nations or the underdeveloped nations where computer and Internet connection from home or school is still a distant dream. So the supposition that domain names with '.xxx' will also work where there is no supervision is questionable.

Secondly an already successful pornographic web-site, popular among its customers may not like to change its domain name to '.xxx' as that would result in loss of business. So their presence would still be there even after making specific zone for adult entertainment. This essentially means that the children accessing the Internet still remain the target of marketed pornography. This entire initiative of making a zone for adult entertainment stands on the effective co-operation between the present online pornographic industry and the regulatory bodies. The organisation responsible for registering the web-sites for adult entertainment, the ICM Registry, may not be able to sign up web-sites with adult contents purely because of the fact that the entire registration process is based on the voluntary participation of the web-sites with adult contents and not on compulsory participation.

Thirdly making a zone specifically for adult entertainment shall increase the curiosity among the children to visit such web-sites where there is little or less supervision. They will know exactly where to search for rather than looking for it previously. This inquisitiveness and the specified zone shall be a harmful proposition for children and will increase child abuse activities.

5. Conclusion

The entire thought of structuring a zone for adult entertainment, discarding the child pornography is a promising one but it cannot be a panacea until the registration for all future adult web-sites is made compulsory with domain name '.xxx' and nothing else. This initiative will circumvent the online adult entertainment into a much more close circuit atmosphere which can be monitored.

Also setting up of a zone with '.xxx' will ensure children (mostly from home or school) will not come in contact with the objectionable material but it leaves out the other points of contact like internet chat room and mobile communication. There is a severe limitation of this approach considering the fact that when children access the Internet from other places there may be little or no supervision.

This approach of 'home for the online pornography' with the current initiative cannot stand on its own due to the abovementioned limitations. So there is a need for co-operation and complimentary effort from the software industry, the several task force created, governmental bodies and parents to play the supporting role to curb child abuse due to online pornography.

But setting up a zone for adult entertainment is a positive step nonetheless for the protection of children from online child abuse.