

## Why we still oppose .xxx TLD

Written by Fiona Patten  
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### **Top Level Domain names are back on the agenda and of course a number of people are clambering for the adult domain .xxx**

A few years ago ICANN rejected the persistent applications of the company ICM for this TLD on the grounds that they did not appear to have industry support (and they didn't). This time round the rules may be somewhat different and we could see a bidding war for domains such as .xxx that could result in the winning bidder paying millions of dollars for this TLD. The result could be that registration for your company's .xxx name (to protect your trademark) could be very expensive and there would be great incentive for the winning applicants to get government support to force adult sites onto this domain.

I attended the ICANN meeting in 2006 in Wellington NZ where .XXX was debated in general and by GAC (Government Advisory Committee). I attended with a representative from the US industry group Free Speech Coalition. The adult industry had no doubt where this was heading. Firstly, all businesses would need to purchase their business name within the .xxx domain and secondly government regulations could have forced all adult sites into the ghetto of .xxx.

In 2006 after a lot of meetings, drinking and phones running hot the .XXX domain was rejected by GAC. The then Australian Communications Minister Senator Helen Coonan opposed it on the grounds that adult content was already banned from being hosted in Australia and concerns that a new adult domain would only increase the amount of adult material on line. This opinion was echoed by conservative and religious organisations.

#### **But, back to the real question, why have an adult domain?**

In the past the arguments for a TLD such as .xxx was that it would prevent child pornography and stop children from accessing adult material. It will do neither. There will still be plenty of adult material on the .com domain and frankly child pornographers are criminals and they will not be concerned about NOT using a .xxx domain.

I agree we need new domain names due to the enormous of the WWW but why not a .kids or other names that could create on line walled playgrounds for children?

P.S ASACP (Associated Sites Advocating Child Protection) recently wrote to ICANN. Here is the guts of their letter.

#### **1) Prohibiting child pornography**

Child pornography operators will not register their domains under .xxx, or any other designated TLD. These are criminals who operate outside the law, and indeed are willing to exploit the sexual abuse of children for profit. Regulating websites that would voluntarily register under a .xxx TLD could not and will not impact the problem of online child pornography in any way. To suggest otherwise demonstrates a fundamental misunderstanding of the nature of child pornography.

Observation and analysis of data from our online CP reporting hotline over a period of years has made it apparent that real CP operators specialize in the most heinous sexual abuse of young

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children, even toddlers and infants. Such images can never be confused with legal adult entertainment, and the criminals who deal in them do not worry about laws or regulations of any kind. If people suggest that the online adult entertainment industry is a source of this material, they are mistaken.

On the contrary, the industry has made fighting child pornography a priority. Adult companies already contribute hundreds of thousands of dollars annually to help support ASACP, including the hotline effort detailed above. ASACP and its supporters in the adult entertainment industry will continue to do everything possible to help eliminate child pornography from the internet. But to stop child pornographers, we must understand who they are and how they work.

### 2) Requiring website labeling

ASACP favors self-labeling by adult websites, as exemplified by the recent launch of our RTA ("Restricted To Adults") website labeling initiative. The RTA label is free to use, voluntary, and universally available to any website that wishes to clearly and effectively label itself as being inappropriate for viewing by minors. Complete information about RTA is available at [www.RTAlabel.org](http://www.RTAlabel.org).

Adult entertainment is a business like any other. The companies who support ASACP want to demonstrate that this is a legitimate industry with conscientious business practices, as evidenced by years of widespread support for ASACP. But this industry has also been repeatedly targeted and used as a scapegoat over the years. So the people who work in Adult are understandably very resistant to being prodded, or having their hand forced. That's why it's so important that self-labeling be voluntary. Adult entertainment companies founded ASACP and support us, so they are therefore not put off by the idea of a website label created and promoted by ASACP. Adult sites have already begun adopting the RTA.

The RTA label is also simple and easy to use. From a technical standpoint, the RTA tag is already recognized by internet filtering products and services such as CleanInternet.com, ContentProtect, CSWeb, Cyber Sentinel, FamiLink, FilterGate, iShield, Kidsnet (and all of Blueprint Data's other Internet Filtering products), Net Nanny, Netsweeper, ParentalControl Bar, ScreenShield and SurfSafely.com. ASACP is currently working with Internet Service Providers, as well as more companies that furnish internet browsers, filtering software, search engines and computer operating systems, to further ensure the tag's effectiveness.

We believe that adoption of RTA will become widespread among adult entertainment websites, and that self-regulation will accomplish what new laws and regulations can not.

## SUMMARY

No doubt, considerations unrelated to child protection will influence your decision about whether to approve the proposed .xxx TLD. However, ASACP's position is that the existence of a .xxx TLD will not enhance the industry's ongoing voluntary efforts to protect children.

ASACP therefore recommends that ICANN avoid taking any action based upon or influenced by

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the incorrect assumption that a .xxx TLD would further help to protect children online.