

Nobody wants the new .XXX sex domain

Written by Technology and Games | Robbie Swan
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Over the last few years we've seen various attempts by governments to censor and control the Internet. China has sort to stop criticism of its policies and to suppress the views of dissidents by controlling internet information at its cyber borders and employing large numbers of people to spy on its citizens' internet activity. Australia has set up a regulatory scheme which includes a black list of sites that are either X rated or Refused Classification.

There are other ways that governments use to censor the internet including the provision of extreme penalties for viewing certain types of material. In Iran for example, you can be executed for getting around government filters and under some circumstances, just watching porn.

However all these attempts to censor the internet tend to come from governments - and occasionally morals groups who push governments. Censorship of the internet hardly ever comes from the internet industry itself, for obvious reasons. Last week that all changed. In what must rank as one of the most stupid and transparently self-serving decisions on the internet thus far, the international organisation charged with creating and regulating internet domain names, the International Corporation for Assigned Names and Numbers (ICANN), approved a new .XXX domain (TLD) for adult and sexually explicit sites.

ICANN claims to be 'a not-for-profit public-benefit corporation with participants from all over the world dedicated to keeping the Internet secure, stable and interoperable. It promotes competition and develops policy on the Internet's unique identifiers'. In arriving at their decision, ICANN ignored the advice of its Government Advisory Council (GAC) which included government representatives from over 50 countries, including Australia. In a letter to ICAAN last October, Communications Minister, Stephen Conroy, told them that there was a "lack of identified public benefit" in the proposal and that there was a "history of governmental concern about the public policy implications of .XXX".

ICANN also ignored the advice of peak adult industry groups from around the world including the US Free Speech Coalition and Australia's Eros Association. Given that the new domain was being created for the exclusive use of these businesses, the decision to go against their wishes was truly bizarre. Incredibly, they also ignored most of the religious groups who had lodged submissions with them. In fact, the .xxx debate has probably been the only online issue that government, adult industry and religious groups have all agreed upon.

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In arriving at its decision, ICANN relied almost exclusively on the advice of the business group who were lobbying to set up the new domain - interestingly enough, a non-adult industry company called ICM Registry. Clearly ICM stands to make a lot of money from the deal.

So why is it such a bad idea to have a particular domain set up exclusively for adult material? Well the religious groups reckoned that if all porn was under one domain name it would be much easier for kids to access it. They just needed to type in virtually any word and the .XXX suffix and there'd be a website for it. Stockings.xxx for nylon fetishists, tickling.xxx for orgasmic laughter and wet.xxx for water sports. They argued that the weirdest sex would now be just a click away when kids typed in fur.xxx or food.xxx - although in my opinion, priest.xxx would probably scoop the pool.

The adult industry's submissions were all about the potential use of the new domain as a tool for censorship. The Eros Association's CEO Fiona Patten argued that with all adult sites safely corralled under the .xxx domain, it would be a simple thing for Communications Minister, Stephen Conroy, to then include all .xxx sites in the government's new internet filter. If adult sites still maintained a .com or a .net address, the government could easily legislate to force all adult sites to .XXX or face penalties. She said that the adult industry was already the canary in the coalmine when it came to content censorship but that the same was true for 'administrative censorship'. "This could represent the beginning of a fragmentation of the Internet and it sets a very dangerous precedent. When industries or special groups have a domain name forced upon them by ICANN, against their better judgement, you know that there is a political agenda at work. How long will it be before all media groups will be expected to register under a .med domain or political groups under .pol", she said?

The popular uprisings in the Middle East have relied heavily on the Internet and both temporary and permanent websites to gain traction and disseminate information. The necessity for some of these sites to 'hide' on the Internet and remain inconspicuous is obvious. "If ICANN starts forcing new domains on particular organisations and industries it leaves the path wide open for dictators, theocracies and even some democracies to start using them for censorship and manipulation" she said.

ICANN not only created a new precedent by creating a domain for an industry group who didn't want it, more importantly, they have introduced content controls for the first time. Mostly they are about child pornography. Not too many people would have a problem with this. However when you realise what's involved in regulating this, did ICAAN investigate whether the new domain registrant was up to the task? Probably not. For a start, people who run serious child porn networks on the internet will not go anywhere near an adult domain let alone use the world

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wide web. It's a no-brainer. Here in Australia we think we know what child porn is but around the world its not so cut and dry. The age of consent in Europe fluctuates between 13 in Spain, 14 in most Baltic and Slavic states and 18 in the UK. In Germany they differentiate between child porn (under 14years) and 'youth porn' (between 14 and 18). In Australia a charge around child porn can be prosecuted even if the actor or model is 25 years old. They just have to 'appear to be under 18'. How is the new domain registrant going to be able to regulate all this and what do they do if they do with transgressors?

How this will work in Australia has not even been considered. Our X 18+ classification is probably the most restricted anywhere in the world. You can say 'f**k me' in this classification but if you say 'f**k you' with any degree of feeling, the film immediately goes into the Refused Classification category. It can't go into the R18+ classification because of the explicit sex but 'assaultative language', as its known in the game, is not permissible in our X rating. Neither are most fetishes which can be sex in gumbots ('rubberist' fetish) and even toe-sucking ('offensive fetish') under the right conditions. Ninety per cent of what Europeans and Americans would call 'XXX' rated material becomes RC material here. Under Conroy's filtering plans, all RC material will be denied to Australian consumers so under these conditions the new .XXX domain will be subject to bans as soon as it comes online.

The Free Speech Coalition's (FSC), Dianne Duke, said the ICANN Board had dangerously undervalued the input from governments worldwide. "Worse, they have disregarded overwhelming outpouring of opposition from the adult entertainment industry - the supposed sponsorship community - dismissing the interests of free speech on the internet", she said.

FSC Board Chair, Jeffrey Douglas, also commented, saying, "Until now we have been forced to work within the constraints of the ICANN process. FSC is now free to explore all options and we intend to do just that with input from, and in the interest of our members. We will help the industry fully understand the risks and ramifications of participating in .XXX."

ICANN has been debating this issue for seven years now and has taken numerous votes on it - all of which failed to get up. It will be interesting to see how the most contentious domain of them all is travelling 12 months on.

Robbie Swan is a member of the Eros Association.

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