



**Recommendations for a Treaty or A Set of Treaties**

**On**

**WEBSITE & PAGE BLOCKING - FOCUSED ON CHILD SEXUAL ABUSE**

**(Attached is a short preview taken from the full 75 page proposal)**

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Please note this abbreviated version represents a brief overview of two years of research on various solutions for worldwide activities in the area of blocking child sexual abuse websites. The full publication will be released within weeks.

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## **1. Introduction**

Paedophilia and child exploitation are extremely emotive subjects. The author has had experience of being actively involved in many government level discussions on this subject, in the course of deploying VoIP & Web auditing/regulatory control systems around the world. Customers are universal in their requirement for solutions to combat this subject area. Net Neutrality arguments will continue to rage, but child exploitation and child sexual abuse is perhaps the only subject matter that unites all sides of the argument. If international bodies can form a consensus on this critical issue, it may indeed form the basis for a united control and investigation body that's capable of reducing some, if not all, of the Internet traffic we would all wish to remove.

This short overview document has been created, in advance of the full publication, to highlight a potential solution where every country can come together in agreement on the administration of child sexual abuse on the Internet. The gravity of this statement is significant and the potential protection offered through its implementation could have far reaching effects on millions of vulnerable children. Until we start to act in a single direction we will never prevent or control this issue, so I would recommend that readers' put aside their individual views of specific countries; including arguments relating to Net Neutrality or views associated with 'big brother' controls. It is clear to all that we owe a duty of care to the world's children and as the tools to combat this threat are now widely available, we must focus our actions as a united body.

Many governments' blame ISP's for lack of content control. It is clear that although Net Neutrality is a commonly recognised expression, in reality, content is in fact widely blocked across almost every network, including the USA. However, debating the rights and wrongs of this argument would be a long drawn out process. It is therefore time to take action on this single issue of blocking online global child sexual abuse content, and I do believe this goal is achievable.

## 1.1

In 2010 the IWF (Internet Watch Foundation) reported the following shocking statistics:

- **73% of the child victims appear to be under 10 years old**
- **65.6% of the images and videos depicted sexual activity between adults and children including the rape and sexual torture of the child**

The IWF uses the term **child sexual abuse** content to accurately reflect the gravity of the images we deal with. Please note that **child pornography**, **child porn** and **kiddie porn** are not acceptable terms. The use of such language acts to legitimise images which are not pornography, rather, they are permanent records of children being sexually exploited and as such should be referred to as **child sexual abuse images**.

Source: <http://www.iwf.org.uk/hotline/report-process>

Child sexual abuse URLs and domains worldwide:

URLs: 16,739

Domains: 1,351

Confirmed child sexual abuse URLs by location (continent) of hosting provider:

North America: 42.15% (7,058)

Europe (incl. Russia): 40.82% (6,829)

Asia: 16.95% (2,839)

South America: 0.07% (12)

Australia: 0.01% (1)

Top 5 Countries selling material on online child sexual abuse websites:

United States 65.6%

Canada 8.7%

Russia 5.6%

Netherlands 2.9%

Germany 1.8%

Top 5 Hosted sites containing child sexual abuse images (4,110 images)

USA	57.3%
Canada	12.6%
Russia	7.5%
Netherlands	3.6%
Spain	3.4%

Source: *cybertip.ca*

## 2. Example of The Size and Scope of the problem

Research shows that over 68 million requests for pornographic content, via search engines, are made every day through USA search engines and accessed through 4.2 million specific pornography websites. With this level of activity and interest, it is highly unlikely that Internet Service Providers (ISPs) would ever disallow any content, unless forced to do so, as they would find it financially damaging to their business. Meanwhile adults and children alike are able to freely access this content at home or on their mobile phones; in many cases without any restrictions.

In 2006, Interpol assisted in identifying and rescuing 426 victims of online child sexual abuse from the 475,899 images it had collected in its database. It would be impossible to determine the amount of requests for child sexual abuse material within the 68 million daily search engine requests, but given the ratio by Interpol on the numbers above, we could estimate 0.1%. Therefore of 68 million daily requests, we could expect 68,000 specific child sexual abuse content requests per day.

In child sexual abuse cases where the child was identified, it was found that 35% of abusers were the child's relative (**26% of whom was a parent**). In the majority (78%) of cases, the abuser was known to the child (e.g. as a family friend, neighbor, or coach) and had legitimate and prolonged access to the child

(Source: *National Centre for Missing and Exploited Children, 2009*).

In 2007, the British-based Internet Watch Foundation (IWF) reported that child sexual abuse on the Internet was becoming more brutal and graphic, and that the number of images depicting violent abuse had risen fourfold since 2003. The CEO stated, "The worrying issue is the severity and the gravity of the images is increasing. We're talking about prepubescent children being raped." About 80 percent of the children in the abusive images are female, and 91 percent appear to be children under the age of 12. Prosecution is difficult because multiple international servers are used, sometimes to transmit the images in fragments to evade the law.

It has also been estimated that **1 in 5 young Internet users** has received unwanted sexual solicitation through the Internet, and estimates the number of young Internet users who have been exposed to sexual content on the Internet vary from 25-35%.

**35.9% of the images depicted sexual assaults** against the child and **64.1% depicted the children posed deliberately in a sexualized way.**

**77.6% of web pages** had at least one child abuse image of a child **less than 8 years of age**, with many showing infants or toddlers being assaulted.

When the images were reviewed independently, 57.4% depicted children under 8 years old and an additional **24.7% depicted children between 8 and 12 years old.**

Images of children less than 8 years old are most often depicted being abused through sexual assaults (37.2%). This is different than images of older children, which most often depicted the children posed nude or in a sexualized way.

Children abused through extreme sexual assaults including bestiality, bondage, torture, and degrading acts such as defecation, mostly (68.5%) occurred against children under 8 years old. 83.0% of the images were of girl children.

[http://en.wikipedia.org/wiki/Internet\\_pornography#Web\\_filters\\_and\\_blocking\\_software](http://en.wikipedia.org/wiki/Internet_pornography#Web_filters_and_blocking_software)

### **3. Proliferation of Child Sexual Abuse on the Internet**

The Internet has radically changed how child sexual abuse is reproduced and disseminated, and, according to the United States Department of Justice, resulted in a massive increase in the "availability, accessibility, and volume of child pornography". The production of child sexual abuse has become very profitable, bringing in several billion dollars a year, and is no

longer limited to paedophiles. Philip Jenkins notes that there is "overwhelming evidence that child sexual abuse is all but impossible to obtain through non electronic means."

The NCMEC estimated in 2003 that 20% of all pornography traded over the Internet was child sexual abuse, and that since 1997 the number of child sexual abuse images available on the Internet, had increased **by 1500%**.

Regarding Internet proliferation, the US DOJ states "At any one time there are estimated to be more than **one million pornographic images of children** on the Internet, **with 200 new images posted daily**". They also note that a single offender arrested in the U.K. possessed 450,000 child sexual abuse images, and that a single child sexual abuse site received a million hits in a month. Further, that much of the trade in child sexual abuse takes place at hidden levels of the Internet, and that it has been estimated that there are between 50,000 and 100,000 paedophiles involved in organized child sexual abuse rings around the world, and that **one third of these operate from the United States**. Digital cameras and Internet distribution, facilitated by the use of credit cards and the ease of transferring images across national borders, has made it easier than ever before for users of child sexual abuse content to obtain the photographs and videos.

#### 4. Work of Protection Agencies

Research across over 30 countries has taken place. Key material has been selected from four key countries, namely:

1. The **United Kingdom** - from the I.W.F (Internet Watch foundation), C.E.O.P (Child Online Protection agency) and the UK Police
2. **Canada** - from cybertip.ca
3. **Australia** - Various agencies O.C.S.E.T (Online Child Sex Exploitation Team)
4. **United States** - A.S.A.C.P (Association of Sites Advocating Child Protection) and actions from the Attorney General's Child Sexual Exploitation Task Force
5. **Virtual Global Taskforce (VGT)** - A great example of international cooperation

The activity of these selected groups represents some of the most advanced positive action in the fight against online child sexual abuse sites.

## 5. European Commission - Web Blocking of `Child Sexual Abuse Sites

EC to Propose Mandatory Web Blocking for Child Abuse Sites

By [Paul Meller](#), IDG News, Mar 24, 2010 6:50 pm

The European Commission will next week propose a directive designed to fight the sexual exploitation of children, but a clause obliging member states to block paedophile web sites has sparked widespread criticism from civil liberties advocates, a German government minister and from within the Commission itself.

The critics argue that blocking Web sites fails to eliminate the material that appears on the Internet, and that by focusing on blocking instead of devoting efforts to the much tougher task of eliminating the odious material, the law will fail to have much impact on the world of online child abuse.

Many also fear that the move to block abusive Web sites will open the door to further clampdowns on the Internet and will undermine Europe's efforts to encourage China, Iran and other countries to permit openness on the Internet.

### 5.1 Comments

Given the extent of Human Rights issues concerning Net Neutrality and blocking issues, again this is a good first step by the EU. Organizations such as the Internet Governance Forum (IGF), the International Telecommunications Union (ITU) and Counter Terrorist Groups (such as CTITF) are all UN operating divisions. It is now time that the UN undertook a full workshop involving as many groups as possible to obtain global consciences on this subject.

Some of the comments made, for or against blocking, are actually valid but failure to block child sexual abuse material sends the wrong message to countries where the EU would like to see more openness such as, quote "will undermine Europe's efforts to encourage China, Iran and other countries to permit openness on the Internet", is not a valid reason to allow these sites to continue. The reverse argument is partially true, quote from the EC, "Blocking a website is a sticking-plaster technological solution to a really serious problem," he said". My response to this statement is that it depends where and how you undertake blocking. Many of these statements are made make politicians look as if they are addressing the problem.

This is misleading, as the problem is currently not being successfully addressed on an international level. This is because the responsibility or ownership of this problem exists in a grey area between Governments, Police, Law Enforcement Agencies and Internet Service Providers and no one is taking full responsibility in addressing this and the larger questions at the United Nations level. Blocking websites at the ISP level is a pointless waste of time. Child sexual abuse sites need to be stopped at a 'country level' and significantly higher in the network hierarchy.

## **5.2 Article 21 (EU position)**

Measures against websites containing or disseminating child pornography:

1. Member States shall take the necessary measures to ensure the prompt removal of webpage's containing or disseminating child pornography hosted in their territory and to endeavor to obtain the removal of such pages hosted outside of their territory.
2. Member States may take measures to block access to webpage containing or disseminating child pornography towards the Internet users in their territory. These measures must be set by transparent procedures and provide adequate safeguards, in particular to ensure that the restriction is limited to what is necessary and proportionate, and that users are informed of the reason for the restriction. These safeguards shall also include the possibility of judicial redress.

As of June 27, 2011, based on proposal from the EU Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE) first vote on the EU Commission proposal of February 16, 2011

As we can see, the EU wants to take action but should act with help from enterprises and industry bodies. This problems needs to be addressed at a world level involving the highest-level ministerial government officials.

## **6. Legal status of Internet Pornography**

The Internet is an international network and there are currently no encompassing international laws regulating pornography and online child sexual abuse. Each country deals with Internet pornography differently. Generally, in the United States (the world's largest producer and distributor of pornographic content), if the act depicted in the pornographic content is legal in the jurisdiction that it is being distributed *from*, then the distributor of such

content would not be in violation of the law; regardless of whether it is accessible in countries where it is illegal. This does not apply to those who access the pornographic content, however, as they could still be prosecuted under local laws in their country. Due to enforcement problems in anti-pornography laws over the Internet, countries that prohibit or heavily restrict access to pornography have taken other approaches to limit access by their citizens, such as employing content filters.

Many activists and politicians have expressed concern over the easy availability of Internet pornography, especially to minors. This has led to a variety of attempts to restrict children's access to Internet pornography such as the 1996 Communications Decency Act in the United States. Some companies use an Adult Verification System (AVS) to deny access to pornography by minors. However, most Adult Verification Systems charge fees that are substantially higher than the actual costs of any verification they do (for example, in excess of \$10/month) and are really part of a revenue collection scheme where sites encourage users to sign up for an AVS system, and get a percentage of the proceeds in return.

In response to concerns with regard to children accessing age-inappropriate content, the adult industry, through the Association of Sites Advocating Child Protection (ASACP), began a self-labeling initiative called the Restricted to Adults label (RTA). This label is recognized by many web-filtering products and is entirely free to use.

Most companies have robust policies against the accessing or distribution of any kind of online pornographic material from any company computer; in addition to which some have also installed comprehensive filters and logging software in their local computer networks. (Why countries have not adopted the same procedures, is why we have the problem).

One area of Internet pornography that has been the target of the strongest efforts at curtailment is child sexual abuse. Because of this, most Internet pornography websites based in the U.S. have a notice on their front page that they comply with 18 USC Section 2257, which requires the keeping of records regarding the age of the people depicted in photographs, along with displaying the name of the company record keeper. Some site operators, outside the U.S., have begun to include this compliance statement on their websites as well. On April 8, 2008 Evil Angel and its owner John Stagliano were charged in Federal Court with multiple counts of obscenity. One count was for, "using an interactive

computer service to display an obscene movie trailer in a manner available to a person less than 18 years of age”.

## 7. The Nature of Internet Blocking

Blocking illegal websites and specific content is now possible through the use of coordinated software and hardware solutions. The main issue is that many countries lack a clear national enforcement policy and the centralised equipment necessary to carry out effective control. The key requirement is for authorities to be able to implement a fast and effective ‘block and trace’ solution that protects the general public whilst providing evidence for arrest. Without this central technical control over a specific website or threat, you are reliant on the speedy cooperation of every ISP or carrier in the target country to mutually agree to block specific content. This is clearly a time consuming and wasted task. Its application must be coordinated on a global basis as in some countries, ISP's connect to the Internet with very little in the way of national licensing rules.

In fact, many ISP licenses are more technically focused rather than political or ethical, so areas such as the blocking of child sexual abuse is a grey area that’s only addressed when specifically raised. When asked, several of our customer countries have stated that they “don’t make policy on the content”, and most believe that they are purely infrastructure or Service Providers who are not morally or legally bound to monitor, block, or in any way restrict content on their network.

With massive revenues running into billions of dollars a year, it would be a very brave ISP to turn off or restrict any content, as their customers could/will migrate to another ISP who does not block sites.

In our assessment, many Internet Service Provider (ISP) licenses are in some cases weaker than State telecom licenses. As Internet penetration and security requirements increase, this should be a concern to all of us. In fact, most large companies’ corporate networks feature clearer Internet guidelines and controls than most countries national Internet legislation! This is mainly due to corporate bodies demanding greater protection and control over their staff; although clear policies regarding allowable or unacceptable material should not just be limited to corporate traffic. Most modern corporate firewalls support access controls, and

these options can also be found in the networks of most, if not all, Internet Service Providers. So why are corporate companies able to act while governments don't?

## 8. Net Neutrality

Regardless of individual views concerning open access to content or Net Neutrality, it is clear the Internet is open to abuse. We further believe that anything that is open to abuse normally requires some form of regulation, or at the very least countermeasures to support the fight against child sexual abuse and child exploitation. Whilst the net neutrality argument is seen as a key issue for the future, discussion on this subject should not delay the implementation of tools and regulations that protect children – especially when many European and American law enforcement organizations are already blocking this content regardless of net neutrality rules.

## 9. A reminder of why you are reading this document.

“Chickasaw man gets 8 years for 'horrifying' pictures and videos of child pornography”  
Published: November 20, 2011, 2:00 PM

### **Michael Elbert Mitchell ... sentenced to 8 years for child pornography.**

MOBILE, Alabama — A Chickasaw man caught with thousands of images of child pornography on his home computer will go to prison for 8 years, a federal judge in Mobile ruled last week. Michael Elbert Mitchell faced a



Advisory sentencing guidelines called for a prison term of at least 17½ years.

U.S. District Judge Kristi DuBose said she has struggled over what constitutes a fair sentence for child pornography, one that addresses the seriousness of the offense but is not excessive. She said she has researched many child pornography cases to get a sense of how federal judges treat the crime across the country. “It has ranged, even in this district, from probation to 260 months for the same or very similar conduct,” she said. “The main thing is, this has to stop.”

Assistant U.S. Attorney Sean Costello urged a much longer sentence. He noted that investigators found **219 videos on the defendant's computer** — including one showing the rape of a 6-year-old — and **nearly 7,000 illicit pictures**. Costello said Mitchell used a file-sharing program to trade images with users around the world.

“The material itself is horrifying,” he said. “He was part of this market. There are thousands and thousands of children who were abused so that he could be entertained.”

Defence attorney Walter Honeycutt said extremely long prison sentences have not prevented others from downloading child pornography. He compared it to the futility of crack cocaine sentences, which Congress recently moved to shorten. He agreed the pictures and videos on his client's computer were bad, but added, “He didn't make those images. He looked at them.” Mitchell got a vote of support from Troy Tatum, the general manager of Lamar Advertising Co., where the defendant has worked for 27 years.

Source [http://blog.al.com/live/2011/11/chickasaw\\_man\\_gets\\_8\\_years\\_for.html](http://blog.al.com/live/2011/11/chickasaw_man_gets_8_years_for.html)

The legal argument here is that “He didn't make those images. He looked at them.”

## 10. Summary

One of the world's best examples of pro-active action against online child sexual abuse is Australia, through the actions of the VGT, so replicating and enhancing the Virtual Global Taskforce model on an international scale is critical. Developing policies detailing the speed of implementation and evidence gathering capabilities will require serious consideration. Once established, this elected body must be able to reach a decision quickly and effectively, enabling immediate action to have content blocked without having to debate the issue with individual Internet Service Providers or any other external body. As many countries already have mechanisms in place to address this issue, the proposed body will simply supply an updated version of the block list for activation. In countries that lack a central policy and or the technical measures to carry out the block, we would recommend that guidelines and training be issued.

The author of this document, is a member of the EWI Cybercrime Working Group, and is therefore seeking to gain support for the creation of a new protocol against online child sexual abuse content, for adoption by governments on a worldwide basis.

As this is a global concern, a coordinated approach is required with an international body such as the UN, through the ITU, taking overall responsibility for ensuring international co-

operation through harmonization of laws and procedures relating to online child sexual abuse content.

An elected group of experts from countries around the world, using internationally agreed criteria, need to grade images, define ages and set Web content and procedures. They should be afforded the power to add any site that fails to meet these criteria, to a centralized international block list that is freely accessible (via password) to any network administrator (Regulator) in any country.

Pro-active action through discussion needs to be established and consensus agreed on definitive action areas, especially in view of IPV6 implications with its vast increase in global search engines domains and addresses across the world.

An elected group would be tasked with notifying the site provider regarding its removal, and we would hope that each country would pass legislation or changes to licensing laws to enable the instruction of a block directive, to be instantly enforceable on national networks and not just domestic ISPs. It is equally as important to define reporting systems, where individual countries can report back providing local discovery information to the centralized international database. This will ensure all members have access to the same information.

## **11. Recommendations**

The following recommendations, extracted from my full publication, are my personal views and I would welcome debate and discussion on all of the following suggestions.

1. Seek international agreement on what defines the age of a child. My recommendation is that this should be 18 years old.
2. Agreement on which international “abuse scale” should be used i.e. COPINE or SAP, so that all reporting provides an international measurement that everyone knows and uses; especially Interpol or Europol. My recommendation is that this should be the COPINE SCALE.
3. Agree that Regulators should be given the main responsibility in every country for website security, especially with regard to child sexual abuse content. Clearly this will require a UN led strategy and training programme and hopefully this strategy would then be adopted and driven by organizations such as the ITU, who could assist and advise on the writing of new license legislation on reporting, and other issues, in conjunction with Interpol and Europol.

4. Agree a pro-active campaign, specifically for Regulators and high-level Government Ministers, to offer a training programme to lead to the blocking of online child sexual abuse content in every country.
5. Set up an international conference on the blocking of online child sexual abuse where Regulators, ITU, IGF, and all the groups mentioned in this document could conclude and agree the implementation of a global action plan with the aim of preventing the distribution of this material across the worldwide web.
6. Legislate ISP's to secure correct identity for all email accounts so that mail and communication can be traced back to source.

I sincerely hope that this brief discussion document has identified and underlined the lack of a coordinated international policy with respect to child sexual abuse on the Internet, I would like to thank the many people who have supported me writing this overview, and I do hope that you will join us in working towards securing a better world, as we owe a duty of care to the world's children to act now.

Graham Butler,

President and CEO of Bitek International