

**TITLE:** INTERNET FILTERING IN IRAQ  
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### **EXECUTIVE SUMMARY**

The Iraqi government has announced plans to develop its own high speed network coined the Iraqi National Educational Network (INEN). This network will become the technical infrastructure to allow connectivity in Iraq's colleges and universities to the Internet. In the future, the network will expand to include other educational institutions such as public libraries and primary and secondary schools. Currently, implementation of INEN is solely to enhance education and research. The Iraq government is seeking aid in how to address the building and maintenance of this technological backbone. Specifically, the Iraqi government has concerns of how to implement a network that provides academics, students, and, in time, the general public with free-ranging Internet access while avoiding materials that offend the traditions of any particular religious or secular group.

Group Homer has considered the issues and the tools to resolve these issues by 1) examining what the U.S. has done in the area of Internet access management, including, current definitions of what is obscene versus indecent and the filtering technologies it has developed; 2) exploring how other Middle Eastern countries have handled the growing popularity of the Internet; and, 3) examining the Iraqi educational environment and what changes in Internet access will mean to it.

A number of filtering technologies and practices are offered as options to the Iraqi Ministry of Science and Technology and the Ministry of Education in the course of this investigation, such as the use of website blocking and PIC rating systems. Ultimately, Group Homer recommends the following policies:

- The INEN should be built with filtering technology already installed.
- Control of filtering technology should remain primarily with the Ministry of Education.
- All INEN servers should be located in Iraq to maximize Iraqi control.

### **INTRODUCTION**

Originally designed and implemented in the U.S., the Internet has become a force for information dissemination around the World. Iraq has been part of this information system since the mid to late 1990's when it first set up a state-sponsored internet service-provider and began issuing accounts to government officials and the general public (Sennitt, 2003). However, the implementation of a network link to all of Iraq's universities and technical colleges is a move into unknown waters for the newly established Iraqi government. Government officials are rightfully concerned about what effect the material found on the Internet will have on students, particularly how to avoid the government being seen as sponsoring access to the great amount of potentially objectionable material found on the Web.

Group Homer has selected the U.S. policy of Internet access to schools and public libraries as a "best practices" model for this recommendation paper as the U.S. 1) has a form of government we hope will be replicated in Iraq, and 2) has the most experience in dealing with many of the same issues of how to deal with indecent and obscene material on the Internet that now faces the Iraqi Governing Council.

After assessing U.S. Internet policies, this report will explore other Middle Eastern countries' Internet policies and how they handle issues dealing with Internet content. This report will then examine the current structure and operation of universities in Iraq. Finally, Group Homer will prescribe a policy that draws on the experiences of both the U.S. and Middle Eastern nations in determining how to manage obscene and indecent material on the Internet.

## **U.S. INTERNET POLICIES**

Several issues regarding the legal definitions of obscenity and indecency that the United States has faced over the years are important for Iraq to understand in determining how to balance competing interests in the arena of Internet management now and in the future.

### Children's Internet Protection Act (CIPA)

The Children's Internet Protection Act requires that public libraries and public schools that receive federal E-Rate funding install filtering software on all computers that have Internet access. The Supreme Court upheld CIPA in a 6-3 decision in the case of United States v. American Library Association. The provisions of CIPA indicate that these "technical protection measures" refer to "specific technology that blocks or filters Internet access to visual depictions that are (A) obscene; (B) child pornography; or (C) harmful to minors." (Title XVII—Children's Internet Protection, 2000). The ultimate goal of this Act is to prohibit minors from viewing obscene material and/or pornography. By design, these filters are always "turned on." Problems arise when legitimate adults wish to use these computers for their own research; research that may include material blocked because of the filter. There is a provision in CIPA which allows adults to request the filters be turned off with no questions from library authorities: "An administrator, supervisor, or other person authorized by the certifying authority...may disable the technology protection measure concerned, during use by an adult, to enable access for bona fide research or other lawful purpose." (Title XVII—Children's Internet Protection, 2000). This stipulation is meant to alleviate the concerns that adult patrons may have about CIPA and Internet use in public libraries.

### Obscenity and Indecency

Although the dissimilarity is not exceptionally clear to newcomers to this debate, there is a significant distinction between the definitions of what constitutes obscene and indecent material. Obscene material is not protected by the U.S. Bill of Rights First Amendment and therefore cannot be legally available on the Internet at anytime. For material to be found "obscene" it must meet a three prong test:

- an average person, applying contemporary community standards, must find that the material, as a whole, appeals to the prurient interest;
- the material must depict or describe, in a patently offensive way, sexual conduct specifically defined by applicable law; and
- the material, taken as a whole, must lack serious literary, artistic, political or scientific value (Federal Communications Commission, 2002).

Indecent material, although potentially objectionable, does have full First Amendment protection, so this material can legally be available to view on the Internet. The definition of indecent material (or indecency) is: "that which describes or depicts sexual or excretory activities or organs in a patently offensive manner as measured by contemporary community standards" (Federal Communications Commission, 2002).

It will be important to understand the distinction between these terms when we propose our recommended policy and filter-use suggestions for the implementation and future expansion of the INEN.

### Internet Filtering Tools

Many varieties of internet filtering tools exist: blocking programs (NetNanny, CyberPatrol, 2Watch Network), ratings systems based on the PICS (Platform for Internet

Content Selection) standards (SafeSurf, Internet Content Rating Association), and custom filters made by internet server providers.

Programs that “block” usually consist of a very large database with a global list of URLs constantly being updated. Many of the programs offer online updating, such as 2Watch Network (2Watch Network, 2003). Many are commercialized, however, and this may lead to unnecessary pages being blocked based on that company’s personal biases. KidsNet provides a service that is similar to the ratings systems. Sites are rated by reviewers on a scale of 1 to 5, and then classified into 22 categories parents may use to restrict their children (KidsNet, 1998). This is the most popular use of filtering currently found in the United States (needs citation?).

PICS offers two different approaches to labeling a website for content; the author can provide the information his/herself, or the audience can give the site a rating. If the author wished to rate his/her own content, placing a tag in the head of the web document as part of the metadata for web crawlers is applicable. Here is an example of such a tag: <META http-equiv="PICS-Label" content='labellist'> (World Wide Web Consortium, 1997).

The third tool used for internet filtering is the internet service provider’s custom made filter. These are built into the provider’s system and so the user has virtually no control. The providers may offer the filter as an incentive to use their product, such as AOL has done with its parental control toolbar.

## **MIDDLE EAST & THE INTERNET**

As strong as the U.S. model of government intervention in Internet access is to our proposal, the Internet policies of democratic-leaning Middle Eastern governments provide important insight into the real effect that access will have when dealing with similar religious and ethnic groups in Iraq. For example, one finds that Egypt is unique among Muslim nations. The government has not taken any solid measures to prevent access to indecent content on the Internet. Although the country controls other news mediums, President Murbarak has apparently recognized the potential for economic growth through e-commerce. Egyptians can access most of the Internet even though the Egyptian government censors most indecent material in newspapers and television. Instead of creating a firewall on the Internet for all indecent material, “the government has cracked down on some individuals who posted controversial material online” (Kalathil & Boas, 2003).

The United Arab Emirates (UAE) officials censor socially “inappropriate” material, such as pornography, to please the conservative Muslim population. The government blocks access to pornographic sites by “filtering Internet content through a proxy server that can block sites based on blacklisting or active content analysis” (p. 109). However, the UAE does not punish individuals who access indecent material, since the UAE promotes public access to the Internet.

## **IRAQ’S CURRENT EDUCATIONAL STRUCTURE**

As with most parts of Iraqi society today, the Iraq system of higher education is distressed. While its 22 universities and 43 technical college campuses are currently open and serving its over 300,000 enrolled students, the functionality of its campus environments – lecture halls, offices, libraries – range from spotty to non-existent (Del Castillo, 2003). Since the defeat of the Saddam Hussein regime, the university system has been plagued by a lack of staffing, looting, scarce resources, and non-existent campus security (Lawler, 2003). However, these current conditions cannot be attributed wholly to the circumstances following the U.S. invasion of Iraq. They are, instead, the result of years of neglect due to United Nation sanctions and Hussein’s own suspicion of the university as a potential incubator of opposition.

One of the most obvious results of this neglect is the fact that an operational Internet backbone does not currently exist in the university system. It is difficult to speculate why such a computer network – regarded more and more as an indispensable pedagogical tool on so many campuses throughout the world -- does not exist on Iraq's university campuses. The simplest answer is that access to the Internet prior to U.S. operations existed in very few places in Iraq due to issues of cost and government control of Internet information (Constable, 2003). According to the Central Intelligence Agency's estimates, the number of individuals with Internet access in Iraq in 2003 was around 12,000 (CIA World, 2003). While this shows a great deal of growth since 1997 when the figure stood at 500, it does not compare with the number of Internet users in Iraq's nearest neighbors: Iran (1.3 million) or Saudi Arabia (1.4 million). In both countries, Internet access on campuses is available to students, staff and faculty.

Surprisingly, the strong religious orientation that plays such a central role on other Middle Eastern campuses does not take as significant a role in Iraq's education system. This, like the lack of technology on campuses, can be attributed to the Baath Party's influence on education over the last thirty years (Constable, 2003). This does not rule out the possible influence religion may play in the Future on Iraqi university campuses, and should not be discounted. Certainly, it may already have substantial influence in primary and secondary institutions where control by the government would have been mediated by the greater role that localities tend to play in education.

#### The Internet on Campus

The new initiative to build an Internet backbone to connect the over 70 colleges and university campuses will undoubtedly be welcomed by all members of the higher education community as a furthering of their educational goals and missions. Even so, there will be resistance to the limitation of any level of access to Internet for two reasons:

- University faculty and students are currently experiencing a freedom of thought and expression they have not had since before the Baath Party came to power in the 1960's. It will be difficult for the Ministry of Education to persuade these groups that any type of filtering is not censorship unless it can show *extremely* good reason for doing so.
- Any filtering done on campus will be juxtaposed by the lack of filtering of private or public Internet access, such as private homes or Internet cafes. The question will become, why should university access be filtered if these locales, which are also used by university faculty and students, not filtered?

The Ministry must answer both of these questions before the installation of the backbone so as to deflate any expectations of unfettered access, while at the same time, avoiding the potentially problematic appearance of censorship.

#### **CONCLUSION & RECOMMENDATIONS**

If implemented with care, the Iraqi National Educational Network will provide the country's educational system (as well as industry) with an information boon that will help them recover from the devastating consequences of U.N. sanctions. To do so, Iraq should adopt Egypt and the UAE's policies as well as the U.S. CIPA provisions to filter pornography accessed in universities. Egypt and the United Arab Emirates have not encountered any significant political opposition as a result of adopting these Internet filtering policies. Iraq, with a strong Sunni and Shi'ite population that will play an increasingly central role in education, will not risk as much political discontent by blocking indecent or obscene material in public universities.

### Options

Filtering will offer a tool to protect the user's interests against what that culture feels is indecent or obscene. Creating a safety net before a problem grows beyond control is a recommendation we would like to propose, so the following options feature the implementation of various filtering tools:

- Create a "blacklist" of blocked sites. However, this option is not highly recommended due to its sheer mass of time and energy to create the list, and the heavy filtering would possibly cause interference with research and education development. This option requires a monitor to watch for viewing of indecent and obscene materials online. As previously stated, watching all the searches would be very time consuming, and the watcher would not know why a specific site is being accessed. Because Iraq is developing INEN to promote education and research, the idea of having a "Big Brother" figure watching what is being accessed does not necessarily enhance the creative process, nor would it likely enjoy popular acceptance among university faculty and students.
- The Iraq government could hand the problem over to the private sector to create various types of filtering options instead of a homegrown list such as the previous option. This would allow for competition and could have some faster results than the government funded approach. However, the United States has seen a lot of biasing with private filters, and it is not a highly recommended tool for a government to implement on a wide backbone-level scale.
- A ratings system such as the United States PICS could be built. This has not had much success in the United States, unfortunately, due to its lack of interest with the public. This tool might be more useful for Iraq if it were implemented with the introduction of the infrastructure, though, and could provide a powerful way to manipulate filtering at different levels.
- Extend a previous filtering tool to include the Arab languages. This would provide a base structure from which to build from while minimizing costs of sitting down to research all the websites on the Internet. This option would require a set policy to guide the filtering tool expansion.

### Recommendations

Of the options available, Group Homer recommends that the backbone be built with filtering tools already installed. These tools should be controlled through the Ministry of Education, who would make the final decision as to what filter should be turned on or off. Individual institutions may have situations where the need for information that a filter does not allow may arise, and so limited control at an institutional level would also be recommended. This would require that the universities and colleges work with the Ministry of Education to define what types of information should and should not be filtered, such as the health and sciences sometimes pose with the United States' filtering options. They will also have to make a policy to define what is considered obscene versus what is indecent, and use that as a guideline when developing the filtering tool.

Group Homer also recommends that the government maintain the project and not relinquish filtering control to the private sector. Over time, the Iraqi government may see a need to look to the private sector for resources, but the government should have a strong policy in practice and use prior to any shifts in filtering management.

We also recommend that INEN house all of their servers in Iraq so that the Ministry of Education can retain control of the network in the event of changes, technical problems,

and updates needed for the filter server system. Previous reports have Iraqi name servers placed in foreign nations, including the U.S. (McWilliams, 2003).

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