

Committee: Social, Humanitarian and Cultural

Issue: Net neutrality as a mean of ensuring social equality

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INTRODUCTION

Living in 2019, we face serious social, cultural, and humanitarian issues, such as the question of the death penalty, the debate regarding abortions, or the debate regarding homosexuality and human rights. Regarding the year we live in and the expansion of multiple sectors, it is our duty to at least make an effort to, if not eliminate, at least to alleviate the problems and the impact they create.

One of the many social issues we face at the current moment is the question of net neutrality, its impact on social equality and generally, the debate it creates on whether it is a measure that should be taken or not. Net neutrality is a principle arguing that all Internet Service Providers (ISP) should behave in the exact same way to all internet communications and not make discriminations based on their content, website, platform and so on. It is stated that if all ISPs treat all networks in the exactly same way, equality will be established. This term was first coined in 2003 by Tim Wu, a law professor at the University of Columbia so as to tackle a problem that was just beginning to “flourish”. Despite the fact that it is considered necessary by many, the specific principle has created a major conflict amongst countries and, thus, it has become an issue the UN has to deal with.

What few may not understand is that the depreciation and ignorance of net neutrality might and will possibly lead to many repercussions not only social ones but also political and economic. Discrimination, the prevention of business and companies from technological expansion or the favoring of private networks are just a few repercussions of what is mentioned above.

However, since net neutrality is an essential term that we need to implement, why is it still being debated and discussed on a worldwide level? Like all of issues we face, there is always an opposing viewpoint that such a measure should not be taken for multiple reasons, such as the fact that it stands for a less innovative network or that it promotes objectionable content, and thus they claim that social equality is far from established.

To basically sum it all up, there is still a heated debate between countries and organizations related to net neutrality and, of course, its impact on social equality and multiple measures should be taken so that this issue is dealt with in a civilized, sophisticated and politically correct manner.

DEFINITION OF KEY TERMS

Net neutrality

Net neutrality is basically a principle stating the all Internet Service Providers should treat all Internet Communications in the exact same way and not make discriminations regardless of the source, kind, destination or content.

Social Equality

A situation in which all people from a specific region or group have the exact civil rights and privileges and share the same freedom, social rights, goods and services.

Throttling

The international speeding up or slowing down of a network or website by the Internet Service Provider, a phenomenon also known as Bandwidth throttling.

Internet Service Provider

A company providing individuals and other companies with access to the Internet and other related services.

Traffic Shaping

A technique used on computer networks whose goal is to delay and slow down, if not all, but most of its datagrams in order to bring them into agreement with the same traffic profile desired.

Federal Communications Commission

An independent agency created by the United States government whose role is to monitor and regulate interstate communications by satellite, television, radio, wire etc.

BACKGROUND INFORMATION

Net Neutrality

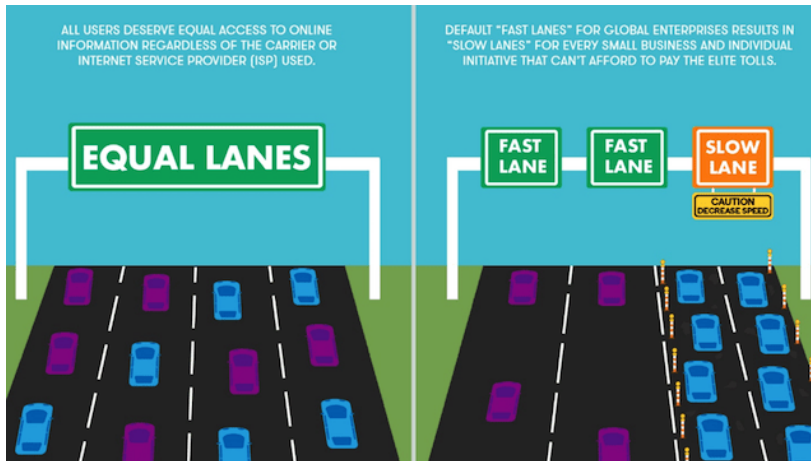
As mentioned multiple times before, net neutrality is directly linked to equality regarding the internet community. When a network, for instance, sends data over the internet, it does not expect it to be manipulated or changed in any way, for any purpose, either economic or political. The internet, in general, plays a major role in our daily lives and routines, and thus people think it will always be free and open. However, that is definitely not the case, and that is why net neutrality needs to be implemented on a worldwide level.

However, during the past few years and for a multitude of reasons, net neutrality has become a complex and difficult issue to handle and the involvement of multiple countries has created diplomatic conflicts. Some of the countries which support net neutrality and have enforced its beliefs are Argentina, Belgium, Russia, India and Chile while some others, such as Australia, the United States of America, China and Indonesia have not yet introduced reforms. To be more specific, the countries that support net neutrality claim that it:

- A) Promotes innovation and competition since it gives the opportunity for all “internet services” to be on the same level and compete with the same tools and benefits.
- B) Promotes the same freedom of expression, since all internet services, through the implementation of net neutrality, have the same right of expression and the same opportunity to show and present what they have to offer.
- C) Offers unfettered access to all since the specific term stands for equality regarding the internet community in general.

On the other hand, countries that disagree with net neutrality and its beliefs claim that it:

- A) Stands for a less innovative network
- B) Promotes objectionable content
- C) Promotes minimum free access to the Internet



In the picture above, what net neutrality stands for and what it wants to combat is metaphorically described.

Federal Communications Commission

The Federal Communication Commission is an agency that was created by the United States to regulate all communications. (radio, television, the internet, etc.) The FCC plays an active role and has taken multiple actions that have created and led to a variety of results due to a change introduced by the current President of the FCC. Its goal is to restore internet freedom and create a framework that will protect the open internet. The FCC functions under three main pillars:

- 1) Consumer Protection
- 2) Transparency
- 3) The removal of unnecessary regulations so as to promote broadband investment.

To achieve its goals, it has conducted extremely helpful actions and has ensured net neutrality and social equality in many countries. It has applied strict legislation regarding the open internet so as to achieve the elimination of throttling and the banning of data manipulation. However, since 2016 and after the election of Donald Trump as the President of United States of America, reforms have been put on hold since the President stands indirectly against net neutrality and its implementation. For example, FCC measures taken during the Barak Obama presidency that protected net neutrality have been over turned by the current President, who characterizes them as unnecessary. As it can be easily understood, the situation at the moment is fragile, since the potential actions are unknown to the public, and Donald Trump's policy stands in complete opposition to the policy of the previous President, Barak Obama.

Social Equality

When one mentions the term social equality, most of the world claims to know what this term means and stands for. However, social equality is more than the establishment of democracy and fairness. Social equality is basically the social state of affairs where all people have the same political rights, the same physical security and the same access to all privileges, social goods and services the specific community offers. The question is, how is social equality related to net neutrality? Most people have the wrong impression that social equality is just related to the provision of the basic needs a human being has to survive such as water, food, or health care supplies. Despite that misconception, the internet has become such a huge part of our lives, it might as well be characterized as something essential for every human regarding their survival. More specifically, internet equity has been recognized as a social justice matter for several years. Boosting, for instance Netflix, by technological means while restricting the public use of YouTube is an action that could be regarded as an act of social inequality.

Some examples of social equality regarding net neutrality are:

- 1) Allowing all people to have the same access on all internet sites and networks
- 2) Allowing all sites to have the same technological, economic and, in some cases, political development.

What needs to be noted is that social equality differs from country to country due to economic, political and social conditions. For example, in Nigeria, the social boundaries are way different from the ones in the USA due to the facilities, the goods, the freedom, the political status etc.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

The United States of America

The United States of America finds itself in a difficult position at the moment. Before the election of Donald Trump, the current President, multiple actions had been taken regarding net neutrality and the USA. An example is that on 10th November, 2014, President Obama “recommended the FCC reclassify broadband Internet service as a telecommunications service in order to preserve net neutrality”. However, after the election of Donald Trump, the situation was reversed. The anti-net neutrality supporter wants to conduct different actions and implement opposing legislations to the already existing ones and thus, the current

situation seems to be fragile. An example regarding the FCC is the Obama legislation that Donald Trump has turned over while other moves by the US government that will go against net neutrality and its implementation are probably to be expected. It is noteworthy that, in 2017, the US FCC announced the end of net neutrality in the state.

China

The People's Republic of China is whole-heartedly opposed to net neutrality and its establishment. It has been noted that the specific government typically blocks not only domestic, but also foreign sites for political and economic content. According to a specialist in Asian Affairs, Thomas Lum: "Since its founding in 1949, PRC has exerted great effort in manipulating the flow of information and prohibiting the dissemination of viewpoints that criticize the government or stray from the official communist party view". To make it clearer, China is a technologically developed country which implements sophisticated and developed methods to limit content online and combines the procedure with legislation so as to promote self-censorship and technical controls.

India

India is one of the countries that has taken important decisions on the topic of net neutrality and has established enhanced legislation on it. More specifically, some of India's actions go as follows:

- 1) The Telecom Regulatory Authority of India banned the differential pricing of data services on 8th February, 2016. This action offered more assurances for the participants of multiple networks while it partially eliminated discrimination. What needs to be noted is that an exception is allowed only in cases of public emergency.
- 2) In 2018, the Indian government approved all new regulations supporting net neutrality, and thus establishing it in all forms and ways.

The Russian Federation

The Russian Federation is one of the countries that took a long period of time making a decision regarding net neutrality. The first decision was taken after four years of discussion, in 2016 when the Russian government passed a law "blocking all ISP's from throttling or otherwise blocking any websites apart from those blocked at the request of the Federal Service for Supervision of Communications, Information, Technology and Mass Media". However, Russia's action does not stop there. There are multiple other regulations that have been introduced by the Russian government regarding the implementation and maintenance

of net neutrality. For instance, in 2007 it introduced legislation that stated that Internet Service Providers could legally ban all individual actions regarding network activity, if they are found to be threatening to the regular functioning of the network. Generally, not only the network, but also the user are obliged to take some actions for the improvement of the already functioning network, but also for the establishment of better quality and improved quantity.

Argentina

Argentina is one of the countries that truly supports net neutrality and has also established fully its beliefs and what it stands for. After considering all aspects and trying to address the issue in the best way possible, the country decided to establish law 24,078 in 2014. The specific law stands for “the right of users to access, use, send, receive or offer any content, application, service or protocol through the internet without any restriction, discrimination, distinction of blocking”. Moreover, article 57 of the established law calls for the allowance of blocking or restricting, but only under a judicial order.

TIMELINE OF EVENTS

Date	Description of Event
21 st December, 2014	FCC Adopts First Net Neutrality Regulations
1 st June, 2014	Net Neutrality Debate
26 th February, 2015	FCC Adopts Net Neutrality Rules
14 th June, 2016	Appeals Court Upholds Obama’s Net Neutrality Rules
8 th November, 2016	Donald Trump Elected President(an anti-net neutrality supporter)
18 th May, 2017	FCC Votes to Open Review of Net Neutrality Policies)

UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

Not only countries and organizations, but also the UN takes a positive stand as well on net neutrality, its purpose and its implementation. More specifically, when the Federal

Communications Commission voted on certain rules so as to ensure a free and an open internet, David Kaye, UN's Human Rights Council's expert on freedom of expression but also a law professor, stood positive and "applauded" such a measure. He stated that "net neutrality is a really, really important principle from the perspective of ensuring broad access to information by all individuals" and expressed his opinion arguing that all networks should be treated in the exact same way, and that no discrimination should be allowed. Another example is the mandate of the Special Reporter on the promotion and protection of the right to freedom of opinion and expression. In 1993, The UN Commission on Human Rights established the specific mandate which basically promotes reliability, freedom, open access, contribution to technological development etc. This mandate has been extended with the last extension being on 21st March, 2017.

Despite the fact that the UN has not taken any measures so far to establish a rule or make an important decision, it can be understood where it stands on the matter and what decisions it will possibly make in the long-term regarding the topic.

POSSIBLE SOLUTIONS

Solutions should be found for the problem to be tackled from multiple aspects. Not only governments, but also Non-governmental organizations and individuals should contribute to this cause and, if specific measures are implemented, then success will be ensured. A possible solution could be the involvement of the government in the issue of funding so as to create more ISPs and thus create more competition. Currently, the only two existing ISPs are Comcast and AT&T and that leaves no choice for the civilians but to choose one of them. With more Internet Service Providers, better service and quality will arise. Another suggestion regarding governments could be the establishment of laws so as to ensure that net neutrality is present in countries where it is supposed to exist. The boundaries, of course, will be set differently since every country differs from one another in a multiple of ways and forms. Lastly, the government could try to prevent censorship in many cases so as for the ISPs with media control to have no power over the situation.

However, it is not just governments that need to contribute. Non-governmental organizations could help fund a system which would keep track of all Internet Service Providers so as to ensure that no interference exists. Furthermore, the establishment of dialogues amongst countries so as to find a mutual solution and discuss regarding the topic could lead to unexpected results and even to the taking of a decision. Last but not least, it is of vital

importance that the public be informed about the situation so as to both understand and spread the idea and meaning of net neutrality and its importance.

To conclude, solutions and ideas to combat the problem exist, and all it takes is determination, will and of course participation. In other words, we can and we need to start taking immediate action, before it is too late.

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