

Net neutrality may be dead in the US, but Europe is still strongly committed to open internet access

January 8 2018, by Saleem Bhatti



Credit: AI-generated image ([disclaimer](#))

The belief that unrestricted internet access is vital to modern life is not necessarily a view held by all businesses that provide internet services. And now that [net neutrality](#) – the equal treatment of all data sent and received without differential charges and service quality – has come to

an end in the US, how will this affect the rest of the world?

The idea that all internet service providers (ISPs) treat all data and users equally is, in theory, the best deal for customers as well as for businesses. Net neutrality allows businesses to compete on service quality, and provides users with a choice across the range of all providers.

But on December 14, 2017, the US [Federal Communications Commission](#) (FCC) effectively [renege](#)d on its own 2015 [Open Internet Order](#), which was devised to allow open and fair access to the internet. This decision was made even though users and many technology companies and [content providers](#) such as Google, Facebook and Netflix [remained strongly in favour](#) of [net neutrality](#).

The loss of net neutrality

At the time, pioneering internet tech experts [warned against](#) removing net neutrality rules, effectively accusing the FCC of not understanding how the internet works. This ruling means that in the US, providers will be able to slow down data traffic to and from certain websites, give preferential treatment to other websites and charge differently for different types of content, such as web access, video streaming, social media and so on.

With net neutrality gone, there are fears that some content, services and applications may be completely [blocked](#) by some ISPs. [Not everyone](#) in the US has a wide choice of broadband providers, so it is not easy for some citizens to "take their business elsewhere" if they are not satisfied with their provider.

Among other things, supporters of net neutrality fear a [loss of consumer protection](#). However, supporters of the FCC ruling say that it could

encourage ISPs to [invest in new infrastructure](#) by allowing them more flexibility in the services they offer. This could enable improved access for many, as well as increased competition that would benefit users.

Impact beyond the US

So how does this decision in the US affect the UK and continental Europe? In the UK, net neutrality is currently protected by [EU policy 2015-2120](#) in support of a [Digital Single Market](#) – Brexit fallout aside. Potentially, after Brexit, the UK government could choose to revoke this policy, although this is unlikely because it has already committed to a [Universal Service Obligation](#) (USO), effectively making [broadband access](#) a legal requirement, as it has been [in Finland](#) for many years.

Additionally, ISPs are held to account by the UK communications regulator [OFCOM](#), which is tasked with ensuring fair play and protecting consumers from poor service. There has been widespread criticism that OFCOM has been [slow and ineffective](#) in persuading big players such as [BT/Openreach](#) to act responsibly in the past, though it has made [progress](#) recently.

OFCOM also has proposals for [punitive fines](#) for those who provide poor service. Meanwhile, OFCOM's own December 2017 [report](#) states that millions of UK households and businesses still lack decent broadband access.



Credit: Andrea Piacquadio from Pexels

Even with the EU policy and OFCOM in place, many users in the UK and continental Europe experience huge variation in broadband access speeds, quality of connection and customer service. Various providers also have preferential deals already in place with specific content providers, such as the recent [deal](#) between BT and Sky for certain TV channels. Which goes to show that the existence of net neutrality does not stop content providers and ISPs making mutually beneficial business arrangements.

However, current EU policy does prevent blocking and slow-down of any content, services and applications. Now, hot on the heels of the FCC

ruling, there are [calls](#) in the US for "no blocking, no slow-down" regulation to counter the loss of net neutrality rules.

But there is concern that the FCC ruling in the US could pave the way for similar moves in other countries. The greatest negative impact could be on those who are already digitally impoverished, with poor access to knowledge and information, or where governments could impose [access restrictions](#) more easily.

Taking a lead from Finland

But while things look encouraging with the UK government's Finnish-style commitment to a Universal Service Obligation, access speeds will need to keep increasing. While Finland's groundbreaking national USO was a great step forward, the requirement is for only a [2Mbps](#) service. Most people would consider that inadequate for modern uses, especially for streaming video.

The UK's USO aims for at least [10Mbps](#) for all citizens by 2020 which, considering the [current average](#) UK internet speed is 16.51 Mbps, seems a bit paltry. Of course, we shall have to wait and see how far the UK actually progresses towards rolling out 10Mbps for the entire country.

Given the demand for net neutrality among users, as well as support from many technology companies and content providers, there would seem to be a business opportunity for ISPs to offer a net-neutrality service to attract customers, as much as there might be to make deals with content providers.

Users' need for global and open access is clearly visible. Currently there is a [global research community](#) promoting access for all, as well as initiatives by users themselves in local communities. These are cooperative schemes facilitating high-speed, unconstrained [internet](#)

[access](#) like [B4RN](#) in the north of England and [RemIX](#) in the Scottish Highlands and Islands.

The global view

In terms of global scope, the UN has recognised that internet access is a vital [enabler](#) for realising its own [Sustainable Development Goals](#), designed to address inequality and improve the everyday lives of millions around the world.

So, while the FCC ruling may be a blow for those wanting unrestricted access to the internet in the US, there is plenty of activity worldwide which supports users of open internet access. But complacency would be unwise; it would be preferable to have net neutrality support from national governments, and there are many parts of the world – the US and the UK included – where internet access could be improved.

However, one of the most attractive attributes of internet access – empowerment – means that the [internet](#) itself remains the most effective platform for users to communicate, coordinate and pursue improved open [access](#) to information, now and for the future.

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