

# Egypt: A Case for Net Neutrality? (guest blog)

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*Amidst the coverage of Egypt's Internet shutdown, a question frequently raised during last term's [POLIS Media Dialogues](#) series seems increasingly relevant: how can Information & Communications Technology companies (ICTs) uphold their commitment to protect customers' freedom of expression when this right conflicts with the legal restrictions of their foreign licenses? POLIS Intern Beth Lowell reports.*

When asked this question during his POLIS dialogue, Dr. Mike Short, Vice President of Research and Development at Telefonica O2 Europe, diplomatically answered that his company always complies with the legal restrictions of the countries within which it operates. This response adequately addresses how ICTs currently respond to their conflicting obligations, but it adeptly avoids addressing their accountability for enabling government suppression of citizens' rights to freedom of speech and expression.



The Egyptian government's order requiring the countries four biggest Internet Service Providers (ISPs) to suspend their services, essentially amounted to a national Internet blackout. This action, a preemptive step in the lead-up to a planned day of protest, left millions of citizens without access to Internet or mobile services.

It is exactly this type of government action that POLIS Dialogue presenter Susan Morgan attempts to prevent through her work as Executive Director of The Global Network Initiative. During her dialogue, Morgan emphasized the need for ICTs to cooperate and present a united case for the creation of international principals to protect users' freedom of expression.

However, when confronted with the issue of how companies can reconcile conflicts between their commitment to users and compliance with regional legislation, she seemed to grapple with the same contradiction as the ISPs themselves. Morgan called for user protection while maintaining that companies absolutely must abide by the laws of the countries that license them. Her vague solution was to research, identify, and advocate alternate legal forms of ISP resistance to these government orders.

## Hot Debate

Many observers, including former White House chief technology officer Andrew McLaughlin, view the recent events in Egypt as new evidence to support the argument for net neutrality. The concept of net neutrality, which argues for an open Internet without access provider infringement on user activities, has been hotly debated recently.

Last December, the United States Federal Communications Commission (FCC) passed regulations broadly supporting a net neutrality framework and prohibiting "unreasonable network discrimination" by broadband Internet providers. Subsequently, the FCC is facing lawsuits from Verizon and MetroPCS, which assert that the Commission does not have the authority to pass such restrictions.

## Protect Rights

Traditionally, proponents of network neutrality have proposed the concept as a precaution taken to protect the rights of users from discrimination by ISPs. However, the situation in Egypt provides a new angle to the debate: can net neutrality be leveraged as a means to protect ISPs from government pressure to disconnect users? Without the ability to discriminate against users, ISPs could no longer be forced to do so by government intervention.

McLaughlin argues that the Egyptian government's recent actions serve as an example of the importance of net neutrality as a mechanism "to prevent networks from installing tools and capabilities that could be abused in

moments of crisis.”

There is much to be said for the argument that some ISP control over user activities is beneficial, such as the use of reasonable traffic control measures to prevent slowed services due to congestion. These benefits need to be weighed against the potentially more onerous uses of ISP control as a means of repression and unjustified user discrimination.

The concept of net neutrality as a means to combat infringement on citizens' rights to freedom of expression is worth exploring. Global measures supporting an international framework for net neutrality could just be the type of legal resistance Morgan has been looking for and serve as the ultimate safeguard against future Internet blackouts. However, even with this idealistic image of net neutrality as a saving grace for the masses, the concept is in for a lengthy fight, most significantly against the same ISPs that it could be used to protect.

This article by POLIS intern Beth Lowell

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