

Net Neutrality in a Nutshell:

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What is “Net Neutrality”?

Network (“Net”) Neutrality is “the principle that all information that is sent over the Internet should be treated equally”ⁱ

This means that:

- Internet Service Providers (ISPs, like Telus, Shaw, Rogers or Bell) shouldn’t interfere in web content getting to you
- All sites and formats should be treated the same by ISPs
- Users are free to go where they want on the Internet, and access whatever information they wish

Who is opposed to Net Neutrality, and why?

The primary opponents of regulation to require net neutrality are telecommunications and cable companies. They argue that they need the ability to block or filter their networks in order to prevent illegal file sharing, viruses and spam, and congestion due to bandwidth-intensive traffic (such as video streaming). Net neutrality regulation would also prevent ISPs from levying surcharges on users or content providers who want premium (fast or equal) access to their networks.

Who supports Net Neutrality, and why?

The National Union of Public and General Employees (which represents more than 340,000 workers across the country), the Council of Canadians, the Campaign for Democratic Media, and the Canadian Association of Internet Providers, and the Independent Film and Television Alliance, to name a few. The Standing Committee on Canadian Heritage also raised concerns about non-neutrality’s impact on Canadian heritage, in their recent report.ⁱⁱ

Primary arguments for net neutrality are that both the Internet and Canadian Telecommunications Policy rely on the principle of “common carriage” – that public networks shouldn’t discriminate among content. Supporters of net neutrality don’t want to see the Internet run by a bidding war, with fast access sold to the highest bidder. As Michael Geist warns, “imagine a world in which Chapters cannot compete in the online book space because its content is on the slow lane while Amazon is on the fast lane.”ⁱⁱⁱ That is a world without net neutrality.

What are some examples of non-neutrality?

Non-neutrality is often likened to a highway with a toll fast lane for content providers who pay a premium, and a regular slow lane for the rest of us. Here are just a few examples of violations of net neutrality in Canada:

- During the 2005 Telus labour dispute, Telus blocked its internet subscribers from accessing a website that supported striking union members (and 766 unrelated sites with the same IP address)^{iv}
- In 2006, Vonage filed a request for a CRTC investigation because Shaw was privileging its own VoIP service by charging a \$10 fee to customers who use another company's VoIP service^v
- This March, the CBC decided to use BitTorrent to distribute an episode of *Canada's Next Great Prime Minister*. When ISP "throttling" (deliberately slowing high-bandwidth activities) made the download of this show excessively long, Bell and Rogers Communications' practice of "traffic shaping" came to the public's attention^{vi} -- and that of smaller ISPs who but wholesale access from the big ISPs.^{vii}

Do any existing laws or regulations pertain to Net Neutrality?

The principle of Common Carriage is enshrined in Canada's Telecommunications Act (1993), Sec. 27(2): "No Canadian carrier shall, in relation to the provision of a telecommunications service or the charging of a rate for it, unjustly discriminate or give an undue or unreasonable preference toward any person, including itself, or subject any person to an undue or unreasonable disadvantage."^{viii}

But in 1999 the CRTC decided that regulating the Internet was beyond its scope.^{ix} The CRTC is currently reviewing its jurisdiction over new media and their report should be released in May. Several organizations and individuals are filing submissions to the CRTC this spring, and there is a call for public hearings on the issue.

ⁱ <http://whatisnetneutrality.ca/en/node/1>

ⁱⁱ <http://cmte.parl.gc.ca/Content/HOC/committee/392/chpc/reports/rp3297009/chpcrp06/08-chap2-e.htm#16>

ⁱⁱⁱ <http://cmte.parl.gc.ca/cmte/CommitteePublication.aspx?SourceId=196404>

^{iv} <http://www.cbc.ca/canada/story/2005/07/24/telus-sites050724.html>

^v <http://www.cbc.ca/money/story/2006/03/07/vonage-060307.html>

^{vi} <http://theyee.ca/News/2008/04/09/Throttling/>

^{vii} http://www.crtc.gc.ca/PartVII/eng/2008/8622/c51_200805153.htm

^{viii} <http://www.crtc.gc.ca/eng/LEGAL/TELECOM.HTM>

^{ix} <http://www.crtc.gc.ca/eng/NEWS/RELEASES/1999/R990517.htm>

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