**APrIGF Seoul 2013**

**Workshop Summary Reports**

**Date:** 5 September 2013

**Time:** 9:30-11:00 am

**Track:** Openness

**Workshop Title:** Network Neutrality in the Asia – Current Issues

**Reported by & Contact Email:**

**Moderators:** Izumi Aizu, Executive Director, Institute for HyperNetwork Society

**Panelists:**

Byoungil Oh, Korean Progressive Network Jinbonet

Toshiya Jitsuzumi, Professor, Kyushu University, Economics, Japan

Milton L. Mueller, Professor, Syracuse University School of Information Studies

Jeremy Malcolm, Senior Policy Officer, Consumers International

**A brief summary of presentations (If any)**

Byoungil Oh – Network Neutrality in South Korea

He introduced the debates between network neutrality advocates and telecommunication incumbents by giving mVoIP throttling case in S. Korea, and presented human rights, economic and regulative aspects of network neutrality. And then, he briefed the regulative situation in S.Korea and argued users’ cooperation would be very important for their voice to be heard.

Toshiya Jitsuzumi - Network Neutrality in Japan

He started with conclusion that ‘there is no problem’ in Japan as of now though ISP imposes restriction on internet usage under special circumstances. However, as the internet traffic in Japan is increasing rapidly, quality of network services is getting worse. To solve the problem with minimum government intervention, he suggested independent QoS evaluator & ISP sommelier for customer education.

Milton L. Mueller - Putting control into the network - A comparison of Deep Packet Inspection Technology Use in Canada, the US and China

He presented what is DPI and for what it’s applied, and pointed out that DPI would have tension or conflict with fundamental principles of internet governance and raised the question whether deployment of DPI would transform IG. From his research on DPI use for bandwidth management in different regulatory environment, he found network neutrality norms was reaffirmed despite of disruptive change in Internet regulation in USA and Canada, but nothing changed in China due to political consideration.

Jeremy Malcolm - Hard cases in Net Neutrality

He, first, briefed consumer rights, especially in regards to network neutrality, the right to be informed and to choose, and then raised question when network neutrality costs the consumer more, can we still be in favor of network neutrality, by giving examples where mobile providers give free access to certain contents or services. Whether it’s good or bad for consumer would be different depending on how it is done.

**A substantive summary and the main issues that were raised:**

The first topic discussed is why switching ISP is so hard for users? There is correlation between ISP competition and NN. One of the obstacles when people consider to change the ISP in Japan is his/her email address, because most e-commerce sites didn’t accept free email addresses like Gmail or hotmail in the former days, so people had to use the email provided by ISP and could not change it. This is quite similar to the situation when mobile number portability (MNP) was not available. Before the introduction of MNP, the switching cost in the mobile phone market was so high that most people could not afford to change his/her career. In the US, main problem is that there exists limited number of ISPs, so not much choice for users. Long term contract and bunding are another barriers.

Next discussion topic was communication secret and DPI. During his cast study of DPI, Milton Mueller found that people got surprised when they discovered what has been done in DPI. Although all DPI applications don’t violate the law, it violates people’s expectation of privacy. Byoungil raised question that throttling of mVoIP could be a violation of communication secret act, because communications are usually made between two part, so consent on throttling of only one part would not be sufficient if the other side don’t consent on throttling. DPI usually don’t recognize user identity, but it has a power which could be misused, so prior consent of users would be very important. Jeremy briefed Best Bits activity about revelation on NSA surveillance. According to Jitsuzumi, situation in Japan is unclear, because government didn’t say anything about DPI yet, except that secrecy of communication must be respected.

Next, we discussed about relationship between ISP and certain contents providers. In some developing countries, wikipedia has agreement with telco providers to provide content free of charge. Adam Peake raised the issue that mobile providers partnered with particular search engine in some developing countries. Jeremy answered that adopting default search engine is not necessarily NN issues, but may be a competition issue depending on how easy to change the default. In Korea, there isn’t such cases that ISP had special contract with certain content providers. Milton Mueller pointed out that it’s the matter of ISP competition. Jitsuzumi told that we need to separate between human rights issues and competition issues. As long as basic service is guaranteed, market could solve the problem.

**Conclusion & Further Comments:**

Jeremy told that network neutrality coalition has been formed and is discussing model framework on NN. This issue will be discussed further in IGF bali.