

Net Neutrality Compendium: Human Rights, Free Competition and the Future of the Internet

Luca Belli (ed.), Primavera de Filippi (ed.)

Publication Review

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This compendium on Net Neutrality (NN) comes at a time when the debate on the future of the internet and its governing principles appears to be regaining momentum (if it ever lost it). Following the 2015 developments on NN at the FCC and in Europe, this publication attempts a broader worldwide exploration of the concept of NN and the ancillary issues on which it touches, by presenting a spectrum of voices both encompassing and surpassing academic borders. As per the acknowledgements page, the book "reflects many of the ideas discussed by the members of the Dynamic Coalition on Network Neutrality (DCNN) of the United Nations Internet Governance Forum", and thus encompasses in its pages a multi-stakeholder dialogue aimed at raising distinct issues and proposing differentiated approaches to understanding and viewing the NN debate.

Indeed, the editors have succeeded in an inclusive approach that enables a holistic understanding of NN, as this appears to be the only way to apprehend the full "size" of a concept so versatile in its meaning, as the environment invoking it. Vinton G. Cerf's preface touches exactly on this versatile, multifaceted nature of the concept, offering a fitting entry to the chapters to follow.

The compendium itself is separated into three parts, preceded by an editorial introduction on the nature of multistakeholderism. The first part, entitled "Framing the Network Neutrality Debate: Net Neutrality, Human Rights and Openness", promises a theoretical grounding of concepts and frameworks; the second part examines "A Regulatory Perspective on Net Neutrality", whereas the last part investigates "Net Neutrality in Action: Challenges and Implementations". Unfortunately, the three parts appear to converge greatly in terms of content, and the papers themselves do not always seem to fit the structure the editors were aiming at.

This does not constitute a drawback in itself, however, as the present publication is not envisioned as a textbook for academic purposes, or a single author's perspective; rather it encompasses interdisciplinary knowledge and opinions from law, consumer and broader business studies, computer science, communication studies and sociology, psychology, and equally (or most) importantly from industry and civil society. Accumulating expertise and insight from varying backgrounds as an editing task requires such a firm structural planning that would allow these voices to not get "absorbed" in their diversity.

And this is somewhere where the compendium falls short, as this fast-paced journey across disciplines would require more editorial assistance in order to guide the reader. In this sense, it would be better if the target audience of the compendium were stated more clearly at the beginning. A novice reader would find it harder to navigate through NN's labyrinth by reading this book, whereas a more accustomed one would be daunted by the repetition of concepts and introductions, a practice mostly evident in the first part of the book, where the same definitions are being repeated throughout.

Overall it appears that the first part does not deliver on its promise to investigate the human rights aspect of the debate, as the title suggests. Even though a multistakeholder introduction is actually offered by its chapters, the human rights arguments remain to be thoroughly investigated from a legal perspective. Indeed, even though the [ECHR](#) and the importance of NN for a participatory regulatory system are mentioned, this part of the title remains under-investigated and rather descriptive for a compendium of this nature.

The second part promises an insight into the regulatory perspectives surrounding the issue, and such it overlaps with the third part of the compendium, which calls for a "hands on" evidence-based approach, as per its title. In the second part of the present work, several regulatory approaches and justifications are explored, first through investigating the exceptions of "specialised services", a concept that can affect the way NN is defined and framed, and then by examining laws enacted in South American countries, with their various backgrounds and justifications. Australia is also explored by Angela Daly, as a country where the debate is currently nascent—a chapter that could better be read in a globalised context, focusing on American content providers' efforts to create favourable regimes.

Throughout this part, the importance of competition law is highlighted and the debate of ex post versus ex ante intervention comes to the forefront, an issue also explored by Roslyn Layton in Ch.13, whereby the political game played by American companies benefiting from a stricter framework is exposed. Measuring innovation under a variety of regulatory approaches provides a valuable quantifiable insight into the broader debate, adding a much-needed angle. Joe McNamee and Maryant Fernandez Perez's chapter on the recent European conundrum could more critical of the "trialogue compromise" as the issue provides for excellent grounds **C.T.L.R. 137* for further discussion. By the end of the part, the reader will have acquired an overall estimation of the ex post and ex ante approaches of various countries where the debate has been initiated. Again, given the highly political, or even controversial nature of the debate, a more targeted focus would have been preferred.

Lastly, the third part of the compendium takes an even broader approach, aiming to incorporate issues and discussions that can touch on NN either directly or indirectly, such the civilian drones discussed by Leonidas Kanellos (an issue that definitely deserves further investigation as it appears to be touching on several topics raised by this book simultaneously). Alas, this chapter (Ch.20) might have arrived a little too soon, as it raises all the right questions, unfortunately, without investigating them in the context of NN to a substantial extent. Similarly, the chapter by Primavera de Filippi and Felix Treguer on wireless networks offers another interesting aspect on community involvement, which would facilitate a new public policy for the network commons in their broader sense.

This part (and therefore the compendium), ends with opening the floor to addressing the need for legal interoperability, thus reaffirming this book's focus on a multistakeholder approach. Christopher Marsden explores zero rating practices and the future of the mobile internet in India, Slovenia, Chile, the Netherlands, and Brazil. Luca Belli and Nathalia Foditsch "urge" us to move from the older days where NN was based on its endogenous architectural principles, and seek justification in an exogenous comprehensive environment. Louis Pouzin, in the postface, opens the debate even further by inviting for a greater discussion that could encompass consumers' and users' choices, tariffs, services, diversity, as well as a plethora of adjacent topics where NN can be encountered.

To conclude, the reader is presented with a well-versed compendium of ideas; however, it would also have been of great use to explore the legal aspect of human rights even further, as the title suggests, as well as to offer a different structural approach that would avoid repetitions of concepts and definitions and would enable the new entrants to the NN debate to follow it in a more coherent manner. For instance the chapter by Konsantinos Stylianou could have also opened the compendium or served as its "outro", as it conceptualises issues that need addressed as a matter of priority. Overall, the compendium on NN manages to incorporate many voices and opinions in its pages, and more importantly voices and opinions that represent the multistakeholder nature it wishes to promote.

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