

CSTD - UN Trade and Development**Net Neutrality****Overview**

Net neutrality is the idea that the internet service provider (ISP) should treat all online content equally, without blocking, slowing down, or prioritizing certain services and websites. The main idea when discussing Net Neutrality is bringing the traditional human rights of our current liberal world order, and applying them to the online world. This concept has evolved into one of the most important digital policy debates of the 21st century, as it affects billions of users across the world. As internet access becomes increasingly connected with fundamental aspects of modern life like education, healthcare, economics, and freedom of expression, the central question of who controls the distribution of information online carries important implications for democracy and equity across the globe.¹

The consequences of disregarding net neutrality can be devastating. Without safeguards in place, ISPs could create "[fast lanes](#)" for companies that can pay more, while leaving smaller businesses and startups with slower internet services. This would heavily impact the internet's nature as an open platform where anyone with an idea can complete, halting innovation. Discriminatory practices could also lessen individuals' access to information sources, furthering already stark digital inequalities between developed and developing countries. Nations around the world have responded to this threat by enacting legal protections to secure an open internet, while others have minimal regulations, giving corporations a monopoly on the internet.

¹ "Net Neutrality | Pros, Cons, Debate, Arguments, Censorship, & Internet." *Encyclopedia Britannica*, 2000, www.britannica.com/procon/net-neutrality-debate.

Commission on Science and Technology for Development

The Commission on Science and Technology for Development (CTSD) is a body of the United Nations Economic and Social Council (ECOSOC), created in 1992 to examine technology and science issues that are relevant to international development.² The CSTDS is positioned to address the net neutrality challenge, as its mandate centers around advancing technological innovation across the world while ensuring the innovations stay equitable for developing and developed nations. Furthermore, the CSTD hopes to create a space where nations all across the spectrum of developing to developed can come together and address the unique challenges of this situation.

The CSTD views net neutrality as an issue that is aligned with its core mission to promote inclusive development within the internet. The Commission recognizes that making internet infrastructure equitable is essential in preventing developing nations from being left behind in the digital economy. The CSTD hopes to expose how different net neutrality policies impact economic development, digital rights, and more, as it advocates for laws that prevent online barriers to free internet access. Therefore, the CSTD urges members to participate in conversation about net neutrality protections that weigh the interests of the ISPs, while also prioritizing the needs of the citizens of the world.

International Conventions and Frameworks

UNESCO Internet Universality ROAM Principles

The United Nations Educational, Scientific, and Cultural Organization (UNESCO) developed the Internet Universality framework (IUF), based on four principles known as ROAM.

² “Net Neutrality | Pros, Cons, Debate, Arguments, Censorship, & Internet.” *Encyclopedia Britannica*, 2000, www.britannica.com/procon/net-neutrality-debate.

The Internet Universality framework is a UNESCO initiative based on four principles (R-O-A-M: Rights, Openness, Accessibility, and Multi-stakeholder participation) that promotes a human rights based approach to internet governance and development.

1. Rights based: The internet should be grounded in internationally recognized human rights, including privacy, equal access to information, and freedom of expression. Net neutrality supports these rights by making sure users can see diverse information without ISP interference.
2. Open: The internet must remain open through transparent processes and through accessible infrastructure. Net neutrality protections preserve this openness by preventing ISPs from favoring their own services.
3. Accessible to All: World-wide access means affordable connectivity and infrastructure. Net neutrality protections prevent ISPs from creating economic firewalls through pricing.
4. Multi-stakeholder participation: Internet governance should include participation from governments, private sector, technical community, and academic representatives.

EU Regulation 2015/2120

The European Union created one of the most inclusive net neutrality frameworks through Regulation 2015/2120, which was put in place in 2016 across all EU member states.³ The law stops International Service Providers (ISPs) from blocking or discriminating against specific

³ “Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 Laying down Measures Concerning Open Internet Access and Retail Charges for Regulated Intra-EU Communications and Amending Directive 2002/22/EC and Regulation (EU) No 531/2012 (Text with EEA Relevance).” *Legislation.gov.uk*, 2015, www.legislation.gov.uk/eur/2015/2120/contents.

content, services, or applications, with some exceptions for preventing cyberattacks or managing network congestion. This allows ISPs to offer services with better quality (IE: telemedicine).⁴

The regulation also requires transparency from the ISPs regarding their management practices and includes authorities monitoring compliance. The EU's approach to net neutrality conveys how multinational organizations can create common standards while also respecting sovereignty.

Past Country Actions:

India's Net Neutrality rules (2018)

India represents one of the largest victories for net neutrality advocacy in the developing world. In 2018, the Telecom Regulatory Authority of India created regulations prohibiting ISPs from discriminating against certain content by blocking or slowing down internet speed. The rules also forbid charging different prices based on content that is accessed.

India's rules began with the Save the Internet Campaign in 2015. This grassroots movement mobilized over one million people to oppose Facebook's free basic program, which offered free to select websites for users who couldn't afford data plans. While Facebook argued that this was a "philanthropic connectivity expansion," many others argued that it violated net neutrality as Facebook could choose what Indian internet users saw online. The campaign successfully demonstrated that even countries with millions of citizens who are unconnected to the internet should not compromise net neutrality to achieve connectivity. India's stance shows how developing nations can use net neutrality to create local innovation, allowing startups to compete with established companies.

⁴ "Definition of International Services | U.S. Bureau of Economic Analysis (BEA)." *Www.bea.gov*, www.bea.gov/international/international-services-definition.

USA: Repealing Federal Protections (2017)

The United States, on the other hand, provides an example of instability of net neutrality.

In 2015, the Federal Communications Commission, under the Obama administration, classified broadband connection as a “telecommunications service,” therefore subjecting ISPs to regulations that prohibited blocking and slowing internet connection. However, in 2017, The Trump administration’s FCC voted to end these protections, arguing that lighter regulation would encourage ISP investment and that competition within the market would prevent abusive practices.

This repeal created uncertainty within the country. Many U.S. states, like California, made their own net neutrality laws, enacting regulations that made it harder for ISPs to operate in the state. The debate has remained politically charged, as the Biden administration worked to restore federal protections throughout Joe Biden’s presidency. For the CSTD, the U.S. experience conveys how net neutrality can become wrapped up in politics, with different administrations taking opposite positions.

Netherlands: First country with Net Neutrality Law (2011)

The Netherlands was the first country to put net neutrality protections into national legislation. In 2011, the Dutch Parliament amended the Telecommunications Act to stop ISPs from blocking internet services and applications, with exceptions for security, network congestion, or court orders. The legislation emerged when mobile carriers began blocking and charging extra for Voice over IP services like Skype.

Studies since implementation have found no evidence that net neutrality laws harmed ISP investment or network quality in the Netherlands. Nevertheless, the country still has high quality broadband markets with Europe's fastest internet speeds.⁶

Past UN Resolutions and International statements:

UNHCR deciding internet access is a human right (2016)

In July 2016, the UNHCR adopted a resolution that affirmed that the same rights humans have offline must also be protected online, most importantly: Freedom of Expression. The resolution condemned measures that intentionally prevent access to online information, called on states to promote internet access, and emphasized that internet access enables people to exercise their rights to freedom of opinion and expression.

While not specifically mentioning net neutrality, this resolution provides a rights-based framework for looking at ISP practices. Discriminatory blocking practices towards lawful content should be viewed as violating rights to information and expression. The resolution was adopted by consensus, highlighting international agreement.

NET mundial multistakeholder Statement (2014)

The Global Multistakeholder Meeting on the Future of Internet Governance (NETmundial) was held in Sao Paulo, Brazil in 2014, with over 930 participants from governments, private sector, academia, and the tech community. The statement created key principles including that internet governance has to be grounded in human rights, that universal and affordable access must be prioritized, that governance processes must be inclusive and transparent, and that the internet should be open with network neutrality prioritized.

Regarding net neutrality, the statement says that "network neutrality, understood as the principle by which all Internet traffic is treated equally, without discrimination, restriction or interference" should be considered in internet governance frameworks. While not legally binding, NETmundial represents more broad consensus across diverse stakeholder groups and provides a foundation for arguing that net neutrality protections should be part of any global framework for internet neutrality.

Case Study:

Portugal serves as a strong example of what internet access would look like without net neutrality protections. Portuguese carrier MEO offers mobile data packages where users purchase base plans with standard data allowances, plus optional add-on packages providing more data only for specific services: social media, messaging apps, video streaming, and music streaming. These add-ons cost more than the base plan.

Net Neutrality supporters say this model demonstrates the risks of weak protections: the tiered approach encourages users to stay within pre-approved services rather than exploring the full internet., favors established companies over startups, and creates complicated pricing that obscures the real cost.

However, Portugal is subject to EU Regulation 2015/2120, which prohibits blocking, so users can access any content using their base data. The add-ons provide additional data for specific categories. The debate over whether this violates net neutrality or if it represents creative packaging within the laws, is still ongoing.

Questions

1. How can the international community ensure that net neutrality policies promote equitable access to information and technology
2. Should the UN and CSTD work toward creating a universal framework for net neutrality, or should it be left up to each country
3. Should violations of net neutrality be considered violations of human rights
4. What are economic and social consequences for countries that fail to adopt net neutrality protections
5. To what extent should governments regulate internet service providers

Resources for Further Exploration

- UNCTAD - Commission on Science and Technology for Development:
<https://unctad.org/topic/commission-on-science-and-technology-for-development>
- FTC - Net Neutrality: <https://www.ftc.gov/net-neutrality>
- ISOC Foundation - Digital Equity:
<https://www.isocfoundation.org/2023/06/what-is-digital-equity/>
- Britannica - Net Neutrality Debate:
<https://www.britannica.com/procon/net-neutrality-debate>
- Investopedia - Net Neutrality Explained:
<https://www.investopedia.com/articles/markets/062014/what-you-need-know-about-net-neutrality.asp>

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