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Remarks

I apologize for the many errors of vocabulary but I really want to express my point of you through this questionnaire even if my language is poor.

Question 1: Is there currently a problem of net neutrality and the openness of the internet in Europe? If so, illustrate with concrete examples. Where are the bottlenecks, if any? Is the problem such that it cannot be solved by the existing degree of competition in fixed and mobile access markets?

Lack of controls of possible abuses of Internet Service Provider (ISP) is a main issue. Some of them are said to facilitate access to specific website for mutual benefit. An independent organisation should be created to check their neutrality and avoid specific data transport rules.

Question 2: How might problems arise in future? Could these emerge in other parts of the internet value chain? What would the causes be?

Along with the political decisions, net neutrality might simply disappear. For example, the shadow of Deep Packet Inspection (DPI) can't be ignored anymore. Establishing a control over communication network is the first step for control abuse. Using the over mediatic insecurity of Internet, politics are threatening the liberty of each Internet user.

Question 3: Is the regulatory framework capable of dealing with the issues identified, including in relation to monitoring/assessment and subsequent enforcement?

Those who break the law will always find a way on Internet to make their resources available. The end-to-end approach is the only efficient way to stop them. By arresting them, we stop the malpractice at its root instead of blocking one way for it to grow.

Question 4: To what extent is traffic management necessary from an operators' point of view? How is it carried out in practice? What technologies are used to carry out such traffic management?

Load management is the only reason of ISP to manage traffic.

Question 5: To what extent will net neutrality concerns be allayed by the provision of transparent information to end users, which distinguishes between managed services on the one hand and services offering access to the public internet on a 'best efforts' basis, on the other?

We (in France) love to create authorities for any purpose. Creating an fully independent european authority which only purpose is access and control all the traffic management is the key for net neutrality concerns.

Question 6: Should the principles governing traffic management be the same for fixed and mobile networks?

As said before, load management is the only acceptable traffic management. For consequences, traffic management would be different between fixed and mobile networks as their technologies are different.

Question 7: What other forms of prioritisation are taking place? Do content and application providers also try to prioritise their services? If so, how – and how does this prioritisation affect other players in the value chain?

I can't provide evidence of prioritisation but it's well-known that some french ISP prioritise some video hosting service. This is illegal as this avoids free market economy.

Question 8: In the case of managed services, should the same quality of service conditions and parameters be available to all content/application/online service providers which are in the same situation? May exclusive agreements between network operators and content/application/online service providers create problems for achieving that objective?

The news about Orange low-prioritising YouTube video is the perfect example. We don't know for how long this practice was (or is) running but Orange client kept reporting this problem.

Question 9: If the objective referred to in Question 8 is retained, are additional measures needed to achieve it? If so, should such measures have a voluntary nature (such as, for example, an industry code of conduct) or a regulatory one?

Waiting for voluntary measures is hopeless.
ISP and the others protagonists are firstly companies.
Companies purpose is making money.
Without controls, they are able to set up all the management they require to sell prioritised network. So I can't imagine them protecting the net neutrality by themselves.

Question 10: Are the commercial arrangements that currently govern the provision of access to the internet adequate, in order to ensure that the internet remains open and that infrastructure investment is maintained? If not, how should they change?

As agreement of not competition are illegals, commercial arrangements between ISP and content and application providers should be controlled.

Question 11: What instances could trigger intervention by national regulatory authorities in setting minimum quality of service requirements on an undertaking or undertakings providing public communications services?

I don't know all the existing european instances but if there is to be an instance, it should be european, independant and without any kind of conflict of interests.

Question 12: How should quality of service requirements be determined, and how could they be monitored?

The service requirements and the monitoring should be built around the end-to-end principle. The only purpose of the monitoring should be the protection of the freedom over Internet. If there may have an illegal use at one end, this should be solve at this end only. Not by breaking the network access (that would be rebuilt quickly), but by arresting the user committing the malpractice.

Question 13: In the case where NRAs find it necessary to intervene to impose minimum quality of service requirements, what form should they take, and to what extent should there be co-operation between NRAs to arrive at a common approach?

In this case, NRAs might take technical decisions. These decisions must be service and user independant. For example, if the only choice is to limit the bandwidth, that must be done for all the users, all the content et application service and for all protocols. The NRA must take decision without knowing what data is going throught its network.

Question 14: What should transparency for consumers consist of? Should the standards currently applied be further improved?

This should consist of regular checks by an independant instance of the ISP practices. This instance would regulary give certifications to Internet protagonist.

Question 15: Besides the traffic management issues discussed above, are there any other concerns affecting freedom of expression, media pluralism and cultural diversity on the internet? If so, what further measures would be needed to safeguard those values?