

Opportunities and Threats of VOIP



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A public perspective...

Voice Over Internet Protocol

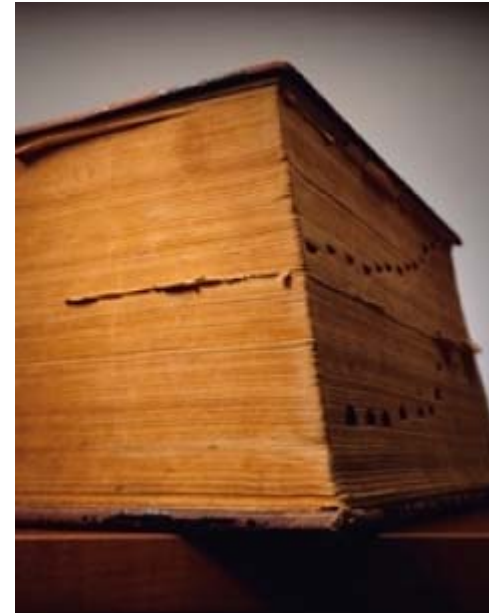
Lets get right to it!

We could discuss Public VOIP Benefits

- Significant cost savings 30 - 90%
 - Mobility (Take your phone anywhere in the world)
 - Unlimited Long Distance
 - Calling features
 - Conferencing
 - Global business presence
 - Enhanced Customer services
 - Effects on economy & relationships
 - Or...
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We could discuss the Belize Telecom Act!

- We could engage in serious discourse about how the 2003 changes in the Telecom Act have affected our ability to communicate, especially where quality of service is concerned.
- Or really get into the upcoming liberalizations planned for Jan 1 2008 – We must learn more about these!
- Or...



We could even delve into the technology of VOIP

- Reviewing its technical operations
 - Talk about SIPs , ATAs, data compression etc.
 - Looking at how it affects your computer network.
 - How it affects your ISP
 - The future of VOIP

 - But, we won't...
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Lets look at the core of this issue...

- In its essence, VOIP is just another service running on the great TCP/IP protocol.
 - This protocol has caused much havoc on the world.
 - It has affected the Post Office – why post when you can email?
 - It has affected the Music industry – pay \$20 for a CD? No way!
 - It has affected neighborhood shops – I can now buy online
 - It has affected dedicated lines for businesses – great thing VPN!
 - It has affected newspapers and magazines – no dirty smudges
 - It has affected libraries – No more Dewey decimal system
 - And, now it is affecting our phone calls!
 - What do we do with this thing?
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Do we Censor it? Ban it completely?

- Usually, when there is something affecting us that we do not like, we try to stop it.
 - In the world today, many countries (usually dictatorships and those with telephone monopolies – or vice versa) make it a practice to block stuff they feel threatens the status quo.
 - Morocco, Tunisia, and the United Arab Emirates forcibly block material they find morally “sensitive”
 - Burma, China, Singapore, Syria, South Korea actively engage in Internet Political censorship.
 - Even with the best filters and proxy servers though, people somehow just seem to find a way to correspond.
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What really is at stake here?

- Is it bandwidth? Profits? Security?
 - Or is it our basic freedom to communicate?
 - If any communications provider can today decide to block a particular feature of the Internet, what can they decide to block tomorrow?
 - Will specific content be next?
 - Particular anti-government views?
 - Newspapers?
 - Your personal email?
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“Noh listen to the noise inna the market..”

- **The Belize Constitution says:**
- **Part 1 Section 2 :** This Constitution is the *supreme law of Belize* and if any other law is inconsistent with this Constitution that other law shall, to the extent of the inconsistency, *be void*.
- **Part 2 Section 3: b)** freedom of conscience, of expression and of assembly *and association*.
- **Part 2 Section 12.-(1)** Except with his own consent, a person shall not be hindered in the enjoyment of his freedom of expression, including freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference (whether the communication be to the public generally or to any person or class of persons) and *freedom from interference with his correspondence*.



“Check yoh Change...”

- We as citizens of this nation have a constitutional freedom to associate, communicate, and correspond. And that freedom must not be interfered with!
- Regardless of the noise about profits or other excuses, this is all about our right to pay for an internet connection and use it to transmit and receive packets of data regardless of type.
- The Constitution makes provisions for defense, public safety, public order, public morality, public health and more Part 2: Section 12 .2 *
- And, the Constitution gives certain powers to the Public Utilities Commision (P.U.C)



Resolving this issue

- The PUC has been given the constitutional duty and the statutory responsibility to protect our rights as consumers and as citizens of this country!
 - The time has come for them to make proper judgments that will consider long term technology influences and our rights to communicate and correspond.
 - They must make interference of communications, regardless of type or transmission method – Illegal.
 - The Privy Council has made a parallel judgment on this issue – Marpin Telecom & Broadcasting Ltd vs Cable and Wireless Dominica Ltd. **
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Thanks!



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Notes * Belize Constitution excerpts.

- **Part 1 Section 2**

- Constitution is supreme law.
- This Constitution is the supreme law of Belize and if any other law is inconsistent with this Constitution that other law shall, to the extent of the inconsistency, be void.

- **Part 2 Section 3**

- Protection of Fundamental Rights and Freedoms
- b) freedom of conscience, of expression and of assembly and association.

- **Part 2 Section 12.-(1)**

- Protection of Freedom of expression
- Except with his own consent, a person shall not be hindered in the enjoyment of his freedom of expression, including freedom to hold opinions without interference, freedom to receive ideas and information without interference, freedom to communicate ideas and information without interference (whether the communication be to the public generally or to any person or class of persons) and freedom from interference with his correspondence.

- *** Part 2 Section 12 (2)**

- (a) that is required in the interest of defense, public safety, public order, public morality or public health
 - (b) that is required for the purpose of protecting the reputations, rights and freedoms of other persons or the private lives of persons concerned in legal proceedings, preventing the disclosure of information received in confidence, maintaining the authority and independence of the courts or regulating the administration or the technical operation of telephone, telegraphy, posts, wireless broadcasting, television or other means of communication, public exhibitions or public entertainments
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Notes ** Privy Council Ruling

- **Marpin Telecoms & Broadcasting Ltd v Cable & Wireless Dominica Ltd & Anor [1999] ICHRL 59 (29 April 1999)**
- 1999-04-29 00:00:00
- Americas
- Dominica
- Suit No 550 of 1998, unreported
- For the Applicant: Mr Jenner Armour SC with Mr Anthony Astaphan and Mr Joeffrey C G Harris
For the 1st Respondent: Sir Henry de B Forde with Mr Alick Lawrence
For the 2nd Respondent: Mr Reginald Winston
- Telecommunications Act 1995, No 18 of 1995, s 7(1)
Commonwealth of Dominica Constitution Order, 1978, ss 10(1), 10(2)
- Cable and Wireless (CW) operate as the exclusive provider of national and international telecommunications services in Dominica. Pursuant to the Telecommunications Act 1995, s 7(1), the government granted CW an exclusive licence for the provision of national and international telecommunication services for a further twenty five years. M was issued a licence in 1996 to install and maintain a television station and telecommunications undertaking. However, M was precluded from providing telecommunications services other than for broadcasting purposes. M was entitled to provide internet services utilising CW's network, but M subsequently proceeded via a different system to provide internet access thereby bypassing CW's network. In response CW terminated M's access numbers. M brought a motion alleging that certain provisions of the Act and the exclusive licence **violated their constitutional right to free expression** (s 10(1)) and was not reasonably required under the aims or purposes in s 10(2).
- In allowing the application, it was held that:
- *Freedom of expression lies at the foundation of a democratic society and the relevant rights in the present case are M's freedom to communicate and receive ideas and information without interference.*
- *The protection of freedom of expression applies not only to the content of information but also to the means of transmission and reception of such information that is, to receive and impart ideas and information without interference. Therefore, the exclusive monopoly created by the Act hinders M's freedom of expression.*
- *The provision for limitations on grounds of public order, protecting the rights and freedoms of other persons and regulating the technical administration or technical operation of telephony pursuant to s 10(2) cannot be extended to include telecommunications services.*
- As CW is a private company a constitutional claim is not sustainable against it. However, the exclusivity conferred by the licence and s 7(1) of the Act are found to be invalid.