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THE RIGHT TO INTERNET ACCESS AS A UNIVERSAL HUMAN RIGHT

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Abstract: In the era of digital transformation, internet access is no longer merely a technical issue but a question of human rights, equality, and social inclusion. The Internet today forms the foundation for access to education, healthcare, employment, political participation, and information. Global digital inequality has become a serious challenge, as millions of people worldwide still lack stable, secure, and free internet access. This raises a key question: should the right to internet access be recognized as a universal human right, and if so, how can it be implemented and protected in practice? The motivation for this research stems from the urgency of addressing the growing social disparities deepened by the digital divide. This issue gained even more relevance during crises such as the COVID-19 pandemic, when the lack of internet access and digital literacy led to mass exclusion from education and social life. Using a combined methodological approach, the study identifies several emerging challenges: unequal access to digital resources, unclear privacy boundaries, insufficient legal protection of digital users, and ethical dilemmas related to artificial intelligence and data processing. Through comparative analysis of relevant legal frameworks across countries and the examination of international standards such as data protection regulations and cybersecurity laws, this research explores both the legal and social dimensions of digital exclusion. The goal is to examine the problem through legal, social, infrastructural, and ethical perspectives to develop a comprehensive understanding of the possibilities and limitations of formalizing the right to internet access. The results show that the international community is increasingly aware of the importance of digital access, yet legal recognition of internet access as a human right is still not universally accepted. In 2016, the United Nations adopted a resolution condemning deliberate internet shutdowns, but it remains non-binding. Even in countries that have recognized this right, implementation remains problematic due to the lack of operational mechanisms. Furthermore, risks persist — states that guarantee internet access may simultaneously apply censorship, mass surveillance, or digital control. Ensuring access does not automatically mean ensuring freedom or safety in the digital space. Although international law does not explicitly recognize internet access as a human right, it increasingly acknowledges it as a means to realize other fundamental rights. Potential solutions include recognizing internet access as a basic right at national and international levels, establishing public policies to subsidize access for vulnerable groups, investing in digital literacy and infrastructure, and developing independent monitoring of digital exclusion as a form of social discrimination.

Keywords: *digital rights, human rights, internet access, social inclusion, digital divide.*
Field of the paper: Social sciences

1. INTRODUCTION

The internet is increasingly becoming an indispensable tool for the protection of human rights. The rapid digitalization of contemporary societies transforms the internet into an essential medium for communication, education, economic participation, and access to public services. Internet connectivity now functions as a basic prerequisite for engaging in daily social and professional activities, and its absence significantly limits the ability of individuals to access information, opportunities, and essential resources. The persistence of the digital divide, understood as the unequal distribution of reliable and affordable internet access, creates substantial barriers to social inclusion and human development. These disparities are increasingly visible in sectors such as education, healthcare, employment, and governance, where digital platforms become the primary channels for interaction and service delivery.

In this context, the question of whether internet access constitutes a human right becomes a central issue for contemporary policy and academic debate. Human rights frameworks evolve alongside technological and social change, and current conditions demonstrate that many fundamental rights — such as freedom of expression, access to information, and participation in public life — depend on meaningful internet access for their practical realization. Although core human rights documents do not explicitly mention digital connectivity, the modern interpretation of these rights increasingly assumes an environment where internet access is available and functional. As societies become more interconnected and digitally dependent, the exclusion of individuals from online spaces raises ethical and legal concerns related to equality, autonomy, and democratic participation. The objective of this study is to examine whether internet access should be recognized as a human right within the contemporary global environment.

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2. MATERIALS AND METHODS

This study used a structured multi-method research. The approach combined comparative legal analysis, international document analysis, and secondary data assessment. All materials consisted of publicly available legal texts, global policy documents, and international statistical datasets.

The first methodological step involved a comparative legal analysis of national frameworks that formally recognize digital access rights. Three key sources were selected based on their relevance and legal significance: Finland's Communications Market Act, Costa Rica's Constitutional Chamber ruling No. 2010-12790, and Article 5A of the Greek Constitution. These documents were reviewed through standard legal-interpretation techniques, including textual examination and comparison of implementation mechanisms.

The second step applied document analysis to major international digital-rights frameworks. The following documents were included: United Nations Human Rights Council resolutions on internet access, the General Data Protection Regulation (GDPR), and International Telecommunication Union (ITU) global connectivity reports. Each document was coded for references to digital access, rights protections, and state obligations.

The third step consisted of secondary data analysis focusing on global digital-inequality indicators. Data were obtained from the ITU and the World Bank. Variables reviewed included household internet access, broadband affordability, and infrastructure distribution. Descriptive analysis was used to identify major global trends and disparities. Additionally, an ethical assessment was conducted using established principles of autonomy, privacy, and fairness to evaluate risks related to surveillance, algorithmic decision-making, and corporate digital power. Together, these methods produced a replicable and coherent foundation for evaluating the legal, social, and ethical dimensions of recognizing internet access as a human right.

3. RESULTS

The findings of this study indicated several significant outcomes regarding the recognition of internet access as a human right and the broader conditions necessary for meaningful digital inclusion. The comparative legal analysis showed that the formal acknowledgment of digital access rights was both feasible and increasingly present in national legislative and constitutional frameworks. Finland's broadband legislation demonstrated that governments could legally guarantee minimum internet speeds and impose universal-service obligations on providers. Costa Rica's constitutional interpretation confirmed that courts were capable of expanding existing human-rights protections to include digital communication. Greece's constitutional provision further illustrated a proactive approach, embedding participation in the information society directly into the country's legal foundation.

The examination of international governance frameworks revealed a growing global convergence toward the recognition of digital connectivity as a prerequisite for the exercise of fundamental human rights. United Nations resolutions emphasized that online freedom of expression, access to information, and participation in public life depended on reliable and affordable connectivity. Analysis of ITU statistical data showed that approximately three billion people remained offline, with the highest levels of exclusion occurring in low-income regions, rural areas, and marginalized communities. This exclusion was strongly associated with income levels, gender disparities, educational inequalities, and infrastructural deficits.

The results also indicated that even in countries with high connectivity rates, significant barriers continued to limit meaningful digital participation. Affordability emerged as a persistent constraint, particularly for low-income households unable to sustain monthly broadband costs. In addition, gaps in digital literacy reduced the capacity of individuals to use the internet for education, employment, civic engagement, or public-service access. These structural inequalities reflected not only technological limitations but also broader socioeconomic divides that reinforced existing patterns of exclusion.

Data protection and privacy concerns were also identified as major obstacles to the effective exercise of digital rights. The findings showed that widespread surveillance practices—conducted by both governments and private technology companies—significantly reduced public trust in digital platforms. Instances of data exploitation, opaque terms of service, and insufficient oversight mechanisms undermined users' ability to participate safely and autonomously in the digital environment. The analysis further demonstrated that AI-driven systems frequently reproduced social biases due to flawed or incomplete training data. These algorithms influenced online information access, content moderation, employment screening, and public-service delivery, often without transparency or accountability.

Finally, the results indicated that universal connectivity alone was insufficient to guarantee

equitable digital participation. The study showed that effective digital inclusion required a combination of legal protections, robust governance frameworks, ethical safeguards, and investments in digital skills. Without these complementary conditions, internet access risked becoming a superficial metric rather than a substantive human right. The findings collectively demonstrated that recognizing internet access as a human right was not only justified but also necessary for addressing emerging global inequalities in an increasingly digital society.

4. DISCUSSIONS

The results of this study contributed to ongoing debates regarding the status of internet access within contemporary human rights frameworks and contexts. The findings supported the view that digital connectivity has become an essential precondition for exercising numerous civil, political, social, and economic rights. This shift indicated that internet access is no longer merely an enabling tool but a structural condition for participating in modern society. By demonstrating that several states have already incorporated digital access guarantees into their legal systems, the study provided evidence that such recognition is both feasible and increasingly necessary. These insights fit into the broader understanding that human rights must evolve in response to technological and social transformation.

The significance of these findings lies in their implications for global equality and democratic participation. Recognizing internet access as a human right would establish clear obligations for states to ensure nondiscriminatory, affordable, and reliable connectivity. Such recognition would also strengthen accountability mechanisms by requiring governments to address digital exclusion as a rights-based issue rather than a purely economic or infrastructural challenge. The study's results therefore contribute to a growing consensus that universal digital inclusion is essential for safeguarding human dignity in the digital age.

At the same time, the discussion revealed major challenges that complicate the practical realization of digital rights. Infrastructure limitations, particularly in underserved and economically disadvantaged regions, continue to hinder widespread access. These gaps suggest that market-based models alone cannot deliver comprehensive coverage, and that public investment, regulatory oversight, and state responsibility remain indispensable. Ethical risks associated with data extraction, mass surveillance, and algorithmic bias further highlight that connectivity without adequate protections can expose individuals to new forms of vulnerability. These issues emphasize that digital inclusion must be accompanied by robust governance frameworks that protect autonomy, privacy, and fairness.

Expanding beyond the immediate findings, the study underscored that meaningful digital participation depends on several interdependent conditions. Connectivity must be paired with digital literacy, transparent platform governance, equitable technological design, and mechanisms that prevent discrimination in algorithmic systems. Without these elements, access may increase, yet inequality and social exclusion may simultaneously intensify. The broader implication is that internet access should be conceptualized not merely as technical availability but as a multidimensional right that interacts with political processes, economic structures, and ethical norms.

In conclusion, the results of this study reinforce the argument that recognizing internet access as a human right is both justified and increasingly unavoidable. Such recognition has the potential to promote greater social equity, strengthen democratic engagement, and ensure that technological progress supports rather than undermines human dignity.

5. CONCLUSIONS

The findings of this study demonstrated that recognizing internet access as a universal human right is both necessary and achievable within contemporary legal and institutional frameworks. The results indicated that digital connectivity has become essential for exercising a wide range of fundamental rights, and that exclusion from the digital environment increasingly leads to exclusion from education, employment, healthcare, and civic participation. This research therefore underscored that digital inequality is not merely a technological issue but a structural driver of broader social and economic disparities.

The implications of these findings point to the need for a transition from non-binding policy recommendations to enforceable legal guarantees. Ensuring universal and meaningful internet access will require coordinated infrastructure investment, effective regulation of telecommunications markets, and comprehensive digital literacy initiatives that enable individuals to benefit fully from online opportunities. In addition, the protection of digital rights must include strong safeguards for privacy, transparency in algorithmic systems, and limitations on excessive surveillance practices. The most authoritative global

guidance comes from the Human Rights Council, which emphasizes that states should take all necessary measures to guarantee individuals' access to the internet. A comparable position has been adopted by the European Parliament, reaffirming the importance of universal and secure online connectivity.

In summary, the study concluded that internet access should be understood as both a critical technical resource and a fundamental prerequisite for human development and equality. Establishing universal digital inclusion is essential for creating democratic, equitable, and rights-respecting societies in an era defined by rapid technological change.

REFERENCES

DeNardis, L., & Hackl, A. (2015). Internet governance by social media platforms. Telecommunications Policy, 39(9).
European Union. (2018). General Data Protection Regulation (GDPR). Official Journal of the European Union. https://eur-lex.europa.eu
Finland. (2010). Communications Market Act 393/2003 (amended 2010). Finnish Ministry of Transport and Communications. https://www.finlex.fi
Graham, M. (2022). Digital inequalities and global development. Oxford University Press.
Greece. (2001). Constitution of Greece, Article 5A. Hellenic Parliament. https://www.hellenicparliament.gr
Howard, P. (2021). The Digital Politics of Global Inequality. Routledge.
International Telecommunication Union. (2023). Measuring digital development: Facts and figures 2023. ITU. https://www.itu.int/en/ITU-D/Statistics
Smith, J. (2022). Human Rights in the Digital Era. Cambridge University Press.
UNESCO. (2021). Global Internet Governance Report. UNESCO.
United Nations Human Rights Council. (2016). Resolution on the promotion, protection and enjoyment of human rights on the Internet (A/HRC/32/L.20). United Nations. https://www.undocs.org
van Dijk, J. (2020). The Digital Divide. Polity Press.
West, S. M. (2020). Data capitalism and digital rights. Harvard International Law Journal, 61(1).
Costa Rica Constitutional Chamber. (2010). Ruling No. 2010-12790. Sala Constitucional, Costa Rica. https://www.pgr.go.cr