Technology and Development: Universalizing Access to and Protection of Information and Communication Technology

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ABSTRACT

As many features of modern digital information and online communications are transcending and transforming the traditional modes of interaction and identity, so is transformed the need for addressing these new features in ways that conform to pertinent realities. A great deal of human events and experiences are likely to occur in ways different from those seen in the pre-digital era. Having witnessed a number of such events and experiences, the next stage is action and understanding. As the potential for change and development, associated with information and communication technology (ICT), is getting fame, its use is bearing fruits, and global internet population constantly increased, so is the demand for enabling equal, wider access, and protection. This article is thus concerned with two fundamental questions: how to universalize access to ICT, and how to protect it from abuse, censorship and restriction. These questions are predominantly explored from the lenses of international law.

Keywords: Global Information, International Law, Sustainable Development, Technology and Development, Technology and Revolutions

1. INTRODUCTION

This article explores the multiplicity of functions performed by information and communication technology in the realm of sustainable human development, and examines the status of this technology—variously referred to as, or associated with, digital media, social media, telecommunications networks or the Internet—in the international law of sustainable development. It further identifies the dominant existing trends in legal and policy decision-making, and discusses and proposes alternatives that would enable maximum access of all to this indispensable instrument for sustainable development.

The article also draws attention to the demand and urgency for strategic intervention. The call for such an international action, legal and otherwise, is based against a backdrop of a series of phenomena that could be identified from relatively recent processes that relate to: (1) the digital divide or deep discrepancy of access to the information and communication technologies between various human and territorial communities at the global scale; (2) the well-established pattern of facts that testify to an incredibly unique and practically positive

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and powerful role of these technologies for sustainable development; (3) the risk and, indeed, as most recent events in the greater Middle East and other previous examples tell, of censoring, restricting or terminating access to, or use of, such technologies for the benefit of human beings or communities; (4) that there is no sign that the Internet or social media are diminishing; instead, there is an ever increasing internet population; (5) that such increase in use of information and communication technologies is followed by an increase of abuse of such technologies for varying purposes and in ways that run counter to the spirit of a world public order of human dignity; (6) that the global scope of the technologies and their access may not be sufficiently and effectively regulated in the presence of laws and policies that are largely confined to national boundaries; (7) that by way of its different operation, offline law enforcement may not be automatically transplanted to online arenas, nor it be similarly effective; (8) similar notions operate differently under the different patterns of online and offline interaction (e.g., copyright, privacy, safety), and thus may demand reconsideration.

As to the structure of the article, a brief description of content of the information and communication technologies is offered first (Section 2). Some background to recent upheavals in the greater Middle East is also provided in this same part of article, as is the case with describing and understanding the many ways that bond development and digital instruments. An observation of past trends in development-related decision processes and their relation to information and communication technologies forms the next Section 3. Section 4 explores and analyzes trends in decision and implementation, as they specifically relate to the notion of universalization of access to, and protection of, the information and communication technology. Concluding remarks are presented in the final Section 5. A number of concluding section- and thematic-specific remarks are also offered at the end of each section or sub-section.

2. ICT: DEFINITION, DEVELOPMENT, DIFFUSION, DEFICIENCIES, AND REVOLUTION

This part conceptualizes or clarifies the notion of information and communication technology (“ICT”). It offers some insights on the interface between the ICT and development. In that connection, it applies the role of ICT in the context of Arab revolutions, aiming to shed light on the concrete effects and manifestations of the ICT in contemporary world public order. Having been described as an activity that occurs or “exists above the state, below the state, and through the state” (Slaughter, 2009, p. 95), the aim is to also discern the meaning and operation of the ICT in relation to the sovereign sphere.

Basic Terminology

What has been variously described as the “liberation technology” (Diamond, 2010), the “citizen media” (Gillmor, 2011), or the “development technology” (Qerimi, in press), information and communication technology is a truly diverse notion that is most essentially associated with, or equated to, the computer, the mobile phone, the Internet, and their virtually infinite variations. Terms such as digital media, social media or social networks are often utilized to denote the content of modern communication technologies. By one definition, “Social Media is a group of Internet-based applications that build on the ideological and technological foundations of Web 2.0, and that allow the creation and exchange of User Generated Content” (Kaplan & Haenlein, 2010, p. 61). Although various types of social media can be further distinguished within this larger category, there is a broad consensus that Wikipedia, YouTube, Facebook, Second Life, and Twitter, are all considered to fall within this grouping. Relying on a set of theories in the field of media research, Kaplan and Hanlein (2010) distinguish six different types of social media: collaborative projects (e.g., Wikipedia; Delicious); blogs and microblogs (e.g., Twit-
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Is There Population with Tertiary Education in Romania Still Interested in Research?
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