

**Al-Badayneh, Diab**

Tafila Technical University, Tafila, Jordan

## **HUMAN RIGHTS IN INFORMATION AGE**

### **Introduction**

The term information society refers to the new socio-economic and technological paradigm. It is a technology- fusion of It & T (Kodama, 1992). A society where the information and the technological base are the corner stone in its functions, in which the principles of the global access and quality in the use prevail and characterized the interaction between people and nations on the net and between people and computers. Computers and the Internet penetrate all life situations and services and for everyday task in information society. Moreover, information based commodities goods are available to everyone, anywhere and anytime (Stephanidis, 1995).

Good governance in the Information Society based on the values of participation, transparency, accountability, and the rule of law. Given the borderless characteristics of the information society, policy makers and government bodies should ensure the respect of principles of democracy and openness, and the legality and sovereignty. Any decision made on protocols, standards, and identifiers should be compatible with international human rights standards.

Information society can improve access to justice and make public services more responsive, transparent and accountable. The rule of law is essential for the Information Society to become a space of confidence, trust and security where human rights are fully respected. Any regulation and self-regulation regarding communication and information must be based on a strict respect for human rights and must contribute to their promotion.

Human rights mean rights of humans not limited to the laws or international treaties between countries. Every individual is born with and entitled to the inherent and inalienable rights, and most nations around the world have laws to guarantee their people human rights, but in practice there are vast variations between countries in the level of human rights respect. In information society people deal with vast amount of personal data through every day interaction over the internet people provide different type of information regarding their internet life, jobs,...etc. private date brokers, such as ChoicePoint,

Seisint and Acxiom compose this information and merge it with "public source" data from government records i.e., education, courts, criminal records, etc. high- speed computers can be used to assemble information in seconds. A "human rights culture" has developed in the beginning of the 21st century par all with the incredible advances in information and communication technologies or what is named "information society".

In the information society people have become more aware that all the human beings deserve inherent dignity regardless of their social status determined by birth (i.e., color of the skin, or race). The tragedy of wars made people aware of the necessity that the value of human rights should be globally accepted and protected. The Declaration of Human Rights by the United Nations (1945) established a common standard for the human rights that all peoples and all nations on the globe should accept and share without any kind of distinction, such as political, economic, cultural and religious differences. It was not until 1966 that the spirit of the Universal Declaration of Human Rights was realized in the form of an effective international law as the UN adopted two International Covenants on Human Rights. One is the International Covenant on Economic, Social and Cultural Rights (so-called Social Covenant or Covenant A) and the other is the International Covenant on Civil and Political Rights (so-called Civil Covenant or Covenant B) Afterwards the UN continued to come out with additional international standards and laws to protect the human rights of the underprivileged including women, children, ethnic minority and migrant workers.

### **Human Rights in the information Society**

The Information Society as a cyber society is not a separate world from what the physical reality. Human Rights in the Information Society means the human rights described in the Universal Declaration of Human Rights and in the related international laws should still be protected in the physical reality and in the cyber reality. Not only does HRIS serve the last safeguard to guarantee people the fundamental freedoms and rights which seem to be easily threatened in transition to this new form of physical society, to the Information Society.

In information society, human rights' practices and interests have been transferred from physical world to the cyber reality, where is a

huge space for freedom and expression and less government censorship and control. Human rights have moved from local and national levels to the global and cyber levels. Fundamental freedoms include expression, access to the information, privacy, the right to freedom of religion, freedom of peaceful assembly and association. In addition, it is widely accepted nobody shall be discriminated against their nationality, race, gender, religion, opinion, social status, sexual orientation, birth place, disability, age and so on. These problems (what is sometimes called the "new electronic world order").

The World Summit on the Information Society (WSIS), which was held in Geneva in December 2003, identified the vision of the information society in WSIS Declaration:

people-centered, inclusive and development-oriented Information Society, where everyone can create, access, utilize and share information and knowledge, enabling individuals, communities and peoples to achieve their full potential in promoting their sustainable development and improving their quality of life, premised on the purposes and principles of the Charter of the United Nations and respecting fully and upholding the Universal Declaration of Human Rights. (WSIS Declaration, 2003 cited in (Pekari, 2007).

Its key principles can be summarized as follows:

(1) In the development of the Information Society, not only governments, but all stakeholders, including the private sector, civil society and international organizations, have an important role to play. Cooperation and partnership among all stakeholders are thus a central issue.

(2) Since universal, sustainable, ubiquitous and affordable access to ICTs is essential for digital inclusion, the information and communication infrastructure as a foundation of the Information Society has to be enhanced.

(3) Access to information and knowledge for all, including disadvantaged and vulnerable groups, must be ensured.

(4) The capacities required fully participating in and benefiting from the information society and the knowledge economy should be strengthened.

(5) Strengthening the trust framework is a prerequisite for the development of The Information Society and for building confidence and security among users of ICTs.

(6) An enabling environment is central to the Information Society. This environment includes regulatory frameworks for competition, intellectual property rights, technology transfer and development strategies, standardization, management of the radio frequency spectrum and internet governance.

(7) ICT-applications have the potential to create benefits in all aspects of life. To this end, they should be user-friendly, accessible to all, affordable, adapted to local needs in languages and cultures, and support sustainable development.

(8) Since cultural diversity is the common heritage of humankind, its promotion and respect is important for the Information Society, including the availability of content in diverse languages and formats and the preservation of cultural heritage through new technologies.

(9) Freedom of the press and freedom of information and an independent, pluralistic and diverse media in all parts of the world are essential to the Information Society.

(10) The information society has important ethical dimensions such as justice, the dignity and worth of the human person, and the respect for human rights and fundamental freedoms of others, which should be promoted by all stakeholders.

(11) Due to the global nature of the Information Society, international and regional cooperation among all stakeholders is essential and should be improved (WSIS Declaration, 2003 cited in (Pekari, 2007, p.

10) In the Information Society, human rights should be protected globally.

### **The Role of Human Rights in the Information Society**

Cyber characteristics of the information society (i.e. connectivity, mutual interdependence, virtual interaction and beardless) has increased the awareness and involvement of people in protecting human rights. Human right has become a global issue to all citizens on the globe.

The World Summit on Information Society (WSIS) general references to the Universal Declaration of Human Rights (UDHR) in Paragraph 1, Paragraph 18 calls for the interpretation of the Declaration in accordance with the UDHR, and Paragraph 3 refers to the principles of universality, indivisibility, interdependence and interrelation of all human rights as enshrined in the Vienna Declaration. The freedom of

expression is emphasized in the context of security and the ethical dimensions of the Information Society. Paragraph 4 stresses the importance of freedom of opinion and expression. In Paragraph 36 the respect for human rights is contrasted with the necessity to prevent the use of information resources and technologies for criminal and terrorist purposes.

In the course of the preparatory works of the WSIS, a draft declaration on the "right to communicate" has been introduced (Hamelink and Stroosnijder, 2002), stressing the necessity of a new human right, such as the right to access to technologies or the right to be protected against cyber crimes and cyber terrorism. There is a need for an all-new type of human right, notwithstanding that it has its roots in the existing human rights system, or if it would be enough to agree upon some less intensive adaptations of the status quo. In any case, it should be clear that the human rights system as embodied in the Universal Declaration of Human Rights (UDHR), the two Covenants on Civil and Political Rights and Economic, Social and Cultural Rights and a large number of treaties on various thematic issues as well as the regional human rights systems in Europe, the Americas and Africa, represents internationally agreed ethical values and common ideals. In the building of a new societal order, it is thus a necessary foundation. (Pekari, 2007).

### **Challenges to Human Rights in Information Society**

Information technology presents opportunity and risk to people in the information society. New challenges to human rights have been emerged in the information age. These new challenges include but not limited to the commercialization of the Internet, invasion of the personal privacy, the growth of law enforcement authority, and the globalization of decision-making authority. Equally important are limitations, surveillance and censorship by the State or private parties, especially in the post- September 11th, 2001.

Central to these challenges is the exclusion of most people in developing countries from the advantages of advances in digital information, the commoditization of information and knowledge, and the growing concentration of ownership and control of the means of producing and disseminating information and knowledge. The massive disparities in access to information and to the means of

communication, known as “the digital divide,” are a result of the unequal distribution of wealth among and within countries. The digital divide results in unequal access to information and to the means of communication and information, thus producing massive exclusion. All avenues must be explored to ensure to all equal and affordable access to information, means of communication, and the necessary technology and infrastructure.

Concentration of ownership in the hands of a few major corporations limits the opportunities for information and communications technologies to adequately reflect the pluralism of perspectives and diversity of cultures. The Information and Communication Society will not contribute to human development and human rights unless and until access to information is considered a public good to be protected by the State and promoted by the market.

**The Commercialization of the Internet.** The graphical interface of the internet has made it easier for many individuals, organizations and nations to take advantage of global networks, to establish an online presence, interaction, use and to exchange information and ideas in the global information society. Information society for all and all have benefited from it.

First, commercialization of the Internet also poses the threat to the rights which would otherwise be protected in the physical reality. Individuals have forced to pay for services that might otherwise be routinely provided free. A critical example is the confidentiality of correspondence. By tradition, communication services have assured the privacy of personal correspondence and personal communication. But these rights are not protected in the cyber environment records of communications and the transactions are valuable for marketing purposes.

Secondly, commercialization of the Internet may pose a threat to the freedom of expression. And finally, the threat is the use of the Copyright Management Systems to track the interests of Internet users. Figure 1 presents internet users by region

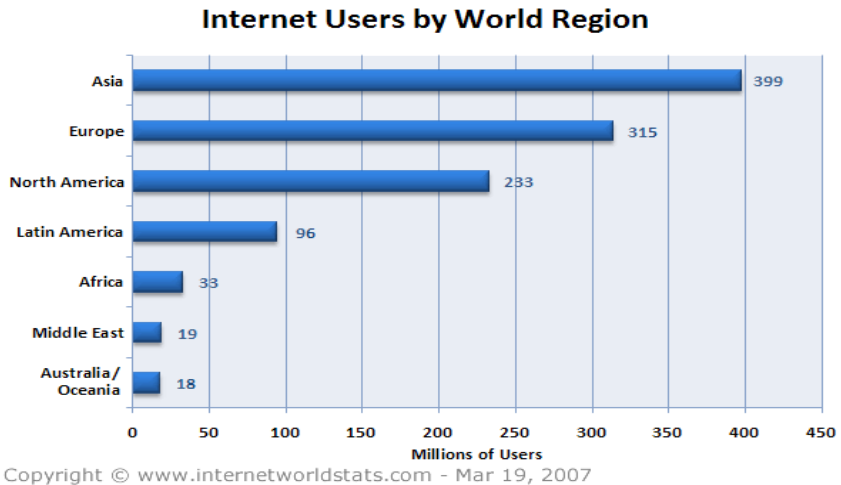


Figure 1 Internet users by region

**The Growth of Law Enforcement Authority.** An increased concern about cyber crime, computer crimes and internet crimes (i.e., child pornography on the Internet, women and children trafficking) have led to calls for government intervenes and attempts to censorship the use of the Internet. While there is a need to protect people's security and safety and investigate and prosecute criminal behaviors. But unrestricted government authority or power and control coupled poses threats to the rights and freedoms of citizens in the information society. Because the Internet has no boundaries, government censorship and surveillance not only affect the citizens' rights of one society, but threatens the freedoms and rights of people on the globe.

**Globalization of Decision Making.** In information society economy has become globalized. International organizations, such as the World Trade Organization and the World Intellectual Property Organization have gained greater prominence in setting public policy for the digital

age. This poses challenges to human dignity, as these international organizations tend to emphasize commercial interests and do not generally recognize the broader values of the local cultural, social, political, or artistic activities. Individuals may threats their rights may not be recognized by the international organizations.

**Personal Privacy.** It is fundamental to an understanding of the Information Society to recognize that information is power. Control of personal information and the deprivation of the right of privacy are ways of exercising power over individuals. The protection of personal information and privacy is central to the autonomy of the individual and for the respect of human rights. The development, transfer, and use of technology permitting illegitimate invasion of privacy must be controlled and curbed. Anonymity and protection of privacy and free expression enable individuals to receive information and ideas without the requirement of routine tracking and surveillance (Rotenberg, 2007).

**Free Expression.** Free expression is not possible without the protection of private life Full respect for freedom of expression and information by State and non- State actors is an essential precondition for the building of a free and inclusive Information and Communication Society. There must be no censorship and no arbitrary controls or constraints imposed on participants in the information process, that is, on the content of information, its transmission, or its dissemination. Pluralism of sources of information and media must be safeguarded and promoted.

The trend to provide public access to the information produced or maintained by governments and protected under “freedom of information” legislation should be extended to all countries that do not have such legislation, ensuring that government-controlled information is timely, complete, and accessible in a format and language the public can understand. Freedom of expression should be protected through the Internet in the same way it is protected offline and Internet service providers should be guided by this freedom rather than by codes of conduct that are not based on human rights (Rotenberg, 2007).

**The Right to Education.** Connectivity to the net and Access to information stimulate wider dissemination of information regarding



social, economic, and cultural aspects of life. E-learning has a potential for promoting democratic citizenship through education and enhancing the level of people's knowledge on the globe.

**The Right to Free Election.** E-voting should respect the principles of democratic elections. ICTs have the potential to strengthen representative democracy by making it easier to hold elections. Citizen's consultations are accessible to all citizens.

**The Right to Assembly.** The right of assembly is related to the right of free election. Free assembly is a crucial factor in a democratic society. All groups should have the freedom to participate in a cyber-association.

**The Right of Cultural and Linguistic Diversity.** Language is very important tool in every day interaction as well as for F2F cyber interaction. Internet has a heterogeneous population, cultural understanding and competitiveness has become critical issue over the net. In information society plurality of identities, including cultural diversity has increasingly regarded as an asset and a fundamental value to be defended and promoted. Fostering diversity is crucial to

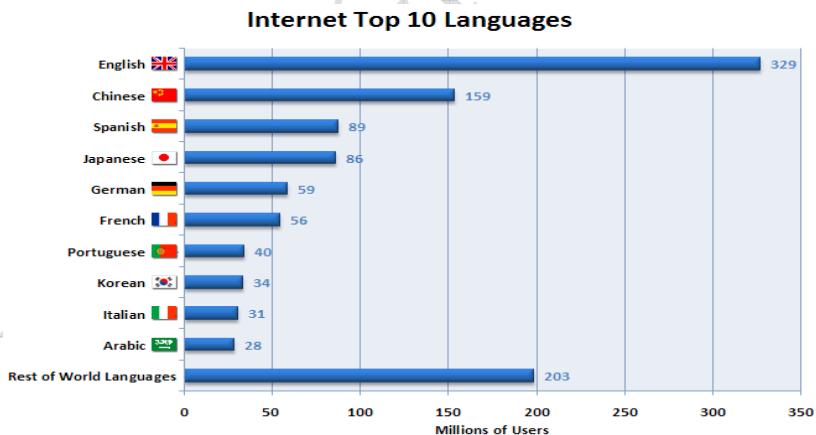


Figure 2. Top ten languages on the net.

respecting cultural rights, promoting tolerance and fighting discrimination. The preservation and promotion of cultural and linguistic diversity and interaction must be a character of a flourishing Information Society. Figure 2. Presents top ten languages used on the net.

## **Conclusion**

In the age of information where information is the corner stone of all types of human activities. A rapid development in technologies, (i.e., the commercialization of the Internet, and the increase of globalization) has affected human life on all levels. On one hand Light side of such developments enhance and support the protection and building of a global human rights. Availability of information, public awareness and borderless global society, connectivity and interdependence among other characteristics of information society all contribute toward a global physical and virtual system of human rights. On the other hand the dark side of this development (i.e. threats to human rights in general and personal privacy and freedom of expression in specific). All efforts should be directed toward the protection of human rights on the global level. In the area of privacy protection, the primary goal should be to ensure adoption and enforcement of "Fair Information Practices" that are the basis for privacy protection around these world. It is appropriate to encourage adoption of "Privacy Enhancing Technologies," after assessing its adaptability and legality with human rights. Encryption can be used both to protect the privacy of personal communication and to compel the disclosure of identity. Also it is important to minimize government censorship and unlawful police surveillance that takes place around the globe. The right of all should be protected against unlawful intrusions into private life.

Free exchange of information should be protected and maintain the openness of the Internet. The Internet continues to offer extraordinary opportunities to expand human knowledge, to strengthen human understanding, and to promote cooperation across borders. Efforts by government to restrict access to information on the Internet or to limit

the distribution of information on the Internet, particularly information that is political, cultural or artistic should be opposed. Organization should promote open, non-proprietary standards that enable competition and discourage the development of “bottlenecks” in the communications infrastructure. Organizations should discourage the adoption of network-based techniques that “filter” information, which is more accurately described as “digital censorship.” While individual users may choose to use software that limits access to certain information, the use of these techniques at the network level is a direct threat to freedom of expression in the digital world. The growth of the Internet has witnessed the growth of a new type of Non Governmental Organizations (NGOs) can be named cyber NGOs or (CNGOs). These CNGOs are easily identified by their “.org” suffix. They are independent of the government (.gov) and business organizations (.com). They focus on the social issues arising from the impact of information technology, such as privacy and free expression, but they also use the Internet for public education, organizing, and public action. Typically, they maintain a web site, publish an electronic newsletter, organize public campaigns, issue reports, and host conferences. These CNGOs forms a collective action against the violation of human rights on the globe and arising public awareness of regarding social and political issues (Rotenberg, 2007).

## References

Kodama, F. (1992). *Technological Fusion and the New R&D*. IEEE Engineering Management Review, vol. 20(2), pp. 6-11.

Stephanidis, C. (1995). *Towards User Interfaces for All*. In *Proceedings of 6th International Conference on Human Computer Interaction* (pp. 137-143). Tokyo, Japan, Lawrence Erlbaum.

Stephanidis, C. (2007). *Toward an Information Society for All: An International R&D Agenda*. Available at:  
[http://www.ics.forth.gr/proj/at-hci/files/white\\_paper\\_1999.pdf](http://www.ics.forth.gr/proj/at-hci/files/white_paper_1999.pdf)

Stephanidis, C. (2007). *Toward an Information Society for All: HCI challenges and R&D recommendations* Available at:

[http://www.ics.forth.gr/proj/at-hci/files/white\\_paper\\_1999.pdf](http://www.ics.forth.gr/proj/at-hci/files/white_paper_1999.pdf)

Holderness M, (1998). *Moral Rights and Authors' Rights: The Keys to the Information Age. The Journal of Information, Law and Technology*  
JILAVAILABLE AT: [http://elj.warwick.ac.uk/jilt/infosoc/98\\_1hold/](http://elj.warwick.ac.uk/jilt/infosoc/98_1hold/)

EU (1995) Green Paper *Copyright and Related Rights in the Information Society*; available at <http://www.gn.apc.org/media/eugp.html>

Pekari. C. (2007) *Human Rights in the Information Society*, Pdf,  
available at: <http://www.esil-sedi.eu/english/pdf/Pekari.PDF>

Rikke Frank Jørgensen (2007). *Human Rights in the Global Information Society*. Available:  
<http://mitpress.mit.edu/catalog/item/default.asp?tttype=2&tid=10872>

Hamelink and Stroosnijder, (2002). *Draft Declaration on the Right to Communicate*.

available at

[http://www.ourmedianet.org/documents/wsis\\_2003/WSISCSG.Declaration\\_of\\_CommRights.doc](http://www.ourmedianet.org/documents/wsis_2003/WSISCSG.Declaration_of_CommRights.doc).

*Tunisia and the World Summit on Information Society (2007)*. Available at:  
<http://www.fidh.org/IMG/pdf/tn418a.pdf>

Center for Democracy and Technology (2007). *The Internet and Human Rights: An Overview*. Available at:

<http://www.cdt.org/international/000105humanrights.shtml>

Bangemann M et al (1994) *Recommendations to the European Council: Europe and the global information society (Brussels: CEC*.

Available at:

<http://www.ccg.uc.pt/wise/english/rd/prog/general/report.html>

WSIS (2003). UN/ITU Doc. WSIS-03/GENEVA/DOC/4 of 12 December 2003.

World Summit on the Information Society (WSIS) (2003). *Declaration of Principles*, WSIS-03/GENEVA/DOC/4-E, 12 December at

[http://www.itu.int/dms\\_pub/itu-s/md/03/wsis/doc/S03-WSIS-DOC-0004!!MSW-E.doc](http://www.itu.int/dms_pub/itu-s/md/03/wsis/doc/S03-WSIS-DOC-0004!!MSW-E.doc),

World Summit on the Information Society (WSIS) (2003) *Plan of Action*, WSIS-03/GENEVA/DOC/5-E, 12 December at [http://www.itu.int/dms\\_pub/itu-s/md/03/wsis/doc/S03-WSIS-DOC-0005!!MSW-E.doc](http://www.itu.int/dms_pub/itu-s/md/03/wsis/doc/S03-WSIS-DOC-0005!!MSW-E.doc).

[Mathias Klang](http://www.digital-rights.net/content.html) (2007) *Human Rights in Digital Age*. Available: <http://www.digital-rights.net/content.html>

United Nations (1948). *Universal Declaration of Human Rights*. Available at: [http://www.privacy.org/pi/intl\\_orgs/un/intl-decl-human-rights.txt](http://www.privacy.org/pi/intl_orgs/un/intl-decl-human-rights.txt)

Privacy and Human Rights (2003). *Threats to Privacy*. Available at: <http://www.privacyinternational.org/survey/phr2003/threats.htm>

Rotenberg, M. (2007). *Protecting Human Dignity in the Digital Age*. Available at: <http://www.Epic.org>