

Desafíos de las tecnologías de la información y derechos humanos

Challenges of information technology and human rights

María del Rocío García Sánchez.
Universidad Autónoma de Guerrero
mrociogsz@yahoo.com.mx

Joaquín Reyes Añorve.
Universidad Autónoma de Guerrero
joaquin.reyes94@yahoo.com.mx

Resumen

En la década de los ochentas se reconocen los derechos humanos de la tercera generación, en los que queda reconocido, entre otros derechos, el uso de los avances de las ciencias y la tecnología, etcétera.

Sin embargo, es preocupante que el acceso a las nuevas tecnologías pueda representar violaciones a los derechos humanos relacionados con la libertad e igualdad. Violaciones que junto con estos avances y progresos tecnológicos están trastocando la dignidad humana.

Hoy en día, hay lugares, sobre todo en países con poco desarrollo, en los que sus ciudadanos no tienen acceso a las tecnologías de la información y comunicación como sucede con el Internet y, en contraste, hay sectores de la sociedad privilegiados con acceso a este, situación generada por los costos, acceso y capacidad de velocidad en el servicio.

Palabras clave: tecnologías de la información y derechos humanos.

Abstract

In the Decade of the 80's the third generation human rights are recognized, in which it is recognized, among others, the use of advances in science and technology, etc.

However, it is worrying that the access to new technologies may represent violations to human rights related to freedom and equality. Violations that along with these advances and technological developments are damaging the human dignity.

Today, there are places, particularly in countries with little development, where its citizens do not have access to the information and communication technologies as the Internet and, in contrast, there are privileged sectors of society with access to this, situation generated by cost, access and speed in service capability.

Keywords: information technology, human rights.

Fecha recepción: Septiembre 2013

Fecha aceptación: Octubre 2013

Introduction

Obviously, social injustice is a reality which does not allow to shorten the gap between a few rich countries and the rest of the inhabitants of the planet, the vast majority; the space that separates what we know as modern society's marginalized society. Social exclusion prevents that technological advances reach the entire population of the world alike.

And when we speak of exclusion not referring to the control of the information that some countries exert to regulate and censor information on the Internet and that violate the freedom of individuals. We refer to the lack of opportunity to have access to the use of the technologies of information, product of social exclusion.

The desire to build a society based on the principles of social justice and equity has to translate into actions that make clear that achieving that goal is possible. Can otherwise, how we conceive the opportunity to access virtual sources of information from remote sites? or How to learn independently and reduce the teachers physical presence?

These situations demonstrate the unequal access people have to information technologies, important tools to obtain knowledge and information.

Content

What are human rights?

Luño Pérez (2005, p.18) states that human rights are a set of powers and institutions in each historical moment materialize the demands of dignity, freedom and human equality, which must be positively recognized by the legal systems At national and international level.

José Castan Tobeñas (1992, p.35) defines human rights as meaning those fundamental rights of the person both individual and community aspect, which must be recognized and respected by all power and positive legal norm, yielding however in its exercise to the demands of the common good.

Truyol and Antonio Serra (2000, p.12), human rights are fundamental privileges that man has by virtue of being, by its very nature and dignity. They are rights that are inherent and that, far from being born a concession of political society, must be enshrined and guaranteed by this.

Meanwhile, Diaz Muller (1992, p.53) defines human rights as those principles inherent dignity man needs to achieve its goals and to give the best of themselves to society, those minimum without which awards existence of individual or collective meaningless. They consist of meeting the moral and material needs of the person.

For Pedro Niken (1994, p. 23), the notion of human rights corresponds to the dignity of the individual against the state. The public authorities must serve the human being can not be used lawfully to offend inherent attributes of a person but as a vehicle for her to live in society with dignity harmonic conditions.

Another definition about human rights is to Faúndez Ledesma (2004, p.3), who defines them as the prerogatives under international law of every individual against the organs of power to preserve his dignity as a human being, and whose function is to exclude the interference of the State in specific areas of individual life, or ensure the provision of certain services by the state to meet their basic needs, which reflect the fundamental demands that every human being demand of the society of which it is part.

In the Universal Declaration of Human Rights adopted by the United Nations General Assembly on December 10, 1948, human rights were defined as those living conditions without which any historical stage given a society, men do not they can give the best of itself between them as active members of the community because they are deprived of the means to be fully realized as human beings.

Therefore, human rights are those powers, privileges, values and institutions on primary goods that belong to all people simply because of their human condition and to guarantee a decent life.

The rights belong equally to all women and men, and we must all respect regardless of our social status, religion, politics, sex or age. Both equality and tolerance are fundamental to the respect for human rights.

When we talk about human rights, it is usual to reflect on the task that has the Mexican government to protect and respect them, but not least is promoting them, that is, inform, disclose, publish between society what our human rights. An important factor to ensure respect for human rights is its dissemination; citizens should be aware of what our human rights are required thanks to the outreach by the authorities.

Human rights also include obligations that States must take to respect, protect and guarantee, in accordance with the provisions of the domestic positive law in the declarations, conventions and international treaties.

But the State's responsibility for human rights is not limited to respect and protect them, it is also obliged to guarantee them to prevent irreparable harm to members of society, ie, it is inexcusable to adopt legislative measures cause, administrative, budgetary and judicial measures to achieve the effective realization of human rights. Dignity and justice for all expresses the Universal Declaration of Human Rights, which aims to promote basic values inherent human dignity, non-discrimination, equality, fairness and universality.

Human rights are a set of ethical demands of human nature inherent human values that must be recognized on equal terms, without privileges, honors, or exemptions.

Thus, we can say that equality is a fundamental right of freedom interdependent, considered one of the most precious rights of human beings.

Freedom and equality are imbued human rights, linked together, inalienable nature and human dignity; essential in the development and realization of human beings to achieve their goals and expectations.

Human rights are based on dignity, which implies that:

1. No person shall be deprived of them.
2. They should be recognized and not granted by the constitution of each country.
3. Member States are required to:
 - a. Protect them.
 - b. Respect.
 - c. Guarantee them.
 - d. Implement preventive measures to avoid committing violations.
 - e. Investigate human rights violations.
 - f. Authorities punish those violations of human rights.
 - g. Repair these violations, according to the provisions of positive law of each country.
4. They should serve as a means to ensure the development and fair distribution of benefits to all people.

A feature of our times is the presence of information technology and communication, so it is also necessary to raise its impact and significance in the exercise of freedoms.

Access to information technology and communication is closely linked to other human rights, such as the right to freedom, equality and the right to development with quality of life.

Human rights have been recorded society and its needs have evolved.

In this sense, we have the first known human rights civil and political rights recognized in a historical context of the liberal revolutionaries of the seventeenth and eighteenth centuries against absolute monarchies.

These rights are related to the concept of rule of law, which means that in every political system that respects basic freedoms and no one is above the law. They are linked to the principle of freedom and in this group the human rights of political participation are: the right to life and physical integrity, to think and speak freely, to meet with whomever you wish, to move freely, to participate in the government of the country itself, not to be detained without legal reason, to be tried with guarantees of impartiality, to have privacy and reputation, to private property, and so on.

Subsequently, it was necessary to recognize other second-generation human rights, called economic, social and cultural rights and regarding social groups. They came by the rise of various labor movements and the emergence of parties socialist ideology in the nineteenth and twentieth centuries.

These rights gave rise to a new state called Social Law, which meant finding all measures to accede to basic goods necessary to take part in political and cultural life. They are linked to the principle of equality, and within this group are considered the right to education, to health care, to protection against unemployment, to a living wage, to rest and leisure, to a dignified retirement, enjoying of cultural property, and so on.

In the decade of the sixties and in response to the problems and needs that humanity needed, the human rights of the third generation were recognized based on cooperation and solidarity and linked to the principle of international cooperation and assistance. In this group were recognized human rights: the right to self-determination, economic independence and political, national and cultural identity, peace, peaceful coexistence, understanding and trust, international and regional cooperation, international justice, to the solution of the food, demographic, educational and ecological problems, a healthy environment, the use of advances in science and technology and so on.

The rapid advance of new technologies shows that human rights relating to freedom and equality will never be one closed case, since along with these developments and technological developments have created new phenomena that disrupt the freedom and equality of human beings.

This new reality, forces us to consider the emergence of new freedoms and to seek and receive information, protection of privacy and the emergence of new ethical paradigms.

In the beginning, the right to information as a human right, whose origins date back to the philosophical thought of the French and American Revolutions, maintained a link with freedom of expression, manifested in the Declaration of the People of Virginia, in 1776. This principle also It is present in Article 11 of the Declaration of the Rights of Man and of the Citizen of 1789.

Currently, this right to information is necessarily linked to the use and access to technology, with equal opportunities and respect for the freedom of all people.

Without doubt, today equality is a core value for true progress of society. In this sense, through the adoption of new laws they have raised equality as a fundamental objective, in recent years our country has experienced remarkable progress. At the same time, it is undeniable that it is still a long road that separates us from real equality in rights and opportunities to achieve development of a society.

Thus, in the third generation of human rights it has been included technology as an additional human right, as a key resource that serves as a means to promote human development and overcoming social inequalities.

However, there is obviously still a great social inequality between developed countries and developing nations; however, the first and are beginning to realize the change of social paradigm of the digital age.

1. International instruments of information technology and communications (ICT)

The instruments of international law are integrated based on the formulation of various educational commitments and the implementation of new information technology and communication.

The United Nations Economic and Social Council in 1999 decided that the meetings of the session of 2000, take into account the development and international cooperation in the twenty-first century: the role of information technology in the context of a global knowledge-based economy. In this regard, the countries of Latin America and the Caribbean, convened by the government of Brazil and the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), approved in July 2000 the Declaration of Florianopolis, which pointed to the use of Information Technology and Communication (ICT) for development.

A. Declaration of Florianopolis

Sets twenty fundamental lines in the progress of a nation action, but here only the actions 1,2 and 4 of the statement are transcribed.

1. Design and implement public programs to ensure the entire population access in the shortest possible time, products and services in information technology and communications, broadcast use, promote the growth of infrastructure digital networks, and support research, innovation and technological development in general and businesses in particular;

2. Create conditions and mechanisms for universal citizenship training in new technologies and spreading digital literacy, in particular by promoting innovative experiences in distance education, non-formal education and teacher training as a prerequisite to insert favorably to the population under new forms of knowledge-based production, while also promoting access and use of information technologies and communications in methodologies designed to accelerate the educational processes of marginalized populations and extreme poverty;

4. Develop mechanisms and make the investments necessary in collaboration with the private sector, so that all locations of all countries in the region have community centers connected to the digital network, to overcome the marginalization of the population of access to the new economy, such as e-commerce, telemedicine, online procedures, strengthening the physical infrastructure and paving the way for broad access to digital networks.

However, social injustice is a reality that shortens an insurmountable gap between a few rich countries and the rest of the planet; the space between modern societies of marginalized societies.

We are in the presence of social exclusion, where advances in technology do not reach, where there is no access to these advances, lack of opportunity to access the use of information technology for social marginalization.

In this sense, the absence of a true rule of law as a form of political, economic and social organization aims to achieve social justice and human dignity through the compliance of

public servants with the principles, rights and social duties is evident constitutional order, eliminating social inequality.

The rule of law seeks to strengthen services and ensure essential rights of individuals to maintain living standards required by a society that seeks to live in an equal and fair manner. Equal opportunities and social welfare are key elements in societies that wish to be fair.

A. World Summit on the Information Society (WSIS)

Held in Tunis from 16 to 18 November 2005 on the occasion of the second phase of the WSIS, in her support for the Geneva Declaration of Principles and Plan of Action adopted at the first phase of the World Summit reiterates the Information Society in Geneva in December 2003. The Summit forty compromises between the member countries, which are established only mentioned below the first two:

- 1. We, the representatives of the peoples of the world, meeting in Tunis from 16 to 18 November 2005 to mark the second phase of the World Summit on the Information Society (WSIS) to reiterate our unequivocal support for the Declaration of Geneva Principles and the Plan of Action adopted at the first phase of the World Summit on the Information Society in Geneva in December 2003.*
- 2. We reaffirm our desire and commitment to build an information society people-centered, inclusive and development-oriented in accordance with the purposes and principles of the United Nations Charter, international law and multilateralism and respecting fully and upholding the Universal Declaration of Human Rights, so that all people everywhere can create, access, utilize and share information and knowledge to reach their full potential and achieve goals and development objectives internationally agreed, including the Millennium Development Goals.*

Along with this Summit, the Tunis Agenda for the Information Society, which established financing mechanisms to meet the challenges of ICT for development was developed.

Human development, according to the United Nations Program for Development (UNDP), is the process by which a society improves the lives of its citizens through an increase of goods with which it can meet their basic needs and complementary, and creating an environment in which the human rights of all are respected.

But social injustice is a global phenomenon that has fallen worryingly living standards of many people. This situation prevents the full development of each individual and determines the way of life of sufferers.

We live in a time in history in which information technologies are advancing vertiginously and society have the right to remain within the group included in the new technological context. For example, the reach of the Internet should allow anyone in the world to spread his ideas; However, not all people have access to this technology.

A. The 2003 Declaration of Bavaro.

To adopt an important guiding principles for the transition to information societies in Latin America and the Caribbean step.

In its paragraphs a, b and c related to the topic of this work mentions:

a) The social and economic progress of countries and the welfare of individuals and communities shall occupy a central place in activities aimed at building an information society. The use and development of information and communication technologies (ICT) are essential to meet the needs of individuals, communities and society in general.

b) The Information Society must be oriented towards eliminating existing socio-economic differences in our societies and avoiding the emergence of new forms of exclusion and becoming a positive force for all peoples of the world, reducing the gap between developing countries and developed and within countries.

c) The information society should serve the public interest and social welfare, by contributing to the eradication of poverty, the generation of wealth, the promotion and enhancement of social development, democratic participation, linguistic diversity and cultural identity, while ensuring equal access to information and communication technologies, always upholding the principle of legality to ensure its efficient and orderly.

Arguably, the use of ICT has changed our way of life, our customs and way of thinking, the way to gain knowledge, to network and to seek information,

However, the exclusion will be present in the educational environment as governments fail to demonstrate a real interest in the value and importance of ICT in education. Another aspect is that the authorities of each country consider that there is no better investment to improve infrastructure and equipment to achieve a real change in education through ICT.

Moreover, new information and communications technology directly affect education to change the ways in which human beings interact and disseminates knowledge.

A. Education Goals 2021, (ECLAC)

In May 2008, in El Salvador, the Ibero-American Ministers of Education agreed to promote the project Educational Goals 2021: the education we want for the generation of the Bicentennial. In this document the need arose:

Improve the quality and equity in education to tackle poverty and inequality and, in this way, promote social inclusion. It was addressed decisively, once and for all, unresolved challenges: illiteracy, early school leaving, child labor, low student achievement and poor quality of public education provision. And he intended to do with will face at the same time, the demands of the knowledge society: incorporation of ICT in teaching and learning, commitment to innovation and creativity development research and scientific progress.

School is transcendental to take new information technologies and communication space, because that is where the processes of creation and transmission of knowledge are centralized. Unfortunately, the reality is that not only the infrastructure investments in new technologies are insufficient and ineffective, but also programs or curricula do not consider the use of ICT in the teaching-learning process.

Recognize that many experiences in the successful use and integration of ICT in schools has been disappointing to not have the minimum infrastructure and, in the opposite way, there are many schools with poor infrastructure that have developed innovations with ICT and integrated masterfully in teaching and learning.

Definitely, the unwillingness of governments also contributes to the use of ICT is not possible in educational institutions due to their technical and structural constraints. It is not given due importance to the fact that the use of new technologies developed skills, competence and creativity, skills considerably promote human development. The use of ICT is a key factor for social change.

Using the Internet as technology has had a strong impact not only in education but has led to a revolution among the youth regarding the communication; in this sector of society the Internet has also been a change agent. Recall that the use of the Internet in the Middle East conflicts, was a means to express the dissatisfaction of citizens against governments in Tunisia, Egypt and Libya.

Consequently, these conflicts has meant that in some countries some human rights violations, such as access to information and communication, information, and freedom and equality. Iran and Syria have disconnected the Internet, China has increased

government control to limit the use of Internet. However, in the latter it was possible to create Weibo, a social network that is equivalent to Twitter and through which people try to express their views freely against social injustice and corruption.

Quality of ICT according to the International Telecommunication Union (ITU)

The International Telecommunication Union is the specialized agency of the United Nations (UN) responsible for the information and communications technology (ICT), whose main objective is to protect the fundamental right to communicate.

The ITU in its *Measuring the Information Society* (2012, p.20) report has revealed that the infrastructure and access in developing countries are still very different from those in countries with high development. Data communications took over, and in 2010 the fixed Internet and mobile data represented respectively 80% and 25% of the world telecommunications capacity.

According to the ITU, 4500 million people (two-thirds of the world population) have no access to new technologies, which excludes the major source of information and data in the world: the Internet.

Despite the great expansion of Internet access in Latin America there is still a noticeable lag compared with developed countries.

Cuadro 1: Índice de desarrollo de las TIC (IDT), 2010 y 2011

Economía	Puesto 2011	IDI 2011	Puesto 2010	IDI 2010
Corea (Rep. de),	1	8,56	1	8,45
Suecia	2	8,34	2	8,21
Dinamarca	3	8,29	3	8,01
Islandia	4	8,17	4	7,96
Finlandia	5	8,04	5	7,89
Países Bajos	6	7,82	7	7,60
Luxemburgo	7	7,76	6	7,64
Japón	8	7,76	8	7,57
Reino Unido	9	7,75	14	7,35
Suiza	10	7,68	9	7,48
Hong Kong, China	11	7,68	12	7,39
Singapur	12	7,66	10	7,47
Noruega	13	7,52	11	7,39
Macao, China	14	7,51	13	7,38
Estados Unidos de América	15	7,48	16	7,11
Alemania	16	7,39	15	7,18
Nueva Zelanda	17	7,34	18	7,03
Francia	18	7,30	17	7,08
Austria	19	7,10	22	6,74
Irlanda	20	7,09	19	6,99
Australia	21	7,05	23	6,75
Canadá	22	7,04	20	6,87
Bélgica	23	6,89	23	6,60
Estonia	24	6,81	26	6,36
Eslovenia	25	6,70	24	6,54
Malta	26	6,69	28	6,30
Israel	27	6,62	25	6,41
España	28	6,62	27	6,31
Italia	29	6,28	29	6,13
Qatar	30	6,24	31	6,04
Polonia	31	6,19	30	6,09
República Checa	32	6,17	33	5,89
Grecia	33	6,14	35	5,88
Barbados	34	6,07	32	5,91
Lituania	35	6,06	34	5,88
Letonia	36	6,06	37	5,80
Portugal	37	6,05	36	5,86
Federación de Rusia	38	6,00	40	5,61
Eslovaquia	39	5,99	39	5,63
Bahrein	40	5,85	45	5,19
Hungría	41	5,77	42	5,53
Croacia	42	5,75	41	5,54
Antigua y Barbuda	43	5,74	44	5,35
Chipre	44	5,73	38	5,64
Emiratos Árabes Unidos	45	5,64	43	5,41
Belarús	46	5,57	46	5,08
Arabia Saudita	47	5,43	53	4,81
Serbia	48	5,40	47	5,04
Kazajstán	49	5,27	56	4,65
Uruguay	50	5,24	49	4,89
Bulgaria	51	5,20	51	4,87
Rumania	52	5,13	50	4,89
Omán	53	5,10	54	4,75
Ex-Rep. yugoslava de Macedonia	54	5,05	48	4,90
Chile	55	5,01	58	4,63
Argentina	56	5,00	55	4,72
Brunei Darussalam	57	4,95	52	4,85
Malasia	58	4,82	57	4,63
San Vicente y las Granadinas	59	4,74	59	4,58
Brasil	60	4,72	67	4,17
Trinidad y Tabago	61	4,57	60	4,42
Moldova	62	4,55	62	4,24
Bosnia y Herzegovina	63	4,53	64	4,21
Santa Lucía	64	4,49	61	4,36
Líbano	65	4,48	68	4,11
Panamá	66	4,41	63	4,21
Ucrania	67	4,40	65	4,20
Azerbaiján	68	4,39	73	3,83
Turquía	69	4,38	66	4,17
Seychelles	70	4,37	69	4,00
Costa Rica	71	4,37	71	3,94
Maldivas	72	4,30	72	3,92
Georgia	73	4,20	75	3,75
Mauricio	74	4,18	70	3,95
Jordania	75	3,95	77	3,61
Colombia	76	3,93	76	3,73
Venezuela	77	3,92	74	3,78
China	78	3,88	79	3,58
México	79	3,79	78	3,60
Albania	80	3,78	80	3,48
Viet Nam	81	3,68	86	3,41
Ecuador	82	3,68	85	3,41
Egipto	83	3,66	81	3,44
Mongolia	84	3,63	87	3,36
Túnez	85	3,58	83	3,42
Perú	86	3,57	82	3,43
Irán (Rep. Islámica del)	87	3,53	88	3,35
Fiji	88	3,50	93	3,08
Jamaica	89	3,49	84	3,42
Marruecos	90	3,46	92	3,19
Sudáfrica	91	3,42	90	3,20
Tailandia	92	3,41	89	3,29
Rep. Dominicana	93	3,34	91	3,19
Filipinas	94	3,19	94	3,04
Indonesia	95	3,19	97	3,01
República Árabe Siria	96	3,15	96	3,01
Paraguay	97	3,14	99	2,94
Bolivia	98	3,13	100	2,93
Guyana	99	3,12	95	3,02
Tonga	100	3,12	98	2,94
Cabo Verde	101	3,08	101	2,90
Uzbekistán	102	3,05	106	2,77
El Salvador	103	2,99	102	2,89
Argelia	104	2,98	103	2,86
Sri Lanka	105	2,88	104	2,74
Cuba	106	2,77	107	2,66
Honduras	107	2,72	106	2,71
Botswana	108	2,67	108	2,50
Namibia	109	2,51	112	2,27
Turkmenistán	110	2,49	109	2,44
Gabón	111	2,47	110	2,40
Tuvalu	112	2,46	113	2,23
Nicaragua	113	2,44	111	2,31
Kenya	114	2,32	114	2,07
Zimbabue	115	2,24	118	1,89
Suazilandia	116	2,24	115	2,06
Yemen	117	2,23	117	1,81
Bhután	118	2,13	117	1,92
India	119	2,10	116	1,98
Laos (Rep. Dem. Pop.)	120	1,99	120	1,84
Camboya	121	1,96	119	1,88
Nigeria	122	1,93	124	1,75
Islas Salomón	123	1,85	117	1,67
Senegal	124	1,85	122	1,76
Gambia	125	1,84	123	1,75
Yemen	126	1,76	126	1,70
Pakistán	127	1,75	125	1,71
Djibouti	128	1,74	128	1,65
Côte d'Ivoire	129	1,69	131	1,62
Comoras	130	1,68	130	1,64
Myanmar	131	1,67	129	1,65
Uganda	132	1,67	136	1,58
Rwanda	133	1,66	140	1,50
Togo	134	1,65	132	1,59
Zambia	135	1,65	137	1,53
Mauritania	136	1,64	138	1,53
Nepal	137	1,63	134	1,55
Camerún	138	1,60	135	1,54
Tanzania	139	1,60	139	1,52
Congo (República del)	140	1,60	133	1,55
Benin	141	1,55	141	1,49
Papua Nueva Guinea	142	1,44	144	1,36
Madagascar	143	1,44	142	1,41
Malawi	144	1,42	143	1,37
Mali	145	1,38	147	1,24
Congo (Rep. Dem. del)	146	1,30	149	1,18
Mozambique	147	1,28	145	1,26
Guinea	148	1,28	146	1,25
Liberia	149	1,26	148	1,20
Etiopía	150	1,15	150	1,09
Burkina Faso	151	1,14	152	1,06
Eritrea	152	1,09	151	1,08
República Centroafricana	153	0,97	153	0,96
Chad	154	0,94	155	0,85
Niger	155	0,88	154	0,88

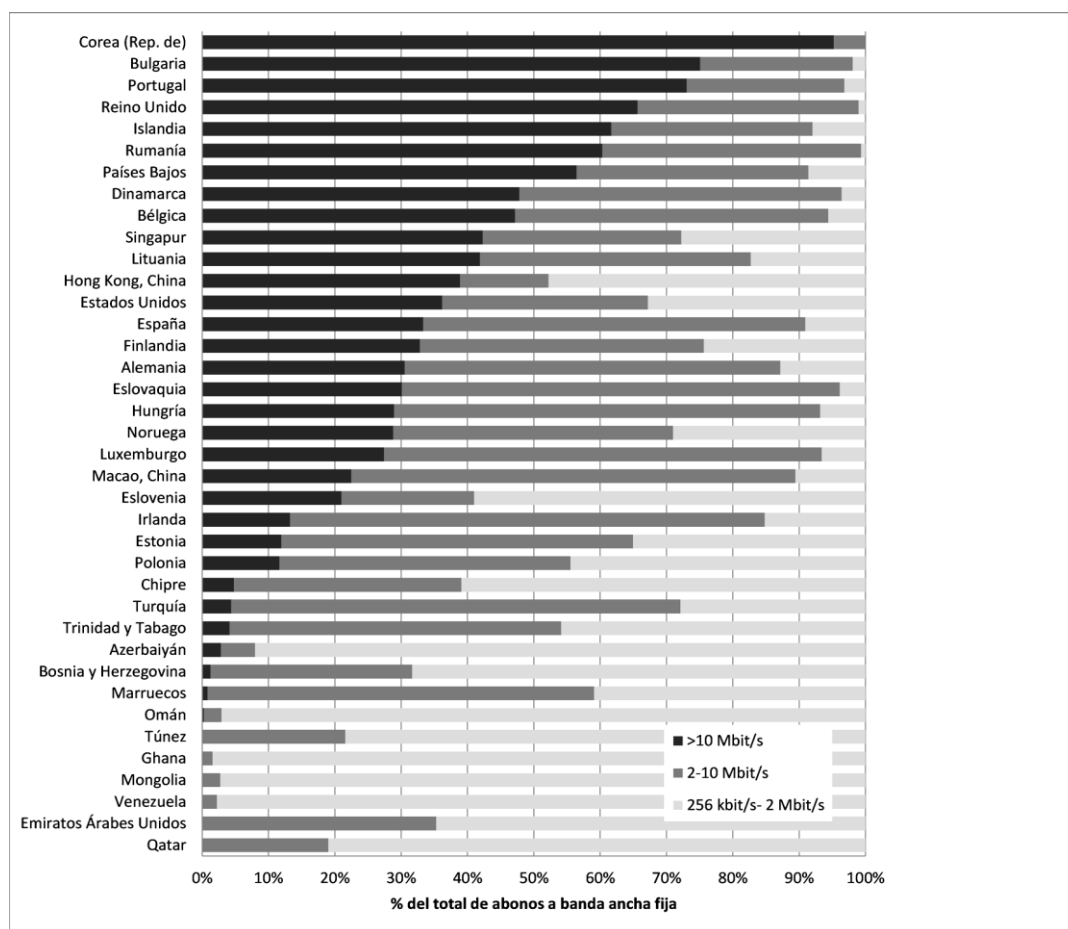
Fuente: UIT. Índice de Desarrollo de las TIC (IDT) es un índice compuesto que combina 11 indicadores en un valor de referencia (presentado en una escala de 0 a 10). Los objetivos del IDT consisten en supervisar el progreso en materia de TIC, tanto en los países desarrollados como en desarrollo, y medir la evolución de la brecha digital en el mundo.

Another factor that has to do with technological exclusion in developing countries is the lack of quality in Interregional speed broadband; better quality connection is less time for users to wait to enjoy content.

There are few countries that enjoy a greater than 50 Mbps capacity, such as Korea, Japan, Hong Kong, Latvia, Switzerland and the United States. The majority of European households have a connection to more than 30 Mbps Internet, but the vast majority of developing countries do not have more than 5 megabits, like Cuba, Kazakhstan, Indonesia, Syria, Bolivia, India, Iran, Nigeria, Nepal and Libya. In Latin America the average broadband speed is three megabits per second, while in the countries of the Organization for Economic Cooperation and Development (OECD) is 20 megs in South Korea and 100 megs. It is known that the world's fastest wide web has a speed of 1.4 terabits per second and is in London, after a joint test between the telecommunications company Alcatel-Lucent and the ISP BT conducted from city center and Ipswich, a town located about 410

kilometers. The speed achieved was enough so that it could be transmitted in one second about 44 uncompressed HD movies.

The Information Technology and Innovation Foundation, shown in Figures speed broadband 30 OECD countries. We can see deep gap between the leading countries in broadband speed, like Japan and Korea, and the underdeveloped countries, which is creating a new digital divide between countries that have a high speed, capacity and quality and those without.



Fuente: La Unión Internacional de Telecomunicaciones (UIT) informa sobre las grandes diferencias de capacidad, velocidad y calidad de las redes en distintos países del mundo

Talk about the digital divide is to refer to those communities that have access to Internet and those who do not, are in the presence of social inequality and which may be included all the new information and communications technology.

It is excluded from the use of new technologies jointly involved, unequal employment opportunities and social level.

Inequality

Discuss the issue of exclusion in access to new information technologies, involving also talk of increasing social inequality, which is coalesced to a number of features of the model of development. To illustrate this situation we remember the conditions in which the girl Paloma Noyola, who has become international news for being a brilliant student and obtained the first place nationally in math on the National Assessment of Academic Achievement in Schools 2013 lives (LINK) in Mexico: it is low-income and does not receive support from any government agency, or the case of Richard Londone Sullca, a boy of just 12 years old, living in poverty and in 2013 passed the entrance exam Pure Mathematics Faculty of the National University of San Marcos in Peru, reaching one of the highest scores.

Examples like these are just some examples of the lack of access to social, economic opportunity and definitely a technology to achieve the desired development.

The desire to build a society based on the principles of justice and equity must be translated into actions that demonstrate that it is possible to achieve that goal. Otherwise, how can we conceive the opportunity to access virtual sources of information from remote sites ?, or learn independently and reduce the physical presence of teachers?

These situations show unequal access of people to the use of information technologies, which provide important information and knowledge.

The report Promotion and protection of the right to freedom of opinion and expression Frank La Rue, submitted pursuant to resolution 16/4 of the Human Rights Council. published by the United Nations (2011), argues that the Internet is the most powerful of the century means that individuals can exercise their freedoms as is laid down in Article 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

A new model of society is being born under the influence of new information technologies, generating changes in the way we educate, work, learn and communicate.

Communication technologies are changing the way we think and act in society in a surprisingly dizzying, sometimes there without the knowledge of the extent of these changes.

Technological changes verified in the last decades are changing the lives of millions of human beings. Many of these changes are proving beneficial for mankind, but have also emerged phenomena of uncertain and troubling consequences, as the fact that certain segments of society have access to the use of new information technologies.

How then to ensure the right to live in technological advances and sufficient conditions of human dignity? How can we explain that public policies promote technological and scientific progress when social marginalization? How can training in skills and abilities when it does not belong to a privileged sector?

The Millennium Declaration adopted by the UN General Assembly should not just be an expression of good intentions. There is much still to be done on the issues raised by this statement: the eradication of poverty and hunger, health, gender equality, education and the environment, agreed by all countries at the Millennium Summit. The deadline for compliance with most of the objectives is 2015.

Latin America is the most unequal region in the world, and this is seen in the difficulties of access to goods and services, as well as habitat conditions.

Statistical data contrasts emerge in the living conditions of the population. While countries like Argentina, Chile and Uruguay have a low incidence of national poverty (less than 12% of the population), more than half of the inhabitants of Bolivia, Guatemala and Paraguay are poor, and in Nicaragua and Honduras the rate exceeds 60%. The most dramatic case is Haiti, where, according to studies conducted by the United Nations after the earthquake that devastated parts of the country in 2010, poverty has increased to levels it had a decade earlier, when the poor accounted for more than 70 % indigent and half the population. In absolute terms, of the approximately 124 million poor in cities of the region, more than half live in Brazil (37 million) and Mexico (25 million). (ONU-HABITAT, 2012, p.42).

Equal opportunities and welfare are basic principles of societies that aspire to be fair. Is the amount of choices a human being in his own environment, to be or do what they want to be or do. The more greater human development options, fewer options to lower human development.

A complex and difficult challenge is to define what elements contribute to achieve these principles, but certainly the use of information technology is one of the most remarkable. Unfortunately, poverty and inequality remain a huge proportion of children in severe shortage situation, focusing on poor academic performance.

Another situation to consider is the dropout. In this respect the partner family factors exert a strong influence on dropouts, mainly lower sectors of society; however, at present they can be detected between members of the same family different escolaridades and responsibility in their social roles.

According to UNICEF (EPT 2012 Report), the decrease in risk of dropout requires the application of a broad set of policies to reduce underlying vulnerability elements, which include factors related to poverty and related problems the quality of education.

When there is social exclusion in which services, goods and resources are provided unevenly in a country, there is a risk that in the near future the growth of these marginalized societies poses a threat to social peace.

All these situations of social exclusion impede access to the use of new information technologies. This is failure by the governments of each country, which reduces the chance of a society to develop.

It's amazing that when communication technologies are advancing day by day in an expedited manner, other situations related to the welfare of societies are showing a setback.

There is a tendency of regression in the rule of law in many countries, which show economic and social fragility: rising unemployment, inequalities and their consequences, and so on.

Are public policies are developed to bring down social inequalities in the same direction as the advancing technologies of communication?

It is necessary that the governments of Latin American countries prioritize their most pressing, especially in the order of social justice demands.

The World Bank has revealed that: "1100 million people live on less than one dollar a day and 2 700 million live on less than two dollars a day."

Poverty is much more than the lack of assets, the companies excluded as well as being vulnerable to economic shocks, natural disasters, violence and crime, usually have no access to education, adequate health services, water drinking and hygiene, and less use of information technology.

Equal opportunities and welfare are basic principles in societies that aspire to be fair; and one of the elements that contribute to these principles is undoubtedly social justice.

Instead of the Latin American presidents give speeches saying that his first priority is to bring down the economic and social inequality should launch a series of public policies to reverse this and other situations that affect the rights of their people.

Build a country with social equality is not possible without the full inclusion of all sectors of society. Build a culture of equality and respect for freedoms is not possible amid marginalization and lack of opportunities. Forge an information society is not possible amid the stark poverty and misery in which many marginalized, excluded and rejected live behind.

Conclusions

From the perspective of human rights, information technology is a means for people to develop their full capacities, potential and reach their development.

The information technologies can also contribute to demand and exercise other human rights. Through them, people can demand transparency in the conduct of their leaders and participate in the building of democratic societies through their freedom of association, demonstrate and express themselves.

The successful use and integration of ICT in schools will require governments to allocate financial resources to improve basic infrastructure and equip.

The way of thinking and acting of teachers must change, it is incongruous to assign homework requiring Internet use and using this in schools is prohibited.

Public policies of developing countries are immersed in a series of contradictions when they recognize in their own legislation on access to information technology as a human right, but can not provide the most basic goods to meet their basic needs and complementary, while creating an environment in which human rights are respected.

The digital age has put us in a situation of exclusion which is necessary to overcome inequality between the people who use information technology and communications regularly and those who do not have access to them.

It is necessary that the governments of developing countries to commit to short-term and responsibly to generate all the necessary means and mechanisms to achieve sustainable, equitable, with a social dimension and people-centered development.

Bibliography

CASTÁN Tobeñas, José, (1992). Los Derechos del Hombre. Ed. Reus: Madrid, España.

FINQUELIEVICH Susana, Lago Martínez Silvia, et. al. (2004). TIC, Desarrollo y Reducción de la Pobreza: Políticas y Propuestas. Argentina: Ed. Instituto de Investigaciones Gino Germani.

KATZ Raúl, (2009) El Papel de las TIC en el Desarrollo. España: Edit. Ariel.

NIKEN Pedro, (1994) La Protección Internacional de Los Derechos Humanos: su desarrollo progresivo Instituto Interamericano de Derechos Humanos. Madrid: Ed. CIVITAS.

PÉREZ, Luño Antonio Enrique, (2005) Derechos Humanos, Estado Derecho y Constitución. España: Ed. Tecnos.

REBOLLOSO Gallardo Roberto, (2010) La Globalización y las Nuevas Tecnologías de Información. México: Edit. Trillas.

SALINAS Bertha, (2004) Tecnologías de Información Educación y Pobreza en América Latina. México: Edit. Plaza y Valdés Editores,

TRUYOL & Serra Antonio (2000) Los Derechos Humanos. Madrid: Ed. Tecnos.