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Embracing information and communication technologies (ICTs) as a strategic sector within the Cuban economy and enhancing the development of its infrastructure will consequently require us to improve knowledge management and increase efficiency in the production of digital contents and associated services.

However, such an effort is not exclusive to the state sector, but requires the interest and willingness of all stakeholders in the industry, including self-employed workers. Hence, within the legal framework that organizes the process of computerization of Cuban society, there are provisions that recognize the participation and contribution of private forms of ownership and management.

Ernesto Rodríguez Hernández, vice minister of the Ministry of Communications (MINCOM), said that Decree 359 of 2019 on the Development of the Cuban Industry of Software and Computer Applications recognizes the participation and contribution of private forms of ownership and management in the computerization of society.

“That possibility favors the development of this productive force, allows it to complement itself in the work with public IT companies, including its hiring by the latter, enables its participation in the computerization of certain activities, in technical assistance and technological support of applications, facilitates its participation and contribution to local development in tasks related to computerization.

“For example, Apklis, a national platform for downloading the well-known applications for mobile devices, offers the opportunity, for both the public and the private sectors, to contribute with the development of these applications to the modernization of the country, and to improve the quality of life of the people that use them.”

-Are computerization and Internet use regulations exclusive to Cuba?

-As a result of the boom of ICTs and Internet, and their impact on the political, economic and social life of nations, many countries - including Cuba - have set up a policy, an agenda for computerization, or digital transformation, which is logically supported by a regulatory framework that organizes its implementation and development.

“The penetration of the Internet in general, and the increasingly intensive use of technological and service

platforms supported by it, has become a challenge for the Law, an aspect that in some way all countries face today and where technological, ethical and content elements converge, and it is necessary to regulate them coherently.

In Germany, since 2017, there is a law that requires, among other aspects, an effective and transparent procedure to deal with claims to remove illegal and discriminatory content in social networks. France has a law against hate on the Internet with which they intend to force platforms in this network to remove offensive content, and in the U.S., which makes so much advocacy of freedom of expression, there is a provision that sets responsibilities for the publication of harmful content in the network of networks.

“Vietnam's Cybersecurity Law, approved in 2018, requires the removal of offensive content from digital platforms, while in China there are regulations that promote the responsible use of ICTs, protect transactions in this area and provide security for citizens' personal data.

“We could also mention Brazil, where there is a Civil Framework for the Internet that establishes criteria for the protection of records, personal data and private communications, and recently the Brazilian Senate approved the text of a bill to fight the dissemination of false news on social networks.

“In Cuba, the access and use of the Internet is a primary policy for the integral development of people and the country, since it is recognized not only as a space of information, but also as an opening for social communication, cooperation, association and work in its most varied manifestations. It is a tool at the service of national identity and culture and of the sovereign and universal insertion of Cubans.

“The right to use the Internet is also accompanied by the duties of the citizen and of the organizations and institutions toward society, it supposes duties in relation to its adequate use and in accordance with the law, as well as the responsibility to watch over the defense of the country and its integrity.”

-What does Decree Law 370 protect in terms of individual rights?

-Several elements are protected by Decree Law 370/2018 on the computerization of society. For example, it arranges and guarantees the right of access and participation of natural persons in said process; it makes the organizations of the Central State Administration and other state entities responsible with the use of technological platforms that protect user data and guarantee the veracity and authenticity of the information; it establishes that personal data in electronic format can only be disclosed to third parties that have a legitimate interest, duly accredited before a competent authority or authorized by the owner of this data, and in the event of non-compliance, it proceeds in accordance with the provisions of the legislation in force.

“Likewise, the disposition establishes that natural and legal persons that participate in e-commerce activities must comply with the current legislation on commerce, while those that provide goods and services by digital means are obliged to develop a technically secure environment for the transactions.

“Similarly, it identifies violations due to the usurpation of the access rights of duly authorized users, and the dissemination, through the networks, of information contrary to the social interest, morality and integrity of persons, such as sexual and discriminatory content.”

-Cyber security is considered an essential part of the computerization process in Cuba, why is this link so important?

-Computerization is carried out to speed up the processes that are executed in the real world, making possible their management, using ICTs, while cyber security provides the necessary tools from various fields (technological, communicational, organizational and legal, among others), to protect both the users of information and communication technologies and the infrastructures that support the applications and computer services.

“Computerization and cyber security are two closely linked processes that require simultaneous progress, as

this is the only way to guarantee access to ICTs in a secure, sustainable and quality way, and to guarantee the timeliness of the information or communication required.”

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