

The Right to Information: A Human Right of Children

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[Because of IFLA's firm commitment to human rights, access to information and freedom of expression, IFLA's Secretary General, Leo Voogt, requested from Ms Koren the following article, which is summarized from her book. Published in IFLA Journal Vol. 23 (1997) no. 1.]

Human rights plays a fundamental role in the theory and practice of library services. The Unesco Public Library Manifesto demonstrates this. A recently published comprehensive study, *Tell Me! The Right of the Child to Information*, concludes that the right to information is a fundamental human right, which is crucial to human development and therefore not only important for the child but for every human being. The study explores what significance this right to information has. The three elements, the right, the child and information, are studied separately drawing on developmental psychology, communication science and international law, and then their interrelationship is examined, in order to achieve a well-founded interpretation. The consequences of this interpretation should effect the implementation of the child's right to information, also in the field of library services.

First, the notion of human development is analyzed in a universal approach. Once born, a child has to go through the process of growing up. Becoming a full-grown human being is not just a process of nature alone. The processes of biological maturity run their course concurrently with developmental processes which reflect the culture in which the child grows up. In this broader developmental process, human values are involved. In the educational process of a child, the central question of what a human being is, i.e., the purpose of human life, cannot be evaded. Cultural traditions have offered answers to this question. They provide prototypes of what a human being is; or what is referred to in this study as an authentic human being. In a pedagogical model, these prototypes serve to orient and inspire a human being to become what he should become, hence a developmental process. Although cultural traditions vary in their formulations and the methods they employ, they share the requirement of respect for life. As an inherent part of human dignity, every child should be provided with the chance to learn about this perspective and to develop as an authentic human being. This developmental process deserves protection as a human right.

The notion that life has to be respected and that there is a minimum of fundamental values which should be protected is of paramount importance. This notion became especially apparent after World War II, and resulted in the Universal Declaration on Human Rights adopted by the United

Nations. The relationship between the values of the great traditions and the notion of human rights has been underlined and should be stressed to achieve a global acknowledgement of a minimum standard. The right to information should be considered in the light of the overall aim of human rights to protect and respect life and to support the development of every human being to his fullest potential.

The Universal Declaration has inspired many other treaties and human rights instruments, of which the Convention on the Rights of the Child adopted by the United Nations in 1989, is a recent example. As children are often considered to be as not yet human beings, and treated more as objects than as subjects, the need to protect their rights has resulted in a separate convention. This UN Convention contains several references to the right to information, also in connection with children's books.

The study of the right of the child to information is necessarily related to a child's development, the processes involved in seeking information, the availability and accessibility of sources of information, and the relevant legal protection. The child's developmental process reveals that information plays an indispensable role. The informational process begins even before birth, and accompanies the child throughout childhood and further stages of human development. Information affects the physical, emotional, cognitive and social development of the child. The way in which a child learns to walk and to talk, and how he plays and communicates with others is also due to the information he has received. The idea that information plays an important role, both in the development of his identity and personality; and, in his social participation, has far-reaching implications for the child's providers of information. Parents are the main source of information for the child. As both verbal and non-verbal behavior of parents is imitated, the example set by parents cannot be underestimated and is crucial to the child's development. The human values of which parents are aware and which they have integrated in their way of behaving, form the frame of reference for the child in developing his views on the world and himself. Parents should also be attentive to the uniqueness of the child, listening carefully when communicating with the child.

New sources of information are accessible to the child when he comes into contact with others outside the family environment: peers and adults in school, in clubs or in the street. Several types of communication processes in which the child is involved can be discerned. Generally, the perspective of the sender is dominant in communication processes. The information process underlines the perspective of the receiver because it considers the information a human being gains from sources of information as essential. In the light of the child's right to information, the information process should be taken in its active form of information seeking. In essence, the child is an information seeker.

Findings of communication science applied to the legal field of the right to information reveal that, in fact, one cannot speak of a right to information, as information is the result of a process, executed by the seeker or receiver of information himself. The result of the process can never be guaranteed. Protection can only be directed to the access to information sources. Therefore, the right to information can be considered as an abbreviation of the correct expression: "the right of access to sources of information".

The legal protection of communication processes, of which the information process forms a part, is limited. The roots of the right to information can be found in the freedom of communication and the freedom of information. The right to information as a right of an individual is often invisible. It mainly manifests itself in a right to information of the professional journalist, or in the collective right to information of the general public. The concept of the individual right to information is generally more related to social participation than to personal development. When access to sources of information is mentioned, mostly sources of information controlled by the state are envisaged.

The right to information considered in the light of human development requires a stronger visibility and protection from the perspective of the seeker or receiver of information. Therefore, a general

right to information, which provides for the right to inform oneself from generally available sources and to educate oneself as a human being, should be acknowledged for the sake of children as well, and should be enshrined explicitly in international treaties and other human rights instruments and be implemented in national constitutions. Further legislation should ensure the free accessibility of public libraries, including databases and networks.

The UN Convention on the Rights of the Child is a catalogue of human rights related to children. Whether this separate human rights instrument is the best way to protect the rights of children remains to be seen. However, as the Convention has now been widely ratified by 187 States, one should make the best possible use of it, and use it as an international standard. In tracing a right to information in the Convention, explicit formulations are found in the child's right to freedom of expression and his right of access to information. The latter refers to the role of the mass media in providing information and material from a variety of sources. The production and distribution of children's books is especially mentioned.

Implicit formulations of the right to information provide a wider spectrum. They refer to the role of information in the process of upbringing by parents. Implicit formulations of the right to information supporting the development of the child's personality are found in provisions on the child's identity and cultural background; his freedom to express views in all matters concerning his life; the freedom of thought, conscience and religion; and, the respect for his private life. Other implicit formulations are related to the child's right to information which supports his social participation. These formulations include his freedom of association; the possibilities of the child to participate in cultural life; his access to education; and, his right to know about his rights. All these are rights which are or should be applied in library services.

The Convention acknowledges the evolving capacities of the child, which give him an increasing say in his own process of development. The taking part in discussions, community activities and decision making processes are other aspects of a child's development recognized in the Convention. All these rights presuppose information and have little meaning if they do not include a child's right to information. Implementation of the right to information requires a thorough information policy, which itself should be an example of respect for the human rights of children and others.

The way in which this right to information can be realized takes various forms.

The legal protection offered by the Convention serves mainly in the normative sense as a guideline for legislation and jurisprudence. It can be regarded as an instrument for policies departing from a child's perspective. The way in which the right to information is applied can be structured on the basis of the following principle. The highest form of legal protection should be provided to those situations in which an absence of information most endangers the human dignity of the child. In other words, with respect to information crucial to the child's ability to live as a human being, his right to information should be prioritized.

One of the main implications is an information policy with respect to making the Convention widely known. Further applications of the right to information could focus on understanding human rights and developing communication skills. Activities can include education in human rights, values education, and philosophy for children. Youth organisations form a field in which the right to information finds a useful practice. Media education and the use of newspapers in education can be other forms supporting the right to information.

As an example of guaranteeing the right to information by public institutions, the public library is presented. An analysis of the library's aim and role in society is followed by a description of their tools including professionalism. The library's ideological aim and public responsibility provide useful conditions for the implementation of the right to information. Another analysis clarifies that the united strength of the Convention on the Rights of the Child and the Unesco Public Library

Manifest obliges the public library to rethink its role in the light of the child's right to information. A variety of proposals for library policy and practice is presented.

The notion of human rights applies to all forms of communication, and means that information can only be exchanged on a basis of equality. The treatment of the child as an equal partner requires honesty. The scrutiny of one's intentions and motives is an individual responsibility. Public debate may help to re-introduce the role and value of the individual in social communication processes. Considered in the context of human rights, communication processes appeal to fundamental values which should not be destroyed by competitive interests and the lust for gain or social power. This requirement applies to all human beings, regardless of their role as parents, teachers, politicians, businessmen, producers, priests, doctors, lawyers, judges, artists or librarians.

As a general human right, the right to information should provide human beings with possibilities to taste the quality of authentic life. This quality is present as a dynamic force, a source from which all traditions and all creative beings have drawn. The results of these processes should be made visible in a cultural monument, in which the right to information could be realized. This plea for the "inexploitable" or the "useless" could find its form in a Silent Library. The texts of various cultures and traditions on authentic life should be brought together and presented. The library should be open to everyone for self-education. By its mere presence the library would also serve as a silent spot for those who wish to retire from the abundance of obtruding information. It could be considered a task of Unesco and the library world to support the provision of a Silent Library in every country. This is a concept which will be elaborated on and possibly presented at the IFLA Conference in 1998 in Amsterdam.

Reference

Koren, M., *Tell Me! The Right of the Child to Information*, The Hague: NBLC, 1996.