

# THE RIGHT TO INFORMATION AS A PERSONAL NON-PROPERTY RIGHT

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**Introduction.** The right to information is a fundamental human right that ensures individuals have access to information that is necessary for them to fully participate in society and make informed decisions. It is recognized as a key component of freedom of expression and is enshrined in many international and domestic legal frameworks. One important aspect of the right to information is that it is considered a personal non-property right, which means that it belongs to individuals in their capacity as citizens or members of society, rather than as owners of property. This distinction is significant because it emphasizes the importance of information as a public good that should be accessible to all, rather than as a commodity that can be owned and controlled by a few.

**Objectives.** The main task is to explore the concept of the right to information as a personal non-property right, examining its historical origins, legal frameworks, and practical implications. It will argue that this understanding of the right to information is essential for promoting transparency, accountability, and democratic participation, and for ensuring that individuals can exercise their rights and freedoms to the fullest extent possible.

**Methods.** We used the following methods in our research such as: generalization and descriptive analysis.

The content of personal non-property right, is provided by Article 271 of the Civil Code of Ukraine, means the ability to freely determine one's behavior in individual life activities at one's own discretion, excluding any interference by other persons, except in cases expressly provided for by law.

The personal non-property nature of the right to information has several implications. Initially, it means that individuals have a right to access information held by public bodies or private entities that perform public functions, without having to demonstrate a specific interest or need for that information. This is essential for promoting transparency and accountability in government and other organizations.

Secondly, the personal non-property nature of the right to information also means that individuals have a right to seek and receive information from a wide range of sources, including the media and civil society organizations. This is critical for promoting democratic participation and ensuring that individuals have access to diverse perspectives and opinions.

Thirdly, the personal non-property nature of the right to information also implies that individuals have a right to participate in decision-making processes that affect them, including by having access to information and being able to

express their views and opinions. This is essential for promoting effective governance and ensuring that the interests of all members of society are taken into account. The right to information has a long historical development, dating back to ancient civilizations where public announcements and proclamations were made to inform citizens of important news and decisions. However, the recognition of the right to information as a fundamental human right is a relatively recent phenomenon.

The Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, recognized the right to freedom of expression, which includes the right to seek, receive and impart information and ideas through any media and regardless of frontiers. This set the stage for the development of the right to information as a fundamental human right in subsequent decades.

In the 1970s and 1980s, there was a growing recognition of the importance of transparency and accountability in governance, particularly in the context of the developing world. This led to the emergence of the right to information as a distinct human right, with several countries enshrining it in their constitutions and passing laws to guarantee access to information held by public bodies.

The 21st century has seen a rapid expansion of the right to information as a fundamental human right, with several countries passing laws and enshrining it in their constitutions. The adoption of the United Nations Sustainable Development Goals in 2015, which include a target to ensure access to information and protect fundamental freedoms, further highlights the importance of the right to information as a key component of human development.

The Civil Code of Ukraine recognizes the right to information as a personal non-property right. Article 302 of the Civil Code states that individuals have the right to receive information about themselves, their legal interests and the activities of public authorities and local governments.

Furthermore, Article 307 of the Civil Code recognizes the right to access information held by public bodies and obligates them to provide information upon request, subject to certain limitations prescribed by law. This provision is in line with international standards on the right to information, which recognize the importance of access to information held by public bodies for promoting transparency and accountability in governance.

In addition, Article 309 of the Civil Code recognizes the right to freedom of information, which includes the right to seek, receive and impart information and ideas through any media and regardless of frontiers. This provision is in line with the Universal Declaration of Human Rights, which also recognizes the right to freedom of expression and the right to seek, receive, and impart information.

**Conclusion.** To sum up we would like to point out that the right for information as a personal non-property right is a fundamental aspect of freedom of expression and democratic participation. It recognizes the importance of information as a public good and emphasizes the role of individuals as active members of society. By promoting transparency, accountability, and democratic

participation, the personal non-property approach to the right to information has the potential to enhance the quality of governance and contribute to the overall well-being of society.

**References:**

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**THE PRINCIPLES OF THE PRESUMPTION OF INNOCENCE  
AND ENSURING THE RIGHT TO DEFENCE  
UNDER THE CRIMINAL PROCEDURAL LEGISLATION OF UKRAINE  
AND THE REPUBLIC OF POLAND: A COMPARATIVE ANALYSIS**

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Each branch of law contains a significant number of norms that regulate relevant social relations, but their common feature is the presence of primary foundations, on which all legal regulation is built and under their influence, norms of law are formed. Criminal procedural law also has this feature, where the principles of criminal procedural law are primary. Such principles include one of the basic principles, namely the principle of presumption of innocence.

The criminal procedural law of Ukraine contains a significant number of sources of law and consists of relevant provisions of the Constitution of Ukraine, international treaties, the binding consent of which was given by the Supreme Council of Ukraine, the Criminal Procedural Code and other laws of Ukraine [1].

Similarly, Polish criminal procedural law has in its list of sources the Constitution of Poland, the Criminal Procedure Code of Poland, other normative legal acts, as well as international treaties, although this is not explicitly stated in the Criminal Procedure Code of the Republic of Poland, but follows from the norms of the Polish Constitution of the system interpretation of its norms.

The defendant's right to be presumed innocent until proven guilty is a fundamental principle that governs the treatment of any defendant throughout the entire trial of a criminal case, up to the final decision. Paragraph 2 of Article 14 of the International Covenant on Civil and Political Rights provides that "everyone