

Jurisdictional Form of Protection

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Abstract

To sum up, the lessons Ethiopia can learn from the best experience of Australia include; incorporating clear and tangible objectives to the competition regime, expanding the scope of application of the competition regime to include public enterprises and endowment firms in the country as long as they are carrying out business activities, establishing independent Competition Authority both financially and administratively and making the authority accountable to either the parliament or to the council of ministers, enabling the regional governments to issue subordinate laws and enforcing the same, allowing the private sectors and consumers representatives to participate in the Authority, and mandating the member states to nominate candidates to the TCCPA.

Keywords: Independent competition; Subordinate laws; Country; States to nominate; Australia

Introduction

In addition, Ethiopia learn how to regulate issues relating to joint venture, leases and licenses of lands and buildings from Australia's experience; because such issues are the chronic problems of the country at present [1].

The competition authority is required to respond with a Statement of Intent to the Minister's annual Statement of Expectation that outlines relevant government policies and priorities that the competition authority is expected to observe in its operations. This is the case for securing the accountability of competition commission. As long as the competition Authority in Ethiopia is under the influence of the executive and political organ of the government, always its accountability to the Ministry can be checked through different means. In the case of Australia, The States and Territories introduced complementary legislation to give effect to the Competition Code under their own law.

Protection of the rights of individuals who have suffered violations in the medical field, public, and charitable organizations are carried out mainly as conducting explanatory work on legal and medical issues; preparation of procedural documents and letters for the patient to apply to various authorities; representation in court; assistance in negotiations with representatives of various medical institutions and organizations, etc [2]. Thus, the important role of non-governmental organizations is that the appeal to them of an individual about the violated rights to information on their health makes it more likely to solve their problem, because the main purpose of such an organization is to help individuals whose rights have been violated, and the interest of the representatives of such an organization is aimed at a positive solution to the problem of the aforementioned persons. Appeals to non-governmental bodies and organizations do not yet have significant practical support but their role in protecting the rights of individuals, including violated rights in the medical field, is growing every day; The arbitration court is a non-governmental independent body. It can be appealed by an individual in case of violation of one's right to information on their health, protection of their property and non-property rights, as well as interests protected by law. Arbitration courts resolve disputes arising from civil and commercial legal relations.

Discussion

In accordance with Para 1.1 of Art. 1 of the Standard Regulation "On the Legal Clinic of a Higher Educational Institution of Ukraine", the legal clinic is a structural unit of higher education of III-IV levels of accreditation, which trains specialists in the field of "Law", and is created

as a basis for practical training and internships for senior students courses [3]. Legal clinics are widespread in Ukraine; their activities are mainly aimed at providing free legal aid to students studying law under the supervision of experienced teachers;

The term "mediation" comes from the Latin mediation – intermediary; the words mediation, have a similar meaning. In social psychology, scientists consider mediation as a specific form of regulation of disputes, conflicts, coordination of interests. Scientist H. Bessemer defined mediation as a technology for conflict resolution with the participation of a neutral third party.

Therefore, according to this method in law, in case of violation of the right of an individual to information on their health, the aforementioned person in order to protect their rights may turn to a specialist mediator, who may be a psychologist, lawyer, and who can help hold a meeting, negotiations with a representative of a medical institution, an organization in order to reach an agreement on a disputed issue regarding the information on one's health, without resorting to administrative and judicial appeal procedures;

Another form is the self-defense of civil rights, which is the commission of an authorized person actual de facto acts aimed at protecting their subjective right, and also involves the use of measures of operational influence – law enforcement, which have a legal nature and are applied by an authorized person without recourse to state or other organs [4]. It should also be noted that in accordance with Part 1 of Art. 19 of the Civil Code of Ukraine, the basis for the application of self-defense of the right to information on one's health is the presence of certain violations or illegal encroachments on the civil right in question.

The sphere of protection of the right to information on one's health does not provide ample opportunities for the use of means of counteraction not prohibited by law by oneself. It is limited by the nature of the rights in respect of which the offense has been committed or infringed [5]. Thus, the actual prohibited actions taken by an individual

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in self-defense of the right to information on their health can include, for example, a public statement by the victim that a particular natural or legal person is illegally disseminating certain information on their state of health [6].

As a result of self-defense of the right to information, a person who has committed an unlawful encroachment may suffer property and moral damage. The composition of the civil offense as a basis for liability for moral and property damage is recorded in Art. 1166, Art. 1167 of the Civil Code of Ukraine [7]. However, a person who has protected the right to information on their health does not have an obligation to compensate for such damage, as the basis for the obligation to compensate for damage is a civil offense, includes wrongful conduct, harm, causal connection between wrongful conduct and harm, guilt. Actions on self-defense of the right to information on one's health are not illegal, as the current legislation of Ukraine establishes that they do not create obligations for the authorized person to compensate the violator of the right in question [8]. Also, this provision is enshrined in Art. 1169 of the Civil Code of Ukraine, according to which the damage caused in the exercise of the right to self-defense is not reimbursed. We note that the right to protection can be exercised in the event of termination of the subjective right. In this case, the interest associated with the lost right is protected [9].

Recommendations

Thus, in accordance with Part 4 of Art. 285 of the Civil Code of Ukraine, in case of death of an individual, members of their family, or other individuals authorized by them have the right to investigate the causes of their death and read the conclusions on the causes of death and have the right to appeal these conclusions in court. Thus, the death of a person is a ground for protecting the right of family members of the deceased, or other individuals authorized by them, to be in the investigation of the causes of death and to get acquainted with the conclusions on the causes of death, as well as the right to appeal these conclusions to the court in case of their violation [10].

Thus, the right to protection has a broader meaning, as it not only accompanies the subjective civil right but also continues to exist in case of its termination. The judiciary plays a pivotal role in the interpretation and application of the law. The matters go before well learned Judges who determine the cases based on the circumstances and with their discretion. However their interpretation is restricted based on the language of the law. The currently language of the law only affords protection to women who are separated from their husbands or entering proceedings to do so. Common law is also important; however amended laws would better allow Judges to make rulings which protect the rights of married women

Conclusion

Thus, legal protection cannot be limited to the possibility of applying legally-established protective mechanisms. The person independently has the right to choose certain methods of protection and forms – in particular the non-jurisdictional one, in accordance with the content of the violated right, the nature of the offense and its consequences, or

to refuse to use remedies at all. Thus, the non-jurisdictional form of protection is precise that the exercise of protection of rights is carried out by citizens, as well as individuals by performing certain independent actions (independently), which are not related to appealing to public authorities of the relevant competence. In turn, the non-jurisdictional form of protection of the right to information on one's health of individuals may include certain actions of an individual to protect the aforementioned right (appeal of an individual in case of violation of their right to information on one's health and to protection to non-governmental organizations; appeal of an individual in case of violation of their right to information on one's health and for the purpose of their protection to the arbitration court; appeal of an individual in case of violation of their right to information on their health and for the purpose of its protection to legal clinics of higher educational institutions; appeal of an individual in case of violation of their right to information on their health and for the purpose of its protection to a mediator; appeal of an individual in case of violation of their right to information on their health and in order to protect it independently to representatives of medical institutions of organizations, companies in order to reach a positive solution to the violated right), which have their own specifics and features.

Acknowledgement

None

Conflict of Interest

None

References

1. Koh HH (1999) How is international human rights law enforced?. *Ind L J US* 74: 1-23.
2. Cassel D (2001) Does international human rights law make a difference?. *Chi J Int'l L US* 2: 121-135.
3. Lutz EL, Sikkink K (2000) International human rights law and practice in Latin America. *Int Organ UK* 54: 633-659.
4. Beck LD, Vité S (1993) International humanitarian law and human rights law. *Int Rev Red Cross UK* 33: 94-119.
5. Heintze HJ (2004) On the relationship between human rights law protection and international humanitarian law. *Int Rev Red Cross UK* 86: 789-814.
6. Droege C (2014) The interplay between international humanitarian law and international human rights law in situations of armed conflict. *Isr Law Rev ME* 40: 310-355.
7. Hathaway OA, Crotoof R, Levitz P, Nix H (2011) Which Law Governs During Armed Conflict-the Relationship Between International Humanitarian Law and Human Rights Law. *Minn L Rev US* 96: 1-62.
8. Lubell N (2014) Parallel Application of International Humanitarian Law and International Human Rights Law: An Examination of the Debate. *Isr Law Rev ME* 40: 648-660.
9. Hampson FJ (2008) The relationship between international humanitarian law and human rights law from the perspective of a human rights treaty body. *Int Rev Red Cross UK* 90: 549-572.
10. Milanović M (2009) A norm conflict perspective on the relationship between international humanitarian law and human rights law. *J Confl Secur Law* 14: 459-483.