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THE CONCEPT AND CONTENT OF THE RIGHT TO JUDICIAL PROTECTION: MODERN VIEW

The article investigates the concept and the essential features of the right to judicial protection. The main focus is on the author that justice is now recognized as the most effective means of protecting the rights and freedoms of man and citizen, and therefore the level of judicial protection is an important indicator of the legal nature of the state and democratic society.

Justice is the most effective of all produced world practice, a way of protecting the rights and freedoms of man and citizen. The level of judicial protection is an important indicator of the state legal and democratic society. Increased number of legally protected rights in terms of the diversity of contemporary economic and social ties to the court imposes a special responsibility and increases its importance as a factor strengthening economic stability and guarantor of the rights and freedoms of man and citizen.

In state-legal mechanisms to ensure the rights and freedoms of man and citizen judicial protection played a leading role, since it is the most effective of all means – established international practice of protection of individual rights.

The level of judicial protection is a key indicator of the state legal and democratic society. Through trial and judicial protection implemented one of the fundamental (constitutional) rights – the right to judicial protection. At the same time, we must recognize that today most people can not apply for protection of their rights by a qualified legal help that many of them, unfortunately, simply can not afford.

The degree of effective protection of violated rights exercised by resolving disputes about the law, is influenced by many factors. The most important of them are in two groups: the first is associated with bodies that resolve disputes, and the second – the procedure to solve them. By itself, the existence of such bodies and procedures in which they operate, is adequate only for distribution of powers between them, but failed to fulfill the above, the important task – to ensure effective protection of rights.

Currently, not only legal scholars but also practitioners, advocates point out the existence of certain deficiencies in the Ukrainian legislation, which is often not effectively implement the citizens' right to judicial protection.