

INTERVENTIONS IN PHYSICAL INTEGRITY AND COMPESATIONFOR DAMAGES

Summary:

The most common interventions in physical integrity are: medical interventions on body, judicial interventions on body, body interventions through interventions in the environment and sports interventions on body. The development of modern science has created numerous possibilities for using the human body and its parts for different purposes. Existing legislation and court decisions cannot answer all new questions of the right to physical integrity related to the development of modern science. Those issues require new considerations and new answers. Although the human body and its parts are considered as objects of the right to physical integrity, there are global international pressures to determine the body and its parts as things in the civil law sense. Different states disagree on the issue of whether the right to one's body, or it's use, is the same right as the right to property, as they do on euthanasia and the right to in vitro fertilization. In Bosnia and Herzegovina, there is a discrepancy of similar laws at the level of Entities (Federation of Bosnia and Herzegovina and The Republic of Srpska) and Brčko District of Bosnia and Herzegovina. Following the example of the ZOO of the Republic of Croatia, the objective concept of non-material damage should be adopted, which would contribute, among other things, better protection of the right to physical integrity.

Key words:

right to physical integrity, medical interventions on body, judicial interventions on body, body intervention through interventions in the environment, sports interventions on body, material damage, non-material damage