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Legal Mechanisms for Preventing Recidivism: Rehabilitation, Social Reintegration and Human

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Abstract

Recidivism continues to pose a significant challenge to criminal justice systems worldwide, raising important questions regarding the effectiveness of punitive approaches and the need for sustainable rehabilitation strategies. This paper examines the legal mechanisms designed to prevent recidivism through offender rehabilitation, social reintegration, and the protection of fundamental human rights. Adopting a normative and interdisciplinary perspective, the study analyzes the legal principles governing the execution of criminal sanctions, emphasizing that the primary objective of modern penal systems extends beyond punishment to include the rehabilitation and successful reintegration of offenders into society. Particular attention is devoted to international and European legal standards, including the European Convention on Human Rights, the European Prison Rules, the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), and relevant recommendations of the Council of Europe. The paper explores the role of probation services, educational and vocational programs, restorative justice initiatives, psychological support, and post-release assistance as essential legal and institutional mechanisms for reducing reoffending. It also examines the relationship between respect for human dignity, access to rehabilitation opportunities, and the prevention of repeated criminal behavior. Furthermore, the study discusses the challenges faced by criminal justice systems in balancing public safety with the protection of the rights of convicted persons, highlighting the importance of individualized interventions and evidence-based correctional policies. The paper argues that effective prevention of recidivism requires a comprehensive legal framework that integrates rehabilitation, social inclusion, and human rights principles. Strengthening these mechanisms contributes not only to reducing reoffending rates but also to promoting social cohesion, improving public safety, and ensuring that criminal justice systems comply with international human rights obligations.

Keywords: Recidivism; Offender Rehabilitation; Social Reintegration; Criminal Justice; Human Rights; Probation; Restorative Justice; Prison Reform; European Convention on Human Rights; Nelson Mandela Rules