International Conference on Research in
HUMANITIES AND SOCIAL SCIENCES
27 - 29 November 2026 Vienna, Austria

Juvenile Criminal Liability Between Punishment and Social Reintegration: Legal Challenges and Comparative Perspectives in European Juvenile Justice

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Abstract

Juvenile criminal liability represents a complex issue in contemporary criminal justice systems, requiring a balance between legal accountability, proportionality, child protection, and social reintegration. European juvenile justice systems reflect different legislative approaches to the age of criminal responsibility, the assessment of psychological maturity, and the application of educational or punitive measures.

This study aims to examine the legal challenges associated with juvenile criminal liability and to analyse how European criminal justice systems reconcile punishment with rehabilitation and social reintegration. The research adopts a qualitative, doctrinal, and comparative legal approach, examining national criminal legislation, European legal standards, international child protection instruments, and relevant academic literature. Particular attention is given to the principles established by the United Nations Convention on the Rights of the Child and the European Convention on Human Rights.

The comparative analysis highlights significant differences in the regulation of juvenile criminal responsibility, particularly regarding minimum age thresholds, assessment of discernment, sentencing policies, and educational measures. These differences raise important questions concerning legal certainty, proportionality, and the effectiveness of rehabilitative interventions. The analysis also emphasizes the importance of individualized judicial responses that consider psychological development, personal circumstances, and the minor's capacity for behavioral change.

Effective juvenile justice requires an integrated approach combining legal accountability with educational intervention, restorative justice, and social support. Strengthening procedural safeguards, promoting alternatives to detention, and developing rehabilitation-oriented policies may contribute to reducing reoffending and supporting sustainable social reintegration while respecting children's fundamental rights.

Keywords: Juvenile Criminal Liability; Juvenile Justice; Social Reintegration; Criminal Responsibility; Restorative Justice; Comparative Criminal Law; Children's Rights