A. Hrihorova

Postgraduate Student, Department of Theory of State and Law, National University "Odessa Law Academy"

JUVENALISTIC CONCEPTION OF REALIZATION OF NEGATIVE LEGAL LIABILITY BY A JUVENILE IN UKRAINE

Article is devoted to the theoretical generalization of process of juvenile's negative liability realization in the light of forms and goals of its practical realization. The author made a point on the fact that juveniles should be treated specifically in the prosecution process. Because of the defects of legislative regulation of this issue at the national level, nowadays, juveniles' prosecution process is similar to adults', which contradicts general principles of the UN Convention on the Rights of the Child and other international documents. Because of this, it is necessary to use the complex method in the regulation of the juvenile rights, including the issue of juvenile liability, following the traditions of juvenile justice.

The author insists that all reforms of the issue of juvenile liability must be based on the replacement of punitive aim of the liability with educational and resocializational and should include complex changes of a system of institutions which provide realization of juvenile liability. These reforms must include application of extrajudicial sanctions to young offenders as guarantee of their specific rights. All these improvements will give juveniles a chance to be not just punished but also to be rehabilitated.

Also, the author provides the necessary recommendations to improve system of juvenile negative liability in general.