

## ABSTRACT

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**JURIDICAL ANALYSIS OF AN UNDERAGE VICTIM OF RAPE WHO HAD AN ABORTION (CASE STUDY OF JAMBI HIGH COURT VERDICT NO. 6//Pid.Sus-Anak/2018/PT.JMB (xi+ 65 pages)**

Sibling incest is defined as the relationship between two individuals who shares blood relation and often have a pattern where the older sibling is the perpetrator and the younger sibling the victim, not often this heinous act leads to unwanted pregnancies which later forces the victim to terminate the pregnancy, through various ways necessary including self-induced abortion. In this analysis, the author will analyze the criminal liability and the legal justice of an underage victim of rape who had an abortion. The author used the normative juridical law research method with secondary data as its primary data in form of laws and regulations, journals, books and so on to analyse Jambi High Court Verdict No. 6/Pid.Sus-Anak/2018/PT.JMB to answer the author's research problems, 1.) How is the protection for underage rape victims who had an abortion based on Jambi High Court Verdict No. 6/Pid.Sus-Anak/2018/PT.JMB viewed from the Criminal Code, the draft criminal code, and the law on child protection? 2.) What is the criminal liability for underage rape victims who had an abortion based on Jambi High Court Verdict No. 6/Pid.Sus-Anak/2018/PT.JMB? Based on the result of the analysis, even though the child is proven to have an abortion the fact that she's an underage victim of rape, it is necessary to remember that every action that causes a child to conflict with the law is not done alone and therefore did a criminal act because of the influence of coercive power, therefore, the child must be released from all claims. The author argues that criminal liability is carried out to fulfil justice, therefore imprisonment or fines for the criminal act the child performed will not solve the problem, the fact that the legal subject in question is underaged or a minor, the child's mental health and well-being should be prioritized so the child could return safely to the society.

References: 53 (1980-2022)

**Keywords:** abortion, minor victim, liability