



**JSMP Press Release**  
**Dili, East Timor 03 December 2002**

**First Minor sentenced by the Special Panels for Serious Crimes in East Timor.**

On Monday, the Special Panel of the Dili District Court in East Timor sentenced the first minor to be tried by that court.

The minor, whose name is not permitted to be published, was found guilty of three counts of murder in violation of article 338 of the Indonesian Penal Code, and sentenced to a period of imprisonment of 12 months.

The minor had already spent 11 months and 21 days, in pre-trial detention, and that period has been deducted from the time remaining to be served. The remaining 9 days of prison will not be served, unless the juvenile commits another offence within a period of one year.

The panel which delivered the sentence was comprised of Judge Maria Natercia Gusmao (Presiding), Judge Sylver Ntukamazina and Judge Benfeito Ramos.

The minor was originally indicted on crimes against humanity (extermination and attempted extermination) in relation to events of the post-ballot violence in 1999. Those charges were later dropped by the prosecution after the juvenile pleaded guilty to three counts of murder.

The Court will publish its reasons for the decision on 9 December 2002

The case has been the subject of a degree of controversy because of the age of the accused at the time the crimes were committed. According to the defence, the minor was 14 in September 1999, and under international law, should have been regarded as a victim rather than a perpetrator of crimes against humanity.

The defence argued that it is a crime under international law for adults to use children as weapons of conflict. They also argued that under international law, imprisonment should be used as a last resort, and in cases like this, the government must focus on rehabilitation so that the child can be more easily reintegrated into the community.

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