



HURINET – Uganda

Uganda Coalition on the ICC (UCICC)

Stop enlisting Child Soldiers in War; the ICC delivers its first guilty verdict

The Uganda Coalition on the International Court (UCICC) and Human Rights Network-U (HURINET-U) applaud the decision of the International Criminal Court (ICC) in its first verdict in the case of ***The Prosecutor v. Thomas Lubanga Dyilo***. This is the first verdict since the court was established 10 years ago.

Thomas Lubanga Dyilo's trial has been going on since 17 March 2006 when he was incarcerated at the court. The trial was suspended for two successive times. The former war lord in the Democratic Republic of Congo (DRC) was convicted of the offences of enlisting and conscripting child soldiers and using them to participate in hostilities.

This decision is a milestone in the work of international criminal justice and goes to show that although international criminal law may not bring about instantaneous gratification, it is a sure and steady process that aims at fair, free and effective trials that involve victim communities.

This trial and verdict is particularly important because it buttresses decisions that prohibit enlisting of child soldiers which continues to go on in many places in Africa. All acts of abduction, enlisting, using children as sex slaves and coercing them to commit atrocities under the command of war lords and other groups are effectively condemned in the verdict. This is because such acts deprive and rob children of their childhood, innocence and future.

It is noteworthy that the conduct of the prosecution was highlighted by the judges in the verdict in light of the role that intermediaries can play in the whole process of investigation and trial. We call upon the court to clarify and streamline further the role and importance that intermediaries have in the process of investigation and trial. This would prevent delays but also support national institutions in situation countries to improve the capacity of their investigative and access to justice systems.

This verdict brings to the fore the importance that executing arrest warrants, trial and verdicts have for victims of such crimes. The process of justice only comes to fruition when there is a full fair trial. We therefore call upon states to take their obligations under the Rome Statute and execute outstanding arrest warrants in DRC situation and in other situation countries.

The ensuing process of sentencing and granting reparations that is soon to take on at the court goes to show the progressive development of international justice under the Rome Statute. Often, completion of trials goes without acknowledging the harm suffered by the victims. The court in taking steps to avail reparations to victims would help most of them reconstruct their lives after the harm suffered. It is our prayer that the whole process of reparations remains victim centered.

This verdict and conviction is and will remain a landmark in the history of international justice and we hope it will deter individuals who may want or may be committing such atrocities.

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