

PREVENTING THE USE OF CHILD SOLDIERS

The role of the International Criminal Court in the prevention
of the recruitment and use of child soldiers.



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Abstract

The present research aims to bring an answer to the following question : Can the International Criminal Court effectively prevent the recruitment and use of child soldiers in armed conflicts through the indictment, prosecution and judgement of the war leaders responsible the enrollment of child soldiers in armed conflict ? In order to organize a coherent answer, the research has been divided in three main parts. The first part will deal with the most controversial topic on child soldiers, which is the duality of their status, incessantly balancing between victim and perpetrator. The second part, although mentionning some significant improvements realised by the Special Court for Sierra Leone (SCSL) in the field of child soldiering, will mainly focus on the crime as it is stipulated in the Rome Statute constituting the ICC, but also as it was dealt with in the recently held landmark judgement against a Congolese warlord. Finally, that research could not have been complete without talking about the many obstacles still blocking the ICC's way towards an effective justice as well as the end of impunity, two factors that will ideally lead to the complete prevention and stop of child soldiering.

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