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ICC PROSECUTOR ACCUSED OF CHILD SOLDIER HYPOCRISY

The chief prosecutor of the International Criminal Court, Luis Moreno-Ocampo, has been challenged by *ICCwatch* to account for why he has not launched an investigation into the clear and all too well documented use of child soldiers by rebel forces in Darfur.

This is all the more puzzling because at present, Thomas Lubanga, a citizen of the Democratic Republic of Congo, is on trial in The Hague for allegedly using young boys in his rebel movement.

The Justice and Equality Movement (JEM), together with other Darfuri rebel groups have been accused of forcibly recruiting children and then sending them into battle against the Sudanese military. In May 2008 91 child soldiers were rescued from JEM following its attack on Khartoum in which 200 people were killed. The UN rights rapporteur, Sima Samar, successfully negotiated the release of the child soldiers on the part of the government.

Last year, the *Waging Peace* campaign collected evidence of Darfur rebel recruitment of child soldiers in refugee camps in Eastern Chad with the 'tacit approval' of the Chadian government. The United Nations peacekeeping operation in Darfur has estimated that in 2007 between 7,000 and 10,000 youngsters had been forced into military service. The UN's Peacekeeping child protection unit has placed JEM on a list of child soldier recruiters.

Waging Peace in June 2008 requested that Mr Moreno-Ocampo launch an investigation into what has been taking place in this regard in the camps of Eastern Chad and Darfur. So far, the organisation has not received any response from the International Criminal Court.

Marc Glendening, director of *ICCwatch*, in his letter to the ICC chief prosecutor, comments:

"It is extraordinary that you have failed to launch an investigation into the horrific activities of JEM in using child soldiers and other forces operating in Darfur in using child soldiers given the current prosecution of Thomas Lubanga for precisely this crime. Your failure to indicate any interest whatsoever in relation to the very serious accusations made by the United Nations and Waging Peace concerning the use of child soldiers in Darfur leaves the ICC open to the charge that it is motivated by highly selective, partisan political motivations in relation to what is taking place in the region. The ICC is not an organisation whose activities can currently be said to be consistent with the rule of law.

"Despite your frequently made allegations against the government of Sudan, you

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have failed to demonstrate any serious inclination to hold JEM to account for the human rights violations that they have been inflicting on children and other Darfurians."

The ICC has faced frequent claims that it is highly selective when it comes to investigating alleged human rights abuses in civil war situations and also in terms of its failure to pursue individuals from non-African countries.

For more information concerning *ICCwatch*'s critique of the International Criminal Court, please refer to www.iccwatch.org

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