

and using them to participate actively in hostilities, from September 2002 to 13 August 2003, and Article 25(3)(a) of individual criminal responsibility.⁸

The ICC is the first permanent, treaty based, international criminal court established to help end impunity for the perpetrators of the most serious crimes of concern to the international community.⁹ The ICC has jurisdiction over crimes of genocide, crimes against humanity, war crimes, and crimes of aggression.¹⁰ The ICC is based on a treaty, Rome Statute of ICC, which governed the jurisdiction and functioning of the ICC.¹¹ The ICC is joined by 122 countries,¹² including DRC. And on the case of Thomas Lubanga, the ICC found him guilty of the crimes of conscripting and enlisting children under the age of fifteen and using them to participate actively in hostilities within the meaning of Articles 8(2)(e)(vii) and 25(3)(a) of the ICC Statute from early September 2002 to 13 August 2003.¹³

Based on the explanations above, there are many children under fifteen years old who were recruited to take part in a war or conflict as

⁸ Coalition for the International Criminal Court, "Cases & Situations > Democratic Republic of Congo > Lubanga Case", <http://www.iccnw.org/> downloaded Wednesday, 15 October 2014.

⁹ International Criminal Court - Cour Pénale Internationale, "About the Court", <http://www.icc-cpi.int/> downloaded Thursday, 18 September 2014.

¹⁰ *Rome Statute of International Criminal Court*, ICC Statute 1998, Art.5(1).

¹¹ International Criminal Court - Cour Pénale Internationale, "About the Court > ICC at a glance", <http://www.icc-cpi.int/> downloaded Wednesday, 15 October 2014.

¹² International Criminal Court - Cour Pénale Internationale, "Assembly of States Parties > States Parties to the Rome Statute", <http://www.icc-cpi.int/> downloaded Wednesday, 15 October 2014.

¹³ Trial Chamber I, *Situation in the Democratic Republic of Congo*, Prosecutor v. Thomas Lubanga Dyilo, ICC-01/04-01/06, 14 March 2012, pg.591, para.1358.

