

Thomas Lubanga, Former Congo Warlord, Sentenced To 30 Years For Conscripting Child Soldiers
By Toby Sterling, Huffington Post
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AMSTERDAM -- The International Criminal Court prosecutor asked judges on Wednesday to hand down a 30-year sentence to a Congolese warlord convicted of conscripting child soldiers.

Thomas Lubanga was convicted of the charge in the Netherlands-based court in March, in a case widely regarded as sending a message to military leaders who use child soldiers that they will be brought to justice. Judges have yet to set a sentencing date.

Prosecutor Luis Moreno-Ocampo said he could not find any factor that would lessen Lubanga's guilt. He "knew he was breaking the basic rules that the world has established to protect children," the prosecutor said.

Children forced into Lubanga's service were "trained by terror... to kill and to rape," he said. Then they were "launched into battle zones where they were instructed to kill everyone, regardless of whether they were men, women, or children."

Moreno-Ocampo said he would be willing to lessen his sentencing demand to 20 years if Lubanga could offer a "genuine apology" to the people affected by his crimes.

Lubanga, 51, led the Union of Congolese Patriots during fighting in the Ituri region of Congo in 2002-2003.

He showed little emotion throughout his trial, but reclined in his chair and listened closely to Moreno-Ocampo's every word Wednesday, at times smiling skeptically.

Addressing judges later, he complained about being described as a warlord, said the case against him "hinged on lies" and questioned the verdict, noting that "out of an army of 8,000 men, not a single one under the age of 15 was presented to this court."

Presiding Judge Adrian Fulford responded that those remarks were out of place at Wednesday's hearing.

"It is important that it be understood that the accused had the chance of dealing with those matters not only now but during the trial, if he chose to take that opportunity," Fulford said.

The Lubanga case was the first time the 10-year-old International Criminal Court has handed down a conviction. Moreno-Ocampo's appearance at the court in a suburb of The Hague on Wednesday will almost certainly be his last as prosecutor. His successor Fatou Bensouda is due to be sworn in on Friday.

Earlier, Fulford sharply dismissed two arguments the defense put forward that Lubanga deserves a mild sentence.

First, he rejected the idea that child soldiers may have only made up a small percentage of Lubanga's forces as "in fact an attempt to mount a collateral attack" on Lubanga's March 14 conviction itself.

The ruling found that Lubanga's militia made "widespread" use of young people, including children under the age of 15.

Defense lawyers said Lubanga deserves leniency because his trial was twice delayed – and at one point almost dismissed – due to the prosecutor's failure to disclose documents. Lubanga has been in custody for six years.

Fulford responded that the defense had been granted all the extra time it asked for, so it would be hard to argue that its case was weakened as a result.

"I want to make it clear that that particular submission is not accepted by the chamber," he said.

The defense began Wednesday with testimony from a woman who worked with Lubanga and who described him as kind to children and a "man of peace."

"The evidence shows he was not a man of peace," Moreno-Ocampo remarked later.

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