

# **CHALLENGES IN PROSECUTING FORMER CHILD SOLDIERS IN UGANDA'S INTERNATIONAL CRIMES DIVISION**

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## **ABSTRACT**

The International Crimes Division (ICD) of the High Court in Uganda explicitly limits its jurisdiction to international crimes committed by persons above the age of 18. While this clearly excludes the prosecution of International Law violations committed by children, leeway is created for the prosecution of former child soldiers who were initiated into violence before the age of 18 and evolved into adult perpetrators. However, the court further limits its mandate to those that bore 'particular responsibility.' Even then, former child soldiers, above the age of 18 who allegedly held command positions within the Lord's Resistance Army/Movement and 'bore particular responsibility' in the crimes committed are still vulnerable to prosecution. From the perspective of the experiences or lived realities of former child soldiers, this article shows the challenges that the ICD may encounter if it proceeds to prosecute this category of perpetrators. This article contributes to existing deliberations on the recent creation of the International Crimes Division, and the possible prosecution of former child soldiers within this court.