

## **THE INTERNATIONAL CRIMINAL COURT AND LUBANGA: A FEMINIST CRITIQUE AND JUS COGENS**

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### **ABSTRACT**

*Despite procedural missteps, the Lubanga decision further anchors the prohibition of child soldiers and child auxiliaries under international law. Feminist criticisms of Lubanga misapprehend the potential of Lubanga to attain the types of legal victories feminists strive for. While one can criticize Lubanga as a matter of procedure, Lubanga methodically strengthens the prohibition of child soldiery. The prohibition of child soldiers—like the prohibition of wartime rape, forced prostitution, and child sex-tourism—are or are becoming jus cogens norms. Lubanga contributes to this coherence of jus cogens and sets the stage for the extension of its logic into other wrongs committed to children.*