



VMUN 2027

INTERNATIONAL CRIMINAL COURT

RULES OF PROCEDURE

MESSAGE FROM THE SECRETARIAT

The International Criminal Court (ICC) Procedure described in this document was created for the sole purpose of Vancouver Model United Nations 2027. It is in no way reflective of the real-world ICC procedures, and should be considered from the perspective of a Model UN conference. This procedural guide was created by blending elements of Vancouver Model United Nations' preexisting Rules of Procedure and real-world ICC procedures into a unique style and structure of parliamentary debate.

Section I - General Rules

SCOPE & APPLICATION

These rules of procedure ("ICC Procedure") apply to the International Criminal Court at Vancouver Model United Nations 2027, during all scheduled and extraordinary sittings. No other rules of procedure apply.

CONDUCT OF DELEGATES

Delegates shall be courteous and respectful to all staff and fellow delegates. The Presiding Judge or Judge will immediately call to order Members who do not abide by this rule. Delegates who feel that they are not being treated respectfully are encouraged to discuss their concerns with the Presiding Judge or a member of the Secretariat.

English will be the only official and working language of the ICC. Delegates may not use affected accents during committee sessions. National costumes are not permitted; Members of the ICC must wear Western business attire during all sittings of the ICC.

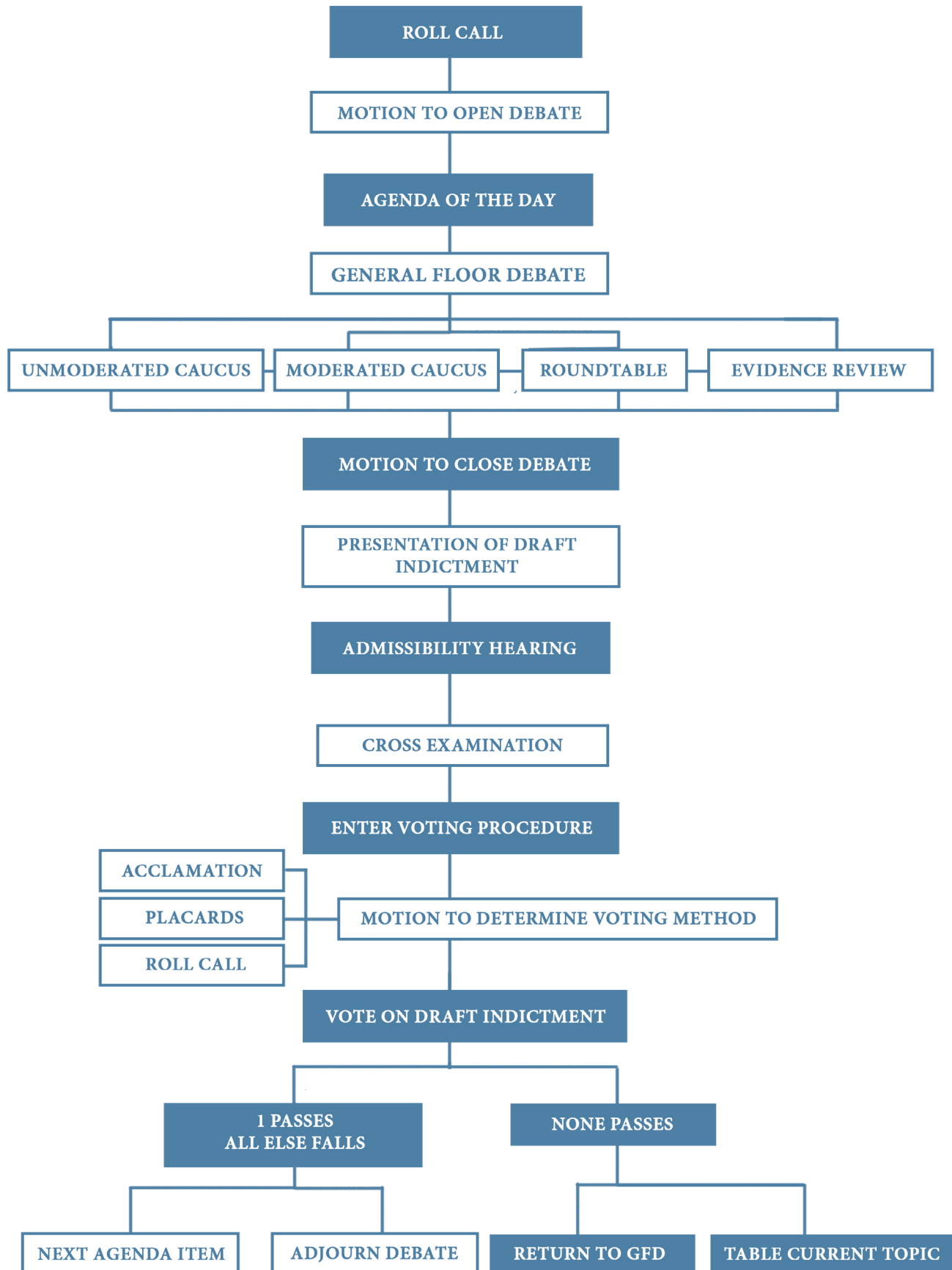
Delegates are expected to be present at the beginning of every scheduled committee session, at which point roll call will be taken. Delegates who will not be present for part or all of a committee session should inform the Presiding Judge verbally or by email before any such absence; it is a delegate's responsibility to ensure their absence is duly noted.

ELECTRONIC AIDS

During a sitting, internet resources and electronic devices, such as Google Docs and laptop computers, are permitted only to aid in the composition of Draft Indictments; before the conference, delegates should ensure they have access to these platforms if they wish to use them during committee sessions. Delegates are highly encouraged to limit their use of the internet and electronic devices to the specified substantive and academic purposes during the conference.

GENERAL POWERS OF THE SECRETARIAT

The Secretary-General and other members of the Secretariat reserve the right to suspend or modify these rules at any time. Additionally, members of the Secretariat may also serve as Presiding Judge and allow any speaker to address the chamber.



Section II- General Rules of Procedure

THE BENCH

The dais team, or the bench, will be led by the “presiding judge,” and assisted by the chair and assistant director, who shall both be referred to as “judges.” All delegates must refer to the members of the bench as “Your Honour” and must do so at the start of all speeches.

QUORUM AND ROLL CALL

Quorum denotes the minimum number of Members within the chamber who need to be present to open debate. The Presiding Judge may declare the chamber in session when at least one-half of the members are present. A quorum will be assumed to be present, unless specifically challenged and shown to be absent. At the beginning of each session, the Presiding Judge will conduct a roll call. Delegates must state themselves as “present,” which the Presiding Judge will then record. Delegates who are not recorded during roll call will not be recognized to speak nor permitted to vote on any matter. Delegates who arrive after roll call should send a message to the Presiding Judge to be listed as present.

AGENDA OF THE DAY

Upon the completion of roll call, a motion to open debate will be requested by the dais team. Once passed, the dais will present the Agenda of the Day. The presentation of the Agenda is required at the start of each committee session and is an opportunity for the judges to outline the plans, goals, and feedback for the session, ensuring productive debate and that all potential areas are discussed by delegates. The method of presentation is determined solely by the Presiding Judge and can be presented formally or informally, through the presentation of a document or slideshow, or also through speech.

GENERAL FLOOR DEBATE

After the presentation of the Agenda, the chamber will automatically proceed to the first topic and enter General Floor Debate. Similar to the Secondary Speaker’s List in the standard Rules of Procedure, General Floor Debate is open to all delegates to speak on their beliefs towards the topic currently under consideration. Delegates should use this opportunity to speak on their broad stances, rather than specific subtopics, which should be postponed to the moderated caucus. The time allocated to General Floor Debate, as well as the number of speakers, is at the discretion of the Presiding Judge. However, except in extraordinary circumstances, the number of speakers should be limited to ten, with one minute of speaking time each. General Floor Debate is the default activity of the chamber; if no motions or other business are on the floor, the chamber shall return to General Floor Debate at the Presiding Judge’s discretion.

FLOW OF DEBATE

When the General Floor Debate has concluded, the Presiding Judge may periodically open the floor to points or motions from senators. A delegate attempting to make a point or motion must wait to be recognized by the Presiding Judge, at which point they should rise. No delegate should raise their placard or hand while a speaker is speaking, unless for an emergency. The chamber shall revert to General Floor Debate if no points or motions are on the floor.

MODERATED CAUCUS

The purpose of a moderated caucus is to facilitate substantive discussion at critical junctures in the debate. During a moderated caucus, the Presiding Judge will temporarily depart from General Floor Debate and call on delegates who raise their placards to speak. A motion for a moderated caucus is in order at any time when the floor is open. The delegate making the motion must specify a time limit for the caucus, a time limit for the individual speeches, and a topic of discussion for the caucus. A motion for a moderated caucus requires a simple majority to pass. If a motion is passed, the senator making the motion will be called upon by the Presiding Judge to give the first speech of the moderated caucus. Alternatively, the Member making the motion may request last speaker's rights; in this case, the Presiding Judge will reserve a time period before a moderated caucus elapses for the delegate to speak. No motions or yields are in order between speeches during a moderated caucus. If no delegates wish to speak during a moderated caucus, the caucus immediately ends. Speeches must address the set topic of the moderated caucus; senators whose remarks are not pertinent may be called to order by the Presiding Judge.

UNMODERATED CAUCUS

A delegate may move for an unmoderated caucus at any time when the floor is open. The delegate making the motion must specify a time limit, not exceeding twenty minutes, and an intended topic of discussion or other purpose for the caucus. At the Presiding Judge's discretion, the motion will be put to a vote, requiring a simple majority to pass. In the case of multiple motions for unmoderated caucuses, the Presiding Judge will order the motions in ascending order of length. During an unmoderated caucus, delegates may freely interact with all members of the chamber to lobby in a more informal setting or to collaborate on bills.

ROUNDTABLE

A roundtable may also be motioned for, especially if debate proceeds in an overly circular manner with few delegates speaking. The individual speaking time is specified by the motioning delegate, and the order of speeches will be at the discretion of the bench. A roundtable requires a simple majority to pass, although the presiding judge has the authority to rule any such motions dilatory. During a roundtable, delegates are encouraged to advocate for areas not previously covered in the debate or for other topics aimed at increasing the substance of the discussion.

EVIDENCE REVIEW

As the ultimate goal in the International Criminal Court is to pass a Draft Indictment and convict a guilty party of certain crimes, the evaluation of evidence is paramount to achieving a productive resolution to the committee. Evidence Review is a specialized form of the moderated caucus, designed to evaluate a specific piece of evidence thoroughly and to construct or deconstruct an argument. Similar to other caucuses, a delegate should motion for an evidence review period when the floor is open, specifying the specific evidence in question as well as total/individual speaking times. Ideally, all pieces of evidence should first be debated in an evidence review period before the presentation of the draft indictment, although final authority rests with the bench.

OBJECTIONS

An objection is a tool unique to the ICC Committee, and is a tool available to delegates in order to challenge the propriety of a statement or piece of evidence as it is being presented. Unlike a Right of Reply, which addresses slander towards national or personal integrity, an objection tackles the substance of what another delegate has just said.

Objections may be raised during Cross-Examination, Moderated Caucuses, and Evidence Review. Objections are out of order during the Presentation of Draft Indictments, Right of Reply, and all voting procedures.

GROUND FOR OBJECTIONS

Only the following grounds are recognized. An Objection raised on any other basis will be ruled out of order by the Bench without argument.

- » Relevancy: The statement does not relate to the charge, evidence, or matter currently discussed.
- » Assumes Facts not Evidence: The statement treats an unestablished claim as though it is a proven fact.
- » Leading Question: A question posed during the Admissibility Hearing or Cross-Examination supplies its own answer rather than seeks information.
- » Hearsay (used only in Admissibility Hearing/Cross-Examination): The statement relies on secondhand claims, rumors, or unsubstantiated reports rather than evidence cited in the Indictment.

RAISING AN OBJECTION

When a delegate wishes to raise an objection, they are allowed to do so by raising their placard during a speech and stating:

“Objection, Your Honour, [ground].”

This will then be recognized by the Bench if the grounds are followed appropriately, and no further argument or explanation should accompany the initial objection. A delegate may raise no more than one objection per single speech or round of questioning.

RULING

The Bench will rule on all objections immediately, stating either “Sustained” or “Overruled.” A “sustained” objection requires the challenged speaker at hand to rephrase or withdraw from the offending statement. Furthermore, all content mentioned in the objected statement will not be considered by the chamber in its ruling on admissibility or in cross-examination.

An “overruled” objection permits the challenged speaker to continue without interruption. All rulings are final.

Should the Bench determine that a delegate is raising objections repeatedly or in bad faith to disrupt proceedings, the Presiding Judge may suspend that delegate’s ability to raise further objections for the remainder of the speech, hearing, or session.

CLOSING DEBATE

If a delegate believes that sufficient debate has occurred and would like to begin the presentation of Draft Indictments, they are encouraged to motion to close debate. If such a motion is presented, the Presiding Judge will move the committee into a vote, with a simple majority being required to pass. Final authority rests with the bench.

SUSPENSION OR ADJOURNMENT OF THE CHAMBER

The suspension of the sitting of the chamber means the postponement of all chamber functions until the next scheduled sitting of the committee. The adjournment of a sitting of the chamber means the postponement of all chamber functions for the duration of the conference. A motion for suspension of the session is in order only when no more than ten minutes remain in the session. Either motion may be ruled out of order at the discretion of the Presiding Judge. Members of the Secretariat reserve the right to suspend the sitting of the chamber at any time.

SPEECHES & TIME LIMITS

No delegate may address the committee without being first recognized by the Presiding Judge. The Presiding Judge may call a delegate to order if their remarks are impertinent. The Presiding Judge will limit the time allotted to each speaker, and may entertain motions to set the speaking time. Speaking time begins as soon as the speaker begins their speech. If a delegate exceeds their allotted time, the Presiding Judge will call the speaker to order.

YIELDS

A delegate recognized to speak during General Floor Debate must yield the remainder of their time when they are finished speaking; note that delegates should not yield in moderated caucuses, evidence review periods, or roundtables. A delegate who uses the entirety of their speaking time does not technically need to yield, but should yield the remainder of their time to the Presiding Judge as a courtesy. Similar to the yields present in the standard Rules of Procedure of Vancouver Model United Nations, there are four different types of yields in the International Criminal Court:

YIELDING TO THE BENCH

The remaining speaking time of the delegate will be absorbed by the Bench. A delegate must yield to the Bench if they do not wish to yield to another delegate or have their speech open to questions or comments.

YIELDING TO ANOTHER DELEGATE

A delegate may yield the entirety or remainder of their speaking time to another delegate. The delegate being yielded to is given the option to accept or decline the yield. Should the delegate accept the yield, the Bench will recognize the delegate for the remaining time. A yield to a yield is out of order.

YIELDING TO QUESTIONS

Questioners will be selected by the Bench, unless the Bench grants that right to the speaker. Delegates may only ask one question when they are selected by the Bench—follow-up questions are not permitted—though they may raise their placards multiple times if they have more than one question. The Bench will call to order delegates whose questions are rhetorical, leading, and/or not designed to elicit information. The speaker may refuse to answer a question at their discretion. Only the speaker may respond to questions, and only the speaker's answers count towards the time limit; the speaking time is paused during the time that the question is posed.

YIELDING TO COMMENTS

Commenters will be selected by the Bench and will be offered twenty seconds each for their comments. Should the original speech's time elapse, a commenter will be permitted to complete their comment. Comments must address the speech just completed.

RIGHT OF REPLY

A delegate whose national or personal integrity has been impugned by another delegate may move for a Right of Reply. There is no vote on this motion: the Dais will grant the Right of Reply at their discretion, and this decision is not appealable. The Bench will recognize the delegate to speak for no longer than two minutes. A Right of Reply to a Right of Reply is out of order, but delegates granted a Right of Reply will be called to order immediately should their own remarks be offensive. A motion for a Right of Reply may not interrupt a speech; the motion must either be made verbally immediately after the offending speech or submitted in writing to the Bench shortly thereafter.

POINTS**POINT OF PERSONAL PRIVILEGE**

Whenever a delegate experiences personal discomfort or danger, which impairs their ability to participate in the proceedings, they may raise it to a Point of Personal Privilege to request that the discomfort be corrected. A Point of Personal Privilege may only interrupt a speaker if the delegate is in dire discomfort or danger.

POINT OF ORDER

During the discussion of any matter, a delegate may raise a Point of Order to indicate an instance of improper procedure. The Bench will rule on the Point of Order in a manner that best facilitates debate, at their discretion; the Bench's ruling is not subject to appeal. A delegate rising to a Point of Order may not speak on the substance of the matter currently under discussion. A Point of Order may not interrupt a speaker. Additionally, the Bench reserves the right to address a delegate directly if proper procedure is not followed.

POINT OF PARLIAMENTARY INQUIRY

When the floor is open, a delegate may raise a Point of Parliamentary Inquiry to ask the Bench a question regarding the Rules of Procedure. A Point of Parliamentary Inquiry may not interrupt a speaker. Delegates with substantive questions should not raise this point, but should rather approach the Committee Staff during an unmoderated caucus or send a note.

Section III - Resolutions and Voting Procedures

DRAFT INDICTMENTS

Draft Indictments are the International Criminal Court's equivalent to Draft Resolutions under standard Vancouver Model United Nations Rules of Procedure. The purpose of a Draft Indictment is to present a complete legal case against one or more accused persons and to request that the Court authorize charges, penalties, or other judicial measures against those persons.

A Draft Indictment should identify the accused, the specific crimes alleged, the evidence relied upon by its sponsors, and the judicial action requested from the Court. Draft Indictments should not merely state that a person(s) is guilty, but should explain how the available evidence supports each charge and why the Court has jurisdiction over the alleged conduct.

All Draft Indictments should include the following content before presentation:

- 1) The identity of the accused person(s);
 - 2) A summary of the background of the case;
 - 3) The admissibility of the case;
 - 4) The charges alleged against each accused person;
 - 5) The evidence and legal reasoning supporting each charge;
 - 6) Any requested sentence, penalty, warrant, or other judicial order.
- The bench has the final authority in determining the validity of any Draft Indictments, and any proposed changes should be considered by the sponsors.

A Draft Indictment may charge more than one person or allege more than one crime. However, every charge must be stated separately and must identify the accused person to whom it applies. Charges that are unrelated to the case under consideration, unsupported by evidence, or extend past the Court's jurisdiction are subject to change under order by the bench.

SPONSORS & SIGNATORIES

Sponsors are delegates actively involved in the drafting of a Draft Indictment. During committee sessions, only sponsors will have internet access and be allowed to craft the indictment. As such, blocs should delegate the writing process to no more than five delegates. However, other bloc members and concerned delegates are encouraged to voice their opinions and ideas to the sponsors.

Signatories are interested delegates who would like to see the Indictment voted on. Contrary to popular belief, being a signatory does not require you to support the Indictment, although most signatories do. Given this, most bloc members will be signatories of their Indictment. There must be at least three, and not exceeding five, sponsors, as well as a minimum of five signatories for an Indictment to be eligible for voting. The sponsors and signatories should be listed at the top of the Draft Indictment in alphabetical order.

SUBMISSION & APPROVAL OF DRAFT INDICTMENTS

A proposed Draft Indictment must be submitted to the Bench in writing before it may be formally presented to the committee. The Bench will ensure that the Indictment conforms to the required format and includes all necessary content. Once the Bench approves the final draft, the Presiding Judge shall assign the Draft Indictment an official number. These will be numbered according to the topic and the order of approval, such as “Draft Indictment 1.1.”

PRESENTATION ORDER

After a motion to close debate has passed, the chamber shall proceed to determine the order in which the approved Draft Indictment will be presented. A delegate may propose an order of presentation by stating:

“Your Honour, I move to present the Draft Indictments in the following order: Draft Indictment [number], etc...”

A motion establishing the presentation order must include every Draft Indictment currently approved and on the floor. Motions shall be voted upon in order of precedence as determined by the Presiding Judge and shall require a simple majority to pass. Once a motion establishing the presentation order passes, all remaining motions concerning presentation order shall be discarded. If no proposed order receives a simple majority, the Presiding Judge shall determine the order of presentation. The presentation order shall also serve as the default voting order.

PRESENTATIONS OF DRAFT INDICTMENTS

Draft Indictments shall be presented one at a time in the order established by the chamber. The Presiding Judge shall invite the sponsors of each bloc to share and present their Draft Indictments. If time is limited, the bench reserves the ability to cut speaking time or ask sponsors to skip over certain sections. The sponsors are not required to read the Draft Indictment word for word, although they are welcome to. No motions, points, or yields will be permitted during the presentation, and there will be no question-and-answer period following the presentation. After all Draft Indictments are presented, the chamber shall proceed to an Admissibility Hearing.

ADMISSIBILITY

The purpose of the Admissibility Hearing is to determine whether a Draft Indictment presents a case that can be considered by the International Criminal Court, an important step in the real-world system. The Admissibility Hearing is not to determine whether the accused is ultimately guilty, but instead to determine whether the Court may exercise authority over the case. During the Admissibility Hearing, delegates of opposing blocs have the opportunity to render other Indictments ineligible or force changes through by arguing that they are inadmissible to the chamber. These arguments should address matters including:

- 1) Whether the alleged crime falls within the jurisdiction of the Court;
- 2) Whether the Court possesses territorial or personal jurisdiction;
- 3) Whether the case is sufficiently grave to justify consideration by the Court;
- 4) Whether the conduct is identified with sufficient specificity;
- 5) Whether the same person has already been tried for substantially the same offence; and
- 6) Whether a reasonable factual and legal basis supports each charge.

In presentation order, each Draft Indictment will have an admissibility hearing with the chamber. The sponsors will be called to the podium, with five opposition speakers recognized to argue against the Indictment’s admissibility. Each speaker will receive one minute to make their case, to which the sponsors will defend their Indictment. Following the conclusion of the hearing, the bench will rule on the Indictment’s admissibility, with one of three rulings possible:

FULLY ADMISSIBLE

The Draft Indictment satisfies the applicable requirements and shall proceed to Cross-Examination without modification.

PARTIALLY ADMISSIBLE

Certain portions of the Indictment are inadmissible and required to be changed to be eligible for voting.

INADMISSIBLE

The Indictment is inadmissible to the International Criminal Court and is inappropriate to be voted upon. The Indictment will be removed from further consideration by the committee.

CROSS EXAMINATION

Cross-Examination is the formal questioning of the sponsors concerning the factual evidence, legal reasoning, charges, and requested outcome contained in a Draft Indictment. As such, the purpose of Cross-Examination is to test the strength of the case presented by a bloc. Unlike the Admissibility Hearing, which focuses on whether a case may be heard by the chamber, Cross-Examination focuses on whether the evidence and arguments are persuasive enough to justify adopting the Indictment.

The format of the Cross-Examination is identical to the Admissibility Hearing, but instead of five speakers, ten speakers will have the opportunity to argue their case. All speakers will have one minute to question the sponsors regarding the Draft Indictment. These questions can include matters such as:

- 1) The reliability or interpretation of evidence;
- 2) The connection between the evidence and a particular accused person;
- 3) Contradictions or omissions within the Draft Indictment;
- 4) Alternative explanations of the available evidence;
- 5) The proportionality or legality of a requested penalty;
- 6) The credibility of the sponsors' factual conclusions; or
- 7) The practical effect of the judicial orders requested.

Unlike the Admissibility Hearing, the Bench will not rule Indictments ineligible if they believe there are issues with the Indictments. Rather, the Cross-Examination is an opportunity for opposition blocs to damage the credibility of other Draft Indictments, with the intent to weaken their performance during voting. Ultimately, delegates should use the opportunity to argue against other blocs' Indictments by raising concerns that weaken their case.

Sponsors may consult briefly among themselves when faced with the opposition's questions, concerns, or arguments. The duration of the Cross-Examination is subject to change by the Bench if they believe that more time is needed to address concerns appropriately. The Cross-Examination may also conclude when no delegates wish to ask further questions or make arguments, or when the Presiding Judge determines that the arguments have become repetitive.

VOTING PROCEDURES

After all Draft Indictments have been presented, ruled admissible, and examined, the Presiding Judge shall open the floor for motions concerning voting procedure. Delegates may move to vote by placard, by roll call, or by acclamation. No other voting methods will be used for the International Criminal Court. The voting order will be identical to the order of presentation. A simple majority is required to pass the voting procedure, at which point the committee will enter substantive voting procedures.

Once substantive voting procedures have begun, no delegate may enter or leave the chamber unless permitted by the Presiding Judge. Talking, note-passing, lobbying, and communication between delegates are out of order during voting procedure. Delegates may vote in favour, against, or abstain on substantive matters. Delegates voting to abstain shall not be counted as present and voting during roll call.

All substantive motions require a simple majority of delegates in favour to pass, including the final Draft Indictment vote.

VOTING BY ACCLAMATION

At the beginning of a vote on any procedural motion or Draft Indictment, the Presiding Judge may ask the chamber whether there are any objections to a vote by acclamation. If one or more delegates object, the Presiding Judge will conduct a vote by placard. Otherwise, the item on the floor is automatically adopted by acclamation.

VOTING BY PLACARD

The Presiding Judge may conduct any vote on a procedural motion or Draft Indictment by placard. The Presiding Judge will ask delegates to signal their votes — “Yes,” “No,” or, for substantive votes, “Abstain” — by a show of placards. A simple majority will be deemed present should the number of “Yes” votes exceed the number of “No” votes, and a two-thirds majority will be deemed present should the number of “Yes” votes be at least double the number of “No” votes.

VOTING BY ROLL CALL

During substantive voting procedure, any delegate may move for a Roll Call Vote on a specific Draft Indictment, which requires a simple majority to pass. The Presiding Judge may rule this motion out of order if a roll call vote would take up too much of the chamber’s time without sufficient justification. During a roll call vote, the Presiding Judge will call on delegates in alphabetical order, in two rounds. In the first round, delegates may vote “Yes,” “No,” “Abstain,” or “Pass.” Delegates who intend to vote against the normal policies of their governments, or in a highly unexpected manner, may request to vote “with Rights”; delegates who abstain cannot vote “with Rights.”

When the Presiding Judge has called on every delegate in the first round, the second round begins. All delegates who voted “Pass” in the first round must vote. Delegates may not abstain in the second round but may still request to vote “with Rights.” Afterward, the Presiding Judge will allow delegates who requested to vote “with Rights” thirty seconds each to explain their vote, then announce the outcome of the roll call vote.

ADOPTION OF A DRAFT INDICTMENT

If a Draft Indictment receives a simple majority of votes, it shall become the final Indictment of the International Criminal Court at Vancouver Model United Nations for that topic. All other Draft Indictments will be automatically withdrawn from consideration. The chamber will automatically move to the next topic area, suspend debate, or close the committee if both topics resolve.

If every Draft Indictment on the floor fails to receive the required majority, the Presiding Judge shall declare that the Court has not reached a decision and will revert the chamber to General Floor Debate.

DRAFT INDICTMENT FORMAT

Draft Indictment 1.1

Committee: International Criminal Court

Topic: The Situation in the Democratic Republic of the Congo

Sponsors: Canada, Denmark, Estonia, Singapore, Togo

Signatories: Cuba, Oman, Qatar, Russian Federation, Sudan, Syria, Venezuela

The International Criminal Court,

Recalling the armed conflict that occurred in the Ituri region of the Democratic Republic of the Congo,

Recognizing the particular vulnerability of children during periods of armed conflict,

Reaffirming that children under the age of fifteen must not be conscripted, enlisted, or used to participate in conflict

Alarmed by evidence that children under the age of fifteen were recruited, trained, and deployed by armed forces operating in Ituri,

Considering the leadership and military authority exercised by Thomas Lubanga Dyilo over the Union des Patriotes Congolais and its armed wing,

Affirming that military and political leaders may be held individually responsible for crimes committed by force under their authority,

1. **Charges** Thomas Lubanga Dyilo with the war crime of conscripting children under the age of fifteen into armed forces on the grounds that:
 - a. Children under the age of fifteen were compulsorily recruited into the Forces Patriotiques pour la Libération du Congo;
 - b. Recruited children were transported to and placed within military camps operated by the organization;
2. **Finds** that the International Criminal Court possesses jurisdiction over the matter because:
 - a. The alleged crimes occurred in the territory of the Democratic Republic of the Congo (DRC);
 - b. The DRC had accepted the jurisdiction of the International Criminal Court
 - c. The conscription, enlistment, and use of children under fifteen constitute war crimes within the jurisdiction of the Court;
3. **Determines** that Thomas Lubanga Dyilo bears individual criminal responsibility because:
 - a. He was the founder and President of the Union des Patriotes Congolais, and Commander-in-Chief of its armed wing, the FPLC;
 - b. He personally ordered children under the age of fifteen to be recruited and trained at FPLC camps;
 - c. Under Article 25(3)(a) of the Rome Statute, a person is individually responsible if they commit a crime together with others and share control over it;

4. Requests that the International Criminal Court:

- a. Find Thomas Lubanga Dyilo guilty of the war crime of conscripting and enlisting children under the age of fifteen into the FPLC and using them to participate in hostilities, as defined under Articles 8(2)(e)(vii) of the Rome Statute;
- b. Impose a custodial sentence in accordance with Article 77 of the Rome Statute.



United States of America

IAEA