

“Faces of Genocide” – Notional High School Curriculum

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Overview:

The following notional lesson plans offer several options for educators working with high school students studying comparative genocide. The lessons revolve around the documentary Faces of Genocide and feature a mix of in-class student discussions, reflective journaling, analytical papers, and an optional simulation. The curriculum is presented in three successive formats that can be modified depending on how much time the instructor can devote to this unit.

Learning Objectives:

Following this unit, students should:

- Understand what constitutes the crime of genocide under international law and in popular conceptions.
- Have a basic vocabulary of international criminal law terms of relevance to international efforts to prevent, and respond to, atrocities and mass violence.
- Grasp the historical and political background of each of the genocides mentioned in Faces of Genocide and others, including:
 - Armenia (WWI)
 - The Holocaust (WWII)
 - The Khmer Rouge (Cambodia 1975-79)
 - The Former Yugoslavia (1990s)
 - Rwanda (1993)
 - Darfur (Sudan 2003)
 - The Yazidi (Iraq 2014)
 - Rohingya (Myanmar/Burma 2017)
- Be able to compare and contrast international (in)action and judicial responses to the aforementioned genocides.

- Recognize the foreign policy tools and other mechanisms states have utilized to respond to atrocities being committed at home and abroad.
- Be able to discuss the reasons why states might choose to intervene, or not to intervene, in an ongoing genocide or other instance of mass atrocities in another country.
- Be in a position to map the contemporary international justice ecosystem.
- Recognize the obstacles (legal, political, practical) to the creation of a truly global system of international justice.

Resources:

- **Introduction to Faces of Genocide by Gayle Donsky (3:50m):**
<https://vimeo.com/320764818>
- **Faces of Genocide Documentary Film (32:43m):**
<https://vimeo.com/321589943> (Password is FOG3)
- **Survivors Panel Discussion (44:00m):**
<https://vimeo.com/320648933>

Vocabulary

Assignment #1: Prior to initiating this unit, students should be familiar with the following terminology, concepts, and institutions:

- Genocide
- War Crimes
- Crimes Against Humanity
- Ethnic cleansing
- Human rights
- Atrocity
- Impunity
- Amnesty
- Accountability
- Jurisdiction
- *Ad hoc* tribunal
- United Nations
- U.N. Security Council
- Treaty/Convention
- Resolution
- International Criminal Court
- State Sovereignty

Level 1

1-2-day overview

Materials:

- Faces of Genocide film

In-Class Discussion Questions (can be discussed in plenary or in small groups):

1. What constitutes genocide? How does it compare with other forms of mass violence, such as ethnic cleansing, crimes against humanity, and war crimes?
2. How do ordinary people conceive of genocide as compared to the technical, legal definition?
3. What do you believe is the appropriate role of the international community in genocide prevention and response?
4. Why have the United Nations, states, and other elements of the international community allowed genocides to happen throughout history?

Journal Questions:

1. Prior to watching the film, were you familiar with any or all of the genocides mentioned in the documentary? If not, why do you think this information was new to you?
2. Which genocide mentioned in the documentary stuck with you the most? Why?

Level 2

1-week overview

Materials:

- Faces of Genocide film & discussion
- *Ad hoc* Tribunals Oral History Project, www.brandeis.edu/ethics/internationaljustice/oral-history/video-clips.html. Watch one video and come to class prepared to discuss its contents and your reaction.
- Richard Dicker and Elise Keppler, *Beyond the Hague: The Challenges of International Justice*, www.hrw.org/legacy/wr2k4/download/10.pdf
- The Convention on the Prevention and Punishment of the Crime of Genocide (1951), <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CrimeOfGenocide.aspx>

In-Class Discussion Questions:

1. What constitutes genocide? How does it compare with other forms of mass violence, such as ethnic cleansing, crimes against humanity, and war crimes?
2. How do ordinary people conceive of genocide as compared to the technical, legal definition?
3. What do you believe is the appropriate role of the international community in genocide prevention and response?
4. Why have the United Nations, states, and other elements of the international community allowed genocides to happen throughout history?
5. Do you believe the international community has improved in its ability to combat and prevent atrocities and genocide?
6. When it comes to the Genocide Convention, what elements of the treaty are devoted to prevention? To prosecutions?
7. How do we determine the effectiveness of prevention and treatment tools?
8. When is military intervention legal, appropriate, or necessary?
9. How has international criminal law evolved over time?
10. What are some warning signs that a genocide may be underway?
11. How can the international community be more responsive to these warning signs?
12. How can you, as an individual, participate in combating and preventing atrocities?

Paper:

Students will write a short essay on one of the genocides investigated that:

- Demonstrates knowledge of and outlines all facets of the atrocities;
- Analyzes domestic and international responses;
- Expresses support for such a response or proposes an alternative one;
- Includes an account of someone directly affected by the genocide.
- The paper should seek to answer one or more of the following question(s)
 - What atrocities were committed, where and under whose leadership?
 - What was the international response and do you believe it was sufficient? If not, what more could have been done?
 - What is the current climate in the affected area(s)?

Level 3

2+ week overview

Materials:

- Faces of Genocide film & discussion
- *Ad hoc* Tribunals Oral History Project, www.brandeis.edu/ethics/internationaljustice/oral-history/video-clips.html. Watch one video and come to class prepared to discuss its contents and your reaction.
- Richard Dicker and Elise Keppler, *Beyond the Hague: The Challenges of International Justice*, www.hrw.org/legacy/wr2k4/download/10.pdf
- The Convention on the Prevention and Punishment of the Crime of Genocide (1951), <https://www.ohchr.org/EN/ProfessionalInterest/Pages/CrimeOfGenocide.aspx>
- UN Commission of Inquiry on Syria: ISIS is Committing Genocide against the Yazidis, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20113>
- Genocide Watch,
 - Gregory Stanton, *Ten Stages of Genocide*, <https://www.genocidewatch.com/ten-stages-of-genocide>
 - Ten Stages of Genocide Interactive World Map, <https://www.genocidewatch.com/ten-stages-of-genocide-world-map>

In-Class Discussion Questions:

1. What constitutes genocide? How does it compare with other forms of mass violence, such as ethnic cleansing, crimes against humanity, and war crimes?
2. How do ordinary people conceive of genocide as compared to the technical, legal definition?
3. What do you believe is the appropriate role of the international community in genocide prevention and response?
4. Why have the United Nations, states, and other elements of the international community allowed genocides to happen throughout history?
5. Do you believe the international community has improved in its ability to combat and prevent atrocities and genocide?
6. When it comes to the Genocide Convention, what elements of the treaty are devoted to prevention? To prosecutions?
7. How do we determine the effectiveness of prevention and treatment tools?
8. When is military intervention legal, appropriate, or necessary?
9. How has international criminal law evolved over time?
10. What are some warning signs that a genocide may be underway?

11. How can the international community be more responsive to these warning signs?
12. How can you, as an individual, participate in combating and preventing atrocities?

Paper:

Students will write a comprehensive essay about an historical, ongoing, or threatened genocide of their choice that:

- Demonstrates knowledge of and outlines all facets of the atrocities involved (or threatened);
- Includes an account of someone directly affected by the actual or potential genocide;
- Analyzes domestic and international responses;
- Expresses support for such a response or proposes an alternative one.
- The paper should answer the following questions:
 - What atrocities were committed, where and under whose leadership?
 - What was the international response?
 - Do you believe it was sufficient? If not, what more could have been done?
 - How did the crimes affect the victims?
 - Was anyone criminally prosecuted for these acts? If not, why not?
 - What is the current climate in the affected area(s)?
 - In hindsight, what risk factors for genocide were present before the genocide unfolded?

Journal Questions:

1. Do you believe that international law could have prevented some of these genocides from happening? Do we need additional treaties dedicated to the prevention and punishment of the crime of genocide?
2. How does the denial of genocide affect its history?
3. Has your perspective on genocide changed since you began this unit? If so, how? If not, why?
4. What role does the concept of state sovereignty play in the international community's response to unfolding genocides?
5. Do you see a change in the international community's ability and willingness to engage in genocide prevention over the last hundred years?
6. What do you think is the root cause of genocide, war crimes, and crimes against humanity?

Background Reading for Educators:

- Ronald C. Slye & Beth Van Schaack, *A Concise History of International Criminal Law*, in International Criminal Law Essentials (2009)—this chapter covers the pre-WWII period and might inform earlier units on Nuremberg in addition to this set of materials. The post-WWII developments begin at p. 32.
- Philippe Sands (ed.), From Nuremberg to The Hague (2003).
- Ronald C. Slye & Beth Van Schaack, *Sovereignty, Jurisdiction & Power*, in International Criminal Law Essentials (2009).
- Jerry Fowler, *The Rome Treaty for an International Criminal Court: A Framework of International Justice for Future Generations*, 6(1) Human Rights Brief (Fall 1998).
- Beth Van Schaack, *Why What's Happening to the Rohingya is Genocide*, JUST SECURITY (Oct. 1, 2009), <https://www.justsecurity.org/60912/happening-rohingya-genocide/>.

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International Justice Case Study & Simulation: The Central African Republic

Background

The Central African Republic (CAR) gained its independence from France on August 13, 1960.¹ By 1962, elites had established a one-party state under President David Dacko. Apart from the elections that brought to power the first President, most subsequent changes of government have taken place by violent *coup d'état* and unconstitutional means, sometimes with the support of the French army. In addition to its own internal rebellions discussed below, CAR has been affected by conflicts in neighboring Sudan, Chad, and the Democratic Republic of Congo (DRC), with rebel groups and government forces from neighboring countries freely using remote rural areas in CAR as rear bases or for military operations. This has created a significant flow of small arms, further fueling instability. Given its abundant natural resources, CAR has the potential to be quite prosperous. Instead, it is now the least-developed country in the world, ranking last (188th on a list of 188 countries), according to the United Nations' 2017 human development index. Many analysts believe resource competition sits at the heart of the instability in CAR. The absence of a functioning state has deprived citizens of basic social services, such as health care and education.



The Modern Conflicts

In 1993, in elections run with assistance from the United Nations, Ange-Félix Patassé became the first elected President since independence. Poor economic and social conditions within the military triggered three successive mutinies in 1996-1997; each had an ethnic element given the makeup of the different components of the country's security forces and Presidential Guard. Eventually, the United Nations deployed a peacekeeping force (the Mission in the Central African Republic (MINURCA)) to monitor the peace agreements signed with the mutineers.

¹ Many of these facts are drawn from Bacre Waly Ndiaye, *AU Case Study on the Central African Republic*, produced by the African Task Force on the Prevention of Mass Atrocities (2016); the December 21, 2015, report written by a Panel of Experts for the U.N. Security Council, U.N. Doc. S/2015/936, available at http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_936.pdf; and this MINUSCA Background, <http://www.un.org/en/peacekeeping/missions/minusca/background.shtml>.

In October 2002, former Army Chief of Staff François Bozizé launched a full-scale coup to overthrow Patassé. In response, Patassé recruited the assistance of troops loyal to Jean-Pierre Bemba, of the DRC, as well as mercenaries from Chad and Libya. These troops committed widespread human rights abuses, including summary executions, sexual violence, enforced disappearances, and looting.

Notwithstanding this outside assistance in President Patassé's defense, Bozizé eventually ousted Patassé in March 2003 while the latter was out of the country. Bozizé immediately suspended the Constitution and dissolved the National Assembly. In mid-2004, judicial authorities initiated criminal proceedings against Patassé and his military commanders for crimes committed against civilians. The highest court in the CAR suggested that the government refer the matter to the International Criminal Court (ICC) in The Hague, on the theory that the national judicial system was unable to effectively investigate and prosecute the crimes committed during the conflict. The government of the Central African Republic ultimately referred the case to the ICC on December 22, 2004. Bemba was recently convicted of war crimes and crimes against humanity; he was acquitted on appeal.

Starting in 2007, the government began signing a series of peace agreements with the various opposition factions under the aegis of the African Union, the Economic and Monetary Community of Central African States (ECASS), and the Community of Sahel-Saharan States. The deals promised amnesty as well as disarmament, demobilization, and reintegration programs (DDR) for former combatants; the various militia were ostensibly transformed into political parties and promised power sharing. The United Nations deployed a small peacebuilding effort, the UN Integrated Peacebuilding Office in the CAR (BINUCA).

The Séléka Rebellion

In August 2012, a mostly Muslim rebel coalition named *Séléka* ("Alliance")—to some extent a reincarnation of previous rebellions—launched a military campaign against Bozizé's government for failing to adequately implement the DDR program in the northeast. They were financed in part by trade in CAR's natural resources (including gold and diamonds). By early December 2012, the Séléka had made significant military gains in the north, east and center of the country, having seized more than half of CAR and overwhelmed the national army, the *Forces Armées Centrafricaines* (FACA). The Séléka stopped just 75 kilometers north of Bangui, the capital. During the fighting between the forces loyal to President Bozizé and the Séléka rebels, all sides committed war crimes and crimes against humanity, with the Séléka forces in particular reportedly being responsible for the commission of torture, sexual violence, murders, abductions, burning of villages, and widespread pillaging. State institutions largely collapsed as officials fled and the infrastructure was pillaged during the conflict. Furthermore, armed groups recruited up to 10,000 children during the conflict. According to a United Nations report, more than 187,000 refugees fled to neighboring countries (mostly Cameroon, Chad, the Congo, and the DRC), bringing the total number of

refugees and internally displaced people over 850,000—about a fifth of the country’s population. The United States evacuated its embassy, including its Ambassador.

In early 2013, peace talks were convened in Libreville, Gabon, between the Séléka and the government under the auspices of the ECASS with additional support from the African Union and United Nations. On January 11, 2013, the parties agreed to a ceasefire, a three-year power-sharing agreement, and a government of national unity. The arrangement proved to be short-lived, unfortunately. In March 2013, the head of the Séléka, Michel Djotodja, succeeded in deposing Bozizé, notwithstanding that neighboring states (Chad, Gabon, Cameroon, Angola, South Africa, the DRC, and the Republic of Congo) had earlier sent troops to defend the Bozizé government. Bozizé fled the country.

With Djotodja in power, the Séléka ostensibly disbanded, but its members continued to rampage around the country with impunity. In the meantime, largely Christian civilian defense groups began forming with FACA reinforcements, calling themselves the *anti-balaka* (“anti-machete”). In addition to engaging with ex-Séléka, the anti-balaka also attacked Muslim civilians and enclaves, initiating an ethnic cleansing that gave rise to fears of an impending genocide. Thousands more civilians fled the country, bringing the number of refugees to over 400,000.

The International Response

As the now-sectarian violence escalated, French President François Hollande called on the Security Council and the African Union to act. Up to this point, France had maintained a skeletal force of 400 troops in the country, primarily to protect French nationals and keep the international airport open. In December 2013, with the Security Council’s blessings, it launched a more robust intervention (“Operation Sangaris”) by sending 1,600 troops to quell the unrest. This operation, named after an African butterfly, marked the 7th French military intervention in the country since its independence. The Council also authorized an African-led International Support Mission to the CAR (MISCA) to restore order. Following the vote, the then-U.S. Ambassador to the United Nations, Samantha Power, visited the country, and the Obama administration authorized \$100 million in military and logistical assistance (including airlifts for regional peacekeepers), but did not volunteer any troops and was not supportive of a UN peacekeeping mission, which would be funded from UN assessments (27% of which come from the United States).

Under international pressure, President Djotodja resigned in January 2014 and was replaced by Catherine Samba-Panza as interim President—the third female head of state in Africa. Samba-Panza hosted a visit from Pope Francis, who met with religious and national leaders to urge peace and reconciliation. In May 2014, she referred the situation in her country to the ICC, which opened a second investigation into crimes committed during the Séléka/anti-balaka conflict since 2012. So far, no indictments have been publicly issued. She also initiated the Bangui Forum on National Reconciliation in May 2015, which generated agreements on DDR and the release of child soldiers; justice and accountability measures

including a truth commission and hybrid tribunal; and social and economic development initiatives. After elections were postponed several times due to insecurity and logistical challenges, Faustin-Archange Touadéra was elected President in largely peaceful elections and was sworn in on March 30, 2016.

The original peacekeeping missions proved insufficient to fully protect civilians from violence or comprehensively address the root causes of the violence. Following the release of a 6-point set of recommendations from the U.N. Secretary General, the Security Council later deployed the Multidimensional Integrated Stabilization Mission in CAR (MINUSCA) in April 2014, which subsumed the earlier UN peacebuilding office (BINUCA) and the African support mission (MISCA). The Security Council in July 2016 extended MINUSCA, which is composed of over 10,000 troops charged with implementing one of the most robust civilian protection mandates ever drafted, until November 2017. UN peacekeepers continue to clash with militia holdouts. French forces were authorized to provide operational support to MINUSCA until the disbandment of Operation Sangaris in October 2016. The French intervention was marred by sexual abuse allegations involving children in CAR. Although evidence of the abuse emerged in 2014, the United Nations did not take action until its investigative report was leaked in April 2015. A French judge decided in January 2017 not to bring charges against any soldiers.

Efforts at Justice

The International Criminal Court continues to consider the two conflicts in CAR. In 2015, the CAR's Transitional Parliament passed legislation establishing a Special Criminal Court (SCC) that will exert jurisdiction over international and domestic crimes committed in CAR since 2003 except crimes committed by peacekeepers. It will be staffed with a mix of international and national personnel, including judges, prosecutors, defense counsel, investigators, and staff. In February 2017, the president appointed Toussaint Muntazini Mukimapa of the Democratic Republic of Congo as special prosecutor. The SCC receives some funding from the United Nations as well as certain donor states.

Discussion Questions:

1. Who are the key actors in this history?
2. What international crimes have been committed? Is this violence genocidal?
3. What atrocity prevention tools have been deployed over the years?
4. What transitional justice mechanisms have been implemented?
5. How do we measure their efficacy?
6. What should the relationship be between the ICC and the SCC?
7. Imagine you are international delegates sitting in the United Nations representing France, the United States, the DRC, South Africa, etc.); what additional measures would you recommend that the United Nations pursue in CAR? What states might resist these efforts?

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