INTRODUCTION TO INTERNATIONAL RELATIONS

Unit V: International Law and Human Rights
Justice in the 20th Century

• The Nuremberg Trials
  – Prosecuted the political and military leaders of Nazi Germany who were responsible for the Holocaust
  – Paved the way for a system of international justice

Did You Know That…

• Nazi Germany was inspired by U.S. eugenics programs.
• At the same time that Jews were placed into concentration camps, Japanese-Americans were placed into “interment camps”.

What is Rule of Law?

• One of the most important forms of infrastructure is the legal system.
  – Most countries have their own set of laws and their own ways of enforcing them.
  – Some don’t...(i.e. failed states)
• What happens when a state commits a crime against another state or against its own people?
  – Who should be held accountable?
  – Who should hold them accountable?
• Law of the Land versus Law of the Sea
The U.N. Declaration of Human Rights

- Adopted in 1948 after the experiences of World War II
- Drafted by 18 member states from different political and cultural backgrounds
- Defined the meaning of human rights
  - http://www.youtube.com/watch?NR=1&v=3VhOQq7PE64
- Contains two main dimensions, outlined in later covenants (1966): 1) civil and political rights and 2) economic, social and cultural rights
- “Never again...”

The Creation of Humanitarian Law

The Geneva Conventions (1949)

- Four Treaties
  1. Protection of wounded or sick soldiers on land during war (includes medical and religious personnel)
  2. Protection of wounded or sick military personnel on sea (including hospital ships)
  3. Establishing regulations for prisoners of war
  4. Protection of civilians, particularly in occupied territories

Intergovernmental Organizations

- Intergovernmental Organizations (IGOs): organizations or institutions made up of sovereign states and are created through treaties which must be signed by the legal representatives of those states.
- They can be global or regional
  - They can have a specific focus (i.e. cultural, economic, educational, military, etc.)
- Can you think of any IGOs?

Limitations of IGOs

- Tension between maintaining state sovereignty and establishing global standards of human rights.
  - Sovereignty: the concept that a state is entitled to govern itself and that its leaders have authority over their own territories; autonomy
  - The rights of the state versus the rights of its people
- As an IGO, the U.N. has no military backing which means that it has no way of enforcing its proposed policies
- The process for making resolutions and prosecuting war criminals is very long.

What About NGOs?

- What are NGOs? What do they do?
  - Amnesty International

The International Criminal Court

- The ICC was the first physical institution established by the Rome Statute of the United Nations for the purpose of addressing issues of international law such as:
  1. Genocide
  2. Crimes against humanity
  3. War crimes
  4. Crimes of aggression
- What type(s) of international crime are not addressed by the ICC?
- Do you think the ICC should continue to exist?
Global Problems

- Even though many instances of human rights violations often occur as part of regional disputes, they are part of a global problem.
- Is it possible for everyone to recognize human rights?
  - Political limitations
  - Cultural limitations
  - Religious limitations
Key Terms

1. **Rule of Law**: The concept that no one is above the law.

2. **Sovereignty**: The idea that a state should have the autonomy to rule over its citizens without external interference.

3. **International Law**: Consists of international treaties and agreements that govern interaction between states, including trade, war, and human rights.

4. **Geneva Conventions**: A series of treaties that established the standards for international law and human rights.

5. **Human Rights**: Rights which every person is entitled to, such as freedom of expression, freedom of religion, and equality before the law. The Universal Declaration of Human Rights sets the standard for global human rights.

6. **Intergovernmental Organizations (IGOs)**: Organizations whose members consist of states rather than individuals and serve as diplomatic institutions with global objectives.

7. **International Criminal Court (ICC)**: Established by the United Nations to address allegations of genocide, crimes against humanity, war crimes, and crimes of aggression.

8. **Genocide**: The annihilation of a group based on ethnicity, race, or creed.

9. **War Crimes**: Any violations of the proper conduct of military personnel in armed conflict, including attacks on or displacement of civilians, unnecessary destruction of cities, town, villages, attacks on hospitals or medical personnel, and other such acts.

10. **Crimes Against Humanity**: Consist of an attack(s) on human dignity including murder, exterminations, rape, torture, slavery, displacement, and other acts that are part of a government practice.
Workshop:
Human Rights and the Rule of Law
Related PowerPoint: International Law and Human Rights

🌿 Objective(s):

- To introduce students to the International Criminal Court and historical examples of international laws being broken in conflicts

🌿 Outline:

I. International Law and Human Rights PowerPoint Review
II. Taming Warfare: the History of the Geneva Conventions
III. Rome Statue
IV. Group Work
V. Group Presentations

🌿 Materials:

- Video – Taming Warfare: The History of the Geneva Conventions: http://www.youtube.com/watch?v=5SNneFCxImA
- The Rome Statue
- Scenario Assessment Worksheet and Chart
- Workshop Scenario Sheets (4)
- Video Links (7)

🌿 Key to Script:

- Italized words indicate role/action.
- Bolded sentences are questions to be posed to class.
- Normal print indicates words to be spoken aloud.
Workshop Script:

Part I: International Law and Human Rights PowerPoint Review

Intern A:
- Conduct a review of the International Law and Human Rights PowerPoint.
- What is international law?
- When did states start to consider developing a body of laws that reflected a collaborative process/consensus?
- What laws were established during the Geneva Conventions?

Part II: Taming Warfare: The History of the Geneva Conventions

Intern B:
- This video is about the history of the Geneva Conventions, the Red Cross, and the idea of “humanizing” warfare.
- Play Taming Warfare: The History of the Geneva Conventions

Part III: Rome Statute

Intern C:
- Turn to the Rome Statute Excerpts.
- Though there are many similarities between genocide, war crimes, and crimes against humanity, there are subtle, but important differences for each term.
- Genocide: the annihilation of a group based on ethnicity, race, or creed
- War crimes: any violations of the proper conduct of military personnel in armed conflict, including attacks on or displacement of civilians, unnecessary destruction of cities, towns, villages, attacks on hospitals or medical personnel, and other such acts.
- Crimes against humanity: attacks on human dignity including murder, exterminations, rape, torture, slavery, displacement, and other acts that are part of a government’s practice

Part IV: Group Work

In Groups:
- Break students up into four groups and assign each group to one of four fictionalized conflict scenarios to evaluate.
• Read the conflict scenario and fill out the Scenario Assessment Worksheet and Chart. Use the Rome Statute Excerpts as a reference to consider which laws were violated and record observations on the assessment sheets.
• Students must present their scenarios and findings to the class the following day.

Part V: Group Presentations

In Groups:
• Each of the four student groups will present their findings to the class. Students should briefly summarize the conflict scenario and present their assessment of which crimes were perpetrated.
• Students should back their analysis with facts (e.g. which section of the law was broken and why).
• Following each group assessment, introduce students to the real event the scenario was based on by showing the relevant news clips. Choose one clip per conflict. Be sure to summarize the conflict after each video.
  ○ Scenario I: Syrian Civil War (Middle East)
    • Video – Inside Syria’s Civil War:
      http://www.youtube.com/watch?v=n4CDQciS0kE
    • Video – In Syria, Civil War Tears Families Apart:
      http://www.youtube.com/watch?v=pznVUdOYWNs
  ○ Scenario II: Tibet–China Conflict (Asia)
    • Video – Why is Tibet Important to China?:
      http://www.youtube.com/watch?v=EEZagTvpyEc
  ○ Scenario III: Darfur Conflict in Sudan (Africa)
    • Video – No End in Sight for Darfur’s Humanitarian Crisis:
      http://www.dailymotion.com/video/x4m8i0_no-end-in-sight-for-darfur-s-humanitarian_news#.UNJSDYVr7UQ
    • Video – Darfur Rebels Continue to Fight:
  ○ Scenario IV: Balkan Wars (Europe)
    • Video – Ratko Mladic led ethnic cleansing, war crimes trial told:
      http://www.bbc.co.uk/news/world-europe-18081930
    • Video – Remembering the Sarajevo Conflict:
THE ROME STATUTE

The Rome Statute established four core international crimes: genocide, crimes against humanity, war crimes, and crime of aggression. This handout contains excerpts of the Rome Statute to help understand the first three of these crimes.

Article 6: Genocide

For the purpose of this Statute, "genocide" means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- Killing members of the group
- Causing serious bodily or mental harm to members of the group
- Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part
- Imposing measures intended to prevent births within the group
- Forcibly transferring children of the group to another group

Article 7: Crimes against Humanity

For the purpose of this Statute, "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- Murder
- Extermination
- Enslavement
- Deportation or forcible transfer of population
- Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law
- Torture
- Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity
- Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally
recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court
• Enforced disappearance of persons
• The crime of apartheid
• Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health

Article 8: War Crimes

For the purpose of this Statute, "war crimes" means:

a) Grave breaches of the Geneva Conventions of 12 August 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention:

• Willful killing
• Torture or inhuman treatment, including biological experiments
• Willfully causing great suffering, or serious injury to body or health
• Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly
• Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power
• Willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial
• Unlawful deportation or transfer or unlawful confinement
• Taking of hostages

b) Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law, namely, any of the following acts:

• Intentionally directing attacks against the civilian population as such or against individual civilians not taking direct part in hostilities;
• Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations.
• Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated;
• Attacking or bombarding, by whatever means, towns, villages, dwellings or buildings which are undefended and which are not military objectives;
• Killing or wounding a combatant who, having laid down his arms or having no longer means of defense, has surrendered at discretion;
• Intentionally directing attacks against buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals and places where the sick and wounded are collected, provided they are not military objectives;
• Subjecting persons who are in the power of an adverse party to physical mutilation or to medical or scientific experiments of any kind.
• Employing poison or poisoned weapons;
• Employing asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices;
• Committing outrages upon personal dignity, in particular humiliating and degrading treatment;
• Committing rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence also constituting a grave breach of the Geneva Conventions;
• Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival.
• Conscripting or enlisting children under the age of fifteen years into the national armed forces or using them to participate actively in hostilities.
• The passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognized as indispensable.
Name: __________________________  Period: __________________________

Scenario Assessment Worksheet

1. Describe the key points of your scenario using five key points.

   •
   •
   •
   •
   •

2. Was your conflict international or domestic (within the boundaries of the country) in nature?

3. On what real-life event was your scenario based?

4. Review the Rome Statute and use the chart provided to indicate which laws were violated in your scenario. Be prepared to present your findings to the class.
<table>
<thead>
<tr>
<th>Scenario Assessment Chart</th>
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<tbody>
<tr>
<td>Crimes Against Humanity</td>
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<tr>
<td>Genocide</td>
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<tr>
<td>War Crimes</td>
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Scenario 1: A Leader Turns Against His People

In the 1970s, a young man by the name of Mr. X, who came from an elite family, was sent to England to become an eye doctor. Following the rule of his father and the death of his older brother, Mr. X was asked to come back to his country and run for the presidency. He went on to serve as President for twelve years, enthusiastically elected for two terms by his citizens. Some even called him their “Hope”. In the early years of his rule he seemed to address corruption within the state. Over time, he strategically started to eliminate all of the potential political strongmen who might have competed against him for leadership. Corruption in certain regions of his nation grew. He controlled the nation’s oil revenue, and used it to finance his family’s lavish lifestyle. He established several bank accounts in other nations such as Russia, Hong Kong, and other off shore locations.

At the beginning of his presidency he also took control of the military. While the population of his nation grew, the economy began to fail. In 2007, the President created a law that required internet cafes to record all the comments users posted on chat forums. Wikipedia Arabic, YouTube and Facebook were frequently blocked between 2008-2011. In November 2012 he shut down all public access to the nation’s internet.

Internationally, he supported several terrorist groups. He tried to improve his image by hiring public relations corporations to make him attractive to western powers. NGOs within the country were created to boost the image of the President and were forbidden from criticizing the government.

In February and March of 2011, there were many demonstrations on the streets with citizens asking for the return of their civil liberties - the freedoms that they had lost under Mr. X’s rule. The segment of the population against the government formed a rebel army to confront Mr. X’s government forces. The military responded with force and repression as an increasing number of demonstrators joined the rebel army and continued to call for Mr. X to step down.

By June 2011 Mr. X addressed the protesters and the demands of outside nations by promising to have a national dialogue within his country and to move toward reform, new elections, and greater freedoms. He invited many people who had fled the country to return from exile. By January of the following year, almost 5,000 civilians had been killed by the government-controlled military. Once again, Mr. X promised to reform his ways and stop his aggression towards his own people.
In July 2012 the International Red Cross and other international entities declared that the nation had fallen into a full-blown civil war. President X, his military and his followers (primarily from one ethnic group) were pivoted against the rest of the nation’s civilian population.

Many nations have called for the end of the violence and have also asked for Mr. X’s removal from power. It is believed that 200,000 people have been killed, of which over 63,000 are civilians. 28,000 others were reported missing and many assumed that the government and security forces abducted them. More than three million citizens have been forced to flee their own country.

According to the U.N., tens of thousands of protesters have been imprisoned, and there have been reports of widespread torture in the government’s prisons. International organizations have accused President X and his government of severe human rights violations. Anti-government rebels have also been accused of human rights abuses as well. The vast majority of abuses have, however, been committed by Mr. X’s government forces. To add to the growing list of human rights violations, in August 2013, Mr. X was accused of using chemical weapons against his own people, killing over 1,400 people. This caused an outcry within the international community, with one superpower threatening military intervention. However, the superpowers were able to broker a deal with Mr. X through the U.N. Security Council to give up all chemical weapon stockpiles in order to avoid military intervention. The original removal deadline was set for the end of 2013. The chemical weapons were removed from the country by a superpower by the end of July 2014, and the final chemical weapon was destroyed on August 18, 2014.
Scenario 2: A Small Ethnic Community versus a Superpower

In the 7th century, Buddhists from India built a small empire in the highest region of the earth just northeast of the Himalayas. In this remote locale, the Reflective Empire based on religious belief and a modest lifestyle remained unthreatened by greater powers. In the early 1900s, a large Dominant Power began to question the Reflective Empire’s right to control their hillside villages. From 1913 to 1956 this Empire’s sovereignty, its right to exist and rule over its own territories were secure. By 1959, the Dominant Power had decided to take over the Reflective Empire and integrate the area and its population into its country.

The Reflective Empire had a relatively modest economy built on subsistence agriculture and more recently on tourism. It is often considered the region’s water tower. The hills of the area are considered holy sites to both Buddhists and Hindus. The “leader” of the Reflective Empire is called the Humanist Heart (HH). Due to the threats of assassination from the Dominant Power, HH and many of his followers fled to the outskirts of India and called the new area “Little Reflective Empire”.

In the 21st century, the Dominant Power is still trying to take over the small community completely and has persecuted many of the followers of the Reflective Empire. The Dominant Power states that because the Reflective Empire had historically paid ancient leaders of the DP financial tribute (money), the Reflective Empire was rightly part of their Asian territory. The Dominant Power essentially turned the Reflective Empire into a police state.

The Dominant Power is currently impacting the Reflective Empire by brutally suppressing Buddhists, carving up the empire into several political districts, keeping the followers of HH poor and without civil liberties, and encouraging immigration of other ethnic groups into the empire. Citizens of the Reflective Empire are not given passports to travel freely out of the region. Buddhists are punished and arrested for even mentioning the name of the Humanist Heart. Anyone caught with a photo or even talking about HH can be sent to prison. Armed soldiers of the Dominant Power patrol the borders of the empire. The Dominant Power is controlling and trying to close the monasteries of the Buddhist followers. As recently as December 1, 2012, many followers of HH have taken their lives by setting themselves on fire. They would rather die as martyrs than live under the oppressive rule of the Dominant Power.
Scenario 3: The Herdsmen versus the Farmers

Drought, racial differences, and a government built on greed have torn a nation and its population in two. Seeking economic survival in a drought-ridden land, the nomadic herders of cattle targeted the small farming based villages. The Herders over a period of almost ten years have been transformed into a paramilitary and received funding and weapons from the government. The government has used the Herders to confront the civilian Farmer population. The Farmers have been critical of the government’s control over the nation’s abundant oil resources, the actions of its military, and its dictatorial control of the rights of the people.

Over a nine year period, more than 400 modest farming communities have been burned to the ground. Many of the men and boys in the villages have been killed and tortured. The women have been raped and abused. 2.7 million people have been forced into overpopulated refugee camps. Premature death and the spread of disease due to malnutrition and unsanitary conditions in the camps are constant realities.

In addition to the economic and political roots of the war is a racial divide within the country. Though the majority of the population share a common religion, ethnic clashes between the Herders and the Farmer communities add to the ongoing conflict. The Farmer population feels that the government has been partial and protective of the nation’s Herder population.

The United Nations, an array of NGOs, and many international powers have sought to address the cruelty and human tragedies that have transpired in the land. Some NGO workers have been killed, thus preventing additional external help from assisting the civilians caught in the conflict. Food and medical aid have been blocked from reaching the refugees by the government forces. One foreign power that depends on the nation for its oil supply has supported the government and ignored the tragedy. This foreign power has supplied the government with weapons through this period of turmoil.

Though many tentative ceasefires and treaties have been proposed, none have succeeded. Today the tragedy of this country continues. After almost a decade of conflict, many estimate that half a million people have died due to the war within the country and conditions within the refugee camps. In 2012 new government military campaigns based on starvation and bombings were being conducted. The forces are keeping aid workers and journalists out of the targeted area.
Scenario 4: Imposed Nationalism

After World War I, a new country was created that merged several historically and ethnically different populations. One leader ran the country for several decades, though the leader was considered a dictator, the country functioned because some of the areas were granted great autonomy and the nation received substantial support from a regional superpower.

In the late 1980s and early 1990s the regional superpower collapsed and the nation found itself seeking a new sense of stability and power as an independent nation. The nation’s quest for power and identity became a tragic story of ethnic and religious distrust. There were five different languages spoken in the country, three primary religious groups, and ten different ethnicities.

A group of six communities made up the government. With the fall of the superpower, congressional representatives from all of the communities came together in the Capital to work on defining the new policies and directions the nation should adopt. During these congressional meetings a new and dominant voice of the nation emerged. Mr. M had been an active player in the government prior to its new independence. Through charisma and a strong voice that called for unity, Mr. M took over the presidency of this complex nation. Mr. M was a member of the majority ethnic and religious group. Within a very short time, Mr. M started to use the nation’s army to make all other communities conform to his expectations and mandates. The areas of the nation that had been functioning with great autonomy rejected his leadership and sought out paths to make their area of the nation a separate and independent state.

Over a six-year period, the forces of the minority groups and the majority group entered into the most devastating conflict in Europe since the end of World War II. The hostilities that ensued were more than a political fight over territory. The number of people killed during this conflict is estimated at approximately 100,000 – and the number of people displaced at over 2.2 million. This conflict was defined by a number of ruthless and inhumane events. Many innocent civilians were attacked. Towns that were identified for their ethnic affiliations were targeted. One of the most notorious and hateful events of this conflict took place in 1995, when Mr. M’s forces attacked a large town that had been declared a safe zone by external powers. His forces separated the women and children from the male population and forced them out of the town. Some of the women were raped or sexually assaulted, while the men and boys who remained behind were killed immediately or bussed to mass killing sites. Around 7,000 to 8,000 people representing the minority population were killed.
Mr. M made attempts to control the media in one of the minority communities and imprisoned some of the journalists who openly defied his decrees. External powers including the United Nations acknowledged the rights of the minority groups to claim their independence. Mr. M ignored these positions and continued to pursue violent control over the people and territory of those trying to secure their freedom from his rule. Guerilla warfare by M's forces carried out deadly campaigns of "ethnic cleansing," massacring members of other ethnic groups or expelling them from their homes to create exclusively majority ethnic areas. Boys over the age of 13 were also targets of the M's forces during the conflict. When aid was most needed, M's forces attacked civilians and international relief workers, thus disrupting the delivery of essential food and other necessities. This conflict created the worst refugee crisis in Europe since World War II, with millions from the minority population driven from their homes by July 1992. Thousands of families were separated to this day, there are still people considered missing and, thousands more dead without a proper burial and funeral. It must be said that both sides in the conflict engaged in extremely hateful acts of destruction and murder. Mr. M’s leadership of hate and premeditated destruction are more easily documented. He was the major catalyst to these events.

In 1994-1995 after the horrendous and intentional destruction of a central city and with the assistance of 240,000 U.N. peace troops, a peace treaty between the warring parties was signed.