LESSONS IN LEADERSHIP: CRIMINAL JUSTICE APPROACHES FOR PREVENTING MASS ATROCITIES

MODULE 1: What Are Mass Atrocities?









This module introduces the concepts of mass atrocities and mass atrocity prevention.

Participants obtain a basic foundation for understanding the scope and nature of mass atrocities, including the different acts that constitute mass atrocity crimes, such as war crimes, crimes against humanity, and genocide, as well as ethnic cleansing, which has no legal definition. This module centers the voices of victims of mass atrocities and encourages participants to reflect on why mass atrocity prevention is important, as well as common barriers to action in the face of mass atrocities. Participants consider how atrocity prevention might factor into the work they are already doing as criminal justice professionals.

This module shares the concepts and vocabulary that participants will need for subsequent modules focusing on the role of the criminal justice sector in the prevention of mass atrocities.

Guiding questions for this module

- What are mass atrocities?
- Why is it important to prevent mass atrocities?
- How does mass atrocity prevention fit into the work criminal justice professionals are already doing?

Module objectives

- Participants demonstrate an understanding of the definition of *mass atrocities* and the four types of mass atrocities.
- Participants learn about victim perspectives and can articulate why preventing mass atrocities is important.
- Participants consider the challenges to atrocity prevention and possible intersections with the work of criminal justice professionals.

Module length: 1 hour

SEGMENT	LENGTH
Introduction	1 minute
Rohingya Video Exercise—Criminal Justice Intersections	14 minutes
Video and Discussion: What Are Mass Atrocities?	40 minutes
Conclusion	5 minutes

Required materials

- Module #1 PowerPoint
- Module #1 Handout
- Video clip: CNN, "Hope for Myanmar's Rohingya Rests with New Government"
- Video: "What Are Mass Atrocities?"
- Chart paper

Further reading

- Key Resource: United States Holocaust Memorial Museum, *Guide to Criminal Justice and Preventing Mass Atrocities* (2023), Chapter 1
- International Committee of the Red Cross, Geneva Conventions of 1949 and Additional Protocols
- Straus, Scott. *Fundamentals of Genocide and Mass Atrocity Prevention*, Chapter 1, "What is Genocide? What is Mass Atrocity?" Washington, DC: United States Holocaust Memorial Museum, 2016.
- United Nations Office on Genocide Prevention and Responsibility to Protect website, "Responsibility to Protect"
- United States Army Peacekeeping and Stability Operations Institute, <u>Mass Atrocity Prevention</u> and Response Options: A Policy Planning Handbook (March 2012)

LESSON PLAN

Introduction (1 minute)

Slides 1–2

Explain: "Our goal in this seminar is to consider what role criminal justice professionals can play in countering mass atrocities. Events that escalate to the level of 'mass atrocity' are not inevitable—there are always warning signs. These are human challenges—not restricted to specific regions or people—and we all have a role to play in preventing or mitigating these types of violence. As criminal justice professionals, you play a specific role in that you are in positions that influence the safety and security of your community and other communities.

"In this session, we will cover the following topics:

- How do we define mass atrocities?
- Why prevent mass atrocities?
- How does mass atrocity prevention fit into the work criminal justice professionals are already doing?

"We want to explore the concept of mass atrocities and think about them in conjunction with your work as police officers, prosecutors, judges, or other professionals working within the criminal justice system."

Rohingya Video Exercise (14 minutes)

Slides 3–4

Inform the class that you will view a short video describing the situation of a religious and ethnic minority, the Rohingya, in Burma in 2016.

Say: "The Rohingya are an ethnic minority from Burma. Most Rohingya are Muslim, while some are Christian. They come from Rakhine State on Burma's western coast. For centuries, they lived side by side there with the Rakhine Buddhist community, but in the past 200 years, outside influences have created divisions between the local communities that would later intensify. In 1989, after seizing power in a coup, the military junta renamed the country 'Myanmar.' In our discussion, we will refer to the country as 'Burma' because that is how the US government typically refers to the country.

"As you watch, we ask you to consider the situation through your lens as criminal justice professionals: What did you see in the video? And viewing this through your professional lens, what concerns, if any, does this situation raise?"

Play video embedded on slide 3.

Instruct participants to break into pairs or small groups to discuss the questions on slide 4 (5 minutes). Then reconvene as a large group to report out. Chart responses to each question on chart paper (5 minutes).

Ask: "What did you see in the video?"

Possible responses: Recap essential points—denial of citizenship, restrictions on movement, lack of work/medical care/education, refugee crisis, regime change/transitions from dictatorship to democracy, human trafficking.

Ask: "As a criminal justice professional, what concerns does this situation raise, if any?"

Possible responses: Denial of basic human rights for minority group, government isolation of Rohingya into camps, lack of government recognition for population, human trafficking, refugee flows.

Additional questions that may be used to prompt discussion: Where is your profession represented in this video (or are they represented at all)? What do you find is the most important information for understanding the situation regarding the Rohingya? What circumstances might increase the risk of crime or public disturbance against members of this group?

Draw on the group's observations about the situation through their criminal justice lens to highlight the overlap between issues that criminal justice professionals might already be engaged in (e.g., tensions or violence against a minority community) and warning signs for mass atrocities.

Conclude: "One year after this video, an attack by a Rohingya armed group in August 2017 spurred a wave of violence by the Burmese military and other security forces, who targeted Rohingya civilians. Thousands of Rohingya were killed, raped, or experienced other forms of gender-based violence. About 700,000 fled to Bangladesh, where they remain in refugee camps. Numerous organizations, including the United Nations, have documented mass atrocities. In March 2022 the US government determined that the Burmese military committed genocide against the Rohingya. Although there have been efforts to advance justice for the Rohingya, there continues to be impunity for these crimes. In February 2021 Burma's military generals seized power in a coup. Today, the Burmese military—who perpetrated genocide and crimes against humanity—are again in charge of the government. This has put the Rohingya and other minority groups in Burma at further risk.

"As you see in this example (and based on our discussion), the events that precede genocide and other mass atrocities often overlap with issues that criminal justice professionals are already working to address. We will now take a closer look at the definition of genocide and other mass atrocity terms and will discuss the relevance of these terms for criminal justice professionals."

Video and Discussion: What Are Mass Atrocities? (40 minutes)

Slides 5–10

Share definition of *mass atrocities* with participants. Refer participants to the handout in front of them with definitions.

Explain: "We will now watch a short video that discusses the basic concept of mass atrocities. The terms *genocide*, *crimes against humanity*, *war crimes*, and *ethnic cleansing* all fall under the umbrella of 'mass atrocities.' The video will address the meaning of these terms. We will stop the video periodically for discussion."

Play "What Are Mass Atrocities?" video through the end of the "War Crimes" section and then discuss video for 10 minutes using the questions below.

Ask: "So far the video has discussed crimes against humanity and war crimes—along with case study examples of each. What stood out to you as you listened to the discussion of these two terms? In what ways is it useful to have these terms defined? Have you encountered application of these terms in your professional experience? If so, how?"

Possible responses: Open-ended—participants may raise points about the emotional impact of the testimonies and examples or new aspects or elements of the definitions that were unfamiliar to them. Participants may discuss the advantages of having agreed on definitions of these terms, as well as some of the potential challenges (i.e., the possibility that various actors will get bogged down in arguing over definitions and fail to act). Participants may share their own professional experiences working with these terms.

Explain: "We will now watch the rest of the video, which discusses two remaining terms—genocide and ethnic cleansing. Unlike the other three terms, ethnic cleansing is not recognized as a stand-alone crime under international law, but instead describes a practice that may constitute part of genocide, war crimes, or crimes against humanity."

Play "What Are Mass Atrocities?" video from "Genocide" segment through the end and then discuss video for 15 minutes using the questions below.

Optional: Depending on timing, the facilitator may decide to have participants break into small discussion groups or discuss the questions below with a partner for 5 minutes, followed by 10 minutes of reporting out and discussion as a larger group. Facilitators may choose from any of the following questions.

Ask: "What barriers exist to identifying a situation as a mass atrocity? How can you identify communities that are most at risk of being targeted in mass atrocities?"

Possible responses: Reluctance of international community to apply a label because of obligation to act, difficulty of establishing intent with genocide, may be hard to see the big picture of "widespread and

systematic" if working locally. Instructor can include information about the ways in which women, girls, the LGBTQ+ community, and other marginalized groups may be targets or experience mass atrocities at higher rates.

Ask: "What elements of these four types of mass atrocities do you think are most important to understand in your work [for criminal justice professionals to understand]?"

Possible responses: Responsibility of states and governments to prevent mass atrocities, how early warning can overlap with existing responsibilities.

Ask: "What tools currently exist in your domestic criminal justice system that could be used to address mass atrocities? What else could the criminal justice system in your country do to address mass atrocities?"

Note: If participant names and nationalities are received in advance, the facilitator may want to do some research regarding laws and treaties already in place in each respective country that address mass atrocity crimes.

Ask: "In the video, Omer Ismail from Darfur describes why he thinks it is important to act when you see warning signs of mass atrocities. Why do you think preventing mass atrocities is important?"

Possible responses: Open-ended—allow participants to share personal reflections, experience, or expertise in the field of mass atrocities. Instructor can highlight the testimonies included in the video and the human impact of mass atrocities.

Conclusion (5 minutes)

In concluding the segment, the instructor can recap the definitions shared in this module and invite any final reflections from participants on the importance of atrocity prevention and the ways in which atrocity prevention might intersect with the work participants are already doing as criminal justice professionals. This can serve as a nice transition into the topics covered in Module 2 about risk factors, warning signs, and triggers.

Cover: During the Bosnian War in Europe, about 10,000 refugees from Srebrenica board buses at a camp outside the UN base at Tuzla Airport heading for other refugee camps in the Tuzla area on July 14, 1995. *Reuters/Wade Goddard*