Confronting
Crimes Against Humanity

Contents

Preface

The international system has witnessed dramatic changes in the recent past. Questions relating to protection of civilians, humanitarian intervention, and national sovereignty challenge all of us to rethink our understanding of international peace and conflict. As practitioners, academics, educators, students, and private citizens, what is our role in this increasingly complex global picture? What can we do to nurture and preserve international security and world peace?

One thing is certain. We must make sure our learners and educators have access to the best available information about the issues surrounding peace, justice, freedom, and security. Our country's future depends on their interest in and understanding of these complicated topics. In the belief that knowledge of these issues is vital to civic education, we have developed this study guide series to expand our readers' perspectives and knowledge.

About the Study Guide Series on Peace and Conflict

This study guide series is designed to serve independent learners who want to find out more about international conflict and its resolution, as well as educators who want to introduce specifics topics in their courses. The main text of each guide briefly discusses the most important issues concerning the topic at hand, especially those issues that are related to the critical task of managing conflicts and building international peace.

Other features of each study guide include:

- A glossary of terms to help the reader build vocabulary used in the discussions about the topic.
- Discussion questions and activities to encourage critical thinking and active learning.
- A list of readings and multimedia resources for additional investigation and learning opportunities.

It is our hope that citizens around the world will find the contents of the study guide useful as they strive to deepen their understanding of international peace and conflict.

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Confronting Crimes Against Humanity

Bosnia, Somalia, Rwanda, Kosovo, East Timor, Darfur—the list of mass atrocities since the 1990s is long. The systematic killing of thousands of civilians, the widespread displacement of many more civilians, sexual violence against women, and abduction and enslavement of children—these and other crimes against humanity are rampant in areas plagued by violent conflict.

But the 1990s also saw another trend in reaction to the atrocities: a series of efforts by the international community to confront crimes against humanity and protect civilians from mass killings and targeted attacks in conflicts. These efforts included tackling such thorny issues as sovereignty—often equated with non-interference in the internal affairs of a state—as well as developing new principles such as the "responsibility to protect." This doctrine asserts that sovereignty includes responsibilities as well as rights and that in extreme cases, external intervention to prevent or stop civilians from being brutalized and slaughtered may be justified.

Despite these developments, ongoing crises in places such as Darfur in Western Sudan make many people question the will and capacity of governments, international organizations, and even non-governmental organizations to take effective action in the face of mass atrocities.

This study guide will outline the key elements related to the issue of humanitarian intervention, the evolution of international law, the authorities involved, and methods for protecting civilians from crimes against humanity. Throughout, we will refer to cases where intervention was successful as well as those where it was not successful, and to cases where there was no intervention.

In order to provide a discussion that is relevant to the contemporary (that is, post–Cold War) political environment, we will concern ourselves primarily with cases from the 1990s onward.

Key Concepts

This subject matter is complex and there are a number of controversies surrounding crimes against humanity and intervention. There are four particularly difficult concepts we need to clarify: humanitarian intervention, crimes against humanity, genocide, and sovereignty.

Humanitarian Intervention

The phrase "humanitarian intervention" is widely used—in academic literature, the news media, and policy discussions—to refer to interventions undertaken for the stated purpose of protecting people at risk. Often, such interventions include a military component. It should be noted, however, that the latter usage is controversial. Most humanitarian organizations, for example, would define humanitarian intervention as the delivery of humanitarian assistance, such as food or medicine for a distressed population. There is strong opposition from these groups to what they consider militarization of the term "humanitarian," that is, the appropriation of the term to describe what is primarily a military operation. In

addition, some people oppose use of the term because they are concerned that it could be used as justification for an intervention that may have other motivations behind it, such as control of economic resources or support for a particular regime. For the purposes of this guide, we will use a broad definition of this term that includes non-military as well as military interventions.

Crimes Against Humanity and Genocide

The term "crimes against humanity" has multiple sources and interpretations; however, it is generally recognized as including acts such as murder, extermination, enslavement, deportation, torture, rape, and disappearance, when *committed as part of a widespread or systematic attack directed against any civilian population*. Whether a particular crime meets the threshold of being "widespread or systematic" remains a judgment call. The Rome Statute of the International Criminal Court (ICC), which established the court, does not define these terms. For a fuller definition, see page 7 below for excerpts from the Rome Statute.

"Genocide" is restricted to acts perpetrated against certain groups of people (national, ethnic, racial, or religious); and furthermore the *intent* to destroy such a group—in whole or in part—must be proven. The intent clause makes it challenging to prove genocide in real time, given that genocidal regimes don't generally document or publicize their policies as such. Clearly, as a threshold for intervention to *stop* a genocide, the definition is not very useful. (In July 2008 the ICC prosecutor requested an indictment of Sudanese president Omar al-Bashir. If the pre-trial chamber agrees, it would be the first-ever charge of genocide against a sitting head of state. This request came a full five years after the international community first became concerned about widespread attacks on civilians in Darfur.)

Crimes against humanity, in comparison, is a broader term than genocide and arguably more useful for the purpose of discussing intervention because it isn't as legally restrictive. These crimes include acts committed against *any* civilian population, and do not require the specific intent that genocide does. It is important to emphasize that these crimes are committed by individuals, who are tried as individuals, not as members of a group.

Crimes against humanity have been committed by a wide range of people. The accused could be a foot soldier or a high-level government official. The International Criminal Tribunal for the former Yugoslavia (ICTY), for example, has indicted former Serbian president Slobodan Milosevic for a variety of crimes, as well as police commanders and prison guards for murder and torture, and common soldiers for rape, among other crimes. International Criminal Tribunal for Rwanda (ICTR) indictees include former prime minister Jean Kambanda for inciting genocide, among other crimes, newspaper editor Hassan Ngeze for propagating hate media, and Mayor Jean-Paul Akayesu for his part in widespread killings and in the systematic rape of Tutsi women.

The term crimes against humanity also includes actions by members of paramilitary organizations (these groups are typically unofficial or quasi-official and are often funded by the government), warlords, rebel leaders, and members of rebel militias.

In northern Uganda, for example, government forces have been accused of numerous abductions, killings, and torture as they have battled the rebel Lord's Resistance Army (LRA), which in turn has been accused of kidnapping as many as 20,000 children for use as child soldiers and slaves. In 2005, the head of the LRA, Joseph Kony, was indicted by the ICC on 33 counts; 12 of those counts were for crimes against humanity, including murder, enslavement, sexual enslavement, and rape. [1]

The Revolutionary Armed Forces of Colombia (also known by the Spanish abbreviation FARC) have also been accused of kidnappings and widespread use of child soldiers, as have other paramilitary groups supported by Colombian army units.[2]

As you can see, crimes against humanity and genocide are not random acts of violence, and national authorities are often complicit in some way—either they are actively responsible or sanction the acts. In other cases, crimes against humanity may be committed by non-state actors and national authorities may fail to stop them. Because governments often play a role in perpetrating or ignoring crimes against humanity, international involvement in stopping such crimes frequently butts heads with the concept of sovereignty.

Sovereignty

> "It has taken the world an insanely long time, centuries in fact, to come to terms conceptually with the idea that state sovereignty is not a license to kill—that there is something fundamentally and intolerably wrong about states murdering or forcibly displacing large numbers of their own citizens, or standing by when others do so."—Gareth Evans, International Crisis Group

Sovereignty—meaning the independence and legal equality of states—is the foundation for international order. It has been enshrined in the United Nations Charter, which states that the United Nations is "based on the principle of sovereign equality of all its Members." The UN Charter allows only two ways for states to override the sovereignty of other states through the use of force: (1) in self defense; and (2) if the UN Security Council determines that a state's actions are a threat to the peace, a breach of the peace, or an act of aggression, and then authorizes intervention.

While there is much talk about upholding the principle of absolute sovereignty, in reality, states often allow sovereignty to be breached. There are numerous international agreements in which states agree to qualified sovereignty on many fronts (trade, human rights, communications, transportation) as well as regional organizations such as the European Union that restrict the sovereignty of their members to some degree.

The key question is: when does our commitment to humanity override our commitment to sovereignty? Should sovereignty shield a state from impunity and allow it to do whatever it wants within its borders, including killing its own citizens?

As the world began to pay more attention to the plight of civilians in internal conflicts after the Cold War ended, the concept of sovereignty began to shift. Francis Deng, named the UN representative on internally displaced persons in 1992, and others developed the concept of "sovereignty as responsibility"—states have the responsibility to protect their displaced populations; if they are unable to do so, the international community has the right and indeed the responsibility to act, starting with diplomacy, then sanctions or other pressures, and finally, as a last resort, military intervention.[3]

Evolution of Norms and International Law

Let us look now at how relevant international norms and principles have developed over the past few years, keeping in mind that actions have not necessarily kept up with the norms and principles.

The laws of war, also known as the laws of armed conflict or as international humanitarian law (IHL), developed out of customary law—a set of rules that had become the norm through widespread practice. These laws were later codified in treaties or conventions such as the Geneva Conventions, the Genocide Convention and other UN conventions, the Rome Statute, other treaties, and case law. The main purpose of these laws is to protect persons who are not, or are no longer, participating in hostilities. In addition to these conventions, several tribunals have been established to bring wrongdoers to justice, with the further aim of deterring future abusers and promoting reconciliation.

Geneva Conventions

The Geneva Conventions are a series of multilateral agreements, dating from 1864, that addresses the rights of non-belligerents during armed conflict. Originally conceived to protect wounded and sick soldiers in the field, the conventions expanded over the years to include prisoners of war and civilians in wartime, among others. Almost all the nations of the world have ratified the conventions, which set the standards for international humanitarian law. However, the conventions lack effective international enforcement mechanisms.

Genocide Convention

The term genocide was developed in large part in reaction to the Holocaust—the mass slaughter of some six million European civilians, mainly Jews, by the Nazis and their allies during the 1930s and 1940s. The term was coined by Raphael Lemkin in 1943 and his work became the basis for the Convention on the Prevention and Punishment of the Crime of Genocide, which was adopted by the UN General Assembly in 1948 and became effective in 1951. The convention defines genocide as certain "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group" (see box for the full definition). While the convention commits member states to preventing genocide and punishing its perpetrators, that has proven to be very difficult in practice.

There has been considerable controversy over which mass atrocities qualify as genocide. Most people agree that, since the Holocaust, the massacres in Rwanda qualify. Many would add Bosnia and Darfur.

"Genocide" as defined in Article 2 of the *Convention on the Prevention and Punishment of the Crime of Genocide* (1948)

In the present Convention, 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:

  (a) Killing members of the group;

  (b) Causing serious bodily or mental harm to members of the group;

  (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

  (d) Imposing measures intended to prevent births within the group;

  (e) Forcibly transferring children of the group to another group.

Other UN Instruments

The United Nations has adopted a number of instruments concerning human rights, including the Universal Declaration of Human Rights (1948) and conventions on racial discrimination (1969), torture (1987), and the rights of the child (1989), as well as a Security Council Resolution on Women, Peace, and Security (2000), and a series of Security Council Resolutions on the Protection of Civilians in Armed Conflict (1999, 2000, 2006).

Tribunals

In the 1990s, the international community established ad hoc tribunals to prosecute the perpetrators of crimes against humanity as well as war crimes and genocide. These included the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda. Unlike previous international tribunals, the ICTY and ICTR included rape and torture in the list of crimes against humanity.

On the local level, there were truth and reconciliation commissions in El Salvador, Sierra Leone, and East Timor, as well as Rwanda's community-based *gacaca* process for less serious offenses. The primary purpose of these commissions was to promote reconciliation after a recent armed conflict by investigating and reporting on past human rights abuses but a longer term goal was to help prevent future mass atrocities.

International Criminal Court

The International Criminal Court was established by the Rome Statute of the International Criminal Court of 1998, which went into effect in 2002. The ICC is an independent, permanent court with jurisdiction over the crimes of genocide, crimes against humanity, and war crimes. It is a court of last resort, to be turned to only if a state is unable or unwilling to prosecute these crimes. (See box for the Rome Statute's full definition of crimes against humanity.)

Some opponents of the establishment of the court argued that it would have vague and unreasonable powers, could put peacekeeping and humanitarian missions at risk, and could result in politically motivated prosecutions. Nonetheless, as of this writing, 106 states have become parties to the statute.

To date, the ICC has opened investigations into four conflicts: Uganda, the Democratic Republic of Congo, the Central African Republic, and Darfur.[4] It is probably too early to assess the court's effectiveness, since it has been operational for such a short time.

"Crimes against humanity" as defined in Article 7 of the *Rome Statute of the International Criminal Court (1998)*

1. 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:

  (a) Murder;

  (b) Extermination;

  (c) Enslavement;

  (d) Deportation or forcible transfer of population;

  (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;

  (f) Torture;

  (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;

(h) 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;

(i) Enforced disappearance of persons;

(j) The crime of apartheid;

(k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

2. For the purpose of paragraph 1:

(a) "Attack directed against any civilian population" means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack;

(b) "Extermination" includes the intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population;

(c) "Enslavement" means the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children;

(d) "Deportation or forcible transfer of population" means forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law;

(e) "Torture" means the intentional infliction of severe pain or suffering, whether physical or mental, upon a person in the custody or under the control of the accused; except that torture shall not include pain or suffering arising only from, inherent in or incidental to, lawful sanctions;

(f) "Forced pregnancy" means the unlawful confinement, of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law. This definition shall not in any way be interpreted as affecting national laws relating to pregnancy;

(g) "Persecution" means the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity;

(h) "The crime of apartheid" means inhumane acts of a character similar to those referred to in paragraph 1, committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime;

(i) "Enforced disappearance of persons" means the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.

(Article 7 continued from page 7)

Responsibility to Protect

> "If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that affect every precept of our common humanity?"—Kofi Annan

During the period 1998–2000 several UN Security Council resolutions addressed the issue of protection of civilians during hostilities. Resolutions on Kosovo, East Timor, and Sierra Leone all made reference to humanitarian actions that should be taken, and the resolution on women, peace, and security also called on all states to prosecute those responsible for genocide, crimes against humanity, and war crimes. The multinational peacekeeping operation in Sierra Leone set a precedent for peacekeeping mandates to include an explicit provision for the protection of civilians. Prior to 1999, peacekeeping operations generally focused on separating belligerents, upholding ceasefire agreements, and protecting humanitarian supplies. This was intended to provide security for the local population, but peacekeepers were not mandated—and often not allowed—to defend against direct attacks on the local population. The massacre in Srebrenica, which occurred in so-called "safe areas" in that region of Bosnia, and the genocide in Rwanda, which was witnessed by a peacekeeping force whose Security Council mandate did not allow them to intervene, sparked a serious review of the role of peacekeepers in such conflicts.

Out of this increasing emphasis at the normative level on the protection of civilians, coupled with high-profile failures in practice (Somalia, Rwanda, and Srebrenica) emerged the concept of "responsibility to protect" (sometimes abbreviated as R2P or RTP). This concept was articulated in detail by the 2001 report of that name produced by the International Commission on Intervention and State Sovereignty (ICISS). The commission had been established by the Canadian government and given a one-year mandate to try to forge a consensus on the issue of humanitarian intervention: when it should occur, under whose authority, and how.[5]

The most notable contribution of the commission's report was to refocus the debate—from the question of whether an international intervention on the territory of a sovereign state could be legally justifiable to the question of whether that state was fulfilling its legal responsibility to protect its own citizens. The report asserted that if a state is unable or unwilling to do so, that responsibility falls to the international community, which may intervene militarily in extreme cases.

2005 UN World Summit

In 2005 the United Nations convened a World Summit, billed as the largest gathering of world leaders ever, to address such wide-ranging topics as development, terrorism, health, the environment, the rule of law, humanitarian assistance, and management reform. Among other things, the summit endorsed the concept of the "responsibility to protect," concluding that the international community had the right to intervene in the case of "national authorities manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity." Security Council Resolution 1674 in 2006 reaffirmed this stand and committed the Security Council to "take timely and decisive action for this purpose." (See box for the relevant passages in the outcome document.)

Despite the agreement on general principles, the World Summit document was controversial at the time and remains so. Proponents of R2P argue that the document firmly places crimes against humanity on par with other threats to international peace and security, establishing not only the legitimacy to intervene in such cases, but the moral obligation to do so. Opponents argue that R2P reflects a neo-imperialist western agenda that seeks to justify military interventions in the developing world to advance the interests of western powers, and that at best the summit agreed to further discussion on this issue. In any event, the agreement is proving difficult to implement in practice. The Security Council itself is deeply divided as to who should intervene and under what circumstances. There are substantial concerns on the part of some members about legality, process, and the possible misuse of precedent.

Although the conflict in Darfur erupted at least two years before the summit took place, many viewed it as the first major test for the principle of R2P. Some critics have argued that the international community has failed this test, given the fact that at least 200,000 have died and more than two million have been displaced to internal refugee camps and across the border in Chad.

Similarly, the economic and political crisis in Zimbabwe has led to hundreds of thousands of internally displaced people and millions of refugees, many of whom have gone to South Africa. Because of the already volatile situation in Zimbabwe, South African dock workers in April refused to unload a shipment of arms from China that was bound for Zimbabwe. Despite this and efforts by human rights organizations, the arms did eventually reach Zimbabwe.

The May 2008 cyclone in Myanmar (also known as Burma) presented a somewhat different case. Here, the initial devastation was a natural disaster not a human one. But the Myanmar government resisted foreign aid on grounds of sovereignty, thereby increasing suffering for many of the million or more victims of the storm. Should the international community have invoked the concept of "responsibility to protect" and intervened to deliver humanitarian aid in these cases?

The Act of Intervention

Once a mass atrocity occurs, the international community must face a number of serious questions: how should it react, who should undertake the actions decided upon, and under what authority should they act.

The Question of Authorization

The UN Security Council has the ultimate authority for intervention under the UN Charter, which states that the Security Council "may take such action . . . as may be necessary to maintain or restore international peace and security." The charter also acknowledges the important security roles of regional and sub-regional organizations, but requires that no enforcement action be taken without the authorization of the Security Council. In some cases, however, this authorization has come after the event, as was the case with the Economic Community of West African States Monitoring Group (ECOMOG) interventions in Liberia in 1992 and Sierra Leone in 1997.

There has been considerable debate over what to do when the Security Council is deadlocked over whether to intervene (for example, in Somalia in the early 1990s and Kosovo in the late 1990s). One approach could be for regional and sub-regional organizations to take collective action within their defining boundaries. If no appropriate regional organizations exist, the case could be made for action by multinational coalitions, what the ICISS report calls "partnerships of the able, the willing, and the well intended—and the duly authorized." Most governments frown upon interventions by individual states or ad hoc coalitions that do not have UN Security Council approval.

However, some regional organizations have asserted the authority and willingness to intervene within their own region. The African Union in its Constitutive Act of 2002 has given itself the right to intervene in cases of war crimes, genocide, and crimes against humanity. The African Union established a Peace and Security Council (PSC) in 2004 and charged the council with anticipating and preventing conflicts, and where conflicts have occurred, with peacemaking, peacebuilding, and post-conflict reconstruction. Accordingly, the African Union has sent peacekeeping operations to Darfur and Somalia, and the PSC is in the process of establishing a permanent standby force.[6]

Similarly, the revised Economic Community of West African States (ECOWAS) treaty of 1993 assigned that organization the responsibility of preventing and settling conflicts in West Africa. ECOWAS had already established a multilateral but non-standing armed force in 1990, the ECOWAS Monitoring Group. ECOMOG has intervened in Liberia, Sierra Leone, and Guinea-Bissau.

On the other hand, the Organization of American States (OAS) Charter clearly prohibits intervention by one state in another state's affairs, although the OAS has two offices that deal with human rights abuses: the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights.

The largest regional association in Asia, the Association of South East Asian Nations (ASEAN), has a mandate to promote regional peace and stability but has been reluctant to intervene in internal affairs such as human rights abuses.

The European Union's humanitarian efforts have mostly been confined to foreign aid. It has long provided emergency economic assistance and election observers and given grants for short-term prevention and rapid response. It has, however, also deployed forces on peacekeeping missions in Africa,

the Middle East, and the Western Balkans. Most recently, it has established its own rapid response capacity, EU Battlegroups, which became fully operational in 2007. There are fifteen rotating groups of 1500 members each, with two groups ready at all times. It is EU policy to partner with multilateral organizations such as the African Union or United Nations in its peacekeeping efforts.

The North Atlantic Treaty Organization (NATO) operated primarily as a collective security organization until the end of the Cold War. In the 1990s, however, it became involved in the former Yugoslavia. In 1999 NATO conducted a three-month bombing campaign in an effort to prevent Serbian-led ethnic cleansing in Kosovo. That campaign did not have UN authorization but subsequently the United Nations did authorize the NATO-led peacekeeping force in Kosovo (KFOR).

In sum, authorizations for missions can be quite complicated. In some cases, the United Nations authorizes a UN mission, in some cases the United Nations delegates the authority, and in other cases the United Nations authorizes a mission after the fact. In addition, the United Nations sometimes authorizes its own mission to follow a previous unauthorized intervention.

Because formal authorization is so closely related to the legitimacy—or legality—of an intervention, it raises the question of whether an intervention conducted without Security Council authorization can ever be considered legitimate. Some people argue that in cases where people's lives are at risk on a large scale, it is more important to save lives than to worry about the "right" authority. Still, it is clear that most governments feel much more comfortable when the United Nations has approved, in whatever manner, the proposed intervention.

Who Should Intervene?

The question of who should intervene continues to be contentious. A variety of options exist: UN peacekeeping missions, which have increased dramatically since the 1990s; regional organizations, which have implemented perhaps a dozen non–UN authorized interventions as well as several authorized ones; and unilateral efforts. Non-governmental organizations (NGOs) also play a role in protecting civilians. In addition to providing humanitarian relief in conflict situations, which is in itself a form of intervention, organizations such as Peace Brigades International operate on the principle that the very presence of international NGO workers can act as a deterrent to targeted attacks.

If the national authorities are unwilling or unable to take adequate measures to protect their own citizens, who, exactly, can intervene?

United Nations. There were over 100,000 peacekeepers in 20 peace operations in 2007. These range from observer missions to operations with robust protection mandates, such as in the Democratic Republic of Congo (DRC). Over 73,000 of those currently serving are troops and military observers and nearly 9,500 are civilian police. In addition, there are almost 5,700 international civilian personnel, more than 12,400 local civilian staff, and some 2,000 UN Volunteers.[7]

UN peacekeeping operations were initially designed to keep two warring parties apart and/or to monitor a ceasefire agreement. Over the years, peacekeeping has become much more complicated and now includes a range of activities to assist with the longer term development of a country after a conflict. Additionally, as mentioned earlier, peacekeeping operations have taken on more and more responsibilities for providing direct protection to civilian populations. However, peacekeepers are typically only sent to a country if a government is willing to accept them. Needless to say, if the government itself is committing crimes against humanity, it is unlikely that it will agree to a peacekeeping operation.

Multilateral and regional security organizations. NATO, the European Union, the African Union, and ECOWAS all have some capacity to intervene militarily; see the section above for examples

of their interventions. The Organization for Security and Cooperation in Europe (OSCE), the OAS, and others can undertake prevention and diplomatic interventions.

In a recent example of regional involvement, the African Union sent Kofi Annan, former UN secretary general, to Kenya in early 2008 for five weeks to help its leaders hammer out a power-sharing arrangement that would prevent further violence. The UN Security Council supported Annan's diplomatic invention, as did the United States.

Lead-nation coalitions. Lead-nation coalitions have included the U.S.-led United Task Force (UNITAF) in Somalia in 1992–1993 and the Australian-led International Force for East Timor (INTERFET) in 1999–2000.

Individual states. These individual states may be neighbors, as was the case with Ethiopia's intervention in the Somali civil war in 2006. They may be post-colonial powers like France in Cote d'Ivoire in 2002. Because such efforts are often criticized as self-serving and lacking impartiality, most concerned states try to recruit a coalition or secure a UN or regional endorsement.

Non-governmental organizations. Among other things, NGOs can provide humanitarian assistance, monitoring, advocacy, track two diplomacy, and peacebuilding.

One important role they play is sometimes referred to as field presence or "presence as protection."[8] Key methods include regularly scheduled visits, unscheduled visits as part of rapid response during crises, and accompanying high risk individuals when necessary. Peace Brigades International, for example, has provided unarmed protective accompaniment to threatened individuals and groups in Colombia, Indonesia, and Nepal.

In addition to its well-known relief activities, the International Committee of the Red Cross (ICRC) works to protect civilians by monitoring conflicts, publicizing abuses, visiting prisoners of war and other detainees, and helping families trace missing persons. Other NGOs such as Amnesty International and Human Rights Watch focus more on mobilizing public opinion and direct lobbying on human rights issues.

In Darfur, for example, several dozen NGOs have been active, including the Genocide Intervention Network, Enough, and Save Darfur.

Private military companies. In 1995, a private South African firm called Executive Outcomes provided soldiers, armor, and support aircraft to the government in Sierra Leone, helping it to recapture valuable diamond fields from the rebel insurgency, the Revolutionary United Front (RUF), and forge a negotiated peace. Without that support, the civil war would almost certainly have dragged on for years, with continued abuses on both sides. Some thought that private military companies like Executive Outcomes would become a model for future interventions, but Executive Outcomes disbanded when South Africa outlawed private armies because of allegations of abuse and corruption. Numerous private military companies now provide logistics, training, and other mission support to peace operations, but they are not directly involved in combat.

Other international organizations. The International Bank for Reconstruction and Development (part of the World Bank Group) and International Monetary Fund can play a role by, for example, providing emergency financing to offset the effects of dramatic increases in food or fuel prices that threaten to destabilize countries at risk of mass atrocities. The Organization for Security and Cooperation in Europe conducts human rights activities that focus on freedom of movement and religion, preventing torture, and trafficking in persons. It has missions in Kosovo and Montenegro.

Each type of actor has certain advantages and disadvantages. The United Nations has the clearest claim to the most legitimate authority, and the World Summit Outcome Document of 2005 reinforced that claim.

But because each of the five permanent members of the UN Security Council has the right to veto any resolution, the Security Council often fails to take effective action. It is also overextended at present.

Regional organizations can be effective, especially if endorsed by the United Nations. They often lack adequate resources and training, however.

Major states like the United States are most likely to have the necessary resources and trained personnel. Their involvement may invite resistance because of perceived political bias or the desire to advance their economic interests.

Neighboring states have the greatest motivation to intervene, since they are usually directly affected. The risk is that they may be motivated more by self-interest than by the interests of the endangered civilian population.

Methods and Examples

The question remains, how do we do a better job of protecting civilians from targeted or systematic attacks? Clearly the international community has failed in some intervention efforts, succeeded in some, and produced mixed results in others, using a variety of diplomatic, economic, and military methods. Part of the answer to our question lies in more effective use of existing resources, and part in developing new capabilities and approaches. Keep in mind that these methods were rarely used in isolation. Military measures in particular were typically part of a larger package of political and economic efforts.

Early Warning and Monitoring

One key to confronting crimes against humanity is effective early warning and monitoring of emerging conflicts. The earlier one knows about abuses or potential atrocities, the easier it is to stop them. A number of NGOs devote considerable time to monitoring mass atrocities, including the International Crisis Group, Human Rights Watch, and Amnesty International, and their web sites provide up-to-date information. There are also numerous "watchlists" developed by NGOs and government agencies, but they seem to have been of limited usefulness. The issue is not necessarily a lack of information, but a lack of action based on that information. In other words, watchlists are important, but not sufficient.

There are also genocide risk models developed by academics but they seem to have limitations too. The consensus seems to be that they are useful as one tool among many. One recommendation is to establish internationally agreed upon watchlist criteria to promote multilateral cooperation on high-risk situations. The ICISS report recommends a "system-wide coordination of early warning mechanisms."[9]

Recent technological advances have made it much easier for the general public to get involved.

- "Eyes on Darfur" is an Amnesty International project that uses high-resolution satellite imagery to enable individuals and organizations to monitor atrocities in twelve intact but vulnerable villages in Darfur.

- Google Earth and the U.S. Holocaust Memorial Museum joined forces in 2007 to launch "Crisis in Darfur," the first project of the museum's Genocide Prevention Mapping Initiative. This online project contains maps based on data from the U.S. State Department and UN offices, photos and videos, and testimonies. Viewers can also use the site to create their own presentations.

Good Offices

The term "good offices" refers to efforts by a third party, such as another government or a non-governmental organization, to encourage fighting parties to sit down and negotiate. This third party

derives its influence primarily from its reputation and moral authority with the competing factions, rather than from its own capacity to influence events on the ground. One recent example is the U.S.-brokered ceasefire in North Kivu province of Eastern Congo in January 2008. Clearly, if one can get the parties to talk rather than fight, one reduces the opportunities for atrocities.

Other Political and Economic Measures

Non-military options include economic carrots and sticks, media campaigns, and a host of other political actions, in addition to the non-military interventions to deliver humanitarian assistance mentioned earlier.

In terms of prevention, short-term efforts include such political measures as problem-solving workshops, diplomatic isolation, travel restrictions, and media campaigns such as "naming and shaming." Economic measures include promises of new funding, withdrawal of investment, and curtailment of aid. Legal measures include mediation and human rights monitoring.

More long-term measures include help with democratic institution building, power-sharing arrangements, and promotion of civil society including independent media; development and technical assistance, including a pool of unrestricted development funds; and support for human rights groups.

As for reacting to crimes against humanity that occur in ongoing conflicts, the options include such sanctions as arms embargoes, restrictions on income-generating activities, and restrictions on diplomats (such as expulsion). Note, however, that many scholars argue for caution in the use of sanctions, since they sometimes harm citizens more than officials, and often can be circumvented.[10]

Interventions Involving the Military

As noted earlier, the international community's willingness to intervene militarily in internal conflicts increased dramatically in the 1990s.[11] These interventions tended to be more clearly for humanitarian reasons and were more often multilateral, frequently involving the United Nations. Some countries experienced several missions in succession.

Missions have been mounted in Liberia (ECOMOG), Sierra Leone (ECOMOG, UNAMSIL), Cote d'Ivoire (France), Kosovo (NATO, KFOR), East Timor (INTERFET), and Bosnia (IFOR, SFOR).

In 2003, the European Union conducted its first mission outside Europe—Operation Artemis in the eastern DRC—and in 2008 the European Union sent a mission to eastern Chad to act as a buffer for Darfur refugees. The European Union has also provided funds for "protection and psychosocial support" in Chechnya and to Palestinian refugees.

The African Union sent missions to Burundi in 2003, Darfur in 2004, and Somalia in 2007. ECOMOG, in addition to intervening in Liberia and Sierra Leone, has sent a mission to Guinea-Bissau, as noted earlier.

Despite the increased willingness to intervene, there has been ongoing resistance within the international community to developing a standing capacity for humanitarian intervention. The idea of a UN standing army has been discussed and continues to be rejected. However, there are efforts underway to improve training for peacekeeping and develop doctrine that would guide their actions. At the regional level, it is too early to tell if the EU Battlegroups described above will prove effective, and whether the planned AU standby force will come to fruition.

Conclusion

Whatever name one applies to these heinous acts—crimes against humanity, genocide, mass atrocities— they seem to be the hardest crimes to deal with. For a century, the international community has been

searching for effective ways to prevent them, stop them quickly when they occur, help rebuild societies in their wake, and hold perpetrators accountable. In the past decade and a half, several major efforts have been undertaken to resolve such difficult issues as the sovereignty of individual states versus the need for humanitarian intervention and to develop new concepts such as the responsibility to protect civilians.

These efforts have made some headway, but much remains to be done.[12] In this study guide, we have described some of the existing tools and suggested ways they could be made more effective, and we have described some promising new approaches. We encourage learners, educators, and others to explore the topic of crimes against humanity further so they can participate as active citizens in a world that is struggling to meet the complex challenges presented by these mass atrocities.

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The endnotes are on page 35.

Glossary

Accountability: The notion that individuals who commit crimes against humanity should be held accountable for their actions, either by the state they occurred in or by the international community.

Apartheid: Former policy of racial segregation and discrimination in South Africa. Sometimes applied to other kinds of separation.

Capacity building: Creating and strengthening a nation's institutions, including human resources development, organizational development, and legal and regulatory development. These institutions can be public, private, or non-governmental.

Conflict management: Measures that are meant to limit, mitigate, and contain conflict, eventually enabling a transformation from conflict to lasting peace by addressing the root causes and effects of conflict.

Conflict prevention: Measures taken to keep low-level or long-festering disputes from escalating into significant violence between parties and to limit the spread of violence if it occurs. Sometimes referred to as *preventive diplomacy,* although the latter term is typically reserved for actions by states or the United Nations.

Conflict resolution: Measures taken to address the underlying incompatibilities of a conflict and thereby enable the parties to terminate the conflict and deal with disputes through open and predictable processes.

Crimes against humanity: Mass killings and targeted attacks against civilians, described more fully in the Rome Statute of the International Criminal Court. The guilty individual must carry out a policy of widespread or systematic violations. Crimes against humanity do not require the specific intent that genocide does.

Deportation: The forced evacuation of civilians from their home to another area or state.

Development aid: Assistance given to developing countries to support their economic, social, and political development. Such assistance usually comes form individual countries or from international organizations such as the Organization for Economic Cooperation and Development and the World Bank Group. Development aid tends to be aimed at long-term problems such as poverty, whereas humanitarian aid (see below) is usually aimed at short-term problems such as providing clean water or food.

Disappearances: A euphemism for politically motivated murders or abductions, usually performed by or with the support of government or political organizations.

Early warning: The assessment of high-risk situations so as to provide timely warning of escalating violence.

Economic sanctions: The imposition of economic boycotts and embargoes. Economic sanctions can also include tariffs, trade barriers, import duties, and import or export quotas.

Ethnic cleansing: The attempt to eradicate or displace an ethnic group, first used to describe the situation in the former Yugoslavia in the 1990s.

Gacaca: Rwanda's community-based judicial process for less serious offenses, established in 2001 to help deal with the massive number of detainees in the wake of the 2004 genocide.

Geneva Conventions: The Geneva Conventions consist of four treaties, with subsequent additions and revisions, that set the standards for international law for humanitarian concerns. They chiefly concern the treatment of non-combatants and prisoners of war.

Genocide: Certain "acts committed with intent to destroy, in whole or part, a national, ethnical, racial, or religious group," as defined by the Genocide Convention.

Genocide Convention (Convention for the Prevention and Punishment of the Crime of Genocide): A 1948 UN treaty that defines and outlaws genocide. The convention entered into force in 1951.

Holocaust: The state-sponsored murder of approximately six million European Jews in the 1930s and 1940s by the Nazi regime and its collaborators.

Humanitarian aid: Food, water, and other supplies brought to war-torn areas by other countries or relief organizations such as the Red Cross and Red Crescent.

Humanitarian intervention: An intervention undertaken to protect people at risk. Some analysts use the term interchangeably with "military intervention"; others argue it should be reserved for the delivery of humanitarian aid. Broadly speaking, the term includes non-military as well as military interventions.

Human Rights: The basic rights and freedoms to which all humans are entitled. Supported by several international conventions and treaties (such as the United Nation's Universal Declaration of Human rights in 1948), these include the right to life, liberty, education, and equality before law, and the right of association, belief, free speech, religion, and movement.

Intergovernmental organizations (IGOs): Bodies formed by two or more governments to promote the interests of those states. They can be global like the United Nations or the Universal Postal Union, or regional like the African Union or the European Union.

International Commission on Intervention and State Sovereignty (ICISS): Established by the Canadian government, this commission delivered its report, *The Responsibility to Protect,* in December 2001. The report introduced the R2P concept.

International Criminal Court (ICC): An independent, permanent court that tries persons accused of genocide, crimes against humanity, and war crimes. The ICC is a court of last resort. It was established by the Rome Statute in 1998 and went into effect in 2002. Currently, 106 countries are party to the statute.

International Criminal Tribunal for the former Yugoslavia (ICTY): A UN court established in 1993 to prosecute persons accused of serious crimes committed during the wars in the former Yugoslavia. It is located in The Hague, The Netherlands.

International Criminal Tribunal for Rwanda (ICTR): A UN court established in 1994 to prosecute persons accused of serious crimes committed during the Rwandan genocide of that year. It is located in Arusha, Tanzania.

International humanitarian law (IHL): The law of war that is outlined in the Geneva Conventions and other documents. It defines the conduct and responsibilities of nations and individuals engaged in warfare, especially as relates to the protection of civilians.

Just war theory: the belief that the use of force is acceptable only if it meets certain standards: right authority, just cause, right intention, last resort, proportional means, and reasonable prospects of success. The actual conduct of war must meet the standards of proportional means and discrimination (immunity for non-combatants). Note that different sources, including the ICISS report, cite somewhat different standards.

Non-governmental organizations (NGO): Private, self-governing, not-for-profit organizations dedicated to serving the public good. Also known as private voluntary organizations, civic associations, non-profits, and charitable organizations.

North Atlantic Treaty Organization (NATO): An alliance of twenty-six countries from North America and Europe formed in 1949 to safeguard the freedom and security of its member countries by political and military means. NATO is playing an increasingly important role in crisis management and peacekeeping.

Nuremberg Principles: A set of guidelines for determining what constitutes a war crime. The document was created during the Nuremberg Trials of Nazi party members following World War II.

Peace operations: The most widely known type of peace operation, *peacekeeping* is typically performed by an official UN peacekeeping force or a neutral nation whose purpose is to help keep the peace after an agreement has been negotiated. *Peacemaking* involves the process of negotiating an agreement between contending parties, often with the help of a third-party mediator. *Peacebuilding* is the long-term process of addressing root causes and effects, reconciling differences, and normalizing relations.

Reconciliation: The long-term process by which the parties to a violent dispute build trust, learn to live cooperatively, and create a stable peace. It can happen at the individual level and the societal level, as well as at the community level (for example, the *gacaca* process in Rwanda).

Regional organizations: Intergovernmental organizations that focus on a specific region, such as the African Union, Arab League, Association of Southeast Asian Nations, European Union, and Organization of American States.

Responsibility to protect (R2P or RTP): A recently developed concept, R2P asserts that states have an ethical and legal responsibility to protect their people, but if a state is unable or unwilling to do so, that responsbility falls to the internatiional community, which may intervene militarily in extreme cases.

Rome Statute of the International Court: This 1998 statute established an independent, permanent International Criminal Court (see above).

Rule of law: The governing principles of a democratic society, including representative government, free elections, a system of checks and balances, separation of powers, due process, equality before the law, a free press, mechanisms for the non-violent resolution of disputes, and an independent judiciary.

Sanctions: Actions taken by countries against others for political reasons. Sanctions can be diplomatic (reduction of diplomatic ties, for example), economic (see above), or military (armed intervention).

Sovereignty: The principle of non-interference in the affairs of independent and self-governing states. In practice, however, states often allow sovereignty to be breached through, for example, international convenants or trade agreements.

Truth and reconciliation commissions: Official bodies, usually set up by states after periods of unrest, whose main task is to establish a record of wrongdoing as part of an overall process of catharsis and reconciliation.

War crimes: Crimes committed during armed conflict in violation of the laws of war or international humanitarian law.

Watchlists: Lists of countries at risk for crimes against humanity, maintained by government agencies or non-governmental organizations as early-warning mechanisms.

World Summit Outcome Document: A document produced by the United Nations' 2005 World Summit that endorsed the concept of responsibility to protect.

For Discussion and Investigation

Discussion I: Dealing with Violence and Crime

Before reading "Confronting Crimes Against Humanity," answer the following questions individually or as a group.

1. Have you ever witnessed a crime? What crimes have you read about or seen reports about in the local media? What crimes have you read about or seen reports about in other countries?

2. What are the ways that governments, organizations, and individuals discourage and stop crime? What do international organizations do to discourage and stop crime?

3. What are some examples of laws that guide behavior and stipulate punishment for violent crimes?

4. What are some possible circumstances in which crimes cannot be stopped?

5. What can governments and others do about these kinds of crimes?

Discussion II: Dealing with Crimes Against Humanity

After reading "Confronting Crimes Against Humanity," answer the following questions individually or as a group.

1. What characteristics distinguish crimes against humanity from the types of crimes that occur most often in your area? List the characteristics for each as you compare and contrast the two.

2. In what ways are your local laws similar to international law? List the characteristics for each as you compare and contrast the two.

3. Why is sovereignty important to countries? What are the risks involved with outside interventions that challenge or weaken sovereignty?

4. Describe the actors that are involved in stopping crimes against humanity and list possible intervention methods—from those that are the easiest to carry out to the most difficult. What factors make an intervention method easier or more difficult? What other factors should the potential intervenor consider?

5. How does the type of conflict influence the type of crimes against humanity? How does the type of conflict influence the choice of intervention methods?

Activity I: Concept Map

After reading "Confronting Crimes Against Humanity," and having the discussions above do the following activity individually or as a group.

Draw a concept map to visually represent your understanding of the interaction of crimes against humanity, stakeholders, and conflict. A concept map is a diagram that helps learners organize and understand the relationships among complex ideas and explain those relationships. The point of creating a concept map is not to draw the prettiest picture, depict every symbol perfectly, or include every detail, and there is no one right answer. Text can be used where an appropriate image is difficult to identify.

After the concept maps are completed, the learners present their maps to the group and take questions. This part of the activity should help learners identify ideas that need clarification or perspectives they might explore further.

To see examples, go to http://www.usip.org/class/resource/concept_map.pdf.

Activity II: Timeline

After reading "Confronting Crimes Against Humanity," do the following activity individually or as a group.

Research human rights conventions. Make a list of human rights conventions, noting the years. Create a timeline for the conventions.

On the timeline, place violent conflicts in which crimes against humanity were committed that you have learned about in your classroom or through research.

On the same timeline, place actions taken in reaction to the crimes by international and regional organizations, nations, and NGOs.

After the timelines are completed, the learners present their timelines to the group and take questions about how specific conflicts impacted the conventions, and how international actors responded.

Activity III: Additional Research

After reading "Confronting Crimes Against Humanity," do the following activity individually or as a group.

Did any of the cases mentioned in the reading interest you more than others? (For an additional challenge, ask your instructor or do some research to find out if there are less known cases you can investigate.) Explain why this case is more interesting to you than the other ones in the reading. Collect the following information about the conflict to develop your own ideas about how crimes against humanity can be stopped.

- Parties involved in the conflict (victims and perpetrators).
- The environment in which the conflict takes place (for example, geography, culture, politics).
- Parties that have been involved or should be involved in alleviating or ending the conflict.
- Obstacles to halting the crimes, and obstacles to resolving the larger conflict.

After reading "Confronting Crimes Against Humanity," use the following simulation exercise. **Directions on how to use the simulation follow the section on roles.**

Learning Objectives

Learners will:
- Understand the difficulty and complexity of enforcing international laws among sovereign states.
- Enhance understanding of conflict and peacemaking.
- Broaden understanding of the relationship between violence against civilians and conflict.
- Discover, define, and transform a problem.
- Understand multiple interests and perspectives.
- Develop concrete steps to resolve a problem.

Related Terms

international conventions, crimes against humanity, sanctions, sovereignty, accountability, intervention

Materials

A copy of the simulation background, simulation scenario, and one of the roles for each participant. The map can be shared or drawn on the board.

Simulation Map

Simulation Background

International human rights advocacy groups have been rallying for international intervention to stop what they say are crimes against humanity that are being committed by the government of Taren and the Popular Front for Freedom of Aspera (PFFA), a rebel group, against innocent civilians in the province of Aspera. While it is difficult to determine the exact number of casualties of this conflict, it is clear that the situation in Aspera is dire. The conflict is estimated to have resulted in at least 30,000 civilian deaths and to have displaced more than 250, 000 people over the past five years. According to the Watchlist on Children and Armed Conflict, as many as 9,000 girls has been trafficked for forced labor and the sex trade, and the estimate for the number of children who have been recruited and abducted by both sides to participate in the conflict is as high as 20,000. Various sources say anywhere from 31,000 to 42,000 Asperans, some with only the remotest link to the PFFA, have disappeared under mysterious circumstances, were brutally assaulted, or are being held captive.

Taren has had a tumultuous, conflict-laden history. Historically, Aspera was an autonomous kingdom that was annexed by Taren after the British colonial powers were driven out of the area. Although at the time, Taren agreed to give Aspera special autonomous status, the Tarenese government has not lived up to its promise. Despite the country's abundant natural resources, most Tarenese are poor and the poorest are in the province of Aspera. The Tarenese government controls all natural resources in the country. Aspera has the largest amount of arable land and significant deposits of copper and coltan (a key mineral used in cellphones), but remains the poorest and most underdeveloped province in the country. Furthermore, Asperans are ethnic minorities in Taren.

The violent conflict between the Tarenese government and the PFFA has persisted for more than thirty years but a spike in intensity started ten years ago when Candice Mazuto, a retired general in the Tarenese Armed Forces, won her third election as president. At the same time, accusations of corruption and political oppression caught widespread international attention when video footage leaked out of the very closed country showing how brutally the Tarenese military treated the 20,000 people who demonstrated against the election's outcome. In addition, a paramilitary group known as the Black Star, with the support of the Tarenese government, has been spreading fear among the regime's opponents. Members of this paramilitary group have been known to draw black stars on brutally beaten bodies and on doors as a warning to those who speak ill of the current regime. The Black Star raids villages throughout Aspera, leaving in their trail charred homes, disappearances, mutilated bodies, and murder victims. It is clear that President Mazuto has been tolerating and even supporting the Black Star. There are also reports that the Tarenese military has been using violence, including sexual violence, to force Asperans out of their villages in Aspera as well as in other provinces. The PFFA are also perpetrators of violence. In their effort to sustain and grow their rebel forces, the PFFA has been raiding villages, pilfering supplies and forcing children and young men to join the PFFA.

As a result of the long conflict, infrastructure in many of the Aspera's rural and even urban areas has been damaged. NGOs have had difficulty delivering aid within Aspera because of the violence. Those who had to flee their homes have been living in refugee camps along the borders of Taren's neighboring countries, Tano and Aslego. Tano is struggling with its own separatist movement and has strong economic ties with Taren. Aslegonese and Asperans can trace their cultural origin to the same region in Aslego and even have a similar dialect. Many suspect that the Aslegonese government is funding the PFFA and is engaged in highly profitable illicit ventures, including helping the PFFA smuggle coltan out of Aspera. Many of the UN member countries have issued statements expressing "grave concerns" about the deplorable treatment of civilians by the Tarenese government and the PFFA. Nonetheless, crimes against humanity continue to be committed against Asperan civilians in Taren.

Simulation Scenario

The UN Security Council has agreed to seriously consider the conflict in Taren. As the first step, it has requested that the UN secretary general investigate the situation in Taren and report to the council. The Security Council will consider the report in deciding how to deal with this conflict. The secretary general has asked that a special high-level panel be convened to make recommendations on how to save the innocent victims in this conflict. As a member of the panel, you will participate in discussions to bring out the complexities of the situation in Taren and to produce a report that describes the challenges and makes actionable recommendations. The secretary general will make the final decision about how the Security Council should deal with this conflict. In crafting your recommendations, you must consider the challenges involved, identify allies and available resources, and compose a thoughtful report that will help the Security Council to best address the crisis in Taren.

Simulation Roles

Role 1. UN Special Representative for the Taren Conflict
You are a discussant and also responsible for moderating the proceedings of the meeting. You have your own perspective on the issues, but you will be careful not to dominate the discussion. Your first priority is to make sure the panel members define the problem together, highlight key issues, discuss solutions, and arrive at a set of realistic recommendations.

You believe that the first step is to broker a ceasefire that will lead to a peace agreement. You are concerned that the lawlessness of the conflict allows crimes against humanity to occur. The response of the international community to the situation in Taren should not interfere with attempts to secure an agreement to stop the conflict. You oppose any suggestions to charge government and rebel leaders with crimes against humanity because doing so would almost certainly remove their incentives to work for peace. Many suspect that the Aslegonese government is funding the PFFA and is engaged in highly profitable illicit ventures, including helping the PFFA smuggle coltan out of Aspera. You are concerned that Aslego wants to see Asperans secede or the fight continue so that Aslego can continue to profit from Taren's resources.

✂--

Role 2. Chief of Mission, Mercy Corps
You want to provide aid to civilians on all sides of the conflict. You are primarily concerned with emergency relief. NGOs are not able to get aid into the country because the infrastructure has been damaged and the rebel groups are attacking aid convoys. You are not involved in political discussions to end the conflict. You think that intervention of some kind is needed; if charging rebel leaders and President Mazuto with crimes against humanity helps that happen, you would support it wholeheartedly. However, you are concerned that charges against Mazuto may prompt her to close off the country to all aid.

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Role 3. Permanent Representative of Tano to the United Nations
Your government does not want to turn a blind eye to the plight of Asperans. However, your country simply does not have the resources to police and protect the refugees. The presence of the Asperans in your country is causing unrest in the provinces near the border. Tanoans fear that refugees will drain

national resources, take jobs from local residents, and commit crimes. Tano has its own troubles with separatist movements, so your government is concerned that whatever intervention method is used by UN member states will later be used in Tano. Tano has an authoritarian government and it realizes that the outcome of this conflict can mean that Tano's sovereignty might be challenged by the international community in the future.

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Role 4. Permanent Representative of Aslego to the United Nations
Traditionally, the Aslegonese have gotten along well with the Asperans. Both Aslegonese and Asperans can trace their cultural origin to the same region in Aslego and even have the same dialect. In fact, many suspect that the Aslegonese government is funding the PFFA and is engaged in highly profitable illicit ventures, including helping the PFFA smuggle coltan out of Aspera. You believe that the only way to stop the violence against the Asperans is through military intervention. The Aslegonese government is willing to provide troops and logistical support for that purpose. The Aslegonese military could play a critical role in a military mission because of Aslego's historically positive relationship with the Asperans and familiarity with Aspera's culture, language, and geography.

✂--

Role 5. Permanent Observer of the European Commission to the United Nations
You represent the European Commission, which is the executive branch of the European Union (EU). Although you are alarmed by reports of atrocities, the lack of precise information makes you wary of committing to a military intervention. Also it would be difficult to impose economic sanctions since EU's member countries rely heavily on Taren's coltan. You prefer instead to informally engage rebel leaders through back channels (unofficial channels of communication) provided by non-governmental figures. For example, your uncle is a close friend with a high-ranking bishop in Taren. The bishop is well regarded by both sides of the conflict, who are Christians of the same denomination.

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Role 6. Permanent Representative of the United States to the United Nations
You have had a distinguished career in humanitarian affairs and served as the head of the Red Star in Washington, DC. You wish to send peacekeepers to Aspera. But without a ceasefire or a treaty ending the conflict, the peacekeepers, who do not have the authority to take offensive action, would be put at great risk. The United States is willing to impose economic sanctions, but since your country does not have a strong trade relationship with Taren, you recognize that unilateral sanctions would not create much pressure. Sending in peacekeepers is also an option you would support, but you are not willing to send in U.S. troops, and to provide logistical support you would have to divert money from other U.S. foreign aid.

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Role 7. Permanent Representative of the Russian Federation to the United Nations
You have strong diplomatic and economic ties with Taren. Russian construction and communication companies have built most of Taren's modern cities. Taren is Russia's largest provider of coltan and other valuable minerals, and you want to continue to receive preferential treatment from Taren. You believe that much of what is known about the conflict in Aspera is exaggerated and that Taren is entitled to maintain its territorial integrity and exercise its national sovereignty as it sees fit. You will oppose any intervention that might be considered harsh by the Tarenese government.

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Simulation Directions

The scenario in this role-playing exercise allows learners to represent different perspectives about crimes against humanity and the responsibilities of the international community, and to explore solutions that are available to the international actors. In their roles, the learners will make recommendations for how the international actors can save the targeted victims in the fictional country of Taren.

The exercise can help learners think through the many concerns and interests that come into play when international actors want to stop crimes against humanity during conflict and can provide them with a case to test some of their ideas about how to promote cooperation and stop these crimes. After the role-play, use the debriefing questions on page 27 to explore additional ideas.

Required

- A group of three to thirty participants.
- Someone to manage the participants throughout the exercise and to facilitate the simulation discussion, such as an instructor or a group leader.
- Copies of the simulation background and the simulation scenario for each participant.
- A copy of one of the role descriptions for each participant.
- One or two class periods (roughly 90 minutes).

Structure

- Seven roles are included here. Each role can be assigned to multiple participants if the group is larger than seven. If there are only one or two extra participants, they can most easily be assigned to Role 1, UN special representative, working as a team of representatives.
- If the group is smaller than seven, we suggest assigning the roles in the following manner:

4 participants	5 participants	6 participants	7 participants
Role 1, 5, 6, 7	Role 1, 2, 5, 6, 7	Role 1, 3, 4, 5, 6, 7	All roles

- If there are three participants, the instructor or group leader can take Role 1, and the participants can take Roles 5, 6, and 7. If there are only one or two participants, the participants can complete the outline in the section "Additional Simulation Activity" on page 28.
- If time is very limited, assigning fewer roles to participants will allow you to shorten the discussion times.

Procedure

1. Distribute the simulation background, scenario, and a role to each participant. Explain to them that they will participate in a role-play exercise and that they will begin by reading the materials you've distributed. At this time the participants should be directed to start to define the problems as they relate to their roles. We recommend that this be done as an at-home assignment to allow the participants to reflect on the background and the scenario. (15 min.)

2. Review the simulation background with the participants and clarify the task of the high-level panel for them. Tell them that the participant(s) who are assigned to the role of UN special representative will moderate the high-level panel meeting. Follow that by establishing guidelines for speaking. (10 min.) Suggested guidelines are:
   a. Raise your hand and wait your turn to speak. Do not interrupt the person who is speaking.
   b. Give the speaker full attention.
   c. When speaking, speak with respect for yourself and your audience. Do not use offensive or pejorative language.
   d. Remember that this is a forum to bring out problems, consider solutions, and make a range of recommendations.

3. Before convening the formal meeting to come up with recommendations, the group should be broken down into groups of participants playing the same roles (for example, all participants assigned to Role 1 should be in one group and Role 2 in another) to give participants an opportunity to help each other understand the problems and their roles. Within each group, the participants should discuss the important issues, goals, and strategies from the perspective of their roles. (10 min.)

4. Convene the high-level panel meeting and begin the discussion. (35 min. total)
   a. Each member of the panel should state his or her role, interests, and stakes. At this point the different perspectives and interests in the conflict should become clearer. (10 min.)
   b. The participants should begin to discuss the issues, with the UN special representative serving as a moderator as well as a discussant. The participants should define the problems together, highlight key issues, and discuss solutions. (25 min.)

5. At the end of the role play, the instructor or group leader should conduct a debriefing to help participants explore what they have learned. What happened and why? What obstacles and challenges existed? What worked and what didn't? What allowed for an acceptable solution or what did not allow for a solution? (20 min.) Suggestions for additional debriefing questions are included below.

Additional Debriefing Questions

1. What information needs to be gathered about Taren and the conflict environment?
2. What other information might be gathered? For what purpose?
3. What are the considerations in terms of sovereignty and humanitarian access?
4. What are the considerations for each of the countries?
5. How does an authorized response differ from a legitimate response? What would be the authorized response? What would be the legitimate response?
6. What can be done to help the international community respond quickly in situations where crimes against humanity are being committed?
7. How would you prioritize your recommendations?
8. How are the Tarenese government and Asperan rebels likely to respond to these recommendations?

Additional Simulation Activity

This activity can be done individually or as a group.

You are the UN special representative who will run the meeting. To prepare for the meeting, you will complete the following outline to gain an understanding of the situation at hand. Begin this activity by reading the learning objectives, background, scenario, and roles. Base your analysis on the scenario and at least three roles. We encourage you to add more responses than we suggest here, as well as any new sections you deem appropriate. Some examples of responses are given in *italics*.

I. Problem Statement
   a. The stakeholders are (list as many as you can identify): *neighboring countries*,
   b. The problems in trying to intervene are:
   c. The consequences of these problems are:

II. Key Concerns and Interests and their Importance
   a. *Governments that have problems with separatists in their countries are reluctant to support any intervention methods that might be used on them later.*
   b.
   c.
   d.

III. Possible Recommendations and their Strengths and Weaknesses
   a. Recommendation 1: UN member nations all impose economic sanctions, allowing for only the most essential items such as fuel and food to be traded.
      i. Strengths: *Puts a huge strain on the Tarenese economy and government.*
      ii. Weaknesses: *Usually leads to a rise in black marketeering.*
   b. Recommendation 2:
      i. Strengths:
      ii. Weaknesses:
   c. Recommendation 3:
      i. Strengths:
      ii. Weaknesses:

IV. Possible Points for Cooperation among International Actors
   a.
   b.
   c.
   d.

V. Possible Obstacles for Reaching a Ceasefire or a Peace Agreement
   a.
   b.
   c.
   d.

VI. Questions and Issues that Must be Addressed Before Action Can Be Taken
   a.
   b.

Resources

Articles and Chapters

Bassiouni, Cherif. "Crimes Against Humanity." In Roy Gutman, David Rieff, and Anthony Dworkin, eds., *Crimes of War 2.0: What the Public Should Know*. New York: W.W. Norton, 2007.
> This chapter discusses the history of the concept of crimes against humanity and the legal implications of its definition.

Bellamy, Alex J. "Conflict Prevention and the Responsibility to Protect." *Global Governance* 14, no. 2 (2008): 135–156.
> The author argues that most scholarly and political attention has been given to the *reaction* component of the R2P rather than the *prevention* component. The article examines changing attitudes toward the "responsibility to prevent," and identifies basic principles that might advance the responsibility to prevent.

Bonwick, Andrew. "Who Really Protects Civilians?" *Development in Practice* 16, no. 3/4 (2006): 270–277.
> This article suggests that the concept of protection underestimates the resourcefulness of people living through conflict. The author argues that effective humanitarian action should support and strengthen the decisions that people take to ensure their own safety during conflict.

Chandler, David. "The Road to Military Humanitarianism: How the Human Rights NGOs Shaped a New Humanitarian Agenda." *Human Rights Quarterly* 23, no. 3 (2001): 678–705.
> Focusing on humanitarian non-governmental organizations, the author discusses the redefinition of humanitarian policy to bring it into the human rights agenda and analyzes the consequences of this change.

De Waal, Alex. "Darfur and the Failure of the Responsibility to Protect." *International Affairs* 83, no. 6 (2007): 1039–1054.
> Following an introduction that provides background on the war in Darfur and related international engagement, this article examines the debates over the responsibility to protect that developed around the Darfur crisis and operational concepts developed for the African Union Mission in Sudan (AMIS) and its successor. The article focus on three important issues: ceasefire, disarmament, and civilian protection.

Evans, Gareth and Mohamed Sahnoun. "The Responsibility to Protect." *Foreign Affairs* 81, no. 6 (2002): 99–110.
> This article distills the original R2P report of the International Commission on Intervention and State Sovereignty (ICISS).

Falk, Richard. "Humanitarian Intervention after Kosovo." In Julie A. Mertus and Jeffrey W. Helsing, eds., *Human Rights and Conflict: Exploring the Links between Rights, Law, and Peacebuilding.* Washington, DC: United States Institute of Peace Press, 2006.
> This chapter and the accompanying commentary by Thomas G. Weiss show the differences of opinion within the liberal, internationalist camp.

Jentleson, Bruce. "Yet Again: Humanitarian Intervention and the Challenges of 'Never Again.'" In Chester A. Crocker, Fen Osler Hampson, and Pamela Aall, eds., *Leashing the Dogs of War: Conflict Management in a Divided World.* Washington, DC: United States Institute of Peace Press, 2007.

This chapter explores the reasons that genocide has continued to occur despite the international community's commitment to "never again." The author discusses when intervention is justified, and the impact of September 11, 2001 on policies of intervention.

Rieff, David. "Humanitarianism in Crisis." *Foreign Affairs* 81, no. 6 (2002): 111–121.
The author describes the challenges confronting humanitarianism, and suggests that the idea of humanitarianism has become a catchall for various thwarted aims and good intentions.

Schabas, William. "The Genocide Convention at Fifty." Special Report no. 41, January 1999. Washington, DC: United States Institute of Peace. http://www.usip.org/pubs/specialreports/sr990107.html
This Special Report addresses many of the questions concerning genocide that have remained unanswered in the fifty years since the Genocide Convention was signed, including: What groups are protected by the convention? How are racial and ethnic groups defined, given the precise legal requirements of criminal prosecutions?

Slim, Hugo. "Claiming a Humanitarian Imperative: NGOs and the Cultivation of Humanitarian Duty." In Julie Mertus and Jeffrey W. Helsing, eds., *Human Rights and Conflict: Exploring the Links Between Rights, Law, and Peacebuilding.* Washington, DC: United States Institute of Peace Press, 2006.
The author discusses the moral imperative of humanitarian duty and the question of whether an emphasis on duty will make it any more likely for governments and non-state actors to actually do their humanitarian duty in war.

Books

Gutman, Roy, David Rieff, and Anthony Dworkin, eds. *Crimes of War 2.0: What the Public Should Know.* New York: W. W. Norton, 2007.
http://www.crimesofwar.org/thebook/book.html.
A guide to wartime atrocities that includes case studies, definitions, and explanations of legal issues.

Heidenrich, John G. *How to Prevent Genocide: A Guide for Policymakers, Scholars, and the Concerned Citizen.* Westport, CT: Praeger, 2001.
The author discusses the causes of genocide, how to detect and forecast occurrences of genocide, the limits of national and multinational military forces, and the role of the United Nations in preventing genocide.

Holt, Victoria K. and Tobias C. Berkman. *The Impossible Mandate? Military Preparedness, the Responsibility to Protect, and Modern Peace Operations.* Washington, DC: Henry L. Stimson Center, 2006.
This book looks at the tough questions of how military missions should protect civilians, and what multinational organizations are doing to prepare for such operations. Includes an examination of the United Nations mission in the Democratic Republic of Congo.

Kiernan, Ben. *Blood and Soil: A World History of Genocide and Extermination from Sparta to Darfur.* New Haven, CT: Yale University Press, 2007.
Historical analysis of genocidal ideology since 1400. This book charts the development of modern genocide against a background of religiously fueled warfare, ancient models of war, the conquest of new territory and colonialism, and the modern genocidal crimes of the 1990s and 2000s.

Mills, Nicolaus and Kira Brunner, eds. *The New Killing Fields: Massacre and the Politics of Intervention.* New York: Basic, 2002.

> With chapters on Yugoslavia, Rwanda, and East Timor, the authors attempt to come to terms with the moral and political issues raised by the widespread killing and ethnic cleansing that have occurred since the start of the 1990s. Includes first-person accounts from people who lived through these conflicts.

Minear, Larry. *The Humanitarian Enterprise: Dilemmas and Discoveries.* Bloomfield, CT: Kumarian Press, 2002.

> The author discusses what the United Nations, national governments, the Red Cross, and many private relief and development agencies have learned about performing humanitarian work, and the arguments that remain unresolved.

Power, Samantha. "*A Problem from Hell": America and the Age of Genocide.* New York: Perennial, 2003.

> Examines 20th century acts of genocide and the United States responses to them.

Symonides, Janusz, ed. *Human Rights: International Protection, Monitoring, Enforcement.* Burlington, VT: Ashgate, 2003.

> Comprehensive overview of systems in place to monitor, protect, and enforce human rights. Sections on the United Nations system, regional systems, and avenues for further strengthening human rights protection though national systems and non-governmental organizations.

Terry, Fiona. *Condemned to Repeat? The Paradox of Humanitarian Action.* Ithaca, NY: Cornell University Press, 2002.

> This book is about the failure of international humanitarian organizations to take into consideration a wider political context before providing aid. Terry argues that this shortsightedness results in the paradox that humanitarian aid aimed at alleviating suffering instead sustains the oppressive action that caused it.

Thakur, Ramesh. *The United Nations, Peace, and Security: From Collective Security to the Responsibility to Protect.* Cambridge: Cambridge University Press, 2006.

> A critique of how the United Nations deals with the use of force. The author analyzes the changing role and structure of UN operations.

Weiss, Thomas G. *Humanitarian Intervention: Ideas in Action.* Cambridge, U.K.: Polity Press, 2007.

> A survey of the political, ethical, legal, strategic, economic, and operational dimensions of humanitarian interventions. Discusses future challenges for international humanitarian action in the 21st century and the R2P concept.

Online Reports and Other Documents

Crimes of War Project
http://www.crimesofwar.org

> This site has all the articles from the revised edition of the book *Crimes of War*, along with chapters from the first edition, articles specially commissioned for the French edition, and an Arabic edition.

Enough: Project to End Genocide and Crimes Against Humanity
http://www.enoughproject.org

This site currently focuses on Chad, Congo, Sudan, and Uganda. It features numerous reports on confronting current crimes against humanity. One report, "R2P, the ICC, and Stopping Atrocities in the Real World," by John Prendergast and Lisa Rogoff (February 28, 2008), briefly assesses the effectiveness of the International Criminal Court and the doctrine of R2P.

Global Centre for the Responsibility to Protect
http://www.globalcentrer2p.org/
A new site that contains information about the R2P concept and recent reports, books, and articles.

Human Rights First, Crimes Against Humanity Program
http://www.humanrightsfirst.org/cah/index.asp
This site has sections on prevention and protection, including the responsibility to protect, and on justice and accountability, including international courts and tribunals, as well as updates on current crises.

Human Rights Watch, International Justice Program
http://www.hrw.org/doc/?t=justice
This site contains reports, briefing papers, and a section on the ICC, as well as information on international tribunals and national courts and updates on current issues.

International Commission on Intervention and State Sovereignty
http://www.iciss-ciise.gc.ca/menu-en.asp
The December 2001 report that first introduced the responsibility to protect concept can be found here, along with a supplementary volume on the research and consultations that laid the foundation for the report, as well as other documents.

International Criminal Court
http://www.icc-cpi.int/home.html&l=en
The official web site of the ICC contains detailed information on the court's mission, structure, reports, and cases.

International Criminal Tribunal for Rwanda
http://69.94.11.53/default.htm
The tribunal's site contains a daily journal, documents, cases, and basic legal texts.

International Criminal Tribunal for the Former Yugoslavia
http://www.un.org/icty
This site contains a court schedule, cases, basic legal documents, and audio and video of trials.

International Crisis Group
http://www.crisisgroup.org/home/index.cfm
The ICG site has a monthly "Crisis Watch" that flags conflict situations that have deteriorated and those that have improved in the past month. It also has a section on the responsibility to protect, including excerpts from key documents, articles, and a bibliography.

Responsibility to Protect–Engaging Civil Society
http://www.responsibilitytoprotect.org
The R2P-CS site explains the principles and evolution of the concept of R2P, analyzes the issues by region, and describes recent developments.

Special Court for Sierra Leone
http://www.sc-sl.org
>This site includes a court schedule, documents, and audio and video summaries of trials.

United States Holocaust Memorial Museum, Committee on Conscience
http://www.ushmm.org/conscience/analysis/index.php?content=details.php%3Fcontent=2000-09-15%26menupage=International+Law
>The Holocaust Museum's Committee on Conscience focuses on the prevention and punishment of genocide today. The site includes information on the history of genocide, international law, and refugees as well as specific countries. The site also has a section for learners (http://www.ushmm.org/education/forstudents) and a holocaust encyclopedia.

United States Institute of Peace
http://www.usip.org
>This site features a collection of peace agreements and ceasefires, links to briefings, and special reports on a variety of peace and conflict issues.

University of Minnesota Human Rights Library
http://www1.umn.edu/humanrts/instree/auox.htm
>This site has links to more than 85,000 human rights documents. The address above takes you to the section titled "War Crimes and Crimes Against Humanity, Genocide, and Terrorism."

Women's Initiatives for Gender Justice
http://www.iccwomen.org
>This site contains updates on gender-based crimes and publishes an annual "Gender Report Card" on the activities of the ICC.

Online Classroom Resources

Lesson Plans

Amnesty International: A study guide for the film *Darfur Now.*
http://www.scribd.com/doc/3119923/Darfur-Now-Study-Guide

Human Rights Education Associates
http://www.hrea.org/index.php?base_id=118
>HREA has developed an "Educator's Guide" to accompany the *Crimes of War* book, but the background information, discussion questions, and outside resources can be used without the book.

NewsHour Extra Lesson Plan: "Former Liberian President Heads to The Hague for War Crimes Trial"
http://www.pbs.org/newshour/extra/teachers/lessonplans/world/taylor_6-26.html

NewsHour Extra Lesson Plan: "The International Criminal Court's History and Uses"
http://www.pbs.org/newshour/extra/teachers/lessonplans/world/intl_criminal_court.html

Responsibility to Protect–Engaging Civil Society
http://www.responsibilitytoprotect.org/index.php/features/556?theme=alt5
>The R2P-CS site has a section on education tools including a timeline, FAQs, a summary of the ICISS report, and links to selected articles.

United States Holocaust Memorial Museum
http://www.ushmm.org/education/foreducators/resource
> The museum's web site has a section for teachers that includes teaching materials and resources, including sample lessons.

University of Minnesota Human Rights Library
http://www1.umn.edu/humanrts/edumat/activities.shtm
> A series of fifteen activities from the Human Rights Resource Center.

Maps

National Geographic Society
http://www.nationalgeographic.com/xpeditions/atlas
> Labeled and blank maps for download and printing are available at no cost.

New York Times: Sudan Humanitarian Crisis Map
www.nytimes.com/imagepages/2007/09/02/world/africa/20070903_DARFUR_MAP.html

Perry-Castaneda Library Map Collection, University of Texas
http://www.lib.utexas.edu/maps
> Online library of high-quality maps.

Online Videos and Images

History Channel: "Civil War Erupts in Rwanda" and "Milosevic Goes on Trial for War Crimes"
http://www.history.com/media.do?id=tdih_apr07_broadband&action=clip
http://www.history.com/media.do?id=tdih_feb12_broadband&action=clip
> Video clips about civil war in Rwanda and Serbian leader Milosevic.

Human Rights Watch: "Triangle of Death"
http://hrw.org/campaigns/drc/2006/katanga/slideshow.htm
> Slideshow with audio, map, and victims' stories.

International Criminal Tribunal for the Former Yugoslavia
http://www.un.org/icty
> Video and audio are available from the three courtrooms in the Hague.

Research Channel: "Connecting with a Survivor: Cambodia"
http://www.researchchannel.org/asx/uwm_if_cambodia_250k.asx
> Author Leung Ung discusses her experiences with mass atrocities while growing up in Cambodia.

Special Court for Sierra Leone
http://www.sc-sl.org
> Weekly audio summaries of the trials are available at http://www.sc-sl.org/audio.html, and bimonthly video summaries at http://www.sc-sl.org/video.html.

Notes

[1] International Criminal Court, "Warrant of Arrest Unsealed Against Five LRA Commanders," The Hague, October 14, 2005.

[2] *"You'll Learn Not to Cry": Child Combatants in Colombia,* Human Rights Watch, September 2003. http://hrw.org/reports/2003/colombia0903

[3] Roberta Cohen and Francis Deng, *Masses in Flight: The Global Crisis of Internal Displacement* (Washington, DC: Brookings Institution Press, 1998).

[4] "Situations and Cases," International Criminal Court. www.icc-cpi.int/cases.html

[5] "Foreword," in *The Responsibility to Protect: Report of the International Commission on Intervention and State Sovereignty,* p. vii. Gareth Evans, former foreign minister of Australia, and Mohamed Sahnoun, special adviser to Kofi Annan, were appointed its co-chairs. www.iciss-ciise.gc.ca/menu-en.asp

[6] Jakkie Cilliers, *The African Standby Force: An Update on Progress,* ISS Paper 160 (Pretoria, South Africa: Institute for Security Studies, March 2008).

[7] *Annual Review of Global Peace Operations, 2008* (New York: Center on International Cooperation, New York University, 2008). www.cic.nyu.edu/internationalsecurity/docs/Final2008briefingreport.pdf

[8] See, for example, Liam Mahony, *Proactive Presence: Field Strategies for Civilian Protection* (Geneva: Centre for Humanitarian Dialogue, 2006), and Hugo Slim and Andrew Bonwick, *Protection: A Guide for Humanitarian Agencies* (London: Active Learning Network for Accountability and Performance in Humanitarian Action, 2005).

[9] *Responsibility to Protect,* p. 4.

[10] Many of these suggestions are highlighted on the web site of the Responsibility to Protect—Engaging Civil Society (R2P-CS) project, which contains a useful summary of the actions recommended by the ICISS report.

[11] For a more detailed look at interventions in the 1990s, see the supplementary volume to the ICISS report, *The Responsibility to Protect: Research, Bibliography, Background.* www.idrc.ca/en/ev-9439-201-1-DO_TOPIC.html

[12] One possible source of new ideas for confronting crimes against humanity is the upcoming report *Preventing Genocide: A Blueprint for U.S. Policymakers,* produced by the Genocide Prevention Task Force, which is co-chaired by former U.S. secretary of state Madeleine Albright and former U.S. secretary of defense William Cohen. The task force is scheduled to deliver its report in December 2008. The topics covered will include early warning, prevention, military options, and international actions.

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