

# Seeking Justice: *From Nuremberg to The Hague*

## A Toolkit for Educators

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## Introduction

The elusive search for justice has preoccupied mankind for millennia. We see proof of this in the earliest written records we have, such as Hammurabi's Code from Ancient Babylonia, to the Old Testament, to Plato and Aristotle, and onward through the next 2500 years, including the development of indigenous forms of justice in every corner of the world. How justice is actually defined has varied greatly over these thousands of years, with almost as many backward steps as those going forward to a fairer and more just world for all. But we have made progress. Crucial to the implementation of justice are codes of laws that attempt to ensure that justice is achieved. Hammurabi knew that the Barons who forced King John to sign the Magna Carta knew that as well. In the case of international criminal law, the International Criminal Court forms the pinnacle of today's search for justice for those victimised by conflict, wars and all the havoc that modern man is unfortunately still inflicting on his fellow human beings.

With the reach of modern technology and social media, the news of these wars and conflicts around the world and their often atrocious consequences are constantly in the forefront of what young people and educators learn of current events. The reporting of injustices makes great topics for our often sensationalist media. However, the aftermath of these atrocities and the pursuit of justice for the victims of those individuals actually responsible for these injustices—there are so many—tends not to garner headlines for long and is lost in the shuffle.

So how do we, as educators, face the elusive challenge of teaching our students about this topic? Our Toolkit, *Seeking Justice: From Nuremberg to The Hague* is designed to highlight what is actually being done on a world level to bring justice to the victims. Our focus is on international law created by the mandate of the 1998 Rome Statute and embodied today in the workings of the International Criminal Court. The Court itself is the legacy of the trials at Nuremberg of 1946, which dealt specifically with the perpetrators of war crimes and mass murder during World War II, and came up with the framework which forms the foundation of the workings of international justice today. Our goal is to make these often complicated issues and histories accessible to high school educators and, through you, to your students. In this toolkit, we offer plans for a series of modules addressing such topics as justice, the legacy of the Nuremberg Trials, the use of evidence, the ICC, ongoing investigations and others. We have incorporated our experience of doing these modules at in-person seminars in The Hague, experience which has shown us what works most successfully with high school students.

The reaction of the students to the topics we cover has been phenomenal as their evaluation comments have shown. These range from "enlightening", "gaining new knowledge", "developing a new vision on justice" and "understanding the importance of collaboration" (many of our activities are collaborative) to deciding on a new career direction. Young people are naturally very sensitive to issues of justice, whether it be on a personal or societal level. With the modules we have developed for *Seeking Justice*, we hope to build on this sensitivity with carefully designed and interactive lessons on the crucial topics of international justice. This way young people become more aware, critical, peace-oriented and caring citizens of the world.

As educators, we realise the limited time that most teachers have to address subjects that may not be directly prescribed by their syllabi. It's for that reason that we have designed each

module as a *stand-alone* lesson and incorporated either enough **background material or suggestions for links** for both educators and their students to provide sufficient background so that the lesson makes sense. Almost all of the modules require some knowledge of either the Nuremberg Trial, the 4 Core Crimes or for a few, the International Court of Justice. There are separate modules on these topics provided in the Toolkit, which can be done whole or in part to prepare students for the module you've chosen to use in your classroom. That said, this Toolkit has been designed to be appropriate for use in history and civics/citizenship education as well as in a course dealing with politics or ethics.

All links and references are in English. However, a good number of the videos included as part of the lessons have English transcripts attached to facilitate the translation into any language, as can be the lesson and accompanying handouts on the whole. This will make it easier to use the lessons and to incorporate links and sources in the language of the classroom.

We would like to stress that no prior knowledge about law or legal issues is required to follow the lessons, although they might inspire your students to inquire further about these vital subjects.

We have designed the modules primarily for high school students of 16-19 years of age due to the rather complex and oftentimes sensitive\* nature of the subject matter. However, with teacher discretion, some of the modules might be appropriate for 15-year-old students as well.

**\*An important note:**

Since, by their very nature, some of the activities suggested in this Toolkit may bring up controversial and/or sensitive issues, it is important to be aware of steps you might take to minimise any harmful impact. Also, you know your own students, a fact which, of course, will guide your choice to do these lessons or to modify them to fit your own and your students' needs. Here are some links to organisations that offer their professional advice on how to deal with such situations. Some of these may not be directly applicable, but they all have one or two suggestions that might be helpful.

- [Teaching Sensitive Topics](#)
- [Handling Sensitive Topics](#)
- [Ten Tips for Facilitating Classroom Discussions on Sensitive Topics](#)
- [Strategies for Teaching Sensitive Issues in the Secondary Social Studies Classroom](#)
- In addition, the [Facing History and Ourselves](#) website has many examples of how to teach about racism, antisemitism, migration and the effects of war, but also this general lesson on "[Fostering Civil Discourse: Difficult Classroom Conversations in a Diverse Democracy](#)" that you might find useful.

## List of Interactive Activities

Here is a list of all the interactive activities in the Toolkit and where they can be found:

Interactive Activity	Lesson #
Readings	1, 6
Brainstorming	1, 2, 6, 7
Filming Interview	1
Debate	1, 9
Jigsaw	2, 10
Students teaching other students	2, 10
Deconstruction primary source	2, 3, 10
Group research	3, 4, 5, 6, 7, 10, 11
Fishbowl	4
Opinion line	4
Student-created presentations, formal and informal	5, 6, 7, 12
Summary/response/essay writing	7, 13
Case Study	10, 11
6 Thinking Hats	10
Concept Map	10, 11
Creating a timeline	11
Note-taking from a live event	13
Writing a newspaper article	13



## Links to further readings/videos/books/informational websites

### Justice, Nuremberg Trial and ICC:

- [Code of Ur-Nammu](#)
- [Code of Hammurabi](#)
- [Talion](#)
- [Roman Legal Tradition and the Compilation of Justinian](#)
- [King John and the sealing of Magna Carta](#)
- [The Nuremberg Trials](#)
- [Tokyo War Crimes Trial](#)
- [About the Court](#)
- [International Criminal Tribunal for Rwanda](#)
- [International Criminal Tribunal for the former Yugoslavia](#)
- [Faith of Sušica Detainees](#) (video)
- ['Why I forgave the man who killed my children' - Rwandan genocide survivor - BBC Africa](#) (video)
- [Justice and Injustice](#)
- [The ICC at a Glance](#)
- [International Criminal Court](#)
- [Evolution of International Criminal Justice](#)

### The trial itself:

- [The Nuremberg Trials: An Account](#): a very thorough account, with links to many resources
- [The Road to the Nuremberg Trials](#): a short account of the trials
- [Nuremberg: Tyranny on Trial](#) (video): American 45-minute summary
- [Nazis on Trial](#) (video): 12-minute Deutsche Welle summary including contemporary statements from survivors and witnesses
- [Justice and Injustice](#)

### Evidence for the indictments:

- [Combating Holocaust Denial: Evidence of the Holocaust Presented at Nuremberg](#)
- [Nazi war crimes evidence comes to the Holocaust museum in Washington](#)
- [Nuremberg Trials Project](#): Archives of actual evidence
- ["Nuremberg: Its Lesson For Today"](#) (video): Story of the Schulberg brothers responsible for uncovering much of the film evidence used at the trial



## Books:

**Philippe Sands, *East West Street*, Weidenfeld & Nicolson, London, 2016:** Sands, a renowned international legal scholar, has written a book that brings a personal window onto the origins of international law. Written in superb thriller style, the book follows legal scholars Raphael Lemkin and Hersch Lauterpacht as well Sands' own relatives into the horrors of the Holocaust perpetrated by Hans Frank in their hometown of Lvov, Poland (now Lviv, Ukraine). As you will see in this Toolkit, Lemkin and Lauterpacht were responsible for the codifying of genocide and crimes against humanity in international law, now foundational to the charges brought at the International Criminal Court and others. Gripping, powerful and shattering, the book is also highly educational for those wanting to know more about this subject.

**Paul Roland, *The Nuremberg Trials: The Nazis and their Crimes Against Humanity*, Arcturus Publishing Limited, London, 2012:** This is a very simple introduction to the whole process, including information about further trials which is written in a very accessible style, large print and perfect for one's first delve into the whole history.

**David Scheffer, *All the Missing Souls: A Personal History of the War Crimes Tribunals*, Princeton University Press, Princeton, 2013 (reprint edition):** This is a personal account by the senior advisor to Madeleine Albright. Upon her accession to the UN as US ambassador, she appointed Scheffer to spearhead the mission to create a war crimes tribunal for the former Yugoslavia. Amazon says: A stirring personal account of an important historical chapter, *All the Missing Souls* provides new insights into the continuing struggle for international justice.

## Activity handouts:

Many of the activities are accompanied by handouts and/or presentations. These can be downloaded at the link at the end of each activity for your own use and distribution to your students. For your convenience, you can also find links to all of the handouts here:

[Activity 1](#)  
[Activity 2](#)  
[Activity 3](#)  
[Activity 4](#)  
[Activity 6](#)  
[Activity 7](#)  
[Activity 10](#)  
[Activity 11](#)  
[Activity 13](#)

If you would prefer to download the handouts for all activities together, you can do so here:

<https://euroclio.eu/download/seeking-justice-toolkit-all-handouts/>

Below, you will find instructions on how to access

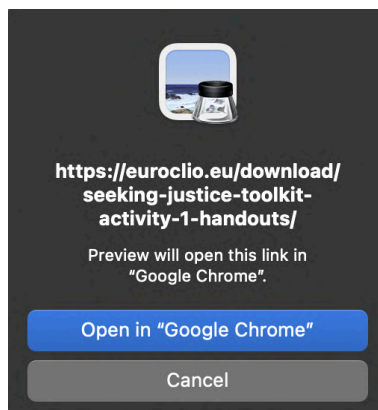




## Instructions on downloading the handouts for the Toolkit Activities

Instructions on downloading the handouts for the Toolkit Activities:

1. At the end of the activity, you will find a link. Click on the link and, depending on the PDF reader you use, you will either be taken directly to the EuroClio website (step 2) or asked for permission to open the link. The example below is from a Mac.



2. Once you open the link, you will be redirected to the EuroClio website, where you will see this:

Download	
Download	2
File Size	67 KB
File Count	1
Create Date	March 4, 2025
Last Updated	March 4, 2025

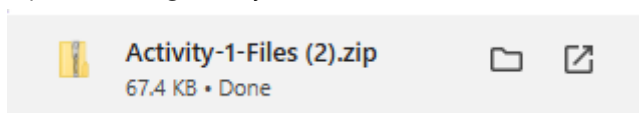
### Seeking Justice Toolkit - Activity 1 Handouts

This file includes all handouts that accompany Activity 1 in the *Seeking Justice: From Nuremberg to the Hague* toolkit.

**CLICK ON DOWNLOAD.**

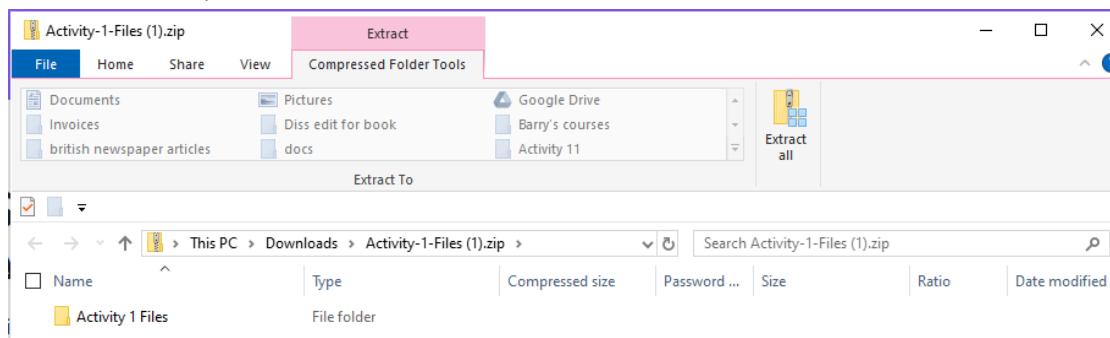
**For Windows:**

3. This box will pop up on the right of your screen.

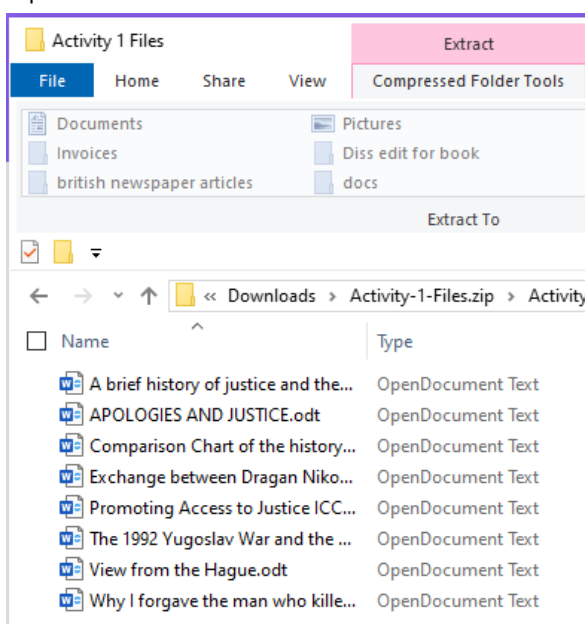


Click once on the box with the arrow. You can also find the folder in your computer's Downloads folder.

4. This box will open:

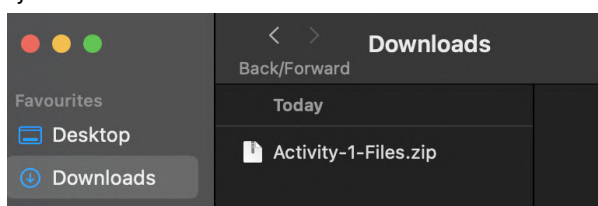


5. Double-click on 'Activity 1 Files'. You will now see this. You can now just double-click on the file you want to open:

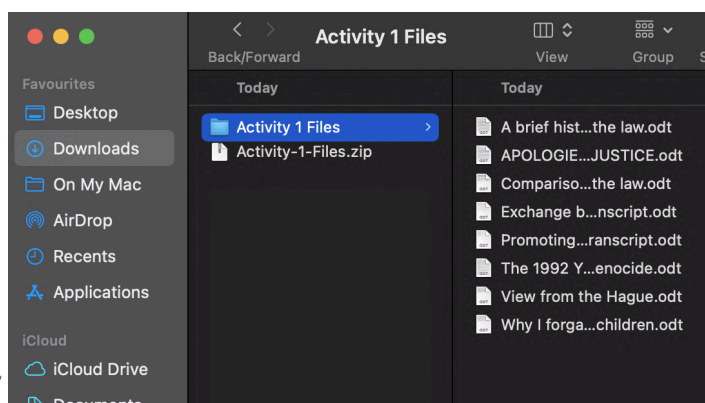


### For Macs:

The folder will appear in your Downloads, as shown below. You can open it by double-clicking on it, as you would with any normal folder.



This will open up a new folder where you can access all of the files. Double-click on any of them to open.





## Activity 1 - Justice: "...the cause of all humanity"<sup>1</sup>

*By Tihana Magas and Carolyn McNanie*

*2-3 Class Period Activity, Ages 16-18*



[https://commons.wikimedia.org/wiki/File:Zodiaque\\_Amiens\\_07.jpg](https://commons.wikimedia.org/wiki/File:Zodiaque_Amiens_07.jpg)

***"Knowledge and justice speak, while ignorance and injustice roar."***

Arturo Graf, Italian poet, 1848-1913

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<sup>1</sup> Former United Nations Secretary-General Kofi Annan



## Introduction

**Essential Question:** What is justice?

**Guiding Question:** What is the relationship between justice and law?

### Background and Historical Context:

Since earliest times, humanity has been questioning how to define and uphold justice. The question of justice was of great importance during the creation and shaping of the oldest civilisations, for without a modicum of accepted standards of justice, there can be no peace: peace is one of the most important prerequisites for the advancement of civilisation. The absence of wars and conflict can lead to the growth of the economy, the progress of knowledge and the flourishing of creativity and the arts, all hallmarks of a successful civilisation.

But what constitutes a 'just society'? And what is the role of law?

If we study laws throughout history, we will encounter differing understandings of justice and its application to different layers of society. Even today, we can find instances of varying interpretation of the law depending on the sex, age, economic situation or perhaps class, caste or race to which the involved person(s) belong.

Historically, we can study what justice is by analysing its codification through time. **A more detailed history can be found in the attachment "A Brief History of Justice and the Law" below.** That can also be used as a reading for students for Activity 1. It's in OpenDocument Text form for ease of translation.

Sources:

- [Code of Ur-Nammu](#)
- [Code of Hammurabi](#)
- [Talion](#)
- [Roman Legal Tradition and the Compilation of Justinian](#)
- [King John and the sealing of Magna Carta](#)
- [The Nuremberg Trials](#)
- [Tokyo War Crimes Trial](#)
- [About the Court](#)
- [International Criminal Tribunal for Rwanda](#)
- [International Criminal Tribunal for the former Yugoslavia](#)

**Aim of Activity:** For students to come to a better understanding of the meaning of the word justice through tracing its history; For students to recognise the difference between the concepts of justice and law; For students to practice their debating skills and improve their abilities in building arguments and rebuttals

**Methodology:** Individual work, Chart making, Reading, Working in pairs, Working in a group, Debate

**Materials:** Laptop/pc, Projector, Paper and Pen, Printouts of handouts or digital versions

**Day 1: Student-generated definitions of justice followed by a reading on the history of justice and a discussion and/or comparison of how justice and laws slowly worked together to form the legal system we know today (with a concentration on *international justice*).**

1. Start the lesson with the announcement that you will be working on the concept of justice. Write 3-4 words on the board—words that you consider relevant to the topic, like love, freedom, law and rights—and make the last word justice. Then have the students write 3 definitions for the same word – positive, negative and neutral. Then they read out to the rest of the class, who have to guess whether it's a **positive, negative or neutral definition**. If there is disagreement, give students the opportunity to explain their choices. After that, students look in the dictionary for the definitions of the words law and justice and write them down in a notebook. This can be done in pairs or individually.
2. Give students the **"Brief History of Justice and the Law Comparison Chart" handout**. Working in pairs, students read the document and fill in the comparison chart (which only compares the history up until 1215 AD) and the included 20th-century flow-chart.
3. Last 5 minutes of class: Ask students what evidence they found for progress being made, what they found surprising or new about the path of justice and what was most memorable for them personally.

**Day 2: Using videos from the ICC as a guide, students will make a short TikTok (or other) video with other students answering one of the 4 questions below. This is followed by a debate focused on apologies from convicted criminals at ICTY trials and where a mother in Rwanda forgives the convicted murderer of 2 of her children due to restorative justice efforts.**

1. Students watch the following 2 videos: [What is access to justice? - Legal aid & more - YouTube](#) , [Promoting access to justice \(icc-cpi.int\)](#) (see the attached transcripts for translation). Call the students' attention to what is being said as well as the 35-second format of the videos. Divide the students into several groups (depending on how many students there are in the class). Each group **records its video** (in the form of a TikTok or other short videos) of a few statements made by different people on different subjects of justice.

Group 1 answers the question: What is justice?

Group 2 answers the question: What is a fair trial?

Group 3 answers the question: Why is Justice important?

Group 4 answers the question: What are the consequences of injustice?

Share the results of the videos and discuss any agreements/disagreements.





2. Introduction to the 1990s war in the Former Yugoslavia and the Rwandan genocide: Attached is a very brief summary of both conflicts, which you can use as preparation material to introduce these subjects to the class.
3. Students watch the following videos (transcripts below) and read the excerpts from **"View From The Hague"** and **"Apologies and Justice"** (attached below). Ask the students to pay attention to whether they feel these apologies did anything positive for the victims or not.

[Exchange between Dragan Nikolić and Habiba Hadžić](#) (video)

['Why I forgave the man who killed my children' - Rwandan genocide survivor - BBC Africa](#) (video)

### **Debate: To what extent did the apologies of these convicted and sentenced criminals bring justice to their victims?**

Before students start their debate preparation, write these 2 words on the board in front of the class and remind them to use these in their arguments: **EVIDENCE** and **EXAMPLES**

1. Divide the students into 2 groups: pro and con – those who think justice was brought to the victims through the apologies and those who think the apologies didn't bring justice to the victims. If students aren't sure, divide them yourself.
2. Ask the students to meet in the 2 groups and discuss their arguments, using **evidence** and especially **examples** from both what they've learned about justice so far and what they gleaned from the sources. Each group should sit on one side of the room. They can also use other online sources. Give them the remaining class period to prepare statements. They should continue any research or preparation for homework and come the next day with prepared statements. To be continued at the next class session.

### **Day 3: The Debate.**

1. Give students a few minutes to share their statements. Have each group choose 5 students to deliver the opening statements. Each student gets one minute.
2. Have one side deliver their statements over 5 minutes. The other side takes notes. Then switch.
3. Now, students meet in their groups to prepare their rebuttals to the other side. Give them 5 minutes to do this.
4. Rebuttals, 5 minutes each side.
5. Now, groups meet to prepare questions for the other side. Give them 5 minutes.
6. Now spend the last 10 minutes with students fielding questions from each side in turns.
7. Whole class discussion: Pose questions like this to the class: Which arguments do you feel were more valid? Why? How can you connect the video and statements to what you covered about the history of justice and laws? How do you feel now about the importance of justice? To what extent do you feel that bringing justice can change attitudes and behaviours? In what ways? What else could be done to bring justice to the victims? How would you feel in their place?

## Attachments

You can find all handouts related to Activity 1 here:

<https://euroclio.eu/download/seeking-justice-toolkit-activity-1-handouts/>

## Activity 2 - The Nuremberg Trial: Origin, Course of the Trial, Result and Legacy

*By Carolyn McNanie*

*3-4 Class Period Activity, Ages 16-18*



[https://commons.wikimedia.org/wiki/File:Defendants\\_in\\_the\\_dock\\_at\\_nuremberg\\_trials.jpg](https://commons.wikimedia.org/wiki/File:Defendants_in_the_dock_at_nuremberg_trials.jpg)

***“You must put no man to trial ... if you are not willing to see him freed if not proven guilty”***

Robert H. Jackson, chief U.S. prosecutor at the Nuremberg Trials



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## Introduction

**Essential Question:** "What role did the Nuremberg Trials play in the establishment of the international criminal justice system today?"

**Guiding Question(s):** Days 1-2: "How did the Allies deal with the defeated German Nazi leaders after W/WII?" Day 3: "How did the court try to ensure that justice was being done?"

## Background and Historical Context:

At the end of W/WII, many areas of Europe were left devastated. Over 50,000,000 people had died. Not only did this include combatants and civilians killed in bombings, but also those murdered for political beliefs, starved to death in cities under siege and most infamously, six million Jews and large numbers of other minorities exterminated simply due to national or religious background, which the Nazis defined racially as *Untermenschen* or sub-human. Germany surrendered on May 8, 1945 to the Allied powers – the USA, UK, USSR and France. Even before the end of the war, the Allies had been meeting to decide what to do with the defeated Germans. No one wanted a repeat of the debacle of the WWI *Treaty of Versailles*, which many blamed for Germany's instigation of what is now the Second World War. In January of 1942, some of the Allies issued the *St. James Declaration*, saying they wanted to punish those responsible for war crimes. This led to the establishment of the United Nations War Crimes Commission (UNWCC) and to the Moscow Declaration with the same goals. The issue was – what to do with those perpetrators of these crimes? Shoot them outright (Churchill - UK) or do so after a quick hearing (Roosevelt - US)? Or, have a show trial (Stalin - USSR), and then shoot or hang them? But Roosevelt had died before the end of the war, and by July 26, 1945, Churchill was no longer PM of the UK. Harry Truman, the new president, favoured a real trial, as did the new UK PM, Clement Atlee. Stalin was now on board as well, and so was France. In the summer of 1945, the Allies held the London Conference, where they battled out the details of the trial procedure. It must be said that the US held the upper hand – they literally had captured most of the prisoners, and they were the richest, least affected country. The views of American chief prosecutor, Supreme Court Judge Robert H. Jackson, are therefore influential in the final iteration of court procedure. So the trials came to be and lasted 11 months, from November 20, 1945, to October 1, 1946.

The importance of the Nuremberg Trials goes far beyond the immediate post-war period, for it was the new precedents established by these procedures that went on to influence the shape of international criminal law today as exemplified by the International Criminal Court. The history of the Nuremberg Trials, and a window into how the trial worked, is vital for understanding how we as a world have arrived at pursuing international justice in today's conflicts, always with the aim to prevent further ones.

**Links:** There are many websites that have articles about the trials. Here are a few:

### The trial itself:

- [The Nuremberg Trials: An Account](#): a very thorough account, with links to many resources
- [The Road to the Nuremberg Trials](#): a short account of the trials



- [Nuremberg: Tyranny on Trial](#) (video): American 45-minute summary
- [Nazis on Trial](#) (video): 12-minute Deutsche Welle summary including contemporary statements from survivors and witnesses

**Evidence for the indictments:**

- [Combating Holocaust Denial: Evidence of the Holocaust Presented at Nuremberg](#)
- [Nazi war crimes evidence comes to the Holocaust museum in Washington](#)
- [Nuremberg Trials Project](#): Archives of actual evidence
- ["Nuremberg: Its Lesson For Today"](#) (video): Story of the Schulberg brothers responsible for uncovering much of the film evidence used at the trial

**Aim of Activity:** To provide a basis for understanding how the Nuremberg Trials worked as part of a unit on WWII/Cold War; To emphasise the importance of the Nuremberg Trials in establishing the precedent for International Criminal Law today (e.g. the ICC) which links directly to the work of the ICC in today's conflicts.

**Methodology:** Jigsaw, brainstorming, teacher-led discussions, group work.

**Materials:** Copies of activities (see last page); student access to internet through tablets, laptops or phones; white or blackboard; ideally ability to project any videos on a screen in front of the class.

**Day 1: How the Trials Came to Be: This will be a 2-day jigsaw activity. How this works is explained in the document attached below that lists the questions for each student group. Students do research on the internet.**

1. Start the lesson with a 10-minute brainstorm about the concept of justice. Pairs of students may come up with a few examples over 2-3 minutes. Then, the teacher asks for contributions and writes these on the board. If they haven't mentioned legal justice, encourage them to think of examples. Finish with Jackson's quote above or any quote(s) you find relevant.
2. Tell students you will spend the next 3 class periods exploring the Nuremberg Trials. The first 2 days, you'll be doing group work where each group will become experts in a certain aspect of the Trial. Then you'll be divided again, where you'll teach others in a new group about what you've learned. The topic is divided into 5 chunks. If the number of students you have is not divisible by 5, feel free to combine chunks. The easiest to combine have an asterisk \*. **Give students copies of "Nuremberg Trials – Groups and Questions" attached below.**

Groups and questions: Students should be encouraged to use images so that their 'teaching' will be more effective. They can also use very short clips, maximum 45 seconds, to help understanding.

1. How the trial came to be
2. The Accused\*
3. How it worked\*





4. Crimes
5. Evidence

*To the Teacher: The students should have the rest of the period for research and, if necessary, finish for homework. Impress upon them that they should share their findings by the end of the day.*

## Day 2: Sharing your findings

1. Students meet in their original A-E groups at the beginning of class and review their findings so that all feel ready to share with others. Give them 10 minutes.
2. Students break up into new groups and, in the 1-5 order, share what they know with the others. If you choose, encourage the students to take notes. These can be in answer to the questions.
3. In the last 5 minutes, ask the class to share what they learned using some questions as prompts.

## Day 3: The Trial and Its Aftermath

1. **Jackson Speech activity in groups:** Divide the class into 4 or more groups. Give students a copy of "**Jackson's Opening Statement,**" **attached below**. The first 7 paragraphs of Jackson's speech have been divided into 4 colour-coded sections, one per group. Also, give the students the assignment "**Deconstructing Jackson**" **activity, attached below**. Have students follow the instructions and present their analysis to the class (see *Extension Activities* for other suggestions).
2. **Short video clip of trial in action:** (up to the teacher – there are many on YouTube). Ask students to discuss what impressed them, surprised them and what they noticed about how the trial was being conducted.
3. **Results:** A brief look at what the verdicts were and Nuremberg's legacy with the **attached PPT "Nuremberg Trials: Results and Legacy."**
4. **World reaction activity in groups:** To do this activity, you need to find contemporary newspaper reports about the verdicts from newspapers in languages accessible for your students. Search for "Nuremberg trial verdicts" with the dates September 30, 1946, through to the end of the year.

**Here are links to some free newspaper websites from various European and American countries:**

- [Germany](#)
- [Former Yugoslavia](#)
- [France](#)
- [USA](#)
- [USA and Canada](#)
- [UK](#) (there are limited free sources)



- [Netherlands](#)
- [Denmark](#)
- [Sweden](#)

Divide the class into groups depending on how many articles you will use. Use the **"contemporary views of the verdict newspaper reports activity"** handout. Have students follow the instructions in the handout.

5. **Nuremberg Legacy:** You can end the whole activity with a video about the ICTY, Rwanda, Rome Statute, and ICC: ["The ICC in 3 Minutes"](#). The English transcript of **"The ICC in 3 Minutes"** is attached below.

### Extension Activities:

- Use the free newspaper archives to do an investigation into how your country reacted during the whole eleven months of the Trial (November 1945- October 1946). An essay topic could be: Using evidence from the newspaper articles, *To what extent did the people of \_\_\_\_\_ support the bringing the German perpetrators to trial?* Or the students could do a historical radio program of 'man in the street' interviews.
- A further investigation into how evidence was gathered. Using the links provided above in the Introduction under **Evidence** and other historical sources, students explore how the prosecutors came up with the charges, either in general or against specific individuals. The product of this activity could be a classroom "museum" display and explanation using copies of the actual evidence, like orders, photos, stills from the films as well as quotes from witness testimonies. *This activity demonstrates the importance of FACTS in drawing critical conclusions in all human endeavours.*

### Attachments

You can find all handouts related to Activity 2 here:

<https://euroclio.eu/download/seeking-justice-activity-2-handouts/>



## Activity 3 - The 4 'Core' International Crimes: Origin and Application

**By Carolyn McNanie**

*2 Class Period Activity, Ages 16-18*



[https://commons.wikimedia.org/wiki/File:Polish\\_farmers\\_killed\\_by\\_German\\_forces,\\_German-occupied Poland, 1943.jpg](https://commons.wikimedia.org/wiki/File:Polish_farmers_killed_by_German_forces,_German-occupied_Poland,_1943.jpg)

***“These were choices that these leaders made. Neither the state, or agents of the state, had to murder journalists, had to assassinate or massacre political dissidents, had to systematically persecute and mass murder minorities.”***

Hersch Lauterpacht, British international lawyer who developed the concept of 'crimes against humanity'



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## Introduction

**Essential Question:** How does knowing about the development and application of international criminal law empower us as world citizens?

**Guiding Question:** What was the history behind the development of international criminal law and how is it used today?

### Background and Historical Context:

The 4 'core' international crimes that now form the basis for the prosecution of war criminals at the International Criminal Court in The Hague have their foundation in the criminal proceedings against German war crimes perpetrators who were tried in 1945-6 during the Nuremberg Trials. **See attachment below for more background and links for further information.**

**Aim of Activity:** For students to know that today's charges at the ICC have historical precedent; To enable students to recognise how these crimes are categorised in order for them to be critical thinkers about current issues; To realise that these charges were and still are controversial and why.

**Methodology:** Short teacher lecture as introduction; Group work with readings leading to filling in an informational chart; Students teaching group members; Class discussions on what they learned; Group internet research leading to sharing results with class.

**Materials:** Copies of activity handouts, paper and/or digital; student access to internet through tablets or laptops; ideally ability to project any PPTs or activities on a screen in front of the class.

**Day 1: History and Origin of the 4 Core Crimes: A short introduction by the teacher will be followed by students working in groups where they read and share the histories of each crime. They fill out a chart together, which will show similarities and differences.**

1. Start the lesson with a 10-minute introduction to the subject of the 4 core international crimes. **See below the "Historical Background" for information and links, and the student "4 Core Crimes Handout" for more links. An optional short presentation attached below can also be used.**
2. Divide the class into groups and give them either printed or digital copies of the readings attached below. Give each group one copy of the **"4 Core Crimes Handout"** and one of the **"4 Crimes Chart"**. Tell the students to follow the instructions explained on the chart.
3. At the end of the period, spend about 5-10 minutes asking them what they found. Which of these crimes did they recognise from current events? In relation to what? Differences in these foundation stories? Role of individuals involved? What was the role of the events during WWII in enshrining these crimes in international law? What surprised the students when comparing historical crimes (the Holocaust) to today's crimes?



**Day 2: Crime Activity in groups, then research current crimes that are charged at the ICC, then share.**

1. Divide the class into groups of 4. Give each group one set of the **"4 Crimes on 4 Sheets"** attached below. Have each student in each group spend 5 minutes reading, highlighting and deconstructing their assigned crime. Then, tell students in the group to tell the others what their crime consists of.
2. Still in groups, show the students the **"6 Historical Crimes PowerPoint"** attached below that describes 6 events in the past 60 years and have them decide if there is any evidence of the 4-Core Crimes present. Remind the students that a) they need to rely on the evidence that's given, and b) of course, these are just brief summaries. Give the groups a minute or so to confer, and then ask each group in turn what they've decided and why. Encourage them to a) quote from the definition of the crime and b) use the evidence given as justification for their decisions. Remind them that multiple crimes can be charged. One result of doing this activity is that it shows students the difficulties of determining charges. (20 minutes)
3. Tell each group to find 1-2 cases since 2002 where indictments for one or more of the 4-core crimes have been charged and briefly explore what evidence justified the charges. They can include the ICC, ICTY (Former Yugoslavia), ICTR (Rwanda), Kosovo Specialist Chambers, and other instances where accusations have been brought internally against a country's own nationals (e.g. the Australian Federal Police investigating war crimes perpetrated by the Australian military in Afghanistan).
4. Have each group report their findings back to the whole class.

**Extension Activities: Doing this activity can prepare students to either go back in time to the origins of the first charging of these crimes at the Nuremberg Trials, to concentrate on events in the 1990s or early 2000s when they were again used to prosecute criminals or to look at the current investigations into crimes surrounding most recent events.**

1. Students could be assigned an essay: Why is it hard to bring a successful indictment of genocide? Or, why has it been so difficult to adopt the Crime of Aggression as one of the 4 indictable crimes at the ICC? This would involve doing more research, for example, examining current ICC issues.
2. Comparing and contrasting the career and ideas of Lauterpacht and Lemkin. See the attached list of suggested links in the History and Background document.
3. Researching the role of those who investigate these crimes and follow and report on one current investigation, detailing what evidence they found and how they found it. Use a Google search like 'investigating crimes against humanity' to find many examples. This can be done in groups, with the product being a classroom poster display.
4. Apply these Core Crime principles to events in the past that are part of their history curriculum and have the students share what they find in groups or write individual essays.





## Attachments

You can find all handouts related to Activity 3 here:

<https://euroclio.eu/download/seeking-justice-toolkit-activity-3-handouts-2/>



## Activity 4 - Victor's Justice?

**By Barry van Driel**

*2 Class Period Activity, Ages 16-18*



[www.allenandallen.com](http://www.allenandallen.com)

***"Justice cannot be for one side alone, but must be for both."***

Quote credited to Eleanor Roosevelt

***"Justice has nothing to do with victor nations and vanquished nations but must be a moral standard that all the world's peoples can agree to. To seek this and to achieve it - that is true civilisation."***

Quote credited to Hideki Tojo



**Introduction:** The following series of activities focus on the issue of victor's justice, especially as related to the Nuremberg Trials, but also to the Tokyo Trials. Both took place after the Second World War. The activities also form a more general introduction to international justice and how it has developed since the Second World War, especially with the creation of the International Criminal Court. This activity, which uses the fishbowl methodology at its core, works with up to about 16-20 students, but is less easy if there are more students.

**Essential Question:** To what extent were the Nuremberg Trials and the Tokyo Trials an example of Victor's Justice?

**Guiding Question:** What key arguments are there for and against the Nuremberg and Tokyo Trials being victor's justice?

### **Background and Historical Context:**

Influential institutions in Germany and Austria rejected the Nuremberg Trials after the Second World War, viewing them as 'Siegerjustiz'. The term was used for the first time by the defense attorneys for the top Nazis on trial. The concept became known as victor's justice in the English language, coined by Richard Minear in 1971. In essence, victor's justice can be defined in simple terms as: 'a distorted application of justice to the defeated party by the victorious party after an armed conflict...it generally involves the excessive or unjustified punishment of defeated parties and the light punishment of or clemency for offenses which have been committed by victors.'<sup>2</sup>

Both the Nuremberg Trials and the Tokyo Trials have led to accusations that they were not true justice and instead no more than victor's justice. This discussion has taken place since 1945 with both supporters and opponents of the claim that the Nuremberg and Tokyo trials were victors' justice. This activity challenges students to arrive at their own opinion on this issue, to reflect on that option, find arguments to support their opinion and engage in a debate with others about their contrasting opinions.

Ideally, the activity follows school work focused on gaining an understanding of the Nuremberg and/or Tokyo Trials. The activity can also follow an activity on 'justice' in general, whether social justice or international justice. See [Activity 1 - Justice: "...the cause of all humanity"](#) or the following module for ideas on how to approach justice issues:

[Justice and Injustice](#)

### **Links for teacher preparation:**

[Articles](#)

[Videos](#)

[On the Nuremberg Trials](#)

**Aims of Activity:** To have students reflect critically on the concept of victor's justice; To have students debate and discuss whether the Nuremberg Trials and Tokyo Trials were victor's justice; To have students gain experience with an interactive and innovative debate methodology.

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<sup>2</sup> See: [https://en.wikipedia.org/wiki/Victor%27s\\_justice](https://en.wikipedia.org/wiki/Victor%27s_justice)

**Methodology:** Opinion line; Small group work; Active listening; Fishbowl methodology.

**Materials Needed:** Access to digital devices for online research; Examples of opinions on whether the Nuremberg and/or the Tokyo Trials were victor's justice attached below.

### Steps to guide the Activity:

**Step 1:** In a plenary setting, introduce the students to the concept of victor's justice. This can be done by providing them with the definition given in the *Background* above.

**Step 2:** Read out the following statement (this is for the Nuremberg Trials, but the same can be done for the Tokyo Trials):

"The Nuremberg Trials were a clear example of victor's justice"

Using the *opinion line method* (also known as the *barometer teaching strategy*), have the students write down (index card or sheet of paper) their position on a scale from '1' to '10', with '1' being totally disagree and '10' being totally agree. After writing this down, they stand in an imaginary line according to their position (they can talk when taking their position), showing their 'score' to you.

**Step 3:** Take the students who score somewhere in the middle (no more than 4-6 students), and they will become *the observers*. They will initially spend their time finding info online to gain a better understanding of the issue. The remainder of the students will be divided into 2 groups: Group A is the 'opposition to the statement group', so the group that *disagrees* with the statement that the Nuremberg Trials were an example of victor's justice. **Give this group a copy of "Arguments Against Nuremberg as Victor's Justice," attached below.** Group B is the 'agreement with the statement group', so the group *agrees* with the statement that the Nuremberg Trials were an example of victor's justice. **Give this group a copy of "Why Nuremberg Was Victor's Justice," attached below.** These groups go to different parts of the room.

**Step 4:** Each group appoints a facilitator, who will lead the internal group discussion in the fishbowl. This leadership role implies guiding the research the group will do and the ensuing discussion. A notetaker who collects the arguments can also be appointed – this is optional.

**Step 5:** The groups are told they have 15-20 minutes (can also be more) to arrive at as many arguments as possible in favour of their opinion (and only arguments in favour of their opinion).

**Step 6:** The groups go into a fishbowl setup, with one group sitting in the middle and the other around that group. The image below gives an idea of what this looks like. You may choose, based on experience, to allow what might be considered the slightly stronger group (the strongest debaters) to sit in the middle first. The facilitator in the group introduces the topic to the rest of the group for about 30 seconds.







*Created with ChatGPT*

The group in the middle then summarises its arguments (within the group) for about 6 minutes. The outside group (with the contrasting opinion) cannot interfere in any way. They should listen attentively (they can take notes).

The observers are given the instruction to observe the dynamics of the situation (were the members of the outside group truly listening, frustration that was visible, attempts to disrupt or intervene), body language (did members of the outside group lean forward or backwards, did they try to make eye contact?) and also try to identify the strongest arguments on each side. The observers also try to identify where the two opposing groups might agree in some way.

**Step 7:** After approximately 6 minutes, the outside group moves to the inner circle (in the fishbowl), and the inside group moves to the outside, surrounding the other group. The sequence repeats itself for 6 minutes. The observers continue their task.

**Step 8:** Both groups have now had the opportunity to present their arguments. The 2 groups leave the fishbowl setup and find a place to reflect on both what the other group has said and how they plan to counter their arguments. They can also go online to find further arguments supporting their own position. This will take about 10 minutes. The observers share notes with each other in the meantime.



**Step 9:** Each group will now have about 5 minutes, led by its facilitator, to rebut what the other group has said. The group that started in the fishbowl is again in the center of the fishbowl. The conversation can start with the facilitator saying something like "Group A/B says x, but.....". It is better not to refer to individuals in Group A/B but to the group as a whole. This helps to avoid personal attacks. The observers once again observe the proceedings.

**Step 10:** The fishbowl 'debate' has now ended. Each of the observers presents what he/she/they have observed. The observers, one by one, especially identify what they thought were the strongest arguments on both sides and also if they thought there was some common ground at all. The participants in Group A and Group B listen to the presentations by the observers. They do not engage in a discussion. You, as the teacher, can choose to have a short discussion after the observers have presented their findings, mostly around any misconceptions or misunderstandings.

**Step 11:** All the students are asked once more to stand where they stood initially (the opinion line). Ideally, they still have their written 'scores'. You once more read off the statement and ask people where they *now* stand with respect to the statement.

**Step 12:** You observe if anybody has moved. If not, you can give feedback on why it is hard to change one's opinion, even with more evidence and counterarguments. If people *do* move, you can ask why they moved. Were their particular arguments that swayed them? What were those arguments?

### Extension activities:

1. You can work on the common ground that was identified by the observers above (if they found common ground), going more deeply into how this common ground could lead to some kind of broader agreement. Students can also research the disagreements that were identified and where reliable evidence might shed some further light on the issue. If research on evidence takes place, it would be good to look at the sources of such evidence.
2. The students can research online the differences between the Nuremberg Trials and Tokyo Trials, on the one hand, and the ICTY, ICR and ICC, on the other hand. Especially the contrast with the ICC. The guiding question here is to what extent the ICC represents a way forward in eliminating victor's justice in the international criminal justice system and perhaps also where improvements are still possible.
3. If you feel comfortable doing this, the students can use ChatGPT or some other AI software to generate the arguments that AI brings forward regarding the statement used in the activity. How close are those arguments to the ones that the students generated?
4. Using quotes to further explore the concept of Victor's Justice, **see attachment below "Extension Activity for Victor's Justice."**

### Attachments

You can find all handouts related to Activity 4 here:

<https://euroclio.eu/download/seeking-justice-toolkit-activity-4-handouts/>



## Activity 5 - Legacy of Nuremberg: International Tribunals that Followed

***By Tvrtko Pater***

*2 Class Period Activity, Ages 16-18*



*UN International Criminal Tribunal for the former Yugoslavia, CC BY 2.0  
<<https://creativecommons.org/licenses/by/2.0>>, via Wikimedia Commons  
[https://commons.wikimedia.org/wiki/File:ICTY\\_Building,\\_The\\_Hague.jpg](https://commons.wikimedia.org/wiki/File:ICTY_Building,_The_Hague.jpg)*

***"It was the virtue of the Nuremberg trial that it was conceived in hatred of war, and nurtured by those starved of peace. Of course, the trial was botched and imperfect...it had to deal with new crimes for which there was no provision in national law or international law."***

Rebecca West, a writer who covered the trials for the New Yorker magazine



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***"The wrongs which we seek to condemn and punish have been so calculated, so malignant and so devastating, that civilisation cannot tolerate their being ignored because it cannot survive their being repeated."***

Robert Jackson, Chief Prosecutor for the United States at the Nuremberg Trials

**Introduction:** The Nuremberg Trials set a precedent for how the international community addresses war crimes and crimes against humanity. This lesson will explore the legacy of the Nuremberg Trials and the establishment of subsequent international tribunals. These tribunals have sought justice for victims of atrocities and have played a crucial role in the development of international law.

**Essential Questions:** How did the Nuremberg Trials influence the creation of future international tribunals? What are the key characteristics and challenges of international tribunals? In what ways do international tribunals contribute to global justice and accountability?

**Guiding Questions:** What were the main outcomes of the Nuremberg Trials? How have international tribunals evolved since Nuremberg? What are some notable cases handled by these tribunals?

### **Background & Historical Context:**

The Nuremberg Trials, conducted after World War II, were the first trials of their kind to prosecute major war criminals. These trials laid the groundwork for international law by establishing that individuals, not just states, could be held accountable for war crimes. The legacy of Nuremberg led to the formation of other international tribunals, such as those for Rwanda and the former Yugoslavia, and eventually the International Criminal Court (ICC).

**Additional information can be found here:** [The Nuremberg Trials](#)

**Aims of Activity:** Students will have an increased understanding of the significance of the Nuremberg Trials in international law; Students will be able to identify key international tribunals established after Nuremberg; Students will be able to analyse the impact of these tribunals on global justice; Students will be able to discuss the challenges faced by international tribunals in enforcing justice.

**Methodology:** discussion-based, supplemented with brief readings and a group activity that involves case studies analysis

**Materials:** Whiteboard/flipchart for group discussions; Internet access for group research





### Day 1:

1. Introduction (10 minutes): Brief lecture on the Nuremberg Trials and their outcomes. Please refer to the "Nuremberg Trials" activity plan in this Toolkit and/or make use of other materials, e.g., [What Happened at the Nuremberg Trials?](#) (3' 34")
2. Introduction to the topic and its relevance to the theme of justice.
3. Discussion (20 minutes): Guided discussion on the essential and guiding questions. Students share their thoughts and prior knowledge about international tribunals.
4. Group Activity (30 minutes): Divide students into small groups. Assign each group a specific international tribunal (e.g., Truth and Reconciliation Commission - TRC, International Criminal Tribunal for the Former Yugoslavia - ICTY, International Criminal Tribunal for Rwanda - ICTR, International Criminal Court - ICC). Groups research and discuss their tribunal's background, significant cases, and challenges.

### Day 2:

1. Group Presentations (20 minutes): Each group presents their findings to the class.
2. Closing Reflections (10 minutes):
  - Each student reflects on the class by expressing their key takeaway or food for thought they gained as a result of the topics discussed.

### Extension Activities:

Homework assignment: Write a short essay on the impact of a specific international tribunal.

Extracurricular: Watch a documentary on the Nuremberg Trials or another international tribunal and write a reflection.

### Suggestions for Assessment:

Students' work on the group research and presentation on assigned tribunal can be assessed, along with the homework essay that can assess more in-depth what the students' understanding and critical thinking are based on the topic of the lesson.

### Additional Recommended Resources:

"[Just Now – Toolbox for Teaching Human Rights](#)" has a set of educational timeline cards developed on the topic of the evolution of International Criminal Law.

These timeline cards can be downloaded and used in class with students. Here is the accompanying lesson plan: [Using the Timeline Method](#).

## Activity 6 - Legacy of Nuremberg 2: Genocide in Srebrenica (1995)

**By Harrie Wiersema and Carolyn McNanie**

*2-3 Class Period Activity, Ages 16-18*



Photo by Adam Jones, <https://www.flickr.com/photos/41000732@N04/3774052522>

***"All who wish to go will be transported, large and small, young and old. Don't be afraid, just take it easy. Let the women and children go first ... No one will harm you."***

Ratko Mladic, Bosnian Serb military officer and convicted war criminal, July 12 1995



***“What followed in the towns and fields around Srebrenica is described by Western officials and human rights groups as the worst war crime in Europe since World War II: the summary killing of perhaps 6000 people.”***

New York Times, 1995

## Introduction

**Essential Question:** How was it possible that, after the Second World War and the Holocaust, a genocide was committed in Europe (Srebrenica) in July 1995?

**Guiding Question:** To what extent did the massacre at Srebrenica fit the definition of the crime of genocide?

## Background and Historical Context:

The July 1995 genocide in Srebrenica was an event in the Yugoslav War of 1991-95. Approximately 8,000 Bosnian Muslim boys and men were systematically murdered by Bosnian Serb forces and buried in mass graves. The genocide took place over only a few days in mid-July.

The Yugoslav War was the result of the breakup of the former Yugoslavia into rival and ultra-nationalistic nation states. Yugoslavia had been a nation for over 70 years where these diverse ethnic groups had lived in relative peace. However, when the country broke up after first the fall of Tito (his death) in 1980, and then the general fall of communism in eastern Europe, the country devolved into a bitter and deadly civil war.

More information about the background, history and events is in the attachment below, where you will also find very useful links to articles and videos.

**Aim of Activity:** Understanding and recognising what genocide actually is; Which processes lead to genocide; Understanding the background to the genocide.

**Methodology:** Students prepare PPTs working in groups, short PPT presentation and lecture by teacher (PPT attached below), group work on the 10 steps to genocide (attached below) with matching activity, readings of primary sources and analysis.

**Materials:** Copies of activity handouts (attachments), paper and/or digital; student access to internet through tablets or laptops, ideally ability to project any PPTs or activities on a screen in front of the class.

## Day 1: Students research and make a presentation about the history of Yugoslavia up through the Dayton Accords in 1995 and the end of the civil war.

1. Introduce the (civil) war in former Yugoslavia in the 1990s. This can be started with a short 2-minute video, for example: [The Bosnian War and the Dayton Accords Explained](#). Then,

the students in groups of 5 do research to create a PPT presentation **following the "Make your own Yugoslav War PPT" attached below**, a presentation that has been started for them. Each group presents their PPT to the class, or 2 groups can present to each other to speed up the process.

2. For the last 5 minutes of class, lead a discussion on "Why was there a war in the former Yugoslav republics from 1991-1995?"

**Day 2: Students explore the concept of genocide: what it is, how it happens (10 steps), and its path to acceptance as a legally prosecutable crime today.**

1. Introduce the concept of genocide to the class. Brainstorm about what they think it is – record on board/flipchart. Do another brainstorm about any genocides they know from history and record. Then, brainstorm why they think humans are capable of genocide and record.
2. Then introduce the **10 steps as a digital handout, with just the titles of the steps, like "Classification" and "Dehumanisation" (see attached handout below)**. In groups of 4-5, have students go through the steps and write what they think they are. Then they tell the class what they came up with.
3. Then, show students the simplified vocabulary version of [The 10 Stages of Genocide](#). Send each student the digital version to have as a reference. Ask students to discuss what matches what they predicted, what surprised them, if they understand the concept more now, etc.
4. **Using the attached "Genocide origins and definitions" PPT** or your own research, introduce the origins of the legal concept of genocide. Included in the PPT is a brief history of genocide, starting with Raphael Lemkin, who coined the word, its relation to Nuremberg, and the Genocide Convention, as well as the definition of genocide. To delve further into Lemkin's life and role, show this video: ['The Tragedy of Raphael Lemkin' by Temujin Doran](#). The **English transcript is attached below**. What's crucial to proving genocide is establishing the INTENT to destroy a GROUP. This makes it very difficult to prosecute. After discussing the content of the PPT or your own lecture, ask the class to discuss: "Why is it so difficult to successfully charge someone with genocide?" "What is defined as GROUP? Is there anything that might be missing?" "How can you prove INTENT?" "Why wasn't genocide prosecuted until the 1990s?"

**Day 3: Students explore the events in Srebrenica through video and reading excerpts from the New York Times written as the events unfolded.**

1. Introduce the Srebrenica genocide with the video clip [Srebrenica massacre - Explained in under 2 min - BBC News - YouTube](#). **There is a handout with the English transcription attached below**. Write these questions on the board and ask students to take notes: When was this? Who were the groups involved? Why were the Dutch UN soldiers there? What promises were made? Were they kept? What happened?
2. Divide the class into 4 groups (or more if the class is larger). **Hand out or post copies of the 5 New York Times articles attached below**. Assign each group one of the **first 4**



**articles** (#5 will be read by all later). Remind students that these are **primary sources written as the events unfolded**, and **there was not yet the conclusion that a genocide had taken place**. Put these questions on the board: What did the world know as the massacre was happening? What was the role of the Dutch UN peacekeepers? Who were the perpetrators? Who were the victims? Why were the Bosnian Muslims in Srebrenica? What were some of the witness testimonies? Discuss.

3. Now have all groups read the New York Times article #5 **Massacre in Bosnia**. Write these questions on the board (or digital board): How has the reporting of the events in Srebrenica changed in 3 months? Why? What is the conclusion now?
4. **To what extent does the massacre at Srebrenica fit the definition of the crime of genocide?** Students in groups of 3-5 fill in the **Genocide in Srebrenica handout attached below**, which provides them with historical evidence that shows how the 10 Steps were present in the lead up to and the actual commitment of the genocide and its aftermath. Once they have finished, ask them to present their findings and discuss the answer to the question using evidence. **Also, ask them why they think it's so hard to prove genocide from what you've learned and read over the past few days.** \* (Intent has to be proved, and so does identification of the victims as a religious, racial, ethnic or national **group**. So far, persecution of a political group has not been included in the definition.)

**(An answer sheet is attached for your convenience.** \*It seems that some of these definitions sometimes overlap, which is another reason why it's hard to prove genocide.)

### Extension activities:

1. Introduce the establishment of the ICTY in 1993. Why was it necessary according to the international community? How did it work? What did it accomplish?
2. Do research about genocide prevention: What do the experts say? Can be done in groups which can produce posters for display in school.
3. The students (in groups) will try to find an explanation on what happened. Divide the groups in (f.e.): Bosnian Serbs, Bosnian Muslims, Dutchbat and United Nations. Let them do research on why Srebrenica happened and end with a class discussion.
4. Genocide in history: Have students research other genocides of the 20<sup>th</sup> and 21<sup>st</sup> centuries and before. This can even go back to earlier centuries (See [List of genocides](#) for quick list) or genocide in the ancient world, i. e. Carthage ([Genocide in the Ancient World](#)). This can lead to presentations (what happened and how it fits some or all of the 10 Steps), reports, discussions, etc.

### Attachments

You can find all handouts related to Activity 6 here:

<https://euroclio.eu/download/seeking-justice-toolkit-activity-6-handouts/>



## Activity 7 - The ICC and Evidence as a Requirement for Justice

**By Carolyn McNanie**

*3 Class Period Activity, Ages 16-19*



Dean Calma / IAEA, [https://www.flickr.com/photos/iaea\\_imagebank/49136973287](https://www.flickr.com/photos/iaea_imagebank/49136973287)

***"Take nothing on its looks; take everything on evidence. There's no better rule."***

Charles Dickens, British author, *Great Expectations*

***"...the desire for revenge is tempered with the demands of justice itself: 'blood isn't paid for with blood; blood is paid for with justice.'"***

Mark Mazower, British author



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## Introduction

**Essential Question:** What is the role of evidence for bringing to justice those accused of international war and humanitarian crimes?

**Guiding Question(s):** What makes reliable evidence? How crucial are investigations to the building of indictments?

**Background and Historical Context:** The 4 'core' international crimes (Crimes of Aggression, Crimes against Humanity, Genocide and War Crimes) that now form the basis for the prosecution of war criminals at the International Criminal Court in The Hague have their foundation in the criminal proceedings against German war crimes perpetrators who were tried in 1945-6 during the Nuremberg Trials. It was during these trials that innovative forms of investigations and evidence were used for the first time, especially films of the atrocities and their aftermath as well as actual documents from along the chain of command giving orders for these atrocities to be carried out. All this clear evidence was instrumental in the conviction, and in 3 cases, the acquittal, of the accused Nazi War criminals.

The International Criminal Court (ICC), established on July 1, 2002, is the last international court created in the legacy of the Nuremberg Trial. For more important details, please see these links: [The ICC at a Glance](#); [International Criminal Court](#); [Evolution of International Criminal Justice](#). See also other lessons in this Toolkit such as '[Activity 2 - The Nuremberg Trial: Origin, Course of the Trial, Result and Legacy](#)' and '[Activity 3 - The 4 'Core' International Crimes: Origin and Application](#)'.

**Aim of Activity:** For students to recognise what types of evidence might be available, how they can recognise reliable evidence and to enlarge their research skills; To understand that without concrete reliable evidence there can be no justice; To become familiar with the work of the ICC in pursuing international justice; To get an idea of the thoroughness of the work of international criminal investigators; To encourage the students to be critical thinkers about current issues.

**Methodology:** Short teacher lecture as introduction with a brainstorm activity; Group work doing investigative research using the internet; Students in groups prepare powerpoint presentations about the results of their investigations; Students present in groups.

**Materials:** Copies of activity handouts, paper (flipchart) and/or digital; student access to internet through tablets or laptops; ideally ability to project any PPTs or activities on a screen in front of the class.

**Day 1: Brief introduction to the ICC followed by a participatory lesson on finding evidence and determining reliability. Introduction of group investigations of ongoing ICC cases.**

1. If students have no prior knowledge of the ICC, the teacher can do a short introduction to its mission and how it functions. See this link: [The ICC in 3 minutes](#) (video) – **English transcript below "The ICC in 3 Minutes"**



2. Start with the **"Finding Evidence" PPT attached below** and present, with your own commentary, up to slide #8. This will help the students become familiar with the 4 Core Crimes<sup>3</sup>.
3. Brainstorm what students in pairs think about the kinds of evidence that can be used to prosecute these 4 crimes and write on a flipchart.
  - a. Then, ask students to generate how they think this evidence can be verified, or accepted as reliable, and record on the flipchart.
  - b. Then ask what kinds of evidence might be available to you, sitting in your classroom now? Record on flipchart.
  - c. Show video clip on slide #9 about gathering evidence in the Russia-Ukraine War; English transcript attached below. Pay attention to how the investigators find evidence. Then ask the students what they concluded and write on the flipchart.
  - d. Show slide #10 and compare what they brainstormed with this list (they probably have more!)
4. Continue with slide #11 about analysing the **Origin, Purpose and Content of the source, leading to determining the Reliability of the source**, which gives students a common language and method in which to judge its value as a source.
5. Tell the students they will now be acting as ICC investigators, and in groups, will be assigned to find reliable evidence for bringing these specific situations to the ICC for prosecution. Divide into groups of four to six students. Give them the attached handout, **"Finding Evidence about Crimes Chargeable at the ICC"** and assign one situation per group. Let them do research on gathering evidence. Topics are Darfur, Ukraine, Afghanistan, Uganda and Bangladesh/Myanmar.
6. Emphasise to students that although the internet is a powerful tool to find evidence, they as students in a classroom do have limitations as to what they can find. However, there is still a lot out there. Go over with the students the **Your Assignment** part of the handout, which gives tips on how to find evidence as well as the requirements for the PPT that they will create and present.

Students can start on their group work on Day 1 if there is time.

**Day 2: Working in their assigned groups, students do their research and prepare their PPTs. You can, of course, troubleshoot any difficulties and answer any questions. It would be helpful to circulate among the groups and make sure they understand the importance of reliability. Each PPT should be 5-7 minutes long. They can finish the PPTs for homework if they didn't have time to finish in class. Encourage them to use Google Slides so they can all have access.**

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<sup>3</sup> This activity links well with *The 4 'Core' International Crimes: Origin and Application* activity in the Toolkit and provides background information and an exercise in identifying crimes in various conflict situations.

**Day 3: Students present their PPTs. End of class reflection on what they experienced doing this activity.**

1. Present the PPTS in turns.
2. Reflection: What did you find most difficult? What was surprising? How did you make sure the sources were reliable? How did you find the work of the investigators? To what extent is their work vital to the prosecution? What is the connection between the work of the investigators and the ICC's commitment to provide justice in these cases?
3. Have each student write a 200-word response to the essential question: **What is the role of evidence for bringing to justice those accused of international war and humanitarian crimes?** Ask for volunteers to share their responses.

**Extension activities:**

1. Use some of the reflection prompts as essay topics.
2. Have students create a classroom/school display on the investigative work of the ICC, emphasising that without evidence, there's no possibility of justice being achieved. This can also include a section on reliability and how to distinguish real evidence from fake evidence. It would be interesting if students could find some examples and point out how it's been faked on their display.

**Attachments**

You can find all handouts related to Activity 7 here:

<https://euroclio.eu/download/seeking-justice-toolkit-activity-7-handouts/>



## Activity 8 - Exploring Witness Testimony: Unveiling Truth Through Oral History

*By Tvrtko Pater*

*One class period, Ages 16-18*



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[https://commons.wikimedia.org/wiki/File:Yehiel\\_Dinur\\_Katzetnik.jpg](https://commons.wikimedia.org/wiki/File:Yehiel_Dinur_Katzetnik.jpg)*

***“One important part of historical recording is to get people of another generation to understand the feelings, the passion that went into social transformation. That’s why oral history is so valuable.”***

Alix Kates Shulman, writer and feminist



**Introduction:** Witness testimony is a crucial component of the justice process, providing first-hand accounts that help uncover the truth and ensure accountability. This lesson will explore the importance of witness testimony, particularly through the use of online sources. Students will examine oral histories and understand the role of witnesses in legal proceedings.

**Essential Questions:** Why is witness testimony important in the justice process? What are the challenges and advantages of using testimonies in legal contexts?

**Guiding Questions:** What makes a witness testimony credible and reliable? How do digital platforms contribute to the preservation and dissemination of witness testimonies?

### **Background & Historical Context:**

Witness testimonies have played a pivotal role in numerous historical and legal contexts, from war crimes tribunals to domestic court cases. The advent of digital technology has transformed how these testimonies are recorded, preserved, and accessed. Platforms like the USC Shoah Foundation, Human Rights Watch and others provide invaluable archives of witness accounts, broadening the scope and reach of these vital narratives.

**Aims of Activity:** Students will gain a deeper understanding of the role and significance of witness testimony in justice processes; Students will learn to access and critically evaluate witness testimonies available online.

**Methodology:** research-based with interactive elements.

**Materials:** Access to computers or tablets with internet connectivity; Access to videos/platforms featuring victim testimonies; Whiteboard/flipchart for group discussions and notes.

### **Steps:**

1. Introduction (5 minutes): Brief lecture on the importance of witness testimony in the justice process.
2. Exploring Online Sources (10 minutes): Introduce students to several online platforms that host witness testimonies. For example:
  - [United States Holocaust Memorial Museum](#)
  - [NEIU Digital Commons](#)
3. Provide a demonstration on how to navigate these platforms and access testimonies. Alternatively, you can assign specific testimonies to students; some examples can be found in [Activity 12 - Justice for Whom? Understanding the Quest for Justice from the Victim's Perspective](#) in this Toolkit.
4. Individual/Group Activity (15 minutes):
  - Students work individually or in small groups to explore a chosen platform and select a witness testimony.
  - Students listen to and/or read the testimony and prepare a brief summary of their reflections and key takeaways.



Here are three guiding questions that students in small groups can follow when watching a witness testimony, focusing on impressions, general observations and relevance:

1. What emotions and reactions do you observe in the witness during their testimony? (Discuss the witness's demeanour, body language and tone of voice. How do these elements contribute to your understanding of their experience and the gravity of the events they describe?)
2. What key themes and events does the witness highlight in their testimony? (Identify the main points and incidents the witness discusses. How do these themes and events contribute to the overall narrative and context of the situation being described?)
3. How does the witness's testimony contribute to your understanding of the broader historical or legal context? (Reflect on how the personal account provided by the witness fits into the larger picture of the historical event or legal case. What insights does the testimony offer about the impact on individuals and communities involved?)
4. Discussion and Reflection (15 minutes):
  - Groups share their selected testimonies and evaluation findings with the class.
  - Group reflection on the importance of using witness accounts in our effort to understand (recent) past events.

### **Extension Activities:**

Homework assignment: Write an essay on the role of digital technology in preserving historical and legal testimonies, using examples from the platforms explored in class. Alternatively, assign students the task of viewing a testimony in full and writing a reflection about it.

### **Suggestions for Assessment:**

You can assess students' participation in class activities and discussions. You can also assess the homework assignment's quality.

### **Additional Recommended Resources:**

World War II Short Oral Testimony videos in Croatian, Bosnian and Serbian languages: [Link](#)



## Activity 9 - The International Criminal Court: A Pathway to Global Justice

**By Tvrtko Pater**

*1 Class Period Activity, Ages 15-18*



*justflix, CC BY-SA 4.0 <<https://creativecommons.org/licenses/by-sa/4.0/>>, via Wikimedia Commons, [https://commons.wikimedia.org/wiki/File:International\\_Criminal\\_Court\\_2018.jpg](https://commons.wikimedia.org/wiki/File:International_Criminal_Court_2018.jpg)*

***“An International Criminal Court (“the Court”) is hereby established. It shall be a permanent institution and shall have the power to exercise its jurisdiction over persons for the most serious crimes of international concern, as referred to in this Statute, and shall be complementary to national criminal jurisdictions. The jurisdiction and functioning of the Court shall be governed by the provisions of this Statute.”***

Rome Statute, Article 1



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**Introduction:** The International Criminal Court (ICC) represents a monumental step in the pursuit of global justice, tasked with prosecuting individuals for genocide, war crimes, crimes against humanity, and the crime of aggression. This lesson will delve into the establishment, function, and impact of the ICC, highlighting its significance in the international justice system and its ongoing challenges.

**Essential Questions:** What is the purpose of the International Criminal Court? How does the ICC function within the framework of international law? What challenges and criticisms does the ICC face in its mission to deliver justice?

**Guiding Questions:** How was the ICC established, and what are its foundational principles? What are some notable cases handled by the ICC? How does the ICC's jurisdiction and authority compare to other international tribunals?

**Background & Historical Context:** The ICC was established by the Rome Statute in 2002 as the first permanent international court capable of prosecuting individuals for serious international crimes. It aims to complement national judicial systems and ensure accountability where national courts are unable or unwilling to prosecute. Despite its groundbreaking role, the ICC faces various challenges, including political pressures, limited jurisdiction and issues of state cooperation.

**Aims of Activity:** Students will gain a deeper understanding of the origins and purpose of the ICC; Students will be able to identify key cases prosecuted by the ICC; Students will be able to analyse the effectiveness and limitations of the ICC in delivering justice; Students will be able to discuss the role of the ICC in the broader context of international law and justice.

**Methodology:** lecture-based with interactive elements, including video clips and a class debate.

**Materials:** Access to videos/documentaries on ICC cases; Whiteboard/flipchart for class notes and debate points; Internet access for additional research

## Steps:

Introduction (15 minutes)

1. Watch a short video clip on the ICC: [JustNow - International Criminal Court \(ICC\)](#) (3' 24")
2. Guided discussion on the essential and guiding questions, with students sharing insights from the video.
3. Class Debate (25 minutes):
  - Divide the class into 2 groups: one supporting the ICC's effectiveness and the other critiquing it.
  - Each group prepares arguments and presents their case, followed by a class discussion.
4. Wrap-up and Reflection (5 minutes)
  - Summarise key points from the debate.
  - Reflect on the ICC's role in international justice and its future prospects.





**Extension activities:**

Homework assignment: Research a specific ICC case and write a report on its significance and outcome.

Extracurricular: Organise a mock ICC trial in class, with students playing various roles (judges, prosecutors, defence, etc.).

**Suggestions for Assessment:**

You can assess students' participation in class discussions and debates. Students' reflection papers/essays from the homework assignment can also be graded.

## Activity 10 - Exploring the Cases Currently on Trial at the International Criminal Court: The Case of Darfur and The Case of the Central African Republic

*By Vicky Tsirgoula and Carolyn McNanie*

3 Class Period Activity, Ages 16-18



USAID, Public domain, via Wikimedia Commons,  
[https://upload.wikimedia.org/wikipedia/commons/0/0d/Darfur\\_IDPs\\_1\\_camp.jpg](https://upload.wikimedia.org/wikipedia/commons/0/0d/Darfur_IDPs_1_camp.jpg)

***“Because at the end of the day, I go back to this basic premise, a child in Myanmar that’s persecuted, or a child in Israel that is an orphan or that has been taken and killed, or one in Ukraine, for their family, there’s no difference. Their universe has been torn to shreds. And this is***



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***the need for the court and independent judges to scrutinize, not look at the politics, not look at a dysfunctional security council, not look at the difficulties it may cause regional organisations or different groupings, but simply say, is the evidence reliable?"***

Karim Khan, ICC Chief prosecutor, CNN interview

**Introduction:** This lesson plan will help students understand the complexities of international justice and encourage critical thinking about the role of global institutions like the ICC in addressing crimes that impact humanity. There are currently two cases being tried at the ICC, Darfur and CAR. These trials can take years. There are also indicted defendants that are still at large, lengthening the possible duration of trials related to these conflicts. The ongoing Darfur conflict is a stark reminder of the devastating impact of ethnic and political violence, and it continues to be a key case study in international relations, human rights, and the role of international law in addressing crimes against humanity. Since its inception in 2013, the conflict in the Central African Republic (CAR) has had similar impacts on the country's population as has the conflict in Darfur.

**Essential Question:** Is international justice achievable?

**Guiding Question:** What are the challenges in prosecuting war crimes, crimes against humanity and genocide?

### **Background and Historical Context to the Darfur and CAR cases:**

#### **The Darfur conflict:**

The Darfur conflict, which erupted in 2003, is one of the most severe humanitarian crises of the early 21st century, marked by widespread violence, ethnic cleansing and large-scale human rights abuses. The conflict takes place in the Darfur region of western Sudan, a remote and impoverished area roughly the size of France. The roots of the conflict are deep, involving a complex mix of ethnic tensions, political marginalisation and competition over resources, exacerbated by environmental degradation and government policies.

The Darfur region has long been characterised by ethnic diversity, with a population composed mainly of non-Arab ethnic groups such as the Fur, Zaghawa, and Masalit, as well as Arab nomadic tribes. Historically, these communities coexisted, but tensions over land and water resources increased, particularly as desertification and drought made resources scarcer. These tensions were further fueled by the Sudanese government's policies, which marginalised Darfur politically and economically, leading to deep-seated grievances among the non-Arab population.

**Please see the attachment below for further "Background and History of the Darfur Conflict."**

#### **The CAR conflict:**



Once a colony of France, the Central African Republic gained independence in 1960. Situated right in the middle of the African continent, CAR is rich in mineral wealth, including diamonds, gold and silver. Despite this, or maybe because of it, CAR has experienced decades of violence and instability, contributing to its rank as one of the poorest countries in the world. Demographically, the country identifies as 89% Christian and 9% Muslim.

According to the CIA factbook, in March 2013, the fifth coup since independence unseated the president, Francois Bozize. This coup was led by a newly formed Muslim insurgent group called the SELEKA. Reports of abuses of Christians perpetrated by this group spurred the creation of Christian 'self-defense' groups, called ANTI-BALAKA, which retaliated by committing human rights abuses against Muslim populations in the country, causing almost half a million to flee to bordering countries. The factbook states: "Since the rise of the self-defense groups, conflict in CAR has become increasingly ethno-religious-based, although focused on identity as opposed to religious ideology." (see useful links for reference)

Even though the SELEKA group was officially disbanded in late 2013, ex-SELEKA members and ANTI-BALAKA have contributed to creating a situation of factional violence and lawlessness that lasts to this day.

**Please see the attachment below for further "Background and History of the CAR Conflict."**

**Aims of Activity:** To emphasise the importance of historical context in understanding the trajectory of current conflicts; To raise awareness of the work of the ICC in bringing to justice those who committed crimes during these conflicts; To teach students how to approach, analyse and use primary sources to assess reliability and support an argument.

**Methodology:** Short introductory lecture; student group work and jigsaw activity; primary source analysis using *Thinking Hats* and concept maps; optional individual student essay

**Materials Needed:** Laptop/pc, Projector, Paper and Pen, Printouts of handouts or digital versions, Access to digital devices for online research

**Day 1: Introduction to the ICC and the Darfur case and the jigsaw activity. How this works is explained in the document below that lists the questions for each student group. Students do research on the internet.**

1. If students have no prior knowledge of the ICC, you can do a short introduction to its mission and how it functions. See these links: [The ICC in 3 Minutes](#) – **English transcript below "The ICC in 3 Minutes"**

It would also be helpful to show students where in the world the ICC is investigating situations where crimes may have been committed: See interactive map [Situations under investigation | International Criminal Court \(icc-cpi.int\)](#).

2. Case Study Introduction - Darfur or CAR (30 minutes): For Darfur, show students the video: [Darfur, Sudan | International Criminal Court \(icc-cpi.int\)](#) ( 1 minute); for CAR, show: [Central African Republic](#) (\*Note: this video describes the situation from 2002 -2012. The





current case at the ICC is CAR II. However, the same problems for the population remain, although they even worsened with the 2013 Civil War.) **English transcripts of the videos are attached below.**

Tell students you will spend the next 3 class periods exploring the Darfur or CAR case. The first day, you'll be doing group work where each group will become experts in a certain aspect of the Trial. Then you'll be divided again and you'll teach others in a new group about what you've learned. This is called a **jigsaw activity**<sup>4</sup>. The topic is divided into 5 chunks. If the number of students you have is not divisible by 5, feel free to combine chunks. The easiest to combine have an asterisk \*.

3. **Give students copies of the "Darfur/CAR case – Groups and Questions" document attached below.** Groups and questions: Students should be encouraged to use images so that their 'teaching' will be more effective. They can also use very short clips, maximum 45 seconds, to help understanding.
  - a. Colonial History
  - b. Geography and Natural Resources - Economy
  - c. Political History since Independence: Ethnic and Religious Rivalries
  - d. \*Civil War and Crimes ( Government Forces, Rebels, Paramilitary Groups)
  - e. \*The Cases now at the ICC

*To the Teacher: The students should have the rest of the period for research and, if necessary, finish for homework. They should be ready to share their findings directly on Day 2.*

## **Day 2: Sharing your findings and 6 Thinking Hats activity.**

1. Students break up into new groups and, in the 1-5 order, share what they know with the others. If you choose, encourage the students to take notes. These can be in answer to the questions. Give students 15-20 minutes.
2. Tell students that **each of the groups 1-5 will now be assigned one of the "Thinking Hats"**, and each group will evaluate the same primary source according to the "hat" they've been assigned. Give students 10 minutes for this. **See handout "Thinking Hats Activity" for instructions and the primary source they will analyse. The general question they will answer with the perspective of their own thinking hat is: "What are the challenges in prosecuting war crimes and genocide?"**
3. During the last 10 - 15 minutes, ask the class to share their group's perspective on the question from the point of view of their group's thinking hat. Tell students to take notes on the chart provided. Then, ask them to comment on the use/importance/difficulty of diverse viewpoints and what they mean for successful negotiations.

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<sup>4</sup> See the *Nuremberg Trial: Results and Legacy* activity in the Toolkit for instructions about how Jigsaw works.

### Day 3: Reflection on the Thinking Hats activity and the construction of a concept map based on a primary source.

1. Return to the question from Day 2 and ask students to individually reflect on and discuss what investigating these different perspectives taught them. Give them 3-5 minutes to write down ideas. Then, ask them to share. Prompt them with questions if necessary.
2. Put the students into new groups and tell them they'll be working on a concept map to pull all the history and analysis together. They will be using what they've learned over two days to generalise what they've understood about international justice. **The instructions are attached as a handout below. The primary sources for this exercise are also attached below.**
3. When they have finished, each group presents their analysis to the class (5 min). Guide students in comparing the different sources analysed by each group. Discuss the similarities and differences in perspectives, biases and the types of information provided.
4. Ask students to reflect on what they learned about the Darfur/CAR conflict, how their understanding changed and what they found challenging about working with primary sources. Students can share their reflections and discuss the broader implications of the Darfur/CAR conflict and international justice.

For example, question prompts can be: "How did analysing these sources change (or not) your view of the conflict?" or "What did you learn about the challenges of achieving justice in international conflicts?" (10 min).

**Extension activity:** Assign an essay where students must use evidence from the primary sources to support their arguments about:

**"Do you believe that international justice is achievable? Why or why not?"**

**How to access the streamed ICC hearing:** Before class, check the ICC court calendar for the day you want to do the activity: [Court Calendar](#). **\*Remember, there is a 30-minute delay.** The session starts at 9:30 CET, although it might take some time to get ready. Usually, the Court is in session from 9:30-11:00, 11:30-13:00, and 14:30-16:00. At the bottom of the Court Calendar, you will find this: Connect to [ICC's web streaming service](#) to follow a hearing. Click on the underlined link.

### Attachments

You can find all handouts related to Activity 10 here:

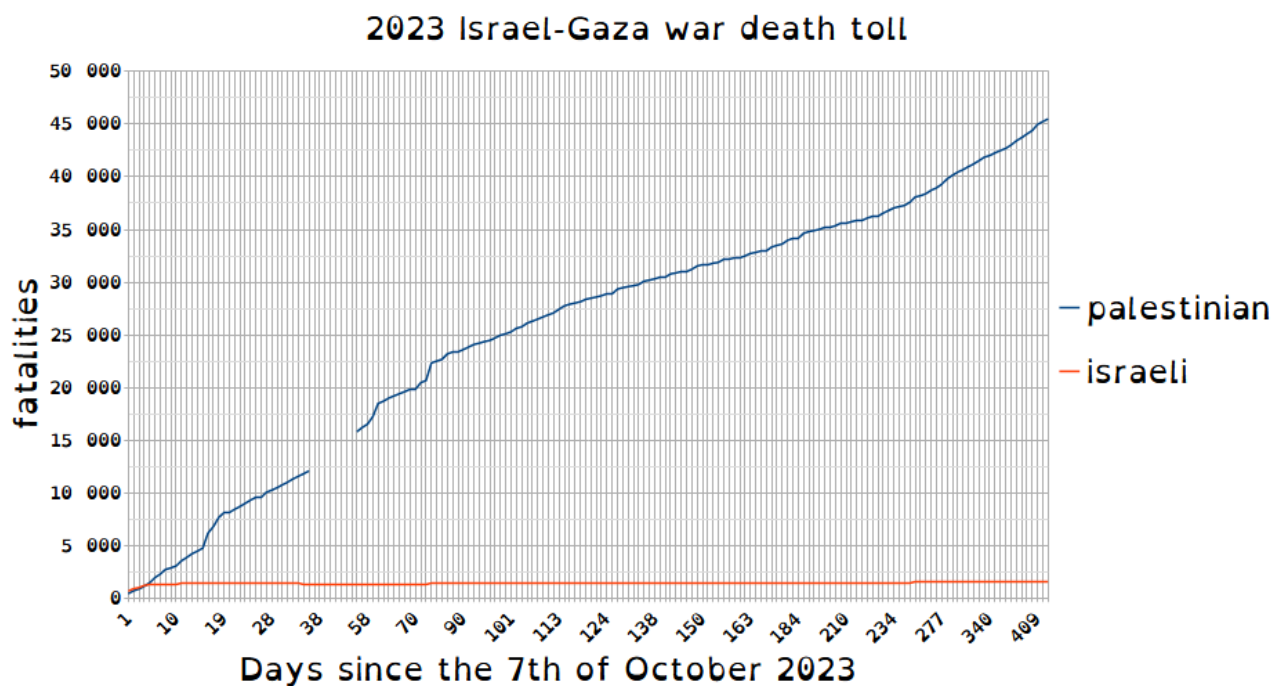
<https://euroclio.eu/download/seeking-justice-toolkit-activity-10-handouts/>



## Activity 11 - Ongoing ICC Investigation Concerning the State of Palestine

*By Harrie Wiersema*

*3 class period activity, 16-18 years of age*



[https://upload.wikimedia.org/wikipedia/commons/7/71/2023\\_Israel-Gaza\\_war\\_death\\_toll\\_graph.png](https://upload.wikimedia.org/wikipedia/commons/7/71/2023_Israel-Gaza_war_death_toll_graph.png)

***"The goal of the operation is to send Gaza back to the Middle Ages. Only then will Israel be calm for 40 years."***

Interior Minister of Israel, Eli Ishayi, on Nov. 18, 2012

**"The Israeli-Palestinian conflict is a tragedy; it is a clash between right and right. And, therefore it's not black and white. Sometimes, recently it is indeed a clash between wrong and wrong. It is not as simple as fascism was."**

Amos Oz, Israeli writer

## Introduction

**Essential Question:** To what extent can the ICC investigations and future indictments possibly make a positive difference in this long-running bitter conflict?

**Guiding Question:** What were the long and short-term causes of the Israel-Palestine conflict which culminated in the Israel-Hamas war which started on the 7th of October 2023?

## Background and Historical Context:

There are few conflicts that have had as much impact as the current Palestinian-Israeli conflict. The region has a history of violence, numerous wars and bloody conflicts. However, for centuries in the past, Jews, Muslims and Christians lived there in peace. It is an extremely important region for these groups. In Jerusalem, for example, stands the Temple Mount. Jews believe that Abraham built an altar there to sacrifice his son Isaac to God. Two Jewish temples were also built there and later destroyed. Muslims call it Haram al- Sharif, and it is also one of their holiest places. It was from here that the prophet Mohammed ascended to heaven. The Al Aqsa mosque was later built there. For Christians, the Church of the Holy Sepulcher is sacred. They believe that where it stands, Jesus died on the cross and rose from the dead. The city of Bethlehem is where Jesus is said to have been born. And Hebron is one of the holy places for Jews, Muslims and Christians. Jews believe that these places belong to what they call the Promised Land, promised by God to the Jewish people. Moreover, they say, "hundreds of years before Christ, Jews also lived there in a place that would have been called Israel." In other words, many Jews believe they have a right to that land. All these places are located in an area that has been called Palestine since ancient times, not as a country, but more as a region between the Jordan River and the Mediterranean Sea. **See the attachment below "History and Background" for more details and further links.**

**Aim of Activity:** To provide historical background and context to a current and difficult world issue; To engage students in an active investigation of this context and what is going on now to help them make their own critically informed decisions on the issue; To highlight the work of the ICC in dealing with these cases of international crimes.

**Methodology:** Concept mapping; historical vocabulary chronology group research; group timeline construction through images/sources; research followed by teacher-led critical discussion.

**Day 1: History of the Conflict: Start with brainstorming prior knowledge. Then, students will explore the historical context through research on keywords and phrases.\***

1. Briefly introduce the topic of the Israel-Palestine conflict as a current event (or recent event).
2. Then, put students in groups and tell them to make a concept map on a large sheet of paper of what they know about the topic. Ask the students to write down the topic Israel-Palestine in the center and let them write a list of words, phrases, and ideas around it. Ask them to do this silently, **without judgment**.





3. Then, share the outcome with the class, again without comments. Collect the maps for later.
4. Now tell the students that they will be exploring the history of the issue. Give them the **handout below "Historical Vocabulary for Israel/Gaza,"** preferably in a digital version. If printed out, you might want to increase the spaces given for each word.

**\*You should lay down some parameters here about approaching this sensitive topic. Some guidance has been given on [Teaching Sensitive Topics](#)**

### **Day 2: Using sources to construct a timeline about the Israel/Gaza conflict.**

1. Divide the class into groups of 4-6, depending on class size. Print out the **"Palestine Israel timeline with photos,"** one set for each group. Cut out the photos and sources separately. Give each group the photos only at first. Tell them to use their vocabulary list from the day before to put the photos in chronological order. It is important that they carefully analyse all aspects of the photo: people, texts, striking matters, etc. This allows the choice of the position of the photo to be substantiated.
2. When they have finished or done as much as they can, give them the written source descriptions and have them match up the photos to the sources in chronological order. Circulate around the class during this process and give some clues/help where necessary.
3. Once they have completed the timeline, you ask the students if they've discovered any connections between the events, cause and effect or comparisons.

### **Day 3: Revisiting the concept map and discussing what is happening now.**

1. Give out the concept map from Day 1 to the original groups. Ask students to now add what they've learned about the issue to the map. Ask students to share the results.
2. A short introduction by the teacher on the International Criminal Court (ICC) to its mission and how it functions. See these links: [The ICC in 3 Minutes](#) – **English transcript below "The ICC in 3 Minutes."**

[The ICC at a Glance](#); [International Criminal Court](#); [Evolution of International Criminal Justice](#); Also see other lessons in this Toolkit such as '[Activity 2 - The Nuremberg Trial: Origin, Course of the Trial, Result and Legacy](#)' and '[Activity 3 - The 4 'Core' International Crimes: Origin and Application](#)'.

3. On the 20<sup>th</sup> of May 2024 the ICC-prosecutor Karim A.A. Kahn made a statement in which he applied for arrest warrants in the situation in the State of Palestine for war crimes and crimes against humanity: Yahya Sinwar (Head of the Islamic Resistance Movement ("Hamas") in the Gaza Strip; Mohammed Diab Ibrahim Al-Masri (Commander-in-Chief of the military wing of Hamas, known as the *Al-Quassam Brigades* – assassinated on July 13 2024); Ismail Haniyeh (Head of Hamas Political Bureau – assassinated on July 31 2024); Benjamin Netanyahu (Prime Minister Israel); Yoav Gallant (Minister of Defense of Israel).

4. Divide the class into 5 groups. Each group will gather information on the internet about one of the persons mentioned above and the crimes they have been accused of. Each group presents their findings (about 1-2 minutes each) to the class.
5. Follow this up with a discussion centred on the question: **To what extent can the ICC investigations and future indictments possibly make a positive difference in this long-running bitter conflict?**
6. Possible subjects to discuss:
  - The inability to secure the suspects by the ICC
  - Constraints to investigating the situation in Israel-Palestine
  - Non-cooperation of states (ex. the United States and Israel itself)
  - The ICC has brought people to justice and obtained convictions in other cases – so might this be possible in the Israel/Gaza case? How?
  - The ICC gives communities and victims a voice which can help in meaningful and domestic capacity for justice – does this mean that states will take credible domestic action to avoid the risk of ICC prosecution?
  - Can the ICC deter and prevent potentially horrific acts? Examples?
  - Can the ICC bring any justice to the victims in this difficult-to-prosecute case?

### Extension Activities:

- Students can be assigned an essay on the essential question, or ask students to answer “Why is the conflict in Israel/Gaza so difficult to resolve?” from a historical perspective.

### Attachments

You can find all handouts related to Activity 11 here:

<https://euroclio.eu/download/seeking-justice-toolkit-activity-11-handouts/>



## Activity 12 - Justice for Whom? Understanding the Quest for Justice from the Victim's Perspective

**By Tvrtko Pater**

*One Class Period, Ages 15-18*



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***"Without justice, the most heinous crimes go unpunished; victims are unable to obtain redress, and peace remains an elusive goal, since impunity generates more hatred, leading to acts of revenge and more suffering."***

Federica Mogherini, Former Vice-President of the European Commission



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**Introduction:** In the pursuit of justice, the perspectives of victims are often overshadowed by legal and political processes. This lesson explores what justice means from the viewpoint of victims of crimes and atrocities. By understanding their needs, desires, and experiences, students will gain a deeper appreciation of the complexities of delivering true justice.

**Essential Questions:** How do victims of crimes perceive justice? What are the key components of justice from a victim's perspective? How can the (international criminal) justice system better serve victims?

**Guiding Questions:** What are the common needs and desires of victims seeking justice? How do different justice systems address (or fail to address) these needs? What role do reparations, apologies, and acknowledgments play in the justice process for victims?

### **Background & Historical Context:**

Victims of crimes and atrocities often seek more than just legal retribution; they desire recognition, reparation, and closure. Various justice mechanisms, including truth and reconciliation commissions, reparations programs, and victim advocacy groups, have been established to address these needs. Despite these efforts, many victims still feel marginalised by the justice process.

**Aims of Activity:** Students will gain a deeper understanding of the concept of justice from a victim's perspective; Students will be able to identify key elements that victims consider essential for achieving justice; Students will be able to analyse how different justice systems incorporate victim perspectives; Students will be able to discuss ways to improve justice systems to better serve victims.

**Methodology:** discussion-based with group work activity.

**Materials:** Access to videos/documentaries featuring victim testimonies Whiteboard/flipchart for group discussions and notes; Internet access for additional research.

### **Steps:**

#### **Introduction (10 minutes)**

1. Brief lecture on the importance of victim perspectives in justice.
2. Overview of different justice mechanisms that incorporate victim perspectives (e.g., truth and reconciliation commissions, reparations).
3. Video and discussion: (15 minutes) Watch a short video clip featuring testimonies of victims from various justice processes. You can choose an appropriate video clip that is adequate for your students' age and maturity level from the following sources:
  - [Testimony by Eugenie Mukeshimana, a survivor of the genocide in Rwanda](#) (9' 49")
  - [A Survivor of the War in Bosnia Recounts His Experience](#) (7' 41")
  - [Witness O - a survivor of the Srebrenica execution](#) (text for context & short witness statement) (0' 52")
  - [Archive: ICTY - Voice of the Victims](#)





4. Guided discussion on the essential and guiding questions, focusing on the needs and desires expressed by the victims in the video.

### **Small Group Activity (15 minutes)**

5. Divide students into small groups.
  - a. Assign each group a story involving a victim and their experience.
  - b. Each group presents their 'verdict' on how this particular victim could be given (a sense of) justice after what they experienced. Suggested sources from which you can draw these stories are:
    - [Survivors Poetry](#)
    - [War Childhood Museum Education Resource Center](#)
    - [Survivor Reflections and Testimonies](#)

### **Wrap-up and Reflection (5 minutes)**

Each student reflects on their key takeaway from the class.

### **Extension Activities:**

Homework assignment: Interview a local victim advocate or read a detailed victim testimony, then write a reflection on how the advocate or testimony highlights the victim's perspective on justice.

### **Suggestions for Assessment:**

You can assess students' participation in discussions and group work activities. You can also assess the students' reflection papers or essays on the victim's perspective of justice.

### **Additional Recommended Resources:**

World War II Short Oral Testimony videos in Croatian, Bosnian and Serbian languages: [Link](#)



## **Activity 13 - Watching a Live-streamed ICC Hearing Activities**

**By Tihana Magas and Carolyn McNanie**

*2-3 Class Period Activity, Ages 15-18*



[https://commons.wikimedia.org/wiki/File:Flag\\_of\\_the\\_International\\_Criminal\\_Court.svg](https://commons.wikimedia.org/wiki/File:Flag_of_the_International_Criminal_Court.svg)

***“You must put no man to trial ... if you are not willing to see him freed if not proven guilty”***

American Chief Prosecutor at Nuremberg, Robert H. Jackson

***“We are not to simply bandage the wounds of victims beneath the wheels of injustice, we are to drive a spoke into the wheel itself.”***

*Dietrich Bonhoeffer, pastor and anti-Nazi dissident, (1906-1945)*



## Introduction

**Essential Question:** What is the role of the International Criminal Court (ICC) in bringing war criminals to justice?

**Guiding Question:** To what extent is justice being carried out during these ICC trials?

### Background and Historical Context:

The ICC is a permanent international judicial body established by the 1998 Rome Statute, a treaty that 140 nations signed in a pledge to establish the court. The building housing the court in The Hague, the Netherlands, was opened on July 1, 2002, and it is only crimes committed from this date onward that can be brought to trial either by a state that has ratified the agreement (124 so far) or by a national of such state. Unlike the International Court of Justice, where nation-states are prosecuted, the ICC tries only individuals indicted for international criminal crimes. The ICC is the last international court created following the legal frameworks established by the Nuremberg Trial of 1945-6 created to prosecute accused Nazi War criminals. It was during these trials that the 4 core international crimes were first formulated. For more important details, please see these links: [The ICC at a Glance](#); [International Criminal Court](#); [Evolution of International Criminal Justice](#). Also, see other lessons in this Toolkit such as [Activity 2 - The Nuremberg Trial: Origin, Course of the Trial, Result and Legacy](#) and [Activity 3 - The 4 'Core' International Crimes: Origin and Application](#).

**Aim of Activity:** To experience a live court proceeding in which an accused international criminal is being tried; to study an event in the past and see its further implications unfold in the present; to closely observe a trial and draw conclusions as to process and roles; to write a newspaper article.

**Methodology:** Brainstorming, individual work, group work, taking notes from a live stream, writing a newspaper article, independent research.

**Materials:** Live-streamed ICC hearing (see section below '**How to access the streamed ICC hearing**'); note-taking materials; ICC video and transcript; printed or digital copies of assignments; projector for video.

**Pre-Activity homework preparation:** After you have checked the ICC court schedule (see below) and chosen which hearing to stream, the students should research the events that led to this particular individual being indicted and the charges against them. Familiarity with the case and individual will enhance their experience of the whole activity. **See attached document "Questions about the events that led this individual to be indicted by the ICC"**. Here are links to the cases currently being tried. At this writing (Autumn 2024), individuals from Sudan and the Central African Republic are now on trial. These trials take many years, so this might be true for a while. Here is a link to the ICC website with brief descriptions of the accused and their crimes.

- [Abd-Al-Rahman Case](#)
- [Yekatom and Ngaïssona Case](#)
- [Said Case](#)
- [Central African Republic II](#)



**This can also be done in class on an extra day.**

**Day 1: Introduction to the ICC and case in question followed by viewing and taking notes about the trial.**

1. If students have no prior knowledge of the ICC, the teacher can do a short introduction to its mission and how it functions. See this link: [The ICC in 3 Minutes](#) – **English transcript below “The ICC in 3 Minutes.”**
2. Students share what they found out about the case and the individual whose trial they will see.
3. Teacher introduces the note-taking activity with a 5-minute brainstorm: On the board, make 3 columns: 1) the judges; 2) the lawyer(s); 3) the witness(es). Now, ask the students to brainstorm what they think they might observe. Keep that list visible so students can refer to it. Then, ask the students to volunteer to be in each of 3 groups that will take notes about their observations of the judges, lawyers, or witnesses.
4. Show the hearing. You can stream it for about 30 minutes. Ask students to write a brief summary of what they observed for homework and be ready to share it in class the next day. **Ask them also to focus on the issue of justice.**

**Day 2: Students write a newspaper article in groups of 3.**

1. At the beginning of class, ask a few volunteers to share their summaries. Ask what they found interesting, what surprised them and what they learned about these professions. What did they learn about the case, seeing the defendant in person and listening to the witness? Do they see why these cases take so long to prosecute? Why do they think that is? To what extent do they think justice is being carried out? Why?
2. Then, break the class into groups of 3 – one each from the judge, lawyer and witness observers (this can be 4 if both the defence and prosecution were active during the hearing).
3. Present the assignment thus: In your groups, write a 300-word newspaper article about the hearing. See attached instructions for tips on writing for the press. It would also be helpful to have the class read some sample newspaper articles as a model. If this isn't finished by the end of the class period, assign it for homework.

To the teacher: You can use this as an assessment, post the articles either digitally or on the classroom wall, have the students share their articles, etc.

**How to access the streamed ICC hearing:** Before class, check the ICC court calendar for the day you want to do the activity: [Court Calendar](#). **\*Remember, there is a 30-minute delay.** The session starts at 9:30 CET, although it might take some time to get ready. Usually, the Court is in session from 9:30-11:00, 11:30-13:00, and 14:30-16:00. At the bottom of the Court Calendar, you will find this: Connect to [ICC's web streaming service](#) to follow a hearing. Click on the underlined link.





## Attachments

You can find all handouts related to Activity 13 here:

<https://euroclio.eu/download/seeking-justice-toolkit-activity-13-handouts/>

## Glossary of Terms, Events, Persons and Locations used in this Toolkit

<b>Central African Republic (CAR)</b>	A landlocked country in central Africa rich in natural resources which gained independence from France in 1960. It is bordered by Chad, Sudan, South Sudan, the DRC, the Republic of the Congo and Cameroon. It has been plagued by conflict since independence and is one of the poorest countries in the world.
<b>Crimes Against Humanity</b>	<p>"Crimes against humanity are acts committed as part of a widespread or systematic attack directed against any civilian population, such as murder, deportation, torture and rape."</p> <p>(Netherlands government ICC website)</p> <p>Crimes against humanity are those committed against an <b>individual</b>.</p>
<b>Darfur</b>	A large region in the westernmost part of Sudan with borders on Libya, Chad, CAR and South Sudan. Ethnic tensions between Arab herders and the Fur and other farming populations started in the late 1980s. Farmers attacked government installations in 2003, claiming that the government had done nothing to support its non-Arab population. The government then created the Arab militia, the Janjaweed, that began murdering the non-Arab agriculturists, burning down their villages and fields, killing tens of thousands and forcing hundreds of thousands to flee into refugee camps where millions remain. The violence continues until today.
<b>Four Core Crimes</b>	The four international crimes enshrined in the 1998 Rome Statute that form the basis for international prosecutions: Genocide, Crimes Against Humanity, War Crimes and the Crime of Aggression.
<b>Genocide</b>	<p>From The Convention on the Prevention and Punishment of the Crime of Genocide, 1948, which was formed in response to the evidence and charges presented at the Nuremberg Trials : "The definition contained in Article II of the Convention describes genocide as a crime committed with the intent to destroy a national, ethnic, racial or religious group, in whole or in part. This definition has been used by the International Court of Justice, the ICTY, the ICTR and the ICC."</p> <p><a href="https://www.un.org/en/genocideprevention/documents/Genocide%20Convention-FactSheet-ENG.pdf">https://www.un.org/en/genocideprevention/documents/Genocide%20Convention-FactSheet-ENG.pdf</a> Notice that genocide is a crime against a <b>group</b>. Crucial to the prosecution of genocide is the concept of <b>intent</b>.</p>

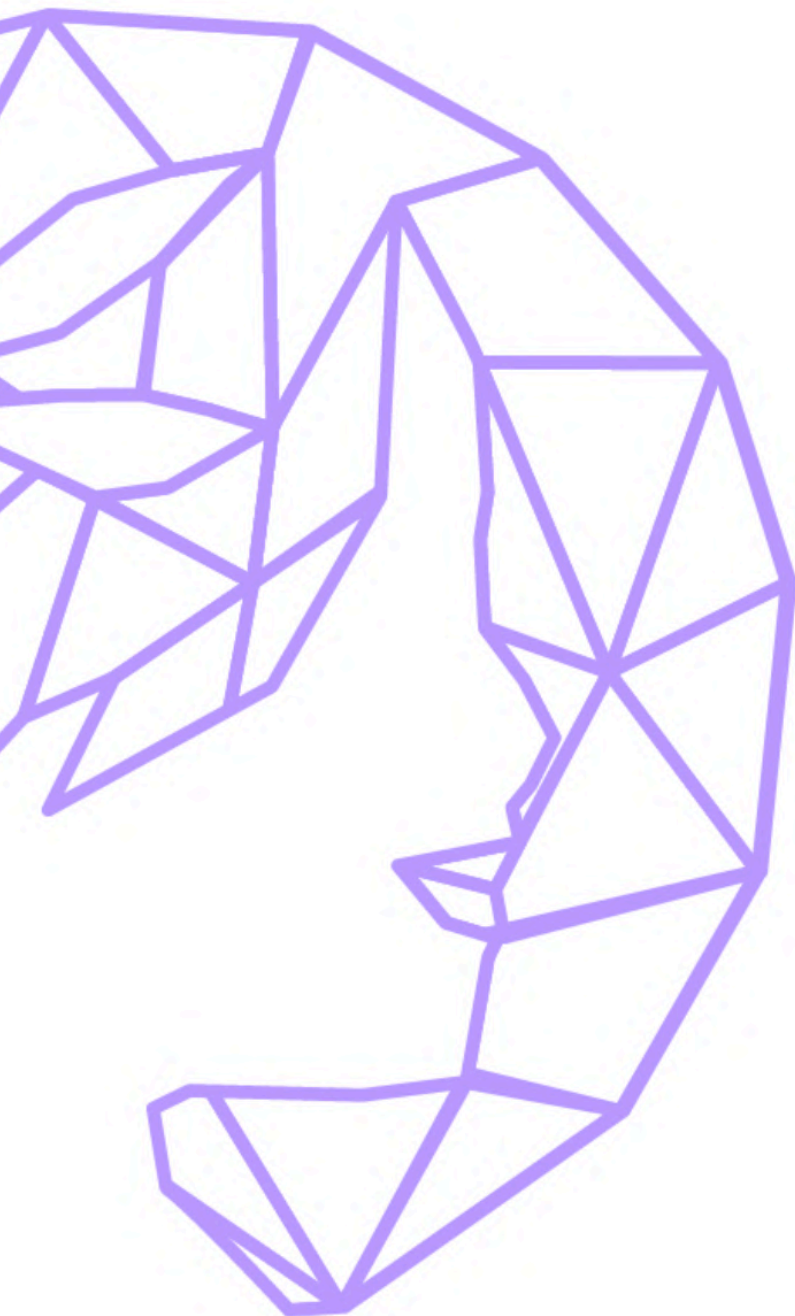
<b>Hersch Lauterpacht</b>	Renowned Polish-Jewish legal scholar based in London who came up with the idea to use, for the first time, the term 'crimes against humanity' to describe the atrocities perpetrated by the Nazis against millions of civilians in a <b>legally binding way</b> . Thus this formulation became an integral part of the Nuremberg statute which guided the prosecution of the Nazi war criminals and remained to become one of the four core crimes in use in international criminal tribunals today.
<b>ICTR – International Criminal Tribunal for Rwanda</b>	Following the genocide in Rwanda from April to July 1994, the United Nations Security Council created an international court in order to bring to trial individuals charged for this genocide and violations of international law between January 1 and December 31 1994. The court was located in the Tanzanian city of Arusha. Crimes charged were genocide, crimes against humanity and war crimes. In September 1998, the ICTR was the first international tribunal to find a judgement of genocide.
<b>ICTY – International Criminal Tribunal for the former Yugoslavia</b>	Like the ICTR, the ICTY was created by the United Nations in 1993 to deal with the war crimes that occurred during the 1992 – 1995 Yugoslav War. Located in The Hague, Netherlands, it also brought to trial perpetrators accused of genocide, crimes against humanity and war crimes. This, again like the ICTR, was the first time since the Nuremberg and Tokyo Trials that these international crimes were charged and the world united to prosecute the perpetrators. Both these events and the subsequent trials brought the United Nations to the realisation that it was necessary to create a permanent venue for such trials. This led directly to the creation of the International Criminal Court.
<b>International Criminal Court</b>	<p>"An <a href="#">intergovernmental organisation</a> and <a href="#">international tribunal</a> seated in <a href="#">The Hague, Netherlands</a>. It is the first and only permanent international court with <a href="#">jurisdiction</a> to <b>prosecute individuals</b> for the <a href="#">international crimes</a> of <a href="#">genocide</a>, <a href="#">crimes against humanity</a>, <a href="#">war crimes</a> and the <a href="#">crime of aggression</a>. <b>The ICC is distinct from the <a href="#">International Court of Justice</a>, an <a href="#">organ of the United Nations</a> that hears disputes between states.</b>"</p> <p><a href="https://en.wikipedia.org/wiki/International_Criminal_Court">https://en.wikipedia.org/wiki/International_Criminal_Court</a></p>
<b>International Law</b>	<p>Consists of rules, norms and standards that states feel they have an obligation to obey in their international relations. Although they usually do obey these formal written rules, this system works largely through consent. It includes war, diplomacy, economic relations and human rights. These rules also extend to international organisations and NGOs.</p> <p><a href="https://en.wikipedia.org/wiki/International_law">https://en.wikipedia.org/wiki/International_law</a></p>

<b>Justice</b>	In general, justice is the concept that all human beings are treated in an equitable and fair manner. In law, achieving justice means to use the laws in a fair way to judge the innocence or guilt of an accused criminal. Today, this applies to providing due process in a court of law for the accused.
<b>London Conference of August 1945</b>	In the summer of 1945, the four victorious Allied Powers (USA, UK, USSR and France) met to decide on the form and rules for the proposed trial of the captured German Nazi war criminals. After much debate and compromise on such matters as state sovereignty, the issue of retroactivity, what law system (Anglo-Saxon or Continental) to follow and who actually bore the responsibility for the crimes committed, the Powers created the London Charter, which laid the rules for the Nuremberg Trial.
<b>Nakba</b>	The violent displacement of 750,00 Palestinian Arabs from Palestine right before and following the founding of the state of Israel in 1948. This included loss of property, destruction of society, suppression of political rights and is cited as an example of ethnic cleansing. The violence visited upon the Arab Palestinians included the poisoning of their wells, massacres, the burning of homes and villages and the expulsion of Palestinians from their ancestral lands, which continues to this day.
<b>Nuremberg Trials</b>	<p>"The Nuremberg trials were a series of criminal justice proceedings held by the victorious Allies against the surviving high ranking officials of the defeated Nazi German state for plotting and carrying out invasions of other countries across Europe and atrocities against their citizens in World War II." <a href="https://en.wikipedia.org/wiki/Nuremberg_trials">https://en.wikipedia.org/wiki/Nuremberg_trials</a></p> <p>There were many innovations and additions made to international criminal law during these trials. It established the protocol for charging 3 major crimes: war crimes, crime against peace (today's crime of aggression) and, crucially, crimes against humanity. It also established the precedent of bringing leading individuals to trial who were responsible for initiating or carrying out the orders that led to these crimes being committed. New forms of evidence, notably film footage, were introduced. The crime of genocide wasn't tried as an individual crime but was included in the list of crimes against humanity. The first trial of the major Nazi leaders lasted from November 20, 1945 – October 1, 1946.</p>



<b>Raphael Lemkin</b>	Lemkin was a Polish-Jewish jurist who escaped the Nazis to Sweden in 1940 and then went on to the US. While in Sweden, through contacts, he was able to amass a trove of wartime orders written by Nazi officials that pertained to the mass killings of the Jews. He brought these to the US where, using these documents and reports that had been smuggled out of Eastern Europe, he worked on a legal construct that could be charged in these crimes which he called "genocide" – killing of a race of people. He was in Nuremberg at the trials where he lobbied for the inclusion of genocide as one of the core crimes. He was only successful to a certain extent when genocide was included in the list of charges of crimes against humanity.
<b>Rome Statute</b>	"The Rome Statute of the International Criminal Court is the treaty that established the International Criminal Court. It was adopted at a diplomatic conference in Rome, Italy on 17 July 1998 and it entered into force on 1 July 2002. As of February 2024, 124 states are party to the statute." <a href="https://en.wikipedia.org/wiki/Rome_Statute">https://en.wikipedia.org/wiki/Rome_Statute</a>
<b>Rwandan Genocide</b>	"Planned campaign of <a href="#">mass murder</a> in <a href="#">Rwanda</a> that occurred over the course of some 100 days in April–July 1994. The <a href="#">genocide</a> was conceived by extremist elements of Rwanda's majority <a href="#">Hutu</a> population who planned to kill the minority <a href="#">Tutsi</a> population and anyone who opposed those genocidal intentions. It is estimated that some 200,000 Hutu, spurred on by <a href="#">propaganda</a> from various media outlets, participated in the genocide. More than 800,000 civilians—primarily Tutsi, but also moderate Hutu—were killed during the campaign. As many as 2,000,000 Rwandans fled the country during or immediately after the genocide."  <a href="https://www.britannica.com/event/Rwanda-genocide-of-1994">https://www.britannica.com/event/Rwanda-genocide-of-1994</a>  Rwanda is a landlocked country in south-central Africa bordered by Uganda, Tanzania, Burundi and the Democratic Republic of the Congo. The ICTR was established to prosecute the genocide and other crimes committed during this period of mass murder.
<b>Srebrenica Genocide</b>	The July 1995 genocide in Srebrenica was an event in the Yugoslav War of 1991-95. Approximately 8000 Bosnian Muslim boys and men were systematically murdered by Bosnian Serb forces and buried in mass graves. The genocide took place over only a few days in mid-July.

<b>Victor's justice</b>	<p>Is a claim usually used in post-conflict situations where the defeated parties are said to have been unjustly punished by the now more powerful victorious parties. This accusation was made by Hermann Göring after his conviction at the Nuremberg Trial and has been used further both in this context and others.</p>
<b>War Crimes</b>	<p>These are crimes committed in violation of law by military or para-military personnel against such victims as innocent civilians, POWs and other combatants, and include murder, taking hostages, sexual violence, looting, conscripting children, destroying property and theft, torture and in general flouting the rules of war including proportionality.</p> <p>This is one of the 4 Core Crimes charged at the ICC.</p>
<b>Yugoslav Wars</b>	<p>After the post-communist break-up of Yugoslavia in 1991, the region devolved into a series of ethnic conflicts, wars of independence and insurgencies. These lasted in the Bosnia Herzegovina region, where at least 150,000 were killed, until the Dayton Agreement of December 1995, but flared up in Kosovo in 1999. These wars were marked by such war crimes and violations of human rights as the siege of Sarajevo, the expulsion of Kosovar Muslims from Kosovo and the 1995 Srebrenica genocide.</p> <p>The ICTY was founded in 1993 to prosecute war criminals from the first stage of the conflict, and the 2016 founding of the Kosovo Specialist Chambers aimed to investigate war crimes committed in Kosovo.</p>



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