

## 1. PREFACE

This handbook contains the necessary materials to run the Model International Criminal Court (MICC) Courses. The MICC active learning method was originally developed for use in the framework of simulations lasting several days, but this handbook makes the method accessible for use in the form of **MICC Courses** – shorter sessions taking place over a limited number of days or weeks, so that teachers and youth trainers (educators) could run the method more flexibly. The MICC Courses may take place as part of classroom work in history and civics classes as well as in form of extra-curricular activities outside of daily schoolwork (after classes, at youth exchanges, summer schools, etc). The duration and depth of the courses is designed to be scalable.

The guide consists of three parts:

- *Part One* (Chapter 1) gives an overview of the background and objectives of MICC;
- *Part Two* (Chapter 2) includes materials for the educator, the structure of the Model International Criminal Court simulation and guidelines for the implementation of the method. It also provides the necessary basic knowledge for participating in the simulation as well as some background on international law, the cases used in the exercise and the principles of criminal law. Thus, the second chapter should provide the educator with comprehensive knowledge of the issues to be covered.
- *Part Three* (Chapters 3-5) contains the student handouts. Detailed guidelines as to which materials and when should be handed out are listed in the previous chapter for educators (*Part Two – Guiding Materials for the Teachers*).

### 1.1 Introduction

MICC is a teaching method for introducing human rights and the theory and practice of international criminal law to high school and university students. MICC has been designed to provide an introduction to inter-

national law, enable a discussion on grave human rights violations of the past and describe the international proceedings regarding such crimes.

The MICC cases – actual crimes with convicted perpetrators – are based on trials that took place at various military tribunals (eg Nuremberg Trials after World War 2) and other court systems. The cases are tried according to proceedings of the *International Criminal Court* (ICC). The ICC in Hague is an independent permanent tribunal founded on July 1<sup>st</sup> 2002 when the Rome Statute – the international treaty that forms the legal foundation for the ICC - entered into force.

The first MICC was organised in 2005 by the Kreisau Initiative in Krzyżowa (Kreisau), Poland as an exchange for Polish and German youth. Students from many other countries have attended the MICC events since. Later the method was also adapted for the needs of university students, especially those engaged in legal studies. The method is being adopted in other countries from Estonia and Latvia to Turkey and South Africa.

The Unitas Foundation – in cooperation with the Kreisau Initiative - has developed a shortened version of the MICC method that can be applied in as well as outside of the classroom under more flexible circumstances than full simulations. The authors hope that educators and participants alike will find this handbook valuable in teaching and learning about human rights, history and law.

## 1.2 General objectives of MICC

This handbook contains guidelines for conducting MICC Courses, but the educators should also be aware of the differences compared to the full MICC simulations (referred to as simply MICC later on, as opposed to MICC Courses). A brief description follows.

### Objectives of full length MICC

One major objective of MICC is to provide students with **knowledge** on a number of different subjects. During the simulation, students will get acquainted with international criminal law, humanitarian law as well as issues related to the International Criminal Court. Through discussing cases, students will learn about the events in Rwanda, former Yugoslavia, Nazi Germany, and the Soviet Union. In addition, they shall get an overview of the main principles of criminal law and the rule of law. Ac-

quisition of this knowledge is facilitated by the engaging and interactive method which motivates participants to seek further information about the topics covered. Furthermore, the simulation will enable students to put their new knowledge into practice and thereby acquire various **skills**. In their MICC roles, students will practice writing, working in a team, structuring their thoughts as well as written and oral argumentation. At the end of the simulation, students will also have the opportunity to express themselves.

Moreover, one of the main aspects of MICC is the cultivation of a range **values**. Case information and event descriptions convey an understanding of the horror of crimes against humanity. This will be supported by lectures on human rights and contemporary global issues. The simulation's competitive element will divert attention from the underlying horrors and facilitate the digestion of fresh knowledge about crimes against humanity. In the simulation, each student shall have a role as a prosecutor, defence counsel or judge – each representing one perspective of the procedure in defending human rights. For example, a defence counsel shall emphasise the right to a fair trial and presumption of innocence, while a judge will have to establish the truth by reaching a fair judgment.

As judgments are different, and at times acquitting (ie participants will deem a perpetrator not guilty), participants shall gain insight of the complexity of the legal system – an understanding that laws may sometimes not reflect the full ethical dimension of a person's acts.

The effectiveness of the MICC teaching method is strengthened at all those levels by two main aspects – real-life cases and clearly defined roles. Both shall help the students identify themselves with the parties of conflict instead of just reading a general text about Rwandan genocide or similar. Students will start to take their roles very seriously and therefore view all the knowledge offered in the simulation as a tool for "winning" the case, ie doing the best to fulfil their role. The educators will sometimes even have to scale down the competitive aspect and emphasise the common goals of the simulation, such as personal growth.

### MICC participant will

- be able to identify the underlying principles of criminal and international law
- value the rule of law and human rights and condemn crimes against humanity

- understand the complexity of administering justice
- have better argumentation and structured expression skills

### **Objectives of the MICC for classroom use**

The MICC Courses that you will be conducting as an educator is a shorter version of the MICC and therefore with more limited objectives. Nevertheless, the students will acquire various competences during the MICC courses.

As with the original MICC, students participating in the short version will learn about the principles of criminal law, crimes against humanity and the background and statute of the International Criminal Court. They will also be able to improve their argumentation and public speaking skills through practice and learning new methods. For many students, the real-life cases are novel study material and will spark interest in the related broader issues. Covering these issues also leads to an appreciation of human rights and the rule of law.

If at all possible, please allocate some time at the end of the exercise for students to discuss their experiences and ask questions. For this, you yourself should be well prepared and able to provide additional knowledge or references. Discussion is crucial for increased understanding of topics discussed and also for dealing with mixed feelings accumulated during the simulation.

### **The participant of the MICC for classroom use will**

- be interested in international criminal law, criminal law and the historical and political background of incidents and the related countries;
- be able to identify the underlying principles of criminal and international law
- be able to more easily acquire future knowledge of issues covered in the simulation
- be aware of the complexity of administering justice
- value the rule of law and human rights and condemn crimes against humanity
- have improved argumentation skills.