This simulation is based on the underlying facts regarding the fictional Togoland Square massacre from Module #2.

1.   Recall that Togoland has a population of four million people, comprised of two main ethnic groups, the Tumani (45 percent of the population) and the Hottami (55 percent of the population).  After the death of Togoland’s President on  
May 1, 2013, a military faction seized power in a bloodless coup.  The military regime was led in partnership by General Thomas Cederick (a member of the majority Hottami tribe who was the former Chief of Staff of the army in the prior Administration),  
and General Rafiki Biambi (a member of the majority Hottami tribe who was the former head of the Togoland National Guard).

2.   In the days following the coup, opponents of the military regime launched a series of employment strikes in the Cobalt mines and street demonstrations in the cities of Togoland.  On June 17, 2013, ten thousand people, mostly members  
of the Tumani tribe, gathered in front of the Capital building at Togoland Square, chanting “Bring back democracy, bring back democracy.”  Several hundred of the protesters were armed with rifles, which they periodically fired into the air.

3.   At a meeting at noon on June 17, General Cederick told General Biambi, “You should do something about the growing protests before things really get out of hand.”  An hour later, General Biambi ordered the National Guard to “wipe out”  
the protesters at Togoland Square.  Without warning, the National Guard’s Armored Division circled the protesters and mowed them down with machine gun and mortar fire.  Seven thousand civilians were killed in fifteen minutes.  After  
that overwhelming show of force, there were no more protests and the Cobalt miners went back to work.  Neither General Cederick nor General Biambi took disciplinary action related to the perpetrators of the massacre.

4.    The U.N. Security Council referred the situation of Togoland to the International Criminal Court.  The Court ended up trying General Cederick for crimes against humanity related to the Togoland Square massacre.

5.   The Trial Chamber’s Judgment concludes: “Although General Biambi was not technically General Cederick’s subordinate, and although we found no evidence that General Cederick knew that General Biambi would order the massacre at Togoland Square,  
we nonetheless find Cederick criminally liable under both command responsibility and joint criminal enterprise liability, and sentence him to 20 years in prison.”

Assume that the Defense has appealed the Trial Chamber’s judgment, and that you are the Judge of the Appeals Chamber assigned to draft the opinion.  Based on these facts and the readings below, you are invited to upload a submission in the form of  
a brief Appeals Chamber Opinion concerning whether the Trial Chamber should be affirmed or reversed.