

Nürnberg trials

Nürnberg trials, Nürnberg also spelled **Nuremberg**, series of trials held in Nürnberg, Germany, in 1945–46, in which former Nazi leaders were indicted and tried as war criminals by the International Military Tribunal. The indictment lodged against them contained four counts: (1) crimes against peace (i.e., the planning, initiating, and waging of wars of aggression in violation of international treaties and agreements), (2) crimes against humanity (i.e., exterminations, deportations, and genocide), (3) war crimes (i.e., violations of the laws of war), and (4) “a common plan or conspiracy to commit” the criminal acts listed in the first three counts.



Hermann Göring at the Nürnberg trials

Former Nazi leader Hermann Göring standing in the prisoner's box during the Nürnberg trials.

AP Images

The authority of the International Military Tribunal to conduct these trials stemmed from the London Agreement of August 8, 1945. On that date, representatives from the United States, Great Britain, the Soviet Union, and the provisional government of France signed an agreement that included a charter for an international military tribunal to conduct trials of major Axis war criminals whose offenses had no particular geographic location. Later 19 other nations accepted the provisions of this agreement. The

tribunal was given the authority to find any individual guilty of the commission of war crimes (counts 1–3 listed above) and to declare any group or organization to be criminal in character. If an organization was found to be criminal, the prosecution could bring individuals to trial for having been members, and the criminal nature of the group or organization could no longer be questioned. A defendant was entitled to receive a copy of the indictment, to offer any relevant explanation to the charges brought against him, and to be represented by counsel and confront and cross-examine the witnesses.

The tribunal consisted of a member plus an alternate selected by each of the four signatory

countries. The first session, under the presidency of Gen. I.T. Nikitchenko, the Soviet member, took place on October 18, 1945, in Berlin. At this time, 24 former Nazi leaders were charged with the perpetration of war crimes, and various groups (such as the Gestapo, the Nazi secret police) were charged with being criminal in character. Beginning on November 20, 1945, all sessions of the tribunal were held in Nürnberg under the presidency of Lord Justice Geoffrey Lawrence (later Baron Trevethin and Oaksey), the British member.



Konstantin von Neurath at the Nürnberg trials
Konstantin von Neurath during the Nürnberg trials, 1945.
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After 216 court sessions, on October 1, 1946, the verdict on 22 of the original 24 defendants was handed down. (Robert Ley committed suicide while in prison, and Gustav Krupp von Bohlen und Halbach's mental and physical condition prevented his being tried.) Three of the defendants were acquitted: Hjalmar Schacht, Franz von Papen, and Hans Fritzsche. Four were sentenced to terms of imprisonment ranging from 10 to 20 years: Karl

Dönitz, Baldur von Schirach, Albert Speer, and Konstantin von Neurath. Three were sentenced to life imprisonment: Rudolf Hess, Walther Funk, and Erich Raeder. Twelve of the defendants were sentenced to death by hanging. Ten of them—Hans Frank, Wilhelm Frick, Julius Streicher, Alfred Rosenberg, Ernst Kaltenbrunner, Joachim von Ribbentrop, Fritz Sauckel, Alfred Jodl, Wilhelm Keitel, and Arthur Seyss-Inquart—were hanged on October 16, 1946. Martin Bormann was tried and condemned to death in absentia, and Hermann Göring committed suicide before he could be executed.



Ernst Kaltenbrunner at the

In rendering these decisions, the tribunal rejected the major defenses offered by the defendants. First, it rejected the contention that only a state, and not individuals, could be found guilty of war crimes; the tribunal held that crimes of international law are committed by men and that only by punishing

Nürnberg trials
Ernst Kaltenbrunner during the
Nürnberg trials, 1946.
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were ex post facto. The tribunal responded that such acts had been regarded as criminal prior to World War II.

individuals who commit such crimes can the provisions of international law be enforced. Second, it rejected the argument that the trial and adjudication



Wilhelm List at the Nürnberg trials

Field Marshal Wilhelm List, flanked by U.S. Army guards, standing to receive his sentence during the Nürnberg trials, 1946.

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