

Committee: Historical Crisis Committee

Issue: War Crimes trials at the end of WW2 (Germany and Japan)

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TOPIC INTRODUCTION

After the second world war, the Allies, namely the United Kingdom, the United States of America, France and the Soviet Union, openly stated that there would be punishment for the crimes committed by the powers of the Axis and more specifically, the atrocities of the Nazis towards the Jews. Between 1945 and 1949, a series of 13 trials were carried out in the city of Nuremberg in Germany. All the defendants consisted of high-ranking Nazis, who were accused of using their power in order to wipe out the Jewish population. The trials objective and means were considered mostly controversial at the time, but today, this is considered as a milestone towards establishing a legal framework that will settle international cases, leading in the establishment of the International Court of Justice. In this committee, you will take the place of historical figures and will debate through the weekend on the punishment that the accusants should face. You will be called to express your opinion and try to convince the committee to share your views while taking in account the historical context of your character, while also keeping in mind the international repercussions your final decision will have not only on the international community, but also in international history. But in order to fully benefit from this experience, an extensive research will be required so as to be able to know you character thoroughly in order to express your views.

DEFINITION OF KEY TERMS

International Military Tribunal (IMT)

The International Military tribunal was composed of judges coming from countries of the Allies and its goal was to put to trial all the Nazi officials, following its established IMT Charter.

International Law

International Law defines the legal responsibilities of States in their conduct with each other, and their treatment of individuals within the boundaries of a State.

War Crimes

The concept of war crimes is that individuals can be held criminally responsible for the actions of a country or its soldiers.

Geneva Conventions

The Geneva Conventions were four treaties and three protocols that were signed in order to establish some standards of international law for the humanitarian treatment in war.

Crimes against Humanity

Offences committed against any civilian population, during a war.

BACKGROUND INFORMATION

World War II (1939-1945) was one of the most destructive wars humanity ever experienced. The conflict occurred between two big main alliances; the Axis powers, mainly consisting of Germany, Italy and Japan and the Allied powers, the chief countries of which were Britain, France, the Union of Soviet Socialist Republics and the United States of America. During the war, many malicious acts and war crimes were committed by both alliances. It was the Axis however that engaged into actions of profound cruelty while the Allied maintained more respect for the civilians and the war prisoners of the countries involved. The war ended recognizing the Allied as the victors and numbering approximately 85 million casualties, 45 of which were civilians.



Figure 1: Situated in Poland, the Auschwitz concentration camp complex was the largest of its kind. Over one million prisoners died within its facilities

Under the rule of Adolf Hitler, Nazi Germany was responsible for the death of six million European Jews, causing the Jewish genocide. Also known as the Holocaust, the Jewish genocide was probably the most infamous crime against humanity of the WW2. The Jewish were tracked down and gathered in concentration camps, where they lived in terrible conditions. Many starved to death in the camps and many others died due to the epidemic diseases that often broke out. The rest were executed. Common methods of executing them were by gunshot, euthanasia and suffocation in gas chambers. Afterwards the corpses were cremated.

Needless to say, the Holocaust itself was a severe charge in the trials that followed. It was not, however, the only malicious act the Nazis engaged to. They also harassed and executed homosexual males, people with disabilities and other people they classified as “unfit” to belong to the German

nation. Moreover, the Nazis maintained an inhumane treatment of prisoners of war, especially the captivated from the Soviet Union, who they starved to death and executed in killing centres.

Other aspects of the Nazi cruelty were the human experiments they launched. Thousands of concentration camps prisoners were used as laboratory subjects by the Nazi physicians. These scientists authorized the prisoners' participation in horrific experiments without their permission. Such experiments included exposing the captivated in very low temperatures and injecting harmful substances and viruses to their bodies in order to test on them newly-created medicine afterwards.

Imperial Japan, on its behalf, engaged into a series of atrocities committing severe crimes against humanity. In the Pacific, the country's military and naval armed forces constantly invaded and conquered the countries bordering the Ocean, such as Philippines, Singapore, China and Australia. The Japanese showed no mercy for the civilians of these countries. The slaughter of entire communities, the rape of women and the torture and execution of prisoners were common crimes committed by the Japanese soldiers. In some cases, they even sunk and destroyed cargo and hospital ships of their opponents. Moreover, in the Japanese army's biological unit, Unit 731, the human experimentations that took place resulted to the death of over 10000 prisoners of war.

Two of the most notorious Japanese war crimes were the Nanjing Massacre, a six-week long slaughter of the people of Nanjing in China and rape of the women, and the Bataan Death March, a 106-mile-long march 76000 Filipino and American captivated soldiers were forced to relentlessly endure. The march resulted to the passing of approximately 30000 of them. Among the causes of death were starvation, disease, execution and execution by decapitation.

Atrocities, such as the atomic bombings of Hiroshima and Nagasaki, were also committed by the Allied. They were viewed, however, as incomparable to the flagrant brutality of the Nazis and the Japanese. Therefore, the Allied did not face any charges and instead were the ones to begin the war crimes trials and further establish the International Military Tribunal and the International Military Tribunal for the Far East with the affiliation of the United Nations. Under the aegis of the Tribunals the German and the Japanese warlords and military scientists were thoroughly tried by Allied officials, especially during the Nuremberg and the Tokyo Trials.

COUNTRIES AND ORGANIZATIONS INVOLVED IN THE ISSUE

Allies (France, USA, Soviet Union, Great Britain)

After the end of the war, the Allies demanded that repercussions should be imposed to the countries of the Axis alliance for the atrocities that they had committed during the war. So, they proceeded to the establishment of the International Military Tribunal and to the hold of the Nuremberg Trials.

Axis (Germany, Italy, Japan etc.)

The Allies were only interested in the punishment of Germany, so the other countries of the Axis alliance, managed to get out of the war quite unscathed. Germany, on the other hand, and its high-

ranking Nazi Officials, were severely punished for their actions and in general, Germany lost a lot of privileges and rights due to its abominations during the war

Date	Description of Event
1931	The Japanese start expanding in East Asia
1933	Adolf Hitler is appointed German Chancellor
1937	The Japanese attack China starting WW2 in the Pacific – the Nanjing Massacre happens
1939	The German invasion of Poland is followed by the declaration of war by France and Britain
June 1940	Italy enters the war
September 1940	Germany, Italy and Japan sign the Tripartite Pact
1941	The Japanese attack Pearl Harbor, causing the US to engage into the war
1942	Auschwitz mass executions begin
1942	The Allied first recognize the Jewish executions as malicious acts
April 1942	The Bataan death march happens
1943	Italy surrenders and the Germans take over the battle
January 1945	Auschwitz is liberated by Soviet troops
April 1945	Hitler commits suicide
May 1945	The German surrender while Russians reach Berlin
August 1945	The Japanese surrender after the atomic bombings of Hiroshima and Nagasaki by the US - The WW2 officially ends
24 October 1945	The UN is founded
November 1945 – October 1946	The International Military Tribunal opens -The Nuremberg trials take place
April 1946 - 1948	The International Military Tribunal for the Far East is founded – The Tokyo Trials take place
1949	The last year of the War Crime Trials conducted by US officials

POSSIBLE VERDICTS

Death Penalty

The defence presented by the accusants, cannot in any way excuse the serious crimes committed and so ultimate punishment must be imposed on the defendants. Herman Goring was sentenced to death in the real life Nurbugring Trials.

Life Imprisonment

Although the defence does not grant acquittance to the defendants, they cannot be sentenced to death since they were only following orders and such decision would create a

fallacious anti-Allies climate. However, their crimes deserve severe punishment and so they should be sentenced to a lifetime in prison.

Imprisonment

Their defence can justify the actions taken but nevertheless it is not possible to leave their crimes unpunished. Still though, there has to be taken a decision on how many years the defendants must serve in order to justify the needs of justice.

Acquitted

The accusants are considered as not guilty due to the conditions that existed during the time of their actions and also because of the fact that they were another gear in the Nazi machine and were forced by the orders that they were given. Considering these facts, they must be acquitted.

No Decision

There can be no clear reflection as to the punishment of the actions of these individuals, thus not allowing the committee to take a final decision. As an alternative, it is possible to authorize the creation of another court which will decide upon the punishment of the defendants.

ACCUSANTS

Hermann Göring



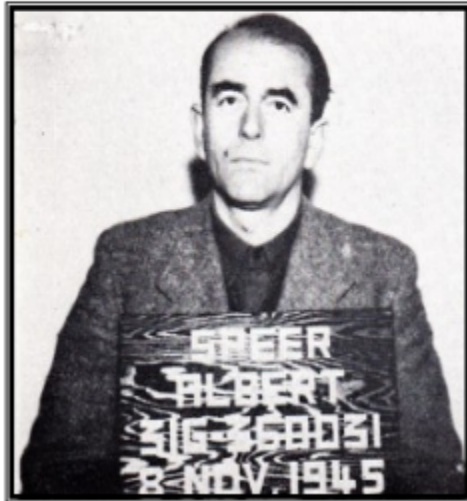
Goering's defense

Tried to prevent the war by attempting to negotiate with the British in 1939

Goering had taken many of his friends out of concentration camps showing he was not in favor of many of the Nazi actions

Hermann Göring was the highest ranking Nazi German official prosecuted in the Nuremberg trials. Göring, before joining the Nazi party in 1923 was an ace fighter pilot in the First World War. His role in the administration of Hitler's Nazi Germany would prove to be important, as he was appointed in running many positions of power within the Nazi state such as the Director of the Four Year Plan in the German economy, head of the Luftwaffe (German air force) and acknowledged successor of Hitler. There is also substantial evidence leading to his involvement in the Holocaust. Ultimately he was proved guilty on all charges (crimes against peace, war crimes, crimes against humanity, and conspiracy to commit crimes against peace, war crimes, and crimes against humanity). He was sentenced to death but committed suicide in his prison cell.

Albert Speer



Speer's Defense

Due to his role as Minister of Armaments he played a small role in Crimes against peace and common plan or conspiracy

Speer claimed he had no intention on creating large scale destruction therefore defying Hitler's orders on the Scorched Earth policy

Albert Speer was Hitler's chief architect for the Third Reich, during the war he was assigned to the distinguished role of Minister of Armaments this was due to his talent in organization and administration. Albert Speer was in charge of an astronomical 14,000,000 workers who worked tirelessly in sustaining the German war machine. Albert Speer is suspected in recruiting slave labourers on numerous accounts as well as preparing and planning the initial war of aggression. When Albert was arrested on 23rd May 1945, he was indicted on 4 counts (1: participation in a common plan or conspiracy; 2: crimes against peace; 3: war crimes; 4: crimes against humanity), and pleaded not guilty on all counts. Albert was considered by the international tribunal as not guilty on the first two counts and was therefore charged on the last two. On 1946

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