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# Memorium Nürnberger Prozesse

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# From the Nuremberg Trials to the Memorial Nuremberg Trials

Nuremberg's name is linked with the NSDAP Party Rallies held here between 1933 and 1938 and with the "Racial Laws" adopted in 1935. It is also linked with the trials where leading representatives of the Nazi regime had to answer for their crimes in an international court of justice. Between 20 November, 1945, and 1 October, 1946, the International Military Tribunal's trial of the main war criminals (IMT) was held in Court Room 600 at the Nuremberg Palace of Justice. Between 1946 and 1949, twelve follow-up trials were also held here. Those tried included high-ranking representatives of the military, administration, medical profession, legal system, industry and politics.

## History

Two years after Germany had unleashed World War II on 1 September, 1939, leading politicians and military staff of the anti-Hitler coalition started to consider bringing to account those Germans responsible for war crimes which had come to light at that point. The Moscow Declaration of 1943 and the Conference of Yalta of February 1945 confirmed this attitude. Nevertheless, the ideas concerning the type of proceeding to use in the trial were extremely divergent.

After difficult negotiations, on 8 August, 1945, the four Allied powers (USA, Britain, France and the Soviet Union) concluded the London Agreement, on a "Charter for The International Military Tribunal", providing for indictment for the following crimes in a trial based on the rule of law:

- 1. Crimes against peace
- 2. War crimes (violations of the laws or customs of war, in particular of the Hague and Geneva Conventions)
- 3. Crimes against Humanity (persecution, enslavement or murder of civilians on political, racial or religious grounds)
- 4. Conspiracy against world peace



### The Defendants

24 defendants were indicted, including Hermann Göring (Reich Marshall of the Greater German Reich), Rudolf Heß (Hitler's deputy), Wilhelm Keitel (Chief of the High Command of the Armes Forces), Joachim Ribbentrop (Reich Minister for Foreign Affairs), and Julius Streicher (publisher of the anti-Semitic propaganda newspaper "Der Stürmer"). Three defendants were not present at the start of the trial. Robert Ley (Leader of the German Labour Front) committed suicide in prison before the start of the trial; Gustav Krupp von Bohlen und Halbach was declared unfit to plead on grounds of ill-health; and Martin Bormann was considered missing and tried *in absentia*. All defendants present pleaded "not guilty" at the start of the trial.

#### Course of the Trial and Execution of the Sentences

The opening session of the IMT was held in Berlin on 18 October, 1945. The four main prosecutors presented the indictments against 24 Nazi main war criminals, as well as against six "criminal organisations": the Reich cabinet, the leadership corps of the NSDAP, the Schutzstaffel (SS) and Sicherheitsdienst (SD), the Sturmabteilung (SA),the General Staff and High Command of the Armed Forces (OKW), as well as the Secret State Police (Gestapo). The IMT then adjourned the proceedings until 20 November 1945, when the trial continued in Nuremberg.

The Franconian city was chosen as the location for the trial for several reasons. First of all the Americans were keen to hold the trial against Göring, Heß, Streicher and other leading representatives of the National Socialist regime in their occupation zone. In addition to the symbolism of holding the trial in the city of the Nazi party rallies and the Nuremberg racial laws, the decision was mainly for reasons of logistics and infrastructure. The Palace of Justice, inaugurated in 1916, had remained largely undamaged during the war. At the same time, the prison which was adjacent to the court buildings made necessary security measures easier. A wooden corridor was constructed especially for the trial, connecting the prison and the east wing of the court building, enabling safe transfer of prisoners from their cells directly to the court room.

During the 218 trials days in Nuremberg, 236 witnesses were heard in person, about 200,000 affidavits were used as evidence, and 5,330 documents were presented, including comprehensive film evidence. The court hearing ended on 31 August, 1946, and on 1 October, 1946, the sentences were proclaimed. According to article 26 of the London Charter for the International Military Tribunal, sentences were final and not subject to review.

12 defendants were sentenced to death by hanging, seven to prison, three were acquitted. The death sentences were executed in the early hours of 16 October, 1946, in the old gymnasium of



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# museen der stadt nürnberg

Nuremberg Prison. The corpses were cremated, and the ashes were scattered in a tributary of the river Isar. The seven defendants sentenced to prison started to serve their sentences in Nuremberg, and in July 1947, were moved to Berlin-Spandau.

Von Neurath, Raeder and Funk were permitted to leave prison early, on health grounds, Dönitz, Speer and von Schirach were released after serving the full term. Rudolf Heß, as the last remaining prisoner, committed suicide at the age of 93 in 1987.

## Follow-up Trials (1946-49)

On 9 December, 1946, the "Doctors' Trial" was the first of the twelve so-called "Follow-up trials" to be opened in Court Room 600. The trials of doctors and jurists, members of the SS and police, industrialists and bankers, military staff and government officials were exclusively conducted by the Americans.

Until 1949, the twelve trials were conducted by American military tribunals here and in other court rooms of the Nuremberg Palace of Justice. An overall number of 185 defendants were indicted in the follow-up trials, and 177 were tried. 13 out of 25 death sentences were executed, and 90 of the 117 defendants sentenced to imprisonment were either pardoned or released early in the 1950s. 35 defendants were acquitted.

The building remained in American hands after the end of the trials. Finally, on 30 June, 1961, Court room 600 was officially handed over to the Bavarian judiciary. In the same year, all alterations made by the Americans were reversed in a comprehensive refurbishment, including complete new furnishings. Since then, the court room has returned to German jurisdiction.

## **Nuremberg and its Repercussions**

The Nuremberg Trial of the main war criminals was a legal first in several respects: for the first time, states with very different government systems and constitutions, conducted a trial of a defeated enemy in a court of law. Instead of taking revenge, legal proceedings were held governed by the rule of law, and for the first time, individuals were held personally responsible on the basis of international law.

The Charter of the United Nations of 26 June, 1945, was an attempt to secure world peace by creating international law – and the Nuremberg Trial of the main war criminals and its London Charter were of fundamental importance to the development and implementation of international criminal law. The "Nuremberg Principles" recorded by the United Nations in 1950 are the historical basis for modern international criminal law. Thus the International Military Tribunal held in Nuremberg was the model for today's International Criminal Court established in The Hague.



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# The Path to the Memorial Nuremberg Trials

In May 2000, Nuremberg Municipal Museums started offering public guided tours to the historical court room at weekends. These tours enjoyed increasing popularity every year. It became particularly clear during the numerous events for the 60th anniversary of the start of the trial, how deeply Court Room 600 is rooted in the international cultural memory, as a venue of jurisdiction on immeasurable injustice. Soon, the guided tours started as a provisional arrangement were clearly insufficient. Continually increasing visitor numbers led all people involved to realise their obligation to provide suitable historical information.

# The Memorial Nuremberg Trials and Court Room 600

It was possible to establish the Memorial Nuremberg Trials by refurbishing unused attic space in the court building. Court Room 600 remains a location for jurisdiction, and access will be restricted, even after the opening of the Memorial on 21 November, 2010. When there is no trial in progress, the court room may be visited in the course of an exhibition visit. The Memorial Nuremberg Trials will be officially opened on 21 November, 2010, as an institution of Nuremberg Municipal Museums, and will be open to the public from 22 November, 2010.

