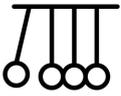


The Legal Importance of the Nuremberg Trials in Prosecuting War Crimes

LAW

ELA TUNÇ



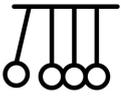
Introduction

In the aftermath of World War II, the international community was confronted with atrocities on an unprecedented scale, particularly those committed by Nazi Germany. In response, the Allied powers established the Nuremberg Trials, marking the first time leading political and military figures were prosecuted before an international tribunal. These trials were not only a response to the crimes of the war but also a turning point in legal history. By establishing individual criminal responsibility, introducing new categories of international crimes, and laying the groundwork for future legal institutions, the Nuremberg Trials fundamentally reshaped the prosecution of war crimes and the development of modern international law.

Establishing Individual Criminal Responsibility

In March 1945, the four major Allied powers: France, the Soviet Union, the United Kingdom, and the United States proposed trying leading Nazi war criminals before a special international court. Nuremberg, Germany was chosen as the location of the trials for being a major point of Nazi propaganda rallies leading up to the war. The Allies wanted Nuremberg to symbolize the death of Nazi Germany. At the International Military Tribunal, which lasted from November 1945 to October 1946, twenty one of the twenty four indicted Nazi leaders stood trial for crimes against peace, war crimes, and crimes against humanity. The court convened in the Palace of Justice in Nuremberg, which was previously expanded by German prisoners to fit more than 1000 detainees. The United States held 12 additional trials in Nuremberg after the IMT. In all, 199 defendants were tried, 161 were convicted, and 37 were sentenced to death.

Between 1939 and 1945, Nazi Germany invaded many European countries, including Poland, Denmark, Norway, the Netherlands, Belgium, Luxembourg, France, Yugoslavia, Greece, and the Soviet Union. German aggression was accompanied by immense brutality in occupied areas, war losses in the Soviet Union alone included 27 million dead, mostly



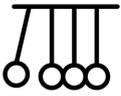
civilians, which was one seventh of the prewar population. The legal reckoning was premised on the extraordinary nature of Nazi criminality, particularly the perceived singularity of the systematic murder of millions of Jews.

Superior orders, also known as just following orders or the Nuremberg defense, is a plea in a court of law that a person, whether civilian, military or police, should not be considered guilty of committing crimes ordered by a superior officer or official. It is regarded as a complement to command responsibility. One noted use of this plea or defense was by the accused in the 1945–1946 Nuremberg trials. These were a series of military tribunals held by the main victorious Allies of World War II to prosecute, among others, prominent members of the political, military and economic leadership of the defeated Nazi Germany. Under the London Charter of the International Military Tribunal that established them, the trials determined that the defense of superior orders was no longer enough to escape punishment but merely enough to lessen it.

One of the key figures in the Nuremberg Trials, Walther Funk, as Reich Minister of Economics and President of the Reichsbank, oversaw the looting and management of property taken from Jews and occupied territories, including gold extracted from Holocaust victims. Tribunal evidence, such as financial records and official orders, showed that Funk knowingly facilitated the Nazi regime's operations and sustained the machinery of persecution, even though he did not personally commit killings. Similarly, Hermann Göring was Commander-in-Chief of the Luftwaffe (German Air Force), founder of the Gestapo in 1933, Minister of the Economic Four Year Plan, Reichsmarschall, senior to all other Wehrmacht commanders, and in 1941, designated by Hitler as his successor and second in command in all his offices. Previously an ace fighter pilot in World War I, decorated with a Blue Max, and commander of the fighter wing led by von Richthofen, aka the Red Baron.

Creation of New Legal Concepts

After the Trials were completed, the Nuremberg Charter was established and key terms were finally fully described. The Article 6 stated: "The Tribunal established by the Agreement referred to in Article 1 hereof for the trial and punishment of the major war criminals of the European Axis countries shall have the power to try and punish persons who,



acting in the interests of the European Axis countries, whether as individuals or as members of organizations, committed any of the following crimes.

The following acts, or any of them, are crimes coming within the jurisdiction of the Tribunal for which there shall be individual responsibility:

(a) **CRIMES AGAINST PEACE:** namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing;

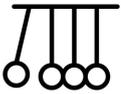
(b) **WAR CRIMES:** namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labor or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity;

(c) **CRIMES AGAINST HUMANITY:** namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated.

Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any persons in execution of such plan.”

Foundation for Modern International Law

In response to atrocities committed in the early 1990s in the republics of the former Yugoslavia, the United Nations Security Council established the International Criminal Tribunal of Yugoslavia (ICTY) in 1993 after taking a look at the Nuremberg Trials. This was the first time an international criminal tribunal was created in the influence of the trials and the first ever mandated to prosecute the crime of genocide. Also, during its mandate from 1993 to 2017, the ICTY charged more than 160 individuals including heads of state, army

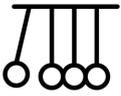


chiefs-of-staff, cabinet ministers, and many other high-and mid-level political, military, and police officials from various parties to the conflict. Its indictments addressed crimes committed from 1991 to 2001 against members of various ethnic groups.

Moreover, during the 1990s, Rwanda experienced sudden tension between the Hutu and Tutsi populations, which resulted in the 1994 genocide. The Rwandan genocide began on April 6, 1994, after President Habyarimana's plane was shot down, and within hours, Hutu extremists assassinated moderate leaders and formed an interim government. Though it claimed to represent multiple political parties, in reality, its members all shared the Hutu Power ideology, using party labels to appear legitimate. Backed by the military, militias like the Interahamwe, and local officials, the interim government organized and directed mass killings of Tutsis and moderate Hutus, spreading propaganda through radio and press to incite ordinary citizens. It eliminated moderates in politics, coordinated massacres via state structures, and sought to mislead the international community. Over 100 days, between 500,000 and 1,000,000 people were killed. On November 8, 1994, the United Nations established the International Criminal Tribunal for Rwanda (ICTR) in the neighboring country of Tanzania. The ICTR operated alongside domestic courts, but its decisions had ultimate primacy over those of domestic courts.

Conclusion

The Nuremberg Trials stand as a landmark in the evolution of international justice, transforming how war crimes are understood and prosecuted. By holding individuals accountable regardless of rank, rejecting the defense of superior orders, and formally defining crimes such as crimes against humanity, the trials established critical legal precedents. Their influence extended far beyond the immediate postwar period, shaping institutions like the International Criminal Tribunal for the former Yugoslavia and the International Criminal Tribunal for Rwanda. Ultimately, the legacy of Nuremberg lies in its enduring contribution to a system of international law that prioritizes accountability, justice, and the protection of human rights on a global scale.



Resources

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- 2) “Nuremberg Trials.” *Wikipedia, Wikimedia Foundation*, 21 Mar. 2026, en.wikipedia.org/wiki/Nuremberg_trials.
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