

Trials of War Criminals

The prosecution of political and military leaders for war crimes. After World War II, those Germans and Japanese accused of war crimes against citizens of the Allied countries were put on trial in various courts. The accused criminals were divided into two large categories: "major" war criminals were those political and military leaders whose crimes knew no geographical boundaries, and "minor" war criminals were civilians or former soldiers whose crimes were committed in specific locations. Major war criminals were tried in Nuremberg or Tokyo by courts that were established based on international agreements made by the Allies. The overwhelming majority of accused war criminals, however, were those in the "minor" category. Their trials were run by military courts in the various occupied zones of Germany (whether American, British, French, or Soviet); in Italy and Austria; and by special courts set up for this purpose in Allied countries. In addition, war criminals were also tried in countries that had been occupied by or satellites of Germany during the war, such as Poland, Hungary, Romania, Norway, the Netherlands, Lithuania, Croatia, and France---some even very recently. After West Germany was created, German courts initiated proceedings against Nazi war criminals. Over the last 20 years, courts in the United States, Canada, and Australia have also begun trying war criminals that entered their countries after the war.

The first trial of Nazi war criminals was held even before World War II had ended. This trial took place in Krasnodar, Russia, from July 14--17, 1943; it meted out justice to 13 Soviet citizens who had served in *Einsatzgruppe D*. Eight of the accused were sentenced to death, and three others to 20 years in prison.

Between October 1945 and October 1946 an International Military Tribunal (IMT) tried 22 of the most infamous major Nazi figures in proceedings that came to be known as the Nuremberg Trial. Twelve defendants were sentenced to death, three were acquitted, and the rest were sentenced to jail.

During that trial, the four occupying powers in Germany passed a law that allowed them to conduct criminal trials on charges of aggression, war crimes,

crimes against humanity, and membership in a criminal organization. Subsequently, the US authorities in Germany set up six military courts that were made up of American civilian judges. From December 1946 to April 1949, these courts tried and convicted 177 persons in 12 trials---known as the Subsequent Nuremberg Trials. The defendants included leaders of the Nazi government, the SS, the German army, and German industry, medical, and legal establishments.

The British occupying authorities in Germany also set up military courts to try war criminals. However, as distinct from the American trials, the British only tried those accused of committing crimes against British subjects, especially British soldiers, and those who committed war crimes against Allied citizens in British zones. The British did not specifically deal with crimes against Jews, unless the Jewish victims were also citizens of Allied countries.

A British military court also tried the staff of the Bergen-Belsen concentration camp. This trial was held in Luneburg, Germany, from September to November 1945. Forty-five defendants stood on trial, among them camp commandant Josef Kramer. Eleven of the accused were sentenced to death by hanging, while 14 were acquitted.

Another trial put in front of a British military court was the March 1946 trial of the owners and executives of Tesch and Stabenow---a company that manufactured Zyklon B. Two of the three defendants were sentenced to death. In the 1990s two criminals were subjected to proceedings in Britain.

In Poland, where almost all of the Nazi extermination camps were located, special courts were established in September 1944 to try Nazi war criminals---more than half a year before the war came to a close. These courts, which allowed no appeals, functioned until 1949. Their first trial involved the staff of the Majdanek camp. They then went on to try 5,450 war criminals. Among the war criminals tried in Poland were Amon Goeth, the commandant of Plaszow, and Rudolf Hoess, the commandant of Auschwitz.

By the end of 1946, most of the leading Hungarian politicians who had collaborated with Nazi Germany had been tried and punished, including many of the ministers of the Dome Sztójay and Ferenc Szalasi governments (including, of course, those prime ministers as well). Almost 40,000 suspected

war criminals were investigated and tried in Hungary, more than 19,000 of which were found guilty.

The punishment of Romanian war criminals was carried out within the context of severe political struggle between the traditional leaders of Romania and the Communist Party. From March 1945, those Nazi criminals involved in the extermination of the Jews of Bessarabia, Bukovina, and Transnistria were put on trial, including Prime Minister Ion Antonescu, who was executed in 1946.

In the Netherlands, special courts were set up in late 1945 to deal with Nazi war criminals who had been active there, as well as with Dutch collaborators. A total of 14,562 people were convicted and sentenced by the time the courts ceased operations in 1950. In Norway, Nazis and Nazi collaborators were put on trial, most notably Norwegian Prime Minister Vidkun Qisling, who invited the German army into his country in 1940. Most leading war criminals in Norway were sentenced to death.

The West German authorities began investigating Nazi crimes in a serious way in the late 1950s. In 1958 the Central Office of Judicial Administration in Ludwigsburg was established to uncover any available information on Nazi crimes and to initiate criminal proceedings against those responsible. To date, Germany has tried over 90,000 individuals and meted out over 6,400 severe sentences.

During the late 1990s both Lithuania and Croatia attempted to try war criminals. In Lithuania, the trials never got off the ground, due to the poor health of the defendants. In Croatia, the commandant of Jasenovac was found guilty of crimes against humanity and sentenced to 20 years imprisonment. In the 1990s investigations and legal proceedings have also been carried out in Australia and Canada against war criminals who reached those countries after the war. (Regarding the United States, see Office of Special Investigations; regarding Israel, see Eichmann Trial and Demjanjuk Trial; regarding Italy, see Priebke Trial; and regarding France, see Barbie Trial, Papon Trial, and Touvier Trial.)

