Historical Criminal Court
(HCC)

The Nuremberg Trials, Psychological Evaluations, and the Prosecution of Major Nazi Leaders

The Bench:

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To all delegates of MUNBOLDT 2026,

On behalf of the Chair, the High Command, and the entire organizing team, we extend our deepest gratitude to each and every one of you.

By choosing to participate in this Historical Criminal Court simulation modeled on the Nuremberg Trials, you have shown remarkable commitment to understanding one of the darkest chapters in human history and its enduring lessons. Your willingness to engage deeply with complex issues of justice, leadership accountability, individual responsibility, and the rule of law transforms this exercise from a mere academic simulation into a meaningful exploration of how the international community can—and must—respond to mass atrocity.

Your preparation, thoughtful arguments, evidence-based reasoning, and respect for the procedural integrity of the court honor the gravity of the historical events we study. Together, we reaffirm Nuremberg's core message: **that no one is above the law, and that documented truth, fair process, and personal accountability remain our strongest tools against future crimes.**

Thank you for your dedication, intellectual courage, and passion. It has been an honor to chair and guide this committee alongside you.

We look forward to witnessing your contributions and to the powerful discussions ahead.

With respect and appreciation, The Chair and High Command MUNBOLDT 2026– Historical Criminal Court Simulation

Thank you.

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I.INTRODUCTION

The unconditional surrender of Nazi Germany on May 8, 1945, confronted the Allied powers with an unprecedented challenge: how should the international community respond to crimes committed on a scale and with a degree of systematic organization that no national court system had ever before confronted?

Between the Nazi seizure of power in 1933 and the regime's collapse in 1945, the German state fused aggressive war-making, brutal occupation policies, and ideologically driven mass persecution into a single, integrated machinery of violence. Civilian populations across Europe were deliberately targeted through mass shootings, engineered starvation, mass deportations, slave labor programs, terror campaigns, and—most notoriously—the industrialized genocide known as the Holocaust. Nazi authorities murdered approximately **six million Jews** in an attempt to eradicate Jewish life from the continent entirely. Millions of additional victims were also killed, **including 200,000–500,000 Roma and Sinti**, up to **300,000 people with disabilities** (targeted under the T4 euthanasia program and related actions), nearly **3.3 million Soviet prisoners of war**, millions of Polish civilians and intellectuals, Jehovah's Witnesses, homosexuals, political opponents, and countless others classified as racial, political, biological, or ideological "enemies" of the Reich.

This background paper supports a Historical Criminal Court (HCC) simulation exercise modeled closely on the International Military Tribunal (IMT) at Nuremberg (1945–1946), popularly known as the **Nuremberg Trials**. The simulation employs the term "Nuremberg psychological trial" in its precise historical sense: it refers to the psychological and psychiatric examinations conducted inside the Nuremberg prison complex—primarily by **U.S. psychiatrist Douglas M. Kelley** and psychologist **Gustave Gilbert**—to determine whether high-ranking defendants, above all Hermann Göring, were mentally competent to understand the charges against them and to participate meaningfully in their **own defense**.

II. HISTORY OF THE PROBLEM —AFTER WWII

After the surrender of nazi- germany, the horrendous acts that were committed left the Allied powers—The United States of America, United Kingdom of Great Britain and Nothern

Ireland, Soviet Union, and the French Republic—with irrefutable evidence of unprecedented atrocities: newly liberated concentration and extermination camps (such as Auschwitz, Dachau, and Bergen-Belsen), vast networks of mass graves across Eastern Europe, devastated cities from systematic bombing and scorched-earth policies, and millions of displaced persons, forced laborers, and survivors bearing the physical and psychological scars of genocide, slave labor, and terror. These crimes were not isolated incidents but transnational and highly bureaucratic in nature—coordinated through a continent-spanning system of centralized planning, deportation trains, occupation administrations, and industrialized killing centers. No single national court could adequately address offenses that crossed borders, involved state machinery, and implicated the highest levels of government and military leadership.

Faced with this scale of criminality, the Allies confronted a profound dilemma: how to respond in a way that delivered justice without repeating the mistakes of the past or fueling future resentment. After World War I, the failure to hold German leaders accountable (e.g., the aborted trial of Kaiser Wilhelm II and the limited Leipzig trials of lower-ranking officers) had contributed to perceptions of "victors' justice" being weak or unfair, helping lay the **groundwork for revanchist narratives** that aided the Nazi rise. Summary executions of top Nazi figures—advocated by some, notably British Prime Minister Winston Churchill, who initially favored shooting the main leaders without trial—offered speed and finality but risked creating martyrs, denying due process, and allowing future generations to claim the charges were unproven or politically motivated. The Soviet Union, meanwhile, leaned toward show trials, while France and the U.S. pushed for a more structured, evidentiary approach.

Ultimately, the United States—led by figures like Supreme Court Justice **Robert H. Jackson** (chief U.S. prosecutor)—prevailed in arguing for a full public trial. A formal international tribunal would achieve several critical objectives:

• Establish an irrefutable historical record through documented evidence (Nazi records, films, photographs, and witness testimony), making denial or revisionism far more difficult.

• Demonstrate individual criminal responsibility, rejecting the defense of "superior orders" or "acts of state," and affirming that leaders could be held personally accountable under international law.

• Educate the world—and especially the German population—about the full extent and systematic nature of the crimes, fostering moral reckoning and supporting denazification efforts.

• Set a precedent for future international justice, moving beyond vengeance toward the rule of law and helping prevent mass atrocities from being treated as "politics by other means."

• Legitimize the process in the eyes of history by adhering to principles of fairness, even for the defeated.

The result was the **London Agreement of August 8, 1945,** and its annexed Charter, which created the International Military Tribunal (IMT) at Nuremberg. This choice reflected a deliberate shift: from retribution alone to a landmark assertion that even heads of state and senior officials are not above the law, laying foundational stones for modern international criminal law.

World War II ended in Europe leaving catastrophic destruction: 70–85 million dead (including 40–50 million civilians), cities in ruins (e.g., 40–66% of housing destroyed in major German cities), shattered infrastructure, and economies collapsed. Tens of millions were displaced—forced laborers, POWs, refugees, and survivors—while 10–14 million ethnic Germans were expelled from Eastern Europe under the Potsdam Agreement (1945). Millions of Jewish survivors and others remained in displaced persons camps for years.

Germany was occupied and divided into four zones (U.S., UK, France, USSR), with Berlin similarly split. The Allies pursued denazification (removing Nazi influence through questionnaires, trials, and classifications), demilitarization, democratization, and reconstruction—though Cold War priorities soon softened purges in the West to favor

economic recovery and anti-communism. Liberated camps, mass graves, and captured records provided overwhelming evidence of atrocities, fueling public awareness and legal proceedings.

In the immediate postwar order, Nuremberg supported moral and legal reconstruction while the emerging Cold War divided Germany and foreshadowed global tensions. Its legacy endures as a foundation for holding powerful individuals accountable, ensuring mass atrocities carry personal consequences.

III. CREATION OF THE TRIBUNAL (1945) AND LEGAL FOUNDATIONS

The London Agreement in London, formally established the International Military Tribunal (IMT) for the trial and punishment of the major war criminals of the European Axis. Annexed to the Agreement was the Charter of the International Military Tribunal (commonly called the Nuremberg Charter or London Charter), which defined the Tribunal's constitution, powers, jurisdiction, and groundbreaking legal principles.

• **Individual responsibility**: It rejected traditional immunities for heads of state or officials acting under orders, affirming that individuals—not just states—could be held criminally accountable for international crimes.

• **Four categories of crimes (Article 6)**:

(a) **Crimes against peace** — 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 to do so. This defined aggressive war as the "supreme international crime."

(b) **War crimes** — violations of the laws or customs of war, including murder, ill-treatment or deportation to slave labor of civilians or prisoners of war, killing of hostages, plunder of property, wanton destruction of cities not justified by military necessity.

(c) **Crimes against humanity** — murder, extermination, enslavement, deportation, and other inhumane acts committed against civilian populations before or during the war; or

persecutions on political, racial, or religious grounds in connection with any crime within the Tribunal's jurisdiction (whether or not in violation of domestic law). This was the first codification of crimes against humanity as an international offense.

(d) **Conspiracy** — a separate charge to commit any of the above, enabling prosecution of coordinated planning.

The Tribunal was empowered to try individuals and declare groups/organizations (e.g., SS, Gestapo) criminal, allowing subsequent national prosecutions of members without re-proving the group's criminality.

Nuremberg was chosen as the venue—despite being in the U.S. occupation zone—due to its symbolic weight: site of the infamous Nazi Party rallies and the 1935 racial laws that stripped Jews of citizenship. The proceedings took place in Courtroom 600 of the Nuremberg Palace of Justice, renovated for the trial with expanded docks, witness stands, and technical installations.

IV. HCC/IMT INSTITUTIONAL STRUCTURE ("ORGANS") AND FUNCTIONS

Organ	Core Responsibilities	Legitimacy function
Tribunal (Judges + Alternates)	Controls procedure; rules on evidence; ensures due process; issues verdict and sentence; publishes judgment.	Authoritative legal findings and public record.
Prosecution (Chief Prosecutors + Teams)	Drafts indictment; presents evidence; examines witnesses; argues for conviction and sentencing.	Links leaders to crimes using proof.
Defense Counsel	Challenges prosecution; presents defenses and mitigation; protects defendants' rights.	Strengthens fairness; reduces "show trial" claims.
Registry / Secretariat	Manages filings, exhibits, transcripts; schedules; coordinates logistics.	Operational stability; preserves archives.
Translation & Court Services	Simultaneous interpretation; multilingual transcript accuracy.	Fairness across languages.
Detention, Medical & Psychological Unit	Health monitoring; competency assessment; suicide-risk mitigation; behavioral management.	Ensures defendants can stand trial; protects process.

V. CHARGES AND LEGAL CATEGORIES

The Charter of the International Military Tribunal, specifically Article 6, defined the Tribunal's jurisdiction and established three core categories of international crimes for which there would be individual responsibility. The Charter emphasized that leaders, organizers, instigators, and accomplices participating in a common plan or conspiracy bore responsibility for all acts committed in execution of that plan.

The categories shaped modern international criminal law:

- **Crimes against Peace (Article 6(a))**: "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." This labeled aggressive war the "supreme international crime," as it encompassed the accumulated evils of other offenses. Examples from the trial included the invasions of Poland (1939), Norway, Denmark, the Low Countries, France (1940), Yugoslavia and Greece (1941), and the Soviet Union (1941)—all premeditated violations of treaties like the Kellogg-Briand Pact (1928) and non-aggression pacts.

- **War Crimes (Article 6(b))**: "violations of the laws or customs of war," including but not limited to murder, ill-treatment or deportation to slave labor of civilian populations in occupied territory; murder or ill-treatment of prisoners of war; killing of hostages; plunder of public or private property; wanton destruction of cities, towns or villages; or devastation not justified by military necessity. Evidence presented included the murder of millions of Soviet POWs through starvation and exposure, mass executions of civilians (e.g., in occupied Poland and the Soviet Union), the destruction of Warsaw, and forced labor programs enslaving over 7 million foreign workers.

- **Crimes against Humanity (Article 6(c))**: "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." This groundbreaking category captured systematic, widespread attacks on civilians, notably the Holocaust (extermination of ≈6 million Jews), the murder of Roma/Sinti, disabled persons under T4, political opponents, and other groups through ghettos, Einsatzgruppen shootings, and death camps like Auschwitz.

VI. SUMMARY OF NAZI CRIMES AND ATROCITIES (1933-1945)

Nazi criminality emerged from dictatorship and racial ideology after 1933, escalating into continent-wide violence through war, occupation, and extermination policies.

Political repression and terror state (1933 onward)

Dismantling democracy; criminalizing opposition; extrajudicial detention; normalization of state violence.

Wars of aggression and occupation (1939–1945)

Invasions and occupation regimes included executions, hostage-taking, deportations, and plunder.

The Holocaust and genocidal mass murder

Systematic deportation and extermination of Jews; also targeted Roma and Sinti, people with disabilities, and others.

Forced labor and economic exploitation

Millions coerced into labor under brutal conditions; links between state agencies and industry.

Crimes against prisoners of war

Widespread POW mistreatment, starvation, forced labor, and executions.

VII. KEY DEFENDANTS AND LEADERSHIP FOCUS: HERMANN GÖRING AND THE HIGH COMMAND

The International Military Tribunal (IMT) at Nuremberg indicted 24 major Nazi figures (22 tried in person), selecting those at the apex of political, military, economic, and ideological

power to demonstrate how senior leadership enabled the regime's crimes. Among them, **Hermann Göring** stood out as the most prominent and symbolic defendant—Hitler's designated successor until 1945, Reichsmarschall, Commander-in-Chief of the Luftwaffe, founder of the Gestapo (1933), creator of concentration camps, Plenipotentiary for the Four-Year Plan (economic mobilization for war), and a driving force in the Nazi hierarchy after Hitler himself.

Göring was indicted and convicted on all four counts: (1) conspiracy to commit crimes against peace, war crimes, and crimes against humanity; (2) crimes against peace (planning and waging aggressive war); (3) war crimes; and (4) crimes against humanity. Evidence showed his central role in rearmament (via the Four-Year Plan and mefo bills to fund secret military buildup), the invasions of Poland and other nations, the plundering of occupied territories (including art looting), forced labor exploitation, and the persecution of Jews—he issued the July 31, 1941, directive to **Reinhard Heydrich** authorizing a "complete solution of the Jewish question," which escalated to the Holocaust's "Final Solution." The Tribunal described his guilt as "unique in its enormity," finding no excuses and sentencing him to death by hanging (he committed suicide with cyanide the night before execution on October 15, 1946).

Göring embodied the debate on leadership liability: as the second-highest Nazi, he claimed limited knowledge of atrocities (e.g., denying direct involvement in extermination camps) and portrayed himself as a loyal executor of Hitler's will. Prosecutors countered with documents, his own speeches, and testimony proving his awareness, participation, and authority—rejecting "superior orders" as a full defense while allowing it for mitigation.

The military High Command (Oberkommando der Wehrmacht, OKW) defendants illustrated command responsibility in aggressive war and atrocities. Key figures included:

• Wilhelm Keitel (Chief of the OKW, Hitler's chief military advisor): Signed orders for Commissar Order (executing Soviet political officers), Night and Fog Decree (disappearing resisters), and reprisals against civilians. Convicted on all four counts; hanged.

• Alfred Jodl (Chief of Operations Staff, OKW): Planned invasions (e.g., Poland, Norway, France, USSR) and issued directives for war crimes in occupied territories. Convicted on all four; hanged.

These men argued they were professional soldiers following lawful orders, but the Tribunal held that high-ranking officers with knowledge and control over criminal policies bore individual responsibility—establishing that command authority implies duty to prevent or punish crimes.

VIII. THE UNITED NATIONS AND ALLIED ACTIONS AGAINST NAZI CRIMES (1943-1950)

Allied accountability efforts began before the war ended. In October 1942, Allied leaders warned that Axis perpetrators would face justice. This led to the creation of the United Nations War Crimes Commission (UNWCC) on October 20, 1943, in London, supported by 17 Allied nations (including the U.S., UK, USSR, France, China, and Poland). The UNWCC (1943–1948) identified and documented war crimes, prepared case lists, recommended arrests/extraditions, and supported national prosecutions. It did not hold trials but processed evidence for over 30,000 cases and helped define early concepts like crimes against humanity and genocide.

After the International Military Tribunal (IMT) judgment in October 1946, the United Nations acted to universalize Nuremberg's principles. On December 11, 1946, the UN General Assembly unanimously adopted Resolution 95(I), affirming the Nuremberg Principles as binding international law. This endorsed individual responsibility for crimes against peace, war crimes, and crimes against humanity, as well as rejection of "acts of state" immunity and superior orders as a full defense.

In 1947, the General Assembly directed the newly formed International Law Commission (ILC) to codify these principles. In 1950, the ILC adopted the Principles of International Law Recognized in the Charter of the Nürnberg Tribunal and in the Judgment of the Tribunal (seven principles), including:

- Individual criminal responsibility (Principle I)
- No immunity for heads of state or officials (Principle III)
- Superior orders not a defense (mitigating only; Principle IV)
- Crimes against peace, war crimes, and crimes against humanity as punishable offenses (Principle VI)

These steps linked wartime efforts (UNWCC, Nuremberg) to postwar codification, influencing the Genocide Convention (1948), Universal Declaration of Human Rights (1948), and Geneva Conventions (1949). They established personal liability for major international crimes—a core legacy for modern international criminal law and tribunals.

IX. CONCLUSION: LEGACY FOR INTERNATIONAL CRIMINAL JUSTICE

The International Military Tribunal at Nuremberg (1945–1946) marked a historic shift in addressing aggressive war and mass atrocity. Through the London Charter, transparent public proceedings with simultaneous interpretation, and rigorous evidence (Nazi documents, films, photographs, witness testimony), the IMT created an irrefutable record. It convicted 19 of 22 major defendants, declared groups like the SS criminal, and defined three foundational crimes: crimes against peace (aggressive war as the "supreme international crime"), war crimes, and crimes against humanity.

The psychological evaluations in the Nuremberg prison—conducted by Douglas M. Kelley and Gustave Gilbert—bolstered legitimacy by confirming defendants' (especially Hermann

Göring's) mental competency to stand trial and participate meaningfully. This ensured fairness, prevented claims of incapacity or procedural abuse, and upheld the trial's credibility.

Nuremberg's principles were quickly universalized: UN General Assembly Resolution 95(I)(December 11, 1946) affirmed them as binding international law. The International Law Commission formalized them in 1950, establishing individual responsibility, no immunity for heads of state, rejection of superior orders as a full defense, and the criminality of aggressive war, war crimes, and crimes against humanity. These norms influenced the Genocide Convention (1948), Universal Declaration of Human Rights (1948), Geneva Conventions (1949), and later tribunals and the International Criminal Court.

Nuremberg proved that leaders cannot hide behind state sovereignty or official position. It moved justice from vengeance to the rule of law, emphasizing evidence, fairness, and personal accountability. For the Historical Criminal Court (HCC) simulation, Nuremberg remains the essential model: a commitment to documented truth and prevention of future atrocities through international criminal justice.

X. COMMITTEE USE: GUIDING QUESTIONS

How should the tribunal weigh documentary evidence versus witness testimony when defendants deny knowledge?

• What is the threshold for command responsibility: direct orders, knowledgeand failure to prevent, or broader institutional control?

• How should claims of coercion or "superior orders" be treated in findings andsentencing?

• What role should psychological evidence play: competency only, or alsocredibility and intent?

• How can legitimacy be protected against claims of "victors' justice" while stilldelivering accountability?

XI. APPENDIX A. CRONOLOGICAL TIMELINE (1933-1950)

Date	Event
1933	Hitler becomes Chancellor; consolidation of power.
1935	Nuremberg Laws formalize racial persecution.
1939 (Sept.)	Invasion of Poland; WWII begins in Europe.
1941 (June)	Invasion of USSR; mass violence escalates.
1942 (Jan.)	Wannsee Conference coordinates deportation framework.
1943 (Oct. 20)	UNWCC established.
1945 (May)	German surrender; occupation begins.
1945 (Aug. 8)	London Agreement and IMT Charter adopted.
1945 (Nov. 20)	IMT trial opens.
1946 (Oct. 1)	IMT judgment delivered.
1946 (Dec. 11)	UNGA Resolution 95(I).
1948	UNWCC concludes operations.
1950	ILC formulates Nuremberg Principles.

XII. APPENDIX B. GLOSSARY OF CORE TERMS

1) Aggressive war / War of aggression: Use of armed force in violation of international obligations; central to Crimes against Peace.
2) Crimes against Humanity: Systematic attacks on civilians (murder, extermination, enslavement, deportation, persecution).

3) IMT: International Military Tribunal created by London Charter (8 Aug 1945).
4) UNWCC: United Nations War Crimes Commission (1943–1948), documentation and support for prosecutions.
5) Command responsibility: Liability for crimes ordered, knowingly tolerated, or left unpunished when a leader had power to act.
6) Competency to stand trial: Whether a defendant can understand proceedings and consult with counsel.
7) Simultaneous interpretation: Real-time translation used at Nuremberg to run multilingual proceedings.

XIII. APPENDIX C. CORE PRIMARY DOCUMENTS AND WHERE TO FIND THEM

1) London Agreement & IMT Charter (8 Aug 1945): establishes the tribunal and crimes (UN archive; Avalon Project).

2) IMT Judgment (1 Oct 1946): final findings and legal reasoning (Avalon Project).

3) UNGA Resolution 95(I) (11 Dec 1946): affirms Nuremberg principles (UN AVL).

4) UNWCC (1943–1948): institutional history and mandate (UNWCC archive; USHMM).

5) Harvard Nuremberg Trials Project: structured access to IMT records (Harvard Law School Library).

XIV. APPENDIX D. MAJOR IMT DEFENDANTS AND CASE OUTCOMES (OVERVIEW)

This overview supports quick referencing in debate. **Outcomes are summarized for committee use (not a full defendant list).**

Defendant		Role (shorthand)	Outcome (IMT)
Hermann Göring		Senior Nazi leader; major political/military/economic influence	Sentenced to death; died by suicide before execution.
Rudolf Hess		Deputy to Hitler (early regime)	Life imprisonment.
Joachim Ribbentrop	von	Foreign Minister	Death sentence.
Wilhelm Keitel		Top military leadership (OKW)	Death sentence.
Alfred Jodl		Military operations leadership (OKW)	Death sentence.
Albert Speer		Armaments and war production leadership	20 years imprisonment.
Julius Streicher		Incitement propaganda role	Death sentence.
Ernst Kaltenbrunner		Security apparatus leadership (RSHA)	Death sentence.
Hans Frank		Governor-General in occupied Poland	Death sentence.
Baldur von Schirach		Youth leadership; deportation involvement	20 years imprisonment.

XV. APPENDIX E. EVIDENCE TYPES AND HOW NUREMBERG BUILT THE RECORD

E.1 Documentary archives

Captured orders, minutes, correspondence, transport and camp records linked leadership decisions to outcomes.

E.2 Film and photographic evidence

Liberation footage supported claims about conditions; required authentication and context.

E.3 Witness testimony

Provided lived accounts and institutional explanations; assessed for credibility and consistency.

E.4 Defendant statements

Interrogations and testimony were tested against documents for contradictions.

E.5 Organizational evidence

Showed how institutions functioned as instruments of criminal policy.

XVI. APPENDIX F. HCC SIMULATION AIDS (ROLES, MOTIONS, AND WORKFLOW)

F.1 Roles

Tribunal manages procedure; prosecution presents; defense challenges; expert panel briefs; registry supports filings.

F.2 Phases

Opening statements → evidence → cross-examination → expert briefs → closings → deliberation → verdict/sentencing.

F.3 Adaptable motions

Introduce exhibit; call witness; admit expert testimony; challenge admissibility; recess for consultation.

F.4 Psychology in debate

Use for competency and credibility; do not treat it as an automatic excuse for crimes.

XVII. APPENDIX G. QUICK REFRENCE: CRIMES AND TYPICAL PATTERNS

Charter Crime	Typical patterns discussed at Nuremberg	What delegates should try to prove
Crimes against Peace	Planning and launching aggressive war; diplomatic deception; coordinated military strategy.	Leadership intent, planning, and participation in the common plan.
War Crimes	Mistreatment of POWs; unlawful killings; plunder; illegal occupation practices.	Orders, knowledge, and failure to prevent/punish crimes by subordinates.
Crimes against Humanity	Systematic murder, deportation, extermination, persecution of civilians (including genocidal policies).	Policy-level coordination; link between institutions and civilian targeting.

This chart is intentionally simplified for committee use; delegates should support each claim with documentary evidence and logically argued links between authority, knowledge, and outcomes.

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