



**WELCOME TO THE**



**COMMUNITY**

**THE CANADIAN SCHOOL**





# NUREMBERG TRIALS



# PRESIDENTS



Mariana Arango

My name is Mariana Arango, I study at Teresiano school, I am 17 years old and I am a very passionate person for what I do, someone who gives everything of herself to make sure her projects go well. In the near future, I hope to finish this year, enjoy my school and, be able to develop a good reputation for my school and complete this stage of my life in the best way to start a new one. This time I have the opportunity to be president of the Nuremberg trials, I will give my all so that everything goes well. I hope that CSMUN will be a very good experience for my personal growth, I also hope that we all enjoy it a lot, and I am committed to helping the delegates.



Santiago Estrada

¡Hola! Soy Santiago Estrada. Espero estudiar ingeniería mecatrónica y lograr ejercer en el exterior para, así, convertirme en un verdadero ciudadano del mundo. En el CSMUN XI tendré la oportunidad de presidir The Nuremberg Trials, un hito histórico posguerra. Estoy seguro de que este modelo tendrá un éxito sin precedentes a pesar de la situación actual. El trabajo colaborativo será guía, la disciplina fundamento y el disfrute recompensa. ¡Suerte a todos!

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## 1. WELCOMING LETTER

London, 1945

*“Justice delayed is justice denied”*

William E. Gladstone

Honorable Justices, distinguished prosecutors, esteemed defense attorneys, accused, and others who may read this letter,

The Presiding Judges are honored to receive You in the first International Military Tribunal known to mankind. Though the circumstances behind the reasons why you are receiving this may differ, we expect everyone to admire the grandiose prestige that participating in such a great event represents.

As all of You are well-aware, the Second World War has come to an end and it is up to us to restore balance in the destroyed land it left us. Two days ago, on August 8, the *Agreement for the prosecution and punishment of the major war criminals of the European Axis*, also known as the London Charter, was signed and published for the international community to have the reassurance needed to move on: Crime will not go unpunished.

We, Judge Arango and Judge Estrada, convene a trial divided into two different sessions, where prosecutors, attorneys, and accused will present their case and the Justices will fairly decide the fate of those convicted with unforgivable crimes.

The first case will be against the known German doctor, Karl Brandt. The second accused is former Field Marshal Erhard Milch. Each hearing will be given on different days.

We await your active participation during the trial on December 9 of the next year.

Sincerely, Judge Mariana Arango and Judge Santiago Estrada





## **2. INTRODUCTION TO THE COMMITTEE**

### **2.1. Description**

After Germany's unconditional and absolute defeat, the victorious nations (The Union of Soviet Socialist Republics, The United States, and The United Kingdom) agreed in London on August 8, 1945, to establish an International Military Tribunal (IMT). This meant that for the very first time in history, an international tribunal would take place with the legitimacy to hold leading representatives of a State (in this case Nazi Germany) personally accountable for crimes under international law. Berlin was declared as the permanent seat of the tribunal, and the trial against the "major war criminals" would be held in Nuremberg ("The International Military Tribunal"). Such a magnificent tribunal would mix the legislation of the three previously mentioned powers and France. In this way, the Allies could sanction Nazi leaders on their own terms, which, as expected, they saw fit for the losing party.

The Nuremberg Trials would be presided by a British Justice accompanied by two Justices from each nation (The US, The USSR, The UK, and France). Moreover, the powers also sent a prosecutor to demonstrate the guiltiness of the accused. In total, there were eight Justices and four prosecutors. The London Charter also allowed the 24 accused to have defense attorneys. There were 20 defense attorneys supported by a total of 70 assistants, clerks, and lawyers. The Nuremberg Trials did not, however, end after this first trial was held. In fact, there were 12 subsequent trials, each with a different set of Justices, prosecutors, defense attorneys, and accused.

The International Military Tribunal indicted the defendants on charges of crimes against peace, war crimes, and crimes against humanity. In the end, 12 defendants were sentenced to death, three defendants sentenced to life imprisonment, and four to prison terms ranging from 10 to 20 years. It acquitted three of the defendants ("Nuremberg Trial Verdicts").





The official end goal of the Nuremberg Trials was to bring justice to a devastated Europe and hold the responsible accountable for such destruction. The Justices were, allegedly, impartial and had no bias against Germans. Nonetheless, there is still controversy around the legitimacy and fairness of the trials: some people argued that it was unfair to indict Nazi leaders for violating laws that had not yet existed at the time they committed the acts of which they were accused. This is called *ex post facto* (“after the fact”) justice, and it is specifically forbidden by the US Constitution and the laws of many other nations” (“Establishing The Nuremberg Tribunal”). Therefore, and though with much debate, some argue that the real end goal of the Nuremberg Trials was to blame a few for the wrongdoings of a whole sovereign nation: a scapegoat.

## 2.2. History

### 2.2.1. Background

Though the International Military Tribunal held in Nuremberg, Germany will forever be known to history as the first international tribunal and foundation for international law, the first efforts to prosecute war criminals were made after World War I with the Treaty of Versailles. Such a useless treaty demanded the extradition of the German Kaiser, who was to be put on "public trial." Another 890 civilian and military officials were also supposed to face trial. However, the Germans persuaded the allied forces into allowing the trials to be held before the Leipzig Reich Court. As expected, the sentences were mild and some court sessions were not taken seriously. This German deception strengthened the allies’ will to later prosecute the Nazi war criminals themselves in 1945 ("Background").

“Even before World War II was over, the Allies resolved to put the major officials responsible for Nazi war crimes on trial. In the Moscow Declaration of November 1, 1943, they undertook to extradite Germans who had perpetrated these crimes in the occupied territories to the affected countries after the war, in order to prosecute them in accordance with the laws applicable at the site of their crimes. The Allies resolved to prosecute the major war criminals, whose crimes were not limited to the territory of a single state, on the basis of uniform legal standards.” (“The International Military Tribunal”)







### 2.2.2. International Military Tribunal

The Nuremberg Trials saw the end of a regime that caused the Holocaust, and it was the first time in history when an International Court sentenced people to prison and to death. It would later set the stage for the International Court of Justice, the International Declaration of Human Rights, and two Geneva Conventions.

The leaders of the major Allied powers came together to discuss the fate of the world after World War II had ended: Stalin of the Soviet Union, Roosevelt of the United States, and Churchill of the United Kingdom. Over the course of World War II, it became apparent that Germany committed atrocities on a massive scale. Thus, there was only one question to be solved: How to punish acts so vile? The three major leaders pondered three possible solutions. The first one was to do nothing and allow all the death and destruction to go unpunished. As expected, all three countries disagreed to consent to such a course of action. The second option was to put all the perpetrators to death through executive action. This meant to simply give the command to kill thousands of people without a trial. Surprisingly, both the USSR and the UK agreed on this plan. However, the US persuaded both nations into holding a tribunal to prevent future conflicts. Eventually, the third option was chosen: Justice through prosecution. The three major powers decided that the perpetrators of the Second World War and of the holocaust would be dealt with fairness and justice that they themselves destroyed Germany.

Choosing to trial the Nazis brought a new question: How one punishes someone from another sovereign nation for crimes that are not actually illegal in that country? The allied powers answered this question with the *London Charter* of the International Military Tribunal, published on August 8, 1945. This charter laid out a system where the four different legal codes of France, the Soviet Union, The United Kingdom, and the United States would be incorporated into a single tribunal. There were prosecutors and defense attorneys according to the US and British laws, but decisions and sentences were imposed by a group of judges, according to French and Soviet legislation.





The first Nuremberg Trial was created for the worst offenders. Those who had created the system of oppression and extermination in Germany and its occupying territories. This meant that “twenty-four major political and military leaders of Nazi Germany were brought to trial before the International Military Tribunal.” (“Nuremberg Trials”).

On October November 20, 1945, the opening session of the first international war crimes trial in history took place in the city of Nuremberg (Nürnberg) in Bavaria, where the highest-profile cases were heard in the aptly-named Palace of Justice until August 31, 1946. On October 1, 1946, the International Military Tribunal (IMT) indicted 24 high-ranking military, political, and industrial leaders of the Third Reich (Bamford).

The event of the Nuremberg Trial makes direct reference to this first trial where the 24 worst Nazis were prosecuted. However, when used in the plural (Nuremberg Trials), it refers to a series of 13 trials carried out in the Palace of Justice at Nuremberg (“Nuremberg Trials”). The first one of which is the one described above. The other 12 trials are also known as “The Subsequent Trials”. “In all, 199 defendants were tried at Nuremberg, 161 were convicted and 37 were sentenced to death, including 12 of those tried by the IMT. The defendants generally acknowledged that the crimes they were accused of occurred but denied that they were responsible, as they were following orders from a higher authority.” (“The Nuremberg Trials”).

### **3. CRIMES**

The London Charter was redacted, discussed, and signed by the three major powers and later incorporated France. The charter, besides the foundation of its legitimacy and other key topics, stated that there were four crimes that came into the jurisdiction of the tribunal. Article 6 of the charter states:

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





- **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;
- **WAR CRIMES:** namely, violations of the laws or customs of war. Such violations shall include, but not be limited to . . . murder, 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;
- **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.” (*Agreement For The Prosecution And Punishment Of The Major War Criminals Of The European Axis*).

### 3.1. The subsequent Nuremberg Proceedings

In addition to the twenty-four major political and military leaders of Nazi Germany, tried before the International Military Tribunal, 185 other defendants, from many sectors of German society, also were brought to trial. This second group of defendants was brought before the United States Nuremberg Military Tribunals in a series of twelve trials known as the “Subsequent Nuremberg Proceedings.” The defendants were grouped according to their main area of activity: medical, legal, ethnological, economic, or political. The Office of Military Government for Germany (US), also known as OMGUS, published each indictment as a separate document (“Nurnberg Indictments”).





In total, there were 12 subsequent Nuremberg Trials, which are as follows:

Case 1: U.S. v. Karl Brandt et al. ("Medical Case"), 1946-47

Case 2: U.S. v. Erhard Milch et al. ("Milch Case"), 1946-47

Case 3: U.S. v. Josef Altstoetter et al. ("Justice Case"), 1947

Case 4: U.S. v. Oswald Pohl et al. ("Pohl Case"), 1947-48

Case 5: U.S. v. Friedrich Flick et al. ("Flick Case"), 1947

Case 6: U.S. v. Carl Krauch et al. ("I.G. Farben Case"), 1947-48

Case 7: U.S. v. Wilhelm List et al. ("Hostage Case"), 1947-48

Case 8: U.S. v. Ulrich Greifeldt et al. ("RuSHA Case"), 1947-48

Case 9: U.S. v. Otto Ohlendorf et al. ("Einsatzgruppen Case"), 1947-48

Case 10: U.S. v. Alfried Krupp et al. ("Krupp Case"), 1947-48

Case 11: U.S. v. Ernst von Weizsaecker et al. ("Ministries Case"),  
1947-48

Case 12: U.S. v. Wilhelm von Leeb et al. ("High Command Case"),  
1947-48

Despite the fact that all 12 cases were tremendously important for the achievement of justice in a destroyed Europe, three of the trials stand out. These are Case 1, later known as the Doctor's Trial; Case 2, which tried Erhard Milch alone; and Case 3, also known as the Judge's Trial.





## **I. THE DOCTOR'S TRIAL**

On December 9, 1946, an American military tribunal opened criminal proceedings against 23 leading German physicians and administrators for their willing participation in war crimes and crimes against humanity. In Nazi Germany, German physicians planned and enacted the Euthanasia Program, the systematic killing of those they deemed "unworthy of life." The victims included people with severe psychiatric, neurological, or physical disabilities. Further, during World War II, German physicians conducted pseudoscientific medical experiments utilizing thousands of concentration camp prisoners without their consent. Most died or were permanently injured as a result. Most of the victims were Jews, Poles, Russians, and also Roma (Gypsies). After almost 140 days of proceedings, including the testimony of 85 witnesses and the submission of almost 1,500 documents, the American judges pronounced their verdict on August 20, 1947. Sixteen of the doctors were found guilty. Seven were sentenced to death. They were executed on June 2, 1948. ("THE DOCTORS TRIAL: THE MEDICAL CASE OF THE SUBSEQUENT NUREMBERG PROCEEDINGS")

## **II. THE MILCH CASE**

On December 14, 1946, the US Military Government for Germany created Military Tribunal II which soon took up the war crimes case of former Field Marshal Erhard Milch. Milch had been indicted on November 14 and his indictment listed three counts:

- participation in the planning and execution of war crimes, namely the subjection of prisoners of war (POWs) and foreign nationals to murder, cruel treatment, and forced labor
- participation in the planning and execution of war crimes, specifically participation in two medical experiments dealing with the effects of high-altitude and freezing
- crimes against humanity

Milch was arraigned on December 20, pleading not guilty. The trial began on January 2, 1947. After 39 trial days, with 34 witnesses and 212 written exhibits introduced, the trial





concluded on March 25. The Tribunal returned its findings on April 16, declaring Milch guilty of counts one and three of the indictment but not guilty of count two, that of culpability in medical experimentation. The next day, it sentenced him to life in prison. Milch served his sentence, later commuted to 15 years, in Rebdorf Prison. ("Subsequent Nuremberg Proceedings, Case #2, The Milch Case").

### **III. THE JUDGE'S TRIAL**

On February 13, 1947, the US Military Government for Germany created Military Tribunal III to try the Justice Case, the third of the Subsequent Nuremberg Proceedings. Of the sixteen defendants indicted on January 4, nine were officials in the Reich Ministry of Justice, while the others were members of the People's and Special Courts. The defendants were arraigned on February 17, all pleading not guilty to the charges against them.

The indictment listed four counts, with all the defendants charged with the first three:

- conspiracy to commit war crimes and crimes against humanity
- war crimes against civilians of territories occupied by Germany and against soldiers of countries at war with Germany
- crimes against humanity, against German civilians and nationals of occupied territories

The fourth count of the indictment charged seven of the defendants with membership in the SS, SD, or the leadership corps of the Nazi Party, all of which had been declared criminal organizations a year before by the International Military Tribunal.

The prosecutors charged the defendants with "judicial murder and other atrocities, which they committed by destroying law and justice in Germany, and then utilizing the emptied forms of the legal process for the persecution, enslavement, and extermination on a large scale" ("Subsequent Nuremberg Proceedings, Case #3, The Justice Case"). The trial opened on March 5 and the final statements of the defendants were heard on October 18.





Military Tribunal III returned its judgment on December 3 and 4, finding ten of the defendants guilty and acquitting four. Two defendants were not included in the judgment as one died before the trial began and the case of the other was declared a mistrial because he had been too sick to attend much of the trial. The court announced its sentences on December 4, sending four of the guilty defendants to prison for life and six to prison for terms ranging between five and ten years. ("Subsequent Nuremberg Proceedings, Case #3, The Justice Case").

### 3.2. Power

Since the victory of World War II by the Allies, it was decided to create an eradicated agreement in London -that would later become the Statute of London-, used to judge and punish Nazi leaders for the charges of crimes against peace, war and against humanity, described in the same statute. This statute includes the main legal norms that would regulate its understanding and operation. In this way, the intention was to prevent the defendants' lawyers from using the strategy of denying their legitimacy in order to lead the process to a long and infractive discussion.

The London agreement focused in a relevant way on the establishment of the jurisdiction of the court. Regarding major Nazi crimes, the criteria for their trial was that the crimes did not have a precise geographical location. On the other hand, the "minor" criminals were judged by national courts of the occupied countries according to the provisions established in the declaration of Moscú and according to article 4 of the same London agreement and by the occupation courts indicated in article 6 of the same text.

In order to unify the criteria that should manage the occupations in the trial of war crimes committed on German territory, Law number 10 of the Allied Control Council was enacted on December 20, 1945, a provision that establishes the competence that the authorities awarded to German courts for the prosecution of crimes carried out by Germans against Germans or persons without nationality. In article 6 of the statute, the definitions of crimes are established, as well as belonging to an organization declared criminal.





### 3.3. Objectives

As described in the London Statute the objective of the court was to consider the atrocities committed by the Germans in occupied Europe, taking into account those German officials and members of the Nazi party who have been responsible for crimes and atrocities or have participated in them with their consent, this with the aim of judging their abominable acts so they can be judge and convicted under the law.

Undoubtedly the major obstacle that was faced, was the uncertainty of the acts committed in World War II, or the legitimacy of the Nuremberg Trials, taking into account these are easily compared to the legality of the Middle Ages, the Renaissance, the Bourgeois Revolutions and even the 19th century.

The Nuremberg trials in particular were processes by which the victors of World War II, (Great Britain, the United States of America, the French Republic and the Union of Soviet Socialist Republics), put on trial leaders of the National Socialist German Workers' Party, evaluating their responsibility in war, in the beginning of hostilities and in the violation of the war precepts commonly accepted by the European states. The trials and their legal bases (compiled in the Statute of the International Military Tribunal) implied an event never previously seen in the history of International Law, a circumstance that was the first accusations of illegitimacy of any trials.







## **4. UNITED STATES OF AMERICA v. KARL BRANDT**

### **4.1. Introduction to the topic**

Dear participants of the Nuremberg Trials, please keep in mind that some of the information that will be displayed here cannot be used in the courtroom. Only the facts that go from before December 9, 1946, are acceptable for witnesses, accused, and Justices during the hearings.

The case of the United States of America v. Karl Brandt et al. was the first of the Subsequent Nuremberg Trials, also known as the Doctor's Trial: "On December 9, 1946, an American military tribunal opened criminal proceedings against twenty-three leading German physicians and administrators for their willing participation in war crimes and crimes against humanity" ("Background & Overview Of The Doctors Trial"). The trial was the first of





twelve similar proceedings against Nazi doctors held by the United States following World War II.

The Doctor's Trial focused on the experiments that Nazi physicians willingly performed in concentration camp prisoners without their consent. Though it is not directly mentioned in the official indictment, the participation in the "Euthanasia Program" also played a key role in the hearings. According to the Jewish Virtual Library, said program consisted of "the systematic killing of those they deemed "unworthy of life." The victims included the mentally retarded, the institutionalized mentally ill, and the physically impaired. German physicians conducted pseudoscientific medical experiments utilizing thousands of concentration camp prisoners without their consent. Most died or were permanently crippled as a result. Most of the victims were Jews, Poles, Russians, and also Roma (Gypsies)." ("Background & Overview Of The Doctors Trial").

The tribunal in this version of the CSMUN will only try Karl Brandt, the highest-ranking officer of the Doctor's Trial. The accused had, in fact, the following occupation titles: Personal physician of Adolf Hitler, Reich Commissioner of Health and Sanitation, SS-Gruppenführer, SS-Brigadeführer, and Generalmajor of the Waffen-SS.

1,500 documents were submitted, 140 days passed, and 85 witnesses testified before the American judges pronounced their verdict. On August 20, 1947, 16 of the doctors were found guilty. Among them, Karl Brandt, who was sentenced to death by hanging and was executed on June 2, 1948.

#### 4.2. History

Karl Brandt was born in Mühlhausen, France. Brandt had a relatively normal upbringing. He went on and obtained his medical degree and married an Olympic swimmer who was a close friend of Hitler. Slowly, Brandt became part of Hitler's inner circle. He became a medical doctor in 1928. He joined the NSDAP in January 1932 and became a member of the SA in 1933. He became a member of the SS in July 1934 and was appointed Untersturmführer. From the summer of 1934, he was Hitler's personal physician. He received



regular promotions from the SS and, by January 1943, Brandt was a major general. In the years that followed, Brandt would murder countless "patients" believing he was simply following orders, not knowing that his actions would eventually land him in the fateful Nuremberg trials.

In August 1944, Brandt was appointed Reich Commissioner for Sanitation and Health, ranked as the highest Reich authority. He was authorized to issue instructions to the medical organizations of the government, to the party, and the armed forces, in the field of health.

He participated in the Euthanasia Program beginning in 1939, which involved the systematic execution of the aged, insane, incurably ill, or deformed children by gas or lethal injections in nursing homes, hospitals, and asylums. They were regarded as 'useless eaters' and a burden to the German war machine. Brandt and other Nazi doctors believed they were doing what was best for their Fatherland while conducting experiments on involuntary patients. These experiments, oftentimes fatal, included (but were not limited to) gassing, lethal injections, Malaria, and Typhus experimentation. ("Story Map Journal").

On April 16, 1945, he was arrested by the Gestapo and was condemned to death by a court in Berlin. He was released from arrest by order of Karl Doenitz on May 2, 1945. On May 23, 1945, he was placed under arrest by the British.

Brandt was one of the 15 defendants found guilty of war crimes at the Doctors Trial. He was executed June 2, 1948, at Landsberg prison in Bavaria ("Karl Brandt").

#### 4.2.1. Karl Brandt's Sentence

*"KARL BRANDT, Military Tribunal I has been found and adjudged you guilty of War Crimes, Crimes against Humanity, and membership in an Organization Declared Criminal by Judgement of the International Military Tribunal, as charged under the Indictment heretofore filed against you.*





*For your said Crimes on which you have been and now stand convicted, Military Tribunal I sentenced you, KARL BRANDT to death by hanging.*

*And may God have mercy upon your soul.”*

Sentence by Walter B. Beals, Presiding Judge.

("Story Map Journal").

Visit the following website to read the full indictment:  
[https://www.loc.gov/rr/frd/Military\\_Law/pdf/NT\\_Indictments.pdf#page=2](https://www.loc.gov/rr/frd/Military_Law/pdf/NT_Indictments.pdf#page=2).

### 4.3. Challenges for the committee

The committee faces three major challenges regarding the trial of Karl Brandt against the United States in the International Military Tribunal. Each is focused on a different issue from the following: Research, Method, and Impartiality.

#### 4.3.1. Research

All members of the Nuremberg Trials will face the challenge of having to investigate everything related to their respective cases. This information will not be easily found nor available since many documents were either redacted or burnt. Furthermore, taking into account that a verdict has already been said by history, defense attorneys will have a harder time researching enough to change the end result.

Participants may refer to this guide and the manual for information. Both presidents will also be available, but, ultimately, it is up to each individual to do a great research performance.

#### 4.3.2. Method

The Nuremberg Trials do not follow the conventional United Nations Model's methodology. This may make it harder for the committee to flow smoothly. To overcome this situation, both presidents will give extra attention to rookies and exert emphasis on the importance of reading the manual. The presidents will be available before and during the





sessions. This means that special guidance will be given and this will be taken into account when grading the delegates.

### 4.3.3. Impartiality

Every trial's end goal is to achieve justice regardless of the influence of the parties. The verdict must be unbiased and fair. This becomes an important issue in real-life situations; therefore, it is safe to assume that in an environment where all characters are closely related to each other, the impartiality of the tribunal might become compromised, perhaps even to the point of declaring a mistrial.

To overcome this, both presidents will emphasize the seriousness of the committee without disregarding entertainment. Presidents will pursue impartiality among participants.





## **5. UNITED STATES OF AMERICA v. ERHARD MILCH**

### **5.1. Introduction to the topic**

Erhard Milch was a field marshal in the German Air Force, he was known as one of the managers of the Central Planning Board under Albert Speer, one of the managers of the German war economy. He was presumably the responsible for the aircraft production and also programs during World War II.

Milch was judged by the second court of Nuremberg, from November 13, 1946 (When the indictment was filed) until April 17, 1947 (sentence). The accusation had three charges, two of them being war crimes; one, due to the mistreatment of civilians and war prisoners, making them war slaves, and the one about medical experiments on concentration camp inmates. The last charge was classified as a crime against humanity, because of the slave labor and medical experiments, towards international citizens and German citizens. Milch was accused of being in all of these intellectual and administrative performers.

During the trial the prosecution presented 161 written evidence and 3 witnesses. The defense presented 51 written evidence, 30 witnesses, and Milch's own testimony. The court called a witness

Milch was convicted of the charges related to slave labor and acquitted of those about medical experiments. He was sentenced to life imprisonment, but in 1951 the sentence was reduced to 15 years.

### **5.2. History**

Erhard Milch was one of the officers of Hitler's Luftwaffe during World War II. Milch played a key role in building the pre-1939 air force and received credit for the role it played during the invasions of France and Norway in 1940.

Erhard Milch was born on March 30, 1882 in Wilhelmshaven. After his education, he joined the army, where then, he joined the artillery. At the beginning of the First World War,





Milch served on the Western Front, but was transferred to the German Army Air Service. In 1918, he achieved the rank of captain and commanded Flight Squadron 6.

Milch resigned from the army in 1921 and entered the aviation industry. Then he worked for Junkers Luftverkehr until 1926, when he became director of Germany's national airline -Deutsche Lufthansa-.

The Versailles Treaty prohibited Germany from having an air force. However, many in Germany found the terms too harsh, and even moderate people saw no harm in trying to break these conditions even if it could trigger an international response. Milch joined Hermann Goering at the Luftwaffe's secret establishment. In 1933, Milch became Vice de Goering (Secretary of State at the Ministry of Aviation) and it was his responsibility to control arms production. In that position, he worked with World War I fighter ace Ernst Udet.

However, Milch's career was threatened in 1935, when rumors began to circulate that his father, Anton, was Jewish. The Gestapo investigated this rumor, which was only refuted when Goering made a statement by Milch's mother that Milch's father was not Anton Milch, but his uncle, Karl Brauer. This led Milch to receive a German blood certificate.

In 1938, Milch was promoted to colonel. At the end of the year, many Europeans saw the Luftwaffe as a force to fear. The bombing of Guernica showed many people what could happen to a city, and the bombing was carried out by the Blue Condor Legion of Nazi Germany. Connected to this was the fear of poison gas being drained. Thus, Milch received much credit for transforming the Luftwaffe, although Goering made a point of making the most of it.

The Luftwaffe played an important role in the successful invasion of Poland in September 1939. An essential part of the Blitzkrieg was identifying the bombardment of the Stuka submarines combined with the more intensive bombardment of Dornier 17, Junkers 88 and Heinkell III as they advanced. tanks and infantry. The Luftwaffe repeated its success in the invasions of Norway and France. For the invasion of Norway, Milch commanded Luftflotte V. Hitler was so impressed with the Luftwaffe's performance in the attacks on





Western Europe that he promoted Milch to field marshal, along with Hugo Sperrle and Albrecht Kesselring. Milch also received the title of Inspector General of Air in 1941.

Milch's fall from grace began with Operation Barbarossa. The poor performance of the Luftwaffe in this campaign and the failure to capture Moscow combined with subsequent campaigns in The Soviet Union led some to question the leadership of the Luftwaffe. Milch joined Goebbels and Himmler in suggesting to Hitler that Goering should be replaced. Hitler refused to do so, and in June 1944 Goering used his influence and power to force Milch to resign as director of the Air Force. Milch had to work under the control of Albert Speer, the Minister of Armaments. As the war approached, Milch tried to leave Germany and fled to the Baltic coast. Here he was arrested on May 4, 1945.

### 5.3. Challenges for the committee

The roles of the debate are divided into trees, which are essential for there to be a good execution of it.

- lawyers and prosecutors must defend with everything they have either the defendant or the court, they must make sure not to comply with any infraction and take the court with professionalism without trying to tempt any of the judges to take bias.
- The judges, as in any other court, must remain partial and at the same time evaluate the issues of each of the documents and evidence in order to reach a fair decision.
- We as presidents and judges, are committed to help each of the delegates to enjoy the committee and to learn a lot, considering the difficulties and challenges that the committee.

It is very important for the entire committee to arrive as prepared as possible, since it is not unusual for something unexpected to happen, in this way, also take into account that the court operates differently from any other committee, for this reason, when debating, there shouldn't be a marked or clear position, since everything is governed by the margin of the law and each subject or detail to be touched must be indifferent to the other.







One of the greatest expectations when making the investigation on the case, and also the investigation of the court, is that each of the jurisprudents evaluate the importance of the court for the international community, but even more important, for the laws that today govern us globally, thus recognizing the great role and influence of each of the characters, and of the events that occurred.

## 6. QARMAS

- How is your character involved with Karl Brandt? What is your character's end goal?
  - What is your character willing to sacrifice to win? Expose national war crimes? Loyalty to the regime?
    - If you are a Justice, define the line between justice and vengeance.
  - What is your character's initial strategy?
  - Picture the worst-case scenario for your character. How will you overcome said situation?
    - If you are a Justice, make sure to know how to avoid a mistrial.
  - What are the weaknesses of your opponent?
    - If you are a Justice, what are the weaknesses of the trial itself?
- 
- What events occurred within the time period between the dates of November 13, 1946 and April 17, 1947?



- What did this trial mean for international law?
- What are the reasons for each crime he was charged with?
- What repercussions outside the law came to be after the alleged performance of the acts and the trial?
- What legal principles or new international treaties existed that could be useful to the case?

## **7. PARTICIPANTS LIST**

### **7.1. Major Justices**

Francis Biddle (U.S.A)

Sir Geoffrey Lawrence (U.K)

Henri Donnedieu de Vabres (France)

Iona T. Nikitchenko (U.S.S.R)

Walter B. Beals (U.S.A)

Harold L. Sebring (U.S.A)

Johnson T. Crawford (U.S.A)

### **7.2. Alternative Justices**

John J. Parker (U.S.A)

Norman Birkett (U.K)'





Robert Falco (France)

Alexander F. Voltschkow (U.S.S.R)

Victor C. Swearingen (U.S.A)

### **7.3. Prosecutors**

Robert H. Jackson (U.S.A)

Roman A. Rudenko (U.S.S.R)

### **7.4. Defense Attorneys**

Robert Servatius (Germany)

Werner Milch (Germany)

### **7.5. Accused**

Karl Brandt (Germany)

Erhard Milch (Germany)

## **8. GLOSSARY**

*Mistrial*: “a trial that cannot be completed or whose result has no legal value, usually because a legal mistake has been made” (“MISTRIAL | Definition In The Cambridge English Dictionary”)

*Legitimacy*: “the quality of being legal” (“LEGITIMACY | Definition In The Cambridge English Dictionary”).

*Objection*: “the act of expressing or feeling opposition to or dislike of something or someone” (“OBJECTION | Definition In The Cambridge English Dictionary”).

*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 the 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” (Agreement For The Prosecution And Punishment Of The Major War Criminals Of The European Axis).

*War crimes:* namely, violations of the laws or customs of war. Such violations shall include, but not be limited to . . . murder, ill-treatment of prisoners of war or persons on the seas, killing of hostages, the plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity” (Agreement For The Prosecution And Punishment Of The Major War Criminals Of The European Axis).

*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” (Agreement For The Prosecution And Punishment Of The Major War Criminals Of The European Axis).

*Indictment:* “a formal statement of accusing someone” (“INDICTMENT | Definition In The Cambridge English Dictionary”).

*Gestapo:* “(Secret State Police.) A ruthless organisation that aimed to eliminate political opponents in Nazi Germany, and was responsible for the rounding up of Jews during the Nazi period and attempting to exterminate them.” (“Gestapo | Definition in BBC glossary”).

*Luftwaffe:* “component of the German armed forces tasked with the air defense of Germany and fulfillment of the country's airpower commitments abroad.” (“Luftwaffe | Definition in The Gesellschaft für deutsche Sprache”).

*Blitzkrieg:* “military tactic calculated to create psychological shock and resultant disorganization in enemy forces through the employment of surprise, speed, and superiority





in matériel or firepower.” (*Blitzkrieg* | Definition in The Gesellschaft für deutsche Sprache”).

*Luftflotte*: “was one of the primary divisions of the German air fleet in World War II.” (*Luftflotte* | Definition in The Gesellschaft für deutsche Sprache”).





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