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# Topic Guide

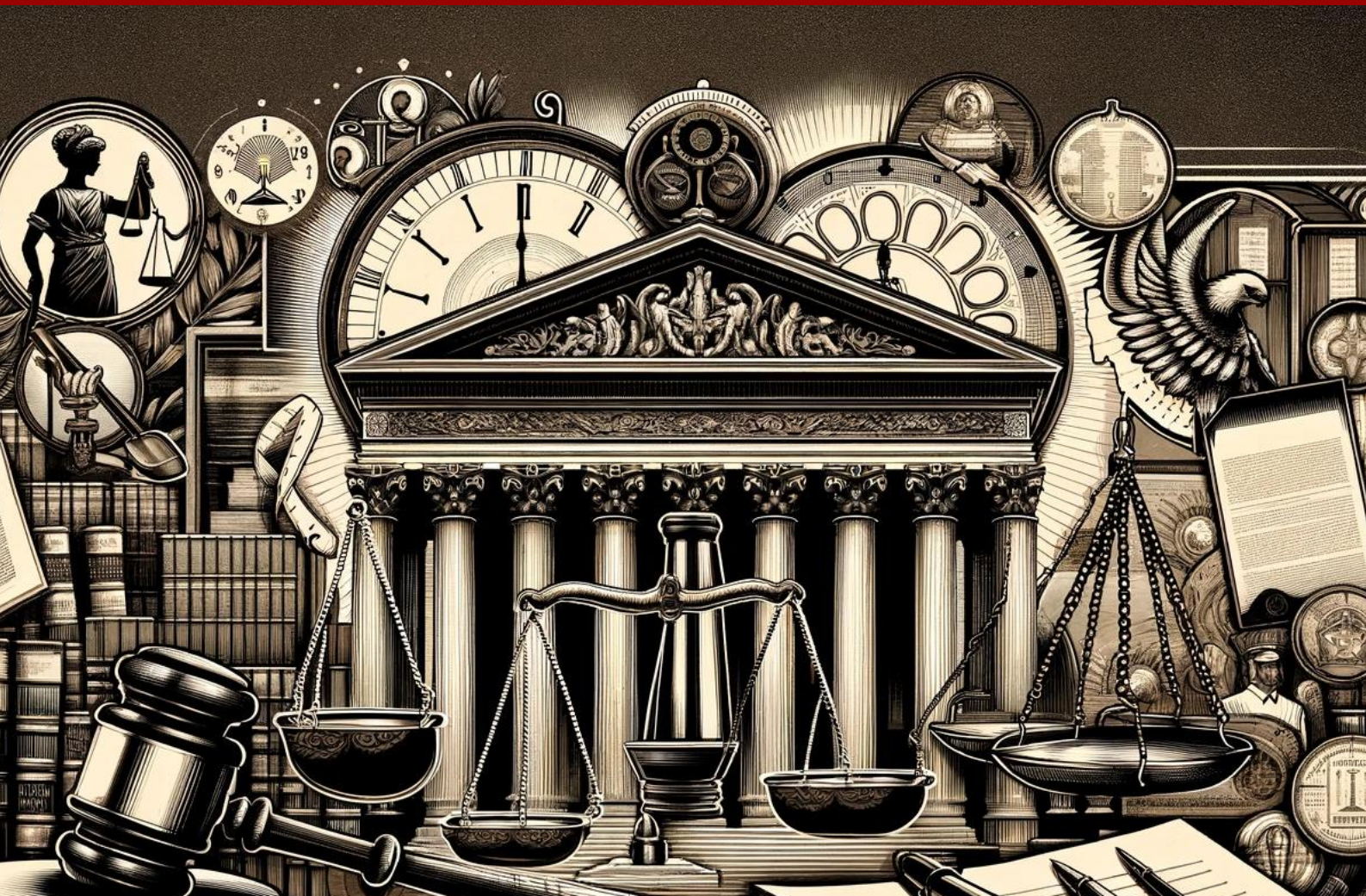
The Trial of Adolf Hitler

**International Criminal Court**



International Criminal Court

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# The Trial of Adolf Hitler

## Introduction about the case

Adolf Hitler, born on April 20, 1889, in Braunau am Inn, Austria-Hungary (now Austria), emerged as a central figure in 20th-century history through his leadership of Nazi Germany. Following his involvement with the German Workers' Party in 1919, he rose to prominence within the political spectrum and assumed leadership of the National Socialist German Workers' Party (Nazi Party). In 1933, Hitler became Chancellor of Germany, steering the nation through a complex socio-political landscape. His consolidation of authority, marked by the Reichstag Fire Decree and the Enabling Act, transformed Germany into a totalitarian state. By 1934, Hitler combined the roles of Chancellor and President, assuming the title of Führer und Reichskanzler. His leadership profoundly influenced domestic policies, economic strategies, and foreign relations, leaving an indelible mark on the course of world events. This case explores the complexities of his political career without delving into the subsequent historical atrocities.

In a parallel scenario, the prosecution contends that Adolf Hitler, as the leader of Nazi Germany, faces charges related to Crimes Against Humanity, War Crimes, Genocide, and Crimes against Peace. The allegations mirror the severity of the accusations brought against US President Harry S Truman. The prosecution asserts that Hitler's policies led to the systematic persecution and extermination of millions of individuals based on their race, religion, ethnicity, and political beliefs, constituting charges of Persecution and Extermination under Crimes Against Humanity. War Crimes charges are considered for the various atrocities committed during World War II, including the targeting of civilians, the use of concentration camps, and the widespread destruction of cities. Additionally, Genocide charges are brought forth in connection with the Holocaust, where Hitler's regime systematically sought to annihilate the Jewish people. Finally, Crimes against Peace are invoked, particularly concerning Hitler's invasion of Poland in 1939, a pivotal event that precipitated World War II. This simulated case aims to explore the legal implications of these charges while maintaining a neutral stance on the historical context.



## Definition of key terms

**Crimes against Humanity:** means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack: Murder, Extermination, Enslavement, Deportation or forcible transfer of population, Torture, Rape, sexual slavery.

**Genocide:** genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: Killing members of the group, Causing serious bodily or mental harm to members of the group, Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part, Imposing measures intended to prevent births within the group, Forcibly transferring children of the group to another group.

**War crimes:** Crimes committed as a part of a plan or policy or as part of a large-scale commission of such crimes:

- i. Willful killing
- ii. Torture or inhuman treatment, including biological experiments;
- iii. Wilfully causing great suffering or serious injury to body or health;
- iv. Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;
- v. Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;
- vi. Wilfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;
- vii. Unlawful deportation or transfer or unlawful confinement;
- viii. Taking of hostages.

**Initiating Aggressive War:** refers to the act of starting a war or conflict without legitimate justification or provocation, with the intent to expand territory, gain resources, or achieve political objectives through military force. This concept is often associated with the violation of international law and principles of peace.

The Security Council referred and acted following Chapter Seven of the UN Charter, per what was stipulated in Article 13 of the Rome Charter, Adolf Hitler to the International Criminal Court, and issued an order to arrest Hitler from the Pre-Trial Chamber and refer him to the court.

The charges against Truman before the First Instance Chamber of the International Criminal Court:

- Crimes against humanity
- Genocide
- Initiating Aggressive War

### War Crimes

The prosecution will try to prove the presence of the elements of the previous crimes, as well as the responsibility of Adolf Hitler while the defense team will try to deny the presence of the elements of these crimes, as well as the lack of responsibility.