

No. 251

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND,
UNITED STATES OF AMERICA, FRANCE,
UNION OF SOVIET SOCIALIST REPUBLICS**

Agreement for the prosecution and punishment of the major war criminals of the European Axis. Signed at London, on 8 August 1945

Official texts: English, French and Russian.

Filed and recorded at the request of the United Kingdom of Great Britain and Northern Ireland on 15 March 1951.

ROYAUME-UNI DE GRANDE-BRETAGNE

**ET D'IRLANDE DU NORD,
ÉTATS UNIS D'AMÉRIQUE FRANCE**

UNION DES RÉPUBLIQUES SOCIALISTES SOVIÉTIQUES

Accord concernant la poursuite et le châtement des grands criminels de guerre des Puissances européennes de l'Axe. Signé à Londres, le 8 août 1945

Textes officiels anglais, français et russe.

No. 251. AGREEMENT¹ BY THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTH-

IRELAND AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA, THE PROVISIONAL GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE UNION OF SOVIET SOCIALIST RE-

PUBLICS FOR THE PROSECUTION AND PUNISHMENT

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

one month's notice of intention to terminate it. Such termination shall not

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tribunal. In case of illness of any member of the Tribunal or his incapacity for some other reason to fulfil his functions, his alternate shall take his place.

Article 3

Neither the Tribunal, its members nor their alternates can be challenged

by the prosecution, or by the Defendants or their Counsel. Each Signatory may replace its member of the Tribunal or his alternate for reasons of health or for other good reasons, except that no replacement may take place during a trial, other than by an alternate.

Article 4

(a) The presence of all four members of the Tribunal or the alternate for any absent member shall be necessary to constitute the quorum.

(b) The members of the Tribunal shall, before any trial begins, agree among themselves upon the selection from their number of a President, and

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

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 labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of

Article 9

At the trial of any individual member of any group or organisation the Tribunal may declare (in connection with any act of which the individual may be convicted) that the group or organisation of which the individual was a member was a criminal organisation.

After receipt of the Indictment the Tribunal shall give such notice as it thinks fit that the prosecution intends to ask the Tribunal to make such

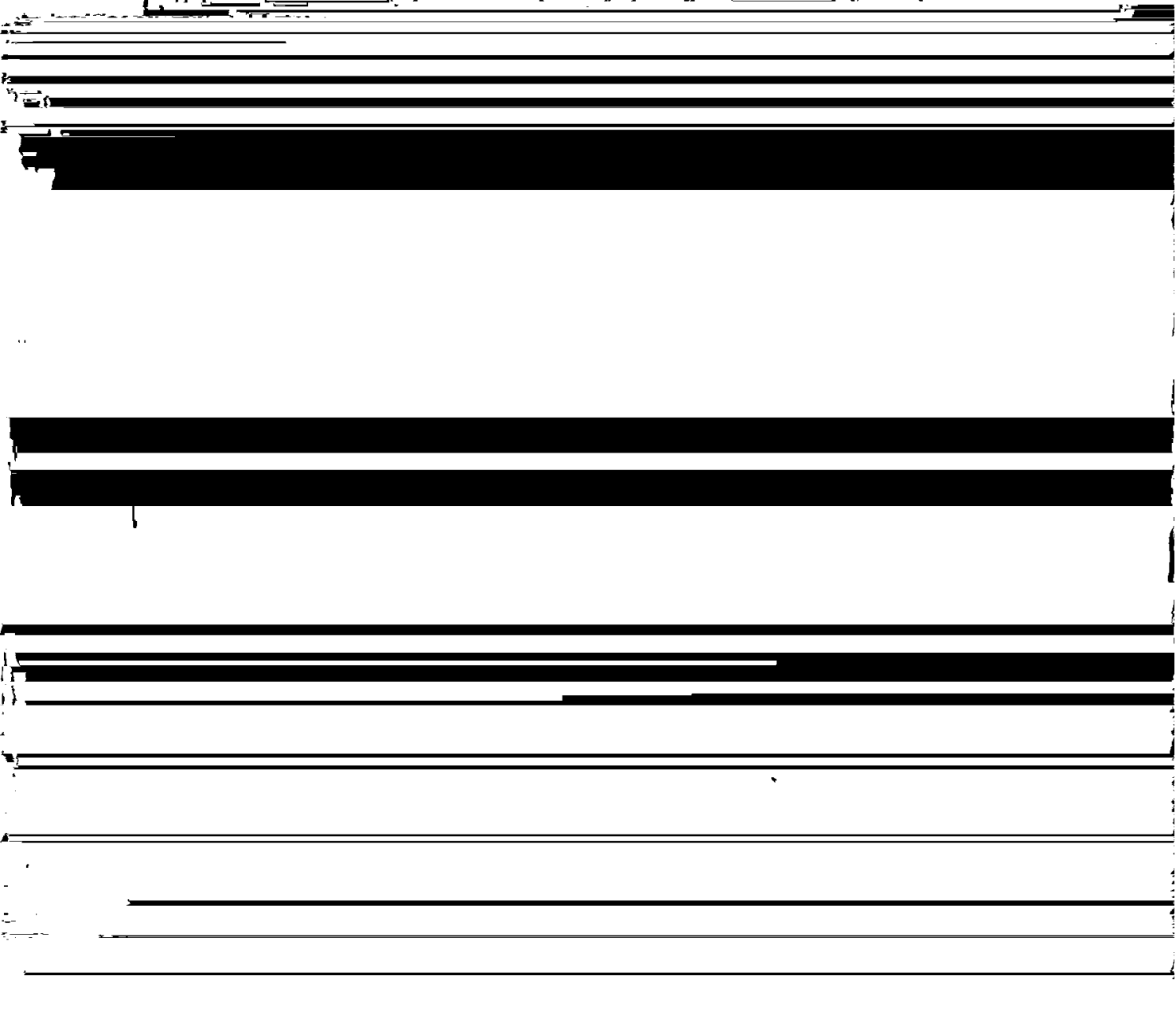
declaration and any member of the organisation will be entitled to apply to the Tribunal for leave to be heard by the Tribunal upon the question of the

III — COMMITTEE FOR THE INVESTIGATION AND PROSECUTION OF MAJOR WAR

Each Signatory shall appoint a Chief Prosecutor for the investigation of
the charges against and the prosecution of major war criminals

- (e) to appoint representatives to carry out such duties as may be assigned to them,
- (f) to undertake such other matters as may appear necessary to them for the purposes of the preparation for and conduct of the Trial.

It is understood that no witness or Defendant detained by any Signatory



IV. FAIR TRIAL FOR DEFENDANTS



(d) to administer oaths to witnesses

- (e) to appoint officers for the carrying out of any task designated by the Tribunal including the power to have evidence taken on commission.

Article 18

The Tribunal shall:

- (a) confine the Trial strictly to an expeditious hearing of the issues

raised by the charges,

- (b) take strict measures to prevent any action which will cause unreasonable delay and rule out irrelevant issues and statements of any

kind whatsoever,

- (c) deal summarily with any contumacy, imposing appropriate punishment including exclusion of any Defendant or his Counsel from

Article 23

One or more of the Chief Prosecutors may take part in the prosecution at each Trial. The function of any Chief Prosecutor may be discharged by him personally, or by any person or persons authorised by him.

The function of Council for a Defendant may be discharged at the Defendant's request by any Counsel professionally qualified to conduct cases before the Courts of his own country, or by any other person who may be

specialy authorised thereto by the Tribunal.

Article 24

The proceedings at the Trial shall take the following course:

(a) The Indictment shall be read in court.

(b) The Tribunal shall ask each Defendant whether he pleads "guilty"

VI.—JUDGMENT AND SENTENCE

Article 26

The Tribunal shall give its judgment in writing and shall state the reasons on which it is based, and shall be final and binding on the parties to the dispute.

Defendant shall give the reasons on which it is based, and shall be final and binding on the parties to the dispute.