

The London Four-Power Agreement (August 8, 1945)

Abstract

The United States, Great Britain, France, and the Soviet Union signed the London Four-Power Agreement on August 8, 1945. The Agreement stipulated that major war criminals were to be tried before a newly created International Military Tribunal. Major war criminals were those who had acted either as individuals or as members of organizations deemed criminal by the Allies. Perpetrators whose crimes could be matched to a territory occupied by Germany and its allies during World War II were to be tried in those territories. The London Four-Power Agreement created the foundation for the Nuremberg Trials.

Source

Agreement by the Governments of the United Kingdom, the United States, the Provisional Government of the French Republic, and the USSR for the Prosecution and Punishment of the Major War Criminals of the European Axis, and Charter of the International Military Tribunal (August 8, 1945).

Whereas the United Nations have from time to time made declarations of their intention that War Criminals shall be brought to justice;

And whereas the Moscow Declaration of the October 30, 1943, on German atrocities in Occupied Europe stated that those German officers and men and members of the Nazi Party who have been responsible for or have taken a consenting part in atrocities and crimes will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free Governments that will be created therein;

And whereas this Declaration was stated to be without prejudice to the case of major criminals whose offences have no particular geographical location and who will be punished by the joint decision of the Governments of the Allies;

Now therefore the Government of the United Kingdom of Great Britain and Northern Ireland, the Government of the United States of America, the Provisional Government of the French Republic and the Government of the Union of Soviet Socialist Republics (hereinafter called 'the Signatories') acting in the interests of all the United Nations and by their representatives duly authorised thereto have concluded this Agreement.

Article 1. There shall be established after consultation with the Control Council for Germany an International Military Tribunal for the trial of war criminals whose offences have no particular geographical location whether they be accused individually or in their capacity as members of organisations or groups or in both capacities.

Article 2. The constitution, jurisdiction and functions of the International Military Tribunal shall be those set out in the Charter annexed to this Agreement, which Charter shall form an integral part of this Agreement.

Article 3. Each of the Signatories shall take the necessary steps to make available for the investigation of the charges and trial the major war criminals detained by them who are to be tried by the International Military Tribunal. The Signatories shall also use their best endeavours to make available for investigation

of the charges against and the trial before the International Military Tribunal such of the major war criminals as are not in the territories of any of the Signatories.

Article 4. Nothing in this Agreement shall prejudice the provisions established by the Moscow Declaration concerning the return of war criminals to the countries where they committed their crimes.

Article 5. Any Government of the United Nations may adhere to this Agreement by notice given through the diplomatic channel to the Government of the United Kingdom, who shall inform the other signatory and adhering Governments of each such adherence.

Article 6. Nothing in this Agreement shall prejudice the jurisdiction or the powers of any national or occupation court established or to be established in any Allied territory or in Germany for the trial of war criminals.

Article 7. This Agreement shall come into force on the day of signature and shall remain in force for the period of one year and shall continue thereafter, subject to the right of any Signatory to give, through the diplomatic channel, one month's notice of intention to terminate it. Such termination shall not prejudice any proceedings already taken or any findings already made in pursuance of this Agreement.

In witness whereof the Undersigned have signed the present Agreement. Done in quadruplicate in London, August 8, 1945, each in English, French and Russian, and each text to have equal authenticity.

For the Government of the United Kingdom of Great Britain and Northern Ireland, Jowitt

For the Government of the United States of America, Robert H. Jackson

For the Provisional Government of the French Republic, Robert Falco

For the Government of the Union of Soviet Socialist Republics, I. T. Nikitchenko and A. N. Trainin.

Source: The London Agreement (August 8, 1945), Cmd. 6903 (1946); reprinted Beata Ruhm von Oppen, ed., *Documents on Germany under Occupation, 1945–1954*. London and New York: Oxford University Press, 1955, pp. 50–52.

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