



## BEHIND THE PICTURES

### PART TWO: Subsequent Trials Held at Nuremberg - The Nuremberg Military Tribunals (1946– 1949)

#### The initial International Military Tribunals held at Nuremberg

(IMTN) focused on high-ranking officials. The subsequent Nuremberg Military Tribunals ("NMT") discussed here, including the SS-*Einsatzgruppen* Trial, delved deeper into crimes against humanity and the systematic genocide of civilians.

Following the IMTN, the NMT were conducted between 1946 and 1949 under the authority of German Control Council Law No. 10, enacted by the Allied Control Council for Germany. Unlike the IMTN, which was an international effort, the NMTs were conducted solely by the United States in its occupation zone.

The NMTs comprised 12 subsequent trials, each focusing on specific groups or individuals involved in Nazi crimes. These included:

**The Doctors' Trial:** Prosecuting medical personnel for inhumane experiments and euthanasia programmes.

**The Einsatzgruppen Trial:** Focusing on the mobile killing squads responsible for mass executions.

**The Industrialists' Trials:** Holding corporate leaders accountable for exploiting forced labour and contributing to Nazi war efforts.

**The High Command and Ministries Trials:** Prosecuting military leaders and government officials for their roles in planning and executing Nazi policies.



Men with an unidentified unit execute a group of Soviet civilians kneeling by the side of a mass grave. 1941, USSR  
US HOLOCAUST MEMORIAL MUSEUM COLLECTION

Collectively, these trials prosecuted approximately 200 defendants, including SS officers, military leaders, and civilian collaborators. Of these, 38 were acquitted, nearly the same number were sentenced to death, and the remainder received prison terms ranging from a few years to life imprisonment.

#### Examining the *Einsatzgruppen* Trial and Broader Legal Developments

The SS-*Einsatzgruppen* Trial, the ninth of the twelve NMT trials, exemplified a shift in focus toward what legal scholar Lawrence Douglas termed the "atrocity paradigm." This trial specifically targeted the SS-*Einsatzgruppen*, mobile killing squads responsible for the mass execution

of Jews, political opponents, and other targeted groups across the Eastern Front. Unlike the IMTN, the *Einsatzgruppen* trial concentrated on the systematic mass murders perpetrated by mid-ranking SS leaders.

The *Einsatzgruppen* were paramilitary death squads of the SS. Organized under the command of individuals like Otto Ohlendorf, they were instrumental in carrying out the Holocaust in the territories occupied by Nazi Germany. Their structure typically involved several Sonderkommandos and *Einsatzkommandos*, each responsible for systematically exterminating targeted populations.



Defendant Otto Ohlendorf testifies at the *Einsatzgruppen* trial.  
NATIONAL ARCHIVES AND RECORDS ADMINISTRATION,  
COLLEGE PARK, MD



*Einsatzgruppen* defendants receive their indictments.  
[HTTPS://FAMOUS-TRIALS.COM/NUREMBERG/1916-EINSATZGRUPPENIMAGES](https://FAMOUS-TRIALS.COM/NUREMBERG/1916-EINSATZGRUPPENIMAGES)



Defendant Paul Blobel pleads not guilty during his arraignment at the *Einsatzgruppen* Trial.  
US HOLOCAUST MEMORIAL MUSEUM, COURTESY OF BENJAMIN FERENCI

“The defence frequently invoked the “superior orders” argument, claiming they acted on direct orders from Adolf Hitler and other Nazi leaders.”

The *Einsatzgruppen* trial was unique in its emphasis on crimes against humanity rather than the broader charges of crimes against peace and war crimes that defined the IMTN. It provided a direct lens into the systematic genocide. The trial brought to light chilling facts: the *Einsatzgruppen* murdered approximately 1.1 to 1.5 million Jewish civilians. These crimes were documented through meticulous field reports, which recorded victim numbers, locations, and killing methods.

Lead prosecutor Benjamin Ferencz famously described the case as an “open and shut” example of genocide, though the legal concept of genocide had not yet been formally codified at the time of the trials. The term was first coined in 1944 by Polish-Jewish legal scholar Raphael Lemkin in his book *Axis Rule in Occupied Europe*, combining the Greek word *genos* (race or tribe) and the Latin *-cide* (killing) to describe the systematic destruction of a group based on its identity. It was

only in 1948 that genocide became criminalized by the adoption of the Convention on the Prevention and Punishment of the Crime of Genocide.

### Key Defendants and Sentences

The SS-*Einsatzgruppen* Trial highlighted the complexities of prosecuting perpetrators across various ranks. Unlike the IMTN, which focused on prominent Nazi officials, this trial indicted mid-level commanders who directly oversaw mass killings.

**Otto Ohlendorf:** The chief defendant, who commanded *Einsatzgruppe D* and confessed to overseeing the execution of 90,000 civilians. He received a death sentence.

**Erich Naumann:** Commander of *Einsatzgruppe B*, found guilty of overseeing atrocities and sentenced to death.

**Paul Blobel:** Commander of *Sonderkommando 4a*, responsible for the Babi Yar, massacre, found guilty and sentenced to death.

**Eduard Strauch:** Commander of *Einsatzkommando 2*, convicted for crimes against humanity and war crimes reflecting his direct role in mass murders.

Of the 24 defendants, 14 were sentenced to death, seven received prison sentences, and one was acquitted. The defence frequently invoked the “superior orders” argument, claiming they acted on direct orders from Adolf Hitler and other Nazi leaders. This defence was systematically dismantled during the trial, as the Tribunal emphasized individual accountability despite hierarchical command structures. The high conviction rate underscored the overwhelming evidence and the Tribunal’s focus on individual responsibility.

(full bibliography at the end of part 3)