At my request, Mr. Justice Robert H. Jackson, in addition to his duties as Justice of the Supreme Court, has accepted designation as Chief of Counsel for the United States in preparing and presenting the charges of atrocities and war crimes against each of the leaders of the German Axis powers, and their principal agents and accessories, as the United States may agree with any of the United Nations to bring to trial before an international military tribunal.

Pursuant to the Moscow Declaration of November 1, 1943, all war criminals, against whom there is sufficient proof of personal participation in specific atrocities, are to be returned to the countries where their crimes were committed, to be judged and punished by those countries themselves. These cases are not involved in this assignment.

There are left, however, the cases of other war criminals—particularly the major war criminals and their principal agents and accessories, whose offenses have no particular geographical localization.

I hope and expect that an international military tribunal will soon be organized to try the second category of war criminals.

It will be Justice Jackson's responsibility to represent the United States in preparing and presenting the case against these criminals before such military tribunal.

Justice Jackson has assembled a staff from within the War, Navy, and other Departments concerned, which has already begun work, so that there will be no delay on the part of the United States. It is desirable that preparations begin at once, even though the details of the military court are not yet determined.

I have just signed an Executive Order designating Justice Jackson to this post. He and his staff will examine the evidence already gathered and being gathered by the United Nations for Crimes Convention in London and by the various allied nations and other sources. He will arrange for assembling the necessary additional evidence; and he will begin preparation for the trial.

It is our objective to establish as soon as possible an international military tribunal, and to provide a trial procedure which will be expeditious in nature and which will preclude all unnecessary or unfair delays. But one which is in keeping with our tradition of fairness towards those accused of crime. Steps to carry this out are actively under way.

Arguments in the Supreme Court for the current term will conclude this week, and the Court has ordered adjournment on May 25th. It is hoped that the trial of these war crimes cases will have been completed by October when the Court reconvenes.
EXECUTIVE ORDER

IMMEDIATE RELEASE  MAY 2, 1942

PROVIDING FOR REPRESENTATION OF THE UNITED STATES IN PREPARING
AND PROSECUTING CHARGES OF CRIMES OF AGGRESSION AND WAR CRIMES AGAINST
THE LEADERS OF THE EUROPEAN ACHIEVEMENTS AND THEIR PRINCIPAL
AGENTS AND ACCESSORIES

By virtue of the authority vested in me as President and
as Commander in Chief of the Army and Navy, under the Constitution
and statutes of the United States, it is ordered as follows:

1. Associate Justice Robert H. Jackson is hereby designated to act as the Representative of the United States and as the
Chief of Counsel in preparing and prosecuting charges of crimes
of aggression and war crimes against the leaders of the European
Axis powers and their principal agents and accessories as the United
States may agree with any of the United Nations to bring to trial
before an international military tribunal. He shall serve without
additional compensation but shall receive such allowance for expenses
as may be authorized by the President.

2. The Representative named herein is authorized to
select and recommend to the President or to the head of any executive
department, independent establishment, or other federal agency
necessary personnel to assist in the performance of his duties hereunder.
The head of each executive department, independent establish-
ment, and other federal agency is hereby authorized to assist
the Representative named herein in the performance of his duties
hereunder and to employ such personnel and make such expenditures,
within the limits of appropriations now or hereafter available for
the purpose, as the Representative named herein may deem necessary
to accomplish the purposes of this order, and may make available,
assign, or detail for duty with the Representative named herein such
members of the armed forces and other personnel as may be requested
for such purposes.

3. The Representative named herein is authorized to
cooperate with, and receive the assistance of, any foreign government
in the extent deemed necessary by him to accomplish the purposes of
this order.

S ANDER G. HERNAN

THE WHITE HOUSE,
May 2, 1942.