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punished by a joint decision of the governments of the Allies. By that time the outcome of the war was not in serious doubt.

Pursuant to the Moscow Declaration and other similar pronouncements, the Allied Big Four concluded the "Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis Powers" in August 1945 in London. It provided for an International Military Tribunal in accordance with a charter that would regulate its constitution, jurisdiction and functions.

The Tribunal's jurisdiction, as defined in the charter, covered