

THE PROSECUTOR OF THE TRIBUNAL

AGAINST

DRAZEN ERDEMOVIC

INDICTMENT

The Prosecutor of the International Criminal Tribunal for the former Yugoslavia, pursuant to his authority under Article 18 of the Statute of the Tribunal charges:

DRAZEN ERDEMOVIC

with a **CRIME AGAINST HUMANITY** or alternatively a **VIOLATION OF THE LAWS OR CUSTOMS OF WAR**, as set forth below:

1. On 16 April 1993, the Security Council of the United Nations, acting pursuant to Chapter VII of the United Nations Charter, adopted resolution 819, in which it demanded that all parties to the conflict in the Republic of Bosnia and Herzegovina treat Srebrenica and its surroundings as a safe area which should be free from any armed attack or any other hostile act. Resolution 819 was reaffirmed by Resolution 824 on 6 May 1993 and by Resolution 836 on 4 June 1993.
2. On or about 6 July 1995, the Bosnian Serb army commenced an attack on the UN "safe area" of Srebrenica. This attack continued through until 11 July 1995, when the first units of the Bosnian Serb army entered Srebrenica.
3. Thousands of Bosnian Muslim civilians who remained in Srebrenica during this attack fled to the UN compound in Potocari and sought refuge in and around the compound.
4. Between 11 and 13 July 1995, Bosnian Serb military personnel summarily executed an unknown number of Bosnian Muslims in Potocari and in Srebrenica.
5. Between 12 and 13 July 1995, the Bosnian Muslim men, women and children who had sought refuge in and around the UN compound in Potocari were placed on buses and trucks under the control of Bosnian Serb military personnel and police and transported out of the Srebrenica enclave. Before boarding these buses and trucks, Bosnian Muslim men were separated from Bosnian Muslim women and children and were transported to various collection centres around Srebrenica.
6. A second group of approximately 15,000 Bosnian Muslim men, with some women and children, fled Srebrenica on 11 July 1995 through the woods in a large column in the direction of Tuzla. A large number of the Bosnian Muslim men who fled in this column were captured by or surrendered

to Bosnian Serb army or police personnel.

7. Thousands of Bosnian Muslim men who had been either separated from women and children in Potocari or who had been captured by or surrendered to Bosnian Serb military or police personnel were sent to various collection sites outside of Srebrenica including, but not limited to a hangar in Bratunac, a soccer field in Nova Kasaba, a warehouse in Kravica, the primary school and gymnasium of "Veljko Lukic-Kurjak" in Grbavci, Zvornik municipality and divers fields and meadows along the Bratunac-Milici road.

8. Between 13 July 1995 and approximately 22 July 1995, thousands of Bosnian Muslim men were summarily executed by members of the Bosnian Serb army and Bosnian Serb police at divers locations including, but not limited to a warehouse at Kravica, a meadow and a dam near Lazete and divers other locations.

9. On or about 16 July 1995, **DRAZEN ERDEMOVIC** and other members of the 10th Sabotage Detachment of the Bosnian Serb army were ordered to a collective farm near Pilica. This farm is located northwest of Zvornik in the Zvornik Municipality.

10. On or about 16 July 1995, **DRAZEN ERDEMOVIC** and other members of his unit were informed that bus loads of Bosnian Muslim civilian men from Srebrenica, who had surrendered to Bosnian Serb military or police personnel, would be arriving throughout the day at this collective farm.

11. On or about 16 July 1995, buses containing Bosnian Muslim men arrived at the collective farm in Pilica. Each bus was full of Bosnian Muslim men, ranging from approximately 17-60 years of age. After each bus arrived at the farm, the Bosnian Muslim men were removed in groups of about 10, escorted by members of the 10th Sabotage Detachment to a field adjacent to farm buildings and lined up in a row with their backs facing **DRAZEN ERDEMOVIC** and members of his unit.

12. On or about 16 July 1995, **DRAZEN ERDEMOVIC**, did shoot and kill and did participate with other members of his unit and soldiers from another brigade in the shooting and killing of unarmed Bosnian Muslim men at the Pilica collective farm. These summary executions resulted in the deaths of hundreds of Bosnian Muslim male civilians.

THE ACCUSED

13. **DRAZEN ERDEMOVIC** was born on 25 November 1971 in the municipality of Tuzla. He was a soldier in the 10th Sabotage Detachment of the Bosnian Serb army. He is currently in custody in the UN detention facility in The Hague.

GENERAL ALLEGATIONS

14. At all relevant times to this indictment, a state of armed conflict and partial occupation existed in the Republic of Bosnia and Herzegovina in the territory of the former Yugoslavia.

15. **DRAZEN ERDEMOVIC** is individually responsible for the crime alleged against him in this indictment pursuant to Article 7(1) of the Statute of the Tribunal. Individual criminal responsibility includes committing, planning, instigating, ordering or otherwise aiding and abetting in the planning, preparation or execution of any crimes referred to in Articles 3 and 5 of the Statute of the Tribunal.

CHARGES

COUNTS 1-2 (CRIME AGAINST HUMANITY) (VIOLATION OF THE LAWS OR CUSTOMS OF WAR)

16. By his acts in relation to the events described in paragraph 12, **DRAZEN ERDEMOVIC** committed:

Count 1: A CRIME AGAINST HUMANITY punishable under

Article 5(a)(murder) of the Statute of the Tribunal.

Alternatively

Count 2: A VIOLATION OF THE LAWS OR CUSTOMS OF WAR punishable under Article 3 of the Statute of the Tribunal and recognised by Article 3(1)(a) (murder) of the Geneva Conventions.

Richard J. Goldstone
Prosecutor

The Hague,
The Netherlands
22 May 1996