



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations
of International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No: IT-96-22-I

Date: 29 May 1996

Original ENGLISH

**IN THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

BEFORE A JUDGE OF THE TRIBUNAL

Confirming Judge: Judge Rustam S. Sidhwa

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Date: 29 May 1996

THE PROSECUTOR

v.

DRAZEN ERDEMOVIĆ

REVIEW OF INDICTMENT

The Office of the Prosecutor:

**Mr. Graham Blewitt
Mr. Eric Ostberg
Mr. Mark Harmon**

Mr. Graham Blewitt, Deputy Prosecutor, who appears on behalf of the Prosecutor, submits that he has the following items of evidence against the accused, Drazen Erdemović, to justify the existence of a *prima facie* case against him under Articles 3 and 5(a) of the Tribunal's Statute:

1. The statements of Jean-Rene Ruez, Investigator, Office of the Prosecutor, and Vanessa Vasic Janekovic, Special Consultant, ABC News, evidencing the separate confessions made by the accused Erdemović before them in which he inculpated himself and some of his colleagues from the 10th Sabotage Detachment in the events of 16th July 1985 which took place in Branjevo Farms in the area of Donje Pilica (Northwest of Zvornik in the Zvornik Municipality), in which hundreds of Bosnian Muslim male civilians who had been brought in buses there from Srebrenica and who, in groups of about ten, were escorted by members of the 10th Sabotage Detachment to a field adjacent to farm buildings and lined up in rows, were shot, murdered and maimed by the accused and members of his unit and soldiers from another brigade.
2. The statement of Jean-Rene Ruez, Investigator, Office of the Prosecutor, showing that on the basis of the confessional statements made by the accused Erdemović, he along with John Gerns, Investigator, Office of the Prosecutor, were able to locate the area where the mass killings had taken place and where the dead bodies of the victims had been later buried by the Bosnian Serbs in mass graves in and within the area of the firing.
3. The statement of Jean-Rene Ruez, Investigator, Office of the Prosecutor, showing that aerial photographs taken on 5th July 1995 of the area of the crime showed nothing unusual, but that photographs taken on 12th July 1995, the day after the crime, showed dead bodies littered all over large areas in the area of Branjevo Farms which had been recently dug up to provide mass burial for the dead bodies.
4. Security Council Resolutions relevant to the case showing that this body was constantly monitoring the matter and condemning the Bosnian Serbs for their violation of international humanitarian law in respect of the UN "safe area" of Srebrenica.

5. Map of the UN “safe area” of Srebrenica, as presented by the Washington Post in its issue of 26th October 1995, showing the manner in which the Bosnian Serbs over-ran the said “safe area” and murdered the fleeing Muslim civilian population in different areas as they fled to escape towards territories held by the Muslim led government.

The above items of evidence show reasonable grounds to believe that the accused has committed the crimes imputed to him.

FOR THE FOREGOING REASONS

I, Rustam S. Sidhwa, Judge of the International Criminal Tribunal for the Former Yugoslavia,

UPON RECEIVING an indictment from the Prosecutor, pursuant to Articles 18 and 19 of the Statute, and Rule 47 of the Rules of Procedure and Evidence,

AND UPON HEARING the Prosecutor, pursuant to Rule 47(D) of the Rules of Procedure and Evidence,

AND UPON HAVING FOUND evidence with the Prosecutor as establishing a *prima facie* case,

PURSUANT TO Articles 18 and 19 of the Statute, and Rules 28 and 47 of the Rules of Procedure and Evidence,

CONFIRM the indictment submitted by the Prosecutor in respect of each and every count of the indictment.



Judge Rustam S. Sidhwa

Dated this 29th day of May 1996
At The Hague
The Netherlands

[Seal of the Tribunal]