

Handout 4: case descriptions

Prosecutor vs. Dražen Erdemović

Dražen Erdemović

Dražen Erdemović was a Bosnian Croat. He attempted to leave Bosnia and Herzegovina in 1993 to escape the war, but could not get across the border. Having heard of the dangers of not being in the army and desperately short of money, **Erdemović** decided to join the VRS in order to protect himself and his pregnant wife. He selected the 10th Sabotage Detachment as its duty was reconnaissance, not combat operations.

In reality, however, the unit did more than reconnaissance. One day in 1994, **Erdemović was ordered to attack civilians working in a field.** After he had refused, he was degraded to the rank of private.

On 16. July 1995, his unit was taken to a farm near Srebrenica. He saw Bosniak men being unloaded from around 20 buses, each carrying about 60 persons. The men were lined up and Erdemović, together with seven more soldiers, was told to shoot at them. Erdemović told his commander that he did not wish to participate in such an act. The reply was: "If you do not wish to, you can just go and stand in the line together with them. You can give us your rifle." Hence, he fulfilled the initial order and killed around 70 Bosniak men. Later the same day his detachment was ordered to shoot about 500 muslim men in a school in Pilica. This time Erdemovic refused. After this he started drinking and was shot in a bar by a former member o his military detachment. He underwent surgery and survived.

Indictment

Dražen Erdemović shot and killed unarmed Bosnian civilians on 16. July 1995. The accused is charged with having committed **murder as a crime against humanity** pursuant to article 7(1)(a) of the Rome Statute.

The Prosecutor vs. Georges Ruggiu

Georges Ruggiu

A Belgian citizen of Italian origin, Georges Ruggiu decided to move to Rwanda in 1994, after having visited the country several times in the early 1990s and having made social contacts there – also among the Hutu leaders of Rwanda at that time. He worked as a journalist and broadcaster at RTL radio station during January-July 1994. In his broadcasts during this period, Ruggiu made several references to the necessity to finish off the 1959 Revolution and in June 1994 directed militias to Gitwe Hill in Mutara Commune, where the Tutsi were apparently not yet eliminated. Two days after the broadcast,

the *interahamwe* killed members of some 70 families in that location. Georges Ruggiu's broadcasts were made in French, but he also used some terms in Kinyarwanda, which had a specific meaning in the Rwandan context at that time. Among others, Ruggiu used the word *Inyenzi* („cockroaches“ – a pejorative term for Tutsis). He did not, however, speak Kinyarwanda and during his stay in Rwanda was always accompanied by his Hutu acquaintances.

Indictment

The accused Georges Ruggiu is charged with direct and public incitement to kill and cause serious bodily and mental harm to members of the Tutsi population, and thereby with direct and public incitement to commit genocide, punishable under Article 6 (a) and (b) and 25(3)(e) Rome Statute.