

# Indictment

## THE PUBLIC PROSECUTORS OF OSLO

hereby indict **Anders Behring Breivik, born 13.02.1979** currently remanded in custody before the **Oslo District Court**, pursuant to section 39 of the Penal Code, for sentence to be passed for his transfer to compulsory mental health care, cf. chapter 5 of the Mental Health Care Act, for having in a psychotic state committed an otherwise punishable act, namely in violation of:

### I

#### **Section 147a of the Penal Code, first paragraph letters a and b, cf. sections 148 first paragraph first penalty alternative and 233 first and second paragraphs**

for having committed a terrorist act in violation of section 148 of the Penal Code, first paragraph, first penalty alternative (bringing about an explosion whereby loss of human life or extensive damage to the property of others could easily be caused) and of section 233 first and second paragraphs (premeditated murder where particularly aggravating circumstances prevail) with the intention of seriously disrupting a function of vital importance to society, such as the executive authority or seriously intimidating a population.

#### **Grounds:**

On 22 July 2011 at approximately 15.17 in Grubbegata in Oslo, following prior deliberations and planning, he did park a VWQ Crafter van with registration number BR 99834 outside the entrance of the H-Block of the Government Office Quarter, housing *inter alia* the offices of the Prime Minister and Minister of Justice. At the time, a total of at least 250 persons were in the H-block and surrounding ministry offices and some 75 persons in the streets in the immediate vicinity thereof. In the vehicle, he had placed a self-made bomb weighing approx. 950 kg, consisting *inter alia* of artificial fertilizer, diesel and aluminium. He ignited a fuse with a burn time of some seven minutes and thereafter left the scene on foot to a previously parked getaway car, a Fiat Duplo with registration number VH 24605. The bomb detonated at 15.25.22 with a violent fire power and shock wave in keeping with his intentions, bringing a large number of persons who found themselves in the buildings of the Government Offices or at street level into immediate mortal danger, and causing massive material damage to the same buildings, as well as to surrounding buildings.

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By means of the explosion, he did kill the following eight persons, who all sustained extensive blast injuries:

1. Jon Vegard Lervåg, born 17 February 1979

He was at the entrance of the H-block and close to the van and died immediately.

2. Ida Marie Hill, born 20 February 1977

She was at the entrance of the H-block and close to the van and died immediately.

3. Hanne Ekroll Løvlie, born 29 June 1981

She was outside the entrance to the H-block and died quickly.

4. Anne Lise Holter, born 16 September 1959

She was in the reception area on the ground floor of the H-block and died immediately.

5. Hanne Marie Orvik Endresen, born 21 March 1950

She was in the reception area on the ground floor of the H-block and died immediately.

6. Kjersti Berg Sand, born 10 October 1984

She was in the reception area on the ground floor of the H-block and died immediately.

7. Kai Hauge, born 31 July 1978

He was in Grubbegata next to the driveway leading to the main entrance of the H-block and died immediately.

8. Tove Åshill Knutsen, born 31 July 1954

She was in the proximity of the fountain at Einar Gerhardsens Square and died quickly.

By means of the explosion, he did also attempt to kill a large number of persons, including the others who found themselves in the H-block and surrounding streets. He did not succeed in his intention, but nine persons sustained serious physical injuries, as follows:

9. Male, born 23 August 1949

He was in the proximity of the fountain at Einar Gerhardsen's Square.

10. Female, born 17 July 1964

She was in the proximity of the fountain at Einar Gerhardsen's Square.

11. Male, born 16 February 1986

He was in Grubbegata at Einar Gerhardsen's Square.

12. Male, born 24 May 1944

He was on the 4th floor of the H-block, in an office facing Grubbegata.

13. Female, born 21 September 1987

She was in the reception on the ground floor of the H-block.

14. Female, born 13 February 1950

She was on the 7th floor of the H-block.

15. Female, born 8 May 1961

She was on the 10th floor of the H-block.

16. Male, born 7 November 1980

He was on the 1st floor of the government building R4 in an office facing Grubbegata.

17. Female, born 20 April 1956

She was at Johan Nygaardsvold's Square between the H-block and Akersgata.

Moreover, a further 200 persons at least were physically injured as a result of the explosion, displaying varying injury patterns, such as cuts, fractures and hearing impairments, of which many were treated in hospital/emergency clinic or given other medical treatment. In addition, many of the above-stated injured persons and others who found themselves in the vicinity of the explosion, as well as surviving relatives/next of kin have suffered mental after-effects of varying gravity caused by the events described above.

The bomb explosion resulted in the inability of a number of government offices, including the Office of the Prime Minister, the Ministry of Justice and Public Security, the Ministry of Trade and Industry, the Ministry of Petroleum and Energy, the Ministry of Health and Care Services, the Ministry of Labour, the Ministry of Finance, the Ministry of Education and Research, to be used, and the ministries affected were unable to attend to and carry out their functions as executive powers before a certain period of time had elapsed. The explosion and the effects thereof have also given rise to serious fear in parts of the Norwegian population.

## **II**

**Section 147a of the Penal Code, first paragraph letter b, cf. section 233 first and second paragraphs**

for having committed a terrorist act in violation of section 223 of the Penal Code, first and second paragraphs (premeditated murder where particularly aggravating circumstances prevail) with the intention of seriously intimidating a population.

**Grounds:**

On Friday 22 July 2011, subsequent to having acted as described in detail under count I, he did drive in the getaway car to the municipality of Hole where he knew that the organization AUF (Workers' Youth League) were holding their traditional summer camp on the island Utøya. There were 564 persons on the island. By posing as a police officer and dressed in a uniform-like outfit, he was transported – carrying *inter alia* a Ruger-brand Mini 14 semi-automatic rifle cal. 233 and a Glock-brand semiautomatic 19 mm pistol – to Utøya onboard the ferry M/S Thorbjørn, where he disembarked at approximately 17.15. Up until the time of his arrest by the police on the same day at approximately 18.35, he did shoot, following prior deliberations and planning, with his rifle and/or pistol, at a number of persons who were on the island, in the water or onboard boats, including civilians who came to their rescue, exposing them to immediate mortal danger. Panic and mortal fear in children, youth and adults arose during the shooting, further intensified by the fact that there were limited possibilities of escape or hiding. While moving around the whole island, he did shoot at persons running away and/or hiding and/or whom he lured to appear from hiding with information that the police had arrived.

He did kill 69 persons, of whom 67 were hit by fatal gunshots, fired by the described weapons. Two persons died as a result of fall injuries and/or drowning while attempting to get away, without having been hit by gunshots. The persons killed are as follows:

1. Trond Berntsen, born 12 May 1960

He was between the Information Building and the pier. Shot dead..

2. Monica Elisabeth Bøsei, born 20 January 1966

She was standing between the Information Building and the pier. Shot dead.

3. Rune Havdal, born 16 December 1967

He was standing between the Information Building and the café. Shot dead.

4. Hanne Anette Balch Fjalestad, born 13 October 1967

She was outside the main entrance of the café. Shot dead.

5. Snorre Haller, born 29 April 1981

He was outside the main entrance of the café. Shot dead.

6. Rolf Christopher Johansen Perreau, born 9 June 1986

He was outside the main entrance of the café. Shot dead

7. Lejla Selaci, born 9 January 1994

She was in front of the café. Shot dead.

8. Steinar Jessen, born 17 January 1995

He was in the vicinity of the outdoor stage next to the café. Shot dead.

9. Birgitte Smetbak, born 25 February 1996

She was in the tent camp next to the café or inside the building itself. Shot dead.

10. Gunnar Linaker, born 07 July 1988

He was in the tent camp southwest of the café. Shot dead.

11. Margrethe Bøyum Kløven, born 3 March 1995

She was in the doorway between the Little Hall and the Big Hall of the café. Shot dead.

12. Silje Merete Fjellbu, born 13 November 1993

She was in the Little Hall of the café. Shot dead.

13. Guro Vartdal Håvoll, born 17 June 1993

She was in the Little Hall of the café- Shot dead.

14. Ronja Søttar Johansen, born 3 February 1994  
She was in the Little Hall of the café. Shot dead.
15. Mona Abdinur, born 3 February 1993  
She was in the Little Hall of the café. Shot dead.
16. Sondre Kjøren, born 16 June 1994  
He was in the Little Hall of the café. Shot dead.
17. Bendik Rosnæs Ellingsen, born 26 January 1993  
He was in the Little Hall of the café. Shot dead.
18. Eivind Hovden, born 26 January 1996  
He was in the Big Hall of the café. Shot dead.
19. Lene Maria Bergum, born 16 March 1992  
She was in the Big Hall of the café. Shot dead.
19. Elisabeth Trønnes Lie, born 9 March 1995  
She was in the Big Hall of the café. Shot dead.
21. Henrik André Pedersen, born 19 February 1984  
He was in the Big Hall of the café. Shot dead.
22. Ida Beathe Rogne, born 8 November 1993  
She was in the Big Hall of the café. Shot dead.
23. Aleksander Aas Eriksen, born 29 August 1994  
He was in the corridor further in from the Little Hall of the café. Shot dead.
24. Eva Kathinka Lütken, born 3 July 1994  
She was on the Kjærlighetsstien (Lovers' Path). Shot dead.
25. Tore Eikeland, born 18 May 1990  
He was on Kjærlighetsstien. Shot dead.
26. Tarald Kuven Mjelde, born 23 January 1993  
He was on Kjærlighetsstien. Shot dead.
27. Maria Maagerø Johannesen, born 24 March 1994  
He was on Kjærlighetsstien. Shot dead.
28. Monica Iselin Didriksen, born 18 February 1993  
She was on Kjærlighetsstien. Shot dead.
29. Åsta Sofie Helland Dahl, born 19 November 1994  
She was on Kjærlighetsstien. Shot dead.
30. Anders Kristiansen, born 30 January 1993  
He was on Kjærlighetsstien. Shot dead.
31. Bano Abobakar Rashid, born 28 December 1992  
She was on Kjærlighetsstien. Shot dead.
32. Andreas Edvardsen, born 30 November 1992  
He was on Kjærlighetsstien. Shot dead.
33. Silje Stammeshagen, born 15 May 1993  
She was on Kjærlighetsstien. Shot dead.
34. Sondre Furseth Dale, born 19 February 1994  
He was at the water's edge between the escarpment below Kjærlighetsstien and Nakenodden (Naked Point). Shot dead.
  
35. Simon Sæbø, born 25 July 1992  
He was in the area close to the escarpment below Kjærlighetsstien. Shot dead.
36. Modupe Ellen Awoyemi, born 14 August 1995  
She was on the uppermost part of the escarpment below Kjærlighetsstien. Shot dead.
37. Sharidyn Meegan Ngahiwi Svebakk-Bøhn, born 17 July 1997  
She was in the area by the escarpment below Kjærlighetsstien. Shot dead.

38. Marianne Sandvik, born 14 March 1995  
She was in the area by escarpment below Kjærlighetsstien. Shot dead.
39. Gizem Dogan, born 1 May 1994  
She was in the woods east of the school building. Shot dead.
40. Johannes Buø, born 5 November 1996  
He was in the woods east of the school building. Shot dead.
41. Even Flugstad Malmedal, born 6 December 1992  
He was at the water's edge at Stoltenberget (Stoltenberg Rock). Shot dead.
42. Syvert Knudsen, born 21 August 1993  
He was at Stoltenberget. Shot dead.
43. Synne Røyneland, born 18 January 1993  
She was at Stoltenberget, in all likelihood in the water/at the water's edge. Shot dead.
44. Torjus Jakobsen Blattmann, born 19 September 1993  
He was in Bolsjevika (Bolshevik Cove). Shot dead.
45. Ingrid Berg Heggelund, born 20 September 1992  
She was in Bolsjevika. Shot dead.
46. Isabel Victoria Green Sogn, born 18 March 1994  
She was in Bolsjevika. Shot dead.
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47. Karar Mustafa Qasim, born 22 February 1992  
He was in Bolsjevika. Shot dead.
48. Carina Borgund, born 25 March 1993  
She was in Bolsjevika. Shot dead.
49. Tina Sukuvara, born 2 September 1992  
She was in the area of the pump house. Shot dead.
50. Ruth Benedichte Vatndal Nilsen, born 1 October 1995  
She was in the area of the pump house. Shot dead.
51. Henrik Rasmussen, born 18 February 1993  
He was in the area of the pump house. Shot dead.
52. Espen Jørgensen, born 6 June 1994  
He was in the area of the pump house. Shot dead.
53. Porntip Ardam, born 18 January 1990  
She was by the pump. Shot dead.
54. Thomas Margido Antonsen, born 25 June 1995  
He was by the pump house. Shot dead.
55. IsMayl Haji Ahmed, born 23 August 1991  
He was by the pump house. Shot dead.
56. Fredrik Lund Schjetne, born 16 August 1992  
He was by the pump house. Shot dead.
57. Hanne Kristine Fridtun, born 15 August 1991  
She was by the pump house. Shot dead.
58. Emil Okkenhaug, born 2 November 1995  
He was by the pump house. Shot dead.
59. Håvard Vederhus, born 10 November 1989  
He was by the pump house. Shot dead.
60. Victoria Stenberg, born 23 October 1993  
She was by the pump house. Shot dead.
61. Sverre Flåte Bjørkavåg, born 1 January 1983  
He was in the area of the pump house. Shot dead.
62. Diderik Aamodt Olsen, born 3 June 1992

He was in the area of the pump house. Shot dead.

63. Tamta Liparteliani, born 7 January 1988

She was at the water's edge at Sydspissen (South Point). Shot dead.

64. Kevin Daae Berland, born 24 June 1996

He was at the water's edge at Sydspissen. Shot dead.

65. Karin Elena Holst, born 18 August 1995

She was at the water's edge at Sydspissen. Shot dead.

66. Rafal Mohamad Jamil Jamil, born 5 March 1991

She was at the water's edge at Sydspissen. Shot dead.

67. Andrine Bakkene Espeland, born 30 July 1994

She was at the water's edge at Sydspissen. Shot dead.

68. Håkon Ødegaard, born 18 May 1994

He fled from the island by starting to swim, but died of drowning and was found outside Sydspissen.

69. Andreas Dalby Grønnesby, born 16 July 1994

He fled and fell off a cliff near the island's west point and into the water. Died of fall injuries and/or drowning.

In addition to the above-stated murders, he did attempt to kill a number of other persons, albeit without succeeding in his intentions. In the course of the attempted murders, he did shoot and injure 33 persons as follows:

70. Female, born 11 March 1991

She was in the tent camp and was shot.

71. Male, born 2 November 1991

He was in the tent camp and was shot.

72. Female, born 16 March 1992

She was in the tent camp and was shot.

73. Female, born 23 December 1994

She was in the tent camp and was shot.

74. Female, born 7 July 1996

She was in the tent camp and was shot.

75. Female, born 11 April 1995

She was in the tent camp and was shot.

76. Female, born 12 December 1994

She was in the tent camp and was shot.

77. Female, born 29 December 1989

She was in the Little Hall of the café and was shot.

78. Female, born 4 September 1994

She was in the Little Hall of the café and was shot.

79. Male, born 11 December 1993

He was in the Little Hall of the café and was shot.

80. Male, born 5 November 1991

He was in the Little Hall of the café and was shot.

81. Female, born 19 February 1990

She was in the doorway between the Little Hall and the corridor of the café and was shot.

82. Male, born 10 March 1992

He was first in the Big Hall of the café and was shot.

83. Female, born 16 March 1992

She was in the Big Hall of the café and was shot.

84. Female, born 9 March 1994

She was on Kjærlighetsstien and was shot.

85. Female, born 23 September 1993

She was on a ledge of the escarpment below Kjærlighetsstien and was shot.

86. Male, born 4 August 1993

He was at the water's edge below Kjærlighetsstien and was shot.

87. Female, born 3 March 1992

She was between the water's edge and Kjærlighetsstien and was shot.

88. Male, born 19 August 1993

He was in the water below Kjærlighetsstien and was shot.

89. Female, born 12 January 1994

She was in the escarpment below Kjærlighetsstien and was shot.

90. Female, born 26 September 1996

She was in the escarpment below Kjærlighetsstien and was shot.

91. Female, born 7 July 1994

She was on a ledge below Kjærlighetsstien and was shot.

92. Male, born 28 January 1992

He was on a ledge below Kjærlighetsstien and was shot.

93. Female, born 5 January 1995

She was at the pump house and was shot.

94. Male, born 8 February 1991

He was at the pump house and was shot.

95. Male, born 10 August 1990

He was at the pump house and was shot.

96. Male, born 29 May 1995

He was in the vicinity of Vestspissen (West Point) and was hit by a number of projectile fragments from shots.

97. Male, born 29 January 1996

He was in the vicinity of Vestspissen and was shot.

98. Male, born 8 December 1989

He was at Sydspissen and was shot.

99. Female, born 11 October 1994

She was at Sydspissen and was shot.

100. Female, born 31 August 1993

She was at Sydspissen and was shot.

101. Female, born 26 November 1993

She was at Sydspissen and was shot.

102. Female, born 23 June 1993

She was at Sydspissen and was shot.

A number of other persons who were on Utøya sustained physical injuries, such as fractures, cuts, etc. in

their attempts to save themselves and others. In addition, a large number of persons who were on the island, surviving relatives/next of kin, as well as persons who came to rescue in boats and by other means have suffered mental after-effects of varying gravity as a result of the above-described events. The acts committed at Utøya have given rise to serious fear in parts of the Norwegian population.

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The defendant has committed extremely serious offences on a scale that has never previously been experienced in our country in modern times. In the defendant's own opinion, these acts have been legitimate and lawful, and there is undoubtedly an obvious and evident fear that

new serious offences of the same nature may reoccur. Considerations of public safety require a sentence ordering his transfer to compulsory mental health care, and the conditions set out in section 39 No. 1 have been met.

Section 49 of the Penal Code applies to count I, items 9 to 17, and count II, items 70 to 102, of the Indictment

Submission will be made for the confiscation of three weapons (a Ruger-brand semi-automatic Mini 14 rifle cal. 233, a Glock-brand 9 mm semi-automatic pistol and a Benelli-brand pump shotgun) with the appurtenant ammunition. Furthermore, submission will be made for the confiscation of objects used to manufacture the bomb mentioned under count I of the Indictment, as well as any clothing/equipment, etc. used during the commission of the acts described under counts I and II.

Any claims for damages/compensation for non-pecuniary damage by surviving relatives and aggrieved parties will be filed by their respective counsel, cf. section 428 and section 264 b second paragraph of the Criminal Procedure Act.

In light of the disclosure of the case at the time of the Indictment, there are no grounds for a submission of regular punishment, cf. section 44 first paragraph of the Penal Code.

Nevertheless, the Prosecuting Authority expressly reserves the right to make a submission during the main hearing for a sentence of imprisonment or preventive detention with a time frame of 21 years, based on the overall presentation of evidence in court, for which the defendant and defence counsel must be prepared. In such event, section 62 of the Penal Code shall apply.

The present Indictment has been drawn up on the orders of the Director General of Public Prosecution.

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Oslo Public Prosecutors, 5 March 2012

Svein Holden Inga Bejer Engh