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Yugoslavia

Tribunal Pénal  
International pour  
l'ex-Yougoslavie

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## RASIM DELIĆ TRIAL TO BEGIN ON 9 JULY



Rasim Delic

The trial of Rasim Delić, the former Commander of the Army of Bosnia and Herzegovina will begin on 9 July 2007 at 2:15 p.m. in courtroom I.

As Commander of the Main Staff of the Army of Bosnia and Herzegovina (ABiH) between June 1993 and September 2005, Delić is charged on the basis of his command responsibility for murder, cruel treatment and rape committed by forces under his command.

Concretely, he is charged with failing to take necessary and reasonable measures to punish the perpetrators who executed captured Bosnian Croat civilians and soldiers in the villages of Maline and Bikoši in the Travnik municipality of central Bosnia and Herzegovina.

He is also charged with failing to take necessary and reasonable measures to prevent the torture, beatings, murder and decapitation of Bosnian Serb Army soldiers committed by his subordinates in the Kamenica Camp, an ABiH compound in central Bosnia. In addition, he is charged with not preventing the rape of three women also committed by his subordinates in the Kamenica Camp.

According to the indictment, on 8 June 1993, the day Rasim Delić assumed the post of Commander of the Main Staff, units of the ABiH 3rd Corps, including the 306th Mountain Brigade, 7th Muslim Mountain Brigade and the 'Mujahedin', launched an attack on the village of Maline in the Travnik municipality. Following the surrender of the forces of Croatian Defence Council (HVO), more than 200 Bosnian Croat civilians and HVO soldiers were captured and ordered by the Military Police of the ABiH 306th Mountain Brigade to march towards the nearby settlement of Mehurići. At the village of Poljanice, several hundred meters from Mehurići, a group of approximately 10 'Mujahedin' and local Muslim soldiers ordered the column to stop, removed approximately 35-40 Bosnian Croats and surrendered HVO soldiers, and ordered them to walk back towards Maline. When the group arrived at the junction that led to Bikoši, the 'Mujahedin' then indiscriminately opened fire on the group, executing some of the survivors by shooting them in the head. According to the indictment, Rasim Delić was informed of these murders but failed to take the necessary and reasonable measures to punish the perpetrators.

The indictment further alleges that in the early hours of 21 July 1995, the 'El Mujahed' Detachment of the ABiH 3rd Corps launched an attack in Krčevine in the Zavidovići municipality. A number of soldiers from the Bosnian Serb Army (VRS) were captured and taken to Livade village and later transferred to the Kamenica Camp in the Gostović valley. The indictment alleges that captured VRS soldiers were subjected to daily beatings, while two were killed and decapitated by the members of 'El Mujahed'. According to the indictment, on 24 July 1995, one VRS prisoner was

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decapitated in the Kamenica Camp and all the other prisoners were forced to kiss the severed head, after which the head was placed on a hook on the wall in the room where the prisoners were held.

The indictment further alleges that on 10 September 1995, following a combined offensive approved by the Supreme Command Staff, units under the command of the ABiH 2nd and 3rd corps conducted military operations against VRS forces on the Mount Ozren-Vozuća salient, capturing the territory formerly held by the VRS. On 11 September 1995, approximately 60 people, primarily VRS soldiers and a few civilians, including three females, who had remained after Vozuća was taken, were captured. According to the indictment, the group was detained in a hall in the nearby village of Kesten, Zavidovići municipality. The women were beaten and kicked, hit with metal sticks and rifle butts and subjected to sexual assaults, including rape. It is alleged that between 11 and 17 September, members of 'El Mujahed' murdered most of the approximately 50 captured VRS soldiers. By 17 September 1995, fewer than a dozen of the VRS soldiers remained alive.

On or about 17 September 1995 a group of ten VRS soldiers surrendered to the ARBiH forces a few kilometres north-west of Vozuća. Upon surrendering, they were transported to Kamenica Camp and badly beaten throughout the time they remained there. An elderly Bosnian Serb also detained in the same room was beaten, stripped of his clothes and given water mixed with petrol to drink. He died in the camp after a few days.

The indictment states that Rasim Delić was put on notice that the 'El Mujahed' Detachment was operating the Kamenica Camp and that its members had a propensity to commit crimes, and particularly crimes against captured enemy combatants and civilians. Moreover, Rasim Delić knew or had reason to know that soldiers of the 'El Mujahed' Detachment under his command and effective control were about to or had committed these acts and failed to take the necessary and reasonable measures to prevent and punish these crimes.

Rasim Delić is one of the most senior military commanders of the Army of Bosnia and Herzegovina to be tried before the Tribunal. He was indicted on 16 February 2005 on four counts of violations of laws and customs of war and voluntarily surrendered on 27 February. On 6 May 2005 Delić was provisionally released to Bosnia and Herzegovina, returning to ICTY custody on 25 June 2007.

The Trial Chamber hearing the case will comprise of Judges Bakone Moloto, Frederick Harhoff and Flavia Lattanzi. The prosecution was given 170 hours or approximately 40 trial days to present its evidence, which will include testimonies of up to 55 witnesses.

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*The full texts of the indictment and other case-related information can be found at:*

<http://www.un.org/icty/cases-e/cis/delic/cis-delic.pdf>

*Courtroom proceedings can be followed on the Tribunal's website*

[www.un.org/icty](http://www.un.org/icty)