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Tribunal Pénal  
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l'ex-Yougoslavie

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REGISTRY

GREFFE

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**CHARGES AGAINST RASIM DELIĆ RELEASED TO THE PUBLIC**

Today, 24 February 2005, the International Criminal Tribunal for the former Yugoslavia released the detailed charges against Rasim Delić, whose indictment was confirmed on 16 February 2005, by Judge Carmel Agius.

According to the indictment, Rasim Delić, as Commander of the Main Staff of the Army of Bosnia and Herzegovina (ABiH), is individually criminally responsible for the acts or omissions of his subordinates, pursuant to Article 7(3) of the Tribunal's Statute. This means that Delić is responsible for the crimes charged in the indictment if he knew or had reason to know that they were about to be committed by his subordinates and failed to take the necessary and reasonable measures to prevent them, or to punish his subordinates for committing the crimes.

Specifically, Rasim Delić is charged on the basis of his superior or command responsibility with:

- four counts of violations of the laws or customs of war (Article 3 – murder; cruel treatment; rape; cruel treatment).

The indictment alleges, among other things, that:

*“On 8 June 1993, the day that Rasim Delić assumed the post of Commander of the Main Staff, units of the ABiH 3<sup>rd</sup> Corps, including the 306<sup>th</sup> Mountain Brigade, 7<sup>th</sup> Muslim Mountain Brigade and the Mujahedin, launched an attack on the village of Maline in Travnik Municipality. Following the HVO surrender, more than 200 Bosnian Croat civilians and HVO soldiers were captured and ordered by the Military Police of the ABiH 306<sup>th</sup> Mountain Brigade to march towards Mehurići, a village several kilometres from Maline. As this column was approaching the village of Poljanice, several hundred metres from Mehurići, a group of approximately 10 Mujahedin and local Bosnian Muslim soldiers approached from the direction of Mehurići and ordered the column to stop. Approximately 35-40 Bosnian Croats and surrendered HVO soldiers were removed from the column and ordered to walk back in the direction towards Maline.*

*Shortly thereafter, this group met a smaller group of persons who had also been captured in Maline and the two groups proceeded towards Maline. When the group arrived at the junction that led to Bikoši, they were ordered to turn towards that village and after arriving there, they were ordered to form a line. The Mujahedin then indiscriminately opened gunfire on the group, executing some of the survivors of this initial shooting by single gun-shots to the head.”*

The indictment states that, “Rasim Delić was put on notice of the murders and woundings in Maline/Bikoši, but nevertheless failed to take the proper steps to punish the perpetrators.”

The also alleges among other things that:

*“In the early hours of 21 July 1995, the El Mujahed unit of the ABiH 3<sup>rd</sup> Corps launched an attack in Krčevine in the Zavidovići Municipality. Soldiers of the VRS were captured and taken to Livade village. Two captured VRS soldiers, Momir Mitrović and Predrag Knežević, were killed and decapitated by the ABiH soldiers. The prisoners were subjected to daily beatings in Livade and on the 23<sup>rd</sup> July 1995 they were taken to the Kamenica Camp.*

Internet address: <http://www.un.org/icty>

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*The Kamenica Camp was located in the Gostović valley, next to the river Gostovići, about 10 kilometres south from Zavidovići. In the camp area there was a building which was used as a detention facility for captured VRS soldiers in 1995. This detention facility was operated by ABiH soldiers from the El Mujahed.*

*On 24 July 1995, one VRS prisoner Gojko Vujičić was 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 of the wall in the room where the prisoners were held.*

*The VRS prisoners held in Kamenica Camp were tortured and beaten; some received electrical shocks and others suffered terrible pain through the use of high pressure air hoses that were attached to their legs.”*

The Indictment further alleges that:

*“On 10 September 1995, following a combined offensive approved by the Supreme Command Staff and under the command of the ABiH 2nd and 3rd Corps, units and elements of the 21<sup>st</sup> Division, 22<sup>nd</sup> Division and 25<sup>th</sup> Division of the 2<sup>nd</sup> Corps and units and elements of the 35<sup>th</sup> Division and 37<sup>th</sup> Division of the 3<sup>rd</sup> Corps conducted military operations against VRS forces defending the Vozuća, Mount Ozren salient, causing the VRS-held lines to collapse, resulting in the ABiH conquering territory formerly held by the VRS.*

*On 11 September 1995, approximately 60 soldiers of the VRS were captured along with civilians, including three females, who had remained after Vozuća was taken. The captured group was briefly taken to Kesten, Zavidovići Municipality, and was then transferred to the Kamenica Camp.*

*With the exception of three female civilians, all of the approximately 60 VRS soldiers that were captured in Vozuća and subsequently taken to Kesten and then to Kamenica are missing and presumed dead.”*

The indictment further alleges that:

*“Three women, Slobodanka Radovanović, Bogdana Simić and Milija Jovanović, were captured during the attack on Vozuća and taken to the Kamenica Camp on 11 September 1995. The women, who were kept separate from the male prisoners, were beaten and kicked, hit with metal sticks and rifle butts and subjected to sexual assaults, including rape.*

*The three women stayed two nights in the Kamenica Camp and were then transferred to Zenica, where they were kept until 15 November 1995, when they were released.”*

The indictment states that Rasim Delić had been “*put on notice that ABiH soldiers from the El Mujahed unit had a propensity to commit crimes, and particularly crimes against captured enemy combatants and civilians and that the El Mujahed unit was operating the Kamenica Camp. Nevertheless, the accused Rasim Delić failed to take the proper steps to prevent the crimes that occurred in this camp as described above.*”

A date and time for the initial appearance in court of Rasim Delić will be announced in due course, once he has been transferred into the custody of the ICTY in The Hague.

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***The full text of the indictment is available on the Tribunal’s website [www.un.org/icty](http://www.un.org/icty). Hard copies can also be obtained from the Media Office.***