

CASE INFORMATION SHEET



United Nations
Nations Unies



International Criminal Tribunal
for the former Yugoslavia
Tribunal Pénal International
pour l'ex-Yougoslavie

“Lašva Valley” (IT-95-15)

ZORAN MARINIĆ



ZORAN MARINIĆ
“Švabo”

Charged with wilful killing, murder, wilfully causing serious injury and cruel treatment

Also known as “Švabo”, during April 1993 he was a military policeman from the Herzeg-Bosna armed forces, known as the Croatian Defence Council (HVO)

- Proceedings terminated on 2 October 2002, indictment was withdrawn

Crimes indicted for (examples):

Wilful killing and wilfully causing serious injury (grave breaches of Geneva Conventions)

Murder and cruel treatment (violations of the laws or customs of war)

- Zoran Marinić killed and participated in the killing of four Bosnian Muslim civilians.
- He shot and wounded one civilian.

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| Born | On 6 June 1963 in Ravan, municipality of Busovača, Bosnia and Herzegovina |
| Indictment | Filed on 2 November 1995, confirmed on 10 November 1995, withdrawn on 2 October 2002. |

| RELATED CASES <i>by geographical area</i> |
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| BLAŠKIĆ (IT-95-14) “LAŠVA VALLEY” |
| KORDIĆ AND ČERKEZ (IT-95-14/2) “LAŠVA VALLEY” |
| LJUBIČIĆ (IT-00-41) “LAŠVA VALLEY” |
| ALEKSOVSKI (IT-95-14/1) “LAŠVA VALLEY” |
| BRALO (IT-95-17) “LAŠVA VALLEY” |
| KUPREŠKIĆ <i>et al.</i> (IT-95-16) “LAŠVA VALLEY” |
| FURUNDŽIJA (IT-95-17/1) “LAŠVA VALLEY” |
| HADŽIHASANOVIĆ AND KUBURA (IT-01-47) |
| DELIĆ (IT-04-83) |

INDICTMENT AND CHARGES

The indictment against Zoran Marinić was confirmed on 10 November 1995 and a warrant for his arrest was issued on 26 June 1996.

The indictment included charges for an incident in Busovača, a town in central Bosnia and Herzegovina, in April 1993. It was alleged that at approximately 10:00 p.m. on 26 April 1993, Zoran Marinić and several unidentified HVO soldiers entered the homes of the Hodžić and Topalović families, Bosnian Muslim civilians living in Busovača. They first entered the Hodžić's house looking for Ramiz Hodžić, who after he fled the house, observed his house burning and shots being fired.

The indictment further alleged that shortly after, at approximately 11:00 p.m., Zoran Marinić and an unidentified HVO military policeman entered the Topalović house still looking for Ramiz Hodžić. At this time five occupants were inside the house: Ahmet Topalović (85 years old), Sabrija Topalović (44 years old), Bedrija Topalović (44 years old), Adil Topalović (16 years old) and Veda Smulo (a young orphaned niece). Zoran Marinić started to question Sabrija Topalović, who was confined to a wheelchair. Upon obtaining unsatisfactory answers, Zoran Marinić loaded his rifle and fired shots directly at Sabrija Topalović killing him. Then Zoran Marinić shot Bedrija Topalović who fell wounded to the floor. After a burst of gunfire, Ahmet Topalović, Veda Smulo and Adil Topalović fell mortally wounded. Shortly after the shooting, other soldiers and neighbours removed the family while the house burned. Ahmet Topalović and Sabrija Topalović died at the scene. Adil died after a few hours and Veda died two days later.

Zoran Marinić was charged on the basis of individual criminal responsibility (Article 7(1) of the Statute) with:

- Wilful killing (grave breaches of Geneva Conventions, Article 2)
- Murder; (violations of the laws or customs of war, Article 3)
- Willfully causing serious injury (grave breaches of Geneva Conventions, Article 2)
- Cruel treatment (violations of the laws or customs of war, Article 3)

TERMINATION OF PROCEEDINGS

The Prosecutor filed a motion to withdraw indictment against Zoran Marinić on 29 August 2002. On 2 October 2002, Judge Amin El Mahdi issued the order authorising the withdrawal of the indictment.

In its "Motion to Withdraw the Indictment against Zoran Marinić" the Prosecution stated that they had re-evaluated all outstanding indictments with the aim to balance available resources and the need to prosecute cases fairly and expeditiously. To achieve that, the Prosecution decided to concentrate its efforts on bringing high-level perpetrators to justice. The Prosecutor considered the accused Zoran Marinić to be a low-level perpetrator, and as such appropriately prosecuted in a domestic jurisdiction.