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International  
Criminal Tribunal  
for the former  
Yugoslavia

Tribunal Pénal  
International pour  
l'ex-Yougoslavie

# PRESS RELEASE

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REGISTRY

The Hague, 7 April 2006  
MH/MOW/1066e

## APPEALS CHAMBER UPHOLDS DECISION TO REFER THE MEJAKIĆ ET AL. CASE TO BOSNIA AND HERZEGOVINA

Today, 7 April 2006, the Appeals Chamber upheld the decision to refer the *Mejakić et al.* case, involving four accused, to Bosnia and Herzegovina for trial. The Appeals Chamber dismissed eight of the grounds in the Joint Defence Appeal, and allowed one in part.

Željko Mejakić, Momčilo Gruban, Dušan Fuštar and Duško Knežević are charged with confining in inhumane conditions, murdering, beating, sexually assaulting, harassing, humiliating and psychologically abusing Bosnian Muslims, Bosnian Croats and other non-Serbs in the Omarska and Keraterm camps in Prijedor, Bosnia and Herzegovina, between May and August 1992. It is alleged that Željko Mejakić was the Commander of the Omarska Camp at that time, that Momčilo Gruban was a guard shift commander at the Omarska Camp and that Dušan Fuštar performed the same duty at the Keraterm Camp. As for Duško Knežević, according to the indictment, he did not appear to hold an official position in either the Keraterm or the Omarska camp but had sufficient authority to be able to enter and leave the camps as he wished.

The Referral Bench's decision of 20 July 2005, orders the Registrar to make arrangements to transfer the accused to Bosnia and Herzegovina within 30 days. It also orders the Prosecution to hand over to the Prosecutor of Bosnia and Herzegovina, as soon as possible, the material supporting the indictment as well as all other relevant evidence.

A partnership with the judiciaries in the former Yugoslavia is a key component of the Tribunal's Completion Strategy, as endorsed by the UN Security Council. While the most senior leaders are tried before the ICTY, intermediate and lower rank accused can be referred to competent national jurisdictions. The ICTY has previously transferred two accused to Bosnia and Herzegovina for trial and referred one case involving two accused to Croatia.

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*The entire text of the decision can be found at:*

<http://www.un.org/icty/mejakic/appeal/decision-e/060407.pdf>

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

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

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

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