

International Tribunal issues first indictment dealing with Bosnian-Serb victims.

Press Release - Communiqué de presse
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 CC/PIO/048-E
 The Hague, 22 March 1996

INTERNATIONAL TRIBUNAL ISSUES FIRST INDICTMENT DEALING WITH BOSNIAN-SERB VICTIMS

Today, Friday 22 March 1996, the International Criminal Tribunal for the former Yugoslavia announces the indictment of **four alleged perpetrators of crimes against Bosnian Serb victims**.

This indictment arises out of the operation of a detention facility known as the Celebici camp, which was located in the Konjic municipality (Central Bosnia and Herzegovina), and refers to events which took place in the camp from late spring to fall of 1992.

At this time of the conflict in Bosnia and Herzegovina, the Bosnian Muslim and Bosnian Croat authorities were co-operating with each other.

The detainees were Bosnian Serbs from the Konjic area, who were subjected to serious violations of International Humanitarian Law including: murder; torture, including rape of female detainees; beatings; and inhumane treatment.

THE ACCUSED ARE:

- **Zejnir DELALIC** (born 25 March 1948), who co-ordinated activities of the Bosnian Muslim and Bosnian Croat forces in the Konjic area from approximately April 1992 to at least September 1992 and was the Commander of the First Tactical Group of the Bosnian Muslim forces from approximately June 1992 to November 1992. His responsibilities included authority over the Celebici camp and its personnel.

- **Zdravko MUCIC, also known as "Pav"** (born 31 August 1955), who was the commander of [Jeble]ji camp from approximately May 1992 to November 1992.

- **Hazim DELIC** (born 13 May 1964), who was the deputy commander of Celebici camp from approximately May 1992 to November 1992. After the departure of Zdravko MUCIC in approximately November 1992, DELIC became commander of Celebici camp until it closed in approximately December 1992.

- **Esad LANDZO, also known as "Zenga"** (born 7 March 1973), who was a guard at Celebici camp from approximately May 1992 to December 1992.

THE PROSECUTOR'S STRATEGY

This indictment, the first dealing with Bosnian Serb victims, illustrates the even-handed policy which has been repeatedly stated by Justice Goldstone, namely to *"investigate and prosecute persons who may be responsible for crimes irrespective of the political or ethnic group to which they belong. The investigations are evidence-driven and information from all informed sources about all crimes and all persons who may be responsible is welcome"*.

THE INVESTIGATION HAS BEEN HAMPERED BY THE LACK OF CO-OPERATION

The Prosecutor has been examining the allegations arising out of the operation of Celebici Camp since late 1994. It has been a difficult and time-consuming investigation, mainly because of the reluctance of the parties to co-operate.

Most detrimental was the fact that investigators were not permitted by the Federal Republic of Yugoslavia and the Republika Srpska to interview witnesses and victims. The Office of the Prosecutor was ultimately able to arrange for the witnesses to travel to other countries for the purpose of being interviewed. Several NGOs, including one based in Belgrade and another in the United States of America, were of significant assistance in arranging these interviews.

THE CRIMES ALLEGED IN THE INDICTMENT

Zejnir DELALIC, Zdravko MUCIC and Hazim DELIC were in positions of superior authority to all camps guards and to those other persons who entered the camp and mistreated detainees. The accused failed to take the necessary and reasonable measures to prevent or to punish the perpetrators.

The accused are accordingly responsible for the crimes allegedly committed by their subordinates: - murder of at least 14 detainees; - at least 7 acts of torture, including 2 rapes; - at least 5 cases of causing great suffering or serious injury; - at least 3 cases of inhumane acts, including forcing persons to commit fellatio with each other; - unlawful confinement of the detainees in inhumane conditions.

Zdravko MUCIC is also individually responsible for the alleged plunder of property belonging to the detainees.

Hazim DELIC is also individually responsible for his alleged direct participation in: - 4 murders; - 5 acts of torture, including 2 rapes; - 1 case of causing great suffering or serious injury; - the use of a device emitting electrical current to inflict pain.

Esad LANDZO is individually responsible for his alleged direct participation in: - 5 murders; - 4 acts of torture; - 1 case of causing great suffering and serious injury; - submitting detainees to inhumane conditions.

THE CHARGES

Zejnir DELALIC, Zdravko MUCIC, Hazim DELIC and Esad LANDZO are charged with Grave Breaches of the Geneva Conventions and Violations of the Laws and Customs of War.

THE PROCEDURE

The Prosecutor had information concerning the whereabouts of the accused. When the investigation was nearing completion, the Prosecutor made requests for the provisional arrest of the accused under Rule 40 of the Rules of Procedure and Evidence ("Provisional Measures" in the case of urgency).

Zejnir DELALIC was arrested in Munich (Germany) on 18 March 1996, and **Zdravko MUCIC** was arrested in Vienna (Austria) on the same day.

The Prosecutor is grateful for the excellent assistance and co-operation of the German and Austrian authorities, including the police.

At this stage, **Hazim DELIC** and **Esad LANDZO** have not yet been arrested by the Bosnian authorities.

However assurances have been given by the Bosnian authorities that the accused will be arrested and surrendered to the Tribunal.

On Wednesday 20 March 1996, the Prosecutor of the ICTY filed the indictment with the Registry.

On Thursday 21 March 1996, Judge Jorda reviewed the indictment and the supporting material. Judge Jorda confirmed the indictment, and signed the appropriate warrants of arrest.

The Registry is now making provisions for the transfer of the accused who have been arrested.