



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations  
of International Humanitarian Law  
Committed in the Territory of  
Former Yugoslavia since 1991

Case No. IT-96-21-I  
Date: 21 March 1996  
Original: French & English

**Before:** Judge Claude Jorda,  
**Registrar:** Mr. Dominique Marro, Deputy-Registrar  
**Decision of:** 21 March 1996

**THE PROSECUTOR**

v.

**ZEJNIL DELALIĆ  
ZDRAVKO MUCIĆ, alias "PAVO"  
HAZIM DELIĆ  
ESAD LANDŽO, alias "ZENGA"**

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**REVIEW OF THE INDICTMENT**

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**Office of the Prosecutor:**

**Mr. Graham Blewitt  
Mrs. Theresa McHenry**

I, Claude JORDA, Judge at the International Criminal Tribunal for the Former Yugoslavia (“the Tribunal”),

PURSUANT to Articles 18 and 19 of the Statute of the Tribunal (“Statute”) and Rules 28 and 47 of the Rules of Procedure and Evidence (“Rules”),

HAVING RECEIVED from the Prosecutor an indictment for review,

HAVING HEARD the explanation of the Prosecutor in accordance with Sub-rule 47(D) of the Rules,

CONSIDERING that from the evidence in the case-file it appears that in May 1992, Bosnian Muslim and Bosnian Croat forces attacked villages in the municipality and in the surroundings of Konjic in central Bosnia-Herzegovina where Bosnian Serbs constituted a majority; that the Serbs were driven out of their homes, many of them taken away and incarcerated, from May to October 1992, in former JNA facilities in Čelebići;

CONSIDERING that from the case-file it appears that the conditions in the Čelebići camp were inhumane; that detainees were killed or tortured; that some were subjected to sexual abuse, beaten and, in general, that cruel and inhumane treatment was inflicted on the detainees;

CONSIDERING that from the case-file it appears that three of the accused had responsibility for the operation of the Čelebići camp and were in positions of superior authority to the camp guards; that, as such, they knew, or had reason to know that their subordinates were mistreating detainees, and failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators; that, in consequence, they are responsible for their direct participation in certain individual acts or their failure to take the actions required of a person in superior authority with regard to all the crimes set out in this indictment;

CONSIDERING that it appears that the fourth accused is held responsible for his direct participation in the commission of certain crimes identified in the indictment;

CONSIDERING therefore that there is sufficient evidence to provide reasonable grounds for believing that the accused committed the crimes for which they are accused and that the crimes fall within the jurisdiction of the Tribunal pursuant to Articles 2 and 3 of the Statute;

FOR THESE REASONS,

CONFIRM the indictment presented by the Prosecutor against Zejnil DELALIĆ, Zdravko MUCIĆ alias "PAVO", Hazim DELIĆ, and Esad LANDŽO alias "ZENGA" in respect of each and every count of the indictment.

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Claude Jorda,  
Judge

Dated this twenty-first day of March 1996  
At The Hague  
The Netherlands

(Seal of the Tribunal)