

## **Celebici Trial: Delic's Defense Ends Its Presentation Of Evidence**

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The Celebici trial, which began even earlier (10 March 1997), appears to be heading toward a conclusion. Last week saw the end of the presentation of evidence by the defense of the third co-accused, Hazim Delic, accused of rape and abuse of Serb prisoners

His defense counsels, Salih Karabdic from Sarajevo and Tom Moran from Houston, summoned three eye-witnesses and one expert-witness last week. One of them, Nurko Tabak, a Bosniak who used to go to Celebici to do weapon maintenance, disputed the claim by prosecution witness Grozdana Cecez that he had taken part in her alleged rape alongside the accused Delic. The defense submitted a number of documents in an attempt to prove that Tabak was elsewhere and not in Celebici on the day when the alleged rape took place.

The second witness last week, Zlatko Ustalic, used to bring food by truck to Celebici and claimed before the court that everybody - both inmates and their guards - ate the same food and received the same portions, which were very small due to a food shortage.

The expert witness, Dr. Bellas, a medical pathologist from Houston, analyzed the statements of prosecution witnesses about the inhumane living conditions at Celebici - hunger, contaminated water, a lack of basic hygienic conditions - to conclude that had the conditions been such, the inmates would not have avoided drastic long-term consequences for their health, which the prosecutor has failed to establish.

He also analyzed the claims of some prosecution witnesses about heavy beatings they endured during their detention, concluding that many of them would not have survived had they truly been subjected to such a treatment, like 200 blows with a baseball bat, for example. Two or three such blows suffice to kill a man or at least disable him for life, the expert believes.

Finally, Dr. Sead Buturovic, the director of the Konjic health center, which served as a war hospital at the time of the alleged crimes, testified about the injuries the accused Delic incurred in a traffic accident immediately before the period referred to in the indictment, about the operation through which Delic subsequently had to undergo, and about the health consequences of the accident (such as a cast on his leg) that he had to live with for some time. With such injuries, Dr. Buturovic claimed, Hazim Delic "could not have been so active" as the prosecutor has described him, that is, could not have taken part in rapes and beatings of prisoners.

The very same witness, however, refused the requests of the defense of the fourth co-accused, Esad Landzo, to assess the physical ability of their client at the time of the alleged crime on the basis of medical records about his hand injury.

Landzo's defense team, which announced at the beginning of the trial that it will focus on proving the "diminished mental capacity" of the accused, is scheduled to take the floor in the continuation of the trial. After they are done, a rebuttal-phase in which the prosecutor will try to dispute the presented evidence by the defense should follow.

The trial chamber (Presiding Judge Adolphus Karibi-Whyte, Judges Saad Saood Jan, and Elisabeth Odio Benito) insists that the trial must end by 1 August 1998.

**Location:** [Bosnia and Herzegovina](#)

**Focus:** [International Criminal Tribunal for the former Yugoslavia](#)

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