



CASE INFORMATION SHEET

(IT-09-92)

# RATKO MLADIĆ



**RATKO MLADIĆ**

	Colonel General, Commander of the Main Staff of the Army of Republika Srpska, Bosnia and Herzegovina.
<b>Indictment</b>	Initial: 25 July 1995; amended on: 14 November 1995, 10 October 2002, 1 June 2011 and 16 December 2011
<b>Arrested</b>	26 May 2011
<b>Transferred to ICTY</b>	31 May 2011
<b>Initial appearance</b>	4 July 2011, no plea entered. Not guilty plea entered on his behalf by the Trial Chamber
<b>Commencement of Trial</b>	16 May 2012
<b>Closing arguments</b>	Held from 5 until 15 December 2016
<b>Judgement</b>	22 November 2017

## STATISTICS

Trial days	530
Prosecution witnesses appearing in Court	169
Defence witnesses appearing in Court	208
Number of witnesses in the case	591
Number of witnesses appearing in Court	377
Number of exhibits admitted	9914

TRIAL	
<b>Trial Chamber I</b>	Judge Alphons Orie (presiding), Judge Bakone Justice Moloto, Judge Christoph Flügge
<b>Counsel for the Prosecution</b>	Peter McCloskey Alan Tieger, Dermot Groome
<b>Counsel for the Defence</b>	Branko Lukić, Dan Ivetić, Miodrag Stojanović

## INDICTMENT AND CHARGES

Two counts of genocide (Counts 1 and 2)

Five counts of crimes against humanity

- Persecutions (Count 3)
- Extermination (Count 4)
- Murder (Count 5)
- Deportation (Count 7)
- Inhumane acts (forcible transfer) (Count 8)

**Four counts of violations of the laws or customs of war**

- Murder (Count 6)
- Terror (Count 9)
- Unlawful attacks on civilians (Count 10)
- Taking of hostages (Count 11)

***Alleged responsibility of the Accused***

In the indictment, it is alleged that Ratko Mladić is individually criminally responsible pursuant to Article 7(1) of the Tribunal's Statute for the counts set out above, *inter alia* through his participation in a number of Joint Criminal Enterprises (JCEs).

It is alleged that, from 12 May 1992 until 30 November 1995, Mladić participated in a JCE to permanently remove Bosnian Muslim and Bosnian Croat inhabitants from territories of Bosnia and Herzegovina, which were claimed as Bosnian Serb territory.

It is further alleged that, between 12 May 1992 and November 1995, Mladić participated in a JCE to establish and carry out a campaign of sniping and shelling against the civilian population of Sarajevo, aimed to spread terror amongst them.

In addition, it is alleged that, during the period immediately preceding 11 July and until 1 November 1995, Mladić participated in a JCE to eliminate Bosnian Muslims in Srebrenica by killing men and boys and forcibly removing women, young children and the elderly from the area.

Lastly, it is alleged that during May and June 1995, Mladić participated in a JCE to take United Nations personnel hostage in order to compel NATO to abstain from conducting air strikes against Bosnian Serb military targets.

Mladić is also charged as a superior pursuant to Article 7(3) of the Statute for the crimes in the indictment, for *inter alia*, knowing or having reason to know that crimes were about to be committed or had been committed by forces under his effective control and failing to prevent the crimes or punish the perpetrators.

***Alleged Crimes***

The crimes alleged in the indictment include, among others:

- The killing of Bosnian Muslims and Bosnian Croats, including leading members of these groups; for example the killing of at least 144 people in Biljani (Ključ municipality), the killing of over 200 detainees at prison facilities in Foča, approximately 150 people at Keraterm camp, near Prijedor, and the killing of up to 140 detainees in Sušica camp, near Vlasenica.
- The detention of thousands of Bosnian Muslims and Bosnian Croats in detention facilities in living conditions calculated to bring about their physical destruction. The facilities listed are Manjača camp (near Banja Luka), Omarska, Keraterm and Trnopolje camps (near Prijedor), prison facilities in Foča and Batković camp, near Bijeljina.
- The killing of over 7,000 Bosnian Muslim men and boys of Srebrenica through both organised and opportunistic executions including the killing of over 1,000 men in a large warehouse in the village of Kravica and the execution of another 1,000 Bosnian Muslim men near the school in Orahovac.
- The wanton destruction of private and public property including cultural monuments and sacred sites, such as a number of mosques across the country.
- Acts of murder that formed part of the objective to spread terror among the civilian population of Sarajevo through a campaign of sniping and shelling carried out between 12 May 1992 and November 1995 including the shelling of "Markale" market on 5 February 1994, when 66 people were killed and over 140 wounded.

## THE TRIAL

The trial commenced on 16 May 2012.

The Prosecution case was closed on 26 February 2014.

On 15 April 2014, the Trial Chamber issued an oral decision pursuant to Rule 98*bis* and dismissed the motion for acquittal filed by Mladić. On 24 July 2014, the Appeals Chamber dismissed the appeal by Mladić's Defence (filed confidentially in relation to counts 1 and 2 - Genocide) and confirmed the Rule 98*bis* decision.

The Defence case commenced on 19 May 2014. The last Defence witness completed his testimony on 16 August 2016.

The closing arguments were held from 5 until 15 December 2016.

The pronouncement of the judgement in Mladic case took place on 22 November 2017 at 10:00 in Courtroom I of the Tribunal.

## THE TRIAL CHAMBER JUDGEMENT

In the final Trial Judgement of the International Criminal Tribunal for the former Yugoslavia (ICTY), Trial Chamber I convicted Ratko Mladić, former Commander of the Main Staff of the Bosnian Serb Army (VRS) of genocide, crimes against humanity and violations of the laws or customs of war. These crimes were committed by Serb forces during the armed conflict in Bosnia and Herzegovina (BiH) from 1992 until 1995. Ratko Mladić was sentenced to life imprisonment.

Mladić was convicted of genocide and persecution, extermination, murder, and the inhumane act of forcible transfer in the area of Srebrenica in 1995; of persecution, extermination, murder, deportation and inhumane act of forcible transfer in municipalities throughout BiH; of murder, terror and unlawful attacks on civilians in Sarajevo; and of hostage-taking of UN personnel.

The Chamber found that Mladić committed crimes through his participation in, and contribution to, four joint criminal enterprises (JCE), i.e. the Overarching JCE, the Sarajevo JCE, the Srebrenica JCE and the Hostage-taking JCE.

Mladić was acquitted of the charge of genocide in several municipalities in BiH in 1992. The Chamber further found by majority (Judge Orić dissenting), that the physical perpetrators in several municipalities intended to destroy the Bosnian Muslims in those Municipalities as a part of the protected group. However, the judges concluded that the Bosnian Muslims targeted in each municipality formed a relatively small part and were not in other ways a substantial part of the protected group. Consequently, the Chamber was not satisfied that the only reasonable inference was that the physical perpetrators possessed the required intent to destroy a substantial part of the protected group of Bosnian Muslims.

Parties have the right to appeal the judgement. The appeal proceedings, if any, will be carried out by the International Residual Mechanism for Criminal Tribunals (MICT).

Ratko Mladić is entitled to credit for time spent in detention thus far.