

VIEW FROM THE HAGUE

WHY ARREST RATKO MLADIĆ?

In the last week or so, the media in Serbia have carried numerous stories claiming that a determined search for Ratko Mladić has been conducted. There is mention of his possible whereabouts, what he might look like today, who might be searching for him, etc. There are also many comments on whether he should or should not be arrested. In fact, practically the only topics that appear to be ignored are the crimes Ratko Mladić is charged with and the victims of those crimes.

In 1995, the International Criminal Tribunal for the former Yugoslavia (ICTY) issued two indictments against Ratko Mladić. The first indictment was issued on 25 July 1995. In this indictment, Ratko Mladić was charged with genocide and crimes against humanity for crimes perpetrated against the civilian population and against places of worship throughout the territory of Bosnia and Herzegovina, including the sniping and shelling campaign against civilians in Sarajevo and other crimes related to the taking of UN peacekeepers as hostages. The second indictment was issued on 16 November 1995 and charged Ratko Mladić with genocide, crimes against humanity and violations of the laws or customs of war for the mass killings committed in Srebrenica in July 1995.

On 8 November 2002, an amended indictment was issued and it subsumed the previous two. This indictment is currently in force.

The amended indictment alleges that on 12 May 1992, Ratko Mladić was appointed Commander of the Main Staff of the Bosnian Serb Army ("VRS"), and that he held that position until at least 22 December 1996 – the entire time covered by the indictment. On 24 June 1994, Ratko Mladić was promoted to the rank of General Colonel.

The indictment alleges that from May 1992, Ratko Mladić used shelling and sniping to target areas of the city of Sarajevo and its institutions, killing and wounding civilians, and thereby also inflicting terror upon the civilian population. It is further alleged that Bosnian Serb forces under the command and control of General Mladić took control of the municipalities in Bosanska Krajina and eastern Bosnia. Thousands of non-Serbs were deported or forcibly transferred from these municipalities and many were killed or held in detention facilities. The indictment further alleges that from January to March 1993, Bosnian Serb forces under the command and control of General Mladić attacked the Cerska area in eastern Bosnia and Herzegovina and that thousands of Muslims fled to BiH government controlled territory including Srebrenica and Žepa. Thereafter, Bosnian Serb forces under the command and control of General Mladić began to focus particular attention on capturing the strategically located Srebrenica enclave and expelling the Bosnian Muslim population that had fled there in the wake of the 1992 and 1993 ethnic cleansing campaigns in eastern Bosnia. The indictment alleges that General Mladić had command and control of the forces that captured, summarily executed and buried in mass graves over 7,000 Bosnian Muslim prisoners from Srebrenica in July 1995 and later organised a comprehensive effort to conceal these killings and executions by reburying, in isolated locations, bodies exhumed from the mass graves.

The Trial Chamber Judgement in the case against Stanislav Galić established the events that occurred in Sarajevo in the early to mid-1990's and Mr. Galić was sentenced to 20 years for his participation in the shelling and sniping campaign against the city's civilian population.

The Appeals Chamber Judgement of Radislav Krstić describes exactly what happened in Srebrenica in July 1995 and determines that the crime of genocide was committed, for the first time in Europe since World War II. The confessions of Momir Nikolić and Dragan Obrenović regarding these mass killings further corroborate the gruesome details of these gruesome events.

Finally, in June this year, the "Commission to investigate the events that took place in and around Srebrenica from 10 to 19 July 1995" of the government of Republika Srpska issued a preliminary report, in which it determined unequivocally that the Bosnian Serb forces murdered several thousand Bosniaks in Srebrenica in July 1995 and then took measures to conceal the crime. Republika Srpska President Dragan Čavić stated last June in relation to the crimes committed in Srebrenica that the "perpetrators of this crime cannot justify themselves to anyone or with anything."

Thus, there is absolutely no doubt as to what happened in Srebrenica from 13 to 19 July 1995 and Ratko Mladić stands accused of participation in and command and control over the military units that committed these horrifying acts.

These are only some of the crimes Ratko Mladić is charged with.

The search for Mladić cannot stop until the final goal is achieved and Mr. Mladić is in the custody of the ICTY. He must answer to the law and the victims for these charges.

Outreach Programme

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