

ICTY convicts Ratko Mladić for genocide, war crimes and crimes against humanity

In the final trial judgment of the International Criminal Tribunal for the former Yugoslavia (ICTY) delivered on November 22, 2017, Trial Chamber I convicted Ratko Mladić, former Commander of the Main Staff of the Bosnian Serb Army 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 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 Bosnia and Herzegovina; of murder, terror and unlawful attacks on civilians in Sarajevo; and of hostage-taking of UN personnel. He was instrumental to the commission of these crimes, the Chamber found, so much so that without his acts - they would not have been committed as they were. The judges therefore found that he significantly contributed to achieving the common objective of permanently removing Muslims and Croats from Serb-claimed territory in Bosnia and Herzegovina by committing the crimes. Mladić was found guilty of persecution, extermination, murder, deportation, and the inhumane act of forcible transfer.

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.

Since its establishment, the Tribunal has indicted 161 persons for serious violations of humanitarian law committed on the territory of the former Yugoslavia between 1991 and 2001. Proceedings against 155 have been concluded. Proceedings are currently ongoing for 6 accused.