



Humanitarian Law Center

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## After the Ratko Mladic Judgment

### **Using the potential of the ICTY convictions for reconciliation in the region**

On 22 November 2017, the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague pronounced the first-instance [judgment](#) against Ratko Mladic, former commander of the Republika Srpska Army (VRS), sentencing him to life imprisonment. The Humanitarian Law Center (HLC) considers that the facts established, the findings of responsibility and the evidence presented encompass the judicial truth about the genocide in Srebrenica and other crimes committed during the war in Bosnia and Herzegovina (BiH). The findings of the judgment and the extensive documentation collected during the proceedings now represent valuable potential for a final and decisive step toward reconciliation and dealing with the past.

Ratko Mladic was convicted for participating in four joint criminal enterprises, which included the most severe crimes against civilians and prisoners of war committed in 15 Bosnian-Herzegovinian municipalities between 1991 and 1995, a four-year sniper and artillery terror against the citizens of Sarajevo, the taking of members of the United Nations as hostages in the spring of 1995 and the Srebrenica genocide committed in the summer of the same year.

Such a judgment was expected, because it is based on the abundance of the evidence of mass casualties, imprisonments and serious abuses of prisoners in detention camps, persecutions, deportations and forced displacements, mass rapes of women, terrorizing of civilians in cities and genocide, and of Ratko Mladic's participation in their planning and commission, as well as of the subsequent concealment of the traces of the crimes. For crimes committed between 1992 and 1995 during the campaign of ethnic cleansing, for the terror against the citizens of Sarajevo and the genocide in Srebrenica, a number of his subordinate VRS officers, as well as police and political officials of the Bosnian Serbs, had already been sentenced - amongst them, as the most important, the then president of the Republika Srpska (RS), Radovan Karadzic.

During the war in BiH, Mladic was the Head Commander of the VRS General Staff and, together with the RS President Radovan Karadzic, one of the two key figures of the Bosnian Serb leadership. Along with them, other members of the same political, military and police leadership participated in the campaign of crimes, including the genocide, with the aim of achieving the strategic goals presented at the Republika Srpska Assembly on May 12 1992, extending the imagined borders of the Serbian part of Bosnia and Herzegovina and envisaging an ethnic separation from Bosniaks and Croats. The crimes he was convicted of were, therefore, planned and conducted by a political-military structure that had the majority support of the Serbian people in Bosnia and Herzegovina, and whose leaders were Ratko Mladic and Radovan Karadzic.

The achievement of the strategic goals of the Bosnian Serbs was also politically and militarily supported by the Republic of Serbia and the then Federal Republic of Yugoslavia. This support was mentioned during the pronouncement of the Mladic judgment, when it was said that the accused "was in direct



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contact with the members of the leadership in Serbia and members of the General Staff of the Army of the Federal Republic of Yugoslavia in order to ensure that the military needs of the VRS were met." Furthermore, in other judgments, such as the first instance [judgment](#) against the former Chief of the General Staff of the Army of Yugoslavia, Momcilo Perisic, this assistance had been factually determined in detail. At that trial, it was revealed that throughout the entire war in BiH, arms and ammunition were freely delivered to Ratko Mladic's army during its commission of the crimes, and that logistical and material assistance to the VRS was provided, including payment of salaries for Mladic and at least 7,000 VRS officers, among whom were those who carried out the terror against the citizens of Sarajevo and committed genocide in Srebrenica.

The verdict against Ratko Mladic provides a road map for the societies in Serbia and Bosnia and Herzegovina to look at the recent past from a perspective that leads to mutual trust and peace, and also moves the region away from concepts of national and territorial separation through wars and crimes. The court-established facts in this and all other cases before the ICTY provide plenty of information about the events of these wars, and about who were the victims of crimes, and who the perpetrators. This can lead to reconciliation in the region only if this last judgment and all the previous ICTY judgments are carefully read, accepted and officially supported by the legal framework, cultural policies and educational programmes of the countries of the region.