

# WHY *Genocide* WAS NOT RECOGNIZED IN PRIJEDOR

The Prosecution charged Ratko Mladić with two counts of genocide for Srebrenica and for the killing of Bosnian muslims (also known as Bošniaks) and Bosnian catholic (also know as Croats) in six municipalities (Kotor Varoš, Sanski Most, Foča, Vlasenica, and Prijedor).

The Genocide Convention defines genocide as any of five "**acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.**"



# The *acts* of genocide

The majority of the Trial Chamber found that the physical perpetrators in five of the municipalities (Kotor Varoš, Sanski Most, Foča, Vlasenica, and Prijedor) had committed underlying acts of genocide.

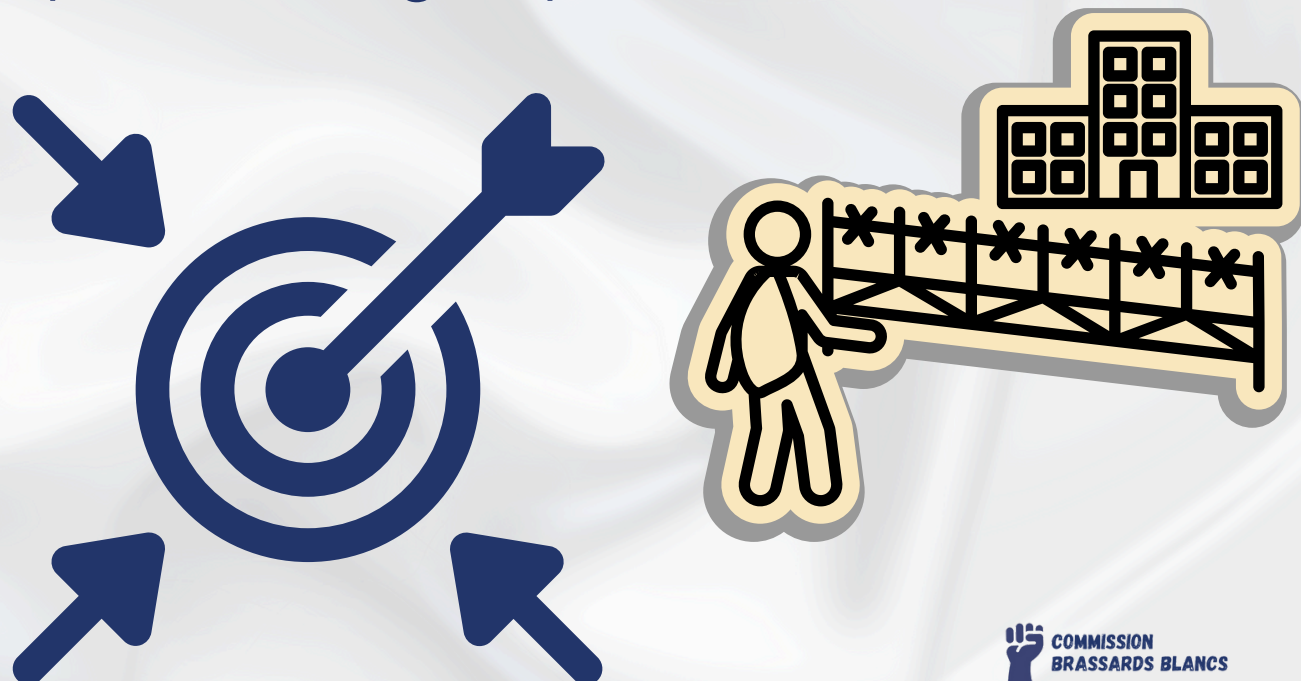
These five acts include killing members of the group, causing them serious bodily or mental harm, imposing living conditions intended to destroy the group, preventing births, and forcibly transferring children out of the group. Victims are targeted because of their real or perceived membership of a group, not randomly.



# The *intent* of genocide

The majority of the Trial Chamber found that the physical perpetrators in five of the municipalities (Kotor Varoš, Sanski Most, Foča, Vlasenica, and Prijedor) **had committed underlying acts of genocide, with the requisite intent, against the protected group of Bosnian Muslims.**

It also included findings as to whether Bosnian Muslims and Bosnian Croats were protected groups under the genocide definition. (...)the Trial Chamber positively found that they indeed were protected groups.



# The *number* was not "significant"

The Trial Chamber went on to examine whether the Bosnian Muslims in the relevant municipalities constituted a **substantial part** of the protected group.

The Trial Chamber concluded that the Bosnian Muslims in the relevant municipalities did not constitute a substantial part of the protected group of Bosnian Muslims:

"(T)he Trial Chamber received **insufficient evidence** indicating why the Bosnian Muslims in each of the above municipalities or the municipalities themselves had a special significance or were emblematic in relation to the protected group as a whole."



# Conclusion

The Prosecution charged Ratko Mladić with two counts of genocide.

- Count 1 covered the killing of Bosnian Muslims and Bosnian Croats in six municipalities, which according to the Prosecution had seen the "most extreme manifestations" of the first (overarching) joint criminal enterprises. Mladić was acquitted of the Indictment of genocide in count 1.
- Count 2 covered the killings of approximately 7,000 Bosnian-Muslim men and boys from Srebrenica in July 1995. The Trial Chamber convicted Mladić on Count 2.

He was sentenced to life imprisonment for this and other counts.



# Sources

- <https://www.internationalcrimesdatabase.org/upload/documents/20180927T105952-ICD%20Brief%20on%20the%20Mladic%20case%2019%20September%202018.pdf>
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