

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-13-56-ES

Date: 11 November 2025

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Graciela Gatti Santana, President
Registrar: Mr. Abubacarr M. Tambadou
Decision of: 11 November 2025

PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

**DECISION ON THE APPLICATION FOR RELEASE
OF RATKO MLADIĆ**

Counsel for Mr. Ratko Mladić:

Mr. Dragan Ivetić
Mr. Branko Lukić

I, GRACIELA GATTI SANTANA, President of the International Residual Mechanism for Criminal Tribunals (“President” and “Mechanism”, respectively);

RECALLING that, on 8 June 2021, the Appeals Chamber of the Mechanism affirmed: (i) the convictions of Mr. Ratko Mladić (“Mladić”) for genocide, persecution, extermination, murder, deportation and inhumane acts (forcible transfer) as crimes against humanity, and murder, terror, unlawful attacks on civilians and taking of hostages as violations of the laws or customs of war; and (ii) his sentence of life imprisonment;¹

RECALLING that Mladić, following his final conviction, has remained at the United Nations Detention Unit (“UNDU”) in The Hague, awaiting designation of and his transfer to a State where he will serve the remainder of his sentence;

BEING SEISED of a motion filed by Mladić on 5 November 2025, requesting provisional release on compassionate grounds for a period of seven days to permit him to visit the grave and attend memorial services for a close family member who recently passed away;²

NOTING Mladić’s submissions that: (i) attendance at a memorial service of a close relative has been held to constitute compelling humanitarian circumstances for granting compassionate provisional release for other convicted persons and there is no reason for Mladić to be treated differently;³ (ii) he poses no danger to any victim, witness or other person and is not a flight risk given his physical condition and his willingness to be subjected to 24-hour police supervision;⁴ and (iii) the requested seven-day period of release is necessary for him to recuperate and rest due to his medical conditions and the stress of travel and the memorial ceremony and to allow him to grieve with his family members;⁵

¹ *Prosecutor v. Ratko Mladić*, Case No. MICT-13-56-A, Judgement, 8 June 2021 (public redacted), para. 592. *See Prosecutor v. Ratko Mladić*, Case No. IT-09-92-T, Judgement, 22 November 2017 (public with confidential annex) (“Trial Judgement”), paras. 5214-5215.

² Urgent Defen[c]e Motion for Provisional Release on Compassionate Grounds for a Fixed Period to Permit Attendance at 40-day Memorial Ceremony, 5 November 2025 (confidential and *ex parte*) (“Motion”), paras. 1, 4-5, 10, 12, 17, Registry Pagination 1728. I note that while Mladić requests provisional release for seven days, the requested period is in fact eight days, namely 1 to 8 December. *See* Motion, paras. 5, 17.

³ Motion, paras. 8-9. *See also* Motion, para. 14.

⁴ Motion, paras. 13, 16. Mladić submits that he has sought and expects to receive guarantees from the authorities of the Republic of Serbia and *Republika Sprska*. *See* Motion, paras. 13-14. I do not consider it necessary to wait for such guarantees as they would not impact on my assessment of the Motion.

⁵ Motion, para. 17.

NOTING that Mladić submits that his request must be addressed by me in my capacity as President given the conclusion of the Appeals Chamber’s competence with respect to a convicted person following his or her final conviction;⁶

CONSIDERING that the threshold for release of a temporary nature on compassionate grounds to attend a family member’s memorial service is exceptionally high,⁷ and that release for this purpose has not been granted in the past for individuals detained at the UNDU following their final conviction;

CONSIDERING that Mladić has been sentenced to life imprisonment for very serious crimes, only a small portion of his sentence has been served, and, prior to his arrest and transfer to the custody of the International Criminal Tribunal for the former Yugoslavia (“ICTY”) in May 2011, he evaded justice for almost 16 years;⁸

CONSIDERING that Mladić has been consistently denied provisional release during trial and appeal proceedings based on concerns that he would not return to the custody of the ICTY or the Mechanism;⁹

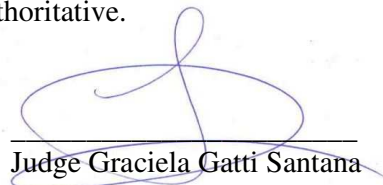
FINDING that, in light of the above, Mladić has not demonstrated that the release he requests is justified;

FOR THE FOREGOING REASONS,

HEREBY DENY the Motion.

Done in English and French, the English version being authoritative.

Done this 11th day of November 2025,
At The Hague,
The Netherlands.



Judge Graciela Gatti Santana
President

[Seal of the Mechanism]

⁶ Motion, para. 7, referring to *Prosecutor v. Franko Simatović*, Case No. MICT-15-96-ES.1, Decision on Franko Simatović’s Applications for Provisional Release and Legal Aid, 29 September 2023, p. 2. See also Decision on the Application for Release of Ratko Mladić, 10 May 2024 (public redacted), para. 18.

⁷ Cf. *Prosecutor v. Radovan Karadžić*, Case No. MICT-13-55-A, Decision on Motions for Provisional Release and Temporary Release to Attend a Memorial Service, 31 May 2016, paras. 7, 11.

⁸ Trial Judgement, para. 5222.

⁹ *Prosecutor v. Ratko Mladić*, Case No. MICT-13-56-A, Decision on a Motion for Provisional Release, 19 March 2019 (confidential), pp. 3-4; *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-AR65.1, Public Redacted Version of “Decision on Interlocutory Appeal Against Decision on Urgent Defence Motion for Provisional Release” Issued on 27 June 2017, 30 June 2017, paras. 15, 17; *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-T, Decision on Urgent Defence Motion for Provisional Release, 12 May 2017 (public redacted version), para. 17.



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