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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

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REGISTRY
GREFFE

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ARREST AND TRANSFER OF MOMIR NIKOLIĆ

On Monday 1 April 2002, the SFOR authorities detained Momir Nikolić in Repovac, Bosnia and Herzegovina.

Following his detention, the accused was transferred to the Detention Unit of the International Criminal Tribunal for the former Yugoslavia on Tuesday 2 April 2002. Momir Nikolić was born on 20 February 1955 in Bratunac.

The Indictment, dated 26 March 2002 and unsealed on 2 April 2002, alleges that in early July 1995 units of Drina Corps of the Bosnian Serb Army (VRS) shelled the Srebrenica enclave and attacked Dutch-manned United Nations observations posts which were located there. The Drina Corps attack on the Srebrenica enclave continued through 11 July 1995, when forces from Zvornik Brigade's Drina Wolves, the Bratunac Brigade, the 10th Sabotage Detachment and other units of the VRS entered Srebrenica.

For several days following the attack VRS forces captured, detained, summarily executed and buried over 7,000 Bosnian Muslim men and boys from the Srebrenica enclave and forcibly transferred the Bosnian Muslim women and children of Srebrenica out of the area.

During the VRS attack on the enclave and the subsequent killings and executions of Bosnian Muslim men, Momir Nikolić was a Captain First Class and served as the Assistant Commander (Chief) for Security and Intelligence of the Bratunac Brigade. His brigade, which was responsible for the security of the territory opposite the northern, eastern and southern boundaries of the Srebrenica enclave, directly participated in the actual capture of the enclave.

According to the Indictment, as Assistant Commander for Security and Intelligence of the Bratunac Brigade, Nikolić had responsibility for dealing with captured Bosnian Muslim prisoners from Srebrenica from 11 July 1995 until at least 1 November 1995.

It is alleged that Momir Nikolić, together with other VRS and MUP (Ministry of the Interior) officers and units, was a member of and knowingly participated in a Joint Criminal Enterprise. Its purpose was allegedly to forcibly transfer the women and children from the Srebrenica enclave to Kladanj on 12 and 13 July 1995 and to capture, detain, summarily execute by firing squad, bury and rebury thousands of Bosnian Muslims men and boys aged 16 to 60 from the Srebrenica enclave.

Charges

The Indictment charges Momir Nikolić on the basis of his individual criminal responsibility (Article 7(1) of the Statute) with:

- One count of genocide (Article 4 of the Statute – genocide; alternatively, complicity to commit genocide)
- Four counts of crimes against humanity (Article 5 of the Statute – extermination; murder; persecutions; inhumane acts (forcible transfer))

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- One count of violation of the laws or customs of war (Article 3 of the Statute – murder)

The initial appearance of Momir Nikolić is scheduled for Wednesday 3 April at 3.00 p.m. in Courtroom I before Judge Schomburg.
