

COURTSIDE: Srebrenica Case

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Defendant brought to justice in record time.

The tribunal and SFOR have beaten all known records in bringing Momir Nikolic, indicted for genocide in Srebrenica, to justice.

Nikolic's indictment has been sealed by the tribunal for less than a week. It was issued on March 26. SFOR arrested him on April 1. He was in The Hague a day later and was brought before the court 24 hours after that.

During the Bosnian Serb army, VRS, operation against the UN protected Muslim enclave in July 1995, Captain Nikolic was assistant commander for security and intelligence in the Bratunac brigade.

The indictment says he and other VRS and MUP (ministry of interior) officers and units were members of - and knowingly participated in - a joint criminal enterprise. Its purpose was to forcibly transfer the enclave's women and children to Kladanj on July 12 and 13 and to capture, execute by firing squad and bury thousands of Bosnian Muslim men and boys from the enclave aged 16 to 60.

As officer in charge of intelligence, Nikolic, the indictment read, "had responsibility for all prisoners captured or killed in the Bratunac brigade zone, as well as for all those prisoners later transported with his knowledge to be executed in the Zvornik brigade zone".

It specifically alleged that military police and MUP forces under Nikolic organised the detention and transportation of thousands of prisoners to execution sites around the enclave and that he was present at meetings on July 11 and 12, 1995 with the Dutch battalion and Muslim refugees who found shelter in the UN base in Potocari, at which General Ratko Mladic asked the Muslims to choose whether they wanted to "survive or perish".

He was also present, it said, when Serb soldiers in Potocari separated men from women and children, took away their personal belongings and documents and then killed all the men.

Nikolic pleaded "not guilty" on all six counts of the indictment: one count of genocide or alternatively complicity to commit genocide; four of crimes against humanity (extermination; murder; persecutions; forcible transfer) and one of violation of the laws or customs of war.

After entering his plea, Nikolic complained that the prosecution did not give him a chance to turn himself in, as he had promised to do in his first interview with Hague investigators in Banja Luka in 1999. However, the defendant thanked SFOR for his "fair treatment" during his arrest, something which has never been heard before at the tribunal.

Except for the section describing the defendant's personal role, Nikolic's indictment is identical to the joined indictment against Vidoje Blagojevic, Dragan Obrenovic and Dragan Jokic. The accused entered their pleas two weeks ago (see [Tribunal Update No. 259](#)). This indictment stated the names of other participants in the joint criminal enterprise, including Nikolic's. Possibly, other names on the list will soon appear in The Hague.

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