

IT 94-2-I
16 FEBRUARY 1999
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**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-94-2-I

BEFORE A JUDGE OF THE TRIAL CHAMBER

Before: Judge Claude Jorda

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Decision of: 16 February 1999

THE PROSECUTOR

v.

DRAGAN NIKOLIĆ a/k/a Jenki

**WARRANT OF ARREST
ORDER FOR SURRENDER**

To: the national authorities of The Federal Republic of Yugoslavia

I, Claude Jorda, Judge of the International Criminal Tribunal for the former Yugoslavia:

CONSIDERING United Nations Security Council Resolution 827 of 25 May 1993, and Articles 19(2) and 29 of the Statute and Rules 54 to 61 of the Rules of Procedure and Evidence of the International Criminal Tribunal for the former Yugoslavia;

CONSIDERING the indictment submitted by the Prosecutor against Dragan NIKOLIĆ and confirmed by me on the 12th day of February 1999, a copy of which accompanies this warrant of arrest;


HEREBY GRANT WARRANT TO AND ORDER the national authorities of The Federal Republic of Yugoslavia to search for, arrest, detain and surrender to the International Criminal Tribunal for the former Yugoslavia:

Dragan NIKOLIĆ, born on 26 April 1957, is from the town of Vlasenica, Bosnia and Herzegovina. Before the war, he worked at the Alpro aluminium factory in Vlasenica. In late May or early June 1992, Dragan NIKOLIĆ became the commander of Sušica detention camp in Vlasenica. In 1992 he lived with his family on Žarka Vukovića Street in the Kruševik section of Vlasenica and he now occasionally stays in Batajnica, Federal Republic of Yugoslavia with his uncle Milutin Rikanović. Dragan NIKOLIĆ is charged in the said indictment with

multiple counts of serious violations of international humanitarian law, namely with 1) persecutions, contrary to Article 5(h) of the Statute of the Tribunal; 2) murder, contrary to Article 5(a) of the Statute of the Tribunal; wilful killing, contrary to Article 2(a) of the Statute of the Tribunal; murder, contrary to Article 3 of the Statute of the Tribunal; rape, contrary to Article 5(g) of the Statute of the Tribunal; torture, contrary to Article 5(f) of the Statute of the Tribunal; torture or inhuman treatment, contrary to Article 2(b) of the Statute of the Tribunal; wilfully causing great suffering, contrary to Article 2(c) of the Statute of the Tribunal; outrages upon personal dignity, contrary to Article 3 of the Statute of the Tribunal; cruel treatment and torture, contrary to Article 3 of the Statute of the Tribunal; inhumane acts, contrary to Article 5(i) of the Statute of the Tribunal; serious injury to body or health, contrary to Article 2(c) of the Statute of the Tribunal; and, cruel treatment, contrary to Article 3 of the Statute of the Tribunal.

FURTHER ORDER that the authorities of The Federal Republic of Yugoslavia at the time of the arrest of the said Dragan NIKOLIĆ advise him, in a language he speaks and understands, of his rights as contained in the statement of the rights of the accused which accompanies this warrant of arrest, including those rights set forth in Article 21 of the Statute and in Rules 42 and 43 of the Rules of Procedure and Evidence, *mutatis mutandis*, and of his right to remain silent, and to caution him that any statement he makes shall be recorded and may be used in evidence;

FURTHER ORDER that the authorities of The Federal Republic of Yugoslavia, upon the arrest of the said, Dragan NIKOLIĆ, promptly notify the Registrar of the International Criminal Tribunal for the former Yugoslavia, for the purposes of his transfer pursuant to Rule 57 of the Rules of Procedure and Evidence.



Claude Jorda, Judge
International Criminal Tribunal
for the former Yugoslavia

Dated this 16th day of February 1999,
At The Hague,
The Netherlands

TAKE NOTICE

that if The Federal Republic of Yugoslavia is unable to execute this warrant of arrest it shall, pursuant to Rule 59 of the Rules of Procedure and Evidence, report forthwith its inability to the Registrar of the International Criminal Tribunal for the former Yugoslavia, and the reasons therefor:

if that within a reasonable time after the transmission to The Federal Republic of Yugoslavia of this warrant of arrest, no report is made on action taken, this shall be deemed a failure to execute the warrant of arrest, and the Tribunal, through the President, may notify the Security Council of the United Nations accordingly.