



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-02-60/1
Date: 12 May 2003
Original: English

IN TRIAL CHAMBER I, SECTION A

Before: Judge Liu Daqun, Presiding
Judge Volodymyr Vassilenko
Judge Carmen Maria Argibay

Registrar: Mr. Hans Holthuis

Decision of: 12 May 2003

PROSECUTOR

v.

MOMIR NIKOLIĆ

**DECISION ON MOTION TO DISMISS
CHARGES AGAINST ACCUSED MOMIR NIKOLIĆ**

The Office of the Prosecutor:

Mr. Peter McCloskey

Counsel for the Accused:

Mr. Veselin Londrović and Mr. Stefan Kirsch for Momir Nikolić

TRIAL CHAMBER I, SECTION A, ("Trial Chamber") of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 ("Tribunal"),

BEING SEISED OF "Prosecution's Motion to Dismiss Charges Against Accused Momir Nikolić" filed on 8 May 2003 ("Motion"), in which the Prosecutor moves to dismiss the remaining charges against Momir Nikolić in the Amended Joinder Indictment dated 27 May 2002 ("Indictment"), namely Genocide, Complicity in Genocide, Extermination as a Crime Against Humanity, Murder as a Crime Against Humanity, Murder as a Violation of the Laws or Customs of War, and Inhumane Acts (Forcible Transfer) as a Crime Against Humanity, in light of his plea of guilty to the charge of Persecutions as a Crime Against Humanity in Count 5 of the Indictment,

NOTING the "Joint Motion for Consideration of Amended Plea Agreement between Momir Nikolić and the Office of the Prosecutor" dated 7 May 2003 incorporating the Amended Plea Agreement as Annex A, submitted to the Trial Chamber,

CONSIDERING that Momir Nikolić entered a plea of guilty to the charge of Persecutions as a Crime Against Humanity in Count 5 of the Indictment at a public hearing held on 7 May 2003, which was accepted by the Trial Chamber and a conviction rendered thereunder,

PURSUANT TO Rule 54 and Rule 62 *ter* of the Rules of Procedure and Evidence of the Tribunal,

HEREBY GRANTS the Motion.

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


Judge Liu Daqun
Presiding

Dated this 12th day of May 2003,
At The Hague
The Netherlands

[Seal of the Tribunal]