

UNITED  
NATIONS

IT-94-2-S  
D5871 - D5870  
01 DECEMBER 2003

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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

Case No. IT-94-2-S  
Date: 1 December  
2003  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Wolfgang Schomburg, Pre-Sentencing Judge

**Registrar:** Mr. Hans Holthuis

**Decision of:** 1 December 2003

**PROSECUTOR**

**v.**

**DRAGAN NIKOLIĆ**

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**DECISION ON LIFTING CONFIDENTIALITY OF THE  
DEFENCE SENTENCING BRIEF**

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**The Office of the Prosecutor:**

Mr. Upawansa Yapa  
Ms. Patricia Sellers-Visser  
Mr. William Smith

**Counsel for the Accused:**

Mr. Howard Morrison  
Ms. Tanja Radosavljević

**I, Wolfgang Schomburg**, Judge 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") and Pre-Sentencing Judge in these sentencing proceedings:

Having consulted each of the parties on the issue of whether or not there is an objection to lift the confidentiality of the Defence Sentencing Brief, filed on 23 October 2003, and of the Addendum to this Defence Sentencing Brief, filed on 19 November 2003, and having received no objections,

**PURSUANT TO** Rule 54 of the Rules of Procedure and Evidence;

**HEREBY DECIDE:**

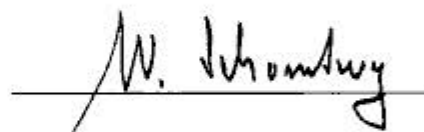
**To lift confidentiality** of the aforementioned documents.

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

Dated this first day of December 2003,

At The Hague

The Netherlands



**Wolfgang Schomburg**

**Pre-Sentencing Judge**

**[Seal of the Tribunal]**