



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: 2 October 2003
Original: English

IN TRIAL CHAMBER II

Before: Judge Wolfgang Schomburg, Presiding
Judge Florence Ndepele Mwachande Mumba
Judge Carmel Agius

Registrar: Mr. Hans Holthuis

Decision of: 2 October 2003

PROSECUTOR

v.

DRAGAN NIKOLIĆ

SCHEDULING ORDER

The Office of the Prosecutor:

Mr. Upawansa Yapa

Counsel for the Accused:

Mr. Howard Morrison
Ms. Tanja Radosavljević

TRIAL CHAMBER II (“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”),

NOTING the Joint Plea Agreement Submission filed confidentially by the Prosecution and Defence (“Parties”) on 2 September 2003 (“Submission”) pursuant to Rule 62 *ter* of the Rules of Procedure and Evidence (“Rules”),

NOTING that during the Status Conference that was held on 4 September 2003, the Trial Chamber entered a finding of guilt of the Accused Dragan Nikolić, based merely on the Accused’s guilty plea and the agreed factual basis,

NOTING that, in contrast to a full hearing, the Trial Chamber has had no access to the full picture of the personality of the Accused, *inter alia* through submissions by the Parties, witness testimonies etc, and that the Trial Chamber has to base its findings following a plea agreement merely on the presented factual basis, and not on contemporaneous evidence granting at the same time at least some access to the Accused’s socialisation,

NOTING the Scheduling Order of 11 September 2003, according to which a sentencing hearing will be held from 3 to 7 November 2003,

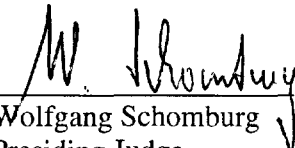
CONSIDERING that it is therefore necessary to receive an expert report on the Accused’s socialisation, which provides *inter alia* details on the accused’s childhood, conditions under which he grew up, school and work career and relations with friends and family until today,

CONSIDERING that the Accused has consented to and will co-operate with an expert in order to have such a report prepared,

PURSUANT TO Rules 54, 90 (C), 94 *bis*, 98 second sentence and 100 of the Rules,

HEREBY ORDERS the Registrar to appoint such an expert to submit a report on the Accused's socialisation and **REQUESTS** that such a report is submitted at the latest on Monday 20 October 2003.

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


Wolfgang Schomburg
Presiding Judge

Dated this second day of October 2003
At The Hague
The Netherlands

[Seal of the Tribunal]