

**UNITED
NATIONS**

IT-02-61-S
D 454- D452
03 October 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-02-61-S

Date: 3 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

Order of: 3 October 2003

PROSECUTOR

v.

MIROSLAV DERONJIĆ

SCHEDULING ORDER

The Office of the Prosecutor:

Mr Mark Harmon

Counsel for the Accused:

Mr Slobodan Cvijetić
Mr Slobodan Zečević

THIS 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 (“International Tribunal”),

NOTING the Filing of Documents in Preparation for Status Conference, consisting of a Plea Agreement, a Proposed Second Amended Indictment and a Factual Basis, filed by the Prosecution on 30 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 30 September 2003, the Trial Chamber entered a finding of guilt of the Accused Miroslav Deronjić, based merely on the Accused’s guilty plea and the agreed factual basis,

RECALLING the oral decision on the scheduling of the sentencing hearing and the submission of the sentencing briefs by Parties, made by the Trial Chamber during the Status Conference,

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 that Article 24 (2) of the Statute requires that “[i]n imposing the sentences, the Trial Chambers should take into account such factors as the gravity of the offence and the individual circumstances of the convicted person”,

CONSIDERING that it is therefore necessary to receive an expert report on the Accused’s socialization, 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 DESIGNATES Judge Florence Mumba as the pre-sentencing Judge in these proceedings

and

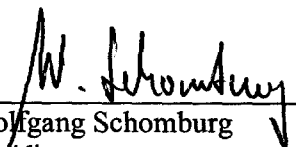
ORDERS:

1. That Parties shall file their sentencing briefs and provide statements of any witnesses they might call in relation to the sentencing hearing as well as any other relevant information that may assist the Trial Chamber in determining the appropriate sentence, not later than Thursday, 18 December 2003,
2. That the Registrar appoints such an expert to submit a report on the Accused's socialisation and,
3. That the expert submits the report to the Trial Chamber not later than Thursday, 18 December 2003,
4. That the sentencing hearing be held from 27 to 30 January 2004.

Done in both English and French, the English text being authoritative.

Dated this third day of October 2003

At The Hague,
The Netherlands



Wolfgang Schomburg
Presiding

[Seal of the Tribunal]