



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-04-84-A
Date: 23 July 2010
Original: English

IN THE APPEALS CHAMBER

Before: Judge Patrick Robinson, Presiding
Judge Fausto Pocar
Judge Liu Daqun
Judge Andrézia Vaz
Judge Theodor Meron

Registrar: Mr. John Hocking

Corrigendum of: 23 July 2010

PROSECUTOR

v.

**RAMUSH HARADINAJ
IDRIZ BALAJ
LAHI BRAHIMAJ**

PUBLIC

CORRIGENDUM TO JUDGEMENT OF 19 JULY 2010

The Office of the Prosecutor:

Mr. Peter Kremer
Mr. Marwan Dalal
Ms. Elena Martin Salgado

Counsel for the Accused:

Mr. Ben Emmerson and Mr. Rodney Dixon for Ramush Haradinaj
Mr. Gregor Guy-Smith and Ms. Colleen Rohan for Idriz Balaj
Mr. Richard Harvey and Mr. Paul Troop for Lahi Brahimaj

I, Patrick Robinson, Presiding Judge of the Appeals 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 (“Appeals Chamber” and “Tribunal” respectively),

NOTING the “Judgement”, issued by the Appeals Chamber on 19 July 2010 in the above-captioned case (“Appeal Judgement”);

NOTING that two clerical errors were inadvertently included in the Appeal Judgement;

ON THE BASIS OF THE FOREGOING,

HEREBY ORDER, with the consent of the Bench in this case, that the Appeal Judgement shall be amended as follows:

1. The second sentence of paragraph 45 of the Appeal Judgement shall read:

The decisions not to hear the other witness or allow additional time were especially harmful given that the other witness reportedly provided equivocal answers on whether he would have provided testimony,¹⁴⁶ leaving open the possibility that, once in front of the video-conference link, he would eventually have testified.

2. The last sentence of paragraph 46 of the Appeal Judgement shall read:

Given the difficulties in obtaining evidence from the other witness,¹⁴⁹ and the context of intimidation faced by all witnesses,¹⁵⁰ this decision again inappropriately prioritised logistical considerations over the Trial Chamber’s duty to safeguard the fairness of the proceedings.

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

Dated this twenty-third day of July 2010
At The Hague
The Netherlands



Judge Patrick Robinson
Presiding

[Seal of the Tribunal]

¹⁴⁶ See T. 10633-10635 (13 November 2007) (Open Session).

¹⁴⁹ See Trial Judgement, Appendix A (Procedural History), para. 24.

¹⁵⁰ See Trial Judgement, para. 22.