

IN THE APPEALS CHAMBER

Before:

**Judge Wolfgang Schomburg
Judge Fausto Pocar
Judge Florence Ndepele Mwachande Mumba
Judge Mehmet Güney
Judge Inés Mónica Weinberg de Roca**

Registrar:

Mr. Hans Holthuis

Corrigendum of:

26 January 2005

PROSECUTOR

v.

**DARIO KORDIC
AND
MARIO CERKEZ**

CORRIGENDUM TO JUDGEMENT OF 17 DECEMBER 2004

The Office of the Prosecutor:

**Mr. Norman Farrell
Ms. Helen Brady
Ms. Marie-Ursula Kind
Ms. Michelle Jarvis**

Counsel for Dario Kordic:

**Mr. Mitko Naumovski
Mr. Turner T. Smith, Jr.
Mr. Stephen M. Sayers**

Counsel for Mario Cerkez:

**Mr. Božidar Kovacic
Mr. Goran Mikulicic**

I, WOLFGANG SCHOMBURG, a 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 ("International Tribunal");

CONSIDERING the Judgement rendered by the Appeals Chamber on 17 December 2004 in *Prosecutor v. Dario Kordic and Mario Cerkez*, Case No. IT-95-14/2-A ("Appeals Judgement");

NOTING that the Appeals Judgement contains clerical errors; specifically

– paragraph 54, first sentence, should read:

"The Appeals Chamber clarifies that the prohibition against attacking civilians and civilian objects may not be derogated from because of military necessity."

– footnote 55 should read: "*Nuclear Weapons* Case, para. 78."

– footnote 685 should read: "See *supra* para. 464.";

ON THE BASIS OF THE FOREGOING,

HEREBY ORDER with the consent of the Bench in this case that the Appeals Judgement shall be amended to read as set out above.

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

Dated this twenty-sixth day of January 2005,

At The Hague,
The Netherlands.

Judge Wolfgang Schomburg

[Seal of the Tribunal]