



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-95-5/18-T
Date: 24 June 2013
Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Order of: 24 June 2013

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**CORRIGENDUM TO THE TRIAL CHAMBER'S DECISION ON FIRST PROSECUTION
MOTION FOR JUDICIAL NOTICE OF ADJUDICATED FACTS**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Standby Counsel

Mr. Richard Harvey

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 (“Tribunal”), *ex proprio motu*, issues this corrigendum to the “Decision on First Prosecution Motion for Judicial Notice of Adjudicated Facts”, issued on 5 June 2009 (“Decision”).

1. On 27 October 2008, the Office of the Prosecutor (“Prosecution”) filed the “First Prosecution Motion for Judicial Notice of Adjudicated Facts” (“Motion”), requesting the Chamber to take judicial notice, pursuant to Rule 94(B) of the Tribunal’s Rules of Procedure and Evidence (“Rules”), of a number of facts which were adjudicated by the Trial and Appeals Chambers in the *Galić* case.¹

2. Following the filing of the Accused’s response opposing the Motion,² the Prosecution filed on 6 April 2009 the “Prosecution Reply to the ‘Response to First Prosecution Motion for Judicial Notice of Adjudicated Facts’ and Further Corrigendum to First Prosecution Motion for Judicial Notice of Adjudicated Facts” (“Reply”), in which it, *inter alia*, withdrew a number of proposed adjudicated facts from the Motion.³

3. On 21 June 2013, the Prosecution informally brought to the Chamber’s attention that the Chart attached as Annex to the Decision (“Chart”) incorrectly lists proposed adjudicated fact 236 as one of those withdrawn by the Prosecution in the Reply, despite it not being the case.⁴

4. The Chamber notes that, in the Decision, it correctly noted the proposed adjudicated facts which had been withdrawn by the Prosecution in the Reply.⁵ Further, the Chamber analysed proposed adjudicated fact 236, and decided to take judicial notice of it.⁶ However, in the Chart, proposed adjudicated fact 236 is incorrectly listed as withdrawn.⁷

¹ Motion, para. 1.

² Response to First Prosecution Motion for Judicial Notice of Adjudicated Facts, 30 March 2009.

³ Reply, paras. 2, 7, 9.

⁴ This notification was made through email correspondence sent to the Chamber’s Legal Officer on 21 June 2013.

⁵ Decision, para. 10.

⁶ Decision, paras. 33, 39.

⁷ Chart, p. 31.

5. Accordingly, the Chamber, pursuant to Rules 54 and 94(B) of the Rules, hereby:

(A) **CONFIRMS** that it has taken judicial notice of proposed adjudicated fact 236;
and

(B) **ORDERS** that the relevant row of page 31 of the Chart shall read as follows:

236.	Witness AG and Witness AH stopped to look at a shoe-shop window on Miljenka Cvikovica Street.
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Done in English and French, the English text being authoritative.



Judge O-Gon Kwon
Presiding

Dated this twenty-fourth day of June 2013
At The Hague
The Netherlands

[Seal of the Tribunal]