



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-95-13/1-ES
Date: 12 June 2012
Original: English

THE PRESIDENT OF THE TRIBUNAL

Before: Judge Theodor Meron, President
Registrar: Mr. John Hocking
Decision of: 12 June 2012

PROSECUTOR

v.

VESELIN ŠLJIVANČANIN

PUBLIC

**CORRIGENDUM TO AND
DECISION ON MOTION FOR RECTIFICATION OF
DECISION OF PRESIDENT ON EARLY RELEASE OF
VESELIN ŠLJIVANČANIN**

The Office of the Prosecutor:

Mr. Serge Brammertz

Counsel for Veselin Šljivančanin:

Mr. Novak Lukić
Mr. Stéphane Bourgon

I, THEODOR MERON, President 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 “Decision of President on Early Release of Veselin Šljivančanin” filed on 5 July 2011 (“Early Release Decision”);

BEING SEISED OF the “Motion for Rectification of Šljivančanin’s Early Release Decision” filed by Veselin Šljivančanin on 14 May 2012 (“Motion”), in which Mr. Šljivančanin submits that paragraph 10 of the Early Release Decision contains a factual error and requests rectification of that error;¹

NOTING that the Prosecution has not filed a response to the Motion;

NOTING that Trial Chamber II of the Tribunal (“Trial Chamber”) convicted Mr. Šljivančanin of a single count of “[t]orture, a violation of the laws or customs of war, under Article 3 of the Statute, for having aided and abetted the torture of prisoners of war at the hangar at Ovčara on 20 November 1991”;²

NOTING that this conviction was affirmed by the Appeals Chamber of the Tribunal;³

NOTING that the Early Release Decision states that “the Trial Chamber convicted Mr. Šljivančanin, pursuant to Article 7(1) of the Statute, of a single count of persecution, as a violation of the laws or customs of war, under Article 3 of the Statute, for having aided and abetted the torture of prisoners of war at the hangar at Ovčara on 20 November 1991”;⁴

CONSIDERING that the reference to Mr. Šljivančanin’s conviction for “persecution” in paragraph 10 of the Early Release Decision constitutes an inadvertent clerical error;

HEREBY GRANT the Motion; and

ORDER that the word “persecution” in paragraph 10 of the Early Release Decision be replaced by the word “torture”.

¹ Motion, paras 1, 3-4, 8, p. 3.

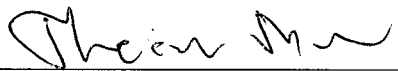
² *Prosecutor v. Mile Mrkšić et al.*, Case No. IT-95-13/1-T, Judgement, 27 September 2007 (“Trial Judgement”), para. 715.

³ *Prosecutor v. Mile Mrkšić and Veselin Šljivančanin*, Case No. IT-95-13/1-A, Judgement, 5 May 2009, p. 169. *See also* *Prosecutor v. Veselin Šljivančanin*, Case No. IT-95-13/1-R.1, Review Judgement, 8 December 2010, para. 37.

⁴ Early Release Decision, para. 10, referring to Trial Judgement, para. 715.

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

Dated this 12th day of June 2012,
At The Hague,
The Netherlands.



Judge Theodor Meron
President

[Seal of the Tribunal]