

# ERRATA-HINWEISE:

## Essentialia Legis Public International Law – 1. Auflage

### Betroffene Texte

- I. Charter of the United Nations (Ordnungsnummer 1) und
- II. Rome Statute of the International Criminal Court (Ordnungsnummer 59).

### I.

Die Charter of the United Nations (Ordnungsnummer 1) ist in ihrer ursprünglichen Fassung abgedruckt. Dadurch ergeben sich folgende Fehler:

#### 1. Artikel 23:

- a. In Absatz 1 Satz 1 müsste es „fifteen“ statt „eleven“ heißen.
- b. In Absatz 1 Satz 3 müsste es „ten“ statt „six“ heißen.
- c. In Absatz 2 müsste es „after the increase of the membership of the Security Council from eleven to fifteen, two of the four additional members“ statt „, however, three“ heißen.

#### 2. Artikel 27

In Absatz 2 und 3 müsste es „nine“ statt „seven“ heißen.

#### 3. Artikel 61

- a. In Absatz 1 müsste es „fifty-four“ statt „eighteen“ heißen.
- b. In Absatz 2 müsste es „eighteen“ statt „six“ heißen.
- c. Absatz 3 müsste wie folgt lauten: „At the first election after the increase in the membership of the Economic and Social Council from twenty-seven to fifty-four members, in addition to the members elected in place of the nine members whose term of office expires at the end of that year, twenty-seven additional members shall be elected. Of these twenty-seven additional members, the term of office of nine members so elected shall expire at the end of one year, and of nine other members at the end of two years, in accordance with arrangements made by the General Assembly.“

#### 4. Artikel 109

In Absatz 1 Satz 1 müsste es „nine“ statt „seven“ heißen.

### II.

Das Rome Statute of the International Criminal Court (Ordnungsnummer 59) ist in seiner ursprünglichen Fassung abgedruckt. Dadurch ergeben sich folgende Fehler:

#### 1. Artikel 5

Absatz 2 wurde gestrichen.

#### 2. Artikel 8

In Absatz 2 fehlen

- a. in Buchstabe b) nach Ziffer (xvi) folgende Ziffern (xvii) bis (xviii):
  - „(xvii) *Employing weapons, which use microbial or other biological agents, or toxins, whatever their origin or method of production.*
  - (xviii) *Employing weapons the primary effect of which is to injure by fragments which in the human body escape detection by X-rays.*
  - (xix) *Employing laser weapons specifically designed, as their sole combat function or as one of their combat functions, to cause permanent blindness to unenhanced vision, that is to the naked eye or to the eye with corrective eyesight devices.“*
- b. in Buchstabe e) nach Ziffer (xii) folgende Ziffern (xiii) bis (xviii):
  - „(xiii) *Employing poison or poisoned weapons;*
  - (xiv) *Employing asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices;*

- (xv) *Employing bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions;*
- (xvi) *Employing weapons, which use microbial or other biological agents, or toxins, whatever their origin or method of production.*
- (xvii) *Employing weapons the primary effect of which is to injure by fragments which in the human body escape detection by X-rays.*
- (xviii) *Employing laser weapons specifically designed, as their sole combat function or as one of their combat functions, to cause permanent blindness to unenhanced vision, that is to the naked eye or to the eye with corrective eyesight devices.“*

### 3. Artikel 8<sup>bis</sup>

Nach Artikel 8 fehlt folgender Artikel 8<sup>bis</sup>:

#### **„Article 8<sup>bis</sup> Crime of aggression**

1. *For the purpose of this Statute, “crime of aggression” means the planning, preparation, initiation or execution, by a person in a position effectively to exercise control over or to direct the political or military action of a State, of an act of aggression which, by its character, gravity and scale, constitutes a manifest violation of the Charter of the United Nations.*

2. *For the purpose of paragraph 1, “act of aggression” means the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations. Any of the following acts, regardless of a declaration of war, shall, in accordance with United Nations General Assembly resolution 3314 (XXIX) of 14 December 1974, qualify as an act of aggression:*

- (a) *The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof;*
- (b) *Bombardment by the armed forces of a State against the territory of another State or the use of any weapons by a State against the territory of another State;*
- (c) *The blockade of the ports or coasts of a State by the armed forces of another State;*
- (d) *An attack by the armed forces of a State on the land, sea or air forces, or marine and air fleets of another State;*
- (e) *The use of armed forces of one State which are within the territory of another State with the agreement of the receiving State, in contravention of the conditions provided for in the agreement or any extension of their presence in such territory beyond the termination of the agreement;*
- (f) *The action of a State in allowing its territory, which it has placed at the disposal of another State, to be used by that other State for perpetrating an act of aggression against a third State;*
- (g) *The sending by or on behalf of a State of armed bands, groups, irregulars or mercenaries, which carry out acts of armed force against another State of such gravity as to amount to the acts listed above, or its substantial involvement therein.”*

### 4. Artikel 9

In Absatz 1 müsste es „articles 6, 7, 8 and 8<sup>bis</sup>“ statt „articles 6, 7 and 8“ heißen.

### 5. Artikel 15<sup>bis</sup> und 15<sup>ter</sup>

Nach Artikel 15 fehlen folgende Artikel 15<sup>bis</sup> und 15<sup>ter</sup>:

#### **„Art. 15<sup>bis</sup> Exercise of jurisdiction over the crime of aggression (State referral, proprio motu)**

1. *The Court may exercise jurisdiction over the crime of aggression in accordance with article 13, paragraphs (a) and (c), subject to the provisions of this article.*

2. *The Court may exercise jurisdiction only with respect to crimes of aggression committed one year after the ratification or acceptance of the amendments by thirty States Parties.*

3. *The Court shall exercise jurisdiction over the crime of aggression in accordance with this article, subject to a decision to be taken after 1 January 2017 by the same majority of States Parties as is required for the adoption of an amendment to the Statute.*

4. *The Court may, in accordance with article 12, exercise jurisdiction over a crime of aggression, arising from an act of aggression committed by a State Party, unless that State Party has previously declared that it does not accept such jurisdiction by lodging a declaration with the Registrar. The withdrawal of such a declaration may be effected at any time and shall be considered by the State Party within three years.*

5. *In respect of a State that is not a party to this Statute, the Court shall not exercise its jurisdiction over the crime of aggression when committed by that State’s nationals or on its territory.*

6. *Where the Prosecutor concludes that there is a reasonable basis to proceed with an investigation in respect of a crime of aggression, he or she shall first ascertain whether the Security Council has made a determination of an act of aggression committed by the State concerned. The Prosecutor shall notify the*

*Secretary-General of the United Nations of the situation before the Court, including any relevant information and documents.*

*7. Where the Security Council has made such a determination, the Prosecutor may proceed with the investigation in respect of a crime of aggression.*

*8. Where no such determination is made within six months after the date of notification, the Prosecutor may proceed with the investigation in respect of a crime of aggression, provided that the Pre-Trial Division has authorized the commencement of the investigation in respect of a crime of aggression in accordance with the procedure contained in article 15, and the Security Council has not decided otherwise in accordance with article 16.*

*9. A determination of an act of aggression by an organ outside the Court shall be without prejudice to the Court's own findings under this Statute.*

*10. This article is without prejudice to the provisions relating to the exercise of jurisdiction with respect to other crimes referred to in article 5.*

***Art. 15<sup>ter</sup> Exercise of jurisdiction over the crime of aggression (Security Council referral)***

*1. The Court may exercise jurisdiction over the crime of aggression in accordance with article 13, paragraph (b), subject to the provisions of this article.*

*2. The Court may exercise jurisdiction only with respect to crimes of aggression committed one year after the ratification or acceptance of the amendments by thirty States Parties.*

*3. The Court shall exercise jurisdiction over the crime of aggression in accordance with this article, subject to a decision to be taken after 1 January 2017 by the same majority of States Parties as is required for the adoption of an amendment to the Statute.*

*4. A determination of an act of aggression by an organ outside the Court shall be without prejudice to the Court's own findings under this Statute.*

*5. This article is without prejudice to the provisions relating to the exercise of jurisdiction with respect to other crimes referred to in article 5."*

**6. Artikel 20**

In Absatz 1 müsste es „articles 6, 7, 8 or 8<sup>bis</sup>“ statt „articles 6, 7 or 8“ heißen.

**7. Artikel 25**

Nach Absatz 3 fehlt folgender Abs. 3<sup>bis</sup>:

*„3<sup>bis</sup>. In respect of the crime of aggression, the provisions of this article shall apply only to persons in a position effectively to exercise control over or to direct the political or military action of a State.“*

**8. Artikel 124**

wurde gestrichen.

**Wir bitten wegen der Fehler um Entschuldigung. Solltest du ein Exemplar einer Auflage gekauft haben, in der ein Fehler enthalten ist, kannst du von uns einen Aufkleber erhalten, mit dem du den Fehler ausbessern kannst. Du kannst einen Aufkleber ganz einfach über unser Kontaktformular oder unsere E-Mailadresse anfordern. Die Nachbesserung ist für dich selbstverständlich kostenlos. Gerne kannst du dich so auch mit weiteren Fragen an uns wenden.**