



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-02-54-R77.5-A

Date: 9 October 2009

Original: English

IT-02-54-R77.5-A
A119 - A118
09 OCTOBER 2009

119
SF

IN THE APPEALS CHAMBER

Before: Judge Patrick Robinson, Presiding
Judge Andréia Vaz
Judge Theodor Meron
Judge Burton Hall
Judge Howard Morrison

Registrar: Mr John Hocking

Decision of: 9 October 2009

**IN THE CASE AGAINST
FLORENCE HARTMANN**

PUBLIC

DECISION ON MOTION TO STAY PAYMENT OF FINE

Counsel for the Appellant

Mr. Karim A. A. Kahn, Lead Counsel
Mr. Guénaél Mettraux, Co-Counsel

Amicus Curiae Prosecutor

Mr. Bruce Mac Farlane, QC

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 “International Tribunal,” respectively),

NOTING the “Judgement on Allegations of Contempt” (“Judgement”), issued by the Specially Appointed Chamber (“Chamber”) on 14 September 2009, in which the Chamber found Florence Hartmann guilty of contempt of court and imposed a fine of 7,000 Euros to be paid in two installments of 3,500 Euros each, the first to be paid by 14 October 2009 and the second to be paid by 14 November 2009;¹

NOTING the confidential “Notice of Appeal of Florence Hartmann Against the Judgment of the Specially Appointed Trial Chamber” (“Appeal”), filed by Counsel for Florence Hartmann (“Appellant”) on 24 September 2009;²

BEING SEIZED of the “Motion for Stay of Payment of Fine”, filed confidentially by the Appellant on 29 September 2009, in which the Appellant requests that the Appeals Chamber grant a suspension of her obligation of payment of fines until a judgement has been rendered by the Appeals Chamber on her appeal;

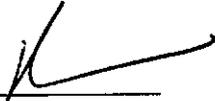
NOTING that the urgency of the matter requires immediate action by the Appeals Chamber;

CONSIDERING that the Appeal has not yet been heard;

DECIDES that the payment of a fine, if any, shall not be due before the Appeals Chamber has rendered its decision on the Appeal.

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

Done this 9th day of October 2009,
At The Hague,
The Netherlands.



Judge Patrick Robinson
Presiding Judge

[Seal of the International Tribunal]

¹ Judgement, para. 90.
² A public version of the Notice of Appeal was filed on the same day.