

22 DECEMBER 1998  
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UNITED  
NATIONS



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-95-14/1-AR77

Date: 22 December 1998

Original: English

**BEFORE A BENCH OF THE APPEALS CHAMBER**

**Before:** Judge Richard May, Presiding  
Judge Wang Tieya  
Judge David Hunt

**Registrar:** Mrs. Dorothee de Sampayo Garrido-Nijgh

**Decision of:** 22 December 1998

**PROSECUTOR**

v.

**ZLATKO ALEKSOVSKI**

**DECISION ON APPLICATION OF MR. NOBILO FOR LEAVE TO APPEAL  
THE TRIAL CHAMBER FINDING OF CONTEMPT**

**Office of the Prosecutor:**

Mr. Grant Niemann  
Mr. Anura Meddogoda

**Other parties:**

Mr. Anto Nobile

**Counsel for the Accused:**

Mr. Goran Mikuličić  
Mr. Srdan Joka

Case No. IT-95-14/1-AR77

22 December 1998

**THIS BENCH OF 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 (“the International Tribunal”),

**NOTING** the confidential application filed by Mr. Anto Nobile on 18 December 1998 pursuant to Rule 77 of the Rules of Procedure and Evidence of the International Tribunal (“Rules”) seeking to appeal the Finding of Trial Chamber I of 11 December 1998 in Case No. IT-95-14/1-T, *Prosecutor v. Zlatko Aleksovski*, by which Mr. Nobile was found to be in contempt of the International Tribunal (“the Request for leave to appeal”),

**NOTING** that this Bench does not consider the Office of the Prosecutor (“Prosecution”) to be a party to the contempt proceedings and that, therefore, the Bench may determine the Request for leave to appeal on the basis of the application from Mr. Nobile alone,

**CONSIDERING** that the Bench is satisfied that good cause or good grounds have been shown for leave to appeal to be granted in that the proper interpretation of the expression “in knowing violation” of an Order of a Chamber and the obligations imposed on counsel appearing before the International Tribunal are matters of general importance to proceedings before the International Tribunal or in international law generally,

**HEREBY GRANTS** the Request for leave to appeal.

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



Richard May  
Presiding

Dated this twenty-second day of December 1998  
At The Hague  
The Netherlands

[Seal of the Tribunal]