



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  
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**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**

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**DECISION ON MOTION TO STAY PAYMENT OF FINE**

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**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;<sup>1</sup>

**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;<sup>2</sup>

**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.

  
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Judge Patrick Robinson  
Presiding Judge

**[Seal of the International Tribunal]**

<sup>1</sup> Judgement, para. 90.

<sup>2</sup> A public version of the Notice of Appeal was filed on the same day.