



Original: English

No. ICC-01/14-01/18 A

Date: 1 August 2025

THE APPEALS CHAMBER

Before:
Judge Solomy Balungi Bossa, Presiding
Judge Luz del Carmen Ibáñez Carranza
Judge Kimberly Prost
Judge Gocha Lordkipanidze
Judge Erdenebalsuren Damdin

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

**IN THE CASE OF THE PROSECUTOR v. ALFRED YEKATOM AND
PATRICE-EDOUARD NGAÏSSONA**

Public document

**Decision on requests for extension of time limits for notices of appeal and appeal
briefs against the decision of Trial Chamber V entitled “Judgment”**

Decision to be notified in accordance with regulation 31 of the Regulations of the Court to:

☒ **The Office of the Prosecutor**

☒ **Counsel for the Defence**

D29

D30

☒ **Legal Representatives of the Victims**

V44

V45

☐ **Legal Representatives of the Applicants**

☐ **Unrepresented Victims**

☐ **Unrepresented Applicants
(Participation/Reparation)**

☒ **The Office of Public Counsel for
Victims**

☐ **The Office of Public Counsel for the
Defence**

☐ **States' Representatives**

☐ **Amicus Curiae**

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and Reparations
Section**

☐ **Other**

The Appeals Chamber of the International Criminal Court,

Having before it the “Request for Extension of Time to File the Notice of Appeal and Appeal Brief” of 28 July 2025 (ICC-01/14-01/18-2789) against the decision of Trial Chamber V entitled “Judgment” of 24 July 2025 (ICC-01/14-01/18-2784-Red),

Having before it the “Ngaïssona Defence Response to the ‘Request for Extension of Time to File the Notice of Appeal and Appeal Brief’, ICC-01/14-01/18-2789” of 29 July 2025 (ICC-01/14-01/18-2790),

Having before it the “Prosecution’s Response to Mr. Yekatom’s and Mr. Ngaïssona’s requests for extension of time to file their notices of appeal and appeal briefs (ICC-01/14-01/18-2789 A, ICC-01/14-01/18-2790 A)” of 30 July 2025 (ICC-01/14-01/18-2791),

Renders, pursuant to rule 150(2) of the Rule of Procedure and Evidence and regulation 35(2) of the Regulations of the Court, the following

DECISION

1. The time limit for the filing of notices of appeal against the “Judgment” of 24 July 2025 (ICC-01/14-01/18-2784-Red) is extended to 16h00 on Friday, 26 September 2025.
2. The time limit for the filing of appeal briefs against the “Judgment” is extended to 16h00 on Tuesday, 25 November 2025.
3. The Language Services Section of the Registry shall, by 16h00 on Thursday, 28 August 2025, inform the Appeals Chamber of the estimated time to deliver the translated sections of the “Judgment” (ICC-01/14-01/18-2784-Conf), identified as essential by the Defence for Mr Yekatom and the Defence for Mr Ngaïssona.
4. The Defence for Mr Yekatom and the Defence for Mr Ngaïssona may seek a variation of grounds of appeal, under regulation 61 of the Regulations of the Court, within 14 days of the receipt of the translation of the last essential

portion of the “Judgment”, should such translation not be available at the time when the Defence Teams file their respective notices of appeal.

REASONS

I. PROCEDURAL HISTORY

1. On 24 July 2025, Trial Chamber V (hereinafter: “Trial Chamber”) rendered the “Judgment” (hereinafter: “Trial Decision”).¹

2. On 28 July 2025, the Defence for Mr Alfred Rombhot Yekatom (hereinafter: “Yekatom Defence”) filed a request for the extension of time limits for its notice of appeal and appeal brief against the Trial Decision (hereinafter: “Yekatom Defence Request”).²

3. On 29 July 2025, the Defence for Mr Patrice-Edouard Ngaïssona (hereinafter: “Ngaïssona Defence”) filed its response to the Yekatom Defence Request, in which it joins that request (hereinafter: “Ngaïssona Defence Request”).³

4. On 30 July 2025, the Deputy Prosecutor filed his response (hereinafter: “Deputy Prosecutor’s Response”), supporting the requests by the Yekatom Defence and the Ngaïssona Defence (collectively hereinafter: “Defence Teams”) and requesting to be granted the same extension.⁴

II. MERITS

5. The Defence Teams request that the time limit for the filing of notices of appeal against the Trial Decision be extended to 22 October 2025, that is by 35 days, to start running after the end of the summer judicial recess.⁵ In their views, the Requests meet the criterion of “good cause” in terms of rule 150(2) of the Rule of Procedure and Evidence (hereinafter: “Rules”) and regulation 35(2) of the Regulations of the Court

¹ ICC-01/14-01/18-2784-Conf with Annexes A and B; public redacted version filed on the same day ([ICC-01/14-01/18-2784-Red](#)).

² Request for Extension of Time to File the Notice of Appeal and Appeal Brief, ICC-01/14-01/18-2789.

³ Ngaïssona Defence Response to the “Request for Extension of Time to File the Notice of Appeal and Appeal Brief”, ICC-01/14-01/18-2789, ICC-01/14-01/18-2790.

⁴ Prosecution’s Response to Mr. Yekatom’s and Mr. Ngaïssona’s requests for extension of time to file their notices of appeal and appeal briefs (ICC-01/14-01/18-2789 A, ICC-01/14-01/18-2790 A), ICC-01/14-01/18-2791, paras 1, 5, 7.

⁵ Yekatom Defence Request, paras 1, 34; Ngaïssona Defence Request, paras 2-4, 36.

(hereinafter: “Regulations”) for an extension of the time limit, due to: (i) the length of the Trial Decision;⁶ (ii) the complexity of the Trial Decision;⁷ (iii) the need to translate into French the critical parts of the Trial Decision;⁸ (iv) a burden on the Defence Teams due to the inclusion in the Trial Decision of determinations on both conviction and sentence;⁹ and (v) limitations to the availability of members of the Defence Teams during the summer judicial recess.¹⁰ In addition, the Ngaïssona Defence submits that some of its members are on parental leave.¹¹

6. Arguing that the above factors also apply to the time limit under regulation 58 of the Regulations, the Defence Teams further request that the time limit for the filing of appeal briefs against the Trial Decision be extended so that it falls 60 days after the submission of their notices of appeal.¹²

7. The Deputy Prosecutor submits that he does not oppose these requests, which, in his view, “are supported by good cause”, and requests an equivalent extension for filing any notice of appeal and appeal brief on his own behalf.¹³

8. Pursuant to rule 150(2) of the Rules and regulation 35(2) of the Regulations, the Appeals Chamber may extend the time limits for the filing of a notice of appeal and an appeal brief against a conviction decision and a sentence. It may do so if “good cause” is shown.

9. The Appeals Chamber considers that the reasons advanced by the Defence Teams and the Deputy Prosecutor in support of their requests, as summarised above, demonstrate “good cause”, justifying an extension of the time limit for the filing of notices of appeal and appeal briefs. In particular, the Appeals Chamber takes note of the unprecedented length of the Trial Decision.¹⁴ It finds it relevant in this regard that

⁶ Yekatom Defence Request, paras 2, 7-8, 32; Ngaïssona Defence Request, paras 4, 8-9, 12-13.

⁷ Yekatom Defence Request, paras 2, 11-14, 32; Ngaïssona Defence Request, paras 4, 8-9, 14-23.

⁸ Yekatom Defence Request, paras 2, 15-19, 33; Ngaïssona Defence Request, paras 24-27.

⁹ Yekatom Defence Request, paras 2, 21-23, 32; Ngaïssona Defence Request, paras 10-11.

¹⁰ Yekatom Defence Request, paras 2, 24-25, 33; Ngaïssona Defence Request, paras 4, 28-29.

¹¹ Ngaïssona Defence Request, paras 30-33.

¹² Yekatom Defence Request, paras 1, 29-31; Ngaïssona Defence Request, paras 2-4, 36.

¹³ Deputy Prosecutor’s Response, paras 4-5, 7.

¹⁴ See Appeals Chamber, *The Prosecutor v. Germain Katanga*, [Decision on the requests of Mr Germain Katanga and the Prosecutor relating to the time limits for their filings on appeal](#), 4 April 2014, ICC-01/04-01/07-3454 (A), para. 18; Appeals Chamber, *The Prosecutor v. Bosco Ntaganda*, [Decision on Mr Bosco Ntaganda’s and the Prosecutor’s requests for time extension for the notice of appeal and the appeal](#)

the Trial Decision contains the Trial Chamber’s determinations on both conviction and sentence.¹⁵ The Appeals Chamber notes, however, that unlike in cases where proceedings on sentence continued after the rendering of a conviction decision, in the present case the parties need not make submissions in such proceedings and simultaneously prepare their notices of appeal or appeal briefs.¹⁶ The Appeals Chamber also takes note of the Defence Teams’ submissions on their respective team members’ limited availability during the judicial recess.¹⁷

10. The Defence Teams further point to the present unavailability of a translation of the Trial Decision into a language which Mr Yekatom and Mr Ngaïssona fully understand and speak.¹⁸ The Appeals Chamber recalls in this regard that pursuant to article 67(1)(b) and (f) of the Statute, “the accused shall be entitled [...] [t]o have adequate time and facilities for the preparation of the defence”, and “[t]o have [...] such translations as are necessary to meet the requirements of fairness, if any of the proceedings of or documents presented to the Court are not in a language which the accused fully understands and speaks”. According to rule 144(2)(b) of the Rules, a copy of the decision of a trial chamber concerning the “criminal responsibility of the accused” and “sentence” shall be provided as soon as possible to “[t]he accused, in a language he or she fully understands or speaks, if necessary to meet the requirements of fairness under article 67, paragraph 1 (f)”.

11. The Appeals Chamber recalls, however, that

[article 67(1)(f) of the Statute] does not, *per se*, require that a full translation of the decision under article 74 of the Statute be provided to a convicted person before filing a notice of appeal. In this regard, the Appeals Chamber considers that it must also take into account the circumstances as a whole and the

[brief](#), 19 July 2019, ICC-01/04-02/06-2364 (A) (hereinafter: “*Ntaganda Extension Decision*”), para. 5; Appeals Chamber, *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, [Decision on the Defence’s “Request for Extension of Time to File the Notice of Appeal” against the decision of Trial Chamber X entitled “Trial Judgment”](#), 12 July 2024, ICC-01/12-01/18-2606 (A), para. 12.

¹⁵ Yekatom Defence Request, paras 2, 21-23, 32; Ngaïssona Defence Request, paras 10-11. *See also* Deputy Prosecutor’s Response, para. 4.

¹⁶ Ngaïssona Defence Request, para. 11. *See* [Ntaganda Extension Decision](#), para. 5.

¹⁷ Yekatom Defence Request, paras 2, 24-25, 33; Ngaïssona Defence Request, paras 4, 28-29. *See* [Ntaganda Extension Decision](#), paras 6-7.

¹⁸ Yekatom Defence Request, paras 2, 15-19, 33; Ngaïssona Defence Request, paras 24-27.

convicted person's ability to understand the details of his conviction by other means.¹⁹

12. The Appeals Chamber notes the Defence Teams' submission that no estimate as to the time required for the translation of the Trial Decision is available at this point.²⁰ Nor is it known which portions of the Trial Decision will be translated as a matter of priority. It is nonetheless clear that no full translation of the most essential parts of the Trial Decision is likely to be ready before the expiry of the time limit for a notice of appeal. The Appeals Chamber therefore finds the unavailability of a version of the Trial Decision in a language which the future appellants understand and speak to be a relevant factor in its determination of whether "good cause" has been shown for the extension of time sought by the parties. However, it also takes note of the Defence Teams' stated ability to prepare internal translations and to communicate details of Mr Yekatom's and Mr Ngaïssona's conviction and sentence by means of individual meetings and telephone conversations.²¹ The Appeals Chamber also recalls that, pursuant to regulation 61 of the Regulations, the appellant may seek a variation of the grounds of appeal. In the circumstances of the present case, the Appeals Chamber finds that, given that the translation of essential portions of the Trial Decision may not be available at the time when the notices of appeal are filed, it is appropriate to highlight that the Defence Teams may, if they so wish, seek a variation under regulation 61 of the Regulations, within 14 days of the receipt of the translation of the last essential portion of the Trial Decision, should such translation not be available at the time when the Defence Teams file their respective notices of appeal.

13. For the foregoing reasons, the Appeals Chamber considers that good cause has been shown warranting an extension of the time limit for the filing of notices of appeal and appeal briefs, although shorter than that sought by the parties. In the circumstances of this case, the Appeals Chamber finds it appropriate to extend the time limits for the filing of notices of appeal to 16h00 on Friday, 26 September 2025, and for the filing of appeal briefs to 16h00 on Tuesday, 25 November 2025.

¹⁹ *The Prosecutor v. Dominic Ongwen*, Appeals Chamber, [Decision on Mr Ongwen's request for time extension for the notice of appeal and on translation](#), 24 February 2021, ICC-02/04-01/15-1781 (A), para. 10.

²⁰ Yekatom Defence Request, para. 17; Ngaïssona Defence Request, para. 26.

²¹ Yekatom Defence Request, paras 18-19; Ngaïssona Defence Request, para. 25.

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

A handwritten signature in black ink, appearing to read 'S. Balungi Bossa', is positioned above a solid black horizontal line.

Judge Solomy Balungi Bossa
Presiding

Dated this 1st day of August 2025

At The Hague, The Netherlands