

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/14-01/18
Date: 18 August 2025

THE APPEALS CHAMBER

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

SITUATION IN CENTRAL AFRICAN REPUBLIC II

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

Public

**Yekatom Defence Response to 'Registry's Observations on measures taken to
prioritize the draft translation of essential parts of the *Yekatom and Ngaïssona*
Judgment' (ICC-01/14-01/18-2799)**

Source: Defence for Mr. Alfred Rombhot Yekatom

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1. The Defence for Mr. Yekatom ('Defence') hereby respectfully responds to the 'Registry's Observations on measures taken to prioritize the draft translation of essential parts of the *Yekatom and Ngaïssona* Judgment'¹ ('Observations').
2. Noting that the Registry seeks an indication as to the Defence's 'priorities within its identified priorities'² with respect to the translation of essential sections of the Judgment, the Defence provides the following submissions.
3. As a preliminary matter, the Defence clarifies that it did not include Section VII ('Verdict') of the Judgment among the amended priority sections for translation,³ contrary to the Observations.⁴
4. The Defence notes that in the Observations, the Registry indicates that the translation of essential sections of the Judgment will begin in earnest in early September – that is, approximately six weeks after the issuance of the Judgment – and that from that point on, LSS 'will require 11 to 12 weeks to translate all the sections identified as essential by the Defence for Mr Yekatom.'⁵ In this regard, it is the Defence's understanding that key sections of the Judgment were not identified or submitted to LSS on an ongoing basis prior to its issuance, and that LSS was therefore unable to carry out work on translation in parallel to its drafting.⁶
5. With the aim of facilitating the work of LSS therefore, the Defence provides in the table below an indication as to its 'priorities within its identified priorities' ('First-Level Priority Sections') within Sections III and IV of the Judgment.
6. Specifically, within Section III, the Defence has further prioritised Trial Chamber V's ('Trial Chamber') essential findings on the credibility of individual witnesses, i.e. those most directly relevant to Mr Yekatom's conviction. Within Section IV, the

¹ ICC-01/14-01/18-2799.

² ICC-01/14-01/18-2799, para. 10.

³ ICC-01/14-01/18-2784.

⁴ See Email from Defence to LSS, 4 August 2025 at 10:31 (available on request); *contra* ICC-01/14-01/18-2799, paras 5-7.

⁵ See ICC-01/14-01/18-2799, paras 8, 10.

⁶ See ICC Chambers Practice Manual (Eighth ed.), Annex: Guideline for ICC Judgment Drafting, paras 23-24.

Defence has likewise further prioritised the Trial Chamber’s essential factual findings and evidentiary analysis that underpin Mr Yekatom’s conviction most directly.⁷ This includes, in particular, the Trial Chamber’s crime-base findings,⁸ as well as its findings on the emergence, objectives, structure, and conduct of the ‘Anti-Balaka’ generally.⁹ In this regard, the Defence is particularly mindful of the Trial Chamber’s conclusion, as a ‘material fact[] and circumstance[] of this case’, that Mr Yekatom was the leader of a group ‘which was seen as and understood to be part of the Anti-Balaka’.¹⁰

Amended priorities Mr Yekatom	First-Level Priority Sections
Title III.– EVIDENTIARY CONSIDERATIONS	
From Section III.B.2: paras 219-222 (311) paras 223-232 (743) paras 256-265 (484) paras 266-273 (606) paras 274-285 (980) paras 297-307 (1,047) paras 322-329 (553) paras 330-337 (826) paras 355-364 (884) paras 374-389 (1,100) paras 400-402 (299) paras 441-445 (423) paras 506-521 (1,219) paras 522-541 (1,648)	From Section III.B.2: paras 219-222 (311) paras 223-232 (743) paras 256-265 (484) paras 266-273 (606) paras 274-285 (980) paras 297-307 (1,047) paras 322-329 (553) paras 330-337 (826) paras 355-364 (884) paras 374-389 (1,100) paras 400-402 (299) paras 441-445 (423)

⁷ The Defence provides in the inset table an internal Defence word count for the First-Level Priority Sections identified within Section IV.A and IV.B; the remaining word counts indicated in the table are those produced by the Registry. The Defence notes that, with respect to the paragraphs included under ‘Amended priorities Mr Yekatom’ within Section IV.A and IV.B, the Defence’s word count differed from that of the Registry. Specifically, the Defence’s word count for Section IV.A, paras 662-2114 was 158,323; and for Section IV.B, paras 2115-2759 was 50,309 (not counting the factual findings reproducing the Trial Chamber’s findings in Section II, that are interspersed in bold text throughout Section IV, given that this text is already included within the Defence’s requested translations in Section II). Further, and more generally, whilst the Defence does not have access to the Microsoft Word version of the Judgment used by the Registry, it notes that the word counts reported by the Registry are consistently at variance with those calculated by the Defence.

⁸ Within Sections IV.B. (the 5 December Attack), IV.D. (the Yamwara School events), and IV.E. (the PK9-Mbaiki Axis) of the Judgment. Identified First-level Priority Sections within Section IV.C are limited to paras 2790-2795 (i.e. the ‘Coordination of the Bossangoa Attack with the Bangui Attack’).

⁹ Within Section IV.A. of the Judgment.

¹⁰ See ICC-01/14-01/18-2784, para. 63 and pp 589 ff. See also, ICC-01/14-01/18-2784, para. 24.

paras 542-575 (3,404) paras 576-601 (2,470) paras 602-614 (989) paras 615-638 (1,841) paras 639-647 (607) paras 648-652 (312) paras 653-660 (768)	paras 639-647 (607) paras 653-660 (768)
Title IV – FACTUAL FINDINGS AND EVIDENTIARY ANALYSIS	
Section IV.A: paras 662-2114 (162,277)	Section IV.A: paras 662-680 (1938) paras 723-751 (2490) paras 951-988 (4588) paras 1059-1106 (4561) paras 1166-1326 (18369) paras 1481-1647 (18413) paras 1717-1737 (1966) paras 1853-1893 (3024) paras 1911-1921 (916) paras 2091-2114 (1649)
Section IV.B: paras 2115-2759 (52521)	Section IV.B: paras 2115-2131 (1491) paras 2182-2191 (727) paras 2237-2241 (372) paras 2279-2759 (37750)
Section IV.C.iv.a: paras. 2790-2795 (519)	Section IV.C.iv.a: paras. 2790-2795 (519)
Section IV.D: paras. 3038-3296 (22999)	Section IV.D: paras. 3038-3296 (22999)
Section IV.E: paras. 3297 to 3682 (36210)	Section IV.E: paras. 3297 to 3682 (36210)

7. The Defence's previously identified sections for priority translation within Sections II, V and VI of the Judgment remain unchanged (in other words, the Defence requests that they be treated as First-Level Priority Sections).¹¹
8. In this regard, the Defence notes that the identified priorities within Section II comprise the Trial Chamber's findings pertaining to 'the material facts and circumstances of this case', which 'form the basis for the Chamber's decision under Article 74 of the Statute' and which are the subject of the Chamber's legal characterisation findings; they thus form the backbone of the Judgment.¹²

¹¹ ICC-01/14-01/18-2799, para. 5.

¹² See ICC-01/14-01/18-2784, paras 24-25.

9. Further, the identified priorities within Sections V and VI respectively comprise the Trial Chamber's legal findings on Mr Yekatom's individual criminal responsibility for the crimes of which he was convicted;¹³ and on its findings on sentencing factors and circumstances applicable to Mr Yekatom.¹⁴
10. To the extent that the Registry would find useful an indication of the order in which the First-Level Priority Sections should be translated,¹⁵ the Defence requests that the First-Level Priority Sections be translated in the order that they appear in the Judgment, so as to ensure that Mr Yekatom is able to discern the Trial Chamber's findings and reasoning in the order they were intended to be read. This sequential approach is particularly important given the Judgment's extensive internal cross-referencing, which presupposes that earlier sections are read and understood before later ones.
11. The above notwithstanding, the Defence respectfully stresses that the sections previously identified by the Defence (i.e. those listed under 'Amended priorities Mr Yekatom' in the Observations and the above table) remain, in the view of the Defence, essential for Mr Yekatom's comprehensive understanding of the Judgment and his ability to meaningfully instruct his defence team with regard to *inter alia* any potential appeal against the Judgment. This need is heightened by the fact that the Judgment frequently omits or condenses discussion of the underlying reasoning and evidence, such that Mr Yekatom's instructions are not only valuable but indispensable to identifying the consequences of these omissions and ensuring that his fair trial right to participate effectively in the preparation of his appeal is fully respected.
12. The Defence thus requests that, once the First-Level Priority Sections have been translated, LSS proceed to complete the translation of the remaining essential sections (i.e. those included under 'Amended priorities Mr Yekatom' in the

¹³ See ICC-01/14-01/18-2784, Section V, paras 4007-4026, 4233-4277, and 4344-4369.

¹⁴ See ICC-01/14-01/18-2784, Section VI, paras 4416-4666.

¹⁵ See ICC-01/14-01/18-2799, para. 10.

Observations and the above table), likewise in the order that they appear in the Judgment.

13. In this regard, the Defence emphasises the necessity of receiving formal translations for the identified essential sections. The internal working translations prepared thus far have presented challenges to the Defence's preparations, due in large part to the linguistic and structural features of the Judgment's English text, and in light of the applicable notice of appeal deadline of 26 September 2025. Formal translations are therefore necessary to ensure accuracy and to safeguard Mr Yekatom's ability to exercise his appellate rights effectively. The Defence further requests that completed translations of the sections of the Judgment identified as essential by the Ngaïssona Defence be shared with the Defence on an ongoing basis.

RESPECTFULLY SUBMITTED ON THIS 18th DAY OF AUGUST 2025



Me Mylène Dimitri
Lead Counsel for Mr. Yekatom

Dated on 18th August 2025

At The Hague, the Netherlands