

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



*Original: English*

*No.: ICC-01/14-01/18*  
**Date: 13 October 2025**

**THE APPEALS CHAMBER**

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

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II**

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

**Public Redacted Version of ICC-01/14-01/18-2824-Conf A**

**Concerns of a group of participating Victims about the 'Yekatom Defence Request  
for extension of time to file the Appeal Brief' (ICC-01/14-01/18-2817-Conf A)**

**Source: Office of the Public Counsel for Victims**

Document 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

☐ 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

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**Registrar**  
M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and  
Reparations Section

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## I. INTRODUCTION

1. The present submission is filed by one of the Common Legal Representatives of Victims of the Other Crimes (the “Counsel”)<sup>1</sup> and relates to concerns expressed by the group of Victims she represents in relation to the “Yekatom Defence Request for extension of time to file the Appeal Brief” (the “Request”).<sup>2</sup>

2. Following the notification of the Request, Counsel has consulted with her clients who expressed their concern regarding the expeditiousness of the appeal. Throughout the process, Victims have constantly expressed the need for the proceedings to be conducted expeditiously, especially in light of the fact that they have already been waiting for more than 12 years to have justice and to receive reparation for the crimes they had suffered. Therefore, the group of Victims represented by Counsel expressed disappointment in receiving the information about the possibility of a further delay in the appeal proceedings.

3. In this regard, Counsel submits that the Defence for Mr Yekatom advances arguments that have already been considered by the Appeals Chamber and which had formed the basis of the extension already afforded to the parties. Moreover, some of the arguments are speculative at this juncture, and the requested extension until 2 February 2026 – which represents an additional 69 days – is excessive.

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<sup>1</sup> On 21 June 2019, Pre-Trial Chamber II appointed six Counsel as Common Legal Representatives of the Victims of the Other Crimes acting as a single team (see the “Decision regarding the Registry’s First Assessment Report on Applications for Victim Participation, the Registry’s First Transmission of Group C Applications, the appointment of counsel for Victims of Other Crimes, and the victims’ procedural position” (Pre-Trial Chamber II), No. [ICC-01/14-01/18-227-Red](#), 21 June 2019, para. 36). One Counsel was subsequently discharged of her mandate for conflict of interest (see the transcript of hearing of 19 September 2019, No. [ICC-01/14-01/18-T-004-Red2-ENG CT WT](#), pp. 65-66). At the time of appointment, considering the trust relationship established between each Counsel and their respective clients, it was agreed that each lawyer would maintain the exclusive relationship with her or his clients. Throughout the pre-trial and trial proceedings, the Common Legal Representatives were able to convey to the relevant Chambers a unified position. However, it appears that, at this juncture, the participating Victims have different views on the Request.

<sup>2</sup> See the “Yekatom Defence Request for extension of time to file the Appeal Brief”, No. [ICC-01/14-01/18-2817-Conf](#), 2 October 2025 (the “Request”). A public version was filed on 3 October 2025 (No. [ICC-01/14-01/18-2817-Red](#))

## II. PROCEDURAL BACKGROUND

4. On 24 July 2025, Trial Chamber V, in its previous composition, issued its Judgment pursuant to articles 74 and 76 of the Rome Statute (the “Judgment”).<sup>3</sup>

5. On 28 July 2025, the Defence for Mr Yekatom requested an extension of time to file its notice of appeal and appeal brief (the “First Yekatom Extension Request”).<sup>4</sup> On 29 July 2025, the Defence for Mr Ngaïssona joined the First Yekatom Extension Request (the “First Ngaïssona Extension Request”, together the “Defence Requests for Extension”).<sup>5</sup>

6. On 30 July 2025, the Prosecution filed its response not opposing the Defence Requests for Extension, and asking for the same deadline.<sup>6</sup> At that time, the Common Legal Representatives of Victims did not file a response, considering that the Requests were reasonable in the circumstances of the case.

7. On 1 August 2025, the Appeals Chamber partially granted the Defence Requests for Extension, establishing the time limit of 26 September 2025 for the filing of notices of appeal and of 25 November 2025 for the filing of the appeals briefs (the “Decision on the Extension Requests”).<sup>7</sup> The Appeals Chamber further ruled that both Defence

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<sup>3</sup> See the “Judgment” (Trial Chamber V), No. [ICC-01/14-01/18-2784-Red](#) (the “Judgment”).

<sup>4</sup> See the “Request for Extension of Time to File the Notice of Appeal and Appeal Brief”, No. [ICC-01/14-01/18-2789](#), 28 July 2025 (the “First Yekatom Extension Request”).

<sup>5</sup> See 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”, No. [ICC-01/14-01/18-2790](#), 29 July 2025 (the “First Ngaïssona Extension Request”).

<sup>6</sup> See 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)”, No. [ICC-01/14-01/18-2791](#), 30 July 2025.

<sup>7</sup> See the “Decision on requests for extension of time limits for notices of appeal and appeal brief against the decision of Trial Chamber V entitled ‘Judgment’” (Appeals Chamber), No. [ICC-01/14-01/18-2794](#) A, 1 August 2025 (the “Decision on the Extension Requests”).

teams may seek a variation of their grounds of appeal, within 14 days of the receipt of the translation of the last essential portion of the Judgement.<sup>8</sup>

8. On 26 September 2025, the parties filed their respective notices of appeal against the Judgement.<sup>9</sup>

9. On 2 October 2025, the Defence for Mr Yekatom filed its Request, asking for an additional extension of time of 69 days to file its Appeal Brief.<sup>10</sup>

10. On 3 October 2025, the Defence for Mr Yekatom filed an Addendum, regarding the classification of its Request.<sup>11</sup>

11. On 6 October 2025, the Defence for Mr Ngaïssona filed its response supporting the Request.<sup>12</sup>

12. On 7 October 2025, the Prosecution filed its Response not opposing the Request, and asking for the same extension of time if the Appeals Chamber is minded to grant it.<sup>13</sup>

13. On 8 October 2025, the Appeals Chamber ordered the Registry to file observations [REDACTED] by 13 October 2025.<sup>14</sup>

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<sup>8</sup> *Idem*, paras. 10-12.

<sup>9</sup> See the "Prosecution notice of appeal of the judgment against Patrice-Edouard Ngaïssona", No. [ICC-01/14-01/18-2814](#), 26 September 2025; the "Ngaïssona Defence Notice of Appeal against the Trial Judgment", No. [ICC-01/14-01/18-2815](#), 26 September 2025; and the "Yekatom Defence Notice of Appeal against the Judgment (ICC-01/14-01/18-2784-Conf)", No. [ICC-01/14-01/18-2816](#), 26 September 2025.

<sup>10</sup> See the Request, *supra* note 2.

<sup>11</sup> See the "Addendum to 'Yekatom Defence Request for extension of time to file the Appeal Brief' (ICC-01/14-01/18-2817-Conf)", No. [ICC-01/14-01/18-2818-Conf](#), 3 October 2025.

<sup>12</sup> See the "Ngaïssona Defence Response to the Yekatom Defence's 'Request for extension of time to file the Appeal Brief'", ICC-01/14-01/18-2817-Conf", No. [ICC-01/14-01/18-2819-Conf](#), 6 October 2025.

<sup>13</sup> See the "Prosecution Response to the Yekatom Defence request for extension of time to file the appeal brief", No. [ICC-01/14-01/18-2820-Conf](#), 7 October 2025.

<sup>14</sup> See the "Order in relation to the 'Yekatom Defence Request for extension of time to file the Appeal Brief'" (Appeals Chamber), No. [ICC-01/14-01/18-2822-Conf](#), 8 October 2025.

### III. CLASSIFICATION

14. Pursuant to regulation 23*bis* (2) of the Regulations, the present submission is classified as confidential, following the classification chosen by the Defence for Mr Yekatom. A public redacted version will be filed in due course.

### IV. SUBMISSIONS

15. Counsel recalls that the Appeals Chamber based its previous decision granting an extension of time to the parties for the submission of their notices of appeal and appeal briefs on, *inter alia*, the following factors: (i) the length of the Judgement; (ii) the complexity of the Judgement; (iii) the need to translate into French the critical parts of the Judgement; (iv) the fact that the Judgement includes the conclusions on both conviction and sentence; and (v) the limited availability of members of the Defence teams during the judicial recess.<sup>15</sup>

16. In this regard, several arguments raised in the Request were already considered by the Appeals Chamber and formed the basis of the extension already afforded to the parties. Therefore, they cannot be relitigated to justify a further extension. This includes, *inter alia*, the arguments on the length of the Judgement,<sup>16</sup> on the complexity of the Judgement,<sup>17</sup> on the limited availability of team members during the judicial recess,<sup>18</sup> and on the need to obtain translation into French of the critical parts of the Judgement.<sup>19</sup>

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<sup>15</sup> See the Decision on the Extension Requests, *supra* note 7, paras. 5, 9-12.

<sup>16</sup> See the Request, *supra* note 2, para. 3.

<sup>17</sup> *Idem*, paras. 16, 18-23.

<sup>18</sup> *Idem*, para. 40.

<sup>19</sup> *Idem*, paras. 24-28, 42-52.

17. With respect to the translation issue, Counsel submits that formulating the particulars of the grounds of appeal lies first and foremost with counsel.<sup>20</sup> While Mr Yekatom and Mr Ngaïssona are entitled to a translation into French, this fact cannot form the basis for an extension of time to file the appeal brief, as their legal teams are already in a position to work on the basis of the Judgment as issued.<sup>21</sup> The Appeals Chamber has also already considered this matter, and allowed both Defence teams to seek a variation of the grounds of appeal 14 days after the receipt of the translation of the last essential portion of the Judgment,<sup>22</sup> thus fully preserving the rights of the appellants.

18. With regard to the anticipation of an increased workload concomitant with reparations proceedings,<sup>23</sup> Counsel underlines that these arguments were also submitted to the Appeals Chamber in the First Yekatom Extension Request.<sup>24</sup> It is therefore reasonable to conclude that the Appeals Chamber already took this element into consideration when extending the deadline in the Decision on the Extension Requests, even if not expressly mentioned in said ruling. Furthermore, on 8 October 2025, Trial Chamber V issued the Order for Submission on Reparations<sup>25</sup> establishing the deadline of 27 March 2026, thus affording ample time to the Defence for making their submissions on the matter.

19. Counsel also notes that the Request includes numerous arguments relating to what the Defence describes as the “*sheer scale of the errors*” or the “*extraordinary quantity*,

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<sup>20</sup> See the “Decision on Mr Ongwen’s request for time extension for the notice of appeal and on translation” (Appeals Chamber), No. [ICC-02/04-01/15-1781](#), 24 February 2021, paras. 10-11.

<sup>21</sup> The Appeals Chamber has also already considered 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”. See the “Decision on the Extension Requests”, *supra* note 7, para. 12.

<sup>22</sup> *Ibid.*

<sup>23</sup> See the Request, *supra* note 2, para. 33.

<sup>24</sup> See the First Yekatom Extension Request, *supra* note 4, paras. 21-23.

<sup>25</sup> See the “Order for Submissions on Reparations” (Trial Chamber V), No. [ICC-01/14-01/18-2821](#), 8 October 2025, para. 6.

*quality, and variety of errors*” contained in the Judgement,<sup>26</sup> which would “*cumulatively give rise to a reasonable apprehension of bias on the part of the Trial Chamber*”.<sup>27</sup> Said arguments are entirely speculative at this juncture. It will be for the Appeals Chamber, after a thorough analysis of the written and oral submissions, to assess whether such errors were indeed committed. Therefore, they cannot serve to justify a further extension of the deadline. The arguments related to the [REDACTED] are equally speculative at this point in time [REDACTED].

20. Concerning the requested deadline of 2 February 2026 – which represents an additional 69-days extension –, echoing the concerns of the Victims she represents, Counsel posits that it is excessive in the present circumstances, particularly against the background of the postponement already granted. Indeed, the parties were already afforded additional time to identify their grounds of appeal and submit their notices of appeal, which necessarily included the identification of the reasoning of their arguments supporting the grounds of appeal listed in their notices of appeal.

21. In conclusion, Counsel doubts that the sought extension would promote judicial economy and efficiency, as alleged in the Request.<sup>28</sup> Rather, it would negatively impact the expeditiousness of the appeal proceedings, and prejudice the Victims’ interests. This is the opinion of the group of Victims she represents who expressed concern especially in light of the fact that they have been waiting already for more than 12 years to have justice and to receive reparation for the crimes they had suffered.

22. In this sense, Counsel underlines the fact that the proceedings against the appellants involve thousands of participating Victims – some of whom have already passed away during these lengthy proceedings lasting many years – who have

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<sup>26</sup> See the Request, *supra* note 2, paras. 3, 16, 18-23.

<sup>27</sup> *Idem*, para. 20.

<sup>28</sup> *Idem*, paras. 42-52.



legitimate expectations and a statutory right to reparation, should Mr Yekatom's and Mr Ngaïssona's convictions, or part thereof, be upheld on appeal.

23. Lastly, Counsel notes that the fact that the Prosecution may possibly agree or not oppose the extension sought<sup>29</sup> does not elevate the reasons put forward as constituting "*good cause*". The Prosecution may have its own reasons for welcoming a longer filing deadline. However, the Victims she represents believe that any further extension of the already extended deadline to file the appeal briefs may negatively impact on their rights.

Respectfully submitted.



Paolina Massidda  
Common Legal Representative of a group of Victims of Other Crimes

Dated this 13<sup>th</sup> day of October 2025

At The Hague (The Netherlands)

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<sup>29</sup> *Idem*, para. 6.