

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/14-01/18 A A2 A3

Date: 20 October 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 II

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

Public redacted version of

**Decision on Yekatom Defence request for extension of time to file
the appeal brief**

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,

In the appeals of the Deputy Prosecutor, Mr Alfred Yekatom and Mr Patrice-Édouard Ngaïssona against the decision of Trial Chamber V entitled “Judgment” of 24 July 2025 (ICC-01/14-01/18-2784-Red),

Having before it the “Yekatom Defence Request for extension of time to file the Appeal Brief” of 30 September 2025 (ICC-01/14-01/18-2817-Conf (A3)),

Having before it 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” of 6 October 2025 (ICC-01/14-01/18-2819-Conf (A3)),

Having before it the “Prosecution Response to the Yekatom Defence request for extension of time to file the appeal brief” of 7 October 2025 (ICC-01/14-01/18-2820-Conf (A3)),

Renders, pursuant to regulations 35(2) and 58(1) of the Regulations of the Court, the following

DECISION

1. The “Yekatom Defence Request for extension of time to file the Appeal Brief” is rejected.
2. The Registrar is directed to reclassify as public filings ICC-01/14-01/18-2826-Conf and ICC-01/14-01/18-2827-Conf by 16h00 on Thursday, 23 October 2025.
3. The Registrar is directed to file a public redacted version of filing ICC-01/14-01/18-2825-Conf by 16h00 on Thursday, 23 October 2025.

REASONS

I. PROCEDURAL HISTORY

1. On 24 July 2025, Trial Chamber V (hereinafter: “Trial Chamber”) rendered the “Judgment” (hereinafter: “Impugned Decision”) which reflects the determinations on both the convictions and sentence against each accused person.¹
2. On 1 August 2025, following requests by the Defence for Mr Alfred Rombhot Yekatom (hereinafter: “Yekatom Defence”) and Mr Patrice-Édouard Ngaïssona (hereinafter: “Ngaïssona Defence”),² the Appeals Chamber extended the time limit for the filing of any notices of appeal and appeal briefs until 26 September 2025 and 25 November 2025 respectively (hereinafter: “Decision of 1 August 2025”).³
3. On 14 August 2025, the Registrar filed observations on the progress in the ongoing translation of the Impugned Decision.⁴
4. On 26 September 2025, the Deputy Prosecutor, the Ngaïssona Defence and the Yekatom Defence filed their respective notices of appeal against the Impugned Decision.⁵
5. On 30 September 2025, the Yekatom Defence filed a request for an extension of time for the filing of its appeal brief (hereinafter: “Yekatom Request”).⁶

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

² [Request for Extension of Time to File the Notice of Appeal and Appeal Brief](#), 28 July 2025, ICC-01/14-01/18-2789 (hereinafter: “Yekatom First Request”); [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, 29 July 2025, ICC-01/14-01/18-2790 (hereinafter: “Ngaïssona First Response”). See also [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 \(ICC-01/14-01/18-2789 A, ICC-01/14-01/18-2790 A\)](#), 30 July 2025, ICC-01/14-01/18-2791.

³ [Decision on requests for extension of time limits for notices of appeal and appeal briefs against the decision of Trial Chamber V entitled “Judgment”](#), ICC-01/14-01/18-2794 (A).

⁴ [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.

⁵ [Prosecution notice of appeal of the judgment against Patrice-Edouard Ngaïssona](#), ICC-01/14-01/18-2814 (A); [Ngaïssona Defence Notice of Appeal against the Trial Judgment](#), ICC-01/14-01/18-2815 (A2); [Yekatom Defence Notice of Appeal against the Judgment \(ICC-01/14-01/18-2784-Conf\)](#), ICC-01/14-01/18-2816 (A3).

⁶ [Yekatom Defence Request for extension of time to file the Appeal Brief](#), ICC-01/14-01/18-2817-Conf (A3) (public redacted version filed on 3 October 2025, ICC-01/14-01/18-2817-Red (A3)); a confidential addendum to the classification of the request was filed on 3 October 2025, ICC-01/14-01/18-2818-Conf (A3).

6. On 6 October 2025, the Ngaïssona Defence filed its response to the Yekatom Request (hereinafter: “Ngaïssona Response”).⁷ In addition to supporting and joining the Yekatom Request, the Ngaïssona Defence set out further reasons justifying the same extension of time with respect to Mr Ngaïssona’s appeal brief.⁸

7. On 7 October 2025, the Deputy Prosecutor filed his response (hereinafter: “Prosecutor’s Response”), supporting the requests by the Yekatom Defence and the Ngaïssona Defence (collectively hereinafter: “Defence Teams”) and underlining the need for a synchronised briefing schedule in the event that an extension of time is granted.⁹

8. On 10 October 2025, the Office of Public Counsel for Victims (hereinafter: “OPCV”), one of six Counsel appointed as Common Legal Representatives of the Victims of the Other Crimes,¹⁰ filed observations on behalf of victims within the designated group that are represented solely by the OPCV, on the Yekatom Request (hereinafter: “OPCV Submissions of 10 October 2025”). In essence, the OPCV submits that the requested extension is excessive and that any further extension may negatively impact the rights of victims.¹¹

9. On 13 October 2025, following an order of the Appeals Chamber,¹² the Registrar filed observations on: (i) the status of the requested French translations of the Impugned Decision, including an updated timeline for the delivery of sections deemed essential by the Defence Teams; and (ii) [REDACTED].¹³

⁷ [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, ICC-01/14-01/18-2819-Conf (A3) (public redacted version filed on 13 October 2025, ICC-01/14-01/18-2819-Red (A3)).

⁸ [Ngaïssona Response](#), para. 1 *et seq.*

⁹ [Prosecution Response to the Yekatom Defence request for extension of time to file the appeal brief](#), ICC-01/14-01/18-2820-Conf (A3) (public redacted version filed on 7 October 2025, ICC-01/14-01/18-2820-Red (A3)), paras 1, 4-5.

¹⁰ Pre-Trial Chamber II, [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](#), 21 June 2019, ICC-01/14-01/18-227-Red, para. 36.

¹¹ [Concerns of a group of participating Victims about the “Yekatom Defence Request for extension of time to file the Appeal Brief” \(ICC-01/14-01/18-2817-Conf A\)](#), ICC-01/14-01/18-2824-Conf (A3) (public redacted version filed on 13 October 2025, ICC-01/14-01/18-2824-Red (A3)), paras 3, 23.

¹² Order in relation to the “Yekatom Defence Request for extension of time to file the Appeal Brief”, 8 October 2025, ICC-01/14-01/18-2822-Conf (A3).

¹³ Registry’s Observations pursuant to the Appeals Chamber’s “Order in relation to the ‘Yekatom Defence Request for extension of time to file the Appeal Brief’”, dated 8 October 2025 (ICC-01/14-01/18-2822-Conf), ICC-01/14-01/18-2825-Conf (A3) (hereinafter: “Registrar’s Observations”).

10. On 15 October 2025, the Yekatom Defence filed a document addressing the OPCV Submissions of 10 October 2025 (hereinafter: “Yekatom Reply”),¹⁴ in which it submits that the OPCV has not demonstrated any concrete prejudice that would result from granting the Yekatom Request.¹⁵

11. On 17 October 2025, the OPCV filed a document in response (hereinafter: “OPCV Submissions of 17 October 2025”) to the Yekatom Reply.¹⁶

II. MERITS

12. As a preliminary matter, the Appeals Chamber takes note of the following submission by the Yekatom Defence, included in the Yekatom Reply:

This Response is submitted pursuant to regulation 24 of the Regulations of the Court, as the [OPCV Submissions of 10 October 2025] were not filed as a formal response to the ‘Yekatom Defence Request for extension of time to file the Appeal Brief’. Should the Appeals Chamber consider them to fall within regulation 24(2), the Defence respectfully submits that any requirements thereunder are satisfied, since the position of this particular group of victims could not reasonably have been anticipated.¹⁷

13. The Appeals Chamber notes that the Yekatom Reply is premised on the understanding that the OPCV Submissions of 10 October 2025 are not a response to the Yekatom Request. The Appeals Chamber recalls in this regard that “victims who were authorised to participate during trial proceedings may participate in final appeals without authorisation”.¹⁸ Regarding substantive submissions (e.g. submissions on the appeal briefs), participating victims may thus file observations thereon.¹⁹ However, with respect to procedural matters, participating victims may file a response to any document, pursuant to regulation 24(2) of the Regulations of the Court (hereinafter: “Regulations”).²⁰ The

¹⁴ Response to ‘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)’, ICC-01/14-01/18-2826-Conf, para. 8.

¹⁵ Yekatom Reply, para. 8.

¹⁶ Response to the “Response to ‘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)’, 10 October 2025, ICC-01/14-01/18-2824-Conf”, ICC-01/14-01/18-2827-Conf.

¹⁷ Yekatom Reply, para. 1, fn. 1.

¹⁸ Appeals Chamber, *The Prosecutor v. Dominic Ongwen*, [Decision on the modalities of victim participation](#), 11 June 2021, ICC-02/04-01/15-1859 (A) (hereinafter: *Ongwen Decision on Victim Participation*), para. 4.

¹⁹ [Ongwen Decision on Victim Participation](#), para. 6.

²⁰ Appeals Chamber, *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*, [Reasons for the “Decision on the ‘Request for the recognition of the right of victims authorized to participate in the case to automatically participate in any interlocutory appeal arising from the case and, in the alternative, application to participate](#)

OPCV Submissions of 10 October 2025 should thus be considered to be a response to the Yekatom Request.

14. The Appeals Chamber notes the Yekatom Defence's alternative submission that "the position of [the OPCV] could not reasonably have been anticipated".²¹ In this submission, the Yekatom Defence appears to argue that requirements for seeking leave to reply to the OPCV Submissions of 10 October 2025 are met. The Appeals Chamber therefore construes this submission to be the Yekatom Defence's request for leave to reply to the OPCV Submissions of 10 October 2025.

15. Regulation 24(5) of the Regulations provides:

Participants may only reply to a response with the leave of the Chamber, unless otherwise provided in these Regulations. Unless otherwise permitted by the Chamber, a reply must be limited to new issues raised in the response which the replying participant could not reasonably have anticipated.

16. The Appeals Chamber is satisfied that the Yekatom Defence could not reasonably have anticipated the issues identified in the OPCV Submissions of 10 October 2025. The Appeals Chamber considers that a reply to these issues would assist it in its determination of the Yekatom Request. The Appeals Chamber notes that the Yekatom Defence already made its arguments in reply to the OPCV Submissions of 10 October 2025. It did so without having first obtained leave therefor. However, the Appeals Chamber will exceptionally condone this omission and consider these arguments in its assessment of the Yekatom Request. In this regard, the Appeals Chamber notes that the labelling of the OPCV Submissions of 10 October 2025 as "[c]oncerns" may have misled the Yekatom Defence. Having granted leave to reply, the Appeals Chamber sees no need to consider the OPCV Submissions of 17 October 2025, in which the OPCV argues that the Yekatom Defence's request for leave to reply should not be granted.

17. Turning to the Defence Teams request that the time limit for the filing of the appeal briefs against the Impugned Decision be extended yet again from 25 November 2025 to 2 February 2026 (amounting to 70 days in total),²² the Appeals Chamber notes that they

[in the interlocutory appeal against the ninth decision on Mr Gbagbo's detention \(ICC-02/11-01/15-134-Red3\)''](#), 31 July 2015, ICC-02/11-01/15-172 (OA6), para. 20.

²¹ Yekatom Reply, para. 1, fn. 1.

²² [Yekatom Request](#), paras 1, 53; [Ngaïssona Response](#), paras 39-40.

submit that “good cause” exists for an extension of time due to the impact of various factors on the “preparatory burden” related to their respective appeal briefs.²³ These factors include: (i) the scope, complexity and novelty of the errors raised on appeal,²⁴ (ii) [REDACTED];²⁵ and (iii) the ongoing lack of translations into French of essential parts of the Impugned Decision.²⁶ The Defence Teams submit that the sought extension is reasonable and would promote judicial economy.²⁷

18. Pursuant to regulation 35(2) of the Regulations, the Appeals Chamber may extend the time limit set in regulation 58(1) of the Regulations for the filing of an appeal brief against a decision on conviction and sentence provided “good cause” is shown. For the reasons set out below, the Appeals Chamber finds that “good cause” has not been demonstrated to warrant any further extension of the time limit for the filing of the appeal briefs in these proceedings.

19. The Appeals Chamber recalls that in granting an initial extension of time for the filing of the notices of appeal and the appeal briefs, it considered the Defence Teams’ arguments on, *inter alia*, the length and complexity of the Impugned Decision, which contains determinations on both conviction and sentence, the need for translations of essential parts of the Impugned Decision into French and the non-availability of members of the Defence Teams, including for reasons concerning parental leave.²⁸ To the extent that the Defence Teams reiterate these arguments, the Appeals Chamber will not re-consider them for the purposes of the present decision. The Appeals Chamber finds the Defence Teams’ amplification of submissions on the length and complexity of the Impugned Decision to be unpersuasive. In particular, the Appeals Chamber is not persuaded by the contention that the “novelty and complexity” of the issues on appeal, the “sheer scale of the errors” in the Impugned Decision and the “compounded and evolving demands of the appeal” have only recently become apparent.²⁹ Indeed, these issues, including those amplified, were fully ventilated by the Defence Teams in their

²³ [Yekatom Request](#), paras 13-18.

²⁴ [Yekatom Request](#), paras 18-23; [Ngaïssona Response](#), paras 17-23.

²⁵ [Yekatom Request](#), paras 30-32; [Ngaïssona Response](#), paras 28-32.

²⁶ [Yekatom Request](#), paras 24-28; [Ngaïssona Response](#), paras 24-27.

²⁷ [Yekatom Request](#), paras 34-52; [Ngaïssona Response](#), paras 36-38.

²⁸ [Decision of 1 August 2025](#), paras 5, 9, 10, 12.

²⁹ [Yekatom Request](#), paras 18-23; [Ngaïssona Response](#), paras 17-23.

initial requests for an extension of time and consequently do not justify any further consideration by the Appeals Chamber.³⁰

20. In similar vein, with respect to the impact of the lack of translations into French of essential parts of the Impugned Decision,³¹ the Appeals Chamber in the Decision of 1 August 2025, specifically considered this to be a relevant factor in its determination as to whether “good cause” existed to warrant an extension of time with respect to both the notices of appeal and the appeal briefs.³²

21. Since then, the Appeals Chamber notes that Mr Yekatom and Mr Ngaïssona have received and continue to receive on a rolling basis translations of portions of the Impugned Decision identified by the Defence Teams as essential.³³ Indeed, based on estimates provided by the Language Services Section, “draft translations of the remaining 719 standard pages [identified as essential parts] could be delivered on a rolling basis within approximately seven to nine weeks from 13 October 2025”.³⁴ Thus, while not all of the identified essential portions of the Impugned Decision may be available to the convicted persons before 25 November 2025, when the appeals briefs are due, the Appeals Chamber considers that this is no impediment *per se* to the Defence Teams adhering to this timeline. As noted in the Decision of 1 August 2025, Mr Yekatom and Mr Ngaïssona have been assisted in understanding the details of the Impugned Decision by their respective Defence Teams through internal translations, individual meetings and telephone conversations.³⁵ Moreover, the Appeals Chamber recalls that it already highlighted the possibility that the Defence Teams may seek leave to vary their grounds of appeal pursuant to regulation 61 of the Regulations.³⁶ Subject to leave to vary grounds of appeal being granted by the Appeals Chamber, the Defence Teams may file a supplemental brief in accordance with regulation 61(6) of the Regulations. In light of the above, the Appeals Chamber considers that the Defence Teams have not shown “good cause” to grant a further extension of time on account of an ongoing lack of translations of essential parts of the Impugned Decision.

³⁰ See [Yekatom First Request](#), paras 11-14; [Ngaïssona First Response](#), paras 8-23.

³¹ [Yekatom Request](#), paras 24-28; [Ngaïssona Response](#), paras 24-27.

³² [Decision of 1 August 2025](#), para. 12.

³³ Registrar’s Observations, paras 14, 16.

³⁴ Registrar’s Observations, para. 16.

³⁵ [Decision of 1 August 2025](#), para. 12.

³⁶ [Decision of 1 August 2025](#), para. 12.

22. Turning to the Defence Teams' submissions on [REDACTED].³⁷ [REDACTED].³⁸ [REDACTED].³⁹ [REDACTED].⁴⁰ In light of these submissions, the Appeals Chamber considers that the Defence Teams' concerns about the impact of [REDACTED] on the ability to prepare their respective appeal briefs cannot, at this juncture, justify a further extension.

23. Having found that "good cause" is not shown to grant the Defence Teams' requests for an extension of time for the filing of the appeal briefs, the Appeals Chamber rejects the Defence Teams' requests.

24. The Appeals Chamber notes that the Registrar's Observations were filed confidentially. The Registrar is directed to file a public redacted version of filing ICC-01/14-01/18-2825-Conf by Thursday, 23 October 2025.

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



Judge Solomy Balungi Bossa
Presiding

Dated this 20th day of October 2025

At The Hague, The Netherlands

³⁷ [OPCV Submissions of 10 October 2025](#), para. 19.

³⁸ Registrar's Observations, paras 19-22.

³⁹ Registrar's Observations, para. 20.

⁴⁰ Registrar's Observations, para. 21.