



Original: English

**No. ICC-01/14-01/18 A A2 A3
Date: 5 November 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

**Directions on the Yekatom Defence's application under regulation 62
of the Regulations of the Court**

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 Application to present additional evidence” of 24 October 2025 (ICC-01/14-01/18-2830)

Renders, pursuant to regulation 62 of the Regulations of the Court, the following

DIRECTIONS

1. The Deputy Prosecutor may, in the consolidated response to the appeal briefs, set out arguments on the “Yekatom Defence Application to present additional evidence” and adduce any evidence in response. For this purpose, the page limit for the response of the Deputy Prosecutor is extended by 10 pages.
2. The participating victims in these proceedings may file observations presenting their views and concerns with respect to the “Yekatom Defence Application to present additional evidence” in their consolidated observations on the forthcoming appeal briefs of the Deputy Prosecutor, the Defence for Mr Patrice-Édouard Ngaïssona and the Defence for Mr Alfred Yekatom. The page limit for the victims’ consolidated observations and other modalities with respect to their participation in these proceedings will be determined in due course.

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 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.³

3. On 26 September 2025, the Deputy Prosecutor (hereinafter: “Prosecutor”), the Ngaïssona Defence and the Yekatom Defence filed their respective notices of appeal against the Impugned Decision.⁴

4. On 24 October 2025, the Yekatom Defence filed a request seeking an extension of the page limit for its appeal brief.⁵ On the same day, the Yekatom Defence filed an application, pursuant to regulation 62 of the Regulations of the Court (hereinafter: “Regulations”) seeking to present additional evidence on appeal (hereinafter: “Yekatom’s Application”).⁶

II. MERITS

5. In its application, the Yekatom Defence seeks to present the victim application form of witness P-1823 (hereinafter: “Proposed Additional Evidence”) as additional evidence

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; [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; [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.

⁴ [Prosecution notice of appeal of the judgment against Patrice-Edouard Ngaïssona](#), ICC-01/14-01/18-2814; [Ngaïssona Defence Notice of Appeal against the Trial Judgment](#), ICC-01/14-01/18-2815; [Yekatom Defence Notice of Appeal against the Judgment \(ICC-01/14-01/18-2784-Conf\)](#), ICC-01/14-01/18-2816.

⁵ [Yekatom Defence Request for an extension of page limit](#), ICC-01/14-01/18-2829.

⁶ [Yekatom Defence Application to present additional evidence](#), ICC-01/14-01/18-2830.

on appeal.⁷ In particular, the Yekatom Defence requests that the Appeals Chamber rule on the admissibility of the Proposed Additional Evidence jointly with the issues to be raised in its pending appeal brief, pursuant to regulation 62(2)(b) of the Regulations.⁸ In its view, the additional evidence is both “directly and indirectly relevant to multiple Defence grounds of appeal”.⁹

6. In light of Yekatom’s Application and the purported impact of the Proposed Additional Evidence on numerous grounds of appeal that the Yekatom Defence intends to raise in its appeal brief, the Appeals Chamber considers it appropriate to adopt the procedure set out in regulation 62(2)(b) of the Regulations.¹⁰ Therefore, the Appeals Chamber will decide on the admissibility of the Proposed Additional Evidence jointly with the other issues raised in the appeals.

7. Following this procedure, the Prosecutor may, in the consolidated response to the appeal briefs, set out arguments on Yekatom’s Application and adduce any evidence in response. For this purpose, the page limit for the response of the Prosecutor is extended by 10 pages.

8. The participating victims in these proceedings may file observations presenting their views and concerns with respect to Yekatom’s Application, in their consolidated observations on the forthcoming appeal briefs of the Prosecutor, the Ngaïssona Defence and the Yekatom Defence. The page limit for their consolidated observations and other modalities with respect to their participation in these proceedings will be determined in due course.

⁷ [Yekatom’s Application](#), paras 1, 38.

⁸ [Yekatom’s Application](#), paras 4, 35-36.

⁹ [Yekatom’s Application](#), para. 3.

¹⁰ Regulation 62(2) of the Regulations reads in its relevant part: “The Appeals Chamber may [...] (b) [d]ecide to rule on the admissibility of the additional evidence jointly with the other issues raised in the appeal, in which case it shall direct the participant affected by the application filed under sub-regulation 1 to both file a response setting arguments on that application and to adduce any evidence in response.”

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



Judge Solomy Balungi Bossa
Presiding

Dated this 5th day of November 2025

At The Hague, The Netherlands