



Original: English

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

Date: 8 December 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 document

**Decision on the “Prosecution request for an extension of time to respond to the
Defence appeal briefs”**

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 “Prosecution request for an extension of time to respond to the Defence appeal briefs” of 28 November 2025 (ICC-01/14-01/18-2850),

Having before it the “Ngaïssona Defence Response to the ‘Prosecution request for an extension of time to respond to the Defence appeal briefs’, ICC-01/14-01/18-2850”, of 3 December 2025 (ICC-01/14-01/18-2857),

Renders, pursuant to regulations 35(2), 59(1) and 63(4) of the Regulations of the Court, the following

DECISION

The time limit for the filing of the Prosecutor’s consolidated response to Mr Alfred Yekatom’s appeal brief and Mr Patrice-Édouard Ngaïssona’s appeal brief, and for the filing of Mr Ngaïssona’s response to the Prosecutor’s appeal brief is extended to 16h00 on Friday, 27 February 2026.

REASONS

I. PROCEDURAL HISTORY

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

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 public 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. See also [Prosecution’s](#)

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 25 November 2025, the Prosecutor, the Ngaïssona Defence and the Yekatom Defence filed their respective appeal briefs.⁵

5. On 28 November 2025, the Prosecutor filed a request for an extension of time to file his consolidated response to the Defence Teams’ appeal briefs (hereinafter: “Request”).⁶

6. On 3 December 2025, following an order from the Appeals Chamber,⁷ the Legal Representatives of the Victims (hereinafter: “CLRV”),⁸ and the Ngaïssona Defence⁹ filed their respective responses to the Request.

II. MERITS

7. The Prosecutor requests an extension of time until 27 February 2026 to file his consolidated response to the Defence Teams’ respective appeal briefs, as well as to the Yekatom Defence’s application seeking to present additional evidence on appeal.¹⁰ The

[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) (hereinafter: “Decision on Extension of Time”).

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 [Prosecution Appeal Brief](#), ICC-01/14-01/18-2846-Conf (public redacted version filed on 28 November 2025, ICC-01/14-01/18-2846-Red); Ngaïssona Defence Appeal Brief against the Trial Judgment, ICC-01/14-01/18-2847-Conf, with public Annexes A to L; Yekatom Defence Appeal against the Judgment, ICC-01/14-01/18-2784-Conf, 24 July 2025, ICC-01/14-01/18-2848-Conf, with public Annexes 1 and 2, and confidential Annexes 3 to 6.

⁶ [Prosecution request for an extension of time to respond to the Defence appeal briefs](#), ICC-01/14-01/18-2850.

⁷ [Order setting a time limit for responses to the “Prosecution request for an extension of time to respond to the Defence appeal briefs”](#), 1 December 2025, ICC-01/14-01/18-2851 (A A2 A3).

⁸ [Victims’ Response to the “Prosecution request for an extension of time to respond to the Defence appeal briefs” \(ICC-01/14-01/18-2850\)](#), ICC-01/14-01/18-2853 (hereinafter: “CLRV Response”).

⁹ [Ngaïssona Defence Response to the “Prosecution request for an extension of time to respond to the Defence appeal briefs”](#), ICC-01/14-01/18-2850, ICC-01/14-01/18-2857 (hereinafter: “Ngaïssona Defence Response”).

¹⁰ [Request](#), paras 2-3, 10.

Prosecutor submits that good cause exists for the requested extension of time¹¹ and adds that it corresponds to the 32-day extension previously granted to the Defence Teams to file their respective appeal briefs.¹²

8. The Prosecutor submits that the Defence Teams' appeal briefs are exceptionally lengthy (396 pages in total) and complex.¹³ The Prosecutor argues that he must address "more than 80 errors encompassing a wide range of legal issues, including the elements of the crimes, modes of responsibility, sentencing issues, the assessment of the evidence, and fair trial matters", which will require a review of the extensive evidentiary record.¹⁴ The Prosecutor adds that due to "limited overlap between the arguments in the appeal briefs" he will need to respond individually to each appellant's challenges,¹⁵ and that the overlapping arguments also require time to present a coherent and comprehensive response.¹⁶

9. The Prosecutor further submits that his consolidated response to the appeal briefs is currently due on 26 January 2026 which means that a significant part of the preparation time falls within the Court's recess and holiday period, thereby impacting the available working time to prepare the consolidated response during that period.¹⁷

10. The CLRV support the Request and concur with the Prosecutor's submissions.¹⁸ The CLRV request the same extension of time sought for the filing of their observations on the Defence Teams' appeals briefs should the Request be granted.¹⁹ The CLRV submit that in addition to preparing these observations, they will need to respond to the Prosecutor's appeal and that the CLRV team is "facing an important workload due to the fact that they are simultaneously preparing the submissions on reparations due on 27 March 2026".²⁰ The CLRV argue that the preparation of the aforementioned submissions will "require

¹¹ [Request](#), para. 3.

¹² [Request](#), paras 2, 9-10.

¹³ [Request](#), paras 2, 4-6.

¹⁴ [Request](#), paras 2, 4-6.

¹⁵ [Request](#), para. 6.

¹⁶ [Request](#), para. 6.

¹⁷ [Request](#), para. 7.

¹⁸ [CLR V Response](#), paras 2, 9-10.

¹⁹ [CLR V Response](#), paras 2, 12.

²⁰ [CLR V Response](#), para. 11.

extensive consultations with victims in the field in different countries and missions are planned for the coming weeks and months”.²¹

11. The Ngaïssona Defence submits that it does not oppose the Request.²² It also seeks an “equivalent” extension of the time limit to respond to the Prosecutor’s appeal brief to avoid any misalignment of the timeline for responses.²³

12. Under regulation 59(1) of the Regulations of the Court (hereinafter: “Regulations”), “[a] participant may file a response within 60 days of notification of the appeal brief described in regulation 58 [of the Regulations]”. Regulation 63(4) of the Regulations further provides that the “time limit for filing a consolidated response by the Prosecutor shall run from notification of the last appeal brief filed by the convicted person in a given case”. Pursuant to regulation 35(2) of the Regulations, the Appeals Chamber may extend a time limit provided “good cause” is shown.

13. The Appeals Chamber is persuaded by the Prosecutor’s reasons in support of the requested extension and considers that “good cause” has been shown for an extension of the time limit for the filing of the consolidated response to the appeal briefs. It recalls that it has previously found that “complex issues on appeal”²⁴ and “judicial recess”²⁵ may be factors that constitute “good cause” warranting an extension of the time limit.

14. In the present case, the Appeals Chamber notes the lengthy appeal briefs, in which the Defence Teams raise numerous and at times complex issues, and which the Prosecutor will seek to address in a “coherent and comprehensive” manner. In addition, the Appeals Chamber acknowledges the significance of the burden on the parties who address simultaneously “both the conviction decision and sentencing decision”.²⁶ The Appeals

²¹ [CLRV Response](#), para. 11.

²² [Ngaïssona Defence Response, request](#) para. 1.

²³ [Ngaïssona Defence Response](#), paras 2-3.

²⁴ See e.g., *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang*, [Decision on the request of the Prosecutor for an extension of the time limit for her consolidated response to the documents in support of the appeals](#), 5 June 2014, ICC-01/09-01/11-1346 (OA7, OA8), para. 9; *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.

²⁵ See e.g., [Decision on Extension of Time](#), paras 5, 9. See also *Situation in the State of Palestine*, [Decision on the “Prosecution’s Urgent Request for an extension of time to respond to Israel’s Appeal Briefs OA, OA2”](#), 18 December 2024, ICC-01/18-403 (OA, OA2), para. 7; *Situation in the Bolivarian Republic of Venezuela I*, [Decision on the Bolivarian Republic of Venezuela’s application for extension of time to file the appeal brief](#), 12 July 2023, ICC-02/18-52 (OA), para. 8.

²⁶ See [Decision on Extension of Time](#), paras 5, 9.

Chamber further recalls that, pursuant to its directions on the Yekatom Defence's application seeking to present additional evidence on appeal, the Prosecutor may set out arguments on this application and adduce any evidence in response in his consolidated response.²⁷ The Appeals Chamber also notes that three weeks of the total period of time for the preparation of the Prosecutor's consolidated response falls within the upcoming Court's judicial recess. The Appeals Chamber considers it reasonable to expect that a number of staff members will be on leave during that period, which may impact the Prosecutor's ability to prepare his consolidated response during that period

15. For the foregoing reasons, the Appeals Chamber finds it appropriate to extend the time limit for the filing of the Prosecutor's consolidated response to the Defence Teams' respective appeal briefs to 16h00 on Friday, 27 February 2026. Noting the Ngaïssona Defence's submission on the need to align the briefing schedules, the Appeals Chamber grants the same extension of the time limit to the Ngaïssona Defence to file its response to the Prosecutor's appeal brief. Regarding the CLRV, the time limit for their observations on the appeals briefs will be set out in the Appeals Chamber's decision on the modalities of victim participation that will be issued in due course.

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



Judge Solomy Balungi Bossa
Presiding

Dated this 8th day of December 2025

At The Hague, The Netherlands

²⁷ [Directions on the Yekatom Defence's application under regulations 62 of the Regulations of the Court](#), 5 November 2025, ICC-01/14-01/18-2835 (A A2 A3), para. 7.