

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 10 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

Decision on the modalities of victim participation

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),

Renders, pursuant to article 68(3) of the Statute and regulation 86(8) of the Regulations of the Court, the following

DECISION

1. The Common Legal Representatives of Victims of the Other Crimes may file observations on the appeal briefs of the Deputy Prosecutor, Mr Alfred Yekatom and Mr Patrice-Édouard Ngaïssona by 16h00 on Friday, 27 February 2026.
2. The observations referred to in the preceding paragraph shall not exceed 140 pages.
3. The Deputy Prosecutor, the Defence for Mr Alfred Yekatom and the Defence for Mr Patrice-Édouard Ngaïssona may respond to the aforementioned observations in the manner and within the time limit to be set by the Appeals Chamber in due course.

REASONS

1. The purpose of the present decision is to regulate the participation of victims in the appeal proceedings brought by the Deputy Prosecutor (hereinafter: “Prosecutor”), Mr Alfred Yekatom and Mr Patrice-Édouard Ngaïssona,¹ against the decision of Trial Chamber V (hereinafter: “Trial Chamber”) entitled “Judgment” of 24 July 2025 by which Mr Yekatom and Mr Ngaïssona were convicted of and sentenced for war crimes and crimes against humanity (hereinafter: “Impugned Decision”).²

¹ [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.

² [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. Under article 68(3) of the Statute, “[w]here the personal interests of the victims are affected, the Court shall permit their views and concerns to be presented and considered at stages of the proceedings determined to be appropriate by the Court and in a manner which is not prejudicial to or inconsistent with the rights of the accused and a fair and impartial trial”. In the proceedings at hand, and consistent with its previous jurisprudence,³ the Appeals Chamber considers that victims who were authorised to participate during the trial may, in principle, participate in the appeals raised against the Impugned Decision.

3. During the trial, 1,965 victims were authorised to participate in the proceedings.⁴ The participating victims were represented by two teams of Legal Representatives.⁵ The Common Legal Representatives of Victims of Other Crimes (hereinafter: “CLRVC”) comprising five individual Counsel, acting as a single team, represented 1,673 victims.⁶ Likewise, the Common Legal Representative of the Former Child Soldiers represented the remaining 292 victims whose personal interests were affected strictly by Mr Yekatom’s alleged responsibility for the war crime of conscription and use of children under the age of fifteen years to participate actively in hostilities.⁷ In this regard, the Appeals Chamber notes that Mr Yekatom was acquitted of this charge⁸ and, since the Prosecutor does not challenge this aspect on appeal, the acquittal in relation to this charge is final.⁹ Accordingly, the Appeals Chamber, pursuant to regulation 86(8) of the

³ *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”), paras 4-5.

⁴ [Impugned Decision](#), para. 22, referring to [Consolidated list of victims admitted to participate in the proceedings](#), 4 April 2025, ICC-01/14-01/18-2768, with one confidential annex (hereinafter: “Consolidated List of Participating Victims”), para. 13.

⁵ [Impugned Decision](#), para. 22; Pre-Trial Chamber II, [Decision on Legal Representation of Victims](#), 23 May 2019, ICC-01/14-01/18-205 (hereinafter: “Decision on Legal Representation of Victims”), paras 14-15.

⁶ 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 (hereinafter: “Decision on Victim Participation”), para. 36. The Appeals Chamber notes that initially six individual Counsel were appointed. However, one Counsel was subsequently discharged of her mandate due to a conflict of interest (see [Transcript of 19 September 2019](#), ICC-01/14-01/18-T-004-Red2-ENG, pp. 65-66). See also [Consolidated List of Participating Victims](#), para. 13.

⁷ [Decision on Legal Representation of Victims](#), para. 16; [Decision on Victim Participation](#), para. 35. See also [Consolidated List of Participating Victims](#), para. 13.

⁸ [Impugned Decision](#), pp. 1610-1611.

⁹ See also [Order for Submissions on Reparations](#), 8 October 2025, ICC-01/14-01/18-2821, para. 4.

Regulations of the Court (hereinafter: “Regulations”),¹⁰ excludes this group of victims from participating in the proceedings.¹¹

4. Turning to the modalities of participation of the victims of the other crimes, the Appeals Chamber recalls that participating victims may make submissions on procedural matters, for instance by filing a response to any document.¹² Regarding substantive matters on appeal, the Appeals Chamber considers that, in principle, the CLRV (acting as a single team) may file their consolidated observations within the same time limit that the respondent is required to file his or her response. In the present proceedings, the 60-day time limit for said responses, set in regulation 59(1) of the Regulations, has been recently extended.¹³ The victims’ observations are therefore due on 27 February 2026. Furthermore, the Appeals Chamber considers it appropriate in the context of final appeals to always afford the appellant and the respondent an opportunity to respond to the victims’ observations, either orally or in writing.¹⁴

5. Moreover, considering the issues on appeal as well as the fact that page extensions for the appeal briefs and the response thereto have been granted to the Defence for Mr Yekatom and Mr Ngaïssona (hereinafter: “Defence Teams”) and the Prosecutor respectively,¹⁵ the Appeals Chamber deems it appropriate to allow the CLRV to file observations on the appeal briefs and on Mr Yekatom’s application to present additional evidence,¹⁶ which shall not exceed 140 pages.

¹⁰ Regulation 86(8) of the Regulations of the Court reads: “A decision taken by a Chamber under rule 89 shall apply throughout the proceedings in the same case, subject to the powers of the relevant Chamber in accordance with rule 91, sub-rule 1”.

¹¹ See [Decision on Legal Representation of Victims](#), para. 16; [Decision on Victim Participation](#), para. 35. See also [Consolidated List of Participating Victims](#), para. 13.

¹² [Decision on Yekatom Defence request for extension of time to file the appeal brief](#), 20 October 2025, ICC-01/14-01/18-2828-Conf (A A2 A3) (public redacted version filed on the same day, ICC-01/14-01/18-2828-Red (A A2 A3)), para. 13.

¹³ See [Decision on the “Prosecution request for an extension of time to respond to the Defence appeal briefs”](#), 8 December 2025, ICC-01/14-01/18-2858 (A A2 A3). See also [Victims’ Response to the “Prosecution request for an extension of time to respond to the Defence appeal briefs” \(ICC-01/14-01/18-2850\)](#), 3 December 2025, ICC-01/14-01/18-2853.

¹⁴ See [Onqwen Decision](#), para.6.

¹⁵ See [Decision on the Yekatom Defence’s request for a page limit extension for the appeal brief](#), 5 November 2025, ICC-01/14-01/18-2836 (A A2 A3), p. 3, paras 21-22.

¹⁶ See [Directions on the Yekatom Defence’s application under regulation 62 of the Regulations of the Court](#), 5 November 2025, ICC-01/14-01/18-2835 (A A2 A3). See also [Yekatom Defence Application to present additional evidence](#), 24 October 2025, ICC-01/14-01/18-2830.

6. Finally, the Appeals Chamber will permit the Defence Teams and the Prosecutor to respond to the victims' observations, in a manner and within the time limit to be set by the Appeals Chamber in due course.

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



Judge Solomy Balungi Bossa
Presiding

Dated this 10th day of December 2025

At The Hague, The Netherlands