

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/14-01/18
Date: 10 February 2026

THE APPEALS CHAMBER

Before: Judge Solomy Balungi Bossa, Presiding Judge
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-EDOUARD NGAÏSSONA*

Public Document

**Ngaïssona Defence Response to "Victims' Request for extension of page limit
for their consolidated response to the Prosecution's and Defence's Appeal Briefs"**

Source: Defence of Patrice-Edouard Ngaïssona

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

D30

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☒ 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

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☐ Counsel Support Section

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Reparations Section

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I. INTRODUCTION

1. The Ngaïssona Defence respectfully opposes the “Victims’ Request for extension of page limit for their consolidated response to the Prosecution’s and Defence’s Appeal Briefs”¹ (‘Request’), which concerns an extension of 20 additional pages to the 140 pages already afforded by the Appeals Chamber.²
2. The Common Legal Representative of Victims of the Other Crimes (‘CLRV’) does not demonstrate that exceptional circumstances warrant the extension of pages.

II. PROCEDURAL HISTORY

3. On 24 July 2025, Trial Chamber V rendered its Judgment which encompasses the Judgment pursuant to Article 74 of the Statute and the Sentencing pursuant to Article 78 of the Statute.³
4. On 25 November 2025, both Defence teams⁴ and the Prosecution⁵ filed their respective appeal briefs against the Judgment and the Sentence.
5. On 8 December 2025, the Appeals Chamber extended the time limit for the filing of the responses to the appeal briefs to 27 February 2026.⁶
6. On 10 December 2025, the Appeals Chamber set the modalities of victim participation in the proceedings and determined that the CLRV may file a consolidated response to the Prosecution’s and Defence’s appeal briefs “which shall not exceed 140 pages.”⁷

¹ ICC-01/14-01/18-2873.

² ICC-01/14-01/18-2859, para. 5.

³ ICC-01/14-01/18-2784-Red.

⁴ For the Ngaïssona Defence: ICC-01/14-01/18-2847-Conf-Corr and for the Yekatom Defence: ICC-01/14-01/18-2848-Conf-Corr.

⁵ ICC-01/14-01/18-2846-Conf.

⁶ ICC-01/14-01/18-2858.

⁷ ICC-01/14-01/18-2859, in particular para. 5.

III. LEGAL FRAMEWORK

7. Under Regulation 37(2) of the Regulations of the Court, the Chamber may “at the request of a participant, extend the page limit in *exceptional circumstances*.”⁸
8. 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.”⁹

IV. SUBMISSIONS

9. On 10 December 2025, the Appeals Chamber decided that “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 and the Prosecutor”, the CLRV should be allowed to file observations on the appeal briefs and on Mr Yekatom’s application to present additional evidence not exceeding 140 pages.¹⁰
10. The CLRV has not established the existence of such exceptional circumstances warranting the extension of 20 pages in addition to the 140 pages already afforded.
11. The scope of the CLRV’s participation in the proceedings is strictly limited to the presentation of the views and concerns of the victims. This role differs from that of the Defence and the Prosecution. Victims’ representatives do not have to litigate every aspect of the “numerous and complex issues”¹¹ raised on appeal but ought to provide observations to the extent the rights of the victims are affected as per Article 68 (3). The Appeals Chamber decided that 140 pages were sufficient to cover

⁸ Emphasis added.

⁹ Emphasis added.

¹⁰ ICC-01/14-01/18-2859, para. 5.

¹¹ ICC-01/14-01/18-2873, para. 8.

the scope of their participation and nothing in the submissions of the CLRV demonstrate that this number was unsuitable.

12. As recalled by the CLRV, the Appeals Chamber set the page-limit for the presentation of the CLRV's views and concerns after considering the complexity of the Judgment, the issues raised on appeal,¹² and the page extension already granted to the Parties for their submissions.¹³ Mindful of this, the CLRV fails to demonstrate any exceptional circumstances warranting the requested extension. The CLRV merely refers to "the interconnection of several arguments which require more extensive developments than originally foreseen [...] on the targeting of the Muslim population and their displacement, and the evidence provided by dual status individuals."¹⁴ The justification is overly abstract and fails to provide concrete or compelling reasons justifying the extension. The CLRV does not explain why such interconnection of arguments is exceptional, nor why it was not already accounted for when the Appeals Chamber initially set the 140-page limit. In addition, the targeting of the Muslim population and their displacement, as well as evidence from dual status individuals are not novel issues either in this case or to the CLRV. The CLRV fails to persuasively demonstrate that these issues were unforeseen and require development beyond the current page-limit.

V. CONCLUSION

13. In light of the above, the Defence respectfully requests the Chamber to:

- **REJECT** the Request for extension of 20 additional pages to the 140 pages already afforded by the Appeals Chamber.

¹² ICC-01/14-01/18-2873, para. 8, referring to ICC-01/14-01/18-2836, para. 20. *See also*, ICC-01/14-01/18-2836, para. 9 where the unprecedented length of the Trial Decision and its simultaneity with the decision on the sentence were taken into account for granting an extension of time.

¹³ ICC-01/14-01/18- 2859, para. 5.

¹⁴ ICC-01/14-01/18-2873, para. 9.



G. J. Alexander Knoops
on behalf of
Patrice-Edouard Ngaïssona

Dated this 10 February 2026

At The Hague, the Netherlands