



Original: English

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

Date: 23 March 2026

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 whether to hold a hearing and further directions

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

☐ **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, the following

DECISION

1. The Appeals Chamber does not deem it necessary to hold a hearing in these appeals at the current stage of the proceedings.
2. The Deputy Prosecutor, the Defence for Mr Alfred Yekatom and the Defence for Mr Patrice-Édouard Ngaïssona may each file a response to the observations of the Common Legal Representatives of Victims of the Other Crimes by Monday, 20 April 2026, not exceeding 60 pages.
3. Any further request by the parties for leave to reply to the responses to the appeal briefs shall be filed by Monday, 13 April 2026.
4. Responses by the parties to any further requests for leave to reply shall be filed within five days of receipt of same.

REASONS

I. PROCEDURAL HISTORY

1. On 24 July 2025, Trial Chamber V rendered the “Judgment”.¹
2. On 25 November 2025, the Deputy Prosecutor (hereinafter: “Prosecutor”), Defence for Mr Alfred Yekatom (hereinafter: “Yekatom Defence”) and Defence for

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.

Mr Patrice-Édouard Ngaïssona (hereinafter: “Ngaïssona Defence”) filed their respective appeal briefs.²

3. On 10 December 2025, the Appeals Chamber issued a decision setting out the modalities of victim participation in the proceedings (hereinafter: “Decision of 10 December 2025”), noting, *inter alia*, that it would rule in due course on the manner and time limit to be set for the parties to respond to the victims’ observations.³

4. On 27 February 2026, the Prosecutor and the Ngaïssona Defence filed their respective response briefs⁴ and the Common Legal Representatives of Victims of the Other Crimes (hereinafter: “CLRv”) filed their observations.⁵

5. On 18 March 2026, the Ngaïssona Defence requested leave to file a reply to the Prosecutor’s Response.⁶

6. On 19 March 2026, the Prosecutor submitted his response to the Ngaïssona Defence Request to Reply.⁷

II. MERITS

A. Whether to hold a hearing

7. Having regard to the Chambers Practice Manual,⁸ the Appeals Chamber has considered whether to hold a hearing at this stage of the proceedings. In this regard, the

² [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 (public redacted version filed on 19 December 2025, ICC-01/14-01/18-2847-Red), with public Annexes A-L; [Yekatom Defence Appeal against the Judgment, ICC-01/14-01/18-2784-Conf, 24 July 2025](#), ICC-01/14-01/18-2848-Conf (public redacted version filed on 19 December 2025, ICC-01/14-01/18-2848-Red), with public Annexes 1-2, and confidential Annexes 3-6.

³ [Decision on the modalities of victim participation](#), ICC-01/14-01/18-2859 (A A2 A3), para. 6.

⁴ [Ngaïssona Defence Response to the Prosecution Appeal Brief \(ICC-01/14-01/18-2846-Conf\)](#), ICC-01/14-01/18-2886-Conf-Corr (public redacted version filed on 12 March 2026, ICC-01/14-01/18-2886-Corr-Red); Prosecution consolidated response to Yekatom’s and Ngaïssona’s appeals against the Judgment and Yekatom’s request to present additional evidence, ICC-01/14-01/18-2885-Conf (hereinafter: “Prosecutor’s Response”), with public Annex A.

⁵ Consolidated Victims’ Response to the Prosecution and Defence Appeals of the Judgment and Sentence against Mr Alfred Yekatom and Patrice-Edouard Ngaïssona, ICC-01/14-01/18-2884-Conf (hereinafter: “CLRv’s Observations”).

⁶ [Request for leave to Reply to the “Prosecution consolidated response to Yekatom’s and Ngaïssona’s appeals against the Judgment and Yekatom’s request to present additional evidence” \(ICC-01/14-01/18-2885-Conf\)](#), ICC-01/14-01/18-2892 (hereinafter: “Ngaïssona Defence Request to Reply”).

⁷ [Prosecution Response to Ngaïssona’s Request for Leave to Reply](#), ICC-01/14-01/18-2893 (registered on 23 March 2026).

⁸ ICC, [Chambers Practice Manual](#), eighth edition, 2024, section VI (“Deadlines Regarding Judgments of the Appeals Chamber”), para. 91.

Appeals Chamber recalls that it has previously held that “the decision to hold an oral hearing in appeal proceedings against final judgments is discretionary and made on a case-by-case basis”.⁹ The Appeals Chamber notes that “[s]uch decisions should be based primarily on the potential utility of an oral hearing, namely whether it would assist the Appeals Chamber in clarifying and resolving the issues raised in the appeal”.¹⁰ The Appeals Chamber further notes that “[t]his enables [it] to ensure that the proceedings are conducted in the fairest and most expeditious manner, tailored to the context of the specific proceedings at this Court and to the circumstances of the individual appeal(s) before it”.¹¹

8. In the present case, the Appeals Chamber has considered, *inter alia*, the extensive submissions of the parties and the responses and observations thereto.¹² Having done so, the Appeals Chamber does not deem it necessary to hold a hearing at this stage of the proceedings. Should it later appear during the course of the Appeals Chamber’s further deliberations on these appeals that additional submissions are necessary, whether oral or in writing, the Appeals Chamber will issue further directions at that time.

B. Responses to CLRV’s Observations

9. The Appeals Chamber recalls that it “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”.¹³ Having considered the issues on appeal as well as the CLRV’s Observations, the Appeals Chamber deems it appropriate to allow the Prosecutor, the Yekatom Defence and the Ngaïssona Defence each to file a response to the CLRV’s Observations by Monday, 20 April 2026, which shall not exceed 60 pages.

⁹ Appeals Chamber, *The Prosecutor v. Bosco Ntaganda*, [Decision on whether to hold a hearing](#), 17 April 2024, ICC-01/04-02/06-2899 (A A6 A7) (hereinafter: “*Ntaganda* Decision of 17 April 2024”), para. 12. See also Appeals Chamber, *The Prosecutor v. Jean Pierre Bemba Gombo et al.*, [Judgment on the appeals of Mr Jean-Pierre Bemba Gombo, Mr Aimé Kilolo Musamba, Mr Jean-Jacques Mangenda Kabongo, Mr Fidèle Babala Wandu and Mr Narcisse Arido against the decision of Trial Chamber VII entitled “Judgment pursuant to Article 74 of the Statute”](#), 8 March 2018, ICC-01/05-01/13-2275-Red (A A2 A3 A4 A5) (hereinafter: “*Bemba et al. A-A5* Judgment”), para. 47; Appeals Chamber, *The Prosecutor v. Mathieu Ngudjolo Chui*, [Scheduling order for a hearing before the Appeals Chamber](#), 18 September 2014, ICC-01/04-02/12-199 (A) (hereinafter: “*Ngudjolo* Scheduling Order”), paras 12-13.

¹⁰ [Bemba et al. A-A5 Judgment](#), para.47; [Ngudjolo Scheduling Order](#), para. 13.

¹¹ [Ntaganda Decision of 17 April 2024](#), para. 12.

¹² See [Ntaganda Decision of 17 April 2024](#), para. 13; [Bemba et al. A-A5 Judgment](#), para. 48.

¹³ [Decision of 10 December 2025](#), para. 4.

C. Requests for leave to reply and responses thereto

10. Noting the Ngaïssona Defence Request to Reply and the Prosecutor's response thereto, the Appeals Chamber deems it appropriate, in order to streamline its proceedings, to direct that any further request by the parties for leave to reply to the responses to the appeal briefs shall be filed by Monday, 13 April 2026,¹⁴ and any responses thereto shall be filed within five days of receipt of same.

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



Judge Solomy Balungi Bossa
Presiding

Dated this 23rd day of March 2026

At The Hague, The Netherlands

¹⁴ See Appeals Chamber, *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*, [Order scheduling a hearing before the Appeals Chamber and setting a time limit for any request for leave to reply](#), 20 March 2020, ICC-02/11-01/15-1318 (A), para. 6 (“the Appeals Chamber recalls that regulation 60 of the Regulations of the Court, the relevant provision regulating replies to appeal briefs in appeals against, *inter alia*, acquittals, ‘does not prescribe any time limit for the submission of requests for leave to reply and, accordingly, the Appeals Chamber has discretion to set a deadline for any such request’. In the circumstances of this case, and again bearing in mind the stage of these appellate proceedings, the Appeals Chamber finds it appropriate to also now fix a deadline for the filing of any request for leave to file a reply”).