

**Cour
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**International
Criminal
Court**

Original: **English**

No.: **ICC-01/14-01/18**

Date: **20 April 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 CENTRAL AFRICAN REPUBLIC II

IN THE CASE OF

***THE PROSECUTOR v. ALFRED YEKATOM AND PATRICE-EDOUARD
NGAISSONA***

Confidential

**Prosecution Consolidated Response to Yekatom and Ngaißsona's Requests for
Leave to Reply**

Source: Office of the Prosecutor

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INTRODUCTION

1. Yekatom's request and Ngaïssona's further request for leave to reply to the Prosecution Consolidated Response to their appeals against the Judgment ("Requests")¹ should be rejected. The Appellants do not identify new issues that could not have been anticipated when filing their appeals. Rather, their requests repeat arguments already raised in their appeal, seek to cure defects in their appeal briefs, simply disagree with the Prosecution's position, present insufficiently developed submissions, and/or raise issues immaterial to the present appeal. The proposed replies are not necessary in the interests of justice, nor would they assist the Appeals Chamber in its determination of the matters before it.

2. Should the Appeals Chamber nevertheless authorise any reply, such authorisation should be strictly confined to the specific issues and examples identified in the respective Requests, or parts of them, and should not permit the restatement of submissions already advanced in the Appeal Briefs.² Any authorised reply should further be subject to clearly defined time and page limits, to preserve procedural efficiency and reflect the exceptional nature of replies under regulation 60 of the Regulations of the Court.

LEVEL OF CONFIDENTIALITY

3. The Prosecution files this submission as "Confidential" pursuant to regulation 23bis(2), since it responds to Yekatom's Request of the same classification. The Prosecution does not object to this submission being reclassified as "Public".

¹ [ICC-01/14-01/18-2901](#) ("Ngaïssona('s) Request"); ICC-01/14-01/18-2902-Conf ("Yekatom('s) Request").

² See [ICC-01/04-02/06-2488](#) ("*Ntaganda* Decision on Request for Leave to Reply"), para. 8.

SUBMISSIONS

4. The Appeals Chamber may exercise its discretion to order an appellant to file a reply whenever it considers it necessary in the interests of justice.³ In this respect, the Appeals Chamber has previously considered whether further submissions on the issues identified will assist the Appeals Chamber in its determination of the appeal.⁴ The Prosecution submits that the Appeals Chamber should be guided by the principles developed in the context of replies under regulation 24(5), including whether the requesting party seeks to provide arguments on matters that it could have reasonably anticipated or should have included in its original brief.⁵

5. As elaborated below, replies on the issues identified by both Appellants would not be necessary in the interests of justice. They raise no new or unanticipated matters and fall within the following categories:

- Submissions that merely repeat arguments already advanced in the Appellants' Appeal Briefs.⁶ The Appeals Chamber would not benefit from a reply that restates previous submissions on the same issues, particularly

³ Regulation 60(1), [Regulations of the Court](#); [Ntaganda Decision on Request for Leave to Reply](#), para. 8; [ICC-01/05-01/13-2333](#) ("*Bemba et al.* July 2019 Leave to Reply Decision"), para. 20; [ICC-01/05-01/13-2259](#) ("*Bemba et al.* January 2018 Leave to Reply Decision"), para. 9.

⁴ [Bemba et al. January 2018 Leave to Reply Decision](#), para. 10; [Bemba et al. July 2019 Leave to Reply Decision](#), para. 22.

⁵ Leave to reply will generally be granted only after a showing of good cause (*see e.g.* [ICC-01/05-01/08-294](#), para. 3; [ICC-02/04-01/15-252](#), p. 3). If permitted, replies must be "narrowly tailored to only address new issues" ([ICC-01/05-01/08-3165-Red](#), para. 5; [ICC-01/05-01/13-893-Red](#), para. 10), raised in a response which "could not have been foreseen" ([ICC-02/11-01/15-284 OA7](#), para. 11), and "may not be used to strengthen the arguments" previously advanced ([ICC-01/04-02/12-296-tENG](#) ("*Ngudjolo* Leave to Reply Decision"), para. 7). The Appeals Chamber will generally not be assisted by submissions which are irrelevant or unnecessary to assist the Chamber's deliberations, or which fall reasonably within the scope of the moving party's original arguments (*see* [ICC-01/04-01/06-824 OA7](#), para. 67, finding that leave to reply was "unnecessary" and "not relevant to the deliberations of the Appeals Chamber", and [ICC-01/09-01/11-1417 OA7 OA8](#), para. 13, rejecting a request to make additional submissions—albeit under regulation 28, rather than as a reply—on the basis that the issues for which leave was sought fell "within the ambit of the issues on appeal", that the arguments in response were "foreseeable" in the circumstances, and that the applicants had already received the material possibility of presenting "all arguments" within the scope of their appeals).

⁶ Yekatom Request, paras. 9-11 (Issues 1.1-1.3). *See below* paras. 10-12.

where those arguments already formed entire grounds or sub-grounds of appeal to which the Prosecution has foreseeably replied.⁷

- Submissions that seek to build upon or cure shortcomings in the Appeal Briefs.⁸ A reply is not an opportunity to address deficiencies or to develop arguments that were not fully articulated in the principal brief.⁹ Permitting such use of replies would undermine procedural fairness and the expeditious conduct of proceedings, as well as established page limits for appeal briefs, which should have “set out the legal and/or factual reasons in support of each ground of appeal”, pursuant to regulation 58.¹⁰
- Submissions that amount to mere disagreement with the Prosecution’s Response, such as on the Trial Chamber’s findings and the evidence underlying it.¹¹ The Appeals Chamber has been sufficiently briefed through the opposing arguments presented and is well placed to adjudicating these matters without further submissions.
- Submissions that seek to explain why the Prosecution’s Response is allegedly insufficiently responsive to the Appeal Briefs.¹² A claimed lack of responsiveness does not constitute an appropriate basis for a reply. If the Prosecution failed to engage with particular arguments advanced in the Appeal Briefs, those arguments remain before the Appeals Chamber unrebutted and require no further elaboration by way of reply. Regulation 60 is not intended to provide appellants with an opportunity to catalogue or critique the structure or framing of the Respondent’s submissions. The

⁷ See [Ntaganda Decision on Request for Leave to Reply](#), para. 8; [ICC-01/05-01/08-3480 A](#), para. 8.

⁸ Yekatom Request, paras. 10, 16 (Issues 1.2, 4.2); [Ngaïssona Request](#), para. 13. See below paras. 11, 19, 26.

⁹ See [Ngudjolo Leave to Reply Decision](#), para. 7.

¹⁰ Regulation 58, [Regulations of the Court](#).

¹¹ Yekatom Request, paras. 9-11, 13 (Issues 1.1-1.3, 3); [Ngaïssona Request](#), para. 10. See below paras. 10-12, 15, 25.

¹² Yekatom Request, paras. 9, 11, 15, 17-19 (Issues 1.1, 1.3, 4.1, 4.3, 5.1-5.2); [Ngaïssona Request](#), para. 9. See below paras. 10, 12, 18, 20, 22-23.

Appeals Chamber is well placed to assess, on the basis of the submissions before it, both the scope of the respective appeals and whether the Prosecution has sufficiently engaged with it.

- Submissions that are marginal and not material to the proper adjudication of the matters under appeal.¹³ This includes selective disagreements regarding isolated aspects of the Trial Chamber's reasoning and other arguments that are peripheral to the appeal and would not assist the Appeals Chamber.¹⁴
- Submissions that are insufficiently developed or are framed in terms too broad or vague to permit a meaningful assessment of how a reply would be of further assistance to the Appeals Chamber.¹⁵ In the absence of a specific and demonstrated necessity, authorisation of a reply on such bases is unwarranted.
- Finally, nearly the entirety of the Requests concern issues that arose from the Appellants' own arguments.¹⁶ The challenged submissions in the Prosecution's Response were directly responsive to claims on appeal. The Appellants could reasonably have anticipated that the Prosecution would respond by elaborating on the evidence, the applicable legal principles, and the Trial Chamber's reasoning. They therefore do not demonstrate good cause under regulation 60.¹⁷

6. The Defence's asserted entitlement "to speak last" under rule 141(2) does not justify granting a reply under regulation 60.¹⁸ Rule 141(2) concerns the order of closing statements at trial. In *Ngudjolo*, rule 141(2) was read together with rule 149 to inform

¹³ Yekatom Request, paras. 12-13 (Issues 2-3); [Ngaïssona Request](#), paras. 8-13. *See below* paras. 13, 16, 27.

¹⁴ Although a showing of material impact is not a legal requirement for the Appeals Chamber to grant leave to reply, the peripheral nature of certain issues raised should inform the exercise of its discretion in this instance.

¹⁵ Yekatom Request, paras. 16-19 (Issues 4.2-4.3, 5.1-5.2). *See below* paras. 19-20, 22-23.

¹⁶ Yekatom Request, paras. 9-11, 13, 16 (Issues 1.1-1.3, 3, 4.2); [Ngaïssona Request](#), paras. 8-13. *See below* paras. 10-12, 15-16, 19, 24-27.

¹⁷ *See above* para. 4.

¹⁸ *Contra* [Ngaïssona Request](#), para. 7.

the Appeals Chamber's determination of the modalities of the oral hearing on appeal, permitting Ngudjolo to personally address the Chamber at the end of the hearing.¹⁹ That entitlement does not extend to regulation 60 as it addresses the Appeals Chamber's discretion over written appellate proceedings. Ngaïssona's position would imply that replies should automatically be granted whenever the Defence is the appellant where the Chamber has decided not to hold a hearing or is yet to consider whether to hold a hearing.²⁰ Such interpretation would defeat, in those cases, regulation 60's requirement of a case-by-case assessment of necessity in the interest of justice. Conversely, it would also imply an automatic Defence right to a sur-reply whenever the Prosecution is granted leave to reply, in the absence of a hearing. In any event, the point is moot: both Appellants retain the opportunity to have the 'last word' through their respective responses to the CLRV's Observations.²¹

7. The Prosecution turns below to the specific submissions raised by each Appellant.

I. Yekatom's Request should be dismissed

8. Yekatom's Request is overly broad and, if granted, would effectively convert the reply stage into a further full round of written litigation, contrary to the exceptional nature of replies under regulation 60. Although framed as a request for a "confined and focused" reply addressing "only" five issues,²² the Yekatom's Request in substance seeks leave to engage comprehensively with large portions of the Prosecution Response rather than to address a limited set of genuinely novel or unanticipated matters. The purported issues are general, fragment into multiple broad sub-issues, and engage entire sub-grounds of appeal. The breadth of the request is underscored by Yekatom's reliance on extensive portions of the Response as mere

¹⁹ [ICC-01/04-02/12-217](#), para. 10.

²⁰ [Ngaïssona Request](#), para. 7.

²¹ [ICC-01/14-01/18-2894](#), para. 9. The Prosecution does not intend to respond to the CLRV's Observations.

²² Yekatom Request, para. 8.

“examples”²³ as well as reference to “Annex A”, containing six-pages (in landscape orientation) cataloguing additional purported examples.²⁴ Authorising a reply of this scope would not meet the regulation 60 test of necessity in the interests of justice. Yekatom’s attempt at the wholesale incorporation by reference of Annex A should further be dismissed *in limine*.²⁵

I.1. Issue 1 demonstrates no good cause

9. Yekatom’s requests under Issue 1 should be dismissed since none of the matters raised justify a reply under regulation 60.

10. *First*, under Issue 1.1, Yekatom seeks leave to repeat his claim, which forms the very basis of Ground 1.1 of his appeal, that the Chamber relied on material facts not properly pleaded at trial.²⁶ His request expresses mere disagreement with the Prosecution on the nature of the charges and the manner in which they bound the Chamber. The Prosecution’s submissions in response that the specific facts referenced by Yekatom himself were within the scope of the sufficiently specific charges arose foreseeably from Yekatom’s appeal, as well as from earlier litigation on this very issue.²⁷ His further contention that the Prosecution’s Response is not responsive to the ground as raised,²⁸ does not amount to an appropriate basis for a reply as discussed above and should be dismissed for the same reasons.²⁹

11. *Second*, Yekatom’s request under Issue 1.2 seeks to utilise the requested reply to repeat and further develop the arguments he has already made on this issue under Ground 1.2 of his appeal.³⁰ His failure to elaborate further at that stage does not

²³ See e.g. Yekatom Request, para. 8, fns. 7-8 (citing ICC-01/14-01/18-2885-Conf (“Response”), paras. 6-19, 22), 25 (citing Response, paras. 339-349, 356-359) 33 (citing Response, paras. 654-668).

²⁴ ICC-01/04-01/18-2902-Conf-AnxA (“Annex A”).

²⁵ See [ICC-01/09-96-Red](#), para. 5.

²⁶ Yekatom Request, para. 9.

²⁷ See e.g. [ICC-01/14-01/18-703-Red](#), paras. 32-35; [ICC-01/14-01/18-874](#), paras. 56-58.

²⁸ Yekatom Request, para. 9.

²⁹ See *above* para. 5.

³⁰ *Contra* Yekatom Request, para. 10.

warrant an opportunity to do so now in reply.³¹ In any event, the Prosecution submissions that Yekatom seeks to reply to were directly responsive to Yekatom's arguments in his Appeal Brief and should have been anticipated by him.

12. *Third*, under Issue 1.3, Yekatom merely restates the claim that formed the entire sub-ground to Yekatom's appeal under Ground 1.3: that that Chamber convicted him on "a radically transformed, if not entirely new, co-perpetration case."³² It would be inappropriate—and fall outside the scope of regulation 60—to allow Yekatom to repeat those same arguments in reply.³³ Yekatom's Request further suggests without any basis that the Response argues that Alkanto's identification as a co-perpetrator "could not previously have been pleaded."³⁴ Authorising a reply on arguments not made in response would impermissibly expand the scope of the appeal. His suggestion that the Prosecution does not answer his complaint should be dismissed for the same reasons as set out previously.³⁵

I.2. Issue 2 is immaterial and misconstrues the Response

13. Under Issue 2, Yekatom refers to several Prosecution arguments concerning his association to the Anti-Balaka.³⁶ Those arguments and Yekatom's characterisation of them are immaterial to his appeal under Ground 2.1 that challenge the Trial Chamber's alleged attribution to him of the Anti-Balaka's collective motives and patterns of conduct, and the imputation of liability on the basis of association alone.³⁷ Notably, Yekatom does not propose to engage at all with the Prosecution's submissions responding to Ground 2.1 on the legal and evidentiary basis for

³¹ See *above* para. 5.

³² [ICC-01/14-01/18-2848](#) ("Yekatom('s) Appeal"), para. 19. See also paras. 17-20. Compare with Yekatom Request, para. 11.

³³ See [Ntaganda Decision on Request for Leave to Reply](#), para. 8.

³⁴ Yekatom Request, para. 11.

³⁵ See *above* para. 5.

³⁶ Yekatom Request, para. 12.

³⁷ [Yekatom Appeal](#), paras. 25-49.

Yekatom's conviction under article 25(3)(a).³⁸ Yekatom's reply on these points would therefore not assist the Appeals Chamber in adjudicating the issue raised on appeal.

14. Yekatom further misconstrues the Prosecution Response by suggesting that, at paragraph 47, it argues that "any error concerning his association with the Anti-Balaka would [...] be immaterial to responsibility under article 25(3)(a)".³⁹ That submission instead concerns the materiality of Yekatom's awareness of Anti-Balaka movements pre-5 December 2013 as part of an entirely different sub-ground of appeal.⁴⁰

I.3. Issue 3 reflects mere disagreement on anticipatory and immaterial matters

15. The proposed factual arguments advanced under Issues 3.1 and 3.2 amount to nothing more than Yekatom's disagreement with the Prosecution's interpretation of selected Trial Chamber findings and the evidentiary reasoning underpinning them.⁴¹ These competing interpretations of the Judgement are already before the Appeals Chamber. It is well equipped to assess the Trial Chamber's findings and whether the evidentiary analysis supports the propositions advanced, and requires no further submissions to do so.

16. In any event, Yekatom fails to demonstrate that a reply on Issue 3 would be material to the determination of the present appeal. The examples he invokes concern selective and marginal disagreements with isolated aspects of the Trial Chamber's reasoning that are not pertinent to the proper adjudication of the matters on appeal. For example:

- Yekatom asserts that, in responding to Ground 2.4, the Prosecution incorrectly attributed to the Chamber a finding that he instructed 'his group' in Gbanga to target Muslims.⁴² Aside from the Prosecution's submission being an

³⁸ Response, paras. 26-29.

³⁹ Yekatom Request, para. 12, fn. 17.

⁴⁰ Response, para. 47.

⁴¹ *Contra* Yekatom Request, paras. 13-14.

⁴² Yekatom Request, para. 13.

accurate reading of the Judgment,⁴³ Yekatom fails to explain how submissions regarding this alleged mischaracterisation would assist the Appeals Chamber in adjudicating on the Trial Chamber's findings concerning Yekatom's control over his Anti-Balaka group, which rest on a broader set of underlying findings.⁴⁴

- Yekatom similarly contends that, in responding to Ground 3.2, the Prosecution mischaracterised the Judgment as finding that harassment of Muslims in Mbaïki ceased when it was agreed that they would leave *en masse*.⁴⁵ Although the challenged position again reflects a fair characterisation of the Chamber's findings,⁴⁶ Yekatom fails to explain how additional submissions on this point would assist the Appeals Chamber in assessing his claim under Ground 3.2 that the Trial Chamber failed to account for the security and operational context along the PK9-Mbaïki Axis.⁴⁷

I.4. Issue 4 seeks to cure pleading defects and is insufficiently developed

17. Yekatom's requests under Issue 4 should be dismissed since none of the matters raised justify a reply under regulation 60.

18. *First*, under Issue 4.1, Yekatom seeks leave to file a reply in order to argue why, on the 33 occasions listed in Annex A to the Request, the Prosecution's submissions

⁴³ [Judgment](#), paras. 2446-2447 (finding that Yekatom's instructions "included targeting sectors where 'Muslims' were to be found" and that "Yekatom was aware that his instructions would be understood as also targeting Muslim civilians.").

⁴⁴ Response, para. 101. Yekatom also provides no support for the claim that the Prosecution's "reformulated proposition is then recycled as support for the impugned convictions". Yekatom Request, para. 13.

⁴⁵ Yekatom Request, para. 13. Contrary to Yekatom's claim, the Prosecution does not refer to this finding in response to Ground 5.2.

⁴⁶ [Judgment](#), para. 121 (finding that "[e]fforts and measures to prevent [threats and harassment of Muslim civilians in Mbaïki] were taken only after the removal of the Muslim civilian population from Mbaïki had been decided and/or carried out").

⁴⁷ [Yekatom Appeal](#), paras. 302-339. Yekatom's claim that the Prosecution's "reformulation" is "used to answer the Defence's pleaded complaints on control, displacement, knowledge and causation" is unsupported. *Contra* Yekatom Request, para. 13.

are allegedly not (fully) responsive to the grounds of appeal as pleaded.⁴⁸ As discussed above, a claimed lack of responsiveness does not constitute an appropriate basis for a reply under regulation 60 and should be dismissed for that reason.⁴⁹

19. *Second*, under Issue 4.2, Yekatom seeks leave to make submissions, *inter alia*, on the admissibility of Annex 5 to his Appeal Brief.⁵⁰ In doing so, Yekatom attempts to use the reply stage to cure defects in the Appeal Brief by advancing arguments that should have been raised, and properly developed, in the principal submissions. A reply is not an opportunity to remedy omissions.⁵¹ In any event, the Appeals Chamber is well placed to determine the admissibility of Annex 5 based on the statutory framework without further submissions. The remainder of the request under Issue 4.2, referencing a “missed transcript-correction mechanism” and unspecified “Kenya citations relied upon by the Prosecution”,⁵² is insufficiently developed to allow for a meaningful assessment of how a reply would be of further assistance to the Chamber.

20. *Third*, Yekatom’s arguments under Issue 4.3⁵³ are also insufficiently developed to permit a meaningful assessment of how a reply would be of further assistance to the Appeals Chamber. His Request advances broadly that the Prosecution “atomises materiality [...] by disaggregating interlocking errors into self-contained micro-points or assuming away other contested findings.”⁵⁴ Rather than articulating the substance of the alleged deficiency, Yekatom impermissibly relies on Annex A, setting out, in cryptic and summary form, 16 purported examples.⁵⁵ The Request neither engages with those examples nor explains how further submissions in reply would advance the Chamber’s understanding of the issues on appeal. To the extent that Issue 4.3 alleges that the Prosecution left certain pleaded matters unanswered, that alleged lack

⁴⁸ Yekatom Request, para. 15; Annex A.

⁴⁹ *See above* para. 5.

⁵⁰ Yekatom Request, para. 16.

⁵¹ *See above* para. 5.

⁵² Yekatom Request, para. 16.

⁵³ Yekatom Request, para. 17.

⁵⁴ Yekatom Request, para. 17.

⁵⁵ Annex A.

of responsiveness does not justify a reply and should be dismissed for the same reasons as set out previously.⁵⁶

I.5. Issue 5 is overly broad and vague

21. Yekatom's requests under Issue 5 should be dismissed since none of the matters raised justify a reply under regulation 60.⁵⁷

22. *First*, under Issue 5.1, Yekatom's request amounts to a blanket request to reply to the Prosecution's arguments responding to his entire sentencing appeal, encompassing multiple distinct sub-grounds pertaining to alleged errors in (i) the joint issuance of the Conviction and Sentencing Decisions; (ii) the treatment of Yekatom's discriminatory motive as an aggravating factor; (iii) the assessment of mitigating factors; and (iv) the application of the gravity criteria.⁵⁸ Yekatom does not identify any specific, novel, or unanticipated issue arising from the Response that would justify a reply. As framed, the request is too broad and vague to permit a meaningful assessment of how a reply would be of further assistance to the Appeals Chamber. His suggestion that the Prosecution does not engage with the sentencing grounds as plead should be dismissed for the same reasons as above.⁵⁹

23. *Second*, Yekatom's request under Issue 5.2⁶⁰ suffers from the same defects identified in relation to Issue 4.3 and should be dismissed on the same basis.⁶¹

II. Ngaïssona's Request should be dismissed

24. Ngaïssona's Request concerns "two limited categories of issues":⁶² first, Prosecution arguments that allegedly "misrepresent the evidentiary record and seek to preclude consideration of Defence submissions on procedural grounds";⁶³ and,

⁵⁶ See *above* para. 5.

⁵⁷ *Contra* Yekatom Request, paras. 18-19.

⁵⁸ Yekatom Request, para. 18, fn. 33 (*citing* Response, paras. 654-668).

⁵⁹ See *above* para. 5.

⁶⁰ Yekatom Request, para. 19.

⁶¹ See *above* para. 20.

⁶² [Ngaïssona Request](#), para. 8.

⁶³ [Ngaïssona Request](#), para. 9.

second, “the relevance of specific factual aspects to the Chamber’s findings concerning Mr. Ngaïssona’s criminal responsibility”.⁶⁴ None of these issues raised under those categories warrant a reply.

25. *First*, the proposed factual issues amount to mere disagreements with the interpretation of the evidence or the Trial Chamber’s findings.⁶⁵ The Appeals Chamber has been sufficiently briefed and is well placed to determine whether the evidence supports the propositions advanced, and whether the Trial Chamber erred in fact. Further submissions would not assist in adjudicating Ngaïssona’s appeal.

26. *Second*, granting Ngaïssona an opportunity to clarify the “evidentiary basis of [his] argument”⁶⁶ would inevitably expand the scope of his appeal. A reply under regulation 60 is not intended for that purpose.⁶⁷ If it were, the Appeals Chamber would need to afford the Prosecution an opportunity to file a sur-reply addressing any new evidentiary issues raised.

27. *Third*, Ngaïssona fails to demonstrate how challenging the alleged deficiencies in the Prosecution’s submissions would assist the Appeals Chamber. Even if, *arguendo*, any of the issues raised were substantiated, they would not be pertinent to the proper adjudication of the matters on appeal. Ngaïssona merely asserts that the issues concern “key aspects of the evidentiary record and the reasoning underpinning findings from which [his] criminal responsibility directly depends,”⁶⁸ but does not explain how the specific evidentiary or factual points relate to the Chamber’s conclusions on his criminal responsibility.

⁶⁴ [Ngaïssona Request](#), para. 11.

⁶⁵ See [Ngaïssona Request](#), para. 10 (referring to the need to clarify “the manner in which the relevant testimony has been characterised by the Prosecution”) and para. 12 (arguing that the Prosecution “mischaracterizes the evidentiary basis of the Trial Chamber’s findings”).

⁶⁶ [Ngaïssona Request](#), para. 10.

⁶⁷ See *above* para. 5.

⁶⁸ [Ngaïssona Request](#), para. 13.

CONCLUSION AND RELIEF REQUESTED

28. For the reasons set out above, the Prosecution respectfully requests the Appeals Chamber to dismiss the Appellants' Requests.



Mame Mandiaye Niang, Deputy Prosecutor

Dated this 20th day of April 2026
At The Hague, The Netherlands