

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

*Original: English*

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

*Date: 1 May 2026*

**TRIAL CHAMBER V**

**Before:** Judge Beti Hohler , Presiding Judge  
Judge Joanna Korner  
Judge Keebong Paek

**SITUATION IN CENTRAL AFRICAN REPUBLIC II**

***IN THE CASE OF THE PROSECUTOR v. ALFRED ROMBHOT YEKATOM &  
PATRICE-EDOUARD NGAÏSSONA***

**Public Document**

**Public Redacted Version of the "Ngaïssona Defence Response to "Yekatom  
Defence Urgent Request for Extension of Time to Respond to the Submissions on  
Reparations", ICC-01/14-01/18-2911-Conf", 24 April 2026, ICC-01/14-01/18-2913-  
Conf**

**Source:** Defence for Mr Patrice-Edouard Ngaïssona

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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☒ 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

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**Registrar**

M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☒ Victims Participation and  
Reparations Section

☒ Other  
Trust Fund for Victims

## I. INTRODUCTION

1. On 22 April 2026, the Defence of Mr Alfred Rhombot Yekatom ('the Yekatom Defence') filed its "Yekatom Defence Urgent Request for Extension of Time to Respond to the Submissions on Reparations" ('Yekatom Extension of Time Request').<sup>1</sup> Given the urgency of the Request, the Single Judge shortened the deadline to respond and instructed the parties to file any responses no later than 24 April 2026 at 4pm.<sup>2</sup>
2. While the Single Judge permitted the submission of responses via email,<sup>3</sup> the Defence for Mr Ngaïssona ('Defence') provides its response via formal filing due to the email access issues its members continue to face, despite the [REDACTED].<sup>4</sup>
3. The Defence hereby fully joins and supports the arguments presented in the Yekatom Extension of Time Request as elaborated upon in the response below, and requests the same extension of time.

## II. CONFIDENTIALITY

4. The present response is filed confidentially pursuant to Regulation 23*bis*(2) of the Regulations of the Court ('RoC'), since it responds to a filing of the same classification. The Defence does not oppose a reclassification to public once a decision is issued.

## III. SUBMISSIONS

5. The Defence submits an additional three reasons constituting good cause for extending the deadline under Regulation 35 of the RoC, namely: (1) concurrent appellate deadlines that have divided the Defence's finite resources, (2) access

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<sup>1</sup> ICC-01/14-01/18-2911-Conf.

<sup>2</sup> Email from the Single Judge of Trial Chamber V to Counsel dated 22 April 2026 at 17:46.

<sup>3</sup> *Ibid.*

<sup>4</sup> [REDACTED].

and collaborative working issues caused by [REDACTED], and (3) the absence of any prejudice resulting from granting the Request.

6. *First*, unlike the Common Legal Representatives of Victims ('CLRV'), and like the Yekatom Defence,<sup>5</sup> the Defence had two major deadlines in the appeals proceedings falling in April, namely filing its request for further leave to reply to the Prosecution's response to the Defence's appeal brief, and responding to the CLRV's observations thereon.<sup>6</sup> While the Defence worked simultaneously on both reparations and appeals proceedings, the overwhelming majority of its team members were working on the appellate-related filings until 20 April.
7. It is only now that that these two major deadlines have passed that the Defence is able to have additional team members assist with preparing the responses to the several submissions filed on 26 March, 13 and 15 April regarding reparations.<sup>7</sup> Until now, the Defence only had very few members working on reparations. The additional team members are still in the process of familiarising themselves with this area of law and reviewing the submissions, which exceed 250 pages.<sup>8</sup>
8. *Second*, given the disruptions caused by [REDACTED], the Defence's ability to work collaboratively and efficiently has been impeded. After the initial [REDACTED], several team members have experienced access issues regarding their email and shared folders such as : (1) no email access until 22 April 2026 for one team member who was part of the initial team working on reparations, (2) delayed receipt of emails, (3) periodic inability to access [REDACTED] for members based outside of the Hague, (4) occasional loss of access to [REDACTED] for those working at the Seat of the Court, (5) inability to access shared folders, including team drafts of filings, team research and

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<sup>5</sup> Yekatom Extension of Time Request, paras 10-11.

<sup>6</sup> ICC-01/14-01/18-2894, p. 3.

<sup>7</sup> ICC-01/14-01/18-2899-Conf (46 pages); ICC-01/14-01/18-2907-Conf (53 pages); ICC-01/14-01/18-2905-Conf (52 pages with two Annexes of 19 pages in total); ICC-01/14-01/18-2900 (17 pages); ICC-01/14-01/18-2904-Conf (37 pages); ICC-01/14-01/18-2895 (22 pages); ICC-01/14-01/18-2906 (22 pages).

<sup>8</sup> *Ibid.*

legal analysis. This has resulted in periods where Defence team members were severely limited in their ability to work given the confidentiality restraints on sharing documents via other channels of communication.

9. While the email access situation does seem to be improving since the [REDACTED], the [REDACTED]<sup>9</sup> has continued to present practical challenges for the team's collaborative work. Although [REDACTED] supports collaborative working in principle, the [REDACTED] has in practice proven more cumbersome than the previous [REDACTED], resulting in recurring formatting issues and errors. These inefficiencies compound the amount of time the Defence spends on reviewing strategy and finalising submissions.
10. *Third*, no prejudice would result from granting the Yekatom Extension of Time Request. The Defence acknowledges that the crimes for which a conviction was entered occurred more than 10 years ago and thus the Chamber "considers that the reparations proceedings should advance as efficiently and expeditiously as possible, avoiding unnecessary delays".<sup>10</sup> However, under the current circumstances, an additional month is necessary to ensure that Mr Ngaïssona may fully respond to a number of critical issues presented at this junction of the reparations stage, which includes but is not limited to: the formulation of certain presumptions and victim estimates, and an analysis of the harms suffered.
11. Moreover, extending the deadline will not result in any prejudice to the rights of victims because it will have no real impact on the timing of the reparations order. Past practice at the Court indicates that reparations orders are issued years after a conviction is entered and a sentence is imposed. For example, the most recent reparations order in *The Prosecutor v. Ongwen* was issued nearly

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<sup>9</sup> [REDACTED].

<sup>10</sup> ICC-01/14-01/18-2821, para. 5.

three years after Mr Ongwen was sentenced,<sup>11</sup> and approximately 14 months after the Appeal Judgments against the conviction and sentence were issued.<sup>12</sup> In *The Prosecutor v. Al Hassan*, where the parties withdrew their appeals of the Article 74 decision, the reparations order is to be issued on 28 April 2026,<sup>13</sup> that is approximately 17 months after Mr Al Hassan was sentenced.<sup>14</sup>

12. Given these time frames and that here, like in *Ongwen*, the Defence is appealing the conviction and requesting that Mr Ngaïssona be acquitted on all counts, no delay will result in the implementation of reparations by granting the limited extension of time request. Thus, an extension until 13 June 2026 is both reasonable and proportionate. It will ensure that the Defence can effectively participate in the reparations phase of the case, by submitting complete responses to the submissions of the *amicus curiae*, the Registry, the Trust Fund for Victims, and the parties and participants.

13. In light of the above, the Defence requests the Chamber to extend the deadline until 13 June. Additionally, the Defence would not be opposed to extending the deadline for all parties and participants to ensure that the procedural calendar and modalities established by the Chamber are respected – namely the simultaneity of the parties and participants submissions.<sup>15</sup>

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<sup>11</sup> *Prosecutor v. Ongwen*, Reparations Order, ICC-02/04-01/15-2074, para. 2. Mr Ongwen was sentenced on 6 May 2021 and the Reparations Order was issued on 28 February 2024.

<sup>12</sup> *Ibid.*, para. 11.

<sup>13</sup> <https://www.icc-cpi.int/news/al-hassan-case-icc-trial-chamber-x-deliver-reparations-order-28-april-2026-practical>.

<sup>14</sup> *Prosecutor v. Al Hassan*, Sentencing Judgment, ICC-01/12-01/18-2662.

<sup>15</sup> ICC-01/14-01/18-2821.

#### IV. RELIEF SOUGHT

14. For the foregoing reasons, the Defence respectfully requests Trial Chamber V to **GRANT** the Yekatom Extension of Time Request to respond to the submissions on reparations, and to **GRANT** the Defence an identical extension of time.

Respectfully submitted,



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Geert-Jan Alexander Knoops  
on behalf of  
Patrice-Edouard Ngaïssona

Dated this 1 May 2026

At The Hague, the Netherlands