



**COMMITTEE
FOR JUSTICE**

**CFJ METHODOLOGY
AND USE OF LEGAL
TERMINOLOGY**

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Revision
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INTRODUCTION

The collection and verification of data on human rights violations in Egypt face serious challenges due to the obstructing of free access to information, the Egyptian state's deliberate obscuring of facts and fair investigation processes and its strive to maintain a de facto impunity of perpetrators. As lawyers, human rights defenders, and families face great risks while conducting their work and following-up with the victims' conditions, this situation raises the importance of documentation and verification steps that CFJ follows regarding the ongoing violations inside the places of detention.

Meanwhile, we underline a fact that all statistics, figures and percentages presented in our reports, only reflect the information that CFJ has been able to obtain from 94 places of detention across the country.

Because the Egyptian authorities continue to wipe away, hide, or distort all the incriminating evidences, and because it continues to threaten the safety and liberty of human rights defenders and detainees' families, and promote a general climate of horror and fear of retaliation, we as CFJ stress on the following:

1. Our constant pursuit of protecting our information and sources identity through the most secure electronic data collection, documentation, and archiving systems to prevent endangering our personnel and all our collaborators.
2. That all figures and statistics in CFJ reports are subject to change, upward and downward, across all place, time, and violation identifiers, should a climate of public freedoms occur, in which case the freedom of information, free expression of grievance, and the prosecution of perpetrators will enable the disclosure of the true number of violation incidents inside the places of detention.
3. Until then, all CFJ statistics reflect the information made available to our team members and are short of presenting representative random samples, with scientific authority, of the ongoing human rights violations.
4. Yet, our data exposes the broader patterns of violation and sheds light on the progressing and systematic infringement of human rights amid pressuring political and security constraints. We argue that we present the very least effort in supporting the oppressed and pressuring, locally and internationally, for a just and safe judicial system in Egypt.

USE OF LEGAL TERMINOLOGY¹

Human rights violations in places of detentions vary widely from poor detention conditions to extra-judicial killing. The Committee for Justice (CFJ) focuses on the following violations:

Enforced disappearance

The International Convention for the Protection of All Persons from Enforced Disappearance (CED) defines enforced disappearance as “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law” (Office of the United Nations High Commissioner for Human Rights, 2003, p. 1).

Enforced disappearance is absolutely prohibited under international law. It increases the risk of torture but is also recognized as a form of torture for both the disappeared or “any individual who has suffered harm as the direct result of an enforced disappearance”. (Quinteros v Uruguay, 1983, p. 14), (Kurt v Turkey, 1998, p. 134) (Blake v Guatemala, 1998, p. 116).

Also, it is, by definition, a form of arbitrary detention (General Assembly of the United Nations, 2010). Secret detention invariably amounts to an enforced disappearance and it may even constitute a crime against humanity, if repeated in a widespread and/or systematic manner (ibid, p.2). Likewise, Article 7 of the Rome Statute considers enforced disappearance as a crime against humanity when knowingly committed in a systematic manner against civilian populations (International Criminal Court, 2011).

The right to contact the outside world is a core safeguard protecting against both enforced disappearances and extrajudicial killings, as it can effectively facilitate support from family and friends to the detained person. Any person with a legitimate interest, such as relatives of the person deprived of liberty, their representatives or their counsel, should be able to access the following information:

- A. The authority that ordered the deprivation of liberty.
- B. The date, time and place where the person was deprived of liberty and admitted to the place of deprivation of liberty.
- C. The authority responsible for supervising the deprivation of liberty.
- D. The whereabouts of the person deprived of liberty, including, in the event of a transfer to another place of deprivation of liberty, the destination and the authority responsible for the transfer.
- E. The date, time and place of release.
- F. Elements relating to the state of health of the person deprived of liberty.
- G. In the event of death during the deprivation of liberty, the circumstances and cause of death and the destination of the remains (United Nations Human Rights Office of the High Commissioner, 1992).

Notwithstanding, CFJ employs the term of enforced disappearance to cases of disappearance **from inside the places of detention**, in which a detainee, who is proved to have been in the possession “(of) agents of the State or (of) persons or groups of persons acting with the authorization, support or acquiescence of the State” (ibid), is forcibly disappeared from inside his place of detention. In such a case the disappeared faces different scenarios that include getting repeatedly arrested and put on a new case, released without an official report, or subjected to extra-judicial execution.

¹ CFJ recognizes the contribution of 'Ergun Cakal'- the Legal Advisor for Dignity Danish Institute Against Torture- to the development and completion of this paper.

Deprivation of liberty

The right to liberty and security of a person protects any person from being subjected to arbitrary arrest or detention². Arbitrariness may arise from deprivation of liberty in contravention of legal procedures or grounds or in violation of fair trial rights. (The General Assembly of the UN, 2012). Such legal procedures and grounds, in themselves, must be in accordance with international law (Case of Bozano v. France, 1986)³. Furthermore, “the appropriateness of the conditions prevailing in detention to the purpose of detention is sometimes a factor in determining whether detention is arbitrary” (OHCHR). The prohibition is absolute and recognized by customary international law (Human Rights Committee of the United Nations, 1994).⁴ This applies in all cases of detention whether in administrative, pre-trial, punitive or health settings. Hence, the term ‘deprivation of liberty’ eliminates all differences between (“arrest”, “apprehension”, “detention”, “incarceration”, “prison”, “reclusion”, “custody”, “remand”, etc.” and extends its mandate to deprivation of freedom before, during, and after the trial, as well as deprivation of freedom in the absence of any sort of trial- known as ‘administrative detention’ (ibid).

Under ‘deprivation of liberty’ CFJ reports three types of violations:

1. arbitrary detention of victims⁵, whether CFJ has accessed their information through interviewees from outside the places of detention- i.e., family members in homes, passer-by witnesses in streets/airports, or colleagues/patients/service receivers in workplaces- or interviewees from inside the places of detention- i.e., lawyer, inmates, visiting family members.
2. renewed/repeated detention after victims/detainees receive a release order or a court judgment of acquittal, or after completing their sentences. This violation occurs in two forms. The first, is when detention is renewed/repeated before the victims are released from their place of detention- i.e., while still detained inside a police station. The second, is when the victims’ detention is renewed/repeated after they are released and return to their homes or while they satisfy the precautionary measures of their release order (in which case they attend to a police station, sign against their name and stay in custody for a certain period of time every week/ day).
3. suspension or restriction of movement.

Also, CFJ reports on cases that constitute an arbitrary deprivation of liberty as per the five categories identified by the working Group on Arbitrary Detention, as follows:

- A. When it is clearly impossible to invoke any legal basis justifying the deprivation of liberty (as when a person is kept in detention after the completion of his sentence or despite an amnesty law applicable to him) (Category I).
- B. When the deprivation of liberty results from the exercise of the rights or freedoms guaranteed by articles 7, 13, 14, 18, 19, 10 and 21 of the Universal Declaration of Human Rights and, insofar as States parties are concerned, by articles 12, 18, 19, 21, 22, 25, 26 and 27 of the International Covenant on Civil and Political Rights (Category II).
- C. When the total or partial non-observance of the international norms relating to the right to a fair trial, spelled out in the Universal Declaration of Human Rights and in the relevant international instruments accepted by the States concerned, is of such gravity as to give the deprivation of liberty an arbitrary character (Category III).
- D. When asylum seekers, immigrants or refugees are subjected to prolonged administrative custody without the possibility of administrative or judicial review or remedy (category IV).
- E. When the deprivation of liberty constitutes a violation of international law for reasons of discrimination based on birth; national, ethnic or social origin; language; religion; economic condition; political or other opinion; gender; sexual orientation; or disability or other status, and which aims towards or can result in ignoring the equality of human rights (category V)⁶” (The Working Group on Arbitrary Detention, no date).

² See Article 9 (1) of the ICCPR; Article 6 of the African Charter on Human and Peoples’ Rights; Article 37(b) of the Convention on the Rights of the Child; Article 17(2a) of the Convention on Enforced Disappearance; Articles 7(2) and 7(3) of the American Convention; and Article 14(2) of the Arab Charter.

³ Also see HRC, A v Australia, CCPR/C/59/D/560/1993 (1997), p. 9.5; European Court: Kemmache v France (No. 3) (17621/91), (1994) p. 37; Lukanov v Bulgaria (21915/93), (1997) p. 41; Baranowski v Poland (28358/95), (2000) pp. 50-52; Medvedyev and Others v France (3394/03), GC (2010) pp. 79-80.

⁴ Also see A/HRC/22/44, pp. 37-76.

⁵ the main difference between enforced disappearance and arbitrary detention is that in the latter, the authorities ‘do not deny’, implicitly or openly, the presence of the detained person in their possession.

⁶ CFJ reports violations against groups with a special status, e.g., lawyers, human rights defenders, women, minors, students, and others, some of whom fall under this category.

Extra-judicial killing

The right to life is a fundamental human right.⁷ Capital punishment, however, is not prohibited under international law. That said, it is regulated by international law to require that certain procedural safeguards are observed in its application to ensure that they are not extrajudicial, arbitrary or summary. The Commission on Human Rights⁸ in its thirty-ninth sessions, 31/01-11/03/1983, defined the three terms as follows:

“Summary execution” is the arbitrary deprivation of life as a result of a sentence imposed by the means of summary procedure in which the due process of law and in particular the minimum procedural guarantees as set out in Article 14 of the Covenant are either curtailed, distorted or not followed.

Arbitrary execution is the arbitrary deprivation of life as a result of the killing of persons carried out by the order of a government or with its complicity or tolerance or acquiescence without any judicial or legal process.

Extra-judicial execution refers to killings committed outside the judicial or legal process, and at the same time, illegal under relevant national and international laws. Accordingly, in certain circumstances an arbitrary execution can also amount to an extra-judicial execution.” (Economic and Social Council of the United Nations E/CN.4/1983/16, 1983, p. 15).

Extra-judicial execution is interchangeably used with extra-legal killings or executions. It is also defined as “killings committed outside the judicial process by, or with the consent of, public officials, other than as necessary measures of law enforcement to protect life or as acts of armed conflict carried out in conformity with the rules of international humanitarian law.” (Rodley, 1999, p. 182). All are absolutely prohibited without exception (The Economic and Social Council of the United Nations, 1989).

Also, the UN Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, identifies extra-judicial killings as including:

- political assassinations.
- deaths resulting from torture or ill-treatment in prison or detention.
- deaths resulting from enforced disappearances.
- deaths resulting from the excessive use of force by law-enforcement personnel.
- executions without due process.
- acts of genocide.

These often occur in the context of law enforcement where lethal use of force is intentionally used but fail to meet the requirements of necessity, proportionality or precaution (General Assembly of the United Nations, 2016, p. 10), and in systematic patterns of violence with respect to certain groups such as journalists or human rights defenders (Ibid, p.17).

Accordingly, CFJ uses the term ‘Extra-judicial Killing’ in two cases:

1. when “state security forces or persons or groups of persons acting with the authorization, support or acquiescence of the State” fire live ammunition and/or tear gas on unarmed civilians in closed or unventilated areas, leading to their death, in defiance of criteria of absolute necessity and proportionality (United Nations Human Rights Office of the High Commissioner, no date, p. 7).
2. Under this category, CFJ reports incidents of ‘summary execution’ –referred to in earlier CFJ reports as equivocal killing’ - in which the state and/or para-state forces use firearms arbitrarily against civilians leading to their death, and in which case the authorities claim the victims’ affiliation to armed groups and/or report their involvement in an armed clash. We categorize these cases as ‘summary execution’ because there is a severe deficiency in the investigation procedures and an absence of sufficient deterrents to prevent authorities from committing this pattern of killing incidents.
3. Detainees’ death in official and unofficial places of detention due to the ‘denial of medical care’⁹, the excessive use of force by law enforcement officials, suicide, torture, and hunger strike that lead to death.

⁷ Article 6 (1) of the ICCPR states, ‘Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.’

⁸ Then, under the United Nations Economic and Social Council.

⁹ Here, we refer to deaths in places of detention that result from denying the detainee’s right to health care, refusal of their requests to receive health care, or banning their use of medicines that are necessary for their health needs.

Poor detention conditions

This term refers to a wide range of violations by

1. authorities responsible for remanding detainees into custody
2. prison administration and monitoring authorities. These include:
 - a. Ill-treatment: which refers to banning/restriction of family visits, banning/restriction of exercise hours, overcrowding, poor ventilation, banning/restriction of toilet visits or making toilets unavailable to prisoners (in terms of quality and quantity according to international standards), banning of possessing personal belongings or dispossession of them¹⁰, holding political and criminal detainees in joint cells, as a form of punishment¹¹, ban of performing religious rites¹², and solitary confinement¹³.
 - b. Denial of medical/health care which is normally related to failure or intransigence to provide health care (for acute or chronic complaints, for pharmaceutical, clinical or other rehabilitative needs), whether it be through:
 - I. refusing to give medical assistance to those who seek it, whether available or not in the detention facility.
 - II. refusing to release those who may otherwise be able to obtain it outside detention (particularly involving special expertise).
 - III. providing an inadequate or defective quality of health care.
 - IV. forced medical treatments.
 - V. refusal to execute judicial orders of conducting a forensic review in preparation for health care or amnesty procedures¹⁴.
3. Deportation/alienation of detainees¹⁵ which constitutes the state's failure to meet its legal responsibilities towards individuals deprived of their liberty¹⁶.

10 A routine practice of punishment/ hazing during 'cell inspection', in which prison authorities break into cells suddenly, but mostly during night hours and once every three-months in average. They would pull out blankets, slippers, underpants, clothing, mattresses, toilet tools, personal stuff, fans, cleansers, detergents, books, food, drinking water, and anything else. On some occasions, clothing and books are burnt and torn apart. This routine occurs with constant damage to property and physical and/or verbal abuse of prisoners, especially whoever objects to such degrading 'inspection'. Also, this act is associated with financial corruption inside prisons, as detainees are dispossessed of all life means and left alone on bare concrete ground, sometimes only to pressure them giving bribes to allow their families bringing new stuff to them. Poor ventilation, overcrowding, and extreme temperatures in prison cellblocks continue to take more lives among detainees, and pressure the rest searching for means to bring again their belongings, not least clothing and blankets.

11 For rules controlling the placement and categorization of detainees in prison, please refer to paged 42-46 in the UNODC

"Handbook on the Management of Violent Extremist Prisoners and the Prevention of Radicalization to Violence in Prisons", New York, 2016. URL: https://www.unodc.org/pdf/criminal_justice/Handbook_on_VEPs.pdf

12 Ill-treatment may also refer to specific behavioural patterns- shouting, verbal insult and libel, insult of their/their mothers' sexual dignity, shoving detainees to the ground, hitting, beating, and kicking, burning their belongings (especially clothes and religious books to insult their religious feelings and personal dignity), stripping them off their clothes, and all degrading and/or humiliating acts that deny respect to the detainees' dignity.

13 Although categorized under 'poor detention conditions', recurrent evidence from documented data and verified narratives indicate that ill-treatment and/or solitary confinement may easily amount to 'torture' and 'extra-judicial execution', according to the severity and recurrence of violation, and especially when coupled with denial of medical care or inflicted upon a detainee for extended periods.

14 In earlier reports, we labelled violations under this category as 'medical negligence' but the rising volume and spread of violations under this label necessitates the use of a term that is stronger than just 'negligence'.

15 A punitive administrative decision to distribute prisoners to remote prisons away from their residence places, sometimes 500 km away. The decision inflicts severe psychological torture on prisoners, and impedes the prisoner, his lawyer, and his family's right to visitation. It often accompanies heavy torture and/or denial of medical care and ban of entering food/clothes/books/water which are normally accessible during visits.

16 for more information, see the conference proceedings of OHCHR conference "Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors, and Lawyers" p 315-317, on: <https://www.ohchr.org/Documents/Publications/training9chapter8en.pdf>.

Torture

Torture is universally and absolutely prohibited by international treaty and customary law¹⁷. The internationally recognized definition of torture is found in the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment:

“...any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.” (General Assembly, 1984).

This has been adopted by regional and domestic legal frameworks. Torture and CIDTP are both absolutely and universally prohibited, with no exceptions or justifications. All states, whether or not they are parties to the UNCAT, are therefore prohibited from resorting to torture. Individuals are also able to sue governments for violating this obligation. Physical torture here is defined as acts which predominantly cause severe physical pain or suffering. Such torture may readily also cause psychological pain and suffering. It is understood here that torture in its totality focuses on certain methods to the exclusion of others. Beatings, for instance, particularly when repeated, are found to constitute torture under international law (Castaro v Italy, 2015, pp. 172-175, 190)¹⁸.

Beatings with a sexual nature including on the breasts, between the legs and buttocks, and to wombs of pregnant women have also been considered as particularly grave (Miguel Castro-Castro Prison v Peru, 2006, p. 260). Beatings are also covered by the prohibition against corporal punishment, particularly as administrative or judicial disciplinary measures. Corporal punishment is not accepted by international law as being a lawful sanction (General Assembly of the United Nations, 2016, p. 16)¹⁹.

Under Torture, CFJ documents and verifies so called ‘reception parties’- a tradition of receiving new prisoners in prisons and police stations, as police officers and detectives stand in two parallel lines and force the victim to walk in between, where everyone would beat them with hands, feet, bars or sticks. This involves stripping their clothing and inflicting enormous humiliation and verbal abuse on them. Also, we include electrocution, hanging from hands/legs, drowning, starvation, threatening to kill or harm the detainee’s family members, and brutal beating as forms of torture in our report.

17 African Charter on Human and Peoples’ Rights, Article 5 («Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.”); Arab Charter on Human Rights, Article 8 (“1. No one shall be subjected to physical or psychological torture or to cruel, degrading, humiliating or inhuman treatment.”); United Nations Convention on the Rights of the Child, Article 37 (“No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.”); United Nations Convention on Persons with Disabilities, Article 15 (“1. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his or her free consent to medical or scientific experimentation”); Rome Statute for the International Criminal Court, Article 8 (2) (a) (“(ii) Torture or inhuman treatment, including biological experiments; (iii) Wilfully causing great suffering, or serious injury to body or health”).

18 See also: Al-Adsani v. United Kingdom, 35763/97, 21/11/2001, para. 58; Polonskiy v. Russia, 30033/05, 19 March 2009, para. 124-125.

19 See also the Report on the Human Rights of Persons Deprived of Liberty in the Americas, published by the inter-American Commission on Human Rights (2011)

URL: <https://www.oas.org/en/iachr/pdl/docs/pdf/PPL2011eng.pdf>;

and the European Prison Rules, published by the Council of Europe (2006), URL: <https://rm.coe.int/european-prison-rules-978-92-871-5982-3/16806ab9ae>.

DOCUMENTATION AND VERIFICATION

Summary ...

In the local context, several challenges restrict the process of documenting and verifying data on human rights abuses. The political regimes in the majority of countries where CFJ operates often withhold true information and details of abuses, impede the effective investigation of crimes, and works on ensuring the impunity for perpetrators. Thereof, lawyers and human rights defenders face serious risks while conducting their work and documenting the situation of detainees. For CFJ, data verification and documentation are significant during our work on this report. Our research methodology can be summarized as follows:

- Step 1:

Documenting violations by collecting data from a list of primary and media sources on a daily basis. Our team follows a list of sources that vary by case and type. Priority is given to lawyers and families' reports on the day-to-day situation inside places of detention, in addition to supporting information, whenever present, from media platforms, newspapers, and social media outlets.

- Step 2:

Our team verifies the colluded data by contacting the family and/or lawyer of each detainee to authenticate and ensure the credibility of existing information and complete any missing parts. In this step, we compare oral testimonies to data in expert reports (if any), such as criminal evidence and forensic medicine, official reports, statements by public officials, and reports of active national/international human rights organizations, complaints submitted by detainees, photos and videos, trial documents (that include statements by suspects and witnesses, documents and interim/final sentences), families' outcries, eye witnesses (including families of detainees, prison comrades, and relevant lawyers).

Information collected from these sources is sorted by:

1. credibility (e.g., statements of the detainee's family are prioritized over those of lawyers).
2. level of detail.
3. presence/absence of inconsistencies.
4. presence/absence of other evidence that supports/undermines the collected data.
5. date of acquiring information by the source.

- Step 3:

Assembling all verified data into a periodic sheet to explore and analyze the widespread patterns of violations while shedding light on particular cases and places of detention that need urgent intervention and consideration.

Our data entry method consists of counting each violation as a single entry. A violation entry would be a violation that affected detainee X in Y detention place and Z time. If one of these variables change – for example, detainee X has been subjected to another violation in the same detention place – then we will count it as a new entry. However, in adding up the totals of the detainees; the count is per detainee, not per violation, so as not to fall into any unintended data or analytical amplifications.

The following parts expand on these steps and shed light over our data sources, collection tools, evidence, inclusion and exclusion rules, limitations, pattern analysis, and handling data after use.

Data sources

CFJ deploys a range of sources which vary in terms of importance and priority²⁰. These are divided as follows:

Official documents: case files (prosecution and lawyers' documents), medical certificates, telegram messages, reports of forensic evidence, registries of prisons and detention places (accessible through lawyers, detainees' families, and tribunal bodies).

Official statements: including statements by government officials and the Interior Ministry's preannouncements (published on news websites and official social media pages).

Press releases of victims' families, lawyers, and human rights defenders, (accessible through activists and institutions' social media pages).

News sources: selection criteria include the source's reputation, having an official headquarter, CFJ recognition of its administration, and whether the source had been suspected of disseminating false news in past/present time²¹.

Human rights organizations and initiatives: CFJ verifies the identity of the source's administrators and ensures an adequate level of accuracy before using their data.

Victims' relatives: sources include communities of victims' families and/or their lawyers. Our selection is based on the level/nature of relation to the victim, the source's contextual validity- in case s/he are eyewitnesses-, and their ability to prove any given information (by him/her-self, by merit of personal credibility, by showing photos and video/audio records, etc.).

Eyewitnesses: CFJ depends- without limitation- on eyewitness testimonies. We choose eyewitnesses and interviewee lawyers using similar criteria. Data collection team members evaluate the internal consistency of each testimony/narrative, and its compatibility with the available data on the detention place and the circumstances of the violation. Also, approved narratives should be supported by 2-3 testimonials. To consider a testimony valid, we recognize narratives of cellmates, medical service crew members, members of the prison administration, medical practitioners, those involved in examining the victim, those who were present during the victim's death, lawyers who witnessed the violation, visitors/lawyers who contacted the victim or happened to be present during the violation, other detainees who were present in the same place/time besides the victim when they were brought before the Office of the Public Prosecutor, and so on.

Social media pages: we select our sources based on the page's credibility (looking at whether it has disseminated false information before), verification of its owners' identity, their credibility, initiation date, and its publishing pace.

Human rights activists: we use information collected from human rights defenders who monitor violations in Egypt, as well as volunteers and collaborators in the juridical field.

²⁰ Please see the 'evidence' section below regarding how CFJ prioritizes and uses information sources.

²¹ Normally, this occurs when different sources with common interests/attitudes publicize identical false news all at the same time.

Collection and verification steps

Data collection starts with collecting and compiling all information available - in social media outlets/statements/declarations/testimonials/reports (if any)- in secure data inventories. Then, our verification team works on:

1. verifying the existence and validity of relevant sources.
2. Acquiring communication means to the victim's relatives.
3. exchanging correspondence with the victim's relatives to explain CFJ mission and steps, acquire a preliminary consent to document their case, arrange the first meeting date/time, and highlight the need to present a list of documents (personal ID, birth certificate, death certificate, passport, medical report, or documents proving the interviewee's relation to the victims).
4. arranging the interview (medium, place, time).

All interviews start with verifying the incident and the interviewee's relation to the victim. Then the interviewee is presented with a consent form, to be signed, which clearly highlights the different possible means of using the information provided during the interview, which include:

1. pursuit of regional and international mechanisms.
2. share of the information with other human rights organizations.
3. publishing the information (or else, maintaining its confidentiality).
4. approving all of the above. This statement aims at informing the interviewees of consequences to each of the above choices to ensure their 'informed' consent. Each narrative is examined in sufficient length and detail²², to ensure that information is correct and complete.

Online/phone interviews

CFJ undertakes online and/or phone interviews with victims' relatives as means to collect information on reported and documented violations. We conduct interviews with:

1. victims' family members who are primary/secondary next of kin of the victim and/or.
2. relatives, neighbors, colleagues and/or.
3. eyewitnesses who cohabitated the victim, witnessed the violation, or are viably able to testify against the perpetrators and/or.
4. lawyers who share a legal relation to the victim and/or happened to have been present, in the same time and place, with the victim when they were brought before a court/Prosecutor's office.

CFJ interviewees are asked about the violation's details, based on a pre-set questionnaire that the verification team has prepared following the UN standards of documenting different violations inside the places of detention.

Phone calls are used where security risks are manageable and if targeted information is communicable over mobile phone. Mostly, however, phone calls are necessary to collect preliminary information and establish rapport with the interviewees. We commit ourselves not to disclose personal details without a deliberate consent, to keep all data inventories and sources confidential, and abide by safety standards for keeping and archiving data.

²² The average time spent in each interview is 4 to 5 hours.

For all calls, we use safe communication mediums, and collect documents (e.g., copies of medical and official reports) that prove that the violation had occurred, as well as identity documents that prove each interviewee's relation to the victim (ID cards for family members, marriage certificates, or bar cards of lawyers)

Some of the main challenges we face:

1. difficulty to access and verify the interviewee's identity. We managed this by repeating calls in different time brackets and through several mediums and asking interviewees to provide ID copies/photos and basic information about the victim.
2. establishing rapport with the interviewees: we manage this by presenting our institution, the information we seek, their uses, and explaining all cooperation possibilities.
3. compiling the incident's file over phone (because comprehensive information is rarely available through a single family member): we handled this issue by repeating calls and asking interviewees to enable access to different family members and/or sources for the same case.

Face-to-face interviews

CFJ undertakes direct, face-to-face, interviews with lawyers- who hold statutory agency rights on behalf of the victim-, and/or their family members - who have the necessary information/documents/reports -to verify the violation, and/or witnesses of the violation – or those who had contacted the victim before they were offended.

We conduct face-to-face interviews as per the following:

Timewise: we arrange interviews with lawyers and/or family members after completing the documentation processes or, in cases of extrajudicial execution, after the victim's body arrives at the morgue. If victims are denied medical care, tortured, or extrajudicially executed, we hold interviews once their families collect evidence (body, medical reports, blood analysis...), or after a while, upon their request, to ensure the interviewees' psychological stability.

Location: we arrange interviews in public and/or private spaces where safety and convenience are assured (by convenience we refer to privacy, comfort, good lighting, and availability of catering/hospitality).

During interviews, our team handles a number of challenges:

- I. Bringing back pain and suffering: we target one interviewee per time and arrange rehabilitation courses for verification team members to enable them to deal with post-traumatic stress disorder.
- II. psychological regression: we offer psychological support to CFJ members and incorporate this consideration in leave requests.
- III. comprehensive information is rarely available through one interviewee: we seek secondary sources, ask interviewees to enable access to other family members, or the victim's lawyer, or, alternatively, arrange consecutive interviews to complete the verification process.
- IV. objection by one member of the victim's family (whether from the outset or after completing the verification work): we work on convincing the objecting family member, and in case we fail to, we commit to the word/information provided by the victim's first and second-degree relatives who accepted to document the incident.

In both interview types, we verify and triangulate narratives by several means:

1. matching the narrative with information in reports/official documents. In case of mismatching, we support the interviewee's narrative over official documents if they provided a physical evidence or an eye-witness account proving their narrative.
2. verifying the interviewee's awareness of the victim's latest condition: we ask interviewees about their last visit's date and place, and its conclusion and context. We value both purposive and contingent encounters with the victim in courts/prosecution offices/detention places, and associate both types of visits to the source's credibility and the visit's circumstances.

3. verifying the interviewee's age, mental and psychological status, and requesting access to other family members- if we suspect their account being inconsistent. The latter case occurs often when interviewing mothers and elder interviewees who usually confuse dates and incidents. In this case, we ask them to get us in touch with younger and more relevant family members.
4. comparing narratives to broader patterns of violation in the places of detention.
5. verifying the victim's medical condition before and during his detention, by reference to witnesses and reports (if any).

Evidence

In examining violations inside the places of detention, our team collects all types of evidence through direct collaboration with field partners, volunteers, activists, and victims' families. Among primary evidences adopted in CFJ reports are forensic documents, eyewitness accounts, photos/videos, official records of prisons/detention places, court files that contain statements of suspects, witnesses, and others with close link to the violation, convictions obtained (if any), and the prosecutor and/or lawyers' files.

We examine the information obtained from documents and/or narratives using all accessible, reports. 'Forensic reports' proving the violation are the strongest evidence among all, as they state the circumstances of violation, cause, timing, method, place, and the perpetrator's description. Also, in cases of extra-judicial killing, forensic reports document all observations on the body including visible wounds and injuries- bullet holes, swelling, bruising, injuries, burns, form and mean of blood stains' distribution, any disfigurements in body and/or face, etc. If the body was not subjected to forensic examination, and if both physical and medical evidence is absent, our team questions the accuracy and reliability of delivered/circulated information about the incident. Accordingly, we discard tens of incidents where we cannot ascertain or verify the published/narrated information.

Inclusion and exclusion criteria

In all documenting, verification, and revision processes, CFJ follows a number of precautions regarding the evaluation and use of documented and verified information.

We consider the following:

1. the source of information means to access information and our ability to check and verify it.
2. level of details.
3. gaps and inconsistencies: whether the source delivers meaningless or logically inconsistent information (we overlook common and minor inconsistencies that reflect the interviewees' shallow understanding of laws and regulations); also, we support narratives of victims' families over official reports/documents if there is a strong evidence to do so, and since the Egyptian authorities continue to follow a 'deception and denial' pattern when dealing with deaths in the places of detention.
4. absence/presence of factors supporting/refuting a claim: whether witness and family members' statements support or refute each other, whether narratives conform to physical evidence, the presence of a medical or autopsy report that identifies the extent and volume of casualties, and whether official records are the only source of information.
5. evaluating the usability of information based on the time in which the source had obtained it- bearing in mind the state of affairs in Egypt and the authorities' intentional will to obliterate all evidence that might condemn the state. We also consider the interviewees' fear of communicating with human rights organizations or requesting to open up investigations for fear of retaliation by the Egyptian authorities.

Limitations

Our work is restricted by:

1. the availability of resources- time, effort, number of volunteers and employees.
2. CFJ commitment to the 'do no harm' principle which makes us discard some documented/verified information to ensure the safety of witnesses and victims' relatives and to refrain from exposing their true identities to the Egyptian authorities.
3. interviewees' fear of retaliation, leading them to ask us to discard some verified data during, or after, completing our work.
4. inability to document and verify violations that occur while victims are forcibly disappeared or held in incommunicado detention for an unknown period of time.

In both cases (a) our team cannot determine where the violation has occurred; (b) there is an absolute lack of external monitoring of the detention and interrogation processes and their surrounding circumstances; and (c) state officials can summarily deny that they have/had forcibly disappeared any citizens.

Analysis of Violation Patterns

CFJ identifies a group of systematic patterns of violation inside the places of detention. These include denial of medical care, torture, inhumane/degrading treatment, and poor detention conditions. In doing so, we expose violations associated to undermining the right to life, such as deprivation of liberty and personal safety, freedom from torture and inhumane treatment, the right to humane conditions of detention, and the right to receive medical treatment.

Handling documented and verified data

During interviews, our members fill out paper/electronic questionnaires, transfer them to secured electronic copies, and destroy paper questionnaires right after interviews to ensure the source and our members' safety. We follow the same steps with audio documentation and right after discharging the information into the electronic questionnaires. All documented incidents are coded separately before conducting statistical analysis. All data is encrypted in secured digital formats.

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