AFTE’s Anti-Sexual Violence Policy
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Introduction

Sexual violence is an important issue in any society around the world. In the Egyptian context, this issue was tackled by several human-rights and feminist groups for more than a century throughout the four waves of the Egyptian feminist movement. Different tools were used to discuss the issues of sexual violence in the public and the private spheres, including determining and updating definitions of the different forms of the crime of sexual violence; exerting pressure to enact laws to punish perpetrators; writing research papers and studies to make important recommendations in this regard; and seeking to establish serious guarantees for the protection of, and remedy to, victims/survivors. Moreover, feminist groups also played an important role in providing different means of support, including legal, medical and psychological support; documentation of testimonies of victims/survivors; launching different campaigns to shed light thereon and advocacy for limiting and preventing gender-based crimes; guaranteeing no-impunity for these crimes; and submitting bills of laws and internal policies against these crimes.

Independent civil society in Egypt includes human-rights and developmental organizations, groups, and institutions as well as political parties. It witnessed the occurrence of some of these crimes therein or them being committed by persons working therein or belonging to it. During recent years, a number of investigation committees were formed to hear complaints related to sexual violence in order to prove that these acts actually occurred and issue necessary recommendations. During the past three years, many of these crimes were revealed on a larger scale because of developing tools of disclosure and uncovering such crimes in the context of civil society. At the same time, several testimonies were published on social media websites, sent via email to groups and organizations themselves, or published in the form of anonymous testimonies of sexual assaults and rape via blogs that were particularly established for this purpose.

In this context, AFTE wrote its policy to combat sexual violence and gender-based discrimination. The purpose of this Policy is to control these crimes, to hold perpetrators accountable; and to guarantee a healthy and protective work environment for all workers.

It is worth mentioning that the objective of this Policy is to strengthen the principle of protection; to establish the spirit of learning; to solidify the principle of respect for the right to bodily integrity for everyone; to build a corrective path based on the spirit of healing, physical integrity and psychological wellbeing and accountability; and to establish necessary measures to guarantee this.
The Importance of Adopting and Implementing an Anti-Sexual Violence Policy

The importance of the Policy against sexual violence and gender-based discrimination is as follows:

1) guaranteeing a healthy and safe work environment for members of the work-team that is free of sexual violence;

2) protecting the dignity and rights of all workers to psychological wellbeing and bodily integrity;

3) raising awareness of the nature of the crimes of sexual violence as lack of knowledge is one of the obstacles facing Egyptian civil society organizations;

4) fostering the spirit of fellowship, preserving the passion of members of the work-team and their interest in what they do, and making them feel comfortable and unthreatened;

5) ending the culture of impunity;

6) providing remedies and ensuring the implementation of the principle of zero-tolerance to sexual crimes and all forms of discrimination;

7) establishing the values of mutual respect among members of the work-team; and 8) establishing the culture of non-violation of the bodies of any member of the work-team.

Process and References of the Policy

This Policy is based on several references including the Anti-Sexual Violence Policy of the Egyptian Initiative for Personal Rights (EIPR) and the draft policy of the Bread and Freedom Party, as well as the gender-policy of the Social Justice Platform (SJP). We also reviewed some policies on some websites of a number of universities and regional and international organizations that include regulations related to combating sexual violence within these institutions like the PACT Foundation, the Sample Sexual Harassment Policy of the International Labour Organization (ILO), the Anti-Harassment Policy of the International Union for Conservation of Nature (IUCN) including Bullying and Sexual Harassment for IUCN events, the Canadian Human Rights Commission, and the Policy on Sexual Violence of York University of Canada.
Individual meetings were held with members of the work-team of AFTE (25 out of 26) on Jitsi application. This guaranteed that all members of the team fully participate, and that everybody can talk freely; in addition to the protection of the privacy and confidentiality of all meetings, understanding positive and negative practices and patterns in AFTE, and knowing the points of view of all members of AFTE’s work team regarding the Policy and the code of conduct.

**Scope and Application of the Rules of this Policy**

This policy applies to:

- All members of the work-team of AFTE
- All volunteers at AFTE
- Anyone who makes paid services to AFTE on a freelance basis including cleaners, translators, language reviewers, consultants, trainers, etc.
- All visitors of AFTE, everyone who participates in its activities and events, the beneficiaries of AFTE, or the clients of AFTE’s lawyers.
- Based on the belief of AFTE in the dignity and rights of all workers, the provisions of this Policy also apply to all members of the work-team in case they commit acts of violence within their families or against their partners, e.g. sexual or physical assault on them. The purpose of this is to guarantee the safety and security of the work-team, and to make sure that AFTE does not tolerate the existence of a violent person who violates basic human rights principles among the work-team.
Mechanisms and Procedures

First: The Complaint Mechanism and How it is Handled:

- Anyone can send a complaint to a specific email address that is dedicated to receive complaints related to sexual violence and administrative violations. This email is only accessible by the members of the Committee designated to investigate complaints of sexual violence and administrative violations. The Committee notifies the Executive Director that there is a complaint, and informs him/her of the parties of the complaint before starting the investigation. In case the complaint is made against one of the members of the Investigation Committee, it should be sent to the email addresses of the two other members of the Committee. Sexual-violence complaints may be sent directly to the email address of the Gender Expert appointed to oversee investigations related to sexual violence (See Second: Formation of the Investigation Committee).

- Copies of any conversations or other evidence related to the content of the complaint may be shared via email either at the time of submitting the complaint or afterwards.

- Members of the Investigation Committee, the Executive Director and the Gender Expert are prohibited to share complaints with anyone until they are resolved.

- The complaint message should be replied to within a week at maximum. However, the reply should be preceded by a message to confirm that it is received and that its content is being considered.

- The Investigation Committee communicates with the complainee person against whom a complaint is made (referred to in the remaining document as complainee). It notifies him/her of receiving a complaint against him/her. The Committee may take a decision to temporarily suspend the complainee from practicing his/her job until the investigation process is over and a final decision is reached, in case there are serious reasons like fear of repeating the violation, or fear of the complainee's exerting pressure on the complainant or witnesses in case the complaint is about physical violence, sexual violence, or threats to the complainant.

- A complainee is not considered guilty until the process of investigation is over and a conviction decision is reached.
• In case the complainee is temporarily suspended from work, the work-team is notified that there is a complaint against him/her without sharing the content of the complaint or information about the complainant.

Second: Formation of the Investigation Committee

• An Investigation Committee is formed to work for at least for one year. The Committee consists of the Human Resources and Office Director, the Director of the Legal Aid Unit, and one of the lawyers working in AFTE who has experience in investigations and their committees. The Investigation Committee hears all complaints related to sexual violence or administrative violations. Moreover, AFTE hires an expert in gender issues to be responsible for supervising the procedures of investigations, and reviewing the recommendations and decisions of the Investigation Committee in cases of sexual violence. The Expert should be characterized by integrity and neutrality, and should have previous experience in participation in investigation committees. The Expert should not start performing her job in supervising sexual violence investigations unless her nomination is approved by the Board of Trustees.

• The Investigation Committee communicates with the complainant and the complainee via the email address designated for complaints.

• All parties should abide by confidentiality and protection of the privacy of all parties of the investigation.

• The Investigation Committee designates a place at AFTE’s office for holding investigation sessions provided that there is no one else in this place including members of AFTE’s work-team. Investigation sessions may be held online if the complainant doesn’t mind because of the outbreak of the novel Coronavirus (COVID-19).

• Any investigation undertaken by the Committee should be completed and relevant recommendations and decisions reached within a month of starting the procedures of the Investigation. The Investigation Committee may extend this period for a maximum of one more month after notifying the parties of the investigation in case there are reasons for extension.
Third: Powers, Regulations and References of the Investigation Committee

- The Investigation Committee is responsible for communicating with the complainants and the complainees and determining dates of investigation sessions.

- The Investigation Committee is responsible for issuing recommendations and disciplinary penalties regarding all facts it investigates. The final recommendations of the Investigation Committee are binding to AFTE’s Management and the work-team once they are issued.

- The Committee has the right to summon any witnesses as it deems necessary (if any) so that it becomes certain of the conclusion it arrives at.

- Members of the Investigation Committee are prohibited from discussing the facts or findings of the investigation with any other party. This applies to any other association, group, or individuals – whether they are members of the work team or not - after the end of investigations. The purpose of this is to protect the independence of the Investigation Committee.

- The Investigation Committee adopts feminist and human rights principles and values such as the right to bodily integrity and justice. It also adopts feminist definitions of sexual violence crimes. The Investigation Committee defines the concept of consent from a feminist point of view. Definitions of sexual violence crimes are included in this Policy.

- In case the complainant decided to resort to judicial authorities, the Committee remains neutral and its role ends when the internal investigation is made and its recommendations are submitted.

- Disclosure of the name of the complainant is prohibited. Prohibited as well is the disclosure of any details related to what was shared with the Investigation Committee. All minutes, records or information of the investigation remain completely confidential.

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1. The previous experiences of the writer of this document in different investigation committees were helpful in writing this document.
Fourth: Principles governing the Work of the Investigation Committee and how it works

- Procedures of the Investigation don't begin unless there is a clear consent or request from survivors or victims. This principle applies in case a third party submits a complaint as a witness of an incident. In the last case, the Investigation Committee may not commence investigation of the complaint unless there is a clear consent from the survivor/victim in order to avoid violating her privacy or ignoring her agency.

- Members of the Investigation Committee may not write the names of complainants or witnesses in any of the reports or documents related to the investigation. Information of these parties should be anonymous. Members of the Investigation Committee, the complainant and the complainee sign a special form of confidentiality of information which clarifies information that the parties want to keep confidential.

- All papers and reports of investigations, whether they are in print or digital, should be kept in a way that makes complainants and witnesses anonymous so that different members of the Committee benefit from it. New members of the Committee may not know personal details of complaints that were investigated before they join the Committee.

- Names of complainees are not made anonymous so that a record is kept of previous complaints against these persons.

- In case any member of the Investigation Committee discloses any information related to the complainant, witnesses, or the complainee (unless s/he is proved guilty or during investigation); s/he should be removed from the Committee and prohibited from investigating any such complaints in the future. In case the member of the Committee is proved to have committed this violation, this has to be announced and the member is convicted in front of the whole work-team of AFTE. S/he is obliged to apologize and is prevented from undertaking any such investigations in the future.

- Gender identities/sexual orientations of the parties of the investigation should not be disclosed unless these people clearly expressed their consent of disclosure.

- The Committee treats all parties of a complaint in a way that is not degrading, mocking to their feelings, or judgemental.

2. Some of the elements of this paragraph is adapted from the draft policy of the Bread and Freedom Party.
• The Committee may not in any way discuss personal questions that have nothing to do with the content of the complaint like previous relationships, virginity, etc.

• The Committee gives sufficient time to parties of the complaint and witnesses before hearing their testimonies.

• The Committee deals with the complainant and recognizes the impact of the incident on her/his psychological state. This may require hearing the complaint in more than one session, or posing for a while during hearing the testimony. It should be taken into consideration that the complainant may not remember all details in an easy or connected manner.

Fifth: Malicious/Fabricated Complaints: ³

Malicious/Fabricated complaints are defined in this Policy as those complaints that are proven to be deliberately fabricated by one or more parties, and are proven to be untrue by witnesses or digital evidence like screenshots or a notification of infiltrating the person's account to send from it photos, messages or any material. The Investigation Committee decides suitable penalties for the complainant in case the complaint is proven malicious. Complaints that could not be proven may not be considered malicious in anyway. Being malicious is only determined by proving deliberate fabrication of details or complaints.

Sixth: Recommendations and Mechanisms of Implementation

- According to the principle of reform and improvement of the work environment stated in the introduction of this Policy; recommendations and disciplinary penalties are taken according to the following sequence. The following penalties may be recommended by the Committee and they become binding to AFTE's management and the work-team once they are issued: ⁴

1. Making a formal warning (verbal note)

2. Temporary deprivation of external trainings or opportunities

3. Deprivation from incentives or salary increase

3. Ibid.

4. Penalties included in the policy of EIPR are adopted in this Policy.
4. Decreasing salary

5. Demotion of the employee

6. Suspension for three months

7. Final dismissal without giving the person a recommendation letter to apply for new jobs

8. Final dismissal and announcement of a statement that discloses the identity of the complainee and the nature of the act

9. AFTE encourages anyone who is found guilty to make an apology to complainants;

10. The main headlines of complaints and the conclusion of the investigation are announced in a transparent manner with members of the work-team. The details of the complaint and names of complainants/survivors/victims should not be disclosed. The identity of those found guilty should be disclosed, as well as the reason for punishing them in case the punishment is dismissal.

- In its final report at the end of its one-year term, the Committee takes necessary measures to improve practices in AFTE or suggests new practices that would improve the general environment and establish the principle of a safe space for the work-team. The report should include the number of complaints it tackled, their nature, and the context of their occurrence. This report should be presented to the gender expert and AFTE's management in order to develop the Policy when this is needed; and because it is necessary to know the situation of the general work environment.

- Penalty should be proportional to the nature of the complaint and the committed act. Punishment should be more punitive in case the act was repeated more than once.

- The Investigation Committee and AFTE’s management should encourage complainees who were proven to have committed one of the forms of sexual violence or discrimination to apologize to the complainant or survivor/victim, regardless of the gravity of the act committed as a form of admittance of their mistake and recognition of committing the act complained of.

- AFTE's management will not in any way tolerate any suggestions or acts that would punish complainants for their complaints, and necessary measures will be taken towards those who do so.
All workers in AFTE sign the Anti-Sexual Violence Policy and abide by all its provisions.

In order to submit a complaint to the Investigation Committee, please send a message to the following email: complaints@afteegypt.org
Definitions Appendix

In addition to definitions of sexual violence crimes, it is necessary to define certain terms that are closely related to such crimes and the context they occur in. The following definitions rely on those adopted by institutions and groups working in the public and feminist sphere:

- **Safe Space:** It is the space in which everybody equally feels safe and comfortable. It is the space in which they can express themselves without fear of becoming subject to verbal, physical, sexual or electronic violence; or defamation, ridicule or exploitation. It is also the space in which people don’t fear any consequences for such expression. It also means getting services from this space that are safe and non-discriminatory.

- **Public Sphere:** It is the space in which a number of people participate in order to discuss public issues that are important to them like the social and political regime, the meaning of citizenship, and economic policies etc. This sphere may be considered the main space in which public opinion – which comprises various opinions and tendencies - is formed. In other words, the public sphere should be free and not exclusive to one opinion. It should be a space for collective participation based on social and political equality.\(^5\)

- **Private Sphere:** Everything that is related to the private social life. It is worth mentioning that from a feminist point of view, separation between public and private is criticized because of the erroneous and patriarchal concept that public life is a man’s arena and that men only have the right to exist therein, while private life is a woman’s arena and society imposes certain roles on them. This is based on patriarchal and misogynist notions that give authority to men and create imbalance of power between men and women.

- **Sexual Harassment:**\(^6\) Any unwanted acts, words or gazes of sexual nature which violate the body, privacy, or feelings of someone and make them feel uncomfortable, threatened, insecure, afraid, disrespected, terrified, insulted, abused, intimidated or violated.

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5. [https://genderiyya.xyz/wiki](https://genderiyya.xyz/wiki)
Forms of Sexual Violence include:

Visual Harassment:

- **Examining Gaze**: Staring or inappropriately looking at the body or parts of the body of someone.

- **Facial Expressions**: Any kind of facial expressions that make sexual suggestions or messages like licking one's lips, winking, or opening one's mouth.

Verbal Harassment:

- **Calls**: Whistling, shouting, whispering, or making any sound having sexual suggestions.

- **Comments**: Making sexual remarks on someone's body, clothes, or the way s/he walks, acts, or works.

- **Showing unwelcomed interest**: Repeatedly requesting to know someone, asking for the phone number of someone, or making invitations for dinner or other suggestions that may carry a sexual nature whether implicitly or explicitly.

- **Asking to have sex**: Asking someone to have sex, or describing sexual practices or sexual fantasies.

These acts may be practiced face to face, via phone calls, via text messages, or via the internet. Electronic harassment may also include sending inappropriate messages, photos, or videos of sexual nature via email, text messages, social media, forums, blogs, or chat websites on the internet.

Physical Harassment:

- **Touching**: Touching, groping, nudging, rubbing, getting too much close, grabbing, pulling, or any kind of getting close to or touching the body of someone else unwantedly.

- **Undressing**: Showing private parts of the body/flashing genitalia and body parts in front of someone against his/her will.

- **Mob-Sexual Harrassment**: This includes sexual harassment as defined above if done by more than one person against one or more persons.
• **Stalking or Following:** Following someone - whether closely or distantly, by walking or using a car. It can be repeated or done once. It may also mean waiting outside someone's workplace, home, or car. Stalking/following may be electronic.

• **Sexual Defamation:** Publishing, leaking or promoting consensual conversations, personal photos, and/or photos of sexual nature on any public social media; or publishing information, secrets or rumors about personal or sexual relations of someone.

• **Sexual Blackmailing:** To threaten someone to disclose information about him/her, to hurt him/her in any way in order to get sexual benefits, or to threaten him/her with sexual photos or conversations in order to get sexual or physical benefits.

• **Sexual Assault:** Committing sexual acts against someone, including forceful kissing, taking clothes off, or grabbing the private parts of someone without their consent.

• **Mob-Sexual Assault:** Sexual assault committed by a group of people against one person or a group of people.

• **Rape:** Using parts of the body or other objects or tools to fully or partially penetrate the mouth, the anus, or the vagina of someone without their consent.

• **Gang Rape:** Rape committed by a group of people against individual people.

• **Intimidation:** Threatening with any kind of sexual harassment, sexual assault or rape; whether it resulted in doing this act or not. Intimidation here means making the other person afraid of being subjected to any kind of sexual violence by using indirect innuendos, signs, words, or acts, and without using any weapons or causing sexual violence or physical hurt.

• **Abuse of Authority, Influence, or Position:** Inappropriate use of a position of influence, authority or power against someone in order to ask for or suggest sexual approach. This may take place in an explicit or implicit manner that does not allow the other person to refuse or express his/her refusal freely. It may also include making sexual demands in exchange of performing business or other benefits and services.

• **The concept of consent differs according to the context. It is not merely evaluated by explicit refusal. There are various factors that may affect consent such as (These are examples and not a full list):** The existence of unjust or unequal power relations between the complainant and the complainee that don't allow the complainant to freely refuse and cause him/her to feel uncomfortable; the consciousness of the complainant at the time of committing the act; the presence of a history of violence and/or threatening
between the complainant and the complainee; etc. There is also the factor of surprise which
plays a role as it may not instigate an explicit response as the person being violated may freeze.
It is worth-mentioning that the duty of the Sexual Violence Complaints Committee is to exert
due diligence to ascertain indicators/evidence of the existence or non-existence of consent.

- Cases of sexual violence defined above include any cases of sexual violence, assault and
  intimidation regardless of the gender identity of the person who committed it or the person
  against whom it was committed. All the above-mentioned definitions apply to all gender
  identities and sexual orientations.