

Before the Court

Patterns of Judicial Referral and Their Impact on Fair Trial Guarantees

(2025–2024)



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Executive Summary

The report analyzes 330 cases referred to trial during 2024 and 2025, involving at least 9,263 defendants. Many referrals occurred in 2025, accounting for 67.3% of all cases (222 cases), compared to 108 cases referred in 2024.

Many cases remain pending before courts of first instance, with 304 cases currently under consideration, compared to 23 cases in which judgments were issued at the first-instance level, and only 3 cases with final judgments.

The data reveal extended time periods between the initiation of investigations and referral to trial, reaching more than five years in some cases.

A significant number of cases are being heard before a limited number of specialized criminal court circuits, raising questions regarding fair trial guarantees.

Introduction

The Egyptian Commission for Rights and Freedoms issues this report with the aim of providing a descriptive statistical analysis of cases referred to trial during 2024 and 2025, a period that witnessed an unprecedented increase in the rate of referrals of Supreme State Security case files to trial. These cases date back to the period between 2014 and 2025 and involve more than 9,000 defendants, most of whom remain in pretrial detention, while a limited number have been released pending investigation.

The report is based on a documented database containing information on cases referred to trial, including dates of referral, number of cases, number and distribution of defendants, the nature of the charges, as well as the stages of judicial proceedings following referral.

The report focuses on describing judicial referrals in terms of their scale, temporal distribution, case structure, characteristics of defendants, patterns of charges, and procedural features associated with the post-referral stage. The analysis relies on a quantitative reading of the data to provide an overall picture of the characteristics of these referrals and their procedural patterns. The analytical approach adopted in this report treats cases as the primary unit of analysis, while also using data on defendants within each case where available.

Beyond providing a quantitative description of judicial referrals, the report examines their procedural impact on fair trial guarantees. Rather than treating referral to trial as a neutral or final procedural stage within the criminal justice process, the report seeks to examine how this referral is practiced, and whether it fulfills its original function of ensuring judicial adjudication within a reasonable time frame. Through analyzing patterns and characteristics of referrals, the report highlights a few recurring procedural features, including prolonged timeframes, the expansion of large collective cases, and the repetition of similar charge formulations. This pattern raises fundamental questions regarding the actual impact of these practices on fair trial guarantees.

This analysis is read in light of the Egyptian constitutional and legal framework, alongside relevant international fair trial standards, particularly the right to personal liberty, the right to trial within a reasonable time, and the right of defendants to be informed of the nature of the charges against them in order to prepare an effective defense, as stipulated in the Egyptian Constitution, the Code of Criminal Procedure, and the International Covenant on Civil and Political Rights. This legal and normative framework is used as a reference point for assessing procedural patterns associated with the referral stage, without evaluating the substance of the cases, the charges, or the judgments issued in them.

The database includes cases that were investigated by the Supreme State Security Prosecution prior to their referral to trial, providing a specific procedural framework for analyzing referrals as a distinct stage within the criminal justice process. This framework allows for comparative examination of referrals in terms of the number of cases, their structure, the composition of defendants, and their development over the study period

This report is issued concurrently with the adoption of the new Code of Criminal Procedure, which raises serious concerns regarding the potential trial of thousands of defendants through remote proceedings, and the possible challenges this may pose to ensuring the right to defense and effective communication with lawyers, in accord-

Methodology

This report relies on a quantitative descriptive analysis of judicial referrals to trial, based on a documented database comprising a total of 330 cases monitored during the period 2024–2025. The methodology was designed to allow for the description of referral patterns and their procedural characteristics, as well as the analysis of their temporal and structural composition, without assessing the substance of the cases, the charges, or the judgments issued in them

Data Sources and Documentation

The documentation of cases relied on three main types of information sources. Official judicial sources included direct examination of case files and available documents in 124 cases, including referral orders, court session minutes, police reports, investigations conducted by the Public Prosecution, detention or renewal orders, and judgments issued by courts of first instance where available

Human rights sources and statements or publications by lawyers were also used in documenting cases, particularly regarding procedural details, referral dates, and the status of defendants. These sources included information issued by lawyers involved in the cases, as well as reports and public statements issued by human rights organizations or verified professional pages on social media platforms

In addition, journalistic and media sources were used to document a few cases, including coverage published in local newspapers and news websites that reported on court sessions or the stages of referral to trial

Database Construction and Unit of Analysis

Information was compiled into a database designed to record the basic data related to each case and each referral, enabling comparative quantitative analysis across cases and across the study period. The database design distinguished between the case level and the defendant level, allowing for the analysis of case structures on the one hand and the composition of defendants within each case on the other, where data were available

The report treats cases as the primary unit of analysis, with each case recorded as an independent entry within the database. Data on defendants within cases were used to conduct sub-analyses related to the composition of defendants, including gender, age groups, and declared professional categories, while noting the variation in the availability of these variables from one case to another depending on the nature of the available sources

Classification and Analytical Variables

The analysis includes a set of temporals, structural, compositional, and procedural variables. At the case level, the analysis examined referral dates and their temporal distribution, the number of referred cases, and case structures in terms of the number of defendants involved (individual and collective cases), as well as case size

In addition, journalistic and media sources were used to document a few cases, including coverage published in local newspapers and news websites that reported on court sessions or the stages of referral to trial

Data Verification and Quality Assurance

This report adopted the Methodology of Triangulation and Data Verification as a methodological framework for verifying the information related to the cases analyzed. This methodology was implemented by reviewing the data related to each case through more than one type of independent source whenever possible, allowing verification of the accuracy of procedural facts and their timelines

In this context, documentation relied primarily on available official judicial documents, while comparing the information contained in them with data issued by lawyers or human rights organizations concerned with the cases, in addition to reviewing relevant journalistic and media coverage to verify the sequence of procedures and the stages of referral to trial. In cases where it was not possible to rely on all types of sources, at least two independent sources were used to verify a single piece of information whenever possible. This applied approach helped reduce the likelihood of error or bias and enhance the reliability of the data used in the analysis, particularly considering limited access to official information and varying levels of transparency

Methodological Limitations and Definitions

This report faces several methodological limitations, including limited availability of official information regarding some cases, difficulty accessing complete case files in certain instances, and variations in the level of detail available across different cases. These factors affect the scope of possible analyses in certain sections. Accordingly, the report reflects the documented data available during the study period, without claiming to cover all cases or all procedural details related to them

The legal and methodological terms used in this report—including referral to trial, collective cases, large-scale cases, the procedural status of the case, and absent defendants—are used for descriptive and methodological purposes only, in accordance with the following definitions

Term Referral to Trial

Referral to trial refers to the procedural decision issued by the competent investigative authority to transfer a criminal case from the investigation stage to the stage of consideration before the competent court. This decision initiates judicial proceedings—whether public or confidential in accordance with the law—without necessarily implying a determination on the merits of the charges or the removal of restrictions imposed on the defendant’s liberty

Collective Cases

The term “collective cases” is used in this report to refer to cases involving more than one defendant, whether referred within a single case file or under a single referral order, regardless of differences in their individual roles or the nature of the charges attributed to each of them. The term is used for descriptive and methodological purposes only and does not constitute a specific legal characterization or imply the existence of an organizational or criminal link among all defendants

Large-Scale Cases

Large-scale cases refer to cases involving a large number of defendants (more than 100 defendants). These cases are characterized by their extensive numerical scope, complex procedural structure, and the multiplicity of charges included within them, which may affect the defendants' ability to exercise their defense rights individually and effectively. The term is used in an analytical context to describe case size and does not constitute a legal assessment of the legitimacy of this pattern of referrals

Procedural Status of the Case

Procedural status refers to the stage a case has reached after being referred to trial. This includes cases pending before courts of first instance; cases in which a first-instance judgment has been issued; and cases in which a final judgment has been issued. Procedural status is determined based on the latest available update of the data at the time the report was prepared

Absent Defendant

An absent defendant refers to a person whose name appears in the referral order or case file but who does not appear in person before the court at the time of the proceedings, whether because they are detained in another case, are a fugitive, their place of residence is unknown, or for any other procedural reason, according to what is documented in the available sources. The term is used for descriptive purposes without implying the waiver of any defense rights or fair trial guarantees

Lawyers

In this report, lawyers refer to individuals who practice or have previously practiced the legal profession, as documented in case files or reliable sources. This includes lawyers registered with the Bar Association or those known for their legal and defense-related activities

Journalists

Journalists refer to individuals engaged in the professional activity of collecting, producing, or disseminating information to the public through traditional or digital media, whether working within media institutions or independently, in accordance with definitions adopted in international standards on freedom of expression

Human Rights Defenders

Human rights defenders refer to individuals who work—individually or collectively—to promote or protect human rights and fundamental freedoms through peaceful means, including documentation, advocacy, legal support, or community-based work. This definition is based on the United Nations Declaration on Human Rights Defenders and does not require a specific legal or organizational status

Additional Methodological Notes and Limits of the Analysis

Variation in Information Availability: The database reflects differences in the level of detail available across cases, whether regarding the number of defendants, demographic characteristics, or procedural status. This variation is related to the nature of the sources used and the limits of access to official case files

Cases with Unknown Number of Defendants: In a number of cases, precise information regarding the total number of defendants at the time of referral was not available. These cases were classified within a separate category without drawing conclusions regarding their numerical size, in order to avoid introducing unverified estimates into the analysis

Data Updates: The report reflects the latest available update of the data at the time the final version was prepared. Subsequent procedural or judicial developments may occur that are not included in the current analysis

Classification of Professional Categories: The classification of defendants within specific professional categories (lawyers, journalists, human rights defenders) relies on information contained in case files or reliable human rights sources, without assuming a causal relationship between professional affiliation and the nature of the charges

Descriptive Use of Terminology: All terms used in the report—including collective cases and large-scale cases—are employed strictly for descriptive and methodological purposes, without implying a final legal characterization or an objective assessment of the legality of the procedures or the validity of the charges

Limits of the Analysis: This report does not include an evaluation of the substance of the cases, the evidence supporting the charges, or the judicial rulings issued. Its scope is limited to analyzing judicial referrals as a procedural stage, as reflected in the available data

Characteristics of Referred

(At the Case Level)

This section examines the general characteristics of cases, including their number, temporal distribution, structural composition in terms of the number of defendants, case sizes, and certain procedural features related to the stage following referral to trial. This section focuses on cases as the primary unit of analysis, enabling a description of patterns of judicial referrals as reflected in the data

Number of Cases and Temporal Distribution 4.1

The total number of cases included in the database reached 330 cases referred to trial during 2024 and 2025. The temporal distribution of referrals shows that many cases were referred in 2025 (222 cases, 67.3%), compared to 2024 (108 cases, 32.7%)

At the half-year level, referrals were more concentrated in the first half of 2025 (136 cases, 41.2%), compared to 85 cases in the second half of 2025 (25.8%). In 2024, the higher number of referrals was recorded in the second half of the year (100 cases, 30.3%), compared to the first half (9 cases, 2.7%)

Distribution of Referred Cases by Year of Referral

Year of Referral	Number of Cases
2024	108
2025	222
Total	330

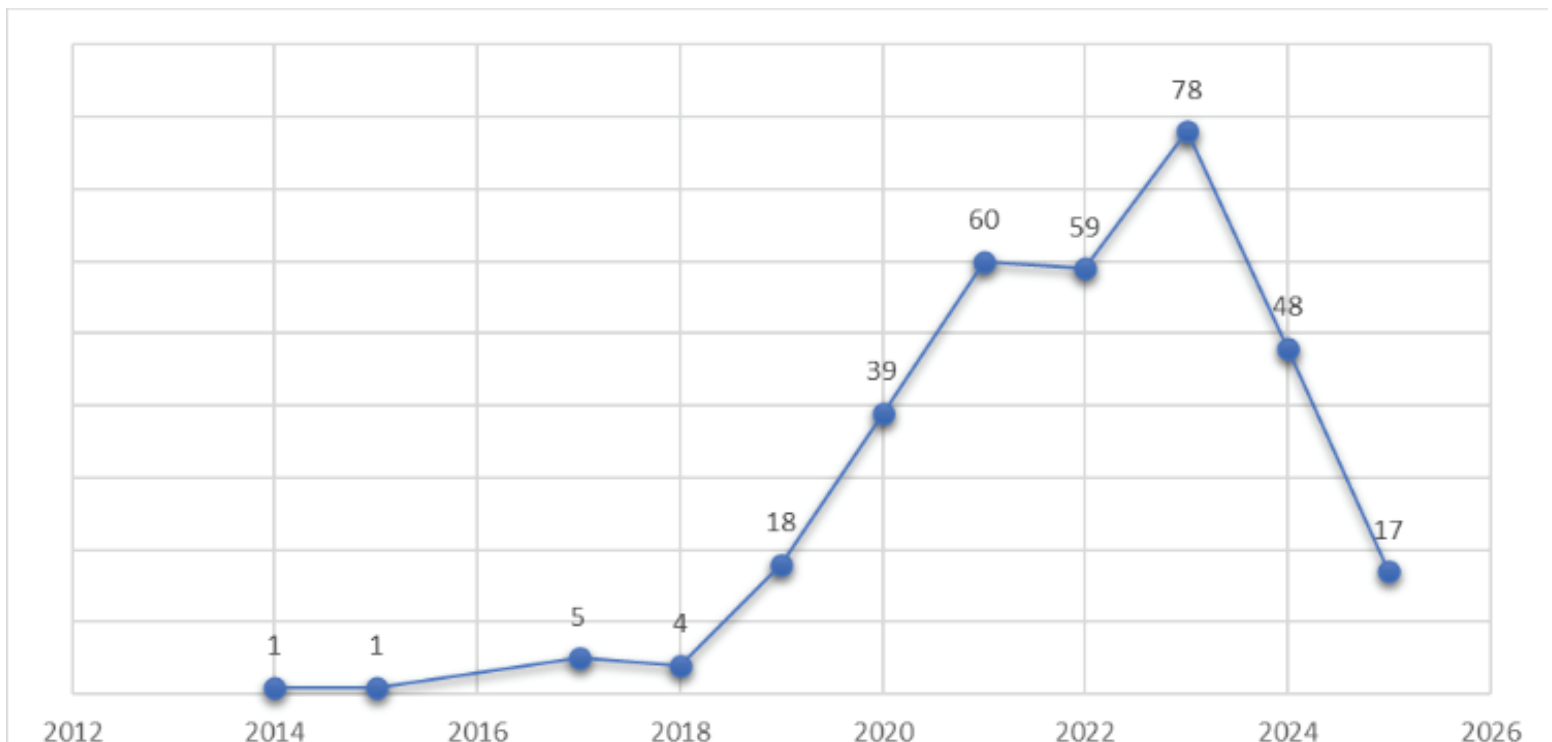
Distribution of Referred Cases by Time Periods

Referral Periods (Half-Year)	Total
First Half of 2024	9
Second Half of 2024	100
First Half of 2025	136
Second Half of 2025	85
Total	330

This distribution reflects a temporal pattern characterized by an increase in referrals during the second half of 2024, reaching a relative peak in the first half of 2025, followed by a relative decline in the second half of 2025, without allowing for causal conclusions regarding the drivers of this change

The data also indicate that the temporal scope of referred cases spans more than a decade, with the earliest cases included in the analysis dating back to 2014, while the most recent extend to 2025

More specifically, the data include one case from 2014 and another from 2015, in addition to five cases from 2017 and four cases from 2018, and 18 cases from 2019. A noticeable increase appears beginning in 2020 with 39 cases, followed by 60 cases in 2021 and 59 cases in 2022, reaching the highest recorded number in 2023 with 78 cases. The dataset also includes 48 cases from 2024 and 17 cases from 2025



Analyzing the time interval between the start of investigations and the date of referral to trial reveals a wide variation in the pre-referral periods across cases. The data show that referrals did not occur according to a consistent temporal pace, but were instead distributed across uneven timeframes

A total of 25 cases were referred to trial within less than one year from the start of the investigation, while 145 cases took between one year and less than two years before referral. In addition, 138 cases recorded a time interval of between three and less than five years, while in 22 cases the pre-referral period exceeded five years

Pre-Referral Time Period	Number of Cases
Less than one year	25
One year to less than two years	145
Three to less than five years	138
More than five years	22
Total	330

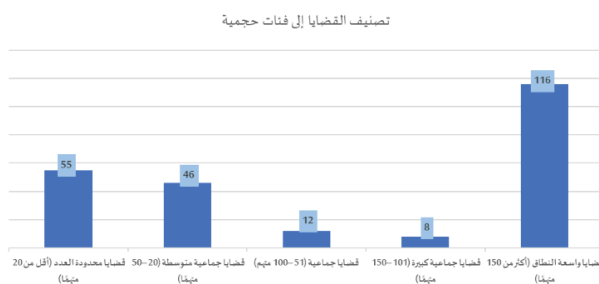
These extended time intervals indicate potential risks of violating the right to trial within a reasonable time, particularly in cases where defendants remained in pretrial detention throughout the investigation periods preceding referral. This pattern raises questions about whether referral is used as a mechanism to conclude pretrial detention, or whether it may instead function as a temporal extension of detention within a formal judicial framework

Case Structure and Size 4.2

The data show significant variation in the size of referred cases in terms of the number of defendants within each case. The number of defendants ranged from a minimum of one defendant to a maximum of 312 defendants. The average number of defendants per case was approximately 28, a figure influenced by the presence of a limited number of large-scale cases involving very high numbers of defendants. This variation reflects a wide gap between small-number cases and collective or large-scale cases

:Based on the number of defendants, cases were classified into the following size categories

- Small-number cases (fewer than 20 defendants): 93 cases
- Medium collective cases (20–50 defendants): 55 cases
- Collective cases (51–100 defendants): 46 cases
- Large collective cases (101–150 defendants): 12 cases
- Large-scale cases (more than 150 defendants): 8 cases
- Cases with an unknown number of defendants: 116 cases



Based on the number of defendants, cases were classified into size categories for the purposes of quantitative analysis, without implying an independent legal characterization. The data show that cases referred to trial are predominantly collective in nature in terms of the number of defendants, including categories that involve relatively smaller numbers

Within this framework, 93 cases included fewer than 20 defendants. Although these cases involve a relatively smaller number of defendants compared to other categories, they remain collective cases in principle. In addition, 55 cases included between 20 and 50 defendants, while 46 cases involved between 51 and 100 defendants

At the level of large-number cases, 12 cases included between 101 and 150 defendants, in addition to 8 large-scale cases involving more than 150 defendants. The database also documented 116 cases for which precise data on the number of defendants at the time of referral were not available. These cases were treated as a separate category in the analysis, without drawing conclusions regarding their numerical size

This distribution indicates that collective cases—particularly those involving more than 50 defendants—represent the dominant pattern among cases referred to trial during the study period, carrying procedural implications related to case management and the ability of defendants to exercise their defense rights individually and effectively

Within this context, large-scale cases, particularly those involving at least 100 defendants, emerged as a distinct pattern within the cases included in the analysis. The number of such cases reached 20 cases, representing approximately 6% of the total cases referred during the study period. These cases are characterized by their significantly larger numerical scope compared to other cases, which is reflected in their overall structure in terms of the number of defendants and the complexity of their procedural trajectory after referral

Procedural Status of Cases After Referral 4.3

Regarding the development of cases following their referral to trial, the data show variation in the procedural status of the cases included in the database. A total of 304 cases remains pending before courts of first instance, while first-instance judgments have been issued in 23 cases, and final judgments have been issued in only 3 cases as of the latest data update

Relationship Between Case Size and Procedural Status 4.4

Linking case size with their procedural status allows for a descriptive reading of the trajectories of cases after referral, as reflected in the available data. The results show that many cases, across different size categories, remain pending before courts of first instance. This pattern appears clearly in medium and large collective cases, where no cases had received either first-instance or final judgments within these two categories by the end of 2025

By contrast, cases in which judgments have been issued (whether first-instance or final) are concentrated in small-number cases, where first-instance judgments were recorded in 20 cases, and final judgments in two cases. As for large-scale cases, judgments were issued in only two instances, consisting of one first-instance judgment and one final judgment, while the remaining cases within this category remained pending before the courts

Within the limits of the available data, no clear pattern emerges indicating a direct relationship between case size and the issuance of final judgments

Procedural Status by Case Size

Procedural Status / Case Size	Small-Number Cases	Medium Collective Cases	Large Collective Cases	Large-Scale Cases	Cases with Unknown Number of Defendants	Large-Scale Cases
Pending before Court of First Instance	71	55	45	18	114	304
Judgment Issued – Court of First Instance	20	0	0	1	2	23
Final Judgment Issued	2	0	0	1	1	3
Total	93	55	45	20	116	330

Composition of Defendants

This section examines the composition of defendants included in the cases under analysis, as a key dimension for understanding the structure of judicial referrals from the perspective of the individuals subject to them. This section relies on analyzing the demographic and professional characteristics of defendants, as reflected in the available data, with the aim of describing the different groups included in the cases and identifying patterns of their representation within judicial referrals

Total Number of Defendants and Scope of Coverage 5.1

The total number of defendants included in the cases under analysis reached at least 9,263 individuals, whose data appeared in 330 cases referred to trial during 2024 and 2025. These figures reflect a broad numerical scope of defendants, distributed across individual and collective cases of varying sizes, as recorded in the database

Gender 5.2

The data show that many defendants are male, while 261 women appear among the total number of defendants, representing 2.8% of all defendants included in the analysis. Female defendants were distributed across a few cases, including both small-number cases and collective cases, without being limited to a specific type of case

Age Group (Children) 5.3

The cases included 19 defendants under the age of eighteen, according to the available data regarding age at the time of referral to trial. It should be noted that age documentation is not equally available across all cases, meaning that this figure reflects only the cases in which the age of defendants could be clearly verified

It is also worth noting that some cases include defendants who were under the age of eighteen at the time the investigations began, but who had exceeded that age by the time the case was referred to trial. This explains why the figure above is limited to defendants who remained under the age of eighteen at the time of referral to trial

Professional Categories 5.4

Analyzing the declared professional affiliation of defendants allows for identifying the presence of specific professional groups within judicial referrals, reflecting the diversity of professional backgrounds among individuals included in the cases under analysis, without assuming any causal relationship between professional affiliation and the nature of the charges

Lawyers

The referred cases included 143 defendants who are lawyers, among them 6 female lawyers, distributed across 43 different cases. The data show that cases involving lawyers mostly appeared within collective or large-scale cases in terms of the number of defendants and were not limited to individual or small-number cases

This pattern is particularly evident in Case No. 2215 of 2021, which alone included 31 lawyers among the defendants, making it one of the cases with the highest concentration of this professional category

Regarding the charges, the data indicate that the most common pattern of accusations in cases involving lawyers consisted of joining a terrorist organization, an accusation directed against 126 lawyers across 39 cases. This was followed by accusations related to financing a terrorist organization or providing material support to it, which were directed against 73 lawyers in 24 cases

Other charges included assuming a leadership role in a terrorist organization or participating in its administration, recorded in 15 cases, and criminal agreement to commit terrorist crimes, recorded in 12 cases. Additional accusations appeared at lower frequencies, including possession of printed materials or documents containing ideas related to the organization's activities in two cases, and participation through incitement or assistance in crimes related to financing in one case

The data also show that at least 11 lawyers appeared as defendants in more than one case, including instances in which individuals were listed in two or three different cases. It is notable that the repeated referral of these lawyers was, in most cases, associated with the same patterns of accusations or similar legal formulations across the different cases in which their names appeared, according to the available data

This pattern adds a quantitative dimension to understanding the structure of judicial referrals involving this professional category, particularly in terms of the recurrence of referrals and the repetition of accusation formulas across multiple cases

Journalists

The cases included 25 defendants who are journalists, among them two female journalists, distributed across 12 different cases. The data show that cases involving journalists were mostly collective in nature in terms of the number of defendants, and the presence of this professional category was not limited to individual or small-number cases

Regarding the charges, the data indicate that cases involving journalists were primarily associated with accusations related to publication and expression, particularly spreading false news and misusing social media, in addition to accusations of joining a terrorist organization and charges related to financing or providing material support. This distribution reflects a pattern combining charges related to media activity with others of an organizational or financial nature, according to the legal formulations contained in the case files

Human Rights Defenders

At least 13 human rights defenders were documented among the defendants, based on case files and available official documents. These individuals were distributed across 17 cases, because some of them appeared in more than one case

In some instances, the same defenders were referred in more than three cases, while others appeared in two separate cases. This pattern is evident in documented cases, including Ibrahim Metwaly and Hoda Abdel Moneim, reflecting the recurrence of the same names across multiple cases

It should be noted that the analysis of defendants' composition depends on the level of availability and detail in the data sources used, which is reflected in variations in the degree of coverage for certain characteristics, particularly age groups and professional affiliation

Patterns of Referral and Procedural Characteristics

This section examines the general patterns accompanying the referral of cases to trial, as well as the procedural characteristics associated with them. The analysis focuses on how judicial referral is structured as a procedural step, in terms of the nature of the accompanying charges, the time intervals preceding the referral, patterns of court sessions, and the subsequent procedural trajectory following referral

Patterns of Charges 6.1

A review of the charges accompanying judicial referrals reveals a broad uniformity in the legal formulations of accusations across all cases without exception. The charges were repeated according to consistent patterns, both in terms of their nature and the combination of multiple categories of accusations within a single case, particularly in collective and large-scale cases

The main accusations center on joining an organization classified within terrorism-related cases or assuming leadership roles within it, combined with allegations relating to calling for the overthrow of the system of government by force, attacking members and facilities of the armed forces and police, targeting public facilities, and using terrorism as a means to achieve these objectives, according to the formulations contained in the referral orders

The charges also included joining an organization established in violation of the law with the aim of disrupting the provisions of the Constitution and laws, obstructing the work of public authorities and state institutions, violating personal freedoms, and harming national unity and social peace. In a few cases, defendants were also accused of participating in the implementation of the organization's objectives with knowledge of its purposes, in addition to charges related to financing terrorism, including collecting funds

This extensive uniformity in the legal wording of charges, together with the repeated combination of multiple categories of accusations within the same case, reveals a pattern of broad and generalized accusations and the absence of individualized attribution of acts to each defendant. Charges with identical or very similar formulations are often attributed to large numbers of defendants without specifying the acts attributed to everyone

This pattern raises serious concerns regarding the principle of precise identification of charges, which constitutes one of the fundamental guarantees of a fair trial. Such guarantees require that charges be sufficiently specific to enable the defendant to understand the scope of the accusation and prepare an effective defense based on clearly defined facts, particularly in collective and large-scale cases

This pattern is also associated with concerns related to the right to defense and confrontation, as the systematic combination of several broad categories of accusations within the same case limits the ability of defendants and their lawyers to challenge each accusation individually or effectively contest its legal and factual elements

Judicial Framework for Cases After Referral 6.2

Many cases were referred to criminal courts, with 327 cases heard before criminal court circuits out of a total of 330 cases. In contrast, only two cases were heard before misdemeanor courts, while one case was heard before an Emergency State Security Criminal Court

This distribution reflects the placement of the judicial referrals under analysis within a specific judicial framework, namely criminal court circuits responsible for examining terrorism-related cases

Court Level	Number of Cases
Felony (Criminal Court)	327
Emergency State Security Criminal Court	1
Misdemeanor Court	1
Total	330

At the level of case hearing organization, many sessions were held before circuits convened at the Badr Courts Complex, where no fewer than 200 cases were heard before only three terrorism criminal circuits: the First Circuit, the Second Circuit, and the Third Terrorism Criminal Circuit

This concentration is not merely an administrative matter, but carries human rights implications related to fair trial guarantees, particularly the principle of the natural judge and the right of defendants to appear before a competent, independent, and impartial court, in accordance with relevant international standards. In principle, distributing cases across a wider number of judicial circuits would ensure greater diversity in judicial panels and stronger institutional independence, and would reduce the concentration of a particular category of cases before a limited number of circuits. Such concentration may also affect the practical ability to adjudicate this volume of cases within a reasonable time frame

Procedural Status of Defendants After Referral 6.3

The total number of defendants in the cases under analysis reached 9,263 individuals. Among them, at least 1,468 defendants were tried in absentia at the time the cases were heard. This raises questions related to guarantees of actual appearance before the court, as well as the defendant's right to confrontation and defense, particularly in collective and large-scale cases

The patterns of referral examined in this analysis reveal risks that the referral to trial may shift from being a procedure intended to open the way for judicial determination to becoming an additional stage within a prolonged trajectory of detention. As long as many cases remain pending before courts of first instance, and many defendants remain in detention, referral alone may be insufficient to ensure the lifting of restrictions on personal liberty or to accelerate the adjudication of cases

Conclusion

The findings of this report should be read within a broader context marked by a growing number of cases referred to trial, at a time when domestic and international discussions continue regarding the situation of pre-trial detainees and the effectiveness of available legal mechanisms to address these conditions. The data-driven analysis shows that referral to trial, as a pivotal procedural stage, does not necessarily lead to the swift resolution of cases, as the overwhelming majority remain pending before courts for extended periods

Within this context, the referral stage acquires particular importance, not only as a transition from investigation to trial, but also in terms of its practical impact on the right to personal liberty and the right to have cases determined within a reasonable time. The patterns identified in this report point to the risk that, in the absence of effective procedural safeguards, referral may become an extension of the detention trajectory, effectively transferring the burden of restrictions on liberty from the pretrial detention phase to the trial phase, without addressing the underlying causes of procedural delays

These findings highlight the need to examine judicial referrals considering obligations to ensure fair and prompt trials, enabling defendants to fully exercise their defense rights and preventing the prolongation of proceedings in a manner that empties those rights of their substance

In this sense, this report—through its quantitative analysis of data—provides a reference tool for assessing whether referral to trial constitutes a genuine pathway toward justice or merely an additional stage within a prolonged chain of procedures affecting the fundamental rights of defendants

By relying on systematic quantitative data analysis, the report also provides an empirical basis for evaluating the extent to which judicial referral practices comply with relevant international fair trial standards