



# Building the Foundations of Justice in Cambodia

*IBJ becoming a fixture in legal aid community*

*IBJ solidified its reach into 13 provinces throughout Cambodia, providing much needed representation to regions with no other permanent legal aid providers.*



Photo courtesy of George Hsia

IBJ Cambodia lawyer Hok Meng Eam (right) talking to a detained client

## JUSTICE FACTS:

### Cambodia

**Rule of Law:** 16/100

**2010 Prison Population:**  
14,403,  
94 per 100,000

Throughout 2010, IBJ continued its three-pillared approach to creating a sustainable legal aid community in Cambodia. Consisting of trainings, roundtable discussions, and rights-awareness campaigns, IBJ's unique methodology facilitated collaboration with local civil society organizations like the Bar

Association of the Kingdom of Cambodia (BAKC) and Legal Aid Cambodia (LAC).

Working closely with the BAKC, IBJ hosted two three-day training events in May and August 2010, attended by nearly 15% of Cambodia's entire legal workforce. IBJ held an additional one-day session for 20 of Cambodia's

criminal defense leaders and four roundtable events for police, court and prison officials, local and national government officials, and civil society organization representatives. These well-attended events help to ensure compliance with Cambodia's laws relating to accused persons by disseminating institutional

knowledge and fostering best-practices discussions amongst criminal justice system stakeholders.

IBJ also conducted 13 Street Law campaigns, reaching 524 ordinary citizens with vital information about their legal rights and freedoms. These informal seminars serve as an effective means to raise rights awareness, particularly in low-literacy and low-income areas. To further extend the reach of IBJ's awareness campaigns, IBJ Fellow Ouk Vandeth spoke regularly on local radio broadcasts about such topics as "The Rights of the Accused" and "Freedom of Expression."

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regions with no other permanent legal aid providers. Between December 2009 and October 2010, IBJ lawyers took on 543 cases and achieved remarkable results for Cambodians in need, getting sentence mitigation in 67% of cases, full dismissal of charges in 23% of cases, and a significant decrease in reported instances of torture compared with the national average.

In 2011, IBJ will work to expand this significant impact to a greater number of Cambodians in need of legal aid. Enlarging its current network of Defender Resource Centers into new territories and bolstering its support staff will allow IBJ lawyers to grow the legal aid community throughout the nation and bring about lasting change.



Man reads rights awareness material at a Street Law campaign in Pursat Province

Photo courtesy of Jeffrey Bright

## Early Access to Counsel Makes a Big Difference



DRC Coordinator Sim Dalis and volunteer Finella Murphy meeting with IBJ client

Chhun Sopheap, a farmer and father of five in Prey Veng Province, was accused of murdering his neighbor on February 1, 2010. The neighbor was found stabbed to death in her home. Police found a blood-stained t-shirt at the scene, and a cell phone and battery were missing.

The police had two suspects: Sopheap and another village resident. Based solely on the accusation of the other suspect, Sopheap was arrested and charged with the murder. While in custody, he was repeatedly beaten. Nevertheless, he maintained his innocence.

In Cambodia, the accused often spend months in prison awaiting trial without access to an attorney. Luckily for Sopheap, the Cambodian court assigned IBJ lawyer So Bengtharun to the case almost immediately.

Early access to counsel made a world of difference in Sopheap's case. Bengtharun discovered that much of the evidence against Sopheap was the product of police fabrication and that the battery stolen from the victim's house was sold while he was in prison. Similarly, while in prison, Sopheap was wearing sandals the police claimed to have found at the scene of the crime stained with blood. Furthermore, the trousers and tie the police also claimed to have found at the scene were taken from Sopheap's family after his arrest under the pretense that they would be given to him to wear in prison.

Bengtharun was also able to corroborate Sopheap's alibi. A medicine-seller testified that Sopheap was home the entire night caring for his sick son. Ultimately, the Court issued a warrant for the second suspect, the very person who had initially implicated Sopheap.

The Court acquitted Sopheap of murder on November 16, 2010, finding that there was insufficient evidence of his guilt. Without the early access to counsel provided by IBJ, Sopheap would likely still be in detention awaiting trial. It is alternatively conceivable that he would have suffered an all-too-common fate, conviction for a murder he did not commit.