International Bridges to Justice, with its emphasis on providing access to competent counsel at the earliest stage of a criminal proceeding to the thousands of ordinary individuals around the world who are accused of crimes every day, is making an enormous contribution to efforts to eliminate the widespread use of torture and ill-treatment for the purpose of extracting confessions.

Juan E. Mendez
United Nations Special Rapporteur on Torture
International Bridges to Justice is dedicated to ensuring the basic legal rights of ordinary individuals throughout the world. Specifically, IBJ works to guarantee every person the right to competent legal representation, the right to be protected from cruel and unusual punishment, and the right to a fair trial.

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International Bridges to Justice is a non-governmental organization in Special Consultative Status with the Economic and Social Council of the United Nations.

Front cover: the daughter and granddaughter of a woman aided by IBJ 2010 JusticeMakers Fellow H.M. Harshi Chitrangi Perera of Sri Lanka after being held in pretrial detention for two years on drug charges.
Last week we held a ceremony in honor of the courageous human rights defenders who had been visiting from Burundi. Inspired by the journey they’ve embarked upon with IBJ, our partners wanted to dance, sing, and revel in the hope and dedication that had been ignited within each of them. Only one limitation - we had no instruments. It didn’t take long, however, for a few lawyers to begin by drumming a beat on the table. All fifteen Burundian defenders soon joined in, creating vibrant music. They danced, they sang, and they reveled; they acted on possibility rather than dwelling on limitations. In a remarkable demonstration of resourcefulness, they created what they lacked.

Since IBJ began its journey in 2000, there have been many who have said that what we are trying to accomplish simply can’t be done. It is that very view that has motivated all of us to work harder and smarter so that the end of torture as an investigative tool and due process rights for all in our lifetime do in fact become a reality. As I write to you, I am humbled and proud to acknowledge that while our vision and mission remain the same, the world is different today because of the work of our team and the support of all of you. Until recently, I could not find the words to describe the countless examples of the relentless ingenuity of the global IBJ team I see every day. One of my colleagues recently came from Cambodia, however, and brought me a t-shirt that seems to define on a deeper level the unique and impressive character IBJ has forged: “Same same, but different.”

Same same but different, IBJ is unlike those doing good work on paths paved by others; we pave the way by walking on it. We bring our mission to life in the everyday practice of justice through innovation, resourcefulness, perseverance, and unwavering dedication to our vision. Indeed, we’ve made the way so clear that others have begun to follow suit. Our annual JusticeMakers competition, launched in 2008 and currently enabling 46 “heroes of criminal justice” to implement their initiatives throughout the world, is now being replicated through others’ micro-grant projects. We are same same but different from the traditional approach of focusing on addressing broken justice systems through after-the-fact prosecution and legal interventions once torture has already occurred. Instead, IBJ insists on intervention in the beginning of the criminal justice process through implementation of due process rights and the installation of systematic early access to counsel. Innovation lies at the very core of IBJ, as evidenced by its approach that engages the entire legal system—attorneys, judges, police, prosecutors, prison officials, and tortured detainees.

However, innovation

“We bring our mission to life in the everyday practice of justice through innovation, resourcefulness, perseverance, and unwavering dedication to our vision.”
alone is not enough. It is through the pairing of creative solutions with a strong sense of perseverance that IBJ has brought about tangible results, allowing us to continue our forward march even when the path we are paving gets rocky.

We began planting seeds of change with the Chinese Ministry of Justice in 2001, when working in domestic criminal law was unchartered territory. After we signed a Memorandum of Understanding with the government and opened this door internationally, others successfully adopted our model and also began implementing significant change. Much of the work we have done together has taken root. After more than a decade, the revised Chinese Criminal Procedure Law finally came into effect on March 14, 2012, specifically incorporating concepts advocated by IBJ. Our IBJ trainings-of-trainers since then have been both educational and celebratory.

Our work in Cambodia is similarly reflective of this winning combination. Having started as a fledgling program, it has seen the rise of nine Defender Resource Centers serving 17 provinces and handling over 1,000 cases each year.

IBJ held its first training in Burundi in 2008 at a time when there were no laws criminalizing torture and when the prospect of government involvement in legal aid was not even under consideration. A number of government officials, including Burundi Supreme Court justices and the chief of police, were in attendance at this training, where we advocated for a policy change; the very next year, legislation banning the use of torture was enacted. After years of work on the ground, the Burundian government—through the Human Rights Commission—recently agreed to contribute toward the travel costs of our legal teams as they move throughout the provinces of the country to represent the indigent accused. The “Communities of Conscience” event that recently brought the Burundian defenders (and their inspirational music) to Geneva was first proposed more than six years ago. These are just a few of IBJ’s small, incremental steps that have turned out to be huge leaps toward a more just world.

It is through IBJ’s efforts that the poorest of the poor, those most vulnerable to abuse and torture, are now able to obtain justice through proper legal defense. IBJ continues to be steadfast in its vision; we don’t dilute our mission, and we don’t opt for the path of least resistance. Most importantly, we refuse to be sidelined by the roadblocks we meet along the way.

In a recent meeting with one of our African defenders, I mentioned a concern regarding the precarious state of the world economy and funding for her program. Shaking her head, she took my hand and said, “Karen, we will keep on, keep on, keep on with IBJ. Our vision will not be defined by our budget; we are here to do what needs to be done, and we will find a way to do it.”

It is with that heartening example of dedication to our cause in mind, one that gives me such great hope, that I would like to leave you with the words of Václav Havel: “Hope, in this deep and powerful sense, is not the same as joy that things are going well, or willingness to invest in enterprises that are obviously heading for success, but rather an ability to work for something because it is good.” Justice to every man, woman, and child on this planet makes good plain sense. More than that, it is a moral imperative, and we are working toward that goal with every passing day.

Your continued support matters more today than ever before. Thank you so very much.

Warmest regards,
Ending Torture as an Investigative Tool

The IBJ Approach: A Series of Integrated Elements That Will Eliminate Investigative Torture in Our Lifetime

In countries throughout the world, systematic human rights abuses disguised as routine criminal processes are a daily reality. The indignities suffered by countless individuals accused of crimes amount to a colossal injustice hidden in plain sight.

Despite the strides many countries have made in recent years toward formal recognition of international criminal justice conventions, domestic laws purporting to safeguard defendants’ rights are all but toothless, absent effective enforcement. International Bridges to Justice (IBJ) believes that skilled defense attorneys, equipped with adequate training and support, are the key to unlocking the full potential of criminal justice reforms.

Mission

IBJ is dedicated to ensuring the basic legal rights of ordinary individuals around the world. Specifically, IBJ works to guarantee every person the right to competent legal representation, the right to be protected from cruel and unusual punishment, and the right to a fair trial.

Theory of Change

IBJ’s mission is global in scope, marshaling a worldwide community of public defenders and legal rights advocates to support the work of defense attorneys in developing countries. In each of its country programs, IBJ works at both the national level, influencing decision-makers to institute system-wide reforms, and on the local level, where IBJ fosters grassroots transformation through trainings, criminal justice roundtables, rights awareness campaigns, and the provision of legal services to the indigent accused through Defender Resource Centers (DRCs).

Trainings

IBJ’s most basic function is to increase the capacity of defenders to safeguard their clients’ due process rights. There simply are not enough skilled defense attorneys available to provide adequate representation to everyone accused of a crime. Nor is there the necessary infrastructure to support their work. To address these shortfalls, IBJ provides training to new and experienced criminal defense attorneys, increasing the number of lawyers taking criminal cases and improving each lawyer’s ability to provide competent representation. IBJ also trains other actors within the justice system, such as police, prison officials, and judges, in best practices for safeguarding the rights of the accused.

Criminal Justice Roundtables

Implementing a more humane vision of criminal justice is best accomplished with cooperation from the entire legal community. To promote mutual respect among the different stakeholders, IBJ regularly convenes roundtable meetings where defense lawyers, police, prison officials, prosecutors, and judges can engage with one another and identify common ground. Representatives from local government, community members, and legal academics are also invited. By providing a forum for these parties to communicate constructively, IBJ fosters institutional understanding of the role that defense attorneys play in the development of a functioning criminal justice system.

Rights Awareness Campaigns

Knowledge is a powerful tool in the fight for human rights. By equipping ordinary individuals with awareness of their legal rights, IBJ greatly increases the likelihood that they will assert their rights if arrested. By publicizing the role that lawyers play in protecting the accused from illegal detention and torture, IBJ encourages individual defendants to demand representation and enhances societal understanding of the importance of defense attorneys, increasing public support for their work. IBJ employs a variety of media platforms to raise awareness, from posters to radio broadcasts.

Defender Resource Centers and Legal Services

DRCs are IBJ’s principal vehicle for achieving transformative change. Serving as the hubs of IBJ’s in-country activities, the DRCs enable IBJ to complement its legal defense trainings with mentoring and one-on-one case consultations, opportunities for networking and skill-sharing, and the provision of technical support for defense lawyers.

The DRCs also operate as community legal centers – the first place to go for those seeking help for themselves or accused family members. Through the DRCs, IBJ-trained lawyers take hundreds of cases annually, increasing access to justice for the indigent accused and strengthening the country’s pro bono culture. Thus, they provide a model for the implementation of a properly functioning legal aid system.
IBJ Selects 23 Fellows from 19 Countries in 2011-2012
JusticeMakers Community Expands to Include Latin America and Eastern Europe

IBJ hosts innovative competitions that fund grassroots legal rights projects in communities around the world, while building bridges among legal aid advocates in disparate places. IBJ's JusticeMakers program was launched in 2008 with a global competition that identified eleven "heroes of criminal justice," who each received $5,000 in seed funding to implement their initiatives.

Competitions are run through an online platform on the IBJ JusticeMakers website (http://justicemakers.ibj.org), which attracted over 21,000 unique visits in 2012. Through the creation of an online JusticeMakers community, these competitions have fostered the development of a global defender network with the potential to have a significant impact on criminal justice systems in developing countries worldwide.

IBJ has now organized four JusticeMakers competitions, selecting 46 JusticeMakers Fellows in 32 countries from Asia, Africa, Latin America, and, for the first time in the 2012 competition, Eastern Europe. IBJ has also created an online training curriculum for JusticeMakers Fellows focusing on program management, project implementation, monitoring and evaluation, budgeting, and security awareness.

2011 JusticeMakers Fellows
In October 2010, IBJ launched its third JusticeMakers competition, once again awarding $5,000 in seed funding to applicants whose criminal justice reform projects displayed the most originality, efficacy, and sustainability. The 2011 JusticeMakers Competition sought innovative proposals from across the globe, and in particular, from Latin America. We awarded eleven JusticeMakers Fellowships, including six to applicants from Argentina, Bolivia, Chile, Colombia, and Paraguay.

This competition also sought proposals addressing legal rights abuses experienced by individuals living with HIV/AIDS, who are often stigmatized and shunned by society. This marginalization often results in a lack of legal representation for them and ultimately a denial of their rights. Additionally, individuals living with HIV/AIDS often lack adequate resources to understand their rights. As a result, they are prime candidates for mistreatment and abuse in the criminal justice system. IBJ secured a grant from the Levi Strauss Foundation that funded three JusticeMakers Fellowships to help remedy these problems in Argentina, Azerbaijan, and Indonesia.
Elchin Abullayev (Azerbaijan) increased public attention on prisoners living with HIV/AIDS while he worked to ensure that they received proper medical attention and promoted their early release. He also assisted their efforts to adjust to normal and productive lives after their release from prison.

Mabel Jenny Antezana Arispe (Bolivia) trained defense lawyers to provide pretrial detainees early access to high-quality, effective counsel. Using a train-the-trainer methodology, she also taught inmates how to explain the rights of the accused to their peers to maximize dissemination of information among the prison population.

Mahfuza Folad (Afghanistan) provided direct legal representation to 14 accused indigent women in Kabul and worked to expand female prisoners’ knowledge about their rights and responsibilities within the Afghan criminal justice system. Folad also offered 12 days of criminal justice training to accused women. Additionally, she published 1,000 “Know Your Rights” brochures for distribution to the accused.

Alejandro Tomas Vianda Ovalle (Chile) enhanced direct access to counsel for juveniles by enabling video communication between them and their lawyers. He also responded to the denial or delay of access to counsel for juveniles by creating collaborative events involving various justice sector participants.

Maria de la Paz Martinez Irigoitia (Paraguay) worked to eliminate abuses by police and prison officials by attending to the needs of abuse victims. A collaboration she created between public defenders and regional medical schools allows a physician to treat the victim and issue a medical report that a defender can then use to report a human rights violation.

Gabriela Eugenia Vazquez (Argentina) helped raise awareness of and mitigate the problems associated with HIV/AIDS in prisons by engaging with security staff. She conducted counseling sessions on internal health, including safe sex practices, and worked with security officials to reduce the prevalence of HIV/AIDS among prisoners.

Justine Mwanaisha Saidi (Democratic Republic of the Congo) responded to the problem of denial or delay of access to counsel for accused indigent youth in the city of Bukavu by collaborating with the police and prison officials and conducting seminars to raise rights awareness. She also worked to increase the number of volunteer lawyers providing early access to counsel for accused women and children.

Gautier Zomissi (Cameroon) improved communication among the various stakeholders in Cameroon’s criminal justice system to ensure that prisoners are no longer incarcerated beyond their sentences. He also set up a “green-line” telephone communication system to allow inmates to obtain urgent assistance or information related to their cases.
2012 JusticeMakers Fellows

IBJ welcomed 12 new fellows to the JusticeMakers community in December to conclude its 2012 JusticeMakers Competition. Applicants submitted novel solutions to problems in the criminal justice system affecting individuals living with and vulnerable to HIV/AIDS. It was the first time since the program’s inception that a JusticeMakers competition focused entirely on one population in the criminal justice system.

With the support of the Levi Strauss Foundation, the 2012 JusticeMakers Fellows each received $5,000 toward implementing their proposals. As new members of the JusticeMakers community, they will also benefit from IBJ’s resources, including our online legal training course to assist them in executing their projects.

The 2012 JusticeMakers Fellows come from four continents and ten countries. Four fellows were selected from Eastern Europe, representing Estonia, Russia, and Ukraine. There are six fellows from Africa, representing Burundi, the Democratic Republic of the Congo, Kenya, Liberia, and Nigeria. One fellow each from Asia and North America were also chosen, respectively representing India and Mexico.

Audace Gatavu (Burundi) is an attorney who has used his legal skills and connections to create a network of pro bono defense lawyers to provide counsel to the accused who are without any legal representation. His project consists of training workshops for volunteer lawyers, visits to prisons and courts to research potential clients’ cases, legal consultations, and the defense of accused individuals living with HIV/AIDS. His work is helping to protect a vulnerable community from wrongful imprisonment, violations of legal rights, and discrimination.

Nelly Kalikova (Estonia) discovered through her work that justice sector stakeholders’ lack of knowledge about the health needs of intravenous drug addicts was contributing to the spread of HIV/AIDS. When detainees, including those recently released, are not given the resources they need to recover from their addiction, they relapse into drug use with shared needles, which hastens the disease’s spread. Kalikova has attempted to break this deadly cycle by providing trainings to judges and probation officers on harm reduction, treatment, and rehabilitation options for drug addicts within the criminal justice system. Her project has allowed drug users living with HIV/AIDS to return to sober lives and prevented the illness’ spread through intravenous drug use.

Dennis Kipruto Mungo (Kenya) launched a training program for personnel in the judiciary and police departments at Langata Women’s Prison. The training has provided strategic information to staff to fulfill their obligations to protect human rights and provide proper care for children and women prisoners living with HIV/AIDS. His project seeks to ensure that these prisoners are not segregated, their living quarters are sanitary, and their clothes and bedding are adequate.

Charles Mugaruka Mupenda (Democratic Republic of the Congo) is defending detainees in Kavumu Prison living with HIV/AIDS. The prison is located in a remote area, a problem that is being addressed by his unique approach to sustainability. With his fellowship, he has started a commercial taxi service, ensuring that funds will be raised even after the project ends. The taxi service also facilitates travel between the prison and urban areas.

Henry Nwaka (Nigeria) has conducted fact-finding missions in the country’s largest prisons and published stories of discrimination against prisoners living with HIV/AIDS. These stories have been used as a foundation for roundtables that he has organized to train police, prison, and judicial officials on the proper treatment to provide these prisoners. He has also defended accused individuals living with HIV/AIDS on a pro bono basis.

Daniel Serrano de Rejil (Mexico) is seeking to raise awareness among staff who work with boys in conflict with the law at five juvenile detention centers. His goal is to ensure that they understand the importance of detecting...
and treating HIV/AIDS in this population and preventing discrimination against those found to be living with it. With the collaboration of health care providers, youths living with HIV/AIDS in these centers will be identified during the project.

Dmytro Tupchiienko (Ukraine) has undertaken a thorough study of existing laws affecting accused individuals living with HIV/AIDS. He will then propose and lobby for needed changes and conduct trainings for justice sector professionals on the proper implementation of these laws. His work will help to standardize and improve the treatment of people living with HIV/AIDS within a criminal justice system that is often capricious.

Larissa Solovyeva (Russia) is seeking to increase the availability and quality of free legal services for people living with HIV/AIDS in the prisons of the Kaliningrad region. She has conducted legal seminars for these prisoners, created and distributed leaflets on their legal rights among lawyers and prison officials, and offered them legal support through the introduction of public representatives who act under a power of attorney on behalf of those living with HIV/AIDS in isolated places.

Christian Zarweah (Liberia) has trained volunteer defense attorneys and sent them to court to defend people living with HIV/AIDS. He has also trained non-lawyer volunteers in targeted communities to notify attorneys of cases that require their assistance. As a result, many people living with HIV/AIDS within the criminal justice system will no longer languish in prison without a fair trial and the medical assistance they need to stay alive.

Garima Tiwari (India) is working to increase awareness of the challenges confronting people living with HIV/AIDS within the criminal justice system of Bhopal. Relying on law students and her connections in the legal community, she has organized trainings for lawyers, police, and prison officials on the rights and needs of this vulnerable population. These trainings are benefiting people living with HIV/AIDS whom the criminal justice system has ignored until now.

A Wrongly Accused Drug Addict Gets His Freedom

As a result of the JusticeMakers project of defense lawyer Larissa Solovyeva, a 2012 Fellow from the Kaliningrad region of Russia, “Egor” was released from prison after two years of pretrial detention. Defense lawyer Alexander Koss and human rights defender Eugene Polozkov also contributed to the successful effort to secure his release.

It all started on March 5, 2011, when Egor, a seriously-ill drug addict, was arrested after buying heroin. He was charged, with several other individuals, with five counts of attempting to sell drugs in “a large amount.”

Two years later, on March 6, 2013, after Egor confessed to the charges while suffering from withdrawal syndrome, the prosecutor asked that he be sentenced to eight years imprisonment in a penal colony.

Solovyeva argued vigorously for Egor’s freedom. She brought to the Court’s attention the police’s brutal practice of manipulating drug addicts accused of crimes while they are experiencing withdrawal syndrome to extract confessions and false testimony from them. She explained how the police employ duress to coerce the accused to cooperate with them by participating in the “controlled purchase of drugs” and subsequently committing perjury against other defendants.

Solovyeva also pointed out the flaws in the police’s case against Egor. Neither he nor his co-defendants had any bags of drugs in their possession. Moreover, the police never revealed the names of the buyers to whom they allegedly tried to sell drugs.

Additionally, Solovyeva argued that eight years of imprisonment for drug addicts like Egor was de facto capital punishment. Thus, an addict who perjured himself to survive would effectively receive the death penalty for a crime he did not commit.

The court sentenced Egor to two years imprisonment. Because he had already served two years in pretrial detention, he was released.

“I am thankful to the court for its fair decision. I want to express special thanks to the people who helped me, without whom the court’s decision would not have been possible. I thank the public representative and defense lawyer appointed by law, Larissa Solovyeva, and the human rights defenders and lawyers who helped her. Thank you, JusticeMakers!” - “Egor”
A Visible, Countrywide Presence
IBJ Signs MOU with Ministry of Justice

“My dream is for IBJ to have more offices in the provinces. If we have more offices, we will be able to provide more information about legal rights and legal representation for the poor, and the poor can then use their rights to improve their lives.” Ouk Vandeth, Country Fellow, Cambodia

Rights Awareness

In 2012, IBJ represented nearly 1,400 clients, almost double 2011’s total of 749. More than 50% of new cases in 2012 were referred directly from the community, a strong indication that Cambodians are increasingly aware of their right to a lawyer. Working with police and prosecutors, IBJ continues its push to provide legal assistance at the earliest possible moment after arrest.

In addition to providing direct legal aid services, IBJ conducts community campaigns to raise legal rights awareness among ordinary individuals. In 2011 and 2012, we conducted 77 campaigns, with more than 4,200 Cambodians participating. It is estimated that one Cambodian lives with five other family members, allowing us to indirectly reach more than 12,000 Cambodians annually through these campaigns, which are half-day events conducted by IBJ lawyers.

Pamphlets and posters educated citizens on the rights of the accused, proper arrest and search procedures, pretrial detention periods, the illegality of the use of torture, and the role of a lawyer. A lawyer explained these rights to ensure that illiterate participants also understood the materials. Surveys showed an increase in participants’ level of legal rights awareness, especially among indigenous minority populations. These posters were also distributed to prisons and police stations.

Throughout 2011 and 2012, IBJ continued its radio rights awareness efforts, reaching a greater percentage of the population. As a result, we have been receiving a high volume of calls. In 2013, we will set up a hotline to handle these cases. On a recent monitoring and evaluation visit, a client reported that he had heard about IBJ’s free legal services on the radio when he was in prison.

To enhance lawyers’ knowledge in several areas, including substantive legal topics, trial techniques, and client counseling, IBJ continued to train its lawyers and investigators from throughout the country. One highly respected defense lawyer conducted a two-day training on legal advocacy and trial skills.

Justice Facts: Cambodia

Rule of Law (Percentile Rank): 17

2012 Prison Population: 15,397
106 per 100,000

Justice Facts Sources (all countries):
Rule of Law indicator
World Bank, Worldwide Governance Indicators
Prison populations and rates: International Centre for Prison Studies
In cooperation with the Ministry of Justice and the Bar Association of the Kingdom of Cambodia, we will continue to conduct further trainings to increase the capacity of Cambodian lawyers to defend the rights of the accused.

Dialogue

In 2010, Cambodia enacted a new Criminal Procedure Code and Criminal Penal Code – key pieces of legislation that justice sector stakeholders need to learn. IBJ conducts roundtable discussions with these stakeholders to ensure that no constituency in the criminal justice system is left behind. In 2011, we held eight roundtables, bringing together some 140 governors, commune chiefs, judges, prosecutors, prison chiefs and officials, military and judicial police, and NGOs. In 2012, we held another eight roundtables with 190 attendees.

One outcome of these roundtables, which were conducted with the Ministry of Justice to ensure government ownership in strengthening Cambodia’s legal system, is that police officers in two provinces now call IBJ at the time of arrest, meaning that the accused has a lawyer at the earliest stage possible. IBJ plans to replicate this process in other provinces in the coming years.

IBJ has also begun holding monthly meetings with local civil society organizations to foster collaborative working relationships. These meetings enable CSOs to raise important challenges specific to their provinces. They also encourage CSOs to refer cases to IBJ, and similarly, IBJ will refer victim cases to participating CSOs.

Results and Future Steps

IBJ’s Cambodia program took a monumental step forward by successfully signing a memorandum of understanding with the Ministry of Justice. IBJ’s case work is also having a demonstrable impact. With 8.5% of bail applications approved, fewer defendants are vulnerable to excessive pretrial detention. Moreover, 20% of cases end in dismissals or acquittals, reinforcing the maxim “innocent until proven guilty.” Additionally, nearly 25% of appeals of sentences result in reductions, signaling real progress in addressing disproportionate sentencing practices.

IBJ’s presence throughout the provinces has expanded significantly as a result of substantial new funding support from the Australian Agency for International Development and the European Union. Multi-year grants from these entities will move IBJ much closer to realizing universal access to legal aid throughout Cambodia. These grants will also enable IBJ to take its next major step in Cambodia: engaging the government in a dialogue about the benefits of legal aid services and the ways it can demonstrate greater commitment to implementing early access to counsel.

Finally, as a result of its cooperation with local justice stakeholders, IBJ was able to conduct an uplifting event in Pursat’s provincial prison. On December 10, 2012, we sent ten lawyers and nine artists to the prison to commemorate the United Nations’ International Human Rights Day with a celebration of arts and culture. Prisoners and guards came together, with prisoners transformed into budding artists for the day. The prison chief was very cooperative, and the event was a great success with many thanks and requests to come again.

In February 2010, “Vuthy,” a 37-year-old farmer and father of three children, was charged with intentional acts of violence with aggravating circumstances under Article 218 of Cambodia’s Criminal Code. Two months earlier, a group of five men had attacked Vuthy’s wife, sister, and nephew, after his nephew had tried to harvest lotus from the community lotus lake. One of the men accused Vuthy of attacking him with a knife after arriving at the scene to defend his family. A week after the charges were brought, IBJ provincial lawyer So Bengtharun met Vuthy during a visit to the prison where he was being held. Vuthy told Bengtharun that he didn’t understand why he was there, since he was innocent.

Bengtharun informed Vuthy about his rights and explained his role as a lawyer. He told Vuthy that he could provide him with free legal aid, and Vuthy accepted his offer. Vuthy explained what happened and denied the accusations. Bengtharun then submitted a successful bail application to the court that resulted in Vuthy’s release. The trial began in November 2011. Bengtharun requested an adjournment to summon witnesses and present a letter from the hospital about the condition of Vuthy’s wife after the incident. The judge agreed to postpone the case.

When the trial resumed in July 2012, an eyewitness contradicted the accuser’s testimony, while confirming Vuthy’s account. The medical letter also confirmed Vuthy’s account, and several village officials testified to his honesty. The judge acquitted Vuthy. The prosecutor asked the judge to send the case back to him so that he could charge Vuthy’s accuser.

Thanks to Bengtharun’s dedication to visiting prisons and conducting investigations, an innocent defendant was saved from prison. Without his help, Vyth would probably have been sentenced to two to five years, as no further investigation would have been conducted. Thus, this story shows that a proper investigation is crucial to ensuring a fair trial. Before his ordeal, Vuthy and his family didn’t know about IBJ or the role of a lawyer. Now he is grateful to IBJ and talks about its work in his village and beyond. His wife, wanting to learn more about the law, has bought a copy of the Criminal Code. They are both glad he has been freed and now realize that the justice system actually works in Cambodia.
During the last two years, IBJ has undertaken nine major initiatives, each targeting specific stakeholders in the criminal justice system to enhance protection of the rights of accused individuals in China.

National and Regional Training Initiative
IBJ’s three Defender Resource Centers in Beijing, Wuhan, and Xi’an collaborated with local and national partners to uphold citizens’ legal rights and advance the rule of law in China. In 2011, IBJ held 26 live trainings that educated more than 2,500 criminal justice professionals on new developments. Topics included the exclusion of evidence, sentencing, legal ethics, and the eighth amendment to the Criminal Law. We reached an additional 1,800 professionals through self-study DVDs that contained interactive lessons produced under our eLearning project and educational materials like our Defender Toolkit.

eLearning and New Lawyer Training
IBJ’s eLearning website platform gives lawyers across China access to cutting-edge skills training. IBJ posted 23 interactive teaching modules.

“Working here reminds me every day how the actions of just a few people can truly make a difference when others take a leap of faith and are willing to join their cause.” Aurora Bewicke, Program Director, China
in 2011 and 47 more in 2012. The platform’s popularity among justice-sector professionals is evidenced by the total of just under 40,000 module views thus far. Through our New Lawyer Training project, we have also trained more than 2,500 lawyers with little experience through live methods.

Defender Empowerment Series

Our DES project is designed to equip experts in criminal law with the tools necessary to train the next generation of Chinese lawyers. In 2011, our first cohort of experts used interactive experiential learning techniques to teach advocacy skills and substantive legal topics to more than 250 criminal justice professionals. In 2012, the program expanded significantly to educate nearly 2,000 professionals. By December 2012, when IBJ hosted its second annual training-of-trainers, the ranks of our experts had increased to 25. This growing network of trainers will allow IBJ to train another 1,500 to 2,000 professionals in 2013.

Defender Engagement Corps

IBJ’s DEC project provides indigent defendants with early access to competent counsel. In 2012, our DEC lawyers in Shandong, Shaanxi, and Fujian provinces defended 179 cases, securing dismissals, alternatives to incarceration, and mitigated sentences for their clients. In 2013, IBJ will provide counsel to another 500 defendants in five provinces.

Juvenile Justice

IBJ’s case assistance aims to help the most vulnerable accused, including juveniles. In 2012, in partnership with a district prosecutor’s office in Shaanxi Province, IBJ sponsored social background investigation reports for eight juvenile offenders. Seven received demonstrable benefits, mainly alternatives to incarceration and conditional non-prosecutions. Our DEC lawyers in Shandong Province are also conducting social background investigations. So far, they have achieved similar results in eight completed cases.

Community-Building Roundtables

Our Xi’an, Wuhan, and Beijing offices organized 15 community-building lawyers’ salons and roundtables in 2012. These events, which addressed a variety of topics including early access to counsel, provided lawyers with the opportunity to network with a wide range of justice sector professionals.

Rights Awareness

Our rights awareness campaigns target communities throughout China, empowering citizens with the tools necessary to secure access to justice and protect their rights. In 2011, a summer campaign reached youth in Beijing, while an autumn campaign targeted rural workers in Shaanxi Province. Our annual nationwide campaigns in 2011 and 2012 together provided nearly 5,000 individuals with free legal advice and distributed approximately 50,000 rights awareness materials.

Clinical Education

Our Clinical Education project assisted fourteen law schools in developing and running criminal law clinics, instilling a commitment to criminal defense in the next generation of Chinese lawyers. Participating schools received onsite evaluations and mentorship sessions from domestic and international experts in clinical legal education. At the end of 2011, faculty from each school gathered to design a three-year sustainable curriculum.

Duty Lawyer Program

This program provided counsel at the pretrial stage to more than 150 adult and juvenile indigent defendants in 2011. Many obtained mitigated sentences and dismissals.

Besides undertaking these initiatives, IBJ has helped facilitate important changes in policy and law that have increased the rights of the accused in China. Among the reforms the government implemented in 2011 were two breakthrough regulations on the exclusion of illegally-obtained evidence and new sentencing guidelines. IBJ provided visible support for these reforms, holding several events that enhanced the capacity of judicial actors to implement the new changes and empowered defense attorneys to strategically defend their clients.
On a cold December afternoon, "Lian Jun" was on a train to Xi’an. Police boarded the train to conduct an inspection and discovered 50 grams of methamphetamine on his person. He was charged with trafficking in illegal narcotics. The penalty ranges from community surveillance and a fine to the death penalty.

Lian was a 26-year-old indigent farmer from a rural village in Sichuan Province. His wife had recently delivered a son, whom Lian must support - not an easy task with his junior-high-school education. His arrest was nothing short of calamitous. Moreover, more than 80% of China’s accused get no help from a lawyer, in part because lawyers in rural areas are scarce. Additionally, many indigent defendants cannot afford a lawyer; free legal aid is even scarcer. Lian did his best to cooperate. He confessed to possessing the methamphetamine and underwent mandatory detoxification. Without a lawyer, however, his chances of getting a fair trial were bleak.

Lian was fortunate. Earlier that year, IBJ negotiated an agreement in which the prosecutor would refer indigent defendants to a local law firm. IBJ-trained attorneys agreed to take these cases without charge. Attorney “Xi” agreed to handle Lian’s case. Using case investigation and advocacy skills taught at IBJ training events, Xi scoured the case file to ensure she understood the facts thoroughly. She realized the evidence was lacking. The crime of trafficking required intent to sell. No facts in the case showed this intent. She argued to the prosecutor that Lian could only be charged with possession, a much less serious offense. While Lian had been an addict who needed help, nothing supported the accusation that he was a trafficker. The prosecutor reexamined the case and realized Xi was right. He sent the case back to the police for further investigation. The police resubmitted the case with the lesser charge of narcotics possession.

Xi’s advocacy had already benefited Lian, but she wasn’t done yet. At the sentencing hearing on the possession charge, she cited several mitigating factors about the case and about Lian as a person. Under Chinese law, drug possession for one’s own consumption is categorized as a low-societal-impact crime. Moreover, Lian was a hard worker. He took his responsibilities to his family seriously. As a first-time offender, he deserved a chance to fulfill these responsibilities. These factors, Xi argued, required a reduced sentence. Again, Xi's no-nonsense, fact-based advocacy earned results. The judge adopted her opinion and sentenced Lian to a mitigated sentence of three years in jail.

Lian says he is very grateful to Xi. Because of her, he got a fair trial. Furthermore, she successfully conveyed that he is a person who has made mistakes, but who has a future. A lesser sentence resulted. Now Lian knows that in a few short years he will be there for his young son. Because of Xi’s advocacy and IBJ’s support, he got a second chance and will soon be able to go home and be a father.
Advancing Justice on Several Fronts

IBJ Secures Court Order Ending Incarceration of Juveniles in Adult Jails

In 2011, IBJ India started a pilot duty lawyer program in New Delhi to assign defense counsel as early as legally permissible to represent accused juveniles and indigents in pretrial detention. Consistent with IBJ’s expectations that the program would provide a practical and cost-effective avenue to reduce the pretrial detainee population and ensure a fairer criminal justice system, the program has generated great results. Since its inception, IBJ India has taken 180 cases in jails, and bail has been granted in more than half, increasing inmates’ confidence in the program.

IBJ India, led by Country Fellow Ajay Verma, held a series of innovative, educational training sessions and other events in 2011 and 2012 and continued to provide free legal aid to the most vulnerable accused. In 2011, IBJ India initiated its partnership with the Commonwealth Human Rights Initiative to host four training events for legal practitioners in which nearly 200 lawyers participated. As a testament to the power of IBJ’s instruction, many attorneys who took part said that they learned more during the two-day event than they had in their entire careers as criminal defenders.

Not limiting itself to training attorneys in criminal defense work, IBJ conducted a novel paralegal training program in jails. In one training held in Jaipur jails in October 2011, 33 convicts from various prisons in Rajasthan learned paralegal skills. The purpose of the training was to teach long-term prisoners skills that would enable them to help newly-admitted prisoners and pretrial detainees better understand the basics of the law, legal procedures, and their rights and duties inside prison.

To further enhance protection of prisoners, IBJ India partnered with Delhi Prisons to launch a publication, Information Booklet for Jail Inmates, in November 2011. The handbook was distributed to inmates in New Delhi’s Tihar Prison, the largest prison in Asia.

In December 2011, IBJ organized an interactive roundtable discussion at a detention facility where

“By ensuring that defenders are well-trained and knowledgeable, we can be confident that India’s criminal justice system will become fairer and more accessible to everyone, regardless of their background.”

Ajay Verma, Country Fellow, India

Justice Facts:

<table>
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<tr>
<th>India</th>
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<tbody>
<tr>
<td>Rule of Law (Percentile Rank): 53</td>
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<tr>
<td>2012 Prison Population: 385,135</td>
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<td>30 per 100,000</td>
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IBJ Country Fellow Ajay Verma leading an interactive session on rights of the accused with inmates at Rohini Jail

IBJ in India
accused youths between 18-21 years of age are held. During the event, we learned that many of these youths were only 17 years old and had either been denied the legal aid to which they were entitled or were never informed of their right to counsel. The Delhi High Court was persuaded to take the case to determine how best to ensure access to justice for these youths. In May 2012, the High Court ordered an end to the incarceration of juveniles in adult jails. IBJ India then regularly met with juvenile justice stakeholders to ensure compliance with the High Court judgment, which formulated detailed guidelines to be followed by each stakeholder.

2012 also saw IBJ India continuing to provide legal aid and conducting trainings and rights awareness events for justice sector stakeholders. In February, we organized a rights awareness seminar at Rohini District Jail in New Delhi. This event brought together jail officials, lawyers, and 350 pretrial detainees. Experts explained what bail is, the circumstances in which one can get bail, and when a pretrial detainee can apply for it. This event was successful, as the detainees sought assistance from IBJ’s volunteer lawyers for their individual cases.

Other events followed, including rights awareness drives in the same jail in July and in No. 4 Tihar Jail in June. An event in September with women inmates in Tihar Jail focused on dowry deaths and indefinite pretrial detention for foreigners. Based upon the information provided by participating inmates, IBJ plans to file a Public Interest Litigation calling for speedy trials for accused foreigners.

Additionally, a training workshop for legal aid lawyers was held in June 2012 in partnership with Delhi State Legal Services Authority. The training addressed the attorney-client relationship, opening and closing statements, examinations-in-chief, and cross-examination.

Finally, IBJ India even exerted influence in a nation in which it does not operate, when Verma hosted a delegation of justice officials from Afghanistan’s Helmand Province that was visiting New Delhi in March 2011 to better understand the Indian legal system.

To fully comprehend the impact of the events it has conducted the last several years, IBJ has developed sound monitoring and evaluation tools. The results show that these events have yielded three important benefits, both to IBJ and the Indian criminal justice system: (1) direct outreach to criminal defense lawyers to encourage effective client representation; (2) creation of a network of legal aid and criminal defense lawyers; and (3) stronger partnerships with government authorities that will provide crucial support for future initiatives. IBJ will continue to work closely with all stakeholders to strengthen India’s criminal justice system.

“More than 65% of the prison population consists of people waiting for their trial in court. I hope that IBJ’s initiatives can get them effective and speedy justice.”
Ajay Verma, Country Fellow, India
For Mohammad Sadr-e-Alam, an egg seller in a quiet neighborhood in Delhi, his son’s unjust incarceration in 2011 brought his family hunger and hardship as they worked to free him.

Alam’s son Jahid was an auto-rickshaw driver caught in the crosshairs of a bust when two men he was driving were arrested for attempting to abduct a young woman. As the driver hired on the street, Jahid told the court, he had no idea that an abduction was taking place. His pleas of innocence fell on deaf ears, and Jahid was remanded to judicial custody. His father and family, meanwhile, were never informed of his arrest and searched in vain for their missing son.

Days and months went by. Jahid, beaten by other inmates, resigned himself to a life of hopelessness and shame. While he did not complain to prison authorities, he had lost his faith in the system and didn’t think anyone could help him. “I felt like I was dead to the world,” he said.

After six months in prison, father and son were finally reunited. Alam and Jahid agreed that the key to freedom was finding a sincere and competent lawyer. Jahid’s break came when IBJ duty lawyer Suchiti Chandra met him in prison and heard the details of his case. Arguing in court in Jahid’s favor, Chandra secured his release on bail after 11 months of unnecessary imprisonment.

There were times, Jahid said, when he did not think he would be able to watch his children grow up. Now, thanks to IBJ, Jahid is back in his home village with his family, working as a mechanic and dreaming of new pursuits. “Release from jail,” he said, “was like getting a new lease on life.”

Thanks to IBJ, Jahid is back in his home village with his family, dreaming of new pursuits.
Working with the Government to Transform Criminal Justice

IBJ’s Activities Lead to Marked Decrease in Torture

Through a series of collaborations with Burundi’s government, IBJ is helping to reshape the nation’s criminal justice system to better protect the rights of those who come to face its authority.

In summer 2011, IBJ registered with both the Ministry of Foreign Affairs and the Ministry of Home Affairs, opening up the possibility for future partnerships with these ministries. IBJ was already working with the Ministry of Justice to combat the high rates of pretrial detention in Bururi and Muramvya provinces. We were also engaged in negotiations with the Ministry of Solidarity, Human Rights, and Gender to represent the victims of human rights violations. A memorandum of understanding with the ministry was signed in December 2012.

Additionally, IBJ has made great progress in its work with the High Court of Bujumbura to remake the juvenile justice system. In line with the Ministry of Justice’s major policy plan released in early 2012, IBJ Burundi is helping Bujumbura courts to develop an approach to juvenile justice that is better suited to meeting the specialized needs of young people in conflict with the law, including a speedier resolution of their cases.

IBJ has cultivated such goodwill with the government that it was granted access to detailed prison census information, enabling our lawyers to prioritize the cases of the most vulnerable accused, including women, juveniles, and those held the longest in pretrial detention.

Throughout 2011 and 2012, IBJ continued to provide criminal legal aid services to Burundians, including members of minority groups and those with particular vulnerabilities that make...
them most likely to suffer human rights abuses – in all cases, those who could not otherwise afford to hire a private defense lawyer.

In 2012, IBJ also initiated visits to families of acquitted children to assess how these children spend their lives out of prison and to determine how well they are reintegrating with their communities after often lengthy detention. IBJ has also continued to hold lawyer trainings, roundtable discussions of justice sector stakeholders, and rights awareness campaigns respectively designed to improve defense attorneys’ skills, encourage debate on important criminal justice topics, and make Burundians knowledgeable about their legal rights.

A four-day training in Bujumbura July 2011 attracted about 65 participants. Follow-up events in September and November resulted in many lawyers committing to take cases of indigent criminal defense on IBJ’s behalf.

Since 2011, a new concept of humanizing criminal justice, advanced in a Ministry of Justice policy, has taken hold within Burundi’s justice sector. This development followed IBJ roundtables focused on alleviating overcrowding in the country’s prisons.

Rights awareness campaigns utilizing posters, easy-to-understand pamphlets, one-on-one conversations with citizens, and half-hour radio shows have helped to ensure that ordinary Burundians know about the rights of the accused. By promoting these campaigns, IBJ has made it more likely that a person accused of a crime will demand that his rights be respected and report when they are not. In addition, an important principle advanced in these campaigns – that freedom must be the rule and detention the exception – has been incorporated into legislation proposing to amend the criminal procedure code.

Consistent with its ongoing commitment to raising public awareness, IBJ conducted weekly rights awareness radio shows from December 2011 to March 2012, in partnership with Radio Isanganiro and Radio Bonesha FM. During these programs, a spokesman for the Supreme Court, judges, prosecutors, prison directors, and lawyers responded to questions from the public. There were an estimated 20,000 listeners per thirty-minute broadcast. Inspired by these programs, another radio station developed a program called Judiciary Chronicle to tackle different issues related to criminal justice. An IBJ lawyer has participated in this program many times.

Undoubtedly the greatest impact our activities have had is the marked decrease in torture since we began our work in Burundi. As a result of training provided by IBJ, Burundian lawyers have made it their standard practice to raise the issue of torture when first meeting their clients, and magistrates have begun to recognize their duty to uphold prohibitions against torture. This combination has led to decreased incidents of torture and other human rights abuses.

“Police, prosecutors, judges, prison officials, and lawyers meet regularly at IBJ roundtables to discuss how to provide counsel to every accused person.” Astère Muyango, Country Fellow, Burundi
IBJ Fellow Janvier Ncamatwi scored three major victories on behalf of the wrongly accused in the province of Muramvya during 2012.

In one case, a man who bought and sold cows brought some cows home that he had purchased. Unbeknownst to him, the cows had been stolen. Instead of arresting the seller, authorities took the man and his entire family - twelve members in all, including children - into custody.

Almost a year later, Ncamatwi heard about the case while visiting women and children detained in Muramvya’s prison. Hearings were held in July 2012, and at the end of September, seven family members were released. When the police could not find the actual thief, the remaining five family members were also freed.

In another case, a 16-year-old boy was arrested on charges of raping a girl in the bushes. While a team of medical experts determined that sexual intercourse had occurred, there was no evidence pointing to rape. IBJ Country Fellow Astère Muyango and Ncamatwi became aware of the case during visits to Muramvya’s prison in June. Ncamatwi succeeded in persuading the court to hear the case in private, in accordance with the provisions of the Convention on the Rights of the Child, and the boy was freed in November.

In the third case, a 17-year-old girl had sex with a man she did not know and became pregnant. She miscarried four months into her pregnancy. In May, she was arrested on a charge of infanticide and detained at Muramvya’s prison.

The girl’s case came to Ncamatwi’s attention during a visit he made to the prison in early July. At a public hearing the following week, the prosecution requested that the girl be sentenced to life in prison in accordance with the provision of the Burundian Penal Code that mandates a life sentence for anyone who kills their own child. A different provision of the Penal Code prohibits life sentences for juveniles. The length of the sentence became a moot question, however, after Ncamatwi mounted a successful defense resulting in the girl’s acquittal.

The girl was able to return to school. Her parents, who were not able to afford a lawyer by themselves, expressed their gratitude for the assistance provided by IBJ. They also explained that they had not previously understood the difference a good defense lawyer can make in securing a successful outcome at a trial.

These three cases exemplify the positive impacts IBJ lawyers are having on the lives of hundreds of accused in Burundi.
Mobilizing Volunteer Lawyers to Defend the Indigent Accused

IBJ Now Reaches All Five Rwandan Provinces

“My goal is to use the Defender Resource Center we have established in Kigali as a model and open up similar DRCs in every province in Rwanda. It would then be my wish to expand the concept regionally - to Congo, Kenya, and Uganda.”

John Bosco Bugingo, Country Fellow, Rwanda

IBJ’s Rwanda program, led by Country Fellow John Bosco Bugingo, a Kigali lawyer, advanced significantly in July 2011, when the Kigali Defender Resource Center relocated to offices only two kilometers from the Rwanda Supreme Court and the Ministry of Justice. The new DRC is twice as large as the old one, enabling IBJ to serve more people. Indeed, the number of visitors has increased considerably since the move, as more Rwandans have become aware of IBJ.

IBJ’s presence has also expanded beyond the capital city, reaching into all five provinces, with lawyers sometimes traveling 300 kilometers to defend clients. The Kigali DRC is the model of local legal aid infrastructure that IBJ hopes to ultimately establish countrywide.

The DRC, which is open daily and staffed by an administrator, is stocked with computers, internet access, legal reference books, and other vital resources that support the Rwandan criminal defense community’s continuing development. In addition, Bugingo conducts mentoring sessions with lawyers, individually and in small groups, to discuss the challenges confronting these defenders and help them better prepare their cases so that they can deliver high-quality legal aid to the accused.

Also in July 2011, as part of its ongoing efforts to improve the trial skills of defense attorneys, IBJ conducted a training attended by 23 Rwandan lawyers. IBJ trainers offered workshops on advancing the theory of the case and lessons on witness preparation.

In 2011 and 2012, IBJ continued to press forward with two important initiatives aimed at inspiring and developing a pro bono cul-

Justice Facts:

Rwanda

Rule of Law (Percentile Rank):
47

2012 Prison Population:
55,618
492 per 100,000

IBJ Training Director Kellie Krake delivering a lecture at a training session in Rwanda
A Summer of Freedom

In a country where more than a quarter of the prison population is in pretrial detention – often for long periods before innocence or guilt is established – volunteer lawyers working on behalf of IBJ changed the lives of two Rwandan men during the summer of 2011. Prisoners need legal assistance to navigate the confusing justice system, and regular visits by volunteer lawyers ensure that they get the help they need.

For volunteer lawyer Jacques Karamira, the advocacy skills he gained through IBJ training sessions were put to use after meeting “Alex” during a regular prison visit in April. Alex explained that in early 2010, he was tortured to confess to robbery, a crime he didn’t commit, and was also denied any contact with his family until he confessed. After spending 16 months in pretrial detention, Alex was in court in a matter of weeks with Karamira as his lawyer. Alex renounced his torture-extracted confession, and the court found no other proof of the charges against him. He returned to his family that summer.

In a similar case, the assistance of another IBJ volunteer attorney brought swift justice to “Edward,” waiting in prison for nearly nine months after being charged for a petty offense that ordinarily results in only a month of detention before trial. In the Gikondo suburbs of the capital city of Kigali, Edward was charged in December 2010 with theft of a mobile phone. In prison, he was severely beaten and threatened with continued torture if he did not cooperate. The following August, just twelve days after K. Evariste Gatera heard his story and pledged assistance, Edward was acquitted.

In 2011, volunteer lawyers working on behalf of IBJ Rwanda took more than double the number of cases from the year before. For Alex and Edward in particular – held without a trial date, beaten, ordered to confess, and denied visitation of family – the valuable donation of time and advocacy skills by their lawyers brought them their freedom before summer’s end. With the exercise of their constitutional right to legal counsel, many Rwandans will also enjoy the precious human right of equality before the law.
Protecting the Basic Rights of the Most Vulnerable Accused

IBJ Gains Release of More Juveniles Pending Trial

Operating out of a Defender Resource Center in the capital city of Harare, IBJ has continued to champion legal aid for the indigent accused as an essential element of a functioning criminal justice system in Zimbabwe. IBJ Country Fellow Innocent Maja is harnessing the enthusiasm of a team of volunteer lawyers who have committed themselves to providing legal aid to those most vulnerable to rights abuses. Through their pro bono work, these lawyers gain valuable practical experience and trial advocacy skills.

In 2011 and 2012, IBJ lawyers represented more than 150 indigent accused who otherwise would have had no access to counsel. IBJ accords priority to the cases of pretrial detainees who are most at risk of mistreatment at the hands of police and prison authorities, including female and juvenile inmate populations. In periodic visits, IBJ’s staff monitors prisons for cases that demand intervention. In 2011, IBJ launched a partnership with the juvenile-focused nonprofit Care at the Core of Humanity (CATCH) Trust, enabling us to assist more juvenile detainees in securing release pending trial.

The ability of IBJ lawyers to effectively carry out their work for indigent clients has continued to improve, with lawyers reporting that they are still able to find success in both their bail applications and in gaining access to their clients held in prisons while awaiting trial. Thanks to IBJ’s constant efforts to cultivate strong working relationships among different justice sector stakeholders, Zimbabwean magistrates continue to grant “free bail” to IBJ’s poorest clients, and police and prison officials have grown more accepting of lawyers’ interventions for the accused.

In May 2011, IBJ organized two legal skills trainings for criminal defense lawyers, one in Harare and the other in Bulawayo, Zimbabwe’s second largest city. The trainings, featuring the active participation of the Law Society of Zimbabwe, drew 30 and 20 participants respectively and focused on enhancing the ability of Zimbabwean lawyers to effectively carry out their work for indigent clients and to investigate cases without resorting to torture. IBJ has started this process.” Innocent Maja, Country Fellow, Zimbabwe

Justice Facts:
Zimbabwe

Rule of Law (Percentile Rank): 2

2013 Prison Population:
16,902
129 per 100,000

A participant at a 2011 lawyer training in Harare discussing a point of law with IBJ Program Officer James Vincente
encouraging lawyers to explore their motivations, values, and goals in the profession stimulated the community of defenders to coalesce around a common vision for improving criminal justice in Zimbabwe.

Lawyers report that they come away from IBJ’s trainings armed with both the courage of their convictions and the practical know-how needed to systematically address police misconduct with their clients and challenge the admissibility of illegally-obtained evidence and involuntary confessions in court. As a result, IBJ lawyers have seen a number of cases dismissed upon credible allegations of police torture.

In early December 2011, two training workshops were held in Masvingo and Mutare. These events reached out to the much smaller communities of lawyers in these remote rural provinces and were combined with roundtable meetings to discuss strategies to decongest the local prisons.

IBJ held two other roundtable discussions in late 2011. One focused on the problem of corruption in Zimbabwe’s criminal justice system. The other, convened in partnership with the Zimbabwe Association for Crime Prevention and Rehabilitation of the Offender (ZACRO) and the Legal Resources Foundation, discussed the need for system-wide reforms.

“Time will defeat this torture giant. We are witnessing this reality in Zimbabwe.”

Innocent Maja, Country Fellow, Zimbabwe

IBJ’s team also continues to provide thought leadership for Zimbabwe’s justice sector. Maja was featured as a facilitator of a January 2011 panel discussion on the abolition of the death penalty in Zimbabwe. In November 2011, IBJ Legal Fellows John Tawanda Burombo and Pamela Yeukai Chiwara were interviewed on the Zimbabwe Broadcasting Corporation’s SFM “Wheels of Justice” radio program, which is estimated to reach a half-million listeners. The two lawyers outlined the rights guaranteed by Zimbabwe’s Constitution and laws to every person accused of a crime.
Freed from Living under a Cloud of Injustice

Early in 2012, four young men finally saw their harrowing, two-year ordeal come to its long-awaited end. The case against these four youths, aged 18 to 21 at the time, began with incredible and shocking allegations in September 2009. They were accused of having carried out a fantastically elaborate sexual crime involving the drugging and raping of two girls with whom they had been living in a foster home.

The allegations began with one boy facing an accusation of consensual sex with one of the girls. While the situation was still contained within the confines of the household, the number of alleged victims grew to two, and the perpetrator was additionally alleged to have drugged his victims and forced them to watch pornography. Throughout the ordeal, the accused denied the allegations. The woman who was supposed to be acting as the legal guardian of all the children responded to his denials with punishing beatings. With assistance from his friends, the boy fled the home to try to find help.

After returning, the boy continued to maintain his innocence. Meanwhile, the accusations expanded to include the other boys who were supporting their friend. It was, in fact, the boys who finally decided to bring the matter to the police. Upon hearing the disturbing allegations, however, the police threw the boys into jail. After nine days spent suffering constant mistreatment and abuse at the hands of the police, the boys were ordered to be held in remand prison to await trial. They learned that they each could be sentenced to up to life imprisonment for the depraved crimes with which they had been charged.

It was not until a month in pretrial detention had passed that their case was referred to IBJ by one of its partner organizations, the Legal Resources Foundation. IBJ assigned one of its most enthusiastic volunteer lawyers, Everson Chatambudza, to represent the boys.

Chatambudza scheduled a reharing of the boys’ bail applications in November 2009. By exposing the incredible nature of the fabricated allegations, he managed to free them from pretrial detention. But the case against the boys dragged on for more than two years, and the possibility of life sentences continued to hang over their heads.

Finally, after chronic delays saddling the prosecution’s case – lack of reliable evidence to back the charges chief among its weaknesses – Chatambudza made a decisive motion. The boys’ lawyer applied for a refusal of further remand. In light of the circumstances, the court considered the allegations thoroughly discredited and dismissed the case. At last, after two long years of struggle, the four young men were exonerated and freed from living under a cloud of injustice.

At the Forefront of Global Legal Instruction, IBJ Expands Its Online Legal Resources

In just three years, IBJ’s extensive eLearning and Criminal Defense Wiki platforms have enabled the distribution of legal knowledge and resources to overcome physical barriers. Under the supervision of IBJ staff and through the dedication of many legal volunteers worldwide, these interrelated web-based programs have provided vital assistance to defense lawyers from all corners of the globe.

These programs harness the power of the Internet to deliver country-specific and topic-based materials around the world. Since launching these online resources in 2010, IBJ has focused its attention on developing content, building and supporting a global legal community, and increasing international awareness of defenders.

Legal Training Resource Center
www.elearning.ibj.org

The Legal Training Resource Center offers multimedia eLearning training courses for practicing defenders seeking both general and advanced instruction. Several new advocacy skills modules added in 2012 instruct lawyers on how best to collect, analyze, and present evidence in court.

Criminal Defense Wiki
www.defensewiki.ibj.org

The Criminal Defense Wiki, offering nearly 900 pages in five languages, uses a moderated platform to harness the power of legal volunteers who continuously update and add to the extensive library of information about criminal defense. As an example of the platform’s responsive capabilities, the Defense Wiki India page was recently expanded, in response to requests from the country’s legal community, to include case law supporting defense strategies. The Criminal Defense Wiki now boasts more than 870 registered users and offers more than 400 hours of training. Going forward, IBJ is actively expanding and enhancing the pages in Arabic.

By providing relevant training on domestic laws and issues, IBJ is creating educational opportunities for legal professionals in target countries. Additionally, we continue to form new partnerships aimed specifically at developing and implementing substantive and technological improvements to our online legal resources. By meeting precise and evolving needs, these unique collaborative platforms will continue to see an increase in worldwide usage.
IBJ’s Singapore Hub...
Two Productive Years Later

ASEAN and Laos Trainings Are Highlights

Since its inauguration in 2010, the Singapore Justice Training Centre, IBJ’s first regional hub, has made remarkable strides. Housed at the Tanglin International Centre, the SJTC is a critical resource entity for legal professionals, bringing together lawyers, judges, and government officials to build fair and sustainable criminal justice systems across Asia.

As one of the first NGOs invited to work in Singapore under the government’s International Organizations Development Scheme, IBJ has developed partnerships with numerous private and public entities, including Singapore’s Ministry of Foreign Affairs, academic institutions, and law firms, to conduct trainings and other events.

In 2011, IBJ partnered with Singapore’s Ministry of Foreign Affairs to initiate the Singapore–International Bridges to Justice Joint Training Programme. This partnership, administered by the MFA’s Singapore Cooperation Programme, led to IBJ’s inaugural criminal justice training for officials and lawyers from the countries comprising the Association of Southeast Asian Nations (ASEAN) in February 2011.

In December 2011, the SJTC conducted a second training in Laos in partnership with the MFA. Several firms, including Allen & Overy and Clifford Chance, lent their support to both events. Notable local and foreign lawyers also shared their expertise. IBJ and the MFA are committed to partnering in future trainings in the ASEAN region.

Following the success of its first fundraising gala in 2010, the SJTC hosted its second gala in November 2012. Gracing the event as the guest of honor was Senior Minister of State for Law and Education Indranee Rajah. The gala was attended by 160 guests representing a cross-section of leaders in Singapore’s legal, business, and philanthropic sectors who are committed to the rule of law.

At the gala, CEO Karen Tse spoke of IBJ’s programs to ensure early access to counsel and how countless individuals are affected by our JusticeMakers Fellows and staff on the ground. International Program Director Sanjeewa Liyanage presented a video of one of IBJ’s 2010 Asian JusticeMakers Fellows, H.M. Harshi Chitrangi Perera, who has successfully defended several female detainees in Sri Lanka’s prison system.

At the end of 2012, Tse and SJTC Legal & Program Manager Clara Feng traveled to Myanmar to meet key partners and discuss cooperation strategies to implement a training program there. Myanmar lawyers were enthusiastic about working with IBJ and holding combined trainings for judges, prosecutors, police, and lawyers. With the creation of these links with organizations and individuals in Myanmar, the SJTC is ready to embark on a series of trainings for government officials and lawyers in 2013.
IBJ Conducts First-Ever Training for ASEAN Countries

In February 2011, IBJ and Singapore’s Ministry of Foreign Affairs collaborated to create the first-ever criminal justice training for the countries comprising the Association of Southeast Asian Nations (ASEAN). Hosted at the National University of Singapore’s Lee Kuan Yew School of Public Policy, this event gathered 18 participants from Cambodia, Indonesia, Laos, Malaysia, the Philippines, Singapore, Thailand, and Vietnam.

As part of the interactive training methodology, participants were asked to give brief presentations highlighting current laws in their own countries upholding the rights of the accused, including early access to defense counsel. Experts from Singapore, elsewhere in Asia, and the United States introduced new methods of reviewing and analyzing evidence from a criminal case. Topics such as advocacy and negotiation skills complemented leadership development and criminal justice review.

Trainers included legal experts from Drew & Napier, Infinitus Law, Rodyk & Davidson, Bird & Bird, Eldan Law, and National University of Singapore Faculty of Law. Allen & Overy, Clifford Chance, and Rajah & Tann provided financial support for the training.
IBJ Makes Its Debut in Laos

The Singapore Justice Training Centre conducted its first training outside Singapore in December 2011. The SJTC partnered with the Ministry of Foreign Affairs’ Singapore Cooperation Programme to lead a criminal justice standards and skills training in Laos’ capital city, Vientiane. IBJ staff were joined by volunteer trainers Wendell Wong, a dispute resolution director of the law firm Drew & Napier in Singapore, and Larisa Wakefield, an attorney and trainer from the public defender’s office in Orange County, California in the United States.

Officials from the Ministry of Public Security, the Office of the Supreme People’s Prosecutor, the People’s Supreme Court, the Ministry of Justice, the Ministry of National Defense, and the People’s Appellate Court attended. The participants practiced various criminal justice procedures – from investigation to prosecution to adjudication – in multiple scenarios involving drug, economic, environmental, and human trafficking offenses. Judges from the Military, Supreme and Appellate courts were also present, as well as lawyers from firms inside the Ministry of Justice.

Designed to be highly interactive and intensive, the curriculum combined lectures, workshops, and small-group discussions. Topics included trial advocacy, criminal procedure and criminal law, public speaking and oral presentation, negotiation, criminal justice trends, leadership development in criminal justice systems, and partnership building. Hypothetical case studies required participants to consider facts from the accused’s perspective.

The training emphasized advocacy and analytical skills in combination with law to best serve and uphold the rights of the accused.
IBJ Online: Building the Movement through Communications and Social Media

To spread its message as widely as possible using all the latest means, IBJ has been active on several social media platforms since 2011. Our programming generally and our JusticeMakers projects in particular are perfectly poised to utilize social media as a means of communication to promote networking across borders and bring attention to IBJ.

In addition to our general IBJ website launched in 2004, our IBJ blog and specialized JusticeMakers blogs have been active since 2008. The regular updates provided through these blogs give real-time and in-depth accounts of the human impact of IBJ’s work across the globe. We also have accounts with Facebook, Twitter, Photoshelter, and GlobalGiving.

During 2011 and 2012, we worked hard to build the followings for our IBJ and JusticeMakers Twitter accounts and IBJ’s Facebook page. Facebook also allows us to keep track of our page’s activity, informing us about the effectiveness of our communication through social media by detailing average page views and providing extremely important numbers on how many views each individual IBJ post receives and any shares our posts might receive from Facebook friends. Shares are an integral component of our social media campaigns, allowing us to gain wider outreach and impact.

We employ Google Analytics to track various information about IBJ’s different websites. The figures below compare the percentage difference between 2011 and 2012 views for our main web pages.

<table>
<thead>
<tr>
<th>Website</th>
<th>2011 Views</th>
<th>2012 Views</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>IBJ Online</td>
<td>39,906</td>
<td>42,481</td>
<td>6.45%</td>
</tr>
<tr>
<td>IBJ Blog</td>
<td>17,621</td>
<td>20,354</td>
<td>15.51%</td>
</tr>
<tr>
<td>IBJ Defense Wiki</td>
<td>274,803</td>
<td>439,699</td>
<td>60.01%</td>
</tr>
<tr>
<td>IBJ E-Learning</td>
<td>8,577</td>
<td>12,985</td>
<td>51.39%</td>
</tr>
<tr>
<td>IBJ JusticeMakers Blog</td>
<td>19,694</td>
<td>21,943</td>
<td>11.42%</td>
</tr>
</tbody>
</table>

Looking to the future, we plan to employ increased targeted promotion of both our web pages and social media accounts not only to increase visits, but also to widen IBJ’s demographic appeal and lengthen the duration of web page visits and views of online video campaigns. These campaigns are becoming particularly important as a fundraising tool for organizations like IBJ.
IBJ Launches Youth Scholars Program

An exciting new initiative of IBJ is its Youth Scholars Program. This nascent project, which we plan to expand in the coming years, has four main objectives:

1. Engagement and empowerment: Engaging young people throughout the world in the fields of legal and human rights, and empowering them to take action through training and the provision of the skills and materials they need to become the next generation of advocates protecting due process rights globally.

2. Continuity: Inspiring and cultivating a generation of young people to become the JusticeMakers of tomorrow.

3. Community: Creating, on a sustainable and long-term basis, a global community of youth dedicated to promoting justice and encouraging other young people to engage in active collaborations on an international level.

4. Awareness: Building awareness among young people in countries with developed legal systems of the protections all citizens in those countries enjoy, as well as awareness of the more difficult situations existing in those countries with less-developed legal systems.

This program is targeted at young people between 12 and 18 and aims to reach them by creating youth chapters at secondary schools. In the longer term, we hope to expand this program to include college and graduate students.

During 2011 and 2012, the flagship chapter of IBJ’s Youth Scholars’ Program was founded in Sacramento, California in the United States. This innovative group of young people then created two more clubs at other nearby schools. As well as educating their peers about IBJ’s work on rights awareness and ending torture as an investigative tool, the new chapters also held fundraising events. They sold a variety of handcrafted items, such as bracelets and cards, at local markets. Another chapter recently founded at a school in Hong Kong held a musical evening in support of IBJ. Our South Korean chapter started an IBJ Youth Scholars Program blog.

These activities help to call attention to IBJ’s invaluable work among the next generation of social entrepreneurs, who can then pass on their message and facilitate the achievement of universal due process rights for future generations worldwide.

IBJ Youth Scholars’ starter chapter in Sacramento, California
Real Work and Real Impact: Making Sustainability a Reality

Daniel R. Fung, Chairman of the Board of Directors of International Bridges to Justice

It is a real pleasure for me to present this latest report, covering not one but two years of IBJ’s growth and development. Since assuming the chairmanship of IBJ’s Board of Directors in 2009, I have been fortified by the sense of vision and purpose that continues to infuse the work of our organization on a daily basis. But it is the way that IBJ translates that vision into action, and then turns action into tangible and transformational results, that sets IBJ apart. To appreciate this, one needs to look no further than our China program. With over 80,000 citizens made aware of their rights and over 17,000 lawyers trained, there can be little doubt about IBJ’s ability to get the job done. However, if we aim to really create transformative change, then merely raising awareness is not enough. Over the past several years, we designed and implemented a series of specific projects, each intended to model more effective systemic measures by which to protect citizens’ rights. In 2009, IBJ ran a juvenile justice project on record sealing, sentencing, and the inclusion of social workers in the process. In 2011 and 2012, we piloted the use of “Appropriate Adults” for minor defendants appearing in court without a guardian. From 2011 to 2013, we have promoted projects guaranteeing early access to counsel for juveniles. Now, through the recently enacted Criminal Procedure Law and the Supreme People’s Procuratorate’s decision on juvenile cases, these reforms have become national policy, enabling important implementation work to begin.

In addition to these important reforms, our early access projects for adults built momentum for the expansion of Legal Aid, which by law is now set to cover additional, earlier case stages. What’s more, a formalized complaint mechanism is enabling defense lawyers to advocate for the procedural rights of their clients at earlier stages.

These accomplishments represent more than mere formal victories. They lay down real milestones on the path toward ensuring due process rights. They were achieved through our painstaking efforts to build trust in partnership with a broad range of government officials and institutions, through in-depth collaboration with legal professionals throughout the country, and through a deep understanding of the dynamics of the Chinese criminal justice system and its role in society. Already IBJ is busy working with its partners on training and implementation programs to turn these provisions into common practice, and we envisage, in the years to come, that millions upon millions of Chinese citizens will enjoy greater legal protection because of this work.

Game-changing achievements such as these are why I am proud to serve as Chairman of IBJ’s Board. Too often, and in too many places, legal development programs come and go, and often at great expense. Some create interesting results momentarily, but lacking proper foundations or strong local partnerships or contextual relevance, they fade in much the same manner as a cut flower droops and eventually sheds its petals. But IBJ has never been about merely creating a pretty bouquet to attract attention. In each country where we work, we roll up our shirt sleeves and get our hands dirty, we till and water the soil, and we embed seeds which grow the strongest roots, bearing the fruits of justice for many generations to come.

None of this is glamorous work. We encounter manifold headaches, obstacles, and setbacks. However, IBJ has always striven to find ways to address problems and overcome challenges and, in so doing, attempts indefatigably to set the standard for attaining sustainable long-term results in a field where mere use of the word “sustainability” all too often causes readers’ eyes to glaze over. Whether a long-term supporter of IBJ or a first-time observer, I hope you enjoy this Biannual Report. And please remember that it is only through timely contributions of individuals just like you all over the globe that our work is able to continue. From the bottom of my heart, I thank each and every one of you for your support.
IBJ Rises to the Challenge of the Toughening Global Economic Tide

In 2011, IBJ’s total income remained about the same as its 2010 total income, at $4.04 million. Excluding in-kind donations, IBJ’s income increased by 3% from $3.03 million in 2010 to $3.13 million in 2011. In 2012, IBJ’s total income decreased by 12% from its 2011 level to a total of $3.54 million. Excluding in-kind donations, IBJ’s income in 2012 decreased from its 2011 level to $2.55 million. However, in-kind donations increased during this period by 8% as IBJ continued to benefit from an increasing number of interns and volunteer professionals donating extended amounts of time to the organization.

The largest source of income for both 2011 and 2012 continued to be governmental and multilateral agencies. The second-largest income source in both years was private foundations.

Social entrepreneur and activist awards remained an important source of funding for IBJ in 2011 and 2012, representing 7% of total income in 2011 and amounting to 10% of total income in 2012. In addition, private individuals and law firms continued to support the work of IBJ throughout this period, increasing support between 2011 and 2012 from 3% to 6%. 2011 and 2012 saw the continuation of a challenging fundraising environment for non-profit organizations due to the persisting global economic recession. We are extraordinarily grateful to our dedicated supporters who have given generously of their time and resources, enabling IBJ to continue implementing its vision and program and helping it to gain momentum in the years to come.
Helping IBJ End Torture

We welcome your expertise,

Computer know-how,

Legal skills, advocacy experience,

Communication, marketing, and networking skills.

Thank you in advance for your invaluable support!

Make a Tax-Deductible Donation

IBJ offers a variety of ways for individual, corporate, and institutional donors to support its efforts. Whether you have an interest in supporting a particular country program, JusticeMakers, online legal education, or our operations, your donation or in-kind gift is invaluable. There is no faster way to add resources to IBJ’s efforts than a financial contribution.

Join Our Team

With offices in Switzerland, Cambodia, China, India, Singapore, Burundi, Rwanda, and Zimbabwe, IBJ welcomes passionate, entrepreneurial people. Whether you’re a private-sector lawyer seeking a change of pace, a nonprofit manager with a passion for human rights, or a university student looking for an internship, we’d love to talk with you.

Partner

IBJ is building a global network of institutions to address legal abuses at the local level. Whether you’re a lawyer or human rights officer with expertise, an engineer with a technological solution, or a government official who can help IBJ navigate policy, we need your support!
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Our work to advance the rule of law and improve access to legal representation would not be possible without the generous support of many people. In 2011-12, individual contributions to IBJ amounted to nearly $250,000. Your support has made a real difference in IBJ’s efforts to carry out its mission to ensure access to justice for all. We extend our heartfelt thanks to all of you.
“Unfortunately in many places in the world, justice and freedom from torture is something that belongs to the wealthy. And it doesn’t belong to the poor. We have extraordinary opportunities now, with mobile phones, to connect in ways we never had before. And you have organizations like International Bridges to Justice that are doing fantastic work on the ground, actually transforming the lives of those people who are suffering and being ignored and left to suffer for so long. Please help IBJ.”

Peter Gabriel
Singer, songwriter, and activist

“As the world community advances toward social progress and economic prosperity, more countries recognize that embracing the rule of law is crucial to shaping their futures. International Bridges to Justice works effectively with governments to promote responsible change and protect legal rights.”

Hilde Schwab, Chairperson & Co-Founder, Schwab Foundation for Social Entrepreneurship
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