

IHRP Summer Internship Final Report

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This summer, I completed a 12-week internship with International Bridges (IBJ) to Justice in its Geneva headquarters. My work as a legal intern was wide-ranging and the colleagues I worked with made the experience even more pleasurable.

IBJ is an international NGO dedicated to the protection of basic legal rights of ordinary individuals—specifically, the right to competent legal representation, the right to life, liberty, and security of the person, and the right to a fair trial. In many developing countries, violations of these rights occur often, typically taking the form of investigative torture, i.e. the use of torture by law enforcement officers at the investigative stage of criminal justice proceedings. Investigative torture occurs mostly in the context of pre-trial detention, when an accused person in a criminal case is detained before the trial (or any hearing on the merits of their case) has taken place, either because they cannot afford bail or because bail has been denied. The mission of IBJ is to end such state-sanctioned torture by institutionalizing systematic early access to counsel. In pursuing this mission, IBJ takes a three-pillar approach: (1) building the capacity of criminal defenders in the countries to perform their work effectively, (2) providing legal aid and case assistance to the indigent accused, and (3) facilitating constructive dialogues between defenders, government officials, judges, and law enforcement officers in order to promote empathy and collaboration in the justice sector. Currently, IBJ operates in six countries: three in Asia—Cambodia, China and India—and three in Africa—Burundi, Rwanda and Zimbabwe.

As a legal intern, I was engaged in two main types of work: legal resources development, and grant proposal writing. Legal resources development refers to work performed in support of IBJ's Criminal DefenseWiki project and the IBJ Legal Training Resource Center, also known as eLearning courses. Created using the same software as Wikipedia, the DefenseWiki website aims to provide, in an aggregate fashion, essential resources that criminal defense lawyers around the world can rely on in their practices. These resources include criminal codes, constitutions, overview of the criminal justice system in different countries, and articles on specific topics relating to the practice of criminal defense. This project is global in scope from its inception, that is, the Geneva team aims to develop entries on the criminal justice system of every single country in the world. I elected to focus on Bangladesh. I conducted research on the country's criminal law, criminal procedure and the constitution, with a focus on rights of the accused during the criminal justice proceedings. By synthesizing my findings from these sources, I was able to present a holistic picture of the criminal justice system in Bangladesh, complete

with concise interpretations of those statutory or constitutional provisions most relevant to criminal defense. Additionally, I edited a number of other entries and even applied my Mandarin and French language skills to translate some contents into English.

Through this work, I gained not only substantial knowledge of the laws of criminal procedure and evidence in specific countries, but also an appreciation of the consistency of the set of rights accorded to the accused across countries. This led me to conclude that there is an appreciable trend toward convergence in criminal law around the world. This convergence attests to the norm-setting effects of such international treaties as the International Covenant on Civil Political Rights, which has gained new signatories and parties steadily over the thirty years since its adoption by the UN General Assembly. Furthermore, it shows that the rights of the accused are fundamental human rights and should be understood as such. Continued violations of these rights today ought to be attributed to problematic implementation of criminal law as much as to imperfection in the law itself. The solution to this problem lies no less in improving the practical implementation of rights in the criminal law—the cause to which IBJ is whole-heartedly dedicated—than in high-level legal reforms.

Grant writing is the bread and butter of the work at an NGO. IBJ relies mostly upon grants from international organizations, bilateral donors (i.e. member states of the United Nations that provide development assistance directly to recipient countries), and large grant-making foundations, to finance its programs around the world. During my internship, I assist the staff lawyers in drafting and/or editing a number of grant proposals and interim reports to donors. Most notably were the two proposals seeking funding for a new country program in Myanmar. This work afforded me excellent opportunities to adapt my writing skills to suit a new style, which is a combination of technical and advocacy. More importantly, these proposal-writing projects gave me an in-depth understanding of the logistics of IBJ's programs, especially because I was responsible for building the budget spreadsheets/tables.

My participation in the two Myanmar-related proposal-writing projects was unique compared to the typical intern's experience with grant-writing. This is because I was involved in the efforts to seek out the grant opportunities. In June, Myanmar hosted the 2013 World Economic Forum on East Asia, and the CEO of IBJ, Karen Tse, was invited to attend. Karen perceived this trip to Myanmar—her second in 12 months—as an excellent opportunity to make significant progress in the ongoing efforts to establish a country program in the country. Having previously proven myself as a competent writer, I was given the task of composing meeting request emails to the heads of office of various bilateral donors' in Myanmar. Convinced that she would need an assistant to handle the myriad logistical issues, plan her schedule, liaise with various parties,

I volunteered to accompany her on the trip at my own expenses—the only intern to do so. Karen was exceedingly delighted with my initiative and happily accepted.

So, from June 3rd to June 11th, I was in Myanmar with Karen and another colleague from IBJ's Singapore Justice Training Centre, Clara Feng. We managed to meet with many senior officials of Myanmar government, including Deputy Minister of Home Affairs, Deputy Chief of Police, and Deputy Attorney General. These meetings allowed us to solidify the government's trust in us—an important step toward obtaining the legal status needed to operate on the ground—and discuss areas of collaboration toward the goals of ending investigative torture and improving criminal justice. Next, we met with members of various government agencies to present our anticipated local projects and learn about grant opportunities. After the trip, I worked closely with my Singapore colleague to adapt the concept note that we had developed during the trip into grant proposals to US Agency of International Development (USAID) and British Embassy. By the end of my internship, therefore, I have gained a first-hand appreciation of the process by which IBJ partners with a government and sets up country offices to engage in the work of criminal justice reform implementation.

The most formative, and also the most pleasurable, aspect of my internship with IBJ was getting to know the individuals that comprise this organization. The staff members of IBJ are mostly lawyers who have, at different points in their legal careers, decided to commit themselves to the work of advancing international human rights. Each of them possesses different traits which I find admiring. For example, Brian Rohan, Special Projects Director, showed me what attention to detail means when he and I stayed up until 3 a.m. working together via Skype to produce an urgently requested donor document. Sanjeewa Liyanage, our International Program Director, taught me resourceful and creative program-planning when he and I brainstormed about specific projects for Myanmar. Karen, with her charismatic personality, indefatigable energy, and genuine ability to inspire and motivate, is my role model for leadership. I strongly believe it is their personal ethos which makes up the uplift spirit of IBJ—one powerful enough to effect a change of consciousness among those people who previously opposed legal aid, and to inspire more individuals to join its cause.

My IHRP summer internship has been an excellent experience in terms of skill-building as well as exposure to the field of international human rights. I am deeply grateful to the IHRP for making this all possible.