



## HONG KONG BAR ASSOCIATION

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2 April 2020

Judiciary of Zambia  
Plot #438, Independence Avenue  
Lusaka, Zambia

Attn: Mr. Prince Boniface Mwiinga  
Acting Chief Registrar

Dear Sir

### RE: Suspension of the Rights of Audience of Mr. John Sangwa S.C.

The Hong Kong Bar Association ("HKBA") writes to express concern at the circumstances in which Mr. John Sangwa S.C. ("Mr. Sangwa S.C.") has, at the direction of the Judiciary of Zambia (the "Judiciary") on 13 March 2020, no longer been allowed to appear before any Court in Zambia.

We are troubled that the rights of audience of Mr. Sangwa S.C. have been suspended by the Judiciary notwithstanding that the complaint of professional misconduct (also made by the Judiciary) to the Law Association of Zambia against him had yet to be determined at the time of suspension (and indeed, remains to be determined as of even date).

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We are further troubled by the suggestion that the suspension may in some way be associated with comments made by Mr. Sangwa S.C. concerning the presidential term limits set out in the Constitution of Zambia and the appointment of Members of the Constitutional Court.

These matters raise for us apprehension regarding due process, fundamental rights and the rule of law, particularly in light of the principles set out in the United Nations Basic Principles on the Role of Lawyers (1990), including Articles 23 and 27-29 therein. As a member of the international community of lawyers, the HKBA supports the adherence to these principles which are crucial to the independence of lawyers in all jurisdictions.

The HKBA therefore urges the Judiciary to give serious reconsideration to the notice issued on 13 March 2020 in respect of the suspension of Mr. Sangwa S.C., with the aforesaid principles and imperatives in mind.

Yours Sincerely,



Philip Dykes S.C.  
Chairman

c.c. The Hon. Mrs. Justice Irene Mambilima, Chief Justice of Zambia  
Mr. Eddie Kalela Mwitwa, President, Law Association of Zambia  
Diego García-Sayán, Special Rapporteur on the Independence of Judges and Lawyers  
John Sangwa S.C., Simeza, Sangwa & Associates, Advocates