

Statement of the Hong Kong Bar Association

Response to call by US Congressmen to sanction Hong Kong Judges and prosecutors

The Hong Kong Bar Association notes with grave concerns the letter which was apparently sent by seven US congressmen to the President of the United States of America on 3 May 2022 urging the executive there to impose sanctions on National Security Law designated judges of the Hong Kong judiciary and prosecutors.

The Bar deplores and condemns in the strongest terms any attempts by anyone, anywhere, to interfere with the operation of Hong Kong's independent judiciary and the administration of justice in Hong Kong.

There can be no question on the integrity and independence of Hong Kong judges, whose selection, appointment and discharge of their constitutional role and duties are free from any political considerations and interference. It is of fundamental importance to the rule of law in Hong Kong and indeed elsewhere that the judiciary, judges and judicial officers be allowed to operate and exercise their judicial power independently and free from any interference.

In addition, Article 63 of the Basic Law of the Hong Kong Special Administrative Region provides that the Department of Justice "*shall control criminal prosecutions, free from any interference*". The public expects our prosecutors to discharge their constitutional function fairly and in accordance with the law. On the other hand, lawyers, whether defending or prosecuting, should not be subject to illegitimate pressure as this directly and improperly seeks to interfere with the proper administration of justice and the right to legal representation.

Dated 12 May 2022.

Hong Kong Bar Association