

**Press Statement of the Hong Kong Bar Association (HKBA)
On the Fugitive Offenders and Mutual Legal Assistance in Criminal
Matters Legislation (Amendment) Bill 2019 (“The Bill”)**

HKBA refers to the joint statement by seven international legal bodies¹ published on 14 June 2019 on the Bill.²

The joint statement observed that the Government’s proposals to amend the two ordinances “fundamentally imperil of the operation of the rule of law in Hong Kong”. This echoes HKBA’s observations as stated in its three position papers published on 4 March 2019, 2 April 2019 and 6 June 2019.

HKBA sees that the Government has now decided to suspend the Bill’s legislative process, but has not announced that it will withdraw it altogether. It notes further that the Chief Executive (CE) in announcing the Government’s decision stated that the Bill will lapse if its second reading is not resumed before the end of this legislative term in July 2020.

Notwithstanding that the Bill is unlikely to be re-introduced this term, HKBA considers that the Government’s failure to withdraw the Bill is wholly unsatisfactory because it gives rise to concerns that any future consultation to be conducted by the Government on the topics of the surrender of fugitives and cross-border legal assistance will still be curtailed by the parameters set by the Bill.

HKBA therefore asks the Government to withdraw the Bill and make a commitment that it will not introduce any legislation on the question of surrender of fugitives and cross-border legal assistance without full and open consultation involving the Hong Kong public and others who have an interest in the subject matter.

HKBA further notes the continuing public discussion of the conflicts in the vicinity of the Central Government Offices on 12 June 2019. HKBA

¹ The England and Wales Bar Human Rights Committee, the Law Society of England and Wales, the Human Rights Committee of the Law Society of England and Wales, the International Bar Association’s Human Rights Institute, the Defence Extradition Lawyers Forum, the International Forum of Extradition Specialists and Fair Trials

² See <http://www.barhumanrights.org.uk/wp-content/uploads/2019/06/FINAL-Joint-observations-on-the-human-rights-implications-of-the-Fugitive-Offenders-and-Mutual-Legal-Assistance-in-Criminal-Matters-Legislation-3.pdf>

takes the view that given the scale of the event where both protestors and law enforcement officers had been injured, the public interest requires that an independent commission of inquiry be set up to fully investigate into the relevant events including the guidelines (if any) on the use of force by the police against protestors. HKBA believes that such an independent inquiry will be fair and will also be of great value to both the general public and the police force.

Hong Kong Bar Association
21 June 2019