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**Press Release of the Hong Kong Bar Association**

A delegation comprising 22 members of the Hong Kong Bar Association visited Beijing from 9th to 13th June 2011. The delegation met the Chairman of the Basic Law Committee of the National People's Congress Standing Committee, Mr Qiao Xiaoyang; the Deputy Director of the Hong Kong and Macao Office, Mr Zhang Xiaoming; the Vice President of the Supreme People's Court; the Vice Minister of the Ministry of Justice; and representatives of the All China Lawyers Association.

The Bar was warmly received by the various officials. The Bar was able to undertake full and frank discussions that were fruitful.

The Bar is hopeful that this visit will, after an interval of three years, form the basis for further constructive and meaningful dialogue with the relevant counterparts and representatives of the Central Government and their bodies.

During the visit the Bar had reaffirmed its pivotal role as one of the pillars helping in the maintenance of the Rule of Law in Hong Kong. One aspect of such role is to assist the public in understanding the significance of important legal decisions. The Bar's statement on the Court of Final Appeal's decision in the Congo case on state immunity aptly demonstrates this important role. The views expressed by the Bar in its statement were strongly supported and warmly welcomed by both Mr Qiao and Mr Zhang.

In the course of the meeting with Mr Qiao, the Bar specifically raised certain concerns of the public and the legal profession as to the procedure to be followed in the Interpretation and the scope of the Interpretation. The Bar was assured that the Interpretation would be conducted strictly in accordance with the request of the Court of Final Appeal. The Bar was also given support for the view that the procedure for the Interpretation should be made more transparent. As provided for in the Basic Law itself, the Hong Kong Basic Law Committee had to be consulted in respect of the Interpretation, and the opinion of the Hong Kong Basic Law Committee would be placed before members of the NPCSC.

In Beijing, the Bar also took part in the graduation ceremony of a programme on Common Law which was carried out in collaboration with Peking University. The Bar will be sponsoring scholarships for up to four LLM students of Peking University to visit Hong Kong to observe and learn from the work being undertaken by barristers' chambers in Hong Kong.

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**13<sup>th</sup> June 2011**

## 香港大律師公會新聞發布

由二十二名會員組成的香港大律師公會代表團，於二零一一年六月九日至十三日訪問北京。訪問期間，公會拜訪了全國人大基本法委員會主任喬曉陽、國務院港澳辦副主任張曉明、最高人民法院副院長、司法部副部長、及全國律師協會代表。

於訪問期間，香港大律師公會除了得到各官員熱情款待，還有機會與各官員進行充分和坦率的討論，令是次訪問充滿成果。

香港大律師公會對上一次訪問北京為三年前，公會希望今次再到北京訪問，能加強與中央政府及機關內各對口單位及代表的溝通，為進一步建立有建設性和有意義的對話奠定良好基礎。

大律師公會在維護香港的法治方面一向發揮著舉足輕重的作用。在是次訪問中，公會也有重申此點。公會的其中一個責任，是協助公眾正確了解法院在重要法律問題上的裁決。最近終審法院審理了一宗與剛果民主共和國有關的「國家或主權豁免權」的訴訟，並提請人大釋法。香港大律師公會也貫徹履行這責任，對終審法院的判決發表了聲明。香港大律師公會在聲明中的見解，得到喬曉陽主任和張曉明副主任的高度支持和歡迎。

在與喬曉陽主任會面期間，香港大律師公會特別提出某些令本地法律界及公眾關注的問題，特別是往後有關釋法程序及釋法範圍的問題。香港大律師公會得到了有關方面保證，釋法會嚴格按照終審法院的要求進行。香港大律師公會同時認為釋法程序應更加透明，這個觀點亦獲得有關方面認同。基本法本身規定，在釋法期間人大應諮詢香港基本法委員會，而香港基本法委員會的意見會提供予人大常委委員作參考。

在北京期間，香港大律師公會亦參加了與北京大學合辦的普通法課程的畢業典禮。公會將會為多達四名的北京大學法學碩士學生提供獎學金，贊助得獎學生到香港的大律師事務所參觀，觀察和學習香港大律師的工作。

香港大律師公會  
二零一一年六月十三日