



Statement by The Law Society of Hong Kong in Response to Call by US Congress Representatives for Sanctions against Judges and Prosecutors of Hong Kong

1. The Law Society of Hong Kong notes a letter dated 3 May 2022 to the President of the United States, apparently sent by seven US Congress representatives, calling for sanctions against the Hong Kong judges and prosecutors designated to handle national security cases.
2. The Law Society condemns any attempt to interfere with the administration of justice or challenge the rule of law, judicial independence or prosecutorial integrity.
3. In Hong Kong, judicial independence is constitutionally entrenched in The Basic Law of the Hong Kong Special Administrative Region (the “Basic Law”). For instance, Article 2 guarantees independent judicial power, including that of final adjudication in accordance with the provisions of the Basic Law; Article 19 provides that Hong Kong shall be vested with independent judicial power; and Article 85 provides that the courts shall exercise judicial power independently, free from any interference.
4. The constitutional role of judges and judicial officers is to apply the law. Article 84 of the Basic Law states that judges and judicial officers shall adjudicate cases in accordance with the law. The Judicial Oath requires all judges and judicial officers to safeguard the law and administer justice without fear or favour.
5. Article 63 of the Basic Law provides that the Department of Justice in Hong Kong shall control criminal prosecutions, free from any interference.
6. The Law Society also notes that everyone (without exception) in Hong Kong has a right to legal representation. The Law Society defends that right.
7. Any attempt to exert pressure by the implementation of sanctions against a judge or prosecutor due to the type of cases that he or she is assigned to handle is an affront to the rule of law and judicial and prosecutorial integrity. The Law Society calls for respect for the rule of law.