

Monday, 20 April 2020

Call for release of pro-democracy leaders arrested in Hong Kong

All comments to be attributed to Law Council of Australia President, Ms Pauline Wright.

The Law Council of Australia joins with international legal associations to express our profound concern regarding the arrest of 15 prominent democracy figures in Hong Kong on Saturday, 18 April 2020 and to call for their immediate release.

We consider that the arrests violate the right to peaceful protest, which is protected under the Joint Declaration and the Hong Kong Basic Law. These instruments guarantee Hong Kong residents the rights to freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration until 2047.

Those arrested include Martin Lee QC, who was involved in drafting Hong Kong's Basic Law and human rights barrister, Dr Margaret Ng. In October 2019, these two eminent lawyers were jointly awarded the International Bar Association's Human Rights Award for their lifelong commitment to the defence of freedom, democracy and the rule of law. Pro-democracy entrepreneur and media tycoon Jimmy Lai was also among those arrested.

Hong Kong authorities purport that these arrests relate to the suspicion of organising and taking part in 'unauthorised assemblies' on 18 August, 1 October and 20 October 2019 in contravention of Hong Kong's Public Order Ordinance.

The Law Council is deeply concerned that these arrests have taken place well after the 2019 protests in question, and against the backdrop of the COVID-19 pandemic. The undermining of the rule of law in Hong Kong, as well as the threats to the human rights and civil liberties of its residents, will not go unnoticed.

These arrests mark the single largest detainment of pro-democracy leaders since widespread democracy protests were sparked by the introduction of the controversial extradition bill in February 2019. They also coincide with comments earlier last week by Luo Huining, Beijing's most senior representative in Hong Kong, calling for the introduction of national security legislation in response to Hong Kong's pro-democracy protests.

The Law Council, together with the international legal community, will continue to defend the rights to peaceful protest and freedom of speech in Hong Kong.

We further urge the Hong Kong government to engage in constructive dialogue with leaders of the pro-democracy movement in order to foster a climate in which their legitimate concerns over democracy and human rights can be addressed.

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