



# Commonwealth Lawyers Association

## Statement by Commonwealth Lawyers Association on the Judiciary in Hong Kong

The Commonwealth Lawyers Association (CLA) is concerned at the recent resignation of two of the non-permanent Judges from the Court of Final Appeal in Hong Kong.

The two eminent Justices who resigned stated that this was because they felt unable to perform their duties in a jurisdiction in which they believed the Administration “has departed from values of political freedom and freedom of expression”

The independence of the Judiciary is a fundamental component of ensuring the rule of law.

The 7<sup>th</sup> United Nations Congress on the Prevention of Crime and the Treatment of Offenders adopted the Basic Principles on the Independence of the Judiciary.

1. “The independence of the judiciary shall be guaranteed by the State and enshrined in the Constitution or the law of the country. It is the duty of all governmental and other jurisdictions to respect and observe the independence of the judiciary.”
2. “The judiciary shall decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason.”

The involvement of non-permanent Judges in Hong Kong is a unique feature of the Basic law of Hong Kong to provide confidence in the continuation of the rule of law and development of the common law in its jurisdiction. These Judges are experienced jurists of the highest ability and integrity.

The CLA stands for the fundamental importance of maintaining the rule of law and ensure the independence of the judiciary of every nation.

The CLA urges the Authorities in Hong Kong to maintain a judiciary which is independent.

The CLA will always support the fundamental right of the judiciary to act and take decisions without fear or favour in the administration of Justice.

**Commonwealth Lawyers Association (CLA)**

**1<sup>st</sup> April 2022**

NOTE TO EDITORS:

The **Commonwealth Lawyers Association** is an international non-profit organisation which exists to promote and maintain the rule of law throughout the Commonwealth by ensuring that an independent and efficient legal profession, with the highest standards of ethics and integrity, serves the people of the Commonwealth.

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