Secretary for Justice

Department for Justice

G/F, Main Wing, Justice Place

18 Lower Albert Road

Central

Hong Kong

Amsterdam, 10 December 2022

Your Excellency,

Lawyers for Lawyers (L4L) has expressed its grave concerns about the continuing imprisonment of our colleague Ms. Chow Hang-Tung. As a Dutch lawyer, I fully share these concerns.As today marks Human Rights Day, I write to you with this request.

Ms. Hang-Tung is a lawyer and human rights defender in Hong Kong. She served as the vice-chair of the now-defunct Hong Kong Alliance in Support of Patriotic Democratic Movements of China, which organized an annual candlelight vigil in Hong Kong to commemorate the Tiananmen Massacre in 1989.

Ms. Hang-Tung was arrested on 8 September 2021, 5 hours before the bail application hearing of her client Gwyneth Ho Kwai-lam, a national security defendant, took place. She is sentenced to 12 months prison sentence on 13 December 2021, for “knowingly participating in an unauthorized assembly”, referring to her participation in the candlelight vigil on 4 June 2020. After being found guilty of “inciting an unauthorized assembly” for publishing a social media post encouraging Hong Kongers to remember the Tiananmen Massacre on 4 June 2021, her sentence was extended to 22 months on 4 January 2022.

Ms. Hang-Tung is still facing to be persecuted for “inciting subversion of state power”, fined with a maximum of 10 years prison sentence, and “failing to comply with notice to provide information”.

There is legitimate concern that Chow Hang-Tung’s charges are connected to and serve to curb his legitimate activities as an attorney. Various organizations, amongst them Lawyers for Lawyers, fear that the continued imprisonment of Ms. Hang-Tung is connected to, and serves to curb his invaluable human rights activities.

I would like to draw your attention to the United Nations Basic Principles on the Role of Lawyers, and more in particular Article 16, which reads:

*16. Governments shall ensure that lawyers ( a ) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; ( b ) are able to travel and to consult with their clients freely both within their own country and abroad; and ( c ) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*

Furthermore, I am gravely worried about the possible disbarment of Ms. Hang-Tung by the Barristers Disciplinary Tribunal as a consequence of her two convictions. This would be a violation of article 23 of the United Nations Basic Principles on the Role of Lawyers, which reads:

*23. Lawyers like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional restrictions by reason of their lawful action or their membership in a lawful organization. In exercising these rights, lawyers shall always conduct themselves in accordance with the law and the recognized standards and ethics of the legal profession.*

Human Rights Day, 10 December, is the day that the UN General Assembly proclaimed in 1950 to bring to the attention ‘of the peoples of the world’ the Universal Declaration of Human Rights as the common standard of achievement for all peoples and all nations. In view of this, I urge the authorities of Hong Kong to release Ms. Chow Hang-Tung immediately and unconditionally.

I thank you for your attention to this important matter.

Yours sincerely,