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Contact: Eric Friedman  
[efriedman@nycbar.org](mailto:efriedman@nycbar.org)

Eli Cohen  
[ecohen@nycbar.org](mailto:ecohen@nycbar.org)

### **Statement on Hong Kong Government Bounties on Pro-Democracy Advocates Outside Hong Kong**

On July 3 of this year, the Hong Kong government issued arrest warrants for eight pro-democracy advocates residing outside Hong Kong, including Dennis Kwok, a partner at a New York City-based law firm.<sup>1</sup> The warrants were for alleged violations of Hong Kong’s controversial National Security Law (“HKNSL”). The Hong Kong government also offered bounties of up to one million Hong Kong dollars (HK\$1,000,000) (approximately US\$125,000) “per head” for private citizens to return Mr. Kwok and the others to Hong Kong.<sup>2</sup>

Mr. Kwok has been recognized nationally and internationally for his contributions to the rule of law. He was an elected, pro-democratic lawmaker in Hong Kong for over eight years, representing the legal community in the Legislative Council. An intellectual as well as a lawyer, Mr. Kwok served as a Senior Fellow at the Harvard Kennedy School, a Distinguished Scholar at Georgetown University’s School of Foreign Service and a visiting professor at the University of Tokyo and at Northeastern University.<sup>3</sup>

Following the announcement of these bounties, our Task Force on the Independence of Lawyers and Judges authored a statement in support of lawyers in both China and Hong Kong—including Mr. Kwok—as the government of the People’s Republic of China (“PRC”) begins a renewed series of attacks and crackdowns on human rights and pro-democracy lawyers. Our statement recognized the campaign against lawyers in the PRC, known as the “709 Crackdown,” and called for the Chinese government to uphold the rule of law, including the PRC’s obligations by international treaty.<sup>4</sup>

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<sup>1</sup> <https://www.reuters.com/world/china/hong-kong-police-issue-arrest-warrants-eight-activists-2023-07-03/>; *see also* [https://www.police.gov.hk/ppp\\_en/06\\_appeals\\_public/nsc/index.html](https://www.police.gov.hk/ppp_en/06_appeals_public/nsc/index.html)

<sup>2</sup> <https://www.jurist.org/news/2023/07/hong-kong-dispatch-bounty-for-exiled-democracy-activists-may-yield-information-for-police/>.

<sup>3</sup> <https://www.csri.global/dennis-kwok>

<sup>4</sup> <https://www.nycbar.org/media-listing/media/detail/eighth-anniversary-of-the-chinese-governments-709-crackdown-on-lawyers-and-human-rights-advocates>

In the recent action by the Hong Kong government, Mr. Kwok and others were charged with alleged violations of the HKNSL, a law that has been widely condemned by governments across the world, including the United States.<sup>5</sup> Almost immediately following the announcement of these bounties, the United States government called on the Hong Kong government to immediately withdraw them.<sup>6</sup> Similar calls were issued from Bar Associations around the world, including the American Bar Association,<sup>7</sup> the Australian Bar Council<sup>8</sup> and the International Bar Association.<sup>9</sup> In the weeks following, Hong Kong's chief executive (appointed by the PRC) stated: "The only way to end their destiny of being an absconder, who will be pursued for life, is to surrender."<sup>10</sup> Hong Kong police then began to detain for questioning the family members of these individuals—including Mr. Kwok's brother.<sup>11</sup>

Governments are obliged to grant their lawyers appropriate freedoms. The United Nations Basic Principles on the Role of Lawyers guarantee that lawyers have the right to freedoms of expression, belief, association and assembly, and the right to take part in public discussion of matters concerning the law.<sup>12</sup> The New York City Bar Association joins these voices in calling on the government of Hong Kong to rescind these bounties, and to refrain from encouraging private individuals to break United States law by, among other things, kidnapping a resident of our country, and calls on the government of Hong Kong to cease the arbitrary detention, harassment, and questioning of these individuals' family and friends. The extraterritorial reach of the HKNSL is designed to have a chilling effect on members of the legal profession throughout the world from speaking out against extreme authoritarianism and advocating for human rights.

Bar Associations—and their memberships—are also obliged to protect the rights and interests of lawyers. We support the work of New York-based lawyers and law practitioners in upholding the rule of law. We support Dennis Kwok, and we wholeheartedly condemn the government of Hong Kong's actions against him and his family.

As a bar association, and a community of New York based lawyers, we call on all of our members to help in protecting the rights of all lawyers threatened by the HKNSL and, indeed, to combat the rise of authoritarianism wherever it occurs.

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<sup>5</sup> <https://www.forbes.com/sites/ewelinaochab/2023/07/07/wanted-overseas-based-hong-kong-human-rights-defenders-accused-of-national-security-law-offenses/?sh=1c2f15ff2030>; see also <https://www.reuters.com/article/us-china-hongkong-security-usa/u-s-condemns-chinas-new-security-law-for-hong-kong-threatens-further-actions-idUSKBN2412N9>;

<sup>6</sup> <https://www.state.gov/hong-kongs-extra-territorial-application-of-the-national-security-law/>

<sup>7</sup> <https://www.scmp.com/news/hong-kong/law-and-crime/article/3228306/hong-kong-national-security-police-investigating-family-members-fugitive-unionist-mung-siu-tat>

<sup>8</sup> <https://www.reuters.com/world/china/lawyer-wanted-by-hong-kong-says-he-was-exercising-his-rights-australia-2023-07-06/>

<sup>9</sup> <https://www.ibanet.org/Hong-Kong-IBAHRI-expresses-concern-over-arrest-warrants-for-overseas-pro-democracy-figures>

<sup>10</sup> <https://www.globallegalpost.com/news/pursued-for-life-hong-kong-targets-dissident-lawyers-with-bounty-misconduct-complaints-350265284>

<sup>11</sup> <https://www.scmp.com/news/hong-kong/law-and-crime/article/3228306/hong-kong-national-security-police-investigating-family-members-fugitive-unionist-mung-siu-tat>

<sup>12</sup> <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-role-lawyers>

**About the Association**

*The mission of the New York City Bar Association, which was founded in 1870 and has over 23,000 members, is to equip and mobilize a diverse legal profession to practice with excellence, promote reform of the law, and uphold the rule of law and access to justice in support of a fair society and the public interest in our community, our nation, and throughout the world. [www.nycbar.org](http://www.nycbar.org)*