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Response to Hong Kong protests must be reasonable and proportionate

The Law Council of Australia has strongly supported comments today by Australia's Minister for Foreign Affairs, Senator the Hon Marise Payne, which raise concern over the use of live ammunition by authorities during weekend protests in Hong Kong.

"There never can be any excuse for violence against peaceful protestors," Law Council President, Arthur Moses SC, said today.

"The concerns of citizens should be dealt with in a constructive and peaceful manner, in accordance with international law.

"On Friday I met with the President of the Hong Kong Bar, Philip Dykes SC, at the LAWASIA Rule of Law Conference in Malaysia. President Dykes raised concerns with me that the use of live ammunition by authorities on protestors is not a reasonable or proportionate response, and risked breaching international law.

"The use of live ammunition on unarmed citizens may require investigation by the United Nations if this behaviour is repeated, or any internal inquiry by Hong Kong police is not transparent and fair."

Mr Moses said the international legal community remains troubled by the escalation of events in Hong Kong.

In August at the Presidents of the Law Associations of Asia meeting in Kunming, Mr Moses proposed a resolution urging world leaders of the legal profession to condemn violence in Hong Kong against or by protestors, and for all sides to engage in a peaceful resolution process. The statement has since been signed by the majority of POLA presidents present.

"It is important for lawyers to work collaboratively across jurisdictions to protect the rule of law, including to raise concern over conduct that is inconsistent with international law," Mr Moses said.

"We cannot look the other way. The world's eyes must be on Hong Kong authorities to ensure human rights, freedom of speech and the rule of law are observed. Rule by unjust laws will not ensure public safety."

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