

Disbarment and reprisals against Hong Kong lawyer Kevin Yam amid a broader pattern of intimidation of lawyers defending the rule of law

Lawyers for Lawyers, the Law Society of England and Wales, the International Bar Association's Human Rights Institute, the Council of Bars and Law Societies of Europe, Asian Lawyers Network, Lawyers' Rights Watch Canada, the Bar Human Rights Committee of England and Wales and The Rights Practice express their grave concern over the disciplinary proceedings and subsequent disbarment of Hong Kong solicitor Kevin Yam. Imposing the most severe disciplinary sanction on a lawyer, this is the first known case since the enactment of the Hong Kong National Security Law in which a lawyer has been disbarred for publicly commenting on judicial independence and human rights violations in Hong Kong.

Disbarment proceedings against Kevin Yam

Kevin Yam is a Hong Kong-qualified solicitor and rule of law advocate with a long-standing record in both private practice and civil society. Now based in Australia, he has continued to speak publicly on the erosion of judicial independence and human rights in Hong Kong, particularly since the imposition of the National Security Law, and has faced escalating transnational repression and restrictions, especially following his testimony before the U.S. Congressional-Executive Commission on China (CECC) in May 2023.

During the hearing, Mr. Yam expressed concern over the role of certain judges and prosecutors in politically sensitive cases. He questioned the deterioration of judicial independence and prosecutorial conduct in national security cases, describing them as emblematic of the broader collapse of the rule of law in Hong Kong.

Subsequently, on 3 July 2023, Mr. Yam was placed on the Hong Kong Police "wanted" list with a HK\$1 million bounty. In December 2024, he was designated an "absconder" under the Safeguarding National Security Ordinance, leading to an asset freeze and the suspension of his professional rights, which impeded his ability to participate in legal proceedings or retain legal representation. On 6 January 2025, a formal complaint was filed with the Law Society of Hong Kong alleging "conduct unbecoming a solicitor". The charges stemmed primarily from statements Mr. Yam made in the CECC hearing. Finally, on 22 July 2025, the Solicitors Disciplinary Tribunal found Mr. Yam guilty of professional misconduct, struck him off the Roll of Solicitors, and ordered him to pay HK\$816,600 in legal costs. Mr. Yam did not participate in the proceedings, citing "Hong Kong's prevailing legal and political environment" as an impediment to due process; based on the longstanding targeting he had experienced, he had lost confidence in the integrity of the system.

Mr. Yam has consistently denied any improper motive, asserting that his testimony was a principled act of advocacy aligned with international standards protecting lawyers' right to speak out on matters of public concern and a moral and professional duty to call attention to systemic injustice and the erosion of the rule of law.

Pattern of transnational repression and reprisals

The case against Kevin Yam is not an isolated incident but part of a growing pattern of transnational repression targeting legal professionals and dissidents abroad. Since being placed on the wanted list, Mr. Yam has:

- Received anonymous threats through leaflets calling for his kidnapping in the city where he resides;
- Been subjected to questionable tax demands from unknown entities;
- Been denied his right to freely appoint counsel or contest proceedings in person due to punitive asset freezes.

These coercive tactics appear designed to punish Mr. Yam for his advocacy and to silence dissenting voices abroad through fear, surveillance, and legal weaponisation. His experience reflects an alarming trend in which state authorities extend domestic repression to foreign jurisdictions.

Violations of international standards

The disciplinary measures taken against Kevin Yam contravene multiple international standards that safeguard the independence of lawyers and protect freedom of expression, including the **Universal Declaration of Human Rights (Articles 9, 10, 19)** – Prohibiting arbitrary interference with liberty, guaranteeing a fair hearing, and protecting freedom of expression and the **International Covenant on Civil and Political Rights (Articles 14, 19)** – Binding in Hong Kong under the *Basic Law* and *Bill of Rights Ordinance*. In particular, the **UN Basic Principles on the Role of Lawyers** establish:

- **Principle 23:** Lawyers are entitled to freedom of expression and may take part in public debate, particularly on issues concerning the law, justice, and human rights.

Mr. Yam's comments at the CECC fall squarely within this scope. Sanctioning a lawyer for engaging in protected speech—particularly where it relates to the rule of law and judicial integrity—has a chilling effect on the profession as a whole. As affirmed by the UN Special Rapporteur on the independence of judges and lawyers, such measures must be scrutinised with the utmost rigour and reserved for only the gravest misconduct. In this case, no dishonesty, client harm, or fraudulent conduct was alleged. Rather, Mr. Yam was penalised solely for non-violent public speech.

- **Principle 16 & 17:** Lawyers must be able to perform their professional duties without intimidation, harassment, or improper interference.

Mr. Yam's designation as an "absconder," the asset freezes, and the HK\$1 million bounty clearly violate these standards.

- **Principles 27–29:** Disciplinary proceedings must respect due process and impartiality.

The SDT proceeded *ex parte*, despite Mr. Yam's stated inability to participate meaningfully due to Hong Kong's prevailing legal and political environment, together with personal threats posed

by a bounty and by an asset freeze that would hinder his ability to obtain a lawyer of choice to adequately represent him.

Call to action

The signatory organisations call for immediate and coordinated responses from both domestic authorities and international actors:

To the Hong Kong authorities:

- Immediately and unconditionally reverse the disbarment of Kevin Yam;
- Lift all legal, financial, and travel-related sanctions imposed on him in connection with his public advocacy;
- Cease all acts of intimidation, harassment, or surveillance against legal professionals, both inside and outside of Hong Kong;
- Guarantee that all lawyers are able to fulfil their professional duties and express views on matters of law and public interest without fear of retaliation.

To the international community:

- Publicly condemn the disbarment of Kevin Yam and the broader trend of politically motivated proceedings against lawyers in Hong Kong;
- Raise the case with Hong Kong and Chinese authorities in all relevant bilateral and multilateral fora;
- Offer support to affected lawyers through trial observation, legal aid, and protective mechanisms;
- Monitor and report on the misuse of legal and disciplinary frameworks to target exiled lawyers and human rights defenders.

We stand in full solidarity with Kevin Yam and all other legal professionals who defend the rule of law, speak out against injustice, and uphold human rights in the face of repression. The attack on one lawyer's voice is an attack on the entire legal profession—and on the foundational principles of justice itself.

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