Report reveals damning evidence of Canadian government bid to block criminal prosecution of SNC-Lavalin

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17 August 2019

A report, released Wednesday by Ethics Commissioner Mario Dion into the Canadian government's handling of the SNC-Lavalin affair, provides fresh, damning evidence of the Justin Trudeau-led Liberal government's efforts to shield the Quebec-based multinational construction and engineering firm from criminal prosecution.

Although this was not Dion's intention, his report paints a picture of the corrupt and criminal character of bourgeois politics in Canada and around the world, with politicians, including self-styled "progressives" like Trudeau, functioning as bought-and-paid-for servants of the corporate elite.

Dion found that Trudeau had violated Section 9 of the Conflict of Interest Act by using the power of his office to unduly influence—in reality, compel through bullying and threats—Attorney General Jody Wilson-Raybould into granting SNC a deferred prosecution agreement (DPA). The DPA would have allowed the company to pay a fine and make a good-conduct pledge instead of facing criminal prosecution for allegedly paying $50 million in bribes to Libyan government officials between 2001 and 2011 to secure contracts.

DPAs have only existed in Canada since the Liberals changed the Criminal Code in 2018 in a move so obviously related to the SNC-Lavalin case that it was referred to by Ottawa insiders as the "SNC-Lavalin bill."

"The evidence," wrote Dion, "showed there were many ways in which Mr. Trudeau, either directly or through the actions of those under his direction," sought to "improperly influence" the attorney general, thereby violating the "constitutional principle of prosecutorial independence and the rule of law."

Dion conceded that Trudeau and the government were within their rights to seek to influence Wilson-Raybould in her decision. But the "repeated" attempts by Trudeau, his staff, and other senior government officials to prevail on her to overturn the Director of Public Prosecutions' decision not to offer SNC a DPA was "tantamount to political direction." Trudeau's actions, he further concluded, were in violation of the Ethics Code's prohibition on acting to benefit "a private interest," because "SNC-Lavalin had significant financial interest in deferring prosecution" and "these interests would likely have been furthered had Mr. Trudeau successfully influenced the Attorney General to intervene in the Director of Public Prosecutions' decision."

The prime minister first met with the head of SNC-Lavalin to discuss assisting the company in escaping prosecution in early 2016, just months after his government had been elected to office.

During the next two-and-a-half years, top government officials continued to confer regularly with company representatives about the corruption case. But the Liberals' efforts to derail a criminal prosecution went into overdrive in September 2018 after the director of public prosecutions ruled against offering the company a DPA, and Wilson-Raybould made clear she would not intervene.

Over the next four months, top aides to the prime minister, including Mathieu Bouchard and Elder Marques, met repeatedly with officials in Wilson-Raybould's ministry to press for her to overturn the decision to prosecute. At the same time, Bouchard and Marques were colluding with top SNC-Lavalin representatives, including Bank of Montreal board chairman and former TorStar CEO Rob Prichard, on what steps the company should next take to escape prosecution.

Top Trudeau aides also discussed the possibility of having a former chief justice of Canada's Supreme Court, Beverley McLachlin, "mediate" a solution, a proposal that came straight from the company. Trudeau also met, allegedly on a different matter, with another ex-Supreme Court justice, Frank Iacobucci, who was acting as legal counsel to SNC, just one day before his staffers consulted with the same Iacobucci on how the company could avoid criminal prosecution.

In October, Kevin Lynch—the chairman of SNC-Lavalin, deputy president of the Bank of Montreal, and Canada's top civil servant under the Harper Conservative government—contacted his successor as Privy Council Clerk, Michael Wernick, to enlist his help. Officials from Bill Morneau's Finance Ministry were also involved in the efforts to pressure the attorney general to intervene on the company's behalf.

Taken as a whole, the report paints a picture of a Who's Who of the Canadian ruling elite working behind the scenes with the prime minister's office to shield one of the country's most globally active corporations from criminal prosecution. This included three former Supreme Court justices (a third retired justice, John Major, was hired by the company to prepare a legal brief about the case), senior officials of one of Canada's major banks, and both political and administrative officials from the top echelons of the federal government. The report's findings further underscore the virtual

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disappearance of any separation of the judicial and executive branches of government, not to mention corporate boardrooms, with top officials passing seamlessly from one to another.

In late December, as was previously revealed, Privy Council Clerk Wernick bluntly told Wilson-Raybould that Trudeau was intent on having his way in the SNC-Lavalin affair.

Three weeks later, having failed to whip the justice minister/attorney general into line, Trudeau demoted Wilson-Raybould, assigning her the lowly post of Veterans Affairs minister. When the SNC-Lavalin affair came to public attention in early February as the result of a *Globe and Mail* report, Wilson-Raybould resigned from cabinet, later to be followed by Treasury Board President Jane Philpot. Subsequently, both women were expelled from the Liberal parliamentary caucus.

Trudeau postures as workers' champion

The release of the Ethic Commissioner's damning report has forced Trudeau onto the back foot, with even the pro-Liberal *Toronto Star* describing it as a "punch in the gut for the Liberal Party" and "particularly Trudeau."

While saying that he is "responsible" for what took place, Trudeau continues to insist that his interference was not improper and was solely motivated by concern about the impact a criminal conviction would have on SNC-Lavalin's thousands of employees. As he put it during an appearance in Niagara, Ontario on Wednesday, "My job as prime minister is to stand up for Canadians and defend their interests … I can't apologize for standing up for Canadian jobs."

This is a self-serving lie. Who will believe such nonsense, coming as it does from a government that has not lifted a finger to help the tens of thousands of workers set to be laid off in Ontario following the shuttering of GM's Oshawa car plant, related job cuts at feeder plants, and layoffs at Fiat-Chrysler's facilities? Moreover, Trudeau heads a government that has kept corporate tax rates at bargain basement levels while maintaining a tight leash on public spending for critical public services.

During his four years in power, social inequality has continued to accelerate, precarious employment has expanded, and the wealthy have grown still richer. For Trudeau, "defending jobs" means upholding the right of super-rich investors to make multibillion-dollar profits, while condemning workers to labour in low-wage, precarious employment.

Trudeau is by no means exceptional on this score. In fact, the howls of outrage from the corporate media and the opposition Conservatives and New Democrats over the prime minister's handling of SNC-Lavalin are not so much motivated by what he did, as by his failure to limit the airing of his government's dirty laundry in public. They all know full well that SNC-Lavalin affair is just one example of how bourgeois politics operates on a daily basis, with the politicians serving as the handmaidens of corporate interests. All of the establishment parties, including the Conservatives and NDP, have proven no less beholden to the interests of big business whenever they have held power, whether at the federal or provincial levels.

Under conditions of a revival of the class struggle internationally, which has found clear expression in the mounting protests by workers and young people against the austerity measures of Ontario's right-wing Doug Ford-led government, the ruling elite's main concern is that this latest scandal will further erode the already battered credibility of bourgeois politics and the entire system of capitalist rule. As Wernick put it in testimony to a parliamentary committee earlier this year, prior to his stepping down as Privy Council clerk, "Most of all, I worry about people losing faith in the institutions of governance in this country."

This fear coincides with a sharp crisis of perspective within Canada's ruling elite. The breakdown of the post-war order and the growth of trade war and economic nationalism have undercut the basis on which Ottawa, as a third-rank imperialist power, has long advanced its predatory interests on the world stage. Trump's trade war measures are compelling Canada to integrate itself ever more directly into the US strategic offensive and war preparations against China, while the breakdown of multilateral institutions like NATO and the WTO has removed important props previously used by Canada to offset the power imbalance with its southern neighbour.

The growing threat of social unrest, combined with the deepening crisis confronting Canadian capitalism, are exacerbating the factional fight within the bourgeoisie, with the SNC-Lavalin affair serving as a battlefield. Conservative leader Andrew Scheer, whom important sections of the ruling elite are grooming to replace Trudeau after this fall's federal election, has urged the RCMP to carry out a criminal investigation into the prime minister's conduct. For its part, the RCMP has said that it is "carefully" examining Dion's report and "all available information" and "will take appropriate actions as required."

The social-democratic NDP, well aware that its decades-long march to the right has all but effaced any differences between it and the big business Liberals, is also seeking to gain political traction from the SNC-Lavalin affair. In the process, it is adding muster to the Conservative-rightwing media campaign to cast the coming election as a "referendum" on Liberal "integrity" and "corruption." Longstanding NDP MP Charlie Angus, whose February letter to the Ethics Commissioner triggered the investigation that led to this week's report, described its findings as a "political bombshell." Angus has also united with Conservative MPs to call for an emergency meeting of the parliamentary ethics committee, which would ask Dion to testify on his findings.

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