

Canadian judge begins hearing Washington's geopolitically explosive demand for extradition of top Huawei executive

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The extradition hearing for Meng Wanzhou, the chief financial officer of Chinese tech giant Huawei, got underway in Vancouver, Canada this week. Canadian authorities detained Meng in December 2018 at the behest of the US government, which is seeking her transfer on the basis of trumped-up fraud charges that carry a thirty-year prison sentence.

Meng's seizure was bound up with the deepening economic and geo-strategic conflicts between US imperialism and China. Washington is determined to bully states around the world into banning the use of Huawei technology in the construction of their 5G mobile phone networks, and more generally to thwart China's emergence as a competitor in high-tech industries. This, in turn, is inseparable from Washington's drive to block China's economic and geopolitical rise at all costs, including through preparations for military conflict.

The Meng case has roiled relations between Ottawa and Beijing and also adversely impacted Canada-US relations, which have been strained by Trump's "America First" policies. Nevertheless, the Canadian ruling elite's three-quarters of a century-old military-strategic partnership with Washington remains essential to the pursuit of its predatory imperialist ambitions across the globe.

The week's hearing is to determine whether Meng's alleged actions would constitute a crime if they had been committed in Canada, a test known as "double criminality." Should Canada's attorney-general, arguing on behalf of the US government, fail to prove "double criminality," the US bid to extradite her will be null and void.

The Crown, based on the US extradition request, has accused Meng of committing fraud by lying to senior HSBC executives about Huawei's relationship with an Iranian telecommunications company. This resulted, or so it claims, in HSBC clearing up to \$100 million in transfers between 2010 and 2014 that violated Washington's economic sanctions on Iran.

In arguments presented Monday and Tuesday, Meng's defence team countered that the fraud accusation is a "façade" for US authorities to prosecute her for violating its punitive economic sanctions on Iran. "Canada doesn't enforce foreign

criminal law," stated Meng's lawyer Eric Gottardi. "We simply cannot import that law and have it operate in Canada domestically. It's contrary to our values."

Meng's legal team further argued that her alleged lies, even if proven, would not constitute fraud in Canada. They also pointed out that the alleged incident of fraud occurred at a meeting in a coffee shop in Hong Kong, making them beyond the reach of Canadian law, and only subject to US law because the US has asserted an expansive right to extra-territoriality rejected by most states.

Meng, for her part, has denied any wrongdoing.

Should British Columbia Supreme Court Associate Chief Justice Heather Holmes rule that the "double criminality" requirement has been met, Meng's extradition hearing will advance to a second stage. Scheduled for June, this second stage is to hear arguments that Meng's detention at Vancouver International Airport on December 1, 2018 was unlawful. Meng's legal counsel contends that her rights were violated when Canada Border Services (CBSA) agents questioned her for three hours without ever informing her of the Canadian state's intention to arrest her. In the process, the CBSA agents gained access to her personal telephone and other belongings, which they promptly handed over to the Royal Canadian Mounted Police (RCMP), while denying Meng access to a lawyer.

Meng's defence team accuses the Canada Border Security Agency, Royal Canadian Mounted Police, and US Federal Bureau of Investigations (FBI) of conspiring to conduct a "covert criminal investigation."

Meng's arrest, which came the same day US President Donald Trump met Chinese President Xi Jinping on the sidelines of a G-20 meeting to try to bully Beijing into submitting to US trade demands, has severely strained Canada's relations with China. The Chinese government responded by detaining two Canadians, Michael Kovrig and Michael Spavor, and later moved to block hundreds of millions of dollars' worth of Canadian agricultural exports. Many of these trade restrictions are ongoing,

When Justin Trudeau came to power in November 2015 one

of the top items on his economic and diplomatic agenda was to open negotiations with Beijing on a free trade pact. This has now been effectively trashed.

The politically motivated seizure of Meng was approved at the highest level of the Canadian state, although whether Trudeau was informed days or only hours in advance remains a matter of dispute.

Canada's role as henchman for the US in its campaign against Meng and Huawei is yet more proof that it stands squarely behind Washington in its aggressive campaign to economically, diplomatically, and strategically isolate China.

Canada is deeply involved in the Pentagon's military operations and war preparations in the Asia-Pacific, including through its participation in provocative so-called "freedom of navigation" exercises in the South China Sea. The Trudeau government has agreed to a revised North American Free Trade Agreement, the US-Mexico-Canada Agreement, that is aimed at consolidating a US-dominated trade bloc against China and other rivals. It has also pledged to work with Washington to "modernize" the joint Canada-US North American Aerospace Defence Command (NORAD) against purported Russian and Chinese threats in the Arctic.

Washington is nonetheless demanding Ottawa take an even more aggressive stance against China, especially on the issue of excluding Huawei from Canada's 5G network. In November, at the Halifax International Security Forum, US National Security Adviser Robert O'Brien said that Canada-US security cooperation would be jeopardized if the Trudeau government allows Huawei to supply technology for Canada 5G network. Intelligence sharing between the two countries "would be impacted if our close allies let the Trojan Horse into the city," declared O'Brien.

Since Meng's detention, and particularly in the lead-up to last fall's federal election, the corporate media has waged a vicious anti-China campaign, with the aim of whipping up animosity toward China and justifying Canada's participation in US war preparations against Beijing. Countless articles have portrayed China as a bully and aggressor in the Meng affair, determined to compel Canada to capitulate to its demands through intimidation and lawlessness.

However, a minority faction of the ruling elite is eager to see a reset and revival of Canada-China relations, above all because of the economic opportunities on offer. Last June, former Liberal Prime Minister Jean Chretien proposed dropping the extradition case against Meng in exchange for the release of the two Canadians detained in China. Last month John Manley, the Deputy Prime Minister in the latter years of Chretien's government and the recently retired head of the Business Council of Canada, tried to revive the "prisoner exchange" proposal. Writing last week in the *Globe and Mail*, Eddie Goldenberg, Chretien's principal advisor throughout his decade-long ministry, argued that Trump had politicized the extradition case by suggesting Meng could be a bargaining chip in trade

talks with China, and said that this left Canada with no other option but to let Meng go free.

Advocates of dropping Meng's extradition note that Attorney General David Lametti has the legal authority to stop the proceedings at any time and has ultimate authority over all extradition requests. Lametti has indicated he will not get involved in the case until the extradition hearings conclude and Justice Heather Holmes rules on Meng's extradition.

At a press conference Tuesday, Trudeau rejected the idea of a prisoner swap out of hand. "We are a country of the rule of law," he asserted, "and we will abide by the rule of law." This from the same prime minister who earlier this month voiced Canada's support for Washington's illegal assassination of Iranian General Qassem Suleimani on Iraqi soil—a war crime that brought the Middle East to the brink of all-out war.

The corporate media has used the occasion of Meng's hearing to renew its attacks on China, while expressing dissatisfaction, even exasperation, with the US for not doing more to limit the fallout from Beijing's retaliation.

The *Globe and Mail*, the traditional mouthpiece piece of Canada's financial elite, has repeatedly proclaimed Meng's arrest and the ensuing confrontation between Ottawa and Beijing a good thing, because they have dashed the Liberal government's "delusions" about China, and demonstrated Beijing's "true face" to Canadians.

In an editorial published last Saturday, it condemned any suggestion the Trudeau government defuse the crisis in Ottawa-Beijing relations by exercising its legal power to end Meng's extradition, saying that would be tantamount to giving in "to extortion."

But as indicated by the editorial's title, "Canada is facing China's brutal might and our main ally—the US—is AWOL," it went on to complain bitterly about Washington's indifference to the economic and diplomatic costs Canada has incurred for serving as Washington's accomplice. Canada needs Washington's "help and its heft, to take on Beijing," declared the *Globe*, but "help hasn't been exactly forthcoming." The editorial went on to complain that "after placing this case in Canada's lap ... the Trump administration went on to cut its own trade deal with China. It forgot all about the cost its Meng request imposed."



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