

Canadian court rules extradition trial of top Huawei executive can proceed

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A Canadian court ruled yesterday that the extradition trial of Meng Wanzhou, the chief financial officer of Huawei and daughter of the founder of the China-based tech giant, can proceed.

Meng was detained 18 months ago at Vancouver International Airport on the orders of the Trudeau government, acting at the behest of the Trump administration. Washington intends to prosecute her on trumped-up charges of violating the United States' punishing illegal sanctions on Iran.

In her ruling, British Columbia Supreme Court Associate Justice Heather Holmes found that the offence Meng is accused of would be considered a crime if it were committed in Canada and, consequently, that the US extradition request meets the "double criminality" test. The legal concept of double criminality requires that the purported crime that is the subject of an extradition request also be considered an offence in the country from which the accused is being extradited.

Meng's attorneys had argued that as Canada lifted its sanctions against Iran in 2016, the actions the US government alleges that she committed, even if true, would not constitute a crime under Canadian law.

Whilst Justice Holmes tried to dress up her ruling in restrained legal language, it was transparently a political judgment, rooted in Canadian imperialism's close and, under conditions of global capitalist crisis, ever more pivotal strategic partnership with Washington.

Holmes' 23-page decision essentially reprised the argument lawyers for the Canadian government had made before her: i.e., the fact that Canada was not imposing sanctions on Iran at the time was irrelevant because Meng is being charged with fraud.

"Canada's law of fraud looks beyond international boundaries to encompass all the relevant details that make up the factual matrix, including foreign laws that may give meaning to some of the facts," she wrote. She later added that the Minister of Justice would have to decide whether extraditing Meng to the US, where she faces the prospect of 30 years in prison, would be "unjust or oppressive." In other words, Meng's fate is a political rather than a legal affair.

Meng was seized by Canadian authorities in December 2018 as part of a calculated provocation. The detention occurred the same day as the far-right US president sat down with Chinese

President Xi Jinping on the sidelines of a G-20 meeting in Argentina to bully him into accepting a deal in the US-instigated trade war with Beijing.

The Canadian Border Security Agency, whose officers initially detained Meng, gave her the impression that they merely wished to question her. They took her belongings, including her phone, and supplied them to the Royal Canadian Mounted Police (RCMP). Only several hours later did Meng learn that she was to be detained, and that she had been tricked into handing over her belongings. Her legal defence team have pointed to these facts to argue that her rights were violated and that she should be released. This matter will be dealt with in a separate hearing at a later date.

The persecution of Meng by American and Canadian authorities is one element in a broader US-led drive, supported by Democrats and Republicans alike, to thwart China's emergence as an economic and geostrategic rival. Beijing is the main target of Washington's refocusing of its aggressive foreign policy to combat "strategic competitors" that it fears threaten its position as the world's economic and geopolitical hegemon. Huawei has come under fire because it is China's flagship corporation in modern technology and telecommunication infrastructure, as shown by its leading position in the 5G sector.

The Trump administration, including Secretary of State Mike Pompeo and National Security Adviser Robert O'Brien, have demanded that US allies block Huawei from participation in their 5G networks on the grounds that the Chinese company and its technology represent a security risk.

The Trudeau Liberal government has integrated Canada ever more fully into Washington's economic, diplomatic and military-strategic offensive against China. In addition to seizing Meng, the Liberal government has increased the deployment of Canadian military forces to the Asia-Pacific region, including by sending vessels into the contested South China Sea. Ottawa also agreed to an updated version of NAFTA, the US-Mexico-Canada Agreement, which consolidated a North American trade bloc dominated by the US with the aim of waging economic war and preparing for military conflict with China. In 2017, as the Trudeau government released a new defence policy that hiked military spending 70 percent by 2026, then

Foreign Minister Chrystia Freeland described the economic rise of China as a key strategic “threat” to Canada.

However, the Trudeau government has dragged its feet on taking a final decision on Huawei’s participation in the 5G network. This has been seized upon by a faction of the Canadian ruling elite, led by the Conservatives and right-wing media outlets, to denounce Trudeau for “appeasing” China and demand that an even more hardline approach be taken to Beijing.

In the days leading up to yesterday’s ruling on Meng’s case, this anti-China campaign reached a crescendo. Conservative leader Andrew Scheer seized on China’s proposed adoption of a national security law aimed at clamping down on protests in Hong Kong to demand that the Trudeau government exploit the issue of human rights more aggressively to step up pressure on Beijing.

Accusing Trudeau of pursuing a policy of “appeasement,” Scheer called for Canada to lead an international coalition to impose sanctions on China over Hong Kong. Significantly, he likened his proposal to the leading role that former Conservative Prime Minister Stephen Harper played in creating an anti-Russia alliance that imposed sanctions on Russia following the fascist-led coup in Ukraine in 2014. The pro-imperialist forces who toppled Russian-aligned president Viktor Yanukovych were financed to the tune of billions of dollars by the US State Department, Canada, and Germany, among others. After Russia responded by annexing Crimea, the NATO allies imposed stringent sanctions on Moscow and began a series of menacing military deployments along Russia’s western border and in the Black Sea that continue to escalate.

The Canadian media also made much of a report released last week by the neoconservative British think tank the Henry Jackson Society, which urged the Five Eyes security alliance, consisting of the United States, Britain, Canada, Australia, and New Zealand, to step up efforts to “decouple” from China. Canada, the report claims, depends on Chinese production for 367 types of goods, including 83 deemed important for critical national infrastructure.

This week, the Trudeau government announced a national security review into the planned purchase by China’s Shandong Gold Mining Co. of TMAC Resources, a gold mining company based in the Arctic. A government official said that “economic and national security” issues played a role in the move. Canada’s national security establishment has long claimed that China poses a threat to Canadian “sovereignty” in the Arctic.

Trudeau has insisted, in answer to his critics on the right, that his government is taking a tough stance on Hong Kong. He has voiced “deep concern” over the national security law and asserted that his government “stands with the people of Hong Kong.” Foreign Minister Francois-Philippe Champagne co-signed a statement with his British and Australian counterparts

denouncing Beijing’s proposed law and accusing it of violating the terms of the Sino-British Treaty of 1984, which guaranteed Hong Kong’s autonomy.

As always, such “human rights” claims are highly selective and are dictated by the Canadian bourgeoisie’s predatory interests. Canada under Trudeau has close ties with repressive regimes around the world, from that headed by General Sisi in Egypt and the Saudi monarchy to Modi’s India.

But, as far as a significant section of the ruling elite is concerned, Trudeau’s approach is far too conciliatory. Fen Hampson, an international affairs expert at Carlton University who writes regularly in the *Globe and Mail*, the Canadian bourgeoisie’s “newspaper of record,” ridiculed the government’s attitude to China as “talk softly and carry no stick.” Former Liberal Justice Minister Irwin Cotler co-authored a piece published in *Policy Options* on Monday, no doubt timed to coincide with the “human rights” posturing by the US and Canadian ruling establishments over Hong Kong. It demands Ottawa take “legal steps” to hold China accountable for its “deliberate suppression of information” about the coronavirus pandemic. Cotler was a key figure in mobilizing support for an open letter released by the MacDonald Laurier Institute think tank in April that blamed China for the pandemic. Among those who signed were Scheer and the two main competitors to succeed him as Conservative leader, Peter MacKay and Erin O’Toole.

These right-wing forces are sure to be emboldened by the BC Supreme Court’s ruling on the Meng case. They will no doubt seize on the predictable condemnation of the judgement from Beijing to rail against China’s disregard of Canada’s “democratic” and “independent” institutions, and cast Ottawa as a tiny David bravely confronting the Chinese Goliath—all the time concealing the fact that Canada is a junior partner in US imperialism’s reckless drive to derail China’s “rise” through all means, including all-out war.



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