

What You Need to Know About the Huawei Court Case in Canada



An executive of the telecommunications company Huawei is at the center of a legal case that has strained relations between Canada and China. Credit...Andy Wong/Associated Press

By [Dan Bilefsky](#)

- New York Times March 6, 2019 <https://www.nytimes.com/2019/03/06/world/canada/huawei-meng-wanzhou-arrest.html>

VANCOUVER, British Columbia — When the Chinese tech executive Meng Wanzhou was arrested by the Canadian authorities in the Vancouver airport while changing flights, she suddenly became one of the world's most famous detainees.

Her December arrest — made at the United States' request for her extradition on fraud charges — provoked a storm of recriminations from China, landed Ms. Meng in legal limbo, and put Canada in the middle of a fight between two world powers that are both rivals and trading partners.

Since then, relations between China and Canada have become [increasingly strained](#), and China has arrested two Canadians, accusing them of espionage, and sentenced a third to death on a drug charge.

On Wednesday, the next chapter in Ms. Meng's case opened with an extradition proceeding at the Supreme Court of British Columbia. A hearing was set for May 8 to discuss next steps in the case. Chief among them will be setting a date for an extradition hearing to decide whether she should be sent to face fraud charges in the United States.

Ms. Meng, dressed casually in a sweatshirt with a simple clip in her hair, appeared composed as she sat in the courtroom next to an interpreter. She joined the large group of journalists, supporters and curious members of the public assembled in the courtroom as they bowed to the judge as the proceeding began.

Highlighting what he called the extraordinary context of the case, Richard Peck, a member of Ms. Meng's defense team, said there were concerns about its "political character," alluding to comments by President Trump that he was willing to intercede in the proceedings.

As the case moves forward, here's what you need to know.

Who is Meng Wanzhou?

A polished executive, [Ms. Meng](#), 46, is the chief financial officer of the Chinese tech giant Huawei, and the eldest daughter of its founder, Ren Zhengfei.

Ms. Meng, who also uses the names Sabrina and Cathy, was born in the western city of Chengdu. A high school dropout, she went on to get a master's degree, began at Huawei as a secretary and eventually rose to become a public face of the company.



Image

Meng Wanzhou, Huawei's chief financial officer, was arrested by Canadian authorities in December. Credit...Alexander Bibik/Reuters

Ms. Meng was an important figure at Huawei as it rapidly expanded: Her job included announcing its financial results and speaking at public events around the world.

She was [arrested](#) on Dec. 1 at the request of the United States, which asked for her extradition and accused her of fraud.

She has been [awaiting her extradition hearing in Vancouver](#), where she and her husband own two expensive homes. She was released on bail of \$10 million Canadian dollars, and is relatively free to roam about the city, although under 24-hour surveillance and wearing a GPS tracker on her ankle.

During her bail hearing, her lawyer told the court that, during her detention, she was considering studying for a doctorate in business administration and hoped to spend time with her family.

Her detainment has prompted an outpouring of support in China, where many people see her as a hostage.

What is the case against her?

Huawei has become the world's largest supplier of the equipment that underlies the world's wireless networks. The United States, however, has repeatedly accused the company of stealing technology from its Western rivals and believes its close ties to the Chinese government make it a threat to national security.

In January, the United States [unveiled a sweeping indictment](#) that, among other things, accuses Ms. Meng of fraudulently deceiving four banks so that Huawei could evade American sanctions against Iran.

It also accused Huawei of stealing trade secrets and obstructing a criminal investigation into what it said was the company's effort to avoid those sanctions by destroying or concealing evidence.

What is expected to happen at her extradition hearing in Canada?

Legal experts say Ms. Meng is likely to be extradited, though it could take months for the courts to reach a final decision. Wednesday's hearing is the first step.

[Joanna Harrington](#), a professor of law at the University of Alberta, noted that Canada has a track record of granting about 90 percent of extradition requests.



Image

A sign in support of Ms. Meng outside a court in Vancouver. Credit...David Ryder/Reuters

Also, Canada usually grants extradition requests from democratic allies like the United States.

At the hearing, the judge will examine whether the fraud that Ms. Meng is charged with in the United States is also a crime in Canada. The judge cannot refuse to extradite her on the grounds that the case will not succeed at trial.

Ms. Meng's defense lawyers have already said that the charges are politically motivated, which could potentially help her in the extradition case. Mr. Trump may have given credence to this argument when he said [he was willing to intercede in the case](#) if that helped achieve a trade deal with China.

Assuming the court does decide to extradite her, the matter would then be referred to the country's recently appointed justice minister, [David Lametti](#), a former law professor at McGill University in Montreal who specialized in intellectual property.

After that, Ms. Meng could appeal through the Canadian courts.

How has the case affected Canada-Chinese relations?

From the day of Ms. Meng's arrest, Canada has said it was legally bound to detain her at the request of its ally. Beijing sees it differently.

Shortly after her arrest, the Chinese authorities arrested two Canadians, [Michael Kovrig](#), a former diplomat, and [Michael Spavor](#), a businessman. Just days after Canada approved Ms. Meng's extradition hearing, the Chinese government accused them of espionage.

The [two men](#) have been held in secret detention sites in China with no access to lawyers or visits from their families.

A third Canadian, Robert Lloyd Schellenberg, was [sentenced in January to death](#) for drug smuggling.

All three cases have caused alarm in Canada, where many have pointed to Ms. Meng's comparatively cushy detainment.

Adding to the [acrimony](#), lawyers for Ms. Meng announced over the weekend that they would sue members of the Canadian Border Services Agency, the Royal Canadian Mounted Police and the federal government for breaching her constitutional rights when she was detained for three hours in December before being formally arrested.

Despite the tensions, the economic ties between the two countries have persevered; Canadians continue to buy Chinese products, including Huawei smartphones, and the [Chinese continue to gobble up Canada Goose jackets](#).

Huawei is even [a sponsor of "Hockey Night in Canada,"](#) a sports show that is quintessentially Canadian, as it seeks to cement its already strong business presence in the country.