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Dealing with China: Lessons Learned from Three Case Studies

by Christopher W. Bishop
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POLICY PAPER

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► Preface

The idea for this paper began after several conversations with Canadian friends and colleagues about the cases of Michael Kovrig and Michael Spavor. On December 10, 2018, Chinese officials detained the two Canadian citizens for “endangering state security”, 10 days after Canadian authorities arrested Meng Wanzhou, Huawei’s chief financial officer, on an extradition warrant from the United States, where she was wanted for bank fraud. Despite Chinese statements denying any connection between the two Michaels and Meng, some Canadians have argued the only way to gain their release is for Canada to release Meng – a classic “prisoner exchange”. Others, however, have argued just as forcefully that trading Meng for the two Canadians would only give legitimacy to China’s “hostage diplomacy”. One friend asked me if China had ever done anything like this before. How had those cases been resolved, and what would China do this time?

Those were good questions. As a U.S. Foreign Service officer who has spent much of my career working on China – including at the U.S. embassy in Beijing from 2015-2018, where I analyzed the Communist Party leadership and China’s state security apparatus – I had some insight into Chinese foreign policy. I also had a personal connection to one of the cases. I knew Michael Kovrig – he had been one of my counterparts at the Canadian embassy in Beijing – and I had great respect for his work as a diplomat, and later as a senior advisor at the International Crisis Group. Moreover, because I was now on leave from the U.S. Department of State to serve as a Council on Foreign Relations International Affairs Fellow in Canada, I had time to look for some answers.

And so I began trying to identify and analyze similar cases from the recent past. This paper is the result. It represents my own views, and although the Department of State has allowed me to publish it in my personal capacity, it does not necessarily reflect the views of the Department or the U.S. government.

I hope my research can add to the discussion Canadians are now having about China. But I have deliberately refrained from making any recommendations about what Canada should do now, or how Canada should resolve the cases of Kovrig and Spavor. Cases involving a country’s citizens held overseas on political grounds pose very difficult choices in a democracy, whether in Canada or the United States. As an American, and especially as an American diplomat – even on a leave of absence – it is not my place to advocate for Canadians to choose one option or another. Only Canadians can decide what Canada should do next.

Similarly, although there is much that could be written about Meng’s case and the broader relationship between the United States and China, my focus here is on Kovrig and Spavor, whose cases are very different from hers – not to mention the conditions in which they are being held. I hope China reconsiders its actions, recognizes the damage the arrest of Michael Kovrig and Michael Spavor has done to its own interests, and releases both Michaels very soon.



► Executive Summary

Prime Minister Justin Trudeau is under increasing pressure to win the release of Canadian citizens Michael Kovrig and Michael Spavor from China – even if it means stopping extradition proceedings against Huawei’s chief financial officer, Meng Wanzhou, to the United States and trading her for the two Michaels. Although Trudeau has publicly ruled out a prisoner exchange – a decision that currently enjoys widespread public support – most Canadians nevertheless assume that a trade would be possible, if Canada desired it. China’s position, however, suggests that releasing Meng would be only the first step toward freeing Kovrig and Spavor, but not enough to make a deal.

Three recent cases offer clues as to how China would approach a deal for Kovrig and Spavor, and what it might expect in return. The first case is Canada’s arrest of Chinese citizen Su Bin on a U.S. extradition warrant, followed by China’s arrest of Canadians Kevin and Julia Garratt (2014-2016). The second case is the Norwegian Nobel Committee’s awarding of the Nobel Peace Prize to Chinese dissident Liu Xiaobo, which resulted in Chinese sanctions against Norway (2010-2016). The third was a 2001 mid-air collision between a U.S. Navy reconnaissance plane and a Chinese fighter jet, followed by the U.S. plane’s emergency landing at a Chinese military base and the detention of the U.S. crew. Although none of these cases is exactly the same as Meng’s arrest and the resulting detention of Kovrig and Spavor, an analysis of the three cases suggests several common patterns in Chinese diplomacy that might apply in a deal for the two Michaels.

Based on this analysis, if Canada did pursue a deal, China would likely insist Canada act first and release Meng before it releases Kovrig and Spavor. China would also likely prolong any negotiations for as long as possible, in order to gain additional concessions from Canada – some of which may be entirely unrelated to Meng’s arrest. Moreover, given the highly publicized nature of Meng’s case, China would likely insist on some form of public redress from Canada, if not an outright apology.



Pressure is growing for Prime Minister Justin Trudeau to do more to win the release of former Canadian diplomat Michael Kovrig and Canadian business consultant Michael Spavor. On June 22, Kovrig's wife, Vina Nadjibulla, made her first public comments since Chinese state security officials detained the two men in December 2018 on suspicion of “endangering state security” – just 10 days after the RCMP arrested Huawei Chief Financial Officer Meng Wanzhou on an extradition warrant from the United States, where she has been indicted for bank fraud relating to Huawei's activities in Iran.¹ Citing an opinion from prominent Toronto defence lawyer Brian Greenspan, which argued that Canada's justice minister has the authority to end extradition proceedings against Meng at any time, Nadjibulla told CBC's *The National* that “words were no longer enough” and urged Ottawa to take action, even if it meant intervening in Meng's case.²

One day later, a group of 19 former MPs from multiple parties and retired senior diplomats signed an open letter to Trudeau calling on him to end Meng's extradition proceedings and bring the two Michaels home.³ The following day, China's Ministry of Foreign Affairs stepped up the pressure. After months of denying any link between Meng's arrest and the detention of the two men, spokesman Zhao Lijian abruptly changed course, commenting that intervening in Meng's case “could open up space for resolution to [sic] the situation of the two Canadians”, according to the ministry's official English translation. (Zhao's original Chinese remarks, by comparison, were more vague but still suggested a link: intervention in Meng's case would “有利于解决两位加拿大公民的问题” – or, more literally, “be beneficial to resolving the issue of the two Canadian citizens.”)⁴

Trudeau responded vigorously on June 25, telling reporters that releasing Meng under pressure from China would put any Canadian travelling overseas at risk from arbitrary detention. The next day, another group of over 50 academics, former diplomats and retired officials signed a second letter to the prime minister, urging him not to consider a prisoner exchange.⁵ An Angus Reid

¹ Press conference by spokesman Lu Kang, Ministry of Foreign Affairs, Dec. 18, 2018. Retrieved from https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2511_665403/t1621651.shtml. Under China's Criminal Procedure Law, a suspect is subject to “compulsory measures” (强制措施), including “detention” (拘留), during an initial investigation by public security organs (i.e., police). After this initial investigation, a suspect may then be officially “arrested” (逮捕) with the approval of the procuratorate, which conducts a further investigation, issues a formal indictment and prosecutes the case in court. See Stanley Lubman, “Arrested, Detained: A Guide to Navigating China's Police Powers,” *The Wall Street Journal*, Aug. 12, 2014. Retrieved from <https://blogs.wsj.com/chinarealtime/2014/08/12/arrested-detained-a-guide-to-navigating-chinas-police-powers/>. For the U.S. grand jury indictment against Meng Wanzhou (*United States of America vs. Huawei Technologies et al.*), see <https://www.justice.gov/opa/press-release/file/1125021/download>.

² CBC News, “Ottawa Could do More to Free Two Canadians Jailed in China, Michael Kovrig's Wife Says,” June 22, 2020. Retrieved from <https://www.cbc.ca/news/politics/kovrig-spavor-nadjibulla-interview-1.5621981>. For Greenspan's opinion, see <https://www.theglobeandmail.com/files/editorial/News/meng/GreenspanLegalOpinion.pdf>.

³ “A Letter to the Prime Minister of Canada,” June 23, 2020. Retrieved from <https://www.documentcloud.org/documents/6956527-Letter-to-Prime-Minister.html>.

⁴ Press conference by spokesman Zhao Lijian, Ministry of Foreign Affairs, June 24, 2020. Retrieved from https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2511_665403/t1792107.shtml. For Zhao's original remarks in Chinese, see https://www.fmprc.gov.cn/web/wjdt_674879/fyrbt_674889/t1792042.shtml.

⁵ John Paul Tasker, “Trudeau Rejects Calls to Release Meng Wanzhou,” CBC News, June 25, 2020. Retrieved from <https://www.cbc.ca/news/politics/trudeau-meng-wanzhou-prisoner-1.5626744>; “Canada Must Reject Calls to Release Meng Wanzhou: An Open



Institute poll released June 29 showed 72 per cent of Canadians agreed, saying Meng's case should be handled as a legal matter and left to the courts. The results of a July 12 Nanos poll were even more pronounced, showing a majority not only opposed trading Meng for the two Michaels, but also supported more aggressive actions against China to get the two Canadians released.⁶

Making a deal for the two Michaels therefore seems to be off the table, at least for now. The legal and political issues at stake have been widely debated, and the opponents of a deal seem to have won. For Trudeau to change course now – after insisting Meng's case can be resolved only by Canada's independent judiciary – could be politically impossible. A new government might face fewer constraints, but the pressure on whomever leads the government of Canada to bring the two Michaels home is unlikely to go away.

Surprisingly little has been said, however, about the diplomacy that would be needed to make a deal with China. Regardless of whether they support or oppose a prisoner exchange, many Canadians assume there could indeed be a straightforward swap of Meng for the two Michaels. But China's position is less clear. In fact, Zhao's remarks, both in English and in Chinese, suggest releasing Meng would be merely a first step toward freeing the two Canadians, but not a sufficient condition. Meng is, after all, a senior executive at one of China's best known companies, and her arrest has been an acute embarrassment for President Xi Jinping and the Chinese Communist Party. Chinese media have closely followed her extradition hearings, as have Chinese netizens. By contrast, Kovrig and Spavor were little known prior to their detention, although their cases have been reported on in the Chinese press and gained widespread attention in Canada. Chen Weihua, European Union bureau chief for the state-run English-language *China Daily*, pointed out the imbalance Beijing sees between Meng's arrest and its detention of the two Michaels when he tweeted on June 20: "People often fail to note that Meng is worth 10 Kovrig & Spavor, if not more." (Chen later deleted the tweet.)⁷

Letter to Prime Minister Trudeau," June 26, 2020. Retrieved from <https://www.macdonaldlaurier.ca/canada-must-reject-calls-release-meng-wanzhou-open-letter-prime-minister-trudeau/>.

⁶ Angus Reid Institute, "Meng and the Michaels: Most Support PM's Refusal to Swap Huawei Executive for Imprisoned Canadians," June 29, 2020. Retrieved from <http://angusreid.org/meng-kovrig-spavor-china/>; Nanos Research, "Two in Three Canadians Say the Meng Wanzhou Case Should be Decided by the Canadian Courts," July 13, 2020. Retrieved from <https://823.910.myftpupload.com/wp-content/uploads/2020/07/2020-1675-CTV-Globe-June-Populated-Report-China-with-Tabs.pdf>.

⁷ Jane Perlez, "Huawei Arrest Tests China's Leaders as Fear and Anger Grip Elite," *The New York Times*, Dec. 7, 2018. Retrieved from <https://www.nytimes.com/2018/12/07/world/asia/huawei-arrest-china.html>; Staff, *Global Times*, "Ruling on Meng Shows Canada Lost Judicial, Diplomatic Independence to U.S. Bullying: Experts," May 28, 2020. Retrieved from <https://www.globaltimes.cn/content/1189734.shtml>; Cao Yin, "Canadian Pair Formally Charged with Espionage," *China Daily*, June 6, 2020. Retrieved from <http://global.chinadaily.com.cn/a/202006/20/WS5eed6a63a31083481725450d.html>; Nathan Vanderklippe, "Huawei's Meng Far More Valuable than Canada's Kovrig and Spavor, Chinese Journalist Says," *The Globe and Mail*, June 22, 2020. Retrieved from <https://www.theglobeandmail.com/world/article-huaweis-meng-far-more-valuable-than-canadas-kovrig-and-spavor/>.



China's Response to 'Foreign Provocations': Three Case Studies

For China, Meng's arrest is not just about the welfare of a single Chinese citizen, but rather – as Chinese officials have said repeatedly – a “serious political incident” (严重的政治事件).⁸ Moreover, after months of intense Chinese pressure, Meng's continued detention in Canada – even in one of her two Vancouver luxury mansions – represents a significant Chinese foreign policy failure, which risks making Xi appear weak at home. Although Beijing very much wants Meng released, her freedom is not the only issue at stake. In all likelihood, China would ensure that any deal Canada makes for Kovrig and Spavor not be a simple prisoner exchange, but rather the result of lengthy negotiations, with Meng's release being only the first part. But what else might China want?

Although there are no exact parallels to the current situation, there have been at least three recent cases where China responded forcefully to what it regarded as a provocation (挑衅) – including by detaining or holding another country's citizens against their will – before settling the matter through negotiations. These cases may offer clues about what China might want from a deal for the two Michaels, and what Canada might be asked to offer in return.

The Extradition of Su Bin and the Detention of Kevin and Julia Garratt (2014-2016)

The most similar case, and the most recent, also involves a Chinese citizen arrested by Canada for extradition to the United States, followed by China's detention of two Canadian citizens. On June 28, 2014, police in Richmond, B.C. arrested Su Bin – a Chinese citizen and Canadian permanent resident – after receiving an extradition warrant from U.S. authorities charging him with conspiracy to hack Boeing's computer network on behalf of Chinese military intelligence.⁹ Five weeks later, Chinese state security officials detained Canadians Kevin and Julia Garratt, longtime residents of China and self-described Christian aid workers. Notably, although Chinese media did not report on the arrest of Su Bin, they did publicize the investigation of the Garratts for “stealing state secrets” – one of the same charges later brought against Spavor. (Adding to the similarities, the Garratts ran a coffee shop in Dandong, on the China-North Korea border – the same city where Spavor was detained – and the Garratts were held in the same detention centre where Spavor is now believed to be in custody.)¹⁰ Although Julia Garratt was released on bail in February 2015 and later allowed to return to Canada, China's handling of Kevin Garratt's case tracked Canada's extradition proceedings against Su Bin. Su's formal extradition hearing opened in July 2015; two months later, a judge ordered Su to be extradited, but Su appealed. Kevin Garratt's case, however, remained officially under investigation until after Xi's September 2015 visit to the United States

⁸ Press conference by spokesman Zhao Lijian, Ministry of Foreign Affairs, June 24, 2020. Retrieved from https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2511_665403/t1792107.shtml.

⁹ Colin Freeze and Alexandra Posadzki, “Canadian Resident Charged in U.S. for Directing Chinese Spy Ring,” *The Globe and Mail*, July 22, 2014. Retrieved from <https://www.theglobeandmail.com/news/national/canadian-charged-in-us-for-directing-chinese-spy-ring/article19703820/>.

¹⁰ “涉窃取中国国家秘密加拿大人照片曝光” (“Photos of Canadian Involved in Stealing Chinese State Secrets Made Public”), Xinhua, Aug. 6, 2014. Retrieved from http://www.xinhuanet.com/photo/2014-08/06/c_126836071_4.htm; Nathan Vanderklippe, “365 Days of Detention in China: What Life is Like for Canadians Michael Spavor and Michael Kovrig,” *The Globe and Mail*, Dec. 9, 2019. Retrieved from <https://www.theglobeandmail.com/world/article-michael-kovrig-michael-spavor-china-detained-canadians-huawei/>.



and the October 2015 Canadian federal elections, with official media announcing formal charges in late January 2016. One month later, in February, Su suddenly dropped his appeal and agreed to be handed over to U.S. authorities. On March 23, Su accepted a plea bargain agreement, pleading guilty in U.S. federal court in return for 46 months in prison, including time served. A few weeks later, Garratt went on trial in China, even though Su had left Canada two months earlier.¹¹

Su's departure left the new Liberal government under Justin Trudeau in a conundrum: even if it had wanted to make a deal with China, it had no one to trade for Garratt. Diplomacy was therefore the only option. According to press reports, Michel Couombe, who was then director of CSIS, travelled to Beijing shortly after Garratt's trial to assure his Chinese counterpart that Garratt was not working for Canadian intelligence. Trudeau also raised Garratt's case during Chinese Foreign Minister Wang Yi's visit to Ottawa in June 2016 – the same visit where Wang lambasted a journalist for asking about Garratt and human rights.¹² Beijing, however, was in no hurry to act. In July, a Chinese court postponed issuing a verdict in Garratt's case until October, after Trudeau's upcoming trip to China – his first since taking office – and Chinese Premier Li Keqiang's planned visit to Canada. In August, just before the prime minister's trip, China announced new restrictions on Canadian canola, upping the ante for Trudeau's visit.¹³ In retrospect, the visit was a breakthrough. According to Kevin and Julia Garratt's poignant memoir, *Two Tears on the Window*, officials from Global Affairs Canada called Julia in Edmonton on Sept. 12 – six days after Trudeau's trip – to report that “China is engaging in ongoing talks, with nothing stalling them.”¹⁴ The same day in Beijing, Daniel Jean, the prime minister's then-national security advisor, and Wang Yongqing, then-secretary-general of the Chinese Communist Party's Central Political and Legal Affairs Commission, which oversees China's police, courts and state security apparatus, opened the first Canada-China High Level National Security and Rule of Law Dialogue. Among the outcomes, Canada and China agreed to start discussions on an extradition treaty, and to finalize an agreement on the assets of Chinese officials who had fled to Canada during Xi's anti-

¹¹ Nathan Vanderklippe, “Canadian Woman Detained in China on Spying Suspicions Released on Bail,” *The Globe and Mail*, Feb. 5, 2015. Retrieved from <https://www.theglobeandmail.com/news/world/canadian-woman-detained-in-china-over-spying-suspicions-released-on-bail/article22798959/>; Colin Freeze, “Chinese Soldiers Implicated in U.S. Military Hacking Case,” *The Globe and Mail*, Jan. 18, 2016. Retrieved from <https://www.theglobeandmail.com/news/national/chinese-entrepreneur-living-in-canada-implicated-in-us-military-hacking-case/article28253148/>; Xinhua (repost of the *Global Times*), “加公民涉嫌在华窃密被起诉 接受间谍机关任务” (“Canadian Citizen Suspected of Stealing Secrets in China Prosecuted, Accepted Spy Agency Mission”), Jan. 30, 2016. Retrieved from http://www.xinhuanet.com/world/2016-01/30/c_128685922.htm; Colin Freeze, “B.C. Multimillionaire Pleads Guilty to Hacking into U.S. Military for China,” *The Globe and Mail*, March 23, 2016. Retrieved from <https://www.theglobeandmail.com/news/national/vancouver-resident-guilty-of-hacking-into-us-military-for-china/article29366478/>; “Chinese National Who Conspired to Hack into U.S. Defense Contractors' Systems Sentenced to 46 Months in Federal Prison,” U.S. Department of Justice Office of Public Affairs Press Release, July 13, 2016. Retrieved from <https://www.justice.gov/opa/pr/chinese-national-who-conspired-hack-us-defense-contractors-systems-sentenced-46-months>; Nathan Vanderklippe and Laura Stone, “Kevin Garratt Free after High-Stakes Negotiation with China,” *The Globe and Mail*, Sept. 15, 2016. Retrieved from <https://www.theglobeandmail.com/news/national/kevin-garratt-back-in-canada-says-family/article31907639/>.

¹² Ibid.; Mike Blanchfield, “Chinese Foreign Minister Berates Canadian Reporter for Asking about Human Rights,” CBC News, June 1, 2016. Retrieved from <https://www.cbc.ca/news/politics/chinese-foreign-minister-berates-reporter-1.3611510>.

¹³ Vanderklippe and Stone, “Kevin Garratt Free ...”; Ann Hui, “What's Really Behind China's Decision to Restrict Canola: Science or Politics?” *The Globe and Mail*, Aug. 30, 2016. Retrieved from <https://www.theglobeandmail.com/news/national/whats-really-behind-chinas-decision-to-restrict-canola-science-or-politics/article31625635/>

¹⁴ Julia and Kevin Garratt, *Two Tears on the Window: A True Story*, (Victoria, BC: First Choice Books, 2018), chapter 35, Kindle.



corruption campaign – both key Chinese priorities.¹⁵ The following day, a Chinese court convicted Kevin Garratt of stealing state secrets and ordered him deported immediately. As a condition of his release, Garratt agreed not to appeal his sentence, not to talk to the media about his detention and to pay over \$10,000 in fines.¹⁶

Canadian officials denied there had been any quid pro quo, and there was no mention of Garratt's release in the Chinese media. But after Kevin and Julia Garratt granted an interview to the *New York Times* in 2017, China's state-controlled *Global Times* blasted them with the headline: "Canadian Spies Break their 'Promise of Silence' to Criticize China, Take Large Amount of U.S. Media Interview Fees".¹⁷ Notably, Canada also appears to have lost interest in an extradition treaty with China after Kevin Garratt's release. Shortly after arriving in Beijing in 2017, Canadian then-ambassador John McCallum told the *Globe and Mail* an extradition agreement was "not high on my list of priorities".¹⁸ No further talks appear to have occurred.

Liu Xiaobo and China-Norway Relations (2010-2016)

The second case involves the Norwegian Nobel Committee's decision to award the 2010 Nobel Peace Prize to Chinese dissident Liu Xiaobo, and China's diplomatic and economic retaliation against Norway. An outspoken literary critic, Liu first came to prominence during the 1989 Tiananmen Square protests, when he returned from a fellowship in the United States to join calls for political reform in China. Following multiple periods in jail and labour camps, he became a leading supporter of Charter 08, a 2008 manifesto calling for democracy, human rights and the rule of law, and was later sentenced to 11 years in prison for subversion of state power.¹⁹ On Oct. 8, 2010, the Norwegian Nobel Committee, an independent body appointed by the Norwegian parliament, awarded Liu the Nobel Peace Prize for his "long and non-violent struggle for

¹⁵ Joint Communiqué on 1st Canada-China High-Level National Security and Rule of Law Dialogue, Sept. 13, 2016. Retrieved from <https://pm.gc.ca/en/news/backgrounders/2016/09/13/joint-communication-1st-canada-china-high-level-national-security-and>. Dan Levin, "Canada Agrees to Talks on Extradition Treaty with China," *The New York Times*, Sept. 20, 2016. Retrieved from <https://www.nytimes.com/2016/09/21/world/americas/canada-agrees-to-talks-with-china-on-extradition.html>.

¹⁶ CBC News, "Kevin Garratt Back Home in Canada Following China Deportation Order," Sept. 15, 2016. Retrieved from <https://www.cbc.ca/news/politics/kevin-garratt-china-canada-home-1.3764313>; Dan Levin, "Couple Held in China Are Free, but 'Even Now We Live Under a Cloud'," *The New York Times*, Jan. 1, 2017. Retrieved from <https://www.nytimes.com/2017/01/01/world/canada/canadian-couple-china-detention.html>

¹⁷ Robert Fife, "Ottawa to Negotiate Extradition Treaty with China," *The Globe and Mail*, Sept. 20, 2016. Retrieved from <https://www.theglobeandmail.com/news/politics/ottawa-china-to-negotiate-extradition-treaty/article31961475/>; Xinhua (repost of the *Global Times*), "加间谍打破“沉默承诺” 批中国 或收取美媒高额采访费" ("Canadian Spies Break their 'Promise of Silence' to Criticize China, Take Large Amount of U.S. Media Interview Fees"), Jan. 3, 2017. Retrieved from http://www.xinhuanet.com/world/2017-01/03/c_129429933.htm.

¹⁸ Nathan Vanderklippe, "Canada 'A Long, Long' Way from China Extradition Deal: McCallum," *The Globe and Mail*, April 3, 2017. Retrieved from <https://www.theglobeandmail.com/news/world/canada-a-long-long-way-from-china-extradition-deal-mccallum/article34560846/>.

¹⁹ Chris Buckley, "Liu Xiaobo, Chinese Dissident Who Won Nobel While Jailed, Dies at 61," *The New York Times*, July 13, 2017. Retrieved from <https://www.nytimes.com/2017/07/13/world/asia/liu-xiaobo-dead.html>; *The Diplomat*, "A Nobel Account," Dec. 14, 2010. Retrieved from <https://thediplomat.com/2010/12/a-nobel-account/>; Mark Lewis, "Norway's Salmon Rot as China Takes Revenge for Dissident's Nobel Prize," *The Independent*, Oct. 6, 2011. Retrieved from <https://www.independent.co.uk/news/world/europe/norways-salmon-rot-as-china-takes-revenge-for-dissidents-nobel-prize-2366167.html>. For the Norwegian Nobel Committee's announcement awarding the prize to Liu, see <https://www.nobelprize.org/prizes/peace/2010/press-release/>. For an English translation of Charter 08, see <https://rsf.org/sites/default/files/Charter08.pdf>.



fundamental human rights in China”. The Chinese government, which had already warned the committee’s chairman, former Norwegian prime minister Thorbjørn Jagland, against giving the award to Liu, reacted strongly and publicly, denouncing the award as “blasphemy” and vowing the move would damage Norway’s relations with China. Chinese authorities refused to allow Liu, who was still in prison, or his family, to travel to Oslo for the award – leaving an empty chair instead – and Chinese diplomats pressured over a dozen countries to boycott the ceremony. China also froze high-level diplomatic contacts with Norway, broke off talks on a free-trade agreement, slowed imports of Norwegian salmon and even cancelled meetings with Norwegian sports organizations about the 2022 Beijing Winter Olympics. (Contrary to some accounts, China never broke diplomatic relations, and both countries kept ambassadors in the other’s capital throughout the dispute.)²⁰

Three years later, in 2013, Norway’s Conservative Party came to power, defeating the Labour Party—the same party once led by Nobel committee chairman Jagland. Sensing an opportunity, newly elected Prime Minister Erna Solberg renewed attempts to mend ties with China. She continued the previous government’s efforts to increase cooperation with Beijing on Arctic issues, and pointedly refused to meet the Dalai Lama—whom China regards as a “splittist”—during his 2014 visit to Oslo. The following year, Norway applied to become a founding member of the China-backed Asian Infrastructure Investment Bank, which Beijing approved without the usual fanfare.²¹ After a series of negotiations, the two countries finally agreed to normalize their relations in December 2016 through the issuance of a joint statement. The statement noted Norway was one of the first Western countries to have recognized the People’s Republic of China in 1950, and that the two countries had close relations until the 2010 Nobel Peace Prize. Norway was “fully conscious of the position and concerns of the Chinese side”, the statement continued, “fully respects China’s development path and social system” and “highly commends its historic and unparalleled development.” Norway also reiterated its support for the “One China policy”—i.e., it would not recognize Taiwan as the Republic of China, and accepted Beijing’s position that Taiwan was part of China. Most critically, Norway said it “attaches high importance to China’s core interests and major concerns, will not support actions that undermine them, and will do its best to avoid any future damage to bilateral relations”.²²

²⁰ Sarah Lyall, “Winner’s Chair Remains Empty at Nobel Event,” *The New York Times*, Dec. 10, 2010. Retrieved from <https://www.nytimes.com/2010/12/11/world/europe/11nobel.html>; CNN, “Chinese Official Calls Nobel Prize Award ‘Blasphemy,’” Oct. 8, 2010. Retrieved from <https://www.cnn.com/2010/WORLD/asiapcf/10/08/china.nobel.react/index.html>; Doug Saunders and Mark MacKinnon, “Empty Chair Marks Liu Xiaobo’s Nobel,” *The Globe and Mail*, Dec. 10, 2010. Retrieved from <https://www.theglobeandmail.com/news/world/empty-chair-marks-liu-xiaobos-nobel/article1319282/>.

²¹ Marc Lanteigne and Bjørnar Sverdrup-Thygeson, “Towards the Thaw: Seeking Clarity in China-Norway Relations,” *The Diplomat*, Jan. 16, 2016. Retrieved from <https://thediplomat.com/2016/01/towards-the-thaw-seeking-clarity-in-sino-norwegian-relations/>. *China Daily*, “Norway ‘Very Pleased to Be Founding Member of AIIB,’” Apr. 17, 2015. Retrieved from http://www.chinadaily.com.cn/business/2015-04/17/content_20456515.htm.

²² Sewell Chan, “Norway and China Restore Ties, 6 Years After Nobel Prize Dispute,” *The New York Times*, Dec. 19, 2016. Retrieved from <https://www.nytimes.com/2016/12/19/world/europe/china-norway-nobel-liu-xiaobo.html>. For the text of the joint statement, see https://www.regjeringen.no/globalassets/departementene/ud/vedlegg/statement_kina.pdf.



Although many in Norway, especially in the business community, welcomed a chance to rebuild the relationship with China, opinion outside Norway was critical, calling it a “kowtow” and “humiliating”. By contrast, Chinese officials hailed the statement, with Foreign Minister Wang Yi noting that Norway had “deeply reflected upon the reasons bilateral mutual trust was harmed” and “carried out earnest, serious consultations with the Chinese side to improve bilateral relations”. In April 2017, four months after the statement was issued, Solberg visited China along with a large delegation of Norwegian business leaders, bringing an end to over six years of strained ties.²³

One month after Solberg’s visit, Liu was diagnosed with terminal cancer. Denied permission to receive treatment overseas, he died in custody in July 2017.²⁴

The U.S. EP-3 Collision and Emergency Landing in Hainan (2001)

The third case is the most well-known and the only one that risked becoming a major international confrontation. On the morning of April 1, 2001 (Beijing time), a U.S. Navy EP-3 reconnaissance plane operating in international airspace and a Chinese People’s Liberation Army Navy (PLAN) F8-II fighter conducting a normal interception accidentally collided in mid-air, approximately 70 miles off Hainan Island, in southern China. The Chinese jet crashed into the South China Sea and the pilot was later presumed dead. The U.S. plane, with 24 servicemen and women aboard, was severely damaged, but was able to make an unauthorized emergency landing at PLAN Lingshui Air Base on Hainan. After attempting to destroy any sensitive equipment and information aboard the aircraft, the crew disembarked and were taken into custody. Chinese military officials also interrogated the crew multiple times.²⁵

Although the Chinese government confirmed the crew was safe, it rebuffed initial U.S. attempts to discuss their situation or gain access. On April 2, then-president George W. Bush, who had taken office less than three months before, issued a public statement calling on China’s leaders to grant “immediate access” to the crew, noting that a failure to respond would be inconsistent with standard practice and with both countries’ desire for better relations. He added the United States was prepared to assist with search and rescue efforts for the Chinese aircraft and pilot.²⁶ Then-Chinese president Jiang Zemin responded publicly one day later, with his own statement declaring responsibility was “entirely with the U.S. side”, accusing the EP-3 of violating Chinese

²³ *China File*, “Did Oslo Kowtow to Beijing? A China File Conversation,” Dec. 21, 2016. Retrieved from <https://www.chinafile.com/conversation/did-oslo-kowtow-beijing/>; *People’s Daily*, “中挪发表关系正常化声明” (“China and Norway Announce Statement Normalizing Relations”), Dec. 19, 2016. Retrieved from <http://world.people.com.cn/n1/2016/1219/c1002-28961564.html>; “Prime Minister Erna Solberg to Visit China,” Government of Norway Press Release, March 31, 2017. Retrieved from <https://www.regjeringen.no/en/aktuelt/statsminister-erna-solberg-til-kina/id2547002/>.

²⁴ Steven Lee Myers, “China Won’t Let Liu Xiaobo, Nobel Laureate, Get Cancer Treatment Abroad,” *The New York Times*, June 29, 2017. Retrieved from <https://www.nytimes.com/2017/06/29/world/asia/liu-xiaobo-nobel-cancer-abroad.html>.

²⁵ *China-U.S. Aircraft Collision Incident of April 2001: Assessments and Policy Implications*, Congressional Research Service Report RL30946, Oct. 10, 2001. Retrieved from <https://crsreports.congress.gov/product/pdf/RL/RL30946>. For an account of the incident by the EP-3’s pilot, see <https://www.pbs.org/wgbh/pages/frontline/shows/china/interviews/osborn.html>.

²⁶ Statement by the President on American Plane and Crew in China, The White House, April 2, 2001. Retrieved from <https://georgewbush-whitehouse.archives.gov/news/releases/2001/04/20010402-2.html>.



airspace and landing without permission, and calling on the U.S. to stop all reconnaissance flights off China's coast. The same day, a Chinese Ministry of Foreign Affairs spokesman added that the United States should "not put forth various demands but deeply reflect on this incident, apologize (道歉) to the Chinese side, and take account of China's deep concerns and demands".²⁷ However, China was also careful not to let the incident spark anti-American protests, as the U.S. bombing of the Chinese embassy in Belgrade had done two years earlier. Although Chinese media widely reported on the collision and the lost pilot, the government also took steps to censor anti-American opinion.²⁸

On the evening of April 3, China allowed the U.S. embassy in Beijing defense attaché to meet the crew for the first time. Bush spoke again publicly shortly afterwards, saying "it was time for our servicemen and women to return home" and for China "to return our plane". Asked later about Bush's statement, then-secretary of state Colin Powell told reporters he had "nothing to add", but when asked why China said it was holding the crew, he replied: "Unfortunately, [the collision] was apparently fatal for the pilot of the Chinese plane and I regret that." The next day, Jiang repeated China's call for the U.S. to "apologize to the Chinese people" while Powell reiterated U.S. "regret that the Chinese plane did not get down safely, and the loss of life of that Chinese pilot". That evening, Powell met with the Chinese ambassador in Washington and asked him to pass a letter setting out a road map resolving the standoff to Vice Premier Qian Qichen, who oversaw Chinese foreign policy and was travelling with Jiang in Latin America. At the same time in Beijing, then-Foreign Minister Tang Jiaxuan finally agreed to meet then-U.S. ambassador Joseph Prueher.²⁹

The next day, April 5, Bush responded to a reporter's question about the crew's welfare by saying: "I regret the Chinese pilot is missing, and I regret one of their planes is lost. And our prayers go out to the pilot and his family." China, however, was unmoved. According to Chinese reports, Qian responded to Powell's letter April 6 by saying: "the United States should apologize, which is extremely important for resolving the situation." The same day, U.S. and Chinese diplomats reportedly began exchanging draft texts of a proposed letter that would express U.S. condolences

²⁷ "江泽民主席2001年4月3日就美侦察机撞毁我军用飞机事件发表谈话(摘要)" ("President Jiang Zemin Releases a Statement on April 3, 2001, about the Incident in which a U.S. Reconnaissance Plane Smashed Our Country's Military Plane—Summary"), State Council Information Office. Retrieved from http://www.gov.cn/gongbao/content/2001/content_60748.htm; "发言人谈美国军用侦察机撞毁中国军用飞机事件真相和中方有关立场" ("Spokesman Discusses the Facts of the Incident in which a U.S. Military Reconnaissance Plane Smashed Into the Chinese Military Plane and the Chinese Side's Position"), Ministry of Foreign Affairs, April 3, 2001. Retrieved from https://www.fmprc.gov.cn/web/ziliao_674904/zt_674979/ywzt_675099/2355_676073/2379_676137/t11175.shtml.

²⁸ John Pomfret, "New Nationalism Drives Beijing," *The Washington Post*, April 4, 2001. Retrieved from <https://www.washingtonpost.com/archive/politics/2001/04/04/new-nationalism-drives-beijing/748111f7-8add-43c0-b2bb-b0e504a5686e/>.

²⁹ Statement by the President, The White House, April 3, 2001. Retrieved from <https://georgewbush-whitehouse.archives.gov/news/releases/2001/04/20010403-3.html>; Secretary of State Colin L. Powell, Briefing for the Press Aboard Aircraft En Route to Andrews Air Force Base, Department of State, April 3, 2001. Retrieved from <https://2001-2009.state.gov/secretary/former/powell/remarks/2001/1932.htm>; "江主席关心我跳伞飞行员" ("President Jiang Shows Concern about Our Ejected Pilot"), Ministry of Foreign Affairs, April 4, 2001. Retrieved from https://www.fmprc.gov.cn/web/ziliao_674904/zt_674979/ywzt_675099/2355_676073/2379_676137/t11177.shtml; Secretary Colin L. Powell, Remarks Following Meeting with King Abdullah of Jordan, Department of State, April 4, 2001. Retrieved from <https://2001-2009.state.gov/secretary/former/powell/remarks/2001/2006.htm>; David E. Sanger and Jane Perlez, "Powell Offers China Aides Outline for Standoff's End," *The New York Times*, April 5, 2001. Retrieved from <https://www.nytimes.com/2001/04/05/world/powell-offers-china-aides-outline-for-standoffs-end.html>.



for the collision. As negotiations continued behind closed doors, Powell appeared on CBS' Face the Nation and made a critical distinction between the words "apology" and "regret" – the latter of which he equated with "sorry". "We have nothing to apologize for at this point," he said, but added "...there is a widow out there. And we regret that. We're sorry that her husband was lost no matter what the fault was." When pressed about a possible apology, Powell replied, "We do acknowledge that we violated their airspace, but look at the emergency circumstances the pilot was facing. And we regret that. We've expressed sorrow for it, and we're sorry that that happened but it can't be seen as an apology accepting responsibility."³⁰

On April 11, after five rounds of negotiations and as many drafts, U.S. and Chinese negotiators finally agreed to a text of a letter from Prueher to Tang. "Both President Bush and Secretary Powell have expressed their sincere regret (遗憾) over your missing pilot and aircraft. Please convey to the Chinese people and to the family of pilot Wang Wei that we are very sorry (歉意) for their loss," the letter said. It continued, "We are very sorry (歉意) the entering of China's airspace and the landing did not have verbal clearance." The United States also agreed to meet with China to discuss the incident, acknowledging that China intended to "raise U.S. reconnaissance missions near China" during the meeting. In return, the United States expected its air crew would be permitted to depart China as soon as possible. Although the United States did not use the English word "apology" (道歉) in its letter, the Chinese translation of "sorry" (歉意) was close enough – both used the character 歉 (*qiàn*), which can mean either "apology" or "regret". As Tang explained in his memoirs, "The letter basically met our demands ... If one country's government says 'sorry' to another government, it is certainly an 'apology.'"³¹ With its public demands largely satisfied – and no doubt eager to avoid a major confrontation – China allowed the U.S. air crew to depart the next morning.

Lessons Learned – And What They Mean for Canada

China's foreign policy has grown more assertive since the EP-3 incident in 2001, and especially after Xi became general secretary of the Chinese Communist Party in 2012. But many of the basic features of Chinese diplomacy have remained unchanged. Although each of these cases presents its own unique set of circumstances, it is possible to discern a few recurring patterns in Chinese diplomatic behaviour, and even to compile a list of lessons learned to help guide future negotiations. Should Canada decide to make a deal for the two Michaels in the future, these cases

³⁰ Remarks by the President at American Society of Newspaper Editors Annual Convention, The White House, April 5, 2001. Retrieved from <https://georgewbush-whitehouse.archives.gov/news/releases/2001/04/20010405-5.html>; "钱其琛：美方应向中国人民道歉" ("Qian Qichen: The U.S. Side Should Apologize to the Chinese People"), Ministry of Foreign Affairs, April 7, 2001. Retrieved from https://www.fmprc.gov.cn/web/ziliao_674904/zt_674979/ywzt_675099/2355_676073/2379_676137/t11180.shtml; David E. Sanger and Craig S. Smith, "Bush and Jiang Exchange Drafts Of a Letter Stating U.S. Regrets," *The New York Times*, April 7, 2001. Retrieved from <https://www.nytimes.com/2001/04/07/world/collision-with-china-overview-bush-jiang-exchange-drafts-letter-stating-us.html>; Face the Nation Transcript, CBS News, April 8, 2001. Retrieved from <https://www.cbsnews.com/news/ftn-transcript-april-8-2001/>.

³¹ Letter from Ambassador Prueher to Chinese Minister of Foreign Affairs Tang, The White House, April 11, 2001. Retrieved from <https://georgewbush-whitehouse.archives.gov/news/releases/2001/04/20010411-1.html>; 唐家璇 (Tang Jiaxuan), 劲雨煦风 (*Strong Rain and Warm Winds*), (Beijing: World Knowledge Publishing, 2009).



suggest China would respond in similar ways. In particular, Canadians should be prepared for the following:

1. The Other Side Must Act First. In all three cases, China waited until the other side had taken actions China considered sufficient to “improve the relationship” before China took the action the other side desired. China did not release Kevin Garratt until just after the Canada-China National Security and Rule of Law Dialogue, when Canada agreed to open talks on an extradition treaty and finish an agreement on asset recovery. With Norway, China did not agree to normalize bilateral relations, or to welcome Solberg for a visit that was politically important for her, until Oslo first agreed to a joint statement. Finally, China did not release the EP-3 air crew until the United States publicly said it was “very sorry” for the loss of the Chinese pilot and for violating Chinese airspace. Notably, although China did respond favourably to interim steps the other side had taken – like Norway’s application to join the Asian Infrastructure Investment Bank, or Powell’s public statements of “regret” for the missing Chinese pilot – China did not accept these steps as a final resolution of the issue, but only as expressions of the other side’s “sincerity” (诚意) and signals that it desired better relations. Because China still considered the other side “entirely responsible” for the provocation, it could not meet the other side halfway. In fact, the concept that the “other side must act first” is deeply ingrained in Chinese diplomacy, and reflected in the proverb “only he who tied the knot can untie it” (解铃还须系铃人) – a favourite of Chinese officialdom. For China, only the country that caused the problem can resolve it.

In the current situation, because China considers only itself to be the victim of a provocation, Chinese spokesmen have repeatedly said Canada was “fully responsible” for tensions in the bilateral relationship and must “reflect on its mistakes and seriously consider China’s solemn position and concerns” – language very similar to that which Chinese officials employed against Norway and the United States. From China’s standpoint, the burden is therefore entirely on Canada to rebuild ties and demonstrate a willingness to re-engage on China’s terms. Although China may welcome certain overtures, like praising Canada for its donation of personal protective equipment during the early stages of the COVID-19 outbreak, China likely considered this merely a signal that Canada wanted to improve its relationship.³² For China, the only true criterion that Canada has sufficiently “reflected on its mistakes” would be the release of Meng, whose arrest was the cause of the original provocation. However, even if Canada did agree to release her, China is unlikely to agree to a simultaneous prisoner exchange like those seen during the Cold War, as one former Canadian official has suggested.³³ Rather, in keeping with the principle of the “other side must act first”, China would likely insist Canada release Meng before it releases Kovrig and Spavor, to demonstrate Canada’s acceptance of responsibility. Even then, an exchange would not

³² *China Daily*, “China Urges Canada to Reflect on Mistakes and Release Meng Wanzhou,” Sept. 15, 2019. Retrieved from <http://www.chinadaily.com.cn/a/201909/05/WS5d70da9da310cf3e35569f8a.html>; Philip Ling and Rosemary Barton, “The Coronavirus Crisis is Driving a Sudden Thaw in Canada-China Relations,” CBC News, Feb. 15, 2020. Retrieved from <https://www.cbc.ca/news/politics/coronavirus-china-canada-meng-wanzhou-1.5465011>.

³³ Steven Chase and Robert Fife, “John Manley Urges ‘Prisoner Exchange’ to Swap Huawei Executive Meng Wanzhou for Two Canadians Held in China,” *The Globe and Mail*, Dec. 2, 2019. Retrieved from <https://www.theglobeandmail.com/politics/article-john-manley-urges-prisoner-exchange-to-swap-huawei-executive-meng/>. For Manley’s original interview with Canadian Global Affairs Institute Vice-President Colin Robertson, see https://www.cgai.ca/foreign_affairs_priorities_for_the_liberal_minority_government.



be automatic, as a senior Chinese diplomat suggested in a recent interview with the *Globe and Mail*.³⁴ Although the delay between Meng's release and that of the two Michaels could range from several days to several weeks, Canada would be left in the meantime in an uncertain situation, reliant on China to fulfil its part of the deal.

2. *Long and Complex Negotiations are the Norm.* All three cases also involved lengthy negotiations, with China at times stalling or prolonging talks in order to extract concessions. Moreover, in all cases, China added sometimes unrelated issues to the agenda in order to achieve short-term tactical or long-term strategic advantage. With Canada, China signalled it was prepared to delay a verdict in Kevin Garratt's case – and his release – until after Trudeau's visit to Beijing and Li's visit to Ottawa. Moreover, by announcing restrictions on canola, it raised the stakes for Trudeau to have a successful first visit to Beijing as prime minister. Similarly, Norway's negotiations to normalize its relationship with China required "meticulous and numerous conversations" over the course of several years, and resulted in Norway endorsing Beijing's position that Taiwan was part of China, even though Norway's stance on Taiwan had never been an issue. Finally, although U.S.-China negotiations for the release of the EP-3 air crew took only 12 days, the text of Prueher's letter went through at least five rounds of talks before arriving at a satisfactory formula. Moreover, in the final letter, the United States implicitly agreed to discuss U.S. reconnaissance flights in international airspace off China's coast, something the United States had long resisted. As the late Richard Solomon noted in his classic work, *Chinese Negotiating Behavior*, "The Chinese are extremely sensitive to the time rhythms of the negotiating process and to the ways in which domestic and international factors play on a political relationship." This is as true today as it was 40 years ago, when Solomon worked on the U.S. National Security Council.³⁵

If Canada opened negotiations for the release of Kovrig and Spavor, China would insist not only on Meng's release, but would also likely prolong the talks for as long as possible in order to gain additional concessions. A simple swap or quick deal is very unlikely. In addition, China would likely add other issues to the negotiating agenda, some of which could be related to the original "provocation", like Huawei's participation in Canada's 5G network. However, the case studies suggest that other items, like backing away from Canada's criticisms of the new National Security Law in Hong Kong, or greater co-operation on Arctic issues, could be very far afield, with little connection to Meng's arrest.³⁶ Moreover, as Solomon suggested, China's negotiating position

³⁴ Nathan Vanderklippe, "Canada Only Country Willing to Detain Meng Wanzhou, China Says," *The Globe and Mail*, Sept. 4, 2020. Retrieved from <https://www.theglobeandmail.com/world/article-canada-only-country-willing-to-detain-meng-wanzhou-china-says/>

³⁵ Richard H. Solomon, *Chinese Negotiating Behavior: Pursuing Interests through "Old Friends,"* (Washington, DC: United States Institute of Peace Press, 1999), p. 93.

³⁶ Robert Fife, Alexandra Posadzki, Paul Waldie and Adrian Morrow, "Canada is Now the Only Five Eyes Member to Not Ban or Restrict Use of Huawei 5G Equipment," *The Globe and Mail*, July 14, 2020. Retrieved from <https://www.theglobeandmail.com/politics/article-canada-now-only-member-of-five-eyes-alliance-to-have-not-banned-huawei/>; "Canada Takes Action Following Passage of National Security Legislation for Hong Kong," Global Affairs Canada, July 3, 2020. Retrieved from <https://www.canada.ca/en/global-affairs/news/2020/07/canada-takes-action-following-passage-of-national-security-legislation-for-hong-kong.html>; Jeremy Luedi, "Are China's Arctic Ambitions a Threat to Canada?" *True North Far East*, May 29, 2019. Retrieved from <https://truenorthfareast.com/news/china-arctic-influence-threat-to-canada>.



would likely be carefully calibrated based on Chinese assessments of Trudeau’s domestic political support and Canada’s current relationship with its allies, especially the United States.

3. Public Disputes Require Public Redress. Two of the cases involved public disputes with significant Chinese and international media coverage, and were settled only after the other side made a public act of redress. The Norwegian Nobel Committee’s decision to award the 2010 Nobel Peace Prize to Liu focused international attention on China’s human rights record and proved extremely embarrassing to the Chinese regime. To normalize their relationship, China therefore required Norway to agree to a public statement expressing Norway’s respect for “China’s development path and social system” and pledging “to avoid any future damage to their bilateral relations.” Similarly, the collision between the U.S. EP-3 and the Chinese fighter was not only a major international news story, but also widely reported in Chinese official media. China therefore insisted the United States publicly apologize for the incident, which – even though the United States did not use China’s preferred terminology – Chinese media still characterized as a “letter of apology” (歉信). In Kevin Garratt’s case, China did not require Canada to make a public statement prior to his release, likely because his case was not well known within China. However, Chinese media reaction to the Garratts’ 2017 interview with the *New York Times* shows China was concerned about public perceptions of its role in the case, even well after his release. Although China is not a democracy, the Chinese Communist Party is nevertheless sensitive to public opinion, especially within China but also overseas.³⁷ In the event of a public “provocation” China thus requires an equally public act of redress from the other side. For China, this is not just a matter of “face” (面子), but also of demonstrating to the Chinese people that the Communist Party is able to defend China’s national interests – unlike some previous regimes.³⁸

Given the highly public nature of Meng’s arrest, and especially the attention it has received from Chinese and international media, China would likely insist on some form of public redress from Canada as part of a deal for Kovrig and Spavor. This could take the form of a joint statement or a letter from a senior Canadian official to their Chinese counterpart, similar to the formats used in the Norwegian and U.S. cases. Other formats may be acceptable as well, so long as they are easily publicized. More important than the format, however, would be the content. Although China has not called for Canada to apologize for Meng’s arrest – something Trudeau has already ruled out, even without being asked – China would still likely insist that Canada publicly acknowledge its “mistake” in arresting Meng and pledge to “seriously consider China’s concerns” in the future.³⁹

³⁷ See for example, Maria Repnikova, “Does China’s Propaganda Work?” *The New York Times*, April 16, 2020. Retrieved from <https://www.nytimes.com/2020/04/16/opinion/china-coronavirus-propaganda.html>.

³⁸ For an example of one provocation that a previous regime was unable to defend China against and how it still affects the Chinese Communist Party, see Ankit Panda, “The Legacy of China’s May Fourth Movement,” *The Diplomat*, May 5, 2015. Retrieved from <https://thediplomat.com/2015/05/the-legacy-of-chinas-may-fourth-movement/>.

³⁹ Rachel Gilmore, “‘We Don’t Need to Apologize’ for Justice System Decisions, Says PM on Eve of Key Huawei Decision,” CTV News, May 26, 2020. Retrieved from <https://www.ctvnews.ca/politics/we-don-t-need-to-apologize-for-justice-system-decisions-says-pm-on-eve-of-key-huawei-decision-1.4955405>.



A Choice Only Canadians Can Make

As citizens of a middle power, it is no surprise Canadians feel challenged, or sometimes even helpless, dealing with China. But dealing with China, and especially a rising China, is challenging for any country, whether large, small or somewhere in the middle. No other state combines such a long and rich history, together with a disciplined political organization like the Chinese Communist Party, an unparalleled record of economic growth and a highly skilled diplomatic service. At the same time, few other countries share China's sense of victimization by foreign powers, its sensitivity to questions about its regime's legitimacy, or its insecurity about its standing in the world – not to mention a growing pack of “wolf warrior” diplomats who seem unbridled by self-restraint.⁴⁰

To meet the challenge of a rising China, Canada and other countries are now seeking to expand co-operation with allies and like-minded states on specific issues of concern, whether through existing international organizations or more flexible “plurilateral” coalitions. Some of this, in fact, has already happened in response to the detention of the two Michaels. Although realist scholars of international relations would be quick to recognize this phenomenon as a form of balancing, for Canada it also reflects a longstanding commitment to multilateralism.⁴¹ Yet even these approaches may not always work with China. China's long strategic tradition includes a variety of techniques for managing hostile smaller powers on its periphery, most famously “using barbarians to control barbarians” (以夷制夷) – or, in more modern terms, using “wedge strategies” to disrupt alliances and coalitions.⁴² To deal effectively with China, Canada and other countries will have to stick together.

Given these conclusions, some Canadians will argue that making a deal with China for Kovrig's and Spavor's freedom is too much, and that Canada will pay too high a price. Others will say, however, that even given this price Canada has no other option, and it must spare no cost to protect its citizens. Although a tactical defeat may be politically acceptable if it yields a larger strategic advantage, what constitutes a defeat under the current circumstances – conceding to Chinese pressure, or allowing two Canadian citizens to remain in a Chinese prison – remains the subject of much debate.

These are very difficult and even agonizing choices for a democracy, and Canada is not alone in facing them.⁴³ But they are choices that only Canadians can make.

⁴⁰ Bilahari Kausikan, “Zeal and China's ‘Wolf Warrior’ Diplomacy,” *Global Brief*, June 1, 2020. Retrieved from <https://globalbrief.ca/2020/06/zeal-and-chinas-wolf-warrior-diplomacy/>.

⁴¹ Mike Hager, “Canada Mounting Global Effort to Free Canadians Detained in China,” *The Globe and Mail*, Dec. 22, 2018. Retrieved from <https://www.theglobeandmail.com/canada/article-canada-mounting-global-effort-to-free-canadians-detained-in-china/>; Roland Paris, *Canadian Views on China: From Ambivalence to Distrust*, (London, UK: Royal Institute of International Affairs, 2020), pp. 9-11. Retrieved from <https://www.chathamhouse.org/sites/default/files/2020-07-21-canada-china-views-paris.pdf>. For a realist view of China's rise and its impact on the balance of power, see John Mearsheimer, “The Gathering Storm: China's Challenge to U.S. Power in Asia,” Michael Hintze Lecture in International Security, University of Sydney, Aug. 4, 2010. Retrieved from <http://sydney.edu.au/news/84.html?newsstoryid=5351>.

⁴² Henry Kissinger, *On China*, (New York: Penguin Press, 2011), chapter 1, Kindle. For a recent example of “using barbarians to control barbarians”, see Nick Cumming-Bruce and Somini Sengupta, “In Greece, China Finds an Ally Against Human Rights Criticism,” *The New York Times*, June 19, 2017. Retrieved from <https://www.nytimes.com/2017/06/19/world/europe/china-human-rights-greece-united-nations.html>.

⁴³ For one example, see Micah Zenko, “Revisiting President Reagan's Iran Arms-for-Hostages Initiative,” Council on Foreign Relations Blog, Aug.3, 2016. Retrieved from <https://www.cfr.org/blog/revisiting-president-reagans-iran-arms-hostages-initiative>.

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