

Rule of Law Protects Civil Rights and Is the Foundation of Democracy. Canada's "Witch Hunt" against China's Interference

Submission to the Foreign Interference Commission by Xiaoming Guo

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Honorable Marie-Josée Hogue and counsel of the commission of the Public Inquiry Into Foreign Interference in Federal Electoral Processes and Democratic Institutions

Thank you for soliciting public consultation so that I can have the opportunity to explain my observation.

My feeling is that the witch hunt of "China interference" is doing more harm than protecting our democracy. I am very scared that the public inquiry concluded that China interfered in our election without providing any substantial evidence. Can our government prosecute dissidents without providing any evidence or saying all evidence is classified? This violates the principle of due process. I believe a good relationship with China is in our national interest. As a patriotic Canadian citizen, can I trust our rule of law and express my political point of view for the benefit of Canada and Canadians? My opinions may be wrong but I should be able to express my conscience without feeling the threat of being framed and prosecuted. The rule of law protects the constitutional rights of Canadian citizens. It is the foundation for our democracy.

I am a physicist. I came to Canada in 1987 and got my Ph.D degree in physics from McGill University. I researched for two years at Queen's University as a post-doctor. Because of not able to find a job in physics, I went back to school again and got an MBA degree at Queen's. I had a professional IT career in New York City for a few years. As a contract instructor, I taught a few Computer Science and Business courses at Wilfried Laurier University. I lived more of my life in Canada than in China. I understand both English and Chinese. I know both Canada and China more than many Canadians do. I am trained for scientific research and know how to think objectively to find out the truth. I have been in the democratic process by joining Liberal, Conservative, People's Party of Canada, and Liberal again since 2007. Most of the time I was a conservative and was fairly active in the local community. In 2018, I was the first to express my intention to Ontario Progressive Conservatives to compete for the candidacy in the Waterloo Riding for the provincial election. I got grassroots support and collected more than enough signatures endorsing my candidacy. Yet, the party never gave me the kit on how to enter the competition. I never got into the process. Was there foreign interference targeting me? I don't know and it never comes to my mind. Yet I may have a more solid case than Kenny Chiu or Han Dong if you wish. What I want to illustrate here, from my experience, is that the testimonies of Chong and Chiu, and all the allegations of

China's interference are pure immaterial hearsay, circumstantial at most, and can never support the conclusion that China interfered beyond a reasonable doubt.

We have to be on guard against possible foreign interference that changes our national policy for their benefit at the expense of our national interest. What's our national security? Any policy that can keep Canada in peace is our national security. Has foreign interference changed our national policy and pushed Canada into confrontations and toward wars? What is our national interest? Economic prosperity is our national interest. Those pushing Canada into a trade war against China are detrimental to our national interest. Without demonstrating what foreign interference is aiming at our national policy and how this national policy is for our national interest, we don't know what should we guard against foreign interference. Separating foreign interference investigations from the national interest context will mislead the investigation to the wrong targets.

According to media reports, the only reason China interfered with our democracy is because Conservatives sponsored the committee accusing China of genocide in Xinjiang.

Based on this accusation, we sanctioned five Chinese officials. In response, China sanctioned Canadian politicians in the committee, including Michael Chong and Kenny Chiu.

Chong's testimony focuses on China targeting him, though what constitutes the targeting is classified.

The public doesn't know what Chong's family goes through in Hong Kong. The accusation of Xinjiang genocide is based on not a report from our Embassy to Beijing, nor our intelligence, but on stories from the members of the World Uyghur Congress, funded by the National Endowment for Democracy, the white clove of CIA that carried out many regime change and color revolution operations. As far as my observation, this is Washington's interference with Canadian politics to make Canada confront China.

This is detrimental to the Canadian national interest because the confrontation disrupts our trade with China the engine of the global economy and two-thirds of our GDP is from trade. The accusation of the Xinjiang Genocide and the sanction on Chinese officials is our interference with China's domestic affairs. If we want a peaceful and prosperous world, we need global governance according to the rule of law. If we allow our allies to interfere with our policymaking and we interfere with China's domestic affairs, then we don't have a rule of law about foreign interference. Rule of law should be equal, all entities should be equal before the law. We cannot say some countries are allowed to interfere with other countries and some countries cannot. So the public inquiry sabotaged the spirit of the rule of law and may have a grave negative impact on our democracy and the morals of our society. As some media reported, our intelligence asked Trudeau not to allow Han Dong to be a candidate. That will violate Dong's basic constitutional rights. My understanding of Kenny Chiu's rationale is this: Chiu is anti-China so Chiu's loss in the election must be China's interference.

But is anti-China good for our national interest?

Or good for the US strategy of containing China?

Should we sacrifice our national interest to contain China? And what's the result?

We are a country rich in resources, and our education system provides many talents and innovations. With the rapid advancement of technology, we should have a living standard higher and higher. Yet, since the arrest of Meng, we distant our economy from the largest growing market of the world. As a result, our government debt skyrockets, homelessness increases, and inflation increases, GDP per capita decreases, productivity decreases. Anyway, the allegation of China's interference has no substantial evidence, so the accusation of China's interference violates due process.

A foreign country changed our policy of win-win cooperation with China and turned Canada into hostilely confronting China. Because of this foreign interference, many democratically elected MPs, MPPs, and councilors who immigrated from China were put under stress and were kicked out by their party caucus. Among them are the honorable Han Dong, Vincent Ke, and Xixi Li. This foreign interference sabotaged our democracy because our democratically elected officials could not continue their government duties normally, and affected their families. Chinese Canadians are virtually deprived of their constitutional rights because they immigrated from mainland China.

They are the victim of the witch hunt of China Interference because the witch hunt violates the principles of the rule of law. Take Xixi Li for example, when a foreign NGO accuses democratically elected councilor Xixi Li of running a Beijing Police Station without substantial evidence, the rule of law is that the burden of proof is on the accuser. Why our judicial system did not investigate the foreign NGO to prove the case? The city council suspended Xixi Li's job and banned her from sitting on council meetings. This is an obvious example of foreign interference damaging our democracy. Yet our Foreign Interference Commission doesn't want to investigate this because the foreign country is our ally. This violates the principle of equality in the rule of law. Our judicial system does not protect Canadians but prosecutes Canadians by yielding to foreign interference.

Why the investigation is a witch hunt? If the investigation is to find out the truth, it should clarify all the allegations of China Interference. The initial allegation of China interference is that China provided \$200,000 to 11 candidates in the 2019 election. If the investigation is fair, it should have a conclusion about the allegation, negative or positive. Yet the investigation just avoided this allegation and let the rumors float. The so-called investigation is not to find the truth, but to fetch any possible insinuations to build the predetermined case of China Interference. This is no rule of law. Law has the supremacy in rule of law. Yet the public inquiry manipulates our law as a geopolitical tool to contain China at the expense of the civil rights of Canadian citizens.

The witch hunt of China Interference damaged our democracy and many Chinese Canadians are afraid to participate in our democratic process now. Chinese Canadians are vulnerable because they cannot trust our judicial system as it violates many principles of the rule of law in this witch hunt. Those who make the fake stories are never held accountable, and the phony stories of China's interference have already destroyed many Chinese Canadians' careers. They don't even need to initiate a legal process, just letting the rumors float is enough to prosecute Chinese Canadians who immigrated from China. Canada is entering a McCarthy era. Canada had the head tax and the Chinese Exclusion Act in history, targeting the Chinese specifically. The racism is coming back as the media and politicians can demonize China without being held accountable, and the first causality of the witch hunt is Chinese Canadians. Now Chinese Canadians are second-class citizens. Their civil rights to participate in our democratic process are virtually deprived. Many more encounter discrimination in the job market just because of having a surname that easily be identified

as from China.

Canada is wide open to foreign interference. The Foreign Interference Commission investigations violate many principles of the rule of law.

The witch hunt of China's Interference is itself a result of foreign interference. This is detrimental to our national interest, and our democracy, and violates the civil rights of many Chinese Canadians.

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This article was originally published on the author's [Medium](#).

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