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Criminal Sanctions Enforcement Focuses on Foreign Executives

Todd Harrison, Joseph B. Evans, and Timothy C. Cramton*

This article focuses on the application of the U.S. sanctions regime against foreign individuals and recent case law in which courts have upheld the ability of U.S. courts to prosecute and enforce criminal penalties against foreign individuals.

Historically, the International Emergency Economic Powers Act ("IEEPA") and other U.S. sanctions programs enforcement have been focused on investigating and prosecuting: (1) individuals with direct ties to terrorist financing or (2) large financial institutions. The criminal enforcement actions against large financial institutions have been routinely resolved with financial penalties and increased compliance procedures, and without criminal charges against any of the institution's individual employees. More recently, there has been a shift towards the prosecution of individual executives and employees for violations of U.S. sanctions. While some individuals have been prosecuted for violations of U.S. sanctions in the past, many of those defendants were accused of having direct ties to terrorism, alleged terrorist organizations, or international arms-dealing. In contrast, some of the more recent prosecutions of individual have been brought against non-U.S. citizens, not based on any alleged terrorism-related actions, but for their activity as an employee, director, or officer of a major financial institution or large-cap company. This article focuses upon the application of the U.S. sanctions regime against foreign individuals and recent case law in which courts have upheld the ability of U.S. courts to prosecute and enforce criminal penalties against foreign individuals.

BACKGROUND ON UNITED STATES SANCTIONS PROGRAMS AND ENFORCEMENT

The International Emergency Economic Powers Act authorizes the president to take certain actions "to deal with any unusual and extraordinary threat, which has its source in whole or substantial part outside the United States, to

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the national security, foreign policy, or economy of the United States, if the President declares a national emergency with respect to such threat."[1] Thus, IEEPA allows the president to regulate or prohibit international transactions involving persons or property subject to the jurisdiction of the United States in order to protect national interests. Promulgated in 1977, IEEPA is currently the primary vehicle for implementing U.S. economic sanctions.[2]

Following the September 11, 2001 terrorist attack on the United States, on September 23, 2011, President George W. Bush issued Executive Order 13,224, declaring a national emergency with respect to the "grave acts of terrorism . . . and the continuing and immediate threat of further attacks on United States nationals or the United States."[3] Through this Executive Order, President Bush invoked the authority granted to him under the IEEPA and "blocked all property and interests in property of twenty-seven foreign terrorists, terrorist organizations, and their supporters."[4]

The Department of the Treasury's Office of Foreign Assets Control ("OFAC"), together with other government agencies administers and enforces IEEPA sanctions programs, including asset blocking and trade restrictions.[5] IEEPA sanctions programs may be broadly targeted against countries and governments or specifically targeted entities and individuals engaged in terrorism, narcotics trafficking, activities related to the proliferation of weapons of mass destruction, and other threats to national security.[6]

Primary and Secondary Sanctions

Depending on the target and the scope of the restricted activity, sanctions now fall into two distinct categories: primary sanctions and secondary sanctions. The most common are primary sanctions, such as asset freezes and trade embargoes, which apply directly to U.S. persons and business entities and prohibit certain activities with the sanctioned country, entity, or individual.[7]

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[1] 50 U.S.C. § 1701, *et seq*.; 50 U.S.C. § 1701(a).

[2] *Id. See also* Jeffrey L. Kessler & Spencer Weber Waller, *National Security/Foreign Policy Trade Restraints—Economic Sanctions*, International Trade and U.S. Antitrust Law, § 12:10 (2d ed. October 2018).

[3] *United States v. Tajideen*, 319 F. Supp.3d 445, 453 (D.D.C. 2018) (citing Exec. Order No. 13,224, 66 Fed. Reg. 49,079 (Sep. 23, 2001).

[4] *Id.* at 453.

[5] Treas. Dept., Basic Information on OFAC and Sanctions, https://www.treasury.gov/resource-center/faqs/Sanctions/Pages/faq_general.aspx#basic (last visited Dec. 9, 2018).

[6] *See id.*

[7] *See e.g.*, *United States v. Banki*, 685 F.3d 99 (2d Cir. 2012) *as amended*, (Feb. 22, 2012).

Primary sanctions extend to all U.S. persons and to all U.S. exports and U.S. dollar ("USD") transactions taking place or passing through the United States or under United States jurisdiction.[8]

What are commonly referred to as "secondary sanctions" apply to non-U.S. persons or entities that desire to do business with the United States.[9] Secondary sanctions require those who seek access to U.S. financial institutions to abide by U.S. sanctions programs.[10] Further regulations provide that an individual or entity's failure to do so can result in the "blocking" of that individual or entity from U.S. markets.[11] Thus, if an entity fails to comply with "secondary sanctions," that entity could itself become sanctioned, and U.S. financial institutions would be forbidden from doing business with that entity.[12]

When Congress enacted IEEPA, the phrase "person . . . subject to the jurisdiction of the United States" had a well-understood meaning. It covered U.S. citizens and residents, persons "actually within the United States," corporations organized under U.S. law, and organizations "owned or controlled" by persons in those categories.[13] Absent from that definition is any suggestion that non-U.S. citizens residing and conducting activities in foreign countries might qualify as persons "subject to the jurisdiction of the United States," and thus subject to the president's regulatory authority under Section 5(b) of the Trading with the Enemy Act—and, by extension, IEEPA.[14]

For instance, IEEPA's Iranian Transactions and Sanctions Regulations generally prohibit "the exportation, reexportation, sale, or supply, directly or indirectly, from the United States, or by a United States person, wherever located, of any goods, technology, or services to Iran or the government of

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[8] *See id*. *See also* Jeffrey A. Meyer, *Second Thoughts on Secondary Sanctions*, 30 U. PA. J. INT'L L. 905, 906 (2009) ("Meyer").

[9] *See* Meyer, *supra* note 8 at 907-08.

[10] *See id*.

[11] *See e.g.*, Exec. Order No. 13599, 77 Fed. Reg. 6659 (Feb. 8, 2012) ("Blocking Property of the Government of Iran and Iranian Financial Institutions").

[12] *See e.g.*, *id*.; Meyer, *supra* note 8 at 908-09.

[13] Foreign Assets Control Regulations: Miscellaneous Amendments, 19 Fed. Reg. 5481, 5481–82 (Aug. 27, 1954) (codifying definition and noting it was "not new").

[14] *See Air Wis. Airlines Corp. v. Hoeper*, 571 U.S. 237, 248 (2014) ("when Congress employs a term of art, it presumably knows and adopts the cluster of ideas that were attached to each borrowed word") (citation omitted). *See also* the Trading with the Enemy Act, ch. 106, 40 Stat. 411, 415 (1917) (codified as amended at 50 U.S.C. § 4305), after which IEEPA was modeled. S S. Rep. No. 95-466, at 2 (1977); *accord Regan v. Wald*, 468 U.S. 222, 227–28 (1984) (IEEPA authorizes "essentially the same as those in § 5(b)").

Iran."[15] This broadly applies to financial transactions, as "the execution on behalf of others of money transfers from the United States to Iran is a 'service'" under the regulations.[16] The plain language of the original regulations limited the prohibition on financial transactions emanating "from the United States" or undertaken "by a United States person"—i.e., a U.S. citizen, permanent resident, entity organized under U.S. law, or "person in the United States."[17] But that is no longer the rule. The Iranian Financial Sanctions Regulations subsequently extended these restrictions "toward non-U.S. persons for specified conduct involving Iran that occurs entirely outside of U.S. jurisdiction and does not involve U.S. persons."[18]

In effect, these measures allow OFAC to sanction any non-U.S. bank conducting business with Iran by restricting its access to the U.S. financial system.[19] Moreover, any transaction "that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this part is prohibited"—and subjects that foreign entity or person to criminal prosecution, as discussed below.[20]

Civil and Criminal Enforcement

Together with the Department of Justice and other U.S. government agencies, OFAC is responsible for the civil investigation and enforcement of both primary and secondary sanctions. OFAC guidelines outline a wide range of reporting procedures and penalties for civil violations, including the imposition of fines and monetary forfeiture.[21]

Under 51 U.S.C. 1705, IEEPA criminalizes willful violations of U.S. sanctions laws. The statute provides that "[i]t shall be unlawful for a person to violate, attempt to violate, conspire to violate, or cause a violation of any license, order, regulation, or prohibition issued under [the Act]."[22] Suspected

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[15] 31 C.F.R. § 560.204; *see also* 31 C.F.R. § 560.410.

[16] *Banki*, 685 F.3d at 106 (citation omitted).

[17] 31 C.F.R. § 560.314.

[18] U.S. Dept. of Treasury & State, Guidance Relating to the Lifting of Certain U.S. Sanctions Pursuant to the Joint Comprehensive Plan of Action on Implementation Day 4 n.3 (Jan. 16, 2016), http://bit.ly/2l80qoW ("JCPOA Guidance").

[19] *See* 31 C.F.R. § 561 *et seq*.

[20] Iranian Financial Sanctions Regulations, 78 Fed. Reg. 16,403, 16,408 (Mar. 15, 2013) (codified at 31 C.F.R. § 561.205); 51 U.S.C. § 1705(a)–(c)).

[21] *See generally*, Rules and Regulations: Economic Sanctions Enforcement Guidelines, 74 Fed. Reg. 57593–57608 (Nov. 9, 2009).

[22] 50 U.S.C. § 1705(a).

criminal violations of U.S. sanctions are referred to the Department of Justice (or other appropriate law enforcement) for investigation and prosecution.[23] Criminal convictions often result in a combination of fines, restitution, and forfeiture, and a term of imprisonment. For example, Section 1705(c) provides for a criminal penalty of up to 20 years' imprisonment and a fine of up to $1,000,000 for a person who "willfully commits, willfully attempts to commit, or willfully conspires to commit or aids or abets in the commission of, an unlawful act."[24]

As a result, both U.S. and foreign persons and entities may face criminal prosecution for intentionally engaging in prohibited conduct both within and without the jurisdiction of the United States.[25]

ENFORCEMENT AND SETTLEMENT OF SANCTIONS VIOLATIONS AGAINST MAJOR FINANCIAL INSTITUTIONS

Violations of U.S. sanctions regimes have been enforced against financial institutions which have either knowingly conducted the prohibited activity or have negligently allowed other parties to engage in prohibited transactions through the financial institution. Over the past decade, this has resulted in deferred prosecution agreements imposed on many prominent international banks for large-scale IEEPA violations. Significantly, none of the individual bankers allegedly involved in these cases were ever charged criminally. A review of financial institutions accused of violating U.S. sanctions since 2010 reveals that the suspect institutions consistently received a significant financial penalty and entered into deferred prosecution agreements—but no individual employees were prosecuted.

The government has accused some of the world's largest banks of engaging in a variety of alleged schemes to evade a series of U.S. sanctions regimes. Major financial institutions have been accused of "strip[ping] vital information out of payment messages,"[26] "conceal[ing] the movement of the co-conspirators property and assets throughout the United States," "manipulating material

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[23] *See id.*

[24] 50 U.S.C. § 1705(c).

[25] 51 U.S.C. 1705(c); *see also United States v. Homa Intern. Trading Corp.*, 387 F.3d 144, 147 (2d Cir. 2004) (quoting *Bryan v. United States*, 524 U.S. 184, 191–92 (1998)).

[26] Department of Justice, *Barclays Bank PLC Agrees to Forfeit $298 Million in Connection with Violations of the International Emergency Economic Powers Act and the Trading with the Enemy Act* (Aug. 18, 2010), https://www.justice.gov/opa/pr/barclays-bank-plc-agrees-forfeit-298-million-connection-violations-international-emergency.

information concerning entities sanctioned by the United States,"[27] "using a non-transparent method of payment messages, known as cover payments, to conceal the involvement of Sanctioned Entities,"[28] and "eliminat[ing] payment data that would have revealed the involvement of Sanctioned Entities." Banks have also been accused of using "structured payments to mask the involvement of sanctioned entities, including using two payment messages—one that was sent through the United States and one that was not sent through the United States—for no purpose other than to conceal the involvement of Sanctioned Entities and SDNs in USD transactions"[29] and "removing Iranian names and references from payment messages."[30] Banks have even been accused of "permit[ting] narcotics traffickers and others to launder hundreds of millions of dollars through [HSBC] subsidiaries, and to facilitate hundreds of millions more in transactions with sanctioned countries,"[31] and "deliberately disregard-[ing] the law and provid[ing] rogue nations with vital access to the global financial system, helping that country's lawless government to harbor and support terrorists and to persecute its own people."[32]

No individual executive or employee of these financial institutions was ever prosecuted. With only one exception, each of these investigations were resolved with a combination of large financial penalties, enhanced compliance procedures and a deferred prosecution agreement. There is only one bank that has ever pleaded to criminal charges for violating U.S. sanctions.[33] But even in that situation, no employee was prosecuted.

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[27] Information, *United States v. ABN Amro Bank N.V.*, No. 10-cr-124, ECF No. 1 (D.D.C. filed May 10, 2015).

[28] Information, *United States v. Commerzbank AG, et al.*, No. 15-cr-31 (D.D.C. filed March 12, 2015).

[29] Information, *United States v. Credit Agricole*, No. 15-cr-137, ECF No. 1 ¶ 30(b)–(c) (D.D.C. filed Oct. 20, 2015).

[30] *See* Deferred Prosecution Agreement, *United States v. Credit Suisse AG*, No. 09-cr-352, ECF Nos. 4, 4-1 (D.D.C. filed Dec. 16, 2009).

[31] Department of Justice Press Release, HSBC Holdings Plc. And HSBC Bank USA N.A. Admit to Anti-Money Laundering and Sanctions Violations, Forfeit $1.256 Billion in Deferred Prosecution Agreement (Dec. 11, 2012), https://www.justice.gov/opa/pr/hsbc-holdings-plc-and-hsbc-bank-usa-na-admit-anti-money-laundering-and-sanctions-violations.

[32] Department of Justice Press Release, BNP Paribas Sentenced for Conspiring to Violate the International Emergency Economic Powers Act and the Trading with the Enemy Act (May 1, 2015), https://www.justice.gov/opa/pr/bnp-paribas-sentenced-conspiring-violate-international-emergency-economic-powers-act-and.

[33] *Id.*

Thus, until relatively recently, as far as investigations into financial institutions for sanctions violations is concerned, the focus has been on the major financial institution itself, rather than imposing criminal liability on individual employees.

RECENT PROSECUTIONS AGAINST FOREIGN INDIVIDUALS

While prosecuting individuals for violating the United States sanctions regime is not new, the prosecution of foreign executives for mere non-compliance without a direct connection to terrorism or arms-dealing is a new trend.

The U.S. government has prosecuted foreign individuals for violating U.S. sanctions in a series of cases, most of which involved a connection to terrorism or arms dealing. For example, under the U.S. sanctions regime, the government convicted individuals accused of international arms dealing,[34] supplying Iran with weapons-grade uranium and thousands of parts with nuclear applications,[35] shipping American aircraft and other military items to Iran,[36] exporting over 1,000 pounds of a metallic powder used to coat turbines with potential military and nuclear applications,[37] transferring funds to support a tribal feud in Yemen to support the purchase of grenades and ammunition,[38] and assisting in the procurement of F-14 fighter jets parts for shipment to Iran.[39] Unlike the defendants in those cases, many of the more recent prosecutions have been of individuals with no direct ties to arms dealing or terrorism. Some of the more recent prosecutions have been focused on the failure by a bank employee to comply with U.S. sanctions, for instance by allowing transactions to pass through a bank or allowing certain products to be sold to countries under sanctions.

In the prosecution of Reza Zarrab and Mehmet Hakan Atilla,[40] the government prosecuted a Halk Bank customer and a Halk Bank employee for

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[34] *See, e.g., United States v. Boltutskiy*, No. 11-cr-533 (E.D. Pa. 2013).

[35] *See, e.g., United States v. Cheng*, No. 13-cr-10332 (D. Mass. 2016).

[36] *See, e.g., United States v. Bout, et al.*, No. 09-cr-1002 (S.D.N.Y. 2014).

[37] *See, e.g., United States v. Kuyumcu*, No. 16-cr-308 (E.D.N.Y. 2016); *see also United States v. Zhang*, No. 12-cr-666 (E.D.N.Y. 2013) (exporting aerospace grade carbon fiber to China).

[38] *See, e.g., United States v. Elfgeeh*, No. 06-cr-638 (E.D.N.Y. 2008).

[39] *See, e.g., United States v. Aydin*, No. 12-cr-221 (N.D. Ga. 2012).

[40] Authors Todd Harrison and Joseph B. Evans, along with other attorneys, represented Mehmet Hakan Atilla.

violating the Iranian sanctions regime.[41] Halk Bank is majority owned by the Government of Turkey.[42] The government alleged that bank customer Zarrab was engaged in a large scale scheme to transfer oil money from Turkey to Iran in violation of the U.S. sanctions regime against Iran, and that bank employee Hakan Atilla had been involved in the scheme.[43]

The U.S. government alleged that Zarrab employed sham front companies and couriers smuggling gold bars on planes, in addition to a number of other methods, in furtherance of a scheme to launder the proceeds of international Iranian oil sales.[44] During pretrial motions, Zarrab argued that "none of the executed or contemplated transactions trigger criminal liability because Zarrab did not export or conspire to export anything from the United States in violation of 31 CFR § 560.204."[45] The court rejected this argument, holding that the government had alleged a sufficient nexus to the United States to withstand dismissal.[46] Additionally, the government had relied on "U-Turn" transactions with U.S. financial institutions to establish jurisdiction and the application of the primary sanctions regime. Zarrab argued that "the mere fact that a U.S. bank cleared a payment originating and terminating at foreign banks without any involvement of Zarrab . . . does not somehow transform the payment into a 'U.S. export' by Zarrab."[47] The court rejected this argument too.[48] It cited *United States v. Banki*, and held "the execution of money transfers on behalf of others from the United States to Iran' may constitute the exportation or supply of a prohibited 'service,' in violation of the IEEPA and the ITSR."[49] The court in *Zarrab* also held that while it did not need to reach the issue of extraterritoriality, the language of multiple provisions of the IEEPA "indicat[ed] that Congress intended the statute to be applied extraterritorially."[50] Ultimately, Zarrab pleaded guilty and became a cooperating witness for the government.

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[41] *United States v. Zarrab*, No. 15-cr-867, 2016 U.S. Dist. LEXIS 153533 (S.D.N.Y. Oct. 17, 2016); *United States v. Atilla,* No. 15-cr-867, 2018 U.S. Dist. LEXIS 20156 (S.D.N.Y. Jan. 2, 2018).

[42] *See Atilla*, 2018 U.S. Dist. LEXIS 20156, at *2.

[43] *See Zarrab*, 2016 U.S. Dist. LEXIS 153533, at * 11–13.

[44] *See id*. at *16–17.

[45] *Id*. at *17.

[46] *See id*. at *17, 27.

[47] *Id*. at *17.

[48] *See id*. at *50–51, 53–54.

[49] *Id.* at *23 (citing *Banki*, 685 F.3d at 106).

[50] *Id.*

The prosecution of Atilla is particularly interesting because he was essentially accused of failing to perform proper due diligence as an employee at Halk Bank, a bank owned by Turkey.[51] Atilla was accused of allowing transactions to pass through Halk Bank that violated the United States sanctions program against Iran.[52] The government did not accuse Atilla of accepting any bribes or benefitting monetarily from the alleged scheme.[53] Rather, the government's case focused on Atilla's non-compliance with the U.S. sanctions regime by allowing one customer's transactions pass through Halk Bank.[54] Interestingly, Atilla himself was not accused of directly engaging in any transactions with U.S. companies or entities or even processing any transactions in U.S. dollars.[55] Atilla is a Turkish citizen. He was arrested in New York at JFK airport after attending a business meeting in the United States.

For the majority of the time period in which the U.S. government alleged that Atilla had failed to stop transactions that violated the U.S. sanctions regime, the prohibition on doing business with Iran only extended to doing business directly with the Iranian government and Iranian government officials.[56] The government alleged that Zarrab created a series of sham front companies that were actually owned indirectly by Iranian government officials. One of the hallmarks of the Zarrab's case was that Atilla either knew, or should have known, that these front companies were actually owned indirectly by Iranian government officials, but that he allowed the transactions to occur anyway.[57]

Another one of the government's alleged schemes related to food transactions. The Iranian sanctions regime includes a humanitarian exception with allows for the sale of food, medicine other items to Iran.[58] The government alleged that Zarrab conducted a series of sham food transactions in which food was ostensibly purchased and shipped to Iran, but in actuality no food was ever purchased.[59] The government argued that Atilla should have known that these were sham transactions and should have stopped the transactions from going

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[51] *See* Superseding Indictment, *United States v. Atilla*, No. 15-cr-867, ECF No. 293 at 1-3 (S.D.N.Y. filed Dec. 15, 2015).

[52] *See id.*

[53] *See id.* at 2.

[54] *See id.* at 1–3.

[55] *See id.* at 1–3.

[56] *See id.* at 4–12.

[57] *See Atilla*, 2016 U.S. Dist. LEXIS 87463, at *4–6, 10, 29–34.

[58] *See* Superseding Indictment, *supra* note 68 at 3, 22–28.

[59] *See id.* at 22–28.

forward.[60] Ultimately, after a trial in which Zarrab was a cooperating witness for the government, Atilla was convicted.[61]

Before the trial, one of the primary arguments Atilla raised was that his conduct—even taking the government's allegations as true—would only establish that Atilla violated the *secondary* sanctions program and not the *primary* sanctions program. Therefore, a violation of the secondary sanctions program could cause him or Halk Bank to be placed on the SDN list, but would not make him subject to criminal prosecution. Atilla also argued that even if Zarrab himself had some nexus to the United States, Atilla was never made aware of any such contact, so Atilla had no nexus to the United States. The court rejected this argument both before and after trial.[62]

What is particularly interesting about the *Atilla* case is that Atilla was not accused of accepting bribes or participating in any support for terrorism or other activities that are most often involved in sanctions prosecutions. He was prosecuted primarily for failing to employ appropriate compliance procedures in his position as a bank executive.

Following the rulings in *Atilla* and *Zarrab*, other Courts have agreed with the Court's reasoning in *Zarrab* and upheld indictments against foreign executives for violating sanctions. In *Tajideen*, a foreign executive was indicted and extradited from Morocco for violating the U.S. sanctions regime. The defendant argued the indictment should be dismissed "because he is not a U.S person and thus cannot be prosecuted under the charged statutes."[63] The court cited *Zarrab* and rejected this argument, holding "this Court agrees with the *Zarrab* court that the plain language of several provisions of the IEEPA unambiguously indicate that the IEEPA applies extraterritorially."[64] The courts have been loath to dismiss indictments on extraterritoriality grounds and have generally given the government free reign to continue to seek to apply IEEPA extraterritorially.

More recently, Canadian authorities detained Meng Wanzhou, the chief financial officer of Huawei, a Chinese technology company, based on accusations that she had helped Huawei cover up violations of U.S. sanctions on Iran. According to media sources, Ms. Meng has been detained by the Canadian

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[60] *See Atilla*, 2016 U.S. Dist. LEXIS 87463, at *4–6.

[61] *See id*. at *2.

[62] *See id*. at *38.

[63] *Tajideen*, 319 F. Supp. 3d 445, 456.

[64] *Id.* at 457.

authorities at the request of the United States for extradition.[65] A spokesman for Canada's Justice Department stated that she was "sought for extradition by the United States."[66]

Huawei is one of the world's largest sellers of smartphones and the back-end equipment that make cellular networks run.[67] Media reports indicate that Huawei has been under investigation by the United States "into whether it had broken America trade controls to countries including Cuba, Iran, Sudan and Syria."[68] Certain media outlets report that they have reviewed a subpoena sent by OFAC to Huawei covering issues pertaining to "whether Huawei broke American trade controls on Cuba, Iran, Sudan and Syria."[69]

According to Canadian officials, "a warrant for Ms. Meng's arrest was issued in the Eastern District of New York on August 22, [2018]."[70] Ms. Meng was subsequently released on bail by the Canadian authorities, but had to forfeit her passports and subject herself to certain monitoring procedures.[71]

Given these actions by U.S. government authorities, it appears likely that there will be a continuing increased focus on prosecuting foreign executives and individuals for sanctions violations. This will be true even in cases where there are no direct ties to terrorism, but rather simple non-compliance with the various U.S. sanctions regimes.

CONCLUSION

The prosecution of foreign individuals for violating U.S. sanctions is no longer being limited to persons with direct ties to terrorism or arms dealing. Rather, the U.S. government appears focused on going after foreign executives

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[65] Daisuke Wakabayashi & Alan Rappeport, *Huawei C.F.O. Is Arrested in Canada for Extradition to the U.S.*, N.Y. TIMES, Dec. 5, 2018, https://www.nytimes.com/2018/12/05/business/huawei-cfo-arrest-canada-extradition.html.

[66] *Id.*

[67] *Id.*

[68] Paul Mozur, *Huawei, Chinese Technology Giant, Is Focus of Widening U.S. Investigation*, N.Y. TIMES, April 26, 2017, https://www.nytimes.com/2017/04/26/business/huawei-investigation-sanctions-subpoena.html?module=inline.

[69] Kate Conger, *Huawei Executive Took Part in Sanctions Fraud, Prosecutors Say*, N.Y. TIMES, Dec. 7, 2018, https://www.nytimes.com/2018/12/07/technology/huawei-meng-wanzhou-fraud.html.

[70] *See id.*

[71] Kate Conger, *Huawei Executive Granted Bail by Canadian Court*, N.Y. TIMES, Dec. 11, 2018, https://www.nytimes.com/2018/12/11/technology/huawei-executive-canada-bail-decision.html.

of international companiesfor their company's failure to comply with U.S. sanctions regimes. Whatever the effect on international policy of these prosecutions, it appears that in the near future there will be more prosecutions of foreign executives.