



Wade Weems, Chang Liu and Nan Wang on U.S. Enforcement Risks to Wealthy Chinese Individuals

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As the case of Huawei CFO Meng Wanzhou demonstrates, Chinese high-net-worth individuals can easily become targets of U.S. criminal charges and U.S. civil and regulatory penalties based on alleged economic crimes, even if they never step foot on U.S. soil. Kobre & Kim's Wade Weems, Chang Liu and Nan Wang walk through the risks and offer some mitigation strategies in an article in *China Banking News*.

Ms. Meng was arrested in Canada at the request of U.S. authorities. A Canadian court dismissed her objections in a ruling that expanded the scope of "dual criminality," the cornerstone of extradition analysis, and may serve as precedent elsewhere. This heightens the risks for individuals traveling abroad, especially to places with extradition treaties with the U.S., who may face potential U.S. enforcement actions.

Weems, Liu and Wang, who all have experience representing PRC-based institutional and individual clients in cross-border defense matters involving the U.S. government, detail steps these at-risk individuals can take. These include a proactive risk assessment and emergency plan in the event of arrest in a foreign country. Safe passage letters may be an option, though they are hard to obtain. If arrested, individuals can consider cooperating, but in case that is not an option, challenging the arrest on procedural or fairness grounds, as Ms. Meng herself is attempting, may work.

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