

Diab seeking to have new handwriting analysis rejected

Bombing suspect wanted by France fighting extradition

BY ANDREW SEYMOUR, THE OTTAWA CITIZEN AUGUST 31, 2010

An Ottawa university professor accused in a deadly 1980 Paris synagogue bombing wants new handwriting evidence a prosecutor likened to a "smoking gun" in his extradition case tossed after alleging French authorities abused the process of the Canadian courts.

French officials knew the opinions of their first two handwriting experts that allegedly linked Hassan Diab to the bombing were "tainted," but, without telling the Canadian court, they allowed the evidence to remain in extradition proceedings even as they sought another opinion, Diab's lawyer alleged Monday.

The "11th hour" decision to withdraw the first two reports and replace them with a new report came after four defence handwriting experts uncovered "appalling" flaws in the first two examiners' work, which allegedly matched Diab's handwriting to those of the suspected bomber on a hotel registration card, Ian Carter argued.

France's decision to seek another opinion has twice delayed the 56-year-old Diab's extradition hearing, Carter said, and it is now slated to begin in November, two years since his arrest on allegations that he killed four people and injured 40 others in 1980.

"We are asking for the remedy that addresses the mischief in the case," Carter said.

However, a federal prosecutor argued there was nothing more than "conjecture, speculation and innuendo" to support Diab's allegations that France and the Attorney General of Canada did anything wrong.

Jeffrey Johnston added the handwriting evidence was critical to the case against Diab. "To the extent that there is a smoking gun in the case, it lies in the handwriting evidence," he said.

Johnston added that there was no evidence French officials knew their handwriting experts were unreliable and that delays were inevitable on any international file.

"The evidence of the record of the case supports the inference the person who filled out the Celtic Hotel registration card is in all likelihood the person who was responsible for planting the bomb and committing mass murder," Johnston said.

Ontario Superior Court Justice Robert Maranger is expected to make a decision on Wednesday.

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