

Defence slams French prosecutor

Evidence was manipulated to fit claims made against Ottawa professor, lawyer tells judge

BY CHRIS COBB, THE OTTAWA CITIZEN NOVEMBER 9, 2010



Hassan Diab, above, is greeted by supporters outside the Ottawa courthouse on the first day of his extradition hearing.

Photograph by: Wayne Cuddington, The Ottawa Citizen, The Ottawa Citizen

'I am innocent of the charges against me ...

... I condemn all ethnically, racially, and religiously motivated violence. Since Sept. 11, 2001, the presumption of innocence and other core values of our legal system have eroded, especially for people from particular minority backgrounds. I hope this extradition hearing will end the witch-hunt atmosphere I have been living under for the past three years, and that no one else will have to endure the burden of false, unfounded accusations. I also wish to thank the many people and groups across Canada who have signed a statement in my support.' Hassan Diab, in a public statement released Monday

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After months of virtual house arrest and silence, accused terrorist Hassan Diab formally declared his innocence Monday.

In a statement issued just before a hearing on his extradition was to begin in an Ottawa court, Diab said he "is innocent of the charges against me."

Diab is wanted by French authorities for his alleged involvement in the 1980 motorcycle bombing of the Copernic synagogue in Paris that killed four people.

In his statement, Diab suggested the accusations against him were motivated by his Middle Eastern

background.

"I hope this extradition hearing will end the witch-hunt atmosphere I have been living under for the past three years ... "

Diab's statement was released by a group of supporters connected to the website justiceforhassandiab.org. The media contact for the group is a friend of Diab's from his time at Syracuse University in the late 1980s.

Donald Pratt, of San Francisco, who has been Diab's friend since graduate school in 1987, says the long court battle has impoverished Diab.

Diab was arrested after the extradition request from the French government and he is now living under virtual house arrest.

In court, Diab's lawyer said his client is the victim of "offensive, unsourced accusations replete with inaccuracies."

Donald Bayne told Ontario Superior Court Justice Robert Maranger that "the great Republic of France has misrepresented repeatedly throughout and it is a small miracle that a small Canadian citizen has been able to demonstrate this," said Bayne.

The lawyer ripped into French prosecuting magistrate Marc Trévidic, who is leading France's efforts to get the Lebanon-born Canadian extradited to France. He said Trévidic manipulated evidence to fit the accusations against Diab

"Mr. Trévidic did not simply misrepresent things," said Bayne, "he added things to the record. He manipulated the record. He made things up."

In this prelude to Diab's formal extradition hearing, Bayne urged Maranger to throw out the case and free Diab, whom he portrayed as an innocent victim of the zealous French prosecutor, who manipulated facts to suit the case.

"You have a choice to stand up to the misrepresentations that have gone on here," Bayne told Maranger. "What kind of control on foreign states coming to take Canadians out of Canada, and depriving them of their liberty, is that?"

Bayne's motion to have the case stayed is expected to take the remainder of this week.

If Maranger agrees with Bayne, the two-year Diab saga could be over by early next week. If not, the extradition hearing will likely last well into December.

Diab arrived at court Monday surrounded by supporters proclaiming his innocence. Inside the courtroom, packed with those supporters and other curious onlookers, Diab sat watching as Bayne launched into the impassioned plea on his behalf.

Later this week, Crown lawyers are expected to refute all of Bayne's allegations and say that in the Diab case there is plenty of evidence to justify his extradition.

The case continues today.

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