

Diab calls French terror extradition bid a 'Kafkaesque nightmare'

BY CHRIS COBB, THE OTTAWA CITIZEN JANUARY 21, 2012 12:07 AM



Hassan Diab, left, was joined by his supporters for a noon hour demonstration on Sparks Street to present a petition to Justice Minister Rob Nicholson. Signed by hundreds of individuals and organizations, the petition calls on Minister Nicholson to refuse to hand over Diab to France for the decades old terrorism case.

Photograph by: Wayne Cuddington, The Ottawa Citizen

OTTAWA — Former University of Ottawa professor Hassan Diab told a small crowd of supporters Friday that he has been living a 'Kafkaesque nightmare' since being arrested on an extradition warrant three years ago.

France wants Diab for suspected involvement in the fatal terrorist bombing of a Paris synagogue in October 1980.

Four passersby were killed and dozens injured in the blast that was the first foreign attack in France since the Second World War.

In his first public speech to supporters since his arrest, Diab reiterated what many others have said on his behalf — that evidence presented against him by France to Canadian authorities handling the case is baseless.

"I appeal to the Minister of Justice, Mr. Rob Nicholson, to put an end to the injustice against me," he said. "The case is based on false and unfounded allegations."

Nicholson will decide by the end of February whether to extradite Diab, who has maintained from the outset that he is a victim of mistaken identity.

If he does order the extradition of Diab, who was born in Lebanon, the case will enter a lengthy appeal process that likely will end at the Supreme Court.

Justice Robert Maranger, who presided over Diab's two-year extradition hearing, ruled last June that Diab should be committed for extradition on the basis of much-disputed French handwriting evidence — but said the evidence was so weak that the case likely would be thrown out if Diab was tried in Canada. Evidence in extradition cases has a lower legal threshold than in domestic criminal cases.

Much of the evidence French prosecutors sent to Canada in the case, including intelligence reports, was withdrawn during the extradition hearing and Diab's palm impression and fingerprints were found not to match impressions found around the bomb scene.

Three handwriting experts brought in by Diab's lawyer Donald Bayne all criticized the analysis produced by a French specialist, saying it was incompetent and not produced to international standards.

The small knot of Diab supporters was watched during their bitterly cold lunchtime protest by RCMP, Ottawa police and security guards from inside and outside the Justice Department building in Ottawa.

One protester referred to the building as the "Ministry of Rubber Stamps" in criticism of what he said was the automatic nature of Canada's extradition process.

The protesters sought to present Justice officials with letters from various civil liberty groups — and a petition signed by about 1,000 people from across Canada — but except for several watchers in upper windows, there were no Justice officials to be seen from the heavily guarded entrance.

After confusion and discussion among the police and security guards, an Ottawa police sergeant took the petition and promised to have it delivered.

"We are horrified that the standards of Canada's Extradition Act are so low that this pretence of a case against Dr. Diab has been allowed to drag on for so long," said the petition, which urged Nicholson to halt the process and free Diab.

The sociology professor, who has been unemployed since his arrest, has to pay the \$2,000 monthly cost of his GPS ankle bracelet and the electronic monitoring central to his bail conditions.

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