

## **Subject: Hassan Diab Case -- Seeking Your Support**

**Dear Sir or Madam,**

We are writing to ask for your help in making sure that Dr. Diab receives due process and fair treatment entitled to all accused under French law.

Dr. Diab is a Canadian citizen who was extradited to France in November 2014 for alleged involvement in a bombing near a synagogue on Rue Copernic in Paris in 1980. Dr. Diab is innocent of the charges and has no connection whatsoever to the 1980 crime. His palm prints and finger prints do not match those of the suspect. He is not an anti-Semite, and he strongly condemns all forms of bigotry and violence. Friends and colleagues have written character letters attesting to Dr. Diab's humanist and peaceful nature. For a sampling of what they wrote, see <http://www.justiceforhassandiab.org/testimonials>

Hassan is now in a French prison in the vicinity of Paris under *mis en examen*. He is expected to remain incarcerated for up to two years while the investigating magistrate decides whether or not to bring his case to trial.

You may well ask why Dr. Diab's case should warrant special concern with regard to procedural fairness. In answer, we note that innocent men and women are sometimes wrongfully convicted and punished even in the best systems of justice. In Hassan's case, we further note that the risk of wrongful conviction is greatly increased due to the circumstances surrounding his case.

- Dr. Diab was extradited to France based on an extremely unreliable handwriting analysis report that was discredited by five world-renowned handwriting experts. Two previous handwriting reports against Dr. Diab were withdrawn after it was shown that comparison writings that were “matched” to those of the suspect were actually written by someone other than Dr. Diab. However, these reports remain in the dossier in France and are likely to be used against Dr. Diab at trial.
- The case against Dr. Diab is anchored in secret intelligence from unknown sources and of unknown reliability. The intelligence was withdrawn from the extradition proceedings in Canada in recognition of the extremely problematic nature of such “evidence”. However, the intelligence remains in the dossier in France and is likely to be used against Dr. Diab at trial.
- The Canadian extradition judge described the evidence against Dr. Diab as “very problematic”, “convoluted”, “very confusing”, and “suspect”. He also stated that “the prospects of conviction in the context of a fair trial seem unlikely”.
- There is a strong desire for closure and resolution of a deadly crime that has remained unsolved for decades.

- Dr. Diab has been torn away from all moral supports, i.e., family, friends, and supporters who remain in his home country, Canada. He must defend himself in an unfamiliar legal system and language.

In sum, we are concerned that these factors collectively undermine the presumption of innocence and increase the likelihood of wrongful conviction.

### **How You Can Help**

We hope you will consider becoming part of a community of support for Dr. Hassan Diab in France. It is imperative that we have people in France who will keep a vigilant eye on Dr. Diab's case and speak out about the facts in the case. Your support is essential to preventing the wrongful conviction of an innocent man.

Hassan must not face life in prison for a crime that he did not commit and that runs completely contrary to everything he has ever stood for. It is imperative that the real perpetrators of the Rue Copernic bombing be brought to justice and that an innocent man not be punished for this atrocious crime.

Please do not hesitate to write to us if you have any questions or suggestions for how we can work together.

Sincerely,

<SIGNATURE>

### **Background**

Dr. Hassan Diab is a Canadian citizen of Lebanese descent and sociology professor who lived and taught in Ottawa, Canada. Up until November 2008, he enjoyed an engaged and productive public life, including teaching, publishing research, and traveling internationally. His life precipitously and tragically changed when the French government demanded his extradition for his alleged involvement in a bombing near a synagogue on Rue Copernic in Paris in 1980. The allegations are based on deeply unreliable evidence, including totally flawed handwriting analysis and intelligence from unknown sources.

The main "evidence" used to extradite Dr. Diab is a handwriting analysis report that compared Hassan's handwriting to five block letter words written by the suspect on a hotel registration card in 1980. Two French handwriting analysts claimed that Dr. Diab's handwriting resembles that of the suspect. However, these analysts unknowingly relied on handwriting samples that were not written by Dr. Diab. When Dr. Diab's lawyers presented evidence showing that Dr. Diab did not write the handwriting samples attributed to him, the French authorities withdrew their analysis and several months later submitted a "new" handwriting analysis report. This new report again claimed that Dr. Diab's handwriting resembles that of the suspect. Five world-renowned handwriting experts (from Europe, Canada, and the United States) testified that this report is fatally flawed and does not follow any recognized methodology. They also showed that a

properly conducted handwriting analysis would actually exclude Hassan as a suspect. However, all three reports remain in the dossier in France and are likely to be used against Dr. Diab at trial.

The case against Dr. Diab stems from secret intelligence from unknown sources. No one knows the source of the intelligence or the circumstances under which it was obtained. There is a real risk that this intelligence may be the product of torture. In testimony at Dr. Diab's extradition hearing, Toronto University law professor and anti-terrorism expert, Kent Roach, expressed concern that investigators have developed "tunnel vision" and cherry-picked intelligence to fit their theory of the case while ignoring other intelligence that exonerates Dr. Diab. He warned that it would be dangerous to deprive Dr. Diab of his liberty by relying on secret, unsourced intelligence that cannot be tested or challenged in a court of law. Some months later, the Crown prosecutor (representing France) withdrew the intelligence from the extradition proceedings in recognition of the extremely problematic nature of such "evidence". However, the intelligence remains in the dossier in France and is likely to be used against Dr. Diab at trial.

It is important to note the Canadian extradition judge described the evidence against Dr. Diab as "very problematic", "convoluted", "very confusing" and "with conclusions that are suspect". He also stated that "the prospects of conviction in the context of a fair trial seem unlikely". However he said that he felt obliged under Canada's extradition law to commit Dr. Diab to extradition.

Dr. Diab has the support of numerous civil society organisations and thousands of individuals across Canada. Many labour, human rights, academic, and Jewish organizations expressed serious concerns about the evidence in the case. These include Amnesty International - Canada, the British Columbia Civil Liberties Association, the Canadian Association of University Teachers, the Canadian Civil Liberties Association, Independent Jewish Voices - Canada, Unitarians for Social Justice, International Civil Liberties Monitoring Group, and the Canadian Union of Postal Workers, among many others.

## References

Web site:

<http://justiceforhassandiab.org>

Testimonials about Dr. Hassan Diab:

<http://www.justiceforhassandiab.org/testimonials>

Support for Dr. Hassan Diab:

<http://www.justiceforhassandiab.org/support>

Independent Jewish Voices Demands Justice for Hassan Diab, April 2015:

<http://www.justiceforhassandiab.org/wp-content/uploads/2015/04/IJV-Canada-2015-04-EN.pdf>

Hassan interview in *le courrier de l'Atlas*, May 2014:

<http://www.lecourrierdelatlas.com/716514052014Rue-Copernic-Hassan-Diab-sera-fixe-demain-pour-son-extradition-Entretien-exclusif.html>