

# Editorial: Trudeau must speak out on Hassan Diab



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Justin Trudeau once proclaimed that “A Canadian is a Canadian is a Canadian.” But if the Canadian’s name is Hassan Diab, the government would prefer not to speak up. That’s no longer good enough.

In November 2014, Diab, an Ottawa academic who is Lebanese-born, was extradited to France. There, he’s been in prison as he is investigated over the 1980 bombing of a Paris synagogue that killed several people and wounded many more. It’s alleged he was a member of the Popular Front for the Liberation of Palestine and was behind the attack.

Diab has always insisted he’s innocent, and the evidence that he participated is growing thinner. Jean-Marc Herbaut, a French investigating judge, said in November 2016 that the facts so far appear to back Diab’s claim that he was in Lebanon at the time of the bombing. Several times, investigating judges in France have said Diab should at least be released on bail, but in each instance appellate judges have said no.

In signing the original extradition order, Canadian Superior Court Justice Robert Maranger said that while the evidence against Diab probably wouldn’t have been good enough to convict him in Canada, extradition law carries lower standards. So he signed off on France’s request to get its hands on Diab. That means the 63-year-old ex-Ottawa instructor could face trial based on, among other things, evidence that may have been extracted through torture, and handwriting samples already discounted in Canadian courts.

This week, Diab’s Canadian lawyer, Donald Bayne, revealed that six witnesses now say Diab was in Lebanon at the time of the 1980 attack, and university records in Beirut appear to show he wrote exams around that time. There is also some evidence that Diab’s passport – which ended up with the terror group – might have been stolen and used by someone else.

While Diab sits in pre-trial detention in France, our Prime Minister's Office this week declined to answer questions on his case, including whether Trudeau or Lawrence Cannon, Canada's ambassador to France, have even mentioned Diab to new French President Emmanuel Macron.

"We've turned to the Canadian government and said 'this is an outrage,' " Amnesty International Canada secretary general Alex Neve told the Citizen. "It is time for Canada to intervene and make a clear demand that he be released immediately on bail."

Foreign Affairs Minister Chrystia Freeland's office, the lead department on the file, also declined comment, though it has previously said it's providing consular services to Diab. Amnesty, which believes his detention contravenes human rights norms, has written to Trudeau, Freeland and Justice Minister Jody Wilson-Raybould asking them to try to secure Diab's release on bail.

Nobody can say that Diab is innocent of any crime. But the legal evidence that he committed one seems to be slowly unravelling and the time being taken by the French to figure things out is unconscionable.

Perhaps Diab is the subject of the paranoid politics of the post-9/11 era, or of French fears of looking soft on terror when European cities, including in France, have endured horrendous terrorist attacks. Diab's lawyers argue this is one reason his bail is constantly overturned.

Canada can do better than maintain a shy silence. Trudeau must insist on concrete action one way or another from France. In democratic countries, we don't hold people in jail indefinitely without trial or freedom.

Or do we?