A national faith-based organization founded in support of Unitarian values
President, Bill Woolverton president@cusj.org

The Right Honourable Justin Trudeau 2019 08 01
Prime Minister of Canada
House of Commons,
Ottawa, Canada K1A OA6

Dear Prime Minister Trudeau,

Canadian Unitarians For Social Justice is a national, faith-based organization of Unitarian members who advocate for social justice, democracy, our environment and peace. We have been following the case of Hassan Diab for years and have been supporting his family through the ordeal of court hearings, extradition, imprisonment, and now the battle for justice for Canadians.

We note that the Murray Segal report completely exonerates the government because everything the government did was within Canadian law. This is not acceptable. Regardless of whether government actions met the letter of the law they certainly did not meet the ethical standards Canadians expect. We want a full public inquiry to determine how to reform Canada's extradition law to ensure Canadians will be treated fairly and justice will be done.

The Diab case clearly demonstrated that current extradition laws do not respect democratic rights:

- the right to a fair and timely trial,
- the right to see the evidence of the case in order to mount a defence,
- the right to be innocent until proven guilty
- the right to have the evidence reviewed without manipulation or distortion. (The crown selectively eliminated relevant handwriting evidence because it did not support the case against the defendant.)
- The right to have Canadian judges weigh the evidence for reliability and to refuse extradition if the evidence is not reliable. (Supreme Court, Ferras: 2006)

There are issues of international fairness:

- Why does Canada not have a reciprocal extradition agreement with France? Why would we extradite a citizen to a country that does not give Canada equal trust? Canada had no power to protect Diab from the human rights abuses he experienced in France once we had let him go. (France did not give Dr. Diab the right to know the charges, see the evidence, have a fair and timely trial, and the right to bail if it can be demonstrated he is at no risk to society.)

- Why would we extradite someone when a superior court judge says that there is not enough evidence to warrant arrest and charges in Canada? Canadians should expect to have Canadian standards apply to their case.
- Why did evidence that he was innocent, produced by French judicial investigators, make no difference?

Human rights issues:

- It is intolerable that a Canadian citizen can be incarcerated indefinitely without charge or trial, whether in Canada or abroad.
- Why does Canada, a country that purports to believe in human rights, allow a Canadian citizen to be extradited to a country we know will likely violate their human rights? Here is a loophole in our system that needs correcting.

Mr. Prime Minister, you yourself said in 2018 as Segal was beginning his inquiry:

> *" we have to recognize first of all that what happened to him never should have happened," Trudeau said. "This is something that obviously was an extremely difficult situation to go through for himself, for his family, and that's why we've asked for an independent, external review to look into exactly how this happened and make sure that this never happens again."*

The Segal report has not achieved this objective. It serves to protect government officials without identifying why this happened. We still need a full independent public inquiry into this case to find out what is wrong with our extradition law. We need to determine how the law must be changed to better protect future Canadians from the travesty of injustice that happened to Dr. Hassan Diab.

We urge you to call immediately for a full independent public inquiry and to appoint its chair. It is not acceptable to wait until after the election to act on this issue.

Sincerely,

Bill Woolverton
President, Canadian Unitarians for Social Justice
www.cusj.org

Cc Conservative leader Andrew Schear
NDP Leader Jagmeet Singh
Green Leader Elizabeth May
Minister of Justice, The Hon. David Lametti