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COUNCIL ON AMERICAN-ISLAMIC RELATIONS CANADA

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## CAIR-CAN ACTION ALERT

### Help Fight Unfair Extradition Proceedings

Friday, November 05, 2010 5:12 pm

Protest the use of secret intelligence in the extradition case of Dr. Hassan Diab

(Ottawa, Canada – November 05, 2010) The Canadian Council on American-Islamic Relations (CAIR-CAN) is asking all Canadians to urge the Minister of Justice to intervene in the extradition case of Dr. Hassan Diab.

Dr. Diab is a sociology professor, Canadian citizen, and resident of Ottawa who has been accused by French authorities of involvement in the bombing of a Paris synagogue in 1980. Dr. Diab maintains his innocence, has stated his opposition to discrimination and violence of any kind and condemns attacks against all places of worship.

Following France's extradition request, Dr. Diab was detained for 4 months, after which he was released under strict bail conditions which include the wearing of a GPS monitoring unit at all times and at his own expense. Dr. Diab, unemployed since his arrest in 2008, was forced to pay \$30,000 in the first year for the device.

In Canada, extradition requests should include sufficient and reliable evidence to support the request. In Dr. Diab's case, basic evidentiary standards appear to have been ignored. Dr. Diab's extradition hearing has been drawn out for months due to shoddy evidence and suspect intelligence.

French authorities, by their own admission, are relying upon the use of unsourced "secret" intelligence to back-up their extradition request. Unsourced intelligence refers to information, the origin of which is unverified. The reliability and veracity of unsourced intelligence is virtually untestable. There is the added concern that unsourced intelligence may be intelligence derived from torture. In a [June 2010 report](#), Human Rights Watch criticized France's use of evidence derived from torture in investigations and at trial.

Canada prohibits the use of evidence derived from torture under both domestic and international law.

Dr. Diab's attorney has described the case as full of "misrepresentations, overstatements, misstatements, omissions, inaccuracies and editing that create a misleading, incomplete, unreliable and unfair Record of the Case."

Canada should neither be accepting unsourced intelligence in its courts, nor should it be permitting the Department of Justice to submit unsourced intelligence to our courts.

CAIR-CAN is urging constituents and supporters to speak out against the unjust extradition proceedings against Dr. Diab

#### ACTION REQUESTED

Contact the Minister of Justice and Attorney General of Canada, Robert Nicholson, and demand that he stop the use of unsourced intelligence in Mr. Diab's case and in all such cases. Be polite but firm. Suggested talking points have been provided below.

Email: [webadmin@justice.gc.ca](mailto:webadmin@justice.gc.ca); [Nicholson.R@parl.gc.ca](mailto:Nicholson.R@parl.gc.ca)

If you wish to receive a response to your comments addressed to the Minister of Justice and Attorney General of Canada, please include your return mailing address in your e-mail message. All official responses will be sent by regular mail.

By Mail:

The Honourable Robert Douglas Nicholson  
Minister of Justice and Attorney General of Canada  
284 Wellington Street  
Ottawa, Ontario K1A 0H8

By Fax: 613-992-7910

Include your Minister of Parliament in any correspondence. You can find their coordinates [here](#).

Please cc CAIR-CAN on any correspondence at [info\(@\)caircan\(.\)ca](mailto:info(@)caircan(.)ca) – be sure to remove the brackets from this email address.

#### SUGGESTED TALKING POINTS

1. The Minister of Justice should exercise the power he has to stop the use of unsourced intelligence in Dr. Diab's case and in all other similar cases.
2. Justice, respect for due process, and the presumption of innocence are fundamental rights for all those subject to extradition proceedings.
3. Canada should neither be accepting unsourced "secret" intelligence in its courts, nor should it be permitting the Department of Justice to submit unsourced "secret" intelligence to our courts independently or on behalf of a foreign state.
4. Canadian courts should neither be accepting intelligence that may have a product of torture, nor should it be permitting the Department of Justice to submit intelligence to our courts that may have been a product of torture.

For more information on Dr. Diab's case visit: [www.justiceforhassandiab.org](http://www.justiceforhassandiab.org)

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