

International Civil Liberties Monitoring Group

338 Somerset Street West,
Ottawa, Ontario,
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Ottawa, April 12nd, 2016

The Honourable Jody Wilson-Raybould
Minister of Justice
House of Commons
Parliament Buildings
Ottawa, Ontario
Canada
K1A 0A6

Email: Jody.Wilson-Raybould@parl.gc.ca

Dear Minister Wilson-Raybould,

Re: The case of Dr. Hassan Diab

First we would like to congratulate you on your appointment as Minister of Justice and offer our best wishes for success in this challenging portfolio. We look forward to working closely with your department to improve the means and effectiveness of Canada's commitment to justice for all of its residents.

The International Civil Liberties Monitoring Group (ICLMG) is a broad coalition of over 40 Canadian civil society organizations dedicated to the defence of civil liberties and human rights (see appendix).

ICLMG has been monitoring the case of Canadian citizen and university professor, Dr. Hassan Diab, since his arrest in 2008 for an alleged involvement in a bombing near a synagogue on rue Copernic in Paris, France in 1980.

During his court case and until his subsequent extradition to France, ICLMG raised grave concerns about the nature of the information being presented in Canadian courts.

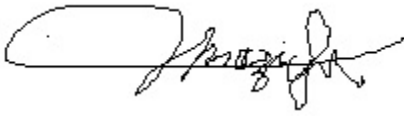
We constantly repeated that in any extradition case in Canada, the court must ensure there is sufficient evidence to support the extradition request, and, importantly, that the evidence is *reliable*. This did not appear to have been the case in Dr. Diab's extradition hearing. Even more troubling is the possibility that some of this information may have derived from torture. The reliability of "unsourced" evidence cannot be adequately tested or challenged.

Furthermore, we reminded Canadian officials and Canadian courts to ensure that any information that may be the product of torture should be excluded from extradition hearings and all court proceedings. As an additional safeguard, extradition requests should be denied where there is a serious risk that evidence derived from torture will be presented and admitted as evidence in the trial.

Since his extradition to France in 2014, Dr. Hassan Diab has been languishing in a prison near Paris, where he may remain there for two or more years while an investigating magistrate decides whether to bring his case to trial.

We therefore ask you, the Honourable Minister of Justice, to raise the case of Dr. Hassan Diab with your French counterpart and make sure that French authorities do not use against Dr. Diab any "unsourced" intelligence and/or the flawed handwriting reports that were withdrawn from the Canadian proceedings. Dr. Hassan Diab should not have been extradited to France. He should be brought back to Canada.

Sincerely,

A handwritten signature in black ink, appearing to read 'Monia Mazigh', written over a horizontal line.

Dr. Monia Mazigh
National Coordinator,

CC: The Honourable Stéphane Dion, Minister of Foreign Affairs
Hassan Diab Support Committee

Appendix

ICLMG Member Organizations

Amnesty International

Association québécoise des organismes de coopération internationale

B.C. Freedom of Information and Privacy Association

Canadian Arab Federation

Canadian Association of University Teachers

Canadian Council for International Co-operation

Canadian Council for Refugees

Canadian Ethnocultural Council

Canadian Federation of Students

Canadian Friends Service Committee

Canadian Labour Congress

Canadian Muslim Forum

Canadian Muslim Lawyers Association

Canadian Office and Professional Employees Union

Canadian Peace Alliance

Canadian Union of Postal Workers

Canadian Unitarians for Social Justice

CARE Canada

Centre for Social Justice

Confederation of Canadian Unions

Council of Canadians

CUSO

David Suzuki Foundation
Development and Peace
ETC Group
Fédération nationale des enseignantes et des enseignants du Québec
Greenpeace
Independent Jewish Voices
International Development and Relief Foundation
Inter Pares
KAIROS
Lawyers Rights Watch Canada
Ligue des droits et libertés
National Anti-Racism Council of Canada
National Council of Canadian Muslims (NCCM)
National Union of Public and General Employees
Ontario Council of Agencies Serving Immigrants
Mining Watch Canada
PEN Canada
Primate's World Relief and Development Fund
Public Service Alliance of Canada
Unifor
The United Church of Canada
United Steelworkers of America

Member Observer

Canadian Journalist for Free Expression

Friends of ICLMG

Hon. Warren Allmand; former Solicitor General of Canada and a past president of the International Centre for Human Rights and Democratic Development (Rights & Democracy).

Hon. Edward Broadbent; former leader of Canada's New Democratic Party and first president of the International Centre for Human Rights and Democratic Development.

Hon. David MacDonald; former Canadian Secretary of State and former minister of Communications.

The Very Rev. Lois Wilson; former moderator of the United Church of Canada and retired senator.

Brian Murphy; independent writer, policy analyst and human rights advocate.

Gerry Barr; Senior Adviser Public Affairs, Directors Guild of Canada, and former President and CEO of the Canadian Council for International Cooperation.

James L. Turk, Distinguished Visiting Professor, Ryerson University, and former Executive Director, Canadian Association of University Teachers.