

Canada/France: Hassan Diab held without charge

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Canadian citizen Hassan Diab has been held without charge in pre-trial detention for over 2 ½ years in France. If he was still in Canada, this long pretrial delay would violate standards established by a recent Supreme Court decision (R v Jordan). It's time for the Canadian government to stand up for the rights of Hassan Diab and secure his release on bail.

Hassan Diab has been in detention since his extradition to France in November 2014 to face charges in connection with a 1980 bombing outside a synagogue in Paris. The Ontario Superior Court judge presiding over the extradition case in 2011 expressed significant reservations about the reliability of the evidence and the prospects for a conviction. Rather than moving the case forward, subsequent investigations in France have only cast further doubt and Hassan Diab has yet to be charged with any crime.

On April 24, 2017, French investigative judges ordered Mr. Diab's release on bail for the sixth time, citing evidence that indicated that Mr. Diab appeared to be in Beirut during the Paris bombing and the lack of reasonable prospects for finding clear evidence against him. But each time Mr. Diab has been ordered released, the Court of Appeal has summarily quashed the release orders after appeals by the prosecutor.

The decisions to block Hassan Diab's release appear to be arbitrary. While the Court of Appeal has cited both an apparent flight risk and risk of "public disorder", Hassan Diab has a previous history of cooperation with both Canadian and French authorities. The former sociology professor was first arrested in Ottawa in 2008.

Amnesty International intervened in the Ontario Court of Appeal hearing in Hassan Diab's extradition. The organization argued that Canada was obliged to ensure that intelligence information that might have been obtained through torture would not be relied upon in support of his extradition.

International human rights standards state that people in pretrial detention are guaranteed the right to a trial within reasonable period of time or to be released pending trial.

[Read Amnesty's open letter to the Government of Canada](#)