



## CUSJ Speaks on Hassan Diab

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On January 27, 2021, France's court of appeal ruled that Canadian professor Hassan Diab must stand trial for a 1980 bombing outside a synagogue in Paris. This decision comes three years after a lower court dismissed the case, citing a lack of evidence, and released him. Diab returned to Canada. The latest court decision is devastating to Diab and his family. For them it has been a battle against injustice that has gone on since 2008, almost 13 years.

As president and now former president of Canadian Unitarians For Social Justice (CUSJ), I have been following Diab's case since I met him in 2008. I could never have imagined that an

innocent man could go through what he has had to go through since then. In 2008 France requested Diab's extradition for his alleged involvement in the 1980 Paris bombing, which killed four people. He was picked up by the RCMP, right out of his classroom, where he was teaching sociology at Carleton University in Ottawa. They incarcerated this quiet, gentle, Lebanese-born Canadian citizen as a terrorist. Eventually he won the right to home custody, on the condition that he pay \$2,000 a month for his own ankle bracelet. This went on for years as he appealed his extradition to France through every legal challenge. Many experts reviewed the handwriting evidence used in the case and found it faulty. Canadian judges said the evidence was flimsy and would never stand up in a Canadian court, yet none of them stopped the extradition.

On November 14, 2014, Diab ran out of appeals, and was extradited to France. He spent over



three years in solitary confinement without charge or trial. He had one hour to either read or exercise each day. While he was there, his son was born in Canada. He missed the chance to watch his daughter, Jena, and his son, Jad, grow up. He missed his loyal wife, Rania Tfaily.

Many times, the French courts found no reason to keep him in jail and offered bail, but the prosecutor refused to let him out. Eventually a French investigator actually found the evidence that he was not in Paris, but rather taking exams in Beirut at the time of the bombing. Time and again the evidence of a handwriting sample was re-examined and found faulty. Yet time and again, the French prosecutor continued his incarceration and refused bail.

In 2018, when two judges in France ordered the dismissal of terrorism charges against him for lack of evidence, finally Prime Minister Justin Trudeau intervened and brought him home to Canada. Trudeau said, "what happened to him never should have happened." Yet, after three years to recover his health from the ordeal, it is starting all over again.

Numerous human rights groups, civil society organizations, and labour unions — including Amnesty International Canada, the British Columbia Civil Liberties Association, the Canadian Association of University Teachers, the Criminal Lawyers' Association, the International Civil Liberties Monitoring Group (ICLMG), Canadian Union of Public Employees (CUPE), and CUSJ, among others — have supported Diab in his quest for justice. It is outrageous that France should continue to pursue this innocent man without believable evidence.

What are the justice issues raised by this case? Is not every Canadian deserving of due and fair process under the law? Was it due process to punish Diab by making him pay for his own ankle bracelet? Why did our extradition laws allow Diab to be extradited when there was no credible evidence against him? Why did France keep a man in solitary confinement for three years when the UN's Mandela Rules suggest that any longer than two weeks in isolation is tantamount to torture? And why did the French keep him in jail for three years without charge or trial date and without Diab being able to see the evidence against him? Canada and France have a lot to answer for.

What will Trudeau do? "It is time for the Canadian government to stand up and take responsibility for their part in this travesty of justice," said Lynn Armstrong, president of CUSJ. "He should put pressure on the French government to dismiss these charges and release Professor Diab once and for all. He should call a full public and independent inquiry into the Canadian extradition system. What would be unconscionable would be to send him back to France. That must never happen."

Rev. Frances Deverell is past president of the Canadian Unitarians For Social Justice, a national social justice organization that works for the rights of Indigenous peoples, environmental and economic justice, democracy, human rights, and peace.

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