



Dec. 4, 2024

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Subject: Please defend Professor Hassan Diab from the ongoing smear campaign

President Tomberlin,

I am writing you today on behalf of the International Civil Liberties Monitoring Group (ICLMG) to express our grave concern over the current campaign smearing Dr. Hassan Diab, including calls for his dismissal from Carleton University, attacks on his reputation and, appallingly, death threats against him and his family. We continue to support Dr. Diab in his quest for justice and we are requesting that you do everything in your power to support and protect him at Carleton University. This includes providing Dr. Diab with reassurances that his employment is safe, and publicly voicing your support for an innocent man.

The ICLMG is a Canadian coalition of 44 national civil society organizations that came together to protect civil liberties in the context of the 'War on Terror.' As such, we have been closely following the case of Dr. Diab since the beginning: since reviewing the facts of his case early on, we have advocated for due process and a fair trial, against his extradition, for the end to his years-long detention in France, for Canada to protect Dr. Diab against a potential second extraction, and for the reform of Canadian extradition laws overall.

A summary of the facts demonstrates clearly that Dr. Diab has been the victim of a miscarriage of justice:

- Before France sent its 2008 request for the extradition of Hassan Diab, it secretly sent Canada the fingerprints they found on a hotel registration form filled out by the bomber for comparison with Dr. Diab's: [they did not match](#). France requested his extradition anyway, and that comparison was not divulged to the court, as sharing such evidence is not mandatory under extradition law.
- Canadian judge Robert Maranger felt forced by the extradition law to extradite Dr. Diab, even though [he stated](#) that the evidence was "illogical, convoluted, very confusing, with conclusions that were suspect" that "France presented a weak case," and "the prospects of conviction in a fair trial seem unlikely."
- The French investigative judges charged with Dr. Diab's case, [Jean-Marc Herbaut and Richard Foltzer, verified that he was not in France at the time of the 1980 attack](#), and he was finally released and return to Canada in 2018. The judges testified in support of Dr Diab in the April 2023 trial, pleading the court not to convict an innocent man – alas in vain.
- In 2018, following Hassan Diab's return to Canada, Prime Minister Trudeau [stated](#), "I think, for Hassan Diab, we have to recognize first of all that what happened to him never should have happened."
- In 2019, in an unprecedented move, a French court of appeal reversed the decision of the two investigating judges to release Dr. Diab. [The ruling contains](#) multiple errors of fact, leans on unreliable evidence, misstates its own mandated handwriting report, and resorts to sheer speculation in an effort to explain away exculpatory fingerprint and consistent alibi evidence.
- In 2021, the Cour de Cassation (France's supreme court) upheld the 2019 appellate court decision despite [France's own Advocate General](#) asking the court to reject it, acknowledging that the decision relied upon contradictory reasoning and failed to address important issues raised by Dr. Diab's defence.
- In April 2023 the Assize Court in Paris, France, declared Dr. Diab guilty following a [rushed and unfair trial held in absentia](#):
 - No new evidence was presented.
 - Anonymous and unsourced secret intelligence were reintroduced.
 - Handwriting reports by prosecution 'evidence', originally rejected and withdrawn as totally unreliable, were allowed back (sometimes with 'new' conclusions).
 - Journalists who were not witnesses to the events were called to give their 'opinions'.
 - There are no official transcripts or recordings of the proceedings.

- A verdict was given in less than a day following the end of the trial.
- No appeal is possible following an *in absentia* trial.
- The evidence that Dr. Diab was in Lebanon at the moment of the attack was inexplicably ignored.

The victims of the 1980 Rue Copernic bombing and their families deserve justice. But justice cannot be achieved by scapegoating an innocent man.

Dr. Diab, his spouse, and their two young children have suffered enough.

Given all the facts of this unjust case, we hope that you will act quickly to support and protect Hassan Diab. This includes issuing a statement in support of Dr. Diab's innocence, taking measures to protect him and his family from harassment, and ensuring his continued employment at Carleton University.

We remain available if you have any questions.

Sincerely,



Tim McSorley

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