

## ICLMG REITERATES ITS SUPPORT FOR HASSAN DIAB, WRONGFULLY CONVICTED IN UNFAIR TRIAL



As revealed on the November 20th episode of *CBC's Power & Politics*, Dr. Hassan Diab – a Canadian citizen, husband, father and sociology professor – has recently been the target of a smear campaign, including calls for his dismissal from Carleton University, attacks on his reputation and, appallingly, death threats against him and his family.

It is in this context that the International Civil Liberties Monitoring Group (ICLMG) reiterates its support for Dr. Hassan Diab, an innocent man who was wrongfully convicted in an unfair trial.

We have also [sent a letter to the President of Carleton University](#), Jerry Tomberlin, and its Board of Governors asking them to issue a statement in support of Dr. Diab's innocence, take measures to protect him and his family from harassment, and ensure his continued employment at Carleton University.

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*
  - 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.

We invite you to share this statement publicly and with anyone misinformed about – or misrepresenting – the facts of Dr. Hassan Diab's case: [Facebook](#) + [Twitter](#) + [Instagram](#)

Finally, please take action below for Canada to protect him from a potential second extradition request. Thank you!

**TAKE ACTION**

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