



Jan. 22, 2025

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Subject: Urgent follow-up regarding Dr. Hassan Diab

President Tettey,

Congratulations on your new role as President and Vice-Chancellor of Carleton University, and I hope your tenure has started well.

I am writing you today on behalf of the International Civil Liberties Monitoring Group (ICLMG) in follow-up to correspondence we sent on Dec. 4, 2024, to your predecessor, Dr. Jerry Tomberlin, in which we expressed our grave concern over a 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. In the letter, we requested that the university “do everything in [its] 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.”

We did not receive a response from Dr. Tomberlin or the office of the President and Vice-Chancellor, and were dismayed that Carleton University failed to speak up clearly on Dr. Diab's behalf.

We were also disturbed to read a recent [article](#) in the *National Post*, "Man convicted of deadly synagogue bombing in France not teaching at Carleton this semester" (Jan. 10, 2025), about Dr. Diab no longer working at Carleton. It is our understanding that Dr. Diab knew several months ago that he would only be teaching in the Fall 2024 Semester and not the Winter 2025 Semester, and that the fact that he is not currently teaching at Carleton University is wholly unrelated to the smear campaign and calls for dismissal that he has faced. Despite this, we noted that the statement provided by your university simply stated that he is "not in the employment of Carleton." While we recognize the importance of respecting the privacy of employees, the lack of specificity in this statement, coupled with the university's lack of response to the attacks on Dr. Diab, represents a failure to defend an innocent man and respected member of the Carleton and Ottawa community, and gives credence to those who believe he should not be employed as an educator.

It also raises concerns about how the university will approach this matter should Dr. Diab seek to continue teaching at Carleton University.

In light of this, we would like to share with you our work on Dr. Diab's case and key facts in his case.

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 his initial arrest in 2008. After reviewing the facts of his case early on, we have, over the years, advocated for due process and a fair extradition hearing and, eventually, a fair trial; against Dr. Diab's 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 still requested his extradition, and the fingerprint comparison was never divulged to the court, as sharing exculpatory evidence is not mandatory under Canadian extradition law.
- The Canadian judge on Dr. Diab's extradition hearing, Justice Robert Maranger, felt forced by the extradition law to commit Dr. Diab to extradition, even though [he found](#)

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, confirmed that he was not in France at the time of the 1980 attack. As a result of their finding that there was no basis to proceed to trial, Dr. Diab was finally released and returned to Canada in 2018. Herbaut and Foltzer also testified in support of Dr Diab at the April 2023 trial, pleading with the court not to convict an innocent man.
- 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 investigative 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. Problematic aspects of the trial included:
 - No new evidence was presented.
 - Anonymous and unsourced secret intelligence was reintroduced.
 - Handwriting reports presented by the prosecution as ‘evidence’, previously rejected and withdrawn as totally unreliable, were allowed to be re-introduced (sometimes with ‘new’ conclusions).
 - Journalists who were not witnesses to the 1980 bombing were called to give their opinions, treated as fact.
 - 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 take action to correct the record regarding both Dr. Diab's innocence, the conditions under which he parted ways with Carleton University, and that he will be given fair consideration for re-employment at Carleton University, should the case arise.

We are open to meeting with you and your office to discuss this further, and remain available if you have any questions.

Sincerely,



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