

## **MEDIA STATEMENT (for immediate distribution): April 21, 2023**

### **Protect Dr. Hassan Diab from this outrageous miscarriage of justice!**

Earlier today, the Assize Court in Paris found Dr. Hassan Diab guilty of perpetrating the October 3, 1980, bomb attack outside a synagogue on rue Copernic. The nightmare inflicted on Dr. Diab and his family over the past 15 years is now fully exposed in its overwhelming cruelty and injustice.

Twelve years ago, when reaching his decision to extradite Dr. Diab (June 6, 2011), Justice Robert Maranger, described the ‘evidence’ provided by France as “*replete with seemingly disconnected information*” and containing “*a great deal of argument, hypothesis, conjecture, and references to information received, without describing the source of that information or the circumstances upon which it was received*”. Justice Maranger gave no weight to virtually all components of France’s case: “*The passport, the PFLP (Popular Front for the Liberation of Palestine) membership, the eyewitness descriptions, and the composite sketches/photographs, whether taken individually or viewed as a whole, would not be sufficient to justify committing Mr. Diab to trial in the Republic of France.*”

In summing up, Justice Maranger wrote that France had presented “**a weak case**” and that “**the prospects of conviction in the context of a fair trial, seem unlikely**”.

Dr. Diab’s trial of the past three weeks has been a damning demonstration of the legitimacy of Justice Maranger’s misgivings and his disquiet at believing that Canada’s Extradition Act gave him no choice but to order Dr. Diab’s extradition. The pain and cruelty that followed are now well known. Dr. Diab spent over three years languishing in a French prison, mostly in solitary confinement, was separated from his wife and children, and lived with terrifying uncertainty about his future.

When the two French anti-terrorist investigative judges (Jean-Marc Herbaut and Richard Foltzer) concluded their thorough examination of all evidence and relevant witnesses, they determined that there was **no evidence on which to base a trial** and ordered Dr. Diab’s immediate release (January 2018). All the so-called ‘evidence’, presented by France to justify Dr. Diab’s extradition on November 14, 2014, had been withdrawn, discredited, or rejected. The crucial alibi evidence, that he was in Beirut at the time of the bomb attack, was unambiguous and was accepted as such by the investigative judges. It was confirmed in official documents provided by the Lebanese University in Beirut and in witness statements taken from several students who were Hassan’s contemporaries.

In this manifestly unfair trial:

- No new evidence was presented.
- Anonymous and unsourced secret intelligence was reintroduced.

- Handwriting reports by prosecution ‘experts’, 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.
- There is no appeal possible following an “in absentia” trial.

Civil parties, such as families of victims and intervening organizations, were given legal standing and invited to testify during the trial itself about the emotional impact. This has infused the trial with strong emotions making it harder to assess the evidence objectively. Civil parties also had their own lawyers during the proceedings, and they cross-examined witnesses and made closing arguments.

Prime Minister Trudeau, [commenting publicly](#) a few months after Dr. Diab’s release and return to Canada, noted that “***what happened to Hassan Diab never should have happened***” and promised to “***make sure that this never happens again.***” (June 18, 2018). Canada’s Extradition Act failed abysmally to protect a Canadian citizen.

**The time is now for Canada to make the Prime Minister’s commitment a reality. Canada must make it absolutely clear that no second request for the extradition of Dr. Diab will be accepted. There must be no further miscarriage of justice!**

**For more information:**

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