

Ottawa Must Seek Justice for Hassan Diab

'By forcing Hassan Diab into legal purgatory, Canada is seriously undermining its commitment to due process'

By [Bernie M. Farber](#) and [Mira Sucharov](#)

Global Research, July 20, 2017

[Toronto Star](#) 10 July 2017

Region: [Canada](#)

Theme: [Law and Justice](#), [Police State & Civil Rights](#)

GR Editor's Note *We bring to the attention of our readers the following opinion article published in the Toronto Star. What this analysis raises and which requires further investigation: Was the Harper government elected in 2006, in any way unduly pressured by the Canadian Jewish Congress (CJC) and B'nai Brith.*

* * *

With the welcome news of the \$10-million apology for the travesties committed against **Omar Khadr**, a decade after the Canadian government apologized and awarded a similar sum to **Maher Arar** for his tragic ordeal, we know that Canada doesn't always get it right. Now is the time for Canada to seek justice in the case of **Hassan Diab**.

Both of us were involved in the Canadian and Ottawa Jewish community in 2008 when French authorities accused Diab of having been involved in a 1980 terrorist attack on a Paris synagogue, a heinous act that killed four and injured scores more.

As Diab's ordeal hit public consciousness, one of us (Mira Sucharov) was a columnist for Ottawa's Jewish newspaper and later wrote for the Canadian Jewish News, and was (and remains) a professor at Carleton University where Diab taught. The other (Bernie Farber) was CEO of the Canadian Jewish Congress.

At the time, neither of us questioned Canada's decision to extradite Diab to France. In fact, a spokesperson for Farber's organization had said that CJC was "very pleased" that law enforcement authorities were "never giving up in the fight against terrorism," noting that the decision "brings comfort to the victims of terrorism as well."

Nine years later, we realize we were wrong in not speaking out.

Casting a Canadian citizen out of the country to languish, without trial, in a foreign prison may help Canada adhere to the Extradition Act. And it may bring comfort to some, as the CJC spokesperson suggested. But we suggest that this comfort is misplaced. Most importantly, such a decision brings justice to no one.

The evidence against Diab is shaky at best. It appeared to rest on handwriting analyses that experts had discredited. The French authorities had tried to include "secret intelligence" from unidentified sources — evidence that Canadian authorities threw out. There is evidence that Diab was in Lebanon, not Paris, on the day of the attack. Fingerprints at the

scene of the crime don't seem to match those of Diab.

Robert Maranger, the Ontario Superior Court judge who agreed to the extradition, even admitted that “the prospects of conviction in the context of a fair trial seem unlikely.”

Nine years later, with absolutely no movement in sight, it is clear that Hassan Diab is not receiving justice by Canadian standards. This must change.

It is time for Canadian authorities to insist that France take proper judicial action or send him home. By forcing Diab into legal purgatory, Canada is seriously undermining its commitment to due process — one of the bedrock responsibilities of a democratic society to its citizens.

Some of you may be reading about this case for the first time. Others may have received requests to sign petitions. Some of you may have signed them; others may have deleted the email, feeling burdened by the details of an extradition case surrounding a citizen's alleged involvement in a crime that occurred decades ago.

Neither of us is a trained lawyer. One of us is a social worker and community relations organizer; the other is a political scientist. But it doesn't take an expert in criminal law to know when a government is falling down on its contract to its citizens. Both of us well understand the impact of false accusations on communities in any multicultural society, something all Canadians can intuitively grasp.

In the case of Hassan Diab, we have now concluded that it was all too easy to unquestioningly accept the decision to leave it in the hands of France, a fellow democracy. But a decade later, justice has not been served. Now we must get this right.

Doing so will help ensure that our country avoids living by the ugly rules of innuendo, unproven assumptions and discredited evidence — and instead protects the core values of democracy, including a robust adherence to the principles of justice.

Bernie M. Farber is a long-time human rights advocate and Executive Director of the Mosaic Institute.

Mira Sucharov is Associate Professor of Political Science at Carleton University in Ottawa.

Featured image from The Canadian Press via Toronto Star

The original source of this article is [Toronto Star](#)

Copyright © [Bernie M. Farber](#) and [Mira Sucharov](#), [Toronto Star](#), 2017

[Comment on Global Research Articles on our Facebook page](#)

[Become a Member of Global Research](#)

Articles by: [Bernie M. Farber](#) and [Mira](#)

Disclaimer: The contents of this article are of sole responsibility of the author(s). The Centre for Research on Globalization will not be responsible for any inaccurate or incorrect statement in this article. The Centre of Research on Globalization grants permission to cross-post Global Research articles on community internet sites as long the source and copyright are acknowledged together with a hyperlink to the original Global Research article. For publication of Global Research articles in print or other forms including commercial internet sites, contact: publications@globalresearch.ca

www.globalresearch.ca contains copyrighted material the use of which has not always been specifically authorized by the copyright owner. We are making such material available to our readers under the provisions of "fair use" in an effort to advance a better understanding of political, economic and social issues. The material on this site is distributed without profit to those who have expressed a prior interest in receiving it for research and educational purposes. If you wish to use copyrighted material for purposes other than "fair use" you must request permission from the copyright owner.

For media inquiries: publications@globalresearch.ca