



February 22, 2021

Prime Minister Justin Trudeau
Office of the Prime Minister
80 Wellington Street, Ottawa, ON K1A 0A2

Minister David Lametti
Minister of Justice and Attorney General of Canada
House of Commons, Ottawa, Ontario K1A 0A6

Minister Marc Garneau
Minister of Foreign Affairs
House of Commons, Ottawa, ON K1A 0A6

VIA EMAIL ONLY

Regarding: Canadian Government Intervention for Dr. Hassan Diab

I am writing to you on behalf of the BC Civil Liberties Association (BCCLA) to urge you to immediately intervene in the case of Dr. Hassan Diab.

The BCCLA is the oldest and most active civil liberties organization in Canada, founded in 1962. Our mandate is to defend and extend civil liberties and human rights for all in BC and Canada through litigation in the courts, law and policy reform, and public legal education. For the past ten years, BCCLA has advocated in court and to the government for the just treatment of Dr. Diab. We also continue to advocate for the establishment of a full and public inquiry into all events leading up to Dr. Diab's extradition from Canada, his detention without charge in France, and related matters since his return to Canada.

At present, Dr. Diab is facing a French Court of Appeal ruling ordering him to stand trial, potentially in absentia, on baseless accusations of terrorism years after a lower court in France cleared his name due to lack of evidence. There is no new evidence being introduced, and this is the first time that the French Court of Appeal has ever overturned the findings of the investigative judges in a terrorism case.

We urge you to commit to not extraditing Dr. Diab and to proactively intervene with your French counterparts to have these charges dropped. This prolonged Kafesque injustice for Dr. Hassan Diab, his wife Dr. Rania Tfaily, and their family must end.



Dr. Hassan Diab has been under the shadow of a false accusation of “terrorism” since his arrest in Canada in 2008. In 2014, after six years of house arrest in Canada, he was extradited to France despite the Canadian extradition judge, Robert Maranger, describing the evidence presented against Dr. Diab as “very problematic,” “convoluted,” and “illogical.”

Dr. Diab spent over three years in prison in France, mostly in solitary confinement, while the French investigation was ongoing. It was only in 2018 that French investigative judges completed their work and, in January 2018, they dismissed all accusations against Diab and ordered his release. The investigative judges stated there was clear evidence that Dr. Diab was writing exams in Lebanon at the time of the 1980 Rue Copernic bombing that tragically killed four people and injured dozens in Paris.

When Dr. Diab returned to Canada, Prime Minister Trudeau, on June 20, 2018, remarked that what happened to Dr. Diab should never happen again. The federal government has also designated January 29 as a National Day of Remembrance of the Quebec City Mosque Attack and Action Against Islamophobia. As Minister of Canadian Heritage Steven Guilbeault announced, “Islamophobia is a concrete and daily reality for Muslim communities everywhere.”

In an era marked by anti-Muslim laws and state practices, Hassan Diab has been unfairly scapegoated and wrongfully persecuted for too long, and your government must intervene. **We urge your government to ensure the rights of Dr. Diab are protected by committing to not extraditing Dr. Diab a second time and by proactively intervening with your French counterparts to have the charges against him dropped.** The victims of the 1980 Rue Copernic bombing and their families deserve justice, but this cannot be achieved by subjecting an innocent man to a trial. Dr. Diab and his family have endured far too much and for far too long.

The travesty of justice for Dr. Diab must not happen to anyone else, and we also urge you to take immediate steps to reform Canada’s extradition laws. Canada’s extradition laws provides some of the weakest procedural protections of any extradition law in the world. These laws require Canadian courts to treat summaries of evidence provided by a foreign state as presumptively reliable, even if the evidence has not been tested or even disclosed to Canada or to the person being accused. Change is urgently needed to prevent innocent people from having their lives irrevocably overturned in the way that Dr. Diab’s has been.

We look forward to your timely response on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Harsha Walia', is written over a light blue horizontal line.

Harsha Walia, Executive Director