

Terror suspect is the victim of anti-Arab attitudes, court hears

Attempts to extradite Hassan Diab to France a 'miscarriage of justice'

BY ROBERT SIBLEY, THE OTTAWA CITIZEN; WITH FILES FROM AGENCE FRANCE-PRESSE MARCH 21, 2009

Ottawa's Arab community believes a local academic accused of terrorism is the victim of anti-Arab attitudes within Canadian society, court heard Friday.

"We feel we are being targeted and this is just one case of it," said Nour El-Kadri, a member of the Ottawa-based Canadian Coalition of Arab Professionals and Community Associations (CAPCA).

El-Kadri was one of several people who testified on behalf of Hassan Diab, a one-time lecturer in sociology at the University of Ottawa and, more recently, Carleton University. The French government has accused Diab being a terrorist and wants him extradited so he can be tried in a 1980 bombing in Paris that killed four people and injured dozens. Acting on a French request, the RCMP arrested the 55-year-old in November, and he has been held in the Ottawa-Carleton Detention Centre since then.

Diab was in court this week seeking to be released on bail while he awaits an extradition hearing. He has promised to abide by any bail conditions, including an electronic bracelet and curfew.

On Friday, defence lawyer Donald Bayne elicited support for Diab's cause from several witnesses who testified as to his good character and academic qualifications.

El-Kadri, a PhD student and a teacher at the University of Ottawa, told the court there is "very high support" for Diab's release among Arabs in Ottawa. Most, he said, think that, like Maher Arar, the Ottawa man who was flown by American intelligence officials to Syria where he was wrongly imprisoned and tortured, Diab has being "targeted."

"We feel this (Diab's case) is the continuation of the same thing," said El-Kadri, who has offered to put up a \$70,000 bond as surety that Diab will abide by any bail conditions. Attempts to extradite Diab were a "miscarriage of justice," he said.

Hussein Al-Saleh, a local mortgage broker and another member of CAPCA who is willing to post a \$100,000 bond on Diab's behalf, endorsed that view. Canadians of "Muslim and Arab origin have had a bad time in Canada," he said.

Al-Saleh and El-Kadri, when questioned by Crown prosecutors, acknowledged they did not know Diab before hearing about his case, and had little knowledge of the allegations against him beyond what they'd read in the media or gleaned from Diab during a handful of brief meetings at the detention centre.

Asked how he could be so certain of Diab's character, Al-Saleh said, "I asked him 'Did you do it (the bombing)? I looked the man in the eye and he said 'No.' I believe the man."

So, it seems, have others, including a fellow academic and a local rabbi.

Arie Chark, rabbi for the Congregation Migdal Tzedeq, said he became aware of the case after reading about it on an Internet listserv and getting to know Diab's wife, Rania Tfaily. He said he did "due diligence" and contacted some of Diab's former teachers and graduate school colleagues in Canada and the United States who have filed letters of support for him. Their testimony and his own conversations with the accused at the detention centre convinced him of Diab's "sincerity," he said.

The rabbi, who also expressed a willingness to post a \$5,000 bond as surety for Diab's compliance with any bail conditions, admitted that like others who testified Friday he had not seen any details of the French government's evidence against Diab. Nonetheless, he was willing to support the bail release application because he had confidence in the "evidence" of Diab's "character, qualifications and demeanor."

Peter Gose, chairman of Carleton University's department of sociology and anthropology, where Diab held a part-time teaching position, echoed those regarding Diab's character. In particular, he pointed out that Diab made no attempt to flee the country when the allegations against him first became public.

"The person I know is hard working and cares about his students," said Gose, who was also willing to post a \$100,000 bond. "That's the side of him I see."

French authorities issued a warrant in November 2007 for Diab's arrest, following a lead from German intelligence saying he was involved in the October 1980 bombing outside the Copernic Street synagogue in Paris that killed three Frenchmen and a young Israeli woman. It was the first fatal attack against the French Jewish community since the Nazi occupation of the Second World War.

Diab insists they made a mistake and has denied links to extremist groups. He faces life in prison for murder, attempted murder and willful destruction of property, if convicted in a French court.

The bail hearing continues Monday.

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