

Tighter rules on Diab hearing until extradition hearing

BY CHRIS COBB, THE OTTAWA CITIZEN APRIL 10, 2009

OTTAWA-Formal extradition hearings against University of Ottawa professor Hassan Diab will likely not begin until at least mid-summer or early fall.

Diab, accused by French authorities of murdering four people in a 1980 synagogue bombing in Paris, appeared in an Ottawa court Thursday to hear the Crown ask for extra bail conditions that Ontario Superior Court Justice Robert Maranger has already described as “virtual house arrest.”

Electronic monitoring, the main condition of bail, is costing Diab more than \$30,000 a year.

Diab, 55, was born in Lebanon but obtained Canadian citizenship in 1993. He has led a relatively nomadic life, having lived in six different countries during the past 12 years, leaving behind several marriages, divorces and common-law relationships. He has two children.

Assistant Crown attorney Claude LeFrancois asked Maranger to add a GPS aspect to Diab's conditions of bail to allow the RCMP to randomly monitor Diab's exact whereabouts and compensate for any possible deficiencies of the electronic bracelet he must wear at all times.

Diab's lawyer Don Bayne accused the Crown of “dreaming up new restrictions” but said he had no objection to the GPS monitoring if the RCMP paid for it.

“It (\$30,000) is a huge, back-breaking cost,” Bayne told Maranger. “The RCMP has far greater resources than the ordinary citizen.”

Maranger agreed to the GPS surveillance but said the Mounties must pay.

He also agreed to an extra condition that Diab must not go within 500 meters of Ottawa or Gatineau airports.

Much of Thursday's hearing was taken up with arguments over mistakes in the English translation of French language documents sent from Paris prosecutors.

The documents, relating to Diab's alleged involvement in the terrorist attack, will be translated again — before the first week of June, when Diab returns to court.

Aside from electronic and satellite monitoring, Diab must not leave his home unaccompanied and must live with his common-law spouse, Rania Tfaily, at her Ottawa residence. He may only leave her house for work, legal or medical appointments and for those appointments he must be accompanied by Tfaily

or one of the four other people who put up a combined \$250,000 in bail.

Diab must also obey a curfew from 9 p.m. to 7 a.m., not hold or apply for any passport or travel documents, report to the RCMP once a week, not own a cellphone, remain in the Ottawa-Gatineau region and keep the peace.

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