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Judge wants prosecution to get on with extradition hearing for terror suspect

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OTTAWA - An Ontario judge suggested Monday that he's growing weary of delays from the French government in the extradition hearing of a professor accused of bombing a Paris synagogue.

Superior Court Justice Robert Maranger told a hearing that he wants to start the flow evidence soon in the extradition case of Hassan Diab, a 56-year-old Carleton University professor.

"We have a Canadian citizen under strict bail conditions waiting around to see what happens," Maranger said from the bench. "I want to get this thing going."

He said if the French government is not ready to present its case by any agreed date, "I may not be very receptive to that."

The court tentatively set aside three weeks in June to hear the extradition evidence, but that is subject to confirmation this week. In the meantime, Maranger has given the French until March 29 to present new evidence.

France wants Diab, a Lebanese-born Canadian citizen, extradited to stand trial on charges of killing four people and injuring 40 outside a Paris synagogue with a bomb-packed motorcycle in 1980. The RCMP arrested him in November 2008 at the request of French authorities.

Diab maintains he is the victim of mistaken identity.

Prosecutor Claude LeFrancois, who is arguing the extradition request for France, said he has no clear instructions from the French government on whether it will introduce new evidence. He said the investigation into the case is continuing in France and elsewhere.

Diab's lawyer, Donald Bayne, told Maranger that France is engaging in "dilatatory conduct" because it is still not ready - after three false starts - to present its case while his client remains home under strict bail conditions. Diab must wear a GPS monitoring device that costs him \$2,500 a month.

"Has France got a greater status than the Canadian citizen in Canadian law?" Bayne asked the judge. "Today, France has nothing to offer you but is asking for more time. That is not reasonable . . . We are in limbo."

Bayne has argued that France has had 28 years to get its case ready.

"I hear you Mr. Bayne. I want to get this thing going," Maranger said.

LeFrancois said he is also eager to set a firm court date for the matter.

"The Crown is going to live with any dates that are sought," he said.

Diab is also due to return to court in early April so that his lawyers can argue for some financial relief from his bail conditions.

The synagogue bombing in a posh Paris neighbourhood was one of the worst anti-Jewish acts of violence on French soil since the Second World War. It was followed by a series of violent anti-Semitic acts across Europe in the years to follow.


The attack has been blamed on a group called the Popular Front for the Liberation of Palestine.

Diab's lawyers intend to call two handwriting experts to challenge the evidence that French authorities say connects him to the blast. They have told the court that the French handwriting analysis is "manifestly unreliable."

Diab's arrest came after German intelligence uncovered new information in 2007 about the membership of the Palestinian group and forwarded it to French authorities.

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