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Accused terrorist Diab in 'limbo': Ottawa judge

By MEGAN GILLIS, OTTAWA SUN

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A judge expressed frustration Monday that France won't say if it will bring new evidence against a former Carleton University professor just months before the man's extradition hearing in connection with a 1980 Paris synagogue bombing.

Hassan Diab's hearing is set to begin June 14.

"You can't have someone hanging in limbo ad nauseum," Superior Court Justice Robert Maranger said, pressing the Crown to report on whether the date could be delayed by new revelations from French investigators.

Prosecutor Claude LeFrancois said he didn't know if there would be new evidence.

"There may be evidence, there has been communication with France," he said. "I can't describe the nature of the evidence."

Defence lawyer Donald Bayne argued that the extradition hearing has already been delayed due to France's "11th hour" request.

The Lebanese-born Canadian, 56, is accused of killing four people and wounding 40 others with an explosives-laden motorcycle.

The Crown, acting on behalf of France, says it has a strong but circumstantial case.

The defence argues it is so weak it would never be heard in a Canadian court. It's won the right to call expert evidence assailing the French handwriting and secret intelligence evidence.

Also Monday, the defence abandoned a bid to allow Diab to remove his GPS monitoring device or have the Crown pay for it, finding that the legal fight would be more costly.

The case is back in court April 13.

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