

Diab's bid to ditch monitor denied

Accused bomber must wear bracelet -- and pay for it

BY CHRIS COBB, CITIZEN SPECIAL JUNE 19, 2010

Accused terrorist bomber Hassan Diab must continue to wear an electronic monitoring device, an Ottawa judge ruled Friday.

Diab, a 56-year-old Ottawa university professor, is wanted by French authorities who accuse him of being involved in the murder of four people, and injuring several others, in a 1980 synagogue bombing in Paris.

Diab's lawyer Don Bayne had asked Justice Robert Maranger to allow his Lebanese-born client to remove the electronic ankle bracelet that has so far cost him \$30,000.

Bayne said the 14 months that pre-extradition hearings have already taken were far in excess of what Diab expected when he agreed to use -- and pay for -- the monitoring device as a condition of not being kept in custody.

"It seemed like a good idea at the time," he said.

Lawyers representing the federal Justice Department opposed Bayne's request, saying Diab is too much of a flight risk to be without monitoring gear.

Maranger agreed, saying in his ruling that the bracelet is the only effective guarantee that Diab will not flee to his native Lebanon or some other country without an extradition treaty with France.

Maranger also suggested that Diab, a citizen of both Canada and Lebanon, has every motivation to flee.

"He is wanted to face a trial for mass murder," said Maranger. "If convicted, he is likely to spend the rest of his life in a French jail."

Bayne had earlier told Maranger that the protracted, often-delayed proceedings have left the unemployed academic with mounting surveillance bills of \$2,500 a month -- plus another \$9,000 he had to set aside for deposits on the monitoring equipment.

The defence and prosecution accuse each other of being responsible for the delays but Maranger refused to lay blame Friday, saying the proceedings are "protracted and strenuously litigated" because they are complex.

Aside from electronic monitoring, Diab lives under a curfew, cannot go out alone and must report weekly to the RCMP.

The judge, who has already set two failed deadlines for the actual extradition hearing to begin, has now set Nov. 8 as the start date.

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