

## Canada Calling

# Ostrovsky Files Lawsuit Against CTV Network and Others

*By Faisal Kutty*

Victor Ostrovsky, a former Israeli intelligence officer and author of two books exposing Mossad secret operations (see review of his *The Other Side of Deception* on p. 58 of this issue) filed a lawsuit against the CTV Television Network, its popular morning show "Canada AM" hostess Valerie Pringle, and producer Ron Fine, for airing a solicitation for his murder.

Edward Corrigan, a lawyer with Loebach, Corrigan & Al-Sewaidi in London, Ontario, the law firm representing Ostrovsky, told the *Washington Report on Middle East Affairs*, that CTV has retained a high-profile Toronto law firm for its defense. Scott Gibson of the CTV Legal Department responded that the CTV had "no comment."

Ostrovsky's Statement of Claim, filed with the Ontario Court (General Division) in Ottawa on Feb. 7, 1995, also names as defendants Ma'ariv Productions Ltd., the New York-based North American publisher and distributor of the Israeli newspaper *Ma'ariv*; Mary Winfield, the representative for Ma'ariv Productions in Canada; and Josef Lapid, an Israeli journalist and commentator who made the calls for Ostrovsky's death.

Ostrovsky's first book, released in 1990, was entitled *By Way of Deception: An Insider's Portrait of the Mossad*. It caused an uproar, particularly after the Israeli government tried unsuccessfully to prevent its publication in Canada. Ostrovsky's new book, *The Other Side of Deception: A Rogue Agent Exposes the Mossad Secret Agenda*, published in October 1994, also has created controversy.

The suit alleges that in the wake of Ostrovsky's publication of his second book on Oct. 3, 1994, Josef Lapid, a leading political commentator, went on Israeli television and requested that the Mossad agency kill Ostrovsky. According to Corrigan, on Oct. 7, 1994 *Ma'ariv* then published an article written by Lapid in which he wrote "Yes, I think Victor Ostrovsky should be eliminated."

The suit further alleges that Lapid, the former general manager of the Israeli Broadcasting Corporation, then was invited to appear on "Canada AM" on Oct. 15, 1994 and that this provided him with a forum to call for "a decent Jew in Canada" to assassinate Ostrovsky (see "The Contrasting Media Treatment of Israeli and Islamic Death Threats" by Victor Ostrovsky in the Jan./Feb. 1995 *Washington Report on Middle East Affairs*). Corrigan told the *Washington Report on Middle East Affairs*, that CTV owed a Duty of Care to Ostrovsky and that "the CTV breached this duty by putting him under the threat of murder and publicizing Lapid's call for his death."

To date, mainstream Canadian media and commentators, who vociferously supported British author Salman Rushdie after the call for his death by Iran's late Ayatollah Khomeini, have been conspicuous only by their silence. Aside from a small article in the *Law Times*, a trade newspaper, reporting the lawsuit in February, there has been virtually no coverage. Ostrovsky credits the fear of being labeled anti-Semitic and of retaliation by Israel's highly emotional friends in Canada for the news blackout.

In fact, a leading lawyer in Ottawa declined to continue after spending more than a month on the case. According to Ostrovsky, the lawyer cited concern for the safety of his mailroom staff as the reason for taking himself off the case. Ostrovsky has filed a complaint against this lawyer with the Law Society of Upper Canada, the governing body of the profession.

Not all Canadians are equally cowed, however. William Deverell, chair of the Writers' Union of Canada, termed Lapid's incitement to murder "undemocratic, immoral and, certainly in Canada, illegal." Deverell has called on Lapid to retract his statement and "publicly announce that Mr. Ostrovsky should not be harmed." The Union also made its objection known to the Honorable Marion Boyd, the attorney general of Ontario.

Ostrovsky and his wife Bella seek damages in excess of \$2.5 million from CTV and Valerie Pringle for mental anguish, fear, economic loss and security and protection. They also seek damages in excess of \$200,000 from Ma'ariv Productions, Mary Winfield and Josef Lapid.