



Applicant's Motion for Leave for New Evidence,
April 2009

Abdelrazik v Minister of Foreign Affairs et al

4-14-2009

Affidavit of Shannon Lee Mannion

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FEDERAL COURT

BETWEEN:

ABOUSFIAN ABDELRAZIK

Applicant
(Moving Party)

-and-

**MINISTER OF FOREIGN AFFAIRS
and THE ATTORNEY GENERAL OF CANADA**

Respondents
(Responding Parties)

**AFFIDAVIT OF SHANNON LEE MANNION
(For motion to seek leave to file additional affidavit evidence)
(Sworn on April 14, 2009)**

I, Shannon Lee Mannion, of the City of Ottawa in the Province of Ontario MAKE OATH AND SAY:

1. I am a resident of Ottawa and have been involved in campaigns for social justice and human rights for 40 years. To this end, I am active for many Ottawa-based organizations including *Nowar-Paix*, Women in Black, ACTCity and Raging Grannies which promotes civil liberties, peace, justice, community awareness and social equality.
2. I have followed with interest the case of Abousfian Abdelrazik. I have knowledge of the matters to which I hereinafter depose based on my review of court

documents. Where my knowledge is information or belief, I have stated the source of same.

3. I make this affidavit in support of the Applicant's motion to file new affidavit evidence and for no other or improper reasons.
4. The Applicant filed an application for an order facilitating his repatriation from Sudan to Canada on May 7, 2008. The Applicant was made pursuant to sections 18 and 18.1 of the *Federal Courts Act*.
5. The proceeding was placed into Case Management in July 2008 further to Justice Mactavish's order dated July 24, 2008.
6. A timetable was set out by Chief Justice Lutfy on July 28, 2008 for the filing of affidavits for the Applicant and Respondent. In the same order, the Chief Justice ordered that the affidavit of Audrey Brousseau filed on June 23, 2008 be replaced by the affidavits of the Applicant and Jo Wood.
7. The Applicant and Jo Wood filed affidavits in support of the application on July 29, 2008.
8. On September 12, 2008, the Respondent filed four affidavits in response to the underlying application. The Respondents tendered the manager of consular affairs at the Canadian Embassy in Sudan, Eric O'Connor, the Ottawa-based director of consular affairs management representative from Department of Foreign Affairs, Sean Robertson and two military personnel, Michel Latouche and Geoffrey Everts as affiants.
9. On October 6, 2008, the Applicant amended the style of cause in the application

to include the Attorney General of Canada.

10. On November 26, 2008, a motion was heard before this honourable court in respect of the filing of supplementary affidavits. On November 27, 2008, Prothonotary Tabib issued an order accepting the Applicant's travel itinerary for his flight from Khartoum to Toronto aboard Etihad Airlines on September 15, 2008 as relevant to the Application. The Respondents were also permitted to file three affidavits relating to allegations that the Applicant had been tortured while in the custody of Sudanese officials.
11. On December 1, 2008, the Respondents filed three additional affidavits from Department of Foreign Affairs officials, David Hutchings, Alan Bones and Michael Pawsey.
12. On January 6, 2009, the Applicant and Jo Wood filed further affidavits in support of the instant application. The Applicant's new affidavit introduced the September 15, 2008 Etihad itinerary. Ms. Wood's new affidavit filed with consent of the Respondents attached additional information obtained thereafter from *Privacy Act* requests made to the DFA and Transport Canada.
13. Further to the completion of cross-examinations and written examinations in respect of all filed affidavits, the Applicant approached the Court to schedule an early hearing date. By way of Order dated March 9, 2009, the Applicant was directed to file his record by March 10, 2009 and the Respondents' factum was to be filed on April 9, 2009. Subsequently the Court ordered, on March 16, that the hearing of the Application proceed on May 7, 2009.
14. On March 10, 2009, the Applicant filed his record.

15. On March 12, 2009, 115 Canadian supporters of the Applicant announced that they had purchased a ticket for his return back to Canada.

Sworn before me at the)
City of Ottawa in the Province of)
Ontario on April 14, 2009)



A Commissioner Etc.



Shannon Lee Mannion