

**IN THE SUPREME COURT OF CANADA  
(ON APPEAL FROM THE QUEBEC COURT OF APPEAL)**

BETWEEN:

**TIBERIU GAVRILA**

Appellant

- and -

**MINISTER OF JUSTICE (CANADA)**

Respondent

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**NOTICE OF MOTION**

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TAKE NOTICE that a motion is hereby made to a Justice of this Honourable Court, pursuant to Rules 47 and 55 of the Rules of the Supreme Court of Canada, for an Order: (i) granting Amnesty International (Canada Section) (“Amnesty Canada”) leave to intervene in this appeal; (ii) permitting Amnesty Canada to file a factum not exceeding 20 pages by the appropriate deadline; (iii) permitting Amnesty Canada to make oral submissions at the hearing of the appeal; and (iv) such further and other Order as this Honourable Court may deem appropriate.

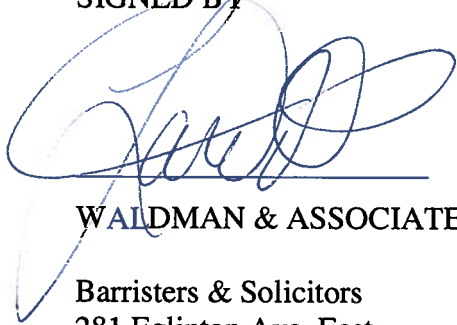
AND FURTHER TAKE NOTICE that in support of this application will be read the affidavit of Alex Neve, sworn on December 8, 2009, and such further and other materials as counsel may advise and this Honourable Court permit.

AND FURTHER TAKE NOTICE that the said motion shall be made on the following grounds:

1. The Applicant for leave to intervene, Amnesty Canada, is a part of Amnesty International (“AI”), a worldwide voluntary movement founded in 1961 that works to prevent some of the gravest violations to people’s fundamental human rights. In 1977, AI was awarded the Nobel Peace Prize for its work in promoting international human rights.
2. Amnesty Canada is impartial and independent of any government, political persuasion or religious creed. Both Amnesty Canada and AI are financed by subscriptions and donations from its membership; neither body receives government funding.
3. Amnesty Canada implements and shares AI’s vision of a world in which every person enjoys all of the human rights enshrined in the *Universal Declaration of Human Rights* and other international human rights standards. In pursuit of this vision, AI’s mission is to conduct research and take action to prevent and end grave abuses of all human rights – civil, political, social, cultural and economic.
4. Amnesty Canada has frequently been granted leave to intervene in proceedings involving these issues before this Honourable Court as well as numerous other courts, tribunals, inquiries and legislative proceedings.
5. Amnesty Canada has expertise relating to the issues raised in this appeal. Amnesty Canada has been very engaged in work on the rights of refugees in Canada and around the world, and can provide an important perspective to the issues at bar.
6. If granted leave to intervene, Amnesty Canada will make submissions as outlined in their memorandum of fact and law.

Dated at Toronto, Ontario this 10th day of December, 2009.

SIGNED BY



WALDMAN & ASSOCIATES

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**Ottawa Agent for Amnesty  
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ORIGINAL TO: The Registrar, Supreme Court of Canada

COPIES TO:

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<p>Christian Jarry  Procureur général du Canada  Complexe Guy-Favreau  200 René-Lévesque Blvd., East Tower, 9th  Floor  Montréal, Quebec  H2Z 1X4  Telephone: (514) 283-8746  FAX: (514) 496-8121  <b>Counsel for the Respondent</b></p>	<p>Robert J. Frater  Attorney General of Canada  Bank of Canada Building  234 Wellington Street, Room 1161  Ottawa, Ontario  K1A 0H8  Telephone: (613) 957-4763  FAX: (613) 954-1920    <b>Agent for the Respondent</b></p>
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NOTICE TO THE RESPONDENT TO A MOTION: A respondent to the motion may serve and file a response to this motion within 10 days after service of the motion. If no response is filed in that time, the motion will be submitted for consideration to the judge or the Registrar, as the case may be.

If the motion is served and filed with the supporting documents of the application for leave to appeal, then the Respondent may serve and file the response to the application for leave.