

Federal Court of Appeal



Cour d'appel fédérale

Date: 20171207

Docket: A-347-16

Citation: 2017 FCA 240

[ENGLISH TRANSLATION]

**CORAM: NADON J.A.
BOIVIN J.A.
GLEASON J.A.**

BETWEEN:

ÉRIC MANFOUMBI-MOUIITY

Appellant

and

ATTORNEY GENERAL OF CANADA

Respondent

Hearing held at Montreal, Quebec, on December 7, 2017.

Judgment delivered from the bench at Montreal, Quebec, on December 7, 2017.

REASONS FOR JUDGEMENT BY:

BOIVIN J.A.

Federal Court of Appeal



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REASONS FOR JUDGMENT OF THE COURT

(Delivered from the bench at Montreal, Quebec, on December 7, 2017.)

BOIVIN J.A.

[1] Despite the able submissions of counsel for the appellant, given the procedural history of the appellant's complaints and the whole of the evidence on the record, we are satisfied that it was reasonable for the Commission to refuse, under paragraph 41(1)(d) of the *Canadian Human Rights Act*, R.S.C. 1985, c. H-6, to rule on the complaint of June 4, 2008.

[2] We are also of the opinion that the Commission did not violate the principles of procedural fairness in making its decision. The fact that it limited itself to the complaint as filed, or that it limited the number of pages that the appellant could file, does not contravene these principles. The appellant also had the opportunity to make submissions and to put forward his point of view before the Commission made its decision.

[3] For these reasons, the appeal will be dismissed with costs.

“Richard Boivin”

J.A.

Certified true translation
Erich Klein

FEDERAL COURT OF APPEAL

SOLICITORS OF RECORD

**(APPEAL OF A JUDGMENT BY THE FEDERAL COURT ON AUGUST 30, 2017,
DOCKET T-769-12)**

DOCKET: A-347-16

STYLE OF CAUSE: ÉRIC MANFOUMBI-MOUIY v.
ATTORNEY GENERAL OF
CANADA

PLACE OF HEARING: MONTREAL, QUEBEC

DATE OF HEARING: DECEMBER 7, 2017

REASONS FOR JUDGEMENT BY: NADON J.A.
BOIVIN J.A.
GLEASON J.A.

DELIVERED FROM THE BENCH BY: BOIVIN J.A.

APPEARANCES:

Aymar Missakila FOR THE APPELLANT

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