

CANADA / JUDGMENT

TB8-17106

COURT

Refugee Appeal Division

DECIDED

28 September 2020

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RAD File / Dossier de la SAR : TB8-17106

Private Proceeding / Huis clos

Reasons and decision ? Motifs et décision

Person who is the subject of the appeal

XXXX XXXX XXXX

Personne en cause

Appeal considered / heard at

Toronto, ON

Appel instruit / entendu à

Date of decision

September 28, 2020

Date de la décision

Panel

Patricia Broad

Tribunal

Counsel for the person who is the subject of the appeal

Christina M. Gural

Barrister and Solicitor

Conseil de la personne en cause

Designated representative

N/A

Représentant(e) désigné(e)

Counsel for the Minister

N/A

Conseil du ministre

REASONS FOR DECISION

OVERVIEW

- [1] XXXX XXXX XXXX (the Appellant), a citizen of Pakistan, claims that she is a Convention refugee and/or a person in need of protection. She claims that, as she is a Shia Muslim and has married a man of the Sunni Muslim faith, her family's disapproval of the marriage threatens her safety. Further, her husband's ex-wife has threatened her.
- [2] She has appealed a decision of the Refugee Protection Division (RPD), dated June 21, 2018, rejecting her claim for refugee protection. Having reviewed the record, I find that there is insufficient credible evidence to support her claim. Further, in the alternative, she has an internal flight alternative (IFA) in Islamabad. I dismiss the appeal.

BACKGROUND

- [3] The Appellant bases her claim on the following:
- [4] The Appellant follows the Shia faith. Her family had arranged for her to be married to a cousin. Instead, she married her husband in April 2008. Her family did not approve. Specifically, her brother, who belongs to a gang, threatened her. She fears her brother who wants to take vengeance for dishonouring the family by refusing to comply with the arranged marriage and marry another who is a Sunni. She also fears her husband's ex-wife and her family who attacked her in 2016 for being a Shia. She reported the attack to the police who dismissed her. She left Pakistan in XXXX 2017. She came to Canada and claimed protection.
- [5] The RPD held a hearing on June 21, 2018 and gave the bench decision on that date. It found that the Appellant's claim did not have sufficient credible evidence. The Appellant has appealed to the Refugee Appeal Division (RAD).
- [6] Having reviewed the record, I find that there is insufficient credible evidence that the Appellant is a Convention refugee and/or a person in need of protection.

New Evidence Admitted on the Record

- [7] After the appeal was perfected on August 20, 2018, the Appellant submitted four pieces of evidence onto the record. These include:

* an affidavit from the Appellant's spouse;

- * an affidavit from the Appellant's friend;
- * a medical report from the XXXX XXXX, dated August 11, 2018; and
- * a prescription from a pharmacy in Canada dated August 10, 2018.¹

- [8] In the Written Statement in the Appeal Record, the Appellant wrote in her statement that she did not have new evidence and did not seek a hearing. This is somewhat confusing. However, I have considered whether the new evidence is admissible and found that it is for the following reasons.
- [9] All of the evidence post-dates the date of rejection. I find that it was not reasonably available beforehand. I allow the evidence onto the record.

The RAD will not hold an Oral Hearing

- [10] Similarly, the Appellant has requested an oral hearing in her new submissions, although she wrote in her Written Statement that she did not request one. The RAD will not hold a hearing for the following reasons.
- [11] Subsection 110(6) of the Act delineates when the RAD is permitted to hold a hearing. It states that the RAD can hold a hearing when there is new evidence that raises a serious credibility issue. Further, the evidence must be central to the decision. In addition, there is a requirement that the evidence would justify a final decision allowing or rejecting the claim.
- [12] The Appellant argued that the evidence raises a serious credibility issue, is central to the decision, and would justify allowing the claim. For these reasons, the Appellant argues that evidence should be accepted onto the record, and the Appellant should be granted a hearing. These considerations do not apply to the admissibility of the evidence. However, they do apply to the request for a hearing. I find that the evidence does not raise a serious issue regarding credibility; it was already on the record. Further, for reasons that will be given, the evidence is not central nor is it determinative. At best, the evidence addresses parts of the claim, but it does not address the central issue, which is the likely level of risk for the Appellant in Pakistan. Further, it does not address whether an IFA is reasonably available in a manner that is determinative.
- [13] The RAD will not hold a hearing.

ANALYSIS

- [14] I have reviewed the record. Certainly, gender is a ground of persecution in accordance with the Convention on Refugees. Further, section 1(3) of the Chairperson's Guideline 4: Women Refugee Claimants Fearing Gender-Related Persecution² notes that domestic violence is a basis for a well-founded fear of persecution as well as when women choose their spouses. That is not in issue. In this claim, the central issue is credibility.

Credible Evidence

- [15] In her Appeal Memorandum, the Appellant argues that the RPD's questions were microscopic. I agree that, at times, they were very detailed. However, they were also about relevant issues. Further, the RPD did provide guidance on how to answer, and there was an interpreter. The Appellant was represented by Counsel, who did not object to the questions.
- [16] The issue of credibility arises in the assessment of whether the Appellant has a well-founded fear of persecution. I find that there are significant issues with the Appellant's testimony. Overall, the Appellant's evidence was vague.

The Appellant's Evidence regarding the Assault in 2016 is Vague

- [17] The evidence about the assault on September 6, 2016 in Chauburji, Lahore is vague. This is a central issue, as the level of harm the Appellant faced in the past is a relevant consideration for forward-looking risk. It is not the only consideration in the assessment, but it is a relevant consideration.
- [18] There is insufficient credible evidence to conclude that the Appellant was attacked by her husband's ex-wife's family because of her marriage. The Appellant did not provide a description of it; rather, she provided vague answers.³ She testified that three members of her husband's ex-wife's family came to her home and assaulted her. Her head was bleeding; her neck was fractured, and they had an iron. She did not provide information about what was said, whether she was alone, or how she tried to protect herself. She indicated that she recognized the relatives as she had seen pictures.
- [19] That is a traumatic event; I have considered that it could affect the Appellant's testimony. However, it is not the only area of the evidence that was vague. The RPD questioned the Appellant about why there was not a medical report on record. The Appellant testified that the hospital would not treat her without a police report. The RPD noted that it was odd that the hospital would want to have a police report before it provided treatment.⁴ The Appellant agreed. The Appellant also testified that she could not get a medical record, as "they said" it was done on a humanitarian basis. She appears to be indicating that the clinic refused because they provided treatment on a humanitarian basis and that they were concerned that there would be trouble if they provided a report. It is unclear why a medical report was not available before the RPD hearing. Further, testimony regarding the steps that the Appellant took before the hearing to obtain a medical report is not clear.
- [20] I have also considered the medical report from the clinic in Pakistan that the Appellant provided to the RAD. I do not find that it has probative value to support the Appellant's account of an assault from her husband's ex-wife's family. It is unclear why, about two years after the assault, the clinic would provide a handwritten document when they would not do so earlier without a police report. The document does not state anything about how an injury occurred; nor does it state when the injury occurred. The Appellant testified about a neck fracture, that her head was bleeding, and that the assailants had an iron. She stated

that she fell down, and they thought she was dead. Further, in her Basis of Claim (BOC) form, the Appellant testified that she was hit on her head until she lost consciousness. However, the medical report does not state that there was a head injury or a leg injury. This is particularly significant as the Appellant's evidence is that the head injury was so severe that she lost consciousness. The medical report only states that there was a left foot fracture and superficial burn on the left hand. The Appellant did not testify about a burn; however, she did write in her BOC that there were burns on her hand.⁵ The report also has a statement that it is "(not valid for court)" written on.⁶ I am unable to give this report weight.

- [21] I find that there are significant discrepancies in the medical report from the Appellant's evidence regarding the injuries from the attack. The Appellant's evidence from her BOC and in her testimony was that she was beaten on the head so badly that she lost consciousness, fell to the floor, and was bleeding. While some inconsistencies are not significant, such as whether or not the Appellant sustained burns or whether it was her leg or her foot that was fractured, the discrepancy with the head injury is a significant discrepancy. Further, the omission in the medical report significantly undermines the report's probative value. Nor does the report provide persuasive evidence that her husband's ex-wife's family attacked the Appellant; it merely states that, at some point, the Appellant had injuries.
- [22] Similarly, the prescription for Naproxen provided to the RPD simply provides evidence that the Appellant had a prescription of Naproxen. The same applies for the prescription from August 2018 provided to the RAD. They do not provide probative evidence about how the injury occurred. They do not describe what injury the prescription is for. This is limited evidence.
- [23] For these reasons, I find that, while the Appellant may have sustained injuries in Pakistan, there is insufficient evidence to find that it was the result of an assault from the family of her husband's ex-wife. The Appellant's evidence regarding the assault is vague, and corroborative evidence is not sufficient to address the weakness in the evidence. The Appellant has not demonstrated that it is more likely than not that the family of the husband's ex-wife assaulted her.

The Evidence regarding Threats is Vague

- [24] Further, while the Appellant testified that she received threats from her family, specifically one brother, this evidence is also vague. It is not clear who in her family threatened her, although the Appellant testified at length about the threats.⁷ The last threat she heard from her family was in 2012 when her younger brother's friend called her husband. However, she also indicated that she received about 15 threats. It was unclear when she received the threats. Despite being questioned a few times, the Appellant testified that she received the threats over a five-year period during the marriage, but she could not describe when in the marriage this five-year period occurred. The Appellant's account of these threats is vague. While she states that he said that her brother said he would kill her, this is a vague description of the threat.

- [25] The evidence regarding the threats from her husband's ex-wife is more clear. The Appellant testified that she had threatened to kill her. However, she also testified that it was only her husband's ex-wife who had threatened her;⁸ while in the BOC, she stated that it was her husband's ex-wife's family that had threatened her. This is not consistent. Further, the Appellant lived within plain sight of her husband's ex-wife for years and did not face serious harm. Again, she was married in 2008 and stayed in Pakistan until XXXX 2017.
- [26] There is also insufficient evidence that the Appellant faced serious harm. As noted before, there are credibility concerns, mainly vagueness, with the evidence regarding threats. However, even if her family and the husband's ex-wife disapproved and had threatened her, the Appellant lived in Pakistan for years. There is insufficient evidence to conclude that she was in hiding; rather, the weight of the evidence leads to the conclusion that her family knew where she was located. Further, there is insufficient evidence that she underwent the serious harm that is necessary to find that there was persecution.
- [27] Even on a cumulative basis, there is insufficient evidence to find that the Appellant has faced serious harm. I have considered her affidavit of September 13, 2018 where she stated that she feels stress and anxiety; she also stated that she has difficulty sleeping and concentrating. However, she notes that she felt this significant stress while in Canada. I find that there is insufficient evidence of serious harm in Pakistan.
- [28] Given the lapse in time since the marriage, which was in 2008, and the fact that the Appellant lived in Pakistan until 2017, I find that, in this case, evidence of past persecution is relevant in assessing the likelihood of future persecution. The event that triggered the reaction of the agents of harm, namely, the marriage in 2008 is simply too remote to sustain a finding supporting the likelihood of future persecution.
- [29] For these reasons, the lack of credible evidence weighs against the likelihood of a well-founded fear of persecution.

Additional Credibility Concerns

- [30] There are additional credibility concerns. The Appellant provided marriage certificates and translations to the RPD prior to the hearing. She testified that her husband gave it to her.⁹ The Appellant provided an original at the beginning of the hearing. However, the RPD noted that the stamps on the original did not appear on the copy provided to the RPD prior to the hearing. The RPD was clearly in a position of significant advantage in making this observation than is the RAD; I give deference to this finding. When questioned about the difference, the Appellant testified that her husband's former wife has all the papers and that she did not know he brought the original and testified that her husband's ex-wife had all of the documents. The document appears to be the marriage in 1985 of the Appellant's husband and his ex-wife.¹⁰ However, this does not provide a reasonable explanation for how the two documents are different. It weighs against the Appellant's credibility.

- [31] I find that, while the RPD focused on BOC omissions and that the testimony could be an elaboration of the BOC, the evidence is still too vague to be credible. I have considered that the Appellant was in a hearing and that the process can be stressful. However, there is not sufficient evidence regarding the Appellant's psychological condition to conclude that it presented a barrier to her ability to testify.

Documentary Evidence is not Sufficient

- [32] When the evidence is flawed, corroborative evidence is more important.
- [33] The Appellant has provided a marriage certificate; however, this simply indicates that she was married. There were no letters of support before the RPD. The Appellant testified that the police did not provide a report regarding the assault.¹¹ The prescription note provided to the RPD and the one provided to the RAD have already been discussed. Other documentary evidence before the RAD has very limited probative value.
- [34] The Appellant provided an affidavit of her husband.¹² In it, he states that there is a threat from his brother-in-law, who has contact with senior police officials and gangsters. This not consistent with the Appellant's testimony that stated that her brother was with a gang, but it was her husband's ex-wife who had connections. The husband does not address why, if there was this level of threat, the Appellant lived there so long safely. The affidavit has limited probative value.
- [35] There is also an affidavit from a friend in Islamabad.¹³ The deponent states that the Appellant came to live with her after the marriage because of the threat. Further, the 2016 incident was serious, and they tried to kill her. She does not identify who "they" are. This evidence does not provide a connection between an assault, or even injuries, with her husband's ex-wife's family. Further, there is no dispute that the Appellant went to Islamabad; rather, the issue is whether she could live there safely. According to the Appellant's testimony, the assault occurred in Lahore, Pakistan. There is not a lot of detail about the assault, and it is unclear how much the deponent would know about it given that she is in Islamabad. I am unable to give this affidavit probative weight.
- [36] When I weigh the evidence on a cumulative basis, I find that the documentary evidence is not sufficient to address the issues with the evidence.

The Gender Guideline and Reavailment

- [37] The RPD took a negative inference from the fact that the Appellant returned to Pakistan. In her Appeal Memorandum, the Appellant has argued that the Gender Guideline applies to the issue of reavailment. She states that, while she left the country, she returned to Pakistan because she was a housewife and economically dependent on her husband. In so doing, she quotes the transcript. However, this same quote notes that she was working as a XXXX XXXX in XXXX XXXX XXXX.¹⁴ The testimony about her work was vague. It appears that the work was an XXXX XXXX with the responsibility of XXXX XXXX XXXX XXXX and not just XXXX

XXXX. While she has indicated that she was a housewife for years, she also has two degrees: one in XXXX XXXX from a college and one in the XXXX from a university.¹⁵ The Appellant certainly has a higher level of education than most people in Pakistan. Further, the Appellant points out in her Appeal Memorandum that she returned because her husband had told her the situation in Pakistan was normal, and she relied on his direction. Given the situation of women in Pakistan, this is plausible. Having considered all of this evidence, I do not find reavailment is a determinative issue. Rather, there was a lack of action from the agents of persecution that weigh against the likelihood that there is a future-looking risk of persecution.

Objective Evidence

[38] I have considered the evidence in the context of the objective evidence. Certainly, there are honour killings, even if it is illegal.¹⁶ These are more prevalent in rural areas, but it is hard to estimate the numbers of women affected.¹⁷ While Shias are targeted, the greatest threat is from the militants,¹⁸ and the Appellant has identified family members and her husband's ex-wife's family as the agents of persecution. While interfaith marriages can be an issue, an Immigration and Refugee Board (IRB) Response to Information Request (RIR) discussed marriages with different religions and did not note any issues with marriages between Shia and Sunni Muslims.¹⁹ I must also consider the individual Appellant in her circumstances. The Appellant has lived with her husband in Pakistan for about eight years with little repercussions. She has not faced serious harm, and in this appeal, it is a consideration when assessing a forward-looking risk. In addition, there are credibility issues. Given her individual circumstances, I do not find that the issues outlined in the objective evidence are sufficient to find that the Appellant is a Convention refugee.

Summary

[39] For these reasons, I find that there is not sufficient evidence that the Appellant is a Convention refugee. I have considered that the RPD over emphasized the discrepancies with the BOC and that, at times, its expectations for precise answers may have been too high. Further, I have considered the factors set out in section D of the Gender Guideline which address special problems at RPD hearings and find that they are not relevant for the RPD hearing or before the RAD. I have considered that the Appellant may have been stressed at the hearing; however, there is not a psychological report to show any barrier to testimony, and the RPD was clear in his directions for testimony. I have considered the documentary evidence regarding the treatment of women in Pakistan. However, there still has to be sufficient credible evidence of a serious possibility of serious harm, and there is not. However, even if this is not correct, I find that the Appellant has an IFA in Islamabad.

Does the Appellant have an Internal Flight Alternative?

- [40] I find that the Appellant has an IFA in Islamabad, the capital of Pakistan. The Appellant has argued that the RPD erred when it did not consider both cities; however, there only needs to be one IFA for the Appellant.
- [41] The test for assessing an IFA is two-pronged and is set out in the Federal Court of Appeal's decision in *Rasaratnam*.²⁰
- (1) The Board must be satisfied on a balance of probabilities that there is no serious possibility of the claimant being persecuted in the part of the country to which it finds an IFA exists and/or the claimant would not be personally subject to a risk to life or risk of cruel and unusual treatment or punishment or danger, believed on substantial grounds to exist, of torture in the IFA.
- (2) Moreover, the conditions in the part of the country considered to be an IFA must be such that it would not be unreasonable in all the circumstances, including those particular to the claim, for him to seek refuge there.²¹
- [42] Both prongs must be satisfied to find that an appellant has an IFA. Once the issue of IFA has been raised and the potential IFAs have been identified, the burden of proof rests with an appellant to show that he/she does not have an IFA. The finding of an IFA must be based on a distinct evaluation of the region for that purpose taking into account an appellant's personal circumstances. An IFA must be a realistic and attainable option. An appellant cannot be required to encounter great physical danger or undergo undue hardship in traveling there and staying there.
- [43] The RPD properly raised Islamabad and Hyderabad as locations for an IFA. The onus of proof has shifted to the Appellant.

Is there a serious possibility of persecution in Islamabad?

- [44] When asked at the hearing whether the Appellant could relocate, the Appellant stated that the only reason was a risk to her life.²² She noted that she had a call while she was in Islamabad. The family of the first wife has strong connections. The Appellant would have to show proof of identity to rent a place; this presents a risk. However, I find that the same considerations noted above regarding the likelihood of persecution apply to this analysis. Further, according to the evidence, the Appellant had a home in Islamabad for a significant period of time and did not face serious harm. The Government of Canada Citizenship and Immigration Schedule A states that the Appellant had a home in Islamabad for six years, from April 2008 until August 2014.²³ While she also noted in this form that she had an address in Lahore for one year during this period as well, the evidence is that she lived in Islamabad for quite a few years. Even if she received threats there, I have addressed the threats and find that they do not amount to serious harm.
- [45] In her Appeal Memorandum, the Appellant has argued that she would face persecution in Islamabad as she is a Shia Muslim. She argues that the RAD has a duty to consider a ground that is evident on the face of it. I have considered this argument as it is evident on the

record. The Appellant quotes the US Department of State report for Pakistan in 2017²⁴ and the UK Home Office report²⁵ to show that there is sectarian violence. I have considered the documentary evidence on this issue. It shows that extremist militants have attacked Iman Bargahs and Shia Muslims. However, as noted by the quote cited by the Appellant in her Appeal Memorandum, these attacks are more prevalent in certain areas.²⁶ This same report also states that intensity and frequency of the targeting may vary from region to region.²⁷ As noted in the UK Home Office report quoted by the Appellant, these areas do not include Islamabad. Again, the Appellant had a home in Islamabad for years; there is insufficient evidence of any act of persecution from extremists and any act that would lead one to find that the Appellant is a person in need of protection. The UK Home office report directs decision-makers to consider if there has been past persecution and if it would be repeated.²⁸ Further, each case must be assessed on the facts of the individual case.²⁹ While this report is from another jurisdiction, the UK, I find that the principles apply to this case. In this individual case, the Appellant has lived in Pakistan for years without evidence of persecution from extremists; rather, the agents of harm were family members as addressed above. Further, there is insufficient evidence of a forward-looking risk.

[46] There is insufficient credible evidence of a serious possibility of persecution in Islamabad.

Is it reasonable for the Appellant to relocate to Islamabad?

[47] I have considered whether the Appellant relocated and lived in Islamabad would constitute undue hardship. In so doing, I have considered the Gender Guideline. Notably, at section C4, it states that:

In determining the reasonableness of a woman's recourse to an internal flight alternative (IFA), decision-makers should consider the ability of women, because of their gender, to travel safely to the IFA and to stay there without facing undue hardship. In determining the reasonableness of an IFA, the decision-makers should take into account factors including religious, economic, and cultural factors, and consider whether and how these factors affect women in the IFA.

[48] There is an airport in Islamabad;³⁰ there is not sufficient evidence to conclude that the Appellant would not be able to travel there without facing undue hardship.

[49] I have considered economic factors. The Appellant lived in Islamabad for about six years. She has significant resources. The weight of the evidence leads to the conclusion that she would have the support of her husband. She is highly educated with two post-secondary degrees. She has worked in an office. She has travelled. These assets would assist her in finding employment, if she needed to do so.

[50] There is insufficient evidence that religion, language or accommodation would present a barrier in relocating. There are Shia communities throughout Pakistan with Shia Mosques and places of worship in most major cities and towns.³¹ Islamabad is a major city. As noted above, I have considered the treatment of the Shia Muslims in Pakistan. Further, the Appellant speaks Urdu as well as some Punjabi and English;³² Urdu is the official language

of Pakistan and Punjabi and is spoken by 48% of the population.³³ The Appellant has already lived in Islamabad, and there is insufficient evidence to conclude that there were issues with accommodation or that it would be an issue if she relocated there. The weight of the evidence is that these factors would not present undue hardship to relocating.

[51] Similarly, in this appeal, there is insufficient evidence that any cultural factor would be an issue. There is evidence regarding the treatment of women in Pakistan, but I must consider this individual in her circumstances. She has significant resources. There is insufficient evidence that she has encountered issues relating to her gender in the past that would constitute undue hardship or that she is likely to do so in the future.

[52] The Appellant has testified that the only reason she could not relocate was because of the risk to life. Even on a cumulative basis, the weight of the evidence is that the factors considered, when assessing whether it is reasonable to relocate, do not present barriers to relocation. I find that the Appellant would not face undue hardship in relocating to Islamabad.

Is the Appellant a Person in Need of Protection in accordance with Section 97?

[53] I find that there is also insufficient evidence that the Appellant is a person in need of protection. The burden of proof to establish one is a person in need of protection is higher than that for a Convention refugee. The standard to establish that one is a Convention refugee, in accordance with section 96 of the Act, is whether there is more than a mere possibility; the standard to establish that one is a person in need of protection, in accordance with section 97 of the Act, is whether, on a balance of probabilities, one is in need of protection. One must show that there is merely a risk of persecution under section 96. Section 97 stipulates that one must show that there is a danger of torture; alternatively, that there is a risk to one's life or a risk of cruel and unusual treatment or punishment. The level of proof required to establish a sufficient risk is higher under section 97 than it is in section 96. As there is insufficient evidence to establish that the Appellant faces more than a mere possibility of persecution in Pakistan, there is also insufficient evidence that she is a person in need of protection in Pakistan.

[54] In addition, I note that the same considerations for an IFA apply to section 97.

CONCLUSION

[55] The RAD dismisses the appeal and confirms the decision of the RPD that the Appellant is neither a Convention refugee nor a person in need of protection, pursuant to paragraph 111(1)(a) of the IRPA.

(signed)

Patricia Broad

Patricia Broad

September 28, 2020

Date

1 Exhibit P-3, Application to Submit New Evidence, October 9, 2018.

2 Guideline 4: Women Refugee Claimants Fearing Gender-Related Persecution: Update, Guideline Issued by the Chairperson, pursuant to Subsection 65(3) of the Immigration Act, IRB, Ottawa, November 13, 1996, as continued in effect by the Chairperson on June 28, 2002, under the authority found in paragraph 159(1)(h) of the IRPA.

3 Exhibit P-2, Appellant's Record, Appellant's Transcript, testimony beginning at p. 33.

4 Exhibit P-2, Appellant's Record, Appellant's Transcript, at p. 35.

5 Exhibit RPD-1, RPD Record, at p. 17.

6 Exhibit P-3, Application to Submit New Evidence, October 9, 2018, at p. 8.

7 Exhibit P-2, Appellant's Record, Appellant's Transcript, at p. 27.

8 Exhibit P-2, Appellant's Record, Appellant's Transcript, at p. 32.

9 Exhibit P-2, Appellant's Record, Appellant's Transcript, beginning at p. 44.

10 Exhibit RPD-1, RPD Record, at p. 102.

11 Exhibit P-2, Appellant's Record, Appellant's Transcript, at p. 34.

12 Exhibit P-3, Application to Submit New Evidence, October 9, 2018, at p. 6.

13 Exhibit P-3, Application to Submit New Evidence, October 9, 2018, at p. 7.

14 Exhibit RPD-1, RPD Record, at p. 73.

15 Exhibit RPD-1, RPD Record, at p. 41.

16 NDP for Pakistan (April 30, 2018) item 2.1, United States Department of State, "Pakistan. Country Reports on Human Rights Practices for 2017", April 20, 2018, at pp. 38-39.

17 NDP for Pakistan (April 30, 2018), item 1.1, United Nations, Office for the Coordination of Humanitarian Affairs, "Overview - Pakistan", May 19, 2016, at p. 3.

18 NDP for Pakistan (April 30, 2018), item 1.16, United Kingdom Home Office, "Country Information and Guidance, Pakistan: Shia Muslims", February 2015.

19 NDP for Pakistan (April 30, 2018), item 12.5, IRB, RIR PAK104713.E, "How Shia Muslims differ from Sunnis; treatment of Shias, particularly in Lahore and Multan; ... (2010-December 2013)", January 9, 2014.

20 Rasaratnam, Sivaganthan v. M.E.I. (F.C.A., no. A-232-91), Mahoney, Stone, Linden, December 5, 1991. Reported: Rasaratnam v. Canada (Minister of Employment and Immigration), [1992] 1 F.C. 706 (C.A.).

21 [Thirunavukkarasu, Sathiyathan v. M.E.I. (F.C.A., no. A-81-92), Heald, Linden, Holland, November 10, 1993. Reported: Thirunavukkarasu v. Canada (Minister of Employment and Immigration), [1994] 1 F.C. 589 (C.A.); (1993), 22 Imm. L.R. (2d) 241 (F.C.A.).

22 Exhibit P-2, Appellant's Record, Appellant's Transcript, at p. 44.

23 Exhibit RPD-1, RPD Record, at p. 42.

24 NDP for Pakistan (April 30, 2018), item 2.1 (supra, footnote 16).

25 NDP for Pakistan (April 30, 2018), item 1.16 (supra, footnote 18).

26 Exhibit P-2, Appellant's Record, Appellant's Memorandum, at paragraph 72; see also NDP for Pakistan (April 30, 2018), item 12.5 (supra, footnote 19), at p. 4 for a list of the areas that have a high level of violence and does not include Islamabad.

27 NDP for Pakistan (April 30, 2018), item 1.16 (ibid.), at 2.2.3.

28 NDP for Pakistan (April 30, 2018), item 1.16 (ibid.), at 2.3.4.

29 NDP for Pakistan (April 30, 2018), item 1.16 (ibid.), at 2.4.2.

30 NDP for Pakistan (April 30, 2018), item 1.3, Larousse, "Pakistan. L'Encyclopédie en ligne".

31 NDP for Pakistan (April 30, 2018), item 1.16 (ibid.), at 2.4.1.

32 Exhibit RPD-1, RPD Record, at p. 16, BOC.

33 NDP for Pakistan (April 30, 2018), item 1.5, United States Central Intelligence Agency, "Pakistan: The World Factbook", January 10, 2018.

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Immigration and Refugee

Board of Canada

Refugee Appeal Division

Commission de l'immigration

et du statut de réfugié du Canada

Section d'appel des réfugiés

RAD.25.02 (April 04, 2019)

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Prepared on 29 October 2026 · Esheria