

CANADA / JUDGMENT

MB9-03710

COURT

Refugee Appeal Division

DECIDED

7 January 2020

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RAD File No. / No de dossier de la SAR : MB9-03710

MB9-03711 / MB9-03712

Private Proceeding / Huis clos

Reasons and Decision ? Motifs et décision

Persons who are the subject of the appeal

XXXX XXXX XXXX XXXXXXXXXX XXXX XXXX XXXXXXXXXX XXXX

Personnes en cause

Appeal considered / heard at

Ottawa, Ontario

Appel instruit / entendu à

Date of decision

January 7, 2020

Date de la décision

Panel

Me Tammy Tremblay

Tribunal

Counsel for the persons who are the subject of the appeal

Angelica Pantiru

Conseil des personnes en cause

Designated representative

XXXX XXXX

Représentant(e) désigné(e)

Counsel for the Minister

N/A

Conseil du ministre

REASONS FOR DECISION

OVERVIEW

- [1] The principal appellant, XXXX XXXX XXXX, and the associated appellant, XXXX XXXX, are both citizens of Haiti. XXXX XXXX XXXX, the minor appellant, is a citizen of the United States. The principal appellant states that, after he was involved in a motorcycle accident in XXXX 2014, he suffered reprisals for nearly killing the other driver. The associated appellant claims that she was raped during a kidnapping in XXXX 2014. XXXX XXXX XXXX, the appellants' minor son, did not mention any fear or risk of returning to the United States.
- [2] The appellants are appealing against the decision of the Refugee Protection Division (RPD) finding that they were not credible and that they would not be personally subjected to a danger of torture, a risk to their lives or a risk of cruel and unusual treatment or punishment if they were to return to Haiti.
- [3] The appellants submit that the RPD breached the principles of natural justice by not allowing them to testify together because their children were present. The appellants add that the RPD was overly vigilant, conducted a microscopic examination of the evidence and failed to consider all the evidence. The appellants also criticize the RPD for not having correctly applied the Chairperson's Guideline 4: Women Refugee Claimants Fearing Gender-Related Persecution.¹ Finally, they submit that the associated appellant would be a woman at risk if she had to return to Haiti because she would be identified with the diaspora and that she would no longer be able to access the same resources that she had prior to leaving.
- [4] The determinative issue on appeal for the principal appellant is his credibility. The determinative issue on appeal for the associated appellant is whether there is a serious possibility of persecution based on her membership in the particular social group of Haitian women.

DETERMINATION

- [5] The appeal is allowed in part. I am of the opinion that the RPD erred by rejecting XXXX XXXX claim. However, I uphold the RPD's decision and confirm that it did not err by rejecting the claim of XXXX XXXX XXXX and XXXX XXXX XXXX.

ANALYSIS

- [6] I conducted an independent analysis of all the evidence on the record, after listening carefully to the hearing, to form my own opinion about this refugee protection claim and apply the Chairperson's Guideline 4: Women Refugee Claimants Fearing Gender-Related Persecution to determine whether the decision rendered by the RPD was correct.

The Refugee Protection Division did not fail to observe the principles of natural justice

- [7] In their memorandum, the appellants submit that the RPD breached its obligations of natural justice by having them testify separately. They state that their counsel did not warn them about the RPD's practice with respect to having young children at a hearing and did not decline the RPD's suggestion to have them testify separately. This allegedly upset the appellants, which kept them from concentrating on their testimonies.
- [8] With respect, listening to the recording of the hearing shows that the situation did not unfold as the appellants claim. Their counsel had warned them that having their young children there was not recommended, and they agreed to take turns testifying.
- [9] During the hearing, the member noted that the appellants' young children were in the room and told them that the RPD's practice is that children under 12 years of age do not attend hearings. She subsequently addressed the appellants' counsel by stating: [translation] "I imagine that you discussed it with your clients. What do you suggest?" The appellants' lawyer replied: [translation] "Yes. They will take turns testifying. The person who is not testifying will take care of the children outside."²
- [10] The appellants' Basis of Claim Form (BOC Form) indicates that an interpreter was not required during this hearing. That said, an interpreter was requested on the day of the hearing, and the RPD ensured that a translator was present. Once the interpreter arrived, the RPD summarized the administrative items that the appellants had discussed with their counsel, including their counsel's suggestion to have them testify separately. To that end, the member asked them: [translation] "I would like to confirm that you agree to having your testimonies heard in turn." The associated appellant responded: [translation] "Yes, because our lawyer already told us that. Unfortunately, we could not find anyone to take care of our children."³
- [11] It was not the RPD [translation] "that chose" to have the appellants take turns testifying. The RPD did not suggest it either. The RPD confirmed with the appellants that they had agreed to be heard in turn. Therefore, the RPD did not breach the principles of natural justice.

The Refugee Protection Division did not err in assessing the male appellant's credibility

- [12] The RPD found that the male appellant was not credible because he had provided several versions of the accident that occurred on XXXX XXXX, 2016, and had contradicted himself a number of times during his oral testimony. In his memorandum, the male appellant submits that the RPD conducted a microscopic analysis of the evidence, was overly vigilant and did not consider any of his explanations.

Contradictions in the male appellant's testimony

- [13] It was reasonable for the RPD to find that the principal appellant was not credible because the contradictions pertain to determinative elements of his refugee protection claim, and he failed to provide a valid explanation to clarify them.
- [14] The RPD asked the male appellant to explain why he states in his initial BOC Form that he spoke to police officers at the scene of the accident, even though the amended version indicates that he left the scene before they had arrived. The male appellant provided a third version of the events that he left the scene shortly after the police officers had arrived. When the RPD then asked him several times how these versions could be reconciled, the male appellant did not provide a valid explanation. He ducked the question by stating the following twice: [translation] "I was there during the accident, but I left the scene later" and "the son of the man, who hit my motorcycle, has a lot of friends who are criminals."⁴
- [15] Another significant contradiction that is central to the male appellant's refugee protection claim concerns what happened immediately after the accident. In his amended BOC Form, the male appellant states that when he returned home, his father, who thought that he had died, told him that criminals had dropped by the home and were looking for him. During the hearing, the male appellant testified that he had gone home after the accident, took medication and that the criminals visited his father only later that same day while he went to visit his aunt. The RPD confronted him with this contradiction several times during the hearing. Instead of reconciling these contradictory versions or explaining them, the male appellant ducked the question by stating that [translation] "after the accident, the other man had many friends who were criminals."⁵
- [16] It is not necessary to go over all the other contradictions because I find that the aforementioned contradictions concern determinative elements that are central to the male appellant's refugee protection claim, and accordingly, I find that the male appellant is not credible.
- [17] Therefore, the RPD did not err in assessing the male appellant's credibility.
- [18] The male appellant failed to establish a serious possibility of persecution or that, on a balance of probabilities, he would be personally subjected to torture, a risk to his life or a risk of cruel and unusual treatment or punishment if he were to return to Haiti.

The Refugee Protection Division did not correctly analyze the associated appellant's fear

- [19] The RPD found that the associated appellant was not credible because of contradictions and inconsistencies in the central elements of her refugee protection claim. In their memorandum, the appellants submit that the RPD minimized the associated appellant's objective fear. They add that the RPD incorrectly concluded that the associated appellant's prospective fear of persecution was reduced by the fact that she did not have a precarious economic situation or live in a poor neighbourhood. Lastly, they submit that the associated appellant would not be able to count on the resources that she had in the past if they were to return to Haiti.
- [20] With respect, I find that the contradictions and inconsistencies raised by the RPD in the associated appellant's testimony do not pertain to the central elements of her refugee protection claim. In addition, when the information chart in the Chairperson's Guideline 4 is applied, the female appellant's testimony is not only credible, but also consistent with that of a person who has been subjected to sexual violence. Lastly, the RPD criticizes the associated appellant for "contradictions" that undermine her credibility, but in analyzing the record, I must note that the associated appellant is criticized for having provided a more detailed oral testimony than her written testimony.

Failure to state that she was blindfolded

- [21] In its decision, the RPD criticizes the associated appellant for failing to mention in her written testimony that, besides having her hands tied and her mouth [translation] "covered" when she was kidnapped, her attackers had allegedly blindfolded her as well. During the hearing, when describing her attack, the female appellant mentioned that she had been blindfolded when she was taken.⁶ When the RPD asked her why this information had not been included in her BOC Form, the female appellant responded that she had not included all the details about what had happened in her BOC Form. I find that this explanation is acceptable, and I do not draw a negative inference from the fact that this information was not included in the female appellant's BOC Form.

The behaviour of the female appellant's father-in-law after she had been kidnapped

- [22] In its decision, the RPD criticizes the female appellant for not answering the question about what her father-in-law did when he saw her being kidnapped and drew a negative inference with regard to her credibility as a result.
- [23] I find it difficult to blame a refugee protection claimant for not knowing what other people allegedly did or did not do. When asked what her father-in-law did after she had been kidnapped, the female appellant stated several times that he had filed a complaint with the police. When the RPD rephrased the question by raising their voice, the associated appellant stated that she had no idea at the time of the incident.⁷

- [24] I understand that the RPD remained confused by the lack of immediate intervention by the female appellant's father-in-law when she was kidnapped. I am as well. That said, the associated appellant, who had just been kidnapped and sexually assaulted, cannot be held responsible for asking about her father-in-law's behaviour after this incident. Fear causes significant paralysis, and even if this behaviour may seem illogical to North Americans, the situation in Haiti is quite different.
- [25] The RPD also criticizes the female appellant for failing to mention in the first version of her BOC Form that she had spoken to her father-in-law about the rape and that he had filed a complaint with the police on her behalf. During the hearing, the associated appellant explained that she had asked to amend her BOC Form to include this information after noticing that it had not been included in the first version of the BOC Form.⁸ Once again, this explanation seems valid to me.

Contradiction between the Basis of Claim Form and testimony: Call to parents

- [26] The female appellant was accused of another contradiction, namely, having amended her BOC Form to state that the kidnappers had allegedly called her parents, instead of her parents reportedly running into the kidnappers in trying to reach her.
- [27] During the hearing, when the RPD asked her why she had made that change, the associated appellant replied that it was because she had noticed mistakes in the translation of her testimony during a meeting with her lawyer and had asked for the BOC Form to be amended to correct it.⁹ The RPD did not seem to be satisfied and asked many questions about how the attackers were allegedly able to call her parents. The associated appellant responded that her mother's name appears under "mommy" in her telephone and that the attackers must have figured out that it was her mother from there.¹⁰
- [28] The associated appellant also indicates that the attackers called her parents to ask them for money.¹¹ She explains that she could not hear everything, but that she was scared because she knew that they would not be able to pay the ransom and feared for her life.
- [29] Contrary to the RPD's finding, the associated appellant's testimony is credible. She testified about her kidnapping and sexual assault by including a variety of convincing and spontaneous details. The associated appellant provided a direct testimony on the actions of her agents of persecution and her mental and physical state during and after the attack. Based on my own independent assessment, I find that the associated appellant's testimony was detailed, spontaneous and credible.

- [30] Although the RPD mentions Guideline 4 briefly in its reasons, it did not address them in a significant way before rejecting the female appellant's testimony as not credible. Guideline 4 indicates that women survivors of sexual violence may exhibit symptoms of Rape Trauma Syndrome, including self-blame. It is deplorable that neither the RPD nor her counsel offered the associated appellant a break until the interpreter had asked if she was okay, even though that was clearly not the case.¹²
- [31] The female appellant's testimony about her kidnapping and sexual assault is convincing and consistent with the symptoms of Rape Trauma Syndrome, which is described in Guideline 4.
- [32] The female appellant testified that she assumes responsibility for what happened to her and blames herself for the attackers' actions. For example, in referring to her kidnapping, she stated that she had put herself in a situation that she did not understand, blamed herself for having further angered her attackers by speaking to them in Spanish, which allegedly led them to beat her more.¹³
- [33] The differences between the information in the female appellant's BOC Form and her testimony at the hearing and the lack of detail about the context of the rape may be explained by the trauma that was caused by her sexual assault. The RPD had to take this into consideration, as set out in the Chairperson's Guideline 4.
- [34] The RPD erred by finding that the female appellant's testimony was not credible.

The Refugee Protection Division's conclusion regarding the minutes

- [35] During the hearing, the RPD indicated its concerns about the two versions of the minutes from the peace court registry that were filed by the female appellant, which recount the incidents that occurred from XXXX XXXX to XXXX, 2014. The RPD explained that the first document is dated XXXX XXXX XXXX 2014, which is prior to the incidents. The amended version of the minutes indicates that the document is dated XXXX XXXX XXXX 2014.
- [36] In its decision, the RPD states that when she was confronted with this contradiction during the hearing, the female appellant explained that her father-in-law had asked for a second copy of the minutes. The RPD found that this explanation was unreasonable, that the female appellant was unable to explain how the document would have been corrected and therefore gave no probative value to those documents.
- [37] With respect, I disagree with the RPD because the female appellant explained during the hearing how the document had been corrected. Listening carefully to the hearing demonstrates that when the RPD asked the female appellant [translation] "How can a judge make a date error in an official document?," she explained that she had noticed the mistake and that is exactly why she had asked for an amendment. She explained that her father-in-law had obtained an amended copy of the minutes.¹⁴ I find that this explanation is completely valid, and I have no other reason to believe that these documents are not genuine. Even judges, however knowledgeable as they may be, can make mistakes in official

documents.

[38] The RPD erred by finding that the minutes were not reliable documents.

The prospective risk

[39] In my opinion, there is a serious possibility of persecution for the female appellant as a member of the particular social group of Haitian women, and in particular, the sub-group of women survivors of sexual violence.

[40] The RPD concludes that the female appellant would not face more than a mere possibility of persecution by reason of her membership in the group of Haitian women if she were to return to live in Haiti. The RPD states that the following factors specific to the female appellant would reduce her fear of being a victim of sexual violence:

- She could benefit from male protection in Haiti;
- she would have her family's support; and
- she does not have the profile of a person who is alone and without support.

[41] In their memorandum, the appellants submit that, if she had to return to Haiti, the female appellant would be in danger because she would be identified with the diaspora and was already kidnapped and sexually assaulted. They also note that the reasons cited by the RPD to mitigate the female appellant's prospective risk are wrong.

[42] I disagree with the RPD's conclusion that the female appellant does not have the profile of a Haitian woman who has a serious possibility of being harmed because of her membership in the group of Haitian women for the following reasons.

Objective situation in Haiti

[43] Although the document titled HTI106291.FE: Violence, including sexual violence, against women, which is included at Tab 5.3 of the National Documentation Package on Haiti and published on June 14, 2019, has been updated since the RPD's decision, most of the information that it contains was in the previous version. Among other things, this document indicates that violence against women is a "widespread" problem in Haiti, and statistics show that it is on the rise.¹⁵ This insecurity, which is mainly due to the Haitian authorities' inability to prevent and punish violence against women, is exacerbated by a dysfunctional judicial system that fosters impunity for the perpetrators at the expense of protecting survivors of sexual violence.¹⁶

[44] This same document states that the police rarely investigate cases of violence against women and report on the situation, difficulties and obstacles faced by survivors of sexual violence who try to obtain help. Some sources state that:

... gender-based inequalities, religion that encourages the submission of the woman to her husband, fear of reprisals for victims and their family in the absence of the availability of protection, difficulty accessing services that are provided more by civil society than by the state, lack of competence of police and justice services personnel, the fees associated with legal proceedings and the lack of effective legal aid mechanisms, difficulty in accessing the courts (also since [translation] "non-central regions have limited or no coverage"), the use of French as the language of justice in a country where [translation] "80 percent of the population speaks only Creole," and the tendency of judges to encourage out-of-court agreements rather than investigations. The OFPRA also mentions legal fees, the language barrier, the fear of reprisals and gender discrimination.¹⁷

[45] The documentary evidence also mentions that the authorities discourage sexual violence complaints and that officers frequently blame the victims and "routinely ask" victims what they did or what they were wearing to provoke such an attack.¹⁸ This document also includes many examples of the authorities, rather than just police officers, refusing to investigate. Discriminatory and sexist treatment by representatives of the prosecutor's office also exists.¹⁹

[46] With respect to support for victims of sexual violence, the report from the Office français de la protection des réfugiés et apatrides at Tab 2.520 states that, even if there is recourse for victims of sexual violence, it is difficult for some of them to become immune to these attacks because they do not have access to it: [translation] "if a woman is unaware of the support networks and does not have appropriate contacts in her community, it is difficult for her to protect herself from sexual violence."

The female appellant's age and autonomy

[47] In the female appellant's case, her age and presumed autonomy are not factors that, even if we were to assume that they were present, would mitigate the risk of being subjected to sexual violence if she were to return to Haiti. The documentary evidence states that, in addition to the physical and psychological consequences that she has already suffered as a survivor of sexual violence, there is a serious possibility that the female appellant would be stigmatized by her community and her family. This would make her even more vulnerable and at risk of sexual violence.²¹

Having been subjected to sexual violence in the past is a factor that increases the risks of suffering sexual violence in the future

[48] Like all Haitian women, the female appellant would face generalized violence against women if she were to return to Haiti. What is specific to her is that, like other survivors of sexual violence, they are often stigmatized by their community and more at risk of being subjected to further violence.²²

[49] The report from the U.S. Department of State concerning the human rights situation in Haiti²³ states that the judicial system is ineffective, unreliable and inconsistent and that sexual violence and gender-based violence are chronic problems. Furthermore, the justice system made it difficult for survivors to seek redress because a fear of reprisals and social stigma contributed to under-reporting and infrequent prosecutions. It also states that survivors faced major obstacles in seeking justice and accessing protective services such as women's shelters.

[50] At Tab 5.5, the report on sexual violence by the Doctors Without Borders organization states the following:

The proximity to the attackers often prevents victims from going home in their communities after the rape because they are at risk of further violence, stigma, and sometimes reprisals.²⁴

[51] Survivors of sexual violence who try to file a complaint against their attackers must not only overcome difficulties and obstacles, but they must also deal with the stigmatizing attitudes of the police and judicial authorities:

34. Public officials in the justice system (often males) who interact with female victims of gender-based violence frequently have attitudes that perpetuate the stigma associated with rape and obstruct female victims' access to justice, which includes police, prosecutors and judges. The negative attitudes of the police towards victims discourage reporting instances of gender-based violence. Furthermore, the discriminatory or sexist form and attitude of some police officers when they receive complainants at the station re-traumatizes the victims and dissuade them from reporting.

35. Some investigatory judges blame the victim for having done something to attract the aggression or trivialize the experience. In one harrowing case, a young woman was repeatedly badgered with the question, "What did you do to make him violate you?" In that case, the victim spent more than 24 hours travelling from police stations to state hospitals and clinics, trying to register her complaint and obtain a medical certificate, as the officers mistakenly demanded medical certificates to open investigations or press charges, refusing to write up the rape allegation until she paid a bribe.

36. A 2012 study found that "[m]ore than half of sexual assault victims and household members who tried to report the crime to the police complained that officers refused to make a report or tried to dissuade the victim or family members from doing so. Roughly 12 percent of sexual assault victims reported paying or being asked for bribes by police; the average bribe given was 1200 gourdes, about USD \$30.²⁵

[52] The documentary evidence states that communities often exacerbate the situation of sexual violence victims by stigmatizing or rejecting them. It states that raped women are often [translation] "considered to be guilty by their relatives, who punish them by mistreating them."²⁶

- [53] Lastly, even when some victims of sexual violence manage to receive support from an association, it does not help them to reintegrate into their community or obtain protection from threats in their community.²⁷

Male protection in Haiti

- [54] In its decision, the RPD states that one of the factors specific to the female appellant that would reduce her risk of being a victim of sexual violence in Haiti is that she could benefit from male protection. The evidence on the record does establish that the principal appellant is married.
- [55] However, in the context of targeted and generalized violence against women that exists in Haiti, I am of the opinion that the mere fact that a woman is married or can live with a man is not a factor that reduces the risk of being subjected to sexual violence. Sexual violence does not discriminate against victims who have a partner from those who do not. Therefore, in her memorandum, the female appellant is correct in stating that family support would not prevent the risk of being subjected to sexual violence in Haiti. Moreover, the fact that a woman can live with a man in Haiti is not equivalent to the protection that the state authorities are expected to provide to their citizens.
- [56] It is also important to note that the documentary evidence does not indicate that living with a male member of the same family is an important factor in reducing the possibility of being a victim of sexual violence. Rather, it states that the "availability of protection" can limit the risk of reprisals when a victim files a complaint against her aggressor(s).²⁸ In my opinion, it is an error to frame male presence as a factor mitigating future risks of sexual violence, as the RPD did.
- [57] In addition to not being a factor that reduces the risk of being subjected to sexual violence, I note that in the vast majority of cases, this violence is not anonymous; it is perpetrated by a spouse. In 58% of cases, the victim's current spouse or partner commits the sexual violence, and in 83% of cases, it is a man whom she knows:

The survey data shows that in 58 percent of cases, the perpetrator of the violence is the victim's current husband or partner, and in 37 percent of cases, it is the former husband or partner; among victims who are single, in 34 percent of cases it is a boyfriend, in 20 percent of cases it is a friend of the family and in 17 percent of cases it is an unknown individual.²⁹

- [58] Based on the above analysis, the state does not provide any protection to women victims of sexual violence in Haiti. Within that context, there is no internal flight alternative.
- [59] For these reasons, I find that the female appellant is credible with respect to her fear of being persecuted by reason of her membership in the group of Haitian women. I am also of the opinion that there is a serious possibility that the female appellant would be persecuted and subjected to sexual violence if she were to return to Haiti.

[60] The RPD erred by concluding that the female appellant had failed to establish a well-founded fear of persecution by reason of her membership in the particular social group of Haitian women.

XXXX XXXX XXXX fear

[61] No evidence was submitted on the appellants' minor son with respect to his country of birth, the United States. Therefore, it is not established that he would face a serious possibility of being persecuted in the United States or that he could be personally subjected to a danger of torture, a risk to his life or a risk of cruel and unusual treatment or punishment.

[62] The RPD did not err by determining that the minor appellant was neither a Convention refugee nor a person in need of protection.

CONCLUSION

[63] For these reasons, I confirm the RPD's determination regarding XXXX XXXX XXXX and XXXX XXXX XXXX, namely, that they are neither refugees nor persons in need of protection. The appeal is dismissed in their cases.

[64] However, I set aside the RPD's determination and substitute a determination that should have been made with respect to XXXX XXXXXXXXX, namely, that she is Convention refugee. The appeal is allowed in her case.

(Signed)

"Tammy Tremblay"

Me Tammy Tremblay

January 7, 2020

Date

1 Chairperson's Guideline 4: Women Refugee Claimants Fearing Gender-Related Persecution, pursuant to subsection 65(3) of the Immigration Act, November 13, 1996.

2 Minute 00:07 of the recording of the Refugee Protection Division (RPD) hearing on December 5, 2018.

3 Minute 00:33 of the recording of the RPD hearing on December 5, 2018.

4 Minute 02:33 of the recording of the RPD hearing on December 5, 2018.

5 Minute 02:36 of the recording of the RPD hearing on December 5, 2018.

6 Minute 00:50 of the recording of the RPD hearing on December 5, 2018.

7 Minute 01:28 of the recording of the RPD hearing on December 5, 2018.

- 8 Minute 01:46 of the recording of the RPD hearing on December 5, 2018.
- 9 Between 01:07 and 01:10 of the recording of the RPD hearing on December 5, 2018.
- 10 Minute 01:12 of the recording of the RPD hearing on December 5, 2018.
- 11 Between 00:59 and 01:13 of the recording of the RPD hearing on December 5, 2018.
- 12 Minute 01:47 of the recording of the RPD hearing on December 5, 2018.
- 13 Minutes 00:57 of the recording of the RPD hearing on December 5, 2018.
- 14 Minute 01:41 of the recording of the RPD hearing on December 5, 2018.
- 15 National Documentation Package on Haiti, September 2019, Tab 5.3, HTI106291.FE: Violence, including sexual violence, against women; state protection and support services, Immigration and Refugee Board of Canada (IRB), June 14, 2019, pages 11 to 12.
- 16 Ibid. and Tab 5.9, Violence against Women, Trafficking, Prostitution, and Exploitation by UN Peacekeepers, Bureau des Avocats Internationaux et al., January 22, 2016, pp. 8 to 10; Tab 2.1, Haiti. Country Reports on Human Rights Practices for 2018, United States. Department of State, March 13, 2019, Section 6, under the heading: Women, pages 19 and 120; Tab 2.3, A/HRC/34/73, Report of the Independent Expert on the situation of human rights in Haiti, United Nations. Human Rights Council, March 8, 2017, paragraph 72; Tab 5.12, Haïti : Les violences faites aux femmes [Haiti : violence against women], France. Office français de protection des réfugiés et apatrides, January 9, 2017, pages 11-12.
- 17 Ibid., Tab 5.3, HTI106291.FE, Violence, including sexual violence, against women; state protection and support services (2017 - June 2019), June 14, 2019, p. 11.
- 18 Ibid., Tab 6.2, Fighting for our Lives: Violence and Discrimination against Women and LGBT Persons in Haiti, ANAPFEH et al., October 2014, p. 9.
- 19 Ibid., Tab 6.2, Fighting for our Lives: Violence and Discrimination against Women and LGBT Persons in Haiti, ANAPFEH et al., p. 10.
- 20 Ibid., Tab 2.5, Rapport de mission en République d'Haïti du 26 mars au 7 avril 2017 [report on mission in the Republic of Haiti from March 26 to April 7, 2017], France. Office français de protection des réfugiés et apatrides, September 15, 2017, p. 57.
- 21 Supra, endnote 15.
- 22 Ibid., Tab 5.12, Haïti : Les violences faites aux femmes, Office français de protection des réfugiés et apatrides, June 14, 2019, page 12; Tab 5.5 Against Their Will: Sexual and Gender Based Violence Against Young People in Haiti, Doctors Without Borders, page 21 and Tab 2.5, Rapport de mission en République d'Haïti du 26 mars au 7 avril 2017, France. Office français de protection des réfugiés et apatrides, p. 57.

23 Ibid., Tab 2.1: Haiti. Country Reports on Human Rights Practices for 2016, United States, Department of State, March 3, 2017, pp. 1 and 21.

24 Ibid., Tab 5.5, Against Their Will: Sexual and Gender Based Violence Against Young People in Haiti, Doctors Without Borders, page 21.

25 Ibid., Tab 5.9, Violence against Women, Trafficking, Prostitution, and Exploitation by UN Peacekeepers, Bureau des Avocats Internationaux et al., January 22, 2016, p. 10.

26 Ibid., Tab 2.5, Rapport de mission en République d'Haïti du 26 mars au 7 avril 2017, France. Office français de protection des réfugiés et apatrides, September 15, 2017, p. 57.

27 Ibid., Tab 2.5.

28 Ibid, Tab 5.3, HTI106291.FE: Violence, including sexual violence, against women; state protection and support services (2017- June 2019), IRB, June 14, 2019, p. 11.

29 Ibid., Tab 5.3, page 3 and Tab 5.13, Domestic Violence. Haiti: Mortality, Morbidity, and Service Utilization Survey (EMMUS-VI 2016-2017), Institut Haïtien de l'Enfance; The DHS Program, July 2018, p. 4.

RAD File No. / No de dossier de la SAR : MB9-03710

MB9-03711 / MB9-03712

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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 4, 2019)

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Prepared on 28 October 2026 · Esheria