

CANADA / JUDGMENT

TB9-05619

COURT

Refugee Appeal Division

DECIDED

29 July 2020

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RAD File / Dossier de la SAR : TB9-05619

TB9-05620

Private Proceeding / Huis clos

Reasons and decision ? Motifs et décision

Persons who are the subject of the appeal

XXXX XXXX XXXX XXXXXXXXXX XXXX

Personnes en cause

Appeal considered / heard at

Toronto, ON

Appel instruit / entendu à

Date of decision

July 29, 2020

Date de la décision

Panel

Patricia Broad

Tribunal

Counsel for the persons who are the subject of the appeal

Sacha Champion

Conseil des personnes 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 Principal Appellant) and XXXX XXXX (the Associate Appellant) are citizens of Bangladesh. They have appealed a denial of a Refugee Protection Division (RPD) decision that found that they are not Convention refugees and/or persons in need of protection.

DECISION

- [2] I dismiss the appeal. The RPD was correct in finding that the Appellants are neither Convention refugees nor persons in need of protection. I do so, as I find that there is an internal flight alternative for the Appellants.

BACKGROUND

- [3] The Appellants base their claims on the following.
- [4] The Principal Appellant owned a business in Dhaka, Bangladesh, that XXXX XXXX XXXX from Malaysia. He owned this business for about 10 years. He travelled for work, and when he did so, his wife went into the office. In 2017, he began to have problems with Islamic militants.
- [5] On two occasions in XXXX 2017, members of the Ansulrullah Bangla Team (ABT) went to his business and tried to recruit him. They demanded money. He could not pay them but asked for time to do so; in XXXX 2018, they came back. They locked the Principal Appellant and the employees in the office. They brandished weapons at them. Again, they threatened the Principal Appellant and his wife. They took a key when they left the office.
- [6] The Principal Appellant left Dhaka. He went to live with his mother in a village outside of Dhaka. He stayed there from around XXXX XXXX to XXXX XXXX, 2018.
- [7] While he was with his mother, he received threatening phone calls. The ABT went to her house, but he was not there. He left to stay with a friend back in Dhaka. He still received phone calls. He left Bangladesh in XXXX 2018 and came to Canada on XXXX XXXX XXXX 2018. He left his cell phone in Bangladesh. His wife remained in Bangladesh. The ABT kept calling on the cellphone and threatened her. She left Bangladesh in XXXX of 2018 and came to Canada on XXXX XXXX, 2018.

- [8] In XXXX 2018, the Principal Appellant's brother died. The ABT told the Principal Appellant's other brother that they XXXX XXXX XXXX XXXX to the deceased brother. They would do the same to him unless he joined the ABT and paid them money. They told him that, if the Principal Appellant returned, they would kill the Principal Appellant and his wife, the Associate Appellant.
- [9] The Appellants agreed that their claims would be based on whether or not they were persons in need of protection in accordance with section 97 of the Immigration and Refugee Protection Act (IRPA or the Act). The RPD found that state protection was available for the Appellants. Further, it found that the Appellants had an internal flight alternative (IFA) in Chittagong. The Appellants have appealed to the Refugee Appeal Division (RAD). They have not submitted any new evidence nor have they requested a hearing.

ANALYSIS

- [10] I have conducted an independent assessment of the evidence and arguments. This review includes listening to the entire recording of the RPD hearing. This recording is in evidence.
- [11] In addition to the National Documentation Package (NDP) that was on record with the RPD and in keeping with the "Policy on National Documentation Packages in Refugee Determination Proceedings",¹ the RAD has also considered the most recent NDP at the time of writing the decision. On May 26, 2020, the RAD provided notice to the Appellant that it would be doing so, in particular, item 7.9 of the NDP from March 31, 2020. The Appellant was given two weeks to provide a response. As of the date of this decision, there has not been any response from Counsel.

Are the Appellants Persons in need of Protection?

- [12] The Appellants do not challenge the RPD's finding that there was not a nexus to a ground under the definition of a Convention refugee in accordance with section 96 of the Act. Having reviewed the evidence, I have come to the same conclusion; I see no need to intervene to prevent an injustice.² The issue is whether the Appellants are persons in need of protection in accordance with section 97 of the Act. In other words, is there a risk to their lives or a risk of cruel and unusual treatment or punishment in Bangladesh?

Is there State Protection in Bangladesh?

- [13] The RPD found that there was state protection in Bangladesh. The Appellants argue that the police are corrupt, and it is not available.

[14] The evidence about state protection is mixed. It is not disputed that the police are corrupt. However, there is also objective and neutral evidence of state commitment to eradicate the ABT. In particular, terrorist attacks have decreased, and arrests against ABT members have increased.³ Other evidence states that attacks are increasing but confirms that the ABT is banned and that there is zero tolerance of terrorism in Bangladesh.⁴ Further, the state apparatus to enforce the law has significant flaws and is feeble.⁵

[15] I agree with the Appellants that there is not consistent state protection. However, the issue is the degree of risk from the ABT throughout Bangladesh. In other words, there is not a risk to their lives or a risk of cruel and unusual treatment or punishment throughout Bangladesh.

Do the Appellants have an Internal Flight Alternative?

[16] If the Appellants have an internal flight alternative, they are not persons in need of protection. In this case, the RPD found that there was an IFA in Chittagong.

[17] The test for assessing an IFA is two-pronged and is set out in the Federal Court of Appeal's decision in *Rasaratnam*.⁶

(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.⁷

[18] 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.

Whether the Appellants face a risk to their lives or a risk of cruel and unusual treatment or punishment in Chittagong

[19] In general, the objective evidence supports a conclusion that the Appellants can relocate. The UK Home Office notes that appellants who are pursued by non-state actors are able to relocate in Bangladesh.⁸ However, the individual circumstances of the Appellants should be considered. In this case, the IFA identified was Chittagong.

[20] One of the central issues is whether the ABT can find the Appellants in Chittagong. The Appellants argue that the ABT have connections with the Jamaatul Mujahideen Bangladesh (JMB) and, consequently, with ISIS. The documentary evidence regarding the militants in Bangladesh reflect the fluid and changing nature of the militant groups. The ABT is said to have changed its name to Ansar-ul-Islam.⁹ There is documentary evidence that the ABT has a singular goal of making Bangladesh an Islamic state. Some sources state that it joined forces with a violent splinter of the JMB to be part of a "neo JMB".¹⁰ Other sources state that the

ABT has worked with JMB. Further, the documentary evidence does support a link between the ABT and ISIS.¹¹

[21] However, there are a combination of considerations that weigh against a finding of sufficient risk to the Appellants to find that they are persons in need of protection in Chittagong. The evidence about the level of ISIS's presence in Bangladesh is unclear. While there is ISIS in Bangladesh, there were no reports of terrorism in 2018.¹² Further, the Appellants have not provided sufficient evidence to show that there is a presence of ABT that would present a risk to them in Chittagong. The Appellants were targeted for their business in Dhaka; there is insufficient evidence that this business, that attracted the militants, is present in Chittagong. Further, according to the Principal Appellant's narrative in his Basis of Claim (BOC), he has closed his company.¹³ In other words, the reason for the risk is not present in Chittagong. This is not to speculate at the motives of the agents of persecution; however, the lack of the business that drew their attention is a factor that weighs against the likelihood of persecution in Chittagong.

[22] Further, it appears that the state has launched a response to the ABT, and they are less active.¹⁴ While this may not be sufficient evidence to find that there is state protection, it is sufficient evidence to weigh in favour of a finding that there is not a likelihood of risk to the Appellants.

[23] The Appellants argue that they could be easily found through their cell phone. They state that it does not require a lot of expertise on GPS and cell phones to do so. It is easily done, and anyone can do it. However, they do not explain how it is done, or how anyone can do it. They do not show which evidence supports their claim that anyone can track a person through their cell phones. Further, the Principal Appellant and the Associate Appellant had the same cell phone for a significant amount of time while they were close to Dhaka, and there is insufficient evidence to find that the agents of persecution knew where they were. The Principal Appellant had the cell phone until XXXX 2018 when he left; he was even in Dhaka with it. They called him, and while his mother said they came to her house one time,¹⁵ there was not another confrontation with the Principal Appellant even when he returned to Dhaka and lived there for months. The Principal Appellant, who was the target for the ABT, was in the city of Dhaka for a significant period of time, and the agents of persecution did not harm him. When the Associate Appellant left Dhaka, the ABT called her. However, she was in Bangladesh until XXXX 2018, and they did not track her down or find

her.16

- [24] In addition, the weight of the evidence leads to the conclusion that the Associate Appellant likely had the same cell phone that the Principal Appellant had. The Associate Appellant did not testify that it was a different cell phone, and the Principal Appellant testified that he left his cell phone in Bangladesh.¹⁷ As the agents of persecution did not find and harm the Appellants when they had the same cell phone in and around Dhaka, the likelihood that the cellphone would lead the agents of persecution to the Appellants is even less in Chittagong. In other words, the geographic remoteness of Chittagong from the agents of persecution is a factor in assessing the cell phone and the agent of persecution's likelihood in finding the Appellants.
- [25] While the Principal Appellant argues that he still received threats after closing the company, I note that he received the threats on the same cell phone, and he was still within the vicinity of Dhaka. It was still close to the time of the first threats. The fact that he does not still have the company is a factor that weighs against a finding that the ABT would likely find him.
- [26] Further, while the Principal Appellant points out that he testified that he did not think of getting rid of the cell phone even after the ABT kept calling him, he and his wife, the Associate Appellant, claim that she received calls after he left Bangladesh. The Principal Appellant's explanation of not thinking about it does not explain why they did not do so when it was an ongoing issue.
- [27] Another factor that leads to the remoteness of the likelihood that the agents of persecution could find the Appellants is the passage of time. While the Appellants argue that there were threats as late as when his brother received a threat against them in October 2018,¹⁸ that was over one and a half years ago. With the passage of time, the likelihood that the ABT would be able to find the Appellants is even more remote.
- [28] It should be noted that the Principal Appellant testified that he stayed in Dhaka for a few days after the incident in XXXX and rented a house before going to his mother's home.¹⁹ The agents of persecution came to his house. The RPD questioned why this incident was not in the BOC, and the Principal Appellant responded that he was trying to summarize the incident, so he did not mention it. I do not find that this explanation is reasonable. The BOC is quite detailed, and the Appellant did amend it prior to the hearing. Incidents of the agents of persecution seeking the Principal Appellant are important and material; that this incident was not included in the BOC weighs against its credibility.

Is there sufficient evidence that the ABT found and killed the Principal Appellant's brother?

- [29] The Appellants argue that the ABT found the Principal Appellant's brother and killed him, so they could find the Appellants as well. However, there are some questions regarding the consistency of evidence on this point. There are two death certificates. One appears to be from a hospital, although there is no heading on the document.²⁰ A doctor and a resident

have signed it. There is a translation on record. The original document has headings in the Bengali language but is completed in English. It mentions that the brother died from "XXXX XXXX XXXX XXXX XXXX XXXX XXXX".²¹ The other document is a government document.²² The original is completed in the Bengali language.

- [30] I find that the death certificate signed by the doctor is not a credible document. Bengali is the official language of Bangladesh, and at least 98% of people use it.²³ It is unclear why the hospital would complete the document in the English language that less than two percent of the population use. It is also unclear why the document would not have a heading. I do not find that it is likely that the document is authentic. Further, I do not find that the comment "XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX" is compelling evidence that the brother was XXXX XXXX XXXX XXXX from the ABT; it is too vague.
- [31] The Appellants argue that the hospital does not have to state the cause of the XXXX.²⁴ However, there is insufficient evidence of any barrier to acquiring a medical report which, if they hospital told the brother the deceased brother was XXXX, could confirm information that the hospital had already shared this information and why they could not ascertain the XXXX XXXX XXXX and XXXX XXXX XXXX XXXX. Given the flaws with the evidence that the Principal Appellant's brother was XXXX, it would have assisted a finding that it is more likely than not that the deceased brother was XXXX. Similarly, there is not a statement from the Principal Appellant's other brother indicating that he talked to the ABT. Sufficient evidence that the deceased brother was XXXX is necessary before continuing to the second finding that it is more likely than not that the ABT XXXX the deceased brother.
- [32] The other death certificate is a more credible document. It is in the Bengali language. It has a letterhead. For cause of death, it has "XXXX XXXX XXXX" written. It does not mention XXXX. This is not to say that the government should speculate as to the cause of death; however, the document does not support a finding that the deceased brother was XXXX.
- [33] The Principal Appellant's brother reported to the police that the hospital told him that the other brother was XXXX.²⁵ The General Diary excerpt given to the police²⁶ most closely resembles a letter to the police from the Principal Appellant's brother. It simply states that the Principal Appellant's brother laid a complaint. Even if he did so, it does not provide sufficient weight that the ABT force-fed the deceased brother XXXX and it killed him. Also, the General Diary is a form of hearsay. The brother is reporting what the hospital told him. Hearsay evidence is admissible evidence, but it is inherently not as reliable and/or accurate as direct evidence. In such a case, where there is a flaw with the evidence, corroborative evidence is of assistance. While the Appellants did provide a death certificate that they claim is from the hospital, they have not provided a medical report from it. The issues with the hospital's death certificate have been noted. The Appellants have not provided sufficient corroborative evidence that supports a conclusion that it is more likely than not that the Principal Appellant's brother was XXXX. Further, the likelihood that it was the ABT who XXXX him is even more remote.

- [34] For these reasons, I find that there is insufficient evidence that the Principal Appellant's brother died because he was XXXX XXXX XXXX XXXX. The evidence supporting this allegation is too flawed to be given weight that leads to a likelihood that the event occurred. The Appellants have not established it is more likely than not that this occurred.

Likelihood for need of protection in Chittagong undermined by inconsistent evidence

- [35] I find that the likelihood that the Appellants are in need of protection in Chittagong is undermined by the inconsistency in the evidence.
- [36] In the Appellant's Memorandum, the Appellants have requested that I substitute the RPD's decision for one that the Appellants are persons in need of protection.²⁷ Effectively, these arguments are about whether there is sufficient credible evidence to find in their favour. There are issues with consistency in the evidence. As part of my independent review of the evidence, I have considered these inconsistencies. As stated by the Federal Court, in so doing, I do not find that, in this case, I have to put them to the Appellants to provide an opportunity to provide submissions, as the evidence is already on record.²⁸ I note that the Appellants are aware of the record; it is not extrinsic evidence. Further, as the RPD does not have a duty to confront claimants with concerns regarding their own documents,²⁹ the same reasoning should apply to the RAD. Given that it is not extrinsic evidence, there is no obligation to confront the Appellants with discrepancies in the evidence.
- [37] In addition to the credibility concerns noted, the Principal Appellant testified that, on one occasion, there were five people from the ABT who came to his office, and in XXXX 2018, the same five people came with three more people. The police report for the incident in XXXX 2018 only states that there were five ABT members.³⁰ This is inconsistent regarding a central point of the narrative. However, I do not give these considerations significant weight, as the Principal Appellant was not given the opportunity to address it.

Documentary evidence that supports the Appellants' claims

- [38] The Principal Appellant provided documentary evidence in support of his claim. I have addressed some of it already in my reasons. In general, I also note that the excerpts from the police crime diaries record complaints that are made by the Principal Appellant and his brother. They confirm that complaints were made, but they do not confirm that the police verified the accounts or performed any form of investigation to support the accounts therein. In other words, the police themselves do not support the accounts. These excerpts have limited probative value. They do not provide sufficient evidence to find that it is more likely than not that the events described actually occurred.
- [39] Further, the Appellants have provided letters from the Principal Appellant's mother³¹ and a "councilor" [sic].³² These letters have notarial stamps that state that they are authenticated. The councillor certifies that the Principal Appellant was attacked by the ABT several times.

The letter does not appear to be consistent with the Appellants' account of events. The grammar in this letter is difficult, and there may be issues with translation; but while the Principal Appellant testified that he was threatened, he did not state that he was attacked by the ABT on several occasions.

- [40] The letter of the Principal Appellant's mother states that the Principal Appellant stayed with her from XXXX XXXX to XXXX and that members of the ABT went to her home to find the Principal Appellant. The Principal Appellant left her home. This letter was also authenticated by a notary. There is insufficient evidence that the mother actually wrote the letter, it appears typed. While she may have signed it, the account of the ABT going to her home is vague. She does not provide details such as when they went, how many people went, etc. ...; she provides a minimal description. Further, the account of the ABT going to his mother's house is inconsistent with the BOC that does not mention this event. The RPD questioned the Appellant about this discrepancy.³³ The Principal Appellant stated that he did not include it in the BOC because he found out about it after he went back to Dhaka, but that was before he completed his BOC. I do not find that this explanation is reasonable; this inconsistency weighs against the credibility of the likelihood that the agents of persecution went to his home.
- [41] The purpose of the notary seal appears to be to authenticate that the mother and the councillor signed the letters. However, they are not affidavits. The signatories have not sworn or affirmed that the information is true. I do not find that the presence of a seal and stamps are sufficient to provide reason to give the letters more weight.
- [42] Further, while the Appellants provided letters that they wrote themselves to support their claims, I find that these letters only reiterate their narrative.
- [43] For these reasons, when I consider the evidence that supports the claims, I find that there is insufficient evidence that it is more likely than not that the Appellants face a risk to their lives or a risk of cruel and unusual treatment or punishment in Chittagong.

Is it reasonable for the Appellants to relocate in Bangladesh?

- [44] The record on this issue is limited. However, the Appellants have had an opportunity to provide evidence for Chittagong on two occasions-both at the RPD and at the RAD. For this appeal. I am relying on the best evidence available. I have reviewed and considered the record. I find that it is sufficient to make a sound decision with confidence on this issue. In other words, I do not find that there is such a paucity of evidence in this case that the reasons are speculative.³⁴

- [45] It is worth noting that the Appellants have the burden of proof. The Appellants were aware that this was an issue and raised the issue of an IFA in their memorandum. Although they had the opportunity to request to submit new evidence, they did not do so. The Appellants have provided insufficient evidence that it is unreasonable for them to relocate. Further, the record, in its totality, supports a finding that there is insufficient evidence to conclude that it is unreasonable for the Appellants to relocate.
- [46] In addition, I am mindful of the high threshold that is required to show that an IFA is unreasonable; the Federal Court of Appeal has held that there must be proof of adverse conditions that would jeopardize the life and safety of the Appellants when travelling or living in Chittagong.³⁵
- [47] As noted by the RPD, the Appellants are Bengali, which is the predominant ethnic group in Bangladesh. They are Muslim, which is the predominant faith in Bangladesh. Further, they speak Bengali, which is the language of Bangladesh.³⁶ There is insufficient evidence of any ethnic, religious or language barrier for the Appellants.
- [48] The Appellants have significant resources. The Principal Appellant is well educated and has a BA in XXXX and XXXX XXXX.³⁷ He has significant work experience. He owned and ran a XXXX XXXX XXXX company for 10 years. There is insufficient evidence to conclude that it is more likely than not that there were problems with the business, other than attracting the attention of the ABT. There is insufficient evidence that the Appellants had any financial problems. I note that the economy in Bangladesh has grown about 6% on average annually for the last two decades and, in 2014, reached the World Bank lower-middle income status.³⁸
- [49] Further, while the Associate Appellant wrote in the Canadian government's Citizenship and Immigration Canada, Schedule A that she was a housewife,³⁹ she testified that she went into the company and worked in it when he was not there and was travelling.⁴⁰ She has some business experience.
- [50] The work experience is a skill for the Appellants. They have not provided evidence that there is any barrier to finding employment in Chittagong. I have noted evidence of economic growth in Bangladesh. Further, they have not provided evidence of issues with housing, medical care, or any of the factors that would apply to them in an analysis of whether an IFA is reasonable; nor did I see any in my review of the evidence on record. Overall, there is insufficient evidence of barriers.
- [51] The Appellants have pointed out that they have a lack of friends and family in Chittagong; they do not have support.⁴¹ I have considered this factor. I find that, in this case, it must be weighed in the context of Appellants who have significant resources. Further, despite being given the opportunity to provide evidence and specifically asked if they had anything else to add to this issue at the hearing,⁴² they have not provided sufficient evidence of barriers that they would have to face.

[52] Having considered the record, I do not find that there is sufficient evidence of barriers to these Appellants in their circumstances to show that it would be unreasonable for them to relocate and live in Chittagong.

CONCLUSION

[53] I dismiss the appeal and confirm the decision of the RPD that the Appellants are neither Convention refugees nor persons in need of protection.

(signed)

Patricia Broad

Patricia Broad

July 29, 2020

Date

1 <https://irb-cisr.gc.ca/en/legal-policy/policies/Pages/national-documentation-packages.aspx>

2 Mmono, Ruth Morenakang v. M.C.I. (F.C., no. IMM-4015-12), Phelan, March 5, 2013, 2013 FC 219.

3 NDP for Bangladesh (October 2018 and March 31, 2020), item 1.6, UK Home Office, "Country Policy and Information Note, Bangladesh: Religious minorities and atheists, Version 2.0", October 2018, at 5.3.8

4 NDP for Bangladesh (October 2018 and March 31, 2020), item 1.5, European Union: European Asylum Support Office, "EASO Country of Origin Information Report, Bangladesh: Country Overview", December 1, 2017, at 10.3

5 NDP for Bangladesh (October 2018 and March 31, 2020), item 7.8, International Crisis Group, "Countering Jihadist Militancy in Bangladesh, Asia Report No. °295", February 28, 2018, at p. 20

6 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.).]

7 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.).

8 NDP for Bangladesh (October 2018 and March 31, 2020), item 1.6, UK Home Office, "Country Policy and Information Note, Bangladesh: Religious minorities and atheists, Version 2.0", October 2018.

9 NDP for Bangladesh (October 2018 and March 31, 2020), item 7.8 (supra, endnote 6), at p. 7, at footnote 32.

10 NDP for Bangladesh (October 2018 and March 31, 2020), item 7.5, Immigration and Refugee Board of Canada, Response to Information Request BGD105673.E, "The Jamaat-ul-Mujahideen Bangladesh (JMB), including operational capacity, areas of operation, and activities (2015-November 2016)", November 15, 2016, at 1.3.

11 See for example, NDP for Bangladesh (March 31, 2020), item 7.5 (*ibid.*); and item 7.8 (*supra*, endnote 6).

12 NDP for Bangladesh (March 31, 2020), item 7.9, US Department of State, "ISIS-Bangladesh, Country Reports on Terrorism 2018", November 1, 2019.

13 Exhibit RPD-1, RPD Record, at p. 18; and Audio Recording of the RPD Hearing, at 01:07:03.

14 NDP for Bangladesh (March 31, 2020), item 7.6, US Department of State, "Bangladesh: Country Reports on Terrorism 2018", November 1, 2019.

15 Exhibit RPD-1, RPD Record, at p. 158.

16 Testimony from the Associate Appellant, Audio Recording of the RPD Hearing, at 01:51:06.

17 Audio Recording of the RPD Hearing, at 01:17:31.

18 Exhibit RPD-1, RPD Record, at p. 152.

19 Audio Recording of the RPD Hearing, beginning at 01:07:03.

20 Exhibit RPD-1, RPD Record, at p. 154.

21 Exhibit RPD-1, RPD Record, at p. 154.

22 Exhibit RPD-1, RPD Record, at p. 156.

23 NDP for Bangladesh (October 2018 and March 31, 2020), item 1.4, US Central Intelligence Agency, "Bangladesh: The World Factbook", October 17, 2018 and February 7, 2020.

24 Exhibit P-2, Appellants' Record, at p. 6, Appellants' Memorandum.

25 Exhibit RPD-1, RPD Record, at p. 152.

26 Exhibit RPD-1, RPD Record, at p. 152.

27 Exhibit P-2, Appellants' Record, at p. 10, Appellants' Memorandum.

28 Akram, Naeem v. M.C.I. (F.C., no. IMM-5353-17), Boswell, July 26, 2018, 2018 FC 785.

29 Akanniolu, Oluwakemi Shola v. M.C.I. (F.C., no. IMM-3857-18), Kane, March 14, 2019, 2019 FC 311.

30 Exhibit RPD-1, RPD Record, at p. 150.

31 Exhibit RPD-1, RPD Record, at p. 158.

32 Exhibit RPD-1, RPD Record, at p. 162.

33 Audio Recording of the RPD Hearing, at 01:13:42.

34 Chauhdry, Mukhtar Ahmed v. M.C.I. (F.C.T.D., no. IMM-3951-97), Wetston, August 20, 1998.

35 M.C.I. v. Ranganathan, Rohini (F.C.A., no. A-348-99), Létourneau, Sexton, Malone, December 21, 2000. Reported: Ranganathan v. Canada (Minister of Citizenship and Immigration), [2001] 2 F.C. 164 (C.A.).

36 See NDP for Bangladesh (March 31, 2020), item 1.4 (supra, endnote 24).

37 Exhibit RPD-1, RPD Record, at p. 56.

38 NDP for Bangladesh (October 2018 and March 31, 2020), item 1.4, (supra, endnote 24), at p. 1

39 Exhibit RPD-1, RPD Record, at p. 63.

40 Audio Recording of the RPD Hearing, at 01:53:46.

41 Audio Recording of the RPD Hearing, at 01:45:18.

42 Audio Recording of the RPD Hearing, at 01:45:19.

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RAD.25.02 (January 2020)

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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 (January 2020)

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Prepared on 26 October 2026 · Esheria