

CANADA / JUDGMENT

Ibrahim v. Canada (Immigration, Refugees and Citizenship)

2026 FC 501

COURT

Federal Court

DECIDED

16 April 2026

Source: norma.lexum.com · Research copy typeset by Esheria. Not court-issued or certified.

Ibrahim v. Canada (Immigration, Refugees and Citizenship)

Court (s) Database

Federal Court Decisions

Date

2026-04-16

Neutral citation

2026 FC 501

File numbers

IMM-17939-24

Decision Content

Date: 20260416

Docket: IMM-17939-24

Citation: 2026 FC 501

Ottawa, Ontario, April 16, 2026

PRESENT: The Honourable Mr. Justice Duchesne

BETWEEN:

AHMED MUSTAFA IBRAHIM IBRAHIM

Applicant

and

THE MINISTER OF IMMIGRATION, REFUGEES AND CITIZENSHIP,

MINISTER OF PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Respondents

JUDGMENT AND REASONS

- [1] The Applicant seeks judicial review of a senior immigration officer's [the Officer] June 28, 2024, negative Pre-Removal Risk Assessment (PRRA) decision that determined that the Applicant would not be subject to a risk of persecution, torture, risk to life or risk of cruel and unusual treatment or punishment if returned to Egypt [the Decision].
- [2] The Applicant's PRRA submissions relied heavily on a "Watch for Arrival" document, a "Legal Statement" from Shehab for Human Rights [SHR], a "Legal Deposition" from Justice for Human Rights [JHR], various news articles and reports from Human Rights Watch, as well as his own written narrative to argue that he would be at risk of persecution torture, risk to life or risk of cruel and unusual treatment or punishment if returned to Egypt because of his brother's active support of the Muslim Brotherhood during the Egypt Revolution of 2011 and of his and his family's support of the Muslim Brotherhood.
- [3] The Officer found that the Applicant's PRRA application failed to provide sufficient personalized evidence to demonstrate a forward-looking risk of persecution or risk to life if he was returned to Egypt on account of his political opinion.
- [4] Having considered the record before the Court, including the parties' written and oral submissions, as well as the applicable law, I conclude that the Applicant has failed to establish that the decision is unreasonable. This application for judicial review is therefore dismissed for the reasons that follow.

I. Background [5] The Applicant is a citizen of Egypt. He arrived in Canada on April 4, 2019, and sought to claim refugee protection. The Refugee Protection Division [RPD] of the Immigration and Refugee Board received the referral of his claim on April 5, 2019. The RPD issued a Confirmation of Referral and Notice to Appear that directed the Applicant to file a completed Basis of Claim form within 15 days and that, if he failed to do so, he would be required to attend a special hearing on April 30, 2019.

- [6] The Applicant did not file a completed Basis of Claim form within the 15 days allotted to him and did not attend the special hearing on April 30, 2019. The RPD declared his claim abandoned as of April 30, 2019. The Applicant did not seek judicial review of the RPD's decision in this regard.

- [7] On July 3, 2019, the Applicant asked the RPD to reopen his abandoned claim and provided medical records relating to medical treatment which he argued prevented him from completing his Basis of Claim form or attending the special hearing. The RPD dismissed the Applicant's application to reopen on October 2, 2019. The Applicant filed an application for leave and for judicial review of the RPD's decision, together with a motion to extend time on January 27, 2020. His application was dismissed on October 15, 2020.
- [8] The Applicant received a direction to report on December 23, 2019. He then requested an administrative deferral of removal on December 27, 2019. An Enforcement Officer dismissed that request on January 6, 2020. On January 8, 2020, the Applicant filed an application for leave and for judicial review of the refusal to defer his removal in docket number IMM-116-20, and moved for a stay of his removal. The Court granted the Applicant's motion to stay his removal on January 15, 2020. The Respondent brought a motion on May 4, 2021, in docket number IMM-116-20, and obtained a judgment that granted the Applicant's judicial review and set aside the decision that refused to defer his removal from Canada.
- [9] In February 2022, the Applicant submitted a spousal sponsorship application for permanent residence. The application was refused on March 5, 2024.
- [10] The Minister received the Applicant's PRRA application on March 18, 2022. The Applicant alleged risk from the military regime in Egypt due to his older brother's ties to the Muslim Brotherhood. In support of his PRRA application, the Applicant filed his "affidavit of personal story", a document titled "Watch for Arrival" which he described incorrectly as a "Notice of Arrest on Arrival", a generic "Legal Statement" from Shehab for Human Rights (SHR), and a generic "Legal Deposition" letter from Justice for Human Rights (JHR), as well as various news articles and reports from Human Rights Watch.
- [11] The Officer refused the Applicant's PRRA on June 24, 2024. The Officer found that, aside from the Applicant's written remarks contained in his application, little probative evidence had been submitted to substantiate the Applicant's claim. The concluding paragraphs of the Decision read as follows:

Overall, objective evidence regarding Egypt shows dissent of nearly any kind is not tolerated by the Egyptian authorities. Individuals who express views opposing the regime risk arrest, detention and serious ill-treatment. The applicant has not submitted sufficient corroborating evidence that he has expressed any political or other opinions that might bring him to the attention of the authorities. The applicant has thus failed to establish a link between the general documentary evidence and his personal circumstances in a forward-looking manner. I find that the applicant has submitted insufficient evidence to prove the basis of his allegations, that he faces persecution due to his political opinion or a risk to life if returned to Egypt. This was determined on a balance of probabilities.

Conclusion

Risk, by definition, is forward-looking and the PRRA process requires that the risks faced by the applicant be personalized. I have assessed all evidence submitted for this assessment, both individually and globally. Based on the totality of evidence before me, I find that there is less than a mere possibility that the applicant would face persecution in Egypt, based on the Convention grounds set out in section 96 of the IRPA.

Similarly, I do not find that the applicant's would face, on a balance of probabilities, a danger of torture, a risk to life, or a risk of cruel and unusual treatment or punishment as described in sections 97(1)(a) and 97(1)(b) of the IRPA if she were to return to Egypt.

The application is therefore refused.

- [12] On August 10, 2024, the Applicant submitted a second application for permanent residence under the Spouse or Common-law Partner in Canada class.
- [13] On September 26, 2024, the Applicant filed an application for leave and for judicial review and a motion to extend time in this proceeding in connection with the Decision.
- [14] On October 16, 2024, the Applicant filed an application for leave and for judicial review by which he seeks declaratory relief and a writ of mandamus compelling a decision on his permanent residence application supported by spousal sponsorship within a fixed time and as a condition precedent to his potential removal from Canada. This second application is dealt with and dismissed in this Court's judgment in court file no.: IMM-19104-24, released contemporaneously with this judgment.
- [15] The Applicant sought and was granted a stay of removal to Egypt by way of an order made on December 5, 2024. The stay specifically provided that it would remain in effect pending the determination of the Applicant's application for leave and judicial review in this proceeding.

II. The Decision [16] The Officer determined that the Applicant would not be subject to risk of persecution, torture, risk to life, or risk of cruel and unusual treatment or punishment if returned to Egypt.

- [17] The Officer recorded that the Refugee Protection Division (RPD) found the Applicant's earlier refugee claim abandoned on April 30, 2019, treated that abandonment as a serious negative factor in the PRRA, and found the Applicant's medical explanation for the abandonment to be uncorroborated and unreasonable. The Officer also noted that a family class sponsorship filed on February 1, 2022, was later refused.
- [18] The Officer reviewed the Applicant's materials and conducted independent research on country conditions in Egypt. The Officer found that, apart from the Applicant's written remarks, the record contained little personalized or probative evidence to substantiate the allegations made. The Officer compared the Applicant's Basis of Claim narrative to his PRRA narrative and noted a substantial expansion regarding his brother Ashraf's involvement with

the Muslim Brotherhood in Egypt and in Turkey in the PRRA narrative. The Officer specified that the PRRA narrative newly described Ashraf as coordinating activities at Alexandria University, meetings in the family home, working in Turkey providing technical support at party meetings, working for Rabea Television, and organizing for the Freedom and Justice Party. The Officer further stated that section 113(a) of the Immigration and Refugee Protection Act, SC 2001, c 27 [the IRPA] did not apply because the claim was never heard by the RPD and set out that section 96 of the IRPA requires more than a mere possibility of persecution and that section 97 of the IRPA is assessed on a balance of probabilities.

- [19] The Officer then considered the translated “Watch for Arrival” document dated September 17, 2019, alongside a Response to Information Request [the RIR] on the appearance of investigation and warrant documents. The Officer concluded that, although the translation reflects elements described in the RIR, there is no corroborating evidence explaining why the Applicant was placed on the watch list. The Officer noted that the document referenced case number 15349 for the year 2019 in Bab Sharq felonies and drew a negative inference from the absence of evidence explaining why the Applicant would be on a watch list in the first place.
- [20] On the basis of the documentary record and the Applicant’s representation in his PRRA form that he had never been charged or convicted of any crime or offence in any country, the Officer found that while the Applicant may have been accused of crimes linked to political opinion, there is no evidence that he was charged or convicted because no court order was obtained. The Officer therefore concluded that the evidence does not show that the Applicant is of interest to the Egyptian authorities. The Officer linked this conclusion to country evidence indicating that Egyptian authorities tend to focus sustained interest on high profile individuals, whereas lower profile persons are more likely to be questioned than detained.
- [21] The Officer acknowledged evidence that people who express views contrary to the state face heightened risks of arbitrary arrest and detention, especially high-profile figures. The Officer found that the Applicant provided insufficient evidence showing that his profile is comparable to those at such risk. In doing so, the Officer expressly relied on the United States Department of State 2022 Human Rights Report on Egypt, on the DFAT Australia publication regarding the emphasis on high profile cases and the likelihood that lower profile returnees may be questioned but not detained, on Amnesty International’s publications regarding prolonged pretrial detention and terrorism related proceedings, and on Freedom House’s publications regarding reprisals for dissent and social media control.
- [22] The Officer considered statements from Shehab for Human Rights and Justice for Human Rights. The Officer concluded that these are generic letters that describe general conditions, do not show probative knowledge of the Applicant’s circumstances, and warrant little weight. The Officer further emphasized the absence of social media postings, news articles, or other documentation from the Applicant or from his brother evidencing views that would attract state attention, and noted the absence of any membership or identification card

linking the Applicant to the Muslim Brotherhood or the Freedom and Justice Party.

- [23] The Officer found that the Applicant did not submit sufficient corroborating evidence that he expressed political or other opinions likely to attract the attention of the authorities. The Officer concluded that the Applicant failed to link the general country evidence to his personal circumstances in a forward-looking way. The Officer reiterated that the burden of proof rests with the Applicant and stated that the evidence was assessed both individually and globally before reaching this conclusion.
- [24] The Officer then considered the claim that questioning by Egyptian Security Forces upset the Applicant's former spouse and led to divorce. The Officer found that the frequency and nature of the encounters, and how they translate into a personalized forward-looking risk, were not set out. The Officer also noted that the divorce was finalized in October 2016 and that the PRRA did not include the former spouse's name and date of birth.
- [25] The Applicant's PRRA application was rejected because he submitted insufficient evidence to prove the basis of his allegations.

III. The Issue [26] The only issue before the Court is whether the Decision is reasonable.

IV. The Standard of Review [27] The parties agree, and I with them, that the applicable standard of review is the standard of reasonableness discussed in *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 25, 86-87 [Vavilov].

- [28] Reasonableness is a deferential standard of review (Vavilov at paras 12-13). The reviewing court must determine whether the decision under review, including both its rationale and outcome, is transparent, intelligible, and justified (Vavilov at para 15). A reasonable decision is one that is based on an internally coherent and rational chain of analysis and that is justified in relation to the facts and law that constrain the administrative decision maker (Vavilov at para 85). Whether a decision is reasonable depends on the relevant administrative setting, the record before the administrative decision maker, and the impact of the decision on those affected by its consequences (Vavilov at paras 88-90, 94, 133-135).
- [29] For a decision to be unreasonable, the applicant must establish that the decision contains flaws that are sufficiently central or significant (Vavilov at para 100). Not all errors or concerns about a decision will warrant intervention. A reviewing court must refrain from reweighing evidence before the administrative decision maker, and it should not interfere with factual findings absent exceptional circumstances (Vavilov at para 125). Flaws or shortcomings must be more than superficial or peripheral to the merits of the decision, or a "minor misstep" (Vavilov at para 100). Reasonableness review is not a "line-by-line treasure hunt for error" (Vavilov, at para 102).

[30] A reviewing court should leave an administrative decision in place if it can discern from the record why the decision was made and if the decision is otherwise reasonable (Vavilov at paras 120-122; *Canada (Citizenship and Immigration) v Mason*, 2021 FCA 156 at paras 38-42). The Federal Court of Appeal affirmed this principle in *Zeifmans LLP v Canada*, 2022 FCA 160, when it wrote as follows at paragraph 10:

In other words, the reasons on key points do not always need to be explicit. They can be implicit or implied. Looking at the entire record, the reviewing court must be sure, from explicit words in reasons or from implicit or implied things in the record or both, that the administrator was alive to the key issues, including issues of legislative interpretation, and reached a decision on them.

V. Arguments and Analysis [31] The Applicant argues that the Decision is unreasonable and fails to respect Canada's non-refoulement obligations under Article 3 of the United Nations' Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [Convention Against Torture] and section 12 of The Canadian Charter of Rights and Freedoms (the Charter) by disregarding the Applicant's risk of torture and inhuman treatment upon return to Egypt.

[32] While this argument is set out in the Applicant's Application for leave and for judicial review, it was not reproduced in the copy of the originating document contained in the Applicant's Record as served upon the Respondent, nor in the copy filed with the Court. It appeared at the hearing that the Applicant had miscopied his originating document in his Applicant's Record, had omitted at least one page of its content, and had not observed in preparing for the hearing that the documents he had served upon the Respondent were incomplete and potentially misleading. The Respondent therefore did not respond to the argument advanced by the Applicant in her memorandum of argument. I informed the parties at the hearing that I would review the Court file with respect to the whether the Application for leave and for judicial review as filed contained the Applicant's argument and would either provide the Respondents with an opportunity to respond to the Applicant's arguments based on the Charter and on the Convention Against Torture if such a response was warranted, or, speak to the issue in this Judgment if no argument was warranted. The Applicant's arguments based on the Charter and the Convention Against Torture fail because their minimal essential condition precedent, that the Applicant might be subject to torture if removed to Egypt, was not established before the Officer and it has not been shown that the Officer's determination on this issue was unreasonable. No Response was therefore required by the Respondent.

[33] The Applicant also submits that the Officer misapplied the legal tests for assessing risk of torture and serious human rights violations, resulting in errors of fact law.

- [34] The Applicant argues that the Officer did not meaningfully engage with credible country evidence showing systemic persecution, arbitrary detention, and torture of individuals associated with the Muslim Brotherhood and the Freedom and Justice Party in Egypt, and unreasonably discounted objective documentation in the National Documentation Package and other authoritative sources that corroborate widespread abuses against similarly situated.
- [35] The Applicant further argues that the Officer ignored or unreasonably minimized evidence of the Applicant's specific, individualized risk arising from his own affiliation with the Freedom and Justice Party and his family connection to his brother, a prominent political dissident. The Applicant submits that documentary proof, including a translated "Watch for Arrival" notice and an arrest-related record from Egyptian authorities, demonstrates that he faces arrest on arrival in Egypt and a substantial risk of torture.
- [36] The Applicant submits that the Officer drew adverse inferences from the absence of a court judgment without addressing the well-documented difficulty of obtaining judicial records in Egypt due to corruption, unreasonably expected corroboration from family despite documented dangers and practical barriers, and relied on an Response to Information Request (RIR) to question authenticity even though the RIR itself recognizes systemic obstacles to obtaining official documents.
- [37] The Applicant argues that the Officer did not fairly assess the authenticity, reliability, and importance of the evidence bearing on the personal risk faced in Egypt, contrary to section 7 of the Charter.
- [38] The Applicant argues that the Officer failed to provide a clear, transparent chain of analysis explaining why key evidence was rejected, contrary to reasonableness principles articulated by the Supreme Court of Canada. Relying on Vavilov, the Applicant submits that the Officer failed to provide responsive justification proportionate to the severe consequences of removal by not weighing or explaining the decision's impact on the Applicant, including the practical effect of foreclosing protection and exposing him to arrest and torture upon return to Egypt.

VI. Analysis [39] The Applicant argues that the Officer misapplied the legal test for assessing a forward-looking risk and that the Decision is unreasonable as a result. The Court disagrees. The Decision reflects that the Officer applied the correct legal test and found that the Applicant failed to meet it. The Applicant's argument that the Officer erred in this regard has no merit.

- [40] The Applicant's arguments that the Officer failed to provide responsive justification for their consideration and weight to be afforded to the evidence presented, and more generally that the Decision fails to meet the reasonableness requirements articulated in Vavilov more generally must be rejected. The Decision ably reflects the limitations and many shortcomings of the Applicant's evidence and arguments, and is amply supported by the record. The Officer justifies and explains how they arrived at their central conclusion that the Applicant did not lead sufficient evidence to establish his allegations.

- [41] The Officer accepted documentary evidence of repression of dissent and explained why the Applicant had not demonstrated that his profile aligns with those targeted by Egyptian authorities. The Decision identifies the absence of individualized proof tying the Applicant to the Muslim Brotherhood or the Freedom and Justice Party, the lack of public-facing or social media activity that would likely attract attention, and the lack of membership or identification documentation.
- [42] The Officer gave little weight to two generic NGO letters and explained why the translated “Watch for Arrival” document did not, without context or corroboration, demonstrate ongoing interest by Egyptian authorities. This analysis applies the evidentiary burden that rests on the Applicant to demonstrate that they are in need of protection (*Cao v Canada* (Citizenship and Immigration), 2020 FC 500 at para 27 [Cao]; *Lupsa v Canada* (Citizenship and Immigration), 2007 FC 311 at paras 12-13 [Lupsa]). There is no basis to interfere with the Officer’s analysis or conclusions in this regard.
- [43] The Applicant argues that the Officer minimized individualized risk and failed to engage with country evidence. The Decision shows the opposite.
- [44] The Officer canvassed authoritative sources and then distinguished the general risk to dissidents from the need for the Applicant to show his personalized risk. This accords with the principle that country documentation alone cannot establish an individual’s real fear of persecution and that risk must be individualized rather than abstract (*Sinora v Minister of Employment and Immigration* (FCA), [1993] FCJ No 725, 66 FTR 113; *Taj v Canada* (Minister of Citizenship and Immigration), 2004 FC 707 at para 5; *Guerilus v Canada* (Citizenship and Immigration), 2010 FC 394 at para 15 [Guerilus]). The assessment of the applicant’s potential risk of being persecuted if they were sent back to their country must be individualized, the fact that the documentary evidence shows that the human rights situation in a country is problematic does not necessarily mean there is a risk to a given individual (*Jarada v Canada* (Minister of Citizenship and Immigration), 2005 FC 409 at para 28; *Ahmad v Canada* (Minister of Citizenship and Immigration), 2004 FC 808 at para 22). The Officer explained why the Applicant’s materials did not bridge the gap between general conditions in Egypt and his personal circumstances.
- [45] The Applicant further submits that the Officer unreasonably discounted the “Watch for Arrival” translation and drew improper inferences from the absence of judicial records. This argument must be rejected also.
- [46] The Officer compared the translation of the “Watch for Arrival” document to a RIR on the appearance of such documents and reasonably found missing context, such as why the Applicant would appear on a watch list or whether any charge or conviction existed. It was open to the Officer to require corroborative evidence from the Applicant to satisfy the required legal burden (*Ibrahim v Canada* (Citizenship and Immigration), 2014 FC 837 at para 25; *II v Canada* (Minister of Citizenship and Immigration), 2009 FC 892 at para 20). The assignment of weight to the “Watch for Arrival” document and to the NGO letters falls to the

Officer. In the absence of having failed to consider relevant factors or having relied upon irrelevant ones, the weighing of the evidence lies within the purview of the PRRA officer conducting the assessment and does not normally give rise to judicial review (*Augusto v Canada (Solicitor General)*, 2005 FC 673 at para 9). It is not the Court's role to reweigh the evidence that was before the Officer. I find nothing unreasonable in the Officer's treatment of the "Watch for Arrival" document.

- [47] The Applicant points to his brother's reported political activity as creating a derivative risk. The Officer addressed that contention, noting the substantial expansion from the Applicant's earlier refugee narrative to the Applicant's PRRA account, and the absence of objective materials from either the Applicant or his brother showing public-facing political activity.
- [48] The Officer noted that country sources emphasized heightened state interest in high profile figures, but the Officer reasonably concluded that the Applicant did not sufficiently demonstrate that his profile was comparable or likely to attract sustained attention from Egyptian authorities. That conclusion respects the requirement for an individualized, forward-looking assessment and the evidentiary burden being on the Applicant (*Guerilus* at para 15; *Cao* at para 27; *Lupsa* at paras 12-13).
- [49] Where the impact of a decision on an individual's rights and interests is severe, including consequences that threaten an individual's life, liberty, dignity or livelihood, the reasons provided to that individual must reflect the stakes (*Vavilov* at para 133). The Officer met this requirement by identifying the governing statutory tests, summarizing the evidence, addressing contested documents and letters, and determining that there was not a sufficient nexus between Egyptian country conditions and risk to the Applicant.
- [50] The reasons are transparent and intelligible, and they show why the Officer found that the Applicant's evidence did not establish a personalized risk on return to Egypt.
- [51] The Applicant did not establish the required nexus between the Egyptian country condition and his personal circumstances to require any analysis of either his Charter or Convention Against Torture arguments due to their factual shortcomings.
- [52] Finally, the Applicant alleges unfairness in the Officer's assessment of authenticity, reliability, and the importance of the evidence. The Decision identifies the record, states that the Officer assessed the evidence individually and globally and gives clear reasons for assigning limited weight to generic or weakly corroborated materials.
- [53] The Applicant's remaining arguments challenge the weight the Officer assigned to the evidence, which is a matter for the Officer, absent the reliance on irrelevant considerations or the omission of relevant ones.
- [54] The Applicant has not established any basis for this Court to interfere with the Officer's assessment of the record that was before them and their Decision.

[55] The parties have not suggested any question of general importance to be certified pursuant to section 79 of the IRPA, and the Court agrees that none arises from the facts of this proceeding.

JUDGMENT in IMM-17939-24

THIS COURT’S JUDGMENT is that:

The Applicant’s application for judicial review is dismissed.

There is no question of general importance to be certified pursuant to section 79 of the IRPA.

There are no costs awarded to any party for this proceeding.

“Benoit M. Duchesne”

Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET:

IMM-17939-24

STYLE OF CAUSE:

AHMED MUSTAFA IBRAHIM IBRAHIM v. MPSEP

PLACE OF HEARING:

montreal, quebec

DATE OF HEARING:

october 22, 2025

JUDGMENT AND REASONS:

duchesne, j.

DATED:

april 16, 2026

APPEARANCES:

Stewart Istvanffy

For The Applicant

Lisa Maziade

For The Respondents

SOLICITORS OF RECORD:

Étude Légale Stewart Istvanffy

Montreal, Quebec

For The Applicant

Attorney General of Canada

Montreal, Quebec

For The Respondents

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://norma.lexum.com/fc-cf/decisions/en/item/530384/index.do>

CASE PAGE <https://chat.esheria.ai/case-law/canada/ibrahim-v-canada-immigration-refugees-and-citizenship-2026>

Prepared on 29 October 2026 · Esheria