

CANADA / JUDGMENT

Ojei v. Canada (Citizenship and Immigration)

2026 FC 554

COURT

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Ottawa, Ontario, April 27, 2026

PRESENT: The Honourable Madam Justice Strickland

BETWEEN:

BENEDICT OLUWAGBEMI OJEI

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

JUDGMENT AND REASONS

- [1] The Applicant, Benedict Oluwagbemi Ojei, seeks judicial review of a decision of a senior immigration officer [Officer] dismissing his Pre-Removal Risk Assessment [PRRA] application.
- [2] For the reasons that follow, I am dismissing this application for judicial review. The Applicant has not met his onus of establishing that the Officer erred in their internal flight alternative [IFA] analysis. This is determinative.

Background [3] The Applicant is a 42-year-old citizen of Nigeria. He entered Canada in June 2023 and initiated a claim for refugee protection. However, because the Applicant had previously made a claim for protection in Australia, he was found to be ineligible to have his claim referred to the Refugee Protection Division [RPD] (Immigration and Refugee Protection Act, SC 2001, c 27 [IRPA], paragraph 101(1)(c.1)) and an exclusion order was issued against him. The Applicant was subsequently given the opportunity to apply for a PRRA, which he did. He was also entitled to and was afforded a PRRA hearing (IRPA section 113.01).

- [4] At his PRRA hearing, the Applicant relied on his basis of claim [BOC] narrative. That narrative alleges that the Applicant's father belongs to a secret cult, the "Ogboni Confraternity" and that there is a covenant that the Applicant, as the oldest son, will be initiated into the cult upon his father's death. His father is 77 years old and was undergoing treatment for a stroke when the Applicant left Nigeria. As his father's death is approaching, the Applicant fears returning to Nigeria as he does not wish to become an Ogboni member. The Applicant describes an abusive anticipated initiation process and says that if he does not agree to the cult's terms, they will kill him or make him mentally ill through witchcraft.
- [5] He fears a risk of persecution and risk to his life because of his refusal in becoming a member of the Ogboni Confraternity.

PRRA Decision [6] The Officer's reasons state that they gave careful consideration to all documentary evidence, listing certain documents but also noting that not all documents were specifically referenced in their analysis. The Officer specifically considered: the affidavit of the Applicant's mother; the Applicant's testimony at the hearing; and, the Applicant's BOC narrative.

- [7] The Officer concluded that the Applicant had failed to establish a risk of persecution because of his refusal to become a member of the secret Ogboni Confraternity cult, the central issue being the Applicant's credibility given the material discrepancies in his testimony and inconsistencies between his BOC, his testimony and supporting documentation, which discrepancies the Applicant failed to adequately explain. The Officer also noted the lack of an objective basis for the Applicant's subjective fear and that the allegations about the cult were not personal to the Applicant.

- [8] The Officer went on to consider country conditions documentation, quoting directly from some of the sources relied upon. The Officer found that documentary evidence established that positions within the Ogboni society are not inherited, rather, membership is voluntary. However, if one person's parent was a member of the Ogboni Society, and that person has been exposed to their activities, that child would be expected to join. The Officer found that there was insufficient reliable evidence to indicate that the Applicant had been exposed to Ogboni cult activities through his father. Therefore, there was insufficient credible evidence provided to establish that the Applicant must join the cult. Instead, the evidence before the Officer showed that the Applicant can refuse to do so.
- [9] Regardless of this finding, the Officer then found that the determinative factor was whether there was an IFA. The Officer set out the IFA test and, on the first prong, found that the Applicant's testimony, concerning the ability of the Ogboni fraternity to locate him in Abuja or Port Harcourt, was speculative and unsupported by facts. The Officer found that the Applicant had not demonstrated, on a balance of probabilities, that the alleged agents of harm have the capacity to track his whereabouts in an IFA. As a result, any motivation by the alleged agents of harm to find him in the IFA did not require analysis.
- [10] On the second prong of the test, the Officer found that the Applicant had not demonstrated that the proposed IFAs would be objectively unreasonable or unduly harsh in his particular circumstances.
- [11] The Officer concluded that, on a balance of probabilities, the Applicant has a viable IFA in Abuja or Port Harcourt.

Issues and Standard of Review [12] The sole issue in this matter is whether the Officer's decision was reasonable. The standard of review on the merits of the Officer's decision is reasonableness. On judicial review the Court "asks whether the decision bears the hallmarks of reasonableness — justification, transparency and intelligibility — and whether it is justified in relation to the relevant factual and legal constraints that bear on the decision" (Canada (Minister of Citizenship and Immigration) v Vavilov, 2019 SCC 65 [Vavilov] at para 99).

Applicant's position [13] The Applicant first submits that the Officer erred in their IFA analysis. Specifically, that they erred in their analysis of both prongs of the test by: erroneously assessing the agents of persecution; erroneously assessing state protection; selectively analyzing the objective evidence; and, faulting the Applicant for relying on information about the Ogboni obtained directly from his father.

- [14] The Applicant also submits that the Officer erred in assessing the Applicant's risk profile. Specifically, that the Officer erred by: faulting the Applicant for not demonstrating past targeting or threats; finding that the Applicant's allegations lack a personalized, objective basis; and, relying on erroneous adverse credibility findings to impugn the Applicant's allegations of risk of harm.

Analysis i. IFA [15] An IFA is "a fact situation in which a person may be in danger of persecution in one part of a country but not in another" (Thirunavukkarasu v Canada (Minister of Employment & Immigration), 1993 CanLII 3011 (FCA) [Thirunavukkarasu]). Because an IFA in another part of the same country is determinative of refugee status, the onus is on an applicant to prove, on a balance of probabilities, that there is a serious possibility of persecution throughout the country, including the proposed IFA (Thirunavukkarasu; Photskhverashvili v Canada (Citizenship and Immigration), 2019 FC 415 [Photskhverashvili] at para 28).

[16] The two-pronged test for establishing a viable IFA is well established. The decision-maker must be satisfied on a balance of probabilities, that:

there is no serious possibility of the claimant being persecuted in the proposed IFA; and conditions in the proposed IFA are such that it would not be unreasonable, in all the circumstances, including the circumstances particular to the claimant, for the claimant to seek refuge there.

(Thirunavukkarasu; Rasaratnam v Canada (Minister of Citizenship and Immigration), 1991 CanLII 13517 (FCA); Souleyman v Canada (Citizenship and Immigration), 2020 FC 708 at para 17-18); Photskhverashvili at para 29; Ullah v Canada (Citizenship and Immigration), 2022 FC 1777 [Ullah] at para 21).

[17] As to onus, as I previously stated in Ullah:

[22] The onus is on the claimant to demonstrate that that at least one of the prongs has not been established. That is, the burden is on the claimant to establish that the IFA is not viable, either because there is a serious risk of persecution there or because it would be unreasonable for them to seek refuge there (Thirunavukkarasu at 590; Ranganathan v Canada (Minister of Citizenship and Immigration), 2000 CanLII 16789 (FCA) [Ranganathan] at paras 13-15, [2001] 2 FC 164). The Applicants must provide actual and concrete evidence of the existence of conditions that would jeopardize their lives and safety in relocating to the IFA (Ranganathan, at para 15; Photskhverashvili at para 31). Failure to meet that onus means the IFA is determinative of the claim for refugee protection.

First Prong i. Agent of persecution [18] The Applicant submits that the Officer misconstrued the affidavit evidence of the Applicant's mother about his father's condition and failed to recognize that the Applicant is not asserting that his father will search for him in Nigeria, rather, that others will do so at his father's instruction. He asserts that the Officer erred in assuming that his father is unable to instruct others and, therefore, erred in dismissing his father as an agent of persecution. This dismissal of the Applicant's father as an agent of persecution renders the IFA erroneous because the risk posed by his father has not been assessed as required by the first prong of the IFA analysis.

[19] I do not agree with the Applicant.

- [20] The Officer recognized in their reasons that the Applicant asserted that his father was one of his agents of persecution. The Officer states in their reasons that the Applicant fears non-state actors “being his father and Ogboni fraternity members.” The Officer found that the Applicant had not demonstrated, on a balance of probabilities, that the “alleged agents of persecution” had both the means and motivation to find the Applicant in the proposed IFAs. In reaching that conclusion, the Officer noted that the Applicant’s testimony described the Ogboni fraternity as a cult that performs abusive rituals and that his father has always been a member of the fraternity. When asked if the agents of harm had the ability to locate him in either Abuja or Port Harcourt, the Applicant testified that upon his return to Nigeria he would have to return to his father’s house or else his family would file a missing person report. Also, the Ogboni fraternity is a powerful cult all over Nigeria and has people in the government as their members.
- [21] The Officer states that, when asked how the Applicant knows that the fraternity is powerful, he testified that his father told him about the Ogboni fraternity and that the police are involved with the cult. Also, that the reason he did not report the matter to the police was because the police would not investigate his complaint since it is a family matter. The Applicant further testified that members of the fraternity, who are located across Nigeria, would search for him at the request of his father.
- [22] The Officer noted that the affidavit of the Applicant’s mother indicates that the Applicant’s father had a stroke, is frail and his speech slurred. The Officer found, based on the information before them, that it was not reasonable for his father to be the agent of persecution while he is sick.
- [23] However, the Officer also found that the Applicant’s testimony about the ability of the Ogboni fraternity to locate him in Abuja or Port Harcourt was speculative and unsupported by facts. His knowledge of the Ogboni fraternity members’ capacity to locate him in other parts of the country was based only on things he claimed he heard from his father. The Applicant was unable to provide evidence or credible testimony with respect to the fraternity, its networks, or how they would be able to locate him in Abuja or Port Harcourt.
- [24] Further, that the Applicant’s testimony that the police would not investigate his alleged fear because it is a family matter, was refuted by evidence from the National Documentation Package [NDP]. The objective country evidence shows that the influence of the Ogboni fraternity has been waning for a significant period of time, and that the Ogboni fraternity has no influence over the police in the main cities in Nigeria.
- [25] Given this, and because the Applicant did not provide any other relevant evidence or testimony “with respect to how members of his family might be able to locate him in the IFAs”, the Officer found that the Applicant had not demonstrated, on a balance of probabilities, that the alleged “agents of harm” have the capacity to track his whereabouts in an IFA. As a result, any motivation by the alleged “agents of harm” to find him in the IFA did not require analysis.

- [26] It is apparent from the Officer's reasons that the Officer did not, as the Applicant asserts, assume that the Applicant's father was the only agent of persecution and that he was too weak to instruct other agents of persecution. As the Officer noted, the affidavit of the Applicant's mother states that his father "had a stroke and he is now frail and speech slurred." But the Officer did not find, as the Applicant asserts, that his father would not be able to instruct others and the Officer assessed the alleged risk from the Ogboni fraternity.
- [27] The Officer found that the Applicant's testimony was speculative and unsupported by facts. He was unable to provide evidence or credible testimony with respect to the Ogboni, its networks, or how they would be able to locate him in the IFAs.
- [28] This finding is supported by the hearing notes. The Applicant testified that everything he knows about the Ogboni fraternity – its rituals and behaviour – is based solely on what his father told him. For example, when asked if the agents of harm have the ability to locate him in the IFAs he stated that he did not know. When asked how he knows that the fraternity is powerful, he responded that his father told him all about the cult.
- [29] However, personal belief alone is insufficient to establish that the Applicant will be pursued in the IFAs (*Jimenez v Canada (Immigration, Refugees and Citizenship)*, 2018 FC 1225 at paras 20-22). Accordingly, based on the evidence before the Officer, their conclusion was reasonable. The Officer did not misconstrue the affidavit evidence of the Applicant's mother and did not dismiss the Applicant's father as an agent of persecution. Rather, the Officer found that the Applicant had not provided convincing evidence that there is a serious possibility that he would be persecuted in the proposed IFAs.
- [30] When appearing before me, counsel for the Applicant raised a new argument, being that the Officer failed to assess the Applicant's father's motivation to look for the Applicant in the proposed IFAs. It was suggested that this motivation was not just because the Applicant refused to join the Ogboni cult that his father was a member of, but because the Applicant had assaulted his father during an argument about his refusal. However, there is no evidence that supports that revenge for the assault was a motivating factor for the Applicant's father. Indeed, as the Officer noted, the Applicant did not even raise the assault in his BOC. Given this, and because his entire claim is premised on his allegation that he is at risk because he refused to join the cult, I do not accept that the PRRA Officer erred in failing to consider the motivation of revenge.
- ii. State protection [31] The Applicant also submits that the Officer's finding – that evidence from the NDP refuted the Applicant's claim that the police would not investigate his complaint because it is a family matter – was used to impugn the Applicant's credibility rather than to assess whether he would be able to avail himself of state protection if he is returned to Nigeria.

- [32] There is no merit to this contention. The Officer's consideration of state protection in its IFA analysis does not make credibility findings. Rather, it finds that the Applicant's testimony concerning the ability of the Ogboni fraternity to locate him in the proposed IFAs was speculative and unsupported by any factual evidence. It then addressed his submission that the police would not investigate a complaint from him about forced rituals because they would consider it to be a family matter.
- [33] On that point, the Officer referred to the November 14, 2016, NGA 105659.E, Responses to Information Requests Nigeria: Availability and effectiveness of state and police response in both urban and rural areas of southern Nigeria, for people who refuse to participate in ritual practices (2014-October 2016) [November 2016 RIR].
- [34] In my view, the Officer erred in their depiction of the November 2016 RIR documentary evidence about whether the police would investigate a complaint of a threat of an abusive ritual because it would be considered to be a family matter. That document indicates that police intervention and protection may depend on gender, education and other factors that were not analysed by the Officer.
- [35] However, the Officer had previously found, based on the documentary evidence, that the Applicant is not required to join the cult, referring to the RIR NGA106269.E, June 20, 2019, Nigeria: Ogboni society, including structure, rituals, ceremonies, and current status; membership and the consequences of refusing to join or trying to leave; relationship with police and judicial authorities (2017-April 2019) [June 2019 RIR], submitted by the Applicant, as well as the RIR NGA200795.E entitled Nigeria: Ogboni Society, including structure, rituals, ceremonies, current status, membership and the consequences of refusing to join or trying to leave; Reformed Ogboni Fraternity (ROF), including the nature of its belief system and its purpose, whether membership is compulsory, especially for children of members, and consequences for refusing to join the ROF; whether positions within the ROF are inherited; relationship of these groups with police and judicial authorities (2019–October 2021) [October 2021 RIR]. The Applicant would therefore not be at risk of persecution in the proposed IFAs and in need of state protection. Accordingly, this error is not fatal.
- [36] And, as will be discussed below, the Officer also reasonably found that the Applicant had not established that the agents of persecution had the means to locate him in the potential IFAs.

iii. Analysis of the objective evidence [37] The Applicant asserts that the Officer erred by selectively analysing the objective evidence.

[38] In the decision, the Officer cited, among other sources, the November 2016 RIR, the October 2021 RIR, as well as the June 2019 RIR, which the Applicant submitted.

[39] The Applicant acknowledges that the Officer set out the following extract from the June 2019 RIR:

4.2 Recruitment and Motivation for Joining

Sources indicate that membership to the Ogboni society is voluntary (Canada 27 Mar. 2019a: Sociologist 29 Mar. 2019; Professor 27 Mar. 2019) or by invitation through contacts (Professor 27 Mar 2019). The Professor remarked that a person has to agree to join, and generally cannot be forced to do so, while noting, however, that "supernatural powers" may be used to try to "compel" a person to join (27 Mar. 2019). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the Sociologist, people join voluntarily because they believe that the Ogboni belief system confers extraordinary abilities and powers from deities, especially when human sacrifices are alleged in the performance of rituals. However, those who are expected to retain membership as a family heritage may be coerced or forced when they reject it. (Sociologist 29 Mar. 2019) The Sociologist stated that people who join the Ogboni society are those who "seek spiritual protection from evil forces, or who want to use the powers of Ogboni lodges to gain advantage in political or religious circles" (Sociologist 29 Mar 2019). The Professor similarly explained that people join groups like the Ogboni society due to promises of protection, favours, patronage and connections (Professor 27 Mar. 2019).

- [40] However, the Applicant submits that the Officer failed to acknowledge that although the June 2019 RIR states that the influence of the Ogboni may not be as strong as it once was, it also confirms that the group's influence has not completely disappeared and the society is still active today. The Applicant submits that the Officer erred in not mentioning that portion of the RIR.
- [41] I see no error in this regard. First, when in their reasons the Officer quoted the above portion of the June 2019 RIR, they were not assessing the potential IFAs. Rather, the Officer was considering the risk as alleged by the Applicant. Specifically, whether he could be compelled to join the cult and therefore be subjected to abusive initiation rituals. The country condition document submitted by the Applicant did not support the existence of that risk. This was because, as illustrated by the quote, it indicates that joining the Ogboni society is voluntary.
- [42] Second, and contrary to the Applicant's submission, the Officer did not rely on this passage to conclude that the Ogboni do not have the power to locate the Applicant throughout Nigeria. As noted above, the RIR quote was referenced in assessing the risk of persecution and risk to life because of his refusal to become a member of the cult.
- [43] Third, and in any event, the "overview" section of the June 2019 RIR discusses the history of the Ogboni society (which it notes may refer to several societies) and in the "current status" section, reconfirms the limited influence of the Ogboni society, including:

.....Sources indicate that the influence of the Ogboni society has declined in past decades (Centennial Professor 14 Mar, 2019; France Dec. 2016, 49-50) or is "waning" (Sociologist 29 Mar. 2019). One source said this decline started in the 1950s (Centennial Professor 14 Mar. 2019) while France's Office français de protection des réfugiés et apatrides (OFPRA) states that this decline has been taking place since the 1990s (France Dec. 2016, 50). The Centennial Professor expressed

the view that the Ogboni society's "[p]resent-day membership, presence, and activities are insignificant" (14 Mar. 2019) and that the traditional Ogboni is "now almost defunct" (18 Mar. 2019). According to the same source, the traditional Ogboni society today "has no power or influence" and it is stigmatized as a "pagan remnant" of the past (Centennial Professor 14 Mar. 2019). Similarly, a 2016 OFPRA fact-finding mission interviewed a Nigerian researcher who stated the following: [translation] "In those days, [the 1990s], if you were not O[gb]oni, you could not be part of the government, have a job with a position of authority. Nowadays, Christianity has taken over, it is seen as shameful to belong" to the Ogboni society (France Dec. 2016, 49, brackets in original). The same source gave examples that, in the past, in order to become the director of her university, or to get positions in other institutions, with the police, etc , a person had to be Ogboni, remarking that [translation] "this is no longer the case today" (France Dec. 2016, 49). A representative of International Crisis Group, interviewed for the OFPRA fact-finding mission, also stated that the group's influence has not completely disappeared, but is much less important than in the past, noting that what matters in politics today is money, and that the political influence of [translation] "godfathers [politicians]" is greater than that of traditional societies such as the Ogboni society (France Dec. 2016, 50, brackets in original).....

- [44] Accordingly, the fact that the Officer did not also cite this portion of the June 2019 RIR is not an error as it simply reconfirms the diminished influence of the Ogboni society.
- [45] As to *Ogunwola v Canada* (Citizenship and Immigration), 2025 FC 614, relied upon by the Applicant, that was a circumstance where the RAD accepted that the Applicant feared the Ogboni Society due to this father's vow to bring his son into the cult. In the matter before me, the PRRA Officer found the Applicant not to be credible. And, unlike *Ogunwola*, here, the Officer did not rely exclusively on one NDP item ignoring contradictory NDP materials raised by the applicant.
- [46] In the matter before me, the Officer referred to the June 2019 RIR submitted by the Applicant as well as the November 2016 RIR and the October 2021 RIR.
- [47] I note that the October 2021 RIR describes the background to what is termed the "Ogboni Society" which, generally speaking, appears to have traditionally performed judicial, political and religious functions among the Yoruba. Its current role is described by some sources as "still active" today "especially among the older generation," though membership is "not as popular among the younger generation". And that they "seem to" be involved in politics "all around Africa." Conversely, another source indicates that the Ogboni Society does not possess "much social power," although it is "still important to notions of social power, masculinity, and family" and is "responsible for the spiritual safety of [its] communities."
- [48] The October 2021 RIR goes on to describe different branches of the Ogboni Society. The "Reformed Ogboni Fraternity" [ROF] is described by its leader as having the "ultimate objective of promoting good values, love [and] discipline" among members, encouraging them to "do unto others as [they] wish others to do unto [them]" and that the organization is

not a secret society but rather a "registered entity." The "Renowned Ogboni Abalaiya Association of Nigeria" [Renowned Ogboni Association] sets out that organization's objectives in a National Constitution which also describes the organization's structure. Finally, the RIR refers to "Traditional Ogboni" which a source describes as a traditional religion that has existed since before colonization and that members of the "old Ogboni cult" were "wielders of the traditional constitutional and religious powers."

[49] The October 2021 RIR discusses the overlap and differences between the Ogboni Fraternity and the ROF, noting that they are generally considered as the same entity. One source notes that the ROF "shares the same principles" as the Ogboni Fraternity but is not a secret society while the leader of the ROF is reported as saying that there is a "clear distinction" between the ROF and other organizations, although there have been "misinterpretations of what [the ROF] stand[s] for". A source also reports that there are three societies: the Aborigine Ogboni Fraternity, the Ogboni Secret Society or Fraternity and the ROF.

[50] The October 2021 RIR then goes on to discuss membership and recruitment. In that regard, with respect to the Ogboni Society it states:

Legit.ng states that in order to join the Ogboni Society, individuals must be Yoruba and "very successful" (Legit.ng 16 Apr. 2018). According to another article by the same source, the Apena (secretary) of the Ogboni Society is cited as saying that "anyone" or "anyone who qualifies" can join, including pastors and Imams (Legit.ng 8 July 2021).

The Associate Professor indicated that individuals are "initiated" (Associate Professor 9 Sept. 2021). The Professor stated that membership in the Ogboni Society is "by birth, marriage or choice," and membership is "restricted/protected by an oath of secrecy" (Professor 16 Sept. 2021). According to Legit.ng, it is a "secret" whether women are permitted to join the Ogboni Society (Legit.ng 16 Apr. 2018). However, in another article the same source indicated that both men and women can be members (Legit.ng 9 Apr. 2018). The Associate Professor noted that fathers will "[t]ypically" "bring their sons in[to the Ogboni Society] once it is clear that they are able to keep ritual secrets" (Associate Professor 9 Sept. 2021).

The Senior Fellow indicated that membership in the Ogboni Society is voluntary or by parental "compulsion ... as in the case of a minor whose father initiated [him] at an age [when he] was not able to think for himself" (Senior Fellow 19 Sept. 2021).

[51] The ROF membership is generally agreed by the sources not to be compulsory for spouses or children of ROF members and is more voluntary than other similar groups. Membership is not inherited since members tend to be "adults or well-placed members of the larger society". The ROF leader is reported as stating that membership in the ROF was available to any Nigerian "of good character".

[52] The Renowned Ogboni Association's Constitution sets out its membership.

- [53] As to Traditional Ogboni, a research affiliate indicated that membership in the traditional Ogboni is "completely voluntary."
- [54] Thus, the October 2021 RIR evidence does not support that the Applicant, regardless of what segment of the Ogboni cult or association his father may have been connected with, would be forced to join.
- [55] In that regard, I pause here to note that it is unclear from the Applicant's evidence what aspect of the Ogboni his father is alleged to have been associated with. In his BOC the Applicant states that his father was a member of the "Ogboni Confraternity" (which entity does not appear among the various Ogboni societies identified in the RIR. His mother's affidavit states that the Applicant's father was a member of a secret cult "called Ogboni" and that the Applicant will have to be initiated when his father dies. The PRRA hearing notes indicate that the Applicant stated that his father was a member in a "secret cult" and that he refused to join the cult because he was not interested in becoming Ogboni like his father. When the PRRA Officer referred the Applicant to the June 2019 RIR pertaining to the Ogboni Society in which sources indicated that membership is voluntary, the Applicant's response was that the sources were not cult members and that his information came from his father. He gave the same response with respect to information in the RIR indicating that it is not mandatory for first born sons to take up a position inherited from their father unless the Ogboni member "commit[ed] their unborn child or teenager to the group," in which case the child reportedly "will be compelled to join when he is of age," which is 21 for males and 40 for females (I note here is passing that the Applicant was 27 when he left Nigeria for Australia and 39 when he left Nigeria for Canada. However, his evidence was that it would be upon the death of his father that the cult would compel him to join).
- [56] In their reasons, the Officer specifically referred to the October 2021 RIR to support the finding that positions within "Ogboni society" are not inherited. Rather, membership is voluntary. However, the Officer also stated that the RIR indicated that if one person's parent was a member of the "Ogboni Society", and that person had been exposed to their activities, that child would be expected to join. The Officer found that they had received insufficient reliable evidence to indicate that the Applicant was exposed to Ogboni cult activities through his father. Therefore, there was insufficient credible evidence provided to establish that the Applicant must join the cult. Rather, the evidence established that the Applicant could refuse to do so.
- [57] The Applicant submits that the Officer misconstrued the objective evidence, in finding that Ogboni positions are not inherited, by focusing on the ROF while the Applicant's PRRA is concerned with the Ogboni Secret Society or Fraternity. However, the Applicant's evidence was not clear about the group of the Ogboni to which his father belonged and, in any event, the Officer referred to the Ogboni Society – with which the Applicant in his written submission also referred to.

[58] Further, and contrary to the Applicant's submission, the Officer did not add an additional requirement that the person be exposed to the Ogboni's activities. As seen from the above, the October 2021 RIR indicates that membership in the Ogboni Society is voluntary. One source also noted that, an exception to the voluntary membership can be by parental "compulsion ... as in the case of a minor whose father initiated [him] at an age [when he] was not able to think for himself." The Officer found that there was insufficient evidence to establish that the Applicant was exposed to Ogboni cult activities through his father. Indeed, the Applicant's own testimony at the PRRA hearing, when asked if he participated in rituals with his father, was that he had not as he is not yet a member.

[59] The October 2021 RIR also addresses the consequences for refusing to join or trying to leave: The information in the following paragraph was provided by the Associate Professor:

In cities, there are "certainly" no consequences for refusing to join or trying to leave the Ogboni. In villages, an individual's family "may be annoyed or frustrated" because they would perceive it as "evidence" of the individual renouncing "their cultural and religious ways of living". The "only groups" that might experience "consequences" would be "gay men, trans-women, or otherwise queer male-presenting folks"; however, "this is not because of the Ogboni themselves," but rather the influence of "Christian and Islamic anti-queer rhetoric" on the community's "understanding of gender, sex, and orientation" (Associate Professor 9 Sept. 2021).

In contrast, according to the Professor, "leaving the group attracts sanctions, especially [for] those who were born into the practice as a family religion" (Professor 16 Sept. 2021). The same source stated that information on the nature of those sanctions is "not much in the public domain," but that people "likely to leave the group may" be "assassinat[ed]" (Professor 16 Sept. 2021).

The Senior Fellow indicated that "there might not be consequences for refusing to join, but oftentimes there are severe consequences for trying to leave" (Senior Fellow 19 Sept. 2021). The July 2021 article by Legit.ng cites the Ogboni Society's Apena as saying that "only when a member dies [can] they quit the society" (Legit.ng 8 July 2021).

[60] The Applicant asserts that the Officer erred because they referred to both the October 2021 RIR and the June 2019 RIR submitted by the Applicant but did not explain why one report was preferred over the other. In my view, there is no merit to this contention. The Officer clearly relied on the most recent RIR, the October 2021 RIR. It is well known that RIRs are regularly updated. While the Applicant submitted an older version which was acknowledged by the Officer, it was reasonable for the Officer to rely on the most current version without explicitly saying that they were doing so. Jurisprudence of this Court has stated that the most recent NDP should be considered (*Singh v Canada (Citizenship and Immigration)*, 2023 FC 1623 at paras 35-38; *Guzman v Canada (Citizenship and Immigration)*, 2024 FC 433 at para 25).

[61] In sum, I do not agree with the Applicant that the Officer erred in failing to consider contradictory portions of the documentary evidence rendering their decision unreasonable. I would also again point out that the above arguments made by the Applicant are concerned with the Officer's finding that the Applicant would not be compelled to join the Ogboni and, therefore, would not be at risk of being subjected to abusive initiation rituals. That finding was not part of the IFA analysis, although the Applicant argues it as such.

iv. Erroneous faulting of the Applicant [62] The Applicant submits that the Officer's finding – that the Applicant speculated about the capacity of the Ogboni to locate him in Nigeria – lacks transparency and intelligibility. The Officer erred in "impugning the Applicant for relying on direct evidence about the Ogboni obtained from his father" and in finding that evidence not to be credible.

[63] However, the Officer did not impugn the credibility of the Applicant on this basis. Rather, the Officer found that the Applicant's knowledge of the Ogboni fraternity members' capacity to locate him in the proposed IFAs was based only on what he said his father had told him. The Applicant was not able to provide evidence or credible testimony with respect to the fraternity, its networks or how it would be able to locate him in the IFAs nor did he provide any other relevant evidence or testimony about how members of his family might be able to locate him there.

[64] He had also not established an objective basis for his subjective fear. The PRRA Officer referred by footnote to the October 2021 RIR (although it would appear the reference was actually to the June 2019 RIR) as objective evidence that the influence of the Ogboni fraternity has been waning and that it has no influence over the police in the main cities in Nigeria.

[65] The October 2021 RIR states:

5. Relationship with Police and Judicial Authorities

According to the Guardian, the Ogboni Society has "always" played a role in enforcing the law and maintaining order (The Guardian 26 Apr. 2020). Another article by the same source states that the Ogboni "serv[e] as the high court of jurisprudence in offences" for the Egba (The Guardian 8 Sept. 2019). According to the Associate Professor, the Ogboni Society "work[s] very hard to stop crime and disorder" (Associate Professor 9 Sept. 2021). The same source further stated that in urban areas, "there may be a struggle for power" between the police and the Ogboni, while in villages, the Ogboni "fill the vacuum left by the lack of state police" (Associate Professor 9 Sept. 2021). According to the Professor, law enforcement arms are careful in the way they treat members of the cult, especially where they do not openly infringe on or constitute a problem to public safety. Judicial and law enforcement officials who are members would rather protect the group and its activities than expose them. (Professor 16 Sept. 2021)

The Senior Fellow stated that [t]here is no official relationship between the Ogboni Society and the police or judiciary, but there could be a special relationship in a case where a senior police officer or a magistrate or high court judge is a member of the Society. Under such a circumstance, the member of the society who appears before them is often given preferential treatment in accordance with the oath of their brotherhood. (Senior Fellow 19 Sept. 2021)

[66] The June 2019 RIR relied upon by the Applicant, under this same heading states:

Information on the relationship between the Ogboni society and the authorities, including police and judicial authorities, was scarce among the sources consulted by the Research Directorate within the time constraints of this Response. The NHRC representative stated that there is "no evidence" that the Ogboni society has influence on the police in main cities in Nigeria, such as Abuja and Lagos (Nigeria 21 Apr. 2019). The Canadian official stated that in Abuja, the group is not recognized and not known to have influence within the Nigerian authorities (27 Mar. 2019a). The Canadian official noted that the Ogboni society "does not have legitimate or legal influence in any federal institutions," however, there is "a great belief" that securing a prominent government or law enforcement position requires being a member (Canada 27 Mar. 2019a).

[67] The Officer found, on a balance of probabilities, that the alleged agents of harm did not have the capacity to track the Applicant's whereabouts in an IFA. The above RIRs do not indicate that any relationship between the Ogboni society and the police affords the Ogboni society the means to locate individuals in the proposed IFAs. The Applicant does not point to any other country condition report or other evidence that suggests otherwise or that the "Ogboni Confraternity" has a different relationship with the police.

Second Prong [68] The Officer noted the high threshold set by the Federal Court of Appeal for the second prong of the IFA test in that "it requires nothing less than the existence of conditions which would jeopardize the life and safety of a claimant" (*Ranganathan v Canada (Minister of Citizenship and Immigration)*, 2000 CanLII 16789 (FCA) at para 14).

[69] The Officer noted that when asked if there were any other reasons why he would not be able to live in the proposed IFAs, apart from the alleged persecution, the Applicant testified that his family would file a missing person report if he were to relocate to any other part of Nigeria. The Officer went on to consider objective country evidence and found that the Applicant would have access to health care services in the IFAs and would not experience discrimination in Abuja.

[70] The Applicant does not make submissions specific to the second prong of the test.

[71] In my view, the Officer's conclusion was reasonable. The hearing notes demonstrate that the Applicant testified that the only thing preventing him from relocating in Nigeria is his father. When asked if he could relocate to the proposed IFAs and be safe he testified that he could do so only if Canada could provide him with protection and that based on his educational background there are not jobs in Nigeria, he would have to depend on his family for survival. I note, in that regard, the Applicant testified that he holds a BSc in Business

administration and previously managed a small company in Nigeria and worked in his family's business.

[72] There will always be hardship with relocation, but as the Officer noted, the threshold for unreasonableness is very high and requires conditions that would jeopardize the life and safety of the applicant (*Olalere v Canada (Citizenship and Immigration)*, 2017 FC 385 at para 43). The Applicant failed to establish this.

Conclusion on IFA [73] In conclusion, in my view, based on the evidence presented by the Applicant and the country documentation considered, it was reasonable for the Officer to find that the Applicant failed to demonstrate that the proposed IFAs posed a serious possibility of the Applicant being persecuted and that relocation would be objectively unreasonable or unduly harsh.

ii. Risk Profile [74] Because the Officer's IFA analysis was reasonable and determinative, I need not address the Applicant arguments concerning risk profile.

Other Points [75] The Applicant made many other allegations, for example, that Officer failed to state that the Applicant was self represented and to factor this into their decision. However, as pointed out by the Respondent, the Officer did acknowledge that the Applicant was self represented and this was not a case like *Kerqeli v Canada (Citizenship and Immigration)*, 2015 FC 475, relied upon by the Applicant, where the Applicant did not understand the process. These arguments amount to line-by-line treasure hunts for error (*Vavilov* at para 102 citing *Communications, Energy and Paperworkers Union of Canada, Local 30 v Irving Pulp & Paper, Ltd*, 2013 SCC 34 at para 54). Further, the court must be satisfied that any shortcomings or flaws relied on by a party challenging the decision are sufficiently central or significant to render the decision unreasonable (*Vavilov* at para 100). The remaining allegations of error do not do so.

JUDGMENT IN IMM-7510-25

THIS COURT'S JUDGMENT is that

The application for judicial review is dismissed;

There shall be no order as to costs; and

No question of general importance for certification was proposed or arises.

"Cecily Y. Strickland"

Judge

FEDERAL COURT

SOLICITORS OF RECORD

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JUDGMENT AND REASONS:

STRICKLAND J.

DATED:

april 27, 2026

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