

CANADA / JUDGMENT

TB9-15983

COURT

Refugee Appeal Division

DECIDED

9 March 2020

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RAD File / Dossier de la SAR : TB9-15983

TB9-15984

TB9-15985

Private Proceeding / Huis clos

Reasons and decision ? Motifs et décision

Persons who are the subject of the appeal

XXXX XXXX XXXX XXXXXXXXXXX XXXX XXXX XXXXXXXXXXX XXXX XXXX

Personnes en cause

Appeal considered / heard at

Toronto, ON

Appel instruit / entendu à

Date of decision

March 9, 2020

Date de la décision

Panel

Madeleine Schwarz

Tribunal

Counsel for the persons who are the subject of the appeal

Solomon Orjiwuru

Conseil des personnes en cause

Designated representative

XXXX XXXX XXXX

Représentant(e) désigné(e)

Counsel for the Minister

N/A

Conseil du ministre

REASONS FOR DECISION

OVERVIEW

- [1] XXXX XXXX XXXX (the Principal Appellant), her daughter, XXXX XXXX XXXX (the Minor Female Appellant), and her son, XXXX XXXX XXXX (the Minor Male Appellant), citizens of Nigeria, appeal a decision of the Refugee Protection Division (RPD) dated May 8, 2019 rejecting their claim for refugee protection.

DETERMINATION

- [2] The Refugee Appeal Division (RAD) allows the appeal, sets aside the determination of the RPD and substitutes its own determination that the Appellants are Convention refugees.

BACKGROUND

- [3] The Principal Appellant and the Minor Female Appellant fear persecution because they have been branded witches. In XXXX 2018, the Minor Female Appellant had XXXX XXXX. In it, the wife of their landlord's son, who was XXXX at the time, had XXXX XXXX. In XXXX XXXX XXXX XXXX XXXX soon after XXXX. Previously, the daughter had had XXXX of bad omens that ended up happening. The Principal Appellant told her daughter not to tell anyone about the XXXX of the XXXX XXXX XXXX
- [4] The Minor Female Appellant, however, told a playmate about her XXXX XXXX The playmate told her mother. The playmate's mother informed the landlord's son of the Minor Female Appellant's XXXX.
- [5] In early XXXX 2018, the wife of the landlord's son XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX the same day. Shortly after, on XXXX XXXX, 2018, the landlord's son and his wife, along with others, came to the Principal Appellant's home and accused the Principal Appellant and the Minor Female Appellant of being witches and responsible for the XXXX XXXX XXXX XXXX. They tried to take the Minor Female Appellant away, threatening to burn her alive. The Appellants were beaten. Several neighbours gathered and joined in denouncing the family as witches.

THE ROLE OF THE RAD

[6] I have considered each of the Appellant's arguments. I have undertaken my own independent assessment of the RPD and Appellants' Records, and listened to the audio recording of the Principal Appellant's testimony to determine if the RPD's decision was correct in law, or fact, or mixed law and fact.¹ In conducting my assessment, I have taken into account the Chairperson's Guideline 4: Women Refugee Claimants Fearing Gender-Related Persecution² and the Chairperson's Guideline on Child Refugee Claimants.³ I have applied a standard of correctness, and I find no reason to defer to the RPD's findings.

ANALYSIS

- [7] The Appellants argue that the RPD was wrong to find that the Principal Appellant embellished her claim and was not credible and wrong in its assessment of a viable internal flight alternative (IFA).
- [8] I find the RPD made a number of errors in its decision. The RPD breached natural justice when it failed to admit relevant and probative documents at the start of the hearing; erred in its finding that the Principal Appellant embellished her claim and found her not credible; and erred in its assessment of a viable IFA.
- (i) The RPD breached natural justice
- [9] The hearing was held on May 8, 2019. Counsel for the Appellants applied for late disclosure of a number of documents under Rule 36 of the Refugee Protection Division Rules.⁴ The documents were submitted on April 30, 2019, two days after the time limit specified in Rule 34.
- [10] The RPD member listed the documents as follows:
- * a letter from XXXX XXXX
 - * registration of births dating back to 1980, 2008 and 2006;
 - * documents from around April 2, 2019, but relating to the XXXX XXXX, 2018 event, including:
 - o police investigation report;
 - o medical report; and
 - o three sworn affidavits.
- [11] The RPD found the documents to be relevant and probative but rejected the application, finding that the documents could have been provided earlier.

- [12] I find this to be an error by the RPD and a breach of natural justice. Rule 34(3)(a) sets a timeline for documents to be submitted ten days before the hearing. Rule 36, however, requires the RPD to consider the document's relevance and probative value, any new evidence the document brings, as well as whether the party, with reasonable effort, could have provided the documents within the ten-day time limit.
- [13] Counsel explained that the Principal Appellant had asked for the documents earlier but that they were delayed at customs. I find the Principal Appellant's explanation is reasonable in the circumstances. I find the RPD's rejection of relevant and probative documents that could have brought new or corroborating evidence for their claim because of a two-day delay to be a breach of natural justice.
- [14] The Appellants did not raise this as a ground of appeal. I find I can conduct my independent assessment of the RPD's Decision on the basis of the evidence that is contained in the Record.
- (ii) The RPD erred in its finding that the Principal Appellant embellished her claim and was not credible
- [15] The Principal Appellant testified regarding the XXXX XXXX, 2018 attack by the landlord's son and neighbours on her and her children. She said someone knocked on her door, and, when she opened it, there were many people outside who asked her to bring out her daughter. They accused her daughter of being a witch because of XXXX XXXX and said the girl had XXXX XXXX landlord's son's XXXX. The Principal Appellant testified that the group started beating the Appellants. The group said they were going to burn them alive, and they poured gas on them. She said there were around twenty people. A police officer who lives in the neighbourhood came to rescue her and the children.
- [16] In her BOC, the Principal Appellant testified that the landlord's son and wife came with the playmate of the Minor Female Appellant and the playmate's mother and accused the Principal Appellant and the Minor Female Appellant of being witches because of the XXXX XXXX. Several neighbours gathered to find out what was going on, and some joined in denouncing the Appellants. They tried to take the Minor Female Appellant away, and they threatened to burn the Minor Female Appellant. They beat the Principal Appellant and both Minor Appellants. An off-duty police officer in her compound intervened and took her to the police station. In her BOC, the Principal Appellant did not mention that the attackers poured gasoline on them.⁵
- [17] The RPD drew a negative credibility inference. It found the omission of pouring gas on the Appellants in the BOC to be material. When asked why she had not included this in her BOC, the Principal Appellant stated that she was confused because of all that had happened. She indicated that she could not believe that this happened to her. The RPD did not accept her explanation and found that it was one example of her embellishing the claim. The RPD Member found it to be a material omission which led the Member to find that the event did not happen.⁶

- [18] I find the RPD was wrong with this finding.
- [19] The Principal Appellant stated in her BOC that the individuals who arrived at her house threatened to burn the Appellants alive. In her BOC, she said there was an attempt to set her and her children on fire. Rather than embellishing her claim, I find the Principal Appellant provided detail on how the threat to burn the Appellants began to be carried out. I do not find this to be a material omission.
- [20] In addition, the RPD found that one feature of the Principal Appellant's testimony was that she embellished her evidence. In his reasons, the Member offered the omission of pouring gas as an example. The Member pointed to no other examples of embellishment in the Principal Appellant's testimony. Had the Member made others findings on the Principal Appellant's credibility, this one incident could have indicated a pattern of embellishment or omission that brought her entire testimony into doubt. I find this one omission is insufficient to cast doubt on the totality of the Principal Appellant's testimony on this event and her general credibility.
- [21] I find that the RPD erred by finding that the Principal Appellant had embellished her claim when she said gas was poured on them and therefore found that the event did not happen. I find the Appellants have established, on a balance of probabilities, that this event did occur. I find that they have demonstrated a well-founded fear of persecution because they have been branded as witches, a particular social group.
- (iii) Adequate state protection is not available to the Appellants in Nigeria
- [22] The objective evidence is clear that while there are laws prohibiting people making accusations against witches, there is a lack of political will to ensure effective implementation. Police are reluctant to investigate issues that are culturally controversial, and families and communities are reluctant to provide evidence. There are few, if any, investigations and prosecutions of those who make witchcraft allegations or carry out the abuse on those accused.⁷ The Principal Appellant's testimony confirms this. She testified that the police rescued her and her children from the attack, but then advised there was nothing they could do.⁸ I find the Appellants do not have access to adequate state protection in Nigeria in relation to the allegations made against them that they are witches.
- (iv) The Appellants do not have a viable IFA in Nigeria
- [23] To find a viable IFA, I must be satisfied that: (a) there is no serious possibility of the Appellants being persecuted or in need of protection in the proposed IFA; and (b) it must be reasonable, taking into consideration the conditions in the IFA location, for the refugee to seek refuge there.⁹

The RPD failed to consider the totality of the evidence in finding that the Appellants do not face a serious possibility of persecution or risk of harm if they relocate to Abuja

- [24] The Appellants bear the burden of establishing that they would face a serious possibility of persecution or risk of harm if they relocated to Abuja. Their fear of persecution or mistreatment in the IFA must have an objective basis.¹⁰
- [25] The Appellants submit that because the Principal Appellant and the Minor Female Appellant have been branded as witches, they run the risk of being burned alive anywhere in Nigeria. They claim the Principal Appellant's stepmother has been monitoring the Principal Appellant's movements and passing information to the landlord's son and family regarding the Appellants' whereabouts. The Principal Appellant claims that the stepmother works for a Federal Ministry, was posted in Abuja for some time, and because of her stepmother's connections and contacts, it would not be hard for the stepmother to track the Appellants in Abuja.¹¹ The Principal Appellant also indicated that the stepmother does not like the Principal Appellant and is contesting the estate of the Principal Appellant's late father against the Principal Appellant and her siblings.¹²
- [26] The RPD found that the Appellants had failed to provide credible evidence that the stepmother could track them down and concluded that there is no reasonable prospect that her stepmother would be able to locate them in Abuja.¹³
- [27] I find the RPD failed to consider relevant evidence that the Principal Appellant put forward in her BOC as well as objective documentary evidence regarding witchcraft allegations when it assessed whether there is a serious possibility of persecution or risk of harm to the Appellants in Abuja.
- [28] Belief in witchcraft and the branding of witches is a prevalent and serious issue throughout Nigeria. The stigma that attaches to those branded as witches can lead to significant and wide-ranging abuses of their human rights, burning and death. The societal stigma that attaches to those accused of being witches puts them at risk not only within their immediate communities, but also in society at large if the allegations are revealed or discovered. As indicated by the Appellants, "being accused a witch means that you are not only ostracized but risk being blamed for whatever that goes wrong in the society including twist in people's fortunes, deaths and adversities."¹⁴
- [29] The IRB's Response to Information Request (RIR) NGA104392.E in the National Documentation Package (NDP) indicates in that "witch branding" takes place when a woman is blamed for a negative incident that occurred in the community.¹⁵ The European Asylum Support Office (EASO) report, "Targeting of Individuals", explains that the belief in witchcraft (or juju) remains widespread in Nigeria. The report goes on to note that it is widely recognised that most of the persons at risk of witchcraft accusations are "women, the elderly and children or those 'who are somehow "different", feared or disliked'." The report also notes that there has been an increasing tendency to accuse children of being witches. This is particularly concerning children, who, once branded as such, can face stigmatization that impacts on their health, safety and human rights for life.¹⁶ Academic research also suggests that witchcraft accusations are often directed towards persons closely related such

as neighbours, kinsmen, or parents.¹⁷

- [30] The Principal Appellant and the Minor Female Appellant fit the profile of persons who have been accused of witchcraft. The Principal Appellant's testimony confirms that she is not liked by her step-mother, and indicates that there is disagreement between her step-mother and the Principal Appellant's family over the estate of her father. Objective documentary evidence regarding the types of individuals branded as witches aligns with the particular circumstances of the Appellants. The Minor Female Appellant has had bad XXXX XXXX, which makes her "different" and possibly feared.
- [31] The Appellants submitted a number of documents on witchcraft and witchcraft allegations that I have reviewed.¹⁸ The documentation confirms that individuals branded as witches may face persecution not because they have any particular supernatural powers, but because they are perceived to have those powers.¹⁹ Documentation also indicates that society stigmatizes those accused of witchcraft, and, as a result of the accusations, people other than the direct accusers may join in in the persecution,²⁰ as happened during the XXXX XXXX attack. As indicated above, the documentation also confirms an alarming tendency to harm children accused of being witches.
- [32] In coming to its decision, the RPD concluded that there was no evidence that the stepmother has the resources to conduct a nationwide search for the Appellants. The Member found there was no substantive risk that this would happen.²¹ The Member further noted that there are only about twenty people who know about the witch accusations and found there was a very low chance that the Principal Appellant would bump into any of these twenty people in Abuja.²²
- [33] I have a number of concerns with the RPD's reasoning.
- [34] First, the RPD failed to take into account all of the evidence when it determined that the Appellants could not be found in Abuja.
- [35] Evidence before the RPD demonstrates that the stepmother worked in a Federal Ministry in Abuja and had contacts there.
- [36] The evidence also indicates that the stepmother had used, and could continue to use, her own resources, namely, contacts and contact information of individuals and family members in Nigeria who might know where the Appellants are to assist in locating the Appellants.
- [37] In her BOC, the Principal Appellant explained that, after they went into hiding, the landlord's son and his family continued to look for the Appellants. The landlord's son went to the Principal Appellant's stepmother. The stepmother told him that the Principal Appellant and the Minor Female Appellant are witches who had been bewitching the extended family members. The stepmother told the landlord's son that, if he and his family do not do something about the allegations, more death would occur in their family.²³ The Principal Appellant went on to note that the stepmother provided addresses and phone numbers of

family members to the landlord's son and family, who were then able to contact her siblings and relatives in Nigeria.²⁴

- [38] In her BOC, the Principal Appellant also notes that the landlord's son and family went looking for her husband at his work and lodged a complaint with her husband's family who have told her husband to turn the Appellants over, to take a fetish oath and resolve the issue.²⁵ When asked by the RPD if the stepmother has continued to look for her, she replied, yes. She indicated that they tell her husband over the phone to hand them over, and the stepmother goes to the Principal Appellant's mother to find out where the Appellants are.²⁶ She does not know if the stepmother knows where she is.²⁷
- [39] The RPD failed to consider the stepmother's ability and capacity to use her own network and family contacts to locate the Appellants and the testimony that the landlord's son had contacted her husband and his family, as well as her siblings and relatives, which confirms, on a balance of probabilities, an interest and capacity in pursuing the Appellants.
- [40] Second, the RPD focused on there being only around 20 people aware of the accusations and found that the chances of the Appellants running into any of them to be extremely low. I find merit in the Appellants' submission that this is speculative reasoning.²⁸ There is no evidence that would indicate that the individuals involved in, or witnesses to, the XXXX XXXX attack would keep the attack and the witchcraft allegation secret. I agree with the Appellants' submission that it is more likely than not that those who witnessed the XXXX XXXX event would talk amongst themselves and with others about the Appellants being witches, which significantly raises the number of persons aware of the allegations and the possibility of further stigmatization of the Appellants.
- [41] Further, the BOC also indicates that the witch allegations did not just arise with the daughter's XXXX about the landlord's son's XXXX XXXX. The stepmother told the landlord's son that the Principal Appellant and the Minor Appellant had been bewitching extended family members.²⁹ I take this to indicate that others, i.e. extended family members, are also aware of the allegations of witchcraft.
- [42] I have taken into account the stepmother's contacts from her work in Abuja as well as her personal contacts with relatives in Nigeria, the landlord's son's attempts to contact the husband and the husband's family and the Principal Appellant's siblings and relatives. I have also considered the Principal Appellant's testimony that the stepmother has told the landlord's son that the Principal Appellant and the Minor Female Appellant have been bewitching extended family members.
- [43] I have also taken into account objective documentation that indicates that accusations of witchcraft put individuals at risk, not only in their immediate communities, but in society at large, along with the documentation that the stigma that attaches to those branded as witches can result in significant risk of harm.

- [44] I find there is a serious possibility that the stepmother could find the Appellants in Abuja. I also find there is a serious possibility that other individuals could discover the accusations that have been made against the Appellants. As a result, the risk of harm to the Appellants is not only from those who initially accused them of witchcraft, but from others who may discover the accusations in the future.
- [45] Considering these factors, I find, on a balance of probabilities, that the Appellants have demonstrated more than a mere possibility that the agents of persecution could find the Appellants and tell others in the proposed IFA that they are witches. I find that the serious possibility that rumors could leak in the proposed IFA exposes the Principal Appellant and the Minor Female Appellant, as well as the other Minor Appellant, because of his familial relationship, to a forward-looking serious possibility of risk of further persecution because of the witchcraft allegation.

The RPD failed to consider the specific circumstances of the Appellants in its assessment of the proposed IFA

- [46] There is a high threshold for the unreasonable test that requires the existence of conditions which would jeopardize the life and safety of the Appellants.³⁰ I find the RPD conducted a cursory analysis of the second prong of the IFA test and failed to consider the specific circumstances of the Appellants in its assessment.
- [47] In my analysis, I have considered new country documentation on the viability of IFAs in Nigeria.³¹
- [48] In general, country documentation indicates that a person fearing a non-state actor is likely to be able to relocate to another part of Nigeria depending on the nature of the threat from the non-state agent(s) and the individual circumstances of the person. However, relocation is more difficult for women and non-indigenes without a strong support network.
- [49] The Australian DFAT report indicates that: "[i]nternal moves can be more difficult for non-indigenes due to language, religious and cultural differences, particularly between northern and southern states" and that "[n]on-indigenes of a particular state can have difficulty moving to a new state without familial connections or financial means".³² The UK Home Office similarly states that "relocation may be more difficult for single women and non-indigenes without access to support networks."³³ One source states that issues of ethnic bigotry could lead to violent acts against newcomers. There might also be residential discrimination, where natives might deprive non-natives residency in a few segregated areas, either for religious or cultural reasons.³⁴

- [50] A Senior Research Fellow noted that seeking accommodation is a "major obstacle" for non-indigenes if the person is not "financially strong." Another source similarly indicated that "financial problems" are the "greatest obstacles" non-natives face when they move to large cities. A history professor also pointed out that the ability to find gainful employment, which is facilitated by a good level of "education, experience or expertise," is a key factor in finding housing.
- [51] The Principal Appellant is a married XXXX woman XXXX XXXX out after completing XXXX XXXX XXXX XXXX. She was married in an arranged traditional marriage and was a housewife. She has never worked. Her English XXXX XXXX. She has indicated that her husband and family support her. The husband remains in Nigeria, but his work is unstable as he has been moving around because of the problems.
- [52] The RPD concluded that there is no reason why her husband could not get employment in the proposed IFA, even though the evidence is that his current employment status is not stable. In coming to its conclusion, the RPD failed to take into account objective documentation that indicates there are significant obstacles to finding work in Abuja for a non-indigene.
- [53] Given the Principal Appellant's lack of education and work experience, along with XXXX XXXX, the objective documentary evidence indicates that the Principal Appellant would face significant obstacles in a relocation to Abuja because of the challenges in finding gainful employment and access to reasonable accommodation. Her husband, as a non-indigene, would also face significant challenges.
- [54] With respect to the Minor Female Appellant, who was 11 years old at the time of the attack, I find the RPD made a number of errors in its consideration of the reasonableness of the proposed IFA for the child. During the submissions of Counsel at the hearing, the RPD Member indicated that he would not call the Minor Female Appellant a "child"; he indicated that she is almost a teenager.³⁵ In his decision, the Member found that the Minor Female Appellant is a normal, healthy young girl and that, at eleven years old, she is not a young child; she is more mature. He concluded that there would be no issues for schooling for her. It is unclear what the RPD's conclusion is based on.
- [55] The term "child" refers to any person under the age of eighteen.³⁶ Clearly, the Minor Female Appellant is a child, and the RPD was obliged to take this, and her interests, into account. In considering the Minor Female Appellant's claim, I note that, despite her mother telling her to keep XXXX XXXX about the XXXX XXXX quiet and not tell anyone, the child told a friend, and this is what led to the accusations of witchcraft. I am of the view that it is unreasonable to expect that either of the Minor Appellants will refrain from sharing their secrets with friends, which could put the family at risk. In terms of schooling, the mother testified that her daughter stopped going to school after the XXXX XXXX attack and that she finds it difficult to have friends because of all that happened. The International Crisis Group states that indigenes are granted preference in education. Other sources indicate that indigeneship

can affect access to scholarships and school admissions.³⁷

- [56] The RPD failed to consider subjective and objective evidence on the impact of relocation on the education of the Minor Appellants. I find that obstacles relating to schooling also weighs against Abuja being a viable IFA for this family.
- [57] Objective documentary evidence indicates that a key aspect for successful relocation is the existence of familial or community support networks. The Principal Appellant testified that she has support from her husband and family, but there is no evidence that this support is in Abuja. To the contrary, the evidence indicates that it is the stepmother, one of the agents of persecution, who has contacts and support in the proposed IFA. I find this too weighs against a viable IFA.
- [58] Given the Principal Appellant's testimony, objective evidence outlining the obstacles and challenges the Appellants face in relocation, as well as the serious possibility that the witchcraft allegations could be discovered in the proposed IFA, I find there are conditions in the proposed IFA which would jeopardize the life and safety of the Appellants. As a result, I find it would be unduly harsh in the circumstances of their case for the Appellants to seek refuge in the proposed IFA.

SUMMARY

- [59] I find the RPD's reasons are deficient. The RPD breached natural justice when it failed to admit relevant and probative documents because of a delay of two days, erred in finding that the Principal Appellant embellished her claim when she provided detail on how the attackers began to burn them, and failed to consider the totality of the evidence in its assessment of a viable IFA. As a result, the RPD's decision must be set aside.
- [60] From my review of the totality of the evidence, I find the evidence sufficiently establishes that the Appellants have a serious possibility of persecution on a Convention ground.

CONCLUSION

- [61] The appeal is allowed. Pursuant to paragraph 111(1)(b) of the Immigration and Refugee Protection Act (IRPA), the RAD sets aside the determination of the RPD and substitutes its own determination that the Appellants are Convention refugees.

(signed)

"Madeleine Schwarz"

Madeleine Schwarz

March 9, 2020

Date

1 Huruglica, Bujar v. M.C.I. (F.C., no. IMM-6362-13), Phelan, November 7, 2014, 2014 FC 799.

- 2 Chairperson's Guideline 4: Women Refugee Claimants Fearing Gender-Related Persecution: Update, Guideline Issued by the Chairperson, pursuant to Subsection 65(3) of the Immigration Act, IRB, Ottawa, November 13, 1996, as continued in effect by the Chairperson on June 28, 2002, under the authority found in paragraph 159(1)(h) of the Immigration and Refugee Protection Act. <https://irb-cisr.gc.ca/en/legal-policy/policies/Pages/GuideDir04.aspx>.
- 3 Guideline 3: Child Refugee Claimants: Procedural and Evidentiary Issues, Guideline Issued by the Chairperson, pursuant to Subsection 65(3) of the Immigration Act, IRB, Ottawa, September 10, 1996 as continued in effect by the Chairperson on June 28, 2002 in paragraph 159(1)(h) of the Immigration and Refugee Protection Act. <https://irb-cisr.gc.ca/en/legal-policy/policies/Pages/GuideDir04.aspx>.
- 4 Audio Recording of the RPD Hearing, at 00:05:00 - 00:13:00.
- 5 Exhibit RPD-1, RPD Record, Exhibit 2.1, at p. 13.
- 6 Exhibit RPD-1, RPD Record, RPD's Reasons, at p. 5.
- 7 Exhibit RPD-1, RPD Record, Witchcraft stigmatization in Nigeria: Challenges and successes in the implementation of child rights, at p. 308.
- 8 Audio Recording of the RPD Hearing, at 00:27:40.
- 9 M.C.I. v. Ranganathan, Rohini (F.C.A., no. A-348-99), Létourneau, Sexton, Malone, December 21, 2000. Reported: Ranganathan v. M.C.I., [2001] 2 F.C. 164 (C.A.), at paras. 15-16.
- 10 Pineda, Israel Penaloza v. M.C.I. (F.C., no. IMM-2363-19), Roussel, November 19, 2019, 2019 FC 1446.
- 11 Exhibit P-2, Appellants' Record, Appellants' Memorandum, at paras. 21-22.
- 12 Exhibit RPD-1, ERPD Record, Exhibit 2.1, at p. 14, lines 67-72.
- 13 Exhibit RPD-1, RPD Record, RPD's Reasons, at p. 6.
- 14 Exhibit RPD-1, RPD Record, Exhibit 2.1, at p. 43, lines 82-83.
- 15 NDP for Nigeria (November 29, 2019), item 5.13, IRB, RIR NGA104392.E, "Whether Yoruba and Ibo cleansing rituals for women in their thirties include circumcision in the states of Ogun, Niger, Anambra, and Adamawa; whether women who have been accused of killing a family member through witchcraft would be circumcised...", April 29, 2013.
- 16 Exhibit RPD-1, RPD Record, Witchcraft stigmatization in Nigeria: Challenges and successes in the implementation of child rights, at p. 307.
- 17 NDP for Nigeria (November 29, 2019), item 1.13, European Union, European Asylum Support Office, "EASO Country of Origin Information Report. Nigeria: Targeting of Individuals", November 2018, at paras 3.9.2 and 3.9.2.3.

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- 18 Exhibit RPD-1, RPD Record, at pp. 282-383.
- 19 Exhibit RPD-1, RPD Record, at p. 317.
- 20 Exhibit RPD-1, RPD Record, at p. 318.
- 21 Exhibit RPD-1, RPD Record, RPD's Reasons, at p. 7, lines 10-14.
- 22 Exhibit RPD-1, RPD Record, RPD's Reasons, at p. 7, lines 10-14.
- 23 Exhibit RPD-1, RPD Record, Exhibit 2.1, at p. 14, lines 66-72.
- 24 Exhibit RPD-1, RPD Record, Exhibit 2.1, at p. 14, lines 73-76.
- 25 Exhibit RPD-1, RPD Record, Exhibit 2.1, at p. 14, lines 62-65 and 77-81.
- 26 Audio Recording of the RPD Hearing, timestamp 01:14:38
- 27 Audio Recording of the RPD Hearing, timestamp 01:15:22.
- 28 Exhibit P-2, Appellants' Record, Appellants' Memorandum, at p. 14, para. 23.
- 29 RPD Record, Exhibit 2.1, at p. 14,
- 30 Ranganathan v. Canada (Minister of Citizenship and Immigration), 2000 CanLII 16789, paras. 15-16.
- 31 NDP for Nigeria (November 29, 2019), item 5.9, IRB, RIR NGA106362.E, "Nigeria: Whether women who head their own household, without male or family support, can obtain housing and employment in Abuja, Lagos, Ibadan, and Port Harcourt; government support services available to female-headed households (2017-November 2019)", November 19, 2019; and item 13.1, IRB, RIR NGA106361.E, "Nigeria: Role of indigeneship in obtaining employment, housing and social services; how indigeneship is established and identified; ability of non-indigenes to relocate to Abuja, Lagos or Port Harcourt; assistance available to those who relocate (2017- October 2019)", October 30, 2019.
- 32 NDP for Nigeria (November 29, 2019), item 1.8, Australia: Department of Foreign Affairs and Trade (DFAT), DFAT Country Information Report: Nigeria, March 9, 2018.
- 33 NDP for Nigeria (November 29, 2019), item 1.17, UK Home Office, Country Policy and Information Note. Nigeria: Internal relocation. Version 1.0, March 2019, at p. 6, para 2.2.5.
- 34 NDP for Nigeria (November 29, 2019), item 13.1, IRB, RIR NGA106361.E, at p. 12/22.
- 35 Audio Recording of the RPD Hearing, at 01:39:11.
- 36 Chairperson's Guideline 3 (supra, endnote 3).
- 37 NDP for Nigeria (November 29, 2019), item 13.1, IRB, RIR NGA106361.E, at p. 9/22.

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Immigration and Refugee

Board of Canada

Refugee Appeal Division

Commission de l'immigration

et du statut de réfugié du Canada

Section d'appel des réfugiés

RAD.25.02 (April 04, 2019)

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Prepared on 26 October 2026 · Esheria