



RAD File No. / N° de dossier de la SAR : VB3-02116

*Private Proceeding / Huis clos*

## Reasons and decision – Motifs et décision

<b>Person(s) who is(are) the subject of the appeal</b>	XXXX XXXX	<b>Personne(s) en cause</b>
<b>Appeal considered / heard at</b>	<i>In Chambers</i> at Vancouver, BC	<b>Appel instruit à</b>
<b>Date of decision</b>	January 2, 2014	<b>Date de la décision</b>
<b>Panel</b>	Douglas Fortney	<b>Tribunal</b>
<b>Counsel for the person(s) who is(are) the subject of the appeal</b>	Simon Trela Barrister and Solicitor	<b>Conseil(s) du (de la/des) personne(s) en cause</b>
<b>Designated representative</b>	N/A	<b>Représentant(e) désigné(e)</b>
<b>Counsel for the Minister</b>	Zonia Tock	<b>Conseil du ministre</b>

## REASONS FOR DECISION

[1] XXXX XXXX (the “appellant”) appeals a decision of the Refugee Protection Division (the “RPD”) rejecting her claim for refugee protection.

### DETERMINATION OF THE APPEAL

[2] Pursuant to paragraph 111(1)(a) of the *Immigration and Refugee Protection Act* (the “Act”),<sup>1</sup> the Refugee Appeal Division (the “RAD”) confirms the determination of the RPD, namely, that XXXX XXXX is neither a Convention refugee pursuant to section 96 of the *Act* nor a person in need of protection pursuant to section 97 of the *Act*. This appeal is therefore dismissed.

### BACKGROUND

[3] The appellant alleges that she fears persecution in Zimbabwe due to her membership in the Movement for Democratic Change (the “MDC”) in that country. She further alleges that she fears persecution in South Africa due to her status as a foreigner living in that country.

[4] The appellant became a member of the MDC in 2007, and participated in this organization by distributing flyers and organizing meetings and rallies. Her activities brought her to the attention of the ruling ZANU-PF Party. On XXXX XXXX, 2007 the appellant was abducted by members of ZANU-PF and held for two days; during this time she was interrogated and tortured. At the time of her abduction, the appellant’s friend and fellow MDC member XXXX XXXX was also abducted, interrogated and tortured. Ms. XXXX provided testimony by telephone during the hearing. The appellant testified that she reported the abduction to the police, but no protection was forthcoming due to the fact that her abductors were associated to the governing party in Zimbabwe.

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<sup>1</sup> *Immigration and Refugee Protection Act* (the “Act”), S.C. 2001, c. 27.

[5] Subsequent to the abduction, the appellant continued to have problems with the ZANU-PF members. At one point, her family's house was broken into. In XXXX 2007 the appellant attempted to relocate to another area; however, she was not able to remain in this area because local militias were attempting to forcibly recruit eligible persons to their groups.

[6] The appellant travelled to South Africa in XXXX 2007 to seek refuge. However, due to the high number of persons seeking asylum in South Africa, she was unable to make the application. The appellant was able to illegitimately obtain a South African identity card through bribing an immigration official, which she then used to obtain a South African passport. The appellant utilized this passport to travel outside of South Africa on several occasions, and ultimately used this passport to travel to Canada.

[7] While in South Africa as an illegal resident, the appellant was sexually assaulted in XXXX 2012 by three men who targeted her because she was a foreigner. The appellant initially reported the incident to the police; however, she did not pursue the matter because she was concerned that her illegal status would be determined through the course of an investigation.

[8] As a result of this incident, the appellant determined that it was not safe for her to live in South Africa with the status of an illegal resident, and made the decision to leave South Africa. The appellant obtained a Canadian visitor visa for her improperly issued South African passport, and travelled to Canada on XXXX XXXX, 2013. She made her claim for refugee protection at the immigration office in Edmonton on May 3, 2013.

[9] The RPD heard the appellant's refugee protection claim on June 28 and July 4, 2013. The RPD's written reasons and Notice of Decision are dated August 19, 2013.

[10] The appellant was represented for her RPD hearing by the same counsel as for this appeal.

[11] The RPD's written reasons dated August 19, 2013, stated that the appellant's case for refugee protection was rejected as she had not established her identity as a national of Zimbabwe, and only of Zimbabwe, on the balance of probabilities. At issue was whether the appellant was a

citizen of South Africa instead of, or in addition to, Zimbabwe. The RPD Member made this determination due to an absence of identity documents and a number of credibility issues apparent in the appellant's testimony.

[12] In reference to the appellant's claim against South Africa, the basis of the appellant's allegations that she will be persecuted in South Africa stem from her alleged status as a foreigner living in that country without citizenship rights: her alleged status as a foreigner in that country prevented her from pursuing state protection efforts after the attempted rape. The RPD Member found that the appellant had not rebutted the presumption created by the provision of a valid South Africa passport that she is a citizen of that country due to a lack of credible evidence.

[13] The RPD Member found the issue of identity to be determinative to findings under both sections 96 and 97(1) of the *Act*.

### **Submissions**

[14] The appellant's submissions identify the following grounds for this appeal:

- Based on new evidence submitted for this appeal, was the RPD Member's finding reasonable that the appellant had not established her identity as a national of Zimbabwe?
- Were certain credibility findings by the RPD Member reasonable?

[15] The appellant has requested that the RAD, under paragraph 111(1)(b) of the *Act*, set aside the determination of the RPD and substitute a determination that the appellant is a Convention refugee or person in need of protection, or in the alternative, refer the matter back to a different Member of the RPD for redetermination.

[16] Counsel for the appellant has not made any submissions as to the standard of review in this appeal.

[17] The Minister has intervened in this appeal.

### Consideration of New Evidence

[18] In the appellant's Record received on September 27, 2013, the appellant attached the following documents as being new evidence:

- Exhibit A: Copy of Passport Issued XXXX XXXX XXXX/2000 in Republic of Zimbabwe No. XXXX in the name of XXXX XXXX.
- Exhibit B: Confirmation of Zimbabwean Citizenship dated XXXX XXXX, 2013 signed by XXXX XXXX - Provincial Registrar.
- Exhibit C: Copy of Certified Copy of an Entry of Birth in District of Kwekwe in Zimbabwe for XXXX XXXX dated XXXX XXXX, 2013.
- Exhibit D: A photocopy of a page entitled "Document Assessment Report" dated XXXX XXXX, 2013 with no other contents but a copy of the appellant's Zimbabwe National Registration card.
- Exhibit E: Copy of Certified Copy of an Entry of Birth in District of Kwekwe in Zimbabwe for XXXX XXXX dated XXXX XXXX, 19XXXX XXXX
- Exhibit F: E-mail conversation between XXXX XXXX and her sister-in-law XXXX XXXX August 2013.

[19] Subsection 110(4) of the *Act* provides that appellants may present only evidence that arose after the rejection of their claim or that was not reasonably available, or that they could not reasonably have been expected in the circumstances to have presented, at the time of the rejection. In *Raza*,<sup>2</sup> the Federal Court of Appeal set out factors to be considered in assessing "new" evidence. While *Raza* predates the introduction of subsection 110(4), it is based on the very similar wording of subsection 113(a). The Federal Court of Appeal held that new evidence should be considered for its credibility, relevance, newness, and materiality, in addition to any express statutory provisions.<sup>3</sup>

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<sup>2</sup> *Raza v. Canada (Minister of Citizenship and Immigration)*, 2007 FCA 385, [2008] 1 F.C.R.

<sup>3</sup> *Ibid.*, paras. 13-15.

[20] Appellant's counsel in the Memorandum of Argument did not explain how the documents submitted as new evidence meet the requirements of subsection 110(4) of the *Act* other than referring to the explanation in the appellant's email<sup>4</sup> as to what kind of difficulties she had in providing her passport at a sooner date. Counsel for the appellant was requested by the RAD on December 18, 2013, to provide any reasons why the new evidence presented for this appeal meets the requirements of subsection 110(4) of the *Act*. Counsel's response received December 27, 2013, referred to a forensic analysis of the Zimbabwean passport but made no comments as to how the new evidence met the requirements of subsection 110(4) of the *Act*.

[21] The appellant's email to her sister-in-law in Exhibit F in which she requests the passport to be sent to her is dated August 28, 2013, well after the RPD hearing date on July 4, 2013. In this email, the appellant appears to be referring to earlier efforts to obtain her passport from a person referred to as "XXXX". No confirmation of the relation of XXXX to the appellant was provided and this name does not appear on the list of family members on page 25 of the RPD Record. No other confirmation was provided by the appellant as to any efforts to obtain her passport from XXXX or any other person.

[22] Minister's counsel in her submissions stated that at the first sitting of the RPD hearing, held on June 28, 2013 the appellant was asked the reasons for her failure to provide her Zimbabwe passport. The appellant at that time claimed that CBSA had only asked for a copy of the passport; therefore, she had only arranged for a copy to be sent and not the original. The hearing was postponed until July 4, 2013. Upon postponing the hearing, the RPD Member requested that the appellant provide her original Zimbabwe passport. Furthermore, the Minister had provided a Notice of Intervention dated June 13, 2013, in which the identity issue was raised. As such, it is the Minister's position that the appellant was fully aware, prior to the June 28, 2013's hearing, that her identity as a citizen of Zimbabwe was in question. On the resumption of the RPD hearing on July 4, 2013, the appellant failed to provide the original Zimbabwe passport as required.

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<sup>4</sup> Exhibit F.

[23] The Minister submits that the passport does not meet the requirements for new evidence pursuant to subsection 110(4) of the *Act* as there is no evidence that the appellant made any efforts to obtain the Zimbabwe passport until after a decision was rendered by the RPD. I agree with the Minister's conclusion and accordingly I decline to accept Exhibit A as new evidence for this appeal.

[24] In reference to Exhibits B and C, these documents are dated after the RPD hearing but appear to be identity documents that may have been available prior to the RPD hearing. As no explanation was provided as to why these documents were not provided or requested prior to the RPD hearing from Zimbabwean authorities, I decline to accept Exhibits B and C as new evidence for this appeal.

[25] Exhibits D and E are dated prior to the RPD hearing. As no explanation was provided as to why these documents were not provided prior to the RPD hearing, I decline to accept Exhibits D and E as new evidence for this appeal.

[26] Exhibit F is an email exchange dated after the RPD hearing. However, this document was provided to document efforts by the appellant to obtain her Zimbabwean passport.<sup>5</sup> As detailed above, I declined to accept the Zimbabwean passport into evidence as this email exchange does not provide any evidence that the appellant made any efforts to obtain the Zimbabwe passport until after a decision was rendered by the RPD. As Exhibit F therefore does not present any material or relevant evidence for this appeal, I also decline to accept this document into evidence.

### **Application for an Oral Hearing**

[27] The appellant has requested an oral hearing pursuant to subsection 110(6) of the *Act*.

[28] Subsection 110(3) of the *Act* requires that the RAD proceed without a hearing, on the basis of the RPD Record, while allowing the RAD to accept documentary evidence and submissions from the Minister and the appellant.

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<sup>5</sup> Exhibit A.

[29] According to subsection 110(6), the RAD may hold a hearing if, in its opinion, there is documentary evidence referred to in subsection 110(3) that raises a serious issue with respect to the credibility of the appellant, that is central to the RPD decision, and that, if accepted, would justify allowing or rejecting the refugee protection claim.

[30] When read together, subsections 110(3), (4), and (6) establish that the RAD must not hold a hearing in an appeal such as this unless there is new evidence,<sup>6</sup> in which case the RAD may hold a hearing if that new evidence raises a serious issue with respect to the credibility of the appellant, is central to the RPD decision, and that, if accepted, would justify allowing or rejecting the refugee protection claim.

[31] As discussed above, no new evidence has been accepted in support of this appeal. As such, the RAD must proceed without a hearing in this appeal.

### **Standard of Review**

[32] Although the *Act* sets out grounds for appeal as well as possible remedies, it does not specify the standard of review to be applied by the RAD.

[33] In *Dunsmuir*,<sup>7</sup> the Supreme Court of Canada considered the foundations of judicial review and the applicable standards of review, concluding that there are two standards of review, correctness and reasonableness. *Dunsmuir* has limited applicability to the RAD, however, which is not a reviewing court but rather an administrative appellate body. In *Khosa*,<sup>8</sup> the Supreme Court gave broad deference to a tribunal's interpretation of its own statute but again, this was not specifically in the context of an appeals tribunal reviewing the decision of a tribunal of first instance. As the RAD is a statutory creation, the standard of review must be extracted from the legislation.

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<sup>6</sup> Subsection 110(4) of the *Act*.

<sup>7</sup> *Dunsmuir v. New Brunswick*, 2008 SCC 9, [2008] 1 S.C.R. 190.

<sup>8</sup> *Canada (Minister of Citizenship and Immigration) v. Khosa*, 2009 SCC 12, [2009] 1 S.C.R. 339.



[34] I find that the issues raised in this appeal as to identity are issues of mixed law and fact and the issues raised as to credibility are those of fact.

[35] In *Newton*,<sup>9</sup> the Alberta Court of Appeal, having considered *Dunsmuir* and other jurisprudence, considered the standard of review to be applied by an appellate administrative tribunal to a decision of a lower tribunal. The Alberta Court's analysis is therefore relevant in the context of the RAD, which has considered the factors set out in *Newton*.

[36] The *Newton*<sup>10</sup> factors deal with the standard of review to be applied by an appellate administrative tribunal to the decision of an administrative tribunal of first instance, such as is the case with the RPD and RAD. Based on the guidance in *Newton*, the RAD focused on the factors listed below to determine the standard of review. The contextual approach to assessing which factors are most appropriate in setting the standard of review has been established in *Khosa*.<sup>11</sup> The most significant factors to consider in establishing the standard of review of a decision by a tribunal of first instance by an appellate tribunal are:

- the respective roles of the RPD and RAD in the context of the *Act*;
- the expertise and advantageous position of the RPD Member compared to that of the RAD; and
- the nature of the question in issue.

[37] Both the RPD and the RAD derive their jurisdiction from and interpret the same home statute: the *Immigration and Refugee Protection Act*. Subsection 162(1) of the *Act* gives each Division, including the RPD, "in respect of proceedings brought before it under this *Act*, sole and exclusive jurisdiction to hear and determine all questions of law and fact, including questions of jurisdiction." The RAD has been given the supervisory jurisdiction to decide appeals of RPD decisions related to refugee protection on questions of law, of fact, or of mixed law and fact.<sup>12</sup> The level of deference which the RAD provides to the RPD depends on the question at issue, in this case questions of fact and mixed law and fact.

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<sup>9</sup> *Newton v. Criminal Trial Lawyers' Association*, 2010 ABCA 399, at para. 43.

<sup>10</sup> *Newton*, *ibid*, at para. 44.

<sup>11</sup> *Khosa*, *supra*, footnote 8.

<sup>12</sup> Subsection 110(1) of the *Act*.

[38] The presence of a right of appeal does not warrant a correctness standard of review given the prescribed relationship between the RPD and RAD, and the limits imposed on the RAD in the *Act*.

[39] The RAD finds that the RPD is to be provided with deference on questions of fact and mixed law and fact in relation to the assessment of the claim for protection. The RPD is a tribunal of first instance which has been given the authority in the *Act* to make a decision to accept or reject a claim for protection.<sup>13</sup> RPD Members have expertise in interpreting and applying the *Act*, as well as are experts in assessing claims based on country conditions. The RPD must conduct a hearing<sup>14</sup> and assesses the totality of the evidence, including evidence related to the credibility of the appellant and witnesses, after it has had an opportunity to see the appellant, hear their testimony and question them.

[40] In contrast to the RPD's authority to assess a claim for protection, the *Act* limits the RAD's ability to gather and consider evidence. The RAD is not a tribunal of first instance but exists to review the decision made by the RPD. The RAD must proceed without a hearing on the basis of the Record, submissions by the parties, and new evidence.<sup>15</sup> Appeals to the RAD are party-driven and do not provide appellants an opportunity to have their claims heard *de novo*. The RAD's authority to hold hearings is limited to evidence that arose after the rejection of the claim or that was not reasonably available, or that the person could not reasonably have been expected in the circumstances to have presented, at the time of the rejection.<sup>16</sup> Hearings are also limited to only specific issues (serious credibility issues) which are directed by the RAD.<sup>17</sup>

[41] Given that the RPD has held a hearing on the totality of the evidence and given that the RPD has heard from the appellant directly at a hearing, the RPD is in the best position to assess the credibility of the appellant and to make findings on issues of mixed law and fact related to the claim. This position is consistent with *Newton* at paragraph 82 where it indicates:

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<sup>13</sup> Section 107 of the *Act*.

<sup>14</sup> Section 170 of the *Act*.

<sup>15</sup> Subsection 110(3) of the *Act*.

<sup>16</sup> Subsection 110(4) of the *Act*.

<sup>17</sup> *Refugee Appeal Division Rules* (the “Rules”), SOR/2012-257; *Rule 57*.

The [Refugee Appeal Division] is not a tribunal of first instance, and cannot simply ignore the proceedings before the presiding officer and the conclusions reached by him.<sup>18</sup>

[42] *Newton* concludes that: “a decision on such questions of fact by the presiding officer, as the tribunal of first instance, are entitled to deference. Unless the findings of fact are unreasonable, the [Refugee Appeal Division] should not interfere”.<sup>19</sup> *Newton* adopts the definition of “reasonableness” in *Dunsmuir*. Reasonableness is concerned mostly with the existence of justification, transparency and intelligibility within the decision-making process of the RPD, and that the RPD decision falls within a range of possible, acceptable outcomes which are defensible in respect of the facts and law.<sup>20</sup>

[43] For the reasons outlined above, the RAD has afforded a considerable level of deference to RPD findings on questions of fact and mixed law and fact in this claim and will consider whether the findings raised in this appeal meet the reasonableness test.

### **Analysis of the Merits of the Appeal**

[44] I will now turn to the specific submissions by the appellant as to errors allegedly made by the RPD.

[45] The appellant’s submissions in this appeal are primarily based on consideration of the new evidence that was presented. However, for reasons discussed above I have already found that the documents submitted as new evidence do not meet the requirements of subsection 110(4) of the *Act* and consequently I have declined to accept them as new evidence. I will now address the remaining issues addressed by the appellant’s counsel in his Memorandum of Argument.

[46] Appellant’s counsel in referring to the appellant’s possession of the South African passport without giving her proper consideration as to the fraudulent way in which the appellant has obtained it does not prove South African citizenship. This issue does not address the determinative issue in the

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<sup>18</sup> *Newton v. Criminal Trial Lawyers’ Association*, 2010 ABCA 399, at para. 82.

<sup>19</sup> *Newton, ibid*, at para. 95.

<sup>20</sup> *Dunsmuir, supra*, footnote 7, at para. 47.

RPD Member's refusal of the appellant's claim against Zimbabwe (emphasis added) which was that of identity and that the appellant did not establish, on a balance of probabilities, that she is a citizen or national of Zimbabwe. Based on the totality of the evidence, I find to be reasonable the RPD Member's conclusion that the appellant had not established her identity as a citizen or national of Zimbabwe.

[47] In reference to the appellant's claim against South Africa, the RPD Member stated the evidence supported the likelihood of the claimant being a citizen of South Africa as opposed to Zimbabwe but had not made a clear finding that the appellant was in fact a citizen of South Africa. The appellant's submissions continue to assert that she is not a citizen of South Africa. The basis of the appellant's allegations that she will be persecuted in South Africa stem from her alleged status as a foreigner living in that country without citizenship rights; her alleged status as a foreigner in that country prevented her from pursuing state protection efforts after the attempted rape. The RPD member found that the appellant had not rebutted the presumption created by the provision of a valid South Africa passport that she is a citizen of that country due to a lack of credible evidence.

[48] In counsel's submissions, he refers to the appellant's testimony that the appellant's mother did mail her the Zimbabwean passport but that the only reason for delay in providing this document was that she had moved. Exhibit F referred to earlier but rejected as new evidence appears to contradict this assertion. In the appellant's email to her sister-in-law dated August 28, 2013, she asks her sister-in-law to send her passport to her current address.

[49] Counsel submits that in paragraph 24 of the RPD decision, again the RPD Member wrongfully interpreted the appellant's situation in South Africa as the appellant had explained how in South Africa she held a job title as a XXXX XXXX XXXX but in reality her job duties consisted mainly of being XXXX XXXX. Counsel submits that the RPD Member would not consider the appellant's explanation and concluded that the appellant must be a citizen of South Africa since she was well established and held a fairly decent job title. However, here the RPD Member had not found that the degree of her establishment meant the appellant must be a citizen of South Africa. The RPD Member

did find that the failure to explain this discrepancy may pertain to her legal status and indicate she was better established in South Africa than indicated when she made her refugee claim. This was an element of the RPD Member's assessing of the appellant's status in South Africa. I find the RPD Member's conclusion in this respect to be reasonable.

[50] Counsel submits that the RPD Member in paragraph 25 of the decision showed a very insensitive position to the fact that the appellant was raped while living in South Africa. The appellant provided a copy of the report she provided to the police in South Africa to corroborate her description of the attack. The report did inform the police that she was attacked because her assailants considered her to be a foreigner. The RPD Member noted that the appellant testified that after the trauma of being sexually assaulted, she was not considering the possibility of being deported. However, the RPD Member noted that according to the appellant, being deported would also have put her life at risk, and the high risk of being discovered by informing the police that she had been targeted due to being a "foreigner" would have been readily apparent to the appellant. The RPD Member found that appellant's actions in this regard are only plausible if she was not afraid of being deported despite alerting the police to the possibility she was a foreigner living in South Africa. The RPD Member considered that if the appellant was a naturalized citizen of South Africa as opposed to an illegal immigrant with false citizenship papers, the report she made to the South Africa police is then easily understood as a rational course of action. I find the RPD Member's conclusion in this respect to be reasonable.

[51] Counsel for the appellant seems to imply that the RPD Member held the view that the rape should not have been reported to the police if her status in the country was irregular and that her credibility as to the rape may have been questioned. The RPD decision does not question the credibility of the appellant's testimony as to the rape nor does he counsel that it should not have been reported if her status was irregular. It is understood that it is difficult and traumatic for any person to testify as to events such as rape. The RPD Member did not call into question the occurrence of this crime but was making a link as to what a similarly situated person to the appellant might do in these circumstances if they feared deportation as a person of illegal immigration status. The RPD Member's finding in this context was not determinative but was considered with other factors in his analysis of the appellant's immigration status in South Africa. I find the RPD Member's conclusion in this respect to be reasonable.

[52] Counsel for the appellant submits that in paragraph 26 of the RPD decision, the RPD Member “overstressed” the fact that due to the appellant’s adequate establishment in South Africa she must be a citizen of that country. In this paragraph, the RPD Member referred to additional facts which support the likelihood of the appellant being a citizen of South Africa as opposed to Zimbabwe. For example, the appellant utilized the South Africa passport entered into evidence to travel internationally on several occasions, and was re-admitted back to South Africa on these occasions using this passport. Other factors such as the appellant’s employment, bank savings, bank loan, and ability to maintain residential housing, were considered by the RPD Member in finding that the appellant was settled in that country beyond what one would expect of an illegal immigrant. Based on the totality of the evidence, I find the RPD Member’s conclusion in this respect to be reasonable.

[53] Finally, counsel submits the RPD Member “overstressed” his finding that the appellant used deceptive means in her arrangements to come to Canada. The RPD Member was referring to several actions by the appellant such as using significant deception in order to be approved for her visa, including having her friends in Canada provide false information in support of her application, having her employer in South Africa falsify an employment record, and providing a false document to establish that she was going to be married in South Africa subsequent to her visit to Canada (thus establishing a motive for her to return to that country as opposed to remaining in Canada illegally). The RPD Member recognizes that many genuine refugee claimants will employ deception in order to flee a situation of persecution, and apart from the contradiction regarding the nature of her employment, the RPD Member did not make any general adverse credibility findings against the appellant due to having employed this deception. However, the RPD Member found the extent of deception employed by the appellant to leave South Africa demonstrative of both a high motivation to leave South Africa and a willingness to fabricate evidence in order to accomplish this task. Based on the totality of the evidence, I find the RPD Member’s conclusion in this respect to be reasonable.

[54] In considering this appeal, I have also applied the *Chairperson's Gender Guidelines* (the "*Chairperson's Guidelines*").<sup>21</sup> The *Chairperson's Guidelines* were largely inapplicable in this appeal due to lack of an oral hearing. There is no indication that there is any factor in this appeal that would have prevented the appellant or her counsel from addressing any matter regarding her identity.

[55] In summary, I find that the RPD findings and conclusion are reasonable. Having considered all the evidence, I find that the RPD reasons for decision fall within a range of possible, acceptable outcomes which are defensible in respect of the facts and law.

## REMEDY

[56] For all these reasons, I confirm the determination of the RPD, namely, XXXX XXXX is neither a Convention refugee nor a person in need of protection. This appeal is therefore dismissed.

(signed)

**"Douglas Fortney"**

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**Douglas Fortney**

**January 2, 2014**

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**Date**

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<sup>21</sup> IRB *Chairperson's Guidelines on Women Refugee Claimants Fearing Gender-Related Persecution*, Ottawa, Canada, March 1993, updated November 1996.