

Federal Court



Cour fédérale

Date: 20191003

Docket: IMM-950-19

Citation: 2019 FC 1255

Ottawa, Ontario, October 3, 2019

PRESENT: Madam Justice Walker

BETWEEN:

**FEVEN ESKINDER DIGAF
ALONIAB ROBEL BERHANE**

Applicants

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

JUDGMENT AND REASONS

I. Overview

[1] The Applicants, Feven Eskinder Digaf and her son, Aloniab Robel Berhane, seek judicial review of a decision of the Refugee Appeal Division (RAD) of the Immigration and Refugee Board of Canada. The RAD dismissed the Applicants' appeal of a decision of the Refugee Protection Division (RPD) and confirmed the RPD's decision that they were neither Convention refugees nor persons in need of protection pursuant to sections 96 and 97 of the *Immigration and*

Refugee Protection Act, SC 2001, c 27 (IRPA). The determinative issue before both the RPD and the RAD was identity. The RAD confirmed the RPD's finding that the documents presented by the Applicants were not reliable and did not credibly establish their identities.

[2] The application for judicial review is brought pursuant to subsection 72(1) of the IRPA.

[3] For the following reasons, the application will be dismissed.

II. Background

[4] According to their narrative, Ms. Digaf and her son are citizens of Eritrea. Ms. Digaf is married to Mr. Firemichael, also of Eritrea. In 2011, she and her husband attempted to flee Eritrea for Sudan. They were caught by governmental agents, detained and mistreated for nine months. Mr. Firemichael left Eritrea in June 2014 and now resides in Angola. Following his departure, the Applicants lived with Ms. Digaf's in-laws who were targeted by the Eritrean government for their political views.

[5] With the assistance of Mr. Firemichael and his cousin, arrangements were made for the Applicants to obtain Eritrean passports and United States visas. The Applicants left Eritrea on June 4, 2017 for the United States. They then travelled to the US-Canada border and made refugee claims on June 26, 2017. Ms. Digaf alleges that she fears detention and torture if she returns to Eritrea due to her past detention by the government, her failure to complete military service and her in-laws' criticism of the government.

[6] The Applicants' claims were heard by the RPD on October 6, 2017 and a decision issued on November 15, 2017. The RPD reviewed the documentary evidence submitted by the Applicants in support of their respective identities including: Eritrean passports; Ms. Digaf's Eritrean identity (ID) card and marriage certificate; the Applicants' birth certificates; and, two letters written by Mr. Firemichael. The RPD also considered Ms. Digaf's testimony regarding the process by which she obtained the Eritrean passports and her experiences in travelling on her passport to Dubai and, ultimately, to the United States.

[7] The RPD concluded that the Applicants' documentary evidence was not reliable. The panel questioned the exit visas in sticker form in the Applicants' passports and found that they were not authentic. This finding, coupled with the RPD's assessment of Ms. Digaf's testimony as confusing and evasive, led the panel to the conclusion that she did not depart Eritrea as alleged and that the passports were not reliable documents. The RPD also reviewed the Applicants' other identity documents, particularly Ms. Digaf's ID card and birth certificate, which were in turn used to obtain her passport. The panel identified issues on the face of each of the documents. The RPD concluded that the other identity documents were not reliable and placed no weight on those documents in establishing the Applicants' identities.

[8] The Applicants appealed the RPD decision to the RAD. As stated above, the RAD dismissed the appeal and confirmed the RPD's decision. The Applicants seek judicial review of the RAD's decision (Decision) in this application

III. Decision under review

[9] The Decision is dated January 21, 2019. The RAD focused on the Applicants' identity documentation and set out a detailed examination of each document. As a preliminary matter, the RAD addressed the Applicants' submission of four pieces of new evidence and their request for an oral hearing. The RAD refused to admit the new evidence as non-compliant with subsection 110(4) of the IRPA and denied the request for an oral hearing.

[10] The RAD first considered the Applicants' Eritrean passports. The RAD panel stated that the RPD was not concerned with the authenticity of the passports but with how they were obtained, the information contained in the passports and Ms. Digaf's testimony regarding the passports and their use. The RAD agreed with the Applicants that the RPD erred in finding that the city of Asmara was misspelled as the National Documentation Package (NDP) for Eritrea confirmed that Asmara could be spelled in different ways. However, the RAD found that Ms. Digaf's passport and the information contained in it were not trustworthy, in part because they were not consistent with the objective evidence on exit visas. The RAD also found that Ms. Digaf's testimony did not credibly establish that she travelled in the way she alleged in reliance on the passport and exit visas.

[11] The passports contained exit visas allegedly issued by the Eritrean government that allowed the Applicants to travel outside of Eritrea. The exit visas were in sticker format, as opposed to stamp format, and one of the visas was a multi-exit visa. The RAD identified a number of issues in relation to Ms. Digaf's testimony and the evidence in the NDP regarding the

visas that called into question the credibility of the visas and Ms. Digaf's ability to obtain an exit visa.

[12] The RAD addressed the Applicants' argument that the RPD erred by impugning the reliability of the passports based on problems with Ms. Digaf's ID card and birth certificate. The RAD stated that the ID card and birth certificate were intrinsically linked to Ms. Digaf's passport as they were the documents used to obtain the passport. In addition, the RAD confirmed the RPD's concerns with the content of the ID card and birth certificate themselves.

[13] Finally, the RAD identified problems with Ms. Digaf's marriage certificate, specifically the official stamp on the document and the date it was issued, and inconsistencies in two letters allegedly written by Mr. Firemichael.

[14] The RAD concluded as follows:

[45] The Appellants have failed to establish their respective identities on a balance of probabilities. While it is true they presented numerous documents including their passports, there are numerous concerns related to how the passports were procured, what is contained in the passports, and the credibility of the associated identity documents submitted. I concur with the findings made by the RPD that the Appellants' passports and other documents are not reliable and do not credibly establish their respective identities.

[15] The RAD dismissed the appeal and confirmed the RPD's decision that the Applicants are neither Convention refugees nor persons in need of protection.

IV. Issues

[16] The Applicants raise the following issues in this application:

1. Did the RAD err in refusing to admit the Applicants' new evidence?
2. Did the RAD err in concluding that the Applicants had not established their identities?

V. Standard of Review

[17] The RAD's interpretation of subsection 110(4) of the IRPA is subject to review by this Court for reasonableness in accordance with the presumption that an administrative body's interpretation of its home statute is owed deference by a reviewing court (*Canada (Citizenship and Immigration) v Singh*, 2016 FCA 96 at para 29 (*Singh*)). I will also review the RAD's consideration of the evidence and Ms. Digaf's credibility on the standard of reasonableness (*Canada (Citizenship and Immigration) v Huruglica*), 2016 FCA 93 at para 35; *Gebremichael v Canada (Citizenship and Immigration)*, 2016 FC 646 at para 8).

[18] The reasonableness standard is concerned with ensuring that the decision of a tribunal is justified, transparent and intelligible, and that the decision falls within a range of possible and acceptable outcomes which are defensible in respect of the facts and law applicable in the particular case (*Dunsmuir v New Brunswick*, 2008 SCC 9 at para 47 (*Dunsmuir*)). In other words, the reviewing court must look at both the outcome and the reasons that are given for that outcome (*Delta Air Lines Inc v Lukács*, 2018 SCC 2 at para 27). The *Dunsmuir* criteria are met if the reasons provided by the tribunal "allow the reviewing court to understand why the tribunal made its decision and permit it to determine whether the conclusion is within the range of

acceptable outcomes” (*Newfoundland and Labrador Nurses’ Union v Newfoundland and Labrador (Treasury Board)*, 2011 SCC 62 at para 16).

VI. Analysis

1. *Did the RAD err in refusing to admit the Applicants’ new evidence?*

[19] On appeal to the RAD, the Applicants sought to introduce the following as new evidence of identity:

- a) Baptism certificate for Aloniab;
- b) Child health and growth promotion card for Aloniab from the Ministry of Health (Eritrea);
- c) Letter from the local administration of Zoba Meakel regarding Ms. Digaf’s nationality;
- d) School certificate for Ms. Digaf from the Ministry of Education (Eritrea).

[20] The Applicants state that they requested the documents from relatives in Eritrea after receiving the RPD decision. Ms. Digaf submits that the documents were not previously and reasonably available to her because she feared putting her relatives at risk by requesting the documents. She believed that the documentary evidence she submitted to the RPD would be sufficient to establish identity. Only after receiving the adverse RPD decision did she choose to risk contacting her relatives for the documents.

[21] The RAD found that the Applicants' new evidence was inadmissible pursuant to subsection 110(4) of the IRPA as the documents predated the RPD decision and were reasonably available to the Applicants during the RPD process:

[12] The documents submitted as new evidence all predate the RPD decision. While the Appellants submit they are all "new", I do not agree with this submission. It is for the Appellants to put forth their best possible case. These documents were reasonably available prior to the rejection of the claim. The Appellants were well aware that their identities were central and did not indicate that other documents were available or existed either at the hearing or in the weeks predating the decision. In fact, the RPD decision specifically refers to the principal Appellant being asked if she could obtain other documents to establish her and her son's identity. According to the RPD decision the principal Appellant testified "that she did not have a driver's license, nor did she have any school or work documents." It appears that the Appellants were well aware of the identity concerns at their hearing.

[22] The RAD also concluded that, even if the new evidence met the requirements of subsection 110(4), the documents were inadmissible as neither probative nor relevant. The panel stated that the new documents did not establish identity and were secondary documents that "cannot overcome the credibility concerns inherent in the principal Appellant's testimony and documents submitted before the RPD".

[23] Subsection 110(4) of the IRPA provides as follows:

Evidence that may be presented

(4) On appeal, the person who is the subject of the appeal may present only evidence that arose after the rejection of their claim or that was not reasonably available, or that

Éléments de preuve admissibles

(4) Dans le cadre de l'appel, la personne en cause ne peut présenter que des éléments de preuve survenus depuis le rejet de sa demande ou qui n'étaient alors pas normalement

<p>the person could not reasonably have been expected in the circumstances to have presented, at the time of the rejection.</p>	<p>accessibles ou, s'ils l'étaient, qu'elle n'aurait pas normalement présentés, dans les circonstances, au moment du rejet.</p>
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[24] I find that the RAD's assessment of the evidence against the requirements of subsection 110(4) was clear and justified and its conclusion reasonable. The panel's subsection 110(4) conclusion was also determinative of the inadmissibility of the new evidence (*Singh* at para 35). Once the RAD determined that the new evidence did not meet the requirements of subsection 110(4), it had no discretion to admit the evidence (*Figuroa v Canada (Citizenship and Immigration)*, 2016 FC 521 at paras 23, 45).

[25] It is important to bear in mind that an analysis of the admissibility of new evidence before the RAD begins with the premise that the appeal of an RPD decision is intended to be a paper-based appeal (*Singh* at paras 35, 51). A RAD appeal is not a second chance to submit evidence to answer weaknesses identified by the RPD (*Abdullahi v Canada (Citizenship and Immigration)*, 2016 FC 260 at para 15):

[15] In other words, responding to an inadequacy identified by the RPD in a party's case cannot be a legitimate foundation for the party to claim that had she known about the deficiency she could have presented better evidence that was always in existence from persons that could have been called, in this case from her cousin. This would make the RPD process a monumental waste of time, which is surely not Parliament's intention in providing appeal rights.

[26] An applicant is required to put their best foot forward to the RPD. In this case, the new evidence submitted by the Applicants could and should have been provided to the RPD. The fact

that Ms. Digaf did not anticipate a negative identity ruling from the RPD is not a basis for using the RAD appeal as an opportunity to remedy her evidentiary deficiencies.

[27] The RAD considered the circumstances surrounding the Applicants' failure to submit the evidence in question to the RPD, describing specifically Ms. Digaf's reasons for her delay and weighing those reasons against the requirements of subsection 110(4). The Applicants rely on my prior decision in *Arafa v Canada (Citizenship and Immigration)*, 2019 FC 6 (*Arafa*), in support of their admissibility arguments. However, Ms. Digaf's reasons for the late submission of evidence differ materially from those of the applicants in *Arafa*. Ms. Digaf had no continuing intention to obtain additional identity documents. Rather, she took action in response to the RPD's adverse decision.

2. *Did the RAD err in concluding that the Applicants had not established their identities?*

Parties' submissions

[28] The Applicants' submissions centre on the RAD's treatment of their Eritrean passports and Ms. Digaf's ID card and birth certificate. The Applicants submit that the RAD erred in impugning the reliability of their passports based on concerns about the ID card and birth certificate, the documents used to obtain the passports. They rely on this Court's decision in *Mohmadi v Canada (Citizenship and Immigration)*, 2012 FC 884 (*Mohmadi*), to state that the RAD cannot use adverse reliability findings regarding one document to find another document inauthentic.

[29] The Applicants also submit that the exit visas contained in their passports should be considered standalone documents and state that the fact the exit visas may not be valid does not impugn the reliability of the passports. The Applicants contest the RAD's rejection of the exit visas as Ms. Digaf was able to exit and enter Eritrea on the strength of the visas, a process which would entail review of the exit visas by the Eritrean authorities.

[30] With regards to Ms. Digaf's ID card, the Applicants submit that the RAD's analysis ignored contrary evidence in the NDP for Eritrea and applied a North American standard of quality to assess a document originating in Eritrea. They argue that the presence of two inks on the ID card is a reflection of the use of two languages, Arabic and Tigran, and suggest that the information could have been completed by two individuals at two different times.

[31] Finally, the Applicants argue that the RAD's identification of problems on the face of Ms. Digaf's birth certificate focused on minor details (e.g. a misspelling of the word "cemetery") and did not take into account the fact that there is no standard spelling of Eritrean names (*Hadesh v Canada (Citizenship and Immigration)*, 2016 FC 747 at paras 15-16).

[32] The Respondent submits that the Applicants failed to meet their onus of establishing their identities as Eritrean citizens because their primary identity documents were unreliable and Ms. Digaf's testimony lacked credibility. The Respondent also submits that the Applicants' arguments regarding the RAD's findings amount to a disagreement with the weight assigned to each of their identity documents.

[33] The Respondent states that the RAD identified a number of problems with the Applicants' passports which rendered them unreliable. The problems included the manner in which the passports were obtained, the exit visas contained in the passports, the Applicants' ability to leave Eritrea on the basis of the exit visas, and the identity documents allegedly used to obtain the passports. The Respondent argues that, where an unreliable document is the basis upon which a second document is issued, the reliability of the second document must necessarily be problematic.

[34] The Respondent submits that the Applicants did not address a number of issues raised by the RPD regarding the reliability of the exit visas. The RAD set out its own analysis of the documentary evidence for Eritrea and reasonably found serious concerns with Ms. Digaf's ability to obtain an exit visa and with the form of the visas. The Applicants' submission that the RAD impugned the passports solely based on the documents used to obtain them is not accurate.

Analysis

[35] The RAD undertook a detailed review of each of the Applicants' identity documents. The panel identified substantive concerns on the face of each document, analysed the documents against relevant reports in the NDP, and assessed Ms. Digaf's testimony regarding her reliance and travel on her passport and exit visas. The RAD's reasons are detailed and intelligible. The Applicants raise discrete issues regarding certain of the RAD's findings on each document without reference to the RAD's analysis of the document as a whole or its analysis of the relationship among the documents and the credibility of Ms. Digaf's testimony. I find that the RAD made no reviewable error in its assessment of the Applicants' documentary evidence. I also

find that the RAD's conclusion that the Applicants failed to establish their identities as Eritrean citizens was within the range of acceptable outcomes for this case and was reasonable.

[36] The reasonableness of the RAD's conclusions regarding the reliability and trustworthiness of the Applicants' Eritrean passports and Ms. Digaf's ID card and birth certificate is the critical issue before me. I note briefly that the RAD also considered two secondary documents: Ms. Digaf's marriage certificate and two letters allegedly written by Mr. Firemichael, again identifying errors in each document. The Applicants have not contested the RAD's conclusions regarding the marriage certificate but submit that the panel unreasonably found that Mr. Firemichael's letters lacked veracity. The RAD acknowledged the Applicants' arguments regarding the lack of standard spelling in Eritrea but found that Mr. Firemichael's differing spelling of his own name and his son's name in letters written within 24 hours of each other, together with the fact that no identity document was filed corroborating his identity, undermined the letters. I find that the Applicants' reliance on general linguistic issues is not sufficient to establish that the RAD erred in its specific findings.

[37] The Applicants' passports were their primary identity documents. The RAD emphasized that the RPD was not concerned with the authenticity of the passports but with how they were obtained and the information contained in them. The RAD reviewed the RPD's findings and concluded that the passports were not reliable or trustworthy in establishing the Applicants' identities. The analysis was twofold. First, the RAD identified problems with the exit visas in the passports and, second, the panel found that the unreliable status of the documents used by Ms. Digaf to obtain the passports undermined their trustworthiness.

[38] Turning first to the exit visas, the RAD noted that the Applicants did not address in their appeal the RPD's concerns with the visas. Ms. Digaf's passport contained three exit visas in sticker format with 2017 validity periods. The third visa was a multi-exit visa. Aloniab's passport contained two exit visas in sticker format also for periods within 2017. The RAD noted Ms. Digaf's testimony that she twice travelled to Dubai in reliance on the exit visas contained in her passport.

[39] The RAD identified the following issues in relation to Ms. Digaf's testimony and the evidence contained in the NDP:

1. Ms. Digaf's age: The evidence in the NDP established that it was very difficult for Eritreans to leave the country legally. Typically, Eritreans between 18 and 50 years of age were suitable for national service and, therefore, not able to obtain exit visas. Ms. Digaf was 30 years old in 2017 and had not completed her national service.
2. Format of the exit visas: The NDP indicated that exit visas were issued in the form of a stamp in Eritrean passports. The RAD cited the NDP for Eritrea (Item 3.9) and an IRB Response to Information Request (2017) that indicated that the government no longer issued exit visas in sticker form following a sticker scam in 2009.
3. Single vs. multi-entry: The evidence in the NDP also indicated that multi-exit visas were not issued.
4. The Applicants' profile: Ms. Digaf's profile (living with her in-laws who had been targeted for their political views; Ms. Digaf's previous detention by the Eritrean government when she attempted to illegally flee the country with Mr. Firemichael; the fact that Mr. Firemichael fled the country in June 2014) meant that she was unlikely to obtain a legal exit visa.

[40] The RAD contrasted this evidence with Ms. Digaf's testimony that she was able to leave and re-enter Eritrea without issue. The panel concluded that the information contained in her passport was not reliable as it was not consistent with the objective evidence for Eritrea. The

RAD also concluded that Ms. Digaf's testimony did not credibly establish that she travelled from and to Eritrea in the way she alleged.

[41] The Applicants submit that the exit visas should be considered independent documents and not part of the passports. I do not find this argument persuasive. The exit visas were presented as information contained in the passports. They were reasonably evaluated by the RAD in that context. The fact that the exit visas were materially non-compliant with the information in the NDP undermined both the reliability of the passports and Ms. Digaf's testimony that she travelled repeatedly on her passport. The Applicants also submit that the NDP establishes that an individual must have a valid passport in order to obtain an exit visa but the RAD's conclusion was, essentially, that the exit visas were not issued by the Eritrean government.

[42] The Applicants argue that the RAD ignored evidence in the record that the Eritrean authorities had implicitly reviewed the passports and accepted the exit visas because Ms. Digaf had been able to travel internationally using her passport (*Haramicheal v Canada (Citizenship and Immigration)*, 2016 FC 1197). This argument overlooks the RAD's finding that Ms. Digaf had not travelled as alleged because the exit visas were not in proper form and would not have been accepted by the Eritrean authorities. The RAD did not ignore relevant evidence in the record regarding Eritrean border controls as its conclusion that Ms. Digaf did not travel using the exit visas meant that the border controls were not tested.

[43] The RAD's conclusions regarding the exit visas contained in the Applicants' passports cannot be viewed in isolation from its conclusion that the documents used by Ms. Digaf to obtain

the passports were themselves not trustworthy. The Applicants argue that the RAD erred in relying on its adverse findings regarding Ms. Digaf's ID card and birth certificate to impugn the reliability of the passports but I do not agree. In my view, the fact that the ID card and birth certificate were not reliable identity documents was properly the foundation of the RAD's refusal to accept the passports as proof of the Applicants' identities.

[44] In *Mohmadi*, the Court cited the following excerpt from Justice Russell's decision in *Wang v Canada (Citizenship and Immigration)*, 2011 FC 969 at paragraph 49:

[49] As Justice Carolyn Layden-Stevenson pointed out in *Lin v Canada (Minister of Citizenship and Immigration)*, 2006 FC 84, at paragraph 12, a finding that one document is (or some documents are) fraudulent does not necessarily mean that all documents are fraudulent even in a situation where fraudulent documents are readily available. The RPD must make some effort to ascertain the authenticity of documents that appear to be genuine.

[45] I agree with the general premise that a finding by the RPD and/or RAD that an applicant has submitted a fraudulent document does not mean that all of the applicant's documents are fraudulent. A decision based solely on such an analysis would almost inevitably be unreasonable. The RAD's analysis in this case is more nuanced and narrow. The Applicants' Eritrean passports were submitted as proof of identity. The RAD accepted that the passports were issued by the Eritrean government. However, the RAD concluded that the identity documents (ID card and birth certificate) used by the Applicants to persuade the Eritrean authorities to issue the passports were not reliable. This finding directly and logically affects the utility of the passports in establishing identity. The passports suffer from the same lack of reliability as evidence of identity as Ms. Digaf's ID card and birth certificate. I find that the RAD made no error in connecting the reliability of the supporting documents to the reliability of the passports.

[46] It follows that the RAD's findings regarding the reliability of Ms. Digaf's ID card and birth certificate must be carefully reviewed. The RAD's principal concerns with the two documents were as follows:

1. Ms. Digaf's ID card: The use of two different inks on the ID card and its reference to the fact that Ms. Digaf was a student when it was issued in 2005 when she had not been a student since 2002. The RAD did not accept Ms. Digaf's explanation that she was young and had to take her student report with her to obtain the ID card. The NDP indicated that a citizen had to apply to the local administration for a letter of recommendation in order to obtain an ID card. The RAD discounted the Applicants' explanation in their Memorandum to the RAD that two different people may have completed the information on the ID card using two different inks. The RAD stated that the evidence was speculative and constituted an attempt to provide new evidence on an issue that was before the RPD.
2. Ms. Digaf's birth certificate: The use of a different complete name for her mother, the misspelling of the name of the administrative department that stamped the document, and an error in the stamp itself. The RAD stated that the use of a different name for Ms. Digaf's mother and the misspelling of the administrative department that stamped the birth certificate impugned its credibility. In addition, the spelling error (of the word "cemetery") in the official stamp rendered the birth certificate unreliable. The RAD acknowledged the Applicants' submission that the spelling errors resulted from the fact that English was not an official language in Eritrea but found that the misspellings in the stamp and in the name of the official department were unreasonable.

[47] In this application, the Applicants again make the argument that two individuals may have completed Ms. Digaf's ID card thereby accounting for the use of two different inks. As stated above, the RAD discounted this argument as speculative and an attempt to introduce new evidence. The Applicants also now argue that Ms. Digaf listed "student" on her ID card as she was evading national service and had to be a student to maintain her evasion. The RAD made no reference to this argument and it is not clear that it was put to the RAD.

[48] I find that the Applicants' submissions contesting the RAD's assessment of Ms. Digaf's ID card do not establish a reviewable error in the RAD's determination that it was unreliable as

an identity document. The RAD did not apply a stringent North American standard of quality to its assessment of the ID card, as in *Mbang v Canada (Citizenship and Immigration)*, 2019 FC 68. In fact, the RAD did not address issues of quality. Rather, the panel identified an obvious and unexplained problem on the face of the card and a material inconsistency between the information set out on the card and Ms. Digaf's evidence.

[49] The Applicants submit that the errors on Ms. Digaf's birth certificate are a reflection of the fact that there is no standardized spelling in the Eritrean language. They also submit that the RAD's focus on the misspelling of the word "cemetery" reflects an unduly microscopic examination of the document. In my view, the errors identified by the RAD were substantive and reasonably supported the panel's conclusion that Ms. Digaf's birth certificate was unreliable. The RAD's concern with the name of Ms. Digaf's mother was not with spelling but with the use of a different name. Further, the RAD emphasized that it was not focussed on the mere misspelling of a word in the body of the document. The errors highlighted by the panel were in the formal name of the administrative department and in the official stamp affixed to the birth certificate.

[50] Ms. Digaf's ID card and birth certificate were the documents used to obtain her Eritrean passport. These three documents were the primary documents submitted by the Applicants to discharge their obligation to establish their identities (subsection 100(4) and section 106 of the IRPA; Rule 11 of the *Refugee Protection Division Rules*, SOR/2012-256; see also *Su v Canada (Citizenship and Immigration)*, 2012 FC 743 at paras 3-4). As stated above, I find that the RAD did not err either in its analysis of each document and the documentary evidence in the NDP or

in its reliance on its adverse reliability findings regarding the ID card and birth certificate to impugn the reliability and trustworthiness of the Applicants' passports as proof of identity.

VII. Conclusion

[51] The application is dismissed.

[52] No question for certification was proposed by the parties and none arises in this case.

JUDGMENT IN IMM-950-19

THIS COURT'S JUDGMENT is that:

1. The application for judicial review is dismissed.
2. No question of general importance is certified.

"Elizabeth Walker"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

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