

Federal Court



Cour fédérale

**Date: 20210212**

**Docket: IMM-5330-19**

**Citation: 2021 FC 149**

**Toronto, Ontario, February 12, 2021**

**PRESENT: Mr. Justice A.D. Little**

**BETWEEN:**

**ROSE NUBOKEH AYAMBA OWONA**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP  
AND IMMIGRATION**

**Respondent**

**JUDGMENT AND REASONS**

[1] In this application for judicial review, the applicant requests that the Court set aside a decision of the Refugee Protection Division (the “RPD”) of the Immigration and Refugee Board of Canada dated August 12, 2019. In its decision, the RPD concluded that the applicant’s claim for protection under s. 96 and subs. 97(1) of the *Immigration and Refugee Protection Act*, SC 2001, c 27 (“*IRPA*”) was manifestly unfounded. The RPD found that the applicant had failed to establish her identity and that the claim was clearly fraudulent.

[2] In my opinion, the RPD's decision contains no reviewable error. As explained below, the application is dismissed.

**I. Events Leading to this Application**

[3] The applicant claims to be Rose Nubokeh Ayamba Owona, a citizen of Cameroon, date of birth July 21, 1968. She entered Canada using a Cameroon passport in the name of Neba Bih, date of birth June 10, 1949 and claimed refugee status, under the name Rose Nubokeh Ayamba Owona, in a Basis of Claim form and narrative received on July 10, 2018.

[4] The basis of her claim was that in October 2016, the applicant was arrested and tortured by police or other authorities due to her political affiliation and activities, and as a member of a human rights defence group, in southern Cameroon. The claim alleged that the applicant was at her restaurant giving out flyers about an upcoming rally when gendarmes stormed the restaurant and arrested everyone. The applicant was detained at the police station for three days, during which time she was mistreated and sexually assaulted. She was forced to sign a statement and was threatened by police before her release. After her release, she was admitted to the hospital and treated for several days. Subsequently, the applicant continued to distribute political flyers. In May 2017, the police again attempted to arrest her at her restaurant. She fled out the back door and took shelter in a friend's home. The gendarmes went to her residence to look for her, where they beat her two sons. The applicant remained in hiding until she found an agent, who helped her flee the country in August, 2017.

[5] The applicant left Cameroon and travelled via France to Calgary, Alberta. On arrival, she made a claim for asylum. She attended for fingerprinting, but failed to appear for her scheduled eligibility interview.

[6] The RPD scheduled a hearing for May 29, 2019 in relation to her claim for refugee protection. The Minister intervened on May 14, 2019. The Minister took the position that the applicant was not who she claimed to be and that there was no record of anyone named Rose Nubokeh Ayamba Owona entering Canada between 2016 and 2018. The Minister provided a biodata sheet for Neba Bih, which includes photographs of the applicant and the applicant's signature. In the Minister's view, these features of the biodata sheet supported the conclusion that the applicant is, in fact, Neba Bih.

[7] In apparent response to the Minister's intervention, the applicant disclosed two revised or supplementary narratives in support of her claim. Those narratives materially changed certain facts stated in her original narrative. The applicant stated that all of the events in Cameroon occurred in 2015-2016, each exactly a year earlier than originally claimed. The applicant also advised that she entered Canada a year earlier than she had claimed on a fraudulent Cameroon passport in the name of Neba Bih and using a Canadian visitor visa in Neba Bih's name. On this new timeline, the applicant had delayed in making her claim for protection from August 2016 to July 2018.

[8] A timeline will assist to understand the next events in May 2019, including the filing of the new or supplementary narratives:

- May 23: the applicant filed a supplementary narrative, revising the dates of certain events on which her claim was based. However, the applicant included supporting documents that confirmed key dates in her original narrative;
- May 24: by letter from her counsel, the applicant asked to postpone the RPD hearing, citing the Minister's intervention and the need to obtain additional documents, arrange witnesses and prepare herself for the hearing. The applicant also disclosed a signed statement of Vianney Muma Neba, a relative with whom she had been living since arriving in Canada, and advised that she wished to call two additional witnesses to testify by telephone at the hearing;
- May 25: the applicant advised the RPD that on this day, her son and father had been violently killed in Cameroon;
- May 27: the applicant disclosed her second supplementary narrative, which described the deaths of her father and her son. The applicant asked the RPD for permission to call five witnesses at her hearing scheduled for May 29, all by telephone from Cameroon;
- May 29: the RPD Hearing occurred. At the end of the hearing, the applicant collapsed. Paramedics took her to the hospital. She left the hospital later that day.

[9] Following the hearing, the Minister provided written submissions to the RPD dated June 7, 2019. The applicant's counsel provided submissions by letter dated June 17, 2019.

[10] By letter dated July 18, 2019, the applicant's counsel provided the RPD with a note from Dr Odufuwa advising that the applicant, who was well known to the doctor, has "possible PTSD: post traumatic stress disorder, anxiety and depression".

[11] The RPD released its decision on August 15, 2019.

## **II. The RPD Decision**

[12] The RPD found that the determinative issues were identity and credibility.

[13] The RPD recognized that with respect to credibility, when an applicant swears to the truth of certain allegations, that creates a presumption that those allegations are true unless there is reason to doubt their truthfulness. The Minister submitted that the applicant's real identity was Neba Bih, and that Rose Nubokeh Ayamba Owona was a false identity used by the applicant.

[14] The RPD concluded that the applicant was not a credible witness and that the presumption that her testimony was truthful had been rebutted. The RPD further concluded that the applicant had not established her identity as Rose Nubokeh Ayamba Owona. It did not go so far as to find that the applicant is, in fact, Neba Bih.

[15] The RPD concluded that the applicant had attempted to deceive the Board with respect to her true identity and other core allegations. The RPD found she had no reasonable explanation for misrepresenting the true timeline of events in Cameroon and other facts, as well as no adequate explanation for why she did not promptly claim asylum after arriving in Canada in 2016.

[16] The RPD made a number of findings related to the reliability and credibility of the applicant and the evidence she adduced to support her claim, in several cases concluding that the applicant's explanations or evidence could not be accepted. I categorize the RPD's findings as follows:

- Findings concerning the applicant's entry into Canada on false documentation;
- Conclusions about the changes to the dates in her narratives, which were inconsistent with the supporting documents she filed. The applicant explained that the agent who had assisted her when she fled Cameroon had tampered with the original supporting documents to make them coincide with her (false) timeline and that the original documents supported her revised narrative. However, she could not procure the originals to show the RPD;
- Inconsistencies between the applicant's narratives and the documents;
- Contradictions in the applicant's testimony and her inability to answer questions on basic facts about her own family. The RPD found that the applicant's testimony attempting to explain these contradictions about her family composition and relationships was "not straightforward, and became increasing convoluted and incoherent. The applicant appeared to be confused or unsure about basic details about her family" (RPD Reasons, at para 40). As one example, the applicant provided inconsistent testimony about the number of children her parents had and did not know the difference in ages between herself and any of her siblings. At one point, she explained that she had confused herself with Neba Bih – an explanation the RPD did not accept (at paras 42-43); and
- Discrepancies between the applicant's testimony and her identity documents. The RPD considered the contents of the applicant's purported National Identity Card

from Cameroon, her Birth Certificate and the fraudulent Passport, with evidence obtained while the applicant made her refugee claims (fingerprints and signatures). The RPD found that the evidence did not support a conclusion that the applicant was who she purported to be.

[17] Based on its assessment of the evidence as a whole, the RPD concluded that the applicant had not made out a claim under s. 96 or subs. 97(1) of the *IRPA*. It held that her claim was “clearly fraudulent” (para 75) and therefore manifestly unfounded under s. 107.1 of the *IRPA*.

[18] By Notice of Decision dated August 13, 2019, the RPD therefore rejected her claim.

### **III. Issues Raised by the Applicant**

[19] The applicant argued that the RPD’s conclusions on three issues were unreasonable based on the principles set out in *Canada (Minister of Citizenship and Immigration) v. Vavilov*, 2019 SCC 65 and *Dunsmuir v. New Brunswick*, 2008 SCC 9, [2008] 1 SCR 190. Those issues were: (i) proof of identity, (ii) whether her claim was manifestly unfounded, and (iii) the impact of the the medical evidence, filed after the hearing, on the applicant’s testimony and the RPD’s credibility findings.

#### **IV. The Standard of Review**

[20] The parties both made submissions on the basis that the standard of review is reasonableness as described in *Vavilov*. I agree.

[21] The focus of reasonableness review is on the decision made by the decision maker, including both the reasoning process (i.e. the rationale) that led to the decision and the outcome: *Vavilov*, at paras 83, 86; *Delta Air Lines Inc. v. Lukács*, 2018 SCC 2, [2018] 1 SCR 6, at para 12.

[22] The starting point is the reasons provided by the decision maker: *Vavilov*, at para 84. The reviewing court must read the reasons holistically and contextually, and in conjunction with the record that was before the decision maker: *Canada Post Corp. v. Canadian Union of Postal Workers*, 2019 SCC 67, at para 31; *Vavilov*, at paras 91-96, 97, and 103.

[23] When reviewing for reasonableness, the court asks whether the decision bears the hallmarks of reasonableness (i.e., justification, transparency and intelligibility) and whether the decision is justified in relation to the relevant factual and legal constraints that bear on the decision: *Vavilov*, at para 99.

[24] In *Vavilov*, the Supreme Court held that to intervene, the reviewing court must be satisfied that there are “sufficiently serious shortcomings” in the decision such that it does not exhibit sufficient justification, intelligibility and transparency. Flaws or shortcomings must be more than



superficial or peripheral to the merits of the decision, or a “minor misstep”. The problem must be sufficiently central or significant to render the decision unreasonable: *Vavilov*, at para 100.

[25] The reviewing court does not determine how it would have resolved an issue on the evidence, nor does it reassess or reweigh the evidence on the merits: *Vavilov*, at paras 75, 83 and 125-126; *Canada (Citizenship and Immigration) v. Khosa*, 2009 SCC 12, [2009] 1 SCR 339, at paras 59, 61 and 64.

[26] The onus to demonstrate that the decision is unreasonable is on the applicant: *Vavilov*, at paras 75 and 100.

## **V. Analysis**

[27] I will address each of the three main submissions made by the applicant in turn.

### **A. Proof of Identity**

[28] *IRPA* subs. 100(4) provides that a person who makes a claim for refugee protection inside Canada at a port of entry and whose claim is referred to the RPD must provide the RPD, within the time limits provided for in the regulations, with the “documents and information — including in respect of the basis for the claim — required by the rules of the Board, in accordance with those rules”.

[29] The rules of the Board include the *Refugee Protection Division Rules*, SOR/2012-256. Rule 11 provides that a claimant must provide “acceptable documents establishing their identity and other elements of the claim”. A claimant who does not provide acceptable documents must explain why they did not provide the documents and what steps they took to obtain them.

[30] Section 106 of the *IRPA* imposed a similar obligation on the applicant:

**106** The Refugee Protection Division must take into account, with respect to the credibility of a claimant, whether the claimant possesses acceptable documentation establishing identity, and if not, whether they have provided a reasonable explanation for the lack of documentation or have taken reasonable steps to obtain the documentation.

[31] The applicant made several submissions concerning the RPD’s analysis of her proof of identity. The applicant’s first submission concerned her documents, including a birth certificate and a National Identity Card from Cameroon, as well as the passport in the name of Neba Bih that included the applicant’s own photograph, a marriage certificate, her children’s passports, and a certificate of death for her husband.

[32] At the RPD, the two principal documents relied upon for identity purposes were the applicant’s birth certificate and the National Identity Card. The applicant submitted that the RPD erroneously concluded that her birth certificate was fraudulent. The birth certificate referred to the applicant’s father as deceased (the “late”), while the applicant testified that her father had died just days before the hearing in an attack on her village in Cameroon. She testified that the birth certificate contained a clerical mistake made by the issuing authority. The RPD did not accept that explanation. The applicant submitted that based on the finding that the birth certificate was

fraudulent, the RPD unreasonably found that all of the applicant's documents were fraudulent, including her National Identification Card. The applicant submitted that a finding that one or more documents are fraudulent does not necessarily mean that all documents are fraudulent: *Lin v Canada (Minister of Citizenship and Immigration)*, 2006 FC 84, at para 12.

[33] The applicant's second argument was that the RPD failed to explain why it assigned little weight to the birth certificates of the applicant's children, her marriage certificate and the death certificate of her late husband. In the applicant's submission, the RPD did not explain whether it found these documents to be genuine or false; it simply assigned them little weight.

[34] Thirdly, the applicant argued that the RPD erroneously relied on an implausibility finding, namely that it was implausible for the applicant to assume Neba Bih's identity as an expedient way to flee Cameroon and then wait two years to make an asylum claim after arriving in Canada.

[35] I do not agree with the applicant's submissions on the RPD's identity findings.

[36] First, the RPD's conclusion on identity was based on a broad assessment of the evidence, including documents provided by the applicant and the applicant's testimony. The RPD stated as follows at para 52 of its decision:

The claimant provided copies of two purported official identity documents, namely her Cameroon National Identity Card (NIC) and birth certificate, which she alleges are genuine and were properly and legally obtained. However, there are discrepancies between some key information on her birth certificate and her testimony. After considering the available objective evidence about identity documents in Cameroon, and in view of other serious

credibility problems in this claim, explained above and below, I find that these documents are insufficient to establish her identity.

[37] The discrepancies between the birth certificate and the applicant's testimony concerned her father. As noted above, her father was listed as "late" on the birth certificate, but the applicant testified that he had died four days before the hearing. The applicant speculated that it was a clerical error in the document. The RPD found that the applicant was unable to provide a reasonable explanation for the discrepancy.

[38] The "objective evidence" mentioned by the RPD was the "serious problem" with NIC fraud which, due to skilled forgery and corruption, the RPD concluded was commonplace in Cameroon. The RPD drew this finding from sources in a country condition document. The applicant did not challenge these conclusions on this application.

[39] The "other serious credibility problems" found by the RPD included the various findings related to the reliability and credibility of the applicant and the evidence she adduced to support her claim, which are described in paragraph 16 above. Those problems were widespread through the documentary and testimonial evidence.

[40] As Ahmed J. recently noted in *Asmelash v. Canada (Citizenship and Immigration)*, 2020 FC 1038, credibility determinations are entitled to considerable deference upon judicial review: at para 18. As he confirmed, such findings lie within "the heartland of the discretion of triers of fact [...] and cannot be overturned unless they are perverse, capricious or made without regard to the

evidence”: *Yan v Canada (Citizenship and Immigration)*, 2017 FC 146 at para 18, citing *Siad v Canada (Secretary of State)*, [1996] FCJ No 1575, [1997] 1 FC 608 (CA), at para 24.

[41] Considered in this light, I do not accept the premise of the applicant’s first argument that an erroneous finding on the birth certificate led the RPD to find unreasonably that all of the applicant’s documents were fraudulent, including her National Identification Card. The RPD’s decision in this case is much more broadly based than the applicant’s argument implies. I note that *Lin* required the RPD to consider the totality of the evidence before it (at paras 11 and 14) and that in that case, the Court found that the RPD had not done so – its reasons did not consider the “fairly extensive” evidence provided by Ms Lin at the hearing: at para 14. The RPD’s decision in the present case was alive to and considered the evidence as required by *Lin*.

[42] Similarly, I do not agree with the applicant’s submission that the RPD incorrectly relied on an implausibility finding concerning the delay in filing the refugee claim. There were many other factors leading to the RPD’s conclusion that the applicant’s claim was not credible. Even if the applicant were correct, such an error would not unwind the logic or create a gap in the RPD’s analysis, nor would it have affected the outcome.

[43] Second, the applicant’s submissions are premised on an alleged error by the RPD in the fact-finding process, specifically that it did not accept the applicant’s testimony that she believed the Cameroon issuing authority made an error on her birth certificate. However, it was well within the purview of the RPD not to accept the applicant’s testimony in the circumstances. It is not the

role of a reviewing court to be the fact-finder, draw its own inferences, or re-weigh evidence in place of the RPD.

[44] Third, the RPD recognized the correct legal analysis as submitted by the applicant. It held that where it is “satisfied that one or more of an applicant’s identity documents have been fraudulently obtained or are otherwise [not] authentic, the presumption that the applicant’s remaining identity documents are valid can no longer be maintained”. Applying this standard, the RPD referred to the applicant’s testimony that she obtained a fraudulent passport in another person’s name in order to travel to Canada; she did not disclose the identity under which she had travelled to Canada until the Minister produced a copy of the biodata page of the passport; when confronted with this disclosure, she testified that her agent tampered with most of her supporting documents in order to conceal her true date of entry into Canada; and her birth certificate contains information that is inaccurate which she could not reasonably explain. On the basis of that evidence, the RPD concluded that the presumption that the applicant’s identity documents were valid could not be maintained and found that there was insufficient credible evidence to establish her identity as Rose Nubokeh Ayamba Owona on a balance of probabilities.

[45] The RPD also expressly recognized that in those circumstances, it was “still required to at least consider and assess the authenticity and probative value of each of those documents, as well as any other supporting documents submitted by the applicant”: at para 58. The latter statement was consistent with Justice Layden-Stevenson’s reasoning in *Lin*, at para 12. At paragraph 61 of its decision, the RPD explained why it assigned little weight to the applicant’s marriage certificate, the death certificate of her husband and her children’s birth certificates. The RPD found that they

were not primary identity documents for the applicant. Even if they were genuine, they merely corroborated the family relationships of someone with the applicant's purported name. The RPD concluded that they did little to establish that the applicant was in fact Rose Nubokeh Ayamba Owona.

[46] It may be argued that the RPD could have weighed the evidence differently in respect of the applicant's identity. However, that is not the test on judicial review: *Lin*, at para 11; *Vavilov*, at paras 125-126. In my view, given all of its other findings on the evidence, including about the birth certificate and NIC, the many discrepancies between the documents and the applicant's testimony and amongst the applicant's answers at the hearing, and the fact that the RPD did not consider the remaining documents to be primary identity documents in this case, the RPD did not act unreasonably in failing to determine whether it found the additional documents to be genuine or false. In coming to its conclusion, the RPD recognized and sufficiently considered the evidence before it.

[47] Overall, the RPD provided sufficient reasons for its conclusion that the applicant had not established her identity as Rose Nubokeh Ayamba Owona. The applicant has not demonstrated that the RPD made a reviewable error. The RPD's decision on identity was reasonable under the *Vavilov* principles.

#### **B. Manifestly Unfounded under *IRPA* s. 107.1**

[48] Section 107.1 of the *IRPA* provides as follows:

**107.1** If the Refugee Protection Division rejects a claim for refugee protection, it must state in its reasons for the decision that the claim is manifestly unfounded if it is of the opinion that the claim is clearly fraudulent.

[49] If the RPD finds that a claim is manifestly unfounded, no appeal lies from the RPD's decision to the Refugee Appeal Division: *IRPA*, para 110(2)(c). The lack of appeal process likely explains why the applicant filed this application for judicial review.

[50] In its decision, the RPD noted that the threshold for a finding that a claim is manifestly unfounded is high and there must be evidence that the claim is clearly fraudulent (at paras 68 and 75). It concluded that the high threshold was met on the facts in this case, because the applicant disclosed documents and made allegations that "she knows are false with the intention of deceiving the RPD about material facts". After noting some of these material facts, the RPD held that "[t]he false or misleading misrepresentations in this claim permeate the claim and relate to not only her identity but to her allegations of persecution in Cameroon".

[51] In my view, the RPD's conclusions comply with the legal requirements for a finding under *IRPA* s. 107.1 as set out in *Warsame v. Canada (Citizenship and Immigration)*, 2016 FC 596, at paras 23-31 and *Fatoye v. Canada (Citizenship and Immigration)*, 2020 FC 456, at paras 45-48. In addition, read with the rest of its reasons, it was open to the RPD on the evidence to make these findings.

[52] The applicant submits that the RPD erred in rejecting the applicant's request to call five witnesses at the hearing and erred in assigning no weight to the applicant's other supporting



documents. She argues that if the RPD had not made these two errors and the witnesses were heard, there would be no basis for a finding that her claims were manifestly unfounded under *IRPA* s. 107.1.

[53] In my view, the applicant has not demonstrated that these findings were unreasonable. I have already addressed the RPD's conclusion in relation to the other supporting documents. On the proposed five witnesses that the applicant proposed to call by telephone at the hearing, the applicant's submissions are speculative. She did not tender witness statements or sworn statements from any of them. A letter from her counsel described each person and, in an explanation of at most one sentence, the subjects on which each would give evidence. Reading that letter, it is possible that some, but not all, of these witnesses could have provided evidence to assist the RPD in identifying the applicant. However, the record is far from clear that this possibility would have materialized. The RPD would have had to conclude that this unspecified possible evidence would do more than corroborate her testimony; the evidence would have had to establish her identity as Rose Nubokeh Ayamba Owona, affirmatively, and do so in the face of its other concerns about the fraudulent NIC and the various discrepancies in the applicant's testimony and between her testimony and the documents.

[54] Put in the language of a potential reviewable error, the record does not support the argument that this proposed evidence, the specific contents of which we do not know, would have acted as an factual constraint on the RPD's decision with respect to the applicant's identity: see *Vavilov*, at paras 90, 99 and 105.

[55] Accordingly, I do not agree with the applicant's submissions that the RPD's conclusion under *IRPA* s. 107.1 was unreasonable.

[56] At the hearing of this application, the applicant's counsel also submitted that the RPD's erroneous assessment of the identity evidence, combined with either a failure to account for the evidence or a failure to provide reasons for its refusal to hear the five additional witnesses, rendered the decision unreasonable (citing *Vavilov*, at para 126) or gave rise to a breach of procedural fairness (citing *Vavilov*, at paras 77 and 133-135).

[57] I have already explained why neither of the two conclusions individually was unreasonable. There is no reason not to reach the same conclusion if the two arguments are combined; indeed, the applicant's submissions did not provide such a reason.

[58] I also detect no substantial concerns about a possible breach of procedural fairness on the ground alleged. The RPD provided reasons for its decision not to hear the five additional witnesses (Hearing Transcript, at pp. 5-6; Certified Tribunal Record at pp. 258-259). The applicant did not make specific submissions about the unreasonableness of those reasons based on inadequacy. I note that in the reasons, the RPD member concluded that while identity was an issue in the proceeding, it was not clear why the proposed evidence would be of "significant relevance or probative value" to the determination of that issue.

### **C. Medical Evidence**

[59] In her written submissions, the applicant took issue with the RPD's conclusion that it would give little weight to the psychiatric evidence that the applicant suffers from "possible PTSD". Having seen the applicant collapse at the end of the hearing, the applicant submitted that it was unreasonable for the RPD to conclude that the diagnosis was not definitive and therefore to assign little weight to it. The applicant argued that there should be an inference from the doctor's note and the timing of the applicant's medical emergency that her mental health condition presented a barrier to the applicant's formal testimony.

[60] I am not persuaded that the RPD committed a reviewable error with respect to the medical evidence. The doctor's one-paragraph note identified that the applicant suffers from "possible" PTSD, anxiety and depression. It was not unreasonable for the RPD to conclude that the diagnosis was not definitive. Importantly, the applicant's post-hearing submissions, filed after the doctor's note, did not identify the applicant's condition as one that may have or did affect her testimony at the hearing before the RPD. Those submissions noted that the applicant was "emotional" during the hearing but did not argue that the applicant was unable to testify in a reliable manner about factual matters such as her family relationships.

[61] Lastly, in the applicant's affidavit filed in support of her application for leave to apply to this Court for judicial review, there was evidence that she was hospitalized in September and October 2019 and was diagnosed by a Dr Maxwell with severe PTSD. The applicant did not seek to enter that evidence on this application and did not make any submissions as to how that evidence

might, in substance, affect the Court's decision on this application. Rather, the applicant noted that if the RPD had not concluded that the claim was manifestly unfounded under s. 107.1, then the applicant would not have been precluded from appealing to the Refugee Appeal Division and could have applied to admit the new medical evidence on appeal.

[62] While I do not minimize the severity of the applicant's condition as diagnosed, I do note that Dr Maxwell's letter to counsel dated October 29, 2019 also does not state that the applicant's condition impacted her ability to testify before the RPD. Dr. Maxwell stated that severe post-traumatic stress disorder can be associated with a dissociative state and that it was possible that the applicant was in such a state during the hearing. However, Dr. Maxwell noted that a lot more information would be needed to carry out that assessment in a retrospective manner. There is no evidence that Dr. Maxwell, or anyone else, did such an assessment.

## **VI. Conclusion**

[63] For the reasons set out above, I conclude that the RPD did not commit any reviewable errors in determining the applicant's claim. Applying the principles set out by the Supreme Court in *Vavilov*, I conclude that the RPD's decision was reasonable.

[64] The application therefore must be dismissed. Neither party proposed a question for certification and I agree there is none. This is not a case for costs.

**JUDGMENT in IMM-5330-19**

**THIS COURT'S JUDGMENT is that:**

1. The application is dismissed.
2. No question is certified for appeal under paragraph 74(d) of the *Immigration and Refugee Protection Act*.
3. There is no order as to costs.

"Andrew D. Little"

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Judge

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** IMM-5330-19

**STYLE OF CAUSE:** ROSE NUBOKEH AYAMBA OWONA v THE  
MINISTER OF CITIZENSHIP AND IMMIGRATION

**PLACE OF HEARING:** TORONTO, ONTARIO

**DATE OF HEARING:** NOVEMBER 16, 2020

**REASONS FOR JUDGMENT  
AND JUDGMENT:** A.D. LITTLE J.

**DATED:** FEBRUARY 12, 2021

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