

Federal Court



Cour fédérale

**Date: 20220906**

**Docket: IMM-2815-21**

**Citation: 2022 FC 1257**

**Ottawa, Ontario, September 6, 2022**

**PRESENT: The Honourable Madam Justice Rochester**

**BETWEEN:**

**ADAEZE GLADYS EZEZUE  
DIVINE CHIEMELIE EZEZUE  
GOODLUCK EBUBECHUKWU EZEZUE**

**Applicants**

**and**

**THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION**

**Respondent**

**JUDGMENT AND REASONS**

**I. Context**

[1] The Applicants, Ms. Adaeze Gladys Ezezue and her two minor children, are citizens of Nigeria. They seek judicial review of a decision rendered by a Senior Immigration Officer [Officer] of Immigration, Refugees and Citizenship of Canada dated August 22, 2020, rejecting the Applicants' pre-removal risk assessment [PRRA] application.

[2] The Applicants had initiated unsuccessful refugee claims based on a fear of persecution from Ms. Ezezue's late husband's relatives. The risks alleged in the PRAA application were the same as those alleged before the Refugee Protection Division and the Refugee Appeals Division, however, the Applicants produced additional evidence in the form of two emails to support their allegations that the relatives continue to look for them in order to harm them.

[3] The Applicants plead that the Officer (i) unreasonably disregarded and dismissed new evidence submitted by the Applicants in support of their PRAA application; and (ii) ignored passages of a United States' State Department Report cited in the decision that supports the Applicants' claims.

[4] Having considered the submissions of the parties, I find that the applicable standard of review is that of reasonableness as set out in *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 [*Vavilov*]). In my view, the Applicants have not met their onus of demonstrating that the Officer's decision is unreasonable. For the reasons that follow, and despite the able submissions of counsel for the Applicant, I dismiss this application for judicial review.

## II. Analysis

A. *Treatment of the New Evidence*

[5] The new evidence submitted by the Applicants was comprised of one email from Ms. Ezezue's sister and a second email from her late husband's former receptionist. The Officer accepted the evidence and attributed little weight to it.

[6] The Applicants submit that the Officer set aside the evidence on the basis of superficial grounds, namely the lack of identity documents for the authors of the emails, which is akin to disregarding the evidence. Moreover, the Applicants argue that the Officer's reasons are unintelligible and not justified because they are brief and fail to demonstrate an understanding of the contents of the emails.

[7] I disagree with the Applicant. Having reviewed the record, the Officer's reasons are reasonable in light of the evidence submitted. The Officer noted a number of deficiencies in the contents of the emails, such as lack of details, vague references, and missing information. The Officer further noted the lack of identity documentation to demonstrate that the author was in fact Ms. Ezezue's sister. Ultimately, I find that the Applicants' arguments amount to a request for this Court to reweigh the evidence, which is not this Court's role on judicial review (*Vavilov* at para 125).

B. *Country Condition Evidence*

[8] The Applicant submits that the Officer disregarded the country condition evidence supporting the Applicants' claim, namely the risks for widows in Nigeria.

[9] The Respondent argues that the Officer considered the evidence, however, Ms. Ezezue failed to establish a link between the evidence and her personal situation.

[10] The Officer considered the country condition evidence and acknowledged that the situation for widows in Nigeria is not ideal. Nevertheless, I find it was reasonably open to the Officer to conclude, on a balance of probabilities, that “the applicant has not established that, because of her personal profile (as a widow), she would be at risk” and that there was “no new objective or verifiable evidence to show how these country conditions would apply to her personal situation”. The Applicants have failed to convince me that the Officer’s reasoning and conclusions regarding Ms. Ezezue’s asserted risk in Nigeria were unreasonable in light of the evidence and submissions that were before the Officer for consideration.

### III. Conclusion

[11] For the foregoing reasons, I am not convinced that the Officer’s decision is unreasonable. This application for judicial review is therefore dismissed.

[12] No serious question of general importance for certification was proposed by the parties, and I agree that no such question arises.

**JUDGMENT in IMM-2815-21**

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

1. The Applicants' application for judicial review is dismissed; and
2. There is no question for certification.

“Vanessa Rochester”

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Judge

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

**DOCKET:** IMM-2815-21

**STYLE OF CAUSE:** ADAEZE GLADYS EZEZUE ET AL v THE  
MINISTER OF CITIZENSHIP AND IMMIGRATION

**PLACE OF HEARING:** HELD BY VIDEOCONFERENCE

**DATE OF HEARING:** MAY 30, 2022

**JUDGMENT AND REASONS:** ROCHESTER J.

**DATED:** SEPTEMBER 6, 2022

**APPEARANCES:**

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