

Federal Court



Cour fédérale

Date: 20240823

Docket: IMM-990-23

Citation: 2024 FC 1320

Ottawa, Ontario, August 23, 2024

PRESENT: Madam Justice Sadrehashemi

BETWEEN:

QIXING WANG

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

I. Overview

[1] The Applicant, Qixing Wang, came to Canada approximately twelve years ago and made a claim for refugee protection. He claimed he was at risk of persecution because of his practice of Falun Gong. The Refugee Protection Division (“RPD”) rejected his claim, finding that his allegations about being a practitioner of Falun Gong were not credible. Mr. Wang then applied for a Pre-Removal Risk Assessment (“PRRA”). In his PRRA application, Mr. Wang claimed that

while he has been in Canada, he converted to Christianity and that he would be restricted in practicing his faith in China. An officer at Immigration, Refugees and Citizenship Canada (“IRCC”) refused the application. Mr. Wang is challenging the PRRA refusal on judicial review.

[2] The parties agree as do I that I am to review the Officer’s decision on a reasonableness standard. In my view, the Officer thoroughly reviewed the limited information about the nature of Mr. Wang’s faith and found, considering the country documentation, that someone in his circumstances would not face harm within the meaning of section 96 or 97 of the *Immigration and Refugee Protection Act*, SC 2001, c 27 (“IRPA”). Mr. Wang has raised no significant shortcoming in the Officer’s analysis and therefore the application for judicial review is dismissed.

II. Analysis

[3] Mr. Wang argues that the Officer’s finding that he would not face religious persecution is not logical given their findings about how Christians are restricted in practicing their faith in China. In my view, the Officer’s findings are logical when read in the context, as explained by the Officer, of Mr. Wang’s about the nature of his faith and the country condition evidence about practicing Christianity in China.

[4] As acknowledged by Mr. Wang’s counsel, the information about the nature of Mr. Wang’s faith and how he intends to practice his faith in China is limited. Mr. Wang states in his declaration that he does not want to practice in state-sanctioned churches in China; there is no further information in how he would like to practice his faith in China. The Officer considers the

country documentation and finds that as Mr. Wang is not a church leader, nor is there evidence that he intends to proselytize, engage in political activities related to his faith, or practice in a large established church, he can practice his faith without facing section 96 or section 97 harms.

[5] Mr. Wang's key issue is the Officer's statement that "... ordinary members of the church are usually detained during a raid but released shortly after." Mr. Wang argues that it is not logical to find one would not face persecution if they could expect to be detained, even for a short time, for practicing their faith. The problem with this argument is that it takes the Officer's statement out of context. This statement is in relation to the Officer's findings about "large established churches". There is no evidence that Mr. Wang intends to practice in those churches; the Officer does not make similar statements about smaller house churches or practicing at home.

[6] Mr. Wang also argues that the Officer erred when requiring that he hide his religion. I see no basis in the Officer's reasons to support the claim that they were requiring the Applicant to hide his faith in China. The Officer considered the Applicant's own statements about the nature of his faith and relied on those to consider their ability to practice their faith. I agree with the Applicant that requiring someone to hide their faith is not in accordance with the jurisprudence on religious persecution but, in this case, there is no evidence of this line of reasoning in the decision.

[7] Mr. Wang also argued in his written submission, but not orally at the judicial review hearing, that the "reasons for the Applicant's initial conversion to Christianity is irrelevant to the *sur place* test." This is not an issue in this case. The Officer draws no negative inference about

the reasons for Mr. Wang's conversion to Christianity. The decision is clear, as was noted several times by Mr. Wang's counsel, that the Officer accepts that Mr. Wang has converted to Christianity in Canada.

[8] Reading the Officer's decision as a whole, taking into account the submissions and evidence filed, and the arguments raised on judicial review, I see no basis to interfere with the Officer's decision. Neither party raised a question for certification and I agree none arises.

JUDGMENT in IMM-990-23

THIS COURT'S JUDGMENT is that:

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

"Lobat Sadrehashemi"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-990-23

STYLE OF CAUSE: QIXING WANG v THE MINISTER OF CITIZENSHIP
AND IMMIGRATION

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: JULY 23, 2024

JUDGMENT AND REASONS: SADREHASHEMI J.

DATED: AUGUST 23, 2024

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