Date: 20060426

Docket: IMM-5014-05

Citation: 2006 FC 522

Ottawa, Ontario, April 26, 2006

PRESENT: The Honourable Mr. Justice Blanchard

BETWEEN:

ABDUL RAHMAN KHWAJA

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

REASONS FOR ORDER AND ORDER

[1] This is an application for judicial review of the decision, dated June 14, 2005, of Nicolas Drouin (the visa officer) at the Canadian Embassy in Moscow, Russia, which determined that the Applicant does not meet the requirements to be issued a permanent resident visa because he is not a member of the Convention Refugee Abroad or Humanitarian-protected Persons Abroad classes. The visa officer concluded that the Applicant did not meet the requirements of subsections 11(1) and 16(1) of the *Immigration and Refugee Protection Act*, S.C. 2001, c. 27 (the Act) by reason that the evidence regarding his occupation and military service was not credible.

[2] For ease of reference, I have attached the statutory provisions applicable to this case in Appendix “A”.

1. Facts

[3] The Applicant, Abdul Rahman Khwaja, is an ethnic Tajik born in Kabul, Afghanistan on October 18, 1965. On graduating high school, the Applicant commenced his mandatory military service in 1983 and was assigned to the airport at Kabul. He was discharged in 1986 and was later employed as a clerk at the Kabul electrical power company. In 1988 the Applicant went to the USSR and was admitted to the Tajik Agrarian University in Dushanbe, Tajikistan.

[4] On August 14, 2004, the Canadian Embassy in Moscow received and application on behalf of the Applicant, his wife and five children for permanent residence resettlement through the United Nations High Commissioner for Refugees (UNHCR) as members of the Convention Refugees Abroad or Humanitarian-protected Persons Abroad classes.

2. First interview

[5] The visa officer first interviewed the Applicant on October 15, 2004, and concluded that he met the definition of a Convention refugee by reason that he feared persecution by Afghanistan’s authorities because of a perceived connection to the former communist government in that country. The visa officer advised the Applicant that his application for permanent residence was granted pending verification of medical, criminal and security clearances.

3. Informant allegations of Applicant's criminality

[6] On April 13, 2005, the visa officer received a telephone call from an identifiable third party (informant) who stated that the Applicant was a former drug trafficker, had been imprisoned in Dushanbe, had been a Khalqi member of the PDPA, and had been involved in combat while serving in the military in Afghanistan. The visa officer told the informant to send the information to the Canadian Embassy in writing. On April 19, 2005, the informant faxed to the Embassy a letter alleging that the Applicant was an active member of the Hizbi Halq, that he had served in the Khad, that he had smuggled gold and precious stones in the preceding five to six years, that he had trafficked people from Afghanistan abroad, and that he had been imprisoned twice for people-trafficking and smuggling stones.

4. Second interview

[7] The visa officer was satisfied the informant's allegations raised sufficient criminality and security concerns to re-interview the Applicant. The Applicant was not given prior notice of the reason for convening the second interview, rather, the visa officer confronted the Applicant with the allegations during the interview held on May 21, 2005. The Applicant denied the allegations in their entirety.

5. Decision under review

[8] By letter dated June 14, 2005, the visa officer denied the Applicant's application for permanent residence on the ground that the evidence regarding his occupation and military service was not credible. The visa officer concluded that the Applicant was neither a member of the Convention Refugees Abroad or Humanitarian-protected Persons Abroad classes within the

meaning of sections 145 and 147 of the *Immigration and Refugee Protection Regulations*, SOR/2002-227 (the Regulations). The letter reads in material part:

> ...
>
> Paragraph 16(1) of the Act stated that a person who makes an application must answer truthfully all questions put to them for the purpose of an examination and must produce a visa and all relevant evidence and documents that the officer reasonably requires.
>
> After carefully assessing all factors relative to your application, I am not satisfied that you are a member of any of the classes prescribed because your answers to my questions were contradictory and evasive during the interview. I did not find credible your explanations about your military service and your occupation in Afghanistan and Tajikistan. Therefore, you do not meet the requirements of this paragraph.
>
> Subsection 11(1) of the Act states that:
>
> A foreign national must, before entering Canada, apply to an officer for a visa or for any other document required by the Regulations. The visa or document shall be issued if, following an examination, the officer is satisfied that the foreign national is not inadmissible and meets the requirements of the Act.
>
> Subsection 2(2) specifies that, unless otherwise indicated, references in the Act to "this Act" included regulations made under it.
>
> Following an examination of your application, I am not satisfied that you meet the requirements of the Act and the Regulations for the reasons explained above. I am therefore refusing your application.

[9] By notice of application filed August 17, 2005, the Applicant seeks judicial review of the visa officer's decision dismissing his application for permanent residency.

6. Issues

[10] Three issues are raised on this application:

A. Can the Court consider evidence that was not before the visa officer?

B. Did the visa officer breach the duty of fairness by failing to provide the Applicant with a meaningful opportunity to respond to the allegations of criminality?

C. Did the visa officer err in making a global adverse credibility finding by reason that:

(1) the Applicant's evidence regarding his military booklet was internally contradictory?; and

(2) untested evidence alleging the Applicant's criminality was preferred over the Applicant's testimony?

7. Analysis

A. *Can the Court consider evidence that was not before the visa officer?*

[11] The Respondent objects that the Applicant seeks that this Court review the visa officer's decision on the basis of new evidence which was not before the decision maker. Specifically, it is submitted that paragraphs 3 to 10, 12, 18, and 24 of the affidavit sworn by the Applicant on October 1, 2005, adduces new facts that were not before the visa officer at the time of his decision. The same new facts are restated in portions of the supporting affidavits sworn by Khwaja Sidiqi and Zohira Vali Muhammad on October 2, 2005. The Applicant produces these affidavits as proof of his credibility with respect to his occupation and his military service, and in support of his contention that the visa officer erred in finding the Applicant inadmissible.

[12] It is settled law that on judicial review, evidence that was not put before a decision maker is not admissible before the reviewing Court: see *Asafov v. Canada (Minister of Employment and Immigration)*, (1994), 48 A.C.W.S. (3d) 623 (F.C.T.D.), [1994] F.C. J. No. 717 (T.D.) (QL). The Federal Court of Appeal held in *Bekker v. Canada*, 2004 FCA 186. (2004), 323 N.R. 195 (F.C.A.), that the nature of judicial review limits the Court to assessing the legality of decisions based on the

record that was before the decision maker. Justice Gilles Létourneau stated in *Bekker* at paragraph 11:

> [11] Judicial review proceedings are limited in scope. They are not trial de novo proceedings whereby determination of new issues can be made on the basis of freshly adduced evidence. As Rothstein J.A. said in *Gitxsan Treaty Society v. Hospital Employees' Union*, [2000] 1 F.C. 135, at paragraph 15, "the essential purpose of judicial review is the review of decisions" and, I would add, to merely ascertain their legality: see also *Offshore Logistics Inc. v. Intl. Longshoremen's Assoc. 269* (2000), 257 N.R. 338 (F.C.A.). This is the reason why, barring exceptional circumstances such as bias or jurisdictional questions, which may not appear on the record, the reviewing Court is bound by and limited to the record that was before the judge or the Board. Fairness to the parties and the court or tribunal under review dictates such a limitation. ...

[13] New evidence however can properly be considered by the Court when considering allegations of breach of procedural fairness: see *Ontario Assn of Architects (Ont.) v. Assn. of Architectural Technologists of Ontario* (C.A.), [2003] 1 F.C. 331.

[14] I have reviewed the visa officer's decision and reasons filed with the Court on September 1, 2005, and the supplementary certified tribunal record filed on February 27, 2006. I conclude that the affidavit evidence referred to above did not form part of the record before the visa officer and, as a consequence, may not be considered by this Court reviewing his decision. For this Court to review the decision on the basis of evidence unknown to the visa officer would be to depart from its scope of review on the record to a *de novo* appeal on the merits. In the Applicant's affidavit, paragraphs 3 to 9 disclose particulars of family background unknown to the visa officer; paragraphs 10 and 12 relate to the Applicant's military service and responsibilities in the Logistics Unit at the military airport in Kabul, Afghanistan; paragraph 18 discloses that the Tajik government would not grant the Applicant permanent residence; and paragraph 24 describes the Applicant's residence permit to live

in Dushanbe, Tajikistan. There is no material in the record to suggest that this information was known to the visa officer on or before June 14, 2005, and this Court will not consider these new facts in disposing of this case.

B. *Did the visa officer breach the duty of fairness by failing to provide the Applicant with a meaningful opportunity to respond to the allegations of criminality?*

[15] The Federal Court of Appeal in *Ha v. Canada (Minister of Citizenship and Immigration)*, 2004 FCA 49, (2004), 316 N.R. 299 (F.C.A.), reviewed the context of a visa officer deciding an application for permanent residence in Canada and held that the content of the duty of fairness is a question of law that is dependent on the facts of each case. The Applicant here submits that the visa officer breached his duty of procedural fairness by not giving the Applicant a meaningful opportunity to respond to the informant's allegations of criminality. The Applicant contends that he should have been given an opportunity after the second hearing concluded to produce evidence rebutting the claims against him.

[16] *John v. Canada (Minister of Citizenship and Immigration)*, 2003 FCT 257, (2003), 26 Imm. L.R. (3d) 221 (F.C.T.D.), and *Haghighi v. Canada (Minister of Citizenship and Immigration)* [2000] 4 F.C. 402, (2000), 257 N.R. 139 (F.C.A.), are authority for the proposition that a visa officer must disclose his or her specific concerns to the applicant and grant that person sufficient opportunity to respond to the concerns in a meaningful way. In *John*, Justice Allen Linden (ex officio) set aside a decision of a visa officer where the applicant was only advised of the reason for being re-interviewed at the hearing itself, and had been refused his request to produce rebuttal

evidence after the hearing. Justice Linden found that the applicant, in that case, was denied a meaningful opportunity to respond to the officer's concerns. At paragraphs 6 and 17 to 18 he stated:

> [6] The Visa Officer states that the Applicant was given an opportunity to respond to his concerns about the fraudulent birth certificate, but the Applicant disagrees. He states that he was not advised in advance about the subject of the second interview, and that the Visa Officer ignored his explanation and request for an opportunity to prove his relationship to his aunt. This, it is argued, was not a meaningful opportunity to respond.
>
> …
>
> [17] It is the Respondent's position that the Visa Officer discharged the duty of fairness by advising the Applicant of his concerns, and providing him with an opportunity to respond to them at the hearing. The Respondent relies on *Patel v. Canada (Secretary of State)*, [1995] F.C.J. No. 1410 (F.C.T.D.), a case in which the Court found that the duty of fairness was met when the Applicant was interviewed a second time so that he could respond to the visa officer's concerns about his lack of credentials and experience as a printing mechanic.
>
> [18] In *Patel*, the Court concluded that the Applicant was advised of the visa officer's concerns and given a full opportunity to respond to them in a second interview. In *Patel*, however, the prospective immigrant was advised of the purpose of the second interview by a letter in advance of the interview. The Applicant in this case was not advised why he was being re-interviewed until he arrived at the second interview. For this reason, it cannot be said that he was given a full opportunity to respond to the Visa Officer's concerns about the authenticity of his aunt's birth certificate. Had he been told in advance of the purpose of his second interview, or given some time after the interview, he may have been able to gather evidence to meaningfully address the Visa Officer's concerns about the document. This might be done by telephone or other written means of communication.

[17] The duty of fairness requires that an applicant be given notice of the particular concerns of the visa officer and be granted a reasonable opportunity to respond by way of producing evidence to

refute those concerns. Where notice is given at the interview itself, the visa officer must allow the Applicant a reasonable period of time in which to meaningfully respond to the allegations.

[18] In this case, the visa officer summoned the Applicant in mid-May 2005 for a second interview convened on May 21, 2005. The Applicant was not given prior notice of the allegations but was confronted with them at the hearing. The Applicant and Respondent differ as to when, during the interview, the Applicant was confronted, a distinction I do not find material. The Applicant was notified of the reason for his second interview, was given an opportunity to respond to the informant's allegations, and did in fact give explanations which the visa officer rejected. The onus lies on the Applicant to provide sufficient evidence to support his application for permanent residence: see *Lam v. Canada (Minister of Citizenship and Immigration)* (1998), 152 F.T.R. 316 (T.D.); *Dhillon v. Canada (Minister of Citizenship and Immigration)*, [1998] F.C.J. No. 574 (T.D.); and *Tahir v. Canada (Minister of Citizenship and Immigration)* (1998), 159 F.T.R. 109 (T.D.).

[19] The facts of this case are clearly distinguishable from those in *John.* The Applicant did not request an opportunity in which to gather evidence to address the officer's concerns. The onus was on the Applicant to request an extension of time to refute the allegations against him, and he did not do so. It cannot be said that he was denied an opportunity to produce further evidence after the hearing to address officer Drouin's concerns; he simply did not request such an opportunity. There is no evidence either in the record before the visa officer or in the affidavits before the Court to support a finding that the Applicant communicated an intention, either at the hearing or afterward, to produce evidence to refute the claims of criminality made against him.

[20] It was not for the visa officer at the second interview to suggest to the Applicant that he seek out new evidence after the hearing to rebut the informant's claims. That onus was on the Applicant. By cross-examination January 30, 2006, on his affidavit sworn on November 2, 2005, Officer Drouin stated that he would have examined such evidence had the Applicant produced it:

> [504] Q – Was there any particular hurry to make a decision in this case after the second interview?
>
> A – No, no special hurry
>
> [505] Q – Was there – did you offer them time to try and obtain documents to refute the allegations?
>
> A – No. I mean, if they had provided me with these documents, I would have looked at them.

[21] While the Applicant was only given notice of the substance of allegations against him at the second interview, he was given a meaningful opportunity to respond, and he bore the onus to request an adjournment or further time to provide evidence addressing the officer's concerns. That the Applicant did not so request does not constitute a breach of the duty of fairness by the visa officer.

C. *Did the visa officer err in making a global adverse credibility finding?*

[22] Neither party addressed the standard against which to review the decision of a visa officer to grant or deny an application for permanent residence, or against which to review an officer's cumulative finding of adverse credibility. In *Ouafae v. Canada (Minister of Citizenship and Immigration)*, 2005 FC 459, Justice Yves de Montigny reviewed and noted that the Court was divided on whether standard of reasonableness *simpliciter* or patent unreasonableness applied to decisions of visa officers. After considering the pragmatic and functional analysis conducted by

Justice John O'Keefe in *Yin v. Canada (Minister of Citizenship and Immigration)* (2001), 106 A.C.W.S. (3d) 726 (F.C.T.D.), Justice de Montigny concluded that decisions of visa officers based on purely factual assessments are reviewable on a patently unreasonable standard, whereas decisions of visa officers based on application of the facts to legal standards are reviewable on a reasonableness standard. At paragraphs 18 to 20 and 22, Justice de Montigny held:

> [18] Opinion on the appropriate standard of review for decisions by visa officers is divided and appears to have spawned seemingly contradictory decisions. In some cases, reasonableness *simpliciter* was the chosen standard (see, *inter alia*, *Yaghoubian v. Canada (M.C.I.)*, [2003] FCT 615; *Zheng v. Canada (M.C.I)*, IMM-3809-98; *Lu v. Canada (M.C.I.)*, IMM-414-99). In other decisions, patent unreasonableness was chosen instead (see, for example, *Khouta v. Canada (M.C.I.)*, [2003] FC 893; *Kalia v. Canada (M.C.I.)*, [2002] FCT 731).
>
> [19] And yet, on closer inspection, these decisions are not irreconcilable. The reason for the different choices is essentially that the nature of the decision under review by this Court depends on the context. Thus it goes without saying that the appropriate standard of review for a discretionary decision by a visa officer assessing a prospective immigrant's occupational experience is patent unreasonableness. Where the visa officer's decision is based on an assessment of the facts, this Court will not intervene unless it can be shown that the decision is based on an erroneous finding of fact made in a perverse or capricious manner.
>
> [20] However, it is not the same for a decision by a visa officer involving an application of general principles under an Act or Regulations to specific circumstances. Where the decision is based on a question of mixed law and fact, the Court will show less deference and seek to ensure that the decision is quite simply reasonable. That is what my colleague O'Keefe J. held after using the pragmatic and functional approach in *Yin v. Canada* (M.C.I.), [2001] FCT 661…
>
> …
>
> [22] …[T]his Court must show deference when the impugned decision is purely factual. That is not the case here: on the contrary, this is a question of mixed law and fact, which calls for a lower level of deference than a question of fact. In addition, given that there is no privative clause in the *Immigration and Refugee Protection Act*, and that

> the visa officer is determining the applicant's rights rather than dealing with a polycentric issue, to use the words of Bastarache J. in *Pushpanathan v. Canada (M.C.I.)*, [1998] 1 S.C.R. 982, there is no doubt that the appropriate standard is reasonableness *simpliciter*.

I adopt my learned colleague's reasoning in respect to the applicable standard of review of visa officer's decisions.

[23] The specific question to be answered here is whether the visa officer erred in making his credibility findings. Such findings of fact are clearly within the purview of a visa officer's responsibilities under subsection 11(1) of the Act. The Court must show deference in reviewing such findings. They are to be reviewed on the standard of patent unreasonableness.

[24] For the reasons that follow, I find that the visa officer's credibility findings were not patently unreasonable. It follows therefore that the Court's intervention is not warranted. The visa officer's decision should not be disturbed.

(1) Contradictory evidence regarding military booklet

[25] The visa officer stated that the Applicant produced his military booklet at his first interview, but then claimed at his second interview that the booklet had been stolen from his home in 1993. The Applicant submits that the visa officer drew an adverse credibility finding without regard to the evidence.

[26] The Computer Assisted Immigration Processing System (CAIPS) notes of the first interview convened on October 15, 2004, indicate that the visa officer inspected the Applicant's military booklet:

> ... Did his military service as a private with the Ministry of Defense at the Kabul Airport. Military booklet seen.

[27] The CAIPS notes of the second interview convened on May 21, 2005, indicate that the Applicant did not have his military booklet at that time and explained it had been stolen in 1993. The visa officer's notes indicate he checked the previous interview notes which described his having seen the military booklet at that time:

> ... The applicant also stated that he had never been involved in fightings while the information we received tells us the opposite. The applicant said that he had done his military service in the Kabul airport. When I asked the applicant to show me his military booklet, he said that he had lost it. Stated that someone stole his military booklet in 1993. According to the last interview notes, the applicant had his military [booklet] with him at the time of interview.

[28] By sworn affidavit, the Applicant submits that he did not show his military booklet at his first interview on October 15, 2004, that it had been stolen from his home in 1993, and that the officer asked him at his second interview on May 21, 2005, whether he had "found" the document, in reply to which he explained it had been stolen. The Applicant's submission, in essence, is that the officer mistakenly prepared incorrect CAIPS notes during a time of heavy caseload surrounding the first interview.

[29] The Court is unable to resolve this conflicting evidence in favour of the Applicant. The CAIPS notes at the first interview disclose that the Applicant served as a private at the airport in

Kabul, which could reasonably be based on the ensuing statement that the military booklet was viewed. The notes further state that the officer had "no particular security concerns" which may also have been concluded on a viewing of the same document. Officer Drouin in his November 2, 2005 affidavit attests that the contents of the CAIPS notes were true and accurate, that the Applicant produced his military booklet at the time of his first interview, and that he viewed and noted seeing that document. It cannot be concluded, therefore, that the visa officer's finding that he had seen the booklet at the first interview is without regard to evidence in the record.

(2) Informant alleging criminality

[30] The Applicant submits that the visa officer was unreasonable in preferring the informant's allegations of criminality over the Applicant's evidence denying those claims. The Respondent submits that the visa officer made no finding in respect of the Applicant's criminal inadmissibility to Canada, for which reason it cannot be concluded the officer preferred the informant's evidence over the Applicant's. The Respondent submits that the visa officer confronted the Applicant with the informant's allegations of criminality and reasonably concluded that the Applicant was not credible by reason of his vague and evasive answers in connection with his military activities and occupation in Afghanistan.

[31] I agree with the Respondent. The visa officer did not simply accept the veracity of the untested allegations in the informant's correspondence and made no finding in respect of criminal inadmissibility. Instead, at the second interview, the officer put the substance of the allegations to the Applicant and asked him to reply. The CAIPS notes on May 21, 2005 indicate that the visa

officer concluded that the Applicant's testimony was not credible on the basis of reply to questions of occupation and military service:

> The applicant was confronted with the information we received that he had been involved in the smuggling of persons and gem stones and that he had been jailed. The applicant said that it was not true as he was a leather specialist. When asked to explain his work of leather specialist, the applicant provided me with very evasive answers and couldn't provide any concrete details about his occupation.
>
> ...
>
> The applicant said that during his military service, he was in charge of a team of soldiers who were sewing uniforms and doing embroidery. When I asked the applicant to provide me with more info, he repeated the same thing....
>
> The applicant's answers to my questions have been contradictory and evasive during the interview. I don't find credible his explanations about his military service and his occupation in Afghanistan. Application to be refused on lack of credibility.

[32] In reviewing the visa officer's decision and the submissions of the parties, I conclude that the visa officer's credibility findings were open to him on the applicable standard of review. It follows that the Court's intervention is not warranted.

8. Conclusion

[33] In my view, the visa officer did not breach his duty of fairness to the Applicant and did not err in denying the applicant's application for permanent residence based on his lack of credibility. As a result, I will dismiss this application for judicial review.

9. Proposed Certified Question

[34] The Applicant proposed that the following question be certified pursuant to paragraph 74(*d*) of the Act:

> Are individuals seeking resettlement to Canada as members of the Convention Refugee Abroad Class or of the Humanitarian-Protected Persons Abroad Class entitled to a relatively high level of procedural fairness, given the criteria articulated by the Supreme Court of Canada in *Baker* and the particular vulnerability of Convention Refugees Abroad?

In my view, this question does not transcend the interests of the immediate parties to the litigation nor does it contemplate issues of broad significance or general application. Further, as the Federal Court of Appeal noted in *Ha*, above, the content of the duty of fairness is dependent on the facts and context of each case. As such, the question as proposed does not satisfy the test for certification: see *Canada (Minister of Citizenship and Immigration) v. Liyanagamage* (1994), 176 N.R. 4 (F.C.A.) at paragraph 4. I therefore decline to certify any question.

ORDER

THIS COURT ORDERS that:

1. The application for judicial review is dismissed.

2. No question is certified.

"Edmond P. Blanchard"
Judge

APPENDIX "A"

1. *Immigration and Refugee Protection Act*, S.C. 2001, c. 27

11. (1) A foreign national must, before entering Canada, apply to an officer for a visa or for any other document required by the regulations. The visa or document shall be issued if, following an examination, the officer is satisfied that the foreign national is not inadmissible and meets the requirements of this Act.

11. (1) L'étranger doit, préalablement à son entrée au Canada, demander à l'agent les visa et autres documents requis par règlement, lesquels sont délivrés sur preuve, à la suite d'un contrôle, qu'il n'est pas interdit de territoire et se conforme à la présente loi.

16. (1) A person who makes an application must answer truthfully all questions put to them for the purpose of the examination and must produce a visa and all relevant evidence and documents that the officer reasonably requires.

16. (1) L'auteur d'une demande au titre de la présente loi doit répondre véridiquement aux questions qui lui sont posées lors du contrôle, donner les renseignements et tous éléments de preuve pertinents et présenter les visa et documents requis.

(2) In the case of a foreign national,

(*a*) the relevant evidence referred to in subsection (1) includes photographic and fingerprint evidence; and

(*b*) the foreign national must submit to a medical examination on request.

(2) S'agissant de l'étranger, les éléments de preuve pertinents visent notamment la photographie et la dactyloscopie et il est tenu de se soumettre, sur demande, à une visite médicale.

...

[...]

2. *Immigration and Refugee Protection Regulations*, SOR/2002-227

145. A foreign national is a Convention refugee abroad and a member of the Convention refugees abroad class if the foreign national has been determined, outside Canada, by an officer to be a Convention refugee.

145. Est un réfugié au sens de la Convention outre-frontières et appartient à la catégorie des réfugiés au sens de cette convention l'étranger à qui un agent a reconnu la qualité de réfugié alors qu'il se trouvait hors du Canada.

147. A foreign national is a member of the country of asylum class if they have been determined by an officer to be in need of resettlement because

(*a*) they are outside all of their countries of nationality and habitual residence; and

(*b*) they have been, and continue to be, seriously and personally affected by civil war, armed conflict or massive violation of human rights in each of those countries.

147. Appartient à la catégorie de personnes de pays d'accueil l'étranger considéré par un agent comme ayant besoin de se réinstaller en raison des circonstances suivantes:

a) il se trouve hors de tout pays dont il a la nationalité ou dans lequel il avait sa résidence habituelle;

b) une guerre civile, un conflit armé ou une violation massive des droits de la personne dans chacun des pays en cause ont eu et continuent d'avoir des conséquences graves et personnelles pour lui.

FEDERAL COURT

SOLICITORS OF RECORD

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APPEARANCES:

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