Federal Court  Cour fédérale

**Date: 20210824**

**Docket: IMM-5971-19**

**Citation: 2021 FC 865**

**Ottawa, Ontario, August 24, 2021**

**PRESENT: The Honourable Madam Justice Kane**

**BETWEEN:**

**MOGOS ERMIAS GEBRESELASSE**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND IMMIGRATION**

**Respondent**

## JUDGMENT AND REASONS

[1] The Applicant, Mogos Ermias Gebreselasse [Mr. Gebreselasse] seeks judicial review of the decision of an immigration officer [Officer] at the High Commission of Canada in Hatfield, Pretoria, South Africa. The Officer refused Mr. Gebreselasse's application for a permanent resident visa as a member of the Convention Refugee Abroad Class or the Humanitarian-Protected Persons Abroad (Country of Asylum) Class. The Officer also found that Mr. Gebreselasse had a durable solution in South Africa, where he has resided since 2007.

[2] For the reasons that follow, the Application for Judicial Review is dismissed. The Officer's finding that Mr. Gebreselasse has a durable solution in South Africa is reasonable and is determinative; i.e., sufficient to support the Officer's decision to refuse Mr. Gebreselasse's visa application. The Officer reasonably found that Mr. Gebreselasse had not met his onus to establish that a durable solution was not available to him in South Africa where, among other things, he has lived, worked and had the benefit of social services for over 12 years. The jurisprudence establishes that a durable solution need not be a perfect solution. As the Officer noted, Mr. Gebreselasse's path to permanent residence in South Africa may be difficult, but nonetheless, it is a path.

[3] In addition, the Officer reasonably concluded that Mr. Gebreselasse had not established a well-founded fear of persecution. Whether the Officer's findings regarding Mr. Gebreselasse's testimony are characterized as credibility or implausibility findings, they are supported by the evidence, clearly explained and are reasonable.

## I. Background

[4] Mr. Gebreselasse is a citizen of Eritrea. He arrived in South Africa in 2007 and obtained refugee protection based on his claim of religious persecution for his Pentecostal faith.
Mr. Gebreselasse was married in South Africa and now has two young children.
Mr. Gebreselasse and his family were sponsored to Canada by a group, which included his sister-in-law. To pursue the sponsorship, Mr. Gebreselasse applied for permanent residence pursuant to the Convention Refugees Abroad Class (in accordance with section 144 of the

*Immigration and Refugee Protection Regulations*, SOR/2002-227 [the Regulations] and the Country of Asylum Class (in accordance with section 147 of the Regulations).

[5] In August 2019, the Officer interviewed Mr. Gebreselasse in person.

## II. The Decision under Review

[6] The Officer's decision is set out in a letter dated August 23, 2019. The letter and the Officer's notes as recorded in the Global Case Management System [GCMS] constitute the reasons for the Officer's decision.

[7] In the letter, the Officer notes that Mr. Gebreselasse was interviewed with the assistance of an interpreter and confirmed that he understood the interpreter and that the interpreter understood Mr. Gebreselasse. The Officer also notes the relevant statutory provisions, including section 96 of the *Immigration and Refugee Protection Act*, SC 2001, c 27 [the Act]; sections 145 and 147 of the Regulations; paragraphs 139(1)(d) and (e) of the Regulations; the more general requirements to obtain a visa; and, the overarching requirement of subsection 16(1) of the Act that an applicant must answer all questions truthfully.

[8] The Officer found that Mr. Gebreselasse was not credible and, as a result, found that he was not in need of refugee protection and was not a member of the Convention Refugee Abroad Class or Country of Asylum Class.

[9] The Officer also found that Mr. Gebreselasse did not meet the requirements of paragraph 139(1)(d) of the Regulations, which provides that a visa be issued to an applicant in need of refugee protection if it is established that the foreign national is a person in respect of whom there is no reasonable prospect, within a reasonable period, of a durable solution in a country other than Canada. The Officer found that Mr. Gebreselasse had a durable solution in South Africa, where he had obtained asylum as a Convention refugee and where he had a shop, bank account, access to social services and freedom of movement and religion.

[10] The GCMS entries reflect the Officer's interview of Mr. Gebreselasse and the Officer's review of the information and the conclusions, which were summarized in the Officer's letter.

[11] In response to background questions, Mr. Gebreselasse indicated that he arrived in South Africa in 2007 and owns and operates a "tuck shop" in Limpopo. He indicated that he was married in South Africa in an Orthodox Christian church.

[12] In response to the Officer's questions about why he could not remain in South Africa, Mr. Gebreselasse stated that he "experienced problems" there. He stated that in 2017, he was shot and in 2019, his house was robbed. He attributed these incidents to being targeted as a refugee.

[13] When asked why he left Eritrea, Mr. Gebreselasse recounted that he had attended one secret Pentecostal prayer meeting with a friend and was arrested. He then stated that he was not

arrested, but was followed by the police, escaped, hid with relatives for a few months, then left Eritrea.

[14] The Officer asked Mr. Gebreselasse several questions about why he adopted the Pentecostal religion and whether he had converted. He responded that he had converted but he did not practice the religion because he lives in a rural area. The Officer repeatedly advised Mr. Gebreselasse of the Officer's concerns that Mr. Gebreselasse was not truthful and was not Pentecostal, noting the typically long conversion process and the expectation that Mr. Gebreselasse would practice his faith.

[15] Mr. Gebreselasse responded that he was baptized as a Pentecostal in Addis Ababa shortly after arriving there, but did not remain in Addis Ababa due to lack of job opportunities.

[16] Mr. Gebreselasse explained that he did not marry his wife in a Pentecostal church in South Africa because he was not a member of a Pentecostal church and would have to "do many processes". The Officer reminded Mr. Gebreselasse to be truthful, stating, "[y]ou left your home country because you feared for your life because of your faith. Here you have religious freedom, but you do not attend church or become a member of a church." The Officer noted that there were three Pentecostal churches in the area. Mr. Gebreselasse responded that he occasionally attended church but could not travel to Johannesburg to attend and that he does not attend the churches nearby because they are English language churches.

[17] The Officer raised the concern that Mr. Gebreselasse had married in an Orthodox Christian church, with a large celebration, and had social media posts showing his attendance at another wedding in an Orthodox church. The Officer again stated that Mr. Gebreselasse's account of his religious persecution was not credible, including because he did not practice and he had participated in Orthodox Christian celebrations. Mr. Gebreselasse did not respond further.

[18] The Officer then questioned Mr. Gebreselasse about the durable solution in South Africa, noting that he had a shop, bank account, access to social services, freedom of movement, was not at risk of deportation, had been treated by a doctor when shot and that the police had opened a file based on Mr. Gebreselasse's report. The Officer acknowledged that Mr. Gebreselasse had been shot and that he had been a victim of robbery, but was not satisfied that he was differently affected by crime than other South Africans, adding that he had not provided such evidence.

[19] The Officer noted that Mr. Gebreselasse was formally recognized as a refugee in South Africa and had "a path, albeit difficult, to permanent residence." The Officer reiterated concerns about Mr. Gebreselasse's truthfulness, noting that these concerns were raised at the interview and Mr. Gebreselasse was unable to alleviate them.

[20] The Officer was not satisfied, based on consideration of all available information and the assessment of the relevant factors, including Mr. Gebreselasse's credibility, that there is a serious possibility that he has a well-founded fear of persecution or that he has been and continues to be seriously and personally affected by civil war, armed conflict or massive violation of human

rights. The Officer concluded that Mr. Gebreselasse does not meet the requirements of the Act for permanent residence.

## III. The Applicant's Submissions

[21] Mr. Gebreselasse disputes the Respondent's contention that his affidavit includes extrinsic evidence or elaborates on his explanations to respond to the Officer's credibility findings. He submits that the country condition documents he attached are the Respondent's own information that the Officer is assumed to know and consider. He further submits that his affidavit attests to his recollection of his responses to the Officer. To the extent that these responses are not set out in the Officer's notes, Mr. Gebreselasse acknowledges that the jurisprudence has established that the Officer's notes are preferred, but submits that he has no other mechanism to highlight his recollection.

[22] Mr. Gebreselasse submits that the Officer erred in finding that he was not credible or that his account was not plausible and as a result erred in finding that he was not a Convention refugee. Mr. Gebreselasse submits that he provided reasonable and plausible explanations why he could not practice his Pentecostal faith as the Officer expected.

[23] With respect to the Officer's finding that he had not established a well-founded fear of persecution due to his religion, Mr. Gebreselasse argues that he explained to the Officer that he could not pursue his conversion after attending his first Pentecostal prayer meeting because he was sought by the police in Eritrea. He submits that he also explained why he could not attend

the Pentecostal church in South Africa. Mr. Gebreselasse argues that his religious convictions are not limited to attendance at a church.

[24] Mr. Gebreselasse argues that his evidence was consistent and that the Officer's findings that he lacked credibility are not based on any contradictions. He submits that the Officer's finding that he was not Pentecostal is an unjustified plausibility finding. Mr. Gebreselasse adds that the Court is as well placed to make plausibility findings as the Officer, but such findings must be made with restraint and supported on the evidence.

[25] Mr. Gebreselasse also argues that the Officer erred in finding that he has a durable solution in South Africa. He submits that the Officer ignored the country condition documents, which describe the treatment of refugees, including that refugees face discrimination and risks and are treated differently than South African nationals. He adds that his own experience is reflected in the country condition documents.

[26] Mr. Gebreselasse submits that he has no real path to permanent resident status in South Africa. He argues that he must renew his refugee status yearly and has not been able to obtain permanent residence despite residing in South Africa since 2007. He acknowledges that the jurisprudence suggests that a durable solution exists for refugees in South Africa, but argues that there is no durable solution for him. Mr. Gebreselasse submits that the Officer failed to conduct an individualized assessment. Mr. Gebreselasse notes that there is no statutory definition of "durable solution" and that the guidance provided to officers in the Operations Manual, which appears to be based on guidance from the United Nations High Commissioner for Refugees,

indicates that the “local integration” aspect of a durable solution means a long-lasting solution that goes beyond granting asylum.

## IV. The Respondent’s Submissions

[27] The Respondent objects to Mr. Gebreselasse’s affidavit, arguing that it includes extrinsic evidence and additional explanations which seek to respond to the Officer’s credibility concerns.

[28] The Respondent argues that Mr. Gebreselasse did not allege any breach of procedural fairness and, in the context of judicial review based on the standard of reasonableness, new evidence cannot be relied on by the Court.

[29] The Respondent focuses on Exhibit B, which includes country condition documents that refer to the treatment of refugees in South Africa. The Respondent notes that the onus is on an applicant to provide the evidence they intend to rely on and that Mr. Gebreselasse did not submit these documents to the Officer.

[30] With respect to the paragraphs of Mr. Gebreselasse’s affidavit setting out his recollection of his responses to the Officer, the Respondent submits that the Officer’s notes should be preferred (*Waked v Canada (Citizenship and Immigration*), 2019 FC 885 at paras 22–23 [*Waked*]).

[31] The Respondent argues that Mr. Gebreselasse did not meet his burden to demonstrate that he does not have a durable solution in South Africa. The Respondent submits that the Officer

conducted a forward-looking assessment of Mr. Gebreselasse's personal circumstances in South Africa based on the evidence, as required. The Respondent adds that the country of refuge need not offer a perfect solution *(Hassan v Canada (Minister of Citizenship and Immigration)*, 2019 FC 531 at para 19 [*Hassan*]).

[32] The Respondent submits that Mr. Gebreselasse's dispute about the durable solution relies on the extrinsic evidence that he did not put before the Officer. Moreover, the Officer did not ignore any evidence that contradicts the finding that a durable solution exists.

[33] The Respondent submits that the Officer's finding that Mr. Gebreselasse has a durable solution in South Africa is reasonable and determinative; it is a stand-alone basis for refusing to grant permanent residence.

[34] The Respondent further submits that Mr. Gebreselasse had the onus to establish with credible evidence that he was a Pentecostal Christian as this was the basis for his claim of persecution, but argues that Mr. Gebreselasse provided very little evidence and failed to satisfy the Officer's several credibility concerns.

[35] The Respondent notes that the Officer repeatedly raised credibility concerns, considered Mr. Gebreselasse's explanations and found them unsatisfactory. The Respondent notes that the Officer only questioned Mr. Gebreselasse about how he practiced and how he converted, and did not question him about the tenets of his faith.

[36] The Respondent submits that the Officer provided a clear explanation about the findings based on Mr. Gebreselasse's evidence and his failure to address the concerns repeatedly put to him.

## V. The Standard of Review

[37] The jurisprudence has established that the Officer's decision whether Mr. Gebreselasse is a member of the Convention Refugee Abroad class or the Humanitarian-Protected Persons Abroad (Country of Asylum) class is a question of mixed fact and law and is reviewed on the reasonableness standard (*Helal v Canada (Citizenship and Immigration)*, 2019 FC 37 at para 14; *Gebrewldi v Canada (Citizenship and Immigration)*, 2017 FC 621 at para 14; *Abdi v Canada (Citizenship and Immigration)*, 2016 FC 1050 at para 18; *Saifee v Canada (Citizenship and Immigration)*, 2010 FC 589 at para 25; *Hafamo v Canada (Citizenship and Immigration)*, 2019 FC 995 at para 6 [*Hafamo*]).

[38] Moreover, in *Canada (Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at para 30 [*Vavilov*], the Supreme Court of Canada established that reasonableness is the presumptive standard of review for administrative decisions. None of the exceptions identified in *Vavilov* applies in the present case.

[39] In *Vavilov*, the Supreme Court of Canada provided extensive guidance to the courts in reviewing a decision for reasonableness, noting that a reasonable decision is one that is based on an internally coherent and rational chain of analysis and that is justified in relation to the facts

and law that constrain the decision-maker (*Vavilov* at paras 85, 102, 105–10). The Court does not assess the reasons against a standard of perfection (*Vavilov* at para 91).

[40] In *Vavilov,* the Supreme Court of Canada explained that decisions should not be set aside unless there are "sufficiently serious shortcomings in the decision such that it cannot be said to exhibit the requisite degree of justification, intelligibility and transparency" and that "[t]he court must be satisfied that any shortcomings or flaws relied on by the party challenging the decision are sufficiently central or significant to render the decision unreasonable" [emphasis added] (*Vavilov* at para 100).

## VI. The Officer's Finding that Mr. Gebreselasse Has a Durable Solution in South Africa Is Reasonable

[41] Mr. Gebreselasse has raised valid concerns about the meaning of a "durable solution" and what constitutes a "reasonable prospect" within a "reasonable time". Mr. Gebreselasse asks whether a durable solution can be said to exist when, after over 10 years in South Africa, he remains a refugee and not a permanent resident. However, the role of the Court is to determine whether the Officer's decision that a durable solution exists is reasonable. In this case, the Officer based this determination on the law and on the evidence.

[42] In *Miakhil v Canada, 2*020 FC 1022 at para 20, Justice Mosley noted that the onus is on the applicant to demonstrate that there is no durable solution for them:

> [20] The assessment of whether an applicant has a durable solution in another country is forward looking and the onus is on the visa applicant to establish that no such reasonable prospect exists: *Barud* at para 15; *Dusabimana v Canada (Minister of*

> *Citizenship & Immigration)*, 2011 FC 1238 at para 54; *Al-Anbagi* at para 16.

[43] As the Respondent notes, the jurisprudence of this Court has consistently found that a durable solution does exist for refugees in South Africa, even those who have been victims of crime or xenophobia (see, for example, *Hafamo* at paras 23–25, *Hassan* at paras 21–23; *Ntakirutimana v Canada (Citizenship and Immigration)*, 2016 FC 272 at para 16 [*Ntakirutimana*]). Mr. Gebreselasse's circumstances are very similar to those considered by the Court.

[44] In *Hassan*, Justice Fothergill found, at paras 19–21:

> [19] A durable solution may exist in a country despite the existence of generalized risk (*Abdi* at para 28). The Officer found that the risk of violence Mr. Hassan faced in South Africa was one faced by the population as a whole, and was not sufficiently personal. This finding was reasonably open to the Officer.
>
> [20] South Africa is a signatory to the UN Convention relating to the Status of Refugees, 189 UNTS 150 [Convention]. Having been accepted as a refugee in that country, Mr. Hassan has employment, housing and a path to permanent residence. This case is similar to *Abdi*, where Justice Susan Elliott upheld an immigration officer's finding that South Africa was a durable solution for two brothers from Somalia, even though one of them had been the victim of violent crime.
>
> [21] The parties were given an opportunity to apprise the Court of any case in which a successful refugee claimant in South Africa was nevertheless found by a Canadian court or tribunal not to have a durable solution in that country. Counsel for Mr. Hassan drew the Court's attention to *Mushimiyimana*, where a finding of a durable solution in South Africa was overturned on procedural grounds. He also drew an analogy with *Saifee v Canada (Citizenship and Immigration)*, 2010 FC 589 [*Saifee*], where the applicants had allegedly fled to safety in Tajikistan, a signatory to the Convention, but the denial of their visa applications was nevertheless held to be unreasonable.

[45] In *Ntakirutimana*, Justice LeBlanc concluded, at para 14, that the applicant's need to renew their refugee status periodically did not detract from finding that a durable solution existed for the applicant in South Africa, noting that there was no evidence that the applicant was at risk of being returned to their home country.

[46] The same principles and findings apply to Mr. Gebreselasse. Although he must renew his refugee status periodically and his durable solution is not a perfect solution, the Officer's finding is reasonable and supported by the evidence. The Officer noted that Mr. Gebreselasse's experience as a victim of crime was a generalized risk; he is integrated into the economy through his shop; he has access to social and medical services; he has freedom of movement and religion; he does not face removal to Eritrea; and he has a path, acknowledged to be difficult, to permanent residence in South Africa. Mr. Gebreselasse has not explained why his circumstances and his path differ from those of others, nor has he provided evidence of the efforts he has made to obtain permanent resident status in South Africa, only that he has not obtained such status.

[47] The jurisprudence has clearly established that the availability of a durable solution in a country other than Canada is a sufficient basis to refuse an application for permanent residence as a Convention refugee or as a person in need of protection (*Mushimiyimana v Canada (Citizenship and Immigration)*, 2010 FC 1124 at para 20).

[48] Although I need not address the reasonableness of the Officer's finding that Mr. Gebreselasse had not established a well-founded fear of persecution, a few observations are offered.

[49] With respect to Mr. Gebreselasse's affidavit, which includes additional explanations or responses to the Officer's credibility concerns that are not reflected in the Officer's GCMS notes, the Officer's notes are relied on. In *Waked*, at para 22, the Court found:

> [22] In cases where there is disagreement between an applicant's recollection and the contents of an officer's notes, this Court has typically relied on the officer's lack of interest in the outcome and the contemporaneous nature of the officer's notes in preferring the officer's version of events (*Sellappha v Canada (Citizenship and Immigration)*, 2011 FC 1379 at paras 70–71; *Khela v Canada (Citizenship and Immigration)*, 2010 FC 134 at para 18; *Pompey v Canada (Citizenship and Immigration)*, 2016 FC 862 at para 36; *Alvarez Vasquez v Canada (Public Safety and Emergency Preparedness)*, 2018 FC 1083 at para 53).

[50] It is also well established that evidence not provided to the decision-maker generally cannot be relied upon in judicial review. Although there are exceptions to this principle, as set out in *Association of Universities and Colleges of Canada v Canadian Copyright Licensing Agency*, 2012 FCA 22 at para 20—including where the evidence is relevant to an allegation of a breach of procedural fairness or a jurisdictional error, or where it provides general background in circumstances where that information might assist the Court in understanding the issues relevant to the judicial review—none of these exceptions apply.

[51] The Court's review of the Officer's credibility or plausibility findings is, therefore, based on the reasons of the Officer and the evidence before the Officer.

[52] During the interview, the Officer specifically noted concerns that Mr. Gebreselasse was not being truthful.

[53] In *Rahal v Canada (Citizenship and Immigration)*, 2012 FC 319 at paras 41–46, Justice Mary Gleason, as she then was, summarized the key principles regarding the assessment of credibility and set out examples of what will justify credibility findings. One example is where there are contradictions in the evidence, particularly in the applicant's testimony, and where such contradictions are real and more than trivial or illusory. Another example is demeanor, including hesitations, vagueness and changes or elaboration of the story (with the caution that it is preferable if there are also other objective facts to support credibility findings based on demeanor). Justice Gleason added that the decision-maker must make clear credibility findings with sufficient particulars.

[54] In *Aguilar Zacarias v Canada (Citizenship and Immigration)*, 2012 FC 1155, Justice Gleason reviewed the jurisprudence on plausibility and related credibility findings and noted, at para 11:

> [11] An allegation may thus be found to be implausible when it does not make sense in light of the evidence before the Board or when (to borrow the language of Justice Muldoon in *Vatchev*) it is "outside the realm of what reasonably could be expected". In addition, this Court has held that the Board should provide "a reliable and verifiable evidentiary base against which the plausibility of the Applicants' evidence might be judged", otherwise a plausibility determination may be nothing more than "unfounded speculation" (*Gjelaj v Canada (Minister of Citizenship and Immigration)*, 2010 FC 37 at para 4, [2010] FCJ No 31; see also *Cao v Canada (Minister of Citizenship and Immigration)*, 2012 FC 694 at para 20, [2012] FCJ No 885 [*Cao*]).

[55] More recently, in *Al Dya v Canada (Citizenship and Immigration)*, 2020 FC 901 at paras 27–32, Justice McHaffie addressed the jurisprudence regarding plausibility, noting at para 32:

> [32] I agree with the parties that *Valtchev* does not create a standard of impossibility. In other words, it does not limit

> implausibility findings to cases where it is impossible that the alleged events occurred. Rather, this Court has equated the "clearest of cases" and "could not have happened" language from *Valtchev* to situations where it is "clearly unlikely" that the events occurred in the asserted manner, based on common sense or the evidentiary record: *Zaiter* at para 8; *Aguilar Zacarias* at paras 10–11. The RAD's distinction between "implausibility" and "impossibility" is consistent with this Court's jurisprudence and is reasonable.

[56] In other words, plausibility findings can be based on finding that an applicant's account is outside the realm of what can be expected, does not make sense, or is clearly unlikely. While the account may be possible, it may not be plausible. Where plausibility findings are made, they must be supported by the evidence.

[57] Whether the Officer's findings are characterized as credibility or plausibility findings, they are reasonable.

[58] The Officer's findings do not arise from contradictions within Mr. Gebreselasse's testimony (except with respect to his arrest). However, they do arise from contradictions between his claim that he was persecuted in Eritrea after attending one Pentecostal meeting and fled Eritrea to escape religious persecution, and his testimony at the interview, including that he is not a member of any Pentecostal church; did not marry in the Pentecostal church; did not want to pursue the necessary steps to marry in the church; does not attend church; and does not want to travel to attend church or to attend an English language Pentecostal church that is nearby. The Officer noted that Mr. Gebreselasse's responses—some of which were vague and non-responsive—were not satisfactory.

[59] Mr. Gebreselasse's responses did not make sense in light of his assertion that he fled Eritrea to escape religious persecution as a Pentecostal (i.e., to freely practice his religion) and in light of the Officer's understanding of the practices of Pentecostals. The Officer put this concern directly to him, noting, and "[y]ou left your home country because you feared for your life because of your faith. Here you have religious freedom, but you do not attend church or become a member of a church."

[60] The Officer's findings were clear and were supported by the evidence:

- Mr. Gebreselasse had only attended one secret Pentecostal meeting in Eritrea, before fleeing. He contradicted his own claim of being arrested by police;
- Mr. Gebreselasse asserted that he had a speedy conversion to become Pentecostal, rather than the customary period of at least six months;
- Mr. Gebreselasse was not a member of any Pentecostal church and did not attend a Pentecostal church in South Africa, although there are three churches in proximity;
- Mr. Gebreselasse married in an Orthodox Christian church in South Africa and his explanations that there were too many steps to marry in the Pentecostal church and that his family would not approve were not satisfactory to the Officer; and,
- Mr. Gebreselasse posted on social media pictures of a wedding and other events in the Orthodox Christian church and did not post pictures of Pentecostal celebrations.

[61] The Officer considered Mr. Gebreselasse's explanations including that his family did not support his marriage in a Pentecostal church; that there were too many steps required to be married in an Pentecostal church; that there were no churches nearby; and, that he did not want to attend an English language Pentecostal church because he could not read the bible in English, although he understood English. The Officer reasonably found that these explanations were unsatisfactory if Mr. Gebreselasse were Pentecostal.

[62] Mr. Gebreselasse argues that his faith is not limited to attending church. This is true. However, Mr. Gebreselasse's lack of attendance at the Pentecostal church is not the basis for the Officer's decision. The Officer's decision was based on finding that Mr. Gebreselasse had not met his onus to provide sufficient evidence of his Pentecostal faith.

[63] In conclusion, the Officer's assessment of Mr. Gebreselasse's testimony was reasonable, which led the Officer to reasonably conclude that Mr. Gebreselasse did not have a well-founded fear of persecution. This finding, on its own, would also be determinative of the Officer's finding that Mr. Gebreselasse did not meet the requirements of the Country of Asylum or Convention Refugee Abroad class.

**JUDGMENT in file IMM-5971-19**

**THIS COURT'S JUDGMENT is that**

1. The Application for Judicial Review is dismissed.

2. There is no question for certification.

"Catherine M. Kane"
Judge

**FEDERAL COURT**

**SOLICITORS OF RECORD**

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| **DOCKET:** | IMM-5971-19 |
| **STYLE OF CAUSE:** | MOGOS ERMIAS GEBRESELASSE v THE MINISTER OF CITIZENSHIP AND IMMIGRATION |
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**APPEARANCES:**

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| David Shiroky | FOR THE RESPONDENT |

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