

Federal Court



Cour fédérale

**Date: 20120621**

**Docket: IMM-6653-10**

**Citation: 2012 FC 797**

**Ottawa, Ontario, June 21, 2012**

**PRESENT: The Honourable Mr. Justice O'Reilly**

**BETWEEN:**

**LAUREAN IOAN SUCIU  
(A.K.A. LAUREAN-IOAN SUCIU)**

**Applicant**

**and**

**THE MINISTER OF CITIZENSHIP AND  
IMMIGRATION**

**Respondent**

**REASONS FOR JUDGMENT AND JUDGMENT**

I. Overview

[1] Mr. Laurean Ioan Suciu sought refugee protection in Canada based on his fear of persecution in Romania as a person of Roma ethnicity. He claims that he faced discrimination and violence and, when he told the police, they beat and threatened him and then burned down his house. In 2008, he fled Romania to London, England, then to Mexico, and then finally to Canada.

[2] A panel of the Immigration and Refugee Board found that Mr. Suciu's claims were not credible and that he would not face serious harm if he returned to Romania. He argues that the Board's conclusions were unreasonable because it failed to refer to documentary evidence that supported his claim. In addition, there were difficulties with translating his testimony at the hearing, which contributed to the Board's credibility findings. Mr. Suciu asks me to quash the Board's decision and order a new hearing.

[3] I can find no basis for overturning the Board's decision. Its credibility findings and conclusion were supported by the evidence and, therefore, were not unreasonable. Accordingly, I must dismiss this application for judicial review.

[4] The sole issue is whether the Board's decision was unreasonable.

## II. The Board's Decision

[5] The Board found Mr. Suciu's testimony about his encounter with the police not to be credible. For example, he had given inconsistent evidence about the number of times he had gone to the police station, when he had been beaten, the instrument the police had used to assault him, and the circumstances surrounding the alleged arson.

[6] In addition, the Board found documents Mr. Suciu had put forward to corroborate his claim not to be reliable. A police complaint form did not specify the grounds of the complaint; a report

relating to the house fire did not state the cause of the fire; and an electronic version of a news report could easily have been altered or fabricated.

[7] Finally, the Board found that Mr. Suciu had not presented clear and convincing evidence that state protection was unavailable in Romania.

### III. Was the Board's Decision Unreasonable?

[8] Mr. Suciu contends that the Board ignored evidence about the conditions in Romania. That evidence corroborated his allegations of discrimination against, and serious mistreatment of, the Roma population. In addition, the Board unreasonably expected him to provide corroborative documentary evidence of his claim.

[9] Mr. Suciu also submits that language problems at the hearing affected the Board's assessment of his credibility. Further, the Board did not take into account his limited education and his nervousness about testifying.

[10] In my view, the Board's decision was supported with detailed credibility findings and clear reasons. In several important areas, Mr. Suciu's evidence was inconsistent. These inconsistencies could not be explained by language difficulties, lack of education, or nerves. Accordingly, the Board's conclusion that his testimony lacked credibility was not unreasonable. This finding was also sufficient to dispose of Mr. Suciu's claim of a lack of state protection. He was unable to provide reliable evidence that the state had failed to provide him protection when he needed it.

[11] Further, the Board did not ignore the documentary evidence about the circumstances facing the Roma population in Romania; it specifically referred to it.

IV. Conclusion and Disposition

[12] The Board's conclusions were based on the evidence before it and fell within the range of defensible outcomes based on the facts and the law. Therefore, its decision was not unreasonable and I must dismiss this application for judicial review. Neither party proposed a question of general importance for me to certify, and none is stated.

**JUDGMENT**

**THIS COURT’S JUDGMENT is that:**

1. The application for judicial review is dismissed.
2. No question of general importance is stated.

“James W. O’Reilly”

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Judge

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

**DOCKET:** IMM-6653-10

**STYLE OF CAUSE:** LAUREAN IOAN SUCIU  
v  
MCI

**PLACE OF HEARING:** Toronto, Ontario

**DATE OF HEARING:** February 22, 2012

**REASONS FOR JUDGMENT  
AND JUDGMENT:** O'REILLY J.

**DATED:** June 21, 2012

**APPEARANCES:**

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FOR THE APPLICANT

Nimanthika Kaneira

FOR THE RESPONDENT

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