



RPD File No. / N° de dossier de la SPR : TB1-08153
TB1-08154
TB1-08155

Private Proceeding / Huis clos

Reasons and Decision – Motifs et Décision

Claimant(s)	XXXX XXXX XXXXXXXXX XXXX XXXX XXXX	Demandeur(e)(s) d'asile
Date(s) of Hearing	January 30, 2019	Date(s) de l'audience
Place of Hearing	Toronto, Ontario	Lieu de l'audience
Date of Decision and reasons	March 14, 2019	Date de la décision et des motifs
Panel	Anthony da Silva	Tribunal
Counsel for the Claimant(s)	Ian D Hamilton Barrister and Solicitor	Conseil(s) du (de la/des) demandeur(e)(s) d'asile
Designated Representative(s)	XXXX XXXX	Représentant(e)(s) désigné(e)(s)
Counsel for the Minister	N/A	Conseil du (de la) ministre

REASONS FOR DECISION

INTRODUCTION

[1] The principal claimant (PC), XXXX XXXX, the co-claimant (CC), XXXX XXXX, and the minor claimant, XXXX XXXX claim to be citizens of Sri Lanka. They seek refugee protection pursuant to sections 96 and 97(1) of the *Immigration and Refugee Protection Act (IRPA)*.¹ The PC was appointed the designated representative for his son, the minor claimant. The claimants all adopted the PC's narrative for their claim.

ALLEGATIONS

[2] The PC alleges the following.

[3] In 1989, the Indian army (the IPKF) took control of XXXX and the area around it where he was living. Together with other Tamil youths, the PC was arrested, questioned and beaten, and accused of being a member of the Liberation Tigers of Tamil Eelam (LTTE). To escape the IPKF, the PC and his family fled to XXXX, which was controlled by the LTTE. In Vanni, he was forced to dig bunkers and collect food parcels for the LTTE. He also had to farm and to contribute 25% of his yield to the LTTE.

[4] During the period 1990-1992, the CC was living in XXXX where she was constantly pressured to join the LTTE. Her parents subsequently paid a large sum to the LTTE to prevent her conscription. Later, after the family fled to XXXX, she was forced by the LTTE to fill sandbags for sentries. The CC and the PC married in 2004 and their son, the minor claimant, was born in XXXX in 2007.

[5] In XXXX 2009, the PC surrendered to the Sri Lankan army and was taken to a refugee camp where he was questioned and beaten after being suspected of connections to the LTTE. When the CC arrived at the refugee camp where the PC was being held, in XXXX 2009, members of the army attempted to rape her, but an officer rescued her.

[6] After obtaining assistance from a priest, the PC was released, but not before he was questioned and threatened with severe punishment, if he supported the LTTE. Following the PC's

release, the claimants moved to XXXX. While there, they were approached in XXXX 2009 by members of the Eelam People's Democratic Party (EPDP) who urged them to vote for them in the municipal election or face serious consequences. When the EPDP realized that the PC was related to one of the opposing candidates, he was abducted in a white van. The PC was then taken to a house where he was questioned and threatened not to vote for his relative. He was told that if he ignored their warning, he would be abducted again and not be released.

[7] In August 2010 during the Parliamentary elections, most people voted for the Tamil National Party, angering the EPDP. During the first week of XXXX 2010, the PC was abducted in a white van. Three days later, he was instructed to call his wife, the CC, and tell her to bring 15 Lakhs rupees (approximately 11,000 CAD). The men threatened to kill the PC, if she did not produce the money. She asked for an extension of at least one day, and the following day one of the men came to the claimants' home and collected 5 Lakhs rupees. The CC was told to obtain the outstanding amount or face death. She asked for a month's extension, and after consulting with their family, the claimants left the Sri Lanka on XXXX XXXX, 2010 without paying the outstanding amount. The claimants arrived in Canada on XXXX XXXX, 2011, after travelling through several countries, including the United States (US).

DETERMINATION

[8] The panel finds that the claimants are neither Convention refugees in accordance with section 96 nor persons in need of protection in accordance with section 97(1) (a) and (b) of the *IRPA*.

ANALYSIS

[9] The key issues in this case are credibility, whether the claimants have a well-founded fear of persecution, and whether Colombo is a viable internal flight alternative.

Identity

[10] The claimants provided copies of their birth certificates² and National Identity Cards³ in support of their identity. The panel is persuaded, on a balance of probabilities, that the claimants are who they claim to be and they are citizens of Sri Lanka.

Credibility

[11] The PC has stated in his Personal Information Form (PIF)⁴ narrative that after moving to XXXX with his family, he was abducted on two occasions by the EPDP: in XXXX 2009 and in XXXX 2010. His testimony in regard to these two alleged incidents was confusing and inconsistent. Initially, when testifying about the 2009 incident, he indicated that he had been abducted, that he had beaten and threatened, and that a ransom had been demanded. It was pointed out to the PC that his PIF narrative regarding the 2009 abduction made no mention of being beaten or of a ransom being demanded. In fact, according to his PIF narrative, the ransom demand of 15 lakh rupees was not made until the second abduction in XXXX 2010. The PC was also informed that his PIF narrative stated that during the 2009 abduction he was warned not to vote for a relative who was an opposing candidate. He was asked why he had made no mention, in his testimony, of the 2009 abduction and of having a relative who was an opposing candidate. After being made aware of his omissions and inconsistencies, the PC changed his testimony to reflect what had been written in his PIF narrative. The PC, however, provided no explanation as to the inconsistencies and omissions in his initial testimony. The panel draws a negative inference with respect to the PC's credibility.

[12] The PC's testimony regarding his alleged 2010 abduction was also confusing and inconsistent, both with his PIF narrative and the CC's testimony. The PC's narrative states:

After 3 days they gave me a phone and instructed me to tell my wife to come with 15 Lakhs rupees. She first asked about my health. One man snatched my phone and warned my wife that I would be killed if the money was not paid. She asked for at least a day to borrow some money. Next day one of them went to my house and brought 5 Lakhs rupees.⁵

In contrast to his narrative, the PC testified that the CC had come with the 5 Lakhs rupees to where he was being held during his abduction, and not that one of the abductors had gone to his

house and received the 5 Lakhs rupees from the CC. When asked about the incident, the CC testified that, in fact, one of the abductors had come for the money at their home, as had been stated in the PC's PIF narrative. She attempted to explain why the PC's testimony differed from his written narrative by saying that she had only told him about the incident later. The panel, however, finds that the CC's explanation does not make sense. According to the PC's testimony, he witnessed her coming with the money to the location where he was being held. His PIF narrative, however, states that one of the abductors went to his home to get the money. Again, the panel finds the inconsistency indicative of a lack of credibility with respect to the PC's story. The panel notes that all three claimants have relied on the PC's narrative, which now appears to be unreliable.

[13] In written submissions, the claimant's counsel acknowledged the difficulty with the PC's testimony, in contrast with the CC's more consistent testimony. Counsel submits that the CC was directly involved in the transaction with the EPDP while the PC was detained, which explains why her testimony was more consistent with the PIF narrative than the PC's testimony. Counsel also notes that the claimants have been in Canada for nearly eight years, suggesting that the problems with the PC's testimony can be attributed to the length of time that has transpired since the events took place.

[14] The panel recognizes that Legacy cases typically deal with events that have occurred quite a few years before the hearing. Nonetheless, claimants have access to their PIF narratives from the date on which they initially file their claims, they have the opportunity to review the events in their narratives before their hearing, and if necessary, they can amend their narratives, if they find the initial narratives do not accurately reflect the events on which they are basing their claims.

[15] The panel notes that the inconsistencies identified in the PC's testimony concerned events central to the claimants' claim. It would be reasonable to expect that the PC would have remembered, for example, that the abductors had gone to his home to obtain the ransom from his wife, not that she came with the money to where he was being held, as he testified. This event was central to their claim, and ultimately led to their departure from Sri Lanka. It is therefore not unreasonable to expect that the PC would have accurately recalled this key event which took place shortly before their departure from Sri Lanka and was the main reason for their departure. His inconsistent testimony must therefore be due to a lack of credibility. His wife, the CC,

recognized that the PC struggled with his testimony and was able to rectify his testimony when she later had the opportunity to testify. Nonetheless, the panel finds that the PC's inconsistent testimony with respect to the two key events involving the EPDP, which the claimants maintain was the main motivation for their flight from the country, undermines the overall credibility of this claim.

Well-founded Fear

Fear of the Army

[16] The claimants testified that they cannot return to Sri Lanka because they continue to fear the Sri Lankan army and the EPDP. They have provided a letter⁶ from the CC's mother, dated XXXX XXXX, 2019, which notes that the army and police have visited the home and asked about the PC. "Few times the army and police visited home and asked about XXXX and her husband XXXX." The letter,⁷ however, provides no dates as to when the visits took place.

[17] The claimants' interactions with the army occurred near the end of the war in 2009. The PC surrendered to the army in XXXX 2009 and was taken to a refugee camp. At the camp, he was beaten and questioned about his involvement with the LTTE. Having come from an LTTE area, the army suspected that the PC may have been an LTTE fighter. The CC joined her husband in XXXX 2009. Although she was not questioned or beaten, two of the soldiers sexually harassed her and tried to rape her. The claimants were subsequently both allowed to leave after a priest intervened on their behalf.

[18] The panel notes that the claimants' alleged mistreatment would have taken place near the end of the war at a time when many human rights violations occurred. According to their information, however, there was no further interaction with the army following their release from the refugee camp. The panel finds, therefore, that there is insufficient evidence to indicate that the army has a continued interest in the claimants. The panel also notes that the claimants left Sri Lanka on their own genuine passports and experienced no difficulty from the authorities on departure from Sri Lanka.

The EPDP

[19] The claimants' main difficulties appear to be as a result of their alleged interaction with members of the EPDP. According to the PC, their first encounter with the EPDP took place in XXXX 2009 when they came to his home and demanded that the claimants vote for them in the municipal election or else they would face serious consequences. When they realized that the PC was related to one of the opposing candidates, they abducted him, and after questioning him, warned him that if he supported his relative, they would abduct him again. According to the PC's PIF narrative, the PC was abducted in 2009 because the EPDP discovered that he was related to an opposing candidate in the election. As highlighted earlier, the PC initially made no mention of the relative during his testimony regarding the 2009 abduction. The panel therefore finds the omission of this central fact from the PC's initial testimony to be indicative of a lack of credibility.

[20] The PC indicated that his next encounter with the EPDP took place in XXXX 2010 after the 2010 parliamentary elections in Sri Lanka. According to the PC, the EPDP were angry that Tamils had voted primarily for the Tamil National Party rather than the EPDP. The EPDP then came to his home and abducted him once again, this time demanding a ransom of 15 Lakhs rupees. The PC indicated that they paid the EPDP only 5 Lakhs rupees and that the claimants left Sri Lanka, before paying the outstanding amount. The claimants have indicated that this was the determining factor in their departure from Sri Lanka. The panel notes, however, that the letter⁸ from the CC's mother, which indicates an unspecified and ongoing interest from Sri Lankan authorities in the claimants, makes no mention of the EPDP. As discussed earlier, the PC's account of his interactions with the EPDP is inconsistent. In light of the absence of any reference to the EPDP in the letter⁹ from the CC's mother, the panel finds that there is insufficient reliable evidence to conclude that the EPDP has an interest in the claimants.

[21] The panel has reviewed information regarding the EPDP in a Response to Information Request (RIR) dated March 17, 2017.¹⁰ The party was originally formed in the late the 1980's to fight alongside the LTTE, but later allied itself with the government and operated as a paramilitary outfit supporting Sri Lankan military forces against the LTTE. It was described in a 2016 report by the International Crisis Group as a "former Tamil militant group" that is part of the United People's Freedom Alliance, a "diverse coalition of parties."¹¹

[22] The US *Country Reports 2014* is also quoted in the RIR as stating that:

[t]here were persistent reports of close ties between progovernment paramilitary groups such as the [EPDP] and government security forces. Whereas during the war these groups served more of a military function, often working in coordination with security forces, in the postwar environment they increasingly took on the characteristics of criminal gangs as they sought to solidify their territory and revenue sources.¹² [citations omitted]

[23] *Country Reports 2014* further stated that:

[t]here were persistent reports that the EPDP ... engaged in intimidation, extortion, corruption, and violence against civilians in the Tamil-dominated district of Jaffna. Reports throughout the year especially focused on the role of EPDP members in issuing threats to opposition Tamil politicians or community members engaged in human rights cases that could bring disrepute on the government.¹³ [citations omitted]

[24] A 2016 report by the International Truth and Justice Project in Sri Lanka stated that:

[t]he [EPDP], which plays a key role in brokering releases of the victims, is still operating with impunity. The modus operandi for abduction, detention, interrogation, torture, sexual violence and release in exchange for large payments to the security forces and human smugglers remains unchanged.¹⁴

[25] The panel further notes that the recent country documents found in the latest National Documentation Package,¹⁵ such as the US Department of State Report, dated April 20, 2018; the Amnesty International Report, dated February 22, 2018; the Freedom House Report on Sri Lanka for 2017; and the Human Rights Watch World Report, January 2018, make no mention of the EPDP. The 2015 election in Sri Lanka saw the EPDP win only one seat.¹⁶ It would appear that the EPDP's power, at least politically, has been diminished and as highlighted in *Country Reports 2014*,¹⁷ its activities are focused in the Tamil-dominated north of the country.

[26] The panel has considered the letter¹⁸ from the CC's mother and given concerns with its reliability, in light of its source, assigns little weight to the letter. As Justice Annis has cautioned in *El Bouni*, regarding documentary evidence that emanates from family members and friends:

... I find that confirmatory evidence of family members and friends, which is not subject to cross-examination, is not highly probative or credible evidence. Highly probative evidence is intrinsically well-presented evidence from independent sources confirming a material fact in the matter.¹⁹

[27] The claimant's counsel has suggested that the claimant's risk is not generalized and that he has been targeted by the EPDP because of a perceived political opinion that he is an LTTE supporter or sympathizer. Counsel submits that the EPDP is connected with the government and therefore, by extension, the agent of persecution is the state.

[28] The panel finds that while the EPDP worked with Sri Lankan security forces, especially during the conflict with the LTTE, which ended in 2009, and that they have been connected to the former Rajapaksa regime, there is insufficient recent evidence that they continue to be a significant force or have their previous level of connection to the security forces and government. As one of the sources quoted in 2016 in the Sri Lanka COI Compilation, December 2016, stated:

... '[w]ith the exit of Mahinda Rajapaksa from power, paramilitary wings have lost much of their influence and relevance to pressurize people,' and that 'Military Intelligence, which had enjoyed a lot of patronage during the previous regime to use paramilitary as coercive instrument of power outside the pale of law, is at present under a lot of pressure from the government.'²⁰ [citations omitted]

[29] The panel also notes that the EPDP's interaction with the claimant has essentially been one of a criminal nature, based on extortion and intimidation. As stated in *Country Reports 2014*: "...they [the EPDP] increasingly took on the characteristics of criminal gangs as they sought to solidify their territory and revenue sources."²¹ The panel finds that his interactions with individuals whom the claimant believes were members of the EPDP were of a criminal nature. Given the huge number of Tamils who have worked abroad or have a member of their family currently living in the Tamil diaspora, the panel finds that the risk faced by the claimant is one generally faced by most Tamils, especially in the north of Sri Lanka, where the Tamil population is most concentrated.

Internal Flight Alternative in Colombo

[30] In the alternative, the panel has put forward Colombo as a viable internal flight alternative destination for the claimant. The CC was asked whether they could go and live in Colombo. The CC replied that they have no resources in Colombo and that the EPDP and the army are still in Colombo. The PC stated that when he enters Sri Lanka, the army and the EPDP would know, they would inform the police in Colombo, and he would be in trouble because they still suspect that he is an LTTE sympathizer. The claimant's counsel has submitted that because the EPDP is

associated with the army and the government, and given the small size of the country, there is no internal flight alternative for the claimant.

[31] The panel notes that the Australian Government's DFAT Report, January 2017, on Sri Lanka states that unemployment in Sri Lanka is relatively low (4.7 % in 2015) and that education is generally of a high level.²² The claimants are still relatively young, in their early forties, and given the low levels of unemployment, it is reasonable to expect that as Sri Lankan nationals they would not face insurmountable barriers to employment in Colombo, where it would be reasonable to expect more opportunities than in a small town in the North. The panel also notes that a move to Colombo would provide the PC's son with greater access to education and employment upon graduation. It is to be expected that rent in the largest urban centre in the country will be higher than in the primarily rural areas of the north. Nonetheless, the panel does not find higher rents to be a sufficient reason to rule out Colombo as a viable internal flight alternative. Reasonably, as well, one would also expect wages to be higher in Colombo than in XXXX XXXX XXXX area, where the claimants' home is currently located.

[32] The claimant has also stated that he would be "in trouble" in Colombo because the police in Colombo would be informed of his presence there by the EPDP, and they would target him because he is a suspected LTTE sympathizer. The panel finds that there is insufficient evidence to conclude that the EPDP is currently associated with the army or any other government agency. While the EPDP may have had a direct relationship with state agents, the panel finds that there is insufficient evidence to conclude that the EPDP is currently working with the army or police. Further, the panel will demonstrate in the next section that the claimants' profiles are not ones that will attract negative attention from the authorities. While the panel acknowledges that the authorities will initially note that they have been abroad for some eight years living in the Tamil diaspora, they will find that they are not wanted for any crimes, that they left the country legally, and that any interaction with the authorities in the past did not indicate any support for or significant involvement with the LTTE. The panel therefore finds that the claimants will not experience any significant difficulties or face persecution should they to return to Sri Lanka and settle in Colombo.

The Claimants' Risk Profiles

[33] The panel finds that since the claimants has not adduced any evidence that they have been involved in any Sri Lankan-related political activities during their time in Canada, there is therefore no evidence for the authorities to conclude that the claimants are opposed to the government or are in any way supportive of pro-LTTE activities. In light of their lack of political involvement and of the political changes in Sri Lanka since the claimants have left, the panel finds that there is insufficient evidence to conclude that the authorities would have adverse interest in them, even given their past experiences in the country.

[34] The panel has also reviewed country documentation with respect to returnees, especially those with perceived or suspected links to the LTTE. In an August 2015 report, the International Crisis Group noted that “Tamils returning from abroad continue to be arrested under the PTA [Prevention of Terrorism Act] on suspicion of old LTTE involvement.”²³

[35] The Amnesty International Annual Report 2017/2018 on Sri Lanka found that Tamils suspected of links to the LTTE continued to be detained under the PTA [Prevention of Terrorism Act], which permits extended administrative detention and shifts the burden of proof onto the detainee alleging torture or other ill-treatment.²⁴

[36] While it is clear from various country documents that certain individuals suspected of links to the LTTE face a possibility of arrest and even torture at the hands of government security forces, there are also indications that the situation is improving. Not all Tamils are routinely screened. According to research, “...only those individuals for whom the government claims there are ‘reasonable concerns’ of having links with the LTTE are screened.”²⁵ In addition, another expert on Sri Lanka has noted that “...while those accused of links with LTTE are still ‘not treated well,’ the situation has ‘improved a lot’ since the end of the civil war [in 2009], noting that allegations of torture and detentions have diminished.”²⁶

[37] The Executive Director of the National Peace Council of Sri Lanka (NPC), has indicated that “[a]rrests and detentions are not common unless for some reasonable suspicion of criminal activities,”²⁷ and the President of the Council of (non-government organizations) NGOs in Sri Lanka has stated that “...arrest and detention of those with alleged links to the LTTE continue,

but that they have been ‘reduced.’”²⁸ While these statements stand in contrast to some of the conclusions in other reports, the panel notes that these statements are made by individuals within Sri Lanka and tend to be more recent assessments of the situation. Nonetheless, the situation in Sri Lanka for Tamils, although it has improved under the current regime elected in 2015, is far from perfect and the risk profile of an individual with suspected links to the LTTE must be carefully considered. The panel must therefore determine whether the claimants face more than a mere possibility that they will be harassed and harmed by Sri Lankan authorities upon return there.

[38] The claimants believe that they will experience problems as soon as they arrive in Sri Lanka because the authorities there have demonstrated an ongoing interest in them. As stated above, the panel finds the claimants assertions of ongoing interest in them by the authorities to be unsupported by reliable evidence and their fears not to be well-founded. The panel also finds the letter²⁹ from the CC’s mother wife, as evidence of ongoing interest in the claimant by the EPDP, the army, and the police, to be unreliable. The letter provides no dates of the alleged visits and makes no mention of the EPDP, which the claimants allege are the source of their most recent and greatest fear. The panel finds therefore that the claimants have provided insufficient reliable evidence that the EPDP or indeed the current regime would be interested in them.

[39] The United Kingdom's (UK) *Home Office Report: Country Information and Guidance. Sri Lanka: Tamil Separatism, June 2017* includes a number of significant conclusions established by the UK Tribunal in assessing recent, independent reports regarding returnees to Sri Lanka. One of the Tribunal's key findings is that:

The government’s present objective is to identify Tamil activists in the Diaspora who are working for Tamil separatism and to destabilise the unitary Sri Lankan state enshrined in Amendment 6(1) to the Sri Lankan Constitution in 1983, which prohibits the ‘violation of territorial integrity’ of Sri Lanka. Its focus is on preventing both (a) the resurgence of the LTTE or any similar Tamil separatist organisation and (b) the revival of the civil war within Sri Lanka.³⁰ [references omitted]

[40] The panel notes that the claimants do not have any direct ties to the LTTE, nor do they have a history of having opposed the government, either in Sri Lanka or during their time in

Canada. The UK Tribunal, in assessing recent, independent reports regarding returnees to Sri Lanka identified a key risk profile as:

Individuals who are, or are perceived to be, a threat to the integrity of Sri Lanka as a single state because they are, or are perceived to have a significant role in relation to post-conflict Tamil separatism within the Diaspora and/or a renewal of hostilities within Sri Lanka.³¹

[41] The claimants have not participated or been involved in any anti-regime or pro-LTTE activities, either in Sri Lanka or since their arrival in Canada. Their activities subsequent to their departure from Sri Lanka do not indicate any reason for any particular interest in them by authorities.

[42] The panel has also considered the evidence regarding failed asylum-seekers, given the particular circumstances of these claimants. In light of this information, the panel finds that the claimants are not, on a balance of probabilities, persons who would be perceived to be linked to any pro-LTTE factions by the current Sri Lankan government, and it determines that they do not have good grounds to fear persecution as failed asylum-seekers should they return to Sri Lanka. The panel further finds that there is no evidence to suggest that since they left Sri Lanka, the Sri Lankan government has any reason to believe that they are members or supporters of the LTTE. As already referenced, the Report from the United Kingdom Border Agency states that:

The focus of the Sri Lankan government's concern has changed since the civil war ended in May 2009. The LTTE in Sri Lanka itself is a spent force and there have been no terrorist incidents since the end of the civil war.

The government's present objective is to identify Tamil activists in the Diaspora who are working for Tamil separatism and to destabilise the unitary Sri Lankan state enshrined in Amendment 6(1) to the Sri Lankan Constitution in 1983, which prohibits the violation of territorial integrity of Sri Lanka.³²

[43] The panel finds that the claimants have provided insufficient evidence to support their stated fear of the EPDP, the army, and the police. Given that the claimants have not had any apparent political involvement while in Canada with any pro-separatist or anti-government organizations, Sri Lankan authorities would have no reason to detain them or to subject them to any more than a cursory questioning upon their return.

CONCLUSION

[44] After careful consideration of all of the evidence, including the claimants' testimony, as well as written submissions³³ by the claimants' counsel, the panel determines that the claimants have not satisfied the burden of establishing a serious possibility of persecution on Convention grounds, or that, on a balance of probabilities, they would be subject personally to a danger of torture, or face a risk of cruel and unusual treatment or punishment, if they were returned to Sri Lanka.

[45] The panel therefore concludes that the claimants are neither Convention refugees nor persons in need of protection and rejects their claim.

(signed)

“Anthony da Silva”

Anthony da Silva

March 14, 2019

Date

¹ *Immigration and Refugee Protection Act*, S.C. 2001, c. 27, as amended, sections 96, 97(1)(a) and 97(1)(b).

² Exhibit 1, Package of information from the referring CBSA/CIC.

³ Ibid.

⁴ Exhibit 2, Personal Information Form (PIF).

⁵ Exhibit 2, PC's PIF narrative at p.12.

⁶ Exhibit 10, Letter from the Co-claimant's mother.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Exhibit 5, National Documentation Package (NDP) for Sri Lanka, item 13.11.

¹¹ Ibid., item 13.11, at s. 3.

¹² Ibid., item 13.11, at s. 3.1.

¹³ Ibid., item 13.11, at s. 3.2.

¹⁴ Ibid., item 13.11, at s. 3.2.

¹⁵ Exhibit 5, NDP for Sri Lanka (April 30, 2018).

¹⁶ Ibid., item 4.2,

¹⁷ Ibid., item 13.11.

¹⁸ Exhibit 10, Letter from the Co-claimant's mother.

¹⁹ *El Bouni, Haidar v. M.C.I.* (F.C., no. IMM-7627-14), Annis, June 2, 2015, 2015 FC 700, at para 25.

²⁰ Exhibit 5, NDP for Sri Lanka (April 30, 2018), item 1.12, at s. 2.1.4.

²¹ *Ibid.*, item 13.11, at s. 3.1.

²² *Ibid.*, item 1.13, at paras 2.15-2.18.

²³ *Ibid.*, item 13.7, at s. 1.

²⁴ *Ibid.*, item 2.2.

²⁵ *Ibid.*, item 13.1, at s. 1.

²⁶ *Ibid.*, item 13.1, at s. 2.

²⁷ *Ibid.*, item 13.1, at s. 2.1.

²⁸ *Ibid.*, item 13.1, at s. 2.1.

²⁹ Exhibit 10, Letter from the Co-claimant's mother.

³⁰ Exhibit 5, NDP for Sri Lanka (April 30, 2018), item 1.4, at para 2.3.3.

³¹ *Ibid.*, item 1.4, at para 2.3.9.

³² *Ibid.*, item 1.4, at para 2.3.3.

³³ Exhibit 12, Counsel's written submissions.