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MB7-16816

Client ID No. / No ID client : XXXX XXXXXXXXXXXXXXX

Huis clos / Private Proceeding

## Reasons and Decision – Motifs et décision

Claimant(s)

Demandeur(e)(s) d'asile

XXXX XXXX XXXXXXXXXXXXXXX XXXX

Date(s) of hearing

Date(s) de l'audience

May 24, 2019

Place of hearing

Lieu de l'audience

Montreal, Quebec

Date of decision  
and reasons

Date de la décision  
et des motifs

June 6, 2019

Panel

Tribunal

Iris Simixhiu

Counsel for the claimant(s)

Conseil(s) du (de la/des)  
demandeur(e)(s) d'asile

François Jean Denis

Designated representative

Représentant(e) désigné(e)

XXXX XXXX

Counsel for the Minister

Conseil du (de la) ministre

N/A

## REASONS FOR DECISION

### INTRODUCTION

[1] This is the decision of the Refugee Protection Division (the Panel) in the claims for refugee protection of **XXXX XXXX** (the principal claimant) and her son **XXXX XXXX** (the minor claimant), who claim refugee protection in Canada pursuant to sections 96 and 97(1) of the *Immigration and Refugee Protection Act* (the *Act*).<sup>1</sup>

[2] The principal claimant is a citizen of Haiti, whereas the minor claimant is a citizen of the United States.

[3] Prior to the start of the hearing, the principal claimant was named as the designated representative for the minor claimant.

[4] The Panel has considered and applied the *Chairperson's Guideline 4 – Women Refugee Claimant's Fearing Gender-Related Persecution* to the hearing and determination of the principal claimant's claim.

### DETERMINATION

[5] Having considered all of the evidence, including the principal claimant's testimony, the Panel determines that there are no serious reasons for excluding the principal claimant under section 1E of the *United Nations Convention Relating to the Status of Refugees*<sup>2</sup> for a status attached to her residence in Brazil.

[6] The Panel finds that the claimants are not "Convention refugees" pursuant to section 96 of the *Act*, nor "persons in need of protection" pursuant to section 97(1) of the *Act*. The Panel, therefore, rejects the claims.

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<sup>1</sup> *Immigration and Refugee Protection Act*, S.C. 2001, c. 27, as amended.

<sup>2</sup> *United Nations Convention Relating to the Status of Refugees*, 28 July 1951.

## ALLEGATIONS

[7] The claimants' detailed allegations are contained in their Basis of Claim Forms (BOCs),<sup>3</sup> including an addendum filed prior to the start of the hearing.<sup>4</sup>

[8] In summary, the principal claimant alleges that she fears harm or death from a group of bandits who allegedly killed her brother and grandfather on XXXX XXXX, 2014, in Haiti, because of a discussion the principal claimant had with a merchant at the market, whom she identifies as XXXX XXXX.

[9] More specifically, the claimant, who worked as a XXXX at the market in XXXX XXXX, alleges that on XXXX XXXX, 2014, she had a verbal altercation with XXXX XXXX, who demanded that the claimant abandon her usual location at the market and that she stop selling her goods there. The claimant alleges that upon her refusal, XXXX XXXX called her husband, a bandit, who, along with his accomplices, immediately went to the claimant's house to look for her, and when not finding her, proceeded to kill her brother and her grandfather. The claimant alleges that the bandits continue looking for her to this day in Haiti, and that her family members are all in hiding because of the alleged risk they face by being associated with her.

[10] At the hearing, the claimant also alleged that she fears being raped and killed in Haiti, because she would be a woman alone without protection.

[11] The minor claimant has adopted the allegations of the principal claimant.

## ANALYSIS

### Identity

[12] The personal claimant has established her national and personal identity as a citizen of Haiti, on a balance of probabilities, by her testimony and a copy of her birth certificate.<sup>5</sup> The

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<sup>3</sup> Document 2 – Basis of Claim Forms (BOCs).

<sup>4</sup> Document 5 – Claimants' Exhibits – Exhibit P-1.

<sup>5</sup> Document 5 – Claimants' Exhibits – Exhibit P-2.

minor claimant's identity has been established to the satisfaction of the Panel by a certified copy of his passport.<sup>6</sup>

## 1E EXCLUSION – BRAZIL

[13] On April 24, 2019, the Panel notified the Minister of Immigration, Refugees and Citizenship Canada (IRCC) that, in virtue of rule 26 of the *Refugee Protection Division Rules*, there was a possibility that section E of Article 1 of the *Refugee Convention* applies to the principal claimant, because her name appears on a list of 43 781 Haitian nationals to whom the possibility of applying for permanent residence in Brazil was offered.<sup>7</sup>

[14] The Minister did not respond to the Panel's notice to intervene.

[15] The Federal Court of Appeal set out in *Canada (Citizenship and Immigration) v. Zeng*<sup>8</sup> the relevant 1E Exclusion test for refugee claimants who were permanent residents of another country but have since lost that status:

[28] Considering all relevant factors to the date of the hearing, does the claimant have status, substantially similar to that of its nationals, in the third country? If the answer is yes, the claimant is excluded. If the answer is no, the next question is whether the claimant previously had such status and lost it, or had access to such status and failed to acquire it. If the answer is no, the claimant is not excluded under Article 1E. If the answer is yes, the RPD must consider and balance various factors. These include, but are not limited to, the reason for the loss of status (voluntary or involuntary), whether the claimant could return to the third country, the risk the claimant would face in the home country, Canada's international obligations, and any other relevant facts.

[16] For the following reasons, the Panel finds that the principal claimant is not excluded from refugee protection pursuant to article 1E of the *Convention* and section 98 of the *Act*.

### ***Principal Claimant's Status in Brazil and Ability to Return to Brazil***

[17] The Panel finds that, on a balance of probabilities, the principal claimant was a permanent resident of Brazil. First, the name of the principal claimant appears on the list of Haitian nationals to whom the opportunity to obtain permanent residence in Brazil was offered.

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<sup>6</sup> Document 6 – Claimants' Exhibits – Exhibit P-4.

<sup>7</sup> Letter to the Minister – April 24, 2019.

<sup>8</sup> *Zeng, Guanqiu v. M.C.I.* (F.C.A., no. A-275-09), Noël, Layden-Stevenson, Stratas, May 10, 2010, 2010 FCA 118, at paras 28 and 29.

In *Noël v. Canada*<sup>9</sup>, the Federal Court ruled that having one's name on this list constitutes *prima facie* evidence of permanent residency in Brazil. Secondly, the principal claimant's testimony is that she obtained permanent residence in Brazil, and this is consistent with her declaration in the form IMM 0008.<sup>10</sup> The Panel has no reason to doubt this evidence.

[18] At the hearing, the principal claimant testified that she left Brazil on XXXX XXXX, 2016. This alleged departure date from Brazil is consistent with the information in the claimants' immigration forms.<sup>11</sup> The Panel, therefore, finds that the principal claimant has established that, on a balance of probabilities, she departed from Brazil on XXXX XXXX, 2016.

[19] This departure date is more than two years prior to the date of this decision and the date of the hearing of these claims. The documentary evidence before the Panel is that permanent residents absent from Brazil for a period of more than two years lose their permanent resident status.<sup>12</sup> The Panel, therefore, finds that the principal claimant is not a permanent resident of Brazil at the time of this decision, nor was she at the time of the hearing of these claims.

[20] Therefore, she does not have a legal right of return to Brazil on the basis of permanent resident status in that country, at the time of this decision or at the time of the hearing of these claims.

[21] In terms of a legal ability to return to Brazil by other means, there is insufficient evidence before the Panel to establish that such a means exists for the principal claimant, on a balance of probabilities.

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<sup>9</sup> *Noel v. Canada (Citizenship and Immigration)*, (F.C. IMM-1795-18), Gagné, October 23, 2018, 2018 FC 1062, at paras 7, 21, and 22.

<sup>10</sup> Document 1 – Package of information from the referring Canada Border Services Agency (CBSA) / Immigration, Refugees and Citizenship Canada (IRCC), formerly Citizenship and Immigration Canada (CIC); General Application Form for Canada, question 12.

<sup>11</sup> *Ibidem*, Schedule 12, question 10(b).

<sup>12</sup> Document 4 – National Documentation Package on Brazil, 29 March 2019; tab 3.4: BRA105515.FE, 25 May 2016; The rights and duties of permanent residents, including the rights and duties of individuals who have a permanent visa, such as professors, researchers, highly-skilled technicians and foreign scientists; procedure to obtain or renew a residency permit; grounds for losing permanent residence (2014-May 2016).

***Fear and Involuntary Departure from Brazil***

[22] When asked about the reasons for abandoning this status, the principal claimant testified that she, like most Haitians, was the subject of discrimination in Brazil. She alleged that she was not allowed to enrol in school because she was Haitian, and that she would be discriminated against when taking public transportation. She also alleged that a medical clinic had refused to examine her during her pregnancy because they considered her to have cholera on account of being Haitian. Even though these incidents are discriminating and dehumanizing, the Panel finds that they do not amount to persecution. As such, the Panel finds that the principal claimant voluntarily left Brazil, in the sense that she was not expelled from the country, but she made a choice to leave and remain outside of the country for more than two years. The loss of her permanent resident status was, therefore, voluntary.

***Canada's International Obligations***

[23] The Panel finds that Canada's paramount international obligation, in terms of the *Refugee Convention* and the *Convention Against Torture*,<sup>13</sup> is to assess the risk asylum seekers face in the country to which they would *in fact* return, should their claims be denied. Asylum seekers' reasons for voluntarily abandoning their permanent residence status in a third country are potentially varied and could include economic motivations, or risks that do not rise to the level of requiring international protection. These are not trivial matters. The ability to live with dignity and/or the ability to provide for oneself and one's family may not be sufficient grounds to warrant international protection, but they can be, in the Panel's view, legitimate reasons to voluntarily abandon permanent resident status in a third country. This is particularly the case when the status in the third country is not abandoned in order to return to one's country of nationality.

[24] In order to travel from Brazil to the United States and eventually to Canada, the principal claimant travelled across nearly the entire distance of the American continents while being in an

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<sup>13</sup> <https://www.ohchr.org/en/professionalinterest/pages/cat.aspx>. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Adopted and opened for signature, ratification and accession by General Assembly resolution 39/46 of 10 December 1984, entry into force 26 June 1987, in accordance with article 27(1).

advanced stage in her pregnancy with the minor claimant. This was a life-threatening journey and one that the Panel finds, on a balance of probabilities, to be indicative that life for the principal claimant was not without serious hardship in Brazil. Although not determinative, this is a significant and relevant factor in the Panel's assessment of the principal claimant's potential exclusion under article 1E, as per the test set out in *Zeng*.

[25] As such, the Panel finds that the claimant was not asylum shopping and that this factor does not weigh in favour of exclusion.

### ***Risk in Haiti – Credibility***

[26] The determinative issue in these claims is credibility. The principal claimant's testimony was marked by numerous contradictions and omissions that she could not reasonably explain, and consequently, the Panel finds that she is not credible and that she has failed to establish her allegations on a balance of probabilities. This finding is determinative of the Panel's analysis of both section 96 and subsection 97(1) of the *Act*. The Panel's reasons are outlined as follows.

[27] First, the Panel notes that the principal claimant's testimony was very hesitant throughout the hearing. She answered almost every question by first repeating the question and gaining time to respond. Her responses were not spontaneous and she was hesitant in her replies.

[28] The Panel noted an equally non-spontaneous testimony regarding the main incident of XXXX XXXX, 2014, which is the event that allegedly pushed the principal claimant to leave Haiti. When asked to describe this event, the principal claimant recited the declarations in her BOC without providing any additional details. When asked where her husband was at the time of this event, the principal claimant was very hesitant in responding, but eventually stated that he was in Brazil.

[29] Given that according to her testimony, she was not present when the bandits allegedly killed her brother and her grandfather, the Panel asked the claimant to recount how she was informed of this tragedy. The principal claimant responded that she had not yet left Haiti. Noting that she had not responded to the question, the Panel posed it again. The principal claimant again restated what had allegedly happened, that the bandits had gone to the market to look for her, and then proceeded to look for her at her home, but given that she was not there, they had killed her brother and her grandfather. Given that she still had not responded to the question, the Panel

offered her a last opportunity to explain how she had heard about her brother and her grandfather's deaths, and the claimant responded that she had heard from her neighbours. When the Panel asked her how her neighbours had informed her, the principal claimant again restated the same events, namely that the bandits had gone to the market, then to her home, and then killed her brother and her grandfather. When the Panel pointed out to her that she had not answered the question and invited her to explain how the neighbours had informed her, after another pause, the claimant finally responded that they had done so by telephone.

[30] The Panel finds that the testimony of the principal claimant regarding this very simple, but yet very important detail of her claim, was not spontaneous. The Panel reasonably expects that the principal claimant would be able to state without difficulty how she received the news of this event, especially since it concerns the alleged deaths of her brother and her grandfather. The panel finds that her non-spontaneous testimony impugns the credibility of her allegations that the bandits killed her brother and her grandfather on XXXX XXXX, 2014.

[31] The Panel asked the principal claimant whether any complaint with the police had been filed regarding her brother and her grandfather's deaths. The principal claimant responded that she had not had the time to do so because she had fled to the Dominican Republic on the same day. The Panel asked her whether any of her family members had filed such a complaint. After all, according to her testimony, she was the only member of the family who fled the country, and her parents and numerous siblings had remained behind. The principal claimant responded that they had not done so because they are in hiding. When the panel asked her to specify when they had gone into hiding, she responded that they had done so when things started heating up, in XXXX 2014.

[32] The Panel then asked whether, between XXXX 2014 and XXXX 2014, anyone from her family had filed a complaint with the police, and the principal claimant responded that this was not possible, because the bandits were looking for them and her family was not in the same area. The Panel asked the principal claimant if she knew where her family was during this time, and she responded that they were in a very distant, rural area. When asked when they had gone there, the principal claimant, after a long pause, said that it was on XXXX XXXX, 2014. Given that her response did not explain why her family had not filed a complaint regarding her brother and her grandfather's deaths prior to going into hiding, the Panel offered the principal claimant a last



opportunity to respond, but she restated that this was not possible, because her family was already in hiding.

[33] The testimony of the principal claimant was very confused, contradictory, and hesitant, and these contradictions remained unanswered. The panel finds that this impugns the credibility of her allegations that her family went into hiding after her departure from Haiti.

[34] The principal claimant submitted into evidence two certificates of death<sup>14</sup> to corroborate her allegations that her brother and her grandfather were killed on XXXX XXXX, 2014. The Panel, however, noted several other contradictions between this evidence and her testimony.

[35] First, according to both death certificates, the brother and grandfather of the principal claimant died on XXXX XXXX, 2014<sup>15</sup>, and not on XXXX XXXX, 2014, as she claims. The Panel asked the principal claimant to explain the contradiction in these dates, and she responded that this was an error, because XXXX XXXX, 2014, was the date when she obtained the certificates. However, as the Panel remarked, according to these documents, they were both issued on XXXX XXXX, 2015, so they could not have reasonably been obtained in XXXX 2014. When the Panel asked her to explain this new contradiction, she responded that these were again mistakes. Lastly, according to both her testimony and her declarations in her BOC, the brother of the principal claimant was 27 years old when he died. However, the death certificate of her brother states that he was 20 years old at the time of his death.<sup>16</sup> When confronted with this additional contradiction, the principal claimant frustratingly responded that this was another mistake and that the document was full of errors.

[36] The Panel finds that the principal claimant was not able to satisfactorily explain any of the contradictions mentioned above. Furthermore, the Panel finds that these contradictions impugn the principal claimant's credibility regarding the death of her brother and her grandfather. Lastly, given the numerous contradictions and the issues the Panel has with the

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<sup>14</sup> Document 5 – Claimants' Exhibits – Exhibit P-3: Certificate of death of the brother of the principal claimant; Certificate of death of the grandfather of the principal claimant.

<sup>15</sup> *Idem.*

<sup>16</sup> *Idem.*

principal claimant's credibility regarding these allegations, the Panel gives no weight to either of these two documents, which the principal claimant herself discounted as being full of errors.

[37] Additionally, the principal claimant's testimony regarding the whereabouts of her older son and her husband was also marked by numerous contradictions.

[38] In her written declarations, the principal claimant states that she left Haiti alone for Brazil, and in the addendum, she clarifies that her husband remained behind with her son because they did not have passports.<sup>17</sup> She adds that the two kept a low profile, but that sometime after her departure, there had been an attack to the storage space where she kept her merchandise and her husband had filed a complaint against XXXX XXXX. She writes that her husband maintained a low profile until he left Haiti for Chile in XXXX 2017. She also adds that after bandits came again to look for her at her home on XXXX XXXX, 2018, all her family had disbanded and her sister had left with her son for the Dominican Republic.

[39] At the hearing, however, when testifying regarding her journey and sojourn in Brazil, the principal claimant stated that her husband had already left Haiti for Brazil before she did, and she joined him there on XXXX XXXX, 2014. When asked when her husband had gone to Brazil, the principal claimant testified that he had gone there on XXXX XXXX, 2014. When asked what had happened with her husband afterwards, the principal claimant testified that she and her husband had lived in Brazil together and that they had also travelled together towards the United States. She clarified that her husband was deported to Haiti once he had arrived at the United States border, whereas the principal claimant was allowed to enter the country. She added that shortly after his arrival in Haiti, her husband had gone to Chile.

[40] Noting a significant contradiction between these versions, the Panel asked the principal claimant to explain why she had written in her declaration that her husband had remained behind in Haiti with her son. The principal claimant was very hesitant and repeated the question. After a pause, she changed her testimony and stated that her husband had in fact remained in Haiti with her son, because he did not have the means to leave. The Panel asked her to explain why she changed her testimony, and she could not respond. Eventually, she stated that her husband had

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<sup>17</sup> *Supra* note 4.

stayed in Haiti after her departure, and that he had left on XXXX XXXX, 2014. Not only were the responses of the principal claimant self-contradictory, but her last version also contradicts her prior testimony, where she had confirmed that her husband was already in Brazil when the events of XXXX XXXX, 2014, took place. The Panel finds that the principal claimant was not able to explain any of these contradictions. Moreover, the Panel finds that these contradictions and the changes in her testimony seriously impugn her global credibility.

[41] The principal claimant also alleged that her husband filed a report to the police regarding an attack on her business by XXXX. When asked where the copy of this report was, the principal claimant pulled out of an envelope a document, which purports to be an original of this complaint. It was not previously filed into evidence. According to this document, the principal claimant's husband filed a complaint with the Haitian National Police against XXXX XXXX on XXXX XXXX, 2014.<sup>18</sup> However, according to both versions of her testimony, her husband could not have been in Haiti on this date. When asked to explain the additional contradiction, the principal claimant was not able to respond, and her testimony regarding her husband became even more confused. The Panel finds that these contradictions impugn her credibility. Furthermore, the Panel gives no weight to this additional document presented during the hearing, because it contradicts the claimant's earlier testimony that her husband was in Brazil at the time he would have filed this complaint.

[42] When asked what happened following her departure from Haiti, the principal claimant stated that bandits had gone to look for her at her home with the intention of killing her. When asked when this happened, she responded that it was in XXXX 2019. Noting an omission from her declaration, the Panel asked the principal claimant to explain why this allegation was not included in her BOC. The principal claimant responded that it was because it had not yet occurred at the time she filled out her form. The Panel then asked her to explain why it was not included in her addendum, which was filed in May 2019. The principal claimant had difficulty responding, and kept reiterating that the event had not yet occurred at the time of any of her declarations. The Panel finds that the principal claimant has not provided a reasonable

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<sup>18</sup> Document 6 – Claimants' Exhibits – Exhibit P-5: Complaint by the principal claimant's husband to the Haitian National Police.

explanation for this omission. Consequently, the Panel finds that this omission further impugns her credibility regarding the events alleged on XXXX 2019.

[43] The Panel also noted that the principal claimant's testimony regarding the incidents that allegedly occurred following her departure from Haiti omitted the event of XXXX XXXX, 2018, which she declares in her addendum. According to her written declaration, bandits came looking for her at her home on this day, and this caused her whole family to disband and go into hiding. First, the panel notes that the principal claimant had already provided contradictory information regarding the timing and the reasons of her family going into hiding after her departure from Haiti. However, the Panel asked the principal claimant to provide an explanation for the omission, and she responded that she had not mentioned this information because bandits are always looking for her in Haiti. The Panel finds that the principal claimant has not provided a reasonable explanation for this omission, which represents an important event in her story, because it has allegedly caused her entire family in Haiti to disband and go into hiding. The Panel consequently finds that this impugns the credibility of the principal claimant regarding her alleged risk in Haiti and her allegation that her family is currently in hiding.

[44] For all the above reasons, the Panel finds the testimony of the principal claimant to be lacking in credibility. Counsel for the principal claimant argued that the principal claimant was stressed and traumatized, and that these factors should be considered in the evaluation of her credibility. First, the Panel notes that no request for a vulnerable person was made regarding the principal claimant, and secondly, no psychological report was filed regarding her alleged traumatism. Third, even though the Panel understands that the principal claimant was under stress at the hearing, this cannot justify all the problems with her credibility. The Panel sympathizes with the principal claimant, but on the basis of the elements provided, it finds that the principal claimant has not been able to establish, on a balance of probabilities, that the bandits killed her brother or her grandfather, that her family went into hiding as a result, or that the bandits are looking for the principal claimant to this day.

*The Principal Claimant's Profile as a Woman*

[45] The Panel has also considered if the principal claimant faces a serious possibility of persecution in Haiti on the basis of her membership in a particular social group, as a Haitian woman.

[46] The documentary evidence before the Panel establishes that the risks faced by women in Haiti are not always the same. The evidence before the Panel is that economic independence, male protection, and family and community links are all important factors when it comes to an individual woman's security in Haiti<sup>19</sup>.

[47] While contradictory evidence regarding the whereabouts of the principal claimant's husband was presented, the Panel accepts that at the time of the hearing, he is in Chile and not in Haiti. However, the principal claimant has many other family members in Haiti: both her parents live there, and according to the evidence in the file,<sup>20</sup> they are both in their fifties. Moreover, the principal claimant testified that she has three brothers in Haiti, and according to the written evidence,<sup>21</sup> two of her sisters also remain in the country. As stated above, the principal claimant did not establish that, on a balance of probabilities, her family members are in hiding. As such, on a balance of probabilities, the principal claimant would not be alone should she return to Haiti. She would, on a balance of probabilities, have the security and protection of her parents and brothers should she return to Haiti. The Panel finds that the principal claimant has significant family links in Haiti.

[48] For all of these reasons, the Panel finds that the principal claimant does not face a serious possibility of persecution in Haiti on the basis of her membership in the particular social group of Haitian women.

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<sup>19</sup> *Idem.*

<sup>20</sup> *Supra* note 3, question 5.

<sup>21</sup> *Idem.*

***Balancing of Zen Factors***

[49] The Panel finds that the absence of a right of return to Brazil, Canada's paramount international obligation to assess risk based on the country to which the principal claimant would in fact return, and the established hardship faced by the principal claimant in Brazil, outweigh her voluntary loss of status and the finding of an absence of sufficient risk to warrant protection in her home country.

[50] For all of these reasons, the Panel finds that the principal claimant is not excluded pursuant to article 1E of the *Convention* and section 98 of the *Act*.

**Conclusion for the Minor Claimant**

[51] Under sections 96 and 97 of the *Act*, the validity of a refugee claim must be established with regards to a claimant's country of nationality. As mentioned above, the minor claimant is an American citizen. Consequently, the Panel considered the possibility of persecution and the risk of harm that he would face in the United States of America.

[52] In her written narrative, the principal claimant forwards no allegations that are specific to the situation of the minor claimant. During her testimony, the principal claimant, who was named designated representative for the minor claimant, stated that she does not have any particular fear for her son in the United States.

[53] With no link established to a *Convention* ground, the Panel concludes that the minor claimant is not a refugee as per section 96 of the *Act*. Likewise, the Panel has insufficient grounds to conclude that the minor claimant personally faces a danger or risk described under subsection 97(1) of the *Act*.

## CONCLUSION

[54] Having considered all of the evidence, including the principal claimant's testimony, the Panel concludes that there are no serious reasons for excluding **XXXX XXXX** under section 1E of the *United Nations Convention Relating to the Status of Refugees*<sup>22</sup> for a status attached to her residence in Brazil.

[55] Moreover, the Panel concludes that **XXXX XXXX** and **XXXX XXXX** do not face a serious possibility of persecution, or, on a balance of probabilities, a risk to their lives, a risk of cruel and unusual treatment or punishment, or a danger of torture in their respective countries of nationality, Haiti and the United States.

[56] The panel, therefore, rejects the claims.

*Iris Simixhiu*

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**Iris Simixhiu**

June 6, 2019

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**Date**

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<sup>22</sup> *Supra* note 2.