



RPD File No. / N° de dossier de la SPR : TB7-21925

Private Proceeding / Huis clos

Reasons and Decision – Motifs et Décision

Claimant(s)	XXXX XXXX	Demandeur(e)(s) d'asile
Date(s) of Hearing	September 5, 2018	Date(s) de l'audience
Place of Hearing	Toronto, Ontario	Lieu de l'audience
Date of Decision and reasons	October 3, 2018	Date de la décision et des motifs
Panel	C. Ruthven	Tribunal
Counsel for the Claimant(s)	Lily Luwam Tekle	Conseil(s) du (de la/des) demandeur(e)(s) d'asile
Designated Representative(s)	N/A	Représentant(e)(s) désigné(e)(s)
Counsel for the Minister	N/A	Conseil du (de la) ministre

2018 CanLII 153983 (CA IRB)

REASONS FOR DECISION

[1] These reasons and decision are in regards to the claim for protection made by XXXX XXXX, who is claiming protection pursuant to section 96 and subsection 97(1) of the *Immigration and Refugee Protection Act*.¹

ALLEGATIONS

[2] The claimant's full allegations are set out in her *Basis of Claim Form* and related narrative.² In summary, the claimant fears XXXX XXXX, a XXXX XXXX XXXX politician.

[3] When the claimant met XXXX XXXX in early-XXXX 2016, he was the XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX. The claimant was interested in discussing XXXX XXXX XXXX XXXX XXXX XXXX with XXXX XXXX, as she envisioned starting her own business.

[4] After two short meetings with XXXX XXXX in XXXX 2016 (at his office, and at a local country club), the claimant did not have contact with him for several months. She began her XXXX XXXX XXXX XXXX business in XXXX 2017, but faced XXXX problems related to XXXX XXXX XXXX XXXX XXXX.

[5] XXXX XXXX agreed to meet the claimant on XXXX XXXX, 2017, at a private residence. Although the meeting began professionally, XXXX XXXX later forced himself onto the claimant, and sexually assaulted her. He threatened the claimant that she would disappear, if she ever reported him to the police. Based on this threat, the claimant never reported the sexual assault to the police, and she did not receive medical treatment in Zimbabwe. The claimant told her friend XXXX about the sexual assault the following month, when they were both in XXXX XXXX.

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

² Exhibit 2.

[6] XXXX XXXX called the claimant in early-XXXX 2017, to ask her if she would be a problem for him. The claimant responded no. The claimant did not hear from XXXX XXXX after this phone call.

[7] The claimant noticed cars parked outside her home, and cars which followed her to the office or to the store. Some of these vehicles did not have monthly permits displayed, so the claimant suspected that they might be associated with XXXX XXXX XXXX XXXX.

[8] Also in XXXX 2017, the claimant was at the residence of her friend XXXX. A XXXX soldier approached the residence, and asked for the claimant by name. After this incident, the claimant decided to depart for XXXX XXXX on XXXX XXXX, 2017.

[9] Violence, xenophobia, and an attempted abduction attempt in XXXX XXXX later convinced the claimant to flee to North America. The claimant already had a valid United States of America visa, but decided to return to Zimbabwe on XXXX XXXX, 2017. She gathered some documents, and subsequently departed Zimbabwe on XXXX XXXX, 2017.

[10] From late-XXXX 2017 to XXXX 2017, the claimant resided with family friends in Dallas, Texas, as her sister was XXXX XXXX XXXX XXXX XXXX XXXX. The claimant waited for her mother to send her birth certificate from Zimbabwe. Once received, the claimant crossed into Canada on XXXX XXXX, 2017, to make her claim for protection.

Identity

[11] The panel finds that the claimant has established her identity as a national of Zimbabwe, based on a balance of probabilities. The claimant presented her valid Zimbabwe passport.³ The panel finds no reason to doubt the authenticity of this document.

³ Exhibit 1.

DETERMINATION

[12] The panel finds that the claimant is not a Convention refugee or a person in need of protection, pursuant to section 96 and subsection 97(1) of the *Immigration and Refugee Protection Act*.

ANALYSIS

[13] The panel finds that the determinative issue is a viable internal flight alternative in the city of Bulawayo.

CREDIBILITY

[14] Based on the nature of the claim, the panel carefully considered the contents of *Chairperson's Guideline 4 - Women Refugee Claimants Fearing Gender-Related Persecution*,⁴ both during the hearing and while rendering the decision.

[15] The claimant resided at two addresses in Fort Worth, Texas, United States of America, between XXXX 2010 and XXXX 2016. During this period, the claimant earned a XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX. The claimant was the XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX between XXXX 2014 and XXXX 2014, and she was XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX in Fort Worth, Texas, between XXXX 2010 and XXXX 2013.⁵

[16] The claimant subsequently earned practical experience at XXXX XXXX XXXX XXXX, Texas.⁶ Aside from three days in late-XXXX 2017, the claimant resided in XXXX XXXX and the United States of America between XXXX XXXX, 2017 and XXXX XXXX, 2017.⁷

⁴ *Women Refugee Claimants Fearing Gender-Related Persecution*, Guidelines issued by the Chairperson pursuant to subsection 65(3) of the *Immigration Act*, IRB, Ottawa, November 13, 1996.

⁵ Exhibit 1 and Exhibit 2.

⁶ Exhibit 5.

⁷ Exhibit 1 and Exhibit 2.

[17] Based on this international residence experience in XXXX XXXX and the United States of America, as well as the claimant's educational background, and in consideration of her unpaid position experience, the panel finds that the claimant has a high level of sophistication.

Wellness Counselor Letter

[18] An XXXX XXXX, 2018 letter was submitted by the claimant in regards to counselling sessions at XXXX XXXX XXXX XXXX XXXX XXXX XXXX.⁸ An initial visit by the claimant took place on XXXX XXXX, 2018; however, further details about six planned appointments (before a re-assessment) were not provided. There was no further information presented in the letter, in regards to diagnoses, or treatment plans (outside the six planned appointments).

[19] Detailed professional qualifications or a *curriculum vitae* for the wellness counselor were not attached to the XXXX XXXX, 2018 letter. As such, the panel determined this letter to have little probative value in the assessment of the claim.

Psychological Assessment

[20] An XXXX XXXX, 2018 *Psychological Assessment*, signed by Dr. XXXX XXXX XXXX XXXX, was submitted.⁹ The claimant attended his office on XXXX XXXX, 2018, and Dr. XXXX subsequently diagnosed the claimant with XXXX XXXX XXXX XXXX XXXX XXXX, and XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX. Mental health treatment was recommended, including XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX XXXX.

[21] The *Psychological Assessment* enumerated XXXX prescriptions for the claimant in the United States of America and Canada, as well as ongoing doctor's care. The panel was not provided with any doctor's notes or prescription summaries from medical professionals in either Canada or the United States of America.

⁸ Exhibit 8.

⁹ Exhibit 6.

[22] Counselling sessions were planned on a monthly basis, but the claimant has not attended sessions consistently, according to the information provided by Dr. XXXX. The panel was unable to determine the start of these sessions, as the provided a start date was in the future (listed as XXXX 2018).

[23] During the hearing, the panel was mindful of the recommendation made by Dr. XXXX regarding providing the claimant with opportunities to request breaks during her testimony. Aside from the scheduled break, the panel informed the claimant at the start of the hearing that she could request a break, at any time during her testimony.

[24] The panel gave careful consideration to the portions of the XXXX XXXX, 2018 *Psychological Assessment* which related to the cognitive functioning of the claimant. These included reported problems with XXXX XXXX, and XXXX. Over the course of the hearing, the panel finds that the claimant's cognitive challenges did not affect the quality of her oral evidence, except as detailed below (namely the testimony regarding XXXX's knowledge of the sexual assault).

Refugee Protection Division Rule 11

[25] The panel notes that pursuant to *Refugee Protection Division Rule 11*,¹⁰ a claimant must provide acceptable documents establishing elements of their claim.

The Claimant's Departure to XXXX XXXX

[26] The claimant's narrative indicated that sometime in XXXX 2017, a soldier wearing a XXXX XXXX uniform came to the driveway of her friend XXXX's house, and asked for the claimant. The claimant was inside XXXX's car shed at the time, in view of the soldier.¹¹

[27] The claimant testified that she departed Zimbabwe in that same month, because she was afraid of XXXX XXXX, and his assumed ability to follow-up on his threats, and cover up his

¹⁰ *Refugee Protection Division Rules*, SOR/2012-256.

¹¹ Exhibit 2.

tracks. The claimant further testified that the final straw in her decision to depart Zimbabwe for XXXX XXXX was the incident with the soldier with the XXXX XXXX, at XXXX's house.

[28] The claimant testified that she was still in contact with XXXX, as of the date of the hearing. She knew him through her deceased friend, XXXX XXXX. The panel put to the claimant at the hearing that there was no evidence adduced which was attributed to XXXX, despite her testimony that she continued to have contact with him. The claimant testified that she decided not to ask for XXXX to provide a letter of support, as there was a possibility that XXXX XXXX played a part in the death of their mutual friend, XXXX.

[29] Despite the claimant's testimony that this visit from the soldier was the seminal event that caused her to depart Zimbabwe, the panel notes that the claimant was unable to provide a specific date of the encounter, either in her narrative or as part of her testimony. In addition, the panel finds that there was insufficient evidence adduced to establish that the automobile collision death of XXXX XXXX was linked in any way to XXXX XXXX.

[30] In this regard, the panel finds that the claimant's narrative statements regarding the events of the early morning of XXXX XXXX, 2016 were nothing more than speculation about the possible cause of a fatal car collision, determined by the authorities of Zimbabwe to include a single vehicle and a tree. In support of the claimant's narrative statements, the panel notes that there was no evidence adduced to corroborate her speculation.

[31] The narrative pointed to several possible sources of corroborating evidence, including the authorities of Zimbabwe (the officers who have conducted the collision investigation to date), as well as XXXX, the driver of the car involved in the XXXX XXXX, 2016 collision, and the mother of XXXX XXXX. The panel notes that the collision victim was described by the claimant within her narrative as a good friend, prior to his death.¹²

¹² Exhibit 2.

[32] Based on the above considerations, the panel finds the claimant's testimony regarding her lack of requests for evidence sourced to XXXX to be unreasonable. In consideration of *Refugee Protection Division Rule* 11, the panel would have expected the claimant to have made efforts to obtain corroborating evidence from XXXX regarding the soldier's visit to his house on an unspecified date in XXXX 2017.

[33] Based on the vague narrative statements and testimony provided by the claimant, as well as the lack of efforts to obtain corroborating evidence in regards to the alleged seminal event, the panel finds that, on a balance of probabilities, the narrative statements and testimony regarding the soldier with the XXXX XXXX were fabricated in an attempt to bolster the claim for protection. The panel therefore makes a negative credibility determination in regards to the testimony about a XXXX soldier visit to XXXX's house.

Reavailment to Zimbabwe in Late-XXXX 2017

[34] The claimant's presented Zimbabwe passport included a B1/B2 visa which permitted entry into the United States of America. This multiple-entry visa was issued to the claimant by the authorities of the United States of America on XXXX XXXX, 2016, and it included a XXXX XXXX, 2017 expiry date. This same presented Zimbabwe passport included a Harare Airport entry stamp, dated XXXX XXXX, 2017.¹³

[35] The claimant's narrative indicated that she returned to Zimbabwe from XXXX XXXX on XXXX XXXX, 2017, because she needed her mother's help to retrieve her birth certificate. Her intention was to seek refugee protection in Canada.¹⁴

[36] The panel put to the claimant that she voluntarily re-entered Zimbabwe on XXXX XXXX, 2017, despite being in possession of a valid entry visa to the United States of America. The claimant testified that she was trying to find a way to leave XXXX XXXX, as neither Zimbabwe nor XXXX XXXX was safe.

¹³ Exhibit 1.

¹⁴ Exhibit 2.

[37] The panel put to the claimant that she had the opportunity to avoid a return to Zimbabwe, by asking her mother in Zimbabwe to send her the originals of personal documents by mail to the United States of America. The claimant testified that she did not bring her expired passport to XXXX XXXX. The claimant further testified that her valid United States of America visa was in an expired Zimbabwe passport, so she needed to return to Zimbabwe to retrieve it.

[38] The panel finds this testimony to be unreasonable. The presented valid Zimbabwe passport¹⁵ for the claimant included both a United States of America visa (valid to XXXX XXXX, 2017), and a Zimbabwe entrance stamp dated XXXX XXXX, 2017.

[39] The panel also notes the claimant's years of residence history, XXXX XXXX XXXX studies, and XXXX, in the United States of America. This was all accumulated prior to XXXX XXXX, 2017. The panel therefore finds it unreasonable, under the circumstances, for the claimant to have returned to Zimbabwe. There were no described barriers to the claimant making arrangements outside of Zimbabwe, for the forwarding of her personal documents to her, thereby negating any need to return to Zimbabwe.

[40] As such, the panel finds that the actions of the claimant during her voluntary return to Zimbabwe between XXXX XXXX, 2017 and XXXX XXXX, 2017 (the date of the Harare Airport exit stamp in the presented passport¹⁶) do not match the expected actions of a person who fears harm described in section 96 of the *Immigration and Refugee Protection Act*. The panel therefore draws a negative credibility inference from the claimant's reavilment of protection (from the authorities of Zimbabwe) in late-XXXX 2017.

Internal Flight Alternative

[41] The panel gave notice at the outset of the hearing that an internal flight alternative was an issue for the claim, namely that the claimant may have a viable internal flight alternative in the city of Bulawayo, Zimbabwe.

¹⁵ Exhibit 1.

¹⁶ Exhibit 1.

The Two-Pronged Test

[42] The test to be applied in determining whether there is a viable internal flight alternative is two-pronged.¹⁷ Firstly, the panel must be satisfied, on a balance of probabilities, that there is no serious possibility that the claimant would be persecuted in the proposed internal flight alternative location. Secondly, the conditions in the proposed internal flight alternative location must be such that it would not be objectively unreasonable under the circumstances, including those particular to the claimant, for them to seek refuge there. Both of these prongs must be satisfied for a finding that the claimant has an internal flight alternative.

The First Prong of the Test – No Serious Possibility of Persecution

[43] The claimant was asked whether she could think of any reasons why she could not safely relocate to the city of Bulawayo, as an internal flight alternative.

[44] The claimant testified that she fears that XXXX XXXX could go to Bulawayo at any time, such as a XXXX visit to that city.

[45] The claimant's narrative, attached to her November 29, 2017 *Basis of Claim Form*,¹⁸ indicated that she did not hear from XXXX XXXX after the first weekend in XXXX 2017. The panel notes that this would equate with a phone call on or around XXXX XXXX XXXX XXXX, 2017 or XXXX XXXX XXXX XXXX, 2017. The narrative elaborated that during that most recent phone conversation with XXXX XXXX, the claimant verbally confirmed for him that she would not cause him problems (reporting the XXXX XXXX, 2017 sexual assault).

[46] The panel notes the core of the enumerated threat from XXXX XXXX is a fear on his part that the claimant might report the sexual assault to the authorities of Zimbabwe, or that any public allegations might somehow affect his public or personal life. In addition, the panel considered the

¹⁷ *Rasaratnam v. Canada (Minister of Employment and Immigration)*, [1992] 1 F.C. 706 (C.A.)

¹⁸ Exhibit 2.

claimant's testimony regarding her fear that she could be abducted in Bulawayo, and that any such abduction could lead to similar sexual violence, at the hands of XXXX XXXX.

[47] The panel asked the claimant if any of her friends or family members have been contacted by XXXX XXXX. The claimant testified that her sister XXXX XXXX is the only person who knows about XXXX XXXX.

[48] In contrast to this testimony, the panel notes the contents of the XXXX XXXX, 2018 *Affidavit of XXXX XXXX XXXX*.¹⁹ The declarant listed her address on the date she signed as being in XXXX, Harare, Zimbabwe. The declarant also described the claimant as being one of her best friends, whom she has known for over twenty-five years.

[49] The *Affidavit of XXXX XXXX XXXX* included declarations which associated the sexual victimization of the claimant with political figure XXXX XXXX. In consideration of the Psychological Functioning section of the presented *Psychological Assessment*,²⁰ the panel did not draw any negative inferences from the claimant's apparent inability to recall telling XXXX about XXXX XXXX, and the sexual violence that he perpetrated against her. Despite this, the panel notes that the *Affidavit of XXXX XXXX XXXX* made no mention of any attempted contact between XXXX XXXX and the declarant, especially after XXXX returned from XXXX XXXX to XXXX, Harare.

[50] The XXXX XXXX, 2018 *Affidavit of XXXX XXXX*²¹ confirmed that the claimant's elder sister²² found out about politician XXXX XXXX, as well as the XXXX XXXX, 2017 sexual assault, during a XXXX XXXX, 2018 phone conversation between the declarant and the claimant. Also detailed in the *Affidavit of XXXX XXXX* were two events the declarant deemed suspicious, both of which occurred prior to the claimant departing Zimbabwe for XXXX XXXX on XXXX XXXX, 2017.²³

¹⁹ Exhibit 7.

²⁰ Exhibit 6.

²¹ Exhibit 7.

²² Exhibit 2 and Exhibit 7.

²³ Exhibit 1.

[51] In regards to the suspicious car events of XXXX 2017, the panel notes that the claimant has never asked the police, or other authorities in Zimbabwe, to protect or assist her.²⁴ As such, there was no official report documented, at a time when the events were fresh in the minds of the claimant and her elder sister.

[52] The panel notes that the totality of the evidence adduced in relation to the two suspicious Harare vehicles was: the XXXX XXXX, 2017 *Basis of Claim Form* narrative of the claimant, her XXXX XXXX, 2018 testimony, and the XXXX XXXX, 2018 *Affidavit of XXXX XXXX*. The narrative was written six months after the two events occurred in XXXX 2017, and the other evidence was dated more than a year after the claimant and her elder sister noticed the suspicious cars in Harare.

[53] Based on the dearth of timely evidence, the panel finds that the allegations of a possible connection between unregistered vehicles to XXXX XXXX are mere speculation on the part of the two sisters.

[54] The panel finds that insufficient evidence was adduced to establish that XXXX XXXX, or any of his associates or representatives, has had any contact with the claimant, or any contact with the claimant's friends or family members in Zimbabwe, since his direct phone conversation with the claimant, during the first weekend in XXXX 2017.

[55] The panel finds it reasonable to expect that family members or friends of the claimant would have been contacted by XXXX XXXX, by his associates, or by his representatives, if XXXX XXXX was interested in locating the claimant. As such, the panel finds that, on a balance of probabilities, XXXX XXXX has not actively searched for the claimant, or attempted to contact the claimant, since the first weekend in XXXX 2017.

[56] In relation to the alleged agent of harm, the panel finds that, on a balance of probabilities, there is a lack of interest and a lack of motivation to pursue the claimant to a different part of Zimbabwe (such as the proposed internal flight alternative). The panel finds that the lack of

²⁴ Exhibit 2.

interest and motivation to pursue the claimant would only be amplified by adding the geographic distance between Harare and Bulawayo, some 420 Kilometres away.²⁵

[57] The panel does not find that there was sufficient evidence presented to show a willingness and an ability of any person, or group, in Zimbabwe to pursue the claimant to another part of Zimbabwe, in order to seek harm which is described in section 96 or subsection 97(1) of the *Immigration and Refugee Protection Act*.

[58] As such, the panel does not find that there is a serious possibility that the claimant faces persecution, or that on a balance of probabilities the claimant faces a danger of torture, a risk to her life, or a risk of cruel and unusual treatment or punishment, should she relocate to the city of Bulawayo.

The Second Prong of the Test – Reasonableness

[59] Regarding the reasonableness of the internal flight alternative location for the claimant, the panel finds that it is reasonable in all of the particular circumstances of her personal situation, that in returning to Zimbabwe, she could relocate to the city of Bulawayo.

[60] The panel asked the claimant if she would face problems in finding housing or employment in Bulawayo. The claimant testified that her *résumé* would allow her to get a job, but that she has nobody in Bulawayo. As such, the claimant testified that she would have to reside alone.

[61] The panel considered that the claimant speaks Shona and English,²⁶ both official languages of Zimbabwe, and the largest and third-largest languages spoken by the population of Zimbabwe.²⁷ The city of Bulawayo has a population of approximately 600,000,²⁸ out of Zimbabwe's total estimated population of 13.8 million.²⁹ Throughout Zimbabwe, Shona make up

²⁵ Exhibit 3, National Documentation Package (NDP) for Zimbabwe (29 June 2018), item 1.1, and item 1.2.

²⁶ Exhibit 2.

²⁷ Exhibit 3, NDP for Zimbabwe (29 June 2018), item 1.5.

²⁸ Exhibit 3, NDP for Zimbabwe (29 June 2018), item 1.4.

²⁹ Exhibit 3, NDP for Zimbabwe (29 June 2018), item 1.5.

an 82% majority of the population. The city of Bulawayo has an Ndebele majority, with a Shona minority.³⁰

[62] Although the claimant will have to make some adjustments, the panel finds insufficient evidence was adduced to establish that this would be problematic for the claimant, based on her personal background.

Access to Psychological Treatment

[63] The claimant has not established that she faces serious barriers in accessing appropriate counselling or prescription treatments in Bulawayo.

Gender-Related Risk Considerations

[64] The panel carefully considered section C of *Chairperson's Guideline 4 - Women Refugee Claimants Fearing Gender-Related Persecution*, as this section provides a framework for the assessment of the reasonableness of a woman's recourse to an internal flight alternative, in claims where there are gender-based allegations of harm. The panel considered the claimant's ability to travel safely to Bulawayo, and to stay in Bulawayo, without facing undue hardship.

[65] With regards to the first factor, the panel notes that Bulawayo is serviced by a major airport.³¹ As such, the panel finds that, on a balance of probabilities, the claimant will be able to safely travel to Bulawayo.

Challenges Faced by Women Relocating Within Zimbabwe

[66] The panel acknowledges that women face more challenges than men in relocating within Zimbabwe. Women's rights organizations cite two reasons for the disparity. The first reason is fewer financial resources available to women to find employment and shelter, as compared to men. The second reason relates to societal expectations in Zimbabwe that women raise children.³²

³⁰ Exhibit 3, NDP for Zimbabwe (29 June 2018), item 1.3.

³¹ Exhibit 3, NDP for Zimbabwe (29 June 2018), item 1.1, and item 1.2.

³² Exhibit 3, NDP for Zimbabwe (29 June 2018), item 1.3.

[67] In regards to access to financial resources, the panel considered the claimant's overall level of sophistication, including her work experience, her previous self-employment in Zimbabwe, and her XXXX XXXX XXXX education. In relation to the city of Bulawayo, the panel finds that, on a balance of probabilities, the claimant would be able to find work to support herself.

[68] The panel notes that the claimant has not listed any children in her *Basis of Claim Form* responses,³³ and that she has not otherwise mentioned any children in her care or custody. As such, the panel finds that this second factor does not relate to the personal circumstances faced by the claimant in Bulawayo.

[69] The panel finds that the claimant, in consideration of her gender and the risks she alleged, does not face undue hardship in remaining in Bulawayo.

[70] The panel does not find that relocating to the city of Bulawayo would be unreasonable for the claimant. The panel notes that the claimant is a relatively sophisticated individual, who is mobile and adaptable, having resided abroad in XXXX XXXX, the United States of America, and in Canada (since her claim for protection). As such, the panel finds that the claimant would reasonably be expected to be mobile and adaptable in the proposed internal flight alternative of Bulawayo.

[71] In view of the above, the panel finds that there are no serious social, economic, or other barriers to the claimant relocating to the city of Bulawayo. The panel therefore finds that it would not be unreasonable, in the circumstances that are particular to the claimant, for her to seek refuge in the internal flight alternative location. The panel finds that, on a balance of probabilities, the claimant has a viable internal flight alternative in the city of Bulawayo.

[72] Internal flight alternative is determinative of claims assessed under both section 96 and subsection 97(1) of the *Immigration and Refugee Protection Act*.

³³ Exhibit 2.

CONCLUSION

[73] Having considered the totality of the evidence, the panel finds that the claimant is not a Convention refugee or a person in need of protection pursuant to section 96 and subsection 97(1) of the *Immigration and Refugee Protection Act*, as she does not face a serious possibility of persecution, and because her removal to Zimbabwe would not subject her personally, on a balance of probabilities, to a risk to her life, or a risk of cruel and unusual treatment or punishment, or to a danger of torture.

[74] The claim for protection therefore fails.

(signed)

“C. Ruthven”

C. Ruthven

October 3, 2018

Date