

Federal Court



Cour fédérale

Date: 20250424

Docket: IMM-2713-24

Citation: 2025 FC 734

Ottawa, Ontario, April 24, 2025

PRESENT: The Honourable Madam Justice Heneghan

BETWEEN:

XIAO HUA LIN

Applicant

and

**THE MINISTER OF CITIZENSHIP
AND IMMIGRATION**

Respondent

REASONS AND JUDGMENT

[1] Ms. Xiao Hua Lin (the “Applicant”) seeks judicial review of the decision of an officer (the “Officer”), refusing her Pre-Removal Risk Assessment (“PRRA”) application.

[2] The Applicant is a citizen of China. She came to Canada in January 2012 upon a work permit. In February 2012, she claimed refugee protection on the basis of a fear of persecution due to her practice as a Pentecostal Christian.

[3] The Immigration and Refugee Board, Refugee Protection Division dismissed the Applicant's claim for protection in November 2018. She submitted her PRRA application in June 2023 and it was refused in December 2023.

[4] The Applicant now argues that the Officer erred in considering the country condition documents, in particular by focusing on dated documents about the treatment of Christians in China, and by failing to take into account other evidence that she submitted.

[5] The Minister of Citizenship and Immigration (the "Respondent") submits that the Officer did consider current documents dating from 2019 to 2021, as well as the other evidence put forward by the Applicant. He argues that the Applicant is asking for reassessment of the evidence.

[6] Following the decision in *Canada (Minister of Citizenship and Immigration) v Vavilov*, [2019] 4 S.C.R. 653, the decision is reviewable on the standard of reasonableness.

[7] In considering reasonableness, the Court is to ask if the decision under review "bears the hallmarks of reasonableness – justification, transparency and intelligibility – and whether it is justified in relation to the relevant factual and legal constraints that bear on the decision"; see *Vavilov, supra*, at paragraph 99.

[8] I agree with the arguments of the Respondent.

[9] In my opinion, the Officer reasonably considered the evidence, including the more up-to-date documentary evidence about the treatment of Christians in China. I am satisfied that the decision meets the applicable standard of review and the application will be dismissed. There is no question for certification.

JUDGMENT IN IMM-2713-24

THIS COURT'S JUDGMENT is that the application for judicial review is dismissed.

There is no question for certification.

"E. Heneghan"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-2713-24

STYLE OF CAUSE: XIAO HUA LIN v. MCI

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: JANUARY 14, 2025

REASONS AND JUDGMENT: HENEGHAN J.

DATED: APRIL 24, 2025

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