

Federal Court



Cour fédérale

Date: 20251027

Docket: IMM-8283-24

Citation: 2025 FC 1732

Ottawa, Ontario, October 27, 2025

PRESENT: Mr. Justice McHaffie

BETWEEN:

JEAN PAUL STAGE ININHAZWE

Applicant

and

**THE MINISTER OF CITIZENSHIP AND
IMMIGRATION**

Respondent

JUDGMENT AND REASONS

I. Overview

[1] A Migration Officer with Immigration, Refugees and Citizenship Canada [IRCC] determined that Jean Paul Stage Ininahazwe had not credibly established that he would be at risk if he returned from Uganda, where he currently has refugee status, to his native Burundi. Finding Mr. Ininahazwe’s recounting of certain events in Burundi and Uganda [TRANSLATION] “vague,

little detailed, and contradictory,” the Officer rejected his application for a permanent resident visa in the Convention refugee abroad class and the country of asylum class.

[2] However, while referring to Mr. Ininahazwe’s account as contradictory, the Officer did not identify any contradictions in his evidence, either in their decision letter or in their underlying notes. Nor did the Officer explain their conclusion that Mr. Ininahazwe’s account of the incidents underlying his claim was vague or lacking in detail. In some cases, the reasons for such a conclusion may be clear from the record. This is not such a case. It was incumbent on the Officer to explain to Mr. Ininahazwe why they found his evidence vague, and therefore not credible, particularly as this was the central finding on which his claim for refugee protection was rejected.

[3] Modern administrative law places an obligation on decision makers to explain their decisions to those affected by them. This obligation is heightened where the impact of the decision is severe, such that the reasons provided must “reflect the stakes.” Although deference must be given to factual findings, and particularly credibility findings, the Officer in this case did not reasonably justify their conclusion that Mr. Ininahazwe’s evidence was not credible. The decision must be set aside, and Mr. Ininahazwe’s application for a permanent resident visa remitted for redetermination.

[4] The application for judicial review is therefore granted.

II. Issues and Standard of Review

[5] Mr. Ininahazwe only challenges the merits of the decision refusing his application for permanent residence, rather than any issues of procedural fairness. As the parties agree, the merits of a decision finding an applicant not to fall within the Convention refugee abroad class or the country of asylum class is subject to review on the standard of reasonableness: *Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 16–17, 23–25; *Isaac v Canada (Citizenship and Immigration)*, 2022 FC 940 at paras 1, 16; *Aghazadeh v Canada (Citizenship and Immigration)*, 2020 FC 211 at para 24.

[6] The sole issue in this application is therefore whether the Officer’s refusal of Mr. Ininahazwe’s application was reasonable. As explained further below, while Mr. Ininahazwe raises three central arguments, I conclude that the determinative issue is the reasonableness of the Officer’s central credibility finding.

[7] Judicial review on the reasonableness standard is concerned with both the outcome of the decision and with the decision-making process, that is, the justification and reasoning that leads to the outcome: *Vavilov* at paras 82–87. Beginning with the written reasons given by an administrative decision maker, the reviewing court seeks to understand the decision and its underlying rationale in order to assess whether the decision is internally coherent and bears the hallmarks of transparency, intelligibility, and justification: *Vavilov* at paras 15, 81, 84, 86.

[8] In undertaking this assessment, perfection is not the standard. Reasonableness review must take into account the administrative setting in which the decision and reasons were issued: *Vavilov* at paras 91–92. The reasons for decision must also be read in light of the record before the decision maker, which may allow the affected party and the Court to understand an aspect of a decision that is otherwise unclear on its face: *Vavilov* at paras 93–95. At the same time, the obligation placed on a decision maker to justify their decision becomes greater as the consequences of the decision on the person affected increase. As the Supreme Court of Canada phrased it, “[w]here the impact of a decision on an individual’s rights and interests is severe, the reasons provided to that individual must reflect the stakes”: *Vavilov* at paras 133, 135.

[9] The administrative context of the Officer’s refusal of Mr. Ininahazwe’s application is that of a decision made by an immigration officer outside Canada after an interview, rather than by an independent tribunal, like the Immigration and Refugee Board of Canada [IRB], after a full hearing: *Immigration and Refugee Protection Regulations*, SOR/2002-227 [IRPR], ss 138–147; *Immigration and Refugee Protection Act*, SC 2001, c 27 [IRPA], s 11(1). The Court’s assessment of reasonableness must take into account this context and the underlying record, including the Officer’s interview notes.

[10] Still, as the applicant points out, the impact of the Officer’s decision on Mr. Ininahazwe is significant, as it involves the determination of whether Canada will afford him protection from alleged harm. This Court has recognized that the impact of decisions in respect of Convention refugee abroad applications merits heightened procedural fairness protections compared to other visa applications: *Iqbal v Canada (Citizenship and Immigration)*, 2023 FC 622 at paras 23–25;

Darwisheh v Canada (Citizenship and Immigration), 2024 FC 98 at para 15, citing *Ha v Canada (Minister of Citizenship and Immigration)*, 2004 FCA 49 at para 61. This impact similarly calls for a heightened responsibility on the part of the Officer to ensure that their reasons adequately justify their decision: *Vavilov* at paras 133–135.

III. Analysis

A. *Mr. Ininahazwe's application*

[11] Mr. Ininahazwe is currently residing in Kampala, Uganda, where he has been recognized as a refugee. His application for Canadian permanent residence was sponsored by a group of Canadian citizens pursuant to section 13 of the *IRPA* and Divisions 1 and 2 of Part 8 of the *IRPR*.

[12] Mr. Ininahazwe's claim to refugee protection stems from incidents that occurred in 2019. He alleges he was working at a coffee processing plant in Kayanza, Burundi when he noticed that deductions were being made from his salary. His supervisor explained that the deductions were for contributions to the governing political party, the "Conseil National Pour la Défense de la Démocratie–Forces Pour la Défense de la Démocratie" [CNDD-FDD]. Mr. Ininahazwe complained, stating that he did not want to make such contributions. His co-workers started to harass him, asking him to show his CNDD-FDD membership card, which he did not have. He was told he could be fired for not supporting the CNDD-FDD.

[13] About a month later, Mr. Ininahazwe was confronted by a group from the Imbonerakure, a youth militia affiliated with the CNDD-FDD. The group told him they were on a mission from

his employer, and that if he did not join the CNDD-FDD, he would lose his job or be killed.

When Mr. Ininahazwe protested, he was severely beaten, leaving him scarred. The following day he moved to a nearby town, but when he continued to receive threatening telephone calls, he fled to Uganda. He went alone, without other family members, since he alone had been persecuted in Burundi.

[14] The foregoing narrative was set out in Mr. Ininahazwe's application for permanent residence, filed in January 2021. He stated that he could not return to Burundi because he remained at risk.

B. *The interview and the Officer's decision*

[15] Mr. Ininahazwe was convened for an interview in Kampala on October 10, 2023. The Officer took notes of the interview, which were later entered into the Global Case Management System [GCMS]. The notes record, among other details, the Officer's questions and Mr. Ininahazwe's responses about the background to and basis for his claim.

[16] After a series of questions on this subject, the Officer told Mr. Ininahazwe that it was not clear to them why Mr. Ininahazwe would remain at risk four years after the attacks described in 2019, particularly since there had been an election in 2020. The Officer added that Mr. Ininahazwe did not appear to have been involved in politics, and that "Burundi has [thousands] of people just like [him], living, working." The Officer indicated their awareness that Burundi can be dangerous for those who speak out against the government, such as journalists or activists, and asked whether Mr. Ininahazwe had spoken out against the government.

Mr. Ininahazwe responded with reference to his complaint about the salary deductions, which was what had led to him being attacked.

[17] At the end of the interview, Mr. Ininahazwe asked for feedback. The Officer responded by referring to their concern that the narrative described consisted of a single event four years prior, and that Mr. Ininahazwe's account of the event was "fairly vague." They added that they did not understand why he would be singled out this way in 2019, when "the country was full of people like [him], going about their lives, without necessarily holding a CNDD party membership." The Officer therefore stated that they had "a hard time believing the story."

[18] On March 9, 2024, the Officer entered their "Final Assessment" into the GCMS. The substantive part of that Final Assessment reads as follows, using the term "PA" (principal applicant) to refer to Mr. Ininahazwe:

As outlined in the interview notes, I have concerns about the PA's credibility as it relates to his stated fear of return to Burundi.

PA's answers during the interview lacked detail. He cites a single instance of a work dispute, followed by an attack by unknown youth one month later. His account of these events is vague. PA's background, work experience and lack of political activity do not suggest that he would be of particular interest to pro-CNDD youth. PA's family remains in Burundi, PA states none of his family members have faced similar problems. Also, several years have passed since the alleged incident and PA has not provided [a] credible explanation as to why he could still be targeted today.

I acknowledge that the applicant has presented a letter of attestation from OPM [Office of the Prime Minister] indicating Uganda has recognized him as a refugee. However, I have weighed this piece of evidence against my own credibility assessment conducted over a nearly 60 minute interview. While Uganda may have recognized the PA as a refugee, I am making my own assessment based on all of the available information, including biometrics info sharing results.

I presented my concerns to the applicant and provided him an opportunity to respond. His responses do not alleviate my concerns. Overall, I am not satisfied that the applicant has been truthful about reasons for flight. On balance, I am not satisfied that PA is credible and these credibility concerns relate to material aspects of his claim.

I am not satisfied that PA [has] a well-founded fear of persecution based upon their race, religion, nationality, membership in a particular social group or political opinion. I further considered the country of asylum class and am not satisfied that the applicant meets the requirements of this class.

[19] The same day, the Officer prepared the contents of a formal refusal letter, which was then sent to Mr. Ininahazwe on March 13, 2024. In that letter, the Officer wrote that during the interview, [TRANSLATION] “certain aspects of your account of events in Burundi and in Uganda were vague, little detailed and contradictory. As a result, I am not satisfied that the information you provided is credible.” The remainder of the letter cites relevant statutory and regulatory provisions, describes the context of the interview, and sets out the Officer’s conclusion that they are not satisfied that Mr. Ininahazwe meets the requirements for immigration to Canada in the Convention refugee abroad class or the country of asylum class. However, it provides no further substantive analysis of the contents of Mr. Ininahazwe’s application or evidence.

C. *Mr. Ininahazwe’s arguments*

[20] Mr. Ininahazwe contends that the Officer’s decision is unreasonable, raising three central arguments. First, he contends that the Officer unreasonably assessed his forward-looking risk, in three respects: (i) by failing to assess his risk in Burundi as a returning refugee; (ii) by failing to recognize that his claim pertained to his perceived political opposition to the CNDD-FDD, minimizing the political aspect of his narrative by referring to it as a mere “work dispute”; and

(iii) by relying on his family members remaining in Burundi without incident as diminishing his prospective risk.

[21] With respect to his risk as a returning refugee, Mr. Ininahazwe underscores that his refugee status in Uganda was uncontested and not the subject of any credibility findings. He points to elements of the National Documentation Package [NDP] for Burundi published by the IRB that identify risks faced by returning refugee claimants. While Mr. Ininahazwe did not raise this risk with the Officer as part of his application, he relies on the Officer's obligation to assess all potential risks that are raised on the facts of an application and the country condition evidence, regardless of any credibility findings: *Ashiq v Canada (Citizenship and Immigration)*, 2024 FC 72 at paras 20–28; *Barak v Canada (Citizenship and Immigration)*, 2017 FC 648 at paras 10–13; *Canada (Attorney General) v Ward*, 1993 CanLII 105, [1993] 2 SCR 689 at pp 745–746.

[22] Second, Mr. Ininahazwe challenges the Officer's credibility assessment, asserting that they failed to explain or justify their conclusion that his account of the incidents was vague. He further argues that vagueness alone is not a sufficient reason to impugn his credibility. These arguments, the first of which I conclude is determinative, are addressed in further detail below.

[23] Third, Mr. Ininahazwe contends that the Officer failed to adequately address the country of asylum class. He notes that the Officer's analysis of this issue is limited to a single sentence in their Final Assessment, which simply states that the Officer "further considered the country of asylum class" but was "not satisfied that the applicant meets the requirements of this class." He

contends that this sentence provides no justification or analysis for the Officer's conclusion, and that this constitutes a fatal flaw in the Officer's decision, citing both *Vavilov* and this Court's decisions in *Saeed v Canada (Citizenship and Immigration)*, 2024 FC 129 at paras 46–52; *Samuel v Canada (Citizenship and Immigration)*, 2022 FC 1102 at paras 36–38; and *Khedri v Canada (Citizenship and Immigration)*, 2015 FC 326 at paras 19–20.

[24] The Minister raises a number of responses to Mr. Ininahazwe's arguments. These include that Mr. Ininahazwe is simply asking this Court to reweigh the evidence that was before the Officer; that the Officer's interview notes and Final Assessment show they were aware of the political nature of the claim; and that the Officer reasonably and clearly explained their reasons for not believing Mr. Ininahazwe. The Minister also argues that even if the Officer's credibility finding was not reasonable, their decision can stand solely on their finding that there is no forward-looking risk given the passage of time since the alleged 2019 incidents. As for the risk of return to Burundi as a refugee, the Minister contends that the Officer was not required to assess this risk because there was no indication that Mr. Ininahazwe would be required to return to Burundi given his refugee status in Uganda.

D. *The Officer's decision is unreasonable*

(1) The Officer's central credibility finding is not explained or justified

[25] An immigration officer's credibility findings are subject to deference, and a reviewing court will not interfere with those findings absent exceptional circumstances: *Vavilov* at para 125; *N'kuly v Canada (Citizenship and Immigration)*, 2016 FC 1121 at para 21. However,

like other factual findings, credibility findings are not exempt from the general requirements of justification, transparency, and intelligibility that are at the heart of a reasonable decision:

Vavilov at paras 15, 99–101, 105–106, 125–126. Even well prior to *Vavilov*, this Court recognized that credibility findings must be clearly articulated, with reasons given for the negative credibility assessment: *Valère v Canada (Minister of Citizenship and Immigration)*, 2001 FCT 1200 at para 14; *Kaur v Canada (Minister of Citizenship and Immigration)*, 2005 FC 873 at para 4; *N’kuly* at para 24; *Rahal v Canada (Citizenship and Immigration)*, 2012 FC 319 at para 46, citing *Hilo v Canada (Minister of Employment and Immigration)*, 1991 CanLII 14469 (FCA).

[26] As noted above, the Officer’s decision letter refers to certain aspects of Mr. Ininahazwe’s account of events in Burundi and in Uganda being [TRANSLATION] “vague, little detailed, and contradictory” (“*vagues, peu détaillés et contradictoires*”). The letter itself contains no further explanation or analysis of this credibility finding, such that its reasonableness must be assessed in light of both the further reasons given in the Officer’s Final Assessment, and the broader record, including the Officer’s interview notes.

[27] I begin with the Officer’s reference to aspects of Mr. Ininahazwe’s account as “contradictory.” This conclusion is entirely unexplained. The Officer makes no reference to any contradictions in their Final Assessment, either within Mr. Ininahazwe’s account of events in Burundi or Uganda, or between his interview and his written account or other documents. Nor do the interview notes show that the Officer raised any concern about a contradiction or put one to

Mr. Ininahazwe for explanation. The only place the notion of a contradiction appears is in the single reference in the decision letter.

[28] Mr. Ininahazwe does not argue that the Officer's unsupported reference to a "contradictory" account is an independent basis for finding the Officer's credibility finding unreasonable. Rather, he accepts that the reference could be simply a "copy and paste" error in the preparation of the decision. While it is troubling for an officer to issue a written decision informing an applicant that their account is "contradictory" for no identified reason at all, I am prepared to adopt Mr. Ininahazwe's contention and put this reference down to being simply an error in the preparation of the decision. At the very least, given the absence of any identified contradiction, the Officer's reference to Mr. Ininahazwe's account being "contradictory" provides no justification for their overall credibility finding.

[29] This leaves the Officer's references to Mr. Ininahazwe's account being "vague" and "little detailed," which I take as being effectively synonymous. In the decision letter, the Officer refers generally to "certain aspects" of Mr. Ininahazwe's account of events in Burundi and in Uganda; no information is provided about *what* aspects of the account were considered vague, given that "events in Burundi and in Uganda" effectively covers his entire narrative. In their Final Assessment, the Officer refers more specifically to the "work dispute" and subsequent attack, stating that Mr. Ininahazwe's answers during the interview lacked detail and that his account of "these events" is vague. Similarly, in the interview notes, the Officer told Mr. Ininahazwe that his account of the "single incident 4 years ago" was "fairly vague."

[30] It therefore appears that the Officer's vagueness assessment relates primarily to the incident or incidents that ultimately led to Mr. Ininahazwe's flight, namely his complaint about deductions from his salary to contribute to the CNDD-FDD, the ensuing harassment by coworkers, and the subsequent assault by Imbonerakure youth.

[31] The Officer does not explain or indicate what they considered to be vague or lacking in detail in Mr. Ininahazwe's account of these events. The Officer's finding can be fairly compared to the conclusion found unreasonable by the Federal Court of Appeal in *Hilo*. There, the Refugee Division stated simply that "[t]he claimant's testimony lacked detail and was sometimes inconsistent," and that "[h]e was often unable to answer questions and sometimes appeared uninterested in doing so": *Hilo* at para 5. The Court of Appeal found that this assessment was "troublesome because of its ambiguity" and that it was "defective because it is couched in vague and general terms": *Hilo* at para 6. The Court went on to find that particulars of the lack of detail, the inconsistencies, and the claimant's inability to answer questions should have been provided: *Hilo* at para 6.

[32] Similarly, in *Ghirmatsion*, cited by Mr. Ininahazwe, Justice Snider found that an officer's statement that an applicant for permanent residence as a refugee outside Canada was "unable to provide to my satisfaction details of [his] imprisonment" gave no explanation or justification for the officer's credibility finding: *Ghirmatsion v Canada (Citizenship and Immigration)*, 2011 FC 519 at paras 35, 65, 77–78; see also *Chen v Canada (Citizenship and Immigration)*, 2016 FC 61 at paras 8, 17–20; *Aliasgari v Canada (Citizenship and Immigration)*, 2024 FC 1338 at paras 12–22.

[33] Consistent with the notion that an officer's reasons must be read in light of the record, I accept that there may be circumstances in which the reasons for a conclusion that testimony or evidence is "vague" or "lacking in detail" is perfectly clear from a review of that testimony or evidence, even if it has not been explained by an officer. For example, in *Das*, Justice Pinard found that "[u]pon reading the transcript of the hearing, it is clear that the Board did not err in stating that the applicant did not respond clearly or spontaneously, and that he was repeatedly vague and evasive": *Das v Canada (Minister of Citizenship and Immigration)*, 2003 FCT 219, [2003] FCJ No 303 at para 7; see also *Ngaju v Canada (Citizenship and Immigration)*, 2019 FC 29 at para 17; *Siline v Canada (Citizenship and Immigration)*, 2022 FC 490 at paras 7–10.

[34] However, I agree with the observation of Justice LeBlanc, then of this Court, in *Chen* that the Court must be cautious in undertaking such an exercise. Attempting to find examples of vagueness or lack of detail that have not been identified in a decision can quickly lead the Court to undertaking its own analysis of the facts and evidence in place of the decision maker, which is not its role on judicial review: *Chen* at paras 17–19; *Siline* at para 7.

[35] In the present case, reviewing the record, including the notes of the interviews, does not assist in understanding the Officer's unexplained assertion that Mr. Ininahazwe's account of events in Burundi (and/or Uganda) was vague and lacking in detail. Indeed, even the Minister was unable to point to aspects of the interview in which Mr. Ininahazwe gave vague or unresponsive answers or failed to provide expected detail. As a result, both Mr. Ininahazwe and the Court are left simply with the Officer's bald assertion that the evidence was vague and

lacking in detail. Such an assertion, unexplained by either the Officer's reasons or the record, on a central issue of credibility is insufficient to show the transparency, intelligibility, and justification required of an administrative decision. As this credibility finding was at the very core of the Officer's conclusion that Mr. Ininahazwe had not established that he was a Convention refugee abroad, it is sufficient to render the decision as a whole unreasonable: *Vavilov* at para 100.

(2) Vagueness as the basis for a credibility finding

[36] In reaching the foregoing conclusion, I do not accept Mr. Ininahazwe's second argument with respect to the credibility finding, namely that vagueness alone is insufficient to undermine the general presumption that an applicant is telling the truth. For this proposition, Mr. Ininahazwe relies on a manual prepared by IRCC to assist immigration officers, entitled "Resettlement: Assessing credibility" (REF-OVS-4-10) [Manual]. While the Manual itself is non-binding, failure to comply with an IRCC manual can be an indicator of unreasonableness or may at least require justification: *Webb v Canada (Citizenship and Immigration)*, 2012 FC 1060 at para 19; *Hassan v Canada (Immigration, Refugees and Citizenship)*, 2019 FC 1096 at para 20; *Thamotharem v Canada (Minister of Citizenship and Immigration)*, 2007 FCA 198 at para 59; *Alexion Pharmaceuticals Inc v Canada (Attorney General)*, 2021 FCA 157 at paras 58-60.

[37] As Mr. Ininahazwe points out, the Manual recommends that officers "[a]void relying on demeanour as the only measure of credibility." The Manual even has a section with this title. Mr. Ininahazwe contends that "demeanour," as used in the Manual, includes vagueness. As such,

he argues that relying solely on vagueness, as the Officer did, runs contrary to the Manual and is unreasonable.

[38] I cannot agree. I note first that the Manual does not prohibit making an adverse finding based on vagueness, or even on demeanour. Rather, it advises officers that the demeanour of an applicant, “including conduct, attitude or behaviour during an interview,” is often an unreliable measure of credibility and that it is therefore “preferable that there be **other objective facts** to support adverse credibility findings” [underlining added; bold in original].

[39] I also disagree that vagueness or lack of detail are necessarily aspects of a witness’s demeanour, in the usual sense of that term. The IRCC Manual does refer to an officer taking note of changes in an applicant’s demeanour that could include “nervousness, hesitations, incoherence or vagueness in the elaboration of the applicant’s narrative”: see also *Rahal* at para 45; *Kamau v Canada (Citizenship and Immigration)*, 2016 FC 413 at paras 57–61. However, I do not take this to mean that vagueness is inherently a question of demeanour rather than substance. A witness’s evidence may be vague, in the sense of providing little detail or unclear information, even if the witness answers in a confident, forthright, and apparently honest manner. Indeed, even a letter or an affidavit (which has no “demeanour”) can be described as “vague”: *Ngaju* at para 17; *Ikeji v Canada (Citizenship and Immigration)*, 2016 FC 1422 at paras 30, 50–51.

[40] In other words, vagueness as a general concept—and as a basis for either undermining credibility or assessing the sufficiency of evidence—pertains more to the contents of particular evidence than the manner in which it is delivered. It rests on the notion that a person who has

actually lived through or witnessed a set of events will likely be able to provide a reasonable amount of detail with respect to the context, circumstances, and occurrences in the events. An inability or reluctance to provide such detail may be indicative that the person is not recounting something that happened to them, but a fictionalized story, undermining their credibility.

Similarly, even without addressing credibility, a vague statement about an event may be insufficient to prove that it actually occurred: *Ibrahim v Canada (Citizenship and Immigration)*, 2022 FC 1424 at paras 11–13; *Adeleye v Canada (Citizenship and Immigration)*, 2020 FC 640 at paras 10–13.

[41] In my view, it is not inherently unreasonable to rely on vagueness alone as the basis for an adverse credibility finding, provided that the conclusion is adequately justified. The fact that an applicant is unable to provide details that would reasonably be expected from someone who has lived through or witnessed an event may be a sufficient indicator that they have, in fact, *not* lived through or witnessed the event and/or that they cannot reliably recount it.

[42] Caution is certainly warranted, as there is necessarily a degree of subjectivity in any assessment of vagueness. There may also be reasonable explanations for a witness being only able to provide a less detailed or vague explanation, such as the trauma associated with events, or cultural, psychological or other barriers: see, *e.g.*, *Guideline 9: Proceedings before the IRB Involving Sexual Orientation, Gender Identity and Expression, and Sex Characteristics*, s 7.6, and the “Resettlement: Assessing Credibility” Manual referred to above.

[43] Where present, these issues should be considered to ensure that a credibility finding is justified on grounds of vagueness. Notably, the IRCC Manual reasonably suggests that “[w]hen confronted with vague, evasive or unresponsive answers to direct questions, the officer should repeat or rephrase to clarify them while avoiding prompting.” Such an approach reduces the possibility that the apparent vagueness in an answer is simply the result of the nature of the question posed, a misunderstanding as to the information sought, or other barriers to the witness providing a more detailed account or response.

[44] A credibility conclusion that relies exclusively or primarily on the vagueness of an applicant’s evidence must be sufficiently and clearly explained to meet the requirements of a reasonable decision. However, where such an explanation is given, I disagree that the vagueness of an applicant’s evidence can never be sufficient to reasonably ground an adverse credibility finding. I note in this respect that this Court has upheld as reasonable credibility findings based on the vagueness of a witness’s evidence where the decision maker has appropriately explained their conclusions: *Samb v Canada (Citizenship and Immigration)*, 2024 FC 406 at paras 3, 10–12; *Saidj v Canada (Citizenship and Immigration)*, 2023 FC 158 at paras 10–11, 18–19, 24 (referring to vagueness as an aspect of demeanour).

(3) The Officer’s reference to forward-looking risk

[45] The Minister contends that even if the Officer’s credibility finding is unreasonable, their decision can stand based on another statement in their Final Assessment. As set out above at paragraph [18], the Officer concludes the second paragraph of their assessment with the

following sentence: “Also, several years have passed since the alleged incident and PA has not provided credible explanation as to why he could still be targeted today.”

[46] The Minister argues this sentence effectively amounts to an alternative ground for finding Mr. Ininahazwe is not a Convention refugee, reading it to mean that *even if* his account of the 2019 incidents were accepted, there is no ongoing or forward-looking risk in Burundi given the passage of time. On this reading, the adverse credibility finding would not be determinative of the forward-looking risk finding, and the latter might stand independent of the former.

[47] I am not persuaded, for two reasons. First, it is far from clear from the Officer’s notes that their statement regarding the passage of time is intended in the alternative, *i.e.*, on the basis that Mr. Ininahazwe’s evidence of the 2019 incidents is accepted. The sentence refers to Mr. Ininahazwe’s credibility, stating that he has not “provided [a] credible explanation” about why he would still be targeted. There is no indication that this credibility finding was independent of the other credibility findings presented in the same paragraph, based on vagueness and lack of detail. Nor does the sentence use language such as the “even if Mr. Ininahazwe’s evidence were accepted as credible” that the Minister suggests should be read into the sentence as being implicit. Rather, it uses the conjunction “also” to introduce the sentence, suggesting an additional based on the same set of facts rather than an alternative conclusion based on a different set of facts. Reading the sentence as written in its context, I cannot conclude that it amounts to an independent alternative finding.

[48] Second, even if the sentence were read as an alternative finding premised on the assumption that the 2019 incidents did occur as described, the Officer's presents no justification for concluding that an individual who had been specifically targeted by the Imbonerakure for complaining about contributions to the CNDD-FDD and refusing to join the party would no longer be at risk. Nor does the Officer provide any analysis or explanation for their conclusion that Mr. Ininahazwe's explanation for still being at risk—that people who speak out against the CNDD-FDD can be threatened and that his problems had arisen when he complained about making contributions—was not credible. The Officer's statement about the passage of time and the lack of credible explanation thus suffers from the same lack of reasoned justification as the central credibility finding.

[49] I therefore find that the unreasonableness of the Officer's finding that Mr. Ininahazwe was not credible is sufficiently central or significant to render the decision as a whole unreasonable: *Vavilov* at para 100. In light of this, I need not address Mr. Ininahazwe's arguments regarding forward-looking risk, including the risk of return to Burundi as a refugee claimant, or his argument that the Officer did not present a justified analysis of the country of asylum class.

IV. Conclusion

[50] As the primary and determinative conclusion made by the Officer in respect of Mr. Ininahazwe's credibility does not demonstrate the transparency, intelligibility, and justification required of a reasonable decision, the decision must be set aside. Mr. Ininahazwe's

application for a permanent resident visa as a member of the Convention refugee abroad class and the country of asylum class will be remitted for redetermination by another Officer.

[51] Neither party proposed a question for certification, and I agree that no question meeting the requirements for certification under paragraph 74(d) of the *IRPA* arises in the matter.

JUDGMENT IN IMM-8283-24

THIS COURT’S JUDGMENT is that

1. The application for judicial review is granted. The decision of a migration officer dated March 13, 2024, rejecting the applicant’s application for a permanent resident visa as a member of the Convention refugee abroad class and the country of asylum class, is set aside and the applicant’s application is remitted for redetermination by a different officer.

“Nicholas McHaffie”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-8283-24

STYLE OF CAUSE: JEAN PAUL STAGE ININAHZWE v THE MINISTER
OF CITIZENSHIP AND IMMIGRATION

PLACE OF HEARING: HELD BY VIDEOCONFERENCE

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JUDGMENT AND REASONS: MCHAFFIE J.

DATED: OCTOBER 27, 2025

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