



Immigration and
Refugee Board of Canada
Refugee Protection
Division

Commission de l'immigration
et du statut de réfugié du Canada
Section de la protection
des réfugiés

RPD File: XXXXXX

NOTICE OF DECISION

[*Immigration and Refugee Protection Act*, subsection 107(1)]
[*Refugee Protection Division Rules*, rule 67]

Cindy Wong
Member

In the claim for refugee protection of:

Date of birth:

UCI:

XXXXXX

XXXXXX

XXXXXX

The claim was heard on March 31, 2021.

The Refugee Protection Division determines that **the claimant is a Convention refugee and therefore accepts the claim.**

The reasons for the decision are attached.

April 13, 2021

HF, Case Management Officer
For the Registrar
Tel: 1-866-787-7472

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H.F.

IRB Representative
Représentant de la CISR

Immigration and Refugee
Board of Canada



Commission de l'immigration
et du statut de réfugié du Canada

Refugee Protection Division

Section de la protection des réfugiés

RPD File / Dossier de la SPR : XXXXXX
UCI / IUC : XXXXXX

Private Proceeding / Huis clos

TRANSCRIPT OF THE REASONS AND DECISION

Claimant(s)	XXXXXX	Demandeur(e)(s) d'asile
Date(s) of hearing	March 31, 2021	Date(s) de l'audience
Place of hearing	Heard by Virtual Hearing	Lieu de l'audience
Date of decision and reasons	March 31, 2021	Date de la décision et des motifs
Panel	Cindy Wong	Tribunal
Counsel for the claimant(s)	Massood Joomratty	Conseil(s) du (de la/des) demandeur(e)(s) d'asile
Designated Representative	N/A	Représentant(e) désigné(e)
Counsel for the Minister	N/A	Conseil du (de la) ministre
Interpreter	Bukola Latunde-Okedara	Interprète

DECISION

MEMBER: This is the decision of the *Refugee Protection Division* of the *Immigration and Refugee Board* in the claim for protection made by XXXXXX who claims to be a citizen of Cameroon and who is seeking protection pursuant to Sections 96 and 97(1) of the *Immigration and Refugee Protection Act*.

DETERMINATION

I find that the claimant has established on a balance of probabilities that she faces a serious possibility of persecution if she returns to Cameroon as a result of her political and imputed political opinion. I find that the claimant is a Convention refugee pursuant to Section 96 and 97(1) of *IRPA*.

ALLEGATIONS

The allegations of the claimant is set out in her Basis of Claim form and narrative and during her testimony at the hearing can be summarized as follows. The claimant fears persecution at the hands of Cameroonian authorities as a result of her membership with the Southern Cameroon National Council, SCNC. The claimant is a 24-year-old female Anglophone born in Bamenda in the northwest region of Cameroon. The claimant describes that Anglophones have been systematically marginalized and discriminated with the northwest region hardest hit by the Anglophone crisis. On October 1st, 2016, the claimant joined the SCNC serving on the women's committee, promoting the rights of youth, women and the physically challenged. In October of 2017, the government declared war on Anglophone separatists and SCNC members were targeted. In January of 2018, the claimant was detained by security forces. She was held for four (4) days in adequate conditions, withheld food and mistreated. Authorities interrogated the claimant about her SCNC activities, who the other members were and the future plans of the SCNC. She was released with the assistance of a lawyer.

On October 3rd, 2018, the claimant was attending a sensitization session at the local market square where SCNC members provide information to the public regarding the government's actions. The claimant's village was attacked by military officials and the fighting reached the market square. The claimant was able to escape to the nearby bushes where she hid for five (5) days, but she was injured. She obtained medical attention and escaped to Yaoundé with her family and went into hiding. During that time, she received news from her family and relatives that authorities were asking for the claimant's whereabouts. The claimant began exploring options to leave the country. On June 1st, 2019, the claimant left Cameroon and came to Canada. She made a refugee claim on August 23rd, 2019.

ANALYSIS**Identity**

I find that the claimant has established on a balance of probabilities that she is a citizen of Cameroon as established by her testimony and the identification documentation before me, namely, a copy of her valid Cameroonian passport which can be found at Exhibit 1.

Nexus

5 I find there are two (2) Nexus between the harms that the claimant fears and the Convention ground of her political and imputed political opinion intersected with her ethnicity as an Anglophone. This claim will therefore be assessed under Section of *IRPA*.

Credibility

10 The claimant testified in a straightforward manner that was consistent with all of the other documents on file including her Basis of Claim form and narrative and she was able to answer all of my questions fully and provided all details that were requested of her. There were no relevant inconsistencies in her testimony or contradictions between her testimony and the other evidence before me which have not been satisfactorily explained. I find that the claimant did not fabricate or exaggerate her testimony and responded where she was able. The claimant has also submitted a number of supporting documents to corroborate her allegations. For example, she has provided a copy of her SCNC membership card found in Exhibit 4 as well as an affidavit from an SCNC member that corroborates her affiliation with the organization. She has also provided a number of affidavits from her family and friends that confirm the devastation carried out in her village, that the claimant was arrested and released through her lawyer's assistance and that security officials continue to search for the claimant while in Cameroon and since she has arrived in Canada. I find the claimant to be a credible witness and therefore believe what she has alleged in support of her claim. I find that the claimant has established on a balance of probabilities the central elements of her claim for protection. I accept on a balance of probabilities that the claimant was an active member of the SCNC as a result of her membership and vocal expression for equality for Anglophones in Cameroon and due to the apprising of protests and resulting government oppression. the claimant has been identified and targeted by government officials. I accept that the claimant was arrested, detained and interrogated for her role in the SCNC. I finally accept on a balance of probabilities that officials continue to look for the claimant through her family and friends.

Well-Founded Fear of Persecution

35 When assessing a claim for refugee protection, we look at whether claimants have a well-founded fear of persecution which involves both the subjective fear element and a forward-facing objective basis for that fear. Based on all the evidence before me, I find on a balance of probabilities that the claimant has a well-founded fear of persecution should she return to Cameroon. The claimant testified that she has been active in speaking out against the marginalization of Anglophones in Cameroon. Her passion and work in the disability sector led to her joining the SCNC which the claimant described as a peaceful non-violent Anglophone organization educating Anglophone Cameroonians on the things that the Francophone Government is doing that is not correct. They strive for independence and self determination for Anglophone Cameroonians. She further stated that she used the SCNC as a platform to reach out to those with disabilities, the most marginalized population in Cameroon. She has testified that she is opposed to the current Francophone Cameroonian Government's Anglophone policies and systems and has provided explanations for the opposition. The claimant has described her activism within SCNC including serving on the women's committee, promoting women to join the organization, providing orientation sessions and making recommendations on programs that can better support people with disabilities.

5 The objective evidence in National Documentation Package NDP 2.7 describes the Anglophone conflict
began when Anglophone activists who have long complained of their regions perceived marginalization
by the Francophone majority mobilized significant segments of the Anglophone population to demand
more political autonomy or secession. Between October and December of 2016, English speaking
10 lawyers, teachers and students took to the streets to protest the perceived francization of the region's
educational and judicial systems by the central government. In response, government security forces
heavily clamped down on protests, arrested hundreds of demonstrators including children, killed at least
four (4) and wounded many. NDP 13.5 further details that since October of 2016, the emergence of armed
separatist groups has been accompanied by attacks and a growing militarization of the Anglophone
15 regions. The unrest has displaced more than half a million people since late 2016. Security forces
including soldiers, members of the Rapid Intervention Battalion and gendarmes killed civilians, used
force indiscriminately and destroyed and looted private and public property. Found in NDP 4.9, the
SCNC is described as a grass roots non-violent organization leading the political quest for self
determination in the English-speaking regions in the Cameroon-, Cameroons. Now referred to as
Ambazonia.

20 The SCNC's activities include hosting anti-government demonstrations and protests and disapproval
actions against the government that has resulted in a series of violent clashes with security forces. In
January of 2017, the Cameroonian Government banned the activities of the SCNC stating they are
contrary to the constitution and could jeopardize the security of the State, territorial integrity and national
integration. The Cameroonian Government considers the SCNC a terrorist organization. The report
further states that an increasing number of SCNC activists were arrested or detained by government
forces. Even before the ban of the SCNC, the Cameroonian Government had taken actions to persecute
25 anyone associated with the SCNC by arresting, imprisoning, torturing and eliminating them. Pertaining
specifically to political opponents, there is evidence at NDP 2.1 that states that although the constitution
and law prohibits such practices, there were reports that security force members tortured or otherwise
abused citizens including separatist fighters and political opponents.

30 Amnesty International and Human Rights Watch documented several cases in which security forces
severely mistreated political opponents and others were armed separatists mistreated civilians and
members of defense forces. In a July 26 press release, Amnesty International stated, "security forces had
abused the 59 opposition supports including six (6) women beating them with sticks and forcing them
into humiliating positions before they were eventually released. Pertaining specifically to Anglophones,
35 found in NDP 13.2, Cameroonian authorities-imposed restrictions in the Anglophone regions including
curfews, a ban on public meetings and other restrictive measures. In addition, the country's Anglophone
minority reportedly suffered worsening human rights violations, including excessive use of force by the
security services, injuries, mass arrests, arbitrary detentions, torture and other ill treatment. Amnesty
International documents unlawful killings and extrajudicial executions, destruction of private property,
40 arbitrary arrest and torture committed by this Cameroonian security forces during military operations in
the Anglophone regions including the burning down of villages.

45 It is further reported that more than 78 localities in Anglophone Cameroon have been burnt down by the
Cameroon military and that civilians are killed on a daily basis. The evidence before me indicates that the
government continues to crack down on political and perceived political opponents including SCNC
members such as the claimant. Based on the claimant's political history and past encounters with the
authorities, her promotion of Anglophone rights in Cameroon and the authorities continued interest in
locating the claimant if she were to return to Cameroon, I find there is a serious possibility that she would

be perceived as an opponent of the State and be subjected to arbitrary arrest, detention, injuries, torture and possible death by government forces amounting to persecution. I find on a balance of probabilities that there is a serious possibility of persecution if she returns to Cameroon.

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State Protection

10 I am satisfied that the presumption of State protection has been rebutted. There is clear and convincing evidence that demonstrates that the State is unwilling or unable to provide adequate protection to the claimant. Given that the State is the agent of persecution, and given the objective evidence referred to above with respect to the State's treatment of perceived opponents as well as SCNC activist, I find that State protection would not be reasonably forthcoming to the claimant.

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Internal Flight Alternative

20 I have also considered whether the claimant has an internal flight alternative in Cameroon, and I have concluded that she does not. Cameroonian authorities are in control of its entire territory. Although the targeting of Anglophones have taken place mainly in the northwest and southwest regions of Cameroon, I find it is likely that the government can and will persecute Anglophones anywhere in the country particularly those who have been active and vocal against them such as the claimant. I find that the claimant's profile is such that it is likely that the government will look for her anywhere in the country. Considering the objective evidence that the arrests, detentions and political intimidation by authorities is pervasive throughout Cameroon, for those perceived to be working against the government, I find that the claimant would face similar persecution throughout Cameroon due to the political opinion of the claimant. Therefore, I find there is a serious possibility of persecution throughout Cameroon. Accordingly, I find that the claimant does not have an internal flight alternative in Cameroon.

25

30 CONCLUSION

In conclusion, I find that the claimant is a Convention refugee and I therefore accept her claim.

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----- REASONS CONCLUDED -----

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I, *Marta Dziunikowski*, declare that this transcript is accurate.
April 12, 2021

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H.F.
IRB Representative
Représentant de la CIRP