Federal Court  Cour fédérale

Date: 20160719

Docket: IMM-4556-15

Citation: 2016 FC 821

Ottawa, Ontario, July 19, 2016

PRESENT: The Honourable Mr. Justice Roy

BETWEEN:

S. N.
M. R.

Applicants

and

MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

PUBLIC JUDGMENT AND REASONS

[1] The applicants, who are spouses, are citizens of Iran. They have made an application for permanent residence as a member of the Federal Skilled Worker Class, which was denied by a visa officer operating out of the Canadian Embassy in [REDACTED]. It is the refusal to grant the applications that is the subject of the judicial review application, pursuant to section 72 of the *Immigration and Refugee Protection Act*, SC 2001, c 27 (IRPA).

[2] The decision made was rendered on [REDACTED], 2015 and states that the spouse of the principal applicant is a member of an inadmissible class of persons. Reference is made to paragraph 34(1)(d) of the IRPA, which reads:

34 (1) A permanent resident or a foreign national is inadmissible on security grounds for	34 (1) Emportent interdiction de territoire pour raison de sécurité les faits suivants :
…	…
(d) being a danger to the security of Canada;	d) constituer un danger pour la sécurité du Canada;

[3] By operation of section 42 of the IRPA, both spouses are inadmissible.

I. Preliminary issue

[4] Relying on section 87 of the IRPA, the Minister sought to have some passages of two documents which are part of the Certified Tribunal Record (CTR) to be redacted. By order dated May 30, this Court concluded that the proposed redactions are appropriate.

[5] It is important to note that the Minister stated on the record that the redacted information was not to be used for the purpose of the judicial review application. Only the portions of the two documents that are part of the public record can be used by either party. I add that counsel for the applicants did not take a position with respect to whether or not the passages were properly redacted, leaving the matter to the Court to carefully review the redacted material in order to ensure proper redactions. Furthermore, nothing in the redacted passage could be of assistance to

the Applicants. Accordingly, the case proceeded before this Court on the basis of a CTR of 650 pages, 10 of which were partially redacted.

II. Facts

[6] [REDACTED]

[7] [REDACTED]

[8] [REDACTED]

[9] An initial application for permanent residence was made by the male applicant in [REDACTED]. The application was never processed.

[10] [REDACTED]

[11] The application, which had been transferred to the Canadian Embassy in [REDACTED] for treatment, took some time to be dealt with. Throughout the process, the applicants showed a continued interest in immigrating to Canada.

[12] Finally, an interview was organized for [REDACTED], interview that was to take place in [REDACTED].

[13] The interview of the principal applicant does not appear to have produced significant information. [REDACTED] The principal applicant stated that the idea was to leave Iran to establish themselves in Canada; [REDACTED].

[14] The male applicant, the husband of the principal applicant, was also interviewed on [REDACTED] and he provided an affidavit describing how the interview proceeded.

[15] He confirmed that he was the CEO of [REDACTED] company whose main activities included designing and producing [technological equipment and services]. The company's client [included] governmental companies in Iran. [REDACTED] the male applicant [had] responsibility for official and commercial operations of the company [and was] required to sign all contracts.

[16] [REDACTED] Asked about whether the company had any projects with [Iranian nuclear entity 1], the male applicant stated that the company had sold [this entity technical equipment]. The importance of [this equipment] is that it allows an assessment of whether the "machine" is working normally. It is said that the male applicant firmly confirmed that his company has not done any other project with [this Iranian nuclear entity for several years]. Indeed, [the company] has not done any project with [this Iranian nuclear entity] and another company, [Iranian nuclear entity 2], because the male applicant became aware of the international community's concerns concerning any kind of project for companies under sanctions. The male applicant stated that he did not want to damage the company's reputation by associating with an entity that could cause security problems. Actually, the male applicant stressed that there is no organisational

dependency or link with these two companies. On the other hand, [another senior employee of the company] is a former employee of [an Iranian nuclear entity] and requests were made of [REDACTED] by [this entity] to purchase [the company's] products. However, [certain equipment was] were never sold to [either Iranian nuclear entity 1 or 2], although [the company] concedes that it is providing maintenance programs even where [this equipment] been purchased from different manufacturers.

[17] [REDACTED]

[18] The male applicant insisted that [his company] was never on any sanctions list. Its focus is on the development and the production of [technical equipment] used in many industries. [REDACTED]

[19] Evidently, there were concerns about the issuance of a visa in favour of the applicants. The concerns crystallized with an email sent to the principal applicant [REDACTED] (the so-called "fairness letter"). The email informed the applicants of the following:

> This letter is in reference to your application for permanent residence in Canada. After careful and thorough consideration of all aspects of your application including your interview [REDACTED], I have determined that you may not meet the requirements for permanent resident visa. There are reasonable grounds to believe that your employment history as Chief Executive Officer of [the company] includes you as a member of the inadmissible class of persons described in section 34(1)(d) of the *Immigration and Refugee Protection Act.* In particular [REDACTED] is linked to [three Iranian nuclear entities], all companies with direct links to Iran nuclear procurement activities. Further, you were responsible for contracts between [an Iranian nuclear entity] and your company [REDACTED], where services were provided to [nuclear facilities]. Before a final decision is

> made on your application you have 30 days to submit any information that would allay our concerns. Failure to do so may result in a determination that you are inadmissible to Canada. Should you wish to withdraw tour application, please let me know in writing by a reply email.

[20] The principal applicant requested a 60 day extension in order to respond to the fairness letter. It appears that an access to information request under Canadian Legislation was also made.

[21] The response coming from a Canadian counsel who is not the counsel of record in this judicial review application was submitted on [REDACTED], 2015. It sought to make a number of points. First, it complained that the fairness letter lacked in specificity with respect to the allegations made against the applicants. The fairness letter would have failed to identify the services that the male applicant had provided to [a nuclear facility and an Iranian nuclear entity]. The links with [two Iranian nuclear entities] did not indicate that there was any organisational dependency with them. Products offered by the company were purchased due to the acquaintance with a former colleague at [an Iranian nuclear entity].

[22] Second, the response emphasized that [the company] focuses on the development and the production of [REDACTED] equipment that is used in numerous industries. Hence, the equipment cannot be used in sensitive or critical applications.

[23] Thirdly, the response notes that [REDACTED] has not had any projects with [Iranian nuclear entities for several years], as they became aware of the international sanctions placed on those companies. Fundamentally, the applicants contend that nothing that was done by [the

company], which was of a nature to endanger the security of Canada. Indeed, [the company] has never been on any sanctions list.

[24] The male applicant also wrote. In a letter dated [REDACTED], he made the same arguments, by and large, as those of his counsel. I will come back to some particular elements of the letter.

[25] A few days later, on [REDACTED], 2015, the principal applicant's application was refused. The reasons for the refusal are found in the Global Case Management System (GCMS) notes. The important passage is reproduced hereafter:

> File reviewed. There are reasonable grounds to believe that the applicant's spouse [REDACTED] work history as Chief Executive Officer of [the company] include him as member of the inadmissible class of persons described in section 34(1)(d) of the *Immigration and Refugee Protection Act.* In particular, [the company] is linked to [three Iranian nuclear entities], all companies with direct links to Iran's nuclear procurement activities. Further, [he] was responsible for contracts between [an Iranian nuclear entity and the company] where services were provided to [nuclear facilities]. In the response to the PF (Procedural Fairness) letter of [REDACTED], the applicants stated that [REDACTED], his company ceased working with [two Iranian nuclear entities several years ago] because he "became aware of the international community concerns about doing any kind of project for companies in sanctions". Client's responses (dated [REDACTED]) to our PF letters does (not) disabuse me of my concerns regarding his inadmissibility to Canada. He confirms his association with the above-mentioned entities and his company's contractual history with them. Client is inadmissible to Canada as per section 34(1)(d) of the *Immigration and Refugee Protection Act*. The principal applicant is therefore inadmissible as per section 42 of the IRPA, application refused.

> [The word “not” is added between parentheses as it was not present in the original. However, it appears that its omission is simply a mistake.]

III. Issues

[26] The applicants made originally three arguments:

1. There was a breach of a principle of natural justice in that was not disclosed to the applicants a Canada Border Services Agency (CBSA) memo;
2. There was a breach of a principle of natural justice by failing to consider the applicants’ response to the fairness letter;
3. The decision makes unreasonable inferences and findings of fact leading to the conclusion that the applicants are inadmissible by reason of paragraph 34(1)(d).

[27] However, at the hearing of this case, counsel for the applicants stated that the reasonableness of the decision is the only issue that need be addressed. In my view, that was a wise concession. What is important is that the information contained in the CBSA report is communicated to the applicant, as was done; the document itself does not need to be tendered. As for considering the applicants’ response to the fairness letter, it is obvious from the GCMS notes that the response was received and considered. The fact that all of the elements of the response have not been accepted by the decision maker does not engage a principle of natural justice. Accordingly, the focus of the case is on the reasonableness of the decision.

IV. Arguments and analysis

A. *Arguments of the parties*

[28] There is therefore one question for the consideration of the Court. Did the visa officer commit a reviewable error in finding the applicants to be inadmissible on security grounds for being a danger to the security of Canada? Being a question of mixed fact and law, the standard of review is that of reasonableness (*Jahazi v Canada (Minister of Citizenship and Immigration)*, 2010 FC 424, [2011] 3 FCR 85; *Alijani v Canada (Citizenship and Immigration)*, 2016 FC 327; *Karahroudi v Canada (Minister of Citizenship and Immigration)*, 2016 FC 522). The outcome arrived at by the decision-maker must be one that falls within a range of possible, acceptable outcomes; furthermore, the reviewing court will be concerned "with the existence of justification, transparency and intelligibility within the decision-making process" (*Dunsmuir v New Brunswick*, 2008 SCC 9, [2008] 1 SCR 190 at para 47).

[29] The applicants argue that the case against them is based on speculation and suspicion. The applicants are both [educated] and they both work for a company, [REDACTED], that has had dealings with [three Iranian nuclear entities]. These companies are said to have links to nuclear procurement activities in Iran. More specifically, the male applicant is the CEO of [the company] whose responsibilities include the contracts with [an Iranian nuclear entities], with services supplied to [nuclear facilities]. But the applicants contend that there is no evidence of [two Iranian nuclear entities] having connections with Iran's nuclear procurement activities as far as the contribution of [REDACTED] goes. In effect, they complain about a lack of connection between the companies being involved in the Iranian nuclear program and the contribution that

the company [REDACTED] makes to that same program through the products (that would include services) sold to these companies.

[30] In essence, it is not known what [the company] does for [two of the Iranian nuclear entities], and it is not known what connection there is between these two companies and the nuclear procurement program in Iran, thus making it unreasonable for the decision-maker to conclude that the applicants are connected, through that chain, with the procurement program.

[31] The respondent takes the view that the reasonable grounds to believe are well established through the evidence proffered by the applicants, and in particular by [REDACTED] through his interview, and in the response to the "fairness letter". The Minister also relies on omissions in the evidence.

[32] The Minister argues that the applicants cannot validly claim that [two of the Iranian nuclear entities] are not connected with Iran's nuclear procurement program when they explicitly state that their company ceased doing projects with the two companies "because we became aware of the international community concerns about doing any kind of projects for companies in sanctions."

[33] The applicants did not contest then, and they do not contest now, that [two of the Iranian entities] were placed in resolution 1737 of the United Nations Security Council in 2006 and are therefore subject to sanctions (United Nations Security Council Resolution 1737, UNSCOR, 2006 UN DOC S/RES/ 1737, Annex A). [REDACTED] Canada followed up by incorporating

the sanctions list into domestic law (*Regulations Implementing the United Nations Resolution on Iran*, SOR/2007-44, s. 9).

[34] [One of the Iranian nuclear entities] is also covered by Canadian law, although more recently than [another of the nuclear entities]. It is the *Special Economic Measure (IRAN) Regulations*, SOR/2011-268 that list [the Iran nuclear entity] as one entity "engaged in activities that directly or indirectly facilitate, support, provide funding for, contribute to, or could contribute to, Iran's proliferation-sensitive nuclear activities, or to Iran's activities related to the development of chemical, biological or nuclear weapons of mass destruction or delivery systems for such weapons…". The Minister makes the point that these Regulations restrict the exportation of [the sort of technical equipment provided by the applicant's company] to Iran, thus showing the importance of such equipment and [services] for a nuclear program (memorandum of facts and law, para 34).

[35] The respondent took issue with the claimed ignorance of [an] uranium enrichment facility. Actually the applicants themselves [rely on material] which mentions it quite extensively.

[36] The fact that the respondent states unambiguously that [the company's] business is in the design and production of [certain kinds of technical equipment] supports the view that [the company was involved with nuclear procurement activities]. The Minister notes further that the male applicant conceded in his interview having sold [technical equipment and services to an

Iranian nuclear entity which indicated] whether or not a machine is working normally or is defective."

B. *Analysis*

[37] It is important in my opinion to situate clearly what is at stake in a case like this. Under IRPA is inadmissible in Canada on security grounds someone who is a danger to the security of Canada. However, the security grounds do not need to be established on a balance of probabilities, the usual standard in civil matters (*H(F) v McDougall*, [2008] 3 SCR 41). That standard was famously described by Lord Denning in these terms:

> It must carry a reasonable degree of probability but not so high as is required in a criminal case. If the evidence is such that the tribunal can say: 'we think it is more probable than not', the burden is discharged, but if the probabilities are equal it is not."
>
> (*Miller v Minister of Pensions* [1947] 2 All ER 372, at 374)

[38] Instead, Parliament set the bar lower in these matters. Section 33 of the IRPA reads:

33 The facts that constitute inadmissibility under sections 34 to 37 include facts arising from omissions and, unless otherwise provided, include facts for which there are reasonable grounds to believe that they have occurred, are occurring or may occur.	33 Les faits — actes ou omissions — mentionnés aux articles 34 à 37 sont, sauf disposition contraire, appréciés sur la base de motifs raisonnables de croire qu'ils sont survenus, surviennent ou peuvent survenir.

[39] It has been decided that the reasonable grounds to believe require more than a mere suspicion, but less than a balance of probabilities. The Supreme Court in *Mugesera v Canada (Minister of Citizenship and Immigration)*, 2005 SCC 40, [2005] 2 SCR 100, spoke of "an objective basis for the belief which is based on compelling and credible information" (para 114). An interesting and enlightening articulation of the difference between suspicion and grounds to believe was given by the High Court of Australia in *George v Rockett*, 93 A.L.R 483, [1990] HCA 26, at para 14:

> Suspicion, as Lord Devlin said *in Hussien v. Chong Fook Kam* [35] , "in its ordinary meaning is a state of conjecture or surmise where proof is lacking: "I suspect but I cannot prove." " The facts which can reasonably ground a suspicion may be quite insufficient reasonably to ground a belief, yet some factual basis for the suspicion must be shown. In *Queensland Bacon Pty. Ltd. v. Rees* [36] , a question was raised as to whether a payee had reason to suspect that the payer, a debtor, "was unable to pay [its] debts as they became due" as that phrase was used in s. 95(4) of the Bankruptcy Act 1924 Cth. Kitto J. said [37] :
>
> > A suspicion that something exists is more than a mere idle wondering whether it exists or not; it is a positive feeling of actual apprehension or mistrust, amounting to "a slight opinion, but without sufficient evidence", as *Chambers's* Dictionary expresses it. Consequently, a reason to suspect that a fact exists is more than a reason to consider or look into the possibility of its existence. The notion which "reason to suspect" expresses in sub-s. (4) is, I think, of something which in all the circumstances would create in the mind of a reasonable person in

> the position of the payee an actual apprehension or fear that the situation of the payer is in actual fact that which the subsection describes — a mistrust of the payer's ability to pay his debts as they become due and of the effect which acceptance of the payment would have as between the payee and the other creditors.
>
> The objective circumstances sufficient to show a reason to believe something need to point more clearly to the subject matter of the belief, but that is not to say that the objective circumstances must establish on the balance of probabilities that the subject matter in fact occurred or exists: the assent of belief is given on more slender evidence than proof. Belief is an inclination of the mind towards assenting to, rather than rejecting, a proposition and the grounds which can reasonably induce that inclination of the mind may, depending on the circumstances, leave something to surmise or conjecture.

[40] The Federal Court of Appeal was satisfied in *Chiau v Canada (Minister of Citizenship and Immigration)* (2000), [2001] 2 F.C. 297 (CA) that "reasonable grounds" connotes "a bona fide belief in a serious possibility based on credible evidence." (para 60).

[41] Here, the Minister relies on the evidence presented by the applicants, and in particular the male applicant, to make the case of the existence of reasonable grounds. The applicants can hardly argue that their evidence is not credible. Rather, they argue that the links between the elements of the Crown's syllogism are not sufficient.

[42] The applicants brought to the Court's attention the recent decision of my colleague Justice Gagné in *Alijani v Canada (Minister of Citizenship and Immigration)*, 2016 FC 327 [*Alijani*]. In it, Justice Gagné granted judicial review where the decision of the visa officer was described as being based on the mechanical engineer's seven years of study in an Iranian

university whose students play an important role in Iranian industries and government; on the specialized areas of study which was vilified by the visa officer as supporting reasonable grounds to believe that he could contribute to Iran's nuclear programs; and, generally, on the person's intellectual capacity. Furthermore, the visa officer would have dismissed weighty evidence about the actual field of study which would not in fact compromise the security of Canada because he misconstrued the scientific evidence relating to the field of study. The Court was not satisfied that the evidence had been properly assessed. That evidence suggested strongly that the person's expertise and field of study do not, and could not, find application in nuclear technology or in the production of missiles and other weapons.

[43] This is clearly very different from the case under review by this Court. Indeed, in fairness to counsel for the applicants, he presented the case as one which, on a spectrum, would be at the far end, as being outside the range of possible, acceptable outcomes. However, he contended that the evidence in this case is sufficiently weak as getting close to the facts in Alijani.

[44] In my view, the reasonableness of the reasonable grounds to believe has not been disturbed on the facts of this case. Contrary to *Alijani*, there is in this case a direct connection between the company with which the male applicant, in particular, is associated (as Chief Executive Officer) and entities involved in Iran's nuclear programs. It must be remembered that the decision under review is not one where participation in the nuclear program must be established on a balance of probabilities. No one seems to dispute that a contribution to Iran's nuclear procurement program would qualify as "security grounds of being a danger to the security of Canada" (para 34(1)(d) of IRPA). The facts that constitute inadmissibility are the

subject of controversy in this case. However, a serious possibility based on credible evidence will suffice. Actually, the Court's role is not even to ascertain that the grounds are reasonable, which would entail a standard of review of correctness, but rather to be satisfied of the reasonableness of the finding of "reasonable grounds to believe".

[45] I cannot find that the inferences drawn by the visa officer in reaching the conclusions that there exist reasonable grounds to believe the applicants were involved in contributing to the procurement program are unreasonable. The evidence established that the applicants' company had dealings with two companies that ended up, at different times, being listed by international institutions as companies closely associated with Iran's nuclear program. Given that the applicants' company supplied [technical] equipment and services [important for nuclear procurement], as the male applicant conceded, [the equipment his company was producing would] would signal a close association with the companies involved in nuclear procurement in Iran. [The company sold an Iranian nuclear entity their equipment and services.]

[46] It was so clear that [two of the Iranian nuclear entities] were a liability that the male applicant stressed that [REDACTED] ceased to do projects with these two companies [several years prior] when, the male applicant suggests, he became aware of the international community's concerns with respect to the companies. This is very much an understatement. [One of the nuclear entities] had been listed under UN Security Council resolution 1737 since 2006 [REDACTED]. It is not a bold inference to make that an [educated person], running a company that produces [technical equipment of use for procurement activities], would have known that a company he is doing business with has been put on a UN Security Council sanctions list for its

close association with Iran's nuclear procurement program. [The] CEO, the applicant, signs every contract.

[47] However, what was the basis for the visa officer to have reasonable grounds to believe that the products and services offered by [the company] were used in relation with the nuclear program as opposed to other industrial usages by these two companies? Aren't these merely suspicions?

[48] That is where the fairness letter and the response to it are important. The procedural fairness letter [REDACTED] puts it unequivocally that the relationship between [the applicant's company and the three Iranian nuclear entities] is the problem, the issue to be addressed by the applicants, because they have all direct links to Iran's nuclear procurement activities. The letter is precise that [the company] provided services to [Iranian nuclear facilities]. This calls for a response.

[49] The applicants chose to take a 60-day extension to the original 30-day deadline. Instead of providing a full history and explanation of the nature and extent of the work, or projects, with those entities, the applicants chose to take issue with the fairness letter, calling it "very vague", without providing details about the links and how those links impact the security of Canada.

[50] Counsel retained by the applicants to respond to the fairness letter ([REDACTED]) acted as if there was an indictment, where the accused is entitled to details for the purpose of having full answer and defence (section 581 of the *Criminal Code*, RSC, 1985, c C-46). The letter of

[REDACTED] by the applicant also in response to the fairness letter did not address either the concerns raised in the fairness letter. Rather than explaining what [his company] did for [two Iranian nuclear entities], the response claims that there are no "organizational dependency" or links with the two. The response never tried to disabuse that the activities were in relation to the nuclear program. The male applicant's response also takes the posture that the allegation, that [his company] is a danger to the security of Canada, "has not a shred of evidence to support it". The male applicant even has that remarkable sentence in a response to concerns relating to the security of Canada:

> Even my wife had a tourist visa while she was pregnant in 2013, but we decided not to deliver our baby in Canada as we believed it might have a negative influence on our immigration file.

[51] The respondent is right to stress that there is a fundamental principle of immigration law that "non-citizens do not have an unqualified right to enter or remain in Canada" (*Medovarski v Canada (Minister of Citizenship and Immigration)*; *Esteban v Canada (Minister of Citizenship and Immigration)*, 2005 SCC 51 at para 46, [2005] 2 SCR 539). It bears repeating that the IRPA puts the burden on the foreign national to satisfy the visa officer that he/she is not inadmissible and meets the requirement of the IRPA (subsection 11(1)).

[52] It could hardly have been any clearer what were the concerns of the visa officer. In my view, the concern was not addressed and, reading the response, both of counsel and the male applicant, it was open to the visa officer to infer from the lack of response, after pondering the response for 90 days, that the concerns were beyond suspicions. I share the view of my colleague

Justice Barnes who wrote in *Fallah v Canada (Minister of Citizenship and Immigration)*, 2015 FC 1094 [*Fallah*]:

> 11 Mr. Fallah was well positioned to fully address the Officer's concerns but, for the most part, he failed to do so. Although he presumably was unaware of the Officer's reliance on open source material pertaining to the United Kingdom and Japan, he would have been aware of any previous difficulties encountered by his employer concerning the importation of dual purpose commodities. Indeed, in his attempt to dispel the Officer's concern, he provided "samples" of favourable licensing decisions emanating from the United States and the United Kingdom. Notably absent from Mr. Fallah's response was an explanation for those occasions when his employer was refused a license to import products to Iran. He would have been privy to that information and ignored the issue at his peril.
>
> 12 Mr. Fallah had the opportunity and obligation to provide a full, exculpatory history of his employer's business practices, yet his response to Officer's fairness letter was profoundly deficient. I am satisfied that the content of the Officer's fairness letter was sufficient to inform Mr. Fallah of the case he had to meet. He should have anticipated the need to provide a full history of his employer's business practices and he failed to meet the requisite burden.

[53] The lack of responsiveness is in itself an element to be weighed in assessing the grounds to believe. The applicants, confronted to specific issues directly related to dangers to the security of Canada, chose not to answer in spite of the fact that the officer needs to be satisfied they are not inadmissible. The officer was not satisfied. The fact is that their activities are related to the nuclear program and had to be addressed. As Justice Barnes wrote at paragraph 19 in *Fallah*, "[i]n the face of the evidence available to the Officer, including the inadequacy of Mr. Fallah's response, the decision to deny a visa to him was reasonable."

[54] The situation would of course be quite different had the issue been put in an ambiguous fashion and did not call so evidently for a simple, factual response: here is what we do and these are the products and services we offer to these companies you claim assist the nuclear program; we have nothing to do with this. Far from such a response, the applicants, in effect, tried to turn the process on its head by requiring that the respondent prove why they are inadmissible. The process is more organic, in that it is characterized by a continuous and more natural development. The reasonable grounds to believe can result from a lack of responsiveness to legitimate issues. What counts in the end is whether the totality of the circumstances amount to more than a suspicion about the facts that constitute a danger to the security of Canada. The inclination of the mind is toward assenting to the proposition that the applicants are, or were, involved in assisting Iran's nuclear program once the facts are known and the lack of responsiveness to specific concerns is acknowledged. It does not matter that, in the words of the High Court of Australia "the grounds which can reasonably induce that inclination of the mind may … have something to surmise or conjecture." We are not held to a standard of balance of probabilities, but one of reasonable grounds to believe.

[55] It follows that the Court is satisfied that it was reasonable for the visa officer to have reasonable grounds to believe the applicants were involved in supporting Iran's nuclear program through the activities of their company. That the applicants are thus inadmissible on security grounds for being a danger to the security. Accordingly, the judicial review application must be dismissed.

JUDGMENT

THIS COURT'S JUDGMENT is that the judicial review application is dismissed. The parties agreed that there is no serious question of general importance. None is certified.

"Yvan Roy"
Judge

FEDERAL COURT

SOLICITORS OF RECORD

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