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## Citizenship laws are a nightmare, local MP says

Time for a change, Karygiannis says

**Sean Pearce**  
Feb. 9, 2007

Canada's citizenship laws are confusing, unfair and in need of a change, says a Scarborough MP.

Jim Karygiannis, MP for Scarborough-Agincourt and member of the Citizenship and Immigration Committee, said the citizenship of too many people is in jeopardy due to legal confusion and bureaucratic loopholes.

Karygiannis made the comments in regards to the recent media attention given that some people applying for Canadian passports, to comply with new U.S. laws, are instead receiving letters informing them they are not Canadian. It's a situation which Karygiannis is very familiar with. He had to wade into the bureaucracy to find out if his daughter, who was born in Greece, was in danger of losing her citizenship.

"There's an old law... that says if you were born abroad and if you are under the age of 28 and if, by the age of 28, you don't say I'm a Canadian citizen and here's my application and here's my hundred bucks and all that stuff you're SOL," Karygiannis said.

"When I heard this... I said 'OK, let's do the necessary things to make sure my kid isn't stateless.' So then I started calling and then it started getting more convoluted."

Karygiannis explained that he made a number of phone calls and each time received different answers.

"When my daughter was born in Greece the Greeks wrote Canadian on her birth certificate," he said. "So, if my kid, at 28, is not a Canadian citizen and she's not a Greek citizen, then she's stateless."

Karygiannis said the issue might be larger than the government knows. People born on Canadian Forces bases after the Second World War or the children of warbrides might only be finding out now, decades later, that they are not considered Canadian. He used the example of Romeo Dallaire, an officer of the Order of Canada, who in 1973, while a captain in the Canadian army, discovered he was not Canadian according to the law.

"The message is not out there especially in Scarborough and throughout the city (of Toronto)," Karygiannis said,

Don Chapman is one such 'lost Canadian.' He was born in Canada to Canadian parents, but he 'lost' his citizenship as a child when his father, a Second World War veteran, moved the family and took out citizenship in the U.S.

Chapman has been fighting for more than 30 years to regain his citizenship. He has also made a documentary entitled the Lost Canadians. He said changing the current law is the right thing to do.

"Let's say we have 100,000 or 200,000 Canadians, or that everybody's affected by this, or maybe it's just one," Chapman said. "If one person is affected by this law it's a wrong law."

Yet, Chapman said that he has received nothing but headaches from the Canadian government and Citizenship and Immigration Canada.



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"I've been trying to get my citizenship for 30 years and the Government of Canada has not at all been good about it," he said. "They've given wrong information, false information, they've denied when they should have accepted and some people get in and some don't and the only consistency with CIC is inconsistency."

A prime example of this inconsistency, Chapman said, is the case of Magali Castro-Gyr.

"(She) was born in Canada to two Canadian parents, but the Government of Canada elected to cancel her citizenship, even though here was a woman who was going to get her third passport renewed," he said.

"This is terrifying to people that all of a sudden, you've lived all of your life here and you have every paper to prove it, you're collecting a pension and then all of a sudden you're not Canadian."

One thing Chapman wants to make clear, however, is that blame for the citizenship issue does not just lay with the current government. As he said, "It's been Canada's big dark secret for a lot of years."

Chapman lays much of the blame for the current situation on the citizenship law that was enacted in 1947. Chapman said that even though a new law was passed in 1977 much of the problem is that it wasn't retro-active. He called it a disgrace.

"(Canada is) in violation of the United Nations' convention on the rights of the child, that every child has the right to an identity and a nationality, and who introduced that legislation to the UN, but Canada," Chapman said, "On top of that... the citizenship act does not comply with the Charter of Rights and Freedoms."

Chapman, however, did win a small battle in 2005 due to the enactment of a law that recognized so-called lost Canadians. The catch for Chapman was that he could return to Canada, but without his children. As a result, he said, the victory was a hollow one.

Diane Finley, minister of citizenship and immigration, could not be reached for comment. However she did release a statement about the matter on Jan. 24. "In almost all cases, anyone born in Canada is a Canadian citizen," Finley said. "Some people are discovering that, having lived in Canada most of their lives they do not have citizenship. These cases deserve immediate attention and so I am making these individual cases a priority."

Finley also said that during the investigation process all of the effected individuals will continue to receive their benefits and can stay in Canada.

"While these steps are being taken, we will do whatever is necessary to ensure that these individuals will not experience any interruption in government benefits such as health care coverage or OAS payments," she said. "While these cases are being reviewed, these individuals can rest assured they can remain in Canada."

Karygiannis said that he has tried to speak to Finley and a recent press release from his website said he has had some success. The issue will be heard by the Citizenship and Immigration Committee on Feb. 12.

Still, Karygiannis said, he doesn't understand why people like his daughter, and countless others, have to go through so much to get back what should be, in his opinion, rightfully theirs.

"All of (my daughters) have gone to university here, all of them have gone through grade school here and they've all worked their butts off to get their own business," he said. "Is the one that was born outside of Canada any different than the other four?"



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