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# Standing Committee on Citizenship and Immigration

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## Standing Committee on Citizenship and Immigration

Saturday, April 9, 2005

• (1305)

[English]

**The Chair (Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.)):** Order. We're reconvening our hearing.

First we'll have five-minute presentations, and then we'll go to questions and answers. I know it's always a temptation to put more out there, to speak longer than five minutes, but what does it do down on the exchanges, which very often are great. So if you have a report, perhaps you could just summarize it, because some of the best stuff we do happens during the exchanges.

You each have five minutes. I will indicate when you've passed your time, so please pay some attention to that.

We'll start with Mr. Brown, five minutes.

**Mr. Bobby Brown (As an Individual):** Good afternoon, folks.

I'd like to show you my birth certificate, to begin with. It's from Prince Edward Island, and it says I was born August 8, 1944, Robert Finbar Brown. It shows that I am a Canadian. The only problem is that CIC feels differently.

I was born in North Lake, Prince Edward Island, in 1944. That was three years before Canada had a Citizenship Act.

My web page, at [www.lostcanadianchildren.com](http://www.lostcanadianchildren.com), begins with a quote from former Minister Coderre, who said it best: the best thing about being a Canadian citizen is the feeling that you belong to a family, a community, a country.

Well, Canada, how about me? How about all the rest of these people? How much more could I feel that I belong to Canada than the fact that my MacLaren ancestor came over here and settled in Greenwich, Prince Edward Island, in 1770? In fact, I'm still there today—in heart, anyway.

I left there in 1948, in a single decision by one parent that has caused me a lifetime of searching and heartache. I remember vividly the day it all began. We left there on an old bus and took a train to the States. My mother sought a job as a domestic. We moved from one place to another. Many nights, of course, we went to bed hungry. Although the States was supposedly the land of promise, it had no food stamps or welfare for immigrants in those days.

One employer's refusal to have a worker's child in the home necessitated my being placed in a Massachusetts foster home. Of course, I wasn't thinking about it then, but when I think back, where were the Canadian authorities and their talk about best interests for the children?

Custody was later granted to my mother in 1953, when I was 10 years of age. That actual court wouldn't have had jurisdiction for anyone from another state, let alone a Canadian citizen. At 10 I was told to raise my hand and pledge an oath to be a naturalized citizen of the United States. That innocent act as a minor can't change my birthright, my heritage, and the feeling in my heart that Canada is my home.

My stepfather was an undertaker. I was never adopted, but I worked with him from age 12. When I earned enough to get my first car, I drove straight to the Island. At the border, I was always proud to show my birth certificate to show that I was a Canadian.

My connections to Canada have never stopped. My beautiful wife and I honeymooned on the Island, and we took our family to Niagara Falls, and to our relatives up in St. Catharines so they could get to know their cousins. We went down the Island every summer. We even planned on starting a business on Prince Edward Island in 1987, but I was denied resumption of citizenship.

What was that all about? Well, it came down to national origin. CIC grants nationality and citizenship to millions of immigrants and refugees. The pendulum, I saw it swing 180 degrees after 1977. Children of Canadian parents in any country are automatically granted citizenship without the point system or having to set foot on Canadian soil. Here we are, the lost Canadian children, born in Canada, the home of our national origin, asking for nothing. It's unjustifiable inequality, I feel. Why is our national origin, being born in Canada, being used to deny us access to the venerable privilege of citizenship when that's clearly one of the enumerated rights in the Charter of Rights and Freedoms?

If laws supposedly evolve to correct past injustices for all others—children born abroad, Japanese immigrants, first nations, even Senators and House of Commons members born outside of Canada—why hasn't it evolved for those of us born in Canada? Well, CIC has always stuck to the story that I lost it because it was an automatic loss.

Bottom line? I'd like to say to them, flat out, that children can't renounce or acquire citizenship. An adult is held accountable for renouncing citizenship, but our society and laws say that a child is never held accountable for the acts of a parent; otherwise, it's discrimination by association.

●(1310)

Lawmakers have consistently made provisions to guarantee that a minor who lost his citizenship automatically could reacquire it by a simple declaration within one year of majority, or longer periods in special circumstances. I couldn't think of a more special circumstance than that of the lost Canadian children.

We have never renounced Canadian citizenship. We weren't given due process or the choice of allegiance at our age of majority, as accorded by the Canadian Citizenship Act.

So what is it our opponents don't understand? Lost Canadian children are natural-born citizens by birthright. We have a right to it without earning or qualifying to be worthy of it. The only reason we've had to endure loss of nationality and citizenship is because we were innocent, vulnerable children. But now we've grown up.

The UN, of course, is all wasted, empty talk. They repeat declarations, the fact that everyone has a right to nationality, that no one shall be arbitrarily deprived, and Canada stands up and says the UN declaration on rights says that children need special safeguards. The Convention on the Rights of the Child spoke of the importance of being attentive to the rights of children. All of this and yet Canadian citizenship authorities show total disrespect to us and our future rights and best interests, especially the right to reunite with family and loved ones in Canada.

I feel that the main reason we lost citizenship and nationality has been overlooked: the War Measures Act. Canada was in a war mode, and laws were written for the times. If Canada revoked the citizenship of Canadian-born children automatically, they could stop German, Japanese, Ukrainian, and Italian—you name it—naturalized parents who fought against the Allies from resettling in Canada. There was no supposed discrimination. The nationality of European and Asian children passed via the rights of the father—nothing to worry about.

No one thought the War Measures Act would include the lost Canadian children; nevertheless, we were lumped into the same group. The only problem with the rationale was that our parents were natural-born Canadians, and lost Canadian children were never the enemy. Parliamentarians of years ago would turn over in their graves if they knew our government had pulled this charade on its own children for so long.

Where is the common sense, compassion, and fairness that we Canadians pride ourselves on? Why has there been such mean-heartedness from the liberal CIC towards us for years?

If, hopefully, lost Canadian children are granted citizenship, what guarantee do we have that our families won't face the same attitude and mindset from the CIC that we've experienced over the years? Unless there's a fair and automatic citizenship granted to our adult children, a new law will only continue to divide our families for years to come.

I left family and loved ones back in 1948, and as much as I love Canada and would love to return, I won't unless I can bring my children with me.

Thank you, and God bless.

●(1315)

**The Chair:** Thank you very much.

I might point out to everybody that the committee passed, almost unanimously, a report on lost Canadians, and that's part of our citizenship report. Also, in the House in Commons, Bill S-2, a bill to address it, was passed unanimously.

We very much appreciate your emotions around it. I want to congratulate you, because you have been fighting a long battle. It's been very gratifying to see how Canadians are very passionate about their citizenship, the way they should be.

Next is Jocelyn Boyce.

**Ms. Jocelyn Boyce (As an Individual):** Hi. My name is Jocelyn Boyce. I was born in Vermont of Canadian parents. They never lived in the States. I was born there because my mom was sent there. That was the only reason.

Last year I applied for a passport and was told I wasn't a Canadian citizen. For six months I was in limbo, with no Canadian citizenship, even though I had lived for 50 years in Canada.

It was hard. I couldn't go anywhere. And probably half of the people born in 1953, where I come from, are in the same boat.

I did get my citizenship after six months, but those six months were hard.

That's it.

**Mr. Don Chapman (As an Individual):** If I may, Jocelyn is in the same position as a lot of other people from Quebec, where, to get a passport, you have to now have a birth certificate. And a lot of times they did not have birth certificates, they had baptismal certificates. Jocelyn happens to have been born in the United States only because the nearest hospital was five miles into Vermont rather than 35 miles into Quebec.

Whole towns have children situated in her position. They're everywhere. I mean, all kinds of people from Quebec are having problems with passports.

Now, Jocelyn's daughter, Vicky, is sitting in the back. One thing that I think is very important to note is that if she were travelling in the United States and had an accident, Jocelyn could not have gone down to get her daughter.

So the stalling inside CIC has some really big ramifications, which is why I wanted her to talk here today.

Anything else, Jocelyn?

**Ms. Jocelyn Boyce:** I can't think of anything else.

**Mr. Don Chapman:** Thank you.

**The Chair:** Thank you very much.

Mary Lou Fraser.

**Ms. Mary Lou Fraser (As an Individual):** Ladies and gentlemen, good afternoon. Thank you for hearing my story.

My name is Mary Lou Fraser, and I was born in Vancouver on June 7, 1949. My father was transferred to Los Angeles, California, in November 1949, and spent his working life transferring between California, Utah, Vancouver, and Montreal.

At the suggestion of his company, for ease of transborder movement, my parents formally received their U.S. citizenship on August 29, 1958, in Los Angeles. My mom kept their booklet, dated June 13, 1958, from the Pasadena Elks Lodge 51 annual flag day program. This listed all the graduating new U.S. citizens and their native countries. It must be noted that only Louise and Dorothy Lalonde, my parents, were listed. I was not.

In 1962, Dad was transferred back to Vancouver for one year. There was a mad scramble to get my certificate of citizenship, dated January 24, 1962, even though I received U.S. citizenship on August 29, 1958, the same day as my parents.

In my youth, I never really understood my citizenship status. I used to ask my dad if I had to register as an alien, because I'd read in the papers that all non-citizens had to register or be deported. He kept telling me that I was a Canadian who had American citizenship. So I was happy. In my mind, I had dual citizenship.

As my parents' families were here in Vancouver, we spent all our summers with my aunts, uncles, and cousins. After two years of university, I decided to move back to Canada. In 1969 I packed my car and drove across the border. My father had a fit, as he now had to sponsor me as a landed immigrant in my own country of birth, at his expense. Had I decided to move to Montreal with them from Utah in 1967, the company would have included me in the request to immigrate.

In conclusion, I've lived in Canada since 1969. I married a Canadian, worked 32 years in Canada, raised two children who have dual citizenship, paid taxes, and contributed to CPP—in other words, everything an ordinary Canadian has done, without the right to vote as a Canadian citizen.

The principle is that I could have taken out my citizenship, but feel strongly that I never asked to lose my citizenship, nor did I make an effort to denounce it. Why would I have to apply for and purchase my lost citizenship? This would be the case for all the lost Canadians who are trying to right what their parents did so innocently years ago. Please rectify this injustice.

Thank you.

• (1320)

**The Chair:** Thank you very much.

Next we have Mr. Ron Nixon.

**Mr. Ron Nixon (As an Individual):** Good afternoon.

I was born Ronald George Nixon on October 12, 1946, in Lansing, Michigan, to Canadian parents. Both my parents are from the London, Ontario, area, and were from farming families. Several generations of my family have lived in Ontario. My mother went to secretarial school in London, and eventually went to work as a

secretary for the RCMP there. My mother, at 21, is shown in this picture here, proudly standing with members of the RCMP.

My father enlisted in the Royal Canadian Navy and served during World War II. In addition, my uncle George, who was a bombardier officer, was on a bombing run over Germany for the Royal Canadian Air Force and was shot down and killed in the service of Canada. My middle name is in his honour.

After World War II, my Canadian parents moved from Ontario to Lansing, Michigan, so that my father could get a degree in hotel and restaurant management from Michigan State University. Many early years with my parents were filled with many trips to Canada to spend all holidays and many weekends with relatives in Ontario. I looked forward to the Saturday walk to the Dominion Rubber store to buy hockey sticks and pucks.

My uncle used to carry me in his bicycle basket while he collected nickels from pay telephones in the Exeter, Ontario, area. His first job was with Bell Canada. He ended up retiring from Bell Canada, from his lifelong job.

I remember buying Smarties, comparing them to M&Ms, and Crispy Crunch bars.

To this date, all of my relatives live in Canada, with the exception of one cousin who lives in New Zealand. Aunts, uncles, and cousins are scattered throughout Canada, from Vancouver Island to Ontario and everywhere in between.

I've said many times to my friends who know about my effort to regain my Canadian citizenship that I have stood for *God Save the Queen* more than the *Star-Spangled Banner*. I have deep roots in Canada, going back many generations.

On August 27, 1957, my mother and father acquired American citizenship. At that time I was 11 years old. My brother and I lost our dual citizenship status with Canada. As a minor child, the decision to lose my citizenship status with Canada was not mine to make. I was the property of my father, according to Canadian law.

Because of a transitional provision in the Canadian Citizenship Act affecting those children born to Canadian citizens outside of Canada after December 31, 1946, and before February 15, 1977, in June of 2000 I formally applied for resumption of Canadian citizenship. Even though I was born ten weeks prior to that December start date, I asked for consideration in my case.

In a letter sent from the Citizenship and Immigration office at the processing centre in Sydney, on December 28, 2000, it was explained to me that I no longer had a claim to Canadian citizenship. The letter further explained that subsection 20(1) of the Canadian Citizenship Act states that where the responsible parent of a minor child ceases to be a Canadian citizen, the child would cease to be as well, if the child were a dual citizen at that time.

My brother, who is two years younger than me, qualifies for this resumption of citizenship. I do not. I missed that date by ten weeks. I was heartbroken by this decision from the case processing centre.

Again, I will state that as a minor child, the decision to lose my citizenship status with Canada was not mine to determine. I should have been asked by Canada what my preference was.

For many years I have vacationed in the Nelson and Kaslo, B.C., area. It is my intention to retire in that area. I have made many new friends in the area, and would like to be nearer to them and family members within the next few years.

Meanwhile, I fly the Canadian flag in front of my house to celebrate my heritage. It's the best I can do until I regain my Canadian citizenship.

I also believe that my daughter, who is now 23 years old, should be offered citizenship as well. I would ask that the Canadian government take a compassionate review of my situation and reinstate my citizenship, while extending that honour to my daughter as well.

And that's all I have.

• (1325)

**Mr. Don Chapman:** Do you have another picture there?

**Mr. Ron Nixon:** Yes, of my father and uncle.

**Mr. Don Chapman:** Your uncle who died for Canada.

**The Chair:** Thank you very much. I wonder if we could get copies of those exhibits—and in your case, the citizenship certificate.

Next we will go to Mr. Norm Chapman.

**Mr. Norm Chapman (As an Individual):** Good afternoon.

I was born in Vancouver 57 years ago, as the older brother to Don Chapman, who's here today. In my mind, Don is a very, very Canadian individual. If you know him, he may have told you about his days of playing ice hockey, with tournaments and hockey camps here in Canada. Basically, he's clung to his Canadian roots and identity. Today he's among a group of leaders intent on correcting what is, I think, a great injustice, the 1947 Canadian Citizenship Act.

For myself, watching as a bystander and now as a participant in this meeting, I came here to tell you my story and to detail for you a great injustice—specifically, just how the Citizenship Act has been applied inconsistently within our immediate family, and the falsehood put forward by CIC and promulgated by Hedy Fry.

Our situation was this. Our parents moved us across the border to Washington state when we were minor-aged children. In 1961 our father took up U.S. citizenship, which, it seems, automatically stripped his three children of their Canadian citizenship. Many times over the decades I've made inquiries to the CIC, asking if I was entitled to my birthright of citizenship. Always the answer was no.

I can only guess that this resulted in my becoming completely stateless for a period of one year, as I did not become a U.S. citizen until the next year, in 1962. At that time, my sister and I vowed allegiance to the U.S. and renounced our Canadian citizenship, which was required. Of course, we were minors at the time.

I feel it's important to note here that my brother, Don, refused to renounce his Canadian citizenship, even at the young age of six. He never had to raise his hand before a judge, and did not vow

allegiance to the U.S. He refused to renounce his Canadian citizenship.

Now, the tremendous irony here is that after 43 years of my being denied my citizenship, a few weeks ago I fortunately did receive this card in the mail. I am now a Canadian citizen like the rest of you. But I'm here today to support the rest of the group.

For decades I was told by CIC officials that I would not qualify. I was told that my situation would not apply.

Is this fair? Is this justice, and equal rights under the law? I think not.

This law also proposes to separate me from my children, who are now adults over the age of 24. Because of bureaucratic errors, my children would actually have to become landed immigrants, pay money in the form of fees, go through security checks, not to mention residency requirements, albeit because of this error. The end result is that this does split up our family, in that I'm welcome but Don is not. I'm welcome but my children and my two grandchildren are not. I'm welcome but my mother is not.

In the coming weeks, you will hear of a father, I understand, who is a lost Canadian and who will testify that the Canadian government told them, when they were taking out U.S. citizenship, that there would be no consequences for their children. What is interesting is that my parents were told the very same thing, and look at the resulting consequences it's meant for our family, as I've laid out for you.

Let me repeat, I've only just now been granted my citizenship card after half a lifetime of trying to secure it, and yet my brother Don is now in his thirty-second year of trying to get his citizenship back. Why is it that Don would need a security check, be some sort of security issue, and I would not? I'd like to have somebody explain to me the logic here, or the lack thereof.

I ask you to think about this. Some of you weren't Canadians yourselves, I understand, 32 years ago, so you can appreciate what we're trying to do here. Where's the equity and fairness in such a system? It has been said about this issue, by Meili Faille, that, "It is not that you have not understood this issue, but rather that it makes no sense".

• (1330)

Now, to simplify CIC's logic here for giving me back my citizenship, I was merely naturalized on a different day than Don and my parents. If we accept the ridiculous notion that somehow a different day justifies accepting one family member and denying another, then why are there still so many individual who were naturalized Canadian citizens, who moved, whose parents got citizenship outside, in the U.S. or another country, and who still can't get citizenship here in Canada today? It just doesn't make sense.

I know you heard from Charles Bosdet, who found himself in the same situation.

The bottom line here is that there is just no consistency in the current immigration laws, none whatsoever. I would add that the CIC has been consistently wrong, consistently slow, and consistently mean-spirited to deserving Canadian-born individuals.

I would like to review very quickly a time in American history, specifically the Vietnam War era. In 1969, my birthdate, along with many other young men's, was put into a lottery. Fortunately, I was not sent away to fight in the war. Had I been drafted, and that easily could have happened—it did happen to many others—would Canada have stood up for me? Would they have offered to welcome me back under the protection of the Citizenship Act? The answer to that question is no, of course.

Looking back, we now know that many other Canadian-born children were not so lucky, being forced into U.S. military service. Are you aware that over 30 young Canadian men fought in the Vietnam War and never lived to see their Canadian homeland again? Where's the justice here? Where are the equitable citizenship decisions related to the present immigration laws?

We all know that during the Vietnam War many American citizens who came to Canada, which I certainly have no argument with whatsoever, were supported here, and eventually became citizens. Was it in the greater interest of Canadian human rights to have welcomed them and yet turn away children of Canadian birth? I think not.

It is interesting, though, and hypocritical, that Canada touts itself as being a country based on fairness and compassion, a country whereby all decisions consider human rights, and yet in the last 12 months, once in the Senate and once in the House, it was admitted that Canada is in violation of the United Nations Convention on the Rights of the Child. Trinidad and Tobago, Australia, and even Mexico have passed similar legislation to get their children and native-born individuals back, with far fewer and sometimes no restrictions. Yet Canada, the country that prides itself on human rights, is at the back of the pack. This is without a doubt, in my opinion, one of the most unfair and unjust laws in Canada today, and I believe it must be changed now.

I put it to you, to all of you, that all of us deserve no more rights, but no less rights, than those afforded to any other Canadian citizen. I urge each of you to do everything you can within your power to right this wrong and to allow the basic right for these children of Canada to come home by supporting the proposed changes to the Citizenship Act. I would add that it's your responsibility to do so, and to make this right.

Thank you.

•(1335)

**The Chair:** Thank you very much.

Don.

**Mr. Don Chapman:** Thank you, Andrew.

I have brought people here today who are a little different, and outside the lost Canadian issue, per se. One person's father didn't have a choice. And you're going to hear from somebody on Monday who was an abducted child, and someone who was a war bride baby. I've brought people like Ron. He is not covered by Bill S-2, at ten weeks too early. Really, what's the spirit of the law? I brought my brother to show you that there's a real question mark here. A country denied, for 43 years, a real Canadian citizen?

I'll show you another inconsistency with CIC. Ron did not bring up another point, that Ron is a Vietnam veteran. He could easily have died in Vietnam. That brings me to a point I wasn't even going to bring up. I'm an airline pilot, and we don't have choices where we fly. Since I fly the 747s, they have issued me a Department of Defence U.S. defence card. Guess who gets to go to war zones occasionally. Canada has known about it, and it hasn't made a bit of difference.

Andrew, thank you, because you're right; this is a quote directly from Mr. Volpe, five days ago on CBC news, talking about Bill S-2 and the lost Canadians:

I give it my support. The right thing to do is to move along to ensure that they reacquire their birthright.

Part of this whole thing is that I was before this committee several years ago. What a waste of energy. This should have been taken care of a long time ago. To still be fighting the same things today....

Magali Castro-Gyr is no longer here in Canada. She was forced out. She's living in Switzerland. I have a lot of people who are stateless. Magali's brother is stateless. We're all waiting in limbo. We're not waiting just to have a law changed; we're waiting for status. Some people have no social insurance number, no medical. One guy is living on the streets in Toronto, just waiting for this law to be changed. Most of the people live in Canada.

I had a gentleman the other day whose father took off when he was a kid. They discovered that his father had taken out a different identity and went to the United States, and also had taken out U.S. citizenship, so they cancelled his citizenship. He had to run through the whole process all over again. I mean, these are stupid stories.

Dr. Fry, you mentioned here not too long ago that all the fathers knew. I wanted some of these people to come in here and say, no, they did not know. And not everybody had citizenship.

You'll see stories here of other people, such as Rob Miller. His parents went extra lengths to make sure their children would have citizenship, and he's not a citizen. George Kyle is another one. He's 78 years old, and his sister in Vancouver is 80-some. She needs him, and he is not welcome back.

What we have is a 1947 act that has been completely ignored along the way. This is Canada's shame. Actually, this committee should make a recommendation as strongly as they can, not legislatively but from the heart.

In the 1947 act, and what is being ignored here, is subsection 5(4), which says that everybody who asks for it should be granted it. That's the key here. Magali should never have had to leave this country. We shouldn't have her brother, or this gentleman in Montreal, stateless. This is just really simple to fix.

My two daughters are back here. Bill S-2 gives me the right to come back. It doesn't give me citizenship, but it gives me the right to come back—but not my two daughters sitting here.

Yesterday I found it very interesting to listen to the native aboriginal story of the connection to the land. I believe right here in Vancouver, Adrienne Clarkson, the Governor General, toured the Vancouver downtown east side Learning Exchange.

Is that in your riding, Dr. Fry?

• (1340)

**Hon. Hedy Fry (Vancouver Centre, Lib.):** No, it's in Libby Davies' riding.

**Mr. Don Chapman:** Okay. I didn't know. But in your riding, my family has paid for, actually, the Vancouver downtown Learning Exchange, which Martha Piper, the president of the university, won the Order of Canada for. She didn't do that. She thought of it, but it was *my* family who did that, *my* parents. There are 18,000 man-hours being dedicated by University of British Columbia students per month, sponsored by family and in your district.

We have gone to great lengths to help this country.

I want to really ask very strongly, because there are a lot of people who go right outside the limits of Bill S-2...and I want these people's citizenship. There aren't that many, probably 50 or 60. These are people who've shown me, absolutely, that they are as Canadian as can be. This committee should send a message to the immigration minister: let's get this corrected. If nothing else, on May 8, let's get the war brides' babies.

I gave you a deal...specifically, let me start by quoting the *Globe and Mail*. And they say that one of the things lacking in Canada is the people's education on citizenship.

I also have quotes from the Prime Minister. I would like you to read those quotes, but I want to conclude now with one in particular. This is from February 16 of this year, from the Prime Minister of Canada:

Over time, perspectives changed. We evolved, we grew, and our laws evolved and grew with us. That is as it should be. Our laws must reflect equality not as we understood it a century or even a decade ago, but as we understand it today.

Thanks.

**The Chair:** Thank you very much.

We're going to start questions with Mrs. Ablonczy.

**Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC):** Thank you.

As you know, Mr. Chairman, we've heard a lot of poignant stories as we've travelled across the country, but certainly this cry for belonging to our country of Canada really touches all our hearts. I don't have to remind anyone what a wonderful champion Don Chapman has been on this issue. He's persistent, tireless, and never gives up. I think any of the progress that has been made is certainly due to his efforts.

Bill S-2 was passed, as you know, in the House and in the Senate, and we're very proud of that legislation. I wonder if you could tell us what further legislation would need to be passed in order to accommodate the particular situations of the group in front of us.

**Mr. Don Chapman:** Actually, it'll take years, probably, to redress. Trinidad and Tobago did it in half a page, I think. They just said, we're giving back everybody their citizenship as though they never lost it.

Really, this is a problem from the British Commonwealth countries. Australia hasn't quite passed this yet, but their only thing for getting everybody back—not just children, everybody, including adults—is the statement, which they've made, “of good character”. Now, what's “good character”? That can be argued.

We also need, very badly, a complete look inside CIC and the bureaucracy. This is a question on Bill S-2, on all the people. My brother put his application in years ago, now just getting an answer—Jocelyn Boyce, the same sort of thing. We have to have a dedicated area so that if we have somebody with a question, we can get an answer out right away. That's one of the main things.

Then there's subsection 5(4). I'll bring all the names of everybody involved and clear it up for the people it really matters to. The ones who haven't come forward probably don't care anyway. That's what we need. And that will be for the Citizenship Act, but prior subsection 5(4).

• (1345)

**Mrs. Diane Ablonczy:** Just for clarification, when we talk about the small numbers of people who would be affected by this legislation—I heard Mr. Nixon and Mr. Norm Chapman talk about their children as well—does that number you're giving us include the derivative citizenships?

**Mr. Don Chapman:** Actually, maybe 60. Believe it or not, yes, those are the people I have found who have really come forward on this thing, who have really said, this matters to me. Most people have gotten along with their lives. So we're not talking huge numbers here.

If I told you the percentage of PhDs, you'd be quite amazed. The group has done very well for themselves. I don't normally go around the world and find many vagrant Canadians on the street. They've done very well for themselves.

Colleen, I think you mentioned that you go down to Florida occasionally. I'll bet there are a lot of Canadians, and they're not vagrants, are they? They've done well.

This country should be very proud of who and what they've produced.

**Mrs. Diane Ablonczy:** We are.

**Mr. Don Chapman:** That's as it should be.

**The Chair:** Thank you very much.

Mr. Siksay.

**Mr. Bill Siksay (Burnaby—Douglas, NDP):** Thank you, Mr. Chair.

I'd like to thank you all for your presentations today. I know it's often not the easiest thing in the world to appear in this kind of forum and tell a personal story. I appreciate that you've all made that effort today.



I just want to say that we feel like we've accomplished something with Bill S-2, and I think we have, but the problem is that we still have to be vigilant, even when that legislation finally passes. We've seen governments pass their own legislation and then choose not to implement it. That could easily happen with this if we're not vigilant. So I appreciate the ongoing and energetic efforts of Don Chapman, and that all of you are here today to remind us that it's not going to solve all of the problems, either. We have to keep working on this issue.

Don Chapman, you mentioned that Australia was doing this blanket restoration of citizenship, and that they had good character as a condition. I wonder if you could just comment further about whether you think good character, or some condition on restoration, is an appropriate consideration. We discussed that in regard to Bill S-2, and some of us decided that wasn't an appropriate consideration.

**Mr. Don Chapman:** I'm going to come back and say, no, you're either Canadian or you're not. We can choose our friends, but we don't choose our family.

With regard to Australia, it's very interesting; David Anderson came to me yesterday and said two things of most interest. He said, you know, that applies to my wife, with the Australians; she'll get her citizenship. And secondly, I'm almost one of you. My father was not Canadian, my mother was—the law was such that your citizenship passed through the father, not the mother—and my mother just happened to leave Hong Kong, and it just happened that I was born in Canada. If it was two weeks earlier, I would have been born in Hong Kong, and I would not have been a Canadian.

Denying a right of somebody, what do we lose? Again, I can quote the Prime Minister, if you look at that sheet, that in many ways we lose more than the risk. Canada is too good a country, with a reputation all over the world, to throw away, for a handful of people, its reputation for human rights. You risk more by denying than anything you could on the downside.

**Mr. Bill Siksay:** Mr. Chapman, you also mentioned that with the 60 or so folks you have identified now, action could be taken to restore their citizenship. Should there be a time limit on that possibility, or should we leave it open so that others who come forward—

**Mr. Don Chapman:** You know what? I would leave it open. I have no problem, at any time, going to people, but I have to question....

I mean, that's a good, logical question. If they haven't heard of our group now, they haven't tried very hard. So probably we're hitting about everybody. I doubt we'd have one or two filter in outside of that.

**Mr. Bill Siksay:** Thank you very much.

**Mr. Don Chapman:** Thank you.

**The Chair:** Dr. Fry.

• (1350)

**Hon. Hedy Fry:** Thank you.

First of all, I'm sorry that I wasn't here this morning. As you know, I was at a forum on foreign credential recognition. It only just ended.

**The Chair:** International.

**Hon. Hedy Fry:** Well, they are calling it “foreign”. I will just repeat that the forum was on foreign credentials.

I just happened to hear my name as I walked in the room. I very quickly want to move to the question and comment I'm going to make. Everyone is very busy quoting everyone here today, but I think it is uncalled for that someone would suggest that the injustice within a family, and the falsehoods put forward by CIC, and “promulgated by Dr. Fry”....

I have spoken no word about the Chapman family or any other family. I have promulgated no falsehoods.

So I really think this is something that has stretched the truth, to an extent, that may in fact be something I have to think about, your having put forward that I have promulgated falsehoods about your family. I have never spoken to anyone about your family.

**A voice:** [*Inaudible—Editor*]

**Hon. Hedy Fry:** Yes, but that is what this says.

So be very careful, when you quote and when you say things, how you malign other people, because I have never promulgated a single falsehood about your family, particularly.

The issue of lost Canadians, I have said, is not that no one agrees with the lost Canadians, or the people born here at a particular time, coming back and being given back their Canadian citizenship. Why would anyone have a problem with that? This is not a problem issue. Everyone understands that if you were born in Canada and you wish to become Canadian, this is a reasonable and fair thing to do.

The only thing I have held is that one criterion, which, if Bill S-2 is passed as it is, would create for the group called the Lost Canadians a piece of legislation that does not apply to any other group born in Canada, and outside of Canada, or immigrants seeking to come to Canada to become citizens. It would only apply to your group—that is, that there should not be a period in which criminal and other checks are done.

This has nothing to do with your family. Your family has obviously had ties to Canada. You've said so over and over.

Chances are, as I am told by Citizenship and Immigration, that we do not have a full understanding of how many people this particular group refers to. You say 90. Citizenship and Immigration, Statistics Canada, say that they don't know how many there are. There is absolutely no documentation to suggest that it is 90 or 900.

You come here, Mr. Chapman, and you speak about your family, and so do others. This is not about your family, this is not about getting back your Canadian citizenship. These are all good and important things that we all want to see happen. There is one particular issue: there are some people for whom we have no idea of their history between the time they had become American citizens and today.

A law cannot be made for only one family. A law has to be made for the whole group that it pertains to.

There could be someone who is serving time right now in an institution, or who has just come out of serving time for some heinous crime. No one knows. That person will now, on the passage of this bill, have the ability to say, "I'm outta here, I'm Canadian, I'm going back immediately", no questions asked. I don't know that this is something that would be fair and reasonable.

All that the Government of Canada wishes, and I speak on its behalf, is that—and I think this is a reasonable thing to ask—a check is done in terms of the history of that person's life, whether it be 40, 45, 50 years since they have been living in another country. And not as a Canadian citizen, because if a Canadian citizen lives in another country, the Canadian government gets a history of whether there is any criminal activity that went on, or any terrorist activity, or otherwise.

So there is just this one thing that the government said: there needs to be a check, a security and a criminal check, and that is all. If it takes two days, great, if it takes six months, okay, because in some instances this is hard to come by.

That is the only thing I have maintained, Mr. Chapman. I have no difficulty with you. The minister maintains this same particular principle. So in quoting the minister as supporting Bill S-2....

We all support Bill S-2, but with one small piece that we think should amend it, that small thing where we would put in a clause that says it is subject to security and criminal checks. That is all.

As I said before, that is where the minister stands as well. So to say that the minister thinks that this bill is good as is also does not truthfully state what the minister thinks.

No one has a problem with your family. I don't know your family. Your family sounds like a great family, just like other people's families. No one gets to know every individual family. This is a simple thing: it's a piece of legislation that is going to apply to everyone, not just your family. This is a piece that we feel should be put in, and that is all.

So I would ask that you please not continue to state that I have promulgated falsehoods on your family, because it is not true, and if you continue to say it, I may have to take some form of action.

Thank you very much.

•(1355)

**Mr. Don Chapman:** I would like to respond.

**The Chair:** One second, now. That was five minutes, so there's no time left for answering questions on it. And I really want to have this thing come through the chair.

Essentially, Ms. Fry stated her position, and we'll leave it at—

**Mr. Don Chapman:** But there is an underlying thing here—the difference between what's called citizenship and immigration. We were all citizens. We never, in our opinion, lost that, so we shouldn't become immigrants.

Now, the two points in particular—it's in the testimony—had nothing to do with my family. Nobody was made stateless and the fathers knew what they were doing: those are the two points. It had nothing to do with my family. Those are the *only* two points.

As far as residency, the reason I bought it up about my family today was strictly that their CIC definition is residency of one year, but there are a lot of extenuating circumstances. The fact is that Bobby Brown should not have had to spend his lifetime....

We all knew these circumstances. We can sit down and look at the 1947 act, and it says, we will go over that and decide whether or not you belong under special circumstances. These people here, sitting before you, are all Canadians, and should have been recognized legally. Something has broken down. If all they needed was a background check, whether it took a day or a month or a year—well, it shouldn't take a year, but a day or a month—and they're still sitting here 10 and 20 and 30 years later, something is wrong.

Thank you.

**The Chair:** Thank you very much.

Mrs. Grewal.

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Thank you, Mr. Chair.

Thank you, ladies and gentlemen, for your time and your presentations. It is really heart-rending to listen to your sad stories about not getting your Canadian citizenship, a basic right.

In your opinion, what should be done so that people do not go through what all of you went through? Could you please explain, each of you, in a nutshell?

**Mr. Don Chapman:** I'm sorry, what was your question?

**Mrs. Nina Grewal:** Could you just explain to us in a nutshell—each of you, just a few lines—what steps should be taken so that other people won't go through what all of you went through?

**Mr. Don Chapman:** Bobby.

**Mr. Bobby Brown:** You'll have to excuse me; what steps should the government take...?

**Mrs. Nina Grewal:** Yes.

**Mr. Bobby Brown:** Well, it's pretty obvious to me. Make us Canadian citizens immediately, and our children, even if they're grown, should automatically be made citizens.

Canada had a chance to make me a citizen right back in 1987. By a simple declaration, I could have said I want to be a Canadian, and they should have granted it to me immediately. The minister should have, without going through what we've gone through. At that time my children were small, and they also would have been citizens.

To jump from there to now, I think they should just eliminate any time and just go ahead and give it back to us.

**Mr. Norm Chapman:** I would also state, in this discussion of the security issue, that I don't think we need to have that. As Don said—I'm basically just restating what I'm sure you heard him say—it's a citizenship issue, not an immigration issue. If you were born Canadian, you're Canadian, period. Whether it's 10 years, 45 years, it doesn't matter; it should not be taken away. There should not have to be checking into your past.

**Mr. Bobby Brown:** By the way, on my web page, which I've had up since 1995, I've had 22,000 people talk to me about the situation of citizenship. I've never had one person bring up or tell me a story about their having a criminal record. So I don't think that's even in the equation here.

That's my bottom line.

**The Chair:** Thank you.

We'll go on to Ms. Beaumier.

• (1400)

**Ms. Colleen Beaumier (Brampton West, Lib.):** I have no questions.

**The Chair:** Mr. Temelkovski.

**Mr. Lui Temelkovski (Oak Ridges—Markham, Lib.):** Thank you very much, Mr. Chair, and thanks to all of you who presented. I'm sorry I was late. The chair was rather tight on time for lunch today. My wife was in town, and she wanted to take me a little further for lunch.

I have two questions. One, I would like to know whether you've looked at birthright, and whether the United Nations has any information on birthright—where people are born, and what rights they have.

That ties into a question for you, Norm. Let's assume you didn't have your citizenship and Canada drafted you because you were born in Canada. I understand that when you're born in a country, and you take the citizenship of another country, the other country cannot do very much if the birth country drafts you. There are reverse situations where people of Macedonian background have gone to Macedonia, and Macedonia tried to draft them, and Canada would not interfere. It leads me to assume that there may be something on an international basis here.

Are you aware of anything like that?

**Mr. Norm Chapman:** No, I'm not. Of course, in my situation, I just received my citizenship card, so I'm probably not of draftable age any more in either country. But that poses an interesting point, what you bring up.

**Mr. Lui Temelkovski:** Don't?

**Mr. Don Chapman:** No, I don't know. Again, the question was brought up....

Well, I will quote the exact words from the minister: "...to move along to ensure that they"—meaning the lost Canadian group—"reacquire their birthright." So I would imagine he wouldn't have said that unless he believes being born in a country and citizenship are synonymous with one another. That is a quote directly off the CBC from five days ago.

Also, as far as talking about the minister agreeing with this, I talked to Stephen Heckbert the other day, and that's exactly what he said to me.

**Mr. Lui Temelkovski:** Okay. I bring this up because there have been other situations of birthright, and a country of birth having much more rights than the country of acquired citizenship.

**Mr. Don Chapman:** It's a little bit off the subject of Canadians, but this is very interesting. I'm an airline pilot. Let's say we had a fire on an engine and we had to land at the nearest suitable airport. Let's say my co-pilot was from Syria and we happened to land in Damascus or somewhere. And he's never served time, yet he's registered as being born there.

Yes, those are really good international questions, and something that you have to think about.

**Mr. Lui Temelkovski:** That might add some information or more strength to the position.

**Mr. Don Chapman:** We have an attorney behind us who says he can answer that question. If you want him to answer it, he might be able to give more light on it. It's up to you.

**Mr. Lui Temelkovski:** I would, but I have one further question to ask.

Bobby, you mentioned that when citizenship is given, it should be given to not only you but to your spouse, to your children, to your mother, father, and so on and so forth—and grandchildren too, let's go there—in a blanket granting of citizenship, right?

**Mr. Bobby Brown:** No, I don't think so. I'd say it's the immediate family. Let's keep it at that.

**Mr. Lui Temelkovski:** Okay, let's keep it as the immediate family.

**Mr. Bobby Brown:** Because that's the toughest thing.

**Mr. Lui Temelkovski:** That's fine.

Should Canada then give citizenship to all your children without their applying, or should we give citizenship to somebody who doesn't know that they're getting citizenship?

**Mr. Bobby Brown:** No, they'd have to pass a criminal-type thing.

**Mr. Lui Temelkovski:** Criminality.

**Mr. Bobby Brown:** Yes, criminality, and health perhaps. They'd have to have a love or an affection for the country. They can't just, as you say, be told that they're a citizen and not understand why they want to be a citizen.

•(1405)

**Mr. Lui Temelkovski:** So there should be some sort of an application, or asking.

**Mr. Bobby Brown:** Yes, I'd agree with you.

**Mr. Lui Temelkovski:** If there is a person; if there is no person, you'd have to apply somewhere.

**Mr. Bobby Brown:** That would be a good way, yes, plain asking.

**Mr. Lui Temelkovski:** If we have time and if the chair permits, somebody could answer that question on birthright, just to shed light on it.

**Mr. Don Chapman:** Sam, why don't you come up?

I'm sorry, Andrew, that should be through you.

**The Chair:** I think we'd better not have him come up.

**Mr. Don Chapman:** No problem.

By the way, as far as giving a particular right just to the lost Canadians, it appears that since we were singled out to have our citizenship taken away, you can single us out to get it back.

**The Chair:** Thank you.

Mr. Mark.

**Mr. Inky Mark (Dauphin—Swan River—Marquette, CPC):** Thank you, Mr. Chair, and thank you to all for being here.

Like Diane, I want to praise Don for his persistence on this issue. I think the group is fortunate to have the leadership of Don to continue moving this on.

One thing I was happy to hear today was that we need to really separate this from immigration. It really is citizenship. I think most Canadians would agree that if you're born in a country, whichever country you're born in, you automatically by birth should be a member of that country. So I can't understand....

As Don indicated, that in essence is the problem. When you lump them all into the same barrel and put them through the same hoops as immigrants, then you just create more problems for yourself.

Is it the position of the group that family members of lost Canadian-borns should be automatically accepted as Canadians?

**Mr. Don Chapman:** I don't want to split up my family. Would you look into their eyes and say, "Yeah, I'll leave, see you later"?

No, I can't do that. Above anything, one loves one's family.

**Mr. Inky Mark:** I agree. I think whether it's 900 or 9,000 is almost irrelevant. I think when a country doesn't look after its own natural-borns in this country, there's something wrong. In this case, the country has erred big time, for a long time.

I find it ironic, Norm, that you would receive a naturalization card before your brother. Did you expect this to happen?

**Mr. Norm Chapman:** No, I didn't. Don has tried much harder. You know him well enough to understand that he just doesn't let go of an issue, and he's been running with this for several decades. I've had an interest in wanting to have my dual citizenship for a long time, but I haven't worked as hard. He deserves it more than I do. It's totally odd to me that I'm acceptable and he's not.

**Mr. Don Chapman:** Actually, I've contended that Norm has been a citizen forever. You see, the whole question was that he got his citizenship on a different calendar day, and that made him Canadian. So I've been saying to Norm, you're a Canadian. It was the government that said he wasn't.

By the way, thank you for the nice accolades, for saying I have done this, but there's a team of us—Charles Bosdet, Magali Castro-Gyr, one other person.... So it's not just me, there's a whole team.

Again, to quote the Prime Minister, we have to look at equality not as we understood it a century or a decade ago, but as we understand it today. That just says it all.

I'm so proud of Canada for recognizing diversities and so forth. Don't stop on just one thing and split families.

**Mr. Inky Mark:** What's your advice on Bill S-2?

**Mr. Don Chapman:** Obviously, I want it to pass, but the very easiest solution, which should have been done years ago for Magali and her brother and all these other people, is let's go to subsection 5 (4) and get the people back who really want it. Then we'll work on the legislative solution through the act and so forth, but at least people's lives haven't been affected to the point where we've split people up. This is never something that should happen.

**Mr. Inky Mark:** So your recommendation is still that Bill S-2 should be left alone and just passed.

**Mr. Don Chapman:** Let it go. It should pass, and then....

You know, we have a whole Citizenship Act in front of us. These are things that need to be addressed on the Citizenship Act. Bill S-2 should go as it stands. Absolutely, let it go.

**Mr. Inky Mark:** Thank you.

•(1410)

**The Chair:** Thank you very much.

You know, when I look at this issue, I look at it in context of Canada, and what has happened in the past. Certainly there are many issues where, if we had a chance to revisit, we would, to right wrongs. It's because of those wrongs that I believe we have a Charter of Rights and Freedoms, enacted on April 17, 1982. In a lot of ways, it's to recognize what happened and give us guidance going forward.

When I look at this issue and I think of citizenship, if I need a quote, I think of what Robert Frost said, that home is a place where they have to let you in. I look at citizenship in that context. The problem with the present reality is that....

In my situation, I came here in 1957. I acquired citizenship in 1962. If once I acquired citizenship I chose to go back to communist Hungary, or communist at the time, and had my daughter, who is now 18 years old—like your daughter, Don—it would mean that, never having set foot on Canadian soil, she would be a Canadian citizen. That would pass on, according to the law, to her children.

Now that we look at some kind of resolution coming, and I think we're going to be dealing with trying to capture the other ones, I think you're going to have a concern about the law around citizenship revocation as well. Having gone through it, you certainly don't want to be exposed to that.

I think it's important to be said that when I first got into this battle many years ago, it was a lonely battle, and a long battle. But Hedy Fry was one of the few ministers who supported me on it. And it was not easy to do.

I remember that Inky discovered his status sitting in the House of Commons. All of a sudden he found out, hey, I'm a second-class Canadian. He didn't like it.

Citizenship is an emotional issue, as it should be. One thing I have learned through the travels across this country, in all the different cases we have dealt with, is how people really, really value their citizenship. Of course, when we heard about the war brides, we were

all really touched through the person of a son of a serviceman. We were all really touched.

I think we're heading down the right path, because there seems to be a real consensus. Once we get that done, we will have righted a wrong. If I have a question in all of this, it's that citizenship is something that can never, ever be taken for granted.

Does anyone have any more questions?

**Mr. Don Chapman:** I also like Joe Fontana's comment that citizenship is probably one of the greatest gifts a country can bestow an individual. But it also means it's one of the worst things you can do against an individual—and when those people are children.

Andrew, you're right. What a great country. I don't think Canadians fully appreciate the idea of citizenship. I think Canada should look very strongly at having an April 17 Charter of Rights Citizenship Day. I travel the world, and I see it all over the world. I don't think Canadians really appreciate this country, and what they have.

The best thing you could ever do is get this bulldog—me—off your backs on this issue and let me start working on a citizenship charter day, and really give us something to celebrate.

Thank you, Andrew.

**The Chair:** Thank you.

The meeting is now adjourned.

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