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June 7, 2022

The Honourable Sean Fraser, MP  
Minister of Immigration, Refugees and Citizenship  
House of Commons  
Ottawa, ON  
Email: sean.fraser@parl.gc.ca

**RE: Reinstating Mr. Deepan Budlakoti's citizenship**

Dear Minister Fraser,

The Canadian Health Coalition is writing to you to emphasize our concerns and recommendations with respect to the case of Deepan Budlakoti, who was born and raised in Canada but is presently without any citizenship and has been stateless for over 10 years. As a champion of access to health care for everyone since 1979, our coalition strongly urges you to take prompt steps to give Mr. Budlakoti Canadian citizenship so he can access health care and all the rights and services owed to him as a resident of Canada.

In 2018, the United Nations Human Rights Committee<sup>1</sup> concluded that Canada is indeed Mr. Budlakoti's "own country" as per Article 12 (4) of the International Covenant on Civil and Political Rights.<sup>2</sup> The Committee further reported that Mr. Budlakoti's deportation order, if carried out, would violate his right to family as protected under Articles 17 and 23 (1).<sup>3</sup> The Committee observed that Canada is "under an obligation to review [Mr. Budlakoti's] case, taking into account the State party's obligations under the Covenant and the present Views."<sup>4</sup> While this opinion was issued in 2018, the Government of Canada has done little to remedy his situation to date.

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<sup>1</sup> Deepan Budlakoti v Canada, CCPR/C/122/D/2264/2013, UN Human Rights Committee (HRC), 29 August 2018 [Budlakoti v Canada].

<sup>2</sup> Ibid at para 10. International Covenant on Civil and Political Rights, 19 December 1966, 999 UNTS 171, Can TS 1976 No 47 (entered into force 23 March 1976) [ICCPR].

<sup>3</sup> Ibid.

<sup>4</sup> Ibid at para 11.

The Government of Canada's inaction and refusal to recognize Mr. Budlakoti's citizenship runs counter to Canada's obligation under the UN Convention on the Reduction of Statelessness<sup>5</sup> to comply with the principle that "statelessness should be avoided" including that a state "shall grant its nationality" to a person born in its territory who would otherwise be stateless.

This is precisely Mr. Budlakoti's situation. Mr. Budlakoti was born in Ottawa, Canada on October 17, 1989 and has lived in Canada ever since. Mr. Budlakoti's parents were officially employed by the Indian High Commission at the time of his birth and had diplomatic status as a result. On two separate occasions, Mr. Budlakoti was recognized as a Canadian citizen: (1) when he was included on his mother's Canadian passport in 1997, and (2) when he was issued his own Canadian passport in 2003. All of his connections are in Canada, as this is where his family lives and where he has spent his entire life. In 2010, the Government of Canada abruptly informed Mr. Budlakoti that he is not a Canadian citizen while he was purging a sentence for a criminal offense. Since then, Mr. Budlakoti has spent a great number of years in legal limbo as a stateless person with no rights in his own country. Most recently, he just finished purging a criminal sentence at the Ottawa-Carleton Detention Centre where he was incarcerated for over four years.

Earlier this year, Prime Minister Justin Trudeau highlighted that "No matter their background, a Canadian is a Canadian."<sup>6</sup> Unfortunately for Mr. Budlakoti, born in Canada and having lived all his life in Canada, is one who has unjustly and unduly faced immense uncertainty, does not have access to basic human rights and has been stateless for over a decade despite many efforts to resolve this injustice.

Once again, Minister Fraser, we urge you to restore Mr. Budlakoti's Canadian citizenship expeditiously and to ensure that Canada acts in full compliance with its national and international obligations. This is dually a matter of legal obligation as well as a matter of equity and humanitarianism.

Sincerely,



Pauline Worsfold, RN

Chair of the Canadian Health Coalition

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<sup>5</sup> Convention on the Reduction of Statelessness, 30 August 1961, 989 UNTS 175, Can TS 1978 No 32 (entered into force 13 December 1975).

<sup>6</sup> Justin Trudeau, "Statement by the Prime Minister on the 75th anniversary of Canadian citizenship," Ottawa, Ontario, January 1, 2022, para. 5.

<https://pm.gc.ca/en/news/statements/2022/01/01/statement-prime-minister-75th-anniversary-canadian-citizenship>