

November 4, 2014

The Honourable Chris Alexander
Minister of Citizenship and Immigration
House of Commons
Ottawa, Ontario
K1A 0A6



Dear Minister Alexander:

I am writing on behalf of the National Union of Public and General Employees, one of Canada's largest unions, regarding the case of Deepan Budlakoti, a Canadian born and raised man when your government has determined is not a Canadian citizen. We have been informed that the Canadian government is seeking to deport Mr. Budlakoti to India, the country of birth of his parents.

The National Union thinks that Mr. Budlakoti's case raises important issues pertaining to Canada's international human rights obligations with respect to statelessness. We urge you to take all necessary actions to ensure that the case is quickly resolved in a manner that protects Mr. Budlakoti's rights and that conforms with Canada's international obligations.

My understanding of the case is that neither the Canadian nor the Indian government has recognized Mr. Budlakoti as a national, leaving him stateless. Being stateless has serious human rights implications for Mr. Budlakoti, including restricting his freedom of movement.

The disputed status of Mr. Budlakoti's Indian citizenship should be settled with the evidence of the statement by S.J.S. Chhatwal, Former High Commissioner of India in Canada, dated 28 August 2013, in which he indicates that Deepan Budlakoti's father, Chandra Shekhar-Budlakoti, was "not with the Indian High Commission in Ottawa in any capacity what so ever" (justicefordeepan.org) after June 1989. Deepan Budlakoti was born four months after that, on 17 October 1989.

We are unaware of any statements from the Canadian government setting out it's reasons for disputing or disagreeing with this evidence that would seem to indicate that Mr. Budlakoti was a Canadian citizen when he was born, as his parents did not have diplomatic status.

Furthermore, we have been informed of the existence of an internal Canada Border Service Agency email that indicates that "on March 18th 2013 the Indian High Commission advised that they are not in a position to issue a travel document to Mr. Budlakoti as he is not an Indian National (justicefordeepan.org)." Once again, we are unaware of the Canadian government providing justification for disagreeing with or contesting, the Indian government's assertion and decision that Mr. Budlakoti is not a citizen of India.

In light of these facts, we urge you to take one or both of the following steps immediately:

- Initiate a fair and independent review of the disputed conclusion that Mr. Budlakoti was not entitled to Canadian citizenship when he was born, because the Canadian government is of the view that his parents had diplomatic status at that time;
- Recognize or restore his Canadian citizenship, since it appears clear that he is not recognized as an Indian national and has no rights to citizenship in any other country.

It is worrisome, Minister, that in the face of this evidence Canada would continue to refuse to recognize Mr. Budlakoti's Canadian citizenship. Such a stance runs contrary to international human rights commitments this country has made with respect to statelessness and other related human rights provisions.

Once again, we urge you to move immediately to restore or recognize Deepan Budlakoti's Canadian citizenship.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Clancy', with a stylized flourish at the end.

James Clancy
National President

cc: National Executive Board, NUPGE