

AMEND BILL C-71

CITIZENSHIP RIGHTS FOR ADOPTED CHILDREN

In the case of an adoption having the effect of terminating a pre-existing legal parent-child relationship, the child shall enjoy in the receiving State, and in any other Contracting State where the adoption is recognised, rights equivalent to those resulting from adoptions having this effect in each such State.

-Article 26: Hague Convention on Intercountry Adoption

Contents at a glance

(click to jump to section)

[1. Letter from Adoptive Families & Supporters](#)

Letter to the Honourable Minister Marc Miller, expressing support for proposed amendment by Senator Arnot to *Bill C-71: An Act to Amend the Citizenship Act*, which would exempt internationally adopted children from the “substantial connection test” clause and safeguard their citizenship rights.

[2. Senator Arnot's Amendment Proposal](#)

Transcript from Debates of the Senate on June 5, 2024, capturing Hon. David Arnot’s proposal to exempt internationally adopted children from the substantial connection test, to correct a fundamental breach of their citizenship rights.

[3. Support Letter for Amendment from Child & Youth Permanency Council of Canada](#)

Collective letter supporting Senator Arnot’s above-mentioned recommendation and asking government to accept recommendations from experienced stakeholders, adoptees and adoptive families of the critical importance of permanency and ensuring citizenship rights for internationally adopted Canadians.

[4. Towards the Full Canadian Citizenship of Internationally Adopted Children](#)

Legal brief prepared by Veeman Law, a Saskatoon-based firm specialising in immigration law for over 20 years. It outlines how the substantial connection test places an unnecessary, pointless burden on internationally adopted children, as well as overlooks complexities and realities of families who adopt internationally, “It is an example of equality of treatment resulting in an inequity.”

[5. Signatures of support](#)

List of 548 Canadians who have expressed support through online petitions for the amendment to exempt internationally adopted children from the “substantial connection test” clause and safeguard their citizenship rights.

[6. CIMM Committee Report On Citizenship & Adopted Children](#)

Report of the Standing Committee on Citizenship and Immigration (2009) which references concerns from individuals and organisations regarding inequalities and discrimination against adopted children, and includes - Recommendation 2: The Committee recommends that the Government of Canada grant children adopted abroad by Canadian parents ordinarily residing in Canada the same legal status as children born in Canada.

[7. Hague Convention on Intercountry Adoption and Rights of the Adopted Child](#)

This international treaty, to which Canada is a party, safeguards and protects the best interests of children. Among other provisions, Article 26 states “In the case of an adoption having the effect of terminating a pre-existing legal parent-child relationship, the child shall enjoy in the receiving State, and in any other Contracting State where the adoption is recognised, rights equivalent to those resulting from adoptions having this effect in each such State.”

September 23, 2024

Honourable Minister Marc Miller
Minister of Immigration, Refugees and Citizenship Canada
House of Commons
Ottawa, Ontario
K1A 0A6

Re: Bill C – 71 -Amendment - Citizenship Rights of Internationally Adopted Children

Dear Minister Miller,

We are writing to express support for the proposed amendment by Senator Arnot to *Bill C-71: An Act to Amend the Citizenship Act* which would exempt internationally adopted children from the “*substantial connection test*” clause and safeguard their citizenship rights.

Bill C-71 in its current form does not rectify the decades-long injustice and legislative inequalities towards internationally adopted children. These inequalities make them “*second-class*” to other Canadian children.

“Born and adopted abroad, these Canadians will not have access to the full breadth of their citizenship rights. They are, in effect, citizens minus. This is a fundamental breach of their citizenship rights.”

– Senator David Arnot, June 5, 2024

Families who are formed through the process of adoption are required, *by law*, to complete all of the necessary regulatory milestones to become a family and secure citizenship for their children. These stringent and arduous requirements are enforced specifically for adoptive families who adopt while living/working abroad and for Canadian families who adopt internationally while living in Canada (the majority of adoptions). Fundamental to this process already is parental attestation that our children will be raised as Canadians.

It is important to recognize that it is the IRCC that makes the final decision as to whether or not it is in the best interest of the *child to be adopted* and to *become a Canadian citizen*.

Yet, Bill C-71 currently requires any internationally adopted child who is a Canadian citizen and who has received their citizenship through the “*Direct Grant*” to prove a “*substantial connection to Canada*” in order to pass on citizenship to their children, if those children are born outside of the country.

This “*connection test*” is not imposed on: children who are adopted and “*sponsored*” to Canada, children who are adopted in Canada, children who are born in Canada to non-Canadian parents, etc. However, adopted children who receive Canadian citizenship through a “*direct grant*” are specifically singled out in Bill C-71.

The majority of adoptive parents who apply for the “*direct grant*” do so for differing but equally pressing reasons, either a) to ensure children are not stateless prior to returning home to Canada; b) to expedite securing citizenship for children, essential to their security and well-being; or c) as the only option for Canadians employed or living abroad to grow families through adoption. In every instance, there is no part of the legal citizenship process that is neglected.

We are asking that Senator Arnot’s proposed amendment to exempt internationally adopted children from any “*connection test*” criteria in Bill C-71 be endorsed in order to protect these children from the implications of this Bill and further changes to immigration law in the future.

Legislators, international bodies, and adoption experts collectively agree that internationally adopted children should be guaranteed full citizenship rights of their adopted country and not be subject to any discriminatory policies.

“The Committee is of the opinion that adopted children should not be treated differently from children born in Canada.”

- CIMM Committee on Citizenship Rights of Children Adopted Abroad 2009

Orphaned children are among the most vulnerable human beings in the world. Demanding they must “*prove*” they are Canadian, at any stage of their life course, fails to recognize their unique experience and abdicates the responsibility of their adoptive country: Canada.

As it stands, internationally adopted children are of Canadian nationality, and yet they are currently discriminated against in Bill C-71 because of their birth nationality/country of origin.

We are hopeful internationally adopted children will find champions in the House of Commons and in the Senate. We have attached supporting documentation for your review.

Thank you for your consideration.

Sincerely,

Katherine Lanteigne & Graeme Ball
(Supporting signatories in subsequent pages)

CC: Mike Burton – Chief of Staff

CC: Senator Arnot

CC: Members of the House of Commons

CC: Senate of Canada

Senator Arnot's Amendment Proposal: Transcript

[Debates of the Senate](#)

1st Session, 44th Parliament

Wednesday, June 5, 2024

Hon. David M. Arnot: Senator Gold, Bill C-71, An Act to amend the Citizenship Act, responds to gaps and deficiencies in the legislation affecting the lost Canadians but not for those Canadians born abroad and adopted by their Canadian parents. These children are prevented from passing on citizenship if they also choose to adopt children broad. This first-generation cut-off rule, which affects no other Canadians, is not cured by the proposed 1,095-day substantial connection test. Born and adopted abroad, these Canadians will not have access to the full breadth of their citizenship rights. They are, in effect, citizens minus. This is a fundamental breach of their citizenship rights.

Senator Gold, will you ask the government to consider a simple amendment to the bill to correct this inequality before it comes to the Senate?

Hon. Marc Gold (Government Representative in the Senate): Thank you, senator, for your question and for raising this very important question. I will certainly bring this concern to the attention of the minister.

My understanding is that the intent of the bill is to treat everyone equally, whether they are biological or adopted children. Indeed — colleagues may know — adopted children are specifically mentioned in Bill C-71.

I have also been advised that the government is aware that some stakeholders have concerns in this regard, and the government is open to having a conversation in that respect.

Senator Arnot: Senator Gold, will you ask the minister to support and promote a simple amendment? It says, “children who receive citizenship after their adoption is complete are exempt from the substantial connection test.” This amendment would easily correct the obvious breach of their citizenship rights in this bill before it reaches the Senate.

Senator Gold: Thank you, colleague. I will certainly add that to my conversation with the minister.



Child and Youth Permanency
Council of Canada

Conseil canadien de la permanence
pour les enfants et les jeunes

Dear Minister Miller,

We are writing, collectively, in support of Senator Arnot's recommendation to amend Bill C 71 by exempting internationally adopted children from the required 1095 day "connection test".

Currently, internationally adopted children, who are adopted to Canadian parents, are grouped into a category with any other person who is born abroad and seeks to pass on citizenship to their child.

There is a necessary distinction that we believe needs to be made for adopted children. The processes for parents to adopt a child from another country is not only arduous but prospective parents must prove their connection to Canada to multi-jurisdictional authorities. We believe Bill C 71, in its current form, discriminates against internationally adopted children by requiring them to, once again, "prove" they are connected to Canada and burden them with a process that will not be required had they been adopted through the naturalization process instead of the direct grant.

The direct grant route was designed to speed up the international adoption process so a child is not left stateless, however the connection to Canada requirements remains the same. We feel this demonstrates a deep flaw in how the current legislation is written.

As adoption experts we have a depth of knowledge regarding the critical importance of permanency and belonging for the adopted child who has experienced severe loss, the loss of their biological parents. Our concern is that Bill C 71 discriminates against these children who are already vulnerable and face adversity by the sheer fact that their family was grown thru adoption.

The purpose of Bill C71 was to restore rights to "Lost Canadians", while this bill may have rectified the issue for that particular group, it has not done so for internationally adopted children and therefore we cannot support Bill C 71 without Senator Arnot's suggested amendment.

Internationally adopted children and the Canadians that adopt them have had to demonstrate a profound, detailed connection to Canada in order for their adoptions to be successful and their families to be formed.

We are asking that the government accept the recommendations from experienced stakeholders, adoptees and adoptive families and protect our Canadian children who have no other country to call their home other than Canada.

In sincere appreciation,
Marlyn Wall

Executive Director, Child and Youth Permanency Council of Canada In
partnership with:

The Evermore Centre (SK), Interwoven Connections (ON), Adoption Council of Ontario, Belonging Network (BC), Adoption Options Manitoba, Sunrise Family Services Society (BC), New Brunswick Adoption Foundation, Adoption Options (ALTA)

CC: Prime Minister Trudeau

CC: Senator Arnot

CC: Senate of Canada

CC: Mike Burton – Chief of Staff

TOWARDS THE FULL CANADIAN CITIZENSHIP OF INTERNATIONALLY ADOPTED CHILDREN

Contents

<i>TOWARDS THE FULL CANADIAN CITIZENSHIP OF INTERNATIONALLY ADOPTED CHILDREN</i>	<i>1</i>
<i>BACKGROUND TO INTERNATIONAL ADOPTION</i>	<i>4</i>
<i>ANALYSIS</i>	<i>8</i>
Applying the first-generation abroad rule to internationally adopted children who became citizens under Section 5.1 is an anomaly in the scheme of the Act.	11
Adopted children who are granted citizenship under Section 5.1 have a sufficient connection to Canada and should not be subject to the first-generation born abroad rule or be subject to a substantial connection test	12
The treatment of stateless persons granted citizenship under 5(4) shows an inequity in the law that should be corrected.	14
<i>CONCLUSION</i>	<i>16</i>
<i>APPENDIX A</i>	<i>17</i>
<i>APPENDIX B</i>	<i>4</i>

INTRODUCTION

Parliament will shortly consider amendments to the Citizenship Act to respond to the Ontario Superior Court’s [Bjorkquist](#) decision which declared the limit on the transmission of citizenship abroad beyond the first generation to be unconstitutional. The introduction of amendments in response creates an opportunity to address an anomaly in Canadian citizenship law, which negatively affects internationally adopted children who become citizens through the “direct citizenship” process. These children become citizens by way of Ministerial grant under Section 5.1 of the Act – but unlike all others who obtain Canadian citizenship by way of grant¹, internationally adopted children are currently subject to limitations on the transmission of citizenship to their children born abroad.

The proposal under consideration to respond to Bjorkquist is to allow transmission of citizenship abroad by all citizens-by-descent who can show a “substantial connection” to Canada, defined as having spent 1095 days in Canada prior to their child’s birth. Natural-born Canadians and citizens-by-grant are not subject to this requirement. However, children who are citizens by grant under Section 5.1 (internationally adopted children) are treated as an exception to this rule. Even though they are citizens by grant, they would still be required to show a “substantial connection” to Canada to pass on their

¹ The only other citizens-by-grant who are affected are those who received a grant but were also citizens by descent retroactively: see Section 3(1)(h).

citizenship. This exception places an unnecessary, pointless burden on internationally adopted children.

At first glance, subjecting internationally adopted citizens-by-grant to a substantial connection test has a logical appeal given that they were, by definition, born outside of Canada. However, this simplistic approach overlooks the reality of families who adopt internationally. It is an example of equality of treatment resulting in an inequity. Internationally adopted children are the most intentional Canadians of all – at least as measured by the parental effort, expense and time required to bring them home – culminating in the Minister’s grant of citizenship. This intentionality should be recognized by treating internationally adopted children as fully Canadian.

The solution advocated for in this memorandum is to define a substantial connection to Canada through either (a) the parent proving 1095 non-consecutive days in Canada prior to the birth of their child or (b) the parent having been granted citizenship under Section 5.1.

BACKGROUND TO INTERNATIONAL ADOPTION

Adoption is a difficult, emotionally charged process for many families. These needs are often accentuated in international adoption situations. There are many layers involved in international adoptions – provincial adoption laws, federal immigration laws, and the laws of the child’s country of origin – as well as international treaties such as the Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Inter-country Adoption (the Hague Convention).² In addition to these legal issues, international adoptions often involve language and cultural barriers. For these reasons, many families require external supports to succeed in their adoption journey. Canada recognizes the importance of adoption: adoptions find a family for children who otherwise might not have one. Adoptions allow Canadians – including but not limited to those who cannot have their own children – the opportunity to have a family life, a right that is protected by international human rights law.³

Appendix A provides an overview of the effort, expense and time involved in most international adoptions. Nevertheless, Canadian citizenship law treats these children as not having a substantial connection to Canada if

² See Appendix A for a description of the steps taken by one family to adopt a child internationally.

³ For instance, the Universal Declaration of Human Rights (UDHR) codifies the importance of family. The pertinent provision relating to the right to family lies in Article 16(3) of the UDHR: 3. *The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.* In addition, Article 21(c) of the *Convention on the Rights of the Child* provides that internationally adopted children should be treated the same as those adopted domestically – which means they should not be burdened by a litmus test to be full citizens.

they become citizens by way of a direct grant of citizenship (as opposed to immigrating first and then naturalizing). They should be recognized as fully Canadian and not subject to a substantial connection test.

Over the past 10 years, approximately 63% of internationally adopted children (8,632 children) who became Canadian citizens have come through the direct citizenship stream⁴, as opposed to the immigration-then-naturalization stream⁵ (37%, 5,159).⁶ The 8,632 children who became citizens under the direct citizenship process during this period have lesser citizenship rights than children born in Canada, or those who naturalize to become citizens. The difference is that those who get citizenship directly cannot transmit citizenship to their children – whereas those who immigrate first, then naturalize, can do so. There is no strong rationale for the different treatment of these children.

Sponsorship for permanent residence, then naturalization

Adoptive parents can sponsor their internationally adopted child for permanent residence, based on the parent-child relationship created by the adoption. After obtaining permanent residence, the child can naturalize through a grant of citizenship under Section 5 of the Citizenship Act. Prior to 2008, this was the only pathway to citizenship for internationally adopted children.

⁴ Section 5.1 of the *Citizenship Act*.

⁵ Section 5 of the *Citizenship Act*.

⁶ See Appendix B

Children who become citizens in this way have the same citizenship rights as all those naturalized or born in Canada – they can pass on their Canadian citizenship to their children born abroad.

Direct citizenship

The Citizenship Act was amended in 2008 to allow internationally adopted children to be granted citizenship directly under Section 5.1. As noted above, most adopting families (63%) choose the direct citizenship route. This is often because of a requirement imposed by the country from which they are adopting – for instance, they lose their original citizenship upon leaving their country of origin. Many of these families are now realizing that their children’s citizenship rights are second-class compared with those who immigrated to Canada first and then naturalized, because they are subject to the first-generation abroad limitation. This is despite the fact that they receive citizenship by grant from the Minister (as is the case with those who naturalize), just under a different section of the Citizenship Act (Section 5.1 v. Section 5). As a result, these children do not have the same freedom to live abroad as those born in or naturalized to Canada – at least if we accept that “living abroad” may involve having a family life. If these internationally adopted children later have children who are born abroad, those children will not be citizens by descent (unless, under the new proposals, they show a substantial connection to Canada). If not, these parents would have to sponsor their child for permanent

residence, and then apply for citizenship for the child – a complicated, expensive, burdensome, and pointless process. In addition, internationally adopted children do not have the ability to apply for citizenship under Section 5.1 for any children that they might adopt abroad in the future. Adopted children are the only persons who are granted citizenship whose rights are restricted in this way.

ANALYSIS

There are three main categories for the recognition of citizenship: blood (*jus sanguinis*), soil (*jus soli*), and ‘connection’ (*jus nexi*). Canada incorporates aspects of all three sources of citizenship in the Citizenship Act. The first two (citizenship by descent (a “blood” connection) and by birth in Canada (“soil”) relate to facts of a person’s birth. Recognizing such persons as citizens are typically justified as legitimate sources of citizenship recognition as they serve as a proxy for a child having a strong connection to Canada. However, on further inspection these proxies are rough – at best. For instance, the assumption behind the rationale of recognizing those born in Canada as citizens is that birth in Canada means that the parents are at least ‘resident’ in Canada (even if not citizens). The second assumption is that birth to a citizen, even abroad, is a sufficient indicator that there is or will again be a connection to Canada.

The third category is that of granting citizenship to those who have demonstrated a strong connection to Canada, such that we want to include them in the Canadian community. This is the naturalization process, governed by Section 5 of the Citizenship Act. Naturalization involves – in most cases – being a permanent resident, demonstrating 1095 days of physical presence in Canada, language ability, and knowledge of Canada – and the end result is a grant of citizenship by the Minister.

The assumptions behind citizenship by blood and soil are not perfect. However, they have been broadly accepted in part due to their historical longevity as sources of citizenship, as well as the fact that it would be otherwise challenging – to say the least – to engage in a process to determine whether a newborn has a sufficient connection to Canada at birth to justify recognizing them as a citizen beyond these easily ascertainable but crude indicators or where they were born and who was their parent (soil and blood). Nevertheless, the Citizenship Act recognizes these children as citizens – with qualifications in both cases. These rules are stated in Sections 3 (recognition of citizenship by birth).

Section 3 legislatively recognizes who is a Canadian citizen. While it recognizes naturalized citizens as being citizens, its main operative effect is to declare who is a citizen by birth – whether by birth on Canadian soil, or by birth to a Canadian parent. In this regard, the ‘meat’ of Section 3 deals with the blood and soil citizens. As can be seen from a review of these sections, neither is absolute. This is because while blood and soil are often a good proxy for connection to Canada, they are not perfect. A person can be born on Canadian soil and yet have no meaningful connection to the country. For instance, a child born to a foreign diplomat is not recognized as a Canadian citizen. The fact of their birth on Canadian soil is not a strong indicium of connection to Canada – rather, their connection is to the country sponsoring their parents as diplomats.

They are not citizens as a result – Section 3(2). Another example is a child born in Canada to parents with visitor status – sometimes intentionally taking advantage of Canada’s jus soli provisions. These children are citizens by law under Section 3 and need not establish any “substantial connection” to pass on their citizenship to their children born abroad.

Similarly, the recognition of citizens by blood is also imperfect as an indicium of connection to Canada. A Canadian citizen may choose to live outside of Canada for any number of reasons, and the longer that this persists, arguably the weaker the connection to Canada. Many nations limit the transmission of citizenship by descent for this reason – as the further down the chain of transmission, the less clear it is that there is a substantial, or indeed any, connection to Canada.

Prior to 2009, Canada dealt with this by requiring citizens born abroad to take positive steps to retain their citizenship. These rules were in place to try to walk the fine line of recognizing citizenship by descent, while addressing the concern about unlimited transmission of Canadian citizenship abroad to those with no real connection to Canada. However, Canada’s regime in this regard was imperfect, leading to many cases of ‘lost Canadians’ – people who it was generally agreed ought to be considered citizens but were not legally recognized as such. In 2009, Parliament amended the Citizenship Act to ‘find’ and recognize these lost Canadians. As found by the Court in Bjorkquist,

Parliament went too far in the opposite direction establishing a clear – but arbitrary – rule.

The exceptions to the first-generation abroad limitation also demonstrate that the main concern of Canadian citizenship law is identifying a strong connection to Canada. For instance, Section 3(5) provides that the child or grandchild of a citizen working in the public service of Canada, or a province, is not affected by the first-generation abroad limitation. Clearly, the fact that a person is working for the federal government was seen as establishing a strong connection to Canada sufficient to justify exempting them from the first-generation abroad limitation, even though their citizenship was by descent. This exception shows the importance of a connection to Canada in the application of the first-generation abroad limitation.

Children adopted abroad, by virtue of the intentionality of the adoption process, have a strong connection to Canada and should not be subject to the first-generation abroad limitation.

Applying the first-generation abroad rule to internationally adopted children who became citizens under Section 5.1 is an anomaly in the scheme of the Act.

The first-generation limitation applies to all children of those who are citizens by descent who are born abroad. Formulated in this way, it should not apply to children who are adopted internationally, as they are granted citizenship

under Section 5.1 of the Citizenship Act. All other persons granted citizenship are not affected by the first-generation abroad limitation.

Internationally adopted children are a sui generis category. There is no 'blood' connection, nor is there a 'soil' connection. The facts of their birth do not entitle them to Canadian citizenship. The question is therefore whether the international adoption process itself demonstrates a sufficient connection to Canada that they should not be subject to the first-generation abroad limitation – or the need to further demonstrate a substantial connection to Canada. The conscious, positive steps taken by adoptive parents to find, adopt, patriate, and incorporate an adoptive child into their lives demonstrates a sufficiently strong connection to Canada.

Adopted children who are granted citizenship under Section 5.1 have a sufficient connection to Canada and should not be subject to the first-generation born abroad rule or be subject to a substantial connection test.

Given the stress that the international adoption process places on adopting families and adopted children, and all of the steps that adopting parents must take to complete the process, Canadian law should do everything possible to create conditions in which adopted children can thrive. This includes ensuring that adopted children are fully connected to Canada and enjoy all the rights of citizenship – not a second-class citizenship. Our law should give internationally adopted children the same citizenship rights as those born in or

naturalized into Canada. This could be achieved by treating internationally adopted children who become citizens through a Section 5.1 grant as though they were naturalized as Canadian citizens under Section 5.

Internationally adopted children have a stronger demonstrated connection to Canada (through their adoption) than that of children born to Canadians living abroad. Adoptive families must take proactive steps – filing applications and paying fees, for instance – demonstrating a desire to be a part of the Canadian community. Most of the time, the adopting parents have traveled abroad to complete the adoption process and intend to return to Canada as soon as the process is completed. The process takes years to complete (usually at least 2 years, and often more). By law, they have demonstrated a strong interest in and connection to Canada that separates their case from those of at least some children born abroad to expatriates, who may have no intention of ever living in Canada. Burdening adopted children with the responsibility to further prove their connection to Canada places an unjust burden on the child. The current law does not take into consideration the interests of the adopted child or their unique status as a person in need of special protection.

The treatment of stateless persons granted citizenship under 5(4) shows an inequity in the law that should be corrected.

After the first-generation limit came into effect, it became apparent that the rule increased the possibility of statelessness – and was therefore contrary to Canada’s international treaty commitments against statelessness. The problem was that a child could be born to a Canadian citizen in a country without birth-on-soil citizenship, of which there are many. If neither of the parents was born in Canada or naturalized (i.e., they were citizens by descent), then the child would not be recognized as a citizen by any country at birth. As a result, Parliament amended the Citizenship Act to more clearly indicate that the Minister should grant citizenship to remedy such situations of statelessness:

(4) Despite any other provision of this Act, the Minister may, in his or her discretion, grant citizenship to any person to alleviate cases of statelessness or of special and unusual hardship or to reward services of an exceptional value to Canada.

Section 5(5) creates a similar entitlement to certain stateless persons born to citizens. Persons who are granted citizenship under Section 5 (such as regular grants in subsection (1), special cases in subsection (4), and statelessness cases in subsection (5)) are not affected by the first-generation abroad limit. That this is the case for persons granted citizenship under all of these sections, but not for internationally adopted children granted citizenship under Section 5.1, is an anomaly in the law, as the fact that a person is stateless

does not indicate any greater connection to Canada than a person who is not stateless. Rather, the fact that they are stateless relates to the construction of citizenship law in the country of their birth. However, when it comes to the first-generation abroad limitation, these persons are treated as having been naturalized as Canadian citizens.

CONCLUSION

Parliament should treat internationally adopted children who have been granted citizenship the same as all other citizens-by-grant, and not impose a requirement to demonstrate a substantial connection to Canada to pass on their citizenship. Such a requirement is an unnecessary and pointless exercise that would serve only to stigmatize internationally adopted children .

By permitting and administering international adoption processes, the government of Canada allows for the creation of families – creating legal bonds of parenthood between parents and a child through state action. Canadians can become parents through a process that transcends borders, cultures, languages and legal systems. International adoption is a wonderful governmental action that should not be undermined by treating the bond that is created in this way as less substantial than one created solely in Canada.

APPENDIX A

Overview of the documentation & steps typically required by the Province of Ontario and IRCC for international adoption (in this case for a child from Zambia):

- Confirmation of residency in Ontario.
- Complete a home study by an approved/licences adoption practitioner in the province of Ontario which consists of the following:
 - Multiple home visits to inspect our Canadian home where the child will live.
 - Detailed interviews with both parents as to how we will ensure our child is integrated into Canadian life & how we will support them.
 - Acquire multiple reference letters from other Canadians who can vouch for our ability to parent.
 - Provide proof of citizenship, residency, marriage, and employment which includes letters from employers in Canada.
 - Provide proof we have financial means to provide for a child.
 - Provide a completed medical examination from our family doctor.
 - Ensure guardians have been assigned for our child in Canada.
 - Complete child welfare checks in every province we have lived, and in every country, we have lived in longer than 6 months.
 - Complete an Interpol security check.
 - Acquire life insurance.
 - Complete a social history background of our lives and that of our families in full detail, where we were raised in Canada, what/if we have any religious beliefs.
 - Complete the IRCC PART 1 immigration form where we must choose the direct grant route or the naturalization route.
 - We must wait for approval from the Ministry of Ontario to approve us as adoptive parents, after which we wait for a child referral in the program, we were able to be accepted in – for us – it was Zambia.
 - Our Zambia dossier for our file also had to include our tax returns, photographs of our home, friends, family, and life in Canada.
 - Our full adoption package and approval from Ontario (it is a full thick binder).
 - We were required to live in Zambia for 6 months to complete the adoption process which consisted of home visits from Zambian social workers, multiple court appearances for the

judges to oversee our parenting of our son. We received final approval from the Ministry of Social Services & Welfare who made the initial referral to us as Canadian parents. After which, we received the final approval from the \ambian courts. We were then able to apply for PART 2 of our son's citizenship application.

- Part 2 of the application includes all the above. The Canadian adoption dossier and all the Zambian paperwork – which also fills a binder. All the Zambian paperwork must be notarized. It is then sent to a remote IRCC office in Africa for approval.
- As adoptive parents we could not move back to Canada with our son until the IRCC granted our son's citizenship as we would not acquire a passport for him otherwise.
- Our son's citizenship was granted while we were in Zambia, and we flew home as soon as his passport was issued.
- Upon returning to Canada, we were required to complete 3 years of home visits by a licensed Ontario social worker in our home. These reports were then included in our adoption dossier and submitted to the authoritative bodies in Zambia to demonstrate our son was thriving in his new life as a Canadian child.
- Upon returning to Canada, we reapplied for new (non-temporary) passport for our son where many of our documents had to be resubmitted to the IRCC, acquired a SIN number for him, an Ontario health card, a pediatrician etc.

APPENDIX B



Immigration, Refugees
and Citizenship Canada

Immigration, Réfugiés
et Citoyenneté Canada

L'information divulguée en vertu

New Citizens from Citizenship and Immigration Streams of Adoption, by Citizenship Effective Year (January 1, 2010 - April 6, 2023)

Adoption Stream*	Citizenship Effective Year														Total
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023**	
Citizenship Stream	1,162	1,100	939	762	669	643	510	514	567	573	450	382	350	11	8,632
	70%	60%	61%	60%	52%	57%	57%	65%	71%	65%	78%	74%	63%	21%	63%
Immigration Stream	504	748	591	502	610	484	387	275	234	314	129	134	206	41	5,159
	30%	40%	39%	40%	48%	43%	43%	35%	29%	35%	22%	26%	37%	79%	37%
Total	1,666	1,848	1,530	1,264	1,279	1,127	897	789	801	887	579	516	556	52	13,791

* Adoption Stream: Citizenship Stream - 5.1; Immigration Stream: FC6 and FC9.

** For Calendar Year 2023, the data only covers the January 1st - April 6th period.

Tracking Number: OPP-DART-2023-21029

Data source & Date: IRCC-EDW (MBR) - Refreshed April 17, 2023

Data is operational and subject to change.

Please note that data more recent than March 31, 2023 have not been publicly released.

Signatures of support

The following are Canadians who have expressed support through online petitions for an amendment which would exempt internationally adopted children from the “substantial connection test” clause and safeguard their citizenship rights.

	Name	City/location	Postal Code	Country	Date signed
1.	Kat Lanteigne	Toronto	M4L 3J6	Canada	2024-08-19
2.	Janice Cohen	Vancouver	V5Z	Canada	2024-08-20
3.	Janet Gagnon	Kelowna	V1Y	Canada	2024-08-20
4.	Neda Teher	Brampton	L6S	Canada	2024-08-20
5.	Sidney Williamson	Coquitlam	V3B	Canada	2024-08-20
6.	Kyong Nae Cho	Vancouver	V6G	Canada	2024-08-20
7.	Bev Rotman	Toronto Ontario	M5P 2L3	Canada	2024-08-20
8.	Katerina Lekaj	Niagara Falls	L2G	Canada	2024-08-20
9.	Cheryl Fourie	North Vancouver	V7H2S6	Canada	2024-08-20
10.	R Jordan	Edmonton	T5Y	Canada	2024-08-20
11.	Zoey Fitzgerald	Edmonton	T5Z	Canada	2024-08-20
12.	May Bell	Calgary	T2N	Canada	2024-08-20
13.	Dalphina Joseph	Prince George	V2N	Canada	2024-08-20
14.	caitlin marsden	Toronto	M5P	Canada	2024-08-20
15.	Heather Joachim	Edmonton	T5N	Canada	2024-08-20
16.	Alazar Teame			Canada	2024-08-20
17.	Amanda McCallen	Toronto	M4L	Canada	2024-08-20
18.	Angela Gurley	Toronto	M4E	Canada	2024-08-20
19.	Rebecca Snow	Toronto	M4E 1W3	Canada	2024-08-20
20.	Shelby Hallman Mailloux	Toronto	M4L 2W5	Canada	2024-08-20
21.	Lara Connolly	Toronto	M4L	Canada	2024-08-20
22.	Jessica Dexter	Toronto	M6J	Canada	2024-08-20
23.	Mary-Jo Hewat	Toronto	M4T	Canada	2024-08-20
24.	Judy Moore	Toronto	M5A4M2	Canada	2024-08-20
25.	Colin O'Connor	Toronto	M6H	Canada	2024-08-20
26.	Linette DeGraaf	Burlington	L7M	Canada	2024-08-20
27.	KENT HALLMAN	Toronto	M4V	Canada	2024-08-20
28.	Ashley Hall	Toronto	M4E	Canada	2024-08-20
29.	Laura Herren	Toronto	M5A	Canada	2024-08-20
30.	Christine Moore	Nanaimo	V9T	Canada	2024-08-20
31.	Rosalindsteele Steele	London	Se232aa	UK	2024-08-20
32.	Kathryn Dinsdale	Toronto	M5V	Canada	2024-08-20
33.	Jessie Reny	Toronto	M4E	Canada	2024-08-20
34.	Marnie Laser	Creston	V0B	Canada	2024-08-20
35.	Lisa Berry	Toronto	M5A	Canada	2024-08-20
36.	Jackie Haver	Toronto	M5A	Canada	2024-08-20
37.	Senen Sevilla	Toronto	M5V	Canada	2024-08-20
38.	Sharon Snider	Toronto	M4E	Canada	2024-08-20
39.	lori wilson	Toronto	m4l 2h1	Canada	2024-08-20
40.	Diane Jansen	Toronto	M4L 2R3	Canada	2024-08-20
41.	Susan Bauer	Edmonton	T5R 4H9	Canada	2024-08-20
42.	Arash Kh	Richmond Hill	L4E	Canada	2024-08-20
43.	Caroline Gaw	Stratford	N5A	Canada	2024-08-20
44.	Bridget Power	Toronto	M4Y	Canada	2024-08-20
45.	Sandra Bellemare	Ottawa	K1Z	Canada	2024-08-20
46.	Lee-Anne Maier	Toronto	M4B	Canada	2024-08-20
47.	Jenna Miles	Dartmouth	B2V 2K2	Canada	2024-08-20
48.	Alison Frost	Toronto	M4L	Canada	2024-08-20
49.	Michelle Harrison	Edgewood	98372	Canada	2024-08-20
50.	Ezra Jacobs	Peterborough	K9H	Canada	2024-08-20
51.	Heather Blaine	Toronto	M6R 3H8	Canada	2024-08-20

52.	Tanisha Fefchuk	Regina	S4V	Canada	2024-08-20
53.	Nicolle Weeks	Toronto	M4E	Canada	2024-08-20
54.	maddy reny	Toronto	M4C	Canada	2024-08-20
55.	Sophie Ramstad	Red Deer	T4P	Canada	2024-08-20
56.	zarsanga popal	Toronto	M4L2E2	Canada	2024-08-20
57.	Sarah Ritvo	Toronto	M4E 3C1	Canada	2024-08-20
58.	gen reny	Osoyoos	V0H	Canada	2024-08-20
59.	Caroline Ducharme	Nepean	K2J	Canada	2024-08-20
60.	Kim Lefebvre	Toronto	M5A	Canada	2024-08-20
61.	Beth Bell	Ottawa	K2b	Canada	2024-08-20
62.	Afshin A	Mississauga	L5W	Canada	2024-08-20
63.	Isabella Reny	Niagara Falls	L2E	Canada	2024-08-20
64.	Janice Hawke	Toronto	M4E	Canada	2024-08-20
65.	ROSHANALI KARIM	BRAMPTON	L6Y 2M1	Canada	2024-08-20
66.	Kevin Ball	Nelson	V1L2P3	Canada	2024-08-20
67.	Lee Tuan	Burlington	L7T4L9	Canada	2024-08-20
68.	Allison Fox	Ontario	P0V 1G0	Canada	2024-08-20
69.	Joey Faircloth	Toronto	M4V	Canada	2024-08-20
70.	Steven Holden	Victoria	V9A 5R4	Canada	2024-08-20
71.	Gillian Flanagan	Toronto	M4S	Canada	2024-08-20
72.	Monica Sonethasack	Brampton	L6R	Canada	2024-08-20
73.	Lenore Black	Markham	L3S	Canada	2024-08-20
74.	Triton Masluk	Whistler	V8E	Canada	2024-08-20
75.	Katie Lafferty	Toronto	M4M	Canada	2024-08-20
76.	Lynn MiramsDSouza	Toronto	M6H	Canada	2024-08-20
77.	Vivek Nazar	Brampton	L6P2Z4	Canada	2024-08-20
78.	Judy Bruce	Wasaga Beach	L9Z 2B1	Canada	2024-08-20
79.	Matt Wilson	Calgary	T2N 3C9	Canada	2024-08-20
80.	Quincey Miles			Canada	2024-08-20
81.	Cynthia Poulter	Toronto	M4E	Canada	2024-08-20
82.	Eric Chartrand	Selkirk	R1A	Canada	2024-08-20
83.	Kira Levine	Toronto	M4E	Canada	2024-08-20
84.	Celeste Paquette	Ottawa	K1A	Canada	2024-08-20
85.	Jennifer Ball	Toronto	M6H	Canada	2024-08-20
86.	Matt McPherson	Toronto	M4K	Canada	2024-08-20
87.	Sarah Kelar	Toronto	M4E	Canada	2024-08-20
88.	Frank Hochel	Calgary	T1Y	Canada	2024-08-20
89.	Brenda Massey	Toronto	M8Y 3M8	Canada	2024-08-20
90.	Meenisha Dhamala	Lethbridge	T1K	Canada	2024-08-20
91.	Laura Warlow	Toronto	M4P	Canada	2024-08-20
92.	Marni Salkovitch	Scarborough	M1N	Canada	2024-08-20
93.	Sara Newman	Toronto	M4K 3E4	Canada	2024-08-20
94.	Lori Melnychuk	Edmonton	T5T	Canada	2024-08-20
95.	Holly Procktor	Toronto	M4L 3L3	Canada	2024-08-20
96.	Jessica Simpson	Calgary	T3A 6L4	Canada	2024-08-20
97.	kasey ganske	Edmonton	T5T	Canada	2024-08-20
98.	Marion Smith	Mississauga	L5M	Canada	2024-08-20
99.	Bella Story-taku19	Toronto		Canada	2024-08-20
100.	Josh Chan	Edmonton	T6C	Canada	2024-08-20
101.	Liz G	Toronto	M5G 2M4	Canada	2024-08-20
102.	Shaelynn Suderman	Corner Brook	A2H	Canada	2024-08-20
103.	Justyne Kawalilak	Calgary	T2X	Canada	2024-08-20
104.	Ko Kuffuor	Ottawa	K1Y	Canada	2024-08-20
105.	Ezra Goldman	Toronto	M3H	Canada	2024-08-20
106.	Kerry Walsh	Toronto	M6G	Canada	2024-08-20
107.	julie asselin	Toronto	M6K	Canada	2024-08-20
108.	Carly Brandt	Red Deer	T4N 4J5	Canada	2024-08-20
109.	April Julian	Toronto	M4L	Canada	2024-08-20
110.	Sonya Jakubec	Calgary	T3E	Canada	2024-08-20

111.	roger moore	Surrey	V3S	Canada	2024-08-20
112.	Fahd Mobarak	Hamilton	L8p4r3	Canada	2024-08-20
113.	Denise Ormerod	Kentville, Nova Scotia	B4N 5J4	Canada	2024-08-20
114.	Kelly Payne	Toronto	M6P	Canada	2024-08-20
115.	Sonia Shields	Toronto	M6N	Canada	2024-08-20
116.	Shayla Colby	Mount Forest	N0G	Canada	2024-08-20
117.	Glenn Baker	Toronto	M5J	Canada	2024-08-20
118.	Sasha Davies	Vancouver	V5I 2Y1	Canada	2024-08-20
119.	Andrea Travis	Keremeos	V0X 1N2	Canada	2024-08-20
120.	J H	Toronto	M3C	Canada	2024-08-20
121.	Linda Al-Jokhadar	Lower Sackville	B4C4G5	Canada	2024-08-20
122.	Amber White	Sarnia	N7T7H5	Canada	2024-08-20
123.	Rebecca Beaton	Aurora, Ontario	L4G-1Z9	Canada	2024-08-20
124.	Sam Farelli	Toronto	M5A	Canada	2024-08-20
125.	Rachael Hughes	Vancouver	V6G	Canada	2024-08-20
126.	Parvinder Kaur	Thunder Bay	P7A	Canada	2024-08-20
127.	rochelle kuystermans	Calgary	T2A	Canada	2024-08-20
128.	Chloe MacDonald	Barrie	L4N	Canada	2024-08-20
129.	Tom Rawding	Toronto	M5A	Canada	2024-08-20
130.	Michelle Reid	West Kelowna	V4T	Canada	2024-08-20
131.	Denis De Jong	Ottawa	K2R 1E2	Canada	2024-08-21
132.	Elizabeth Page	Sechelt	V7Z	Canada	2024-08-21
133.	scarlet page	Ottawa	K2B	Canada	2024-08-21
134.	Karen Henderson	Hamilton	L9K 1J8	Canada	2024-08-21
135.	Chelsey Lockhart	Nerepis	E5K3P2	Canada	2024-08-21
136.	Nora Griffiths	Hamilton	L8L	Canada	2024-08-21
137.	Melody Li	Markham		Canada	2024-08-21
138.	Annie Ilkow	Montreal	H2W 2L2	Canada	2024-08-21
139.	Eugenia Turanski	Longueuil	J3Y 2M9	Canada	2024-08-21
140.	Angele Huberdeau	Acton Vale	J0H1A0	Canada	2024-08-21
141.	Tracey Miller			Canada	2024-08-21
142.	Alexandre Silva	Mississauga	L4W	Canada	2024-08-21
143.	Sarah Slapalapago	ottawa	k9h3b1	Canada	2024-08-21
144.	Hailey A	Minden	K0M	Canada	2024-08-21
145.	Naomi Chorney	Toronto	M4S	Canada	2024-08-21
146.	Asha Richens	Perth	K7H	Canada	2024-08-21
147.	John Barker	Sarnia	N7S	Canada	2024-08-21
148.	Moss/Jas Gill	Port Moody	V3H	Canada	2024-08-21
149.	Corrinne Burling	Tottenham	L0G	Canada	2024-08-21
150.	Geoffrey Cain	London	N6C	Canada	2024-08-21
151.	Emma Burse	Paris	N3L	Canada	2024-08-21
152.	Rosalind chan	Etobicoke	M9C	Canada	2024-08-21
153.	Angela Fitzpatrick	Windsor	N8S	Canada	2024-08-21
154.	Bushra Khaled	Winnipeg	R3Y	Canada	2024-08-21
155.	Melissa Siah	Scarborough	M1W	Canada	2024-08-21
156.	Aastha Bhadti	Edmonton	T6L	Canada	2024-08-21
157.	Rob Trainor	Lloydminster	T9V 2A4	Canada	2024-08-21
158.	Nazanin Hamidzadeh	North York	M2N	Canada	2024-08-21
159.	Andrea Blackburn	Cavan	L0A 1C0	Canada	2024-08-21
160.	Veronika Moukhina	Toronto	M6J	Canada	2024-08-21
161.	Chase Hibouxz	Edmonton	T9N	Canada	2024-08-21
162.	Chloe Gakeli	Edmonton	T5y3p8	Canada	2024-08-21
163.	destiny bulley	Windsor	N8R 1R3	Canada	2024-08-21
164.	Shaylin Resendes	Edmonton	T5Y	Canada	2024-08-21
165.	Jessica Wells	Barrie	L4N	Canada	2024-08-21
166.	Nowroze Akter	Saskatoon	S7H	Canada	2024-08-21
167.	Mike Lanteigne	Edmonton	T6W	Canada	2024-08-21
168.	Allandra Gordon	Toronto	M9M	Canada	2024-08-21
169.	Emil Aliyev	Calgary	T2T	Canada	2024-08-21

170.	Deirdre Mullins	London	EC1N	UK	2024-08-21
171.	Carlo Bastianutto	Sacile	33077	Italy	2024-08-21
172.	Elias Filho	Brampton	L7A	Canada	2024-08-21
173.	Mary Heenan	Toronto	M4N	Canada	2024-08-21
174.	Sheila Potter	Warsaw	K0L2H0	Canada	2024-08-21
175.	Stephanie Lalonde	Ottawa	K1N	Canada	2024-08-21
176.	Liz Scanlon	Toronto	M4J	Canada	2024-08-21
177.	Vanessa Hill	Toronto	M6G	Canada	2024-08-21
178.	Meredith Jessop	Peterborough	K9H	Canada	2024-08-21
179.	Olivia Guilmette	London	N6C	Canada	2024-08-21
180.	James Lanteigne	Colorado Springs	80908	US	2024-08-21
181.	Xiaomao Li	Toronto	M5A	Canada	2024-08-21
182.	NORMAN THIBODEAU	Moncton	E1C 9Y2	Canada	2024-08-21
183.	Sarah Young	Toronto	m4l3j1	Canada	2024-08-21
184.	Matthew Hibbert	Toronto	M6J	Canada	2024-08-21
185.	Tammy Mcintosh	Cavan	L0A	Canada	2024-08-21
186.	Jean Carlos Vizentin	Toronto	M4X	Canada	2024-08-21
187.	Cathie Edwards	Peterborough	K9J0E6	Canada	2024-08-21
188.	Tofin Stephanie	Penticton	V2A	Canada	2024-08-21
189.	Natalie Verge	Wallaceburg	N8A 3E3	Canada	2024-08-21
190.	mary nicholls	Newcastle	L1B0A1	Canada	2024-08-21
191.	Anyse Gaudet	Moncton		Canada	2024-08-21
192.	Kathryn Coleman	Peterborough	K9H	Canada	2024-08-21
193.	Wendy Thompson	Peterborough	K9H	Canada	2024-08-21
194.	Punam Khadka	Toronto	M6C	Canada	2024-08-21
195.	Adedayo Daibo	Calgary	T3G	Canada	2024-08-21
196.	Corinne ...	Greater Sudbury	P3E	Canada	2024-08-21
197.	Kylah Welch	Peterborough	K9H	Canada	2024-08-21
198.	Ana Sofia Serrano Flores	Vancouver	V5N	Canada	2024-08-21
199.	Savita Dhall	Brampton	Brampton	Canada	2024-08-21
200.	Shawna Colvin	Peterborough	K9J1A5	Canada	2024-08-21
201.	Cam Jenkins	Brampton	L6W	Canada	2024-08-21
202.	Marina Tibbetts	Fort St. John, BC	V1J 1z6	Canada	2024-08-21
203.	Laura Smith	Peterborough	K9K 2c6	Canada	2024-08-21
204.	Sherry Iles	Peterborough	K9J	Canada	2024-08-21
205.	Marjie Almanoché	Calgary	T2G	Canada	2024-08-21
206.	Maria Erno	Edmonton	T6h 2n3	Canada	2024-08-21
207.	setareh zand	Montréal		Canada	2024-08-21
208.	Steve Thompson	Etobicoke	M9B 3K8	Canada	2024-08-21
209.	Heather Blakely	Toronto	M4N	Canada	2024-08-21
210.	Kimberly Gray	Ottawa	K1N 1J8	Canada	2024-08-21
211.	Shelagh Wiebe	Ottawa	K1V	Canada	2024-08-21
212.	Cesca Daya	Kamloops	V2C	Canada	2024-08-21
213.	Pat Doe	Toronto	M6A 1N6	Canada	2024-08-21
214.	Igor Krichevsky	Montreal	H4M 2W8	Canada	2024-08-21
215.	Kerry Mewhort	Oliver	VoH 1T0	Canada	2024-08-21
216.	dave hoyle	oakville	I6k2I2	Canada	2024-08-21
217.	audrey Smardenka	Toronto	M6P	Canada	2024-08-21
218.	Cheyenna McKenzie	Regina	S4M	Canada	2024-08-21
219.	Sierra Mann	Ottawa	K1T	Canada	2024-08-21
220.	armaan singh	Edmonton	T6L	Canada	2024-08-21
221.	Timothy Francis	Toronto	M4L2Y5	Canada	2024-08-21
222.	Pat Al			Canada	2024-08-21
223.	DEBORAH W	PENTICTON	V2A 8X9	Canada	2024-08-21
224.	Payton Rushton	Calgary	T0L 1W3	Canada	2024-08-21
225.	Danuta Guzylak	Toronto	M6H 3M3	Canada	2024-08-21
226.	Ashirwad Rana	Edmonton	T6L	Canada	2024-08-21
227.	Jess Ironside	Peterborough	K9J1B6	Canada	2024-08-21
228.	Brad Thompson	Toronto	M4L 1V2	Canada	2024-08-21

229.	Mohammad Raza	Edmonton	T5T	Canada	2024-08-21
230.	Sandra & Bill Jenkins	Brampton	L6Y3V1	Canada	2024-08-22
231.	Bernadette Verstraete	Edmonton	T5L 2M2	Canada	2024-08-22
232.	Judy Christoffersen	Toronto On	M9A-0C3	Canada	2024-08-22
233.	Tori King	Edmonton	T6E6H1	Canada	2024-08-22
234.	Heather Debling	Stratford	N5A	Canada	2024-08-22
235.	Kayla Pollock	Grande Prairie	T8V 3L9	Canada	2024-08-22
236.	Eunice Hawke	Etobicoke	M9R	Canada	2024-08-22
237.	Marcellienne Rowe	Peterborough	K9J	Canada	2024-08-22
238.	Alexander True	Surrey	V3Z	Canada	2024-08-22
239.	Sara Johnston	Toronto	M4L1G3	Canada	2024-08-22
240.	Nat Marrello	Hamilton	L9C	Canada	2024-08-22
241.	Eskedar Girma	Toronto	M4B	Canada	2024-08-22
242.	Sandy Yip	Richmond	V7E	Canada	2024-08-22
243.	okbeab nugusse	Calgary	V5W	Canada	2024-08-22
244.	Sonja Crawford			20619 Canada	2024-08-22
245.	Patrick Farnum	Calgary	T3B	Canada	2024-08-22
246.	Zeresenay Mariam Kusmu			Canada	2024-08-22
247.	Neville Stanley	Toronto	M9B2K2	Canada	2024-08-22
248.	Matthew Edison	Toronto	M6P	Canada	2024-08-22
249.	Anne Beaudry	Pembroke	K8A 3G1	Canada	2024-08-22
250.	Matt Hami	Windsor	N8X	Canada	2024-08-22
251.	Chloe Zoleta	Burnaby	V5C	Canada	2024-08-22
252.	Maninder singh kooner	Edmonton	t6l-4n3	Canada	2024-08-22
253.	Tricia Wands	Kitchener	N2E	Canada	2024-08-22
254.	Borjana Dedoevic	San Diego		92122 US	2024-08-22
255.	Bill Renieris	Toronto	M5a	Canada	2024-08-22
256.	Jade Mackling	Winnipeg	R3L 0C6	Canada	2024-08-22
257.	Kristin Donovan	Toronto	M5V	Canada	2024-08-22
258.	Carol Mills	Havelock	K0L	Canada	2024-08-22
259.	Ariel Hoyrup	Swift Current	S9H	Canada	2024-08-22
260.	Kendra Bannen	Calgary	T2Z	Canada	2024-08-22
261.	Sam zheng	Richmond	V7E	Canada	2024-08-22
262.	Nicholas Villeneuve	Peterborough	K9J	Canada	2024-08-22
263.	Mary Lou Daigle	Bedford	b4b0p8	Canada	2024-08-22
264.	Sharen Rego	Brampton	L7A	Canada	2024-08-22
265.	Hajian Motlagh Asila	Winnipeg	R2N	Canada	2024-08-22
266.	Eden Hemmings	Medicine Hat	T1B	Canada	2024-08-22
267.	hamid vali	Richmond Hill	L4C	Canada	2024-08-22
268.	Sasha Samadi	Calgary	T1Y	Canada	2024-08-22
269.	Wayne Cornack	Selwyn	K9J 0C7	Canada	2024-08-22
270.	A Lindsay	Campbell River	V9W	Canada	2024-08-22
271.	Madeleine Chapman	Maple Ridge	V2X	Canada	2024-08-22
272.	Yishak Zegeye	Toronto	M5A	Canada	2024-08-22
273.	Adrianna G	Carlisle	L0R 1H4	Canada	2024-08-22
274.	Jim McCarthy	Peterborough	K9L 1W4	Canada	2024-08-23
275.	Shelley Page	Ottawa	K1Z 6P8	Canada	2024-08-23
276.	sona Rao Clark	Toronto	M4J	Canada	2024-08-23
277.	Samantha Larmer	Havelock	K0L1Z0	Canada	2024-08-23
278.	Michael Cornack	Burlington	L7P	Canada	2024-08-23
279.	Jasbir Singh	Brampton	L6Y	Canada	2024-08-23
280.	Cassidy Spieran	London	N6J	Canada	2024-08-23
281.	Taha Mirzaee	Toronto	M4M	Canada	2024-08-23
282.	tekle abrha	Kitchener	N2M	Canada	2024-08-23
283.	Kashif Shahbaz	Edmonton	T6R0M2	Canada	2024-08-23
284.	Vania Crabbe			Canada	2024-08-23
285.	Jesse Baillie	Kingston	K7K	Canada	2024-08-23
286.	Solomon Mehari			Ethiopia	2024-08-23

287.	Nicoke Frost	Quesnel	V2J 1c7	Canada	2024-08-23
288.	Surafiel WELDESLASIE	New Westminster	V3M	Canada	2024-08-23
289.	Kelly Kocsis	Stouffville	L4A	Canada	2024-08-23
290.	Joan Klatt	Oakville	L6j4v7	Canada	2024-08-23
291.	Cathy Messenger	London	N6G 3L2	Canada	2024-08-23
292.	Lisa Adams	Sandford	L0C	Canada	2024-08-23
293.	Betty Campbell	Toronto	M2P	Canada	2024-08-23
294.	Michelle B	Toronto	M6K	Canada	2024-08-23
295.	David Courtney	Burlington	L7T	Canada	2024-08-23
296.	Kelly O'Keefe	Toronto	M6J	Canada	2024-08-23
297.	Jackie Mercer	Markham	L3R	Canada	2024-08-24
298.	Andrea Maugham	North York	M4L	Canada	2024-08-24
299.	Misty Friesen	Carman	R0G	Canada	2024-08-24
300.	Liza Roberts	Toronto	M5M	Canada	2024-08-24
301.	Anne Pollard	Hamilton	L8S 3N2	Canada	2024-08-24
302.	Sara Beamish	Fredericton	E3B	Canada	2024-08-24
303.	Francesca Benedetti	Edmonton	T5T	Canada	2024-08-24
304.	Andrea Rawson	Etobicoke	M9C	Canada	2024-08-25
305.	Arlene Rawson	Mississauga	L5G	Canada	2024-08-25
306.	Heather Hennig	Toronto	M6L	Canada	2024-08-25
307.	Eric Martin	Toronto	M9A 0B7	Canada	2024-08-25
308.	Charlene Eagleson	Lucan	N0M	Canada	2024-08-25
309.	Jeanette Oud	Delhi	N4B 2W4	Canada	2024-08-25
310.	Theresa Freeland	Beaverton	L0K 1A0	Canada	2024-08-25
311.	Delma Solomon	Attawapiskat	P0I1a0	Canada	2024-08-25
312.	Rod Woolridge	Brampton	L6V	Canada	2024-08-25
313.	Michelle De Boer	Taber	T1G0A6	Canada	2024-08-25
314.	Georgina Indovina	Markham	L6b	Canada	2024-08-25
315.	Jennine Fayad	Edmonton	T5A	Canada	2024-08-25
316.	André Christopher Feurtado	Scarborough	M1B 3V8	Canada	2024-08-25
317.	Payam Shikh	Ottawa	K1R	Canada	2024-08-25
318.	Logan Clarkson	Edmonton	T6X	Canada	2024-08-25
319.	Loana Bennett	Montreal	H1P	Canada	2024-08-25
320.	Magdalena Milc	Vancouver	british columbi	Canada	2024-08-25
321.	Emily Parliament	Port Perry	L9L1L2	Canada	2024-08-25
322.	Andrea Bonsey	Etobicoke	M8V 2S4	Canada	2024-08-25
323.	Jessica Lundeen	Toronto	M4B	Canada	2024-08-25
324.	Allison Theriault	Meteghan	B0W	Canada	2024-08-25
325.	Elaine VACHERESSE	Toronto	M4w2e9	Canada	2024-08-25
326.	Lynda Larsen-Baldry	Kanata	K2L 2Y4	Canada	2024-08-25
327.	Kurmanji Salar miri	Ottawa	K1S	Canada	2024-08-25
328.	Kieren Legacy	Belleville	K8n 2b3	Canada	2024-08-25
329.	Emma Ali	Markham	L3P2C8	Canada	2024-08-25
330.	Louisa Burgess-Corbett	Toronto	M4M	Canada	2024-08-25
331.	Kathleen Vlossak	Mississauga	L5E	Canada	2024-08-25
332.	zhou zhou	Toronto	M5J	Canada	2024-08-25
333.	Nicholas Helou	Windsor	N9B	Canada	2024-08-25
334.	Zalie Doucet	Orians	k4a4r9	Canada	2024-08-25
335.	Mesenbrink Diane	Stratford	N5A1Y9	Canada	2024-08-25
336.	Lorri Ewart	Regina	S4S3Z3	Canada	2024-08-25
337.	Karen Brown	Kitchener	N2H 5A7	Canada	2024-08-25
338.	Xiara Tabuno	Vancouver	V5W	Canada	2024-08-25
339.	Ilex H-W	Langley	V3A	Canada	2024-08-25
340.	angel mehra ☐	Brampton	L6P	Canada	2024-08-25
341.	Janet Halse	Lindsay	K9V	Canada	2024-08-25
342.	Angie Steiger	Kelowna	V1V	Canada	2024-08-25
343.	Lucie Boudreau	Oakville	L6M	Canada	2024-08-25
344.	Melanie Hendrix	100 Mile House	V0K	Canada	2024-08-25

345.	Lovepreet Singh	Halifax	B3K	Canada	2024-08-25
346.	Kate Kusiak	Toronto	M6E	Canada	2024-08-25
347.	Elora Bowley	Ottawa	K1R	Canada	2024-08-26
348.	Heather Daam-Rossi	Toronto	M4L	Canada	2024-08-27
349.	Roxanne Tulk	Pefferlaw	L0E	Canada	2024-08-27
350.	Pamela Bishop	Toronto	M4L2H1	Canada	2024-08-27
351.	Rebecca Davidson	Calgary	T3H	Canada	2024-08-28
352.	Mary Schwab	Sutton	L0E 1R0	Canada	2024-08-29
353.	Ger Power	Toronto	M4l3j4	Canada	2024-08-29
354.	Micheline Julie Ringrose	Sault Ste. Marie	P6A 6L7	Canada	2024-08-31
355.	Angela Liuzzo	Burlington	L7L	Canada	2024-08-31
356.	MJ Atkins	Sidney	V8L	Canada	2024-08-31
357.	Susan Wyatt	Trenton	K8V	Canada	2024-09-03
358.	Ryan Parent	Toronto	M6C	Canada	2024-09-05
359.	Deborah Walter	Johannesburg		South Africa	2024-09-06
360.	sylvia sb	Montreal	h2m	Canada	2024-09-07
361.	Denise Mildner-Ouellet	Saskatoon Grasswood			
362.	Daniel Ouellet	Saskatoon Grasswood			
363.	Jean-Luc Ouellet	Saskatoon Grasswood			
364.	Monica Ouellet	Saskatoon Grasswood			
365.	Catherine Weenk	Saskatoon Grasswood			
366.	Pat Boot	Saskatoon Grasswood			
367.	Helen Weenk	Saskatoon Grasswood			
368.	Cora Weenk	Saskatoon Grasswood			
369.	James Yausie	Saskatoon Grasswood			
370.	Zachery Boot	Saskatoon Grasswood			
371.	Samuel Boot	Saskatoon Grasswood			
372.	Sarah Boot	Saskatoon Grasswood			
373.	Julie Despaties	Ottawa Vanier			
374.	Kim Gilbert	Saskatoon University			
375.	Marlyn Wall	Stormont-Dundas- South Glengarry			
376.	Dianne Mathes	Kawartha- Haliburton			
377.	Candy Hamre Wyka	Saskatoon West			
378.	Mike Wyka	Saskatoon West			
379.	Joanne Morgan	Saskatoon Grasswood			
380.	Anne Tower	Quadra			
381.	Nicole Woods	Saskatoon University			
382.	Lorelei Neubauer	Saskatoon University			
383.	Wilma Boot	Saskatoon Grasswood			
384.	Miriam Chavez-Aguilar	Saskatoon West			
385.	Mike Murphy	Saskatoon Grasswood			
386.	Tammy Jackson	Saskatoon Grasswood			
387.	Susan Chappell	Saskatoon Grasswood			
388.	Jay Yausie	Saskatoon Grasswood			
389.	Chad Yausie	Saskatoon Grasswood			
390.	Tess Yausie	Saskatoon Grasswood			
391.	Emma Love	Saskatoon Grasswood			
392.	Matt Love	Saskatoon Grasswood			
393.	Stacey Hornick	Saskatoon Grasswood			
394.	Mike Hornick	Saskatoon Grasswood			
395.	Jill Brown	Saskatoon University			
396.	Chris Veeman	Saskatoon University			
397.	Joanthon Blair Knippel	Saskatoon University			
398.	Shalene Dione Cennon	Saskatoon University			
399.	Cate Soffer	Saskatoon Grasswood			
400.	Dave Soffer	Saskatoon Grasswood			
401.	Jill Soffer	Saskatoon Grasswood			
402.	Max Soffer	Saskatoon Grasswood			

403.	Benjamin Hornick	Saskatoon Grasswood		
404.	Max Hornick	Saskatoon Grasswood		
405.	Inez Jeanne Marcotte	Carlton Trail-Eagle Creek		
406.	Sabrina Golf	Saskatoon Grasswood		
407.	Paola Christe	Saskatoon University		
408.	Graham Myers	Saskatoon Grasswood		
409.	Mandy Yee-Sellar	Saskatoon Grasswood		
410.	Rechard Sean Sellar	Saskatoon Grasswood		
411.	Tyson Yee-Sellar	Saskatoon Grasswood		
412.	Shelley Neufeld	Calgary Midnapore		
413.	Angus Neufeld	Calgary Midnapore		
414.	Michelle Simes	Saskatoon Grasswood		
415.	Tom Simes	Saskatoon Grasswood		
416.	Corwin Thiesson	Saskatoon Grasswood		
417.	Brett Simes	Saskatoon Grasswood		
418.	Lucille Lowes	Saskatoon Grasswood		
419.	Glen Lowes	Saskatoon Grasswood		
420.	Bree Olson	Saskatoon West		
421.	Sjoen Olson	Saskatoon West		
422.	Karen Halina	Saskatoon Grasswood		
423.	Caron Brannen	Saskatoon Grasswood		
424.	Sean Brannen	Saskatoon Grasswood		
425.	Karen Korchinski	Saskatoon Grasswood		
426.	Stephanie Boulding	Vancouver East		
427.	Christopher Boulding	Victoria		
428.	Ron Halina	Saskatoon Grasswood		
429.	Hannah Neufeld	Vancouver East		
430.	Evan Beaubien	Vancouver East		
431.	Spencer Neufeld	University Rosedale		
432.	Gary Smith	Edmonton Strathcona		
433.	Shaina Rhode	Saskatoon Grasswood		
434.	Luis Corona Rodriguez	Saskatoon Grasswood		
435.	Brolin Simes	Cypress Hills Grasslands		
436.	Kelsey Simes	Cypress Hills Grasslands		
437.	Terry Kimpinski	Saskatoon University		
438.	Stephanie Tynan	Saskatoon University		
439.	Myriam Golf	Saskatoon Grasswood		
440.	Donna Clarke	Selkirk Interlake Eastman		
441.	Tyler Verity	Saskatoon West		
442.	Damara Rayner	Saskatoon University		
443.	John Rayner	Saskatoon University		
444.	Eli Pajuelo	Saskatoon West		
445.	Maribel Huamani	Saskatoon West		
446.	Judy Thiesson	Moose Jaw Lake Centre Lanigan		
447.	Mike Thiesson	Moose Jaw Lake Lanigan		
448.	Ally Wieggers	Saskatoon University		
449.	Ciara Brousseau	Saskatoon Grasswood		
450.	Emily Berday	Saskatoon University		
451.	Zhijian Zhang	Vancouver Quadra		
452.	Kim Hargreaves	Saskatoon University		
453.	Dave Hargreaves	Saskatoon University		
454.	Marth Taylor	North Island – Powell River		
455.	Rodney Taylor	North Island – Powell River		
456.	Susan Bahrey	Saskatoon Grasswood		
457.	Noni Herchen	Edmonton Riverbend		
458.	Alex Herchen	Edmonton Riverbend		

459.	Erica Herchen	Edmonton Riverbend			
460.	Curtis Gunn	Saskatoon Grasswood			
461.	Tamm Gunn	Saskatoon Grasswood			
462.	Grayson Gunn	Saskatoon Grasswood			
463.	Charlene Barbonoff	Saskatoon Grasswood			
464.	Camille Ryan	Highwood			
465.	Blair Ryan	Highwood			
466.	Joyleen Podgursky	Saskatoon Grasswood			
467.	Tyler Tuda	Saskatoon Grasswood			
468.	Catherine Hendry	Prince George-Peace River			
469.	Moira Sheridan	Saskatoon University			
470.	Ivan Tam	Saskatoon University			
471.	Robert Dean Marshall	Prince George – Peace River			
472.	Heather Doran	Saskatoon Grasswood			
473.	Olivia Doran	Saskatoon Grasswood			
474.					
475.	Aiden Doran	Saskatoon Grasswood			
476.	Liam Doran	Saskatoon Grasswood			
477.	Jason Doran	Saskatoon Grasswood			
478.	Laurie Anderson	Saskatoon University			
479.	Marc Pelletier	Saskatoon University			
480.	Grace Tam	Saskatoon University			
481.	Leslie Martin	Saskatoon University			
482.	Rick Iverson	Saskatoon University			
483.	John McGettigan	Saskatoon Grasswood			
484.	Leanne McGettigan	Saskatoon Grasswood			
485.	Sue Verity	Saskatoon Grasswood			
486.	Scott Verity	Saskatoon Grasswood			
487.	Keegan Yakielashek	Saskatoon University			
488.	John Murphy	Saskatoon University			
489.	Maybelle Murphy	Saskatoon University			
490.	Janie Zhang	Vancouver Quadra			
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492.	Terry Miley	Moose Jaw –Lake Centre –Lanigan			
493.	Jennifer Meldrum	Victoria			
494.	Linda Geggie	Saanich Gulf Islands			
495.	Jivan Mann	Cloverdale -Langley City			
496.	Sue Heffernan	Saskatoon Grasswood			
497.	Gabrielle LePage	Ottawa Vanier			
498.	Miranda Ouellet	Saskatoon West			
499.	Rob Prout	Saskatoon Grasswood			
500.	Caryl Allen	Saskatoon Grasswood			
501.	Leddy Hemeon	Saskatoon Grasswood			
502.	David Hemeon	Saskatoon Grasswood			
503.	Aiden Hemeon	Saskatonn Grasswood			
504.	Brayden Hemeon	Saskatoon Grasswood			
505.	Ethan Hemeon	Saskatoon Grasswood			
506.	Anne-Marie Graham	Saskatoon Grasswood			
507.	Thomas Graham	Saskatoon Grasswood			
508.	Anne Stephenson	Saskatoon Grasswood			
509.	John Stephenson	Saskatoon Grasswood			
510.	Kailey Howard	Saskatoon University			
511.	Shea Hamilton	Saskatoon University			
512.	Wendy Jarotski	Saskatoon University			
513.	Todd Jarotski	Saskatoon University			

514.	Marianne Neufeld	Saskatoon Grasswood			
515.	Stephen Hyde	Saskatoon Grasswood			
516.	Rodney Boot	Sackville/Preston/Chezet cook			
517.	Sheila Whitehead	South Surrey/White Rock			
518.	Brian Whitehead	South Surrey/White Rock			
519.	Jennifer Crocker	Delta South			
520.	Kris Stephenson	Saskatoon Grasswood			
521.	James Stephenson	Saskatoon Grasswood			
522.	Nathan Smiljic-Jones	Saskatoon University			
523.	John Darryl Jones	Saskatoon University			
524.	Ksenija Smiljic	Saskatoon University			
525.	Lori Isinger	Saskatoon Grasswood			
526.	Kacper Cicholwas	Saskatoon Grasswood			
527.	Evan Kretzer	Saskatoon University			
528.	Erica Chappell	Nanaimo-Ladysmith			
529.	Tom Jackson	Skeena Bulkley Valley			
530.	Cindy Jackson	Skeena Bulkley Valley			
531.	Wayne Brownlee	Saskatoon Grasswood			
532.	Ina Lou Brownlee	Saskatoon Grasswood			
533.	Darrell Bueckert	Saskatoon West			
534.	Shelley Bueckert	Saskatoon Grasswood			
535.	Everett Iverson	Saskatoon Grasswood			
536.	Rich Chapman	Saskatoon Grasswood			
537.	Andrea Chapman	Saskatoon Grasswood			
538.	Adrian Chappell	Saskatoon Grasswood			
539.	Jason Korinetz	Saskatoon Grasswood			
540.	Irma Jonn	Kelowna-Lake Country			
541.	Donna Jones	Saskatoon University			
542.	Robert Jones	Saskatoon University			
543.	Dennis Gilbertson	Saskatoon Grasswood			
544.	Julie Gilbertson	Saskatoon Grasswood			
545.	Jason Kretzer	Saskatoon Grasswood			
546.	Chandra Kretzer	Saskatoon Grasswood			
547.	Janice Barr	Vancouver Granville			
548.	Andre Duplessis	Vancouver Granville			



HOUSE OF COMMONS
CANADA

**REVIEW OF THE SUBJECT-MATTER OF BILL C-37,
AN ACT TO AMEND THE CITIZENSHIP ACT,
ENACTED IN SECOND SESSION OF THE 39TH
PARLIAMENT**

**Report of the Standing Committee on
Citizenship and Immigration**

**David Tilson, MP
Chair**

JUNE 2009

40th PARLIAMENT, 2nd SESSION



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JUNE 2009

40th PARLIAMENT, 2nd SESSION

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**THE STANDING COMMITTEE ON CITIZENSHIP
AND IMMIGRATION**

has the honour to present its

ELEVENTH REPORT

Pursuant to its mandate under Standing Order 108(2), your Committee has conducted a review of the subject-matter of Bill C-37, An Act to amend the Citizenship Act, enacted in Second Session of the 39th Parliament.

TABLE OF CONTENTS

INTRODUCTION.....	2
LOST CANADIANS.....	2
CHILDREN ADOPTED ABROAD.....	3
SECOND-GENERATION CHILDREN BORN ABROAD.....	4
CONCLUSION.....	5
LIST OF RECOMMENDATIONS.....	7
ANNEX A : LIST OF WITNESSES.....	9
ANNEX B : LIST OF BRIEFS.....	11
REQUEST FOR GOVERNMENT RESPONSE.....	13
SUPPLEMENTARY OPINION OF THE CONSERVATIVE MEMBERS.....	15

INTRODUCTION

Significant changes to Canadian citizenship were made when Bill C-37 came into force in April 2009. First and foremost, Bill C-37 brought resolution to many so-called “lost Canadians” – people who thought they were Canadian, but who were not, for a variety of technical reasons. The bill also replaced the retention provision for children born abroad to Canadian parents with a cut-off limiting citizenship by descent to the first generation born abroad.

The House of Commons Standing Committee on Citizenship and Immigration has a long-standing interest in citizenship issues. It has issued numerous reports over the years and made an important contribution in the development of Bill C-37. Thus it seems appropriate that the Committee return to this subject, review the implementation of Bill C-37, and assess what more needs to be done.

LOST CANADIANS

Bill C-37 sought to resolve the problem of lost Canadians, people who considered themselves Canadian citizens and wanted to be part of Canadian society but, for various legal reasons, were no longer Canadian citizens or never were in the first place.¹ In many cases, they learned that they were not Canadian citizens when they applied for a certificate of Canadian citizenship or another document.

As a result of Bill C-37, a good many Canadians had their citizenship reinstated. A witness stated that Bill C-37 was an excellent bill that allowed hundreds of people to regain their citizenship.² Bill C-37 did not however retroactively grant or reinstate citizenship to all those who had lost it.³ The Minister of Citizenship and Immigration of the day, Diane Finley, stated that the bill would resolve 95% of cases of persons who had lost their citizenship and that the remaining cases would be resolved individually using the discretionary powers provided under subsection 5(4) of the Citizenship Act.⁴ Officials from Citizenship and Immigration Canada stated that, for those cases, the citizenship officers consider the applicant’s place of residence, the duration of their residence in Canada and their reasonable belief that they were Canadian citizens. Moreover, citizenship officers evaluate whether not granting them citizenship would

1 For instance, a person born abroad before 1977 could acquire Canadian citizenship through paternal descent if that person was born in wedlock, and through maternal descent if born out of wedlock. This anachronistic rule had the effect of denying Canadian citizenship to children born in wedlock to Canadian mothers and foreign fathers, and to children born out of wedlock to Canadian fathers and foreign mothers.

2 Don Chapman, Lost Canadian Organization, Evidence, Meeting No. 22, June 11, 2009, 0930.

3 In general, C-37 does not apply to various groups of lost Canadians who were born or naturalized in Canada, prior to 1947. It does not apply to Canadians of the second or subsequent generations who were born abroad after February 14, 1977, and lost their Canadian citizenship because they did not ask to keep it and did not register as citizens before the age of 28. Finally, it does not apply to persons who have a citizenship card that was issued by “error”. See in this regard, Penny Becklumb, Bill C-37: An Act to Amend the Citizenship Act, LS-591F, Parliamentary Information and Research Service, Library of Parliament, Ottawa, January 2008, p. 14. Available at: <http://lpintrabp.parl.gc.ca/lopimages2/prbpubs/l3921000/392c37-f.asp>.

4 Citizenship and Immigration Canada, Legislation to restore citizenship to lost Canadians, December 10, 2007 (<http://www.cic.gc.ca/english/departement/media/releases/2007/2007-12-10.asp>, consulted on June 12, 2009).

create special or unusual hardship.⁵ Since 2007, 184 cases of lost Canadians have received the Governor in Council's approval for citizenship to be granted pursuant to the minister's discretionary power.⁶

Witnesses stated that the government had not fully utilized its discretionary powers to resolve the cases left outstanding as a result of Bill C-37.⁷ According to Don Chapman, there are still 71 cases outstanding. Some witnesses also told the Committee that they had been disregarded by the government since their Canadian citizenship had still not been reinstated.⁸

In its report entitled *Reclaiming Citizenship for Canadians: A Report on the Loss of Canadian Citizenship*, the Committee recommended that the government resolve the cases of all lost Canadians.⁹ The Committee is of the opinion that the Minister of Citizenship, Immigration and Multiculturalism can resolve these cases using subsection 5(4) of the Citizenship Act which, despite the other provisions of the Act, gives the Minister the power to grant citizenship under specific circumstances.¹⁰ While the Committee recognizes that such cases must be considered carefully, it is of the opinion that the decision-making process must be accelerated.

Recommendation 1

The Committee recommends that the Minister of Citizenship, Immigration and Multiculturalism, pursuant to subsection 5(4) of the Citizenship Act which authorizes him to grant citizenship, ensure that the consideration of cases that were not resolved by the implementation of Bill C-37 be completed as quickly as possible.

CHILDREN ADOPTED ABROAD

In 2007, Bill C-14 became law, allowing Canadian parents who adopt overseas to apply for a direct grant of citizenship for their children. This option allows the parents to obtain citizenship for their foreign adopted child without going through the naturalization process. However, the ability of adopted children to pass on their Canadian citizenship was subsequently amended by Bill C-37. Foreign adopted children who received Canadian citizenship by direct grant are treated the same as the first generation born abroad to Canadian parents. Neither can pass on Canadian citizenship to subsequent generations born abroad.

5 Citizenship and Immigration Canada, CP4: Grants, 2007-03-20, p. 4.

6 Andrew Griffith, Department of Citizenship and Immigration, Evidence, Meeting No. 23, June 16, 2009, 0905.

7 Don Chapman, Lost Canadian Organization, Evidence, Meeting No. 22, June 11, 2009, 0935.

8 In this regard see Jacqueline Scott, as an individual, Evidence, Meeting No. 22, June 11, 2009, 0920; Marcel Gélinas, as an individual, Evidence, Meeting No. 22, June 11, 2009, 0945.

9 House of Commons, Standing Committee on Citizenship and Immigration, *Reclaiming Citizenship for Canadians: A Report on the Loss of Canadian Citizenship*, 2nd Report, 2nd Session, 39th Parliament, December 2007 (<http://cmte.parl.gc.ca/Content/HOC/committee/392/cimm/reports/rp3159522/cimmrp02/cimmrp02-e.pdf>).

10 Citizenship Act, R.S.C. 1985, c. C-29, 5(4).

Parents may also choose to obtain citizenship by naturalization for their foreign adopted children. Adopted children who obtain citizenship through this route are treated the same as immigrants to Canada, with respect to the C-37 amendments. They can pass on their Canadian citizenship to their own children born abroad.

The Committee heard the concerns of individuals and groups affected by these new measures. They argue that the new rules discriminate against adopted children and create two classes of citizens: those who can pass on their citizenship and those who cannot.¹¹ In this regard, the concerns raised by the interested groups coincide with those pertaining to second-generation children born abroad (see below). The affected groups stressed the fact that, although born abroad, adopted children come to Canada at a very early age, grow up in Canada and often have brothers and sisters who were born in Canada and can pass on their citizenship by descent.

As a result of these factors, a number of adoptive parents do not utilize the mechanism established by Bill C-14 and prefer to sponsor the adopted child as a permanent resident.¹² The Committee is of the opinion that adopted children should not be treated differently from children born in Canada.

Recommendation 2

The Committee recommends that the Government of Canada grant children adopted abroad by Canadian parents ordinarily residing in Canada the same legal status as children born in Canada.

SECOND-GENERATION CHILDREN BORN ABROAD

Bill C-37 changed the way citizenship by descent can be passed on to children of Canadian parents born abroad. Under the new subsection 3(3) of the Citizenship Act, citizens may not pass on citizenship to their children of the second or subsequent generation who are born abroad. An exception is for persons born to a Canadian parent who is working abroad as part of or with the Canadian armed forces, for the federal government or for a provincial government, except if the parent was hired locally (subsection 3(5)). The government maintains that this provision is intended to ensure that Canadian citizenship is not passed on indefinitely to persons with no ties to Canada.

Witnesses told the Committee, however, that this provision of Bill C-37 is too blunt and does not take into consideration all the ties that parents may have with Canada. A witness pointed out for instance that a Canadian can contribute to Canada's economic or cultural

11 Dorinda Cavanaugh, Terre des hommes – pour les enfants et Terre des hommes Ontario, Evidence, Meeting No. 22, June 11, 2009, 1000; Sandra Forbes, Children's Bridge, Evidence, Meeting No. 22, June 11, 2009, 1010; Sarah Pedersen, Adoption Council of Canada, Evidence, Meeting No. 22, June 11, 2009, 1015; Andrew Bilski, as an individual, Evidence, Meeting No. 22, June 11, 2009, 1020.

12 Sandra Forbes, Children's Bridge, Evidence, Meeting No. 22, June 11, 2009, 1010.

development, even while living abroad.¹³ Some witnesses also argued that this provision is discriminatory since it creates difficulties for women. A witness stated that, in order to pass on her citizenship to her unborn child, a Canadian woman who was born abroad and who is working abroad may chose to quit her job so the child can be born in Canada.¹⁴

Finally, some witnesses pointed out that by cutting off the transmission of citizenship by descent for second-generation children, the government created a situation where some children born abroad to Canadian parents could be stateless.¹⁵ Some countries do not automatically grant citizenship to children born within their borders to foreign parents. Although a number of countries have a mechanism to grant citizenship to children born within their borders who would otherwise be stateless, the risk of statelessness should not be overlooked given the complexity of citizenship laws.¹⁶ In this regard, the Department can issue a one-way document to enable a stateless child to enter Canada.¹⁷ The child can then, pursuant to a provision in Bill C-37, obtain citizenship after residing in Canada for at least three years.¹⁸

Despite the negative consequences, some witnesses recognized that the government must ensure that citizenship is not passed on indefinitely to persons with few or no ties to Canada.¹⁹ The Committee considers that it is in Canada's interest for the government to ensure that citizenship is not passed on to "citizens of convenience". It maintains, however, that the method established in Bill C-37 does not provide for an adequate assessment of a person's real ties to Canada. We are of the opinion that the parents' attachment to Canada can be measured by the amount of time they resided in Canada before their child was born.

Recommendation 3

The Committee calls upon the Government of Canada to allow the transmission of citizenship by descent to children born abroad to a Canadian parent, provided that the Canadian parent resided in Canada for a specific period of time, as established through legislation, before the child was born.

CONCLUSION

The acquisition and transmission of citizenship are fundamental issues for any state. The recommendations made in this report are intended to resolve specific issues raised in the implementation of Bill C-37. In this sense they are short-term solutions. Having addressed the issue of lost Canadians, the Committee wishes to ensure that similar situations do not arise again. To this end, it is of the opinion that the fundamental principles of citizenship should be reviewed in order to address the following questions: should Canadian citizenship be awarded on the basis

13 Allan Nichols, Canadian Expat Association, Evidence, Meeting No. 22, June 11, 2009, 1050.

14 Ibid., 1040.

15 Naeem Noorani, Canadian Immigrant Magazine, Evidence, Meeting No. 22, June 11, 2009, 0915.

16 Canadian Council for Refugees, Canadian Citizenship – Effect of the Changes, Brief, June 12, 2009.

17 Andrew Griffith, Department of Citizenship and Immigration, Evidence, Meeting No. 23, June 16, 2009, 0905.

18 Citizenship Act, R.S.C. 1985, c. C-29, 5(5).

19 Naeem Noorani, Canadian Immigrant Magazine, Evidence, Meeting No. 22, June 11, 2009, 0915.

of different criteria? How can a person's ties with Canada be evaluated? Should place of birth always take precedence over other criteria, such as residence in Canada? The Committee considers that it is time to examine these questions and wishes to make them the subject of a future study.

Recommendation 1

The Committee recommends that the Minister of Citizenship, Immigration and Multiculturalism, pursuant to subsection 5(4) of the *Citizenship Act* which authorizes him to grant citizenship, ensure that the consideration of cases that were not resolved by the implementation of Bill C-37 be completed as quickly as possible.

Recommendation 2

The Committee recommends that the Government of Canada grant children adopted abroad by Canadian parents ordinarily residing in Canada the same legal status as children born in Canada.

Recommendation 3

The Committee calls upon the Government of Canada to allow the transmission of citizenship by descent to children born abroad to a Canadian parent, provided that the Canadian parent resided in Canada for a specific period of time, as established through legislation, before the child was born.

**APPENDIX A
LIST OF WITNESSES**

Organizations and Individuals	Date	Meeting
<p>As individuals Andrew Bilski Marcel Gélinas Ken Neal Jacqueline Scott</p> <p>Adoption Council of Canada Sarah Pedersen, Acting Executive Director</p> <p>Canadian Expat Association Allan Nichols, Executive Director Concerned Group Representative</p> <p>Canadian Immigrant Magazine Naeem (Nick) Noorani, Founder/Publisher</p> <p>Children's Bridge Foundation Sandra Forbes, Executive Director</p> <p>Lost Canadian Organization Don Chapman</p> <p>Terre des hommes - Pour les enfants et Terre deshommes Ontario Dorinda Cavanaugh, Director</p>	<p>2009/06/11</p>	<p>22</p>
<p>Department of Citizenship and Immigration Nicole Girard, Director Legislation and Program Policy, Citizenship and Multiculturalism Branch</p> <p>Andrew Griffith, Director General Citizenship and Multiculturalism Branch</p> <p>Rick Stewart, Associate Assistant Deputy Minister Operations</p>	<p>2009/06/16</p>	<p>23</p>

**APPENDIX B
LIST OF BRIEFS**

Organizations and Individuals

Arch (Archie) Ford

Canadian Council for

Refugees Canadian

Immigrant Magazine

Children's Bridge

Foundation

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant Minutes of Proceedings (Meetings N^{os}22, 23 and 24) is tabled.

Respectfully submitted,

David Tilson, MP
Chair

Dissenting View of the Conservative Members of the Standing Committee on Citizenship and Immigration to the Study relating to Bill C-37

The Conservative members of the committee do not believe that recommendation #3 is an improvement on the current situation, as such we oppose it.

The Conservative members of the committee would like to point out that Canadian parents of a stateless child can sponsor their child to receive a one-way travel document to Canada from any embassy overseas, and immediately after sponsor that child for permanent residence, without observing any waiting period. As such we question the inclusion of the final phrase of the second paragraph on page 5.

33. CONVENTION ON PROTECTION OF CHILDREN AND CO-OPERATION IN RESPECT OF INTERCOUNTRY ADOPTION¹

(Concluded 29 May 1993)

The States signatory to the present Convention,
Recognising that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,
Recalling that each State should take, as a matter of priority, appropriate measures to enable the child to remain in the care of his or her family of origin,
Recognising that intercountry adoption may offer the advantage of a permanent family to a child for whom a suitable family cannot be found in his or her State of origin,
Convinced of the necessity to take measures to ensure that intercountry adoptions are made in the best interests of the child and with respect for his or her fundamental rights, and to prevent the abduction, the sale of, or traffic in children,
Desiring to establish common provisions to this effect, taking into account the principles set forth in international instruments, in particular the United Nations Convention on the Rights of the Child, of 20 November 1989, and the United Nations Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally (General Assembly Resolution 41/85, of 3 December 1986),
Have agreed upon the following provisions –

CHAPTER I – SCOPE OF THE CONVENTION

Article 1

The objects of the present Convention are –

- a) to establish safeguards to ensure that intercountry adoptions take place in the best interests of the child and with respect for his or her fundamental rights as recognised in international law;
- b) to establish a system of co-operation amongst Contracting States to ensure that those safeguards are respected and thereby prevent the abduction, the sale of, or traffic in children;
- c) to secure the recognition in Contracting States of adoptions made in accordance with the Convention.

Article 2

- (1) The Convention shall apply where a child habitually resident in one Contracting State ("the State of origin") has been, is being, or is to be moved to another Contracting State ("the receiving State") either after his or her adoption in the State of origin by spouses or a person habitually resident in the receiving State, or for the purposes of such an adoption in the receiving State or in the State of origin.
- (2) The Convention covers only adoptions which create a permanent parent-child relationship.

¹ This Convention, including related materials, is accessible on the website of the Hague Conference on Private International Law (www.hcch.net), under "Conventions" or under the "Intercountry Adoption Section". For the full history of the Convention, see Hague Conference on Private International Law, *Proceedings of the Seventeenth Session (1993)*, Tome II, *Adoption – co-operation* (ISBN 90 399 0782 X, 659 pp.).

Article 3

The Convention ceases to apply if the agreements mentioned in Article 17, sub-paragraph c, have not been given before the child attains the age of eighteen years.

CHAPTER II – REQUIREMENTS FOR INTERCOUNTRY ADOPTIONS

Article 4

An adoption within the scope of the Convention shall take place only if the competent authorities of the State of origin –

- a) have established that the child is adoptable;
- b) have determined, after possibilities for placement of the child within the State of origin have been given due consideration, that an intercountry adoption is in the child's best interests;
- c) have ensured that
 - (1) the persons, institutions and authorities whose consent is necessary for adoption, have been counselled as may be necessary and duly informed of the effects of their consent, in particular whether or not an adoption will result in the termination of the legal relationship between the child and his or her family of origin,
 - (2) such persons, institutions and authorities have given their consent freely, in the required legal form, and expressed or evidenced in writing,
 - (3) the consents have not been induced by payment or compensation of any kind and have not been withdrawn, and
 - (4) the consent of the mother, where required, has been given only after the birth of the child; and
- d) have ensured, having regard to the age and degree of maturity of the child, that
 - (1) he or she has been counselled and duly informed of the effects of the adoption and of his or her consent to the adoption, where such consent is required,
 - (2) consideration has been given to the child's wishes and opinions,
 - (3) the child's consent to the adoption, where such consent is required, has been given freely, in the required legal form, and expressed or evidenced in writing, and
 - (4) such consent has not been induced by payment or compensation of any kind.

Article 5

An adoption within the scope of the Convention shall take place only if the competent authorities of the receiving State –

- a) have determined that the prospective adoptive parents are eligible and suited to adopt;
- b) have ensured that the prospective adoptive parents have been counselled as may be necessary; and
- c) have determined that the child is or will be authorised to enter and reside permanently in that State.

CHAPTER III – CENTRAL AUTHORITIES AND ACCREDITED BODIES

Article 6

- (1) A Contracting State shall designate a Central Authority to discharge the duties which are imposed by the Convention upon such authorities.
- (2) Federal States, States with more than one system of law or States having autonomous territorial units shall be free to appoint more than one Central Authority and to specify the territorial or personal extent of their functions. Where a State has appointed more than one Central Authority, it shall designate the Central Authority to which any communication may be addressed for transmission to the appropriate Central Authority within that State.

Article 7

- (1) Central Authorities shall co-operate with each other and promote co-operation amongst the competent authorities in their States to protect children and to achieve the other objects of the Convention.
- (2) They shall take directly all appropriate measures to –
 - a) provide information as to the laws of their States concerning adoption and other general information, such as statistics and standard forms;
 - b) keep one another informed about the operation of the Convention and, as far as possible, eliminate any obstacles to its application.

Article 8

Central Authorities shall take, directly or through public authorities, all appropriate measures to prevent improper financial or other gain in connection with an adoption and to deter all practices contrary to the objects of the Convention.

Article 9

Central Authorities shall take, directly or through public authorities or other bodies duly accredited in their State, all appropriate measures, in particular to –

- a) collect, preserve and exchange information about the situation of the child and the prospective adoptive parents, so far as is necessary to complete the adoption;
- b) facilitate, follow and expedite proceedings with a view to obtaining the adoption;
- c) promote the development of adoption counselling and post-adoption services in their States;
- d) provide each other with general evaluation reports about experience with intercountry adoption;
- e) reply, in so far as is permitted by the law of their State, to justified requests from other Central Authorities or public authorities for information about a particular adoption situation.

Article 10

Accreditation shall only be granted to and maintained by bodies demonstrating their competence to carry out properly the tasks with which they may be entrusted.

Article 11

An accredited body shall –

- a) pursue only non-profit objectives according to such conditions and within such limits as may be established by the competent authorities of the State of accreditation;
- b) be directed and staffed by persons qualified by their ethical standards and by training or experience to work in the field of intercountry adoption; and
- c) be subject to supervision by competent authorities of that State as to its composition, operation and financial situation.

Article 12

A body accredited in one Contracting State may act in another Contracting State only if the competent authorities of both States have authorised it to do so.

Article 13

The designation of the Central Authorities and, where appropriate, the extent of their functions, as well as the names and addresses of the accredited bodies shall be communicated by each Contracting State to the Permanent Bureau of the Hague Conference on Private International Law.

CHAPTER IV – PROCEDURAL REQUIREMENTS IN INTERCOUNTRY ADOPTION

Article 14

Persons habitually resident in a Contracting State, who wish to adopt a child habitually resident in another Contracting State, shall apply to the Central Authority in the State of their habitual residence.

Article 15

- (1) If the Central Authority of the receiving State is satisfied that the applicants are eligible and suited to adopt, it shall prepare a report including information about their identity, eligibility and suitability to adopt, background, family and medical history, social environment, reasons for adoption, ability to undertake an intercountry adoption, as well as the characteristics of the children for whom they would be qualified to care.
- (2) It shall transmit the report to the Central Authority of the State of origin.

Article 16

- (1) If the Central Authority of the State of origin is satisfied that the child is adoptable, it shall –
 - a) prepare a report including information about his or her identity, adoptability, background, social environment, family history, medical history including that of the child's family, and any special needs of the child;
 - b) give due consideration to the child's upbringing and to his or her ethnic, religious and cultural background;
 - c) ensure that consents have been obtained in accordance with Article 4; and
 - d) determine, on the basis in particular of the reports relating to the child and the prospective adoptive parents, whether the envisaged placement is in the best interests of the child.
- (2) It shall transmit to the Central Authority of the receiving State its report on the child, proof that the necessary consents have been obtained and the reasons for its determination on the placement, taking care not to reveal the identity of the mother and the father if, in the State of origin, these identities may not be disclosed.

Article 17

Any decision in the State of origin that a child should be entrusted to prospective adoptive parents may only be made if –

- a) the Central Authority of that State has ensured that the prospective adoptive parents agree;
- b) the Central Authority of the receiving State has approved such decision, where such approval is required by the law of that State or by the Central Authority of the State of origin;
- c) the Central Authorities of both States have agreed that the adoption may proceed; and
- d) it has been determined, in accordance with Article 5, that the prospective adoptive parents are eligible and suited to adopt and that the child is or will be authorised to enter and reside permanently in the receiving State.

Article 18

The Central Authorities of both States shall take all necessary steps to obtain permission for the child to leave the State of origin and to enter and reside permanently in the receiving State.

Article 19

- (1) The transfer of the child to the receiving State may only be carried out if the requirements of Article 17 have been satisfied.

- (2) The Central Authorities of both States shall ensure that this transfer takes place in secure and appropriate circumstances and, if possible, in the company of the adoptive or prospective adoptive parents.
- (3) If the transfer of the child does not take place, the reports referred to in Articles 15 and 16 are to be sent back to the authorities who forwarded them.

Article 20

The Central Authorities shall keep each other informed about the adoption process and the measures taken to complete it, as well as about the progress of the placement if a probationary period is required.

Article 21

- (1) Where the adoption is to take place after the transfer of the child to the receiving State and it appears to the Central Authority of that State that the continued placement of the child with the prospective adoptive parents is not in the child's best interests, such Central Authority shall take the measures necessary to protect the child, in particular –
 - a) to cause the child to be withdrawn from the prospective adoptive parents and to arrange temporary care;
 - b) in consultation with the Central Authority of the State of origin, to arrange without delay a new placement of the child with a view to adoption or, if this is not appropriate, to arrange alternative long-term care; an adoption shall not take place until the Central Authority of the State of origin has been duly informed concerning the new prospective adoptive parents;
 - c) as a last resort, to arrange the return of the child, if his or her interests so require.
- (2) Having regard in particular to the age and degree of maturity of the child, he or she shall be consulted and, where appropriate, his or her consent obtained in relation to measures to be taken under this Article.

Article 22

- (1) The functions of a Central Authority under this Chapter may be performed by public authorities or by bodies accredited under Chapter III, to the extent permitted by the law of its State.
- (2) Any Contracting State may declare to the depositary of the Convention that the functions of the Central Authority under Articles 15 to 21 may be performed in that State, to the extent permitted by the law and subject to the supervision of the competent authorities of that State, also by bodies or persons who –
 - a) meet the requirements of integrity, professional competence, experience and accountability of that State; and
 - b) are qualified by their ethical standards and by training or experience to work in the field of intercountry adoption.
- (3) A Contracting State which makes the declaration provided for in paragraph 2 shall keep the Permanent Bureau of the Hague Conference on Private International Law informed of the names and addresses of these bodies and persons.
- (4) Any Contracting State may declare to the depositary of the Convention that adoptions of children habitually resident in its territory may only take place if the functions of the Central Authorities are performed in accordance with paragraph 1.
- (5) Notwithstanding any declaration made under paragraph 2, the reports provided for in Articles 15 and 16 shall, in every case, be prepared under the responsibility of the Central Authority or other authorities or bodies in accordance with paragraph 1.

CHAPTER V – RECOGNITION AND EFFECTS OF THE ADOPTION

Article 23

- (1) An adoption certified by the competent authority of the State of the adoption as having been made

in accordance with the Convention shall be recognised by operation of law in the other Contracting States. The certificate shall specify when and by whom the agreements under Article 17, subparagraph c), were given.

- (2) Each Contracting State shall, at the time of signature, ratification, acceptance, approval or accession, notify the depositary of the Convention of the identity and the functions of the authority or the authorities which, in that State, are competent to make the certification. It shall also notify the depositary of any modification in the designation of these authorities.

Article 24

The recognition of an adoption may be refused in a Contracting State only if the adoption is manifestly contrary to its public policy, taking into account the best interests of the child.

Article 25

Any Contracting State may declare to the depositary of the Convention that it will not be bound under this Convention to recognise adoptions made in accordance with an agreement concluded by application of Article 39, paragraph 2.

Article 26

- (1) The recognition of an adoption includes recognition of
 - a) the legal parent-child relationship between the child and his or her adoptive parents;
 - b) parental responsibility of the adoptive parents for the child;
 - c) the termination of a pre-existing legal relationship between the child and his or her mother and father, if the adoption has this effect in the Contracting State where it was made.
- (2) In the case of an adoption having the effect of terminating a pre-existing legal parent-child relationship, the child shall enjoy in the receiving State, and in any other Contracting State where the adoption is recognised, rights equivalent to those resulting from adoptions having this effect in each such State.
- (3) The preceding paragraphs shall not prejudice the application of any provision more favourable for the child, in force in the Contracting State which recognises the adoption.

Article 27

- (1) Where an adoption granted in the State of origin does not have the effect of terminating a pre-existing legal parent-child relationship, it may, in the receiving State which recognises the adoption under the Convention, be converted into an adoption having such an effect –
 - a) if the law of the receiving State so permits; and
 - b) if the consents referred to in Article 4, subparagraphs c and d, have been or are given for the purpose of such an adoption.
- (2) Article 23 applies to the decision converting the adoption.

CHAPTER VI – GENERAL PROVISIONS

Article 28

The Convention does not affect any law of a State of origin which requires that the adoption of a child habitually resident within that State take place in that State or which prohibits the child's placement in, or transfer to, the receiving State prior to adoption.

Article 29

There shall be no contact between the prospective adoptive parents and the child's parents or any other person who has care of the child until the requirements of Article 4, sub-paragraphs a) to c), and Article 5, sub-paragraph a), have been met, unless the adoption takes place within a family or unless the contact is in compliance with the conditions established by the competent authority of the State of origin.

Article 30

- (1) The competent authorities of a Contracting State shall ensure that information held by them concerning the child's origin, in particular information concerning the identity of his or her parents, as well as the medical history, is preserved.
- (2) They shall ensure that the child or his or her representative has access to such information, under appropriate guidance, in so far as is permitted by the law of that State.

Article 31

Without prejudice to Article 30, personal data gathered or transmitted under the Convention, especially data referred to in Articles 15 and 16, shall be used only for the purposes for which they were gathered or transmitted.

Article 32

- (1) No one shall derive improper financial or other gain from an activity related to an intercountry adoption.
- (2) Only costs and expenses, including reasonable professional fees of persons involved in the adoption, may be charged or paid.
- (3) The directors, administrators and employees of bodies involved in an adoption shall not receive remuneration which is unreasonably high in relation to services rendered.

Article 33

A competent authority which finds that any provision of the Convention has not been respected or that there is a serious risk that it may not be respected, shall immediately inform the Central Authority of its State. This Central Authority shall be responsible for ensuring that appropriate measures are taken.

Article 34

If the competent authority of the State of destination of a document so requests, a translation certified as being in conformity with the original must be furnished. Unless otherwise provided, the costs of such translation are to be borne by the prospective adoptive parents.

Article 35

The competent authorities of the Contracting States shall act expeditiously in the process of adoption.

Article 36

In relation to a State which has two or more systems of law with regard to adoption applicable in different territorial units –

- a) any reference to habitual residence in that State shall be construed as referring to habitual residence in a territorial unit of that State;
- b) any reference to the law of that State shall be construed as referring to the law in force in the relevant territorial unit;
- c) any reference to the competent authorities or to the public authorities of that State shall be construed as referring to those authorised to act in the relevant territorial unit;
- d) any reference to the accredited bodies of that State shall be construed as referring to bodies accredited in the relevant territorial unit.

Article 37

In relation to a State which with regard to adoption has two or more systems of law applicable to different categories of persons, any reference to the law of that State shall be construed as referring to the legal system specified by the law of that State.

Article 38

A State within which different territorial units have their own rules of law in respect of adoption shall not be bound to apply the Convention where a State with a unified system of law would not be bound to do so.

Article 39

- (1) The Convention does not affect any international instrument to which Contracting States are Parties and which contains provisions on matters governed by the Convention, unless a contrary declaration is made by the States Parties to such instrument.
- (2) Any Contracting State may enter into agreements with one or more other Contracting States, with a view to improving the application of the Convention in their mutual relations. These agreements may derogate only from the provisions of Articles 14 to 16 and 18 to 21. The States which have concluded such an agreement shall transmit a copy to the depositary of the Convention.

Article 40

reservation to the Convention shall be permitted.

Article 41

The Convention shall apply in every case where an application pursuant to Article 14 has been received after the Convention has entered into force in the receiving State and the State of origin.

Article 42

The Secretary General of the Hague Conference on Private International Law shall at regular intervals convene a Special Commission in order to review the practical operation of the Convention.

CHAPTER VII – FINAL CLAUSES

Article 43

- (1) The Convention shall be open for signature by the States which were Members of the Hague Conference on Private International Law at the time of its Seventeenth Session and by the other States which participated in that Session.
- (2) It shall be ratified, accepted or approved and the instruments of ratification, acceptance or approval shall be deposited with the Ministry of Foreign Affairs of the Kingdom of the Netherlands, depositary of the Convention.

Article 44

- (1) Any other State may accede to the Convention after it has entered into force in accordance with Article 46, paragraph 1.
- (2) The instrument of accession shall be deposited with the depositary.
- (3) Such accession shall have effect only as regards the relations between the acceding State and

those Contracting States which have not raised an objection to its accession in the six months after the receipt of the notification referred to in sub-paragraph b) of Article 48. Such an objection may also be raised by States at the time when they ratify, accept or approve the Convention after an accession. Any such objection shall be notified to the depositary.

Article 45

- (1) If a State has two or more territorial units in which different systems of law are applicable in relation to matters dealt with in the Convention, it may at the time of signature, ratification, acceptance, approval or accession declare that this Convention shall extend to all its territorial units or only to one or more of them and may modify this declaration by submitting another declaration at any time.
- (2) Any such declaration shall be notified to the depositary and shall state expressly the territorial units to which the Convention applies.
- (3) If a State makes no declaration under this Article, the Convention is to extend to all territorial units of that State.

Article 46

- (1) The Convention shall enter into force on the first day of the month following the expiration of three months after the deposit of the third instrument of ratification, acceptance or approval referred to in Article 43.
- (2) Thereafter the Convention shall enter into force –
 - a) for each State ratifying, accepting or approving it subsequently, or acceding to it, on the first day of the month following the expiration of three months after the deposit of its instrument of ratification, acceptance, approval or accession;
 - b) for a territorial unit to which the Convention has been extended in conformity with Article 45, on the first day of the month following the expiration of three months after the notification referred to in that Article.

Article 47

- (1) A State Party to the Convention may denounce it by a notification in writing addressed to the depositary.
- (2) The denunciation takes effect on the first day of the month following the expiration of twelve months after the notification is received by the depositary. Where a longer period for the denunciation to take effect is specified in the notification, the denunciation takes effect upon the expiration of such longer period after the notification is received by the depositary.

Article 48

The depositary shall notify the States Members of the Hague Conference on Private International Law, the other States which participated in the Seventeenth Session and the States which have acceded in accordance with Article 44, of the following –

- a) the signatures, ratifications, acceptances and approvals referred to in Article 43;
- b) the accessions and objections raised to accessions referred to in Article 44;
- c) the date on which the Convention enters into force in accordance with Article 46;
- d) the declarations and designations referred to in Articles 22, 23, 25 and 45;
- e) the agreements referred to in Article 39;
- f) the denunciations referred to in Article 47.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at The Hague, on the 29th day of May 1993, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Government of the Kingdom of the Netherlands, and of which a certified copy shall be sent, through diplomatic channels, to each of the States Members of the Hague Conference on Private International Law at the date of its Seventeenth Session and to each of the other States which participated in that Session.