

T-1135-96

IN THE MATTER OF THE *CITIZENSHIP ACT*,
R.S.C. 1985, c. C-29

AND IN THE MATTER OF an appeal from the
decision of a Citizenship Judge

AND IN THE MATTER OF

RUZAI KARAZAI

Appellant

REASONS FOR ORDER

(Delivered orally from the Bench
at Toronto, Ontario, on March 12, 1997, as edited)

McKEOWN J.

This matter came for hearing before me at Toronto on March 12, 1997.

The appellant appeals the decision of a Citizenship Judge dated April 18, 1996, refusing her application for Canadian citizenship on the basis that she did not have an adequate knowledge of Canada or the responsibilities and privileges of citizenship, as required by paragraph 5(1)(e) of the *Citizenship Act* (the Act). The Citizenship Judge also declined to make a recommendation, under subsection 15(1) of the Act, requesting the Minister to exercise her discretion, under subsection 5(3), to grant citizenship on compassionate grounds or for reasons of special hardship.

The appellant was born in Afghanistan on September 5, 1964. She was granted permanent residence status on September 26, 1991. She was able to answer some questions with respect to Canada and the privileges of citizenship but she was unable to answer the majority of questions in these areas and also was unaware of the responsibilities of Canadian citizenship. The appellant produced before this Court two

medical letters which indicated that she has severe headaches, a short memory and is a slow learner. Unfortunately, these letters were not presented to the Citizenship Judge. Accordingly, I am returning this matter to the Citizenship Judge to reconsider this matter, based on the fresh medical evidence, and I am also suggesting that the appellant perhaps provide a more extensive medical opinion to the Citizenship Judge.

Accordingly, the appeal is dismissed and the matter is returned to the Citizenship Judge for reconsideration, based on fresh medical evidence.

OTTAWA, ONTARIO
April 16, 1997

Judge