

T-1195-96

OTTAWA, ONTARIO, THIS 28th DAY OF MAY 1997

BEFORE THE HONOURABLE MR. JUSTICE ROULEAU

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

Sultan Olgun,

Appellant.

**JUDGMENT**

The appeal is dismissed.

\_\_\_\_\_  
"P. ROULEAU"  
JUDGE

Certified true translation

C. Delon, LL.L.

T-1195-96

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

Sultan Olgun,

Appellant.

### **REASONS FOR JUDGMENT**

#### **ROULEAU J.**

The appellant has appealed the decision of the citizenship judge dated March 29, 1996, denying her Canadian citizenship on the ground that she did not prove that she had an adequate knowledge of either of the official languages of Canada, as required by paragraph 5(1)(d) of the Act and section 14 of the Regulations. The Citizenship judge decided not to recommend to the Minister, pursuant to subsection 15(1) of the Act, that he exercise his discretion under subsection 5(3) or (4) in order to grant citizenship on compassionate grounds or because of special hardship.

Since appeals filed in the Federal Court under subsection 14(5) of the *Citizenship Act* are appeals *de novo*, I may consider all of the evidence before me, including the testimony of the appellant and of any other witness.

The appellant was born in Denizli, Turkey, on September 1, 1963. She entered Canada with her husband for the first time on December 12, 1986, and they were both granted permanent resident status on March 2, 1991, at Mirabel. Since their arrival in Canada, Ms. Olgun and her husband have always lived in Montréal.

Ms. Olgun appeared before me at Montréal on May 13, 1997. From the beginning of the hearing, it was immediately apparent to me that Ms. Olgun spoke neither French nor English. Accordingly, no intervention by me is warranted and I cannot do otherwise than uphold the decision of the Citizenship judge.

The appeal is dismissed.

"P. ROULEAU"  
JUDGE

OTTAWA, Ontario  
May 28, 1997

Certified true translation

C. Delon, LL.L.

FEDERAL COURT OF CANADA  
TRIAL DIVISION

NAMES OF COUNSEL AND SOLICITORS OF RECORD

COURT FILE NO: T-1195-96

STYLE OF CAUSE: CITIZENSHIP v. SULTAN OLGUN

PLACE OF HEARING: MONTRÉAL, QUEBEC

DATE OF HEARING: MAY 13, 1997

REASONS FOR JUDGMENT OF ROULEAU J.

DATED: MAY 28, 1997

APPEARANCES:

SULTAN OLGUN FOR HERSELF

JEAN CAUMARTIN AMICUS

SOLICITORS OF RECORD:

JEAN CAUMARTIN AMICUS