

# Under New Proposed Law, Citizenship is Harder to Get and Easier to lose

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The federal government is trying to pass a law that will increase barriers to obtaining citizenship and take away rights from countless Canadians holding dual citizenship. On February 6, 2014 the federal government introduced [Bill C-24](#), which is aimed at dismantling key aspects of Canadian citizenship as we know it. The law will make citizenship more difficult to get for everyone, and will potentially make it impossible for some of our most vulnerable permanent residents, grandparents, and low-income immigrants, to become Canadians. And, more than ever before, the law will make citizenship easier to revoke — by replacing an in-person hearing before an independent judge with a review by an anonymous government bureaucrat who never sees or hears the citizen.

The law will divide Canadians into two classes of citizens: first class Canadians who hold no other citizenship, whose citizenship is protected forever; and second class Canadians – dual citizens, who can have their right to live in Canada taken away from them by the federal government. Even those born in Canada are at risk of losing citizenship. In some cases, Canadians may not even be aware that they possess another citizenship. Someone born in Canada who has a spouse, parent, or grandparent from another country could be a citizen of that country without ever having applied for it. The proposed law would put them at risk of losing Canadian citizenship if the Minister asserts that they possess, could possess, or could obtain another citizenship. The burden would be on the Canadian citizen to prove otherwise to the Minister's satisfaction.

## Citizenship will be harder to get

The proposed changes to the *Citizenship Act* will create unfair barriers to citizenship and make citizenship inaccessible to many. The proposed law will:

1. **Grant government officials authority to deny citizenship** on sheer speculation that an applicant does not intend to reside in Canada in the future;
2. **Extend the formal residency requirement** during which an applicant must live as a permanent resident in Canada from 3 to 4 years. This represents a hardship, since processing times for citizenship are extremely long. Applicants today wait 4-6 years to become citizens due to government delay and inefficiency, and may have to wait even longer under the new system;
3. **Make it harder for students, workers, and refugees to become citizens** by denying them the ability to count any of their time in Canada prior to becoming permanent residents when applying for citizenship;

4. **Extend the costly language testing process to include applicants aged 14-64**, rather than applicants aged 18-55, as under the current system. Under the new proposed law, children and grandparents would have to pass difficult language tests or risk never becoming citizens;
5. **Dramatically increase the cost of applying for citizenship** by tripling the application fee, which will be added to the new cost imposed on applicants a year ago when the government privatized language testing. As a result, the price of applying for citizenship will now cost 4 times more than it did in 2006;
6. **Remove a right of appeal to the Federal Court** for refused citizenship applicants – continuing a theme of greater bureaucratic control over citizenship decision-making and less judicial oversight over the process.

### **Citizenship will be easier to take away**

The proposed changes to the *Citizenship Act* will create second-class citizens with fewer rights than other Canadians, whose citizenship will be more insecure. The new law will:

1. **Replace the right to an oral hearing before an independent judge in most revocation proceedings** with a written review by a bureaucrat acting under the direction of the Minister of Citizenship and Immigration;
2. **Put all naturalized citizens under the implicit threat of having their citizenship revoked**, by making it possible for government officials to strip someone of citizenship if they believe that person never intended to live in Canada. This could happen if a naturalized Canadian decides to study, accept a job, or even move in with a romantic partner outside of Canada. In contrast, Canadian citizens by birth never have to worry that time spend away from Canada might put their citizenship status at risk;
3. **Allow officials to take away a person's citizenship based on criminal convictions that occur outside of Canada**, regardless whether the regime or judicial system under which the person was convicted is undemocratic or lacks the rule of law;
4. **Bring back the ancient punishment of exile or banishment** – abandoned centuries ago – by allowing government officials to strip citizenship from dual citizens based on certain convictions in Canada even though the citizen will already have been properly punished by the Canadian criminal justice system. This will include Canadians who were born in Canada.

The government's statements in support of this bill are shrouded by myths and misinformation. The circulation of these myths and misinformation is one of the biggest barriers to understanding the pernicious effects of this proposed legislation. Check out our [citizenship myth-busting page](#) for details as we correct the record and provide accurate information in the following areas:

1. Citizenship is not a licence the government can revoke for misbehavior
2. Citizenship stripping is not commonplace in other countries. Bill C-24 makes Canada an outlier among western states

3. It is the role of the criminal justice system, not elected officials, to punish people for wrongdoing
4. The new law does not just target criminal wrongdoers; it poses a serious threat to the rights of all Canadians
5. Citizenship is not a privilege; it is an interest fundamental to full membership in Canadian society
6. The new law greatly reduces due-process rights, replacing fair judicial process with Ministerial discretion
7. The new law diminishes the ties non-permanent residents have established in Canada
8. The new law does not adequately ensure citizens maintain strong ties to Canada
9. The new law does not strengthen or protect the value of Canadian citizenship; it diminishes it