

## **Canadian Citizenship Updates and Reminders**

When I was starting my immigration law practice, a Canadian citizenship application was among the most routine applications one can submit to Citizenship and Immigration Canada (CIC). As long as the applicant had been physically present for at least three years in the four years preceding the application and has no criminal record, the citizenship test and subsequent oath-taking ceremony are often completed in less than a year.

In the past couple of years however, citizenship applications have become a rather frustrating process for many due to the much longer timelines and the added burden imposed by residency questionnaires. The issuance of residency questionnaires is among the measures used to combat residency fraud often committed in citizenship and permanent residence card renewal applications. Lately, these residency questionnaires are being issued by CIC officials with much greater frequency although sometimes for the flimsiest or not very transparent reasons. This additional requirement could add a few more years to the already lengthy processing time for citizenship applications.

Moreover, CIC minister Chris Alexander recently announced that his department will introduce a major overhaul to Canada's citizenship requirements. Among the changes expected include the increase in the physical presence required to become eligible for Canadian citizenship. It is deemed that the current requirement of three years within the last four years is rather short and will thus likely be increased.

Another change being contemplated is the removal of the automatic grant of citizenship for those born in Canada to discourage so-called "birth tourism" or "passport babies". Critics of this proposal assert that this could lead to statelessness in some instances hence should be thoroughly reviewed to ensure that Canada will not violate its obligations under relevant international treaties.

Meanwhile, since Canada has become such a multicultural society, many naturalized Canadian citizens would understandably maintain a stronger affinity to those countries where they were raised and where their ancestors come from. However, the fact that they have also chosen to make Canada their new home is a reflection of their desire to take active part in Canadian society. At least, that is the hope and expectation that comes with the grant of citizenship. It is also hoped that once Canadian citizenship is obtained, people will not take for granted the rights and responsibilities that come with this privilege. These are summarized in the Citizenship and Immigration Canada (CIC) website as follows:

“The Charter of Rights and Freedoms summarizes fundamental freedoms while also setting out additional rights. The most important of these include:

- Mobility Rights — Canadians can live and work anywhere they choose in Canada, enter and leave the country freely, and apply for a passport.
- Aboriginal Peoples’ Rights — The rights guaranteed in the Charter will not adversely affect any treaty or other rights or freedoms of Aboriginal peoples.

- Official Language Rights and Minority Language Educational Rights — French and English have equal status in Parliament and throughout the government.
- Multiculturalism — A fundamental characteristic of the Canadian heritage and identity. Canadians celebrate the gift of one another's presence and work hard to respect pluralism and live in harmony.

The responsibilities of Canadian citizens include:

- Obeying the law — One of Canada's founding principles is the rule of law. Individuals and governments are regulated by laws and not by arbitrary actions. No person or group is above the law.
- Taking responsibility for oneself and one's family — Getting a job, taking care of one's family, and working hard in keeping with one's abilities, are important Canadian values. Work contributes to personal dignity and self-respect, and to Canada's prosperity.
- Serving on a jury — When called to do so, you are legally required to serve. Serving on a jury is a privilege that makes the justice system work, as it depends on impartial juries made up of citizens.
- Voting in elections — The right to vote comes with a responsibility to vote in federal, provincial or territorial and local elections.
- Helping others in the community — Millions of volunteers freely donate their time to help others without pay—helping people in need, assisting at your child's school, volunteering at a food bank or other charity, or encouraging newcomers to integrate. Volunteering is an excellent way to gain useful skills and develop friends and contacts.
- Protecting and enjoying our heritage and environment — Every citizen has a role to play in avoiding waste and pollution while protecting Canada's natural, cultural, and architectural heritage for future generations.”

There are many Canadian citizens who have never or hardly ever worked, paid taxes or contributed to the Canadian society and economy and yet are granted Canadian passports and enjoy full citizenship rights. On the other hand, there are many other individuals who quietly toiled for Canadian families or Canadian companies, paid taxes and contributed heavily to the Canadian economy for decades, who are still considered undeserving to stay in Canada and are eventually removed to their countries of origin despite clear establishment in this country.

This is not to say that one class of individuals is more deserving of citizenship than another. However, in the process of understanding the value and meaning of Canadian citizenship, we also need to rethink the process of categorizing people's belonging in society through these legal and artificial distinctions. Canadian citizenship should be treated more as a tool for belonging and promoting the common good, rather than as a further means of exclusion and discrimination.

After all, whether citizens, permanent residents, temporary residents, foreign workers, visitors, or so-called undocumented or out of status, we are all human beings deserving of fundamental fairness, respect and dignity.

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