

The AMSSA Info Sheet series has been created to inform and support our members and community partners. The Info Sheets cover a wide range of topics and highlight important facts and trends from across Canada and BC. Our goal is to assist organizations in navigating the rapidly changing landscape of the BC settlement sector.*

Citizenship - Information and Research

Citizenship is a legal bond between a person and a State.¹ Citizenship is a human right enshrined in international law² and facilitates full economic, political and social participation in society.³ This Info Sheet gives an overview of the legal and regulatory framework of Canadian Citizenship, highlighting the rights, responsibilities and benefits of being a Canadian citizen. This Info Sheet further examines Canada's citizenship application process, the proposed changes to this process and draws international comparisons.

Pathways to Canadian Citizenship

Canadian citizenship can be obtained either by **birth** or by **naturalization**.

There are two ways to become a citizen by birth:

1. Jus Soli (Latin for "right of soil") describes the entitlement to citizenship by birth in Canada. This is the primary avenue to citizenship in Canada. All persons born in Canada regardless of either parent's status or lack of legal status have the right to Canadian citizenship.⁴ Jus Soli is observed by a minority of the world's countries and is mainly used in the Americas (see dark blue countries in Fig. 1).

2. Jus Sanguinis (Latin for "right of blood") describes the entitlement to citizenship where one is born outside of Canada to at least one parent who is a Canadian citizen. In 2009, the Citizenship Act was amended to limit jus sanguinis claims to the first generation born outside of Canada.⁵

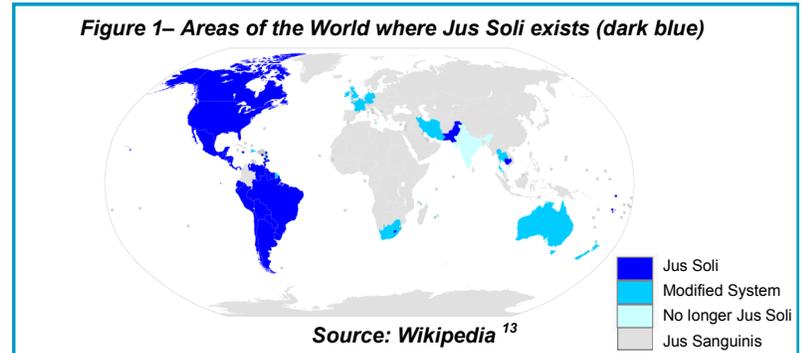
Naturalization is the formal process that allows permanent residents in Canada to obtain citizenship (see page 2 for details on the application process and specific requirements).⁶ Note: for citizens of countries that do not allow dual citizenship, taking on Canadian citizenship can result in the loss of their original citizenship.

Rates of Naturalization: The rate at which permanent residents take up Canadian citizenship has continuously increased. In the 1970s Canada's naturalization rate was 66%, in the early 2000s it was 78%. The 2011 National Household Survey showed a naturalization rate of 85.6%.⁷

Rights & Responsibilities of Canadian Citizens

Rights: In Canada, citizens have rights that non-citizens do not have, including the right to vote, apply for a passport, become an elected official, enter and leave the country freely, and to be given preference for federal jobs.⁸

Responsibilities: Canadian citizens have the legal duty to serve on a jury if called to do so.⁹



Benefits and Meaning of Citizenship

Citizenship is often considered a foundational element of nation-building.¹⁰ According to the Maytree Foundation, "high rates of citizenship acquisition are associated with better employment rates, and being a citizen is a prerequisite for participating in many aspects of civic and political life".¹¹

Recent research demonstrates that both foreign-born and native-born Canadians have very similar views on the meaning and benefits of citizenship. The respondents listed attributes such as obeying Canada's laws, being accepting of differences, protecting the environment, respecting other religions, feeling connected to others, sharing values and learning about Aboriginal peoples.¹²

1. UNHCR, Background on Statelessness. Available at: <http://bit.ly/1en6Nmb>.

2. See Article 15 of the 1948 Universal Declaration of Human Rights; Article 24 (3) of the 1966 International Covenant on Civil and Political Rights; Article 7&8 of the 1989 Convention on the Rights of the Child. Available at: <http://bit.ly/1QoFkn>.

3, 12. Environics Institute, in partnership with the Institute for Canadian Citizenship, Maytree Foundation, CBC News and RBC: 'Canadians on Citizenship—National Survey'. Available at: <http://bit.ly/PRA3qS>.

4, 5. Marina Sedai, 'UBC Certificate in Immigration: Laws, Policies and Procedures: Citizenship', Feb 2014.

6. CIC Glossary, 'Naturalization'. Available at: <http://bit.ly/1en6Yaz>

7. Statistics Canada, 'NHS in Brief—Obtaining Canadian Citizenship', 2011. Page 3.

8, 9. Citizenship and Immigration Canada, 'Rights and Responsibilities of Citizenship', April 2012. Available at: <http://bit.ly/1qLERCd>.

10. Naomi Alboim, Karen Cohl, 'Shaping the Future: Canada's Rapidly Changing Immigration Policies', Maytree, October 2012, page 43. Available at: <http://bit.ly/1q28PTi>.

11. Maytree, 'Policy Brief on Recent and Proposed Changes to Citizenship Policy', 2012. Available at: <http://bit.ly/1iEtsVN>.

13. See: Wikipedia Map on Jus Soli. Available at: <http://bit.ly/1iEtxZF>.

* Disclaimer: The following summaries have been compiled by AMSSA. They have not been sanctioned by the Immigrant Integration Branch (IIB), Citizenship and Immigration Canada (CIC) or agency representatives, so the information should be confirmed as appropriate.

Canada's Requirements for Naturalization

Persons may apply for grants of citizenship to become naturalized Canadian citizens if they can show they:¹⁴

- are eighteen years of age;
- are permanent residents;
- were resident in Canada for at least three of the previous four years (each day spent in Canada as a temporary resident is counted as a half day);
- adequately understand English or French (Canadian Language Benchmark level 4 or above required for applicants between the ages of 18 and 54);
- adequately demonstrate knowledge of Canada, and the responsibilities and privileges of citizenship (knowledge test required for applicants between the ages of 18-54);
- are not under a removal order or subject to other prohibitions under the Citizenship Act.

Canada currently uses a three step review process:¹⁵

1. Citizenship officer reviews the application files and prepares them for a citizenship judge;
2. Citizenship judge approves or rejects the application;
3. Citizenship officer then grants citizenship on behalf of the Minister or recommends an appeal of the judge's decision.

What is a Residency Questionnaire?

A Residency Questionnaire (RQ) is a document that asks for an expansive list of evidence that proves the applicant has resided in Canada. Over the last year, settlement service providers have noticed an increase in requests for RQs from clients that are applying for citizenship.

Currently, citizenship applicants must prove that they have resided in Canada for at least 3 of the previous 4 years, or a total of 1095 days. In cases where citizenship officers require additional evidence they can request a RQ. Supporting documentation can include records of travel, bank statements, rental agreements, school enrollment records, health records, and a number of other documents.¹⁶

In 2012, roughly one in five applicants was asked to submit a Residency Questionnaire.¹⁷

Proposed Changes to Canada's Citizenship Act (Bill C-24)

In February 2014, the Government of Canada tabled Bill C-24 to amend the 1977 Citizenship Act. Bill C-24 proposes a number of significant changes, including:¹⁸

- Eliminating the backlog of applications by reducing the decision-making process from three steps to one. Citizenship judges will no longer have a role in such applications. This is expected to reduce the current processing time of 24 months to under 12 months by 2015-16.¹⁹
- Increasing the residency requirement for applicants from 3 out of the previous 4 years to 4 out of the previous 6 years. Specifically, applicants must be physically present in Canada for at least 183 days of each of the 4 years of residence.
- Eliminating the ability for applicants to count their time spent in Canada as temporary residents toward this residency requirement. Previously, each day spent in Canada as a temporary resident was counted as a half day.
- Expanding the age range for applicants who must meet minimum English or French language requirements and pass a knowledge test from 18—54 to 14—64 years of age.
- Granting the authority to the Government of Canada to revoke citizenship from dual citizens who are convicted of terrorism, high treason, treason or spying offences.

Track the progress of Bill C-24 here: <http://bit.ly/1g1KVCA>.

History of Citizenship Law in Canada

Canadian citizenship only became possible with the 1947 Citizenship Act. Prior to this act, "Canadians" were simply British subjects living in Canada. The 1947 Act was replaced by the 1977 Citizenship Act, which is currently in effect. Small amendments were made to the Act in 2009, however the proposed changes of Bill C-24 will be the most comprehensive changes to the Act since 1977.²⁰

Figure 2– International Comparison of Citizenship Requirements

	Residency Requirement	Cost in CAD	Language / Citizenship Test Required	Dual Citizenship Available	"Jus Soli"
Germany	8 years*	\$394	Yes*	No*	No*
UK	5 years*	\$1608	Yes*	Yes	No
USA	5 years*	\$600	Yes*	Yes	Yes
Australia	4 years*	\$260	Yes*	Yes	No
Canada	3 years*	\$400	Yes*	Yes	Yes

Table created by AMSSA.

* indicates that exceptions exist. Please follow the link for more information.

14. Marina Sedai, 'UBC Certificate in Immigration: Laws, Policies and Procedures: Citizenship', Feb 2014.

15. CIC Backgrounder, 'Strengthening Canadian Citizenship Act: Blueprint for Citizenship Improvements'. Available at: <http://bit.ly/11TT3u5>.

16. Citizenship and Immigration Canada, 'Citizenship Policy 5: Residence', June 2010. Available at: <http://bit.ly/1qfDNIH>.

17. Citizenship and Immigration Canada, 'RQ Weekly', March 2013. Available at: <http://bit.ly/1jcZa14>.

18. Citizenship and Immigration Canada, 'Strengthening Canadian Citizenship Act: A comparative view', Feb 2014. Available at: <http://bit.ly/1g64ZFS>.

19. Citizenship and Immigration Canada, 'Processing Times: Grant of Citizenship', Feb 2014. Available at: <http://bit.ly/1d4VRV4>.

20. Citizenship and Immigration Canada, 'Forging Our Legacy: Canadian Citizenship and Immigration, 1900–1977', July 2006. Available at: <http://bit.ly/1g5NisS>.