

June 2014

The Right Honourable Stephen Harper, P.C., M.P.
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Dear Mr. Prime Minister:

We the undersigned, scholars and prominent Canadians, are concerned that Canada's commitment to rights protection and its international reputation as a human rights leader will be threatened by the passage of Bill C-24, the "Strengthening Canadian Citizenship Act".

Bill C-24 does exactly the opposite of what its title proclaims: It will not make Canadian citizenship stronger, but rather take away rights from countless Canadians holding dual citizenship, creating a two-tier citizenship regime that discriminates against dual nationals and naturalized citizens. Under this new law, Canadian citizenship will become harder to get and easier to lose. Specifically:

The new law will put all naturalized citizens under the tacit threat of having their citizenship revoked by making it possible for government officials to strip a naturalized Canadian of citizenship if they believe that person never intended to live in Canada, for example if she/he decides to study, accept a job, or move in with a romantic partner outside of Canada. In contrast, citizens by birth never have to worry that time spent away from Canada might put their citizenship status at risk.

The new law will revive the ancient punishment of exile or banishment, by empowering government officials to strip citizenship from a dual national who is convicted of terrorism or treason in Canada, even where the individual has already been properly punished by the Canadian criminal justice system. The new law will also allow officials to take away a person's citizenship based on a terrorism conviction that occurs outside of Canada, regardless of whether the foreign regime or judicial system is undemocratic or lacks the rule of law. This law applies to all Canadians, whether born in Canada or naturalized. As well, many Canadians may be dual nationals without knowing it.

The new law will grant government officials authority to arbitrarily deny citizenship on sheer speculation that an applicant does not intend to reside in Canada in the future. It will also remove a right of appeal to the Federal Court of Canada for refused citizenship applicants, continuing a theme of greater bureaucratic control over citizenship decision-making and less judicial oversight over the process.

The new law will significantly diminish due process rights. Under the current law, the government cannot remove a person's citizenship without making an application to a Federal Court judge. The new law expands Ministerial discretion to remove citizenship, eliminates some rights of appeal, and, in most instances, replaces the right to an oral hearing before an independent judge with a written review by a bureaucrat acting under the direction of the Minister of Citizenship and Immigration.

Bill C-24 is aimed at dismantling key aspects of Canadian citizenship as we know it. This does not strengthen citizenship; it only weakens citizens. Canadian citizenship will remain strong only if our citizenship laws continue to meet the highest standards of rights protection.

We urge the Canadian government to withdraw or fundamentally revise this proposed legislation.

Sincerely,

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