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# Standing Committee on Citizenship and Immigration

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EVIDENCE

**Tuesday, June 3, 2014**

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**Chair**

**Mr. David Tilson**



## Standing Committee on Citizenship and Immigration

Tuesday, June 3, 2014

• (1530)

[*English*]

**The Chair (Mr. David Tilson (Dufferin—Caledon, CPC)):** Ladies and Gentlemen, this is the Standing Committee on Citizenship and Immigration, meeting number 31. We are studying, clause by clause, Bill C-24, which is amending the Citizenship Act and other acts.

We have the same officials before us that we had yesterday from the department, in case members have technical questions.

(On clause 8)

**The Chair:** I think we finished Green-4, which failed, and we now have Green-5.

Ms. May, I assume the legislative clerk has spoken to you and he has pointed out to you that he's recommending to me that the amendment proposed by you is inadmissible. I concur with him. Do you wish me to go further?

Basically the amendment intends to delete the entire clause. When you do that it's out of order because simply voting against the adoption of the clause would have the same effect, and that comes from O'Brien and Bosc at page 768. So the ruling essentially is that parliamentary practice does not permit a member to do something indirectly what cannot be directly. Therefore, Ms. May, I declare that the amendment is inadmissible.

So, we now proceed to....

Well, there doesn't seem to be anyone to move, so we will proceed with Liberal amendment 7. I don't see anyone making the amendment for that either.

You know, I'd like to be reasonable here.

I'm going to suspend for a minute.

• \_\_\_\_\_ (Pause) \_\_\_\_\_

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**The Chair:** Okay, we're back in the saddle again.

We have three Liberal amendments to come forward.

Mr. Regan, Liberal amendment number 6. Do you have any comments to make about that?

**Hon. Geoff Regan (Halifax West, Lib.):** Yes, Mr. Chair.

This amendment would require that a Canadian facing citizenship revocation would be entitled to a hearing if they request one, and that

the minister must notify them of that right. We are fundamentally opposed to the new powers of citizenship revocation. However, we recognize that the Conservatives have a majority and tend to ram these provisions down Parliament's throat regardless of what the experts say; therefore, we have also made a number of amendments to these provisions that we think can add, at the very least, a few checks on these new powers, and we hope that members of the committee will seriously consider these amendments.

We think it's crazy that a Canadian, born here to Canadian parents, a Canadian who goes back generations, could have their citizenship revoked through an exchange of letters. It's one of the most basic principles of due process that people are entitled to a hearing. This amendment would guarantee a hearing for any Canadian facing revocation.

• (1535)

**The Chair:** Alright.

Yes, Madame Blanchette-Lamothe.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe (Pierrefonds—Dollard, NDP):** Thank you, Mr. Chair.

This is a major problem that witnesses pointed out during the study of Bill C-24. One witness even said that a person whose citizenship might be revoked had fewer legal rights than another who had received a parking ticket. I think that shows how ridiculous this provision of Bill C-24 is. For that reason, the NDP will support the proposed amendment.

[*English*]

**The Chair:** Mr. Menegakis.

**Mr. Costas Menegakis (Richmond Hill, CPC):** Mr. Chair, the impact of this amendment would require the minister, or the minister's delegate, to hold the hearing upon the request of an individual, an individual who is subject to a revocation process, which may lead to a less efficient process.

The government does not support this amendment because we feel it is unnecessary and is not consistent with the structure of the new revocation model. The factors that the minister must consider in deciding whether to hold a hearing will be prescribed in regulations. As a majority of revocation cases are likely to be straightforward, an oral hearing may not be necessary. The new model will improve the efficiency of the process, while ensuring fairness and a recourse mechanism for affected individuals. Under the new model, revocation decisions will be made by either the Federal Court or the minister.

Revocation cases decided by the minister would include those related to various revocation cases decided by the CIC minister or delegate. Under the new grounds, the minister would make decisions based on objective evidence where there is a conviction on a limited list of offences. The proposed system includes many safeguards, including the person's ability to make submissions and seek a judicial review. We feel those are appropriate.

As is the case for any other administrative decisions, the minister's revocation decision could be judicially reviewed with leave to the Federal Court. Decisions of the Federal Court would be subject to appeal to the Federal Court of Appeal if the Federal Court certifies a serious question of general importance.

Now it will also make it easier to revoke citizenship from those who hid crimes committed abroad, which would make it easier to get war criminals out of Canada.

For those reasons—and we could elaborate a lot further on them, but I won't in the interest of time—the government will not be supporting this amendment.

**The Chair:** All those in favour of Liberal amendment 6?

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** Mr. Regan, just so you're clear, because you're filling in for another one of our colleagues, I'm not asking that the amendment be actually read. I'm assuming that when you speak in support of the amendment that it's been done. You don't have to read it, you can just say why you're making the amendment. We all have copies of that amendment.

You can proceed, if you're going to proceed, with Liberal amendment 7.

**Hon. Geoff Regan:** Yes. I don't think I read it. I didn't read it last time, as far as I can tell.

**The Chair:** Well, I—

**Hon. Geoff Regan:** Okay.

Liberal amendment 7 would reverse the onus in Bill C-24 so that the minister would have to prove that the affected Canadian has a second citizenship. In our view, reverse onuses are rarely used in Canadian law. When they are, it's only in the most extreme of circumstances. If the minister has gone through all the work to prove that a Canadian should have their citizenship revoked, then they should also be able to prove that their target also has a second citizenship. It shouldn't fall on the shoulders of the Canadian to prove a negative.

**The Chair:** Debate...?

Mr. Menegakis.

• (1540)

**Mr. Costas Menegakis:** It's hardly proving a negative. But anyhow, the impact of this amendment of proposed subsection 10.4 (2), with regard to revocation, would put the onus on the minister to prove that the individual in question is a dual citizen. Obviously, the government does not support this amendment and we don't feel this amendment is necessary. Before requiring an individual to establish that they are not a citizen of another country, the minister would first

have to identify, based on reasonable grounds, the other country of citizenship.

Also, as this provision only applies to dual citizens, the intent is not to render individuals stateless.

So we're not supporting this amendment.

**The Chair:** Mr. Regan.

**Hon. Geoff Regan:** Thank you, Mr. Chair.

To quote Mr. Menegakis, to prove you are “not a citizen of another country”, that surely is proving a negative. He used the word “not”, for starters, but it's clearly proving a negative.

**Mr. Costas Menegakis:** We can argue on words, but that's not our purpose here today. We're ready to vote.

**The Chair:** All those in favour of Liberal amendment 7?

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** Mr. Regan, you're proceeding with Liberal amendment 8.

**Hon. Geoff Regan:** Yes, Mr. Chairman. This would provide that a Canadian will have a full appeal to the Federal Court in the case of citizenship revocation proceedings.

Canadian citizenship, of course, is our most fundamental right. The government shouldn't have the power to remove it without a full and complete right of appeal to the courts. It's absolutely mind-boggling, in fact, that the government would not support such an amendment. To not support such an appeal right would fly in the face of our charter and in the face of the rules of natural justice.

As we have heard from some of our witnesses before this committee, this committee must not think in terms of the here and now. The Conservatives may trust this particular minister with these wide-ranging powers, but do they trust the next minister? Would they willingly hand these powers to a Liberal minister, for example, or even a New Democrat minister? I won't go farther than that, but what about a minister belonging to some new party we haven't heard of yet?

We must always ensure that Canadians have the protection of the courts from the actions of an overly political government, because we cannot predict the electoral future, sadly.

**The Chair:** Mr. Menegakis.

**Mr. Costas Menegakis:** Well, Mr. Chair, the impact of this particular amendment provides for the appeal of a decision made by the minister under proposed section 10. It appears to duplicate proposed section 10.7, which introduces an appeal with a certified question for the revocation of citizenship under proposed section 10.1, or the finding of inadmissibility under proposed section 10.5. The government will not be supporting this amendment, because again we feel it is not necessary.

Under the new model, the minister's revocation decision could be judicially reviewed with leave of the Federal Court. The Federal Court's decision, in turn, could be appealed to the Federal Court of Appeal, if the Federal Court certifies a question of general importance. The decision of the Federal Court of Appeal, Mr. Chair, could also be appealed to the Supreme Court of Canada with leave.

Furthermore, a revocation decision made by the Federal Court could be appealed to the Federal Court of Appeal if the Federal Court certifies a question of general importance, and with leave, the Federal Court of Appeal, as I said, could be appealed to the Supreme Court of Canada.

So there is enough protection there to protect against a little bit of the fear that the member, I believe, was trying to put forth here about perhaps future ministers of other parties. I appreciate his confidence in the current minister. He certainly has our confidence.

So we're going to be opposing this amendment.

**The Chair:** Shall Liberal amendment 8 carry?

(Amendment negatived [See *Minutes of Proceedings*])

**The Chair:** We move to debate on clause 8.

Madame Blanchette-Lamothe.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Thank you, Mr. Chair.

We are at clause 8 of Bill C-24. No amendment could be made to this clause. I think it is important to discuss it.

As I said earlier, clause 8 concerns the revocation of citizenship under the minister's discretionary power. This is one of the main points that has been debated in Canadian civil society and among the experts who appeared before this committee. I will mention only some of the witnesses who opposed this provision of Bill C-24, including the Canadian Council for Refugees and, of course, the Canadian Association of Refugee Lawyers. The Canadian Arab Institute stated in a brief that it had sent to the committee that it was opposed to the possible revocation of citizenship.

Several experts appeared before the committee. Some expressed their disagreement with the revocation of citizenship, and others pointed out that the act of stripping a Canadian citizen of citizenship and not allowing that person to appeal the decision was probably unconstitutional.

Now I am going to recall the remarks made by Ms. Macklin, who is an executive member, professor and chair in human rights law on the faculty of law at the University of Toronto and a member of the Canadian Association of Refugee Lawyers. When she appeared before the committee, she told us these citizenship revocation provisions were probably unconstitutional. She said the following on that subject:

Can you revoke somebody's citizenship in order to punish them for what we'll call crimes against citizenship?... Here's what the Supreme Court of Canada said about that kind of approach:

Then she cited the Supreme Court, which had rendered a judgment on the subject, and she made the following comments on its decision:

In other words, the Supreme Court of Canada stated quite clearly that punishing somebody by depriving them of their constitutional rights, indeed, by denying them all constitutional rights and casting them out in the name of the social contract, is not constitutional.

This lawyer, who is a member of the Canadian Association of Refugee Lawyers, raised some major concerns about the constitutionality of this clause. And she was not the only one who did so. The Canadian Bar Association, which also appeared before the committee, has published its opinion several times in newspapers, in briefs and on the Internet.

Here is an excerpt from what the association says about the revocation of citizenship:

Taking away citizenship from someone born in Canada because they may have dual citizenship and have committed an offence proscribed by the act is new. That's a fundamental change. For people who are born here and who have grown up here, it can result in banishment or exile. It's a step backwards, a huge step backwards—and it's a huge step being taken without any real national debate or discussion about whether Canadians want their citizenship amended in that way.

Once again, a group of legal experts raised major concerns about the constitutionality of this aspect. I think we have to take this seriously. We have often seen the Conservative Party make decisions that were subsequently overturned by the Supreme Court. I think there is probably a lesson to be learned from that. Bill C-24, which preceded the one we are studying today, also encountered quite serious problems regarding its admissibility.

There is the constitutionality aspect, of course, but there are also all the issues surrounding the debate on justice and the creation of two classes of citizens. That is also a major and fundamental element. I am taking the time to discuss them because we are voting on a clause that has raised enormous concerns among the civil population and the experts in this country and that will make a fundamental change to Canadian citizenship.

We must ask ourselves the following question: why two classes of citizens?

● (1545)

For a single offence, if a person had or might have a second citizenship, he or she would not be entitled to the same judicial process as another person who had only one citizenship. I am not saying here that the sentence might be minor or undeserved, on the contrary. The experts agree that our judicial system provides for harsh penalties for crimes such as high treason and terrorism.

However, consider someone who was born in Canada of Canadian parents, who knows only one country—Canada—and perhaps only one language and who has no attachment to another country. Why should he be denied the same judicial treatment as a person who was born in Canada, and has only Canadian citizenship, simply because a parent has given him or her citizenship in another country? That is the problem. The question here is not whether committing terrorist acts is a serious matter. I believe everyone agrees on that. The NDP agrees that terrorism is an act that merits penalties consistent with the seriousness of the crime.

The bill goes a little too far because it could have the effect of revoking the citizenship of Canadians who were born in Canada to Canadian parents. I am not the only person who has said this. I am echoing the public and the experts who appeared before our committee. This is what disturbs me, just as it disturbs the official opposition and a lot of other people. I am startled to see that the government has accepted no amendments to clause 8 and that we are preparing to vote on a measure with such serious consequences.

• (1550)

[English]

**The Chair:** I have on the list Ms. Sitsabaiesan. The bells are ringing. Are they half-hour bells? Does anybody know?

**Voices:** Yes.

**The Chair:** Do you want to suspend or would you like to hear what Ms. Sitsabaiesan has to say?

**Mr. Costas Menegakis:** We can go another 15 minutes because it's right here.

**The Chair:** Okay we'll go a little bit longer and if it gets dangerous, I'll have to wait until after we vote.

Ms. Sitsabaiesan, you have the floor.

**Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP):** Thank you, Mr. Chair.

I think it is pretty clear that I will not be supporting clause 8 as well, as per what my colleague mentioned.

It's quite unfortunate that members of the government on the committee are not willing to actually listen to any of the recommendations we heard in the pre-study we did of this bill. We heard.... I'm not going to give you an exhaustive list of the witnesses and what they said, but I do want to talk about some of the issues that were outlined by some of our witnesses and about why I can't support clause 8 of the bill.

For example, you have heard me speak at length about UNICEF, because I think the best interests of the child are important. In the written submission they sent to us, UNICEF mentioned that the "best interest" determination process should be applied in cases in which there is the potential for families to be separated following the revocation of citizenship of a parent, when there are children involved.

If a parent is going to lose his citizenship, what is going to happen to the child? It's not clear now, if the parent is going to be deported because they lose their Canadian citizenship, what will happen to the child. If the family is being separated and a child is left to fend for themselves, is that acting in the best interest of the child? We are a state party to the UN Convention on the Rights of the Child and we are not acting in the best interests of the child.

I won't belabour that point any further; however, with respect to the new section 10 of the Citizenship Act that would be created through clause 8 of Bill C-24, we heard from the Canadian Council for Refugees, who suggested deletion of the new proposed powers to strip citizenship as a whole and amendment of the bill to include a provision explicitly stating that citizenship cannot be removed.

Citizenship shouldn't be treated like a driver's licence; it's not a privilege. I feel that it's a huge privilege to be a Canadian citizen, yes, but it's not something that can be taken away for punitive reasons. If you are a citizen, then you are a citizen—period, end of sentence. It's not something that a partisan minister should have the ability to take away from you for whatever reason.

What we've seen as a pattern in the bills that have affected this citizenship and immigration committee, whereby the minister has more and more discretionary powers to do *x*, *y*, or *z*—and this time it's about the revocation of citizenship—is that every bill that has come before this committee has seen an increase in discretionary powers for the minister, and that just isn't right.

We even had the minister appear before the committee and say many things about the clause 8 revocation section when crimes committed in another jurisdiction are involved. He said that's not really what they were trying to do, and that he's a nice guy, so he wouldn't revoke somebody's citizenship for something that wouldn't be treated as an equivalent crime here in this country. That's great that he's a nice guy and won't do that.

But that's not what the law says; that is not what is written down. What happens if tomorrow he's not the minister and somebody who is not a nice guy becomes minister? Does that mean that this new person will revoke someone's citizenship, and is that the plan?

I don't know. I can only go by what is in ink. The ink on the paper and the experts who have come before this committee have told us that it's very much not clear. Who was it, was it the Canadian Bar Association...? I remember Professor Macklin, who was representing the Canadian Association of Refugee Lawyers.

I'm going to quote very briefly from her. She said: "I would remove citizenship revocation. It's unconstitutional." She then said, "I think our criminal justice system is perfectly adequate to handle crimes, criminal offences, and it does so just fine."

• (1555)

She's right. If we're dealing with the criminal justice system, when a crime is committed in our jurisdiction or in another jurisdiction outside of this country, it shouldn't be the Minister of Immigration who acts as judge and jury. It really should be a judge—or maybe a jury—and not the Minister of Citizenship and Immigration who has the powers to just take away somebody's Canadian citizenship.

We heard from the Ontario Council of Agencies Serving Immigrants, OCASI, and also the Metro Toronto Chinese and Southeast Asian Legal Clinic, who both said that all of the new grounds for revocation of citizenship for dual citizens should be removed, because clause 8 in this bill is actually discriminatory.

The Conservatives on this committees are happy to write a law that is discriminatory towards people who have dual citizenship just because, through their birthright or because they were born in another country or because they choose to keep citizenship in another country.... They are going to be treated as another class of Canadian citizen. That's just not fair. It is discriminatory practice, a prejudiced practice. As lawmakers, we can't condone that type of behaviour.

That is another reason I will not be supporting and just can't support clause 8.

Once again, OCASI and the Metro Toronto Chinese and Southeast Asian Legal Clinic—I wish they had come up with a brilliant little name like OCASI for them as well—said to remove all of the new discretionary powers that are given to the minister. I agree with them. These are two groups that are representing a large number of people who live in the greater Toronto area. I, representing that community, agree with these organizations, who are speaking on behalf of so many of our constituents in the GTA.

We also know—I think it was from the lawyer Robin Seligman, when she appeared before the committee.... She is the one who mentioned that people who have a parking ticket have more rights than people who are having their citizenship revoked.

I'm pretty sure it was her who also outlined to us the way in which Canada can revoke the citizenship of people who may have a second citizenship—for example, Jewish Canadians who have a right to citizenship to Israel, who have never been there before, but just because they are practising, they have that right to that citizenship—for a crime that may have happened.

That is “may have happened”. It's not something we have clear, distinctive proof for, because we can't necessarily trust the judicial system in another country. Do we know that it's of the same quality or calibre as the Canadian judicial system? We don't. In many of these countries in which there are civil wars happening, do I necessarily trust the independence of the judiciary? No. I come from Sri Lanka, and many of the members of the committee have heard me speak about that country and the crimes that take place in that country. Do I trust the judiciary in that country? No. I know that the judiciary is not independent in that country, because the chief justice was impeached by the government because she issued a decision that wasn't supportive of the government.

So I know that in the case of that one country, for example, I can speak with confidence. We can't trust what comes out of the judiciary in that country, because they might say that somebody was convicted of a crime and had a fair trial, but does that mean we're now going to accept it?

It's not clear in the law. That's why I'm belabouring this point; it's not clear. I want to look at witness testimony from the Foundation for Defense of Democracies. It was by Ms. Saperia. She said:

I understand from last week's hearing that Minister Alexander envisions a two-step process in his ministerial discretion. The first step would be to examine the substance of the foreign offence and whether it is equivalent to a Canadian Criminal Code terrorist act. This is set out in the legislation

• (1600)

**The Chair:** Do you have a point of order, Mr. Menegakis?

**Mr. Costas Menegakis:** Yes. This is now cutting into my voting time, and I think we need to go to vote. This is going on. I'm sure the member can continue after the vote. We're ready to leave.

**The Chair:** All right. We're going to suspend.

You'll have the floor when we return.

• \_\_\_\_\_ (Pause) \_\_\_\_\_

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• (1635)

**The Chair:** Okay, we're going to resume. We are debating clause 8 of Bill C-24.

Ms. Sitsabaiesan, you have the floor.

**Ms. Rathika Sitsabaiesan:** Thank you, Mr. Chair.

I was reading a quotation when I was interrupted. I was wondering whether I could read that quotation. It was by Ms. Sheryl Saperia from the Foundation for Defense of Democracies. Here is the quote again:

I understand from last week's hearing that Minister Alexander envisions a two-step process in his ministerial discretion. The first step would be to examine the substance of the foreign offence and whether it is equivalent to a Canadian Criminal Code terrorist act. This is set out in the legislation. But the second step of the review, which was described as an examination of the fairness of the process by which the conviction was achieved, is not mentioned anywhere in the bill. I would recommend an amendment in this regard.

That's the same point I was making earlier. That second piece, whereby the examination of whether a person had a fair trial before the conviction that they may have reached in another jurisdiction in another country, is not clearly articulated in this bill, and there has been no change made to that effect. That is another reason I cannot support clause 8.

Time after time, the Canadian Bar Association, CARL or the Canadian Association of Refugee Lawyers, CASID, the local Toronto legal clinic.... There are many other organizations that presented as witnesses or that just sent in a written submission to our committee speaking to the unconstitutionality of this clause in Bill C-24. Considering that it has not been amended at all....

I can go on for many more hours, but I choose not to, Mr. Chair. All these reasons and more are reasons that I cannot support clause 8.

Thank you.

**The Chair:** Thank you, Ms. Sitsabaiesan.

Mr. Sandhu has the floor.

I apologize. Mr. Menegakis has the floor.

I'm sorry, sir.

**Mr. Costas Menegakis:** Thank you, Chair.

Where to begin? There are so many things that we've heard from the members opposite that I would characterize as inaccurate at best, and as probably fearmongering at the other end. Making reference to the members of the committee from the governing party in the way that they have done does not, I think, lend itself to a spirit of openness in debate.

• (1640)

**The Chair:** Mr. Menegakis, I don't recall either of the people who have spoken as having done that.

**Mr. Costas Menegakis:** I do, so that's why I mentioned it.

**The Chair:** Well, I just don't want to get into attacking—

**Mr. Costas Menegakis:** No, it's not going to happen—

**The Chair:** Mr. Menegakis, I just don't want to get into the issue in which members of one side are personally attacking people of the other side. I recall Ms. Sitsabaiesan's saying that the bill is discriminatory, but I don't recall her ever making critical, derogatory remarks about members of this committee or individual members of the government.

**Mr. Costas Menegakis:** Mr. Chair, the members opposite referred to members of the governing party on the committee. I would ask you to review what they said. I think you'll find that this is true; I did not make this up.

But I will speak to the issues at hand here, because I think it is important for Canadians to know and for all members in this committee to know the accurate facts in the legislation.

First of all is the issue of constitutionality and whether the bill is charter-compliant. I think the minister was abundantly clear, when he was asked that question when he appeared before the committee, that the bill went through a judicial review within the ministry of justice. The Minister of Justice was very clear that it is compliant with the charter. Had it not been, we certainly would not have tabled it, as a government, in the House. So we're convinced about the constitutionality of the elements of the bill.

Let me just say that experts—we heard the members opposite speak to experts and expert witnesses and what experts have to say here and what experts had to say there.... We have many experts here. Experts begin with our officials, who are dealing with these matters on a daily basis, who were here and appeared before us, Mr. Chair.

We heard support for the bill from many witnesses. We heard opposition to the bill from many witnesses. But we were trying to determine, in all of that, the pertinent points, so that we could take them into consideration when reviewing the amendments proposed to this bill.

I think it's worthy to note, and I'm going to say this, that on February 27, before we even met a single witness here—we hadn't even heard from a witness—the opposition stood up in the House and moved that the bill not be heard at second reading, before we even heard any witnesses.

I can go on forever as to how much credibility the opposition actually gives the witnesses, when they want to move not to hear the bill before even having had the opportunity to listen to witnesses who they are now claiming are so important to them, moving forward.

Nevertheless, this clause 8 does deal with the issue of revocation. Revocation is an important issue. If I got the gist of what the members opposite were saying, basically they were asking how it is fair to revoke citizenship for a foreign offence. They are asking such things, perhaps, as what the assessment of equivalence between a foreign and domestic offence would include. Will it include equivalence of a judicial process, and so forth?

I'd like to answer that question, because perhaps that will give them some additional information so that they can reflect on clause 8 of this bill.

The bill does introduce a new power to revoke citizenship on the basis of a person's having been convicted of terrorism and sentenced to at least five years of imprisonment. In the case of a foreign terrorism conviction, it would have to be shown that if the offence were committed in Canada, it would constitute a terrorism offence in Canada. Revocations based on other convictions listed, such as treason or spying, would require a Canadian conviction.

Essentially, officers would assess whether the foreign offence could be equalled with an offence under a Canadian federal statute, in this case the Criminal Code offence of terrorism. They would follow the test established by the Federal Court of Appeal in the context of criminal inadmissibility assessments under the Immigration and Refugee Protection Act. The CIC minister has the authority not to proceed with the revocation or to bar someone from acquiring citizenship in exceptional circumstances. This authority would be available for use in cases in which there are concerns about the judicial system in a particular country that could lead to an unfair trial or to politically motivated convictions for terrorism.

Individuals would also be provided with a safeguard in the form of judicial review recourse, which is available to individuals in all revocation cases.

Now, here is the point at which we have a fundamental difference with members of the opposition. We believe that if you commit a crime against the country—of treason, terrorism, against the Canadian Armed Forces—you have committed a crime. This is not an attack on those who have a dual citizenship. I might add that I know many people who have dual citizenship and are not criminals.

• (1645)

I can tell you that dual citizens themselves don't want terrorists that happen to have dual citizenship around them; Canadians have told us. They've told us in our ridings. They've told us in our deliberations. We've heard it from witnesses. We ask that question: who would want a terrorist to be their neighbour?

Also, why would you not want to take away citizenship from someone who obtained it fraudulently? There are benefits when it comes to citizenship, Mr. Chair. Those who have dual citizenship have an additional benefit in another country, which a Canadian citizen doesn't.

Now, we are subject to the international protocol that prevents us from rendering somebody stateless, but let me be clear about one thing. Someone who perpetrates a crime against Canada, such as treason or terrorism, is not absolved of the judicial system here. If they're concerned about their children.... I believe it was Ms. Sitsabaiesan who asked, "What about the babies, the children?" Well, those children aren't going to see their parents for a very long time. Because whether you're a dual citizen or not, if you perpetrate one of those crimes, you're going to be charged, convicted, and put in prison. It's not like you do the crime and it's goodbye; you will still be held accountable. That's the law in Canada. You can't come to Canada, walk around, perpetrate that kind of crime, and then say, "Oh, you lose your citizenship, goodbye." That's not what we're saying here. I want to make that very clear. That's not what Canadians want. That's not what anybody wants.



There will be due process for those who are accused. Once convicted—convicted by a court of law or a jury—these people are going to lose the Canadian citizenship if they have dual citizenship. We think it is fair to protect the value of Canadian citizenship. Those who obtain it should respect all the pluses, all the benefits, and the rules of the land.

It's abundantly clear in comments we heard from several witnesses, including the minister and the officials, and it's something we hear from Canadians. We're not talking about...you know, this is like an attack on dual citizens.... It's not. I've heard members opposite refer to it as two tiers of citizenship. Well, there are two types of people. You either have dual citizens and citizenship or you don't have dual citizenship.

If somebody chooses to retain their citizenship or ask for the citizenship of another country, or to retain it if they got it at birth, they can always renounce it. You can always renounce your citizenship from another country if you're concerned about this particular piece of legislation.

But here's the thing. Law-abiding citizens will never do that, because they don't think.... Why would they renounce their citizenship? Because 99.99% of the people are law-abiding citizens, and they're not going to think, "I'm going to renounce my citizenship." We're talking about those who would perpetrate a crime. We're talking about criminals. That's who we're talking about here.

I want to make that very clear to anybody who's listening to us here and to all members in particular. We are talking about criminals or those who obtain citizenship fraudulently. We're not talking about law-abiding citizens. I can't for the life of me understand why members of the opposition would want to provide protection for those people who would perpetrate those crimes by removing clause 8, by not supporting clause 8 in this legislation. That's the issue of revocation. It's not an attack on law-abiding citizens. It is the will of the government to ensure that our population is protected, and protected at all times.

The issue of equivalency of a crime performed in another country will have to be proven. It will have to be a crime that is recognized in Canada as equivalent, and obviously it would have to be recognized by a country whose judicial system is of the calibre—of the quality they use, I think—that it is in Canada. Certainly, there are provisions in the bill to prevent this kind of thing happening in despotically governed countries. The revocation factor in the bill is I think a critical component of this bill, because it sends a very strong message to those who perhaps would want to use Canada as a haven by retaining their Canadian citizenship, but who perform a crime either within Canada or outside of Canada.

• (1650)

I would submit to the honourable members here that nobody wants to have a person like that as a neighbour in this country—nobody. I haven't met a single person who says, "You know what? I know this crime was committed but it didn't happen in Canada, so I really don't care." I don't know of a single person who would say, "You know what? Don't take away their citizenship even though they have dual citizenship because they're Canadian citizens, and what

about their children?" Outside of things I've heard in this committee, I certainly have not heard that.

It is something that we will vigorously defend, because it is incumbent upon our Parliament, and we believe, incumbent upon us as a government, to ensure that there is protection in our immigration system for all Canadian citizens. We're a very welcoming country, Mr. Chair. We want people to come here. We want the best and the brightest and those who are in need. We want people to come to our country, but we want them to be law-abiding citizens. We want them to respect the laws of the land.

We're talking about revocation. There is no provision in this bill to revoke the citizenship of a law-abiding Canadian citizen, whether they have dual citizenship or not. There is no provision in this bill that provides that.

Having said that, I will note that we just went through clause 8 and there was not a single amendment proposed by members of the New Democratic Party for clause 8. They're opposing the entire clause with no amendment to it whatsoever. We will be supporting clause 8.

I'll reserve the right to come back to the point before we vote on it, of course. I would ask, Madam Clerk—through you, Mr. Chair—that my name be added to the list again.

Thank you very much.

**The Chair:** Mr. Sandhu.

**Mr. Jasbir Sandhu (Surrey North, NDP):** Thank you, Mr. Chair.

I'm going to be brief and to the point. My colleagues have already made points in regard to this particular clause on the revocation of citizenship.

Mr. Chair, I've seen this movie before where reasonable amendments are offered by the opposition. When the member opposite talks about how nobody in Canada wants these kinds of people living next door to them, I'm hoping he's including members of the Liberal Party, the Conservative Party, and the other parties in this House.... I don't think anybody wants that; however, Mr. Chair, surely you'd think that the members of the opposition would have some input into this bill to offer amendments, which have been offered by many witnesses. If you talk about the Canadian Bar Association.... I'm not going to list everyone here. We've had lawyer after lawyer and expert after expert talk about the unconstitutionality of this particular clause.

Mr. Chair, the Conservatives may be right and the opposition members may be right in thinking that by the time this works through the court system, it'll be six or seven years, and they may not be in government. I can assure them of that. Canadians are paying attention to this and they will not be in government at that time.

Thank you, Mr. Chair.

• (1655)

**The Chair:** Thank you.

Mr. Menegakis, you have the floor again.

**Mr. Costas Menegakis:** I'm okay for now. Thank you.

**The Chair:** We'll call the vote on clause 8.

**An hon. member:** A recorded vote, please....

(Clause 8 agreed to: yeas 5; nays 4)

(On clause 9)

**The Chair:** We're now going to proceed to clause 9. There is one proposed amendment by the Liberals. It is Liberal amendment 9.

Mr. Regan, you have the floor if you wish to make that amendment.

**Hon. Geoff Regan:** Thank you, Mr. Chairman.

This amendment would delete the "intent to reside" provision related to the resumption of citizenship. Again, the Liberals are opposed to the intent to reside provisions of this bill, and this amendment would delete them from the resumption of citizenship provisions of Bill C-24.

**The Chair:** Madame Blanchette-Lamothe.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** We have already expressed our opinion on this declaration of intent to reside in Canada.

We cited several witnesses who appeared as part of this study and who oppose the provisions respecting the declaration of intent to reside in Canada. Of course, it is not that we are opposed to the idea that people who have been granted citizenship should intend to reside here. Everybody would like that.

However, this may set a precedent and open some very dangerous doors. People could have their citizenship revoked if they did not comply with that declaration of intent to reside, and that limits any foreseeable or unforeseeable movement by people, which may occur for very good reasons.

The minister says he does not intend to use the measure that way, but experts tell us that, regardless of the minister's intent, the current wording of the bill might result in this precedent, which would be very dangerous. That is why the NDP will vote for this amendment.

[*English*]

**The Chair:** I'm going to call the vote on Liberal amendment 9.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** We resume debate on clause 9.

All those in favour of clause 9...?

**Ms. Rathika Sitsabaiesan:** I call for a recorded vote.

(Clause 9 agreed to: yeas 5; nays 4)

**The Chair:** Shall clauses 10 and 11 carry?

Do you want to go one by one?

**Ms. Rathika Sitsabaiesan:** I definitely do, yes. Thank you.

(On clause 10)

**The Chair:** Is there debate on clause 10?

Shall clause 10 carry? All those in favour...? All those opposed...?

**An hon. member:** [*Inaudible—Editor*]

**The Chair:** I'll say it again; perhaps I was too fast.

**Hon. Geoff Regan:** Can I ask a question to the witnesses on this clause? I should have asked it before now.

It's up to you, Mr. Chair.

**The Chair:** I've given you a lot of breaks, Mr. Regan.

**Hon. Geoff Regan:** That's fair enough.

**The Chair:** I'm going to give you one more, and then you're finished.

**Hon. Geoff Regan:** Thank you.

Could the witnesses tell the committee what other evidence of citizenship could be provided to a Canadian?

**Ms. Mary-Ann Hubers (Former Acting Director, Legislation and Program Policy, Citizenship and Multiculturalism Branch, Department of Citizenship and Immigration):** The intent of this clause is to provide some flexibility so that electronic means, for example, may be used instead of a paper certificate one day down the road.

**Hon. Geoff Regan:** Thank you.

**The Chair:** We were in the middle of a vote. We're going to start again.

Ask no more questions, Mr. Regan.

(Clause 10 agreed to)

(On clause 11)

• (1700)

**The Chair:** On clause 11, is there any debate?

All those in favour of clause 11—

**Ms. Rathika Sitsabaiesan:** Mr. Chair, we had our hands up for debate.

**Ms. Lysane Blanchette-Lamothe:** I'm sorry; maybe I should have said it while I was raising my hand.

**The Chair:** I looked over and didn't see any hands.

So you want to debate clause 11?

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** I simply want to point out that the NDP will vote against this clause. We have serious concerns about the aspect—

[*English*]

**The Chair:** Is it clause 11 you're speaking of?

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Yes, it is clause 11.

[*English*]

**The Chair:** Okay. You have the floor. Go ahead.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** The NDP will vote against clause 11 because it has serious concerns about the power to treat an application as abandoned if the applicant exceeds response times.

We know that a person who responds often encounters obstacles and that some documents are lost in the mail or at Citizenship and Immigration Canada. As a result of these concerns with regard to response times, we will vote against this clause.

[English]

**The Chair:** Is there any further debate?

Ms. Sitsabaiesan.

**Ms. Rathika Sitsabaiesan:** Thank you, Mr. Chair.

I don't really want to belabour this point either. My colleague mentioned the discretionary powers for the minister. I've spoken about it already extensively, and I don't want to speak about it much more. This clause increases further discretionary powers for the minister and allows the minister to suspend processing or treat an application as abandoned if a person doesn't respond within the prescribed timeline. But there are many reasons why someone may not be able to respond.

I can't really know the motivation on this for certain, but it looks like it's another example of how this government is trying to deal with the backlog, because we know there is a huge backlog. If someone's not responding within whatever prescribed timeline is set out, then their application is deemed as withdrawn or abandoned and gotten rid of, deleted from the list and deleted from the backlog. There are many other ways to actually get rid of the backlog. You actually process the applications, not create side doors and back doors to say that applications have been abandoned as a way to get rid of the backlog.

That's all I'll say.

**The Chair:** Mr. Menegakis.

**Mr. Costas Menegakis:** Thank you, Mr. Chair.

The inference of that comment is that there's some kind of back door that's going to be created to try to reduce the backlog. For the member's benefit, this new section provides the minister with the authority to deem an application abandoned if the applicant does not—I'd like the members of the opposition to hear this clearly—provide additional information or evidence, both in the situation where an appearance is required and when an appearance is not required; appear for an appointment with the minister's delegate or with a citizenship judge, either in person or by other means such as telecommunication or via email; or appear at a ceremony to take the oath of citizenship.

The provision also clarifies the effect of abandonment. This provision is supported by proposed section 23.1, which gives the minister authority to require applicants to appear at certain appointments or provide additional information. The new authorities under proposed sections 13.1 and 13.2 will apply to applications that are under processing at the time of the coming into force of these provisions.

Now, it's worthy to note, Mr. Chair, that there are over 154,000 cases of abandoned applications clogging up the system for those people who did show up, who did complete their applications, who did go through the process, and who want to get their citizenship process completed.

So of course we'll be supporting this particular clause, clause 11.

**The Chair:** Thank you.

I'll call the vote.

**Ms. Rathika Sitsabaiesan:** I'd like a recorded vote.

(Clause 11 agreed to: yeas 6; nays 3)

(On clause 12)

**The Chair:** We'll go now to Green Party amendment PV-6.

You have the floor, Ms. May, if you're going to propose that amendment.

● (1705)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Thank you, Mr. Chair.

My amendment is deemed to have been made through the mysterious process that moves without my volition. I am presenting this amendment in a further effort to repair what has already been discussed around this table as being a concern, the intent to reside provision.

My amendment would amend clause 12 by adding, after line 32, a new subsection, which would say the following:

(1.01) The onus is on the Minister to demonstrate to the satisfaction of the citizenship judge that, on a balance of probabilities, the person lacks the intention referred to

in previous subparagraphs.

So this is a further safeguard. One might say that this is only for purposes of greater certainty that the minister has the onus of proof and it is not placed on a citizenship applicant or citizen to show that he or she does not intend to reside in Canada. This would ensure that the power is not used in an arbitrary fashion; or rather, it would help to ensure that the provision is not used in an arbitrary fashion.

Thank you, Mr. Chair.

**The Chair:** Thank you. All those—

Mr. Menegakis? I'm sorry.

**Mr. Costas Menegakis:** Thank you.

Once again, the impact of this amendment would require the citizenship judges to decide on an applicant's intent to reside in Canada based on the evidence provided by the minister. The reason we're not supporting this particular amendment is that it would be inconsistent with the new decision-making model and the government's intent to deliver quicker decisions for grant of citizenship. We cannot be supporting this amendment.

**The Chair:** I'm going to call the vote on Green Party amendment number 6.

(Amendment negated)

**The Chair:** Ms. May, the next one is under clause 12, Green Party amendment number 7. You have the floor.

**Ms. Elizabeth May:** Thank you, Mr. Chair.

This amendment is a change to revert to some of the language that exists in the current act. Currently what we have before us removes subsections 14(1.1) to 14(6), and replaces them with a new section. What my amendment does is ensure that those new clauses only replace subsections 14(1.1), 14(2), and 14(3), thus preserving subsections 14(4), 14(5), and 14(6) of the current act in order to provide access to judicial review.

If I still have time within my minute, I will refer to the testimony of Audrey Macklin from the Canadian Association of Refugee Lawyers, who reminds us that the short answer is that judicial review is a basic requirement of the rule of law. It is designed to ensure that public power is exercised within the boundaries set by the state.

**The Chair:** Thank you.

We're going to vote on Green Party amendment 7.

(Amendment negated [See *Minutes of Proceedings*])

**The Chair:** Ms. Blanchette-Lamothe, we have New Democratic Party amendment number 4 under clause 12. You have the floor.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Thank you.

The NDP amendment is somewhat similar to my colleague's previous amendments. Its aim is to address our concerns respecting the right of appeal and the right of judicial review.

The purpose of this amendment, which is quite simple, is to ensure that applicants can make their submissions before a judge. That is why we are introducing this amendment.

Thank you.

[*English*]

**The Chair:** Mr. Menegakis.

**Mr. Costas Menegakis:** The impact of this amendment would not allow the citizenship judge to make a decision without an oral hearing. The government does not support this because it is not consistent with the new decision-making model and the efficiencies it is intended to achieve. We're committed to significant improvements in efficiency in the citizenship and immigration system. When necessary, the citizenship judges will be able to request oral or written submissions from individuals in relation to their applications. We will not be supporting this amendment.

● (1710)

**The Chair:** I'm going to call the vote.

**An hon. member:** A recorded vote, please.

**The Chair:** Yes, of course.

(Amendment negated: nays 5; yeas 4 [See *Minutes of Proceedings*])

**The Chair:** I'm going to call the vote on clause 12.

**An hon. member:** A recorded vote, please.

(Clause 12 agreed to: yeas 5; nays 4)

**The Chair:** I'll try this again. All those in favour of clauses 13, 14, 15, 16, and 17?

**An hon. member:** One at a time, please....

**The Chair:** One at a time. Thank you.

All those in favour of clause 13...?

(Clause 13 agreed to)

(On clause 14)

**The Chair:** Is there debate on clause 14?

Madame Blanchette-Lamothe.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Once again, clause 14 concerns the revocation of citizenship and a very brief period of time in which to respond to this notice of revocation.

As the NDP thinks that revocation of citizenship is a major act, a person should have the time to be made aware of it and to put together a file in order to present it if that person wants to go ahead and contradict or try to reverse the revocation decision.

This clause grants a period of 30 days in which to respond, which is very short. The NDP will therefore oppose it.

[*English*]

**The Chair:** I'm going to call for a recorded vote, Madam Clerk, on clause 14.

(Clause 14 agreed to: yeas 5; nays 4)

(On clause 15)

**The Chair:** Is there debate on clause 15?

Madame Blanchette-Lamothe.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Thank you, Mr. Chair.

The NDP will oppose clause 15, which once again concerns the minister's power to ask that citizenship be denied on the basis of suspicions that the applicant poses a security threat. It is very vague and once again opens a disturbing door. It does not necessarily guarantee that people who might be innocent or wrongly accused will be protected.

We feel this clause is very disturbing and we will oppose it.

● (1715)

[*English*]

**The Chair:** I will call for a recorded vote on clause 15.

(Clause 15 agreed to: yeas 5; nays 4)

(Clauses 16 and 17 agreed to sequentially)

(On clause 18)

**The Chair:** On clause 18 we have New Democratic Party amendment number 5.

Madame Blanchette-Lamothe has the floor.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Thank you, Mr. Chair.

This amendment reflects a suggestion by the Canadian Bar Association that the practice of students-at-law be regulated. We consider this proposal reasonable and interesting, and that is why we propose to add it.

This is a relatively minor amendment that would not prevent the NDP from voting for clause 18. We nevertheless believe it would be an improvement. That is why we are submitting it.

[English]

**The Chair:** Mr. Regan, go ahead, sir.

**Hon. Geoff Regan:** Thank you, Mr. Chairman.

I wonder if the officials could tell us what effect this would have and how it compares with the Immigration and Refugee Protection Act.

**Ms. Karen Hamilton (Counsel, Legal Services, Department of Citizenship and Immigration):** Thank you for your question.

If the amendment were to be added, it would be a distinguished point from the Immigration and Refugee Protection Act, which doesn't include this particular clause.

**Hon. Geoff Regan:** Thank you.

**The Chair:** Mr. Menegakis.

**Mr. Costas Menegakis:** This amendment would allow students-at-law to represent or provide advice on their own, without the supervision of a member in good standing of the law society, as long as they are authorized by the law society to do so.

The government does not support this amendment, because it would go beyond the intent of the bill, which is to align the Citizenship Act with the Immigration and Refugee Protection Act. With respect to those who can make representation or provide advice under the Citizenship Act, the intent of the bill is to ensure that those who are representing or advising are accountable for their actions. Because students-at-law are not members of a bar, to ensure the protection of the public the students are held accountable under the supervision of a member in good standing. Hence, a member of the provincial bar or the Chambre des notaires du Québec is ultimately responsible for the actions of the students under his or her tutelage.

We will not be supporting the amendment.

**The Chair:** I'll call the vote on New Democratic amendment number 5.

**Ms. Rathika Sitsabaiesan:** We'd like a recorded vote, please, Mr. Chair.

(Amendment negatived: nays 5; yeas 4 [See *Minutes of Proceedings*])

(Clause 18 agreed to)

**The Chair:** All those in favour of clauses 19 through to 20—

• (1720)

**Ms. Lysane Blanchette-Lamothe:** Is there debate on 19?

**The Chair:** Oh, I'm sorry. I just go until someone stops me. You stopped me, so we'll have debate on clause 19.

(On clause 19)

[Translation]

**Ms. Lysane Blanchette-Lamothe:** I will be brief, Mr. Chair.

I would like to note that the NDP will oppose this clause, which concerns offences committed outside Canada, charges laid and sentences imposed outside Canada. My colleague and several other colleagues have discussed this.

Since this clause concerns this recognition of sentences imposed outside Canada, we will oppose it.

[English]

**The Chair:** You have the floor, sir.

**Hon. Geoff Regan:** Thank you, Mr. Chair.

The Liberals will be opposing this clause, as withholding citizenship from someone who is charged with an offence abroad raises the same concerns as the revocation procedures. Bill C-24 does not require the government to take into account the nature of a foreign judicial system. Foreign countries could issue charges in order to prevent someone from receiving Canadian citizenship. Currently the Citizenship Act prevents the granting of citizenship or the administration of the oath of citizenship to any person who is subject to a Canadian criminal proceeding.

**The Chair:** Is there debate?

Mr. Menegakis.

**Mr. Costas Menegakis:** We're supporting the clause for the reasons that I stated earlier, which I think were fairly clear, about the issue of equivalency. It would have to be equivalent to a crime in Canada. There are enough proper safeguards in the bill to ensure that it will be administered properly.

I'm pleased to say that the government will be supporting this clause.

**The Chair:** Ms. Sitsabaiesan.

**Ms. Rathika Sitsabaiesan:** Thank you, Mr. Chair.

As Mr. Regan mentioned, this section is very similar to, I think, clause 8 regarding revocation for an offence committed outside Canada. I don't want to belabour the point, but I would argue that this clause is not clear regarding how to assess the validity of the jurisdiction or the courts in another country in which an offence may have been committed.

We are effectively saying that we implicitly trust all other jurisdictions and their legal systems. Someone could say we'll be making a judgment call here in Canada as to whether we trust another country, but we don't know who will be making that judgment call. It might be the minister. It might be somebody who works for Citizenship and Immigration Canada. We don't know. It's not written in the legislation, and if it's not written in the legislation then, as the minister said, he's a nice guy, but the next person might not be a nice person. We don't know. We can only go by what's written in the legislation, and it's not clear regarding how that decision will be made and whether we should trust another country's judiciary or not.

Thank you, Mr. Chair.

**The Chair:** I see no other hands up. I'm going to call the vote for clause 19.

**Ms. Rathika Sitsabaiesan:** A recorded vote, please...?

(Clause 19 agreed to: yeas 5; nays 4)

(On clause 20)

**Ms. Lysane Blanchette-Lamothe:** Are you calling for debate on clause 20?

**The Chair:** Of course.

[Translation]

**Ms. Lysane Blanchette-Lamothe:** Thank you, Mr. Chair.

[English]

**The Chair:** I'm gradually learning my lesson. You go right ahead. You have the floor.

[Translation]

**Ms. Lysane Blanchette-Lamothe:** Once again, this is simply to say that the NDP opposes clause 20 because it concerns the right of appeal.

We have talked a lot about the opposition to this clause. It is not opposed solely by the NDP, but also by several witnesses such as the Canadian Council for Refugees, the Inter Clinic Immigration Working Group, the Metro Toronto Chinese and Southeast Asian Legal Clinic and the Canadian Bar Association.

As you can see, these people have good knowledge of the statutes and are opposed to this fundamental change to our judicial system.

As clause 20 concerns this right of appeal, the NDP will strongly oppose it.

• (1725)

[English]

**The Chair:** Mr. Regan.

**Hon. Geoff Regan:** Mr. Chairman, in my view, Canadians deserve the full right of appeal with regard to citizenship. It's a very special thing, so Liberals will oppose removing this right.

**Mr. Costas Menegakis:** The government will be supporting this clause for a number of reasons. I'll try to be brief.

Clause 20 introduces a new part V.1 into the act, setting up a uniformed system for judicial review of decisions made under the act, including decisions of the ministers, citizenship judges, and the Governor in Council.

This part is broadly similar to part 1, division 8 of the Immigration and Refugee Protection Act. "Court" is defined in the Citizenship Act as the Federal Court. Applications for judicial review will be subject to leave of the Federal Court.

Proposed subsection 22.1(2) sets out the provisions governing an application for leave to commence a judicial review. The Federal Court's decision of whether or not to grant leave is not subject to appeal.

Proposed subsection 22.1(3) makes it clear that the minister may bring an application for judicial review in respect of decisions that are made by citizenship judges.

Proposed section 22.2 sets out the provisions governing the application for judicial review, once leave has been given.

Proposed paragraph 22.2(d) allows appeals to the Federal Court of Appeal against a decision of the Federal Court judge in a judicial review application; however, such appeals may only be made if the Federal Court judge certifies that a serious question of general importance is involved and states the question.

Proposed section 22.3 empowers the Federal Court rules committee to set rules concerning the practices and procedures governed by this part.

Lastly, proposed section 22.4 provides that the provisions under the Citizenship Act concerning judicial review applications override any inconsistent provisions in the Federal Courts Act.

We will be supporting this clause.

**The Chair:** Ms. Sitsabaiesan, you have the floor.

**Ms. Rathika Sitsabaiesan:** Thank you, Mr. Chair.

I have to once again state that citizenship is not like a driver's licence. It shouldn't be something that is just revoked. This section that is being added to the legislation calls for application for judicial review "only with leave". A right of appeal for citizenship revocation is very important, and this doesn't actually allow for that. That's why the NDP will not be supporting clause 20 in this bill.

Thank you, Mr. Chair.

**The Chair:** I'm going to call the vote for clause 20.

**Ms. Rathika Sitsabaiesan:** A recorded vote, please, Mr. Chair.

(Clause 20 agreed to: yeas 5; nays 4)

**The Chair:** I'm going to suspend for a minute.

• \_\_\_\_\_ (Pause) \_\_\_\_\_

•

• (1730)

**The Chair:** We'll go back on the record.

All those in favour of clause 21...?

**An hon. member:** A recorded vote, please....

(Clause 21 agreed to: yeas 6; nays 3)

(Clause 22 to 25 agreed to sequentially)

(On clause 26)

**The Chair:** Clause 26 has an amendment, and we're going to call it New Democratic Party amendment D.

Madame Blanchette-Lamothe, you have the floor.

This is new. I assume all members have a copy of this.

**Mr. Costas Menegakis:** I want clarification that you're referring to 6635226, sir.

**The Chair:** Yes.

**Mr. Costas Menegakis:** Thank you.

**The Chair:** Are we all clear?

You have the floor.

**Ms. Lysane Blanchette-Lamothe:** Merci.

Yes, we have an amendment. I would ask you for a second, please, Mr. Chair. I have my papers mixed up.

**The Chair:** We'll suspend.

- \_\_\_\_\_ (Pause) \_\_\_\_\_
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**The Chair:** We're back on the air. Madame Blanchette-Lamothe has some comments to make about proposed amendment NDP-D.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Mr. Chair, please pardon my confusion over this. This amendment makes changes to an amendment that we previously introduced and that was defeated.

For that reason, I will not be introducing this amendment. It is no longer valid, in my view, since the preceding amendment, which concerned the same subject, was defeated.

Thank you.

[*English*]

**The Chair:** Amendment NDP-D is withdrawn—

Excuse me. I've been corrected to say that it's not presented, so there you have it.

Debate on clause 26? All those in favour of clause 26?

(Clause 26 agreed to)

**The Chair:** I'm going to follow along with this procedure, because I assume it is the will of the committee to do it one by one. Am I correct?

**An hon. member:** Yes.

(Clause 27 to 30 agreed to sequentially)

(On clause 31—*Existing applications—sections 5, 5.1, 9 and 11*)

**The Chair:** Now, something's happening here. We are on clause 31 and we have New Democratic amendment E.

Mr. Menegakis, this is 6631788.

Madame Blanchette-Lamothe, you have the floor.

- (1735)

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Thank you, Mr. Chair.

The NDP is presenting an amendment to this clause, which concerns the transition time for the coming into force of this act.

The purpose of the amendment we are proposing is to exclude people who have previously obtained permanent residence from the measures of Bill C-24.

We are introducing this amendment because many people, as individuals or as representatives of groups, have come to meet with me personally or have testified before the committee to oppose the extension of time required to submit a citizenship application and the

fact that the length of residence in Canada before citizenship was granted would no longer count.

Under the present act, foreign students and temporary foreign workers may count the time during which they reside in Canada before obtaining permanent residence since they live and study or work here. Under Bill C-24, however, that time would no longer be counted. As a result, the bill will affect all those who have not yet filed a citizenship application.

This will change the life plans of many permanent residents who had intended to file their applications this summer or fall since many of them very meticulously count their days. In so doing, they want to ensure that, when they file their applications, they will in fact be eligible to do so. This is a clear illustration of the beauty and value of Canadian citizenship.

In a way, a bill such as this alters the contract that we had with these people. We told them that they could come to Canada and that they would be able to file citizenship applications after a number of years. Now that they are here, have complied with their part of the contract and have carefully counted their days to ensure they file their applications when entitled to do so, this bill will change the rules of the contract and alter their short- and medium-term life plans.

Under the amendment we propose, these people would be able to continue their lives as planned in accordance with the current act and would be able to file their citizenship applications after the time periods we initially set for them. Ultimately, this bill would affect people who would be granted permanent residence in future but not those who currently have permanent resident status, that is to say those who obtained it because they were foreign students or temporary foreign workers or simply because we told them when they arrived that they could acquire citizenship after a number of years.

We want to ensure that we are respectful of those people, even though we oppose Bill C-24. If this bill is passed, we believe it should not penalize people who are about to file their citizenship applications.

Thank you.

[*English*]

**The Chair:** Thank you.

Mr. Menegakis.

**Mr. Costas Menegakis:** Our analysis shows that this amendment would remove the transition provision that allows applications before the bill comes into force to be dealt with under the new rules. In other words, the bill would apply only to new cases and applications. This would go against the intent, which is to apply the new efficient decision-making model to the backlog of cases as well. That would reduce the backlog, and people would be able to obtain their citizenship in a much speedier and more expeditious manner.

So, we are opposed to this amendment.

- (1740)

**The Chair:** Madame Blanchette-Lamothe.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Thank you.

I would like to go back to something my colleague just said. In his view, the aim here is to reduce waiting times and delays in the processing of citizenship files. That is a very noble objective. It should have been done long ago.

However, the Conservatives are going about it the wrong way. If we delay the opportunity for these people to file their applications for a year or two, that will be perfect if we want to adjust the statistics for the next federal election, but it will have no impact in the long term. There will of course be a decline in the number of applications because the administrative process will be slightly slowed, but, once this period of time is over, the number of applications from these people who are getting ready to submit their applications over the next year will rise again.

I believe that is very clearly illustrated here. The government is refusing to respect the life plans of the people who had intended to file their citizenship applications over the next year or two precisely so it can adjust the statistics for the election. This problem has been around for a long time and should have been solved a long time ago.

On the eve of the election, however, a minor one- or two-year delay before people can submit a citizenship application will be the perfect way to reduce the number of applications temporarily and improve statistics in the short term, not the long term, without adding any new resources. It was important to point that out.

Thank you.

[*English*]

**The Chair:** Ms. Sitsabaiesan.

**Ms. Rathika Sitsabaiesan:** Thank you, Chair.

This section is on transitional provisions for existing applications.

I just wanted to share a story of two constituents I spoke with on Friday and yesterday. They pleaded with me. They said, "Please, please fight against Bill C-24. I have just finished qualifying and I'm going to be applying". One person said they were going to be applying for their citizenship because they qualified with their PR time, and the other person said that based on the current laws, they would qualify and could apply in September, but if Bill C-24 came into effect, they wouldn't qualify anymore.

This person really wants to become a Canadian citizen. His family is from Egypt, but because of the civil war situation there, the tumultuous situation there, he's actually lost some of his family members there. He's just scared that he's going to become stateless, because he can't renew his Egyptian passport, and he has spent the last six or eight years in Canada building up his portfolio and his resumé so that he could become a Canadian citizen. If this bill passes as is, he's essentially going to become stateless, and he won't actually get to put in his application, because he won't be able to get an Egyptian passport and he won't be able to get a Canadian passport. He won't be a Canadian citizen, and Egypt has already refused to renew his passport for him.

So, this young man, who has done everything he needs to do to become a Canadian, and who wants to become a Canadian, is now

going to be told, well, sorry, you're going to have to wait another  $x$  amount of time. The amendment we are proposing actually helps people like him, who have qualified based on the current laws that exist and who, depending on how the transition period goes, may not qualify anymore. All we're trying to do is to make this a fair, smoother transitional period, so that people who have already started the work, or who are already in the works, actually get a chance, based on the existing law.

That's all I'll add. Thank you, Mr. Chair.

**The Chair:** Mr. Menegakis.

**Mr. Costas Menegakis:** Ironically enough, I spoke to the same young man yesterday. His concerns were somewhat different from those represented here by Ms. Sitsabaiesan, but maybe he told both of us two different things.

In any event, it is critically important for us to highlight that Ms. Lamothe talked about next elections. This is not about elections, Mr. Chair. This is about citizenship. We are going from a three-step process to a one-step process. Surely all members here understand that if somebody is waiting for 24 to 36 months to get their citizenship and will now have an opportunity to obtain it in under a year, that is a plus.

How someone tries to equate that to elections is beyond me. I don't understand it. The word "elections" did not come out once in the drafting of this bill, in the discussion of this bill, or in the debate of this bill, or even from witnesses, from what I recall of this bill.

This is about going from a three-step process to a one-step process. We think and we believe as a government that once somebody has fulfilled all of their obligations of citizenship in their application, they should be able to obtain it as fast as possible. This will reduce backlogs in the citizenship system considerably. If that helps people, why not vote it in?

We are opposed to the NDP amendment. We will be supporting the clause as is written in the bill right now.

Thank you.

• (1745)

**The Chair:** Is there further debate on NDP amendment E? I'm going to call the vote.

**Ms. Rathika Sitsabaiesan:** A recorded vote, please, Mr. Chair...?

(Amendment negatived: nays 5; yeas 4)

(Clause 31 agreed to)

(Clauses 32 to 46 inclusive agreed to)

**The Chair:** Clauses 32 to 46 carry. I'm amazed that you let me do that.

**Ms. Rathika Sitsabaiesan:** I didn't hear you properly. That's why.

**The Chair:** Well, it's too late now, I'm afraid. I'm speaking out nice and loud. It may be crackly, but it's nice and loud.

(On clause 1—*Short title*)

We're now on the short title. Shall—

I'm sorry. Do you have a question?



**Ms. Lysane Blanchette-Lamothe:** I would like to debate on the one called.

**The Chair:** On the title? Of course, you have the floor.

[*Translation*]

**Ms. Lysane Blanchette-Lamothe:** Thank you, Mr. Chair.

I am going to speak to clause 1, which concerns the short title of the bill.

Rather than simply state that it is an act to amend the Citizenship Act and other acts, the proposed title of Bill C-24 is the Strengthening Canadian Citizenship Act.

I believe we have discussed this at length. The problem word in this title is "strengthening". We think it is a bit ridiculous to claim that Bill C-24 strengthens citizenship or the Citizenship Act. We have shown on several occasions in this committee that, on the contrary, Bill C-24 will set disturbing and probably unconstitutional precedents and will penalize several classes of permanent residents and citizens.

First, however, allow me to say that several aspects of this bill are a step in the right direction. The NDP said a little earlier that extending citizenship to lost Canadians is a good thing, although this aspect is not complete. Some experts who were unable to testify before this committee said we were not restoring citizenship to all lost Canadians. An effort is nevertheless being made to do so. The NDP supports that step in the right direction.

The NDP also supports harsher penalties for fraud, as in the case of immigration consultants. As you will have noticed, the NDP voted for several clauses of this bill, including those concerning the harsher penalty for fraud.

The NDP also supported a very interesting clarification, the stronger residence requirement; that is to say the clarification of the rules concerning the days that must be counted for a person to be eligible. In short, I have just cited three elements, but the NDP supports several other aspects of this bill.

In addition, this bill is approximately 50 pages long. We have voted on nearly 46 clauses. Several aspects of the bill are extremely problematic. I want to summarize a few aspects that we feel do not strengthen citizenship. On the contrary, they throw a wrench into the works for many people and may even be unconstitutional.

First is the declaration of intent to reside. Before obtaining citizenship, people will have to declare that they intend to reside in Canada. As we know, citizenship may be withdrawn from someone who has obtained it by making false statements or by fraud. The NDP is not opposed to the principle of revoking the citizenship of someone who has made false statements or committed fraud in order to obtain citizenship. However, here we are imposing a declaration of intent to reside. This is a declaration that people must make in order to obtain citizenship. Consequently, there is a danger here that citizenship may be withdrawn from someone on the pretext that he or she has made a false statement in order to obtain citizenship. The NDP is not alone in saying this. That is the opinion of virtually all the experts who testified here in committee. Those experts are much more knowledgeable in this matter than I or my Conservative Party colleagues.

The witnesses opposed to this declaration of intent to reside include the Canadian Council for Refugees, the Ontario Council of Agencies Serving Immigrants, the Canadian Association of Refugee Lawyers, the Canadian Bar Association and others.

I have mentioned experts who are knowledgeable in the law. So when they say this may be an unconstitutional aspect, we should at least consider the opinions they have expressed. When they say this will open the door to a dangerous shift in the landscape, that should be considered as well. Unfortunately, the government has rejected all proposed amendments to the bill on this point.

Another important factor is length of residence, which is counted so that people can be eligible to obtain citizenship.

● (1750)

I would like to talk about a group, Pre-PR Time Counts, two representatives of which appeared before us. No one around the table had anything critical to say about their testimony. They told us that the time students and temporary foreign workers spent living in Canada was worth something, even if they had not yet obtained permanent residence. These people establish ties with the country and become familiar with Canadian values. They pay taxes, work and study.

Suddenly the right to calculate the time they have lived in Canada as foreign students or temporary foreign workers is being taken away from them for no valid reason. Neither the minister nor anyone else could give us an explanation on that point. No one can give us an answer, but students and temporary foreign workers are being slapped and betrayed because they were initially told that time spent in Canada would count. Now we are changing the rules without explaining anything to them or giving them a valid reason. This is appalling.

I do not recall hearing a single witness tell us this was a good change to the act. Neither the minister or any witness could tell us it was a good idea to stop counting the time foreign students and temporary foreign workers spend in Canada. No one understands why and no one supports it, but the government persists in its ideological drive to pass this change as is without us being able to understand the reason for it.

This frankly makes us wonder why we bother inviting witnesses to appear before the committee. If no witness was able to support this change, that just shows to what extent we are capable of inviting witnesses without listening to them. This is extremely problematic and very unfortunate. What message are we sending to these foreign students and temporary foreign workers?

The third element I would like to discuss is obviously the revocation of citizenship for an indictable offence committed in or outside Canada. This is a discretionary power of the minister, and those threatened with revocation of their citizenship have no right of appeal.

My Conservative colleague said a little earlier that the government's experts claimed that the bill complied with the Constitution and presented no problems. I think the Conservatives should learn a little lesson about the constitutionality of their bills. This is not the first time this has happened. It is not the first time they have said that something complies with the Canadian Charter of Rights and Freedoms and the Constitution and that the Supreme Court will have nothing to say about their bill since their experts claim it complies with everything.

As we have seen on several occasions, they have had to reverse their decisions. Here we have a good example of that. The only lawyer who appeared before this committee who did not question the bill's constitutionality was the departmental counsel. All other lawyers and groups of lawyers questioned the bill's constitutionality for one reason or another, or in the case of one clause or another. And yet that did not even set off warning bells for the Conservatives. It does not even raise questions in their minds.

They introduced no amendments to their own bill and accepted none in return. That is tantamount to laughing in the faces of the people who submitted briefs or appeared before this committee and told them to be careful because the bill entailed serious risks. Some said there were risks, while others said they were certain the bill was unconstitutional. However, questions arise in both cases. The government cannot claim it is right and everyone else is wrong. Something in that reasoning seems utterly false and artificial. We see very clearly that it moves forward with bills such as this, without amending them, for ideological reasons.

My colleague also said a little earlier that NDP members did not care about expert testimony since they opposed the bill at second reading. This may surprise my colleague, but I speak to people outside this committee. A lot of people came to see me at my office before the vote on second reading. They were people whom we had invited to appear in committee so that they could share their opinions with us. However, the most surprising thing was to see that even the witnesses invited by the Conservatives suggested improvements to this bill. In some instances, they even questioned the bill's constitutionality.

● (1755)

Allow me to cite one example.

The minister recently said—and this appeared in a newspaper article—that the Canadian Bar Association should be ashamed of opposing Bill C-24. My colleague even said that the NDP did not want to punish criminals, that it wanted to keep terrorists safe, or something like that. It is typical reasoning on the Conservatives' part to think that we cannot disagree with them without being completely off base and that we should be ashamed not to think as they do on all matters.

The government says that the bill enjoys broad public support, but I would be curious to see its polls and figures. I have before me a petition that was submitted by one group and signed by more than 26,000 people opposed to Bill C-24. I do not know what kind of consultation the Conservatives conducted. And I am not telling you that those 26,000 signatures are necessarily valid or that the petition itself should be taken at face value. However, it is unusual to be able

to gather so many thousands of signatures in order to oppose a bill. It nevertheless has some value when weighed in the balance.

What kind of consultation did the minister conduct so that he could say that Canadians support his bill? This is another argument that we often hear and that I think is of little value.

Is this an act that would strengthen citizenship? That is frankly ridiculous. After all we have heard in this committee, we cannot say that this bill is perfect. We can understand the concern, not only of the opposition, but also that of the community at large and of many experts who appeared before us. It should be taken seriously.

Lastly, this bill concerns fundamental rights. It would have the effect of changing the way in which people are able to access our justice system. It would also change the lives of several thousands of people who had intended to file citizenship applications over the next few months. Even though the minister himself said that the bill constitutes a reform that has been awaited for 30 years and that it is extremely important, the normal procedures have been circumvented and no proper study has been conducted in this committee. In addition, debate on this bill was limited by a time allocation motion. A time allocation motion was introduced at second reading, and I would not be surprised if there was another one at third reading.

If the Conservatives feel that citizenship is so important, but that this bill does not even merit proper debate in accordance with the normal procedures of the House of Commons and Parliament, then frankly they should be ashamed.

In conclusion, Mr. Chair, as you will understand, I will be opposing the title of this bill because it includes the words "strengthening Canadian citizenship", and I will also be opposing the bill itself.

I hope that Canadians will remember this for a long time. There has been an extensive mobilization effort on the part of citizens and experts, and it is not over yet.

Thank you.

● (1800)

[*English*]

**The Chair:** Mr. Menegakis.

**Mr. Costas Menegakis:** Mr. Chair, after that rant from the member opposite, I don't know where to begin, but I will. I will start, perhaps, with some of the reasons or many of the reasons why we are supporting the short title of this bill, "strengthening Canadian citizenship".

Irrespective of the comment that the member opposite made, that Conservatives perhaps need a lesson on constitutionality... I could of course rebut that comment with a number of lessons that I believe members of the NDP need. But in the interest of not going back and forth with this name-calling, I will take the high road and avoid discussing issues that are current and very much in current affairs, with respect to how NDP members and their leader behave, Mr. Chair.

I will focus my attention only on the “strengthening Canadian citizenship” act title. Before I do that, I think it's important to note that we know we are in a parliamentary democratic system. Canadians did give us a mandate to govern; this is a majority government. I think we have demonstrated on repeated occasions our willingness to listen to some constructive critique, but as I said earlier, the credibility of some of that critique was somewhat weakened, Mr. Chair, when the opposition critic stood up in the House on February 27, before hearing any of these witnesses that she eloquently presents in her argument about the short title of the bill, before it was considered and debated on by so many witnesses and certainly through the clause-by-clause process, before even having had the opportunity to listen to any of that, and said, “We're opposing this bill”.

The opposition in a democratic system holds the government to account. That's the opposition's job. We understand that. We know it's the opposition's job to stand up and hold the government to account. But we would hope that would be done in a manner that respects the parliamentary process, after debate has been heard, and with the benefit of having heard contributions and input from all members across all party lines. That's particularly the case when it comes to committee, because in committee, we all have a partisan relationship, but I would hope we could put that on the side and debate issues for the sake of issues. Certainly deciding to oppose a bill before you even hear a single witness does not lend any credibility to the argument we heard from Madame Lamothe.

However, that being said, why do we like the title “strengthening Canadian citizenship” act? When the minister introduced the bill, he was very clear that this act, strengthening Canadian citizenship, Bill C-24, would protect the value of Canadian citizenship for those who have it, while creating a faster and more efficient process for those applying to get it.

These are the first comprehensive changes to the Citizenship Act since 1977. That was 37 years ago. The country has changed. We believe so many components of this bill are very pertinent to Canada today, and they are what Canadians want, that it is important to see swift passage of this bill through the House and royal assent through the Senate.

There is some blueprint for citizenship improvements in this bill. This important legislation streamlines Canada's citizenship program by reducing the decision-making process. That certainly strengthens Canadian citizenship. When you can reduce it from three steps to one, and when you give senior officials who have the experience and the knowledge to deal with and make a decision on a citizenship file more quickly than it would be done if it had to go through a three-step process, then we expect that by 2015-16 this change will bring the average processing time for citizenship applications down to under a year.

Every single member in this House—I don't care what party they're from—has heard complaints from people who are waiting for a long time to get their citizenship. Every single person has heard them. Nobody can stand up and refute the fact that they have seen a constituent who has said, “How come I don't have my citizenship yet? I've been waiting for two or two and half years”.

● (1805)

Well, here is legislation before us that fixes that problem, that gets us to under a year. Those who have those qualifications will have the opportunity to become Canadian citizens and enjoy, in a much faster and more expeditious manner, the same rights and privileges that all of us have.

It is also projected that by 2015-16 the current backlog will be reduced by more than 80%: that's 80% of the people who are waiting for their Canadian citizenship. It will be reduced by 2015-16, and we're in 2014 now.

Citizenship application fees will also be better aligned with the actual cost of processing. I said it before, and the members opposite may have taken note, that it costs us about \$550 to process an application. We have a marginal increase—it's going up to \$300—that brings it closer to what the actual cost of an application is. I think it's fair to Canadian taxpayers, who are currently bearing the majority of the cost for citizenship applications.

These are people who are already in Canada for a number of years, working, filing taxes. They pay for all kinds of other things; they can pay for their Canadian citizenship application.

The legislation reinforces the value of Canadian citizenship. The government will also ensure that citizenship applicants maintain strong ties to Canada. This act will provide a clear indication that the residence period to qualify for citizenship in fact requires a physical presence in Canada. More applicants will now be required to meet the language requirements and pass a knowledge test to ensure that new citizens are better prepared to fully participate in Canadian society. New provisions will also help individuals with strong ties to Canada by automatically extending citizenship to additional lost Canadians who were born before 1947, as well as to their children born in the first generation outside Canada.

This is something that the opposition members have made a lot of hay about, this intent to reside—i.e., why should they have to have a certain proficiency to speak in one of the two official languages? If a 16- or 17-year-old who has been in the country for four years can't converse in one of the two official languages, it's okay; give them a break, they're children. But that makes absolutely no sense to Canadians.

Here's the thing that may come as a bit of a revelation to members of the opposition. They're not the only ones who talk to Canadians. We speak to Canadians on a daily basis as well. We are members of Parliament and we speak to them. We know very well that the 14-, 15-, 16-, 17-year-olds who are in the Canadian school system can converse much better than at the elementary level, which is the requirement here for citizenship, in either one of the two official languages.

So to oppose for the sake of opposing makes absolutely no sense. They can be as eloquent as they want, and present the case as if this is doomsday, but the fact of the matter is that the requirement to reside in Canada is something that Canadians expect. People who are born here, who are Canadian citizens by birth, who live their lives here, who are welcoming of people coming from all over the world... like my parents came here and like a lot of the other families of people, of members of Parliament sitting around this table and in the chamber, came here. In the Conservative caucus alone there are 28 different languages spoken.

**An hon. member:** [*Inaudible—Editor*]

**Mr. Costas Menegakis:** I'm corrected by my colleague here; there are 40 different languages spoken.

We know how welcoming the country is. We expect, as Canadians, that those who seek to have Canadian citizenship and the rights and privileges that we all have do have the intent to reside in this country. It's very basic. It's a very basic principle. We can go back and forth and argue this forever to make our points. The fact of the matter is that Canadians expect people who seek citizenship and get citizenship to have the same obligations that they have to obtain that citizenship by being contributing Canadians in this country.

We want to crack down on citizenship fraud. This is a key component of this piece of legislation, but for some reason the member opposite questions the title of "strengthening Canadian citizenship".

• (1810)

The legislation includes very strong penalties for fraud and misrepresentation, a maximum fine of \$100,000 and up to five years in prison, and expands the grounds to bar an application for citizenship to include foreign criminality, which will help improve program integrity. I don't think it's asking too much for Canadians to expect of their government that criminals are not granted Canadian citizenship, and that if they're found to have been granted it fraudulently, it should be removed from them.

The legislation protects and promotes Canada's interests and values.

Finally, the legislation brings Canada in line with most of our peer countries—something, of course, that during the debate of this clause-by-clause was not mentioned once by members of the opposition—by providing that citizenship can be revoked from dual nationals who are convicted of terrorism. I know that this part they did discuss, but we're talking about peer countries, and peer countries provide for citizenship to be revoked from dual nationals who are convicted of terrorism, high treason, and spying offences, depending on the sentence received, or who would take up arms against that country.

Permanent residents who commit these acts will be barred from applying for citizenship. It's very simple. If you commit an act of terrorism or treason and you're a permanent resident, too bad. You can't become a Canadian citizen. Does that sound harsh? Canadians don't think so.

Opposition is not for the sake of opposition. It should be constructive, and it should be in line with what we hear from

Canadians when we leave this hallowed place that we have the privilege to serve in, representing our constituents. I am convinced that in their hearts of hearts all members of Parliament feel the same way about that, irrespective of the partisan political comments that we hear, not occasionally but daily, from members of the opposition.

The legislation also recognizes the important contributions of those who have served Canada in uniform. They serve Canada in uniform either in the country or outside of the country. Those permanent residents who are members of the Canadian Armed Forces will have quicker access to Canadian citizenship. The act also stipulates that children born to Canadian parents serving abroad as servants of the crown are able to pass on Canadian citizenship to their children, to children they have or adopt outside of Canada. Now, this is a very personal issue for me, and I'm so delighted to see that it's part of this bill.

The quick facts of it are these, Mr. Chair. Canada is successful in turning immigrants into citizens. More than 85% of eligible permanent residents in Canada go on to become citizens.

As a result of these amendments in Bill C-24, applicants will need to be physically present in Canada for a total of four of the last six years. In addition, they would need to be physically present in Canada for 183 days per year for at least four of those six years. It's not that you come here, make the application, disappear, and come back four years later, saying that you made the application four years ago. You actually have to be physically present here. That's an expectation that I think Canadians have and that I think we're obliged to fulfill to ensure it happens.

The current citizenship fee, as I've said, does not reflect the actual processing cost, so changes will ensure that applicants are responsible for most of the actual processing cost. I heard a Liberal member in the House get up and say that's a grab. It's not a grab when you apply for something. There are applications done every single day by Canadians. For a litany of things in Canada, millions of different things. You apply for a membership and you pay for it. To pay for your Canadian citizenship application is a tax grab somehow...? Somehow Canadians are expected to pay for you to become a Canadian citizen...? Give us a break on that one.

There are many quotes from different people who have spoken to us and have appeared before us, but in closing, Mr. Chair, I will say this. This is a major and very significant step forward for Canada. We were elected with a strong mandate to ensure that we bring forth legislation that strengthens our country.

• (1815)

As a member of the Conservative Party, the governing party, I'm proud to support this legislation. I could not think of a better short title than "strengthening Canadian citizenship".

Thank you.

**The Chair:** Is there further debate?

Mr. Sandhu, sir, you have the floor.

**Mr. Jasbir Sandhu:** Thank you, Mr. Chair. I'll speak to the title of the bill.

Mr. Chair, I'm very disappointed. The member opposite talked about the partisanship that goes on in the House. Whether it's the Canadian Bar Association or many of the other organizations that appeared in front of this committee, surely they have members from all parties as part of their organizations. They offered some very valid reasons to make amendments to improve this particular bill, as did we in the official opposition, as did the third party.

I'm not a lawyer myself, but legislation can be very complex. It has far-reaching consequences if it's not carefully vetted by experts, academics, or lawyers. It has far-reaching consequences, as we've heard from many witnesses at this committee.

It's very disappointing that not even one amendment.... You know, you'd think maybe a crazy idea would come from the opposition, or a valid reason come from a non-partisan group such as the Canadian Bar Association. They offered many amendments. Other people who appeared in front of the committee offered some valid reasons to make amendments.

I'm very disappointed that this government, and I've seen it over and over, refuses to accept any sort of valid minor or major amendment to legislation. It makes me think that maybe.... Is it only Conservatives who can frame legislation? There are other people, non-partisan people, in this country. They may be Conservatives. We heard from many witnesses, and my colleagues laid out very valid points in regard to some of the amendments we have offered.

Mr. Chair, I won't be long here. I'm just very disappointed that not a single amendment from non-partisan groups who appeared in front of the committee, and there were other submissions made as well, and not one amendment from the opposition was accepted. That's a travesty. I don't feel good about this.

Thank you, Mr. Chair.

● (1820)

**The Chair:** I see no other hands up, so I will call the vote.

**Ms. Rathika Sitsabaiesan:** A recorded vote, please, Mr. Chair....

**The Chair:** Shall the short title pass?

(Clause 1 agreed to: yeas 5; nays 4)

**The Chair:** Shall the title carry?

**Some hon. members:** Agreed.

**An hon. member:** On division.

**The Chair:** Shall the bill carry?

**Ms. Rathika Sitsabaiesan:** A recorded vote, please....

(Bill C-24 agreed to: yeas 5; nays 4)

**The Chair:** Shall the chair report the bill to the House?

**Some hon. members:** Agreed.

**An hon. member:** On division.

**The Chair:** Shall the committee order a reprint of the bill as amended for the use of the House at report stage?

Ms. Sitsabaiesan.

**Ms. Rathika Sitsabaiesan:** Can I say a few words?

**The Chair:** Of course.

**Ms. Rathika Sitsabaiesan:** Thank you.

Mr. Chair, the bill wasn't really amended, so we don't really need a reprint.

**The Chair:** I reread that, and you're absolutely right. The bill was not amended. Thank you for that.

We don't even need to have this, because you're absolutely right. This concludes the chapter on Bill C-24 except when we return to the House with this committee.

In spite of a few moments, it's been a very civil presentation dealing with difficult issues between the opposition and the government, and I want to congratulate the opposition and government members for being so civil to each other, objecting at times but being civil.

I want to thank the staff for coming out and advising us from time to time, the translators, and of course, the clerks and the analysts, who prepared us for our time when witnesses came. I thank you as well, on behalf of the committee.

As there is no further business, the meeting is adjourned.





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