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Canadians Abroad: Foreigners with Canadian Passports or the New Canadian Diaspora?

Kenny Zhang

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Canadians Abroad: Foreigners with Canadian Passports or the New Canadian Diaspora?¹

Kenny Zhang²

I. Introduction

The 2006 Canadian census data reinforces Canada's image as a nation of immigrants.³ Little is known, however, about the phenomenon of the outmigration of Canadians or about Canadian citizens living abroad. The Asia Pacific Foundation of Canada (APF Canada) has recently started to analyze the emergence of Canada's new diaspora (Zhang 2006, 2007a, 2007b). Some preliminary data indicate that 2.7 million individuals, or between 7% and 9% of Canada's population, live abroad. Proportionately, Canada's diaspora is larger than the overseas communities of some well-known diaspora countries such as the United States, Australia, China, and India.

The phenomenon of the Canadian diaspora – an arcane term traditionally reserved for academic papers and conferences often used to refer to the population from other countries living in Canada – has been introduced to the public domain and political debates in Canada notably in the aftermath of the evacuation of Canadian citizens from Lebanon in 2006. While issues of costs vs. benefits, liabilities vs. assets, and negative vs. positive impacts are among the hot topics of debate surrounding Canada's own diaspora, a more fundamental question associated with Canadians abroad is whether these resident Canadian citizens abroad are real Canadians or foreigners.

¹ This paper is derived partially from research conducted under the auspices of the Asia Pacific Foundation of Canada's three-year project on Canadians Abroad (www.canadiansabroad.ca). However, the views reflected in the paper are those of the author who is indebted to Victor Chen for analyzing the survey data. The author also appreciates the valuable comments made by Dr. Paul Evans, Dr. Don DeVoretz, Ajay Parasram, and Hanna Cho. An earlier version of this paper was presented on November 24, 2008 at the International Conference of the Korean Association for Canadians Studies entitled *Managing Multicultural Society in Canada and Korea: Canadian Experiences and Policy Implications for Korea* in Seoul, Korea. Finally, comments from Dr. Hyun-Mi Kim and other conference participants and copy-edits by Dr. Diane Coulombe are gratefully acknowledged.

² Kenny Zhang is Senior Research Analyst at the Asia Pacific Foundation of Canada, an independent, not-for-profit think tank on Canada's relations with Asia. He can be contacted at Kenny.zhang@asiapacific.ca.

³ The 2006 Census enumerated 6,186,950 foreign-born in Canada, representing virtually one fifth (19.8%) of the population. This is the highest proportion in 75 years (Statistics Canada 2007).

The purpose of this paper is to identify some of the Canadian rules and regulations that treat Canadians abroad as “foreigners with Canadian passports” rather than as Canadian citizens living abroad. In the first section based on an APF Canada survey conducted in 2007, Canadians abroad are shown to feel “Canadian” and to want to remain connected to Canada. Next, some findings of *The Canada’s World Poll* highlight the fact that Canadians at home are outward-looking. Finally, possible changes to Canadian policies are discussed with a view to bolster the notion of citizenship within a multicultural nation rather than maintaining policies which may stifle citizenship.

II. Canadians Abroad as Lesser Canadians

It is hard to believe that a democratic and multicultural Canada has rules and institutional arrangements which essentially treat Canadians differently based on whether they reside in Canada or abroad. I argue that these differences have in fact created two groups of Canadians: “full-fledged” Canadians residing in Canada and “lesser” Canadians, or foreigners with Canadian passports, living abroad.

Suppose the existence of *Person Z*, a female Canadian citizen who decides to live outside Canada for at least one year. The position of the said *Person Z* would soon be undermined since certain Canadian rules and regulations reduce her Canadian rights as her sojourn abroad lengthens.

In a census year, *Person Z* would not be counted as part of the Canadian population (Woo & Zhang 2007; Michalowski & Tran 2008) since Canada conducts a census every five years. In other words, with less than five years of residency abroad, *Person Z* becomes statistically excluded from the national population and would be re-captured in the Canadian census only upon returning to live in Canada.

In addition, when the time comes to file a yearly tax return, *Person Z* would have to select her resident status from the following options provided by the Canada Revenue Agency (CRA, 2007 Revision):

- *Factual resident – who left Canada but is considered to be a resident of Canada for income tax purposes;*
- *Deemed resident – who lives outside Canada and who severs his/her residential ties with Canada to be a deemed resident of Canada for income tax purposes;*
- *Non-resident – who is considered to be an emigrant for income tax purposes, and for all following years, if this situation does not change, s/he will be considered a non-resident;*
- *Deemed non-resident – effective after February 24, 1998, if a person is a factual resident of Canada and a resident of another country, according to a tax treaty Canada has signed with another country, s/he may be considered a deemed non-resident of Canada.*

According to the Canada Revenue Agency (2007), as a factual resident, CRA taxes her as if she never left Canada. She will continue to:

- Report all income she receives from sources inside and outside Canada for the year, and claim all deductions that apply to her;
- Claim all federal and provincial or territorial non-refundable tax credits that apply to her;
- Pay federal tax and provincial or territorial tax where she keeps residential ties in Canada;
- Claim any federal, provincial, or territorial refundable tax credits that apply to her; and
- Be eligible to apply for the goods and services tax/harmonized sales tax (GST/HST) credit.

As a deemed resident, she is subject to federal tax just like other residents of Canada. Instead of paying provincial or territorial tax, she has to pay a surtax for non-residents and deemed residents of Canada. She cannot claim provincial or territorial tax credits, but will continue to:

- Report all income she receive from sources both inside and outside Canada for the year;
- Claim all deductions, federal non-refundable tax credits, and federal refundable tax credits that apply to her as if she resided in Canada for the year; and
- Be eligible to apply for the goods and services tax/harmonized sales tax (GST/HST) credit.

As a non-resident, she has to report certain types of Canadian-source income on her return. The most common types include:

- Income from employment in Canada;
- Income from a business carried on in Canada;
- Taxable Canadian scholarships, fellowships, bursaries, and research grants; and
- Taxable capital gains resulting from dispositions of taxable Canadian property.

As a deemed non-resident, the same rules apply to her as a non-resident of Canada.

Once *Person Z* has determined her status, she is required to report all, or certain types of, income on her tax returns.⁴ In other words, contrary to popular belief, Canadians abroad are liable for possible tax payments to the Canadian treasury by filing depending on their resident status and sources and types of income.

⁴ For details, refer to Canada Revenue Agency, “Canadian Residents Abroad,” 2007 Revision.

Assume that *Person Z* is 18 years or older – the age requirement to vote in Canada’s elections. When *Person Z* leaves Canada, she is not eligible to vote in municipal⁵ nor provincial⁶ elections. She ultimately loses her right to vote in a federal election after five years or more of residency abroad unless she is employed by the federal or a provincial government, or an international organization of which Canada is a member. The few other exceptions to this rule are *Person Z*’ dependants and Canadians employed in schools catering to the Canadian Armed Forces.⁷ Besides the five-year rule, many Canadians abroad eligible to vote find that the bureaucratic and administrative burden placed on them in the end discourages them from exerting their right. In fact, this *de facto* loss of voting rights often prevails until Canadians return to Canada.

Assume now that *Person Z* is foreign-born, like 20% of Canadians, and that she gets married and has children and grandchildren during her tenure abroad. Under the current law, her children and grandchildren risk losing their Canadian citizenship. Indeed, they are at risk of becoming completely stateless unless the country in which they were born grants them its citizenship (*jus soli*).

In Section 8 of the 1977 Citizenship Act it is stated that, “Certain Canadian citizens who were born outside Canada on or after February 15, 1977, to a parent who was also born outside Canada to a Canadian parent automatically cease to be citizens on their 28th birthday, unless they take formal steps to retain Canadian citizenship.”⁸ In fact, thousands of Canadians, both born in Canada and abroad, have already become “lost Canadians”⁹. The passage of Bill C-37 on 16 April 2008 indicates that the Citizenship Act will be

⁵ For details, see Vancouver Votes - Municipal Election 2008:

<<http://vancouver.ca/ctyclerk/election2008/info-voters.htm>> (accessed October 27, 2008).

⁶ For details, see Elections BC: <<http://www.elections.bc.ca/index.php/voting/voter-registration>> (accessed October 27, 2008).

⁷ For details, see Elections Canada:

<<http://www.elections.ca/content.asp?section=loi&document=part01&dir=leg/fel/cea&lang=e&anchor=sec3&textonly=false#sec3>> (accessed October 27, 2008).

⁸ For details, see Citizenship and Immigration Canada, *To keep their Canadian citizenship, some Canadians born abroad must confirm their citizenship before their 28th birthday*:

<http://www.cic.gc.ca/english/department/media/facts/expiry-date.asp> (accessed October 27, 2008).

⁹ CIC Press Release of 16 April 2008, *Legislation to restore citizenship to lost Canadians passes*:

<<http://news.gc.ca/web/view/en/index.jsp?articleid=392259&categoryid=16>> (accessed October 28, 2008).

Go to <<http://www.lostcanadian.com/main.asp>> for more stories about lost Canadians.

amended to give back their Canadian citizenship to those who lost it or never had it, due to outdated provisions in existing and former legislation. The law will come into effect on April 17, 2009.

Currently, children born to Canadian parents abroad automatically become Canadian citizens. Children adopted in other countries such as China or Vietnam were once required to travel home with their new parents as family-class immigrants and then had to apply for citizenship, but changes introduced by the Conservative government make them citizens at the time of adoption.

However, the new law will have profound impacts on some Canadians living abroad¹⁰. New regulations seek to prevent children born to or adopted by Canadians outside the country from passing citizenship on to their children if they are also born abroad. In other words, children born abroad to parents who are naturalized Canadian citizens would not automatically gain Canadian citizenship (see figure 1).

(Insert Figure 1 here)

As a result, the planned regulations raise the possibility that children born abroad to some Canadians could become effectively "stateless," depending on where they are born. Not all countries grant citizenship to a child born locally to foreigners and, in some situations, which could even make it difficult for the parents to bring their children back to Canada. The new rules intended to protect the value of Canadian citizenship which in fact will create a two-tiered system with children born or adopted overseas relegated to an "inferior" class of citizenship.

¹⁰ Glen McGregor, "Citizenship changes could create 'inferior' citizens," Vancouver Sun, January 19, 2009, <<http://www.vancouversun.com/Life/Citizenship+changes+could+create+inferior+citizens/1193437/story.html>>(accessed January 19, 2009).

When *Person Z* decides to move out of Canada, she may not be aware that her provincial health care coverage will be of little or no use to her. The rules differ from province to province; typically, however, if *Person Z* resides out of a province for six months or more, she loses her health coverage and may not be able to get it back immediately upon returning from abroad. For example, Alberta allows coverage to resume on the day of arrival in Alberta, while B.C. has a three-month and Ontario a 153-day waiting period.¹¹

Person Z is now a practising professional. While she is absent from Canada, her professional practicing license may be suspended depending on the rules applicable in her last province of residence and to the sector in which she practices. For example, Section 52 of the 1996 Medical Practitioners Act of B.C. clearly states clear that:

- (1) If a member of the college leaves British Columbia and practices medicine or surgery during the member's absence, the member must not resume the practice of medicine or surgery in British Columbia until the member provides the registrar with a certificate of good standing satisfactory to the registrar, from every place the member has practiced medicine or surgery during the absence.*
- (2) The executive committee may waive the requirements of this section.*¹²

Furthermore, when abroad *Person Z* either has to surrender her Canadian driver's licence in order to get a local driving permit, or not be able to renew her Canadian license if she cannot provide an address in Canada. Ultimately, *Person Z* may be unable to drive in Canada again without having to reapply for a driver's license.

In this section some aspects, not necessarily all, of the current rules and regulations that penalize Canadians abroad in terms of their rights and obligations were presented. These differences are largely based on the Canadians' residency status, and their consequences may not be intentional, but indeed profound. Thus, Canadians who decide to reside

¹¹ Alberta Health Care Insurance Plan: <http://www.health.alberta.ca/ahcip/ahcip_moving.html>; BC Medical Service Plan: <<http://www.health.gov.bc.ca/msp/infoben/leavingbc.html#move>>; Ontario Health Insurance Plan: <<http://www.health.gov.on.ca/english/public/pub/ohip/eligibility.html>>.

¹² College of Physicians and Surgeons of British Columbia, *Medical Practitioners Act*: <<https://www.cpsbc.ca/files/u6/Legislation-MPA.pdf>> (accessed October 28, 2008).

outside Canada jeopardise their rights as citizens in the various ways described above. In short, Canadians abroad are treated as “foreigners with Canadian passports”, rather than as Canadian citizens living abroad.

III. Canada as Home

In his recent newspaper article, *Canada is much more than a hotel*, Kent (2008) argued that immigrants should contribute to the “development of Canadianism” by “not leaving their hearts elsewhere.” Kent also suggested that a Canadian passport might be “little more than a flag of convenience” when referring to the Lebanon evacuation of 2006, and he strongly recommended a policy of “tax us wherever we go” in return for retention of Canadian citizenship.”

If Canada is indeed a nation of immigrants and a multicultural society in which all Canadians are invited to participate fully and equally, then Kent’s article raises some serious questions. Why do we only question foreign-born Canadians as to their commitment and attachment to Canada after obtaining the Canadian citizenship? What is the rationale behind judging citizens’ commitment and attachment to Canada solely on the basis of their place of residence? Moreover, should taxation be considered the only possible contribution of citizens to Canada?

The results of a recent survey on Canadians abroad point to an overseas community who feels “Canadian” and wants to be connected to Canada. In 2007 APF Canada conducted a survey entitled, *Global Canadians: A Survey on the Views of Canadians Abroad*. A total of 549 respondents aged 20 and over and residing in either Asian countries or the United States successfully filled online questionnaires between April 9 and June 14, 2007 (Zhang 2007b). Nearly 65% of respondents were born in Canada and 35% elsewhere. Sixty per cent were solely Canadian, 36% held dual citizenship, and 4% were landed immigrants. An overwhelming 64% of the respondents indicated that they considered

Canada their home, while 19% were unsure as to which country to consider their home, and 17% definitively did not perceive Canada as their home.

Nearly two thirds of respondents were born in Canada and their emotional attachment to their mother land seems natural. Fittingly, overall the overseas community keeps close physical ties to Canada by visiting regularly and intending to return in the future. Over 94% of respondents had visited Canada since establishing their main residence abroad, while nearly 54% of them made at least one trip per year to Canada per year and 9% made three or more yearly trips. In addition, 40% made at least one trip to Canada every two years or more, and only 6% of respondents had never been to Canada. In total, as many as 69% of respondents indicated that they had plans to return to Canada in the future: 11% reported that they would return within one year, over 40% of respondents planned to return to Canada within 10 years, and 17% suggested that their return would take place within 10 years or more. Finally, 31% had no plans to return.

Using a Poisson regression¹³, we developed three models to further test factors that may affect overseas Canadians' connections to Canada. We define Model 1 for testing the extent to which Canadians abroad consider Canada their home, Model 2 for testing the frequency of their visits to Canada, and Model 3 for testing the extent to which they plan to return to Canada. The results of the Poisson regression are reported in Table 1.

(Insert Table 1 here)

The results of Model 1 suggest that most Canadians abroad, but for Indians and Quebeckers, consider Canada home, regardless of their gender, age, country of current residence, last province of residence in Canada, citizenship status or place of birth, employment situation, or level of education. The only factor to significantly affect this

¹³ Poisson regression is usually selected for analysis of count data or rates. The response variable in this situation is a quantitative variable, but has the property that it is discrete, taking on only integer values. The basic idea for this model is that the predictor information is related to the rate or susceptibility of the response to increase or decrease in counts.

feeling of attachment to Canada is the number of years of residency outside Canada, with Canadians who recently moved abroad being the most attached to their mother land.

Model 2 confirms that the frequency of overseas Canadians visiting Canada varies significantly by age groups, countries of current residence, and employment. For example, senior citizens abroad visit Canada more frequently than their younger counterparts. Moreover, Canadians residing in the USA travel to Canada significantly more often than those living in other countries, undoubtedly because of the geographical proximity of the two countries. In addition, those Canadians working for the federal government obviously fly back to Canada more frequently than others.

Model 3 suggests that the return of Canadians to Canada varies according to gender, country of current residence, years spent abroad, employment, and level of education. For instance, males are less likely than females to plan to return to Canada. In addition, Canadians in Hong Kong SAR, Indonesia, Japan, the Philippines, Singapore, and South Korea are more likely to return to Canada than their counterparts in the United States. Moreover, the longer Canadians live abroad, the less likely they are to return to Canada, and Canadian government employees are the most likely to return to Canada.

IV. Outward-Looking Canadians

The results of *The Canada's World Poll* conducted by Environics Research (2008) point out that Canadians feel strongly connected to the world outside their country's borders. This connection comes through both their engagement with international events and their personal connections to people and cultures in other countries. Canadians demonstrate considerable interest in travelling abroad for new experiences, especially to become immersed in another culture, language and people, but also to do volunteer work, seek employment, and study. In addition, most Canadians consider the large community of Canadians currently living abroad as an asset rather than a liability. These expatriate community members are viewed as good ambassadors and their stay is perceived as a

means of enriching both the individuals and their country back home. The survey also reveals that the Canadian public is largely supportive of Canadians abroad, regardless of their activities overseas.

Charts 1, 2 and 3 illustrate some of the opinions of outward-looking Canadians.

(Insert Charts 1, 2 and 3 here)

V. Changing Canadian Policies

So far this study has focused on the substantial gap between the treatment of Canadians in Canada and Canadians abroad and highlighted the desire of Canadians living abroad to maintain their connection with Canada. There is also a difference between the treatment of Canadians abroad and the manner in which Canadians at home generally view their counterparts abroad. These gaps challenge all Canadians to accept the reality of pluralism in Canada, not only in terms of cultural background, race or heritage, but also insofar as their freedom to move and their choice of residence are concerned.

Canadians are more mobile now than ever before and have consistently been seeking opportunities to prosper around the world. Given this state of affairs, very little recognition is granted Canadians abroad, except for celebrities in the United States or Canadian citizens who get into trouble overseas. Canadians living abroad, especially those who hold dual citizenship, are often characterized as ingrates for their apparent lack of patriotism, possible tax avoidance, and tenuous cultural and political ties to Canada (DeVoretz & Woo 2006).

Loat (2004) stated that, "Canada is where Canadians are." It is obvious that some of Canada's institutional arrangements need to change to encourage all Canadians to participate fully and equally in Canadian society, and to enhance the notion of citizenship

within a multicultural nation rather than suppress it. These policy changes should include, but not be limited to, the following:

- The development of a statistical system that would include Canadians abroad in official counts of Canada's population. This would not be an inclusion in statistical terms only, but would also gradually contribute to an inclusive national mindset. Canadians living abroad belong on Canada's balance sheet of human resources, talent pool, assets, etc.
- The review of the five-year rule phasing out voting rights for Canadians abroad, and the facilitation of the voting process abroad. This would significantly encourage political and civic participation by Canadians abroad.
- The creation of political representation mechanisms for Canadian overseas communities at the federal and provincial levels.
- The development of consultation and communication processes to keep Canadians abroad involved in changes brought to citizenship laws and rules regulating their movement across borders.
- The implementation of an awareness campaign about the phenomenon of Canadians abroad. A better understanding of overseas communities would ensure that their needs are taken into account when rules and regulations governing professional practice, labour market policies, and other administrative processes are drawn up in Canada.

VI. Summary and Conclusions

Nearly 2.7 million Canadians live abroad, a fact still unknown to most Canadians. Members of this Canadian diaspora deserve to be treated as Canadians, and not as foreigners. Canada should not have *de facto* two or more classes of citizens.

At the beginning of the 21st century, Canadians are challenged by an additional reality of pluralism: the mobility of Canadian citizens and their desire to live abroad. An even bigger challenge is for Canada to encourage all Canadians to participate fully in Canadian society, thus transforming the notion of citizenship into an asset rather than a liability. Various ways of fostering closer economic and cultural links to the Canadian diaspora include, enumerating Canadians abroad in national population counts, encouraging and facilitating their political and civic participation, balancing the representation and taxation of citizens at home and abroad, and keeping Canadians abroad informed and consulted on regulatory changes affecting them.

As we have come to accept that overseas affiliates of Canadian corporations are net overseas assets that can generate long-term benefits for the country, now we need to consider the Canadian diaspora as a long-term asset to be cultivated, not spurned.

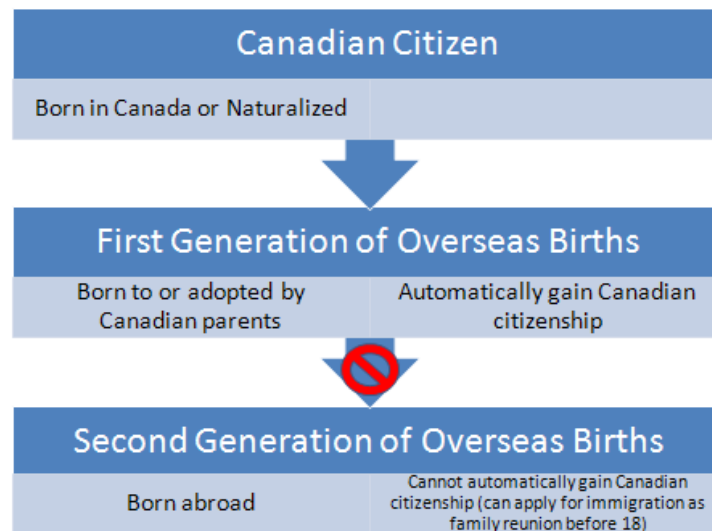
Table 1: Connections to Canada: Poisson Regression Results

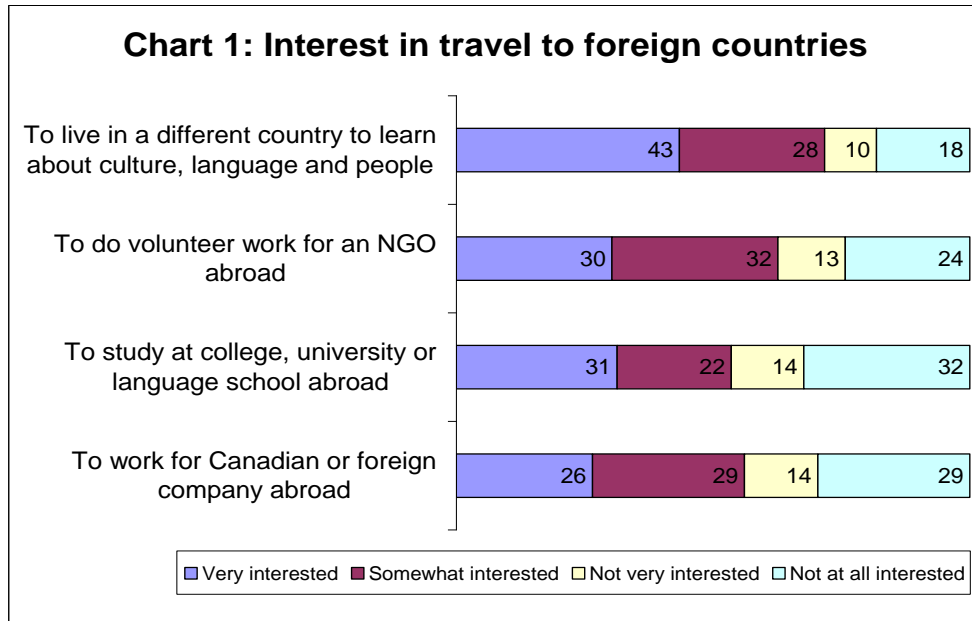
Variables	Model 1: Canada as Home (0=no, 1=not sure, 2=yes)	Model 2: Frequency of visits to Canada (0=never, 1=less than 1 a year, 2=1-2 times a year, 3=more than 3 times a year)	Model 3: Plan to return to Canada (0=no, 1=yes in 5 year or less, 2=yes in more than 5 years)
Gender (reference=Female):			
Male	-0.0720	-0.0238	-0.1588**
Age (reference= less than 30 years):			
30 to 39	-0.0714	0.0042	-0.0767
40 to 49	-0.0682	0.0735	-0.1302
50 to 59	0.0285	0.1818**	0.1112
60 or older	-0.1659	0.2033*	0.1710
Country of resident (reference=U.S.):			
Australia	-0.1811	-0.5220***	-0.1094
China (PRC)	-0.1483	-0.5348***	0.1102
Hong Kong SAR	-0.0960	-0.3203***	0.2626**
India	-2.0011**	-1.6229***	-0.7513
Indonesia	-0.1348	-0.1039	0.6935***
Japan	-0.0528	-0.2525***	0.4095***
Malaysia	-0.0737	-0.3195	0.3779
New Zealand	-0.0211	-0.6690***	0.0254
Philippines	0.0819	-0.3681***	0.4829**
Singapore	0.0992	-0.2340	0.6149***
South Korea	0.0215	-0.0746	0.6981***
Taiwan	0.0466	-0.4772***	0.5516***
Thailand	-0.0636	-0.3477***	0.2497
Vietnam	0.0202	-0.3515***	0.2544
Other	-0.3167	-0.4668***	-0.1561
Last province of residency in Canada (reference=Ontario):			
Alberta	-0.0027	-0.0258	-0.0970
British Columbia	-0.0494	0.0637	-0.0080
Manitoba	0.0058	-0.0445	-0.3981
New Brunswick	-0.5389	0.0951	-0.2319
Newfoundland and Labrador	0.0642	-0.1648	-0.7702*
Nova Scotia	-0.2472	-0.0191	0.0477
Quebec	-0.2169**	-0.0807	-0.0444
Saskatchewan	-0.0286	0.0606	0.0453
Never lived in Canada	-0.8813	-0.3437	-0.5597

Citizenship status (reference=Canadian citizen by birth):			
Citizen by neutralization	0.0680	-0.0687	0.0606
Citizen by parent	-0.0228	-0.3247	0.0037
Permanent resident	0.1481	0.1064	0.2848
Years outside Canada (reference=more than 10 years)			
Less than 1 year	0.2347***	-0.0176	0.4866***
1-3 years	0.1790**	0.0837	0.3759***
4-5 years	0.1769**	0.0871	0.2917**
6-9 years	0.0548	0.0818	0.2073*
Employment (reference=working for Canadian government):			
Int'l organization, corporation	-0.0804	-0.1262**	-0.1728*
Local business	-0.1095	-0.1639***	-0.2127**
Retired	-0.1193	-0.0885	-0.3970
Self-employed	-0.1351	-0.1041	-0.3868***
Student	-0.0372	-0.1613	0.0619
Unemployed	-0.1368	-0.2828***	-0.7327***
Education (reference=secondary school or less):			
Undergraduate	0.0809	0.1360	0.2790
Postgraduate	0.2156	0.2423**	0.3944*
Constant	0.4115**	0.6899***	-0.3676
N	482	482	481
Pseudo-R-squared	0.0282	0.0391	0.0611

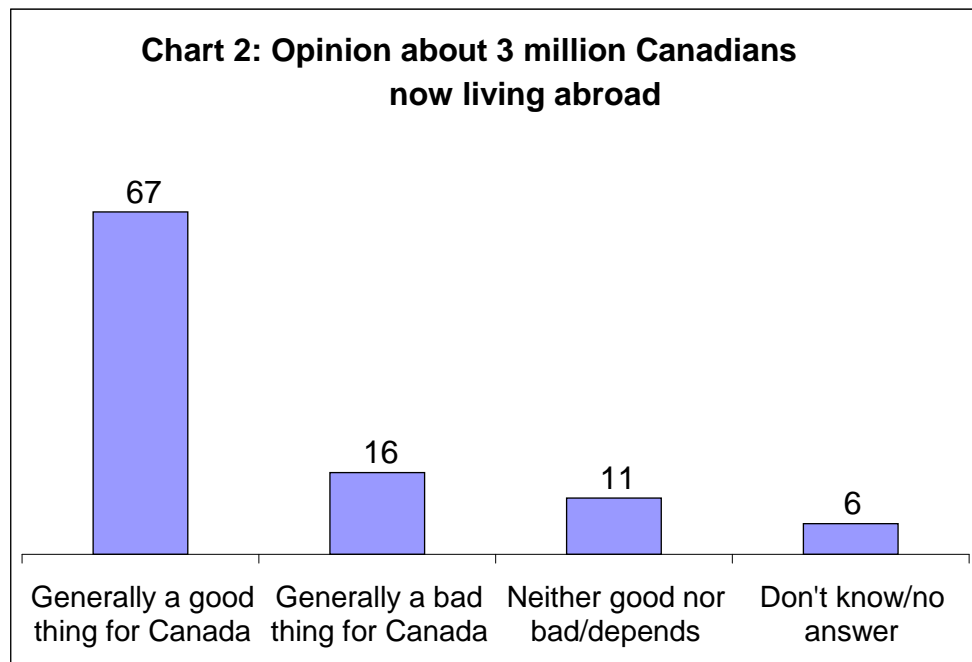
Note: *** = p<0.01; ** = p<0.05; and * = p<0.1.

Figure 1: Diminishing Canadian Citizenship

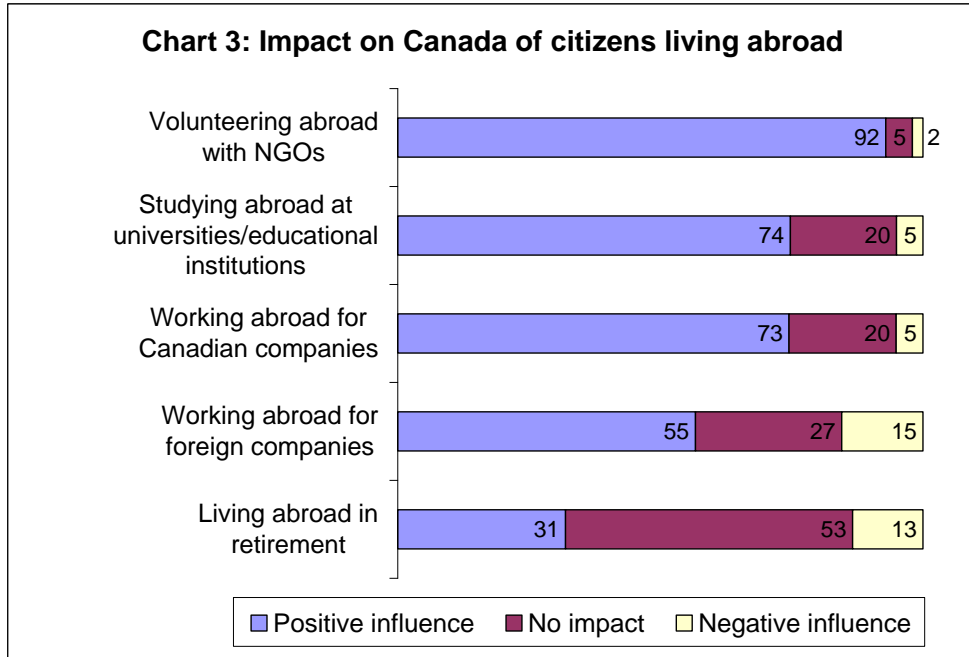




Source: reproduced from Environics Research (2008), p. 25.



Source: reproduced from Environics Research (2008), p. 38.



Source: reproduced from *EnviroNics Research* (2008), p. 39.

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