

# Birth tourism

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Countries by [birthright citizenship](#)

Unconditional birthright citizenship for persons born in the country

Birthright citizenship with restrictions

Birthright citizenship abolished

**Birth tourism** is the practice of traveling to another country for the purpose of [giving birth](#) in that country. The main reason for birth tourism is to obtain citizenship for the child in a country with birthright citizenship (*[jus soli](#)*). Such a child is sometimes called an "[anchor baby](#)" if their citizenship is intended to help their parents obtain [permanent residency](#) in the country. Other reasons for birth tourism include access to public schooling, healthcare, sponsorship for the parents in the future,<sup>[[u](#)]</sup> or even circumvention of China's [two-child policy](#). Popular destinations include the [United States](#) and [Canada](#). Another target for birth tourism is [Hong Kong](#), where some mainland Chinese citizens travel to give birth to gain [right of abode](#) for their children.

In an effort to discourage birth tourism, [Australia](#), [France](#), [Germany](#), [Ireland](#), [New Zealand](#), [South Africa](#), and the [United Kingdom](#) have modified their citizenship laws at different times, mostly by [granting citizenship by birth only if at least one parent is a citizen of the country or a legal permanent resident who has lived in the country for several years](#). Germany has never granted unconditional birthright citizenship, but has traditionally used *[jus sanguinis](#)*, so, by giving up the requirement of at least one citizen parent, Germany has softened rather than tightened [its citizenship laws](#); however, unlike their children born in Germany, non-EU- and non-Swiss-citizen parents born abroad usually cannot have dual citizenship.

[No European country](#) presently grants unconditional birthright citizenship; however, most countries in the Americas, e.g., the United States, Canada, Mexico, Argentina, and Brazil do so. In Africa, Lesotho and Tanzania grant unconditional birthright citizenship,<sup>[[citation needed](#)]</sup> as do some in the Asian-Pacific region including Fiji, Pakistan, and Tuvalu.<sup>[[citation needed](#)]</sup>

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Ads on baidu.com target women hoping to give birth in Canada, promising top notch education and citizenship for their babies. —PNG

# U.S. birth tourism crackdown may mean waves of 'passport babies' in Canada

RANDY SHORE

Canada could see an uptick in birth tourism after the Trump administration granted its customs officers more powers to prevent pregnant women from entering the United States.

American consular officials are being urged to refuse entry to women believed to be entering the U.S. in order to gain citizenship for their child by giving birth there.

"The United States has made a very good attempt at finding an administrative solution to a growing problem without having to change their constitution," said Richmond-Queensborough MLA Jas Johal.

Australia, the United Kingdom, New Zealand, France, Germany and South Africa have all altered their citizenship laws to discourage birth tourism.

"Canada is one of a few countries that grants citizenship automatically to anyone

born in this country," said Johal. "Where are people going to go if they can't go to the United States? The number-one place is Canada."

Estimates of the number of babies born to birth tourists in the U.S. each year range from 10,000 by the Centers for Disease Control to 40,000 by the Center for Immigration Studies.

In Canada, the number of births to non-residents has more than doubled since 2012, to just over 4,000 a year. Non-residents account for two per cent of all births in Canada.

Doctors have warned that the number of foreign nationals giving birth in Canada is putting a strain on health-care delivery and have urged the federal government to take steps to curb the practice.

"We're at a crisis, a tipping point, so it's really important that some higher authority takes this on," said Dr. Kathleen Ross, president of Doctors of B.C. "Hospitals and

doctors have no option but to provide service. We can't turn people away if they are sick, injured or in labour."

More than half of all babies born to non-residents in B.C. — around 700 a year — are delivered at Richmond Hospital.

In the past two years, 932 babies were born to foreign nationals there, about 22.6 per cent of all births, according to Vancouver Coastal Health. That's up from 15 per cent in 2015.

Foreign nationals give birth to about 10 per cent of babies born at St. Paul's Hospital and Mount St. Joseph, according to the Canadian Institute for Health Information.

More than 92 per cent of medical fees are eventually recovered, according to Vancouver Coastal Health.

Richmond is home to a shadowy network of several dozen businesses that help women give birth in Canada for fees in the tens of thousands of dollars.

ments and birth certificate applications, and obstetric care.

"If it was a trickle, I wouldn't worry about it, but this has been growing year after year and it's become a significant business," said Johal.

Immigration, Refugees and Citizenship Canada says birth tourism is not widespread, but the department is taking steps to better understand the practice.

Nonetheless, the federal government last year "invested \$51.9 million to protect Canadians, and those seeking to start a new life in Canada ... from unscrupulous immigration consultants."

"This investment will increase investigations and enforcement, expand public awareness and strengthen the oversight of consultants," the department said in a statement.

— With files from Pamela Fayerman  
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information about a serious West End assault that has left a man in hospital for nearly two months.

The assault happened on Nov. 30, 2019, just before 1 a.m. on Thurlow north of Davie streets. The man was left with extensive injuries.

Investigators believe the victim was involved in an argument with a group and then assaulted. The attacker is believed to have fled along with two other individuals.

When VPD made their initial plea for tips on Dec. 6, 2019, investigators said they hadn't been able to interview the victim due to his injuries.

On Monday, Vancouver police released surveillance footage of three individuals who may know what happened in the November attack.

## VANCOUVER

### Bike Doctor set to open again

Bike Doctor is returning to Vancouver.

The popular commuter bike store at 137 West Broadway closed in 2018 but will reopen in the same location on Thursday, March 5.

Erich Jurgens, a former employee, is the new owner. He said the store will be getting a facelift, but plans to offer the same kind of service.

— Postmedia Wire Services

repatriating them within 12 hours, often on the same airplane on which they had flown to the United States.<sup>[19]</sup> In March 2015, federal agents conducted raids on a series of large-scale maternity tourism operations bringing thousands of mainland Chinese women intent on giving their children American citizenship.<sup>[13][14]</sup> Congressional representatives such as [Phil Gingrey](#), who have tried to put an end to birth tourism, said these people are "[gaming the system](#)".<sup>[20]</sup> In August 2015, the issue was discussed among U.S. presidential candidates, including [Donald Trump](#) and Jeb Bush.

In January 2019, [U.S. Immigration and Customs Enforcement investigations](#) led to the arrest of three southern California operators of "multimillion-dollar birth-tourism businesses" catering primarily to Chinese nationals.<sup>[21]</sup>

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## Today<sup>[edit]</sup>

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### North America<sup>[edit]</sup>

The United States, Canada, and Mexico all grant unconditional birthright citizenship and allow dual citizenship. The United States taxes its citizens and green card holders worldwide, even if they have never lived in the country. In Mexico, only naturalized citizens can lose their Mexican citizenship again (e.g., by naturalizing in another country).

#### United States<sup>[edit]</sup>

See also: *[Birthright citizenship in the United States of America](#)*

The [Fourteenth Amendment to the United States Constitution](#) guarantees [U.S. citizenship](#) to those born in the United States, provided the person is "subject to the jurisdiction" of the United States. Congress has further extended birthright citizenship to all inhabited U.S. territories except [American Samoa](#). (A person born in American Samoa becomes a [non-citizen US national](#)). The parent(s) and child are still subject to *de jure* and *de facto* deportation, respectively.<sup>[2]</sup> However, once they reach 21 years of age, American-born children, as birthright citizens, are able to sponsor their foreign families' U.S. citizenship and residency.<sup>[3]</sup>

There are no statistics about which countries have citizens who participate in birth tourism in the United States. The Center for Health Care Statistics estimates that there were 7,462 births to foreign residents in the United States in 2008, the most recent year for which statistics are available. That is a small fraction of the roughly 4.3 million total births that year.<sup>[4]</sup> The [Center for Immigration Studies](#), a conservative think tank, estimated in 2012 that there were approximately 40,000 annual births to parents in the United States as birth tourists.<sup>[5][6]</sup> The Center also estimated in 2012 that total births to temporary immigrants in the United States (e.g., tourists, students, guest workers) could be as high as 200,000.<sup>[7]</sup>

Russian birth tourism to Florida to 'maternity hotels' in the 2010s is documented.<sup>[3][8][9]</sup> Birth tourism packages complete with lodging and medical care delivered in Russian begin at \$20,000, and go as high as \$84,700 for an apartment in Miami's Trump Tower II complete with a "gold-tiled bathtub and chauffeured Cadillac Escalade."<sup>[9]</sup>

One option for mainland Chinese mothers to give birth is [Saipan, Northern Mariana Islands](#), where the cost is cheaper and travel does not require a [U.S. visa](#).<sup>[10]</sup> More than 70% of the newborns in Saipan have birth tourist PRC parents who take advantage of the 45-day visa-free visitation rules of the territory and the Covenant of the Northern Mariana Islands to ensure that their children can have American citizenship. There were 282 of these births in 2012.<sup>[11]</sup>

As of 2015, [Los Angeles](#) is considered a center of the maternity tourism industry, which caters mostly to Asian women from [China](#) and [Taiwan](#).<sup>[12]</sup> authorities in the city there closed 14 maternity tourism "hotels" in 2013.<sup>[13]</sup> The industry is difficult to close down since it is not illegal for a pregnant woman to travel to the U.S.<sup>[13]</sup>

On March 3, 2015, Federal agents in Los Angeles conducted a series of raids on three "multimillion-dollar birth-tourism businesses" expected to produce the "biggest federal criminal case ever against the booming 'anchor baby' industry", according to the [Wall Street Journal](#).<sup>[13][14]</sup>

Numerous "maternity businesses" advise pregnant mothers to hide their pregnancies from officials and commit visa fraud—lying to customs agents about their true purpose in the U.S.<sup>[15]</sup> Once they give birth, several 'birth tourism' agencies aid the mothers in defrauding the U.S. hospital, taking advantage of discounts reserved for impoverished American mothers.<sup>[16][17]</sup> Some mothers will refuse to pay the bill for the medical care received during their hospital stay.<sup>[18]</sup>

On October 18, 2014, the North American Chinese language *Daily World Journal* reported that for several weeks the immigration authorities at [LAX](#) had been closely questioning pregnant Chinese women arriving there from China, and in many cases denying them entry to the United States and

**Open for signature**

March 19, 2018, at 1:52 p.m. (EDT)

**Closed for signature**

July 17, 2018, at 1:52 p.m. (EDT)

**Presented to the House of Commons**

Joe Peschisolido (Steveston—Richmond East)

October 5, 2018 (Petition No. 421-02721)

**Government response tabled**

November 19, 2018

## Petition to the House of Commons in Parliament assembled

Whereas:

- An abusive and exploitative practice known as 'Birth Tourism' now exists in Canada, whereby expectant mothers who are foreign nationals, with no status in Canada, gain automatic citizenship for their children born in Canada;
- The practice of 'Birth Tourism' is fundamentally debasing the value of Canadian citizenship;
- The practice of 'Birth Tourism' can be very costly to taxpayers, since it can be used to gain access to Canada's publicly subsidized post-secondary education system and to take advantage of Canada's public healthcare system and generous social security programs, all without having to contribute much to the funding of these systems and programs';
- Canadian citizens and permanent residents have been displaced by foreign nationals at local hospitals, thereby requiring Canadian citizens and permanent residents to seek medical attention at other facilities;
- Underground and unregulated 'for profit' businesses have developed both in Canada and 'countries of origin' to facilitate the practice of 'Birth Tourism'; and
- The instances of 'Birth Tourism' are increasing in multiple cities across Canada.

We, the undersigned, **citizens and permanent residents of Canada**, call upon the **House of Commons in Parliament assembled** to:

1. Publicly state that the government does not support 'Birth Tourism' due to the inherent unfairness of this practice and the negative consequences associated with it;
  2. Commit public resources to determine the full extent of this practice across Canada; and
  3. Expeditiously implement concrete measures to reduce and eliminate this practice.
-

**Open for signature**

June 16, 2016, at 10:40 a.m. (EDT)

**Closed for signature**

October 14, 2016, at 10:40 a.m. (EDT)

**Presented to the House of Commons**

[Alice Wong \(Richmond Centre\)](#)

October 19, 2016 (Petition No. 421-00775)

**Government response tabled**

December 2, 2016

## Petition to the Government of Canada

Whereas:

- The Jus soli, or birthright citizenship, law of Canada enables an abusive and exploitative practice often called 'Birth Tourism', which permits expectant mothers who are foreign nationals, with no status in Canada, to gain automatic citizenship for their children born within Canada;
- All but one other developed country in the world has eliminated provision for birthright citizenship because of the widespread abuse it is open to; and
- The practice of 'Birth Tourism' can be very costly to taxpayers since it is used to ensure that after the child reaches 18 years of age Canada's education system can be used at a publicly subsidised cost, and he/she can sponsor his/her parents and many other family members, thus taking advantage of Canada's public health system and social security programmes such as OAS and the GIS.

We, the undersigned, **Citizens of Canada**, call upon the **Government of Canada** to:

1. Enact legislation which will **fully eliminate birthright citizenship** in Canada unless one of the parents of the child born in Canada is a Canadian citizen or permanent resident of Canada;
2. Ensure the new legislation is thorough and complete, and does not allow any 'loopholes' which permit birthright citizenship;
3. Consult with the Supreme Court before enacting the legislation in order to best ensure that the new legislation will not be challenged in court; and
4. Immediately invoke the Notwithstanding Clause in support of the legislation, if it is overturned in the Supreme Court, and that it immediately re-write the law in a form which will better withstand future court challenges.