



RESPONSES TO INFORMATION REQUESTS (RIRs)

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10 September 2009

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China: Whether a person born in the People's Republic of China (PRC) can obtain a Taiwanese¹ passport; whether a Taiwanese passport holder could be denied entry into Taiwan; circumstances under which a Taiwanese passport holder would be issued a PRC Travel Document/Permit
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

In an 8 September 2009 interview, an official at the Taipei Economic and Cultural Representative Office in Washington, DC stated that "in some cases" a citizen of the People's Republic of China (PRC) can obtain a Taiwanese passport. The Official stated that the individual would need to become a Taiwanese citizen in order to obtain Taiwanese passport and that Taiwanese authorities do not require individuals to relinquish their PRC citizenship (Taiwan 8 Sept. 2009). The Official stated that a person born in the PRC, who is a resident of Taiwan, must show his or her household registration and/or Taiwan identification (ID) to obtain Taiwanese passport (ibid.). An official from the Taipei Economic and Cultural Office in Ottawa similarly indicated, in a 2 September 2009 interview, that only a Taiwanese citizen is eligible for a Taiwanese passport; however, she also stated that if a citizen of the Taiwan has a child who is born in the PRC, the child can apply for a Taiwanese passport.

The Official at the Washington office further indicated that individuals with a Taiwan passport who no longer have their Taiwanese ID or household registration, cannot re-enter Taiwan from abroad; these individuals would need to apply for a re-entry permit from Taiwan authorities (ROC 8 Sept. 2009).

The same Official stated that because the PRC "does not recognize" the Taiwanese passport, all Taiwanese passport holders wishing to travel to mainland China must apply for a Travel Document/Permit from PRC authorities in order to enter the PRC (ibid.). The website of the Embassy of the People's Republic of China (PRC) in the Hellenic Republic indicates that "Taiwan residents of Chinese nationality residing in foreign countries who do not have a pass issued by the Ministry of Public Security and wish to travel to mainland China" are eligible for a PRC Travel Document/Permit (3 Aug. 2004).

For those applying for Taiwanese passports who are from the PRC but who are living abroad, Article 18 of the Enforcement Rules of the Passport Act published on the Taiwanese Ministry of Foreign Affairs website of the Republic of China (ROC) states the following:

Overseas Chinese from the Mainland Area who meet the following requirements

may be granted an ordinary passport after obtaining approval from the Competent Authority through the Overseas Missions in accordance with the provisions of Article 9 of the Act:

1. They have acquired permanent residence abroad. If there is no permanent residence system in the country of residence, applicants must have acquired long-term resident status and must have residence that can be extended continuously.
2. They have resided overseas for more than four years, or have continuously resided for more than two years in the country in which residence status was obtained, or be the spouse of a Taiwan Area resident and be married for more than two years, or has born a child (children) with that resident.
3. Special considerations for political, economic, social, educational, technological, cultural, athletic, overseas Chinese, religious, and humanitarian reasons.

Persons from the Mainland Area specified in the preceding paragraph and applying for the first time for an ordinary passport shall submit two passport photos and the following documents:

1. An ordinary passport application form.
2. Original certificate of local permanent residence or long-term residence and a photocopy of it. The original will be returned after verification.
3. A copy of their passport or identification documents issued in the Mainland Area.
4. Other relevant certificates.

The validity of regular passports specified in the preceding paragraph shall be less than three years and the back page of the said passports shall be affixed with a "New" mark.

When persons from the Mainland Area as specified in paragraph 1 of this Article obtain ordinary passports, they shall have passports issued by Mainland Area authorities cancelled. (27 Feb. 2002)

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

People's Republic of China (PRC). 3 August 2004. "Chinese Passports and Other Travel Documents."
<<http://www.fmprc.gov.cn/ce/cegr/eng/lswq/hz/t146143.htm>> [Accessed 31 Aug. 2009]

Taiwan. 8 September 2009. Taipei Economic and Cultural Representative Office, Washington. Telephone interview with an official.

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Ottawa. Telephone interview with an official.

_____. 27 February 2002. Bureau of Consular Affairs, Ministry of Foreign Affairs. "Enforcement Rules of the Passport Act." <<http://www.boca.gov.tw/ct.asp?xItem=1296&CtNode=518&mp=2>> [Accessed 8 Sept. 2009]

Additional Sources Consulted

Oral sources: The Embassy of the People's Republic of China in Ottawa could not provide information on this Response.

Internet sites, including: Asia Times, British Broadcasting Corporation (BBC), European Country of Origin Information Network (ecoi.net), National Immigration Agency (ROC/Taiwan), United Nations (UN) Refworld, United States (US) Bureau of Consular Affairs.

¹ References to Taiwan were changed July 2011 to reflect *Government of Canada Guidelines for the Conduct of Relations with Taiwan*.

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