



Australian Government
Refugee Review Tribunal

Country Advice

China

China – CHN37238 – Fujian Province –
University entrance – Public Security
Bureau

9 September 2010

1. Deleted.
2. Deleted.
3. **Is it difficult to be admitted into a Fujian University? If a family had come to the attention of the Public Security Bureau (PSB), could that affect their members' ability to enrol at the university?**

Obtaining entry into a university in China is highly competitive. In each of the past two years, approximately 10 students applied for every six places available to students in higher education universities and colleges across China.¹ This ratio is similar to that in Fujian Province. In 2010, approximately 278,000 students in Fujian applied for around 200,000 available positions at higher-education institutions in Fujian, representing around seven places for every 10 applicants.² This suggests that entry into a university in Fujian is difficult. Each year in June a nine-hour test conducted over several days, called the *gao kao*, determines admission to the majority of Chinese college and universities.³

No information was found to indicate that the Public Security Bureau (PSB) routinely provides background checks on university entrants, or has denied students entry based on involvement in illegal activities related to religious practice. Penalties such as the use of fines and short term detention as punishment by the PSB are normally applied under administrative law rather than under criminal law. In August 2010, the Department of Foreign Affairs and Trade (DFAT) commented that the recording of administrative penalties such as detention by the PSB is likely to be placed on a person's *dang'an* (personal dossier); that it did "not have the impression that ... policing databases are linked to the *dang'an* system of records across provinces or even within provinces"; and

¹ La Franiere, S., 2009, 'China's College Entry Test Is an Obsession', *The New York Times*, 13 June http://www.nytimes.com/2009/06/13/world/asia/13exam.html?_r=1 – Accessed 9 September 2010 – Attachment 3; Wenting, Z., and Shanshan, W., 2010 'Testing year ahead as key exam looms', *China Daily*, 9 July http://www.chinadaily.net/cndy/2010-09/07/content_11264820.htm – Accessed 9 September 2010 – Attachment 4; Spegele, B., 2010 'Two Stressful Days for China's College Hopefuls', *The Wall Street Journal*, 7 June <http://blogs.wsj.com/chinarealtime/2010/06/07/two-stressful-days-for-china%E2%80%99s-college-hopefuls/> – Accessed 9 September 2010 – Attachment 5.

² 'Fujian to recruit over 200k university students in 2010' 2010, What's On Xiamen website, 11 July <http://www.whatsonxiamen.com/news13286.html> – Accessed 9 September 2010 – Attachment 6.

³ La Franiere, S., 2009, 'China's College Entry Test Is an Obsession', *The New York Times*, 13 June http://www.nytimes.com/2009/06/13/world/asia/13exam.html?_r=1 – Accessed 9 September 2010 – Attachment 3.

that it did “not consider it likely that officials in one province would be able to access electronically the records of a person’s administrative detention in another province”:

To what extent are administrative penalties (especially administrative detention) recorded by authorities?

Administrative detention is an extra-judicial form of punishment in which those punished are not tried or convicted of a criminal offence nor tried before a court of law. Administrative detention is meted out by law enforcement officials. While Post has no direct evidence that Chinese authorities at various levels record administrative penalties of their citizens such as administrative detention, it is assumed that authorities would, as a matter of course, record these transgressions. **A record of the detention is likely to be placed on the person’s *dang’an* (personal dossier).**

Are administrative penalties recorded electronically or in any other form that would be accessible by officials beyond the local level? For example, would officials in Shandong province be able to access records of a person’s administrative detention in Liaoning province?

Authorities devote considerable effort to recording details of many aspects of Chinese citizens’ lives, principally in the *dang’an*. The *dang’an* is likely the principal device in which information about administrative penalties is kept, particularly because the recording personal history in the *dang’an* is highly institutionalised. While Post does not have detailed knowledge of the systems used to record information on citizens, in the Chinese administration, the efficiency of how information is recorded and the ease with which information can be retrieved is uneven across the country. The ability to retrieve information quickly and accurately would depend partly on how wealthy the local authorities are and how effectively they take up technological improvements.

Post is aware that law enforcement agencies at the local and provincial levels have put in place electronic databases to enable them to track suspects and their crimes. A number of foreign and local software companies have attempted to sell their systems to Chinese authorities at various levels. **However, Post does not have the impression that such policing databases are linked to the *dang’an* system of records across provinces or even within provinces. As local officials are likely to guard jealously their access to personal information of local residents, it would be unlikely that information in local databases could easily be accessible...**

China’s various database systems can be disjointed, and Post does not consider it likely that officials in one province would be able to access electronically the records of a person’s administrative detention in another province. In the Chinese system, Post would envisage that authorities in one province would formally request specific information from their counterparts in another province, and would mostly likely need to rely on Chinese Communist Party or personal network contacts to ensure that timely and accurate information is obtained...

*Have *dang’an* (personal dossiers) been digitised and included on the second-generation microchip-equipped citizen ID cards?*

While there have been foreign reports that *dang’ans* will eventually be digitised, Post has no information that efforts are underway to digitise them.

As far as Post is aware, *dang’ans* are still paper files...

Any other comment post wishes to make on these or related subjects (for example, the Golden Shield project or digitisation of citizen information) would be appreciated by the Tribunal.

Post considers that the integration of electronic databases holding personal information to be at an embryonic stage.⁴

The unlikelihood that PSB officials outside a family's local area would have access to that family's administrative record suggests that Bureau of Education and university officials may be unlikely to have this knowledge. Based on this, it is therefore unlikely that a person's access to university would be negatively affected by their family having come to the attention of the PSB for illegal church activities.

Noting that no reports were found of people being denied access to university for their involvement in illegal church activities, one report was found detailing penalties given to currently enrolled university students for repeated involvement in illegal house church activities conducted by The Local Church in Zhejiang Province. Zhejiang Province borders Fujian Province to the north. Although not explicit, this report suggests that repeated involvement in illegal church activities, if brought to the attention of authorities, would warrant dismissal from the university. In December 2008, the *China Aid Association*, a United States-based non-government organisation that advocates on behalf of Christians in China, detailed these penalties as follows:

All the 14 universities' school officials were called in to take their own students back to their respective university for further disciplinary actions. The universities included: Hangzhou Normal University, Hangzhou Dianzi University, Zhejiang University of Finance and Economics, Zhejiang Sci-Tech University, Zhejiang University of Media and Communications, Zhejiang Jiliang University, Zhejiang Financial Professional College, Zhejiang Economic and Trade College, Zhejiang Gongshang University, Hangzhou Vocational and Technical College.

All the students were required to write a confession paper, report, a statement of repentance and a statement of guarantees that they would not go to gatherings. According to the students, school authorities questioned the students many times about the spiritual training they had received at the house church meetings. In addition to this, PSB officials went to Zhejiang University of Finance and Economics and Zhejiang Sci-Tech University to question several students there without students' instructors or mentors present. Their questions, mixed with threats, were similar to the ones asked during police interrogations. **One graduate student was given a warning by the university, which is the formal first degree of administrative discipline measure before dismissal from university.** This written notice will follow the student throughout his or her working career.⁵

Attachments

1. Deleted.
2. Deleted.

⁴ Department of Foreign Affairs and Trade 2010, *DFAT Report No. 1183 – China: RRT Information Request: CHN36990*, 10 August – Attachment 7.

⁵ China Aid Association 2008, 'Nine House Church Meetings Raided Simultaneously in Hangzhou City', 3 December <http://chinaaid.org/2008/12/03/nine-house-church-meetings-raided-simultaneously-in-hangzhou-city/> – Accessed 9 September 2010 – Attachment 8.

3. La Franiere, S., 2009, 'China's College Entry Test Is an Obsession', *The New York Times*, 13 June http://www.nytimes.com/2009/06/13/world/asia/13exam.html?_r=1 – Accessed 9 September 2010.
4. Wenting, Z., and Shanshan, W., 2010 'Testing year ahead as key exam looms', *China Daily*, 9 July http://www.chinadaily.net/cndy/2010-09/07/content_11264820.htm – Accessed 9 September 2010.
5. Spegele, B., 2010 'Two Stressful Days for China's College Hopefuls', *The Wall Street Journal*, 7 June <http://blogs.wsj.com/chinarealtime/2010/06/07/two-stressful-days-for-china%E2%80%99s-college-hopefuls/> – Accessed 9 September 2010.
6. 'Fujian to recruit over 200k university students in 2010' 2010, What's On Xiamen website, 11 July <http://www.whatsonxiamen.com/news13286.html> – Accessed 9 September 2010.
7. Department of Foreign Affairs and Trade 2010, *DFAT Report No. 1183 – China: RRT Information Request: CHN36990*, 10 August.
8. China Aid Association 2008, 'Nine House Church Meetings Raided Simultaneously in Hangzhou City', 3 December <http://chinaaid.org/2008/12/03/nine-house-church-meetings-raided-simultaneously-in-hangzhou-city/> – Accessed 9 September 2010.
9. Deleted.