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China: Exit controls and security measures at airports in China for mainland citizens travelling overseas and to Hong Kong

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Legislation on exit controls

In 10 June 2008 correspondence, an official at the Canadian Embassy in Beijing provided website links to current legislation on exit controls in China (Canada 10 June 2008). The following two paragraphs provide a brief overview of the information relevant to this Response.

The Law of the People's Republic of China on the Control of the Exit and Entry of Citizens requires that citizens who wish to leave China apply for an "exit certificate" from the municipal or county Public Security Bureau (PSB) in which their household is registered (China 22 Nov. 1985). The PSB reportedly makes a decision regarding whether to grant an exit permit within 30 to 60 days of receiving an application (ibid. 26 Dec. 1986). Article 8 of the Law indicates that the PSB will grant approval for an exit permit unless an individual falls within one of the following categories:

- (1) defendants in criminal cases or criminal suspects confirmed by a public security organ, a people's procuratorate or a people's court;
- (2) persons who, as notified by a people's court, shall be denied exit due to involvement in unresolved civil cases;
- (3) convicted persons serving their sentences;
- (4) persons undergoing rehabilitation through labour; and
- (5) persons whose exit from the country will, in the opinion of the competent department of the State Council, be harmful to state security or cause a major loss to national interests. (ibid. 22 Nov. 1985)

Article 9 of the Law states that

[t]he frontier inspection offices shall have the power to stop persons belonging to any of the following categories from leaving the country and to deal with them according to law:

- (1) holders of invalid exit certificates;
- (2) holders of exit certificates other than their own; and
- (3) holders of forged or altered exit certificates. (ibid. 22 Nov. 1985)

The website of the Immigration Department of the Hong Kong Special Administrative Region (SAR) indicates that citizens of mainland China travelling to Hong Kong must first apply to the PSB for an "Exit-Entry Permit (EEP) for Travelling to and from Hong Kong and Macao" with an endorsement indicating the purpose of the visit (e.g., visit to relatives, group tour, individual visit, business visit) (Hong Kong SAR 16 May 2008). With respect to Chinese citizens transiting through Hong Kong, the website states that holders of Chinese passports

may be granted a stay of seven days on each landing without the prior need to obtain an entry permit, provided that usual immigration requirements are met, including possession of valid entry facilities for the destination and confirmed onward booking for the overseas journey. (ibid.)

Cited in a report on China of the 10th Country of Origin Information Seminar in Budapest, an expert on China who lives in Germany stated that "the Chinese authorities issue travel documents much easier than a few years ago" (ACCORD 17 Mar. 2006, 17). However, he noted that certain individuals are still excluded, including those who have been convicted or who are being monitored by the police (ibid.).

Security measures at airports

In 4 October 2005 correspondence to the Research Directorate, an official at the Canadian Embassy in Beijing provided the following observations on exit controls at Chinese airports. Separate inspection barriers at airports are designated for Chinese citizens, foreign travellers, diplomatic staff, and airline personnel (Canada 4 Oct. 2005). The Frontier Defense Inspection Bureau (FDIB) is in charge of the inspection barriers, and FDIB officers examine the passports and immigration departure cards of Chinese travellers (ibid.). The officers also verify the identity of the person through a "computerised record system." Chinese travellers do not need to present their resident identity card during the inspection (ibid.).

Information sent to the Research Directorate by the Embassy of the People's Republic of China in Canada, on behalf of the Chinese Ministry of Public Security, similarly indicates that inspection officers verify the identity of individuals through a computer-based information system (10 July 2008).

The website of the Beijing Capital International Airport indicates that Chinese citizens (including citizens of Hong Kong and Macao) who are travelling overseas are required to present a valid passport, visa, boarding pass and exit registration card (N.d.). Those citizens who plan to leave China for a period of over a year are "suggested to accept [a] medical check-up in [the] [I]nspection and Quarantine Department to obtain [a] valid health certificate" (Beijing Capital International Airport n.d.). Once passengers have gone through a "detection passage" and have had their hand luggage x-rayed, they may wait in the designated boarding area for their flight (ibid.).

Cited in the report on China of the 10th Country of Origin Information Seminar in Budapest, the China Expert stated the following about airport security in China:

[C]hecks at airports are sometimes very lax, in other cases they control a lot - it seems to be arbitrary. It is impossible to find out which airport is stricter than others. (ACCORD 17 Mar. 2006, 18)

Nevertheless, several sources consulted by the Research Directorate indicate that security at airports in China has increased in the lead-up to the 2008 Olympic Games (*China Daily* 17 June 2008; ibid. 22 Feb. 2008; Airport International 17 Mar. 2008; ibid. 23 Feb. 2008). In February 2008, the Beijing-based *China Daily* reported that police at the Beijing Capital International Airport have been equipped with "advanced" bomb detecting equipment, as well as x-ray machines and "anti-riot robots" (22 Feb. 2008; Airport International 23 Feb. 2008). Other security measures to be implemented include "thorough" background checks on airport employees, as well as police checkpoints along the highways leading to the airport to "check on suspicious people and vehicles" (*China Daily* 22 Feb. 2008; see also Airport International 23 Feb. 2008). Information on whether these security measures have already been implemented could not be found among the sources consulted by the Research Directorate.

In March 2008, the General Administration of Civil Aviation of China (CAAC), China's aviation regulator, reportedly introduced new security regulations (Airport International 17 Mar. 2008; Xinhua 27 Mar. 2008). The regulations instruct airport security to conduct a more thorough examination of hand luggage, to ban liquids on flights (ibid.; Airport International 17 Mar. 2008), and to have passengers remove their shoes for security checks (Xinhua 27 Mar. 2008). The regulations additionally prohibit "easy boarding" services, which had previously allowed passengers to obtain faster security checks and priority boarding (ibid.; Airport International 17 Mar. 2008). According to a 27 March 2008 article by the Chinese Xinhua News Service, the CAAC has also

requested that all international airlines provide "accurate," "complete" and "timely" information on passengers and airline staff to the Chinese border authorities (Xinhua 27 Mar. 2008). The requested information reportedly includes name, nationality, gender, date of birth and passport number and expiration date (ibid.).

In June 2008, *China Daily* reported that further security measures were being implemented at the Beijing Capital International Airport (17 June 2008). These include the building of a double fence around the airport, as well as the installation of "high-tech devices" (17 June 2008; Airport International 17 June 2008). Police booths will reportedly be built alongside the fencing to monitor for "trespassers" (*China Daily* 17 June 2008; Airport International 17 June 2008). It has been reported that these security measures will be implemented by the end of July 2008 (ibid.).

Cited in a 17 March 2008 article by Airport International, "a leading online Internet portal ... with the latest worldwide developments from the leading aviation and airport suppliers" (Airport International n.d.), the Acting Director of CACC, indicated that "safety precautions would be tightened further during the Games period itself in August [2008]" (ibid. 17 Mar. 2008).

According to the June 2008 *Travel Information Manual* (TIM) published by the International Air Transport Association (IATA), immigration officials in China are now carrying out "stronger" document verifications (June 2008, 111).

Information on whether security measures and exit controls are stricter for mainland citizens travelling internationally versus those travelling to Hong Kong could not be found among the sources consulted by the Research Directorate.

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 additional sources consulted in researching this Information Request.

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