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China: Whether authorities have been known to deny citizenship to foreign wives of Chinese citizens and their children based on their ethnicity; specifically, ethnic Javanese individuals

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

According to Article 7 of the *Nationality Law of the People's Republic of China*,

[f]oreign nationals or stateless persons who are willing to abide by China's Constitution and laws and who meet one of the following conditions may be naturalized upon approval of their applications:

- (1) they are near relatives of Chinese nationals;
- (2) they have settled in China; or
- (3) they have other legitimate reasons. (China 10 Sept. 1980)

However, according to Human Rights Watch (HRW), since the Chinese government considers North Koreans "illegal" economic migrants and "regularly arrests and repatriates them," North Korean wives and half-North Korean children of Chinese citizens may be precluded from obtaining citizenship (Apr. 2008, 2, 3, 7; see also USCRI 2008). Information on whether Chinese authorities have denied citizenship to ethnic Javanese wives of Chinese citizens and their children 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 sources consulted in researching this Information Request.

References

China. 10 September 1980. *Nationality Law of the People's Republic of China*. (Embassy of the People's Republic of China in Canada)
<<http://www.chinaembassycanada.org/eng/lsw/Relevant%20Chinese%20Laws%20and%20Regulations/t37738.htm>> [Accessed 19 Feb. 2009]

Human Rights Watch (HRW). April 2008. *Denied Status, Denied Education: Children of North Korean Women in China*. <<http://www.hrw.org/sites/default/files/reports/northkorea0408web.pdf>> [Accessed 17 Feb. 2009]

United States Committee for Refugees and Immigrants (USCRI). 2008. "China." *World Refugee Survey*. <<http://www.refugees.org/countryreports.aspx?id=2127>> [Accessed 17 Feb. 2009]

Additional Sources Consulted

Oral sources: A Professor at the Research School of Pacific and Asian Studies at the Australian National University who specializes in human rights in China did not provide information within the time constraints of this Response.

Internet sites, including: Amnesty International (AI), Asian Human Rights Commission (AHRC), *Beijing Review*, China Aid Association (CAA), The China Internet Information Centre, China - Ministry of Foreign Affairs, China - National Population and Family Planning Commission, Factiva, Human Rights in China (HRIC), Information Center for Human Rights and Democracy [Hong Kong], Lawinfochina.com, Ministry of Foreign Affairs of the People's Republic of China, Minority Rights Group International (MRG), *The People's Daily* [Beijing], United Kingdom (UK) Border Agency, United Nations (UN) Integrated Regional Information Networks (IRIN), UN Relief Web, United States (US) Congressional - Executive Commission on China, US Department of State, Xinhua News Agency.

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