



RESPONSES TO INFORMATION REQUESTS (RIRs)

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12 August 2004

CHN42704.E

China: Further to CHN42321.E of 20 April 2004, the issuance of temporary Chinese resident identity cards; to whom they are issued; for what purpose; the duration of the cards; process for obtaining the card; description of the card; whether the Public Security Bureau (PSB) would issue such a card to someone who is wanted by the authorities for a criminal act (July 2004)

Research Directorate, Immigration and Refugee Board, Ottawa

In July 2004 correspondence, an official with the Migration Integrity Unit of the Canadian immigration office in Beijing stated that while he has never seen a temporary resident identity (ID) card, he believed that this card is "issued to those who have lost their resident cards, and need to travel (usually within the country), while in the process of applying for a replacement" (CIC 8 July 2004).

However, according to a *China Daily* article of November 2003, the temporary residence card system was first introduced in 1958 in order to manage the movement of migrant workers within the country (18 Nov. 2003). Specifically, migrant workers are required to register with police stations in the cities to which they are relocating to obtain a temporary residence card (*China Daily* 18 Nov. 2003).

Citing the 18 July 1995 Beijing regulations for migrant or "out-coming" labourers, the Asia Pacific Migration Research Network (APMRN), a research project of the Management of Social Transformations Programme of the United Nations Educational, Scientific and Cultural Organization (APMRN 25 Aug. 2003), reported that:

- i. 'those who come into Beijing for jobs must, according to the Hukou System, bring their ID cards and other necessary certificates to the public security office near their place of residence in order to be granted a Temporary Residence Card', without which they cannot get a room to live and to work;
- ii. 'those who come to Beijing for jobs after being granted their Temporary Residence Cards must apply for a work permit for Out-coming Labourers' before getting a job;
- iii. 'those who do not apply for a Temporary Residence Card in the given period of time will be fined by the public security office, and if the issue is serious they will be ordered to leave Beijing';
- iv. 'those units or employers which take Out-coming Labourers who do not have a Work Permit will be fined';
- v. 'it is the labour administration department of the municipal government which will decide what sectors, occupations and employment conditions are suitable for out-coming labourers (n.d.).

The *China Youth Daily* also reported that citizens are required to "apply for and have their temporary residence identity cards on their person when working away from where their permanent residence is registered" (10 Feb. 2003).

Information about the cost and duration of the temporary residence identity card was limited among the sources consulted by the Research Directorate. However, a June 2003 report noted that, in Guangzhou, the temporary card costs 20 Yuan (CAN\$3.19 [Oanda 12 July 2004a]) and was valid for three years (*China Daily* 26 June 2003). This information was partially corroborated in a November 2003 news article that stated the fee for a temporary card was 20 Yuan (ibid. 18 Nov. 2003). However, the same article also claimed that government departments such as family planning, health, and labour regularly attach "excessive fees" to the temporary card (ibid.). For instance, the news source stated that given the extra fees added on by various government departments, applicants might pay anywhere from "several hundred yuan to as high as 1,000 Yuan [CAN\$159.48 (Oanda 12 July 2004b)]" for a temporary card (*China Daily* 18 Nov. 2003). In a March 2004 report, the human rights and democracy organization Wei Jingsheng Foundation also mentioned that migrant workers could pay "thousands [of] Yuans" for a temporary residence card to work in a particular city (29 Mar. 2004).

As to whether the Public Security Bureau (PSB) would issue such a card to someone who was wanted by the authorities for a criminal act, the Canadian immigration official in Beijing mentioned that citizens serving prison sentences were supposed to surrender their ID cards to authorities until their sentences had been served, at which point they were either issued a new card or their original card was returned to them (8 July 2004).

Further information about whether the PSB would issue such a card to someone who is wanted by the authorities for a criminal act, or the process for obtaining a temporary residence identity card and its description could not be found among the sources consulted by the Research Directorate.

Human rights and news reports have documented cases of migrant workers who were detained and mistreated by police because they reportedly did not possess a temporary residence card (HRW 1 Jan. 2004; *China Daily* 18 Nov. 2003; *Shanghai Star* 26 June 2003; ibid. 12 June 2003). News sources subsequently reported that the vagrancy legislation that contributed to the incarceration of citizens without temporary residence cards or work permits was apparently eliminated (*Washington Post* 19 June 2003; *Shanghai Star* 26 June 2003). According to the *Shanghai Star*, new vagrancy legislation that was to come into effect on 1 August 2003 would prohibit the police from arresting and detaining persons who did not possess temporary residence cards (26 June 2003). However, a November 2003 *China Daily* article maintained that the temporary card registration policy remained in effect despite some debate as to its usefulness (18 Nov. 2003).

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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Additional Sources Consulted

A Consular Affairs official with the Embassy of the People's Republic of China in Ottawa could not provide the information requested.

Internet: Amnesty International, *Country Reports 2003* , Overseas Security Advisory Council (OSAC), World News Connection/Dialog.

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