



RESPONSES TO INFORMATION REQUESTS (RIRs)

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China: Whether a Chinese national, who was issued a passport in 2001 for the purpose of studying abroad, would be required to return the passport to Chinese authorities if a student or visitor's visa had been denied in 2002 or travel had not been undertaken; under what circumstances a Chinese national would be required to return a passport to Chinese authorities

Research Directorate, Immigration and Refugee Board, Ottawa

The following information was provided in 4 January 2005 correspondence from an official with the Canadian Consulate General in Guangzhou who has worked in China for more than four years. In general, the Public Security Bureau does not issue passports to Chinese citizens to undertake a specific trip. Although the passport application form asks citizens to provide a reason for wishing to obtain a passport as well as their intended destination and departure date, this information is requested for statistical purposes only. If the person does not receive a visitor's visa or undertake the intended trip, he or she is not required to return the passport to the issuing authorities and can retain it for the stated duration of its validity.

Passport holders may be required to return the document to Chinese authorities for reasons that include involvement in criminal activity and in a "serious civil lawsuit" but not, according to the Consulate General official, the fact of failing to undertake "originally intended travel." Holders of a "public affair" passport, which is issued by the Chinese Foreign Affairs Office (FAO) to government officials and staff of state-owned enterprises for "official" travel, must return this particular passport to the FAO "within a pre-determined period of time" upon completion of the trip. The "public affair" passport, however, is not issued to the intended traveller until a visa has been obtained through an application process handled by the FAO. The official from the Canadian Consulate General remarked that

it would be a very rare case for a Chinese citizen to apply for a student visa on a [public affair] passport... The only times would probably be when the person was sent by the government to study abroad. But even in those cases, the government has started to encourage the students to use regular passports in ... recent years.

Corroborating information 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.

Reference

Canadian Consulate General in Guangzhou, China. 4 January 2005.
Correspondence sent by an official.

Additional Sources Consulted

People's Republic of China. 1 February 1986. Law of the People's Republic of China on the Control of the Exit and Entry of Citizens.

Oral sources: Two oral sources did not provide information within the time constraints of this Response. Attempts to contact another oral source were unsuccessful.

Internet sites, including: BBC, China Internet Information Center, Chinalaw Web, China Online, Embassy of the People's Republic of China in Washington, D.C.

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