

China

Introduction

The population of the People's Republic of China¹, founded in 1949, is characterized by ethnic and cultural heterogeneity. A multinational state had already developed on what is today Chinese territory with the first unification in the 3rd century B.C. Presently around 90 percent of the Chinese population is Han-Chinese. The approximately 1.2 billion Han-Chinese should not be regarded as a homogenous group. Their linguistic and cultural customs at times vary greatly. In addition to the Han nationality, there are 55 other nationalities, or rather ethnic groups, the so-called recognized national minorities, to which around 106 million Chinese belong.



Background Information⁵

Capital: Beijing

Official languages: Mandarin Chinese ("Putonghua"), various Chinese dialects, various minority languages

Area: 9,597,995 km² (including Taiwan, Hong Kong and Macao)

Population (2012): 1.35 billion

Population density (2011): 144.1/km²

Population growth rate (2012): 0.5%

Foreign population (2010): 593,832 people (0.05%) or 1,020,145 people (0.1%)⁶

Working population (2012): 803,498,000

Unemployment rate (2012): 4.5%

Religions: Buddhism, Islam, Taoism, Protestant and Catholic "state churches"⁷ (whereby China follows an atheistic state ideology)

At the end of 2010, 593,832 foreigners lived in China, making up 0.05 percent of the total Chinese population.² If the approximately 426,000 people living in China who are from Hong Kong, Macao and Taiwan are counted as foreigners, then the percentage of foreigners would total 0.1 percent.³ The People's Republic is therefore not a country of immigration. So far it has not implemented any internationally comparable instruments for the management of migration and integration of immigrants. Chinese leaders see their task in integration policy rather as facing the political, economic and socio-cultural challenges that have resulted from the historical multinational nature of China.⁴

The Historical Development of Migration

There was extensive trade early on with foreign merchants in the territory of what is today China. After the golden age of trade in the 17th and early 18th centuries, trade was regulated by the implementation of a restrictive trading system in the middle of the 18th century. Trade with the west was then only to be carried out at the southern Chinese port of Canton with licensed western merchants; on the Chinese side trade was reserved to the Cohong, a guild of Chinese merchants. British tradesmen, mostly young men, were the first to arrive in Canton, followed by Austrian, Danish, Dutch, French, Spanish, Swedish and American

merchants. In the 1760s about 20 ships, each with 100-150 people on board, came to China on a yearly basis, and in the 1840s about 300. The tradesmen were not permitted to bring their families, were only allowed to live in Canton for a few months and had to stay in the accommodations assigned to them.

Only after both lost Opium Wars (1839-1842 and 1856-1860) did China have to reopen trade with the West with the signing of the so-called unequal treaties. The Treaty of Nanjing between China and its opponent of war, Great Britain, forced the Chinese to, for instance, open various harbors. Moreover, the treaty included the right for foreigners to live in China and allowed Christian missionaries to spread their faith. Great Britain, along with France and the USA who had also concluded treaties in 1844 with similar content, erected concession areas in Shanghai, that is, residential areas for foreigners in which Chinese citizens also ultimately settled. The number of foreigners in Shanghai was already 100,000 by 1900. Furthermore, in the 1930s more than 15,000 Jews from Germany and Austria found protection in Shanghai from persecution, for which they needed neither valid identity cards nor a visa.⁸

Chinese Emigration

The first communities of Chinese traders in Southeast Asia already existed around 1400. As the population of the Qing Empire rose from 150 to 300 million between 1700 and 1800, ever more Chinese families were forced to send male family members away from home to offer themselves as labor in other parts of the country, and after the middle of the 18th century also abroad.

In the 19th century Chinese emigration took on new dimensions. For one, many Chinese fled war and famine into regions such as Burma, Indonesia and Vietnam. Here they built up a new existence in farming or fishing or began to participate in trade. Many of the 19 million Chinese that emigrated between 1840 and 1940 to Southeast Asia and areas in the Indian and Pacific Oceans were engaged as contract labor in the French, British and Dutch colonies. Furthermore, between 1850 and 1875, over two million Chinese from southern China moved to the Caribbean, California and Central America. They worked in railway construction in the USA and the silver mines in Peru, among other things. Starting in 1937, tens of thousands of Chinese began to flee from the Sino-Japanese War.⁹

Remigration to China

The founding of the People's Republic in 1949 led to the remigration of Chinese living abroad who themselves or whose ancestors had once left China. Their number is estimated to be several million. Many followed the call of the political leaders to make a contribution to the country's reconstruction after the Chinese Civil War and the Sino-Japanese War. In the late 1950s and early 1960s, hundreds of thousands of ethnic Chinese living in Southeast Asia came back to China because they felt threatened by anti-Chinese policies and violent attacks in their "new"

home countries like Indonesia and Malaysia. Furthermore, territorial conflicts between China and Vietnam led to the return of ethnic Chinese from Vietnam.¹⁰

Migration to China – Immigrants from Developing and Industrial Countries

After the Asia-Africa Conference in Bandung in 1955, under the influence of the Non-Aligned Movement states, China took a leading role amongst developing countries. The People's Republic offered financial and technical support in particular to a number of African countries. As a result, citizens of African states came to China for the purposes of training, higher education and employment. Many of them stayed for a longer period of time or even settled permanently in the People's Republic.¹¹ Moreover, since the Chinese reform and open-door policy in 1978, ever more foreigners have been going to China from industrial nations for both temporary and long-term stays.

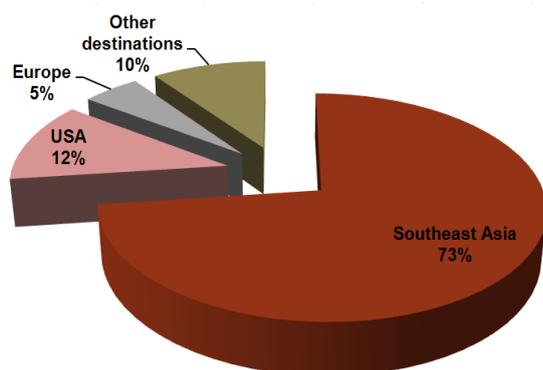
Current Migration Development

In comparison to the total Chinese population, the number of international migrants has been hardly significant. The 6th population census in 2010 for the first time factors in foreigners who stayed at least three months in the country, including ethnic Chinese with foreign citizenship. According to that census, 1.02 million foreigners live in China, 70 percent (ca. 680,000 people) of whom had already been in the country for one year or longer. Since the year 2000 the foreign population in China has grown by 35 percent.¹²

The economic recovery in recent decades and the employment opportunities for foreign employees and businessmen that it brings with it make China an increasingly attractive destination country for foreigners and their families. The relatively stable political situation in place since the early 1990s also contributes to this development. Furthermore, living standards in many Chinese cities are comparable to western industrial countries, including access to education and medical care. However, the Organization for Economic Cooperation and Development (OECD) indicates that China's rapid economic growth is yet to be reflected in the numbers of foreign workers in the country; there are hardly any official political measures for the hiring of highly skilled laborers.

Furthermore, the number of emigrants considerably exceeds the number of immigrants. More and more well educated Chinese are settling (temporarily) abroad. Of the current 50 million Chinese living abroad, 10 percent migrated after 1978. About 5 percent of Chinese abroad possess Chinese citizenship. According to estimates, China is the second largest recipient of emigrant remittances worldwide.¹³

Chinese leadership is trying to encourage well educated ethnic Chinese to come back to the People's Republic. The number of returned Chinese students abroad, for instance, reached a record high of around 273,000 in 2012. Many of these returnees are beginning careers in technological

Fig. 1: Destinations of the 50 million overseas Chinese

Source: Center for China and Globalization (2014).

branches, in the medical sector, in politics or in the management of multinational companies.¹⁴

Migration Policies

After the founding of the People's Republic of China, Chinese leadership pursued restrictive visa policies as well as exit policies, which was due to general skepticism of "anti-communistic" western nationals. Foreigners were only allowed to enter China on a case-by-case basis and had to undergo a lengthy visa application process. Access to the Chinese labor market for foreigners was in no way taken into account in the political agenda in this period. Instead, the entry and exit policies for foreigners and for those ethnic Chinese living abroad (with or without Chinese citizenship) were strictly controlled and only permitted when a valid passport and visa or proof of governmental authorization was presented.

During the Cultural Revolution (1966-1976), both entry into and exit from China was nearly impossible. Numerous foreigners who had already been living in China were denied permission to exit, many of whom were persecuted. In comparison to the foreign population of the Republic of China (1912-1949), the number of foreigners decreased drastically with the founding of the People's Republic of China (1949) until the year after the Cultural Revolution in 1977. For instance, in the northeastern Chinese city of Harbin which, however, presents a special case due to the high number of Jewish refugees and refugees from the Russian revolution, there were still 136,000 foreigners from 28 nations in 1946. By 1976, this number had declined to 393 foreigners from 5 countries.¹⁵

The Easing of Entry and Exit Conditions as of 1978

Reforms introduced in 1978 for the construction of a socialist market economy lightened the entry and exit conditions for foreigners, particularly for foreigners of Chinese ethnicity, who were assumed to be able to contribute to

the development of China. The corresponding regulations from 1983 are still in effect today. The Chinese leadership reserves the right to refuse the immigration of citizens from certain countries. Stricter visa conditions are in place for people from Afghanistan, Iran, Iraq, Turkey, Sri Lanka, Pakistan and Nigeria than for citizens of other states who want to enter China. The entry regulations for citizens of these countries of Chinese descent are, however, less strict.

Worth noting is the group of *Huaqiao*, Chinese living abroad who possess Chinese citizenship. Despite their Chinese citizenship, they are treated in part as foreigners because they do not actively participate in the political or economic events in China. If the *Huaqiao* were to return to the People's Republic for the purpose of seeking employment, they would have to, for instance, first apply for a kind of work permit with the responsible authority. However, in some areas they are treated preferentially to other foreigners. For example, *Huaqiao* who would like to return to the People's Republic receive a special support, e.g. financial support, which was determined by law in the 1990s. Moreover, there is the possibility for them to claim pensions in China.¹⁶

Central Laws for the Regulation of Entry and Exit of Foreigners

The Nationality Law of 1980 excluding dual citizenship that is still in effect today as well as the Law on the Control of Entry and Exit of Aliens in force since 1986 (hereafter Entry Law) decisively regulated the entry of foreigners and with it, indirectly, immigration into the People's Republic until the reforms introduced in July 2013. In the 1980s the right to enter and exit was first conceded to Chinese citizens with the passing of the Law on the Control of Entry and Exit of Citizens. As a result, institutions were established that offer legal consultation and information for Chinese citizens who would like to take up residence abroad for education, work or other reasons. Both entry laws for foreigners and Chinese citizens were, however, formulated in a generalized and ambiguous way. Additionally passed directives did not clarify the matter; particularly since many provisions were not accessible to the public and led to lengthy and complicated procedures in practice.¹⁷

Reforms since 2001

With China's acceptance into the World Trade Organization (WTO) in 2001, the Chinese government made the decision to further ease the still strict controls on entry to and exit from the country. Thanks to this decision, Chinese citizens are no longer required to show e.g. permission from their employer when they want to travel abroad. Certain groups of people (for example government representatives), however, are still excluded from this regulation.

The idea of granting foreigners long-term residence under certain circumstances was already introduced in the Entry Law of 1985-86. Vague formulations of the corresponding regulations and difficult to fulfill requirements led,

however, to only around 3,000 foreigners being granted a permanent residence permit by 2004.¹⁸

The Green Card System

In 2004, the official Green Card system came into force. Foreigners can now apply under certain requirements for a permanent residence permit (validity period of five years for minors, ten for adults). Green Cards can be given to people who hold high positions and whose work serves the economic, technological or scientific progress of China. Furthermore, it is also available for people who make sizeable investments in China and those who have come into the People's Republic for the purpose of family reunification.

In comparison to countries like Canada, Australia and New Zealand, the conditions for obtaining a Green Card are high, for example in reference to the required investment volume or regarding the required evidence of relevant work experience. As a result, few foreigners obtain a permanent residence permit. In 2011, the Chinese government issued 656 Green Cards, 53 percent of which were given to ethnic Chinese. In 2012, 1202 Green Cards were issued.

Chinese media specifically identify the Chinese overseas community as a potential target group of the Green Card. Chinese living abroad, together with the Chinese in Hong Kong and Macao, actually make the majority of foreign investments on the Chinese mainland.¹⁹

The Thousand Talents Program

In addition to the Green Card system, China is attempting to attract highly skilled foreigners and ethnic Chinese with various programs, and since 2008 with the "Thousand Talents Program". This program addresses people under 55 years of age who belong to one of the following groups:

- Foreigners who possess a higher academic degree and have published an article in a well-known journal or periodical;
 - Senior managers in a prestigious company or bank;
 - People that develop key technologies and have registered patents that are important to China; and
 - People that have successfully founded a business abroad.
- In practice, many applicants criticize the application process for its lack of transparency and unclear requirements for participants. Often which criteria actually applied to the specific applicant was only discovered during the application process.

In order to increase the attractiveness of the program, conditions for naturalization were lightened, among other things. Moreover, the central government provides successful applicants one million Yuan (about 116.918 euro) tax-free. They and their families are also entitled to receive social services like medical care and pensions. Their employers either provide free accommodation or a rent stipend. Successful applicants can apply for government funded support programs to e.g. receive funds for research projects.²⁰

With this program, the central government would like to accelerate long-term and sustainable growth of the Chinese scientific and technological sectors. The quota of candidates planned to be accepted into the program between 2004 and 2014 was set at 2,000, but by 2013, 3,000 people had already come to China.

Legal Labor Provisions for Foreigners

Foreigners are not permitted to take up self-employment in China. If they want to receive an employment contract in the People's Republic, they need a visa as well as both residence and work permits. As for the employers, they have to request a license for the legal employment of foreigners. Potential employees must at least have a Bachelors degree and show not less than two years of work experience in their respective areas of employment. As a rule, foreigners and companies that do not have the sufficient evidence required are fined. It is up to the discretion of the responsible authorities though to classify a case as particularly severe and expel the foreign employee from the country.

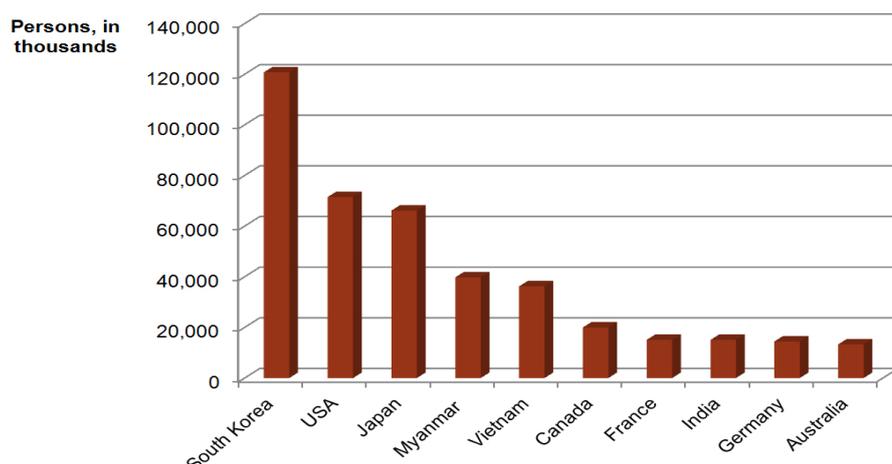
Chinese legislation reserves the right to refuse entry from the outset. This right is applied, for example, when there is suspicion of support of terrorist activities or attempted coups, or of the AIDS virus.²¹

The Reform of 1 July 2013

The entry laws for aliens and Chinese citizens were reformed on 1 July 2013 and incorporated into the Law on the Regulation of Entry and Exit. Among other things, the law led to the implementation of a new visa system that now contains its own visa category for highly skilled workers. These legal changes aim at a standardization of the process that is also of benefit to immigrants. In practice, however, reforms are implemented in a number of ways in the different Chinese regions and the relatively broad freedom of local authorities is appearing once again: A police clearance certificate for the issuance of a work permit does not have to be shown everywhere, and not all the authorities adhere to the extended processing time of 15 days for visa applications as proposed in the reform's framework. In Shanghai, after increased criticism of the extended processing time by applicants, those responsible decided to reduce the period to seven days.²²

The Immigrant Population

According to the 2010 census, at the end of 2010 Koreans made up the largest group of foreign migrants, consisting of 120,750 people, followed by U.S. citizens (71,493 people) and Japanese (66,159 people). In fourth and fifth place were immigrants from Myanmar (39,776 people) and Vietnam (36,205), respectively. Furthermore, in 2010, there were 19,990 Canadians, 15,087 French, 15,051 Indians as well as 14,446 German and 13,286 Australian citi-

Fig. 2: Foreign population in China: Top 10 countries of origin

Source: Census 2010.

zens in China. Forty-three percent of the foreigners were female, and 57 percent male.²³

Just under 70 percent of all foreigners (including people from Hong Kong, Macao and Taiwan) had lived at least a year in the People's Republic. The following motives for migration were indicated most often in the 2010 census: professional reasons (around 400,000 people), studies (around 200,000 people) and the wish to settle in China (around 187,000 people).

Geographical Distribution

The highest concentrations of foreigners are registered in the cities of Shanghai and Beijing, the provinces along the coast as well as in the southern Chinese provinces of Guangxi and Yunnan. Today the largest Korean community, with 200,000 people, is in Beijing. The largest Japanese community (over 50,400 people) lives in Shanghai's Gubei district. Other examples for the geographic concentration of individual migrant groups are the "African zone" in the southern province of Guangzhou in which an estimated 200,000 people from African countries live, and the "Street of the Middle East" in the southeastern city of Yiwu. It is here where Muslim traders have established the largest handling facility for small consignments worldwide. In addition, there is an increasing number of domestic workers from the Philippines in mainland China.

National Minorities

The national minorities also contribute to the cultural and ethnic diversity of the country. Ten of the 55 recognized minorities have a population of between 2-16 million: The Zhuang minority is the largest, with 16 million members, followed by the Manchu (10.7 million) and Hui (9.8 million). The total 106 million minority members only make up about 8.4 percent of the population. They can be found, however, on around 60 percent of the Chinese territory, including regions rich in raw materials, border areas and in the western part of the country.²⁴

Citizenship

The Citizenship Law, passed in 1980 and still in force today, regulates the issuance of Chinese citizenship. The law is based on the principle of *jus sanguinis*, and under it children with one or two Chinese parents are automatically granted Chinese citizenship, regardless of whether or not they were born on Chinese soil (Articles 4 and 5). The principle of ancestry is softened to the effect that children of Chinese people living abroad long-term do not obtain citizenship if the country in which they are born grants citizenship based on the territoriality principle (*jus soli*). This is intended to prevent

the dual citizenship, which is forbidden according to Article 3 of the Citizenship Law.

According to Article 9, Chinese people who have taken on another citizenship automatically lose their Chinese citizenship. This regulation has historical roots: in the first years after the founding of the People's Republic, the Chinese living in Southeast Asia were still allowed to possess dual citizenship. States such as Indonesia, however, that had only just become independent and, for the most part, were anti-communistic perceived this as a danger for their own state-building process. As a consequence, in order to avoid diplomatic tensions, China concluded a treaty with Indonesia prohibiting dual citizenship for the ethnic Chinese in Indonesia. The treaty entered into force in 1960. Government advisors have recently suggested moving away from the non-recognition of dual citizenship. So far, the government, however, has not changed its course.

Article 7 of the Citizenship Law allows for the naturalization of foreigners under certain conditions, for example if a close relationship with a Chinese citizen exists or if the persons concerned reside in China long-term. The number of naturalized people thus far, in particular those without a relationship with an ethnic Chinese person, is small.²⁵ In fact, the Chinese government does not use the issuance of Chinese citizenship to offer targeted incentives for potential (well-educated) returnees or investors.²⁶

Integration

Immigrant Integration

According to information from the United Nations, China is among the 53 percent of all developing nations without specific integration policies. Nevertheless, there are some approaches that at least aim at the integration of certain migrant and population groups. Worth mentioning in connection with this is the Law on the Protection of Rights and Interests of Overseas Chinese and Family Members of Overseas Chinese (1990, revised 2000). The law pro-

vides for preferential treatment of the overseas Chinese that wish to resettle in China. As an example, these people would have easier access to the job market.

If and to what degree foreigners with a permit for permanent residence in China are entitled to receiving social services is at present not written in any national laws. At the provincial level, on the other hand, provisions have already been laid down. In Shanghai for example, foreigners who have a long-term residence permit enjoy the same rights as Chinese citizens, also regarding unemployment insurance, access to education and health insurance.

Integration of Internal Migrants

In addition, integration policy measures exist in the context of Chinese internal migration.²⁷ These measures seek, for example, to enable integration of the 159 million Chinese internal labor migrants into urban working and living environments and to ensure access to education to the children of these internal migrants.

Integration of National Minorities

The integration of national minorities into the majority Han Chinese population is also on China's political agenda. According to law, discrimination against these minorities is prohibited and in certain areas they are, at least officially, given priority over the Han Chinese. The strict one-child policy does not apply to members of minorities and they sometimes receive easier access to schools and universities. Furthermore, the rights for minorities to protect their spoken and written language, to practice their religion and to participate in the political arena are legally founded. However, because there is no rule of law in China, members of minorities are not able to take legal action for their rights. In practice, discrimination and disadvantages remain existent in many areas. The legislation remains vaguely formulated and does not explicitly regulate, for example, how violations against existing anti-discrimination laws are to be punished. The systematic resettlement of Han Chinese in minority areas has also led to discontent among many non-Han Chinese.²⁸

Refuge and Asylum

Legal Framework

The People's Republic of China ratified both the 1951 Geneva Convention on Refugees and its complement, the 1967 Protocol relating to the status of refugees, though first relatively late in 1982. The right to asylum on the grounds of political persecution is set in the Chinese constitution. In practice, however, the implementation up to this point has been made difficult due to the lack of detailed provisions. Provisions for subsidiary and humanitarian protection do not exist. There is neither a national asylum law nor any corresponding state institutions. Refugees and asylum seekers in China are thus dependent on the support of the

UN Refugee Agency (UNHCR) which has had an office in Beijing since 1980 and acts as a spokesperson for refugees and asylum seekers to the Chinese government.

Refugee Flow

The number of refugees in China is growing annually by about 0.1 percent. In the middle of 2013, 301,068 recognized refugees and 289 asylum seekers lived in the country. The majority of refugees were Vietnamese citizens. After the Sino-Vietnam War of 1979, 300,000 ethnic Chinese, the majority of whom had Vietnamese citizenship, were repatriated back to China and recognized there as refugees. They are on equal terms with Chinese citizens.

Every year 100 to 150 people submit an asylum application to UNHCR in Beijing. Most people come from Somalia, Iraq and Pakistan. A readmission agreement made between China and North Korea caused quite an international sensation. In it China agreed to return North Korean asylum seekers back to North Korea, categorizing them as "economic migrants" that illegally enter China. North Korean asylum seekers who are married to a Chinese citizen and have children obtain a residence permit in some villages. The villages that have implemented these regulations are mainly located, however, in China's interior and western parts, less so in the northeast near the North Korean border. This example also shows how differently actors at the local level use their room for maneuver in implementing national standards.

Reforms

The reform of the Entry Law for Aliens in July, 2013 also affected the regulation of entry for refugees. Asylum seekers will, for instance, receive an identity card which allows them to reside legally in China until a decision on their asylum application is made. The UNHCR hopes that this reform represents a first step in the process of creating a national asylum law.³⁰

Irregular Migration

In 2011, the Chinese authorities investigated around 20,000 cases of irregular entry irregular residency and irregular employment (twice as many as in 1995). A number of irregular immigrants are African traders, particularly concentrated in the southern Chinese province of Guangdong. Representatives of the African community have strongly criticized Chinese police for how they deal with immigrants without valid documents. There are also Russian women who cross into China over the Russian-Chinese border in the northern Chinese province of Heilongjiang, where they often find employment in the entertainment sector.

Many of the irregular migrants come from China's neighboring countries such as Vietnam, Laos and Cambodia in search of employment in agriculture or factories in the south of China. Some enter with a work permit and stay in the country after its expiration, while others do not pos-

sess valid entry permits and are smuggled into the country. China has a pragmatic approach in dealing with (irregular) border crossings: In two border cities, Dongxing on the border to Vietnam and Ruili on the border to Myanmar, free trade zones have been created in recent years in which approximately 37,000 traders from neighboring countries legally reside. China considers the creation of such trading zones to be an opportunity to strengthen its economic relations with members of the Association of Southeast Asian Nations (ASEAN).

Marriage Migration

Another phenomenon is the irregular entry of “foreign brides”. Because the one-child policy has led to a surplus of men in Chinese society, some Chinese men “buy” their wives from countries like Russia, North Korea, Vietnam, Laos and Myanmar. In the province of Yunnan, near Myanmar, a pilot program is currently being tested to legalize entry for marriage purposes. Couples can have their marriage registered there, whereby the wife obtains a residence permit. In a marriage between a Chinese citizen and a foreigner, the latter only obtains an unlimited residence permit after s/he has lived at least nine months in China for five consecutive years.

Legal Regulations

According to data from the Chinese Department of Public Security, 2,614 foreigners were arrested in 2012 while attempting to illegally cross the Chinese border. So-called border patrol troops and armed special units of the police under the direction of the Department of Public Security are responsible for border security. The Entry Law for Aliens, reformed in July, 2013, also aims at the containment of irregular migration to China. Among other provisions, it provides strict penalties for overstaying a visa and for taking up illegal employment (now also for employers). What impact this law has on low skilled workers and in some cases foreigners working without valid permits – for example Filipino housemaids, African traders and brides from Korea, Russia and Myanmar – is still unknown. The law calls on the population to report suspicious people. Employers and universities should indicate to the police if they learn of any foreigner having secondary employment.³¹

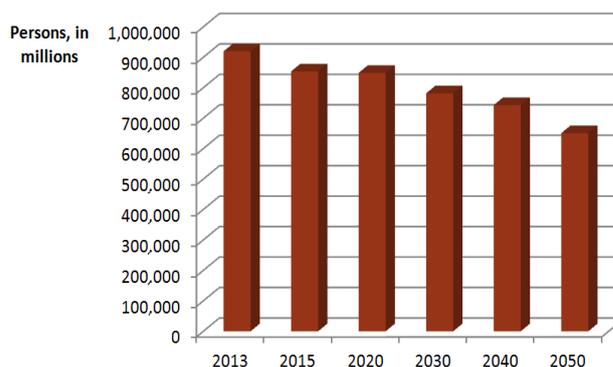
Current Developments and Future Challenges

Demographic Change

The number of foreigners that settle in China mid- to long-term has increased in the recent past. However, the percentage of immigrants in relation to the total population remains low, standing at 0.05 or 0.1 percent. The numbers emigrating are still surpassing those immigrating, and it can be assumed that this trend will not change in the near future. The demographic change has recently begun to hit

China as well. The population is aging and the birthrates are sinking so that in the future the working population will also shrink. With this in mind, China would do well to implement national migration policies that meet international standards which, among other things, give incentives for highly skilled laborers to come (back) to China.

**Fig. 3: China's aging population:
Working age population, 2013-2050**



Source: Estimates according to Harjani (2014).

Asylum System

Dealing with refugees and asylum seekers represents a further challenge. To fulfill their responsibility in the area of refuge and asylum as a signatory to the Geneva Convention on Refugees, passing a national asylum law and appointing the corresponding responsible institutions seems indispensable for the People's Republic. The introduction of identity cards for asylum seekers and the corresponding legalization of their residence until a final decision is made on their asylum request, and the attempt of Chinese authorities to grant refugee children access to education (presently in five provinces)³² are first steps in this direction.

Notes

¹ In this profile, unless otherwise indicated, the terms “People's Republic of China” and “China” include neither the special administrative regions of Hong Kong and Macao nor Taiwan.

² Schmidt-Glitzner (2008), Senz (2010), Shen (2011).

³ People from Hong Kong and Macao have Chinese citizenship. However, they occasionally have other rights and obligations than the Chinese from mainland China who may, for example, only travel to Hong Kong, Macao and Taiwan with an entry permit. Another example refers to the one-child policy that is not applicable in Hong Kong, Macao and Taiwan. Those people from

Hong Kong, Macao and Taiwan who are living in mainland China could be included under the term “foreigners” not only because of their different rights and obligations, but also because many population-related censuses of the Chinese government refer solely to the mainland population.

⁴ Senz (2010).

⁵ If not otherwise indicated, the data were obtained from the German Federal Office of Statistics and the Foreign Office.

⁶ The percentage of foreigners is 0.1 percent if those persons from Taiwan, Hong Kong and Macao who live in China are taken into account.

⁷ Five religions are officially permitted in the People’s Republic of China: Buddhism, Islam, Taoism as well as an alignment of Protestantism und Catholicism, the so-called Protestant and Catholic “state churches”. The recognized religions are controlled by the state and there are no reliable statistics on the number of followers for each individual religion. The following numbers serve as approximates (according to official data from 2000 and surveys by East China Normal University and Shanghai Academy of Social Sciences in 2005): Buddhism ca. 150-200 m followers, Protestant Christianity 25-35 m, Islam 11-18 m, Catholic church 8.5-13 m, and Daoism 5.5 m followers (Meyer 2009).

⁸ Perdue (2011), Vogelsang (2013), pp. 453, 458, Laytner (2011), p. 101.

⁹ Vogelsang (2013), p. 431, Peterson (2012), pp. 8-10, 107f.

¹⁰ Peterson (2012), pp. 103-108, 125, Chung et al. (2010), pp. 353f.

¹¹ Chung et al. (2010), p. 353.

¹² Central Government of the People’s Republic of China (no date a), Shen (2011), Anich et al. (2013), p. 77.

¹³ Center for China and Globalization (no date), Zhuang (2010), IOM (2012).

¹⁴ Wang (2013).

¹⁵ Kojimo (2003), p. 101, Liu (2011), pp. 5-8, 155.

¹⁶ Liu (2011), pp. 8, 10, 96f., Liu (2007), p. 220, Overseas Chinese Affairs Office of the State Council.

¹⁷ Liu (2011), p. 11, Liu (2009), p. 317, Liu (2007), pp. 255f.

¹⁸ Liu (2009), pp. 318f., Chung et al. (2010), p. 356.

¹⁹ Chung et al. (2010), pp. 356f., Liu (2011), p. 68, Financial Channel (2013), Skrentny et al. (2007), p. 805.

²⁰ People’s Daily Overseas Edition (2013), Liu (2011), pp. 103-105.

²¹ Liu (2011), pp. 27, 155, 181.

²² Zhang (2013), Lefkowitz (2013), Central Government of the People’s Republic of China (no date b), Matacic (2013).

²³ Shen (2011).

²⁴ Shen (2011), Ludwig (2009), pp. 8f., Senz (2010), Lai (2009), pp. 2-4.

²⁵ No statistics were accessible to the authors.

²⁶ Dan (2009), p. 27, GovHK (2010), Skrentny et al. (2007), p. 805.

²⁷ Lefkowitz (2013). For information on internal migration movements in China, see the dossier “Internal Migration in China – Opportunity or Trap?” at www.bpb.de/gesellschaft/migration/kurzdossiers/151359/internal-migration-in-china (accessed 11.2.2014).

²⁸ United Nations (2013), Liu (2011), pp. 54, 96f., Gransow (2012), pp. 3-8, Tursun (2011), pp. 7-15, Senz (2010).

²⁹ According to Guofu Liu, Prof. of Law and a migration expert, the Department of Security has taken over the task of deciding on asylum applications. Furthermore, the national English-language newspaper China Daily reported on a working group in the Min-

istry for Civil Affairs that addresses the question of how refugees are to be dealt with in the future (Zhao 2012).

³⁰ Liu (2011), pp. 89 f., 91-95, UNHCR (2013a), p. 58, United Nations (2014), Zhao (2012), Human Rights Liaison Unit (2013), pp. 2.

³¹ Wang (2012), Deng (2010), Chung (2010), p. 354, Zhang (2013), Shen (2011), Central Government of the People’s Republic of China (no date c), Liu (2011), Lefkowitz (2013), Denver Post (2012).

³² Wang (2012), Skeldon (2011), UNHCR (2013b).

References

- Anich, Rudolf/Brian, Tara/Laczko, Frank (2013), ‘Migration trends: Comparing the four pathways’, in International Organization for Migration (ed.), *World Migration Report 2013. Migrant well-being and development*, Geneva, pp. 52-85.
- Auswärtiges Amt (2013), *China*, www.auswaertiges-amt.de (accessed 2-9-2014).
- Center for China and Globalization (Zhong Guo Yu Quan Qiu Hua Zhi Ku), *Lun Zhong Guo Guo Ji Yi Min Bao Gao* (About the migration report), www.ccg.org.cn (accessed 3-1-2014).
- Central Government of the People’s Republic of China (Zhong Hua Ren Min Gong He Guo Zhong Yang Ren Min Zheng Fu) (no date a), *Yi Min Ding Ju: Wai Guo Ren* (Migration and settlement: Foreign citizens), www.gov.cn (accessed 3-1-2014).
- Central Government of the People’s Republic of China (Zhong Hua Ren Min Gong He Guo Zhong Yang Ren Min Zheng Fu) (no date b), *Guo Wu Yuan Ling 637 Hao* (Decision of the Council of State No. 637), www.gov.cn (accessed 2-16-2014).
- Central Government of the People’s Republic of China (Zhong Hua Ren Min Gong He Guo Zhong Yang Ren Min Zheng Fu) (no date c): *Wai Guo Ren Zai Zhong Guo Yong Jiu Ju Liu Shen Pi Guan Li Ban Fa* (Regulation on the issuance of permanent residence permits for foreign citizens), www.gov.cn (accessed 3-1-2014).
- Central Government of the People’s Republic of China (Zhong Hua Ren Min Gong He Guo Zhong Yang Ren Min Zheng Fu) (no date d), *Zhong Guo Zong Jiao Gai Kuang* (Overview on religions in China), www.gov.cn (accessed 2-16-2014).
- Chung, Kim-wah/Qi, Ji/Hou, Wenruo (2010), ‘China – A New Pole for Immigration’, in Segal, Uma A./Elliott, Doreen/Mayadas, Nazneen S. (eds.), *Immigration Worldwide. Policy, Practices and Trends*, New York: Oxford University Press, pp. 352-362.
- Choe, Hyun (2006), National Identity and Citizenship in the People’s Republic of China and the Republic of Korea, *Journal of Historical Sociology*, Vol. 19, No. 1., pp. 84-118.
- Dan, Shao (2009), Chinese by Definition: Nationality Law, Jus Sanguinis, and State Succession, 1909-1980, *Twentieth-Century China*, Vol. 35, No. 1, pp. 4-28.
- Deng, Jingyin (2010), Hordes of illegal workers crossing China’s borders, *Global Times Online*, 7-12-2010, www.globaltimes.cn (accessed 2-4-2014).
- *Denver Post* (2012), New China law targets foreigners working illegally, www.denverpost.com (accessed 2-9-2014).
- *Financial Channel* (Cai Jing Pin Dao) (2013), Lü Ka (Green Card), www.s1979.com (accessed 2-9-2014).

- GovHK (2010), Nationality Law of the People's Republic of China, www.gov.hk (accessed 1-30-2014).
- Gransow, Bettina (2012), Internal Migration in China – Opportunity or Trap? Institute for Migration Research and Intercultural Studies (IMIS) of the University of Osnabrueck, German Agency for Civic Education (bpb) (eds.), *focus Migration*, Policy Brief No. 19.
- Harjani, Ansuya (2014), *This is how fast China's workforce is shrinking*, www.cnbc.com (accessed 3-4-2014).
- Human Rights Liaison Unit (2013), *Submission by the United Nations High Commissioner for Refugees. For the Office of the High Commissioner for Human Rights' Compilation Report – Universal Periodic Review: People's Republic of China*, Human Rights Liaison Unit, Division of International Protection, UNHCR.
- International Organization for Migration (IOM) (2012), *China*, www.iom.int (accessed 2-1-2014).
- Kojimo, Kazuko (2003), 'China', in Gieler, Wolfgang (ed.), *Handbuch der Ausländer- und Zuwanderungspolitik. Von Afghanistan bis Zypern*, Politik – Forschung und Wissenschaft, Vol. 6, Münster: Lit Verlag, pp. 101-106.
- Lai, Hongyi (2009), The evolution of China's ethnic policies, *Background Brief No. 440*, www.eai.nus.edu.sg (accessed 1-25-2014).
- Laytner, Anson (2011), 'China', in Baskin, Judith R. (ed.), *The Cambridge Dictionary of Judaism and Jewish Culture*, New York: Cambridge University Press, pp. 100-102.
- Lefkowitz, Melissa (2013), Strike Hard Against Immigration: China's New Exit-Entry Law, *China Brief*, Vol. 13, No. 23, www.refworld.org (accessed 1-19-2014).
- Liu, Guofu (2007), *The Right to Leave and Return and Chinese Migration Law*, Leiden/Boston: Martinus Nijhoff Publishers.
- Liu, Guofu (2009), Changing Chinese Migration Law: From Restriction to Relaxation, *Journal of International Migration and Integration*, Vol. 10, pp. 311-333.
- Liu, Guofu (2011), *Chinese Immigration Law*, Farnham: Ashgate Publishing Limited.
- Ludwig, Klemens (2009), *Vielvölkerstaat China – Die nationalen Minderheiten im Reich der Mitte*, Munich: Beck.
- Maticic, Catherine (2013), China's New Visa and Residency Rules 'Trip Up' Foreign Businesses, *China Business Review*, www.chinabusinessreview.com (accessed 1-19-2014).
- Meyer, Christian (2009), *Religionen in China*, www.bpb.de (accessed 2-18-2014).
- Overseas Chinese Affairs Office of the State Council (Guo Wu Yuan Qiao Wu Ban Gong Shi), *Guan Yu Xiu Gai Zhong Hua Ren Min Gong He Guo Gui Qiao Qiao Juan Quan Yi Bao Hu Fa* (Changes regarding the legal protection of Chinese emigrants returning to China), www.gqb.gov.cn (accessed 2-16-2014).
- People's Daily Overseas Edition (Ren Min Ri Bao Hai Wai Ban) (2013), *Haigui yi zhongguo xiyin rencai cheng zhidu touming qu xingzheng hua shi yaowu* (Overseas Chinese state that more transparency and reduced bureaucracy are the keys to attracting the highly qualified), www.chinanews.com (Zugriff: 15.2.2014).
- Perdue, Peter C. (2011), *The First Opium War*, published in the framework of the project "Visualizing Cultures at the Massachusetts Institute of Technology" on the platform "MIT OpenCourseWare", <http://ocw.mit.edu> (accessed 1-18-2014).
- Peterson, Glen (2012), *Overseas Chinese in the People's Republic of China*, New York: Routledge.
- Senz, Anja-Désirée (2010), China. Zwischen kultureller Anpassung und Autonomie: Nationale Minderheiten in China, *Aus Politik und Zeitgeschichte* (APUZ 39/2010), www.bpb.de (accessed 2-8-2014).
- Sharma, Yojana (2013), *Thousand Talents academic return scheme under review*, www.universityworldnews.com (accessed 3-1-2014).
- Shen, Haimei (2011), *Inflow of International Immigrants Challenges China's Migration Policy*, Brookings Institution, www.brookings.edu (accessed 1-25-2014).
- Schmidt-Glintzer, Helwig (2008), *Kleine Geschichte Chinas*, Munich: C.H. Beck oHG.
- Skeldon, Ronald (2011), *China: An Emerging Destination for Economic Migration*, www.migrationpolicy.org (accessed 2-15-2014).
- Skrentny, John D./Chan, Stephanie/Fox, Jon/Kim, Denis (2007), Defining Nations in Asia and Europe. A comparative Analyses of Ethnic Return Migration Policy, *International Migration Review*, Vol. 41, No.4, pp. 793-825.
- Statistisches Bundesamt (no date), *China*, www.destatis.de (accessed 2-9-2014).
- Thunø, Mette (2007), 'Introduction: Beyond China Town. Contemporary Chinese Migration' in Thunø, Mette (ed.), *Beyond Chinatown: New Chinese Migration and the Global Expansion of China*, Copenhagen: Nordic Institute of Asian Studies (NIAS), pp. 1-34.
- Tursun, Gulazat (2011), *Integrating Minorities through Legislation: A Perspective on China*, <http://works.bepress.com> (accessed 2-1-2014).
- United Nations (2013), *International Migration Policies 2013*, United Nations, Department of Economic and Social Affairs. Population Division, www.un.org (accessed 2-1-2014).
- United Nations High Commissioner for Refugees (UNHCR) (2013a), *2012 Statistical Yearbook*, www.unhcr.org (accessed 2-2-2014).
- United Nations High Commissioner for Refugees (UNHCR) (2013b), *Chinese schools offer primary education for urban refugees*, www.unhcr.org (access 3-3-2014).
- United Nations (2014), *2014 UNHCR regional operations profile - East Asia and the Pacific*, www.unhcr.org (accessed 2-2-2014).
- Vogelsang, Kai (2013), *Geschichte Chinas*, 3rd revised and updated edition, Stuttgart: Reclam.
- Wang, Feng (2012), Demographic transition - Racing towards the precipice, *China Economic Quarterly*, June 2012, pp. 17-21.
- Wang, Huiyao (2013), China's Return Migration and its Impact on Home Development, *UN Chronicle - The Magazine of the United Nations*, Vol. L, No. 3, <http://unchronicle.un.org> (accessed 1-25-2014).
- Wang, Yamei (2012), China to strengthen management of illegal aliens, *Xinhuanet*, <http://news.xinhuanet.com> (accessed 2-5-2014).
- Zhang, Laney (2013), *Citizenship Pathways and Border Protection: China*, www.loc.gov (accessed 2-5-2014).

- Zhao, Yinan (2012), Legal status for seekers of asylum, *China Daily USA*, <http://usa.chinadaily.com.cn> (accessed 2-2-2014).
- Zhuang, Guotu (2010), Hua Qiao Hua Ren Fen Bu Zhuang Kuang He Fa Zhan Qu Shi (The distribution of Chinese emigrants), *Qiao Wu Gong Zuo Yan Jiu* (Research on Foreign Affairs), No. 4, <http://qwgzyj.gqb.gov.cn> (accessed 2-1-2014).

About the authors

Maren Opitz has a master's degree in International Migration and Intercultural Relations from the University of Osnabrück and is currently working for the German Youth for Understanding Committee in Hamburg. After completing her bachelor studies in Sinology, Civil Law and Language Acquisition Research she spent two years in China where she worked inter alia in the office of the Konrad Adenauer Foundation in Shanghai.

Email: marenopitz@yahoo.com

Lan Diao, Doctor of Educational Sciences in foreign language didactics with a focus on Chinese didactics, originally comes from Beijing and is currently a teacher for Chinese and German at a secondary school in Hamburg.

Email: lan.diao@gmx.de

ABOUT FOCUS MIGRATION

Publishers: Institute for Migration Research and Intercultural Studies (IMIS) of the University of Osnabrück, Neuer Graben 19/21, 49069 Osnabrück, Germany, phone: +49 (0)541 969 4384, fax: +49 (0)541 969 4380, email: imis@uni-osnabrueck.de

Federal Agency for Civic Education (Bundeszentrale für politische Bildung, bpb), Adenauerallee 86, 53113 Bonn, with the collaboration of Network Migration in Europe e.V.

Editorial staff: Vera Hanewinkel, Apl. Prof. Dr. Jochen Oltmer (head)
Translation into English: Jocelyn Storm

Map of China: <http://commons.wikimedia.org>

focus Migration country profiles (ISSN 1864-6220) and policy briefs (ISSN 1864-5704) are produced by the above-named cooperation partners. The information contained in these publications does not necessarily reflect the opinions of the publishers. Partial reproduction and citation are authorized, provided the source is acknowledged.

Further online resources: www.bpb.de, www.imis.uni-osnabrueck.de, www.migration-info.de, www.network-migration.org
Our country profiles and policy briefs are available online at: www.bpb.de