

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

Research Response Number: CHN33969
Country: China
Date: 31 October 2008

Keywords: China – Internal migration – Beijing – Hukou – Education – Returnees

This response was prepared by the Research & Information Services Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. This research response may not, under any circumstance, be cited in a decision or any other document. Anyone wishing to use this information may only cite the primary source material contained herein.

Questions

- 1. Please provide information on restrictions to, and legality of, internal migration and freedom of movement in China in such cases, including any difficulties the family or children may face with *hukou* registration and access to education. Could the family return to Beijing without problems?**

RESPONSE

- 1. Please provide information on restrictions to, and legality of, internal migration and freedom of movement in China in such cases, including any difficulties the family or children may face with *hukou* registration and access to education? Could the family return to Beijing without problems?**

Information for this response has been provided on [internal migration in China](#), [internal migration to Beijing](#), [internal migrant education in Beijing](#) and [Hukou registration for overseas returnees](#).

Internal Migration in China

Available information indicates that internal migration in China is legally controlled through the *hukou* or household registration system. The *hukou* system requires all Chinese citizens to register at birth according to their place of residence or household. Each citizen can only have one registered household. Public Security Bureau (PSB) authorisation is required in order to change ones' household registration and relocate to a new *hukou* zone. Reports indicate that individuals seeking to change from a rural *hukou* to an urban *hukou* may face particular difficulties in changing their household registration. Sources report that many people relocate in China illegally and thus do not gain *hukou* registration in their new area of residence.

Hukou documentation is however, required for education, marriage, gaining a passport, travel, employment and business licenses. The *hukou* is also necessary for couples acquiring a government approved birth quota to ensure they do not violate family planning regulations (Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 63-67 – Attachment 1; Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Section 2 & 7.1 – Attachment 2; US Department of State 2008, *Country Reports on Human Rights Practices 2007 – China*, 11 March, Section 2(d) – Attachment 3).

Dr Fei-Ling Wang, Professor at the Sam Nunn School of International Affairs, Georgia Institute of Technology provides comprehensive information on the Chinese *hukou* in his 2005 publication *Organising Through Division and Exclusion: China's Hukou System*. Wang provides the following information on the procedures required to internally migrate to another *hukou* zone:

Anyone who moves out of his *hukou* zone permanently (*qianyi*) must apply for a Migrant *Hukou* Certificate (*hukou qianyi zhang*) from the *hukou* police and then cancel his old *hukou* record and register at his new *hukou* zone. The Migrant *Hukou* Certificate serves as the legal proof of his *hukou* record for a specified period of time (no more than thirty days) until a new permanent *hukou* registration can be made at the migrant's destination. For rural residents resettling in urban areas, one of the following special documents is required in applying for a Migrant *Hukou* Certificate: an employment notice from an urban labor bureau above the county level, or proof of admission to an urban school (which must be a state accredited professional school, college or graduate school), or a special *Hukou* Relocation Permit (*hukou zhunqian zheng*) from an urban *hukou* authority. Any migration to a border region must be approved by a public security bureau at or above the county level.

... Anyone living outside his *hukou* zone (except in the same city or county) for more than three days must register with the local *hukou* police. A temporary *hukou* certificate (*zanzhuzheng* or *zanzhuzheng*, temporary residential permit) is issued to visitors who stay for more than three months. A temporary *hukou* is good for three to six months (up to a year if needed) and may be renewed by the local *hukou* police for officially accepted reasons. Travelers must register with their innkeepers for inspection by the local police. Violators are subject to fines, arrest and forced repatriation (Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 65-66 – Attachment 1).

A 2005 Issue Paper by the Canadian Immigration and Refugee Board (IRB) also provides information on the process for an individual seeking to legally change their permanent residential address. According to the report an individual must gain permission from the PSB. The report also states that to convert from a rural *hukou* to an urban *hukou* a person must generally have a fixed residence and stable employment within an urban area. The following are extracts from the report relating to *hukou* conversion and household registration changes:

The process of *hukou* conversion (*nongzhuanfei*) usually refers to the conversion of one's *hukou* from rural to urban (Chan, Kam Wing and Zhang 1999, 823; see also HRIC 6 Nov. 2002, 10). Although the requirements to obtain *nongzhuanfei* may vary among regions, generally a person's success in obtaining one depends on regional policy and quota controls, which determine who is entitled to an urban *hukou* and how many can get one (Chan, Kam Wing and Zhang 1999, 823; Zhang 2000, 6; see also Wang Jan. 2005, 50). A person may acquire *nongzhuanfei* through "regular" (institutionalized) or "special" (non-institutionalized)

channels (Chan, Kam Wing and Zhang 1999, 823; see also Wu and Treiman Oct. 2002, note 3; Zhang 2000, 7).

Regular channels include “recruitment by a state-owned enterprise, enrolment in an institution of higher education, promotion to a senior administrative job, and migration for personal reasons,” such as family reunification for reasons of sickness or care of children (Chan, Kam Wing and Zhang 1999, 823-827). Wu and Treiman list education, Communist Party membership and military service among the main factors in determining one’s eligibility for nongzhuanfei (Oct. 2002, footnote 3) (Section 3).

... Despite the regional variations, the qualifications required to obtain urban registration tend to be similar and often consist of having fixed residence and stable employment (usually one year on the job) in an urban area (Young 2002) (Section 5.2).

...*Hukou* issuance is the responsibility of the PSB (Carrillo 8 Dec. 2004; Canadian Consulate General in Hong Kong 9 Dec. 2004; Wang 9 Jan. 2005). **While people can travel relatively freely within China, in order to legally change permanent residence, one still needs approval from the PSB (ibid.).** Except for persons who are performing their military service, household registration is issued by the PSB office in the place of permanent *hukou* registration (Canadian Consulate General in Hong Kong 9 Dec. 2004), which is sometimes not the place of residence (Wang 9 Jan. 2005).

...If a request to change a person’s permanent *hukou* residence is approved, the individual must notify the PSB office in the original *hukou* zone to have his/her name deleted, as well as notify the PSB in the new *hukou* zone, where his/her name would be registered (Wang 9 Jan. 2005). This notification should be done within 30 days (ibid.). According to Beatriz Carrillo, in practice, migrants tend to seek prior approval only when travelling between provinces or to larger urban areas (8 Dec. 2004). Intra-provincial migrants, on the other hand, are less likely to register with the *hukou* authorities, since they can blend more easily with the local population (Carrillo 8 Dec. 2004) (Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Section 2 & 7.1 – Attachment 2).

The Regulations of the Peoples’ Republic on Residence Registration 1958 outline the legal obligations of Chinese citizens regarding household registration. The Regulations stipulate the following measures to be undertaken regarding the changing of residence:

Article 6. Citizens should register as permanent residents at their place of everyday residence; a citizen may register as a permanent resident only in one place.

...*Article 10.* When citizens transfer out of the jurisdiction of their house registration, they themselves or their heads of households shall, before they transfer, apply at a residence registration organ for outbound transfer registration, take out transfer certification, and cancel their residence registrations.

Citizens who transfer from rural areas to cities must proceed to the residence registration organs in their place of permanent residence, bearing engagement certifications from urban labor departments or enrolment certifications from schools or certifications permitting inbound transfers from urban residence registration organs in order to apply for institutions to begin outbound transfer procedures.

...*Article 13.* When citizens transfer, the persons in question or their heads of households shall, within three days of arrival at the place of inbound transfer in cities or within ten days

in rural areas, proceed to the local residence registration organ, bearing their transfer certificate, to apply for registration of inbound transfer and to hand in and annul the transfer certificates ('Regulations of the People's Republic of China on Residence Registration' 2001, *Chinese Law and Government*, Vol.34, No.3, pp.52–57 – Attachment 4).

The 2008 US Department of State (USDOS) *Country Report on Human Rights Practises* for China reports on expansions within the household registration system which have allowed “most citizens to move within the country to work and live”. The report states however, that many rural residents particularly “peasants” have not been able to gain urban household registration:

Although the government maintained restrictions on the freedom to change one's workplace or residence, the national household registration system continued to erode, and the ability of most citizens to move within the country to work and live continued to expand. Authorities heightened restrictions periodically, particularly curtailing the movement of individuals deemed politically sensitive before key anniversaries, visits of foreign dignitaries, and to forestall demonstrations.

The system of national household registration (*hukou*) underwent further change during the year. Rural residents continued to migrate to the cities, where the per capita disposable income was more than quadruple the rural per capita income, but many could not officially change their residence or workplace within the country. Most cities had annual quotas for the number of new temporary residence permits that would be issued, and all workers, including university graduates, had to compete for a limited number of such permits. It was particularly difficult for peasants from rural areas to obtain household registration in more economically developed urban areas (US Department of State 2008, *Country Reports on Human Rights Practices 2007 – China*, 11 March, Section 2(d) – Attachment 3).

Dr Fei-Ling Wang also reports on the difficulties for rural *hukou* holders converting to an urban *hukou*. According to Dr Wang the following ten caterogries are the main grounds upon which rural to urban hukou relocation is controlled:

- Permanent relocation through state employment and military service;
- Mobility for the powerful;
- Mobility for the wealthy;
- Mobility for the educated or talented;
- PLA relocation rights;
- Relocation through marriage;
- Policy favours and adjustments;
- Correction of past “mistakes”;
- Special cases;
- Incomplete or temporary relocation (Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford Univeristy Press, Stanford, pp. 91-96 – Attachment 5).

For further information on each hukou relocation category please see the following excerpt on “Hukou Relocation: Ways and Characterisitcs” from *Organising Through Division and Exclusion: China's Hukou System* (Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford Univeristy Press, Stanford, pp. 91-96 – Attachment 5).

Internal Migration to Beijing

Fei Ling Wang in his 2005 publication *Organising Through Division and Exclusion: China's Hukou System* describes the difficulties associated with gaining a permanent *hukou* in Beijing. According to Wang Beijing selectively grant *hukou* registration on the basis of education, talent, skill and wealth. Temporary resident permits are issued for manual and unskilled labour. Wang reports that:

While these historic reforms take place in small cities and towns, major urban centers retain their migration quotas and openly set high prices for their much sought after *hukou*. The most attractive cities such as Beijing and Shanghai have repackaged and polished their quota-based migration restrictions and have created ways to selectively grant certain migrants local urban *hukou* (the so-called blue-seal *hukou*) in a scheme nicknamed Using *Hukou* in Exchange for Talent and Investment. So far, these improvements have basically been enhanced efforts to allow the rich and the talented, educated, or skilled to move in permanently while keeping the poor, unskilled, or uneducated out of China's urban centers. The municipal governments in the urban centers are authorized to set and adjust their ever-changing standards and criteria measuring a migrant's net worth and talent or skills. For the much-needed manual labor and workers in those special industries like restaurants, hotels, and entertainment businesses, the *zanzhuzheng* (temporary-resident permit) remains the tool of *hukou* management.

In Beijing, a new sort of selective migration scheme took effect on October 1, 2001. Any outsider can now apply for Beijing's urban *hukou* but must meet a few very restrictive conditions and have a crime-free record. For a set of three urban *hukou* (self, spouse, and one child) in one of the eight central districts of Beijing, one must be a private entrepreneur who pays local taxes of more than 800,000 Yuan RMB a year for at least three years (or a total three-year tax payment that exceeds three million Yuan) and must hire at least a hundred local workers (or at least 90 percent of the employees must be local *hukou* holders). If applying for the same set of three Beijing urban *hukou* in the rest of the city outside the eight central districts, the tax payments and employment requirements can be halved (400,000 Yuan a year and fifty workers or 50 percent local hires).

Such a requirement essentially means that qualified applicants must be multimillionaires, still a tiny minority in China.

...The alternative is the housing-purchasing scheme first adopted in the mid-1990s. Any migrant may obtain a set of three Beijing urban *hukou* by purchasing a commercial housing unit, in a designated area, at a designated market price (at minimum a 100-square-meter apartment that costs at least 500,000 Yuan RMB, about fifty times the average annual income in Beijing), still subject to the available migration quota. A purchase of such high-end housing must be made with cash, since only local *hukou* holders can apply for mortgage loans and borrow from their pension plans to make the down payment. In a city that has at least 2.37 million temporary *hukou* holders, in 1999, only 715 families made such designated housing purchases in Beijing.

...Furthermore, the Chinese capital decided to offer its permanent urban *hukou* to any Chinese newcomer (along with spouse and any number of children under 18) who earned a bachelor degree or higher from any foreign college (Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 188 – 190 – Attachment 6).

Amnesty International's arch 2007 report *Internal Migrants: Discrimination and Abuse, The Human Cost of an Economic 'Miracle'* reports on the difficulties for internal migrants gaining temporary residency permits in Beijing. The report also states that a child born in

Beijing to rural parents will inherit their parent's *hukou* not a permanent Beijing *hukou*. The report provides the following information on household registration in Beijing:

Obtaining a temporary residential permit can be a time-consuming and costly process, although the fees and the documentation required ranges widely between localities. Until recently, fees for obtaining a temporary residential permit ranged from 200 to 500 yuan (US\$24-60) for a six-to-twelve month permit.(15) Some localities have recently lowered the fees and simplified the procedure. According to one informant, her permit cost between 100-150 yuan (US\$12-18) in 2001 in an area near Nonggang District, Guangdong Province, but now the cost is no more than 30-40 yuan (US\$3.60-5).(16) However, **it continues to be difficult to obtain a residency permit in Beijing. According to an internal migrant worker in Beijing “police don’t give them out easily, you have to have “guanxi”, meaning personal contacts.**

... *Hukou* designation remains a hereditary status inherited at birth from one's parents. Even under the reformed *hukou* system, **a Chinese child born in Beijing of Chinese parents who are originally from a rural village will inherit the *hukou* registration category of the parents' home-town. This will prevent him or her from being able to obtain permanent Beijing residency, and condition the child's chance of enjoying free, compulsory, education, the right to health care, and protection in the workplace if he or she should remain in Beijing long enough to start work.** While the system has abolished the terminology of “rural” versus “urban” *hukou* categories, the designation of being a “temporary” versus a “permanent” resident in a city serves to condition the enjoyment of a wide range of rights as effectively as the old designations. And, according to current eligibility standards in most localities, the vast majority of internal migrants are unable to obtain permanent urban *hukou* (Amnesty International 2007, *Internal Migrants: Discrimination and Abuse. The Human Cost of an Economic Miracle*, March, pp.5 & 39 – Attachment 7).

On 6 March 2008 *China Daily* reported on a migrant couple who could not gain *hukou* registration for their son born in Beijing even though they had worked in Beijing for a five year period and had also bought an apartment in Beijing. The couple took the local police station to court but the case was dismissed. *China Daily* reports that:

Hoping to register their newborn son's “*hukou*” in Beijing, a migrant couple took a local police station to court. Although they knew that there was little chance they could win the lawsuit, the couple said “We just want to know how the court will rule the case.”

Like other migrant families in Beijing, if the father Zhang Yong wants to give their newborn son, Shuoshuo, a legal household registration record, he only has two choices: register their son's “*hukou*” at either of the couple's birthplaces, or buy the baby a Beijing “*hukou*” with tens of thousands of RMB.

...Zhang Yong was born in northeastern China's Anshan city, and his wife Wang came from a small town in north China's Hebei Province. In this case, according to relevant regulations, their son can only register his *hukou* in either of the parents' birthplaces. But Zhang Yong couldn't accept this.

Zhang has been working in Beijing for over five years, and in 2005 the couple bought a commercial apartment in Beijing. They even planed to take their parents to Beijing so the whole family can reunite. But if their son's *hukou* can't be registered in Beijing, the boy has to go to other cities for school in the future.

...On January 11, 2008, Zhang Yong sued the police station at the local court in Changping district. On February 15, Zhang was informed that the indictment was dismissed. It said that the case was beyond their jurisdiction of the court ('Where should we register our son's hukou' 2008, *China Daily*, 6 March – Attachment 8).

A 2005 IRB Issue Paper reports on the high fees for an urban *hukou* in large cities such as Beijing. The report also states that in 2003 Beijing made some reforms to allow rural students and the children born from rural mothers in Beijing to gain urban *hukou*. The issue paper provides the following information:

The high fees associated with obtaining an urban *hukou* in large cities, such as Beijing, Shanghai, Guangzhou and Shenzhen, which are the most attractive to migrants, made access to these cities out of reach for most (Wang Jan. 2005, 188; HRIC 6 Nov. 2002, 17; *China Labour Bulletin* 26 Feb. 2002; see also Chan, Kam Wing 2004) (Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Section 5.2 – Attachment 2).

Internal Migrant education in Beijing

The 2005 IRB Issue Paper reports that in Beijing having an urban registration is essential to gaining access to some government services including education. The IRB report that:

The application of HRS reform policies promulgated at the national level varies widely among the different provinces and cities (Young 2002; Carrillo 8 Dec. 2004), making generalizations impossible (*ibid.*). According to Beatriz Carrillo, "liberalization" of the HRS is more likely in smaller urban areas, whereas the larger urban centres tightly manage their HRS (28 Jan. 2005; see also Chan, Kam Wing 2004). **For example, in Beijing, Tianjin and Shanghai, having an urban registration remains essential to secure social security, welfare, education, accommodations and employment prospects** (Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Section 5.2 – Attachment 2).

The 2005 publication *Organising Through Division and Exclusion: China's Hukou System* provides information on the provision of education for migrant children in Beijing. According to Dr Wang all public schools must legally provide "guest classes" for migrant children. Private schools for migrant children are also legal under 1998 legislation. Wang reports that guest classes for migrant children in Beijing are prohibitively expensive and that despite the existence of less expensive private schools for migrants "more than 87.5 percent of the estimated 100, 000 school-age migrant children in Beijing were still excluded from any type of schooling for the lack of money":

Under the PRC hukou system only people with permanent local hukou can send their children to the local public schools at the state-subsidized cost. In 1996, to enforce the national policy of mandatory education among the millions of migrants, the State Education Commission issued a regulation to address the education among the millions of migrant school-age children. The hukou police were first required to restrict the migration of school-age children so they could continue their mandatory education in their home town or home village, if any relatives there could be found to serve as nonparent guardians. In March 1998, the MPS and the Ministry of Education (formerly the State Education Commission) jointly issued a new regulation that requires the public schools of all cities to organize guest classes for the migrant children, with appropriate and reasonable additional fees. The regulation also legalizes the previously illegal private schools created exclusively for migrant children.

The 1998 regulation acknowledged the serious problem of no education for massive numbers of migrant school-age children and outlined new policies to accommodate that fact. Yet “different localities have reacted very differently: some support but some stop the implementation” of the 1998 regulation. Most frequently, the urban schools simply charge the guest students hefty fees to keep them away.

In Beijing, the guest-class tuition averages 500 Yuan RMB, in addition to a one-time entrance fee of 2000 – 6000 Yuan, plus other fees, making the annual cost 1080 -2580 Yuan per student, a hefty sum for most migrant families, whose annual savings average only 2400 Yuan per household (out of an average annual income of 15600). In 1999- 2000, there were as many as 114 private schools established in Beijing exclusively for migrant children (half of them opened after 1998). All were run by nonprofessionals (including some illiterates) and often without the most basic equipment. These substandard schools charged only 300-600 Yuan per year. But more than 87.5 percent of the estimated 100, 000 school-age migrant children in Beijing were still excluded from any type of schooling for the lack of money to attend even those low-quality private schools. The largest and best-run private school for migrant children, the Beijing Xingzhi School (established in 1994 and with 2000 students in 2000), was banned and forced to relocate three times by local governments in three years. In 1997, police in the Fengtai district of Beijing closed down over one dozen private schools for migrant children so as to control and reduce the migrant population in the district. Migrant shop owners in Beijing interviewed in November 2003 believed that they would never become real Beijing residents as long as their children were excluded from local schools and college admissions (Wang, F.L. 2005, *Organising Through Division and Exclusion: China’s Hukou System*, Stanford Univeristy Press, Stanford, pp.193-194 – Attachment 6).

On 11 July 2008 The *Christian Science Monitor* reported on a school in Beijing for unregistered migrant children. The report states that:

All of the children in this school are from provinces across China; none have legal permission to attend the Beijing public schools. Their parents are migrant workers, part of China’s massive floating population, and they lack hukuo, or residency permits. So the children are here, at Xingzhi Primary School for migrant children on Beijing’s western outskirts.

...It is difficult to know how many children are in migrant schools in China, because most are not officially sanctioned. But according to official Chinese media sources, more than 300,000 migrant children in Beijing attend 300 schools.

Private charitable groups put the number even higher – 500,000 children, according to Compassion for Migrant Children, a group that helps fund and nurture migrant children’s schools. If these schools – whose quality varies widely – did not exist, the children would either be left behind in their villages with relatives or left on their own all day in the big cities while their parents worked, spawning a new generation of uneducated laborers (‘Unofficial schools aim to boost prospects of China’s migrant children’ 2008, *Christian Science Monitor*, 11 July – Attachment 9).

The *China Daily* report, dated the 6 March 2008 describes the additional education costs for unregistered migrant children in Beijing. Regarding a migrant child the report explains that:

If he wants to be enrolled in a school in Beijing, the family has to pay an extra fee to the school, which is called temporary studying fees (a kind of schooling fees only for migrant children). Although the amount of the fee has been decreasing in recent years with the intervention of the Beijing municipal government, according to government rules, the fee adds up to 17,400 yuan for a kid to finish high school education.

They also need to give the school more money as sponsor fee, which is set by the school individually and is much higher than the temporary studying fees.

Zhang Yong took his friend's son for an example. Each year, the boy needs to give his school an average of 10,000 yuan as sponsor fee. Zhang deduced that they should prepare over one hundred thousand yuan for their son before he enters college.

"And preschool education expense hasn't been included," said Zhang. Take a kindergarten near Zhang's home for an example, each year, they charge a migrant student over 30,000 RMB as sponsor fee.

The extra charge adds huge burden to the migrant families. But it's not the worst. After graduating from a high school, the child has to return to the place where his "hukou" was registered to take part in the college entrance exam, which is the rule.

There is only one way to help Zhang Yong solve all the problems – buying his son a Beijing hukou. Zhang said that he really thought this over before. The price is 200 thousand RMB, which is a bit less than the heavy schooling fees he has to pay in the next 12 years ('Where should we register our son's hukou' 2008, *China Daily*, 6 March – Attachment 8).

Amnesty International's August 2007 report *Internal Migrants: Discrimination and Abuse, The Human Cost of an Economic 'Miracle'* reports on the lack of access to quality education for internal migrant children. The report also describes the forced closure of migrant schools in Beijing during 2006:

Millions of internal migrant children still struggle to get a decent education. Many of those who live with their parents in the city are effectively shut out of state schools, because their parents are not legally registered, or by the high school fees, or their failure to pass qualifying exams administered by schools. Private schools set up especially by internal migrants for their children, on the other hand, face sudden, possibly discriminatory, closure by local governments, and offer lower quality education than state schools. Because of these challenges, millions of migrants choose to leave their children behind in the countryside, sometimes even without adequate guardians, rather than bring them to the cities. As a consequence children of internal migrants as a group are denied the same educational opportunities as their peers in urban areas and are denied the right to education, which at least at the primary stage must be compulsory and available free to all.

...In August 2006 local authorities initiated a sweep of internal migrant schools in Haidian district, Beijing, on the grounds that these schools were not licensed, operated dangerously, and violated health and safety regulations, in what appeared to be a concerted "clean-up campaign".

...Haidian district educational authorities' gave assurances that students in schools being shut down would be reassigned to state schools. The sudden closures nevertheless created hardships and uncertainty for thousands of families. Many parents did not want their children to be transferred to a state school, for reasons including the high fees and the hostile atmosphere. Mr. Zhao, the father of two daughters attending Eternal Hope School that was shut down, complained that even if his children were reassigned to a state school, he would not be able to afford the fees. At the Eternal Hope School he only had to pay a 300 yuan fee for the whole year. Another parent, Ms. Zhang, expressed anger at the local authorities, saying their methods of dealing with the situation were "unreasonable and violent". In her view, "the students, teachers, and resources of this school are good. Why did they need to go and shut this school down?" At the time that classes were to begin in the fall, the reassignments to state schools had not yet been made. Furthermore, it appears that in practice not all children were reassigned in a timely fashion, with some being forced to return to their home-towns (Amnesty International 2007, *Internal Migrants: Discrimination and Abuse. The Human Cost of an Economic Miracle*, March, pp.23 & 28 – Attachment 7).

Hukou Registration for Overseas Returnees

Limited information was found in the sources consulted on household registration for individuals returning from overseas. However, available reports indicate that returnees can re-register for household registration at the place of their previous *hukou*.

The 2005 publication *Organising Through Division and Exclusion: China's Hukou System* states that:

Those traveling overseas for more than a year must cancel their hukou when applying for their passports and may restore their previous hukou upon returning permanently (Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, p.66 – Attachment 1)

A 2005 IRB Issue Paper also reports that:

Guangzhou natives working or studying abroad are allowed to re-register at their previous permanent *hukou* residence upon their return (Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February, Section 5.3 – Attachment 2).

List of Sources Consulted

Internet Sources:

Government Information & Reports

Immigration & Refugee Board of Canada <http://www.irb.gc.ca/>

UK Home Office <http://www.homeoffice.gov.uk>

US Department of State <http://www.state.gov/>

US Department of State website <http://www.state.gov>

United Nations (UN)

UNHCR <http://www.unhcr.ch/>

Non-Government Organisations

Amnesty International website <http://www.amnesty.org/>

Freedom House <http://www.freedomhouse.org/template.cfm?page=1>

Human Rights Watch <http://www.hrw.org/>

International News & Politics

BBC News website <http://news.bbc.co.uk/>

Search Engines

Google search engine <http://www.google.com.au/>

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

RRT Library Catalogue

List of Attachments

1. Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 62-69.
2. Immigration and Refugee Board of Canada 2005, *China: Reforms of the Household Registration System (Hukou) (1998-2004)*, February.
3. US Department of State 2008, *Country Reports on Human Rights Practices 2007 – China*, 11 March.
4. 'Regulations of the People's Republic of China on Residence Registration' 2001, *Chinese Law and Government*, Vol.34, No.3, pp.52–57.
5. Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 91- 101.
6. Wang, F.L. 2005, *Organising Through Division and Exclusion: China's Hukou System*, Stanford University Press, Stanford, pp. 188 – 195.
7. Amnesty International 2007, *Internal Migrants: Discrimination and Abuse. The Human Cost of an Economic Miracle*, March.
8. 'Where should we register our son's hukou' 2008, *China Daily*, 6 March. (CISNET China CX196801).
9. 'Unofficial schools aim to boost prospects of China's migrant children' 2008, *Christian Science Monitor*, 11 July. (CISNET China CX205109)