

# Emigration from China: A Sending Country Perspective

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## ABSTRACT

This paper aims to provide a comprehensive overview of the policies pursued by the People's Republic of China (PRC) regarding the emigration of Chinese nationals. Most of the available literature on migration management has focused on receiving countries. With a few exceptions, little attention has been directed at migration management policies pursued in countries of origin. In the case of the PRC, policies regarding overseas Chinese have been fairly well documented and researched, but very little has been written about how the Chinese authorities manage ongoing emigration flows. This gap becomes particularly salient as the importance of the "partnership with the countries of origin" in devising migration policies is being increasingly acknowledged by receiving countries in Europe (Commission of the European Communities, 2000).

Over the last 20 years, there have been significant changes in the Chinese Government's policies and perspectives on emigration. But, just like most other governments, the Chinese authorities do not have a single blanket policy covering all categories of emigrants. Emigration is normally managed on a case-by-case basis and the Government's attitude toward the same type of emigration may vary depending on different cases and circumstances. Because of this, this article examines China's major emigration-related policy spheres one by one. Specifically, six issues will be discussed: (1) exit control; (2) diaspora policy; (3) student migration; (4) labour export; (5) regulations on emigration agencies and, finally (6) the Government's response to human smuggling.

This article shows both the coherence and the fragmentation in China's policies toward emigration. The coherence is due to the fact that all the policies are inherently linked to China's overall economic and social development strategy. The emigration management regime is sometimes fragmented partly because emigration consists of different streams and is handled by different Govern-

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ment departments, partly because some emigration issues (such as regulations on emigration agents) are very new for the Chinese Government and the authorities are still exploring them. Overall, the Chinese authorities increasingly see emigration as a means to enhance China's integration to the world and are keen to avoid conflicts with the international community over migration issues. At the same time, China's emigration policies need to be more balanced, in particular, the emigration of unskilled labour should be given more priority.

## INTRODUCTION

The purpose of this paper is to provide a comprehensive overview of the policies pursued by the People's Republic of China (PRC)<sup>2</sup> and its perspective regarding the emigration of Chinese nationals. Most of the available literature on migration management has focused on receiving countries. With a few exceptions, such as in the cases of the Philippines, South Korea, and Mexico, relatively little attention has been directed at migration management policies pursued in countries of origin. In the case of the PRC, policies regarding overseas Chinese have been fairly well documented and researched (Wang, 1984; Guerassimoff, 2000; Thunø, 2001; Bolt, 2000; Nyiri, 2000; 2002), but very little has been written about how the Chinese authorities manage emigration flows from China.<sup>3</sup> This gap becomes particularly salient as the importance of the "partnership with the countries of origin" in devising migration policies is being increasingly acknowledged by receiving countries in Europe (Commission of the European Communities, 2000).

Over the last 20 years, there have been significant changes in the Chinese Government's policies and perspectives on emigration. The overall change can be described as a trend toward "neutralization". This neutralization has two facets. First, domestically, the Chinese Government has been de-coupling emigration and politics. Emigration is increasingly seen as a matter of individual rights and unrelated to the person's role in the state system. The Government has announced that exit and entry management should be an area of service rather than of control. This has given Chinese citizens unprecedented freedom of international movement and is set to further increase the volume of emigration. Second, internationally, China firmly opposes any linking of migration with ideological and political issues. China has been cooperating with the international community, particularly in fighting human smuggling, but the Government has also made it clear that the dialogue and cooperation should not include such issues as the human rights situation in China. In other words, China wishes to deal with migration as an apolitical and neutral matter. This neutralization opens the potential for technical cooperation between receiving countries and China, but it also implies that the international community should accord sufficient sensitivity to China's concerns. A more detailed summary of China's policies and perspectives on emigration will be offered at the end of the paper.

It must be emphasized that it would be unrealistic to expect the Chinese authorities, just like most other governments, to have a blanket emigration policy covering all categories of emigrants. Emigration is normally discussed on a case-by-case basis and the government's attitude may vary depending on different cases and circumstances. Because of the lack of a single, all-embracing policy on emigration, this article will examine China's major emigration-related policy spheres one by one. Specifically, six issues will be discussed: (1) exit control; (2) diaspora policy; (3) student migration; (4) labour export; (5) regulations on emigration agencies; and, finally (6) the Government's response to human smuggling.

This article will show both the coherence and the fragmentation in China's policies toward emigration. The coherence is because all of the policies are inherently linked to China's overall economic and social development strategy. The emigration management regime is sometimes fragmented partly because emigration consists of different streams and is handled by different Government departments. A further reason is that some emigration issues (such as regulations on emigration agents) are very new for the Chinese Government and the authorities are still exploring them.

As mentioned above, China's policies and perspectives on emigration flows are a largely unexplored area of research, and literature on this topic is scarce. This paper is based on information from various research reports, government documents (mainly Chinese), press releases, and the author's own long-term involvement in research on Chinese migration and social changes in a key sending area of European-bound migration, namely the Wenzhou prefecture in Zhejiang province, south-eastern China.

## EXIT CONTROL: BORDERS AND PASSPORTS

The departure of a Chinese national is normally regulated by two means – border controls and the passport system.

### **Border areas and border lines**

After the foundation of the PRC in 1949, the national border was highly politicized. The border was not only a symbol of sovereignty, but was also perceived as a faultline between the "socialist" and "capitalist" worlds. Chinese who emigrated spontaneously were seen as betraying the socialist ideology. There was little concept of "human smuggling" or "illegal exit", instead spontaneous emigration was sometimes called "betraying and fleeing" (*pantao*). Because of the politicization of borders and the perceived vulnerability of border areas to possible enemy attacks, particularly from Kuomintang's Taiwan before the 1980s, the PRC Government invested very little resources for economic development in border

areas such as southern Zhejiang and coastal Fujian province, which are close to Taiwan. As a result, these areas were economically impoverished, but faced less administrative interference from the central government in their day-to-day life compared with other provinces (see Liu, 1992; Thunø and Pieke, forthcoming). Partly because of this, these areas developed private economies much earlier than other parts of China, which is an important reason for large-scale emigration, as we will see.

After the Cultural Revolution (1966 to 1976), the implications of frontier areas completely changed. These once politically highly sensitive areas are now among the most economically vibrant places. The change started with the creation of four Special Economic Zones in 1979. Among the four zones, Shenzhen, Shekou, and Zhuhai are located in Guangdong province, which is geographically adjacent to Hong Kong and Macau, and the other zone, Xiamen, is in Fujian province, opposite Taiwan. In 1984, China opened 14 coastal cities<sup>4</sup> to overseas investment. Export-oriented enterprises and private economic enterprise are encouraged in these places and bureaucratic interference from Beijing was curtailed.

Almost all the major emigration areas are close to these port cities and there are good reasons for this. Apart from the well established migrant networks which resulted from a long migration history, developed private economies in these places provide more means of capital mobilization for emigration and also result in deeper economic disparities among the residents, which have pushed the relatively poor to use emigration as a way to improve their economic and social status at an early stage (see K.L. Chin, 1999). Another important reason that merits special attention is the relatively weak control of these areas by the central government. In fact, the remarkable economic success of the coastal areas has led to notions in China that the rigid observance of central policies will not be conducive to local development. A popular saying among Chinese officials says: “speeding up on seeing the green light, passing through slowly on the yellow light, and getting around the red light” (*kanjian lüdenɡ gankuai zou, kanjian huangdenɡ manman zou, kanjian hongdenɡ randao zou*). “Lights” refer to the central government’s policies, and “speeding up” or “getting around” are seen as strategies essential for local development. Smuggling of goods and irregular emigration are sometimes regarded as local development strategies, and are, therefore, accorded a certain degree of legitimacy. Local resistance against cracking down on illegal migration has been documented by some research (e.g. K.L. Chin, 1999) and the resistance should be partly understood in this context. Yet it is important to stress that local governments’ promotion of emigration does not necessarily increase illegal departures. A recent comparative study of two prefectures in Fujian province revealed that emigration from the area where government supports emigration more explicitly actually takes place in a more orderly manner and is less penetrated by “snakeheads” (human smugglers) (Thunø and Pieke, forthcoming).

More recently, trade and migration in and through land border areas have also increased rapidly. Since 1989, border trade (*bianmao*) has become a new business in China. Heihe, Suifenhe, and Manzhouli, towns in the provinces of Heilongjiang and Inner Mongolia bordering Russia, were pioneering areas in *bianmao*. Xiang (2000) has documented how some businesspersons, who initially migrated from southern Zhejiang to Beijing, moved to Russia and some eastern European countries following *bianmao*. From the early 1990s, bilateral relations between China and Viet Nam improved and Viet Nam launched its market-oriented reform. Towns such as Henei in Yunnan province soon became vibrant trading ports with numerous traders and labourers crossing the border in both directions. It is significant that Yunnan was the province that issued the highest number of passports in 2001, ahead of Guangdong, Shanghai, Fujian, and Zhejiang (Sun, 2002a). In 2000, the Shanghai Cooperation Organization (SCO) was created as a border agreement among Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan, China, and Russia. This agreement aims to promote economic cooperation among the countries and to work as a potential counter force against American penetration in the region. So far no data are available as to how many Chinese have crossed these borders, but the figure is believed to be high.

Border control is the most immediate means of regulating migration. It involves many bodies, such as the military, customs, public security, and state security departments. In China, the border control related to individual mobility is directly supervised by the Ministry of Public Security (MoPS), with the Frontier Defense Department and Border Police Stations as key organs for implementation.<sup>5</sup> In fighting human smuggling, tightening border control is believed to be the most effective strategy in the short term. According to a report by James Chin, in some counties of Fujian the heads of border control police stations would be punished or even fired if human smugglers were found in their administrative areas. Task force teams were regularly sent by the central government to the south-eastern provinces to monitor border control. Local police authorities were asked to submit reports on the recent situation regarding illegal emigration (J. Chin, 2001: 7-8). But it must be recognized that frontier areas are often socially embedded in larger border areas. For instance, officials in charge of border control often have deep-rooted connections with residents in the border areas. While tightened surveillance on borders can yield immediate results in fighting irregular migration, the socio-economic situation of border areas, including their special relations to the central government, as mentioned earlier, must be taken into account when devising long-term policies.

### Passport system

Currently, China has four types of passports, namely diplomatic passports, public passports, ordinary passports, and Hong Kong and Macau Special Administrative

Region passports. The “ordinary passport” has two subcategories: ordinary public passports and ordinary private passports. Ordinary public passports are issued for middle and low-level government staff and employees of state-owned enterprises. Immediately after the founding of the PRC, all passports were issued by the Ministry of Foreign Affairs (MoFA). From 1 January 1957, the MoPS took over the responsibility of processing the applications for passports for private purposes, but other types of passports are still being issued by the MoFA. The State Council (1956) required provinces from where large numbers of overseas Chinese originated, such as Guangdong and Fujian, to set up special offices within the Bureau of Public Security to regulate exit and entry. Besides passports, seamen’s exit papers are another type of exit certificate, but, curiously, we found no reports suggesting that this type of exit paper was widely used for illegal exit.

The ordinary public passport is unique. This category is a typical product of the pre-reform regime under which citizens are first and foremost political subjects rather than individuals. International travel (sometimes even internal travel) was strictly regulated according to the traveller’s administrative rank. The co-existence of ordinary public passports and private passports enabled many officials to have two passports at the same time. There have been some incidents where officials who were under investigation, often related to corruption, fled China by manipulating private and public passports. There are a total of 57 institutes in China issuing ordinary public passports (Zhong, 2002) and not all the institutes and staff involved can be tightly regulated. It was reported that some illegal migrants had managed to obtain ordinary public passports and to go overseas as part of official delegations.

China has been simplifying its passport regulations since the 1980s. In 1985, the Government passed a new emigration law, which grants ordinary citizens passports as long as they can provide invitation letters and sponsorships from overseas.<sup>6</sup> After the 1989 Tiananmen incident, some special exit permit requirements were imposed, but only for a short period of time. A policy adopted in 1994 permits the departure from the country without an exit permit if the traveller has gone abroad at least once before for the same purpose (Home Office, 1995). In November 2001, the MoPS announced more far-reaching plans for reforming the passport system. Since 2002, residents of four “experimental locations” for passport regulation reform, all located in Guangdong province, are able to apply for passports with an ID card only. Nearly 20 administrative procedures were terminated and the simplified processing takes as little as three working days. The Public Security Bureau of Zhongshan city, one of the locations for the experiment, received about 2,000 applicants per day following the adoption of the new regulations (Liu and Dingyong, 2001). To bring China in line with international practice following its accession to the World Trade Organization (WTO), by 2005 all Chinese citizens in the cities and larger towns will be able to apply for a passport by presenting their identity card and residence documents.

Along with this, China is considering cancelling the category “ordinary public passports”. From 1 April 2002, all personnel assigned overseas by Chinese companies, regardless of the ownership structure of the companies, were to be given private rather than ordinary public passports. Under the old regulations, the employees were given ordinary public passports and the passports were held by the employers rather than by the employees themselves. Labour-exporting companies had normally used the public passport as a means of controlling workers’ activities overseas. With the replacement of ordinary public passports by private passports, individuals have far more freedom of mobility and are also more likely to overstay or shift to other migrant categories while they are overseas. But, at the same time, the reform enables the state to exercise better control over exit. For example, by simplifying the passport system, the customs and border control authorities can establish unified monitoring systems of all citizens’ movements in coordination with the public security bureau.

### DIASPORA POLICY: OVERSEAS CHINESE, CHINESE OVERSEAS, AND “NEW MIGRANTS”

The PRC had relatively well articulated policies regarding overseas Chinese since its foundation (see Appendix 1). Since China’s diaspora policies have been well studied, this section focuses on three significant recent changes in this policy regime. First, there has been an expansion in the scope of China’s diaspora policies. In the beginning, the PRC drew a clear line between “overseas Chinese”, i.e. Chinese citizens who reside overseas and “Chinese overseas”, i.e. ethnic Chinese with foreign citizenships. In 1955, partly due to the strong concerns by South-East Asian countries over the high presence of Chinese and the fear of exporting the revolution from China, China ruled out the possibility of dual citizenship and has consistently encouraged overseas Chinese to be naturalized in their countries of residence. Over recent years, China’s overseas Chinese policy has gradually brought two new groups under its wing: “Chinese overseas” (*huaren*) including Chinese descendants (*huayi*), and “new migrants” (those who left China after the 1980s). Besides the rapid increase in the size of the new migrants, the emphasis on “new migrants” is inherently related to China’s overall development strategy. A large part of these new migrants are well educated or traders. With China’s progressive integration into the world’s economy, remittances and investments from old emigrants became less important and, by contrast, international exchanges in the high-technology sectors and the expansion of Chinese firms’ international markets became a new priority.

Second, closer links among overseas Chinese scattered in different countries as well as between overseas Chinese and the PRC are emerging. For example, the Overseas Chinese Affairs Office launched the “Developing Motherland and Bene-

fitting-Assisting Overseas Chinese” (*xingguo li qiao-zhu qiao*) plan in 2002, initially for three years. This plan has two components. The first component aims to promote the interaction between traditional overseas Chinese, Chinese overseas, and “new migrants” on a global scale. Activities of this component include the pairing of Chinese associations in North America with those in South-East Asia to facilitate their collaboration. The plan also seeks to promote websites of Chinese associations and plans to hold web-based business and technology fairs among Chinese around the world. The second component of the programme seeks to enhance connections between Chinese communities overseas and China. For example, workshops on China’s new economic regulations after its accession to the WTO are planned for the Chinese in South-East Asia. Delegations will also be sent from the PRC to North America to raise the community’s awareness of China’s recent policy to attract returnees (see Guo, 2002 for the emerging links between Chinese communities in different countries; also see Liu Hong, 1998; Nyiri, 1999).

The third change concerns the structure of the overseas Chinese communities. Overseas Chinese associations have seen three types of leadership. First, there are traditional community leaders, who are not well educated and tend to keep a distance from the mainstream society. They often maintain a strong allegiance to China, but they may not be close to Beijing since many of them left China before 1949 and some were from Taiwan or Hong Kong. Second, there is a civil association style leadership who are keen to penetrate the local societies and are active in requesting benefits from the government for the community (see Wong, 1982). A third type of leadership is characterized by the leaders’ increasingly close relation to Chinese officials, both at Chinese missions and the sending areas in China. This new type of leadership emerged in the 1990s, mainly as a product of “new migrants” (Nyiri, 1998, 1999). This is not merely the PRC’s initiative; Chinese communities are also increasingly keen to establish closer connections with the PRC. It is important to note that these three types of leadership do not constitute a sequential change. For example, there is no clear evidence that the civil association style leadership is replacing the traditional type, and these three types of leaderships are found in different places. Nevertheless, closer relations between the overseas Chinese associations and the PRC Government seem to be an overall trend.

## STUDENT MIGRANTS

Overseas students form a key part of the “new migrants”. In 2001, 146,000 Chinese left to study overseas, an increase of 71.8 per cent from the previous year (*People’s Daily*, 2002). In what follows, I will offer a brief review of the evolution of China’s policies regarding students’ migration, then focus on some of the Government’s most recent efforts.



## Policy evolution

In the period from the 1950s to the end of the 1970s, China had limited international student exchange programmes, with the Soviet Union being the most important destination country. Students returning from the Soviet Union played a key role in China's political and economic life, and they still have a very significant presence at the top levels of the Chinese Government.

Studying abroad was something out of the question for most Chinese citizens during the Cultural Revolution; it resumed only at the end of the 1970s. In 1977 and 1978, Deng Xiaoping repeatedly urged universities and the Ministry of Education (MoE) to send more students overseas to learn advanced technologies. More than 3,000 students were sent overseas in 1978 by the MoE. In 1979, the MoE, the National Science Committee, and the MoFA jointly issued a document to detail how Chinese overseas students should be regulated. In 1981, the State Council approved the Temporary Regulations on Self-financed Overseas Education. This was the first time that the Chinese Government formally recognized self-financed overseas study, i.e. going abroad for studying without state sponsorship as a legitimate means of exiting China.<sup>7</sup>

The first half of the 1990s saw the formation of the PRC's key policy approach toward overseas students, namely the "Twelve-words Approach" as it is sometimes called. The twelve words in Chinese are *zhichi liuxue, guli huiguo, laiqu ziyou*, which means "support study overseas, encourage returns, guarantee freedom of (international) movement". Furthermore, the Government set up the China Scholarship Council under the MoE. Currently, the China Scholarship Council sponsors about 3,000 Chinese citizens annually to undertake studies or research in more than 80 countries or regions.

During the second half of the 1990s up to today, the Chinese Government initiated a series of policies aimed at attracting returnees. At the same time, overseas education increasingly became a business, as evidenced by the mushrooming of education agencies. Devising and implementing the regulations of these agencies has become another focus of the Government. Policies regarding returned overseas Chinese and the efforts of regulating education agencies will be discussed in detail below.

Corresponding to this policy evolution, three groups of students from China have studied overseas. In the early 1980s, students were mainly sponsored by the Government and took mostly post-graduate or short-term training courses overseas. The second group emerged in the 1990s, with the majority being supported by either overseas scholarships or by themselves. They tended to be post-graduate students, though the average age was below that of the first group. The third group

comprises those who moved abroad since the late 1990s. This group is characterized by a high proportion of young students attending undergraduate programmes or language courses. Many were admitted by polytechnic institutes rather than by universities, and increasing numbers of students are going abroad for their high-school education. Newly emerging education agencies play an important part in the third group's migration.

### **Policies to encourage return**

Since the early 1990s, the Chinese Government changed its stance from preventing students from overstaying overseas to encouraging students to return regardless of when the return occurred. In 1992, the State Council issued a special circular to emphasize that all returned overseas students shall be welcomed no matter what their past political attitudes were. The circular states:

No further investigation shall be made about those who had made incorrect statements or committed incorrect activities when they were overseas. Even those who had participated in organizations that are against the Chinese government, and had damaged the state's security, interests and honour shall also be welcomed as long as they have withdrawn from these organizations and no longer commit unconstitutional and illegal anti-governmental activities (State Council, 1992).

This clearly referred to those who had left China in the wake of the Tiananmen Square incident in 1989. For those who were sent overseas by their employers, the circular urges the employers to reach out to and keep in touch with them. Returned students are also allowed to leave their previous jobs in the public sector if they prefer to work for private or foreign-owned enterprises. The focal point in interacting with returned overseas students is the Return Overseas Students (Scholars) Service Centre, a branch of the Ministry of Personnel. The Bureaux of Personnel at the local level have the same centres.

Different government departments, particularly at the provincial and municipal levels, have made generous offers to attract returnees. Since the mid-90s, Shanghai, Beijing, Zhejiang, Guandong, Fujian, and Shandong, to name a few, have adopted numerous policies to offer skilled returnees high salaries, beneficial tax rates, special business loans, housing subsidies, subsidies for children's education, and so on. The Guangzhou City Government gives RMB 100,000 (US\$ 12,000) as a "first-meeting present" to a returnee who has decided to work in Guangzhou. A key initiative by the Chinese Government is "Returned Overseas Students Industry Parks" (*huiguo liuxuesheng chuangye yuanqu*). Enterprises in the parks are offered excellent facilities and a series of beneficial policies. The Shenzheng Government allots RBM 30 million (US\$ 3.8 million) to the Shenzhen Returned Overseas Students Industry Park in investment funds every year. There are now more than 40 such parks in China (*The United Morning Post*, 2001).

It is interesting to note that the Chinese Government encourages both permanent and temporary return and, as a result, a group of typical “transnational migrants” may well emerge. The Government has advocated a so-called “dumb bell model”, which means that the migrants have professional or/and business affiliations in both China and overseas and move back and forth regularly. In 1997, the then National Education Committee launched the “Spring-Light Plan” (*Chunhui Jihua*) to encourage and support scholars to return to China for short exchanges. The “Changjiang Plan”, funded by the Hong Kong-based Changjiang Group, sponsors leading Chinese scholars living overseas to return to China to work for one year in strategic research areas. At the end of 2000, MoFA issued the Circular on Issuing Long-term Multiple Entry Visas to Overseas Chinese Students and Professionals to facilitate the returnees’ “re-migration”<sup>8</sup>. In 2001, the Bureau of Public Security in Shanghai designated Z and D visas to enable overseas Chinese professionals with foreign passports to enter China anytime within a period of three to five years. According to a survey conducted in 2000 by the MoE, of 551 returned overseas students who had set up enterprises in 13 industrial parks, only 44 per cent resided in China on a regular basis (MoE, 2001).

These policies seem highly successful. According to the *Washington Post*, an estimated 13,000 overseas students returned and this is expected to continue to increase by 13 per cent every year (Pan, 2001). By the end of 2000, returned overseas students had set up more than 4,000 high-technology companies in the PRC, with a total annual revenue of RMB 10 billion (US\$ 1.25 billion) (MoE, 2001).

### Education agencies

Education agencies are intermediate institutes who offer information about schools in the destination countries, assist with applications for admission, or even help with passport and visa applications. Many education agencies are, in fact, recruitment agencies working for overseas schools. For each student the agency recruits, the overseas school pays the agent a certain commission.<sup>9</sup> Education agencies are a fairly new phenomenon in China and it was only during the last four or five years that these agencies became active. Official documents call them “*zifei chuguo liuxue fuwu jigou*” which literally means “self-financed overseas education service institutes”. In everyday life, however, the agencies are normally referred to as “*liuxue jieshao suo*” (overseas education introduction agencies).

One of the earliest Government guidelines of the education agencies came into being in August 1999. According to the regulation, all the agencies must have a Qualification Recognition (*Zifei chuguo liuxue fuwu jigou zige renzhengshu*) from the Bureau of Education and the Bureau of Public Security of the city where the agency is based. At the same time, the agency must apply for a special business

license from the Bureau of Commerce and Industry. The registration criteria for such an agency are quite strict. The agency is required to have a staff of at least five with a minimum level of education, good knowledge of English, and detailed understanding of the laws and education systems of both China and overseas countries. In Beijing, the Government conducted an inspection in early 2001 and closed 263 of the 309 institutes in operation at that time (Sinanews, 2001a). Authorities at the national level launched several nationwide rounds of inspections by April 2001, during which 228 education agencies were qualified and as many as 450 were closed down, with managers being punished in some cases (Sinanews, 2001b).

## LABOUR EXPORT

Labour export (*laowu shuchu*) is the practice where companies organize and send workers overseas to meet a destination country's demand for labour. Organized labour export can take two forms. First, companies send labour overseas as "project workers" to carry out certain projects that are subcontracted to the companies. Second, specialist labour-supply firms send workers overseas and the labour-supply companies are not involved in other aspects of the project. Both of these two forms of labour export from China have great potential and could make significant contributions to developing an orderly migration system. But both of them are poorly developed and not very well regulated.

China's labour export in the form of project workers originated within the framework of its overseas aid programmes. Following its foundation, the PRC Government sent a significant number of workers to some developing countries (e.g. Tanzania and Bangladesh) to help in the development of their infrastructure. During the 1980s, when China gradually reduced its overseas aid, state-owned companies that were originally involved in overseas aid started conducting commercial projects for overseas clients. By 1992, there were 211 companies with licenses to undertake overseas projects (Beifang Investigation and Strategy Agency, 2001). By 1998, the total accomplished revenue of overseas projects reached more than US\$ 11 billion (National Bureau of Statistics, China, 1999). The Chinese National Bureau of Statistics (2000) reported that 380,000 Chinese workers were working overseas by the end of 1999, 30,000 more than at the end of 1998 (see Appendix 2).

The second form of labour export developed much later in China and the number of specialist labour export companies is far lower than that of project companies. There were 48 corporations licensed to export workers in 2001 (*Migration News*, 2001). These companies can be roughly divided into four groups. First, there are companies belonging to the Ministry of Foreign Trade and Economic Cooperation (MoFTEC) or its local branches that deal in imports and exports. Second,

there are subsidiaries of the Bureau of Labour (local branches of the Ministry of Labour (MoL)). They are involved in both internal labour placement and overseas labour export. Third, there are companies who combine labour export with their core business such as import and export of construction material and machinery, and their customers for construction material often need construction workers as well. Fourth, there are companies which provide staff in some special areas, such as seamen.<sup>10</sup>

In 1992, the State Council decided that MoFTEC should take the overall responsibility for labour exports and that all companies involved in labour export should have licences issued by MoFTEC. This regulation also states that individuals pursuing overseas employment are not part of labour export and should be regulated by MoL. Accordingly, MoL decided to set up a special "Overseas Employment Office" in its Department of Labour Regulation and Employment to increase awareness about labour export and to crack down on illegal overseas employment. The State Council suggested that MoFTEC and MoL work together to open experimental locations for overseas employment, but so far this has not been implemented on a large scale (Ministry of Labour, 1992).<sup>11</sup> In 1994, after the State Council's approval, MoFTEC and the MoL issued a Circular on Enhancing the Protection of the Legal Rights of Workers on Overseas Assignments.<sup>12</sup> On 20 December 1996, MoFTEC, MoPS, and MoFA issued Temporary Regulations on Labour Export.<sup>13</sup> But these regulations are mainly framed in general terms and the policy framework for labour export as a whole is far from sophisticated.

The majority of the Chinese labour migrants going overseas work in construction projects. Other major occupations include sewing, cooking, medical services, and mechanics. The main destinations include East Asia, South-East Asia, North Africa, North America, the Gulf, and some European countries. Israel has also become an important destination. The tightened border control between Israel and the Palestinian Territories and the severe limitations placed on Palestinian workers' mobility caused Israeli employers to seek workers from other countries, including from China. From 1994 when China started exporting labour to Israel, up to 2002, more than 20,000 workers had been sent there with a total turnover of US\$ 330 million (Gu, 2002). There were 28 Chinese labour agencies operating in Israel in 2002. Among the workers, those from Fujian and Jiangsu make up the majority (Gu, 2002).

It seems that the major source regions for other types of emigrants, such as Zhejiang and Fujian, also have more labour export firms than other places. For example, Fujian Zhongfu Foreign Labour Contract Company has sent 50,000 workers overseas since 1984. Putian county, a major migrant source area in Fujian, had also more than 11,000 workers engaged overseas, mainly as seamen, construction workers, and agriculture workers (Xu and Qian, 2002).

Labour export from China seems not well regulated, despite the fact that most labour export companies are state owned. It was reported that a worker in Fujian has to pay RMB 80,000 (US\$ 10,000) when applying for a job in Israel. Besides, workers have to shoulder all other costs, such as air fare and visa application fees, amounting to between RMB 10,000-20,000 (US\$ 1,200-2,500). It may well be suggested that there is not much difference for an intending migrant between paying these agencies to go overseas legally and to resort to “snakeheads” for clandestine emigration. Overall, labour export from China is still at a very early stage of development. In 2001, labour export through specialist labour agencies only made up 0.84 per cent of all the applications for departure from China (26,000 out of more than 3 million, see Appendix 3).<sup>14</sup>

## REGULATIONS REGARDING EMIGRATION AGENCIES

Emigration agencies are institutes that facilitate emigration by providing information about emigration prospects, helping with passport and visa applications, and establishing connections with the destination countries for the prospective migrants. Some agencies even offer settlement services in the destination country, such as registering for medical insurance, obtaining driving licenses, opening bank accounts, and providing English language training. In Chinese official documents, emigration agencies are referred to as Intermediate Agencies for Exit-Entry Activities for Private Purposes (*yinsi churu jing zhongjie jigou*). The official definition distinguishes these agencies from education, tourist, and labour export agencies. Agencies assisting visits to Hong Kong and Macau are not included in this category either. Interestingly, many emigration agencies combine conventional emigration consultation with transnational marriage arrangements. They establish data sets of foreigners (mostly men, of whom many are overseas Chinese) who are looking for Chinese partners, and information pools of Chinese who wish to migrate as dependants, and try to match the two.

The Chinese Government has been trying to exercise tight regulation over these agencies. From December 2000 to January 2001, MoPS, joined by MoE, State Industry and Commerce Bureau, and the MoL, conducted several rounds of inspections and closed down 361 unqualified agencies, broke up more than 100 illegal cases, and arrested or detained nearly 400 persons (Sun, 2002b). In July 2001, the MoPS and State Industry and Commerce Bureau jointly issued Methods of Regulations about Intermediate Agencies for Cross-border Exit-Entry Activities for Private Purposes. By March 2002, a total of 412 agencies in 21 provinces had been approved (L. Wang, 2002).

On 17-18 July 2002, an Emigration Consulting and Services Forum (ECSF) was held in Beijing, possibly the first of its kind. The conference was organized by

Beijing Chamber of Commerce (also called Beijing Federation of Industry and Commerce) and *Work and Studying Abroad* magazine. Officials from MoPS, MoFA, and the State Administration for Industry and Commerce were scheduled to attend and address the conference (see [www.bcic.com/2002forum](http://www.bcic.com/2002forum)). This may signal that an “emigration industry”, which is an industry consisting of recruitment organizations, lawyers, agencies, smugglers, and other intermediaries (Harris, 1996: 132-136; also see Salt, 1997) is becoming institutionalized in China.

## CAMPAIGNS AGAINST SMUGGLING IN HUMAN BEINGS

The PRC’s stance towards illegal emigration has been consistent and can be summarized in the following three points.

First, the Chinese Government holds that the fundamental reason for illegal migration is the unfair and unjust international political and economic order. China emphasizes that many illegal emigrants actually had a decent life in China and only turned into illegal migrants because they were deceived by “snakeheads”. The Chinese Government has also repeatedly stressed that lengthy procedures for asylum claims processing in many destination countries are attracting illegal migrants. The Chinese Government also attributes illegal migration to the fact that normal migration channels sometimes fail to function properly and the Government accordingly urges destination countries to open up more migration channels. In sum, in the PRC’s view, the root cause of illegal migration from China does not lie in “social ills” in China, as suggested by some scholars and the media (e.g. K.L. Chin, 1999). Rather, international economic disparity at the macro level, transnational smuggling gangs, and the unreasonable migration policies pursued by some receiving countries, are held responsible.

Second, the Chinese Government has made it clear that it is keen to cooperate with the international community in tackling migration issues. The US authorities have been cooperating with China for several years, particularly through its Immigration and Naturalization Services (INS) offices in Hong Kong, Beijing, and Guangzhou. In early 1999, Chinese and Canadian officials signed a memorandum of understanding to jointly fight criminal activities, including the smuggling of human beings (*Migration News*, 1999) and the Royal Canadian Mounted Police has an officer in Beijing to combat human smuggling, organized crime, and international fraud (*Migration News*, 2000b). Since 1996, a series of negotiations between Australian officials and their Chinese counterparts resulted in return arrangements under which China accepted the return of its nationals, leading to the quick turnaround of Chinese boat arrivals. Those arrangements have been in place since 1999 (Department for Immigration and Multicultural Affairs, Australia, 2001). Appendix 4 lists some of the international meetings on migration

management that were either held by the Chinese Government or in which it participated.

Third, as mentioned earlier, the PRC firmly opposes what it sees as the politicization or complication of migration issues. The PRC has a clear principle called “return of the whole group taking the same trafficking vehicle (ship/aircraft)” (*zhengji/chuan qianfan*), which means that all the illegal migrants should be repatriated indiscriminately once they are caught, rather than returning some migrants while granting asylum to others. The PRC argues that a selective repatriation will send wrong signals to potential emigrants and encourage illegal migration. Otherwise, the PRC has pledged to accept repatriated illegal migrants as long as they are identified as PRC citizens. About 4,200 Chinese migrants were returned to China in 1999 after being apprehended abroad (*Migration News*, 2000a).

Some outside observers appear to have the impression that the Chinese Government cracks down on human smuggling mainly in response to pressure from the receiving countries and out of concern over its own international reputation. However, closer scrutiny suggests that there may well be pressure coming from within China to fight illegal migration.

These internal pressures can originate at three levels. First, for the central government the persistence of illegal emigration in some areas reflects the weakening control exerted by the centre over local governments. This is certainly very worrying for the leadership at the centre. There is abundant evidence suggesting that the top level of the Chinese Government has been pressuring the ministerial and provincial level to exert more control over the local levels. It is important to note that the Chinese Government has very rarely, if ever, argued that controlling its citizens' emigration is not part of its immediate responsibility, a legitimate view according to existing international law. This means that there is political will within the Chinese Government to fight irregular emigration and Appendices 4 and 5 list important public documents on fighting human smuggling and cases where “snakeheads” and would-be illegal migrants were arrested.

Second, pressure is being exerted by newly emerging elites in China, particularly in business circles, to fight illegal emigration. Illegal emigration is seen as damaging China's reputation and as creating difficulties for normal mobility. When in the early 1990s Russia and Hungary terminated their agreement with China to allow Chinese to enter the two countries without visas, many Chinese congressmen accused the MoFA of incompetence (Zhong, 2002). The business community had blamed the Government for not imposing more regulations on exports from China to Russia and Eastern European countries in the early 1990s. The poor quality and some businesspersons' unscrupulous practices damaged the reputation of Chinese goods and caused its overseas markets to shrink. Similarly, it is



almost self-evident to both the Government and the business community that large-scale illegal emigration would impede other types of emigration and create obstacles for the expansion of Chinese businesses.

Third, pressures are also coming from ordinary citizens. There have been significant changes in the media system in China. Stories such as the Dover tragedy and Chinese illegal migrants' harsh situations overseas (particularly in Japan) are widely reported. It is a widespread sentiment among ordinary Chinese that the Government should put a stop to human smuggling which is responsible for the suffering of Chinese migrants overseas.

## CONCLUSION

This paper has offered an overview of the PRC's policies and perspectives in six major emigration-related areas. The overall trends and features in Chinese policies on emigration can be summarized in the following four points:

First, there has been a trend toward "individualization" in emigration management, particularly in passport regulations, which means that regulations are increasingly based on the recognition of citizens' individual rights. As voiced at the National Conference on Exit-Entry Administration in November, 2001, in Beijing, the Government plans to transform emigration management from a matter of "control" to an area of "service" (Zhu, 2001). This means unprecedented freedom for PRC citizens.

Second, there is an institutionalization of emigration from China. Emigration from China is increasingly facilitated by various kinds of specialist agencies. The Chinese Government acknowledges the roles of these intermediate agencies and has issued a series of policies to regulate them. Relations between the state and intermediate agencies in civil society are a very new issue for China. Cooperation between the two may be a key in achieving an orderly migration regime. "Snakeheads", too, are essentially a type of intermediary. It may be worthwhile to explore whether clandestine brokers could be turned into open and legal intermediaries, and therefore properly regulated.

Third, China's emigration management measures, however, are not well balanced. China has encouraged skilled migration and return. But the Government has paid little attention to the exports of low-skilled workers. The volume is low and the scheme is not well regulated. The lion's share of exported labour originates from Fujian and Zhejiang which are also the major sending places of irregular migrants. If managed carefully, organized labour export can become a substitute for illegal emigration.

Fourth, with the emerging new relationships between overseas Chinese communities and the PRC, and the interstate cooperation between receiving countries and China, a triangular connection has come into being. This triangle consists of the connection between the Chinese Government and overseas Chinese communities, the interstate connections, and the connection between the authorities of the receiving countries and the Chinese communities there. However, so far these three sets of connections are still not sufficiently interrelated, nor have the connections between the governments and the communities been utilized for migration management. Australia has used ethnic community networks and the media to hold domestic information campaigns in an endeavour to get the message across to potential emigrants in the sending countries through diaspora connections. It may be worthwhile to explore using the ever expanding diaspora networks for the purpose of migration management.

## NOTES

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2. Throughout this paper the term “China” applies to China prior to 1949 and to the People’s Republic of China after 1949. The term “Chinese” applies to PRC nationals and residents from Taiwan, Hong Kong, and Macau. Ethnic Chinese living outside the PRC are also referred to under the generic term Chinese.
3. Exceptions include Li (2001) and Thunø and Pieke (forthcoming). Though these papers discussed China’s policies related to emigration, they did not offer systematic reviews either.
4. These 14 cities are: Dalian, Qinhuangdao, Tianjin, Yantai, Qingdao, Lianyungang, Nantong, Shanghai, Ningbo, Wenzhou, Fuzhou, Guangzhou, Zhanjiang, and Beihai.
5. Border Police Stations are subordinated to the Frontier Defense Department. The Frontier Defense Department belongs to the MoPS in terms of administration, but is jointly managed by the People’s Armed Police and MoPS. I thank Dr James Chin at Hong Kong University for this information.
6. Law of the People’s Republic of China on the Administration of the Exit and Entry of Citizens (Adopted at the 13th Meeting of the Standing Committee of the Sixth National People’s Congress, promulgated by Order No. 32 of the President of the People’s Republic of China on 22 November 1985, and effective as of 1 February 1986).
7. In Chinese, studying abroad without state sponsorship is called “*Zifei Liuxue*”. “*Zifei Liuxue*” literally means self-financed overseas education. But most Chinese students who moved abroad to study without government funding at the early stage are supported by scholarships from the receiving universities or other international foundations.
8. *Guanyu wei zaiwai liuxue rencai he huaren zhuan ye renshi deng laihua banfa changqi douci jinru qianzheng de tongzhi.*

9. In the case of Australian universities, the commission is usually 10 per cent of one year's tuition fee, ranging from US\$ 800 to US\$ 5,000 (Xiang, 2002).
10. For example, COSCO Manning Cooperation Inc., a subsidiary company of China Ocean Shipping Companies Group (COSCO GROUP) specialized in supplying sea and shore personnel. During the past 20 years, a total number of 100,000 seafarers have been working for overseas ship owners, <http://www.coscoman.com/index2-e.htm>).
11. The document includes a suggestion from the State Council and the decision of the Ministry of Labour based on that suggestion.
12. *Duiwai maoyi jingji hezuo bu, laodong bu guanyu xieshi jiaqiang baohu waipai laowu renyuan hefa quanyi de tongzhi*.
13. *Banli waipai laowu renyuan chuguo shuixu de zanxing guiding*.
14. A similar document was passed in Fujian on 1 June 1999 by the People's Congress in Fujian.

## REFERENCES

- Beifang Investigation and Strategy Agency
- 2001 "Guoji laowu zhuangkuang: Guoji laowu shuchu de qudao ji jigou" (The situation of international labour market: channels and institutes for international labour export), <http://202.99.67.16/rencai/fuwai/a9.htm>.
- Bolt, P.
- 2000 *China and Southeast Asia's Ethnic Chinese: State and Diaspora in Contemporary Asia*, Praeger, Westport.
- Chin, J.
- 2001 "Illegal migration from China: a fieldwork report", paper submitted to the Conference Globalisation and International Migration: Asian and European Experience, organized by Asia-Europe Foundation, 12-13 December 2001.
- Chin, K.L.
- 1999 *Smuggled Chinese: Clandestine Immigration to the United States*, Temple University Press, Philadelphia.
- Commission of the European Communities
- 2000 Communication from the Commission to the Council and the European Parliament on a Community Migration Policy, 22 November, Brussels, COM (2000) 757 final.
- Department for Immigration and Multicultural Affairs (Australia)
- 2001 "Background paper on unauthorised arrivals strategy", [http://www.minister.immi.gov.au/media\\_releases/media01/r01131.htm](http://www.minister.immi.gov.au/media_releases/media01/r01131.htm).
- Gu, J.J.
- 2002 "Zhongguo laogong yuzha shi yiqi yiwai" (Chinese workers attacked in an accident), *Xinmin Zhoukan* (Xinmin Weekly), 16: 16.
- Guerassimoff, C.
- 2000 "PRC's overseas Chinese and emigration policy during the last twenty years", paper presented at The Last Decade of Migration from the People's Republic of China to Europe and Asia, Institute for Sociology, Budapest, Hungary, May: 26-27.

- Guo, D.P. (Director of OCAO)  
 2002 Remarks at the National Workshop of Overseas Chinese Affairs System on Technology and Economy, 28 March, cited in “Jinnian qiaoban jiang shixing xingguo liqiao jihua” (OCAO launches developing motherland and benefiting diaspora plan), China News Agency, 29 March.
- Harris, N.  
 1996 *The New Untouchables: Immigration and the New World Workers*, Penguin, Harmondsworth.
- Home Office (UK)  
 1995 “Asylum claims and country conditions”, [www.ind.homeoffice.gov.uk](http://www.ind.homeoffice.gov.uk).
- Li, M.H.  
 2001 “Oumeng guojia yiming zhengce yu Zhongguo xin yimin” (EU immigration policies and Chinese new emigrants), *Xiamen Daxue Xuebao* (Xiamen University Journal), 4: 105-112.
- Liu, H.  
 1998 “Old linkages, new networks: the globalization of overseas Chinese voluntary associations and its implications”, *China Quarterly*, 155: 582-609.
- Liu, K.J., and Y.J. Dingyong  
 2001 “Churujing guanli xin zhengce shidian 3 chengshi ruhe yingfu” (Experimental spots for new policies of exit-entry administration: how three cities respond), <http://news.sina.com.cn/c/2001-11-24/406312.html>.
- Liu, Y.L.  
 1992 “Reform from below: the private economy and local politics in the rural industrialization of Wenzhou”, *China Quarterly*, 130: 293-316.
- Migration News*  
 1999 “Canada: Chinese migrants”, 6(10), October.  
 2000a “Chinese migrants: Canada and US”, 7(3), March.  
 2000b “Canada: new law”, 7(5), May.  
 2001 “China, Hong Kong migrants”, 8(4), April.
- MoE (Ministry of Education)  
 2001 “Liuxue ren yuan huiguo chuanye de fazhang zhuangkuang ji zhengce jianyi: liuxue ren yuan huiguo chuanye dianyan baogao” (The situation of the returned overseas students and policy suggestions: a research report on returned overseas students).
- MoL (Ministry of Labour)  
 1992 Circular by MoL on Regulations about Labour Experts and Overseas Employment: 13 July.
- National Bureau of Statistics, China  
 1997 Statistical Communiqué of the People’s Republic of China on the 1996 National Economic and Social Development.  
 1998 Statistical Communiqué of the People’s Republic of China on the 1997 National Economic and Social Development.  
 1999 Statistical Communiqué of the People’s Republic of China on the 1998 National Economic and Social Development.  
 2000 Statistical Communiqué of the People’s Republic of China on the 1999 National Economic and Social Development.

- Nyíri, P.  
 1998 "New migrants, new community: the Chinese in Hungary, 1989-1995", in Benton et al. (Eds), *The Chinese in Europe*, Macmillan and St. Martin's Press, Basingstoke and New York: 350-379.  
 1999 *New Chinese Migrants in Europe*, Ashgate, Aldershot.  
 2001 "Expatriating is patriotic? The discourse on 'new migrants' in the People's Republic of China and identity construction among recent migrants from the PRC", *Journal of Ethnic and Migration Studies*, 27(4):635-653.  
 2002 "Afterword", in P. Nyíri and I.R. Saveliev (Eds), *Globalising Chinese Migration: Trends in Europe and Asia*, Ashgate, Aldershot: 320-337.
- Pan, W.  
 2001 "Zhongguo de chuguo re kenen biancheng guiguore" (China's "going-out fever" may become "return fever"), *Shenzhou Xueren* (Chinese Scholars), 27 August, [www.edu.cn/20010827/208494.shtml](http://www.edu.cn/20010827/208494.shtml).
- People's Daily*  
 2002 "Chugoku shimin, sakunen shiteki syukkoku ha 300 mannin goe" (Three million plus Chinese exit for private purposes last year), 12 February (Japanese version).
- Salt, J.  
 1997 "Reconceptualising migration and migration space", paper presented at ISS/FES International Conference Central and Eastern Europe: New Migration Space, Pultusk, Poland, 11-13 December.
- Sinanews*  
 2001a "Beijing liuxue zhongjie jing shi hekeng: 309 jia zhong jin 46 jia hefa" (Black holes among the education agencies in Beijing: only 46 of 309 legitimate), 11 April.  
 2001b "Liuxue zhongjie jin 228 hege, 450 dou jia bei chachu" (Only 228 education agencies are qualified and more than 450 shut down), 20 April.
- State Council  
 1956 "Guowuyuan guanyu woguo gongming yinsi chuguo de guanli gongzuo you gong'an bu tongyi zhangwo de tongzhi" (Circular by the State Council that Applications for Departure from China for Private Purposes Shall be Handled by the Ministry of Public Security), 14 November.  
 1992 "Guowuyuan banggongting guanyu zaiwai liuxue ren yuan youguan wenti de tongzhi" (Circular by the State Council on Persons Studying Overseas), 12 August.
- Sun, B.S.  
 2002a "Xinwen beijing: lüyou shi gongming yinsi chuguo zhuyao yinyou" (News background: tourism is the main reason for overseas travel on private purposes), Xinhua News Agency, 8 February 2002.  
 2002b "193 jia yinsi churujing zhongjie jigou tongguo zige rending" (193 private border exit and entry intermediate agencies were qualified), Xinhua News Agency, 8 February 2002.
- The United Morning Post*  
 2001 "14 wan zhongguo liuxuesheng huiguo chuanye" (140,000 Chinese overseas students return), [www.edu.cn/20010827/208497.shtml](http://www.edu.cn/20010827/208497.shtml), 27 August.
- Thunø, M.  
 2001 "Reaching out and incorporating Chinese overseas: the trans-territorial scope of the PRC by the end of the 20th century", *China Quarterly*, 168: 910-929.

- Thunø, M., and F. Pieke  
 “Institutionalizing recent rural emigration from China to Europe: new transnational villages in Fujian”, *International Migration Review* (forthcoming).
- Wang, G.W.  
 1984 “External China as a new policy area”, paper presented at the Asian Studies Association of Australia, Adelaide, May 1984.
- Wang, L.M.  
 2002 “Di san pi jia yinsi churujing zhongjie jigou tongguo zige rending” (A third batch of agencies are qualified), Xinhua News Agency, 28 March.
- Wong, B.  
 1982 *Chinatown: Economic Adaptation and Ethnic Identity of the Chinese*, Holt, Rinehart and Winston, Fort Worth.
- Xiang, B.  
 2000 *Kuayue Bianjie de Shequ – Beijing “Zhejiang Cun” de Shenghuo Shi* (A Community beyond Boundaries: The Life History of “Zhejiang Village” in Beijing), Sanlian Shudian, Three-joints Books, Beijing.  
 2002 *Global “Body Shopping”: A New International Labour System in the Information Technology Industry*, Ph.D. thesis, Oxford University, Oxford.
- Xu, X.Y., and Q.S. Qian  
 2002 “Putian nongmin xingqi ‘da yang gong’ re” (Peasants in Putian keen to working overseas), *Fujian Qiaobao* (Overseas Chinese Newspapers, Fujian), 5 April.
- Zhong, J.H. (Director of General, Department of Consular, MoFA)  
 2002 “Zhongguo yingong huzhao zaoyu guoji ganga” (China faced international embarrassment due to public passport), interview by Lateline news.com, <http://news.1chinastar.com/ll/fanti/1203137.shtml>: 1 April.
- Zhu, D.Q.  
 2001 “Zongshu: Zhongguo mingque rushi hou churu jing guanli fangxiang” (Overview: China clarifies post-WTO measures of exit-entry administration), China News Agency, 22 November.

## LIST OF ACRONYMS

CCP:	Chinese Communist Party
MoE:	Ministry of Education
MoFA:	Ministry of Foreign Affairs
MoFTEC:	Ministry of Foreign Trade and Economic Cooperation
MoL:	Ministry of Labour/Ministry of Labour and Social Security
MoPs:	Ministry of Public Security
OCAO:	Overseas Chinese Affairs Office of the State Council
PRC:	People’s Republic of China
RMB:	<i>Renmingbi</i> (People’s money, PRC’s currency)

## APPENDIX 1

## IMPORTANT LAWS AND DOCUMENTS ON OVERSEAS CHINESE

Laws/Regulations	Date of Promulgation	Effectiveness
Decree of the State Council on Implementing the Policy of Protecting Remittances by Overseas Chinese.	23 February 1955	23 February 1955
Circular by OCAO, SBoP (Personnel), SBoL, MoF, MoPS on Treatments to Returned Overseas Chinese and Relatives of Overseas Chinese Exiting China to Visit Families.	9 April 1992	9 April 1992
Circular on Beneficial Treatments in Housing for Returned Overseas Chinese, Relatives of Overseas Chinese and in Education and Employment for their Children.	20 March 1983	20 March 1983
Rules of the State Council on the Encouragement of Investments by Overseas Chinese and Compatriots from Hong Kong and Macau.	19 August 1990	19 August 1990
Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese	7 September 1990	1 January 1991
Implementing Measures of the Law of the People's Republic of China on the Protection of the Rights and Interests of Returned Overseas Chinese and Family Members of Overseas Chinese.	19 July 1993	19 July 1993
Law of the People's Republic of China on Protection of the Rights and Interests of Returned Overseas Chinese and the Family Members of Overseas Chinese.	31 October 2000	31 October 2000

## APPENDIX 2

TURNOVER OF OVERSEAS CONTRACT PROJECTS (US\$ BILLIONS)  
AND WORKERS INVOLVED

Year	Revenue of signed contract	Accomplished revenue	Workers working overseas at end of the year
1995	10.1	6.6	n/a
1996	10.3	7.7	n/a
1997	11.4	8.4	307,000
1998	11.8	10.1	325,000
1999	13.0	11.2	380,000
2000	14.9	11.3	n/a

Source: National Bureau of Statistics, China (1997, 1998, 1999, 2000, 2001).

## APPENDIX 3

## DEPARTURES FROM CHINA FOR PRIVATE PURPOSES (2001)

Reasons	Percentage
Tourists travelling overseas	37.3
Tourists travelling bordering areas	25.6
Visit relatives	16.9
Study	4.7
Permanent emigration	7.0
Labour exports	0.8

Source: Sun, 2002a.

## APPENDIX 4

INTERNATIONAL MEETINGS ON MIGRATION MANAGEMENT  
HELD BY OR PARTICIPATED IN BY THE CHINESE GOVERNMENT

Date	Events	Organizing/participating departments
2-3 October 2000	Symposium against Illegal Migrants and Stow-away Activities in South-East Asia (also called the fourth meeting of the "Manila Process").	MoPS and MoFA
June 2001	Workshop on Operational Cooperation to Combat Irregular Migration, Trafficking and Smuggling of Migrants.	Co-organized by MoFA and the International Organization for Migration (IOM)
4-5 April 2002	Ministerial Meeting of the ASEM Migratory Management between Asia and Europe.	MoFA
8-9 August 2002	Third Intergovernmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC), Mekong Subregional Meeting.	Government of the People's Republic of China



## APPENDIX 5

## IMPORTANT LAWS AND DOCUMENTS RELATED TO THE FIGHT AGAINST THE SMUGGLING OF HUMAN BEINGS

Date	Documents	Issued by
Promulgated 22 November 1985, effective 1 February 1986.	Law of the People's Republic of China on the Administration of the Exit and Entry of Citizens.	National People's Congress
1989	Document at the workshop on public security in the coastal areas in Fujian, Guangdong, Zhejiang, and Shandong.	MoPS
July 1991	Minutes of Workshop of Police Chiefs from Seven Provinces/Cities on Preventing Illegal Emigration ( <i>Qi shengshi gong'an Ting/ju zhang guanyu fangzhi feifa chujing gongzuo huiyi de jiyao</i> ).	MoPS
Drafted 1 April 1992; approved and issued by CCCP Office and State Council Office on 8 May 1992.	Suggestions by OCAO, MoFA, MoPS, MoFTEC, MoL on Further Prevention of Illegal Emigration ( <i>Guowuyuan qiaowu bangongshi, waijiaobu, gong'an bu, jiangmaobu guanyu jinyibu fangfan he zhizhi woguo gongmin feifa yiju guowai de yijian</i> ).	OCAO, MoFA, MoPS, MoFTEC, MoL
Promulgated 13 March 1993, effective since 1 May 1993.	Circular by MoPS on Improving Regulations on Expired Passports ( <i>Gong'anbu guanyu jiaqiang shixiao huzhao guanli de tongzhi</i> ).	MoPS
30 October 1993	Circular by MoFa and MoPS on Reissuing and Changing Passports for Illegal Emigrants ( <i>waijiao bu, gong'an bu guanyu wei feifa yimin bu, huanfa huzhao de tongzhi</i> ) (issued to embassies and consulates in Europe, the Americas and Oceania).	MoFA and MoPS
15 February 1993	Circular by OCAO, MoFA, MoPS, MoP, MoL, and MoFTEC on Implementing CCCP (1993) no 3, Document and Undertaking Forceful Measures to Prevent Chinese Citizens' Illegal Emigration ( <i>guowuyuan qiaoban, waijiao bu, gong'an bu, jiancha bu, laodong bu, jingmaobu guanyu luoshi zhongbanfa [1992] 3 hao wenjian caiqu youli cuoshi zhizhi woguo gongming feifa yiju guowai de tongzhi</i> ).	OCAO, State Council

## APPENDIX 5 continued

Date	Documents	Issued by
March 1994	Supplementary Regulations on Severely Punishing Organizing and Transporting Others Across the National Border ( <i>Guanyu yansheng zuzhi, yunsong taren touyue guo[bian]jing de buchong guiding</i> ).	National People's Congress
1997	Criminal Law of PRC (revised).	National People's Congress
May 1999	Documents at National Emergency Workshop on Anti Illegal Emigration (held in Fuzhou).	MoPS
Early 2000	Plans of Pursuing Those Organising and Transporting of Illegal Emigrants ( <i>Zhuibu toudu zaitai zuzhizhe, yunsongyze fang'an</i> ).	Bureau of Public Security, Fujian Province
1 May 2000	Public Security Administration Rules for Boats in Coastal Areas ( <i>yanhai chuanbo bianfang zhi'an guanli guiding</i> ).*	MoPS
Early 2001	Circular on Improving the Administrative System of the Border Army of the Public Security Armed Police ( <i>guanyu gaijin gong'an wujing bianfang budui guanli tizhi de tongzhi</i> ).	Dept. of Staff of CCP; Committee of Politics and Law of CCP, and Party Committee in MoPS.

\*A similar document was passed in Fujian on 1 June 1999 by the People's Congress in Fujian.

## L'EMIGRATION CHINOISE : LE POINT DE VUE D'UN PAYS D'ORIGINE

Cet article a pour but de donner un aperçu d'ensemble complet des politiques appliquées par la République populaire de Chine (RPC) et de son point de vue concernant l'émigration de ses ressortissants. La majeure partie de la littérature existante en matière de gestion des migrations met surtout l'accent sur les pays d'accueil. A quelques exceptions près, comme les Philippines, la Corée du Sud et le Mexique, il n'est accordé que très peu d'attention aux politiques de gestion des migrations appliquées dans les pays d'origine. Dans le cas de la RPC, les politiques relatives aux Chinois de l'outremer sont assez bien connues et ont fait l'objet de recherches sérieuses, mais il existe peu d'écrits indiquant de quelle façon les autorités chinoises gèrent les flux d'émigration. Cette lacune se fait d'autant plus sentir que l'importance des « partenariats avec les pays d'origine » dans l'élaboration de politiques migratoires est de plus en plus reconnue par les pays d'accueil en Europe (Commission des communautés européennes, 2000).

Au cours des vingt dernières années, les politiques et les perspectives du Gouvernement chinois en matière d'émigration ont connu d'importants changements. Il faut souligner. Il faut souligner qu'il serait irréaliste d'attendre des autorités chinoises, tout comme de la plupart des autres gouvernements, qu'elles puissent mettre en avant une politique d'émigration complète, couvrant toutes les catégories d'émigrants. Normalement, l'émigration est examinée au cas par cas et l'attitude du Gouvernement peut varier selon les cas et les circonstances. En raison de l'absence d'une politique d'émigration unique et touchant à tous les secteurs concernés, le présent article procède en examinant l'une après l'autre les sphères politiques majeures de la Chine en matière d'émigration. Plus précisément, il examine six thèmes: (1) le contrôle des sorties; (2) la politique à l'égard de la diaspora; (3) la migration des étudiants; (4) l'exportation de main-d'œuvre; (5) la réglementation applicable aux agences d'émigration, et enfin (6) les mesures mises en place par le Gouvernement pour lutter contre la traite des êtres humains.

Cet article révèle autant la cohérence que la dispersion des politiques de la Chine en matière d'émigration. La cohérence vient de ce que toutes les politiques sont en soi liées à la stratégie générale de développement économique et social du pays. Le régime de gestion des flux d'émigration est parfois fragmenté en partie parce que l'émigration est constituée de différents courants et gérée par différents départements gouvernementaux. Une autre raison est que les questions relatives à l'émigration (comme la réglementation applicable aux agents d'émigration) sont entièrement nouvelles pour le Gouvernement chinois et que les autorités sont encore occupées à les étudier.

## EMIGRACIÓN DESDE CHINA: LA PERSPECTIVA DE UN PAÍS DE ENVÍO

Este artículo tiene por objeto proveer un panorama global de las políticas aplicadas por la República Popular de China y su perspectiva con relación a la emigración de los nacionales chinos. Gran parte de la literatura disponible sobre gestión migratoria se ha concentrado en los países de acogida. Salvo contadas excepciones, tales como Filipinas, Corea del Sur y México, se ha concedido poca atención a las políticas de gestión migratoria aplicadas en países de origen. En el caso de la República Popular de China, las políticas relacionadas con los chinos en ultramar están bastante bien documentadas y estudiadas, pero poco se ha escrito sobre cómo las autoridades chinas encauzan las corrientes de emigrantes desde China. Esta brecha es particularmente notable dada la importancia que conceden los países de acogida en Europa (Comisión de Comunidades Europeas/2000) a las asociaciones con países de origen, a la hora de concebir sus políticas migratorias.

En los últimos 20 años, se han registrado considerables cambios en las políticas y perspectivas gubernamentales chinas en cuanto a la emigración. Cabe destacar que sería poco realista esperar que las autoridades chinas, al igual que la mayoría de los demás gobiernos, tengan una política amplia de emigración que abarque todas las categorías de migrantes. Normalmente, la emigración se discute caso por caso y la actitud del Gobierno varía según los casos y circunstancias. Debido a la falta de una política que abarque todas las cuestiones de emigración, este artículo examina una por una las principales esferas de las políticas emigratorias. Concretamente, se abordarán seis cuestiones: (1) el control de salidas; (2) la política de diáspora; (3) la emigración de estudiantes; (4) las exportaciones de mano de obra; (5) los reglamentos de los organismos de emigración y, finalmente (6) la respuesta del Gobierno al tráfico de personas.

Este artículo demuestra tanto la coherencia como la fragmentación de las políticas chinas de cara a la emigración. La coherencia se debe a que las políticas están inherentemente vinculadas a la estrategia global de desarrollo económico y social de China. El régimen de gestión de la emigración es a veces fragmentado, porque la emigración comprende diversas corrientes a cargo de distintas instancias gubernamentales. Otra razón es que algunas de las cuestiones de emigración (tales como los reglamentos sobre los agentes de emigración) son bastante nuevas para el Gobierno chino y las autoridades recién están familiarizándose con las mismas.