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BEIJING BORDER CONTROL OF THE ENTRY AND EXIT ADMINISTRATION

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I. THE OVERALL SITUATION OF SMUGGLING OF MIGRANTS IN CHINA, AND THE ATTITUDE, STANDPOINT AND COUNTERMEASURES OF THE CHINESE GOVERNMENT AGAINST ILLEGAL MIGRANTS

This paper summarizes the organization of China's entry and exit administration and its chief functions; attitude and standpoint of the Chinese government against illegal migration; and the tough measures adopted by the Chinese government against illegal migration. The paper also gives a brief introduction to the general situation and current tendency of illegal migration in China as well as some statistical figures.

II. AN INTRODUCTION TO CHINESE ENTRY AND EXIT ADMINISTRATION AND ATTITUDE, STANDPOINT AND COUNTERMEASURES OF THE CHINESE GOVERNMENT AGAINST ILLEGAL MIGRANTS

A. Brief Introduction to Chinese Entry and Exit Administration

The Bureau of Entry and Exit Administration is subordinated to the Ministry of Public Security of P.R.C. Its functions include the control of entry, transit, residence and travel of foreigners as well as issuing visas and travel document to them; approval of exit and entry of Chinese citizens when they go abroad or go to Hong Kong, the Macaw Special Administration Region and Taiwan for private purposes and issuing passports and other certificates to them; conducting the inspection on travelers as well as means of transport entering and exiting China at all open ports; and dealing with cases that break the entry and exit administration laws and regulations of China.

At present, China has 265 frontier inspection stations at ports open to the outside world in its 30 provinces, autonomous regions and municipalities. Among them, there are 72 land ports, 138 seaports and 55 airports. With the further carrying out of China's open-up policy, all the frontier inspection stations have the heavy burden of inspecting millions of travelers. However they seriously perform the task of combating illegal migration.

B. Attitude and Standpoint of the Chinese Government Against Illegal Migration

Illegal migration has become more and more of a serious problem that draws the attention of all countries. In my opinion, the main causes of illegal migration are an unbalanced world economy, warfare and natural disasters. Illegal migration caused by these reasons has a trend of being even more serious in recent years and became a world issue that violates the normal order of exit and entry of countries, brings out other criminal activities and in turn will produce an impact on the stability of the society. Therefore, it is a common issue we are all facing together. Although it is difficult to eliminate this issue completely in a short period, I believe it can be effectively contained through the joint effort of us all.

The Chinese government has consistently promoted and encouraged the legal entry and exit of international travelers, and stands firmly in strictly prohibiting illegal immigration, and has adopted all necessary measures and done its utmost to ban illegal migration.

To be frank, there are some Chinese who are smuggled abroad in different ways. The Chinese government's policy on this matter is to accept all repatriation of the illegal migrants after verification by China's competent department that they were departing from Mainland China. Those who are

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smuggled by sea shall be repatriated by ship in groups all together. We cannot agree with the practice of some countries that select and keep some of the smugglers while repatriate the rest. Neither do we agree with the policy of allowing illegal migrants to stay in the name of “refugees”. This is because such practice and policy may give illegal migrants more illusions and attract more people to risk human smuggling.

C. Measures Adopted by the Chinese Government to Combat Illegal Migration in Recent Years

1. Strengthening the Management of International Travel Documents and Improving Quality and Anti-forging Techniques in Chinese Passports and Other Certificates

The public security authorities of China have made great efforts to improve the quality of entry and exit certificates. The Chinese private passport has been redesigned eleven times. Now the 12th version of the Chinese private passport has been put into use. The quality of the passport has been greatly improved with the introduction of intaglio printing, rainbow printing, laser-printing and microform marks. All these technological advances have made the 12th version passport difficult to be counterfeited. Besides, computer networks have linked all the entry and exit administration departments at the municipal level and above; all passport information is stored on a national database. Then we will set up networks connecting ports between ports and ports between documents issuing offices. There is no doubt that all these measures will play a positive role in fighting illegal migration.

2. Enhancing Exit-Entry Frontier Inspection and Fighting Illegal Crossing of National Borders

The Chinese entry-exit frontier inspection stations are in charge of inspection of all international travelers. Chinese citizens departing China not only have their passports but also their visas examined. By doing this, persons holding forged or fraudulent visas shall be prevented from departure. Such special practice protects the legitimate rights of the Chinese citizens on the one hand, and keeps the forged documents bearers from leaving China on the other hand. Compared with the non-exit-inspection practice of some countries, it shows the responsible concept of the Chinese government towards the international community in matters of anti-illegal migration.

3. In the Campaign Against Illegal Migration, the Following Measures are Adopted in our Inspection Work

(i) Establishing information notification system. China is a large country with long borders and many open ports. To collect and send information about illegal migration in the shortest time is of great value to joint action and full-scale guarding of all frontier stations all over the country. For instance, after we get information about forged certificates and documents held by illegal migrants as well as their routes and methods of smuggling, we immediately send the information to all ports to enhance their inspection.

(ii) Improvement in facilities of passport inspection. We purchased an “EDISON system” from the Netherlands and a “documentary 3000 system” from Switzerland and Britain, and installed them in our major frontier inspection stations with the aim of identifying visas and passports and collecting useful information in the fight against illegal migrants. With the help of the new equipment, the ability of our inspectors to detect forgeries has been greatly improved. We are planning to purchase more identifying apparatus and install more inspection stations.

(iii) Enhancing training. Now all our newly recruited inspectors are graduates from colleges and universities from all over the country. Before they take the inspection job, they must take a half-year's professional training. Only those who pass the qualification exam can join the inspection task. Regular advanced training and expert lectures are arranged for all inspectors to improve their juristic knowledge and inspecting skill. For instance, we have yearly nation-wide training courses for inspectors to improve their ability to crack down on illegal migration.

(iv) Conducting strict control and patrols at sea. To crack down on human smuggling along coastal areas, the Coast Armed Police Force (CAPF) has been set up in provinces of Guangdong, Guangxi, Fujian, Zhejiang and Hai'nan. The CAPF are well equipped, and can effectively and swiftly enforce

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their duty. In 1999, there were 1,300 cases of illegal migration detected in the coastal area with 9,129 illegal migrants and 925 organizers involved.

(v) Detecting and severely punishing the organizers of illegal migration. The existence of organizers of illegal migration (in Chinese they are called “snake head”) is widely considered as one important cause of illegal migrations. Therefore severe punishment of the smuggling organizers is urged to add to the campaign against illegal migration. The criminal law of P.R.C. stipulates that organizers of illegal migration shall be sentenced to a period of imprisonment from 2 to 7 years, together with a fine. For very serious cases imprisonment from 7 years to life is possible, as well as a fine or confiscation of property. In recent years, a number of illegal migration organizers have been arrested and prosecuted. According to incomplete statistics, in 1999, the Chinese frontier inspection stations arrested over 200 organizers of illegal migration. Meanwhile the names of organizers abroad are on our control list, so that they cannot enter China to conduct any illegal activities.

(vi) Strengthening international cooperation. Up to now, in the field of containing illegal migration, China has established effective cooperation with over 40 countries, and has signed agreements or memorandums with over 30 countries. On January 13th 1999, we learned that a number of persons would be smuggled to USA from Shanghai. Shortly after receiving the message we contacted the representative of Immigration and Neutralization Service (INS) of the United States in Beijing. On April 24th, the INS officers successfully arrested 2 illegal migrants and 2 escorting American Vietnamese on the spot while they were destroying their passports and forged visas right after arriving at Los Angeles airport. In Shanghai, the related criminals were detained at the same time. We have also experienced many other successful cooperative efforts with other countries, including the Netherlands and Italy.

(vii) Heightening the consciousness of Chinese citizens against illegal migration through the mass media. With the concept that the illegal migrants are not only misfeasors but also victims, we process propaganda to the public on the aftermath of smuggling. In areas where the illegal emigration issue is serious, relevant institutions of local governments and social organizations are motivated to publicize the harm of illegal migration and confirm the government’s standpoint against human smuggling. Newspapers, radio and television programmes are broadly used.

III. OVERALL SITUATION AND TREND AS WELL AS STATISTICS ON SMUGGLING OF MIGRANTS FROM 1997 TO 2001

A. The Overall Situation of Illegal Migration

1. Illegal Migrants Detected from 1997 to 2001

Table 1. Statistics on Illegal Migration Detected from 1997 to 2001

| Year | Number of Entry & Exit Visitors | Number of illegal migrants intercepted in China | | | | | | |
|------|---------------------------------|---|----------------|--------|-------------|--------|---------------------|-------|
| | | Total | Forgery Number | % | Other Means | % | Organized Smuggling | % |
| 1997 | 131198920 | 6635 | 2326 | 35.06% | 3917 | 59.04% | 392 | 5.91% |
| 1998 | 142965080 | 6624 | 3064 | 46.26% | 3219 | 48.60% | 341 | 5.15% |
| 1999 | 163512420 | 7027 | 4183 | 59.53% | 2390 | 34.01% | 454 | 6.46% |
| 2000 | 187243600 | 7073 | 4067 | 57.50% | 2642 | 37.25% | 364 | 5.15% |
| 2001 | 201897844 | 5558 | 3350 | 60.27% | 1901 | 34.20% | 307 | 5.52% |

Notice: other means refer to hiding in means of transport, assuming other’s name and taking unlawful procurement

(i) With the increase in the number of exit and entry passengers, the number of illegal migrants detected is also on the rise.

(ii) Bearing forged travel documents is the chief means of smuggling in open ports. And the percentage of forgery bearers has been increasing year by year. The Chinese government has been alerted to this trend.

(iii) The annual number of illegal migration organizers detected by the Chinese frontier inspection institutes is 5 to 6% of smugglers detected. Some of the organizers are Chinese, yet most of them are foreign nationals who hold legal travel documents and are difficult to detect. They are wirepullers of illegal migration and should be the focus of our strike.

2. Forged Documents from 1997 to 2001

Table 2. Breakdown of Forged Travel Documents from 1997 to 2001

| Year | Number of forged certificates and documents | | | | | | |
|------|---|--------------|--------|-------------|--------|--------------------|--------|
| | Total | Forged Stamp | % | Forged Visa | % | Forged Certificate | % |
| 1997 | 2326 | 386 | 16.60% | 423 | 18.19% | 1517 | 65.22% |
| 1998 | 3064 | 361 | 11.78 | 427 | 13.94% | 2276 | 74.28% |
| 1999 | 4183 | 339 | 8.10% | 502 | 12.00% | 3342 | 79.89% |
| 2000 | 4067 | 234 | 5.75% | 652 | 16.03% | 3181 | 78.21% |
| 2001 | 3350 | 498 | 14.87% | 897 | 26.78 | 1955 | 58.36% |

(i) The percentage of forged certificates is on the increase. The main methods of forgery are photo-substitution, data-page substitution and data-page alteration. Photo-substitution is the most common forgery, rating as much as 50% of the total. Although an entirely counterfeit travel document is seldom used because of the technical difficulties, it still can be detected in practice owing to forgers using advanced computer technology.

(ii) The number of forged visas has increased rapidly. The loss of blank visas by some countries provides chances for the human smuggling syndicates.

(iii) The Chinese government conducts strict control over the exit of its citizens for private purposes, especially over citizens who go abroad for the first time. Forgers may counterfeit exit and entry stamps on a forged passport to make it look like one that has been used before; therefore the forgery of exit and entry stamps has also taken a certain proportion in the total number of forged documents.

3. Distribution of Illegal Migrants and their Destinations

(i) Illegal emigrants in China come from three sources: natives of the boundary area, natives of the coastal area and foreigners from developing nations.

(ii) The destinations of illegal migrants are mainly the developed western European countries. The developed countries have an advanced economy with a high living standard and income. Some of these countries also provide welfare benefits to asylum seekers and some even grant amnesties to illegal migrants. They are believed to be the main attraction to illegal migrations.

(iii) The illegal migrants mostly hold forged passports from China, Japan, Korea, US, Canada, Singapore, Malaysia, France and New Zealand. The forged visas involve countries of Brazil, Venezuela, Ecuador, Paraguay, Australia, US, South Africa, Bolivia, Spain, Greece, Belgium, Portugal and Panama.

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4. Illegal Migrants Detected by Major Frontier Inspection Stations 1998-2001

**Table 3. Figures Of Illegal Migrants Detected by Major Frontier Inspection Stations
1998-2001**

| List | Year | Station Name | Number Detected | Year | Station Name | Number Detected |
|------|------|--------------|-----------------|------|--------------|-----------------|
| 1 | 1998 | BEIJIN | 1316 | 2000 | BEIJING | 673 |
| 2 | 1998 | HONGQIAO | 711 | 2000 | GAOQI | 622 |
| 3 | 1998 | BAIYUN | 696 | 2000 | HONGQIAO | 406 |
| 4 | 1998 | GONGBEI | 300 | 2000 | LUOHU | 345 |
| 5 | 1998 | LUOHU | 268 | 2000 | BAIYUN | 231 |
| | Year | Station Name | Number Detected | Year | Station Name | Number Detected |
| 1 | 1999 | BEIJIN | 1259 | 2001 | BEIJING | 1391 |
| 2 | 1999 | HONGQIAO | 1060 | 2001 | LUOHU | 923 |
| 3 | 1999 | GAOQI | 711 | 2001 | BAIYUN | 539 |
| 4 | 1999 | LUOHU | 643 | 2001 | HONGQIAO | 408 |
| 5 | 1999 | GONGBEI | 388 | 2001 | PUDONG | 280 |

The above frontier inspection stations are the biggest open ports in China. With the increasing number of international travelers, illegal migration detected has increased at the same time. And it also can be concluded that the forged document bearers tend to choose busy ports with good transport facilities for departure.

5. Situation of Foreign Illegal Migrants in China

It is well known there are some Chinese citizens smuggled abroad. Meanwhile, China is also troubled by illegal immigrants from overseas. It has negative effects on China's social stability and economic development. In recent years, the illegal migrants have started to flow into China from some neighboring countries. The illegal migrants staying in China amount to tens of thousands. They are mainly scattered in the Guangxi Autonomous Region, Guangdong, Yunnan, Jilin and Liaoning provinces. From 1995 to 1999, the number of persons that have gained illegal entry, illegal residence and illegal employment in China amounts to over 70,000. However, 30,000 of them have been repatriated.

Table 4. Forged Documents Held by Foreign Illegal Immigrants in China (1997-2001)

| Year | Total | Number of forged certificates and documents | | | | | |
|------|-------|---|--------|-------------|--------|---------------------|--------|
| | | Forged Number | % | Other Means | % | Organized Smuggling | % |
| 1997 | 270 | 124 | 45.93% | 122 | 45.19% | 24 | 8.89% |
| 1998 | 256 | 109 | 42.58% | 93 | 36.33% | 54 | 21.09% |
| 1999 | 255 | 128 | 50.20% | 71 | 27.84% | 56 | 21.96% |
| 2000 | 452 | 192 | 42.48% | 206 | 45.57% | 54 | 11.95% |
| 2001 | 638 | 527 | 82.60% | 51 | 7.99% | 60 | 9.40% |

From the graph above, it shows:

(i) The number of foreign illegal immigrants in China has been increasing with the development of China's economy. A considerable number of them reside and work illegally in China. The problem has raised the Chinese government's attention.

(ii) The illegal migrants in China are mainly from Sri Lanka, India, Pakistan, Afghanistan, Ghana, Barbados, North Korea, Albania and Cameroon.

(iii) About 20% of illegal migrants are organizers of illegal migration. They induce, transport, and assist Chinese illegal migrants, and supply forged certificates and documents.

Table 5. Forged Documents Held by Foreign Illegal Immigrants in China (1997-2001)

| Year | Number of forged certificates and documents | | | | | | |
|------|---|--------------|--------|-------------|--------|--------------------|--------|
| | Total | Forged Stamp | % | Forged Visa | % | Forged Certificate | % |
| 1997 | 124 | 6 | 4.84% | 30 | 24.19% | 88 | 70.97% |
| 1998 | 109 | 18 | 16.51% | 21 | 19.27% | 70 | 64.22% |
| 1999 | 128 | 16 | 12.50% | 19 | 14.84% | 93 | 72.66% |
| 2000 | 192 | 23 | 11.98% | 47 | 24.48% | 122 | 63.54% |
| 2001 | 287 | 59 | 20.56% | 132 | 45.99% | 96 | 33.45% |

In the case of foreign illegal migrants with forged travel documents entering China; bearing forged passports of other countries is the most common method. Forged passports involve passports of more than 20 countries, U.S., Greece, Austria, Germany, Canada, Malaysia, Singapore and so on are among some of them.

B. Modus Operandi for Users of Forged Travel Documents to Enter and Exit

At present, the illegal crossing of national borders is syndicated, internationalized and intellectualized. The methods of falsification are more sophisticated and use advanced technology. This demands that immigration authorities of all countries take more effective measures to meet the challenge.

1. The Situation of Illegal Migration and Forged Certificates in China

(i) Twice substitution of data-page. Users of these kinds of forgeries are mostly from certain coastal provinces. It is not easy for natives of those areas to get visas legally owing to the high frequency of illegal migration from those areas. Therefore, forgers substitute the inside front cover and inside back cover of the passport so that the issuing places have been changed into that of other provinces. After obtaining visas, the original covers are placed on this passport. After arriving at the visa-issuing country, the bearers would manage to turn to their real destination country. In such kind of forgery, the information on the passport corresponds to the holder; there is no substitution of photo; and the visa is genuine as well. All these factors make it more difficult to be detected. Up till now, we have detected hundreds of South Korean visas of such unlawful procurement.

(ii) Bearing legal certificates for departure, then taking forged certificates and documents to a third country. When a Chinese citizen going abroad, submits their valid passports and visas to border check posts for examination some illegal emigrants apply for visas that are easier to get, then they go to the visa-issuing countries as a springboard on the strength of genuine documents and then turn to a third country. (their Ultimate destination) Most of the illegal migrants detected in Dover used this method. Cases of this kind have been increasing in recent years.

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(iii) Switching boarding passes. The illegal migrants prepare two sets of travel documents for switching. With a boarding pass for a domestic flight or transit flight, the illegal emigrant sneaks into the control area for international flights. Then he will switch his boarding pass with that of the international flight held by his cahoots who have plotted with him. After switching, he will destroy his legal travel documents and take the flight with a forged one.

(iv) Colluding with staff of the port. Some human smuggling syndicates buy off staff at the ports to allow the smugglers to evade frontier inspection. In certain seaports, some captains of international traveling ships were bribed to build hidden cabins in their ship to carry illegal migrants. Or they go through departure procedures for illegal migrants in the name of crewmembers. On 25th and 30th of April 2000, 7 illegal migrants were found hiding in containers to Britain, with the assistance of port staff. On 2nd May 2000, 4 illegal migrants of the same kind were detected. Because of the participation of port staff, such illegal migration has a better chance of succeeding.

(v) Bearing stolen travel documents and visas. We have put information of stolen and lost certificates and documents reported by other countries onto our blacklist. Many illegal migrants using stolen travel document have been detected. According to our investigations, such kinds of smuggling activities are usually organized by syndicates. The seals and signatures on these documents are delicately forged. The syndicates are well informed, once one such case is detected, similar modus operandi will be avoided immediately.

III. INTERNATIONAL COOPERATION

To make more progress in containing and cracking down on international illegal migration, the Chinese entry and exit administration authority is willing to enhance cooperation with counterparts of all countries and regions in a more comprehensive field. This includes:

A. Wider Exchanges of Information and Intelligence

To crack illegal migration, comprehensive cooperation between countries is urged. No single country can do the job all by its own. Exchanges shall include: informing each other of illegal migration tendencies; enforcement and achievement on combating illegal migration, especially information about illegal migration syndicates and organizers of illegal migration; and the latest trends of illegal migration. Cooperation shall include: assisting counterpart's investigation on illegal migration; exchange techniques; equipment; technology for identifying fraudulent documents; and notification of lost or stolen certificates and documents.

B. Strengthening the Cooperation on Repatriation of Illegal Migrants

China has always taken a positive and cooperative attitude on accepting illegal Chinese emigrants. Those verified through our embassy abroad to be Chinese citizens are allowed back. We have cooperated very well on this issue with countries of Mexico, Australia, US, Japan, Italy, Netherlands and regions of Hong Kong and Macau. From 1998 to the beginning of 2000, we have received 80,000 repatriated illegal Chinese emigrants.

Besides we require the repatriation of those illegal Chinese emigrants who claim to be so called "political asylum seekers". We suggest the involved countries exchange information with us about illegal immigrants directly coming from Mainland China. The information may include name, date of birth, and passport number, port of departure, time of departure. We believe such exchange will be of great help to our combat against illegal migration.