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[Home](#) → [Country of Origin Information](#) → Responses to Information Requests

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China: The hukou [residential registration] document, including appearance, content, fraud, pathways for obtaining, requirements, and procedures; hukou policy, including national regulations and local policies; circumstances when a hukou might be cancelled; the effect of divorce on the hukou, particularly if the head of the household has divorced, relocated and remarried, and whether a new head of the household is appointed (2010–July 2022)

Research Directorate, Immigration and Refugee Board of Canada

1. Overview

In correspondence with the Research Directorate, Samantha Vortherms, an assistant professor of political science at the University of California, Irvine—who specializes in migration, development, and social welfare in China, has published multiple articles on the hukou system, and is currently working on a book manuscript about the autonomy of municipal governments in defining local hukou naturalization criteria—stated that whereas the hukou once served as a household register, it now operates more as "an internal citizenship institution that functions as an individual identity" (Vortherms 8 July 2022). According to a 2018 report by the UK Home Office on internal mobility in China, the hukou system was "historically a rigid family-based structure," but it has been "significantly relaxed" in recent years (UK Mar. 2018, 6).

Vortherms indicated that physically relocating to another city does not alter a person's hukou, and to obtain a new hukou one must "qualify through strict local naturalization pathways defined by local governments"—various specialized processes through which an eligible individual can apply for a local hukou—, "cancel [their] old status, and register anew" (Vortherms 8 July 2022). The same source, in a follow-up interview, added that transferring one's hukou to a new location is easier for those with money and a higher educational background, but not guaranteed (Vortherms 26 July 2022). In correspondence with the Research Directorate, Marcella Siqueira Cassiano, a lecturer and postdoctoral research fellow of sociology at Memorial University of Newfoundland who has written multiple articles and book chapters on hukou and who is currently conducting research on hukou digitization and hukou's relation to Chinese state surveillance and social control, stated that while anyone with a household address can register their own hukou, it is common for individuals to do this only upon marriage as they leave their parents' hukou (Siqueira Cassiano 23 Aug. 2022).

Vortherms stated that the majority of people have the hukou that they were born with (Vortherms 26 July 2022). According to a country information report from Australia's Department of Foreign Affairs and Trade (DFAT), a person's hukou "might be a better reflection of their place of birth or even their parents' place of birth rather than their place of residence" (Australia 22 Dec. 2021, para. 5.25). Sources report that one-third (Australia 22 Dec. 2021, para. 5.24) or more than one-third (CSIS 14 May 2021) of the population live in a place other than that of their officially registered residence (Australia 22 Dec. 2021, para. 5.24; CSIS 14 May 2021). Vortherms noted that approximately one percent of the population (13 million people) do not have any hukou, for reasons including being born outside of the one-child policy or being the child of migrants who were unable to return home to register their child there (Vortherms 26 July 2022).

1.1 Uses of the Hukou

A report published by the Global Knowledge Partnership on Migration and Development (KNOMAD) [1] and written by Kam Wing Chan, a professor of geography at the University of Washington and a specialist on China's hukou system (University of Washington n.d.), provides the following information:

In an era of rapid migration, the hukou system has continued to determine Chinese citizens' access to housing, education, and public services. For example, only urban hukou holders have access to urban social benefits or public services. Moreover, an individual's social benefits are bound directly to the place where that individual's hukou is registered. In the absence of holding a local (urban) hukou, migrants who work mostly in the cities are unable to access even the most basic public services where they work. They have effectively been disenfranchised. (KNOMAD Nov. 2021, 1)

An article by Voice of America (VOA), an American international broadcaster funded by the US Congress (VOA n.d.), states that a person's hukou "determines" where they can reside and work, as well as the social benefits to which they are entitled and where their children may attend school (VOA 5 Mar. 2021). The same source indicates that those with urban hukou "[u]sually ... enjoy far better resources than those with rural hukou" (VOA 5 Mar. 2021). According to a 2019 article by the *South China Morning Post* (SCMP), a newspaper in Hong Kong, migrants who do not possess a local hukou, including people who have lived and worked in that city for years, are commonly "denied access to education and health care benefits" which are only available to permanent hukou holders (SCMP 11 Apr. 2019). The same source adds that many Chinese cities have policies in place which prohibit those without a local hukou from purchasing a home unless they pay into social security for some time between 6 and 60 months (SCMP 11 Apr. 2019). An article by *Global Times*, a state-run newspaper in China (Reuters 1 Sept. 2021), states that a person's hukou "determines [their] access to education, motor vehicles, and social welfare services" (*Global Times* 10 Apr. 2020)

According to the DFAT report, passport applicants must include their hukou as part of their application materials and it is "unlikely" for someone to be issued a passport without presenting a hukou (Australia 22 Dec. 2021, para. 5.39, 5.43).

1.2 National Regulations and Local Policy Variability

A report analyzing China's human capital and economic competitiveness, published by the Center for Strategic & International Studies (CSIS) [2] and written by scholars of China at CSIS and the Brookings Institution, states that in 2014, the central government initiated the National New-Type Urbanization Plan (2014–2020), a plan aiming to "facilitate rural migrants' transition to urban residents" (Boland, et al. 16 May 2022). The KNOMAD report indicates that alongside this

urbanization plan national authorities also issued the "State Council Opinions on Further Promoting the Household Registration System Reform," and that together these documents outlined a "gradual" policy of "granting migrants full rights" and closing the social benefits gap between locals and migrants through measures including "a renewed resident permit system and opening up hukou conversions in smaller cities while tightening them in megacities" (KNOMAD Nov. 2021, 4). In her unpublished book manuscript, Vortherms notes that the "crux" of these 2014 State Council reforms was "residence-based" hukou naturalizations, which permit any permanent resident of a city to naturalize and gain eligibility for a local hukou (Vortherms n.d., 21). In 2021, the National Development and Reform Commission "announced plans to relax hukou restrictions in most cities, while Hainan, Shanghai, and Hangzhou also announced relaxations on living or house-buying restrictions" (Boland, et al. 16 May 2022).

According to Vortherms, despite the existence of national regulations stipulating who can and cannot qualify to transfer their hukou, city governments have "a lot of autonomy" to define their own pathways for local hukou naturalization (Vortherms 8 July 2022). The same source stated that national policy means "relatively little" in practice, that local governments have held greater autonomy over their hukou policies since 2001, and that since 2014 national policy has explicitly emphasized the discretion of local authorities to apply hukou policy in their areas as they see fit (Vortherms 26 July 2022). Siqueira Cassiano noted that national hukou policies issued by the State Council provide a general direction of hukou reform for municipalities to follow, but that municipalities can create their own policies provided they "deliver the vision outlined by the State Council" (Siqueira Cassiano 23 Aug. 2022). Vortherms indicated that despite the existence of broad national hukou-related priorities and provincial-level hukou policies, the regulations in effect around the country reflect the municipal-level hukou directives crafted by the relevant municipality or prefecture (Vortherms 26 July 2022).

Vortherms indicated that national hukou guidelines advise that the largest cities should limit the number of hukous they permit, while small and medium-sized cities (constituting cities of 1 million people or less residing in its urban districts) should "open their doors completely" to those seeking local hukous (Vortherms 26 July 2022). The same source added that in practice neither the smallest cities nor the cities of over 10 million people are liberalizing their hukou policies; it is cities of between approximately 500,000 and 3 million people that are the most willing to convert people from rural to urban hukou statuses (Vortherms 26 July 2022). Siqueira Cassiano noted that municipalities tend to mimic the hukou policies of peer cities and towns of similar size; "top-tier municipalities" like Beijing, Shanghai, Shenzhen, and Chongqing have similar hukou policies, while "second-tier" cities like Xiamen, Fuzhou, Wuxi, Kunming, Harbin, Jinan, Changchun, Wenzhou, Shijiazhuang, and Nanning have similar policies to one another (Siqueira Cassiano 23 Aug. 2022). The same source added that variation is not seen from one province to another, but rather from one city type to another (Siqueira Cassiano 23 Aug. 2022). According to the US Department of State's *Country Reports on Human Rights Practices for 2021* for China, "many provinces and localities eased restrictions" governing changing one's workplace or residence (US 12 Apr. 2022, 56–57). The same source also notes, however, that "[m]ost cities" had annual quotas limiting the number of new temporary residence permits they could issue (US 12 Apr. 2022, 57). The UK report indicates that cities with under 3 million permanent residents in downtown areas are "more willing" to issue hukou than larger cities, which have "tough restrictions" for issuing permits (UK Mar. 2018, 6).

US *Country Reports 2021* states that although many rural residents relocated to cities in 2021, they "often" were unable to formally change their official residence or workplace, and notes that it is especially challenging for rural residents to acquire household registration in provincial capitals (US 12 Apr. 2022, 57). According to the

same source, outside of provincial capitals many cities have eliminated or lowered barriers to relocating from a rural location to an urban one (US 12 Apr. 2022, 57).

According to information derived from China's 2020 national census, and provided by China's National Bureau of Statistics, the population living [for over six months (China 11 May 2021a)] in places other than that of their household registration is 492.76 million, including 116.94 million living outside of their area of household registration but within the same city (China 11 May 2021b). Of the remaining 375.82 million—considered the "floating population"—124.84 million people live in a province different from that of their household registration (China 11 May 2021b).

2. The Hukou Document

2.1 Appearance and Content

According to Vortherms, the most common appearance of the hukou document is a booklet with a red cover (Vortherms 26 July 2022). Siqueira Cassiano stated that the hukou is a "pocket-sized booklet" which contains cards detailing information about the household and its members (Siqueira Cassiano 23 Aug. 2022). An image of the front cover of a hukou booklet—available in Marcella Siqueira Cassiano's doctoral dissertation—is attached to this Response (Attachment 1).

Vortherms noted that although the required documentation for obtaining a new hukou provides much information about the applicant, this information does not all appear on the hukou document itself (Vortherms 26 July 2022). Vortherms stated that the document is "mostly uniform" but does change over time (Vortherms 26 July 2022), while Siqueira Cassiano indicated that all hukou booklets have the same appearance (Siqueira Cassiano 23 Aug. 2022). Siqueira Cassiano added

that a "few" municipalities have "transformed hukou into a QR code" as part of a pilot project, but this has not replaced the official hukou document (Siqueira Cassiano 23 Aug. 2022).

The VOA article states that a person's hukou document includes the names of the individual, their parents and their spouse, as well as the individual's date of birth (VOA 5 Mar. 2021). According to Vortherms, the 2011 version of the hukou document includes the following information:

- Name;
- Gender;
- Ethnic minority status;
- Birth date;
- ID number;
- Education level;
- Address;
- Local police station where the individual is registered;
- Profession (Vortherms 26 July 2022).

The DFAT report indicates that births and deaths are recorded on a hukou (Australia 22 Dec. 2021, para. 5.43).

According to Siqueira Cassiano, the first page in the hukou booklet registers general information about the household, such as household number, household classification (either "agricultural" or "non-agricultural"), the family head's name, and the household address (indicating their hukou jurisdiction) (Siqueira Cassiano 23 Aug. 2022). According to the same source, it is the household head's responsibility to maintain updated household information (recorded on this card) with the local police station in charge of managing the family's register (Siqueira Cassiano 23 Aug. 2022). A sample of the first page of a hukou booklet from Hunan province, sent to the Research Directorate by Vortherms, is attached to this Response (Attachment 2). Another sample of the first page of a hukou booklet is available in Siqueira Cassiano's doctoral dissertation (Siqueira Cassiano 2020, 23–24).

Siqueira Cassiano stated that the reverse side of the first page records the migration history of the household as a unit, including various address changes with the respective dates (Siqueira Cassiano 23 Aug. 2022). A sample of the reverse side of the first page of a hukou booklet is available in Siqueira Cassiano's doctoral dissertation (Siqueira Cassiano 2020, 24–25). An English translation of the reverse side of the first page of a hukou booklet—available in Siqueira Cassiano's doctoral dissertation—is attached to this Response (Attachment 3).

Sources indicated that the hukou booklet also contains a card called a long-term residence card (Vortherms 2 Aug. 2022) or a household member card (Siqueira Cassiano 23 Aug. 2022). Siqueira Cassiano noted that this card contains information about each household member (Siqueira Cassiano 23 Aug. 2022), and Vortherms stated that this card is completed by everyone who either has a local hukou and lives in the listed location, has a non-local hukou but has resided in the listed location for six months, or has a local hukou but has moved away from the listed location less than six months ago (Vortherms 2 Aug. 2022). Vortherms added that this particular card is used for both locals and "migrants," and it is therefore "not directly defining of hukou" (Vortherms 2 Aug. 2022). The same source also noted that this long-term residence card does not have to correspond with the location listed on the card comprising the first page of the hukou booklet; the first page is the person's hukou location, whereas the long-term residence card indicates where they actually reside (with a six-month transition time granted) (Vortherms 2 Aug. 2022). A sample of the long-term residence card is available on a Beijing municipal government webpage and is attached to this Response (Attachment 4).

Siqueira Cassiano noted that the reverse side of a long-term residence card records changes to the information on the front side of the card and lists the date of each change (Siqueira Cassiano 23 Aug. 2022). The same source added that potential recorded changes include

altering one's residential address, educational attainment, marital status, and workplace, all of which equips the state bureaucracy with significant "data traceability" on individual hukou holders (Siqueira Cassiano 23 Aug. 2022). A sample of the reverse side of a long-term residence card—available in Siqueira Cassiano's doctoral dissertation—is attached to this Response (Attachment 5).

According to Siqueira Cassiano, the hukou booklet also contains two summary cards, which together offer a "quick view" of all individuals registered within a particular household to facilitate government authorities when checking a household's hukou registration (Siqueira Cassiano 23 Aug. 2022). The same source added that the first of these summary cards concerns hukou classification and migration history, and contains the name, sex, birth date, hukou classification, and any special circumstances involving migration for each member of the household; the second summary card concerns the social position of each household member at the registered address, listing their name, sex, relationship to the household head, and ID number (Siqueira Cassiano 23 Aug. 2022). English translations of the two summary cards are available in Marcella Siqueira Cassiano's doctoral dissertation (Siqueira Cassiano 2020, 28).

According to Siqueira Cassiano, while residents still retain a physical hukou booklet, beginning in 1998 individual hukou files were digitized, "becoming a digital file within a huge platform managed by the Ministry of Public Security" (Siqueira Cassiano 23 Aug. 2022). The same source added that at the same time that hukou files became digitized, individuals' ID numbers were added to the hukou (Siqueira Cassiano 23 Aug. 2022).

2.2 Fraudulent Hukou Documents

According to Siqueira Cassiano, fraudulent hukou documents exist (Siqueira Cassiano 23 Aug. 2022), and Vortherms noted that hukous are "relatively unsecured" (Vortherms 10 Aug. 2022). Vortherms

added the following information regarding hukou security features and related types of fraud:

The primary security feature is the matching set of documents held at the local police station that verifies the hukou veracity. All valid hukous should be stamped, but other than that there [are] relatively [few] security processes. There are instances of fraudulent hukous [reported by] the media, primarily around people securing multiple hukous in order to purchase apartments. What you hear much more frequently, however, are cases where documents are not forged, such as when migrant workers' hukou and identity documents are held by their employers then they are picked up and detained by police because they cannot produce their documents. (Vortherms 10 Aug. 2022)

Siqueira Cassiano indicated that "fake marriages" orchestrated to facilitate hukou naturalization in "top-tier cities" such as Beijing and Shanghai occur (Siqueira Cassiano 23 Aug. 2022).

3. Pathways to Obtaining a New Hukou, Issuance Requirements, and Procedures

3.1 Pathways to a Obtaining a New Hukou

Siqueira Cassiano indicated that the most common hukou naturalization pathways that exist across Chinese cities are those relating to education, residential real estate investment, business investment (in the municipality), and family reunification (Siqueira Cassiano 23 Aug. 2022).

In her unpublished book manuscript, Vortherms provides the following table of the four "[n]aturalization [t]racks":

Naturalization Track	Sub-categories	Targeted population
Family	Newborn Children Spouses Parents Elderly Children needing care	Local Rural
High-Skilled	Employment-driven - Credential System - College with work requirements General Pool - Point-based systems - College without work requirements	All
Residence-based	Land-based Family-based	Local Rural
	Work-based Residence-based	All
Investment	Housing Investment: individual Investment: firm	Non-local

(Vortherms n.d., 10, 11)

The same source adds that family-based transfers include "parents registering children," "spousal transfer" [when a married couple seeks to transfer the hukou of one spouse to match that of the other], "children registering parents" or "elderly grandparents," and "children needing care" (which "implies adult children with disabilities or children in the process of being adopted") (Vortherms n.d., 11).

Vortherms's book manuscript indicates that high-skilled transfers refer to those with "a college degree" or "a professional rank or certification as defined by a national certification system," for which skilled workers with "training and formal experience" can apply (Vortherms n.d., 16). The same source adds that high-skilled transfers

can be employer-driven—which permit a person to relocate at the request of an employer issuing a work contract—or derived from a general pool system in which anyone meeting certain criteria of education and financial resources can apply regardless of whether or not they hold stable employment (Vortherms n.d., 17–18).

According to Vortherms's book manuscript, residence-based transfers are "[i]deally" designed to extend hukou transfer eligibility to "anyone with proof of a 'stable' ... life in the city, including a work contract, housing, and paying into local social security accounts" (Vortherms n.d., 21). The same source states, however, that in practice residence-based transfers are limited because of discrepancies in how the approach has been implemented locally, and because "significant government manipulation," including the confiscation of peoples' rural land by local governments following their hukou transfer, has disincentivized prospective transferees (Vortherms n.d., 22). Vortherms's book manuscript notes that while both work-based and residence-based transfer pathways do not distinguish between local and non-local populations in their eligibility criteria, in practice "anecdotal evidence" suggests that "local-rural populations are the primary beneficiaries" of these pathways (Vortherms n.d., 10).

Vortherms's book manuscript indicates that investment based hukou transfers include a real estate investment (in accordance with particular criteria), or a one-time investment in a local firm or industry, or a payment "above a certain threshold of tax" by a firm of which the prospective transferee is an employee (Vortherms n.d., 24–25).

According to Vortherms's book manuscript, two additional and "less common" naturalization pathways include "military-government assignments" and "rural returns," which are available via a "family-based" route or through "special graduate returnee programs" for one-time residents who relocated for schooling (Vortherms n.d., 26–27).

Vortherms indicated that local hukou policies can be "open," or "moderate," or limited with respect to accepting migrants and issuing new hukou (Vortherms 26 July 2022). According to the same source, open hukou policies offer more pathways for skilled workers to migrate, include less onerous paperwork for family unification and other similar hukou applications, and provide more residence-based or investment-based pathways (with lower investment thresholds) for prospective migrants to pursue (Vortherms 26 July 2022).

Siqueira Cassiano indicated that with the exception of five cities (Beijing, Shanghai, Shenzhen, Tianjin, and Chongqing) with particularly restrictive naturalization eligibility, since 2017–2018 most municipalities have removed naturalization restrictions and people can now "move as they please" as long as they have an address (including a rental address with their landlord's written consent) to register a hukou (Siqueira Cassiano 23 Aug. 2022). However, according to Vortherms, cities with open hukou policies tend to have lower rates of issuing new hukou, in practice (Vortherms 26 July 2022). The same source specified that this could be because of local quotas in place which limit the number of hukous issued, or it could be that prospective migrants remain reluctant to apply for a new hukou despite their eligibility because of the various implications for altering their hukou location and/or status (Vortherms 26 July 2022).

According to Vortherms, the most common pathway to transferring one's hukou is either through family unification or transfers resulting from land confiscation (in which people displaced by a development project are compensated with an urban hukou) (Vortherms 26 July 2022). The same source added that many people also now obtain a new hukou through pathways designed for "highly skilled labour" (Vortherms 26 July 2022).

Vortherms noted that married couples who have different hukou types are not obliged to change their hukou in order to live under the same address, as long as they register as residents—a "less formal" designation—with the local police (Vortherms 8 July 2022).

According to Vortherms, the most common reasons why parents will seek to transfer their child's hukou are because a parent has obtained a new job (which provided a hukou for them, but not their child), or because a child is registered under the hukou of one parent and is seeking transfer to that of the other parent (Vortherms 10 Aug. 2022). The same source added that transferring children because a parent obtained a new hukou via work or a skilled-worker program is "generally easier" (since "most" of these processes explicitly indicate that children "can follow"); the process can become more complicated if the children are older (different cities state different age limits), or if the child is following their father instead of their mother, which often results in needing to provide additional paperwork "like paternity and proof of no other registration" (Vortherms 10 Aug. 2022).

Vortherms stated that although more pathways to obtaining a new hukou exist today than in the past, local governments often institute quotas capping the number of new hukous that they will issue each year (Vortherms 26 July 2022). Sources indicated that information regarding quotas is not made readily available (Vortherms 26 July 2022; Siqueira Cassiano 23 Aug. 2022), and Vortherms added that quotas are "often considered internal information," they are "never made public," and the aggregate totals are "almost never discussed openly" (Vortherms 26 July 2022). Vortherms noted that in her research she has found quotas to be common even in small and medium-sized cities (Vortherms 26 July 2022). According to the same source, all cities permit a "family sponsored" hukou transfer—the naturalization pathway married couples can use to transfer the hukou type and location of one partner (often the wife) to that of their spouse—but added that some cities impose

particular limitations on this process, including ten-year waiting periods or minimum age requirements for such a spousal hukou transfer (Vortherms 8 July 2022).

Vortherms indicated that highly skilled labour pathways in the largest cities operate according to a point-based system (though having sufficient points does not guarantee acceptance), or sometimes occur through employer sponsorship after a job has been secured (Vortherms 26 July 2022).

According to Vortherms, the 2014 hukou reforms introduced residency as an additional pathway to obtaining a new hukou, whereby those that have resided for a particular duration of time in location, have secured employment there, and have paid into the local social welfare system can apply for a local hukou (Vortherms 26 July 2022). However, the same source added, local governments continue to impose set quotas for such hukou allotments, or they insert requirements that are difficult for many applicants (including migrants) to achieve, such as requiring a formal work contract which includes precise terminology or specifies a duration of time (Vortherms 26 July 2022).

3.1.1 Shanghai

The DFAT report provides the following information regarding hukou policies in Shanghai and Beijing:

It is very difficult to get a hukou in one of China's major cities like Beijing or Shanghai, which have quotas for new residence permits. A points system to apply for a hukou exists in some cities (over 5 million people) where good employment records, education and housing might be an advantage. Reforms in 2019 have made it easier to get a hukou in medium-sized cities (1 to 3 million residents) and removed limits on key population groups, including graduates of universities and vocational

colleges. This means that urbanisation and its associated development benefits may continue without putting additional pressure on megacities like Beijing and Shanghai. (Australia 22 Dec. 2021, para. 5.26)

Siqueira Cassiano noted that since the mid-2000s, Shanghai, Beijing, Shenzhen, Tianjin, and Chongqing have sought to limit migration by raising hukou naturalization criteria, and added that the "main pathways in these cities are schooling (being admitted to a [local] university... which is extremely difficult), marriage, and business investment (of extremely large sums of money)" (Siqueira Cassiano 23 Aug. 2022).

According to a CSIS report analyzing China's 2020 census data, major cities including Shanghai and Shenzhen have now "made inbound relocation easier and less bureaucratic" (CSIS 14 May 2021). An article by Sixth Tone, a Shanghai-based English-language online media outlet overseen by the "state-owned" Shanghai United Media Group (*FP* 3 June 2016), states that the city's hukou policy is based on a points system related to an applicant's educational history and employment experience (Sixth Tone 8 June 2021). According to an article by Xinhua News Agency, a state-run news organization (Reuters 24 Mar. 2022), Shanghai's Human Resources and Social Security Bureau announced that beginning in July 2022 non-local residents working in Shanghai who graduated from one of the "top 50" universities in the world would be eligible to receive a hukou there without needing points from "conditions" such as their history of social security payments in the city; the article also stated that new graduates from one of the "top 100" universities in the world "can qualify" for a hukou after paying six months of social insurance, if they hold a full time job in the city (Xinhua News Agency 9 June 2022). The same source indicates that in 2020 Shanghai instituted a "preferential hukou policy" for new graduates holding a bachelor's degree from four local universities—Fudan University, Shanghai Jiao Tong University, East China Normal University and Tongji University—

who would only need to meet Shanghai's basic hukou requirements rather than accrue points based on academic attainment and experience (Xinhua News Agency 9 June 2022).

The Xinhua News Agency article states that in 2018 Shanghai launched a pilot program to permit new graduates of the Peking and Tsinghua universities in Beijing to obtain a local hukou if they secured employment in the city (Xinhua News Agency 9 June 2022).

The same source indicates that in 2021 Shanghai eased its hukou "talent regulations" to permit postgraduates from all local universities to apply for a hukou if they worked in one of its suburban areas (Jiading, Qingpu, Songjiang, Fengxian and Nanhui) or the Lingang Special Area of the China (Shanghai) Pilot Free Trade Zone (Xinhua News Agency 9 June 2022).

3.1.2 Guangdong, Including Guangzhou, Shenzhen, and Jiangmen [3]

According to Vortherms, Guangzhou, Shenzhen, and Jiangmen all have point-based systems in place for new hukou applications (Vortherms 26 July 2022). The same source added that Shenzhen "is trying" to shift to a fully point-based system for hukou applications, but that it currently still awards hukous to applicants with higher-than-average financial holdings and educational backgrounds (Vortherms 26 July 2022). Vortherms also noted that Shenzhen's hukou policy is "unique," and explained that while in 2005 it fully integrated its entire rural population and created only one hukou status (urban) in the city, it had "relatively few" rural areas to begin with and it continues to have a sizable "unregistered" population (Vortherms 26 July 2022).

Vortherms stated that Guangzhou's hukou policy tends to favour migrants from elsewhere in Guangdong province over those migrating from other provinces or regions (Vortherms 26 July 2022). The same source added that the local government prioritizes applicants who they

believe will stay there for a long time, will work in the technology industry, and are unlikely to later migrate to other nearby cities including Zhuhai and Dongguan (Vortherms 26 July 2022). Vortherms also indicated that the Guangzhou government has actively encouraged other nearby cities to receive more migrants to help ease the strain on its own hukou applications (Vortherms 26 July 2022).

According to Vortherms, Jiangmen's hukou policy is "relatively open" to highly skilled labour but "more closed than average" to low-skilled labour and would require formal work contract documentation to consider applicants from this category (Vortherms 26 July 2022). Vortherms noted that in Jiangmen, where additional county-level cities fall under its administrative governance, those county-level cities technically operate according to Jiangmen's hukou rules (Vortherms 26 July 2022). However, the same source added, in situations like this, county-level cities could have their own quotas in place to encourage migration there (Vortherms 26 July 2022).

3.1.3 Fujian

Vortherms indicated that Fujian is a "standout province" with regard to its ease and rate of conversion of rural hukous to urban hukous, but they noted that this pertains largely to migrants from elsewhere in the province (Vortherms 26 July 2022). The same source added that it is difficult for migrants from outside of Fujian to obtain a hukou in the province (Vortherms 26 July 2022).

3.1.4 Hebei

Vortherms stated that Hebei province is "split" between "open" and "moderate" hukou policies, and they specified that there are fewer policies targeting highly skilled migrants, but there are more "mixed" or "middle range" hukou policies in place (Vortherms 26 July 2022). The

same source indicated that Hebei receives "much pressure" to alleviate some of the migration demand on Beijing and Tianjin (Vortherms 26 July 2022).

3.1.5 Shandong and Jiangxi

According to the VOA article, Shandong province reversed a restriction stipulating that urban hukou applicants there had to first secure a legal residence and a legal job before gaining eligibility to apply (VOA 5 Mar. 2021). The same source states that in February 2021, Jiangxi province initiated a policy stating that people who have relocated from rural locations to cities "would be able to" obtain hukou there "with no restrictions" (VOA 5 Mar. 2021).

3.2 Requirements

Vortherms indicated that, in theory, requirements and procedures for obtaining a hukou are nationally standardized, and that in practice there is limited variation (Vortherms 26 July 2022). The same source stated that the basic hukou application form is "very simple" and contains little information—"usually" name, address, old address, and information regarding any children—since most of the pertinent information is provided by the applicant in their accompanying documentation (Vortherms 26 July 2022).

According to Vortherms, the requirements for a hukou application depend on which pathway an applicant is seeking to pursue (Vortherms 26 July 2022). The same source stated that a national ID card and a temporary residence permit [4] are "standard" documents that are required of most hukou applications regardless of the pathway being pursued, and added that those renting a dwelling are commonly required to present their landlord's authorization (Vortherms 26 July 2022). The DFAT report indicates that a birth certificate and a valid ID card are necessary to apply for a hukou (Australia 22 Dec. 2021, para. 5.38,

5.43). Vortherms noted that a married applicant must present their marriage certificate and any documentation pertaining to children (a family planning certificate is "often" required to attest to the absence of children in such cases), regardless of which type of pathway they are pursuing for obtaining their hukou (Vortherms 26 July 2022). The same source indicated that many cities (with some variability) require a criminal background statement, employment information is "more often than not" required (though the request documentation can vary), and if a person is seeking to transfer the hukou of one of their parents, they are sometimes required to present proof of their own employment (Vortherms 26 July 2022).

According to Vortherms, the requirements for family unification hukou are the most onerous, including for spousal unification and for transferring a child's hukou (Vortherms 26 July 2022). The same source added that spousal unification applications might include paperwork showing the couple does not have any children, or that the couple's children were not born outside of the applicable family planning policy; transferring a child's hukou requires the national ID cards of both parents, the child's birth certificate and might require the father to prove his paternity through a DNA test (Vortherms 26 July 2022). Vortherms also noted that sometimes people are required to show proof of residence, including ownership paperwork or a rental agreement (Vortherms 26 July 2022). The same source indicated that when a person is pursuing a hukou through a skilled labour pathway, they need to show evidence of their employment (Vortherms 26 July 2022). According to Vortherms, sometimes an applicant is required to provide receipts attesting that they have paid into the local social welfare system of the new hukou location (Vortherms 26 July 2022).

Vortherms stated that there is commonly an age limit for hukou applications, which varies from one place to another, and cited examples including a point-based system removing points for applicants over 40

and child hukou transfers that are only permissible for children aged 16 or under (Vortherms 26 July 2022).

Siqueira Cassiano noted that around 2017–2018 (depending on the municipality), municipal governments began permitting hukou registration in rental properties for tenants able to procure the property owner's written consent (Siqueira Cassiano 23 Aug. 2022). The same source stated that most married couples buy a home to register their family hukou, with the husband commonly listed as household head in the hukou booklet (Siqueira Cassiano 23 Aug. 2022).

3.3 Procedures

According to Vortherms, the various processes for obtaining a new hukou are generally the same regardless of which pathway an applicant pursues, and the typical procedures involve the following six steps:

1. the applicant takes the required documentation to the local police station where they are seeking to obtain a new hukou, where the documents are reviewed by specialized hukou police;
2. the applicant's documentation is passed up to the county-level, where it is reviewed;
3. the applicant's documentation is passed up to the municipal-level, where it is reviewed;
4. the applicant's documentation is returned to applicant, who is given a short time (two days, for example) to return to the local police station where they are seeking a hukou to collect a "relocation permit" indicating that the new location has accepted them as a resident;
5. the applicant takes their documentation to the local police station in their original hukou location and applies for a "migration permit," authorizing the cancellation of their previous hukou;
6. The applicant returns to the local police station in the new hukou location, presents both the "relocation permit" and the "migration permit," and receives their new hukou document (Vortherms 26 July 2022).

Siqueira Cassiano indicated that only one registered household is allowed per address (Siqueira Cassiano 23 Aug. 2022).

3.3.1 Children

Siqueira Cassiano noted that parents must register their children in the family's hukou as soon as the child is born (Siqueira Cassiano 23 Aug. 2022). According to sources, the regulations of the national household registration system (US 12 Apr. 2022, 73) or the policies of most cities (Vortherms 8 July 2022) stipulate that the parents of a newborn child must register their children within one month of the child's birth (US 12 Apr. 2022, 73; Vortherms 8 July 2022). The DFAT report states that the registration of a child on a hukou can only be done from inside China (Australia 22 Dec. 2021, para. 5.43).

Siqueira Cassiano indicated that to register a child into a family hukou, the household head must report to the local police station and request the child's inclusion while presenting the child's birth certificate (Siqueira Cassiano 23 Aug. 2022).

The DFAT report notes that in 2016, the national government "ordered all local governments" to register children with a hukou, including those born "'out of plan'" (Australia 22 Dec. 2021, para. 3.118). *US Country Reports 2021*, however, indicates that in practice it is often not possible to acquire legal documents, including a hukou, for children born outside of family planning policy quotas or to single women (US 12 Apr. 2022, 73).

Vortherms noted that before 1999, children could only inherit their mother's hukou location and type (Vortherms 8 July 2022).

4. Circumstances in Which a Hukou Could Be Cancelled

According to Vortherms, the most common reason why someone will have their hukou cancelled is if they are known to have obtained permanent residency or citizenship anywhere outside of mainland China (Vortherms 26 July 2022). The same source noted that she is aware of cases of people who have had their hukou cancelled after they obtained a Hong Kong residency card, and noted that this circumstance is particularly common for people who secure Hong Kong or Taiwan residency (Vortherms 26 July 2022). Vortherms noted that the cancellation of hukous for people who secure foreign residency or citizenship is not always tightly enforced, and added that although enforcement is "very ad hoc," most of the cases they were aware of involved people in Fujian province (given its proximity to Taiwan) and Guangdong province (given its proximity to Hong Kong) (Vortherms 26 July 2022). The same source indicated that she is aware of cases of people who gain residency abroad and do not report that information back to Chinese authorities (Vortherms 26 July 2022).

4.1 Reacquiring a Hukou After Cancellation

Vortherms stated that most cities do not provide for a "right of return" for former hukou holders (Vortherms 26 July 2022). The same source stated that people seeking to restore a hukou after it has been cancelled would need to go through the usual pathways as an external migrant to that location, and they may have to pay an additional fee since they would be unable to include their previous hukou as part of their application (Vortherms 26 July 2022).

5. The Effect of Divorce on the Hukou Document

Siqueira Cassiano noted that divorce often has a "gendered" impact on a person's hukou, and explained the following:

When couples file for divorce, they officially separate their hukou upon receiving the divorce certificate, given that hukou means household unit. The ex-husband usually keeps the family home and the associated hukou register, while the ex-wife usually leaves the family home and returns to her parents' home and hukou register.

...

In case the home was purchased by both the wife and the husband, then, they usually sell the home, divide the money, and return to their parents' homes and hukou. In the rare cases when the wife bought the home, she keeps the home and the associated hukou register.

...

Since the late 2010s, using rental properties to register hukou became possible, facilitating the lives of divorcees.

...

Technically, the person leaving the family home (usually the ex-wife) goes to the police station where their hukou is registered and applies to join their parents' hukou file ... or to establish a new hukou at a new address.

...

In most cases, [any children the couples has] sta[y] with the father, registered in the father's hukou. This means the children of divorced couples are technically separated from their mothers. (Siqueira Cassiano 23 Aug. 2022)

According to Vortherms, since hukou identity is "stickier and fundamental to the individual," a person who elected to transfer their hukou through marriage would continue to have a validity in that hukou even if their marriage later ended in divorce (Vortherms 8 July 2022). The same source added that in the case of a divorce transpiring before a spousal transfer is complete, the transfer would be cancelled (Vortherms

8 July 2022). Vortherms noted that if an individual moves out of the family home following a divorce, they must register their new address with police, but they would not require a new hukou if their new address were to be within the same county or district; if they were to move to a different county or district and seek a new hukou there, they would have to qualify under the hukou naturalization policy of their new location (Vortherms 8 July 2022).

According to Siqueira Cassiano, if the head of the household in a marriage pursues divorce and relocates, a new head must be appointed since the 1958 Hukou Law dictates that every household must have a head (Siqueira Cassiano 23 Aug. 2022).

When asked about the hukou effects of a circumstance in which a divorce transpires and the head of household leaves the family home and remarries, Vortherms provided the following information:

Head of household is a tricky category because it is somewhat separate from hukou. If you look at the paperwork to register for a new hukou (assuming you've qualified for one of the naturalization pathways), there is no head of household field. In the hukou paperwork for most cities, for family-sponsored hukou transfers, the head of household is assumed [to be] the person who is "local," sponsoring the incoming family member. (Vortherms 8 July 2022)

The same source added that, depending on the circumstances, if the "head of household" moves away and remarries, they may or may not change hukou. Similarly, the spouse who did not remarry is unlikely to have changed hukou and the two divorced parties may or may not have the same hukou. (Vortherms 8 July 2022)

When asked about the same circumstance, Siqueira Cassiano stated that the household head would usually find a new residence with the new family, registering a new hukou at the new address (Siqueira

Cassiano 23 Aug. 2022). The same source added that in such a circumstance, if one of the divorcing spouses stayed at the original family home, a new household head would be appointed since the household unit would not be dissolved; if the divorcing couple were to relinquish their family home and neither continued to live there, the household unit may be dissolved (Siqueira Cassiano 23 Aug. 2022).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The Global Knowledge Partnership on Migration and Development (KNOMAD) is an interdisciplinary network of experts specializing in topics related to global migration (KNOMAD n.d.).

[2] The Center for Strategic & International Studies (CSIS) is a Washington, DC-based "bipartisan, nonprofit policy research organization" interested in security (CSIS n.d.).

[3] The city of Jiangmen governs four county-level cities, including Taishan, Enping, Kaiping, and Heshan (Deloitte 2013, 3).

[4] A temporary residence permit is a document a person obtains from the local Public Security Bureau (PSB) when they are living or staying outside of their registered hukou location; it is required to obtain a permit within three days of arrival (Vortherms 26 July 2022).

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Oral sources: professor at a university in Australia who specializes in Chinese social development; professor at a university in Australia who specializes in urban migration; professor at a university in China who specializes in urbanization and regional development; professor at a university in China who specializes in hukou policy; professor at a university in the UK who specializes in urban planning; professor at a university in Washington state who specializes in hukou policy; professor at a university in Wisconsin who specializes in social demography; UN – Human Settlements Programme, Industrial Development Organization, International Labour Organization, International Organization for Migration, UNDP, UN Women.

Internet sites, including: Austrian Red Cross – ecoi.net; Beijing – Human Resources and Social Security Bureau; China – National Development and Reform Commission; *China Daily*; *The Diplomat*; *The Economist*; Enping – People's Government; EU – European Council; Factiva; France – Office français de protection des réfugiés et apatrides; Guangdong – People's Government; *The Guardian*; The Independent; Jiangmen – People's Government, Public Security Bureau; Norway – Landinfo; Shanghai – Human Resources and Social Security Bureau; Switzerland – State Secretariat for Migration.

Attachments

1. Siqueira Cassiano, Marcella. 2020. Cover image of a hukou booklet. *Population Governance in China: An Analysis from the Household Registration System (Hukou) Perspective*. PhD Dissertation. University of Alberta. [Accessed 23 Aug. 2022]
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