

Title: CONSULAR: 2018 Australia-China Consular Consultations: Outcomes
MRN: CE921362L 29/10/2018 04:37:35 PM ZE10
To: Beijing
Cc: RR : Chengdu, Guangzhou, Hong Kong, Shanghai
From: Canberra (CHCH/DFAT/CCD/CNB)
From File: s 22(1)(a)(ii)
EDRMS
Files:
References: The cable has the following attachment/s - s 33(a)(iii):
signed letter from FAS CCD to Director-General 26102018.pdf
Response: Routine, Information Only

Annotations: s 22(1)(a)(ii)
Summary

The 18th annual Australia-China Consular Consultations were held in Beijing on 4 September 2018. These annual consultations continue to provide a valuable opportunity to progress our priorities including engaging China on s 22(1)(a)(ii) and exit bans.

The 18th annual Australia-China Consular Consultations under the *Agreement on Consular Relations between Australia and the People's Republic of China* (the Agreement) were held in Beijing on 4 September 2018. s 22(1)(a)(ii)

2. s 22(1)(a)(ii)

also s 22(1)(a)(ii)
s 22(1)(a)(ii)

pursued the issue of **exit bans**.

We

s 22(1)(a)(ii)

5. We also raised concerns regarding the increasing number of Australians prevented from departing China due to the imposition of **exit bans**, often without warning, explanation, or mechanisms for redress. s 33(a)(iii)

s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

11. Grateful post's assistance in forwarding the attached ^{s 22(1)(a)(ii)} from FAS CCD and action item matrix to Director-General s 33(a)(iii)

text ends

s 22(1)(a)(ii)



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ACTION ITEMS FOR AUSTRALIA		
Action item	Responsible Area	Comment
<p>s 22(1)(a)(ii)</p>		
<p>Item 4 (c) Exit Bans: Australia to continue to raise concerns about exit bans with the Consular Affairs department of the Chinese MFA</p>	<p>Australian Embassy Beijing</p>	<p>Ongoing</p>

s 22(1)(a)(ii)

ACTION ITEMS FOR CHINA

s 22(1)(a)(ii)

<p>Item 4 (c) Exit Bans: s 33(a)(iii)</p>	<p>MFA China</p>	
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From: s 22(1)(a)(ii)
Sent: Thursday, 25 May 2017 8:15 PM
To: s 22(1)(a)(ii)
Cc: Perera, Minoli
Subject: FW: Briefing Request: 2017 Australia-China Consular Consultations - Exit bans (Beijing) [DLM=For-Official-Use-Only]
Attachments: EXIT-BANS – AUSTRALIANS PREVENTED FROM DEPARTING CHINA.DOCX

For-Official-Use-Only

Hi s 22(1)(a)(ii)

Briefing on exit bans prepared by Beijing Embassy attached.

s 47F(1)

However we would still like to raise the issue of exit bans

generally, s 33(a)(iii)

Regards, s 22(1)(a)(ii)

s 22(1)(a)(ii)

First Secretary & Consul
Australian Embassy Beijing

s 22(1)(a)(ii)

EXIT BANS – AUSTRALIANS PREVENTED FROM DEPARTING CHINA

Handling Note: Post reports an increase in the number of Australians affected by 'exit bans'. s 33(a)(iii)

Talking Points

We are seeing a number of Australian citizens prohibited from departing China due to the imposition of exit bans

s 33(a)(iii)

Background

An 'exit ban' is where a Chinese authority imposes an order to prevent a person departing China. The bans are often put in place as a result of civil investigations or proceedings on legal issues concerning the person either directly or indirectly. Often persons who are subject to these bans only become aware of the ban when they are departing the country.

Since the 2016 bilateral consultations we are aware of s 47F(1) cases where Australians have been prevented from departing China due to exit bans imposed without their knowledge. s 47F(1)

s 33(a)(iii), s 33(b)

s 33(a)(iii)

s 47F(1)

s 33(a)(iii), s 33(b)

Title: CONSULAR: 2017 Australia-China Consular Consultations - summary and follow-up letter ****AMENDED****

MRN: s 22(1)(a)(ii) 03/07/2017 01:55:18 PM ZE10

To: Beijing

Cc: RR : Chengdu, Guangzhou, Hong Kong, Shanghai

From: Canberra (CHCH/DFAT/CCD/CPB)

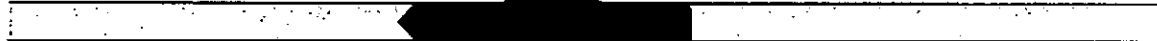
From File:

EDRMS

Files:

References: The cable has the following attachment/s -
Signed letter FAS CCD to 2017.pdf

Response: Routine, Requires Action s 33(a)(iii)



Summary

We used the opportunity of the 2017 Australia-China Consular Consultations s 22(1)(a)(ii) as well as: s 22(1)(a)(ii)

exit bans; s 22(1)(a)(ii)



The Australia-China Consular Consultations were held in Canberra on 7 June 2017. s 22(1)(a)(ii)

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s 22(1)(a)(ii)

17. We raised the issue of **exit bans** affecting Australian citizens s 33(a)(iii)
s 33(a)(iii), s 47F(1)

s 47F(1), s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

text ends

s 22(1)(a)(ii)



Australian Government
Department of Foreign Affairs and Trade

19 June 2017

s 33(a)(iii)

Director-General
Consular Department
Ministry of Foreign Affairs
The People's Republic of China

Dear s 33(a)(iii)

s 22(1)(a)(ii)

To ensure that we maximise the value of these consular talks, I have attached a list of action items for Australia and China. s 22(1)(a)(ii)

Yours sincerely

With best wishes
Jon Philp

Jon Philp
First Assistant Secretary
Consular and Crisis Management Division

R.G. Casey Building John McEwen Cres Barton 0221
Telephone: 02 6261 1111 Facsimile: 02 6261 3111

Attachment A:

s 22(1)(a)(ii)

Attachment B:

ACTION ITEMS FOR CHINA	
Action items	Details of action item

s 22(1)(a)(ii)

Exit bans	s 33(a)(iii), s 33(b)
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s 22(1)(a)(ii)

Title: Consular: Australia-China Consular Consultations 2016 - Outcomes
MRN: s 22(1)(a)(ii) 10/11/2016 01:46:55 PM ZE10
To: Beijing; Chengdu; Guangzhou; Shanghai
Cc:
From: Canberra (CHCH/DFAT/CMD)
From File: s 22(1)(a)(ii)
EDRMS
Files:
References: The cable has the following attachment/s -
FAS CCD Letter tos 33(a)(iii) pdf
Response: Routine, Information Only

Summary

The 14th round of the Australia-China Consular Consultations was held in Beijing on 28 October. s 22(1)(a)(ii)

s 22(1)(a)(ii)

Consular issues

s 22(1)(a)(ii)

s 22(1)(a)(ii)

7. We encouraged China's 33(a)(iii)
to exit bans and prohibited from departing China. s 33(a)(iii), s 33(b)

subject

s 22(1)(a)(ii)

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s 22(1)(a)(ii)

text ends

s 22(1)(a)(ii)

s 33(a)(iii), s 33(b)

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s 33(a)(iii) and s 33(b)

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s 33(a)(iii), s 33(b)

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Consular BiLats

Imposition of Exit Bans

Talking points

s 33(a)(iii)

Background

An 'exit ban' is where a Chinese authority (usually, but not limited to, a court) imposes an order to prevent a person departing China. The bans are often put in place as a result of civil investigations or proceedings on legal issues concerning the person either directly or indirectly. Often persons who are subject to these bans only become aware of the ban when they are departing the country.

We have had ^{s 47F(1)} cases come to our attention to date where citizens have been prevented from departing China due to exit bans.
s 33(b), s 33(a)(iii)

In most cases, the bans are issued without any prior notification or reason given in advance of the person attempting to depart the country. Often, information on how to enquire about or contest the ban is limited and there is no apparent judicial oversight or redress mechanism.

s 47F(1)

s 47F(1) .

s 33(b), s 33(a)(iii)

