

## State Department Warns of China Exit Bans

Article By:

Brian E. Schield

---

Chinese authorities have been using “exit bans” to prevent U.S. citizens from leaving China. In response, the U.S. State Department is continuing its Level 2 travelers’ warning to “exercise increased caution.” The advisory was [originally issued in 2018](#) due to “arbitrary enforcement of local laws as well as special restrictions on dual U.S.-Chinese nationals.”

### “China uses the exit bans coercively:

- to compel U.S. citizens to participate in Chinese government investigations,
- to lure individuals back to China from abroad, and
- to aid Chinese authorities in resolving civil disputes in favor of Chinese parties.”

Under Chinese law, a Chinese citizen automatically loses Chinese citizenship upon gaining citizenship in another country. Nevertheless, Chinese security authorities have been treating Chinese nationals who have acquired U.S. citizenship as Chinese, not as U.S., citizens. Chinese citizens often are subjected to exit bans. For instance, Chinese activists are [sometimes prevented from attending conferences abroad](#). Those subject to exit bans may not be held in detention, but they are not allowed to leave China.

In June 2018, two U.S. Citizens, Victor Liu and his sister Cynthia, were prevented from leaving China after visiting their grandfather. Cynthia was born in China, but Victor was born in the U.S. The siblings’ mother, a naturalized U.S. citizen, has been [detained at a secret site](#). It appears that the Lius are [being held as “human collateral”](#) in an effort to force their estranged father, Liu Changming, back to China. Liu Changming fled China after he was convicted in a high-profile bank fraud case in 2008. Victor Liu is a student at Georgetown University and his sister works at McKinsey & Company in New York. They are still [being prevented from leaving China](#) despite U.S. government efforts to bring about their release. There are reports that two dozen U.S. citizens have been subjected to exit bans since 2016. While preventing someone from leaving a country [contravenes the Universal Declaration of Human Rights](#), the practice continues.

Those who chose to travel to China, especially Chinese-born U.S. citizens, as the State Department notes, should exercise extreme caution. U.S. citizens may be detained without access to U.S.

consular services and [could be held for reasons related to “state security.”](#) such as sending electronic messages critical of the Chinese government.

The State Department [recommends taking such precautions](#) as making sure to have all relevant identification and immigration documentation and joining the State Department’s Smart Traveler Enrollment Program (STEP). [STEP is a free service](#) that provides the latest security alerts and enables the U.S. embassy or consulate to contact you in an emergency.

The Canadian government has also [issued a similar travel advisory](#) for China.

Jackson Lewis P.C. © 2024

---

National Law Review, Volumess IX, Number 36

Source URL: <https://www.natlawreview.com/article/state-department-warns-china-exit-bans>