Immigration and Refugee Board of Canada

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's Refworld website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment, please email the Knowledge and Information Management Unit.

ZZZ104924.E

13 August 2014

Saudi Arabia and United Arab Emirates: Work and residence permits; citizenship rights for children born to Syrians in Saudi Arabia and the United Arab Emirates

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Saudi Arabia

1.1 Employment Visa (Work Permit) for Foreign Workers

The website of the embassy of Saudi Arabia in Ottawa indicates that in order to obtain an employment visa or work permit, a prospective foreign worker's sponsor in Saudi Arabia must apply for a visa authorization for the foreign worker through the Ministry of Foreign Affairs (Saudi Arabia 23 June 2014a). Once it is approved, the Ministry of Foreign Affairs will send the authorization to the consulate to process the work permit (ibid.). The embassy website outlines the following requirements to obtain a Saudi employment visa:

- A copy of the visa authorization from the sponsor;
- A completed visa application form;
- The original and one copy of a passport valid for at least six months from the travel date;
- Two recent photographs;
- Payment of the visa fee;
- A copy of the individual's Permanent Residence card for Canadian permanent residents;
- A copy of the individual's travel arrangements to and from Saudi Arabia;
- A tawweed, which is an electronic letter of sponsorship, along with a copy of the Saudi company's "registration certificate";
- A copy of a signed work contract between the individual and the sponsor;
- Certified copies of university degrees, transcripts, and letters of experience from previous employers, by both a notary and the Department of Foreign Affairs Legalization Division in Ottawa (foreign university degrees must be stamped by the Saudi embassy in the country of issue);
- A curriculum vitae;
- A medical certificate endorsed by the College of Physicians, along with a copy of medical test results;
- A police certificate; and
- A "statement of religion or proof to that extent" (ibid.).

Sources indicate that the visa processing takes about two days (Global Visa Services n.d.; Continental Visa Services n.d.).

1.2 Family Visit Visas for Family Members of Foreign Workers

The website of the Saudi embassy in Ottawa indicates that in order to obtain a family visit visa, a sponsor, in this case the foreign worker, must apply for a visa authorization for family members through the Ministry of Foreign Affairs (Saudi Arabia 23 June 2014b). Once it is approved, the Ministry of Foreign Affairs will send the authorization to the consulate to process the family visit visa (ibid.). The embassy website outlines the following requirements to obtain a family visit visa:

- A copy of the visa authorization with a copy of the residency permit of the sponsor (iqama);
- A completed visa application form;
- The original and one copy of a passport valid for at least six months from the travel date;
- One photograph;
- Payment of the visa fee;
- A copy of a valid permanent residency card for non-Canadian applicants;
- A copy of the family member's travel arrangements to and from Saudi Arabia;
- Proof of relationship to the sponsor (notarized copy of a marriage certificate for a wife, notarized copy of a birth certificate for a child indicating name of parents);
- A notarized letter of permission from the absent parent if one parent is travelling alone with minor children (if the sponsor is either the mother or the father of the minor children the notarized letter is not required);
- A copy of a poliomyelitis immunization record for children under the age of 15 (ibid.).

Information on the processing time for family visit visas could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

1.3 Residency Permit (Iqama) for Foreign Workers and Family Members

The website of the Ministry of Interior of Saudi Arabia points out that residency permits are "obligatory" (ibid. n.d.b) and that "[e]mployers must obtain residence permits for their employees to enable them to move freely in the city where they work" (ibid. n.d.a). The website indicates that it is "illegal" to employ a foreigner without a work or residence permit, and that the foreigner must present the residence permit to passport officers at their request (ibid.). The website indicates that the permit must be renewed "every one or two years" (n.d.b). The e-services portal of the government of Saudi Arabia outlines the following requirements to obtain a residence permit:

- A completed application form;
- The original and one copy of the passport and visa issued by the Saudi embassy abroad;
- Two photographs;
- Payment of the permit fee;
- A copy of the employer's Saudi business license; and
- A medical report for "service professions" such as cooks and drivers (ibid. n.d.b).

The website of the Ministry of Interior indicates that the residence permit of the holder includes residence permits for "his wife and minor children" (ibid. n.d.a); children over the age of 18 must obtain a separate permit (ibid.). According to the website, the residence permit alone does not allow family members...
to obtain employment and they must seek permission from the authorities for this purpose (ibid.). For additional information on the requirements and procedures for obtaining or renewing a Saudi residence permit, see Response to Information Request SAU104698.

According to the US Department of State's *Country Reports on Human Rights Practices for 2013*, [employers or sponsors controlled the departure of foreign workers and residents from the country; employers/sponsors were responsible for processing residence permits and exit visas on their behalf. Sponsors frequently held their employees' passports against the desires of the employees, despite a law specifically prohibiting this practice. Typically, foreign workers provide sponsors with their residence permit (iqama) before traveling in exchange for their passport to ensure the worker's return to their employer after their travel. (27 Feb. 2014a, 25)]

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

1.4 Citizenship Rights

Information on citizenship rights for children born to Syrians in Saudi Arabia was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

The Saudi Arabian Citizenship System of 1954 regulates the granting of citizenship (Saudi Arabia 1954). A copy of this law is attached to this Response. The US *Country Reports 2013* indicates that “[c]itizenship derives from the father, and only the father can register a birth” (US 27 Feb. 2014a, 38). Sources report that children born to expatriates [people living outside their country of nationality (Oxford Dictionaries n.d.)] in Saudi Arabia are not considered Saudi citizens *(Arab News 7 Dec. 2013; Saudi Gazette 12 Apr. 2012)*. The Saudi Gazette, an English-language newspaper based in Jeddah, reports that expatriates living for decades in the country are denied Saudi citizenship and the right to buy property, and that their children, who were born in that country, face discrimination (12 Apr. 2012). *Arab News*, another English-language newspaper based in Jeddah, reports that expatriates born in Saudi Arabia face many obstacles in finding jobs, they are not eligible to access government services available to citizens, and they have to renew their residence permits every two years *(Arab News 7 Dec. 2013)*. *Country Reports 2013* indicates that access to education, health care, public housing, courts and judicial procedures, legal services, and other social services are reserved only for citizens (US 27 Feb. 2014a, 26). Al Arabiya News, a Dubai-based news service, reports that, as part of changes to immigration laws that allowed Saudi women to sponsor a husband and children under certain conditions, the sponsored husband and children will be allowed to work only in the private sector (10 Feb. 2013). The conditions for sponsoring a husband and children by a Saudi woman are outlined in the Saudi Arabian Citizenship System which is attached to this Response.

According to *Arab News*, there are around 8.4 million expatriates in Saudi Arabia, including 2 million who were born in the country (7 Dec. 2013).

2. United Arab Emirates (UAE)

2.1 Employment Visa (Work Permit) and Residency Permit for Foreign Workers

Information on employment visa (work permit) and residency permit for foreign workers could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.2 Residency Visas for Family Members of Foreign Workers

The website of the government of Dubai indicates that residents wishing to bring family members into the UAE must apply for an entry resident visa, and after they arrive, apply for a residence stamp within 30 days (Dubai 21 May 2013). The person sponsoring his “wife and children” must have a minimum monthly salary of 10,000 AED [C$2,926] (ibid.). The documents required to process this visa are:

- A completed application form;
- Proof of income (a “salary certificate” for government employees, or an “attested work contract” if working for a private employer);
- A three-month bank statement for “long-time residents,” or a one-month bank statement or bank letter indicating salary transfer if the person is a new resident;
- A tenancy agreement, Emirati ID card, and “labour card”;
- Marriage certificate certified by authorities where the marriage took place;
- Originals and copies of family member and sponsor passports;
- Medical certificate for the spouse and children over 15 years of age;
- Passport photos; and
- Payment of the visa fee (ibid.).

2.3 Citizenship Rights

Information on citizenship rights for children born to Syrians in the United Arab Emirates was scarce among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources indicate that only children born to UAE fathers can acquire UAE citizenship at birth *(The National 30 Nov. 2011; Humanium 14 Feb. 2013)*. Children born to a UAE woman married to a foreigner can now apply for UAE citizenship when they reach the age of 18 (ibid.; ArabianBusiness.com 20 Feb. 2012; The National 30 Nov. 2011). According to Humanium, a European-based NGO that advances the rights of children (Humanium n.d.), approximately 825,000 of UAE’s total population of 5.3 million have UAE citizenship (14 Feb. 2013).

Sources report that non-citizens in the UAE face different treatment than citizens in terms of access to education (US 27 Feb. 2014b, 24; Humanium 14 Feb. 2013). For instance, *Country Reports 2013* indicates that primary education is free for UAE citizens but not for non-citizens and that children born to expatriates could enrol in public schools “only if they scored more than 90 percent on entrance examinations administered only in Arabic” (US 27 Feb. 2014b, 24). Similarly, Humanium indicates that “[g]iven the problems of integrating [children of foreign workers] into the education system, the Emirati government has allowed the establishment of [private] ‘community’ schools with different syllabi [and] taught in vernacular languages” (ibid. 14 Feb. 2013).

*The National*, a UAE government-owned English-language newspaper, reports the case of a 30-year-old son of an Emirati woman and an undocumented father who indicated that he and many others in his situation have faced problems accessing employment, government allowances and sports clubs (30 Nov. 2011). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

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 merits of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References


N.d.a. Ministry of Interior. "Residence Permit (Iqama)." [https://www.moi.gov.sa/wps/portal!ut/p/b1/1JZDbCoAIFEW_p5-Y41y8PE7WJCPCljXySLHCpL5s79qCEKxeSDqF3myUWEvDIZTgs3QFemuiNX38in3Xd]


Additional Sources Consulted

Oral sources: Attempts to contact four immigration lawyers based in the United Arab Emirates and one in Saudi Arabia were unsuccessful within the time constraints of this Response.

The following individual and organizations could not provide information within the time constraints of this Response: Center for Democracy and Human Rights, Saudi Arabia; embassies of the United Arab Emirates and Saudi Arabia in Ottawa; lawyer, Dubai.

Internet sites, including: Ahram Online; Al-bab.com; Angloinfo; British Broadcasting Corporation; ecri.net; Factiva; Gulf News; InterNations; Lexadin; Middle East Online; The Guardian; Saudi Arabia – Embassy in Pretoria, Ministry of Interior; Telegraph; United Arab Emirates – Embassy in London, Embassy in Ottawa, Embassy in Washington, General Directorate of Residency and Foreign Affairs; United Kingdom – Foreign and Commonwealth Office; United States – Embassy in Abu Dhabi, Embassy in Riyadh.

Attachment


Tips on how to use this search engine.


5/18/2016