

Saudi Arabia

Response to Information Request Number:	SAU01001.ZAR
Date:	February 14, 2001
Subject:	Saudi Arabia: Information on "Laissez Passer" and the Al-Enezi Bedouins
From:	INS Resource Information Center
Keywords:	Age of majority / Civil law / Disadvantaged groups / Discrimination based on ancestry / Discrimination based on citizenship / Discrimination based on social origin / Discrimination in social assistance / Economic and social rights / Family members / Freedom of movement / Income security / Internal migration / Naturalization / Nomadic peoples / Paternity / Primary health care / Quality of life / Residence permit / Right to a nationality / Right to an adequate standard of living / Right to assistance / Right to gain one's living / Right to leave and return to one's country / Right to travel / Right to work / Rural areas / Rural population / Stateless persons / Tribalism

Query:

Which individuals are eligible for a "Laissez Passer" in Saudi Arabia? Can a non- citizen procure a Laissez Passer? Why is it different from a passport? The applicant claims to be a Bedouin from the Al-Enezi tribe whose family has been stationary in the Hafr al- Batin region for years. The applicant claims to be stateless because the Saudi government does not recognize many members of the Al-Enezi tribe as citizens. The applicant was issued a Laissez Passer versus a regular Saudi passport. The applicant's U.S. visa indicates that the applicant is a Saudi national. Is it standard consulate practice to state on visas that someone with a Laissez Passer is a Saudi national?

Response:

AL-ENEZI BEDOUINS

The Al-Enezi comprise a group of northern Arabian tribes who have traditionally migrated among the territories of modern-day Iraq, Jordan, and Saudi Arabia, though some may have been settled in particular areas for years (Senior Legal Specialist 14 Feb. 2001; Representative, Consular Affairs Section 6 Feb. 2001). Currently, the Al-Enezi people are situated mainly in the northeast part of Saudi Arabia. Some Al-Enezi are citizens of Saudi Arabia, some are not (Representative, Consular Affairs Section 6 Feb. 2001).

The RIC was unable to find further current information on the Al-Enezi Bedouins, but a 1994 report by a University of London professor on coronary heart disease in the Eastern Province of Saudi Arabia states that the Hafr Al-Batin area "is dominated by Bedouins" [tribe unspecified] (4).

CITIZENSHIP IN SAUDI ARABIA

Saudi citizenship is passed automatically through birth in or outside Saudi Arabia to Saudi parents or to a mother of foreign or unknown nationality and a Saudi father (Representative, Consular Affairs Section 6 Feb. 2001; Senior Legal Specialist 21 May 2001). According to a Senior Legal Specialist at the Law Library of Congress, the 1926

Saudi nationality law provided for citizenship of Saudi residents who were formerly subjects of the Ottoman Empire (14 Feb. 2001, 2): "The [1926] Saudi Nationality Law recognizes as Saudi citizens: (a) 'original residents of the Kingdom of Saudi Arabia holding Ottoman nationality in 1914' (b) 'Ottoman nationals born in the Kingdom of Saudi Arabia or domiciled therein in 1914 and continued to do so until 22/3/145 AH [October 1926] without obtaining a foreign nationality,' and (c) 'non-Ottoman nationals domiciled in the Kingdom of Saudi Arabia in 1914 and who maintained their domicile therein until 22/3/1345 AH [October 1926] without obtaining a foreign nationality'."

The 1974 citizenship law provides the following:

Individuals born in Saudi Arabia of foreign parents or of a Saudi mother and a father of foreign or unknown nationality, and individuals born outside of Saudi Arabia of a Saudi mother and a father of foreign or unknown nationality can apply for Saudi citizenship if they have permanent residence in Saudi Arabia at age of maturity, have no criminal convictions, are knowledgeable in the Arabic language, and submit within one year of maturity the application for naturalization (Senior Legal Specialist 21 May 2001).

"If the subject's father or mother were or became Saudi nationals by these criteria, then he [or she] is eligible, under this same nationality law, to obtain Saudi nationality by virtue of having been 'born in Saudi Arabia or outside it of a Saudi father, or of a Saudi mother and a father of unknown nationality or of no nationality. However, if his [or her] father [or mother, as the case may be] failed to apply for Saudi nationality under criteria (b) and (c) [of the 1926 law] above, within one year from the date of the Nationality Law, or one year from the date of attaining the age of maturity, his [or her] application would be rejected" (Senior Legal Specialist 21 May 2001). Thus, if the individual's "Saudi" parent is unable to prove Saudi nationality, or did not do so in a timely manner, then the individual's own claim to citizenship would be rejected.

When an individual files a claim to Saudi citizenship, representatives of the Saudi government travel to the individual's locality and take affidavits from community members who are familiar with the individual's and/or the individual's family's or father's origin. If an individual's claim to citizenship is denied, the individual will not be deported but instead will be given a residency permit, granted a Laissez Passer for travel, will be allowed to move freely within the country, and will be allowed to work for a Saudi sponsor (Representative, Consular Affairs Section 6 Feb. 2001). "The Law of Stay...regulates the entry, stay, and work of foreigners in the Kingdom [of Saudi Arabia], and the Law of Employment of Non-Saudis in the Public Sector...lays down the conditions for accepting employment with government institutions in the Kingdom" (Senior Legal Specialist 14 Feb. 2001, 2).

The Senior Advisor for Near East and Asian Affairs responsible for Saudi Arabia at the US Department of State, Bureau of Democracy, Human Rights, and Labor stated that it is very difficult to get Saudi citizenship because the Saudi government is reluctant to provide the enormous benefits that Saudi citizenship entails, e.g., tax benefits and health care. He also stated that it is getting more difficult for foreign residents to get sponsorship for employment as non-citizen workers because the government is conducting a "Saudi-ization" campaign by which more Saudi citizens are encouraged to work, thus lessening the need for non-citizen workers. He says the Saudi government has adopted this strategy due to the realization that the government will be unable, down the road, to support its citizenry in the manner in which the population has become accustomed. For example, government programs have precluded many Saudi citizens from needing to work (7 Feb. 2001). According to a recent Washington Post article: "As oil prices fell in the 1980s and 1990s, the kingdom found itself without adequate revenue to support the free schools, utilities and housing it had offered citizens, or the government sinecures Saudi men relied on as jobs of last resort... [T]he country's broader goal [is to create] an economy that employs more Saudis in the private sector, [decreasing] reliance on the 7 million foreign workers who dominate the labor force and [establishing] for-profit markets for such necessities as water and electricity that the government can no longer afford to provide" (23 May 2001, A22).

LAISSEZ PASSERS AND ISSUANCE OF U.S. VISAS

According to a representative of the Consular Affairs Section at the U.S. Embassy in Riyadh, Saudi Arabia, "Laissez Passers" issued by the Saudi government are limited validity travel documents issued to individuals who are not Saudi citizens or who have a pending (or failed) claim to Saudi citizenship. The Laissez Passer will allow such individuals to exit and return to the country one time (6 Feb. 2001).

The representative also stated that the computer system used in issuing U.S. visas requires that a nationality be entered. Unless a person can show that s/he is of a specific nationality, Saudi nationality is entered by default; therefore, it is entirely plausible that someone who states s/he is not a Saudi citizen would carry a U.S. visa that indicates s/he is indeed a Saudi national (Representative, Consular Affairs Section 6 Feb. 2001).

This response was prepared after researching publicly accessible information currently available to the RIC within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

References:

ANNALS OF SAUDI MEDICINE. September 1994. Abdulla Ahmed Alobaid, Robert Gilchrist and Brian Bointon. "Coronary Heart Disease Mortality in the Eastern Province of Saudi Arabia in 1989 and 1990." URL: www.kfshrc.edu.sa/annals/145/93001.html

Representative, Consular Affairs Section, U.S. Embassy, Riyadh, Saudi Arabia. 6 February 2001. Telephone interview.

Senior Advisor for Near East and Asian Affairs, U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, Washington, D.C.. 7 February 2001. Telephone interview.

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Senior Legal Specialist, Eastern Law Division, Directorate of Legal Research, Law Library of Congress, Washington, D.C.. 14 February 2001. Letter to the Resource Information Center.

WASHINGTON POST. 23 May 2001. Howard Schneider. "When Islam Meets the Modern Economy: Saudi Arabia's Efforts to Grow and Diversify Are Hampered by Religious Restrictions."

Attachments:

Senior Legal Specialist, Eastern Law Division, Directorate of Legal Research, Law Library of Congress, Washington, D.C.. 14 February 2001. Letter to the Resource Information Center.

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