



Saudi Green Card: Prospects And Challenges

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Introduction

While Saudi Arabia issues work/employment visas for foreign nationals employed with a local employer, the prospect of shift to a “Green Card” much like that in the US and other Western countries is still being debated. With 11.1 million expats being employed in the private sector back in 2017¹ while registering 323 net migrations per day², there is a need for contemplating upon a structured framework to manage cases where permanent residency might be offered to the expats. Furthermore, while some countries like Canada, Australia, Qatar, UAE and New Zealand issue permanent residency permits in order to increase population, others such as Bahrain issue permanent residency permits in order to secure a balance between the local and the expatriate population. In line with the aforesaid, the structure of the article is as follows: Section 1 discusses the Green Card policies citing international examples; Section 2 provides an overview of the need for a Saudi Green Card; Section 3 provides an overview of the challenges in issuance of the Saudi Green Card and Section 4 concludes the article.

1. Green Card issuance- International cases

Taking the case of US, a Green Card is issued for allowing an individual to live and work permanently in the US. In order to be eligible for a Green Card, an expatriate may be a family member of a US resident, employed with a local US enterprise, holding a special immigrant status as a religious worker, etc., holding an asylee/refugee status, be a victim of abuse or human trafficking, etc. It is important that all identity checks are conducted and the medical examination is completed prior to issuance of a Green Card. Being a Green Card holder has benefits for an individual. For instance, a Green Card holder is eligible to receive Social

¹ <http://gulfnews.com/news/gulf/saudi-arabia/11-1-million-expats-employed-in-saudi-arabia-s-private-sector-1.2053086>, accessed on 7th April, 2018.

² <http://worldpopulationreview.com/countries/saudi-arabia-population/>, accessed on 7th April, 2018.

Security benefits after 10 years of employment in the US. Further, a Green Card holder is permitted to contribute to the US election campaigns but cannot exercise the right to vote in the elections. Green Card holders are required to pay less tuition fee than the non-citizens as far as attending colleges, universities or vocational schools is concerned.

In the Canadian case, a Canadian Permanent Resident (PR) Card is issued which allows an individual to work and move freely within Canada as a permanent resident. A PR Card may be issued for employment, business professionals or for sponsoring one's family. A PR Card holder may sponsor his/her family as well and the spouse or child might be invited to stay with the PR Card holder. Should a PR Card holder give birth to a child in Canada, the child will be given a Canadian citizenship. Another benefit of holding a PR Card is that he/she secures access to universal healthcare services provided by the Canadian government.

Finally, in the EU case³, a Blue Card is issued by the European Commission which allows individuals with requisite knowledge and skills to work in the EU region. However, Denmark, Ireland, Switzerland, Norway, Iceland and Liechtenstein do not issue Blue Card. At the same time, citizens from Australia, Canada, Israel, Japan, New Zealand, South Korea and USA are not required to obtain a Blue Card. In case, citizens from these countries find employment in any of the EU member states, they are required to secure a work and residency permit. The rationale for issuing a Blue Card lies in being a cause of change and growth for the EU country. Talented professionals are welcome to be Blue Card holders in order to contribute towards specialized areas like Mathematics, Informatics, Natural Sciences, Technology, Medicine, etc. A Blue Card holder has the right of free movement within the EU. Further, a Blue Card holder has the advantages of securing social rights, including education, economic, cultural, health or human rights. Besides providing opportunities of family sponsorship, a Blue Card holder has permanent residency rights. Besides, there are no constraints for the issuance of the Blue Card to an individual as far as the age limit is concerned.

Besides, all the six GCC countries (Oman, Qatar, UAE, Saudi Arabia, Kuwait and Bahrain) provide citizenship by means of naturalization wherein one of the conditions required to be fulfilled is employment within the country. Spouses of the naturalized citizens may also acquire citizenship and the children born of naturalized citizens acquire citizenship by default if they live in the country for a stipulated period. Further, in the case of Oman, citizenship by naturalization is permissible in case an individual is mentally sound and is willing to renounce foreign citizenship. Likewise, in the case of Bahrain, citizenship by naturalization is allowed in case an individual has acquired real estate in his or her name.

2. Prospects for a Saudi Green Card

³ There is diversity in the EU as far as the issuance of Green Card is concerned.

Presently, acquiring a work visa in Saudi Arabia is valid for 90 days following which the sponsor provides Iqama or permanent residency support to the expatriate. However, the limitations of issuing an Iqama are that it is valid only till the period for which an expatriate is working for an employer and the expatriate has restricted freedom in the country. To provide more rights to the expatriates aiming for permanent residency, alternative solutions should be provided. Keeping in view that the local population needs to be provided adequate employment opportunities, the Saudi government needs to strike a balance while contemplating of acquiring talent from abroad. There are two options before the Saudi government: first, that a single GCC Green Card be issued which may provide permanent residency to an individual to allow him/her to work across the GCC region, and, second, that a Saudi-specific Green Card be issued to permit an individual to work in Saudi Arabia. Viewed from another perspective, a Green Card may also be issued on the basis of different categories to which an applicant belongs to. Table 1 summarizes the categories in which an individual may be issued a Green Card.

Category	Explanation
Professionals	<ul style="list-style-type: none"> • Professionals from diverse backgrounds with the requisite skills are welcome to Saudi Arabia as long as they meet the rigorous world-class standards of intellect to serve the interests of the society. • Professional ethics should be observed at all times. • Impetus to R&D should be given priority and all support from the government shall be provided to the professionals.
Investors/Businessmen/Entrepreneurs	<ul style="list-style-type: none"> • Extent of local value addition needs to be determined in businesses. • Management of supply chain. • Exports and imports management needs to be clearly outlined. • Employment generation for the locals and the expatriates.

	<ul style="list-style-type: none"> • Training and development needs to be determined. • Nature and scope of businesses should be conducive for Saudi economy. (Harmful industrial sectors need to be identified.) • Land and estate laws to be observed while observing the setting up of the industrial plant/office/etc. • Corporate Social Responsibility (CSR) activities to be clearly outlined on an a priori basis.
Humanitarian/Social cause/Medical	<ul style="list-style-type: none"> • Green Card may be issued on a case basis wherein the merit of the case shall be the sole consideration.
Political/Diplomatic	<ul style="list-style-type: none"> • Political/diplomatic Green Card status may be given in cases where the political concerns have emerged. • Family sponsorship may be considered as well.
Miscellaneous	<ul style="list-style-type: none"> • Artists, intelligentsia, etc. may be interested in shifting their base in Saudi Arabia and Green Cards may be issued on merit basis.

Table 1: Individual categories for issuance of Green Card

While the benefits underlined in Section 1 for a Green/Blue Card holder might be applicable in the Saudi Arabian case as well, some of the additional benefits which may be derived in the Saudi Arabian case are linked with the contribution towards the growth and innovative spirit of the country in multiple ways. The primary consideration while issuing a Green Card relates to the authenticity of the individual and the government needs to ascertain the credibility of the individual. Table 2 summarizes the economic, social and political benefits for Saudi Arabia as far as issuing a Green Card is concerned.

Economic benefits	Explanation
<ul style="list-style-type: none"> • Green Card holders may contribute to the economy of the country as a whole and come up with innovative solutions for the growth of the country. • Sectors like energy, IT, R&D, tourism might be furthered with the support of the intellectual dialogue with the Green Card holders. • Identification of newer sectors which strengthen the economic growth of the country. • Investment and entrepreneurship would receive a major push. 	<ul style="list-style-type: none"> • Country is diversifying into non-oil and knowledge-based sectors and it is important that intellectual individuals be involved in the revival of the Saudi economy. • Non-oil sectors (with special emphasis on tourism) require expertise and skills. • Training needs of the local Saudi people would be well-met by the intellectual exchange of ideas. • Education and other sectors catering towards knowledge economy would be furthered. • Entrepreneurship in different sectors would lead to sustained economic growth of the country. • Investment/trade opportunities with partnership with the local Saudis would give better results. • Job creation would result for the local Saudis.
Social benefits	Explanation
<ul style="list-style-type: none"> • Cultural exchange would result in cross-fertilization of views. • Arts, literature, music, fine arts, theatre, food, and other domains would witness a fruitful increment. 	<ul style="list-style-type: none"> • Saudi tourism would benefit from such cultural exchange. • Inter-cultural marriages might also result. • Linguistic richness would be assured.
Political benefits	Explanation

<ul style="list-style-type: none"> • Diplomatic ties would improve. • Political ideas and institutions may be replicated or reformed based on others' experiences. 	<ul style="list-style-type: none"> • Cross-pollination of ideas, people and institutions. • Reforms in administrative systems. For instance, e-government examples may be replicated or reformed in Saudi Arabia based upon the e-government systems in other countries.
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Table 2: Benefits of issuing a Saudi Green Card

Finally, given that citizenship may be acquired through naturalization across the GCC, cross-border migration to Saudi Arabia might pose a challenge in case such a naturalized citizen seeks a Saudi Green Card. For instance, a foreign individual who has secured a Bahraini citizenship by naturalization may prefer settling in Saudi Arabia. In such cases, it is preferred to issue a Green Card to such an individual as long as the individual's credibility and intentions are well-established. Alternatively, a common GCC Green Card may be issued which would offer easier transition of Green Card holders across the six GCC countries. It would be pertinent to have representatives from the Ministry of Interior from each of these six GCC countries and with the concurrence of the representatives, a common GCC card may be issued to the individual. Further conditions and terms of a common GCC card may be laid down in order to ensure that the GCC interests remain protected.

3. Challenges of issuing a Saudi Green Card

Some of the challenges of issuing a Saudi Green Card are linked with ensuring that no problematic activities are conducted which create conflict in the country or create problems for the employer or the society, at large. For instance, it needs to be ensured that terrorist activities are not conducted by the Green Card holders. Second, it needs to be underlined that Saudi Arabia prioritizes Muslim faith and any activity by a non-Muslim which impacts the sentiments of the Muslims should be unwelcome. Third, it needs to be ascertained if the Saudi laws would be applicable for the Green Card holders, in case a criminal activity is recorded. This is important to underline given that the Saudi government follows Shariat laws. Fourth, it needs to be ascertained whether the rights enjoyed by the citizens of Saudi Arabia might be enjoyed by the Green Card holders. For instance, the government might consider whether all the business areas might be considered for investment by a prospective businessman holding a Green Card. There might be investment portfolios which might not be conducive for an expat to dive into. Further, will a Green Card holder be entitled to enjoy the same social, political and economic rights as are being enjoyed by a local Saudi citizen? For instance, will a Green Card holder be free to vote and participate in the policy-making

and election processes? Fifth, experiences from the ongoing Brexit negotiations⁴ show that in the event of the withdrawal of the Green Card for an individual on account of his/her criminal activity, the impact on the family members needs to be given due weight. Finally, the Saudi government needs to underline if the social security benefits might be availed equally by the citizens and the Green Card holders alike. Table 3 summarizes the economic, social and political drawbacks associated with issuance of a Green Card by Saudi Arabia.

Economic drawbacks	Explanation	Steps to mitigate the drawbacks
<ul style="list-style-type: none"> • Burden on the state exchequer. 	<ul style="list-style-type: none"> • Provision of social security/maintenance benefits, salary and other perks to the Green Card holder would be a burden on the Saudi Arabian exchequer. 	<ul style="list-style-type: none"> • A proportion of the income should be subject to taxes. • Social services should be encouraged among the Green Card holders. • Board management of corporate institutions should ensure more representation of local Saudis. • Local content determination to favor Saudi Arabia. Implicitly, the supply chain and logistics management should find favor with the Saudi cause.
Social drawbacks	Explanation	Steps to mitigate the drawbacks

⁴ <http://www.bbc.com/news/uk-politics-42279408>

<ul style="list-style-type: none"> • Adjustment and accommodation of non-Muslim Green Card holders in the Muslim-majority populace of Saudi Arabia. 	<ul style="list-style-type: none"> • Religious sentiments ought to be honored. • Cultural boundaries should be respected. 	<ul style="list-style-type: none"> • Harmonious atmosphere should be maintained while different communities are observing their customs, traditions and festivals.
Political drawbacks	Explanation	Steps to mitigate the drawbacks
<ul style="list-style-type: none"> • Terrorists' supporting organizations need to be checked with regard to their nefarious designs. • Criminal and anti-Saudi activities should be checked. • Nationalist and jingoistic sentiments for the home country might be counter-productive for the peace of Saudi Arabia. 	<ul style="list-style-type: none"> • Fraudulent activities by individuals might create problems for Saudi Arabia. • Terrorists might disrupt peace in the country. • Criminal activities of the Green Card holders might pose risk to the stability and peace of the country. • All activities such as protests, demonstrations, etc. which unfavorably impact the peace in Saudi Arabia should be restrained. 	<ul style="list-style-type: none"> • Conduct proper checks and safeguards to ensure the authenticity of the Green Card holders. • Laws for Green Card holders should be clearly outlined.

Table 3: Drawbacks of issuing a Saudi Green Card

4. Conclusion

Can there be a Saudi model of Green Card? While the article doesn't underline such a need, the question throws a challenge before the government to appreciate the need for issuing a

Saudi Green Card which is unique for Saudi Arabia. While the article laid down the prospects and bottlenecks in issuing a Green Card in the country, the government needs to take up a planned approach while taking into consideration the modalities for the roll-out of the Green Card policy. While we posit that a Saudi Green Card initiative might be taken up soon in line with the growing population and the need to deal with the expatriates' concerns, the cautionary steps outlined above also merit prudence and reflection.