



### **IMMIGRATION DEVELOPMENTS IN THE MENA REGION**

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#### **United Arab Emirates**

##### ***02 February 2023 – Re-entry Permit Now Available for UAE Residents Who Stay Outside the Country for More Than Six Months***

The Federal Authority for Identity, Citizenship, Customs and Port Security (FAICCPs) has announced a new re-entry process to the United Arab Emirates for residents who have been outside the country for more than six months.

A new electronic service is now available on the [FAICCPs portal](#) where UAE residents may apply for a permit to re-enter the country if they have been outside the United Arab Emirates for more than six months. Provided they have a valid reason why they were unable to return within 180 days, the resident permit holder can use the re-entry permit to enter the UAE and reactivate the validity of their residence permit.

In order to obtain a re-entry permit, following requirements apply:

- an application must be submitted from outside the United Arab Emirates after 180 days of staying outside the country;
- a valid reason for stay outside the country must be given – supporting documentary requirements will vary based on the reasoning;
- passport and resident permit details must be given of the applicant and their sponsor; and
- Emirates identification details must be given for the applicant and their sponsor.

The fees for applying for a re-entry permit are AED 150. Once the application is approved and the re-entry permit is issued, individuals must re-enter the United Arab Emirate within 30 days; failure to do so will trigger a penalty of AED 100 for every additional 30 days spent outside the country.

It is currently unclear whether the re-entry permit will be available to all categories of residence permit holders. As per the new regulations, the following individuals are exempt from the restriction to stay outside the country for more than six months and do not have to obtain a re-entry permit, including:

- foreign wives of UAE nationals;
- domestic workers accompanying UAE nationals studying abroad based on a government scholarship;
- domestic workers and companions of UAE nationals undergoing a medical treatment abroad;
- foreign residents and their companions, undergoing a medical treatment abroad;
- foreign residents (including domestic workers) sponsored by UAE nationals who are members of the UAE diplomatic missions abroad;
- foreign residents and their dependents, delegated by a UAE public sector entity for attending a training, course, or to work in an office abroad;
- domestic workers of UAE royal family members, working in their homes abroad;
- foreign residents studying abroad; and
- foreign investors.

It is our understanding that the re-entry permit is currently available only to foreign nationals who hold a dependent residence permit. We are awaiting further clarity in the coming days.

As per the UAE regulations issued last year, residents of the UAE would have their immigration status invalidated in the event they would remain outside the UAE for 180 consecutive days or more. Golden Visa holders, in practice, are exempt from this restriction although this is not explicitly referred to in any current regulation.

### **09 February 2023 - Stricter Calculation of Emiratization Target Announced**

The Ministry of Human Resources and Emiratization (MOHRE) announced changes to the calculation of Emiratization targets for mainland private sector companies employing 50 or more individuals, following the implementation of one of the key initiatives of the "Nafis" program to increase Emiratization rates in the private sector.

Effective immediately, companies in the private sector will now be required to increase Emiratization in skilled occupations by 1% every six months to reach a total of 2% growth by the end of each year. This creates a semi-annual target for employers to reach as part of the [May 2022](#) requirement implemented by the UAE cabinet mandating that these employers reach the overall 2% annual requirement. By 2026, the goal is for these companies to have at least 10% of their workforce comprised of Emirati citizens. The new calculation should encourage companies to continue to hire Emirati citizens throughout the year and to retain these levels of employment.

Affected employers must increase their current Emiratization rate in skilled positions by 1% semi-annually. The rate is calculated based on the number of Emirati workers in relation to the total number of skilled employees ([i.e. classified in professional level one to five, according to the occupational classification system](#)), provided that at least one Emirati is employed against every 50 skilled employees, for each year of implementation.

Employers must ensure that they comply with all applicable labour regulations and that each Emirati employee:

- holds a valid work permit and employment contract;

- is registered with the General Pensions and Social Security Authority; and
- is paid through the Wages Protection System.

If the above conditions are not met, the employee will not be counted in the employer's Emiratization rate.

Companies that do not comply will be subject to a penalty of AED 7000 per month for each vacancy that has not been filled with an Emirati worker; the penalty will be collected semi-annually, instead of annually. The monthly penalty will increase by AED 1000 each year.

Penalties will start being applied beginning July 1, 2023, for companies that do not comply by June 30, 2023, and will include penalty fees owed from the annual requirements in 2022.

Affected employers must correct their Emiratization rate and comply with the new requirement by the end of June 2023 to avoid monthly fines.

They should also register with the UAE government partnership program '[Nafis](#)' and consider the initiatives that are in place to support companies seeking eligible Emirati citizen job candidates.

### ***09 February 2023 - Extension of Entry Validity Period for all Visa Categories Now Available***

The Federal Authority for Identity, Citizenship, Customs and Port Security (FAICCPs) has announced a new service allowing foreign nationals to extend the validity period of all visa categories prior to their arrival to the United Arab Emirates (UAE).

A new electronic service is now available on the [FAICCPs portal](#) and via the UAE PASS app where foreign nationals who have been unable to travel to the UAE within the initial validity period, can extend the validity of their visa for entry, for a further 60 days, prior to their arrival to the UAE. The extension is permitted once only. Previously, foreign nationals who did not utilize their visa within the initial 60 days validity period, would have to cancel the visa and apply for a new one.

In order to apply for the extension, the following requirements apply:

- an application must be submitted from outside the UAE prior to arrival/entry to the country;
- upload supporting documentary requirements – this will vary dependent on the visa category;
- pay the required application fees and refundable financial deposit (if applicable).

The fees for applying for the extension are AED 200 which includes the service fees. Once the application is approved the confirmation of the extension is sent to the applicant via email.

### ***22 February 2023 - Wages Protection System Implemented for Companies Registered with the Dubai Multi Commodities Centre***

Effective immediately, companies registered with the Dubai Multi Commodities Centre (DMCC) are required to pay the salaries of their employees who hold an active or expired

employment visa or Personal Identity card through the Wages Protection System (WPS). Companies who fail to pay salaries through the WPS will be subject to DMCC portal sanctions and fines beginning on an unspecified date in January 2024.

Affected employers must ensure that their employees are registered for the salary transfer through the WPS to avoid portal sanctions and fines beginning January 2024.

Employers can attend one of DMCC's [webinars](#) covering the WPS registration process and timelines and which will also address inquiries. The next webinar is scheduled for March 9, 2023.

The Wages Protection System was implemented in the United Arab Emirates in 2009 and is an electronic salary transfer system that allows companies to pay employees' salaries via banks, exchange houses and financial institutions approved and authorised by the Central Bank of the UAE. Previously, employees' salary registration through the WPS was only required for employers registered in select jurisdictions such as the mainland and the Jebel Ali Free Trade Zone.

### **Saudi Arabia**

#### ***03 February 2023 - Stopover Visa Program Launched for Transit Passengers on Select Airlines***

Effective immediately, passengers transiting through Saudi airports on Saudia or Flynas flights may obtain a free electronic visa (e-visa) through the Stopover Visa Program, which permits a single-entry for up to 96 hours into Saudi Arabia, and allows travelers to perform Umrah, visit the Prophet's Mosque in Madinah, travel inside Saudi Arabia, as well as attend tourism events.

The stopover e-visa can only be obtained while purchasing air tickets through the Saudi Arabian airlines ([SAUDIA](#)) or [Flynas](#), where applicants are anticipated to receive an instant response, or within less than four hours to their registered email including the issued e-visa.

The free of charge visa is issued with a validity of three months with health insurance included. Travelers are expected to present a printed copy of the e-visa upon their arrival to one of Saudi's airports and must ensure they meet all immigration entry requirements irrespective of the duration of their transit period.

A stopover e-visa will not be approved for the following passengers:

- Those with a valid Saudi visa that allows them to enter Saudi Arabia;
- Those who are authorized to obtain a visa upon arrival to Saudi Arabia;
- Those under the age of 18, unless included as companions in the principal's e-visa application. However, if the application is rejected for one of the applicants, all travelers in the same application will be rejected accordingly.

In 2022 the government of Saudi Arabia announced the extension of the visit visa for [transit to those coming to Saudi Arabia through cruise ships](#). In the following months, further changes were made whereby the authorities extended the maximum allowable duration of stay under the visit visa for transit [to 96 hours and waived the visa fees](#). The launch of the stopover visa e-program is in line with several other immigration reforms that Saudi Arabia is implementing in an effort to realize the country's vision and become a leading tourist destination.

### ***15 February 2023 - Update on the Apostille Process for Certificates for Use in Saudi Arabia***

Following Saudi Arabia joining the [Hague Apostille Convention in December 2022](#), individuals who require an attested certificate, including educational certificates, marriage or birth certificates, for use in Saudi Arabia for immigration purposes are now subject to a simplified process and reduced processing time.

Individuals seeking to use their educational certificates for employment visa purposes must ensure the certificate undergoes the Saudi Arabia Cultural Attaché (SACA) university verification and attestation process before obtaining the Apostille certificate. The government has now eliminated the step requiring the certificate to be attested by the Saudi Embassy, which will reduce the verification time by approximately one week. Note that depending on the country of issuance, there may be variations proceeding or following the SACA university verification and attestation process by other government bodies.

For individuals seeking to use their marriage and/or birth certificate for immigration purposes (which are typically used to support dependent visa sponsorship), the Apostille certificate will suffice, the Saudi Embassy attestation step is no longer required.

### ***16 February 2023 - Professional Verification Scheme Announced for Select Bangladeshi Nationals Applying for Saudi Visas***

Saudi Arabia's [Professional Verification scheme](#) has expanded in a new phase to select nationals of Bangladesh who will now be required to have their skills evaluated in their home country prior to obtaining a Saudi entry visa. This follows the initial launch of the program in January 2021, followed by the implementation of the [second](#) and [third](#) phases of the program, which expanded the program to Pakistani and Indian nationals.

Bangladeshi nationals seeking employment in Saudi Arabia in certain technical-based professions must now undergo theoretical and practical tests to evaluate their skills before they can obtain an entry visa for Saudi Arabia. This new requirement stems from a collaboration between Saudi Arabia's Ministry of Human Resources and Social Development (MHRSD) and Bangladeshi Bureau of Manpower Employment and Training (BMET). The latter oversees the process commonly referred to in Bangladesh and Saudi Arabia as the Skill Verification Program.

Those who pass the tests with a minimum score of 50% will be issued an internationally recognized certification with a five-year validity that will allow them to apply for an entry visa to work in Saudi Arabia.

Bangladeshi nationals seeking to work in the following professions must utilize this program:

- plumber;
- electrician;
- welder;
- refrigeration/air conditioning technician; and
- automobile electrician.

[The Professional Verification scheme](#) was launched by the MHRSD in cooperation with the Ministry of Foreign Affairs and the Technical and Vocational Training Corporation in 2021,

to evaluate skills of foreign nationals working or seeking work in Saudi Arabia. The initial phase of the program was focused on foreign nationals who were already working in Saudi Arabia (affecting over 1,000 professions across 23 sectors), with subsequent phases launching in [Pakistan](#), [India](#), and now Bangladesh. The government will apply the scheme to nationals from other countries in future phases.

### **What this means for employers and employees**

All expenses associated with the program must be covered by the Saudi employer or the applicant's sponsor, including the work visa, travel tickets, medical and police report.

The expansion of the Professional Verification scheme may limit the pool of available candidates for Saudi employers from India, Pakistan and Bangladesh. Due to this additional step in the recruitment process, the overall processing timeframe and employment costs are expected to increase for affected applicants.

## **Qatar**

### ***02 February 2023 - Extension of Hayya Card Validity Announced***

The Ministry of Interior of Qatar (MOI) announced that the validity of the Hayya Card that was used for entry during the 2022 FIFA World Cup has been extended until January 24, 2024.

Effective immediately, Hayya Card holders can continue visiting Qatar subject to the following requirements:

- their passport must be valid for a minimum of three months upon arrival in Qatar;
- they have proof of a confirmed hotel reservation or accommodation with family or friends approved through the [Hayya portal](#);
- they have [health insurance](#) for the entire duration of stay; and
- they hold a return ticket.

According to the MOI, the Hayya Card extension service is free of charge and allows for multiple entries to the country, as well as use of the [e-Gate system](#) for entry and exit via the country's ports. Hayya Card holders will also be allowed to invite up to three family members or friends to visit Qatar.

In 2022, the government of Qatar launched the [Hayya Card](#) to serve as fan identification and an entry permit into Qatar during the FIFA World Cup Tournament.

### ***07 February 2023 – Mutual Visa Exemption with Japan Forthcoming***

Effective April 2, 2023, nationals of Qatar holding an ordinary passport will be visa-exempt for stays of up to 30 consecutive days in Japan.

Qatar and Japan signed an official memorandum on a mutual visa exemption for holders of ordinary passports in the two countries. It is anticipated that this policy will be restricted to those visiting for tourism, which means that nationals of Qatar intending to visit Japan for other purposes such as business and work will have to apply for the appropriate pre-arranged visa.

## Iraq

### **22 February 2023 - Delays Expected in the Processing of Immigration Applications**

Effective immediately, employers should expect delays in the processing of immigration applications, while an auditing and review process is completed following the replacement of three department managers at the Ministry of Interior: the managers of the Ministry of Interior, Foreign Department and Arab Department.

All new and ongoing visa applications including the standard visa, multi-entry-exit visa, visit visa, visa renewal, visa cancellation and work permit cancellation will be delayed until the auditing and review process by the new managers is completed, which is expected by March 6, 2023.

Employers and employees must be prepared for delays of the issuance of visas which may affect employees' entry or departure dates to or from Iraq.

### **ABOUT FRAGOMEN**

*Fragomen is the world's leading single-focus provider of immigration services and support. Our firm is comprised of law practices and immigration consultancies that work together to support our clients across all regions globally. At Fragomen, we leverage our collective immigration experience to offer clients targeted and trusted solutions that help them achieve their local, regional and worldwide business goals.*

*Fragomen's team of dedicated immigration professionals has extensive experience in working with multinational businesses, local employers, start-ups and individual investors. We have a deep understanding of the region and maintain strong professional relationships with immigration authorities. Our MENA immigration team is supported on a global basis by over 3,800 immigration professionals in more than 50 offices worldwide. Together, we provide comprehensive immigration support in over 170 countries.*

*All we do is immigration, a sole focus that makes a considerable difference. Unlike many other providers, all of our thinking, passion and resources are dedicated to improving the immigration experiences of our clients and their employees. We have the track record, region specific experience and know-how to provide you with a streamlined and compliant immigration solution.*

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