

## **Research report on the problems faced by Saudi Women married Non- Saudi**

The Shoura Council has discussed, in its session that is held on Monday 16/7/1431 AH – 28/6/2010 AD, the report issued by the National Society for Human Rights concerning the problems that are facing the Saudi women who are married to foreigners. It is directed to form a special committee to re-examine the legal, social, economic and security aspect of the issue and the committee has to submit its report soon to the .council

The Saudi women is facing many problems and obstacles that affects their rights and their children's rights. The Society has received thousands of complaints concerning this issue and that can be classified :as follows

### **The First Axes: Residency**

It is noted that the husband and the children of the Saudi women are subjected to the sponsorship system like any expatriate in the Kingdom and not subjected to special rules that differ from the other residents. To illustrate, they should have sponsor, pay the fees and get exit and .return visa when they want to travel abroad

Consequently, they will be under the sponsor's mercy who may refuse to transfer their sponsorship or accuse them of going AWOL from work if they refuse to pay him money. The Saudi woman will be obliged to apply a mercy request so as to cancel the reported escape for her husband and children or register her sons and daughters under their sponsorship as drivers and housemaids regardless of their education in order to save them from deportation. These children feel humiliated in their motherland, the very place they were born in and their mother hold its nationality. In addition, these particular job titles will prevent the sons and daughters from getting proper jobs and prevent the mother from recruiting a driver or a housemaid from outside and if the mother was able to register her children as companions to her, they would not be granted work permits regardless of their financial needs. The best cases, if she is not working, is establishing a trading record so as to register her children under her sponsorship (without referring that they are her

children). On the contrary, she may be asked to do so but she is working and hence cannot get a trading report and cannot transfer the sponsorship of her husband and children to her

Regarding the husband, he would not have declared in his iqama (resident permit) that he is married to a Saudi, while the wife will not have made the same declaration in her civil records. Hence, they have to have their marriage contract with them always to prove that they are husband and wife

The husband may also be transferred from the Kingdom under a judicial or administrative rule but if it is known that he is a citizen's husband may not be transferred

Moreover, the husband and children bear the fees of the exit and return visa and the renewal of the residency except those who are able to exceptionally obtain a Saudi passport for their husband and children without obtaining the citizenship which is rare. The question here is why this procedure cannot be applied on the whole group as it will help in relieving their suffering mentioned above or amending the residency and citizenship system that is related to them

#### :The Second Axis: The Citizenship

Despite the conditions that are stated in Article 8 of the citizenship system, obtaining the citizenship for the children of the Saudi woman is permissible and not obligable. Hence, the request for obtaining their citizenship can be refused without any reasons and this may be after abandoning the nationality of their father

It may take years to obtain the citizenship if the conditions are met. For more illustration, it is not obtained directly even if the conditions are met and there is no specified period for the competent security and administrative authorities to approve or disapprove

In addition, there is differentiation between the girl and the boy though it is not mentioned in the Saudi citizenship system and which contradicts with the Non Discrimination against Women Convention which the Kingdom has joined by a Royal Decree. The competent authorities are still justifying this attitude toward the girl through using texts from the repealed provisions. Hence, it is noted that the daughters from such marriages are given cards when they are 18 years old stating that they

should be treated like Saudi citizens, but added this would not allow them to work which is a clear contradiction

Moreover, regarding the husband, the system does not allow him to obtain the citizenship except after the provision of the conditions that are mentioned in Article 9 of the citizenship system like any other resident. He will not obtain the nationality because of being a husband of a Saudi citizen no matter how long he remains married and if it is proven that his conduct and behaviors are good and he is treating his wife good. Besides, they should decide certain period, for example 15 years and giving birth to children, and after it they can obtain the nationality in accordance with what is included in the Governing Statute which urges the family unity

#### :The Third Axis: The Education and Health care

Though there is a circular from the concerned authorities concerning the education and health care as well as the layoffs for the Saudization requirements, but things differs in reality since the Saudi women's children are still suffering from this. Regarding the Saudi's husband, he cannot be treated except if he is under her sponsorship and the individual endeavors interfere in this as he may be accepted in a hospital and refused in another. Also the Saudi women, if she went to give birth in a government hospital, only the employee can accept or reject her as he may see that she is a citizen and this is her right or may tell her that her baby is non-Saudi and he cannot accept her. This is because the concerned authorities did not clearly circulate the Saudi Women's rights in this

In addition, the individual endeavor is also applied on the issue of relieving from Saudization though the circular that is related to this has not granted them the employment priority on the other non- Saudi Concerning the education, the Saudi women children may be granted the chance of entering the universities in specific specialties and maybe not

#### :The Fourth Axis: Pensions and Loans

The employed citizen's children (Non- Saudi) are not benefiting from her pension , though the Social Security system has stated in Article (8) the family members who can benefit from it , those who are her dependent without specifying their nationality. Besides, the Saudi husband and her children are not benefiting, after her death, from the ownership of the house that the women citizen has bought using a bank loan. To illustrate, the house is to be sold and give them what she has paid and hence the mother's effort and keenness to provide a shelter for her children have been wasted.( though her children have the opportunity to obtain the nationality and the current system allow the .(non-Saudi ownership

Moreover, the children born to Saudi women and Palestinian men are not even allowed to apply for Saudi citizenship which increases the suffering of the Saudi women especially if she is a widow or divorced and her children are living with her because of her husband's death and the absence of the relatives or because of abandoning them and .disappeared

#### :The Recommendations

Studying these notes and working on including texts in the system project of the marriage of the Saudi women to Non- Saudi or the Saudi men to Non-Saudi so as to solve it. In addition, what is related to other committees specialization should be sent to them in order to study them and take the appropriate recommendations to contribute in solving this .humanitarian problem