

United Arab Emirates:
**Country of Origin Information Relating to the Return and
(Re)admission of Individuals Who Previously Resided in the
UAE and Who Require a Visa Prior to Arrival**

12 May 2020

Information included in this document has been compiled from publicly available sources in line with applicable quality standards for country of origin information, with a cut-off date of 12 May 2020. The information applies to individuals who require a pre-arranged visa as they cannot obtain a visa upon arrival and do not qualify for visa-free entry.¹ Confirmation of information in relation to return and readmission practices would need to be obtained from the responsible authorities in the United Arab Emirates (UAE).

1. Cancellation of the Residency Permit Following Departure from the UAE

As a rule, the residency permit gets automatically cancelled if the permit holder is absent from the UAE for more than six months (unless a longer absence was pre-authorized). Irrespective of the original validity of the residency permit, it will thus be cancelled six months after the individual's last exit from the country.²

2. Re-Admission to the UAE Based on a Valid Residency Permit

Re-admission to the UAE is contingent on holding a valid passport and a valid residency permit. In situations where a permit holder left the UAE more than six months ago, and a longer absence was not pre-authorized, the residency permit will accordingly have been cancelled. In this case, re-entry will not be possible based on the previous residency permit.

¹ A list of nationalities that can obtain a visa upon arrival can be found here: www.emirates.com/fo/english/before-you-fly/visa-passport-information/uae-visa-information/. All other nationalities require a pre-arranged visa. This includes, among others, passport holders of Afghanistan, Egypt, Eritrea, Iraq, Jordan, Libya, Myanmar, Pakistan, the State of Palestine, Syria, and Yemen. Palestinians holding travel documents issued by third countries (e.g. Egypt, Jordan, Syria) are treated on a par with nationals of these countries; Visit Dubai, *Dubai Tourist Visa & Entry Information*, last updated 29 September 2019, www.visitdubai.com/en/travel-planning/travel-tools/visa-and-entry-information/. Note that citizens of Gulf Cooperation Council (GCC) countries do not require a visa to enter the UAE. They need to produce their GCC country passport or national ID card at the point of entry into the UAE; u.ae, *Do You Need an Entry Permit/Visa to Enter the UAE?*, last updated 19 January 2020, <https://bit.ly/2YuTJm2>.

² "Resident Permit becomes invalid if the Resident resides out of the UAE for more than Six months"; UAE Federal Authority for Identity and Citizenship, *Frequently Asked Questions*, accessed 3 May 2020, <https://bit.ly/34TvzTo>. In some instances, exemptions may apply, see: U.ae, *Visa Rules for UAE Residence Visa Holders Travelling Abroad*, updated 6 February 2020, <https://bit.ly/2XShe8h>.

Individuals who used to be married to UAE residents but who have obtained a formal divorce cannot be sponsored anymore by their former spouse.³

If no valid residency is available, admission to the UAE requires either employment and a work visa (see *Section 3*), or a visit or tourist visa (see *Section 4*).

3. Admission Based on Employment

In order to secure a residency permit through a work contract, the individual concerned would first have to secure employment in the UAE.⁴

In this case, the company would then apply and sponsor the individual's residence. The employer would need to apply to the Ministry of Human Resources and Emiratization (MoHRE) for the work permit. If granted, it is valid for two months during which the individual can enter the UAE for the purpose of employment (work visa) and process the residency permit, subject to passing a medical screening⁵ and security check. Depending on the terms of the employment contract, the validity of stay on a residence visa varies. Normally, it will be issued for 1, 2 or 3 years.⁶ Working prior to obtaining the residency is illegal and could lead to imprisonment, fines and/or deportation.⁷

Only once the above process is completed may the employee sponsor family members and bring them into the country, provided s/he meets all the necessary requirements.⁸ Family members would thus need to stay behind in their own country of residence until the employee has secured his/her residency in the UAE.

Both male and female third-country nationals with a valid UAE residency can sponsor residency visas for their spouse and children under the following conditions:

- Sponsor's passport and residence visa should be valid for at least six months;⁹

³ If the individual was still in the country at the time of the divorce and held a valid residency permit, she would be given a one-year visa extension; U.ae, *New Visa Rule for Divorced Women, Widows and Their Children*, updated 6 February 2020, <https://bit.ly/2VFzdM9>.

⁴ "To enter the UAE for employment purposes, your employer in the UAE must first issue you an official work offer that conforms to the standard employment contract adopted in the Ministry of Human Resources and Emiratization (MoHRE), which is the entity responsible for regulations for the private sector in the UAE. The employment offer must be duly signed by both the employer and employee, and registered with the ministry and at that point, the employer can apply for a work permit for the employee"; U.ae, *Employment of Expatriates in Privately Held Companies*, last updated 13 February 2020, <https://bit.ly/2KdXvYi>.

⁵ "In order to be able to obtain a work/residence permit, foreign nationals need to be free of all forms of communicable diseases such as HIV and TB"; U.ae, *Health Conditions for UAE Residence Visa*, last updated 25 November 2019, <https://bit.ly/34Lek6x>.

⁶ U.ae, *Employment of Expatriates in Privately Held Companies*, last updated 13 February 2020, <https://bit.ly/2KdXvYi>; U.ae, *How to Become a Resident in the UAE?*, last updated 12 February 2020, <https://bit.ly/3coO8B6>.

⁷ U.ae, *Employment of Expatriates in Privately Held Companies*, last updated 13 February 2020, <https://bit.ly/2KdXvYi>.

⁸ U.ae, *Getting a Work and Residency Permit*, last updated 20 January 2020, <https://bit.ly/2yDJjFu>; U.ae, *Sponsoring Family Residency Visa by Expatriates*, last updated 3 February 2020, <https://bit.ly/2KcwSTR>.

⁹ Government of Dubai / DMCC, *Application Guideline: Dependent Visa Services – Request for Children Residence Visa*, 24 April 2019, <https://bit.ly/2KK1rjY>, p. 5.

- The sponsor earns a minimum monthly salary of AED 4,000 (approx. 1,090 US\$) or AED 3,000 (approx. US\$ 817) plus free accommodation;¹⁰
- Work contract or salary certificate;
- Rental contract;
- Marriage certificate and children's birth certificates. In the case of a married woman sponsoring her children, a certified letter of non-objection from the husband. In the case of a divorced woman seeking to sponsor her children: child custody certificate.¹¹ The child custody documents, if issued outside the UAE, need to be duly attested by the UAE Embassy in the home country and the Ministry of Foreign Affairs in UAE.¹²
- Family members' passports should be valid for at least six months.¹³
- A health insurance for the children is mandatory.¹⁴

4. Entry with Visit or Tourist Visa

The requirements to obtain a visit or tourist visa are the following:

- A sponsor to apply for the entry permit. The sponsor could be an Emirati citizen; an expatriate resident with valid residency permit in the UAE; a UAE-based airline; a UAE-based hotel or tour agent; a government entity; or companies in the private sector or free zones;
- A passport valid for at least six months;
- No visa ban (e.g. in case of residency law violations such as overstaying and absconding).¹⁵

Entering the UAE on a visit or tourist visa allows for a stay of a limited period, depending on the visa.

A visit or tourist visa does not entitle the bearer to work in the UAE:

"Visitors and tourists should be aware that it is illegal to work in the UAE with or without pay while being on a visit or tourist visa. According to the UAE's labour and residency laws, a person cannot work if he has not been issued a work permit and an employment visa. Violators may be liable to fines and deportation."¹⁶

Under Ministerial Resolution No. 377 of 2014, holders of all types of visas can modify the status of their entry while staying in the country if they wish to change it into a

¹⁰ Khaleej Times, *FAIC Explains UAE Sponsorship Rule*, 16 July 2019, <https://bit.ly/2XNRY2H>.

¹¹ Gulf News, *How Expatriate Women Sponsor Their Child in the UAE – The Process Explained*, 10 March 2020, <https://bit.ly/2VGk1P8>.

¹² Government of Dubai / DMCC, *Application Guideline: Dependent Visa Services – Request for Children Residence Visa*, 24 April 2019, <https://bit.ly/2KK1rjY>, p. 4.

¹³ *Ibid.*, p. 5.

¹⁴ *Ibid.*, p. 5.

¹⁵ The National, *'Can I Return to the UAE after Receiving a Ban Four Years Ago?'*, 15 February 2020, <https://bit.ly/3bonTKZ>; U.ae, *Do You Need an Entry Permit/Visa to Enter the UAE?*, last updated 19 January 2020, <https://bit.ly/2XlgFxD>.

¹⁶ U.ae, *Do You Need an Entry Permit/Visa to Enter the UAE?*, last updated 19 January 2020, <https://bit.ly/2XlgFxD>.

residency visa, provided they meet the required terms and conditions.¹⁷ Overstaying a visit or tourist visa will incur a fine.¹⁸

5. Readmission to UAE without valid residency permit or visit/tourist visa

Any non-national who returns to the UAE (including by way of forced return) and who does not hold a valid residency or entry visa will not be allowed to enter. In principle, that individual will not be allowed to board a flight to the UAE and will be turned away by the airline in the country of departure. In case there is an oversight from the airline and that individual lands in the UAE, s/he will not be allowed to enter the country and it will become the responsibility of the airline to find a solution. The individual may be taken back to the place of departure; however if the airline is aware that s/he will not be readmitted to this country, the authorities may seek to send the individual on a flight to their country of origin, or, if that is not possible, to a third country for which no entry visa is required. In practice this has meant that the individual concerned remained stranded for an extended period at the airport.

On previous occasions where individuals could not be returned to the country of departure or be removed to a third country, the UAE authorities have reached out to UNHCR to find a solution in the form of resettlement to a third country. As resettlement to a third country is not guaranteed, such circumstances leave the individual at risk of refoulement.

¹⁷ U.ae, *Visa Fees, Overstaying and Modifying*, last updated 23 January 2020, <https://bit.ly/2z6tBD6>.

¹⁸ *Ibid.*