

# 90 DAY TRAVEL VISA:

## A PRECURSOR FOR MODERN-DAY SLAVERY FOR KENYAN MIGRANT DOMESTIC WORKERS IN THE KINGDOM OF SAUDI ARABIA?

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The Kingdom of Saudi Arabia issues Kenyan Migrant Domestic Workers with 90-day travel visas to facilitate the labour force's entry into the Kingdom. Official statistics released in 2023 by the Labour CS indicate that there are approximately 151,687 Kenyans working in the domestic sector in Saudi Arabia[1]. Evidence documentation of returnee migrant domestic workers has exposed that they all travelled to work in Saudi Arabia on a 90-Day Travel visa issued to them.

The paradox is “labour migration on a tourist visa”, which constitutes an affront to fair and safe migration practices. The Labour CS, Florence Bore seems to be in agreement where before the National Assembly, she elaborated:

*“...to be able to manage some of these recruitment agencies that are doing rogue activities. Some of these workers who go to Saudi Arabia do not do so through the right channels. Some of them go through visitor's visas. And when they arrive in the Kingdom of Saudi Arabia and the visitor's visa of three months expires, they now start looking for jobs.” [2]*

MUSANED, the electronic visa application system for household workers in the Kingdom of Saudi Arabia, adopts stringent accountability measures which propel for safe and fair recruitment processes and aim to enrich the level of protection of rights for all parties[3].

Three are the domain areas of the foreign domestic labour sector: pre-arrival of labour, the contractual process and after the arrival of labour. The platform sits in the middle of this ecosystem, automating particularly the visa procurement and contractual processes[4]. The system then pushes the employer to submit the relevant documentation including the 90-day Visa to either the Saudi Ministry of Labour and Social Protection or the Ministry of Interior as necessary.

It is therefore standard practice that employers of the migrant domestic workers “regularize” their stay through procurement of their residence permit referred to as an *Iqama* within 90 days of their arrival in Saudi Arabia[5]. The *Iqama* facilitates legal residence, mobility, and access to a wide range of services such as health insurance, social security and financial transactions[6]. The power of the *Iqama* was well described by Graeme Wood, where he stated that “... almost every non-Saudi in the country had needed a document called an *iqama*. It was a sort of license to exist: Your *iqama* identified your Saudi patron, the local national whom you were visiting or working for, and who controlled your fate.”[7]



*Sample Visa issued to Domestic Workers*

Despite the rules and regulations on the *Iqama* demand that it remains in the custody of the migrant worker[8], nearly all domestic workers in Saudi Arabia have never set their eyes or even received this essential document. This portends a future of confinement, close surveillance, a lack of access to crucial social amenities and mostly, being at the will and mercy of a master. Modern-Day Slavery.

Would this be avoided if migrant workers were issued a work permit at the first port of entry to Saudi Arabia rather than a 90-day travel visa? It's about time that travel and visa regulations are reviewed, entrenched and protected by the Bilateral Labour Agreements that the Kingdom of Saudi Arabia develops with countries such as Kenya.

[1] National Assembly Hansard Report, 2 August 2023, 37

[2] National Assembly Hansard Report, 2 August 2023, 40

[3] Hassan, R. (2019) Saudi Arabia's Musaned platform makes E-visa easy for domestic workers | Arab News. Arab News. Available at:

<https://www.arabnews.com/node/1462711/saudi-arabia> (Accessed: 27 March 2024).

[4] Ibid

[5] Residence permit (iqama) (no date) About MOI. (Accessed: 26 March 2024).

[6] Madhi, S. T., & Barrientos, A. (2003). Saudisation and employment in Saudi Arabia. Career Development International, 8(2), 70-77.

[7] Wood, G. (no date) Absolute power | bayt ar-Rahmah, Baytarrama. Available at: [https://www.baytarrahmah.org/media/2022/theatlantic\\_absolute-power\\_03-03-22.pdf](https://www.baytarrahmah.org/media/2022/theatlantic_absolute-power_03-03-22.pdf) (Accessed: 02 April 2024).

[8] ibid (5)