

Survey of Measuring The Level of Implementation of Joint Gulf Action Decisions on Reality

Supreme Council Decisions on The Gulf Common Market

1	<u>Resolution No. 1/70 (1985), session 6, 3-6 November 1985</u> , which was stipulated in the Gulf Common Market Document 2008 as follows: National productive institutions and units in any member state have the right to export their products to the rest of the GCC states without being obligated to appoint a local agent for this purpose, as of Saturday 20 Jumada II 1406 corresponding to the first of March 1986.
2	<u>Resolution No. 1/91 (1986), session 7, 2-5 November 1986</u> , which stipulates that investors from the GCC States shall be permitted to obtain loans from the industrial development banks and funds of the member States and to be treated as national investors in terms of eligibility in accordance with the attached controls. This is effective as of March 1, 1987.
3	<u>Resolution No. 1/ 138 (1988), Session 9, 22-19 December 1988</u> , as stipulated by the Gulf Common Market: as of 1 March 1989, citizens of the other GCC States shall be treated as citizens of the host member State with regard to tax transactions upon undertaking permitted economic activities, including trades and professions, in accordance with the Unified Economic Agreement and the resolutions of the Supreme Council, provided that this shall not prejudice any better tax benefits granted by a member State to citizens of the GCC States.
4	<u>Resolution No. 1/178 (1991), session 12, 23-25 December 1991</u> , which stipulates that: institutions and productive units in the GCC States shall be permitted to open commercial representative offices in any member State in accordance with the rules specified therein.
5	<u>Resolution No. 1/352 (2000), Session 21, 30-31 December 2000</u> , as stipulated in the Gulf Common Market Document 2008, Citizens of the GCC States, both natural and legal, shall be permitted to engage in all economic activities and professions without limitation in accordance with the regulations approved by the Supreme Council at its eighth session for the practice of economic activities and professions, with the exception of the list of four activities: Hajj and Umrah, foreign labour recruitment offices, commercial agencies, and the establishment of newspapers, magazines, and press and publishing houses.
6	<u>Resolution No. 1/ 420 (2002), Session 23, 21-22 December 2002</u> , as stipulated by the Gulf Common Market document 2008, full equal treatment shall be applied to citizens of the GCC States in the field of work in the Non-governmental sector and any restrictions shall be removed no later than the end of 2003, (the principle of full equality of treatment among citizens of the GCC States, including training programs, job nationalization, and counting of Gulf citizens within the percentages of citizens in job nationalization quotas).
7	<u>Resolution No. 1/420 (2002), 23rd session, 21-22 December 2002</u> , as stipulated by the Gulf Common Market: full equal treatment shall be applied among citizens of the GCC States in the area of Stock trading and ownership and formation of corporations, and any restrictions shall be removed no later than the end of 2003. National financial brokerage firms shall be allowed to operate in all GCC States.

8 **Resolution No. 1/426 (2002), 23rd session, 21-22 December 2002**, which adopted the regulatory framework of property ownership by citizens of the GCC States for the purpose of housing and investment, as annexed hereto. The State of Qatar shall be exempted from the implementation of this resolution for a period of five years as of 1 March 2003.

At its twenty-third session (December 2002), the Supreme Council decided to allow ownership of the property for housing and investment purposes within certain controls, as the current regulation limits disposal of undeveloped land, allowing for a four-year ban on disposal unless it is developed. Citizens of the GCC states, both natural and legal, in any of the member states are treated the same as their own citizens, without differentiation or discrimination in various fields, including the freedom to own property. The ownership of property by natural and legal citizens of GCC States in any Member State for the purpose of housing and investment is regulated in accordance with the following provisions:

Article I: Citizens of the GCC States, both natural and legal individuals (wholly owned by the citizens of the GCC States) shall be permitted to rent and own property and land for the purpose of housing or investment in any member State by one of the legally prescribed means of ownership (regime), will or inheritance and shall be treated in this regard as citizens of the State in which the property is located.

Article II: If the property is land, its development or utilization must be completed within four years from the date of its registration in his name, Otherwise, the country in which the property is located shall have the right to dispose of the land, and the owner shall be compensated for the same price at the time of its purchase or at the time of its sale, whichever is less, while preserving his right to file a grievance to the relevant authority in the country. The country may extend the aforementioned period if it is satisfied with the reasons for the delay by the owner.

Article III: The owner may dispose of the constructed property at any time, but if it is a land, it may be disposed of from the date of completion of its construction or utilization, or the passage of four years from the date of its registration in his name, and its disposal may be excluded earlier, subject to permission from the relevant authority of the State.

Article IV: Such regulation shall not conflict with the right of the State in which the property is located to expropriate it for the public benefit in return for fair compensation to the owner in accordance with the laws (regulations) in which its citizens are treated. Also, this regulation shall not conflict with the right of the State to prohibit ownership or usufruct in certain areas or locations, and accordingly, property located within Mecca and Madinah is excluded from the provisions of this regulation.

- 9** **Resolution No. 1/496 (2003), session 24, 21-22 December 2003**, as stipulated by the Gulf Common Market Document, facilitating movement between the GCC States of certain groups residing in the Member States, in accordance with the controls set out in the decision of the Ministers of the Interior, by granting them Visas from the ports in line with the requirements of the Customs Union, whereas the Committee of the Ministry of Interior in 2003 approved the following:
- I.** The owners, directors and representatives of institutions and companies residing in a regular residence in any GCC State shall be granted visas to any other Member State at border crossings in accordance with the following controls:
- The passport must be valid
 - The resident must hold a valid regular residence
 - The resident must provide the border authority with proof of his position in the company or his representation for it
 - The duration of stay granted from this type of visa is not less than 14 days
- II.** truck drivers and their assistants shall be granted visas to Member States at border crossings, provided that the period granted to them is not less than a week.
- Practitioners of such activities shall have the right to obtain the necessary visas for their workers and technicians, and their residency shall be treated on the same terms as citizens of their counterparts in the host Member State, provided that priority in work is given to citizens of the GCC States.

- 10** **Resolution No. 516/1 (2004), 25th session, 20-21 December 2004**, as stipulated in the Gulf Common Market Document 2008: Extension of insurance protection for citizens of the GCC States. Each State is obligated to extend the insurance protection umbrella to its citizens working abroad (in other GCC States) in the public and private sectors, as follows:
- The employer is obligated to register the citizens of the GCC States working for him, with the Civil Retirement/Social Insurance Institution in the country where the work is located, provided that this institution shall notify the Civil Retirement/Social Insurance Institution in the State of the worker, in accordance with the rules and regulations agreed upon between the Social Insurance and Civil Retirement Institutions.
 - Contributions are collected as follows:
 1. The worker/employee and the employer shall be obligated to bear their respective shares in the contributions according to the percentages established in the worker/employee domicile system/law, provided that the employer's share shall not exceed the percentage established in the country where the work is located. In cases where the employer's contribution is less than the required percentage, the worker/employee shall cover the difference to ensure full payment of contributions to the Civil Retirement/Social Insurance Institution to which the worker/employee is subject to its system, unless each country sees that it bears the difference instead of its citizens.
 2. The employer must deduct the worker/employee's share from the monthly salary, and deposit it with the share he is committed to in a bank account determined by the institution to which the worker/employee is subject to, during the dates applicable in the state where the work is located. In the event that the employer fails to pay these contributions on time, the Civil Retirement/Social Insurance Institution in the worker's country shall report this to the concerned Civil Retirement/Social Insurance Institution in the state of the workplace, which has the burden of monitoring and taking legal measures to ensure the collection of these contributions in accordance with the rules and provisions in force in the State where the work is located.
 - The insurance protection of citizens of the GCC States working in countries other than their own does not affect any rights and benefits guaranteed to them by Civil Retirement/Social Insurance systems, and labor laws and regulations in the State where the work is located.

11 Resolution No. 1/625 (2007), 28th session, 3-4 December 2007, which was stipulated in the document of the Gulf Common Market 2008 as follows:

Abolish restrictions on the practice of economic activities and free professions by GCC citizens in the Member States that were previously approved in the eighth session (1987) of the Supreme Council, and apply full equal treatment between citizens of the GCC states in the practice of professions, crafts, economic, investment and service activities, except for what was excluded from it by a decision of the Supreme Council, and the treatment of GCC citizens in any of these states the same treatment as its own citizens without differentiation or discrimination in any area, the most important of which is the freedom to practice economic activity. And in continuation to what was previously approved by the Supreme Council of the GCC citizens practicing certain economic activities, citizens of the GCC states are allowed to practice other economic activities in accordance with the following controls, provided that these controls are applied to the economic activities that were previously approved by the Supreme Council and which will be approved in the future.

First: These activities are carried out by the natural citizens of the GCC States and by legal entities wholly owned by the citizens of the GCC States.

Second: These activities are carried out in accordance with the laws and procedures followed in the host Member State and applicable to its citizens, including obtaining the registration and licensing normally required to practice the activity.

Third: The practitioners of these activities have the right to establish and contribute to companies that engage in these activities and to own the raw materials and movable objects normally necessary to carry out these activities on the same conditions as similar citizens of the host Member State.

Fourth: practitioners of these activities shall have the right to obtain their goods and what helps them to provide their services in accordance with the laws and regulations applicable to similar citizens of the host State.

	<p>Fifth: Practitioners of such activities shall have the right to obtain all services that enable them to practice their work, and which are provided to similar citizens of the host Member State, for example but not limited to access to public utility services (electricity, water, telephone, ... etc.) under the same conditions as similar citizens of the host State.</p> <p>Seventh: Practitioners of such activities shall have the right to open more than one branch to practice these activities within the country, provided that the necessary licenses are obtained.</p> <p>Retail and wholesale trade: Citizens of the GCC States shall be permitted to engage in this trade in all Member States as of March 1987. Full equal treatment shall be given to the GCC citizens and commercial practitioners, allowing them to open branches without the need to establish new institutions or companies when wishing to open a branch in one of the GCC States. GCC citizens are permitted to engage in the activity of commercial agencies, which is one of the most important commercial activities and complementary to what was previously approved in the commercial field. As such, the amended rules no longer require the residence of the Gulf citizen in the State where the activity is located, or to have a local partner, or to be limited to one branch or activity. The natural citizen shall be directly responsible for managing the authorized activity and shall practice it in accordance with the regulations and laws applicable to similar citizens of the country in question, and he may engage in more than one activity and in more than one branch, unless there are reasons to prevent that as per the discretion of the relevant authority of the host county. Also, the GCC citizen shall be permitted to import and export his goods in accordance with the regulations followed in the State in which he exercises his activity and which are applied to similar citizens of the same State, including the commercial agencies system.</p>
12	<p>Resolution No. 1/772 (2010), session 31, 6-7 December 2010, which stipulates the following: Gulf companies shall be permitted to open branches in the GCC States and branches of companies shall be given full equal treatment as branches of national companies, in accordance with the following conditions:</p> <ol style="list-style-type: none"> 1. The company shall be registered in one of the GCC States and its activity shall be one of the economic activities permitted to be carried out by citizens of the GCC States. 2. The company must be wholly owned by the citizens of the GCC States. 3. The company wishing to open branches in any of the GCC States shall have been registered for a period of not less than three years and the period may be reduced by the State. 4. The person authorized by the company to manage the branch shall be a citizen of the GCC States, and the State may waive this requirement. 5. The State shall have the right to cancel the registry (license) granted to the company in the event it finds a foreign partner in the parent company or if the company violates one of the conditions referred to above.
13	<p>Resolution No. 1/998 (2016), 37th Session, 6-7 December 2016, which stipulates the following: Confirmation of Supreme Council Resolution No. 1/1/13 (2010), issued at its twelfth consultative meeting (Riyadh, May 2010), which affirms that Passport Departments at the borders of the Member States adhere with the decisions issued within the framework of the Council to grant visas to truck drivers at those ports around the clock.</p>