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ARTICLE

White Migrant Workers in Kenya: X-pats or Illegal Migrants?

Andrea Rigon
School of BEAMS, University College London



Part of Nairobi city

Kenya's growing economy and in particular of its cosmopolitan capital, Nairobi, offers a lot of well-paid jobs. Nairobi is the headquarters of all the main international NGOs. Governmental cooperation offices, embassies, and companies dealing with countries in conflict (such as Somalia, Sudan and Uganda) are located in Nairobi, multiplying by four the number of people with highly paid jobs. Since Kenya is the main hub connecting Africa to Asia, Nairobi is consequently the location of transnational companies. Nairobi is also the third biggest centre of operations of the United Nations, hosting an incredible number of foreign, tax-exempted employees.

This wide class of wealthy people is not comparable in size with any other city in the region, thus making Nairobi expensive, full of modern shopping centres and other rich services. The well paid people can enjoy high quality of life by living in a big house, affording a full-time maid, and in case of children, a full-time nanny. This attracts many Europeans and Northern Americans, in particular the so called 'transnational middle-class' of consultants, free-lancers, and professionals who have found a lot of opportunities in this dynamic context.

Many employers still prefer European/North American candidates. A postgraduate degree in London is considered a guarantee of a performing candidate. To counter this colonial legacy and 'racist' attitude, the Kenyan government is enforcing a policy to reserve job opportunities to its citizens. Kenya has severe regulations for foreign investors regarding the hiring and involvement of Kenyans in joint ventures as well as participation of Kenyans in the top management of firms. Before hiring foreigners, companies have to advertise the job position and demonstrate that no local applicant could fulfill the requirements. Strict rules are posed on the immigration office; a scary place located in the basement of the Nyayo House, a building that houses the Ministry of Internal Security and was used as a torture chamber during Moi's regime.

While the Kenya government supports retired people or returning tourists who come and spend their money in Kenya; it is trying to prevent foreigners, who are not investors, from working here. Therefore, excluding diplomatic personnel and investors, getting a work permit has become extremely difficult. After demonstrating that they enjoy sufficient economic well-being, people over 60 can obtain a renewable visa. Returning tourists can enjoy a three-month visa, renewable for three more months. Every year, they can get a new one.

European Northern-American migrant workers are conventionally labelled expatriates or X-pats. The name evokes a cosmopolitan life of luxurious services as advertised by X-pats magazines and X-pats exclusive parties. Without denying the evidence that this is a privileged class, this article is an attempt to deconstruct the image of this class and show how many X-pats are in fact illegal economic migrants. The following examples present some of their stories and the strategies they deploy. The three-month tourist visa, renewable for another three months, is the main tool used by these migrants.

George, a free lance journalist, has been in Kenya for the last three years. The 27 year old journalist coped with frequent trips to cover stories in other countries or to go back to Europe. Every time you exit the East-African Community, you get a new tourist visa which can be renewed for another three months. Of course, under this visa, no paid work can be undertaken, making the person de facto illegal. On his last return to Kenya, the officer saw the quantity of Kenyan visas and continuity of dates on his passport. After being interrogated he was given a one month visa and asked to go to the immigration office the following month to see if he would be granted a longer visa.

Marisa, 30 years old, has an NGO that offers services (such as event organization and production of documentaries) to other organizations. She has also been using tourist visas. On her last arrival in Kenya, while the immigration officer was scanning her passport with innumerable Kenyan tourist visas, she made the naive question: 'How much is the visa?' The officer answered, "30 euro." They both knew the price was 20 and she left with the visa but without a receipt.

Giselle, 28, is the foreign correspondent of an important media group. After years of illegal limbo, she paid a well connected person in the immigration office to get her a work permit as a consultant as "bribing was the only way to get a work permit." The only problem is that now she has two governments asking her to pay taxes, the Kenyan and her own. Anne, 29 years old has a beautiful 2-year-old daughter with her Kenyan partner. Since they are not married, she is not entitled to stay in Kenya without a work permit. A wife of a well-known professional that was coming back to Kenya after a three-month holiday in her home-country accompanied by her children and their Kenyan nanny was denied entry for several hours at the airport. Immigration officers understood that she was not on Safari. While the husband had a regular work permit, the rest of the family did not.

Europeans get a new passport every one-two years so that the immigration officers cannot immediately see the number of Kenyan visas on their passports. However, the immigration office is adopting computer technologies which will render this expedient ineffective.

As a result of a strong alliance between the Church and the Kenyan Government, missionary congregations enjoy a special status. As long as they can demonstrate they have skills useful for the country (a University Degree is normally enough), they can get a missionary permit which does not allow paid work. Many NGOs who have projects or partnerships with missionaries congregations use this channel to get their employees work permits, as explained by Alex, 27 years old, who is managing the logistics of an NGO operating in South Sudan from Nairobi.

Being a student, as long as my research is approved by the Government of Kenya and I am given a research permit, I am entitled to a student visa. However, I have spent more than a week going to the immigration office just to be told to come back another day without being given the chance to speak or explain why I was there. This reminded me of the racism faced by legal migrant friends in Italy whenever they had to renew their permit.

When I expressed to a friend my difficulties in getting a student visa despite paying expensive fees and fulfilling all the requirements, she answered that she admired my obstinacy to go the 'legal way' without bribes. She explained that no one will ever ask a white person to show his/her passport and he/she can always say that it is in the hotel because she did not want to have it stolen. In the worst case, a small tip will stop further questions. Most of her European friends were in Kenya illegally.

In almost three years in Kenya, I have never been asked for my passport. Police stop me on a weekly basis when I am driving but the driving licence is all they need. At the moment of leaving the country, no one will check the expiry date of your previous visa. You will be able to leave and come back.

Illegal X-pats also share the anxiety of their illegal status and their increasing difficulties to face immigration authorities making it a common topic at X-pats Sunday's picnics. Many of them belong to a generation of well-educated and prepared youth that in their home countries, especially Spain and Italy, would be part of the 1000-euro-generation. In Kenya, doing similar jobs to what they would do in Europe, young X-pats' earn from around 1500 euro onwards, which, with cheaper rents and services, makes possible a luxurious life of privileges.

This migration has many complex interconnected causes that range from cultural interests to an exotic orientalist attraction for Africa. In essence it is an economic migration based on the quest for better quality of life that a young European can enjoy in Nairobi. But why are white economic migrants to Africa considered as a cosmopolitan transnational class described and self-portrayed in positive terms often as courageous journalists or generous NGOs workers saving Africa, while black economic migrants to Europe are described through their illegal status and equated to criminals by racist policies?

The issue of illegal white migrants in Africa is an underestimated and understudied emerging phenomenon which opens new research trajectories. In particular, it can challenge current beliefs of 'black invasion' of Europe and emphasize the fact that people have always migrated in any direction despite opposing legal framework. There is need to rethink migration policies globally; not only as a problem affecting Europe as incoming country but as a bidirectional issue.

In a world of free movements of capital and goods, only people are still facing constraints to their movements. Only by opening up European and African borders to foreign workers and recognising their contribution to national economies can we mutually and fully benefit from this exchange.