



Africa's Growing Divide: Kenya's Deportation of Small-Scale Foreign Traders

By Osman Ali Hassan

September 15, 2026

Across Africa, growing restrictions on the movement of people and cross-border trade are deepening economic and social divides, undermining regional integration and challenging the vision of a more connected continent. The recent Kenya's plan to expel small-scale foreign traders reflects these broader tensions over migration, informal commerce, and economic competition, raising important questions about African solidarity, freedom of movement, and the future of intra-African trade and integration.

On the particular matter and the question of whether Somalis are among the small-scale foreign traders being deported from Kenya has become increasingly important because of recent developments surrounding foreign-owned small businesses, immigration enforcement, work permits, and the protection of opportunities for Kenyan citizens. The issue is particularly sensitive because Kenya has a large Somali population, including Kenyan citizens of Somali ethnic origin, Somali refugees, asylum seekers, permanent residents, and Somali nationals who live, work, trade, or operate businesses in the country. It is therefore important to distinguish between being Somali by ethnicity and being a foreign national of Somali citizenship. A Kenyan citizen of Somali ethnicity is not a foreigner and cannot properly be treated as an undocumented foreign trader simply because he or she is Somali. At the same time, a Somali citizen who does not possess the immigration or work authorization required by Kenyan law may be subject to immigration enforcement like other foreign nationals. The current situation therefore requires a careful distinction between nationality, ethnicity, immigration status, and the legality of commercial activity.

Recent developments in Kenya have created considerable anxiety among foreign small-scale traders. In September 2026, President William Ruto directed authorities to take action against small-scale businesses operated by foreign traders, following complaints from Kenyan traders concerning economic competition, taxation, and the ability of local citizens to earn a livelihood. The government subsequently has halted and announced a 90-day period for foreign business operators to obtain or update necessary documentation, including work permits and business licenses. The government has also emphasized that the initiative is intended to regularize foreign business activity rather than encourage harassment, intimidation, or xenophobia. This distinction is critical when asking whether Somalis are being deported.

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At the time of the latest reports, there is no reliable evidence that Kenya has announced a policy specifically targeting Somali nationals for mass deportation because they are Somali small-scale traders. The available reporting has focused heavily on Burundians, many of whom operate informal businesses in Nairobi, and on foreign traders generally. Hundreds of Burundians reportedly sought assistance from their embassy because they feared that the government's announcement could result in their removal from Kenya. The Kenyan government responded by announcing an amnesty period for undocumented East African nationals and giving them time to regularize their status.

Nevertheless, Somali nationals who operate small businesses in Kenya without the required immigration and work authorization could potentially be affected by the enforcement campaign. This is not because they are Somali, but because they are foreign nationals whose legal status and business authorization may not satisfy Kenyan requirements. Kenya's Citizenship and Immigration Act provides a legal framework for immigration control and defines a foreign national as a person who is not a Kenyan citizen. The law also provides mechanisms for removing persons whose presence in Kenya is unlawful. It further states that a non-citizen who engages in employment, occupation, trade, business, or a profession without the required authorization may commit an offence.

The legal distinction between a Kenyan Somali and a Somali foreign national is therefore fundamental. Kenya's Somali community is one of the country's historically established communities, particularly in northeastern Kenya and major urban centers such as Nairobi, Garissa, Wajir, Mandera, Mombasa, and other parts of the country. Many people who are culturally, linguistically, and ethnically Somali are Kenyan citizens. Their Somali identity does not make them foreigners. A Kenyan citizen running a small shop, restaurant, clothing business, transportation business, import business, or other enterprise is exercising rights associated with Kenyan citizenship. Such a person should not be classified as a foreign trader merely because of appearance, language, religion, family origin, or ethnic background. The situation is different for Somali nationals who entered Kenya from Somalia and have remained in Kenya as refugees, asylum seekers, visitors, workers, investors, or undocumented migrants. Their legal rights and responsibilities depend upon their particular immigration or refugee status. Some Somali nationals have lived in Kenya for many years and may have established families, businesses, homes, community organizations, and social relationships. Long-term residence, however, does not automatically transform a foreign national into a Kenyan citizen. Where citizenship has not been established, the individual may still be subject to immigration requirements.

This distinction becomes particularly important in the context of small-scale trade. Small businesses are often the first economic activity available to migrants who have limited access to formal employment. A foreign national may begin by selling clothing, household goods, food products, electronics, cosmetics, shoes, construction materials, mobile-phone accessories, or other consumer goods. Such businesses can become essential sources of income for entire families. They can also create employment, contribute to local supply chains, pay rent, purchase goods from Kenyan wholesalers, and generate taxes and fees.

At the same time, Kenyan citizens who operate similar businesses may believe that they are being placed at a disadvantage when foreign traders enter markets with greater access to imported goods, international financing, family networks, or cross-border supply chains. The tension between local economic opportunity and immigration rights is therefore not unique to Kenya. Many countries face similar debates when foreign nationals participate in sectors traditionally dominated by local citizens. Governments are often pressured to protect citizens from unfair competition while simultaneously maintaining an environment that welcomes legitimate investment, tourism, regional trade, and foreign workers. The challenge is to enforce economic and immigration laws without turning legitimate regulation into collective punishment against an ethnic or national group.

Kenya's current situation demonstrates this challenge clearly. President Ruto's comments created significant fear among foreign communities because the initial message concerning foreign small-scale businesses was understood by some migrants as a possible order for foreigners to leave. The subsequent government clarification was that foreigners with legitimate status and documentation would have an opportunity to regularize their businesses and immigration status. The government also warned against harassment and xenophobia. The government's decision to provide a period for regularization is significant. Deportation is a much more serious action than requiring a business owner to obtain a license or a work permit. Under Kenyan law, removal from the country is connected to unlawful presence and formal immigration procedures.

The Citizenship and Immigration Act gives the Cabinet Secretary authority to make a written removal order concerning a person whose presence in Kenya is unlawful. The law also provides for detention and judicial review in circumstances involving removal. Consequently, it would be inaccurate to say that every foreign Somali small-scale trader in Kenya is being deported. A person with valid immigration status, appropriate authorization, and lawful business documentation should not automatically be subject to deportation simply because the person is a Somali national. Likewise, a Kenyan citizen of Somali ethnicity is not a foreign national at all. The current policy should therefore be understood primarily through the categories of citizenship, immigration status, business authorization, and compliance with Kenyan law.

However, the fear among foreign traders should not be dismissed. The experiences of Burundians reported in Nairobi demonstrate how quickly government announcements can create uncertainty among immigrant communities. Reuters reported that hundreds of Burundians went to their embassy seeking travel documents because they feared possible expulsion and insecurity. Some reportedly felt unwanted despite the government's subsequent announcement of a 90-day amnesty and its assurances that registered foreigners would have their rights protected. Somali communities may naturally pay close attention to these developments because of Kenya's long and complicated history with Somali populations. Somali communities in Kenya have experienced periods of discrimination, security screening, restrictions, and suspicion, particularly during periods of terrorism-related security concerns. The historical record demonstrates why immigration enforcement involving Somalis must be carried out carefully and individually rather than through broad assumptions about ethnicity or national origin.

Kenya's history also demonstrates that documentation can be a serious issue for ethnic Somalis. Human Rights Watch documented earlier periods in which ethnic Somalis experienced extensive screening and detention in Kenya. Historical deportation and documentation practices produced serious concerns about due process and citizenship determination. Although the circumstances of those historical events are different from the current small-business enforcement campaign, the history remains relevant because it explains why Somali communities may react strongly to announcements involving immigration enforcement, documentation, police activity, or possible deportation. The current situation should therefore not be reduced to a simple question of whether Kenya is "deporting Somalis." The more accurate question is whether Somali nationals operating small-scale businesses without proper authorization could be included among foreign traders subject to immigration enforcement. The answer is potentially yes. If a Somali national is unlawfully present in Kenya or is conducting business without the authorization required under Kenyan law, that person may be subject to enforcement measures. But the available evidence does not establish that the government has singled out Somali nationals for mass deportation because they are Somali.

The distinction is particularly important because Somalia and Kenya share a long border, extensive commercial relationships, family ties, cultural connections, and historical migration patterns. People regularly move between the two countries for trade, employment, education, family reasons, religious activities, and other purposes. The border between Somalia and Kenya is not simply an administrative line; for many communities, it separates people who share language, culture, religion, and extended family relationships. Consequently, immigration policies can have effects that go far beyond individual traders. Small-scale Somali traders also play a role in Kenya's broader economy. Somali-owned businesses can be found in Nairobi and other Kenyan cities, particularly in wholesale and retail trade, restaurants, transportation, real estate, telecommunications, money transfer services, clothing, food, and import-related commerce.

Some Somali entrepreneurs have developed businesses that are considerably larger than informal microenterprises. Others operate small shops and family businesses that provide only modest household income. Treating all Somali businesses as one category would therefore be misleading. The economic argument behind restricting foreign participation in small-scale trade is nevertheless understandable. Kenyan citizens have legitimate concerns about employment and entrepreneurship. When a Kenyan citizen is unable to obtain a trading opportunity because an undocumented foreign national is operating the same business without paying required taxes, licensing fees, or immigration-related costs, there is a genuine public-policy issue. Governments have a responsibility to establish fair rules and ensure that those rules apply consistently.

At the same time, enforcement must be proportional. A foreign national who has properly obtained the necessary authorization and complies with Kenyan law should not be treated in the same way as someone who deliberately operates without authorization. Similarly, a refugee or asylum seeker whose status provides particular protections should not automatically be treated as an ordinary undocumented migrant. The legal circumstances of each person matter. This is especially important for Somali refugees and asylum seekers. Kenya has hosted large numbers of refugees from Somalia for decades. Some have lived in Kenya for much of their lives.

Their relationship with the country can be complicated: Kenya may be their place of residence, while Somalia remains their country of citizenship or family origin. Some may have refugee documentation, some may have temporary permits, and others may have uncertain or expired documentation. Their legal status should be determined individually rather than assumed based on ethnicity.

Another important issue is the meaning of "deportation." In ordinary conversation, people sometimes use deportation to describe any government action requiring a foreigner to leave or stop operating a business. Legally, however, deportation or removal involves a more specific process. Kenya's immigration law recognizes removal orders and establishes procedures concerning persons whose presence is unlawful. The law also provides mechanisms concerning detention and judicial review. Therefore, closing a business, requiring a trader to obtain a permit, imposing a fine, cancelling a business license, or requiring documentation is not necessarily the same thing as deportation.

The current 90-day regularization period is therefore an important development. Rather than immediately removing every undocumented foreign business operator, the government has indicated that foreign operators should use the period to obtain or update the required documentation. This creates an opportunity for people who are legally eligible to remain in Kenya and operate businesses to regularize their status. The government's insistence that foreigners should not face harassment or xenophobia is equally important. Economic regulation should not become an excuse for ordinary citizens to threaten, attack, discriminate against, or intimidate immigrants. The Kenyan government has publicly stated that it has zero tolerance for harassment and xenophobia in connection with the current campaign. This principle should apply regardless of whether the foreign national is Somali, Burundian, Ugandan, Congolese, Ethiopian, Tanzanian, Indian, or from any other country.

For Somalis specifically, the issue also raises the question of documentation and proof of citizenship. Because ethnic Somali communities exist on both sides of the Kenya-Somalia border, determining nationality can sometimes be complicated. A person may speak Somali, have relatives in Somalia, have been born in a Somali-populated region, and still be a Kenyan citizen. Conversely, a person may have lived in Kenya for many years and still remain a Somali citizen. Immigration authorities must therefore rely on legal documentation and established procedures rather than ethnicity, language, accent, or appearance. This is also why community leaders have an important role to play. Somali community organizations, religious leaders, business associations, lawyers, human-rights organizations, and foreign embassies can help traders understand the requirements. Instead of allowing rumors to spread, community organizations can encourage people to verify their immigration status, business licenses, work permits, tax obligations, and other documentation. Individuals who believe that their rights have been violated should seek qualified legal assistance rather than relying solely on social media information.

The Kenyan government likewise has a responsibility to communicate clearly. When government officials use broad language such as "foreigners must leave small-scale trade," immigrant communities may interpret the statement as a threat to their physical safety and continued residence. Clear explanations about which businesses are restricted, which permits are required, which foreigners are exempt, and what deadlines apply can reduce unnecessary fear. The current 90-day regularization announcement appears to be an attempt to provide that clarity, but continued communication will be necessary.

There is also a larger economic question. Kenya is a regional commercial center, and Nairobi in particular attracts people from across East and Central Africa. Foreign traders contribute to consumer choice, regional supply chains, transportation, wholesale markets, and cross-border commerce. Completely excluding foreigners from small-scale trade could have unintended economic consequences. On the other hand, allowing unlimited foreign participation without enforcement could undermine local entrepreneurs. The appropriate approach is therefore not necessarily to choose between "foreigners" and "Kenyans," but to establish transparent rules that protect Kenyan economic opportunities while permitting lawful regional commerce.

For Somali traders, this means that the most important issue is documentation. A trader should know whether he or she is legally entitled to work, whether the business is properly registered, whether the necessary permits have been obtained, whether taxes and licensing requirements have been met, and whether the individual's immigration status remains valid. A person who is uncertain about these matters should obtain professional legal or official guidance. Ignoring the issue could increase the risk of enforcement. It is also important to avoid spreading unverified claims that Kenya has begun a nationwide campaign to deport all Somali traders. Such claims can generate unnecessary panic and could potentially place vulnerable people at greater risk. As of the latest reporting available, the government action is directed broadly at foreign small-scale businesses and undocumented foreign operators, while the government's subsequent policy has emphasized regularization and documentation. The most visible immediate response has involved Burundian nationals, rather than evidence of a Somali-specific mass deportation campaign.

Nevertheless, Somali nationals should not ignore the development. Because Somali citizens are among the foreign nationals living and conducting business in Kenya, those who lack proper authorization could potentially be affected by enforcement. The correct response is not panic but verification. Somali traders should establish exactly what documentation applies to them, whether their immigration status permits commercial activity, and whether their businesses comply with Kenyan licensing and tax requirements. The situation also presents an opportunity for Kenya to strengthen its immigration and economic systems. Instead of treating foreign traders as a single problem, the government could develop transparent categories that distinguish investors, refugees, asylum seekers, migrant workers, students, tourists, and small-business operators. Each category could have clearly stated rights and obligations. Such a system would benefit both Kenyans and foreigners because it would reduce confusion and make enforcement more predictable. There is also a need to distinguish between legitimate economic competition and xenophobia.

A Kenyan trader has every right to ask the government to protect local businesses from unfair competition. That concern does not make the Kenyan trader xenophobic. Similarly, a foreign trader has the right to ask the government to enforce immigration laws fairly and protect legitimate businesses from harassment. Both interests can exist at the same time. A democratic government should be capable of protecting citizens' economic interests without violating the dignity and lawful rights of foreigners. The Somali question is especially sensitive because of the longstanding relationship between Kenya and Somalia. Political instability, conflict, refugee movements, security concerns, and economic migration have shaped the relationship between the two countries for decades.

Somali communities in Kenya cannot simply be viewed through the lens of security or immigration. They are also families, students, workers, professionals, entrepreneurs, teachers, health workers, religious leaders, and taxpayers. Many have contributed substantially to Kenya's economy and society. Ultimately, whether an individual Somali trader is at risk of deportation depends primarily on that person's legal status, not simply on being Somali. A Kenyan citizen of Somali ethnicity is not a foreign national and should not be described as a foreign trader.

A Somali citizen who has valid authorization to live and work in Kenya should likewise be distinguished from an undocumented foreign national. A Somali citizen who is unlawfully present or conducting business without the required authorization may, however, face immigration or business enforcement under Kenyan law. Kenya's law expressly provides mechanisms for removing people whose presence is unlawful and prohibits non-citizens from engaging in employment, occupation, trade, business, or professional activity without the authorization required by law. The answer to the central question, therefore, is that Somalis may be among the foreign small-scale traders who could be affected by Kenya's current enforcement and regularization measures, but there is not sufficient evidence at present to conclude that Kenya has launched a mass deportation specifically targeting Somali small-scale traders. The policy being reported is broader and concerns foreign traders generally, particularly those lacking proper permits or documentation.

The government's current approach includes a period for foreign operators to regularize their status, and officials have publicly stated that harassment and xenophobia will not be tolerated. The most responsible interpretation is therefore one based on law rather than rumor. Kenya has the sovereign authority to regulate immigration, employment, trade, taxation, and business licensing. Kenyan citizens have legitimate rights to participate in and benefit from their country's economy. Foreign nationals who live and work in Kenya also have rights that should be respected when they comply with the law. The government must enforce its regulations consistently, transparently, and without discrimination.

Somali communities, meanwhile, should remain informed, organized, and attentive to their legal status. If the present campaign is implemented fairly, it could become an opportunity to bring greater order and transparency to Kenya's small-business sector rather than a campaign against a particular nationality. If it is implemented through collective suspicion, harassment, or ethnic profiling, however, it could deepen historical tensions and create serious humanitarian and social consequences. The difference will depend largely on how immigration officers, police, licensing authorities, local officials, community leaders, and the courts apply the rules.

For Somalis in Kenya, the message should therefore be clear: do not assume that being Somali automatically means being a target for deportation, but do not assume that long residence or ethnic connection to Kenya automatically provides legal authorization to operate a business. Citizenship, immigration status, refugee status, work authorization, business registration, and licensing are separate legal matters. Each individual should establish his or her position according to the applicable law. Kenya's current situation is ultimately about more than Somali traders. It is about how a country balances national economic interests, immigration control, citizenship rights, regional integration, human dignity, and the realities of migration.

The debate will continue because Kenya is both a sovereign nation seeking to protect opportunities for its citizens and a regional economic center that attracts people from neighboring countries. A sustainable solution will require both effective enforcement and respect for human rights. Protecting opportunities for Kenyan citizens and respecting foreign residents are not opposing goals. Kenya has the right to regulate immigration, employment, licensing, and domestic commerce, but that authority should be exercised through clearly stated laws, due process, equal treatment, and respect for Fellow Africans human dignity. Foreign traders, in turn, have a responsibility to maintain proper documentation, obey licensing requirements, pay applicable taxes, and operate only within legally permitted sectors.

For Somali traders and families, the wisest response is neither panic nor denial, but preparation in verifying immigration status, obtain accurate information from authorized government offices, maintain valid documentation, and distinguish legitimate regulation from rumors of collective deportation. President Ruto's moderated position has opened a door between confrontation and cooperation. Kenya should now walk through that door with fairness and restraint, while foreign residents should respond with compliance and responsibility. In the end, Kenya's economic future will not be strengthened by hostility toward foreigners, nor will Kenyan livelihoods be protected by ignoring the law. The most durable path is one that protects local opportunity without sacrificing regional cooperation, lawful enterprise, equal justice, or the dignity of the people who have made Kenya their home.

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