

WHAT NEXT FOR EX-KENYAN CITIZENS WHO DOMICILE IN COUNTRIES THAT PROHIBIT DUAL CITIZENSHIP?

1. INTRODUCTION

Some former Kenyan nationals have not been able to regain their Kenyan citizenship because the countries where they domicile prohibit dual citizenship. In such cases, these individuals are compelled to renounce their Kenyan citizenship upon acquisition of citizenship of that country of domicile. This situation raises important questions about their immigration status in Kenya, a country with which they maintain strong emotional and family ties and wish to visit freely without the need for a visa. This article explores the most appropriate immigration status available to such individuals.

2. THE MOST APPROPRIATE IMMIGRATION STATUS

The most appropriate immigration status would be application for permanent residency by Ex Kenyan Citizen also known as ***category "A"***.

3. WHO QUALIFIES?

i) Ex- Kenyan Citizens by Birth.

These are persons who were originally Kenyan citizens by birth but have since renounced or lost their Kenyan citizenship, primarily due to acquiring citizenship in their country of domicile. In many cases, the countries of domicile where these individuals now reside do not permit dual citizenship, effectively barring them from retaining or regaining their Kenyan nationality. As a result, they are unable to apply for or hold dual citizenship status under Kenyan law and are therefore eligible to apply for permanent residency as an alternative legal status.

ii) Spouses and Children of Ex-Kenyan Citizens.

The immediate family members of eligible Ex-Kenyan citizens specifically their lawfully married spouses and biological or legally adopted children also qualify for permanent residency under this category. This provision ensures that families are not separated and can live together in Kenya under a unified and stable immigration status. Children must typically be under the age of 21 years , or if older, must meet additional dependency criteria as prescribed by the Immigration laws and regulations in Kenya.

4. KEY REQUIREMENTS;

The key requirements are;

i) Proof of Previous Kenya Citizenship-Copy of birth certificate, Identity card and Passport;
ii) Police Clearance Certificate issued by country of domicile;
iii) Proof of current citizenship (Registration/naturalization certificate;
iv) National passport of the country of domicile; and
v) Any other applicable document.

5. CONCLUSION

It is important to highlight that the category of permanent residency discussed in this article specifically applies to former Kenyan citizens who were Kenyan by birth but have since lost or renounced their citizenship, and whose current countries of residence do not permit dual citizenship. Their spouses and children are also eligible under this category. In essence this category of permanent residency enables Ex-Kenyan citizens and their families to reconnect with their country of origin, enjoy long-term residence in Kenya, and access certain rights and privileges here in Kenya. However, individuals who lost their Kenyan citizenship before the enactment of the 2010 Constitution and are now eligible to regain it should pursue the process of regaining Kenya Citizenship and subsequently apply for dual citizenship. Those who obtained foreign citizenship after the 2010 Constitution came into effect are eligible to apply for a declaration of dual citizenship.

HOW WE CAN HELP

- Legal guidance and application of all categories of permanent residency;
- A wide range of immigration related services and legal support.

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