We need these jobs, but not jobs at any cost.

President (Dr.) William Samoei Ruto, C.G.H.
Harambee House, Harambee Avenue
P.O. Box 40530-00100, NAIROBI.

Your Excellency,

We are Kenyan youth-led and youth-serving organisations committed to pursuing and expanding opportunities for meaningful participation of young people in the civic, social and economic spheres for their own and Kenya's benefit.

We are aware that you will meet the USA's President Biden during your official state visit designed to "*mark the 60th anniversary of US – Kenyan diplomatic relations and will celebrate a partnership that is delivering for the people of the United States and Kenya.*" We write because we understand that your discussion with President Biden will specifically be anchored on "*trade, investment and technological innovation*" issues in which our workforce - especially our youth - has a direct and personal stake.

In this regard, we write on our behalf and behalf of hundreds of digital workers including Data Labellers, Content Moderators and Artificial Intelligence (AI) workers based here in Nairobi, Kenya. These predominantly young people work for big American technology companies like Facebook, ScaleAI, OpenAI and others via their business process outsourcing (BPO) companies in Kenya.

Your Excellency, we take cognisance of your bold promise to generate one million jobs annually for the next 10 years. We appreciate your understanding of the potential of digital jobs to bridge the ever-widening gap between qualified talent and available employment opportunities. We also note your robust public and personal endorsement of some of the companies that bring digital job opportunities to Kenya. While we are encouraged by your public commitments and declarations, including most recently on Labour Day, to ensure that your administration prioritises information technology training to drive our nascent digital economy, we are deeply concerned that the government of Kenya may be unaware of the grave violations of human and workers' rights by some of these US-based Big Tech companies and their partners locally.

The on-going class action suit by Content Moderators against Facebook and Samasource here in Kenya provides but a tip of the iceberg. Siasa Place latest report "*Taptangelei, Unemployment &*

Digital Jobs: Youth Perspectives on the Changing Nature of Work." (April 2024) also reveals how US companies and their local partners may be undermining local Kenyan labour laws, the country's justice system and violating international labour standards with unjustifiable impunity, including the right to unionise. We wish to inform you that all these - inhumane working conditions, discrimination, mental health, lack of social safety nets, unequal pay for equal work, as well as contracting malpractices - amount to modern-day slavery.

We believe that any trade-related discussions between Kenya and the US must take into account these issues and ensure that job opportunities remain tools of economic freedom and not disempowerment. Specifically, we urge you to:

1. **Ensure and engage Big Tech workers, including outsourced workers during any US-Kenya trade-related negotiations.**
2. **Ensure that any US-Kenya S*trategic Trade and Investment Partnership* (STIP) agreements include strong mechanisms to prevent union busting by US companies in Kenya.**
3. **Ensure STIP and any related agreements commit to, and adhere to the best principles of the Constitution of Kenya of public participation, rule of law, transparency, accountability and open contracting.**
4. **Ensure that any US-Kenya agreements explicitly and expressly commit to non-discrimination including in pay across gender, race, nationality etc.**

Finally, Your Excellency, we believe that you have the power to ensure that trade partnerships not only bring mutual prosperity to our two nations, but more importantly, that such partnerships promote jobs that are decent, dignifying and socially just. We leave you with this verbatim plea from a Kenyan digital worker:

"Kenya has high levels of educated unemployment and the tech boom has created much needed new jobs here, particularly for young people who are the majority of digital workers. ***We need these jobs, but not jobs at any cost****. As tech workers, we are proud to play a role in the development and training of world-class emerging technologies – and, crucially, making them safe.*

We would like the president to know *that we do this work at great cost to our lives, our families and our health, including mental health. US tech giants export their toughest and most dangerous jobs overseas. The work is mentally and emotionally draining. We scrub Facebook, TikTok and Instagram to ensure these important platforms do not become awash with hate speech and incitement to violence. We label images and text to train generative AI tools like OpenAI. Our work involves watching murder and beheadings, child abuse and rape, pornography and bestiality, often for more than 8 straight hours a day. Notably, many of us do this work for less than $2 per hour.*"

Former Chief Justice Willy Mutunga who also supports the workers says, “When US companies don’t respect the sovereignty of the Kenyan people and our supreme law, the 2010 Constitution, that demonstrates hypocrisy and double standards.”

We look forward to your support and meaningful engagement with you and the responsible ministries, departments, and agencies to advance the agenda of decent jobs.

Our Best Regards,

List of guarantor organisations

1. Leaders for Leaders Champion - Joseph Oduor (Kisumu County)
2. Siasa Place - Nerima Wako - (Nairobi County)
3. Tribeless Youth - Shikoh Kihika (Nakuru County)
4. Youth and Success - Wanjiru Kimani (Nairobi County)
5. Badili Tana Initiative -Madubi Robert (Tana River County)
6. Youth Agenda - Victor Nyongesa (Nairobi County)
7. Emerging Leaders Foundation-Africa - Edward Kipkalya (Nairobi County)
8. Voluntary Service Overseas (VSO) - Oliver Bada (Nairobi County)

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