

# Bill Gates' Foundation Stripped of Immunity in Kenya

Charity could be held accountable for potential harms caused by vaccines and 'Green Revolution.' Privileges had resembled those that Europe had used to undermine the Turkish Ottoman Empire.

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*The High Court of Kenya has suspended a series of highly controversial legal immunities and privileges recently awarded to the Bill & Melinda Gates Foundation.*

## Context

It is one of the most widespread practices in international relations since antiquity.

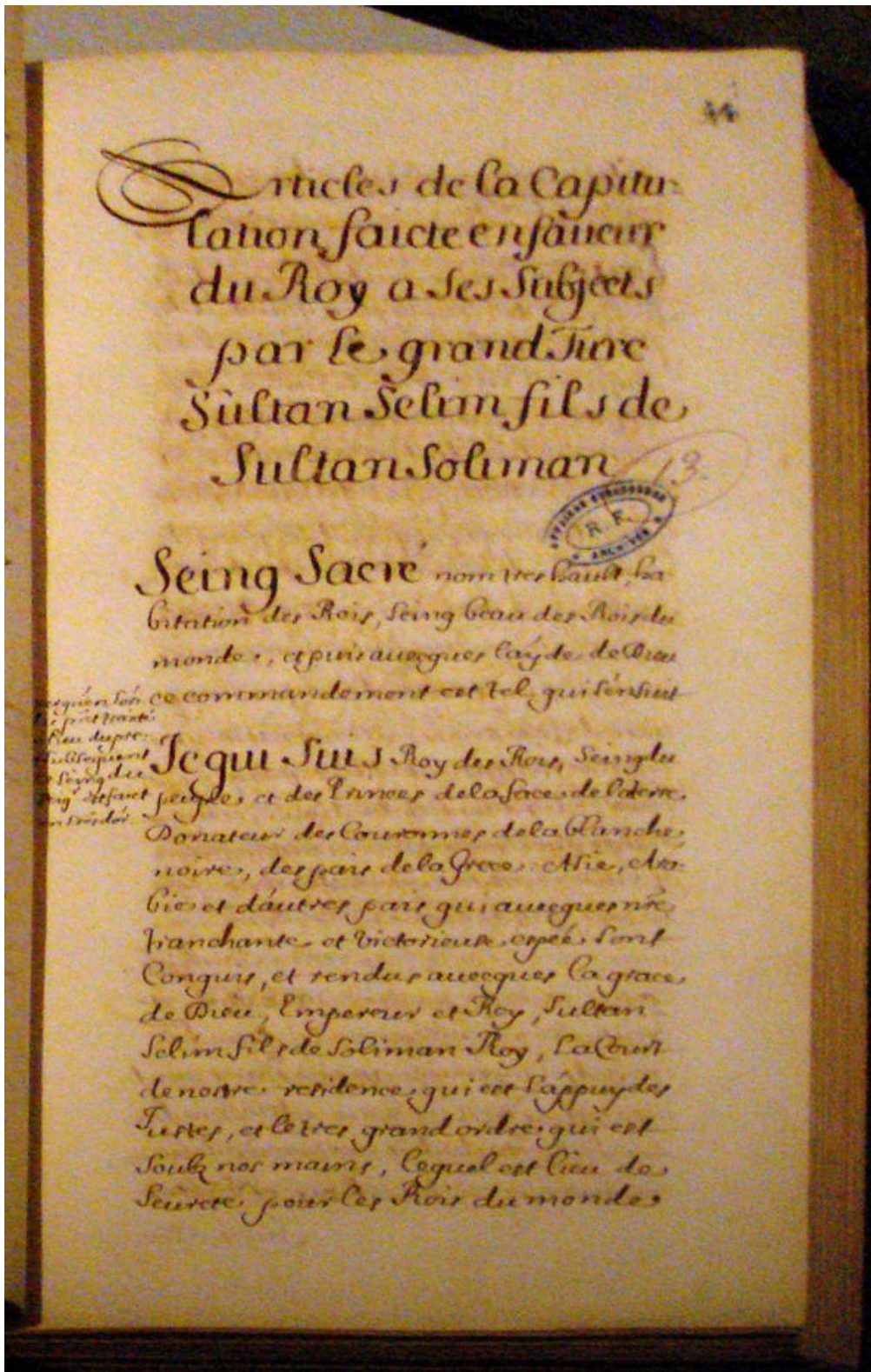
Diplomatic immunity is the principle by which only government officials such as ambassadors and their employees are granted protection from local lawsuits and prosecution of another country. This is to ensure that diplomats cannot be coerced or harassed when tensions arise between states.

In an extraordinary and concerning decision **under Kenya's Privileges and Immunities Act, Kenya had granted diplomatic protection to the Bill & Melinda Gates Foundation, a private entity, and their employees.** Privileges [included](#):

- Exemption from Kenya's direct taxes and tariffs
- Immunity from legal action for acts done in Kenya in the course of official duties
- Exemption from Kenya's national service obligation (conscription)
- Immunity from immigration restrictions for Gates Foundation's employees, their spouses and dependents
- Exemption from taxes on income.

Strikingly, these types of privileges are near-identical to those awarded to European merchants trading in the Middle East from the 16<sup>th</sup> to the 20<sup>th</sup> century. The 'capitulations' are widely believed to have contributed to the weakening, and eventual demise of the Turkish Ottoman Empire.

## Capitulations



16th century copy of the first capitulations signed between [Charles IX](#) of France and Sultan [Selim II](#) in 1569. [Picture source](#).

The term 'capitulations' referred to the headings or chapters in a treaty. They allowed non-Muslim traders entering the Ottoman Empire to be exempt from:

- prosecution by local courts
- import and export taxes, local taxation,

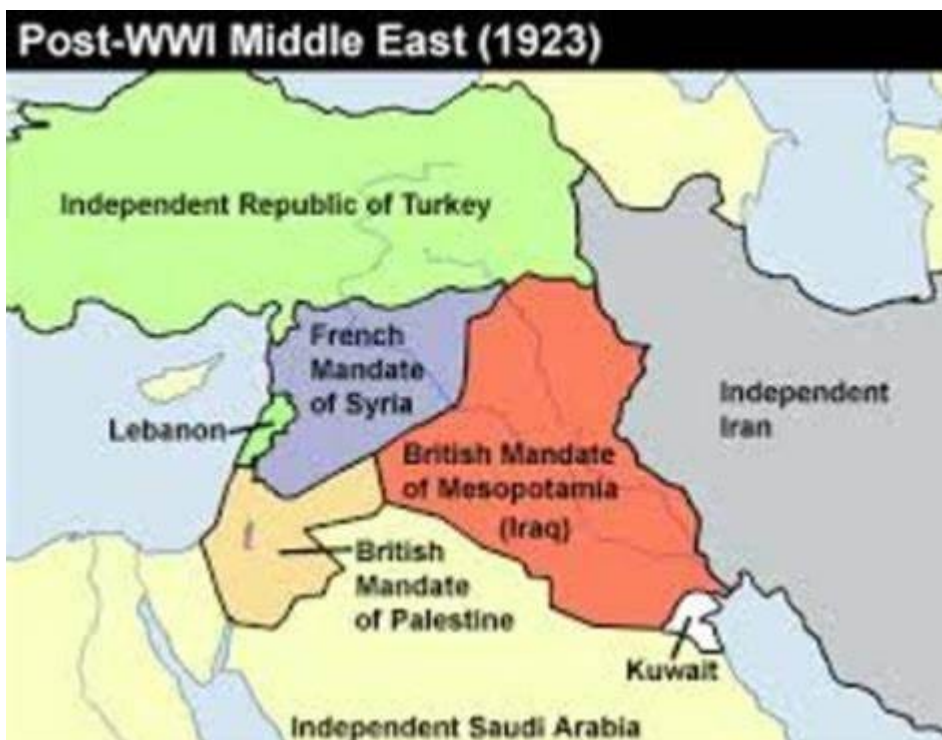
- military conscription (national service)
- the searching of their domicile

First introduced by France into the Ottoman Empire in the 16th century, capitulations were subsequently signed with 18 European countries plus the United States until the start of World War 1 in 1914.

In return, Ottoman sultans expected a net rise in exports to European markets.

Instead the capitulations turned out to be a trojan horse. They facilitated the entry of European finished goods into the Ottoman empire, while enabling the exploitation of the region's raw cotton. European merchants flooded the region with cheap silver mined in the Americas, causing inflation and debt. The capitulatory system weakened state monopolies, reducing the flow of capital to the state to the detriment of its military capabilities.

The Ottoman Empire was defeated in World War 1. Under the 1920 Treaty of Sèvres, its territories minus Turkey, were carved up and distributed to the victors of World War 1, primarily the British (who claimed Palestine and oil-rich Iraq) and the French (Syria, Lebanon.)



## Beware the Gates Bearing Gifts

While professing philanthropic motivations such as eradicating poverty and improving public health, Gates' own net worth actually [doubled](#) from 2000 to 2020.





A report issued in 2016 found that Bill Gates' philanthropic activities support a self-serving agenda.

NonProfit PRO [explains](#),

'The report notes that the Gates Foundation has funded a huge number of projects for major corporations—including Monsanto, Bayer, GlaxoSmithKline, Merck and Coca-Cola—and that the corporations often stand to profit. According to the report, the foundation has owned or still owns shares in some of the corporations it funds. The foundation is profiting from its investments in corporations which contribute to social and economic injustice.'

Kenya's grant of immunities to the Gates Foundation would have removed legal protection from vaccine-injured persons. Such immunity would benefit the Foundation's mission which it [declares](#) has 'mutually beneficial opportunities' for vaccine manufacturers.

Vaccine injury from Gates' vaccine programs were [reported](#) by the Annual Survey of International & Comparative Law in 2017:

'In 2010, the Gates Foundation funded experimental malaria and meningitis vaccine trials across Africa and HPV vaccine programs in India. All of these programs resulted in numerous deaths and injuries, with accounts of forced vaccinations and uninformed consent. Ultimately, these health campaigns, under the guise of saving lives, have relocated large-scale clinical trials of untested or unapproved drugs to developing markets where administering drugs is less regulated and cheaper.'

A 2020 [investigation](#) by The Nation found that the Gates Foundation held corporate stocks and bonds in drug companies like Merck, GSK, Eli Lilly, Pfizer, Novartis, and Sanofi.

The Gates Foundation has also been slammed for causing damage to agriculture through its 'Green Revolution' programmes across Africa.

In 2024, the Southern African Faith Communities' Environment Institute warned in a [press release](#):

'The Green Revolution has not only failed to increase food security in Africa, but has also inflicted deep ecological and social wounds. As faith leaders, we have a responsibility as custodians of the Earth to call out this injustice.'

## **The Republic of Kenya and 2024 Protests**

The Portuguese Empire began penetration of Kenya in 1500 AD. By the late 19<sup>th</sup> Century, it was a colony of the British empire. Resistance was led by the Kenya Land and Freedom Army (known in the West as the 'Mau Mau.') Independence came in 1963, under the

leadership of **Jomo Kenyatta**, a pan-Africanist.



Map of East Africa (Source: Wikimedia Commons)

Although Kenya’s economy is ranked 7<sup>th</sup> in terms of Gross Domestic Product in Africa, it was [reported](#) that in 2021, 91.30% of the population were living on less than \$5.50 a day at 2011 international prices. This indicates high degrees of corruption, and/or profits siphoned out of the country by multinational corporations.

The influential Communist Party of Kenya [describes](#) Kenya’s current **President William Ruto** as a puppet of the Western ruling class, citing his support of Israel and NATO-backed Ukraine, and unpopular financial laws that benefit foreign interests over Kenyan sovereignty. The Party draws attention to the establishment of ‘*an illegal United States military base in Wajir and the expansion of the British military base in Nanyuki [that] demonstrate a total surrender of our sovereignty.*’

In June 2024, massive protests broke out against Ruto's plans to tax basic necessities and cut social services. As a result, Kenya's government has scrapped some proposed taxes including a 16% levy on bread.

This month, in a surprise move, Kenya has applied to join the BRICS. In 2011, the Gates Foundation '[joined with the Chinese government](#) and private companies there to make low-cost vaccines, drugs, and diagnostics available for developing countries.'



Protests in June 2024 over proposal for raised taxes on bread and other necessities. ([Source](#))

## Conclusion

Questions arise. **If Bill Gates believes his foundation is doing nothing but good, what did he need legal immunity in Kenya for?**

**The Bill & Melinda Gates Foundation is the largest private foundation in the world, reporting \$75.2 billion [in assets](#) in 2023. Why did it want to short-change Kenya by not paying its taxes and tariffs?**

Will the decision to give a Foundation the diplomatic status of a state, encourage other private charities to do the same? **Will that undermine the power of the state, paving the way to a world ruled by unelected entities?**

The President of Kenya William Ruto believes that Kenya is getting a good deal from the Gates Foundation. He has [tweeted](#), 'We appreciate the support the Bill & Melinda Gates Foundation continues to extend to Kenya in realising our development goals, especially in the areas of healthcare, agriculture, and ICT sectors.'

[Global Research reports](#),

'The case is slated to return to court in February 2025, for further deliberations. In the meantime, not only will the [Gates Foundation's operations in Kenya](#) almost inevitably now come under even greater scrutiny, but the broader implications of the ruling could well resonate far beyond the country's borders.'

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