

Kenya Grants Gates Foundation Special Status with Diplomatic Immunity, Other Privileges

[Elijah Ntongai](#) Thursday, October 24, 2024 at 7:14 AM

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- The Gates Foundation's staff will be exempt from legal action for acts performed in their official duties, as well as from paying direct taxes on their salaries
- Exemptions also include immunity from national service obligations and immigration restrictions for the staff, their spouses, and dependents
- The Gates Foundation now has the authority to enter into contracts, engage in legal proceedings, and manage property in Kenya

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Elijah Ntongai, a journalist at TUKO.co.ke, has more than three years of financial, [business](#), and technology research and reporting expertise, providing insights into Kenyan and global trends.

The Kenyan government has granted the Gates Foundation expatriates special diplomatic privileges and immunity.



CS for Foreign and Diaspora Affairs, Musalia Mudavadi, and Bill Gates during past events. Photo: @MusaliaMudavadi/Getty Images.
Source: UGC

In [legal notice number 157](#) of October 4, 2024, the CS for Foreign and Diaspora Affairs, [Musalia Mudavadi](#), exercised the powers conferred by section I of the Privileges and Immunities Act to confer special status on the foundation formerly known as the Bill and Melinda Gates Foundation.

Why Gates Foundation was given special status

In the notice, Mudavadi stated that the Bill and Melinda Gates Foundation is a charitable trust fighting poverty, disease, and inequality in over 140 countries globally.

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[Kenya](#) has entered into an agreement for cooperation with the foundation, and hence, it's declared to be a beneficiary of section 11 of the Privileges and Immunities Act.

consequently, the foundation will now have the capacity to,

"(a) enter into contracts;

(b) institute and defend legal proceedings; and

(c) acquire, hold or dispose of movable and immovable property in accordance with the laws of the Republic of Kenya."

Other privileges conferred to Gates Foundation

The legal notice also specified that the foundation will be granted the privileges and immunities outlined in paragraphs 3 and 4 of Part I of the Fourth Schedule to the Act.

Additionally, the director, officials, and staff of the foundation, while residing in Kenya and carrying out their duties in service of the foundation, will receive the privileges and immunities listed in paragraphs 1, 2, 3, 4, 5, 6, and 7 of Part III of the Fourth Schedule to the Act.

Part III of the fourth schedule of the [Fourth Schedule of the Privileges and Immunities Act](#) outlines the immunities and privileges granted to officers and servants of the Gates Foundation:

- Immunity from legal action for acts done in the course of official duties.
- Exemption from direct taxes on their salaries.
- Exemption from national service obligations.
- Immunity from immigration restrictions and alien registration for themselves, their spouses, and dependents.
- Privileges similar to those of diplomatic officials regarding exchange control facilities.
- Repatriation facilities during international crises, similar to those granted to diplomatic missions.
- Exemption from taxes or duties on importing personal belongings

when first arriving to assume their role in Kenya.

APMD initiative funded by Gates Foundation

Earlier, **TUKO.co.ke** reported that the [Gates Foundation is funding the African Pastoral Markets Development \(APMD\) Platform](#), which held a workshop in [Naivasha](#) to integrate market-driven approaches and foster financial inclusion.

The APMD workshop in Naivasha brought together key stakeholders from Kenya, Somalia, and Ethiopia to develop an implementation plan focused on enhancing resilience in pastoral economies.

With funding from the Bill & Melinda Gates Foundation, the APMD Platform is working towards market-led transformations, emphasizing policy development, data ecosystems, and private-sector partnerships.

Proofreading by Asher Omondi, current affairs journalist and copy editor at TUKO.co.ke.

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