

Joshua Koltun ATTORNEY

Joshua Koltun (Bar No. 173040)
 Attorney
 101 California Street
 Suite 2450, No. 500
 San Francisco, California 94111
 Telephone: 415.680.3410
 Facsimile: 866.462.5959
 joshua@koltunattorney.com

Attorney for purported "Related Third Party"
 and/or Defendant Daniel Mathews

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

| | | |
|---|---|-------------------------------|
| BANK JULIUS BAER & CO. LTD, a Swiss |) | Case No.: CV08-0824 JSW |
| Entity; and JULIUS BAER BANK AND |) | |
| TRUST CO. LTD, a Cayman Islands entity, |) | DECLARATION OF DANIEL MATHEWS |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | |
| WIKILEAKS, an entity of unknown form, |) | |
| WIKILINKS.ORG, an entity of unknown |) | |
| form; DYNADOT, LLC, a CALIFORNIA |) | |
| limited liability corporation, and DOES 1 |) | |
| through 10, inclusive, |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |
| |) | |
| |) | |

I, Daniel Mathews, declare as follows:

1. I am a mathematics graduate student at Stanford University with a longstanding interest and involvement in human rights activism. I also earned a law degree in Australia, my native country. I have personal knowledge of the following facts (except where I state or otherwise make clear the limitations of my knowledge).

2. When I learned that a project called "Wikileaks" claimed to "be developing an

1 uncensorable Wikipedia for untraceable mass document leaking and analysis” I believed the project
2 had important potential as a tool to assist human rights activists. I was interested in volunteering
3 some of my time and energy as a scholar, activist and writer to analyzing the authenticity and
4 significance of purportedly “leaked” documents with potential human rights implications.

5 3. There are a large number of domain names that contain the term “Wikileaks,” all of
6 which resolve to the same “Wikileaks” website. Prior to its being taken down by this Court’s
7 permanent injunction, the “Wikileaks.org” name was by far the most commonly used domain name.
8 Wikileaks is a website that uses wiki software. Wiki software allows users to create, edit, and link
9 web pages easily, and enables the creation of collaborative websites. Wiki software enables the
10 creation of a website in which any member of the public can create pages, as well as enabling
11 members of the public to delete or modify pages created by others. Websites employing such
12 software (and there are different versions of such software) are often themselves referred to as *wikis*.
13 Wikipedia, an online encyclopedia, is one of the best known wikis, but there are many other wikis.

14 4. The Wikileaks project, as I understood it, was primarily designed to provide a wiki that
15 whistleblowers and human rights activists could use to anonymously leak documents with important
16 human rights implications to the public. Anonymity is essential to the project since in many
17 repressive regimes, any such whistleblower would face severe reprisals for disclosing human rights
18 violations or other government wrongdoing, such as, for example, misuse of Western aid.

19 5. At the same time, however, a necessary corollary of such anonymity is that it is
20 difficult to determine whether any purported “leak” is authentic, or to determine what the significance
21 of such a document is. The power of a wiki is that it provides not only the mechanism to leak the
22 document, but also a forum for any member of the public who may have knowledge relevant to the
23 “leak” to critique, debunk, and analyze the document for this purpose. Allowing such critiques and
24 analyses to be submitted anonymously enables knowledgeable people who themselves may reside
25 under the regime in question to provide valuable information with which to evaluate and understand
26 such “leaks,” if indeed that is what they are. As the Wikileaks site explains, “If a document comes
27 from the Chinese government, the entire Chinese dissident community and diaspora can freely
28 scrutinize and discuss it; if a document arrives from Iran, the entire Farsi community can analyze it

1 and put it in context.”

2 6. Thus, as documents appeared through Wikileaks which were interesting to me, I
3 occasionally contributed to analyses and articles about them, when I had the time and energy. In
4 2006, a document was leaked to Wikileaks that was purportedly written by Sheik Aweys, a leader of
5 the Union of Islamic Courts, one of several entities that had been vying for power in the Somali civil
6 war. On its face, the document proclaimed an Islamic Republic in Somalia, and stated “whosoever
7 leaks this information and is found guilty should be shot.” I contributed, along with others, to writing
8 an analysis of this document in the context of the larger Somali political situation, including an
9 analysis of whether the document was authentic. A version of the article (largely written by me) is
10 still posted on the Wikileaks website. Attached hereto as **Exhibit A** is a true and correct copy of the
11 article presently on the Wikileaks website. In the nature of a wiki, the article may have been edited
12 by others since it was originally posted, although it appears that any editing was minor. Said S.
13 Samatar, Professor of African History at Rutgers University, stated that “This is a remarkably well
14 researched and written piece. Informative, lucid and incisive.”

15 7. In 2007, a document was leaked to Wikileaks that showed the extent to which the
16 family and associates of the former Kenyan President Daniel Arap Moi had siphoned off over two
17 billion dollars of state money into a web of shell companies, secret trusts and frontmen in countries
18 around the world, including the Cayman Islands and Switzerland. Attached hereto as **Exhibit B** is the
19 current version of that article as posted on the Wikileaks website. The report had been commissioned
20 by the President of Kenya, Mwai Kibaki, but had later been suppressed and had never been released
21 publicly. I and others contributed to an analysis of the document and of corruption in Kenya that
22 concluded that the document was genuine. The leaked documents and the resulting story were widely
23 reported in the international media. The documents (and the failure to publicly release them)
24 discredited President Kibaki’s pledge to turn a new leaf in rooting out corruption.

25 8. I had no involvement in the leaking of the Julius Baer documents. I have not
26 commented on or edited these documents. I never read any of the Julius Baer documents, until I was
27 served with some of them as attachments to the Complaint, at which point I only skimmed them. I do
28 not know who submitted the documents to Wikileaks other than Julius Baer’s contention that they

1 were submitted by Rudolf Elmer.

2 9. The Wikileaks site claims that it uses generally available wiki software combined with
3 elements of cryptographic software to mask the identities of those who wish to submit documents. I
4 am not a software engineer or programmer and have no relevant technical programming or networking
5 skills or knowledge. I do not know what software is actually used on the Wikileaks site(s), nor do I
6 know whether the cryptographic capabilities of the software are as advertised. I do not know where
7 the servers are that run any of the Wikileaks wiki software, although I have read recent news reports
8 indicating that the servers are in Sweden. I do not know who is in control of these servers. There are many
9 domain names that resolve to the "Wikileaks" website, some of which contain the name "Wikileaks"
10 and some of which do not. I have no understanding of the technical mechanisms whereby various
11 Wikileaks sites all "mirror" each other, although I am aware that multiple "mirror" domain names
12 were created well in advance of the instant litigation, in order to help users in China evade attempts by
13 the Chinese government to block their access to the Wikileaks site.

14 10. I understand that any member of the public, including Plaintiffs, can post comments
15 regarding the Julius Baer documents, edit the documents, or delete them. As far as I am aware,
16 Plaintiffs have never attempted to do so. I also understand that (as with any wiki) any such
17 commenting, editing or deleting can be easily reversed by someone else. Whoever submitted the
18 Julius Baer documents in the first place (presumably Rudolf Elmer) can always resubmit the
19 documents. I do not have any ability to irreversibly delete the Julius Baer documents, or to block
20 the documents from being resubmitted by Rudolf Elmer or anyone else.

21 11. On February 13, 2008, I was served via email (and also personally) with the Summons,
22 Complaint, and other papers in this action. The emails from Plaintiffs' counsel stated that I was a
23 "WL Officer." I am not an "officer" of "Wikileaks" or any other formal or informal organization
24 responsible for the administration or management of Wikileaks. The Wikileaks site lists members of
25 an "advisory board," but I am not listed as, and am not, one of them. I immediately responded that I
26 did not know why I was being served with the documents, but that I "presume[d]" plaintiffs' counsel
27 had served me with the summons "because I am a registered user of the wikileaks website and have
28 written some material there. But I have no other connection to this case, have not read the documents

1 from Bank Julius Baer which are the subject of this case, have not written anything about them, and
2 generally know very little about the case.”

3 12. Plaintiffs’ counsel responded: “Wikileaks lists you as an officer of the company on its
4 Facebook page. As an officer of a defendant in this action, my client is entitled to serve you a copy of
5 the summons and complaint pursuant to Rule 4(h)(1)(B) of the Federal Rules of Civil Procedure.”
6 Facebook is a website created for college students (and now used by others) as a social networking
7 site. The Wikileaks website had invited people to start discussion groups on Facebook and other
8 websites. The Facebook page at issue had identified me as the “Stanford rep.” of the discussion group,
9 and the Facebook term “officer” has no significance; the fact that I am an “admin” merely indicates
10 that I was a moderator of that discussion group. I responded to Plaintiff’s counsel: “I am an officer of
11 a facebook group, which is essentially a message board for discussion of issues relating to wikileaks. I
12 am not, and never have been, an officer of wikileaks, and I request you not to represent that I am.”
13 Nevertheless, on February 22, 2008, Plaintiffs counsel declared to this Court that “Plaintiffs served a
14 copy of the TRO and OSC on the Wikileaks Defendants via e-mail, per the Court’s prior order, ... to
15 the personal e-mail address for a listed officer of Wikileaks.”

16 13. I never had any communications with Julie Turner, who Plaintiffs contend was
17 Wikileaks’ attorney, about this case or any legal matter. I did not obtain legal representation in this
18 matter until after the Court’s deadline to file opposition to the TRO had passed.

19 I declare under penalty of perjury under the laws of the State of California and the
20 United States of America that the foregoing is true and correct.

21 Executed on February 28 at San Francisco, California

22
23 _____
Daniel Mathews
24
25
26
27
28

1 from Bank Julius Baer which are the subject of this case, have not written anything about them, and
2 generally know very little about the case.”

3 12. Plaintiffs’ counsel responded: “Wikileaks lists you as an officer of the company on its
4 Facebook page. As an officer of a defendant in this action, my client is entitled to serve you a copy of
5 the summons and complaint pursuant to Rule 4(h)(1)(B) of the Federal Rules of Civil Procedure.”
6 Facebook is a website created for college students (and now used by others) as a social networking
7 site. The Wikileaks website had invited people to start discussion groups on Facebook and other
8 websites. The Facebook page at issue had identified me as the “Stanford rep.” of the discussion group,
9 and the Facebook term “officer” has no significance; the fact that I am an “admin” merely indicates
10 that I was a moderator of that discussion group. I responded to Plaintiff’s counsel: “I am an officer of
11 a facebook group, which is essentially a message board for discussion of issues relating to wikileaks. I
12 am not, and never have been, an officer of wikileaks, and I request you not to represent that I am.”
13 Nevertheless, on February 22, 2008, Plaintiffs counsel declared to this Court that “Plaintiffs served a
14 copy of the TRO and OSC on the Wikileaks Defendants via e-mail, per the Court’s prior order, ... to
15 the personal e-mail address for a listed officer of Wikileaks.”

16 13. I never had any communications with Julie Turner, who Plaintiffs contend was
17 Wikileaks’ attorney, about this case or any legal matter. I did not obtain legal representation in this
18 matter until after the Court’s deadline to file opposition to the TRO had passed.

19 I declare under penalty of perjury under the laws of the State of California and the
20 United States of America that the foregoing is true and correct.

21 Executed on February 28 at San Francisco, California

22 
23 Daniel Mathews

EXHIBIT A

Inside Somalia and the Union of Islamic Courts

From Wikileaks

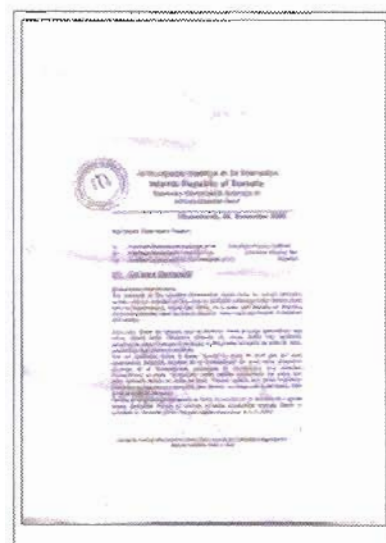
Vital strategy documents from both sides of the war in Somalia and a play for Chinese involvement.

Leak

Series/Inside Somalia and the Union of Islamic Courts

Is Somalia the next Iran? Or is it the next Afghanistan? While the west sleeps and celebrates the king of peace, the US's man on the ground, Ethiopia, has launched a covert invasion which may draw the entire horn of Africa into conflict. Somalia will soon be transformed, either into an Iranian-style Islamic republic or a reviled Ethiopian quisling, cursed with mujahideen and proxy wars. These events have been triggered by a remarkable new phenomenon. After 16 years of chaos and bloodshed, one faction in its civil war, the Union of Islamic Courts, has gone from being a minor player to being ready to wipe the last town held by the discredited UN-, US- and Ethiopian-backed regime from the map.

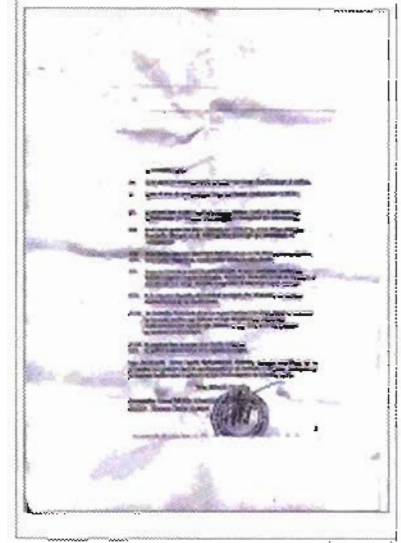
At this dramatic juncture, a secret Islamic order, purportedly written by the most important man in the Union, Sheik Aweys, has been leaked. It proclaims an Islamic Republic of Somalia. Its purported secrecy is underscored by its final directive: **whosoever leaks this information and is found guilty should be shot**. But is it genuine? Is it a bold manifesto by a flamboyant Islamic militant with links to Bin Laden? Or is it a clever smear by US intelligence, designed to discredit the Union, fracture Somali alliances and manipulate China? What is the future for Somalia?



Contents

- 1 Introduction
- 2 History
 - 2.1 President Muhammad Said Barre (1969-1991)
 - 2.2 After the Barre Presidency (1991-1998)
 - 2.3 UN-, US-led intervention (1992-1995)
 - 2.4 Post intervention civil war, pre UIC (1995-2005)
- 3 The rise of the Union of Islamic Courts (2000-)
 - 3.1 Sharia Law under the UIC
 - 3.2 Aweys, al-Itihaad al-Islamiya and Osama bin Laden
 - 3.3 Power consolidation (2006-present)
- 4 Foreign involvement
 - 4.1 Ethiopia
 - 4.2 The United States
 - 4.3 UN Security Council (2006)

- 4.4 Egypt, Eritra, Djibouti, Libya, Saudi Arabia, Syria and Hezbollah (2006)
- 5 The secret Aweys order for an Islamic Republic
 - 5.1 The Islamic Republic of Somalia
 - 5.2 Advocated strategies
 - 5.3 Leakers to be shot
- 6 Is the leak genuine?
- 7 The Great China Project
 - 7.1 Timeline
 - 7.2 Intercepted diplomatic traffic
 - 7.3 Analysis of intercepted traffic
 - 7.4 Other motivations for forgery
- 8 Conclusion
- 9 Notes & References



Introduction

If we want to imagine a stereotype of poor African governance, or rather, no governance at all, Somalia's history over the past 15 years provides a ready, if reluctant, example.

Since 1991, battles between warlords and their militias, shifting from one stalemate to another, have crippled nearly every aspect of Somali society. The wounds of warlord lawlessness barely dried during the fearfully incompetent 1992-1995 UN-sanctioned US intervention. When the US fled, the wounds were opened afresh, and they have bled freely until early this year. No faction emerged as dominant; alliances shifted, battles were fought, but chaos remained.

But that was before the rise of Union of Islamic Courts (UIC). Only emerging in 2006 as a serious military force, they rapidly became ascendant, prosecuting an extraordinarily successful military, ideological, religious and social campaign. Putting to one side the northern semi-autonomous regions of Somaliland and Puntland, the Islamic Courts are in effective control of the entire country except for the town of Baidoa near the Ethiopian border.

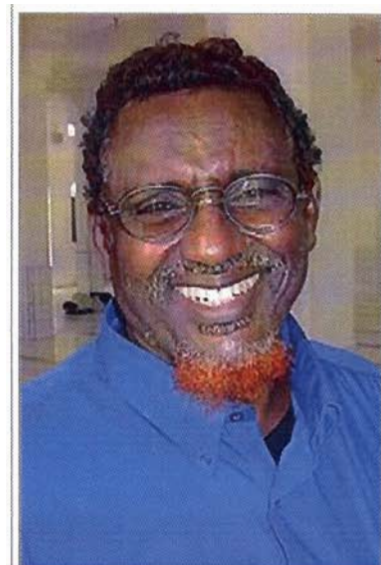
It may be somewhat surprising to hear of courts - ostensibly judicial bodies - fighting in a civil war. But the Union of Islamic Courts is precisely that: a loose affiliation of disparate judges and courts practicing Islamic or Sharia law. Their unusual quasi-federalist structure has united Somali clans and language groups. Originally dealing with local issues such as petty crime and business disputes, they expanded to fill a vacuum in education, health care and policing. Backed by smuggled weapons from sympathetic countries, the militias which enforced their decisions have become a formidable force.

And while the Islamic Courts strike boldly, one of their leaders preaches boldly - the purported author of the leaked secret document, Sheikh Hassan Dahir Aweys. The US listed him as 'linked to terrorism' after he led a militant Islamic group in the 1990s, and refuses to deal with him. With a red flame of a beard, Koran close to hand and scores of machine guns and anti-aircraft guns at his command, Aweys typifies the firebrand cleric. He fought and was decorated in the 1977 Ogaden war against Ethiopia, and is regarded as the military genius behind the Islamic Courts' recent successes. At 61 years old, he does not fight directly, but reportedly organizes training and strategy. He heads the courts' shura consultative council, and is regarded as the spiritual leader of the organization. Privately soft-spoken and calm, he is a Muslim scholar and lives in a middle

class suburb of Mogadishu. He's strong on building community, but his public rhetoric has also been confrontational and expansionist, calling for war against Ethiopian forces in Somalia and for a 'greater Somalia' incorporating ethnic Somali regions of Ethiopia and Kenya.^[1]

Meanwhile on the ground, a crucial deadline has come and gone for foreign troops to leave the one remaining holdout of Baidoa. In response Ethiopia has launched an invasion of Somalia with uncertain objectives. There is an imminent risk of wider regional war; there is currently covert involvement by a number of other neighboring countries and overt involvement by the African Union (AU), the UN and the US.

Baidoa is not the Somali capital (Mogadishu), which was taken by the UIC in July. But it is the home of the UN-sponsored transitional federal government (TFG), formed in 2004 in Kenya. The transitional administration could never establish itself in Mogadishu, as the city suffered the turf wars and bloody violence of rival warlords. Indeed, many of the same warlords whose militias vied for control of Mogadishu were given high-level posts in the transitional administration, continuing to operate their militias privately in the capital. Mogadishu was too dangerous for the militarily weak transitional administration, and Baidoa was chosen as the temporary seat of government instead.



Sheikh Hassan Aweys

But now the Islamic courts are poised to take Baidoa. The transitional administration struggles to survive, with virtually no military force of its own, lacking authority anywhere else in the country, propped up by Ethiopian troops, and backed diplomatically by UN resolutions and US threats. The UN clings to the results of its diplomatic efforts, even as they are destroyed, along with their legitimacy, by facts on the ground.

Somalia is on a knife edge between two futures. At this critical time, a document has been leaked from the Somali transitional administration, via Chinese sources to WikiLeaks.Org. It is apparently a 'secret decision' signed by Aweys from November 2005 outlining tactics for the Islamic Courts movement. Is it credible? Many of the strategies it recommends have been pursued, but some of it sounds like a smear. Understanding its credibility requires some knowledge of Somali history and politics. But if it is authentic, then it is the first policy document of the Islamic courts, beyond public announcements, to make it into the hands of the international media. And whether the document is genuine or not, one is still forced to ask: How did Somalia find itself in this situation? How did the UN find itself in this situation? What is the Union of Islamic Courts, and how did they rise so fast in such a chaotic situation, where no others have succeeded? And what is likely to happen if they gain control of the country? What hope is there for Somalia's future?

History

If 'Somalia' or 'Mogadishu' resonates in the Western mind, it's probably due to the US propaganda movie 'Black Hawk Down', or news reports of the 1992-1995 UN-sanctioned US intervention.

That intervention was a domestic political disaster for the US. But it was an even larger disaster for Somalis. And larger again, because it follows the outcome of many previous colonial interventions.

Differing regions of Somalia have been ruled by British, French and Italian colonial powers. Somalis often fought as proxies for their imperial overlords. Their lands were split along arbitrary lines, with members of the same ethnic group finding themselves separated by imperial borders; as with much of the rest of Africa, they were fought over and treated as pawns in the African edition of "The Great Game". Ethnic Somalis live in areas of the present-day countries of Ethiopia, Kenya, and Djibouti, as well as Somalia. The colonial situation persisted through World War II. Somalis were regularly lured and coerced into fratricide.

In 1950, five years after the end of World War II, the UN established a trust territory under Italian control. In 1960 the former British and Italian Somali colonies became independent as a united Somalia. The formerly British part is the north-western region known as Somaliland, and today operates as a de facto independent nation, though without any international recognition.

President Muhammad Said Barre (1969-1991)

From 1969 until 1991 the country was ruled by Muhammad Siad Barre, a Soviet- and then US-backed dictator. Barre established several social programmes, raised literacy and educational standards, improved infrastructure, and implemented capital works programmes. His regime was also brutally authoritarian, murdering thousands. It was corrupt and dependent on foreign aid, which was often diverted to projects of political largess and self-aggrandizement rather than social welfare. Barre engaged in a futile war with Ethiopia over the Ogaden region of Ethiopia, leading to tens of thousands of deaths. Somalis were subject to one of the worst African dictatorships.

Part of Barre's success lay in his ability to unite the Somali clans. Somali society is clan-based and the clan always holds a Somali's first political loyalty. Alliances are often expressed through clan affiliations and traditional clan institutions. The clan structure of society has helped people to endure the harshness of their climate and geography, even in the face of national government neglect or abuse. The cost of Barre's clan support was an extensive network of allegiances maintained through largesse. The corruption inherent in that system led to a great disillusionment and cynicism towards the state amongst ordinary Somalis, reaffirming their relative trust in clan loyalties.

After the Barre Presidency (1991-1998)

Following Barre's death, a struggle for power between rival militias threw the country into chaos. In 1991 the north-western region of Somaliland declared independence, and still considers itself an independent nation; it has a relatively stable democratic government, along Kurdish lines, though the country has no foreign recognition. In 1998 the northern region of Puntland declared autonomy, asserting that it will govern itself until Somalia has a functioning government, which it will then rejoin. Puntland and Somaliland have been spared much of the violence of the rest of the country; together they form a contiguous region which is approximately the northern third of Somalia.

UN-, US-led intervention (1992-1995)

Following the brutal murders of Pakistani UN troops by the militia of Somali warlord Mohamed Farrah Aidid, US-led UN forces soon abandoned neutrality and the mission, rather than establishing a stable, impartial, transitional order, became a war against Aidid. During a meeting of leaders and elders from Aidid's clan, discussing a peace agreement with the UN, the US received "erroneous intelligence" that

Aidid was planning attacks, and ordered that it be bombed. As respected leaders of Somali civil society discussed their future, that future was brought to an end. Fifty-four senior members of Somali society died. No apology was given; no US or UN military leader was brought to justice. Somalis united against the intervention forces. The 'Black Hawk Down' situation soon followed. None of these relevant facts make the Hollywood version. UN troops were withdrawn in short order, leaving Somali society further exposed. The US lost 18 soldiers. In the course of the 'Black Hawk Down' operation alone, the US estimates that 1000 to 1500 Somalis died, including both militia and civilians.^[2]

To those who believe in the essential benevolence of US power and foreign interventions - which includes the entire permissible spectrum of US political thought - the intervention in Somalia is the prime example of such benevolence. When critics point to some fairly dubious US interventions - Chile, Guatemala, Iran, Nicaragua, Panama, Iraq, Vietnam, Laos, Cambodia, the list goes on - the reply is, okay, but what about Somalia! No direct US interests there - what altruism! Critics wonder about the lucrative US oil exploration going on at the time. Paranoids! But then what are we to make of the US using oil company Conoco's offices as a temporary embassy? The Somali intervention was supposed to be easy, painless (at least for US soldiers), and effective, returning functioning government swiftly to a region torn by strife. And perhaps it could have been.^[3]

Post intervention civil war, pre UIC (1995-2005)

Since then, the civil war has continued unabated. The smaller northern populations in Somaliland and Puntland have enjoyed relative stability, while elsewhere factions, militias and warlords have struggled to control territory, people and resources. UN and regional efforts to achieve ceasefires repeatedly failed; attempts to form temporary governments repeatedly failed; attempts to achieve peace repeatedly failed. Outside Somaliland and Puntland, the rest of the country, in particular the capital Mogadishu, remained without any effective government.

The ability of Somalis to survive in Mogadishu under conditions of widespread brutality and violence testifies to their resilience. To cross from one warlord's region into another involved major risk; sometimes even to leave one's house entailed major risk. Nevertheless, many of the bazaars and markets continued to function. Life goes on.^[4]

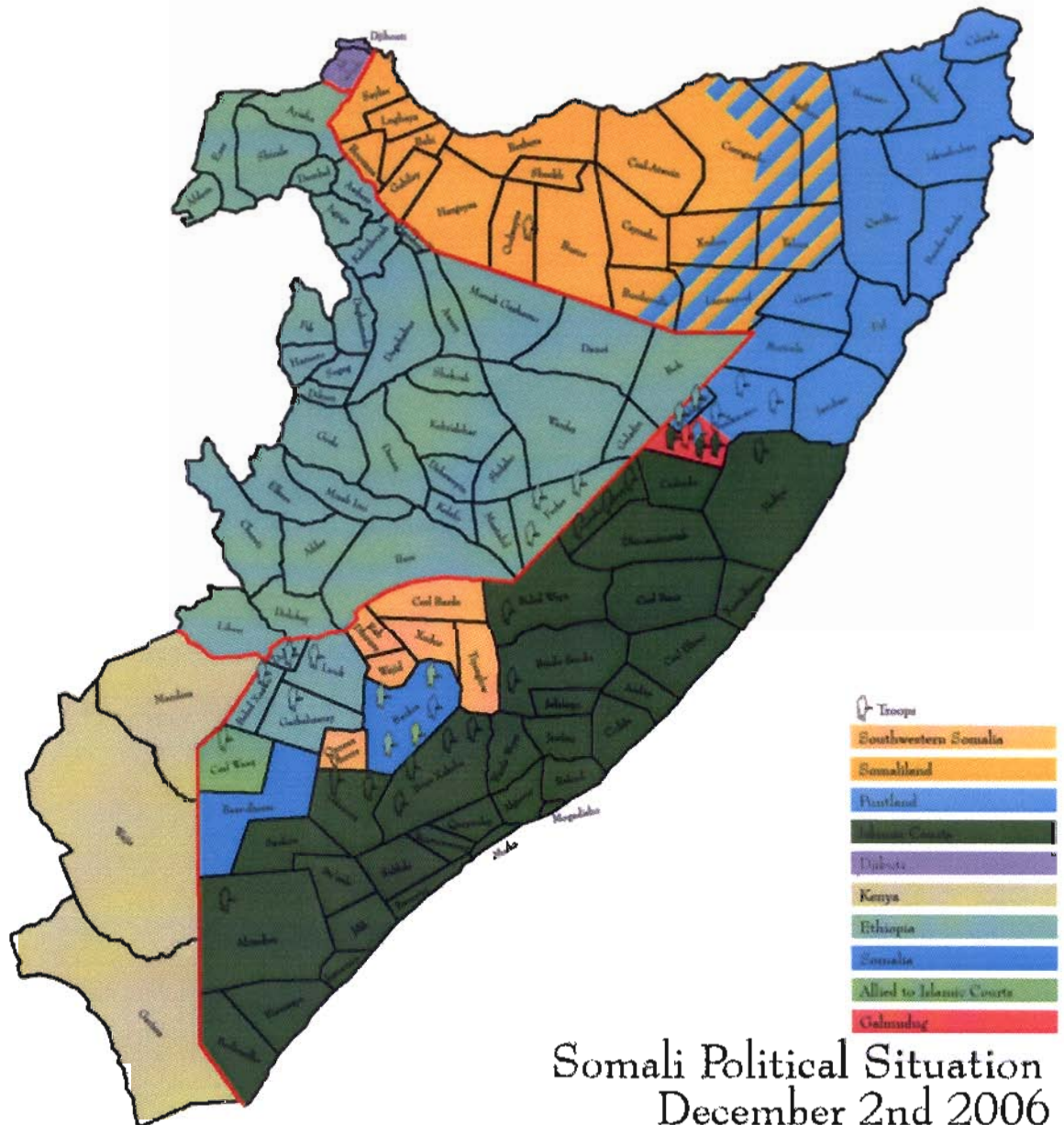
Anarcho-capitalists regard the situation in Mogadishu as hopeful, pointing the way, they say, to an apparently utopian model of a capitalist economic system without a state. As evidence they cite the better functioning of the telecommunications system than some nearby countries (Somalia has 15 telephones per 1000 people, rather than 10 as in neighboring countries). Never mind that the network is operated in conjunction with major multinational corporations such as Sprint and Telenor, that the system was established with the help of the UN and the International Telecommunications Union, and that the Somali Telecom Association is headquartered outside the country in Dubai. They cite private provision of water access. Never mind that many families are now in debt for water, and that no market incentive or regulatory obligation has convinced those private operators to purify their water: access to safe water is low even by African standards. They also cite air travel operation without any government regulation. Never mind that other countries are relied upon to maintain aircraft, and that Somali airports operate without trained aircraft controllers, fire crews, runway lights, or even fences to keep out stray animals. Perhaps there's an anarcho-capitalist utopia, but Somalia is not the model.^[5]

We may admire the hardiness of Somalis and their ability to continue life, in many respects as normal, under such adverse circumstances. They have continued with traditional institutions and systems, which help to maintain social cohesion. They have endured the ravings, the egos, the bullying and the brutality

of the warlords; and as the warlords have been banished from ever larger parts of the country by the Union of Islamic Courts, they have applauded, if nothing else, their newfound ability to go about their lives unhindered.

The rise of the Union of Islamic Courts (2000-)

It may
well
seem
like a
miracle:
indeed,
some
have



explicitly said so. The Union of Islamic Courts (UIC), existing in some form since 2000, only became a powerful political and military entity in early 2006. Major fighting was reported in March, and by June they had taken the capital Mogadishu. The warlords fled, and suffered defeat upon defeat. The Islamic Courts have swept all before them - even Mogadishu garbage, which hadn't been collected since 1991 - and are now fighting for the one remaining town, Baidoa, seat of the transitional federal government (TFG), which is defended by Ethiopian planes, troops and artillery, and backed diplomatically and

financially by the US and UN.

As already mentioned, the UIC is somewhat unusual, compared to other factions in the civil war. After the collapse of government in 1991, aided by businessmen desiring an orderly commercial environment, Sharia courts became the main judicial system, and evolved to provide education, health care and police services. They gained widespread public support, and helped to reduce robberies, drug-dealing and prostitution. The militias which enforced their decisions evolved into the fighting force which has effectively conquered most of the country. The affiliation of the courts is somewhat loose: each court makes its own decisions, and different courts and judges apply Sharia law in different ways. Somalia is a deeply Muslim nation, but has historically practiced a relatively mild form of Islam. The membership and leadership of the Courts both contain a spectrum of Islamic thought, from liberal to Wahhabist. This notable inclusiveness reflects the federalist structure of the UIC.

The UIC, through support from local imams, has gained significant popular legitimacy. Citizens can be expected to appreciate the work of any organization which ends years of violence and establishes peaceful social relations. But it appears that the uniquely religious, social and judicial elements of the UIC have also helped them to gain support, and to establish alliances with which to secure and consolidate power. The enforcement of conservative Islam may become repressive and unpopular where it occurs, but at least for an initial period, the UIC carries a significant amount of public goodwill. They have brought peace over regions they control, built schools and hospitals, created a form of justice and a stable business environment through their courts, and have emerged victorious. Numerous defections of enemy troops to the UIC have been reported throughout their advances; they are certainly seen as more legitimate than the warlords in the TFG. Nonetheless, their takeover of Mogadishu and the threat of full-scale war led to a stream of 18,000 refugees into Kenya by August.^[6]

On the other hand, the TFG may not have ever possessed as much legitimacy as its UN approval might suggest. Of course, as the result of an internationally-brokered agreement between major factions, it certainly has the potential to become a legitimate national government. But quite apart from Somalis' ongoing mistrust of international institutions, the TFG's very nature erodes its legitimacy. Being a compromise of the physically powerful, it includes hated warlords among its ranks, incorporating them into major ministerial posts. As the UIC took control of Mogadishu, the militias fighting against them were led by warlords who were ministers in the TFG, fighting in a 'private' capacity. At least some those ministers were expelled from the TFG shortly afterwards.

Sharia Law under the UIC

Hardline elements of the UIC have made major impingements on civil liberties, public expression and entertainment already, although we must be careful - the UIC's federalist-clan structure makes it hard to draw conclusions from examples. They have shut down groups watching soccer matches. They have shut down theaters showing supposedly 'pornographic' movies - and it is not clear what counts as 'pornographic'. There have been reports of strict dress code enforcement on women. Elopements have been banned. The UIC also banned khat, a popular stimulant, leading to protests. The US has accused the UIC of planning to establish a Taliban-like state; this has been denied and is unlikely given the existing Somali culture, federalist structure and no significant Arab inflow as occurred in Afghanistan. But we should remember that the UIC, whatever its federalist blessings, is a theocratic movement. Other than Aweys, the main leader in the UIC is Sheikh Sharif Skeikh Ahmed. Ahmed is the more moderate of the two: he is chairman of the UIC, a law graduate and former high school teacher. He heads the eight-member executive committee and is the public face of the UIC.

Aweys, al-Itihaad al-Islamiya and Osama bin Laden

In the 1990s Aweys headed an Islamist group, al-Itihaad al-Islamiya, which received funds from Osama bin Laden, but also had elements of a Somali social movement. According to US intelligence, al-Itihaad al-Islamiya cooperated with the al-Qaeda members who carried out the 1998 US embassy bombings in Kenya and Tanzania. Like the dictator Muhammad Siad Barre before him, Aweys calls for a greater Somalia. Sheikh Sharif Sheikh Ahmed, on the other hand, has denied any great desire for land, professing that the courts are no threat and desire only order.

Power consolidation (2006-present)

As the UIC has taken further control of the country, it has imposed additional elements of governmental power. It has begun collecting taxes in the markets. It has sent its 'foreign minister' to Yemen. In November, talks between the TFG and UIC broke down, and the UIC has since moved to consolidate their position and move towards Baidoa. By December 4 Baidoa was effectively encircled. On December 12 the UIC gave Ethiopian forces a week to leave the country or face attack. Troops on both sides dug in around Baidoa on December 13, and an EU diplomatic effort to avert war began, though with no results yet. Ethiopian troops have backed up TFG fighters in recent battles, and remained stationed in Baidoa in the city's defense. On December 19 the UIC-imposed deadline expired, and heavy fighting continues around Baidoa. On December 24 Ethiopian warplanes began bombing UIC targets.

This comes at a time when over 400,000 people in Somalia are affected by flooding, with up to 900,000 at risk if the flooding worsens.

Foreign involvement

The so-called Somali civil war cannot be regarded as entirely an internal affair. Several countries have provided support to the factions in the conflict. Somalia is subject to an arms embargo, so any such armed intervention, military aid or provision of arms and material is illegal under international law.

Ethiopia

Perhaps the largest involvement is that of Somalia's western neighbor Ethiopia. Somalia and Ethiopia have a long history of violence, dating back at least to the 1977 Ogaden war. There is substantial evidence of several Ethiopian government interventions in Somalia in recent years. Since the rise of the UIC, the main interest of largely Christian Ethiopia has been to prevent the establishment of an Islamic state on its border, and to support the TFG, which is led by a long-time Ethiopian ally. According to Reuters, a confidential UN report estimated 6,000-8,000 Ethiopian troops were in Somalia in early November. The buildup has continued since then, and Reuters quotes witnesses and security experts estimating 10,000 Ethiopian soldiers presently in the country. The UIC has repeatedly declared jihad on Ethiopia for supporting the TFG; Ethiopia has repeatedly denounced the UIC as a threat.^[7]

It seems clear from multiple confirmed reports that, despite Ethiopian denials, there are tens of thousands of Ethiopian troops in Somalia at present, mainly around Baidoa, defending the TFG. Since the TFG is so militarily weak, it is effectively dependent on Ethiopia, appearing as little more than an Ethiopian puppet.

On December 12, the UIC issued an ultimatum to Ethiopian forces in Baidoa to leave; that ultimatum expired on December 19, and heavy fighting continues, including aerial bombing by Ethiopian forces.

The United States

The US has also been involved. Its main interest now, like Ethiopia, is against any Iran-style Islamist regime. As a result, in an extraordinary act of cynicism, the US came to support some of the same warlords who were US enemies in 1993, demonized in 'Black Hawk Down'. The CIA funded an alliance of warlords, the 'Alliance for the Restoration of Peace and Counter-Terrorism', in their battle against the UIC for control of Mogadishu. Not only did this strategy fail militarily when the UIC took control in June, it also enhanced the legitimacy of the UIC. The US has repeatedly claimed that terrorists in Somalia are planning suicide attacks in Kenya and Ethiopia, and repeatedly denounced the UIC as harboring al-Qaeda terrorists. In particular, it has accused Aweys of connections to al-Qaeda, presumably referring to his previous involvement with al-Itihaad al-Islamiya. US rhetoric appears inflated, for example, the US assistant secretary of state on December 15:

The Council of Islamic Courts is now controlled by al-Qaeda cell individuals, East Africa al-Qaeda cell individuals. The top layer of the court are extremists. They are terrorists. They are killing nuns, they have killed children and they are calling for a jihad.

Such denunciation seems contradicted by the organization of the UIC, as discussed previously, and achieves obvious political and propaganda goals. The 'killing nuns' accusation apparently refers to the murder of a nun outside a Mogadishu hospital on September 17, swiftly condemned by the UIC, with two arrests made shortly afterwards. Thus the US seems to conflate the UIC with extremist elements that the UIC itself publicly denounces and pursues - tarring them with the same brush, a strategy which will go unquestioned by a servile mainstream media, and which succeeds in demonizing the UIC, guilt achieved by association.^[8]

UN Security Council (2006)

The US introduced a resolution into the UN Security Council in late November, which authorized African Union peace-keepers to defend the TFG; it was passed unanimously on December 7. Such a proposal will surely not be implemented in the near future, and poses major practical problems, but rather operates as diplomatic support, backed by the eventual threat of official UN military action. The resolution sparked major protests in Mogadishu, and is likely seen in Somalia as giving license to Ethiopian incursion. Backing such a weak, increasingly illegitimate and dependent regime as it nears collapse may not only be a futile strategy: it may also further enhance the legitimacy of the UIC, as the TFG appears desperate and little more than a US-Ethiopian puppet. The International Crisis Group warns that this move in the Security Council could trigger a regional conflict; it suggests that the UN should pressure both sides to resume negotiations, rather than favoring one.^[9]

Egypt, Eritra, Djibouti, Libya, Saudi Arabia, Syria and Hezbollah (2006)

For its part, the UIC also receives foreign support. According to a UN report, it receives aid from Iran, Egypt, Djibouti, Libya, Hezbollah, Saudi Arabia, Syria and Eritrea. Djibouti has provided uniforms and medicines; Egypt has provided training within Somalia; Iran has provided arms and ammunition; Hezbollah has provided military training and arms, and UIC fighters fought Israeli soldiers alongside Hezbollah in July 2006; Libya provided training, funds and arms; Eritrea provided arms, ammunition and military equipment; Saudi Arabia provided logistical support and ammunition. This support, it seems, has not extended to the provision of official military personnel, although this is not clear. There are fears that the conflict could become an Eritrea-Ethiopia proxy war. Arrivals of thousands of foreign Islamic fighters

have also been reported, especially in recent weeks, although it is difficult to see how this observation could be made with any reliability.^[10]

The secret Aweys order for an Islamic Republic

The Aweys secret order was passed from the TFG to Chinese agencies on October 14, 2006 and subsequently leaked to WikiLeaks.org. It bears the imprimatur 'Islamic Republic of Somalia, Islamic Courts Administration, Office of the Chief of the Imams', and lists its subject as 'secret decision'. Dated November 9, 2005, it purports to be an overall statement of UIC policy in the civil war: the footer describes it as a 'plan of action for governance based on the principles of Islam and restoration of justice in all Somalia regions'.

The Islamic Republic of Somalia

The heading itself is meaningful: the phrase 'Islamic Republic of Somalia' is very rarely used to refer to the UIC. Aweys has occasionally used it in local media; others have used it to refer not to the UIC, but to the potential establishment of an Iranian style Islamic state over all of Somalia. The phrase amounts to an assertion of sovereignty, not only over the lands the UIC controls, but over the northern autonomous regions of Somaliland and Puntland as well. The inclusion of Somaliland and Puntland is made clear by reference to 'all Somalia regions' and further within the text, which calls for the opening of Islamic courts in all districts of Puntland and Somaliland. Puntland has an uneasy truce with the UIC, having agreed to the establishment of Sharia law, though on its own terms, using different methods from the UIC. Although the UIC's expansionist ambitions are now quite clear, Somaliland and Puntland might find such an apparent assertion of sovereignty alarming and certainly would have in November 2005.^[11]

The preamble expounds goals which are clearly, but not unusually, Islamist, including the establishment of an Islamic state practicing Sharia law. It denounces Muhammad Siad Barre's regime as unjust, undermining and violating Sharia law. It denounces the TFG as hunting religious leaders, and responsible for influencing the international community to believe that the UIC is a terrorist organization. The document goes on to list strategies to be followed as part of this plan.

Advocated strategies

By and large, the strategies advocated in the document are those which can be expected by any faction in a civil war. Any party in a civil war can be expected to try to spread influence, establish alliances and undermine enemies. So, for instance, the document advocates opening Islamic courts in Puntland and Somaliland in collaboration with clan elders. As mentioned previously, Puntland has agreed to the establishment of its own version of Sharia law. It advocates 'plots' to mar the relationships between the TFG, Puntland and Somaliland, though it is not clear what this amounts to; subtleties of translation may be important here. It advocates infiltration into the armed forces of Puntland and Somaliland: we know of no factual reports to this effect, however. It advocates purchasing weapons used by Puntland and Somaliland armed forces, and from their 'custodians', which seems rather curious. It advocates alliances with clans, supporting local leaders. It advocates religious lectures to influence the public in the UIC's favour; no doubt this has been the case. It recommends that public friction with the TFG, Puntland or Somaliland administrations be minimized, while allies are identified within their cabinets and support provided to them. It advocates supporting ethnic Somali rebels in Ethiopia, to weaken the capability of the Ethiopian military in Somalia: again, a natural strategy. It advocates welcoming and influencing

minority clans which are marginalized by the TFG, Somaliland and Puntland administrations. It singles out particular clans and individuals for support against their rivals. It advocates minimizing animosity with religious leaders. All of these are natural, and perhaps obvious, strategies.

Two of the purported decisions, however, are more controversial. If the document is genuine, they are damaging to the UIC and to Aweys. If the document is a forgery, they are smears and we must ask how they came to be.

The first advocates cooperation with 'criminals'; making large payments in return for assassinations of TFG, Somaliland and Puntland officials. So the UIC is prepared to deal with criminals, but the targets are to be officials, not civilians, and the UIC is not prepared to carry out such actions itself. Perhaps this, again, is simply an expression of the reality of civil wars - every warlord is in some sense a criminal - but it perhaps indicates a lesser moral caliber than the UIC proclaims for itself; and it would no doubt disappoint or outrage some local followers. But this is the extent of advocacy of terroristic activity. No activities in Kenya or Tanzania are mentioned, such as those of which the US accuses the UIC.

In this regard, two bombings have taken place in Somalia this year. On September 18, double suicide car bombings failed to kill TFG president Abdulahi Yusuf. And on November 30, a car bomb exploded at an entrance to Baidoa, though the intended target is not clear. The bombings were condemned by the UIC. It is possible they were sponsored by the UIC, and would be consistent with the strategies enunciated in our document; but that is a far cry from the sort of terrorism of which the US accuses it.^[12]

Leakers to be shot

The other controversial decision is the final one: 'Whosoever leaks this information and is found guilty should be shot'. In times of war most countries have the death penalty for espionage, and this language is not atypical of Aweys, but if a forgery, this sounds like a somewhat ham-fisted way of calling attention to the document.

Is the leak genuine?

Our Chinese source gives us little on the credibility of the document other than that it was being passed on directly, not anonymously, by the TFG. Without direct contacts to the inner circle of the UIC, we have no way of directly verifying the document. But we can assess the plausibility of the document being genuine, or a forgery, based on its content.

Would Aweys write such a document? In timing and outline, the general content of the document is certainly plausible. At the end of 2005 the UIC would have been establishing strategies to be used in the coming year. Many of the strategies in the document came to fruition. And Aweys would certainly be an appropriate person to write such a document. It is strange that he would refer to the organization already as the 'Islamic Republic of Somalia', a title which if adopted by the organization could alienate potential allies immediately by its implicit assertion of sovereignty; but, at a time of early planning, one might aim high, and later in public use more diplomatic language. At that time much of the country was controlled by warlords: one might have expected him to spend more time dealing with strategies against them. But the document does suggest favoring certain warlords over others; warlords which were ministers in the TFG might well be regarded simply as part of the TFG; and the document was more one of political than military strategy. In a secret document he might be prepared to advocate less scrupulous tactics, such as assassinations and cooperation with criminals: note that the UIC itself would not be performing the

assassinations, and could achieve deniability through this strategy. These tactics stop short of terrorism against civilians or foreigners, and it is plausible that this might be the extent of the UIC's terrorist inclinations. A forger intent on smearing Aweys and the UIC might be expected to go further: the revelation is not that damning, given the context. As for shooting leakers, it is certainly a dramatic flash of rhetoric, but Aweys is a regular practitioner of fiery oratory; and he refers only to those who leak the information and are found guilty, which sounds quite plausible from a Muslim judge and less plausible from a forger.

If genuinely written by Aweys, there is still the matter of explaining how it got to the TFG. As it was sent to the Chinese, the document came in 4 files: three jpeg image files, one scan of each page of the original paper document in Somali, and a word file with what appears to be an accurate English translation. The word file metadata lists its author as a "Captain Weli" from the "Department of State". A US State Department computer; or a TFG official calling their fledgling office a "Department of State" - either is quite plausible. Using tools that were effective against Blair's "sexed up" Iraqi dossier word file, we see that the TFG translation was last modified on Oct 3, 2006, underwent at least two revisions, was last saved by "hi" (an intelligence in-joke, or coincidence?).

The Great China Project

If the document is genuine, there is still the question why it was not released to the Chinese until mid October 2006. One can make all manner of speculations: the TFG was protecting its source; the document was not captured until then; the TFG started circulating it as a last desperate measure to embarrass the UIC as its position crumbled; the particular documents chosen to circulate internationally may be somewhat capricious. But still, if the TFG captured the document not long after its creation, and was prepared to share it internationally, one would have expected they would do it earlier. Perhaps, since it is not terribly damaging, it received low priority; it is plausible it was circulated elsewhere but not seen fit to use publicly, since it is not quite consistent with the usual inflated denunciations. But note the following dramatic timeline:

Timeline

- Sep 18: Attempted Baidoa assassination of TFG President Abdulahi Yusuf. President's brother and 5 guards killed.
- Oct 3: Final edits to the Aweys document English translation.
- Oct 14: TFG sends the Aweys document images and the English translation to Chinese contacts.
- Oct 16: TFG ambassador to China receives "The Great China Project" message (see below)
- Nov 2: President Yusuf arrives in Beijing.
- Nov 4: Forty-eight African countries that have diplomatic relations with China participate in a two-day Beijing summit. The Somali conflict is on the agenda.

The "Great China Project" message is another WikiLeaks.org leak, from a different source, this time an intercept of Somali TNG diplomatic traffic:

Intercepted diplomatic traffic

Subject: The Great China Project

From: Faisal Ahmed Yusuf

Date: Mon, 16 Oct 2006 01:57:45 +0400

Dear Amb. Mohamed Awil and Abdirahman Haji;

[...]

Brothers, as I was just talking to brother Syed Ali and Abdirahman, and having obtained now the consent, elderly blessing and directives of HE, the President, thanks to Syed Ali for that, it is about time to do the last few actions requested by CHEC.

The Preliminary delegate coming to Beijing for the meeting consist of:

Ministers:

1-Hon. Said Hassan Shire, Minister of Rebuilding and Resettlement. (Invitation letters, tickets, and hotel arranged already).

2-Hon. Abudlahi Yusuf Harare, Minister of Petroleum. (Please correct the name for me if Harare is just nickname and not the official third name)

Brothers, as CHEC requested, we need to officially request a meeting between our above mentioned ministers and:

1-With the Chinese Minister/Ministry of Foreign Affairs (international Cooperation liaison office)

2-With the Chinese Minister/Ministry of Commerce.

3-With the Governor of Export and Import Bank.

[...]

YE, additionally, brothers there are some of us who are coming there to Beijing to lobby for the project, in a very SILENT manner we will be working from the background and support the Ministers, President delegates, Embassy so that the mission ends with the anticipated successes.

Analysis of intercepted traffic

Note carefully the relevant priority ministers. Could there be a Somali oil rights for Chinese arms swap? Such oil rights would have to be renegotiated if the UIC controlled Somalia. China also enjoys TFG money for infrastructure reconstruction projects.

Other motivations for forgery

What other motivations are there for forgery? Anything embarrassing to Aweys and the UIC, which undercuts its alliances and internal cohesion, aids the TFG and its allies. A forger does not want to appear over the top, but still wants to inflict damage on the target. The damage here appears unreasonably mild for October 3 of this year. If the intended audience were internal to Somalia, it does not seem likely to weaken the UIC drastically: the time to unite Puntland and Somaliland against the UIC had largely passed by Oct 3. Perhaps Puntland and Somaliland had received the document much earlier and kept it quiet. If the intended audience were foreign, such as the US or Ethiopia, a forger would be expected to cater to those interests and their fear of radical Islam and terrorism.

A forger would have to make a plausible fake version of the document on paper, scan it into a computer, and write an English translation. This seems beyond the TFG's immediate concerns in October, as it struggled for its own existence; but not beyond that of its foreign allies such as the US. It is not implausible, and not without precedent: US spooks have a long history of leak fabrication.

But if the document is a forgery, one large question remains: the aim being to embarrass Aweys and the UIC, why was it not spread more broadly and given a more immediate date? If the audience were external, it should have been leaked further and made more use of by the US. But there seems to be no evidence of this. Was the TFG trying to protect a UIC mole or protect a forgery from public scrutiny? If US intelligence was behind the forgery, was it worried about being caught out again influencing US domestic political opinion with its fabrications?

One cannot conclude with certainty that the document is genuine or otherwise. But based on the above analysis, it seems that either the document is genuine, slightly modified or is an earlier forgery recycled for the Chinese.

Conclusion

Today, the UIC's ultimatum against Ethiopian troops in Baidoa has expired and fierce fighting rages. Ethiopian forces have become involved, and there is potential for a wider regional war and great tragedy. If the UN continues in its present role, blindly supporting the TFG as its legitimacy erodes and its 'seat of government' is overrun, it cannot improve the situation. If the US continues treating the UIC as if it consists primarily of terrorists, it will lose all credibility (if it has not already) among Somalis who, whatever their misgivings, appreciate the stability provided by the UIC. The situation is far more complicated and interesting than any simplistic reading will imply.

If the leak is genuine, the secret order reveals insights into Aweys' thinking and strategy. If fake, it still says something about the intrigues of Somali and global politics. But whatever the case, Somalis, together with the international community, should seek to understand Aweys and the UIC, in order to clarify what they are dealing with, and establish a lasting peace and good governance in Somalia.

Notes & References

1. ↑ Hassan Barise, 'Mogadishu's modest Islamic leader', BBC News 12 June 2006. Joseph Winter, 'Profile: Somalia's Islamist leader', BBC News, 30 June 2006. 'Somali Islamist orders holy war', BBC News, 21 July 2006. Mohamed Olad Hassan, 'Islamic Leader Urges 'Greater Somalia'', AP wire, reported in forbes.com, 18 November 2006.
2. ↑ George Monbiot, 'Both Saviour and Victim: The film Black Hawk Down is helping to create a new myth of American nationhood, which threatens everyone on earth', ZNet, February 12, 2002.
3. ↑ See the Conoco - Somalia Declassification Project, maintained by Prof Keith Yearman, Geography department, College of DuPage, <http://www.cod.edu/people/faculty/yearman/somalia.htm>
4. ↑ The BBC Somalia site contains some interesting personal stories and anecdotes.
5. ↑ See, e.g., Tatiana Nenova and Tim Harford, 'Anarchy and Invention: How does Somalia's Private Sector Cope without Government?' Public Policy for the Private Sector, World Bank Group, Private Sector Development Vice Presidency, November 2004.
6. ↑ In fact the head of the BBC's Somali service describes the Islamic courts as a popular uprising. See, e.g., 'Islamists claim Mogadishu victory', BBC News, 5 June 2006. Defections are noted in, e.g., 'Ethiopian troops on Somali soil', BBC News, 20 July 2006. Rob Crilly, 'Somalia' refugees stream into Kenya', Christian Science Monitor, 16 August 2006.
7. ↑ Ethiopia says Somalia 'a threat', BBC News, 28 June 2006. 'Ethiopian troops on Somali soil', BBC News, 20 July 2006. Mohammed Adow, 'Why Ethiopia is on war footing', BBC News, 21 July 2006. A figure of 6,000-8,000 Ethiopians troops is given in 'Fighting erupts in Somalia as peace talks falter, says Islamic official', AP wire, International Herald Tribune, 6 November 2006. 'Ethiopia 'ready for Islamist war', BBC News, 23 November 2006. The Ethiopian military build-up was then continuing, according to 'Somalia: Islamists take full control of border town', Garowe Online News, 24 November 2006. A number of 8,000 is given again in 'AP Interview: Somali prime minister says government is surrounded', Associated Press, 11 December 2006. The figure of 10,000 is quoted in Hassan Yare, 'Troops dig in as Somalia war fears grows', Reuters, 13 December 2006.
8. ↑ 'Islamists claim control of Mogadishu', aljazeera.net, 7 June 2006. This was denounced by UN Secretary-General Kofi Annan: Saeed Shabazz, 'Annan: U.S. wrong to support warlords in Somalia', 29 June 2006, FinalCall.com. US warnings are reported, e.g., in 'Fighting erupts in Somalia as peace talks falter, says Islamic official', AP wire, International Herald Tribune, 6 November 2006; Scott Baldauf, 'Global jihad's new front in Africa', Christian Science Monitor, 12 December 2006. For the shooting of the Italian nun, see e.g., 'Italian nun shot dead in Somalia', BBC News, 18 September 2006; 'Somalia Islamists vow to punish nun's killers', gulfnews.com, 19 September 06.
9. ↑ See, e.g., Sahal Abdulle, 'Somalis rally against US peacekeeping plan', Reuters, 4 December 2006. Joseph Winter, 'Somalia's peacekeeping conundrum', BBC News, 7 December 2006.
10. ↑ Wikipedia article on Islamic Courts Union. 'AP Interview: Somali prime minister says government is surrounded', Associated Press, 11 December 2006. Gedi there accuses Islamists of having 3000 foreign fighters. 'Somali PM says Islamists preparing attack on govt', Reuters, 13 December 2006. Reports 4000 foreign fighters.
11. ↑ For Aweys' use of the phrase, see e.g. <http://www.hananews.org/WholeArticle.asp?artId=6158>. On Puntland/UIC relations, see e.g. 'Somalia: Puntland leader reaches deal with local Islamic clerics', Garowe online news, 18 November 2006. 'Puntland 'to fight Islamic Courts', aljazeera.net, 21 November 2006.
12. ↑ Aweys Osman Yusuf, 'Car Bomb Explosion Causes Casualties in Baidoa', Shabelle Media Network, 30 November 2006.

Retrieved from "https://wikileaks.be/wiki/Inside_Somalia_and_the_Union_of_Islamic_Courts"

Categories: Analyses | Somalia | Published | China | Featured analyses

Get press releases:

Apply to volunteer:

EXHIBIT B

The looting of Kenya under President Moi

From Wikileaks

The breathtaking extent of corruption perpetrated by the family of the former Kenyan leader Daniel Arap Moi is revealed in a secret report which lays bare a web of shell companies, secret trusts and frontmen used to steal over two billion dollars worth of state money.

The suppressed U.K auditor's report details how Kenyan state finances were laundered across the world to buy properties and companies in London, New York and South Africa and even a 10,000 hectare ranch in Australia.

The countries involved in the corrupt dealings include Australia, Belgium, Brunei, Canada, Finland, Germany, Grand Cayman, Israel, Italy, Japan, Jersey, Liechtenstein, Liberia, Luxembourg, Malawi, Namibia, the Netherlands, Puerto Rico, Russia, Somalia, South Africa, Sudan, Switzerland, the UAE, Uganda, the United Kingdom, the United States and Zaire.

The intricately detailed report, commissioned by President Kibaki after his 2002 election victory but later suppressed, forensically investigates corrupt transactions and holdings by several powerful members of the Kenyan elite.

The sums are comparable in magnitude to the looting of infamous kleptocrats such as Mobutu (Zaire), Marcos (Philippines), Abacha (Nigeria), Suharto (Indonesia) and Fujimori (Peru). The leaked material is extremely politically sensitive. Ex-President Moi has become a key player in political life in Kenya, and is now an essential pillar in President Kibaki's campaign for re-election in December 2007.



Leak

KTM report - on-line edition, unproofed

KTM report.pdf (file info page) - authoritative original, 4Mb of scanned printed pages

Verification status

verified

Media contacts

See Media Kit

Additional media contacts

Transparency International, Mars Group Kenya and <http://www.kroll.com/> (Kroll won't comment on the record)

Date

August 30, 2007 (last updated September 9, 2007)

By

Wikileaks' staff

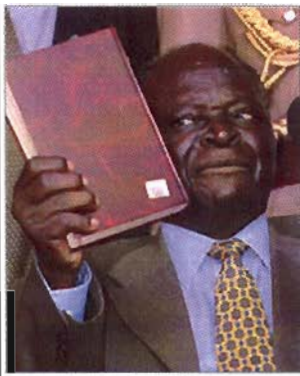
Introduction

In December 2002, the 24 year rule of Kenya's President Daniel Arap Moi was ended by the election victory of Mwai Kibaki. Elected on an anti-corruption platform, it was hoped that President Kibaki would end grand corruption in Kenya. In January 2003 Kibaki appointed John Githongo, formerly of Transparency International, as his personal advisor on Anti Corruption and Good Governance.^[1] One of the first anti-corruption activities of Mr. Githongo on behalf of President Kibaki was to engage Kroll & Associates (UK), a private investigation and security firm, to trace and report on what was said by Transparency International to be over 3 billion US Dollars stashed abroad, by the former President Moi and his closest associates.^[2]

Close to half of Kenya's 35 million

Contents

- 1 Introduction
- 2 About the report
- 3 The leaked report's author: Kroll Associates UK Limited
 - 3.1 Andrew Marshal
- 4 Secondary media based on the leak and this analysis
 - 4.1 Video
 - 4.2 Print
 - 4.3 See also
- 5 Joshua Kulei
 - 5.1 Ownership of businesses
 - 5.2 Sits on the Board of Governors for the



Mwai Kibaki being sworn in as President of Kenya after his election on an anti-corruption ticket in December 2002; "Corruption will now cease to be a way of life in Kenya. I am calling upon all of you Kenyans to help the government fight corruption, as our first priority". The bible's price tag is visible.^[3]

citizens live under the UN's poverty level of 1 US dollar a day. If the restitution programme started in 2003 had been completed it would have been possible to get justice for the tens of millions of Kenyans who live in abject poverty - as the political elite live as Dollar Millionaires on the proceeds of corruption.

The leaked document, dated April 2004, is clearly self explanatory - being one of the preliminary reports received by the Government of Kenya (described in the report as the "client"). The persons stated as "Targets" are President Moi's closest associates and relatives.

Contemporaneous media coverage of the time reveals a determination by the Kibaki government to trace

and seize the foreign assets of Moi's associates.^[4] However at some point in May 2004, the Kibaki government itself suffered a credibility blow when several of the President's closest advisors were implicated in a 777 million US Dollar corruption scandal known as the Anglo Leasing scandal. The fallout of this scandal resulted in the gradual sidelining and eventual exile in the UK (in January 2005) of John Githongo after threats to his life.^[5] The anti-corruption czar had lost the support of the Kenyan President. It was at this point that the Government dropped its international asset tracing and recovery efforts. It is believed it was at this point that the Kroll Report on Moi and his associates was suppressed.

On August 28th 2007, about 100 days before the forthcoming Presidential election, President Kibaki's re-election campaign received the formal endorsement of his predecessor, Daniel Moi.^[6] Ex-President Moi's influence over Kibaki's regime is obvious and also evidenced by his recent appointment as a Personal Peace Envoy of Kibaki to the Sudan.^[7]

None of the assets traced and identified by Kroll have been impounded and Moi and his associates are experiencing a resurgence in political clout. Among these assets are a bank in Belgium, hotels and residences in the USA, UK, South Africa, Namibia and as far away as Australia, a 10% shareholding in Kenya's most successful telecommunications company (a joint venture with Vodafone PLC of the UK) and massive real estate and agricultural investments.

The leak which emanated from within high levels of the Kenyan Government is motivated by the desire to demonstrate that President Kibaki has clear-cut evidence of his predecessor's corruption and complicity in corruption, and has chosen to suppress the evidence and worse still has gone into a political and economic alliance with the Moi group.

A second motivation is the sheer scale of the theft of public funds by Moi and his associates. The figures in the report run into (if added

- following schools and universities
 - 5.3 Trustee of
 - 5.4 Management Board member in
 - 5.5 Properties
 - 5.5.1 In the UK
 - 5.5.2 In Kenya:
 - 5.6 Bank Balances (page 26)
 - 5.7 Business Associates
- 6 Gideon Moi
 - 6.1 Ownership of businesses
 - 6.2 Properties
 - 6.2.1 In the UK
 - 6.3 Finance
 - 6.3.1 Kenya
 - 6.3.2 Business Associates
- 7 Nicholas Biwott
 - 7.1 Ownership of Businesses
 - 7.2 Properties
 - 7.3 Finance
 - 7.3.1 Kenya
 - 7.3.2 Switzerland
 - 7.3.3 Belgium
 - 7.3.4 Business Associates
- 8 Philip Moi
 - 8.1 Business links
 - 8.2 Finance
 - 8.2.1 Barclays Bank (page 57)
 - 8.2.2 Credit Suisse Zurich, Switzerland. (page 57)
 - 8.2.3 Sultanate of Brunei (page 57)
 - 8.3 Business Associates
- 9 KTM report country index
 - 9.1 Australia
 - 9.2 Belgium
 - 9.3 Brunei
 - 9.4 Canada
 - 9.5 Dubai
 - 9.6 Finland
 - 9.7 Germany
 - 9.8 Grand Cayman
 - 9.9 Israel
 - 9.10 Italy
 - 9.11 Japan
 - 9.12 Jersey
 - 9.13 Leichtenstein
 - 9.14 Liberia
 - 9.15 Luxembourg
 - 9.16 Malawi
 - 9.17 Namibia
 - 9.18 Netherlands
 - 9.19 Puerto Rico
 - 9.20 Russia
 - 9.21 Somalia
 - 9.22 South Africa
 - 9.23 Sudan
 - 9.24 Switzerland
 - 9.25 Uganda
 - 9.26 United Kingdom
 - 9.27 United States
 - 9.28 Zaire
- 10 Index of names, company names and properties

up) the billions of US Dollars - comparable in magnitude to the looting of other infamous kleptocrats such as Mobutu Sese Seko of Zaire, Ferdinand Marcos of the Philippines, Sani Abacha of Nigeria, Suharto of Indonesia and Alberto Fujimori of Peru.

• 11 Notes & References

The leaked material is extremely politically sensitive. Ex-President Moi, a corrupt, brutal, discredited former dictator, has somehow again become a key player in political life in Kenya - so much, that he is now an essential pillar in current President Kibaki's re-election campaign. His massive financial resources are expected to be used to buy Kibaki popular support particularly in the populous Rift Valley region, which voted almost to the man against Kibaki in the last election, and in November 2005 during a constitutional referendum. The leaker thinks the re-emergence of President Moi is scandalous and must be stopped.

The leak will certainly interest the Kenyan media, for whom this report represents a grail of sorts. Kenya's large international press corps will also be an interested audience. With a Presidential election only a few months away, the report comes to light at a critical time.

About the report

The leaked report is 106 pages long and contains several sections: executive summary (1-10), source enquiries (11-54), business associates and front men (55-76), and appendix (77-106).^[8] The executive summary outlines the most suspicious financial transactions, properties and business links discovered in its investigation. A series of additional enquiries is proposed. The following sections proceed in intricate detail, investigating the background, 'modus operandi', business links, financial transactions, business associates, and property holdings, all around the world, of several powerful members of Kenyan society linked to Daniel arap Moi.

The report is highly verifiable. Kroll UK, Transparency International, John Githongo, and <http://www.marskenya.org>, a Kenyan website that documents grand corruption incidents, are suggested for full or partial corroboration and the document appears consistent with the public record.

The leaked report's author: Kroll Associates UK Limited

Kroll Associates UK Limited is a limited liability company incorporated in England (registered number 2020412) whose registered office is at 10 Fleet Place, London, United Kingdom EC4M 7RB. Its father company Kroll Inc., headquartered in New York, US is a private investigation and security consulting firm founded by Jules B. Kroll in 1972. It provides corporate risk consulting services including financial advisory and investigations, identity fraud solutions, background screening, forensic accounting, bodyguard services, corporate restructuring, and security technology services. The company is now a subsidiary of Marsh & McLennan Companies who acquired it in July 2004.

The US government and the weapons industry is a major permanent contractor of Kroll Inc.^[9]

Kroll Inc. was also responsible for security of the World Trade Center site until it was destroyed in the 9/11 terrorist attacks.

In October 2004, the Brazil offices of Kroll Inc. were raided by the police because of alleged spying activities on the government. The company was originally reported to have been hired by the Brazilian investment firm Opportunity to investigate Telecom Italia, with whom it has been battling to gain control of Brazil Telecom, one of Brazil's largest telephone companies. Other notable cases include the corporate restructuring of Enron after its 2001 accounting scandal, the law enforcement monitoring of Los Angeles Police Department in a US federal consent decree mandating major reforms designed to end corruption and abuse.

Kroll UK has also investigated other Kenyan corruption scandals, such as the so-called Anglo-Leasing Scandal.^[10]

Andrew Marshal

Andrew R. Marshall is chief risk officer for Business Intelligence and Investigations. He joined Kroll in 2003 and has also been head of the Emerging Markets practice in Europe, Middle East and Africa.

Mr. Marshall spent 15 years in international journalism. He was foreign editor, Washington Bureau chief and Brussels Bureau chief for The Independent newspaper between 1990 and 2000. He also worked on the foreign staff of the Financial Times and for

Oxford Analytica.

He is the author, with Mathew Horsman, of *After the Nation-State* (HarperCollins, 1994) and has contributed to other books. He has widespread broadcasting and radio experience. [1]

His contact details are: +44 207 029 5162, amarshall@kroll.com

Secondary media based on the leak and this analysis



Mars Group Kenya, a Kenyan anti-corruption site, maintains a comprehensive page about the scandal.

- http://www.marsgroupkenya.org/pages/stories/looting_Kenya/index.php

The following lists are in reverse-chronological order (approximate):

Video

- NTV 2007-09-05: Kroll Report Was Presented to the Government in 2004
- NTV 2007-09-04: Why Was Kroll Report Kept Secret?
- CTV 2007-09-03: Wako Yet To Receive Kroll Report
- NTV 2007-09-03: Wako admits existence of Kroll Report
- NTV 2007-09-03: Kimunya Defends Govt On Kroll Dossier
- NTV 2007-09-01: British Government Blast Kenya Over Kroll Report
- NTV 2007-09-01: Fat cats of Africa
- NTV 2007-08-31: The Guardian Implicates Moi In Theft

Print

(Use username *cypherpunks* password *cypherpunks* for nationmedia.com)

- The East African: Steal from us, we'll pray over you
- Daily Nation, Nairobi: Why new corruption Bill cannot stop the looting of public coffers
- AllAfrica / Daily Nation, Nairobi: AG: I have not seen Kroll graft report
- Adfero, London
- Le Mali
- Sunday Times, South Africa
- Angola Press
- Guardian (Comment Is Free)
- Legalbrief, Africa
- Belfast Telegraph
- All Africa / East African Standard, Nairobi
- All Africa / The Nation, Nairobi

https://www.wikileaks.be/wiki/The_looting_of_Kenya_under_President_Moi

2/27/2008

- Daily Telegraph, London; story #2
- Sunday Nation, Nairobi
- Sunday Standard, Nairobi
- Slashdot
- International Herald Tribune
- Kenya Broadcasting Corporation
- MWC News, Vancouver
- Reuters; story #2
- The Independent, London
- International Herald Tribute / AP
- The Telegraph, UK
- Daily Nation, Nairobi; story #1
- Daily Nation, Nairobi; story #2
- Daily Nation, Nairobi story #3
- Guardian Unlimited
- Forbes / Associated Press
- Financial Times
- Reuters; story #1
- BBC News
- AFP
- UPI
- Sydney Morning Herald / Guardian, London
- Brisbane Times / Guardian
- All Africa / African Catholic Information Service, Nairobi
- All Africa / The Nation, Nairobi
- SW Radio Africa, Zimbabwe
- The Times Online, London
- good Mental Acrobatics
- Mashasa, Africa; forum #2
- Mashada, Africa; forum #1
- The Guardian, London; story #1

See also

- A US\$1.5 billion Charter House of horrors - 24 leaked documents and reports on the Charter House Bank (CHB) scandal
- leak:Githongo_report.pdf - John Githongo's February 2006 report into Kenyan Corruption.
- <http://www.newvision.co.ug/D/8/20/584125> - Good background from Uganda on the Aug 28 2007 sudden support of Moi for President Kibaki in the December 2007 Kenyan election.
- <http://news.bbc.co.uk/2/hi/business/3324369.stm> - BBC report from Dec 2003 referring to the then ongoing Kroll investigation

Joshua Kulei

Joshua Kulei has represented ex-president Daniel Arap Moi in over 50 companies operating in Kenya across all sectors of the economy. (page 18)

He also used banks in Luxembourg for ex-president Moi,Ãs confidential banking (page 33)

According to the report, Kulei has now relinquished all of his assets held under his name on behalf of the Moi family with the exception of ex-president Moi,Ãs flower business, The Trans-National Bank and NAS. (page 18)

Ownership of businesses

1. Trade World Kenya - 100% (page 19)
2. CFC Bank 12.5% (page 19)
3. CMC Holdings 15-20% (Client material Indicates Kulei also Nominee Director) (page 19)
4. Hotel intercontinental Nairobi 19% (page 19)
5. Sian Roses 40% (page 19)



Joshua Kulei, Former
"personal assistant" to

6. Ngata Flower Farm 50% (page 19)
7. Bamburi Cement 14% (Client material Indicates Kulei also Nominee Director) (page 19)
8. KTN (page 19)
9. National Milling Company (page 19)
10. Kenya Aerotech Ltd ,Äi Shareholder and also Nominee Director (page 19)
11. Regent Management ,Äi Not Known (page 19)
12. Sigiron Freight ,Äi 12.5%, Kabarak High School and client material Indicates Kulei also Nominee Director (page 19)

President Daniel arap Moi, on whom travel restrictions were imposed as a result of a previous corruption scandal, the Goldenberg affair.^[12]

Sits on the Board of Governors for the following schools and universities

1. Sacho High School (page 21)
2. Moi High School Kabarak (page 21)
3. Sunshine Secondary School (page 21)
4. Moi Educational Centre (page 21)
5. Kabarak University Council (page 21)

Trustee of

1. Sunshine Educational Trust (page 21)

Management Board member in

1. The Moi Africa Institute Kabarnet Gardens, Nairobi (page 21)

Properties

In the UK

1. 19 Eaton Park, Cobham, Surrey KT11 2JF valued at around 4.5 million sterling pounds (page 22)
2. Flat 11 No. 49, Lowndes Square, London, valued at 2 million sterling pounds (page 22)

In Kenya:

1. Courtyard Property Investment Ltd (page 22-23)
2. Regent Management ,Äi real estate holdings believed to be about 200 houses in all (page 23)
3. Lavington House (page 23)
4. Karen Residence (page 23)
5. Nakuru Residence (page 23)
6. C. Owns several unidentified properties in the United States of America (page 23)
7. D. Has property interests in South Africa (page 23)

Bank Balances (page 26)

| Bank | Account | Balance |
|---------------------|----------------------|-------------------|
| Middle East Bank | 200739027 | Kshs. 25 849 496 |
| Middle East Bank | 200739035 | Kshs. 19 899 262 |
| Middle East Bank | 200739043 | Kshs. 29 999 826 |
| Middle East Bank | 200739051 | Kshs. 29 757 775 |
| Middle East Bank | 200739078 | Kshs. 19 999 210 |
| I & M Bank | Unknown | Kshs. 150 million |
| Trans-National Bank | Unknown | Kshs. 27 million |
| Middle East Bank | Savings and Loans | Kshs. 45 million |
| Middle East Bank | Local House Mortgage | Kshs. 1 million |

Business Associates

1. Terror Kulei (page 26-27)
2. Pankaj Somaia (page 27)
3. Ketan Somaia (page 27)
4. Josiah Kiplagat (page 27-28)
5. Alnoor Kassam (page 28)
6. Mr. Tum (page 28)

Gideon Moi

Ownership of businesses

Client Material indicates ownership of the following:

1. Giro Bank ,Äi Held under Asian nominee businessmen
2. Taurino Enterprises
3. As alleged by Msamaha
4. KTN (Owned Standard Newspapers) - (page 19)
5. Siginon Freight ,Äi 12.5% - (page 19)
6. Trans-National Bank - (page 19)
7. Kent ship Maritime (page 30)
8. Sielei Properties Ltd (page 30)
9. Giant Holdings Ltd (page 30)
10. Revak Ltd (page 30)
11. Sudbury Ltd (page 30)
12. Sudbury Investments (page 30)
13. Giant Forex Bureau (page 30)
14. Westfield International Ltd (page 30)
15. Chesco Ltd (page 30)
16. Hampstead Enterprises (page 30)
17. Metipso Services Ltd (page 30).
18. Maternity Shop (page 30)
19. Eagle Airlines (page 30)
20. Chemusian Company (page 30)
21. Fresh Produce Ltd (page 30)
22. Siginon Freight ,Äi 12.5% (page 30)
23. Cartrack Kenya Ltd (page 30)
24. First American Bank (page 30)
25. Equatorial Bank (page 30)
26. The Sasine Group of farms (page 30)
27. Cable Wireless (page 30)
28. The Duty Free Company (page 31)
29. Eveready Company (H. Young) (page 31)
30. Tobacco Farm in Malawi ,Äi 100% (page 31)
31. Chester House ,Äi 50 % (page 31)
32. Safaricom Kenya (together with Biwott, Charles Field Marsham) ,Äi 40% (page 31)



Gideon Moi, son of ex-President Daniel arap Moi and a current (2007) member of the Kenyan parliament.^[13]

Source Enquiries indicate that Gideon owns the following:

1. Property ownership,ÄiOwned in Italy and Sultanate of Brunei (page 55)
2. Cut Tobacco Ltd (page 56)
3. Bank Accounts,ÄiSultanate of Brunei (page 56)
4. Sandhurst Matrix Inc (page 56)
5. Sapphire,ÄiManaged by Mr. Sevak (page 56)
6. Garlan Investments,ÄiDirector ,Äi Dr. Clemente (page 56)

Preliminary results of global searches conducted under Garian investments and Sandhurst Matrix Inc have not revealed any findings. Further searches are required. (page 56)

Properties

In the UK

1. Allegedly has two properties in London held under a trust set up by Mukesh Gohil (page 31)
2. In South Africa: Owns a number of properties in South Africa. His frontman is Harbinder Singh Sethi, has 74 properties listed under closed corporations all of which are registered in his name. (page 32)

Finance

1. United Kingdom: By the year 2002, Gideon,Ãs cash in various banks overseas amounted to 550 million sterling pounds (page 32)
2. Grand Cayman (page 32)
3. Luxembourg (page 32-33)
4. Dubai: Allen & Overy holds all of Gideon,Ãs accounts (page 33)
5. South Africa: Has accounts in South Africa and possibly Malawi. Gideon,Ãs frontman is Harbinder Singh Sethi (page 33)

Kenya

1. Eurobank: Currently under liquidation (page 34)
2. Giro Bank: Allegedly owns Giro Bank under a front of Asian nominees (page 34)
3. Trust Bank: Under Liquidation (page 35)
4. Citibank ,Ã prime exit point for Gideon,Ãs cash to his off-shore accounts (page 35)
5. ABN AMRO - to move illegally obtained cash emanating from corrupt deals to safe havens in off-shore accounts (page 35)
6. First American Bank: Client material suggests Naushad Merali and ex-president Moi control First American Bank (page 35)
7. SAMUT Trust: All of Gideon,Ãs monies invested in Kenya are held by a trust called SAMUT (page 35-36)

Business Associates

1. Mukesh Gohil (page 37)
2. Harbinder Singh Sethi (page 37)
3. Joshua Orwa Ojode (page 37)
4. Jared Kamgwana (page 37)
5. Dr. Kiplagat (page 37-38)
6. Donald Kipkorir (page 38)

Nicholas Biwott

Ownership of Businesses

1. Kobil Petrol ,Ã 100% (page 39)
2. Barsirim Investment ,Ã 100% (page 39)
3. Kiosinende Farm ,Ã 100% (page 39)
4. Rono Ltd. ,Ã 100% (page 40)
5. HZ Construction and Engineering ,Ã 100% (page 40)
6. HZ Group of Companies ,Ã 100% (page 40)
7. LZ Engineering ,Ã 100% (page 40)
8. Yaya centre (worth Kshs. 3.5 billion) ,Ã 100% (page 40)
9. Premier Group of Companies ,Ã 100% (page 40)
10. Air Kenya Aviation ,Ã 100% (page 40)
11. Pete Aviation and Electronics Ltd ,Ã 100% (page 40)
12. Ziba Management and Services ,Ã 100% (page 40)
13. HZ Group of Companies, Israel ,Ã 100% (page 40)
14. Lima Kenya ,Ã 50% (page 40)
15. Air Kenya ,Ã 50% (page 40)
16. National Milling Corporation ,Ã shareholder (page 40)
17. Safaricom Kenya (together with Gideon Moi, Charles Field Marsham) ,Ã 40% (page 40)
18. Team Simoco (He is majority shareholder) (page 102)

Open research indicates ownership of:



Nicholas Biwott, a wealthy Kenyan businessman and politician, previously linked to a number of crimes and corruption scandals though never convicted.[14]

1. Kenol-Kobil ,Ä Biwott controlled 17% of the private oil industry in Kenya (page 40)
2. Petrol Stations in Uganda operated through Kenol-Kobil and worth Kshs. 7 billion (page 40)
3. Wesmont ,Ä Independent power producer company owned by Biwott and Harbinder Sethi Singh (page 40)
4. Grand Diani Reef Hotel (page 40-41)
5. Regional Air (page 41)
6. H. Young and Company (page 41)
7. S. R Telecommunications Co. Ltd (page 41)
8. First American Bank (page 41)
9. Pan African Bank (no longer in operation) (page 41)
10. Middle East Bank (page 41)
11. Trans-National Bank (page 41)
12. Government of Kenya (page 41)

Open research indicates law firms representing his interests are:

1. Shapely & Berret Advocates (page 41)
2. Esmail & Esmail (page 41)
3. Kapila & Kapila (page 41)
4. De Gama Rose Advocates (page 41)
5. Law firm established by daughter Rita Biwott (page 41)

Properties

1. Kenya: bought a house in Riverside Drive from the Irish embassy that was paid for offshore on an undisclosed date (page 42)

Finance

Kenya

1. Middle East Bank: Biwott purchased Middle East Bank using Akber Esmail as a nominee (pg42)
2. Trade Bank: Biwott transferred his operations to Trade Bank, then owned by Alnoor Kassam. It,Äs also alleged that Trade bank was involved in export financing fraud to a #quantum of about Kshs. 700 million, that Trade Bank took over Yaya center from Kassam and that Solomon Muthamia, a forex dealer with the bank was entrusted with laundering the proceeds of Turkwell Gorge on behalf of Biwott and Moi. (page 42-45)
3. Pan African Bank: Kobil banked with Pan African Bank

Switzerland

1. Credit Suisse and Citibank (page 46)
2. Bank Cantonale Vaudoise: Significant amounts of money being moved from Bank Cantonale Vaudoise on behalf of Biwott (page 46-47)

Belgium

1. Banque Belgoise: Reported that Biwott and ex-president Moi are joint owners of Banque Belgoise, 40% of which is owned by Biwott (page 47)

Business Associates

1. Gad Zeevi (page 47-48)
2. Akber Esmail (page 48-49)
3. Naushad Merali (page 49-50)
4. Horatius de Gama Rose (page 50)
5. Mohammed Bawazir (page 50)
6. Mohammed Aslam (page 51)
7. Alnoor Kassam (page 51 -53)
8. Charles Field-Marsham (page 53)
9. Joseph Schwartzman (page 53-54)
10. Ben Sassoon (page 54)
11. Danny Vardi (page 54)
12. David Bartknowski (page 54)

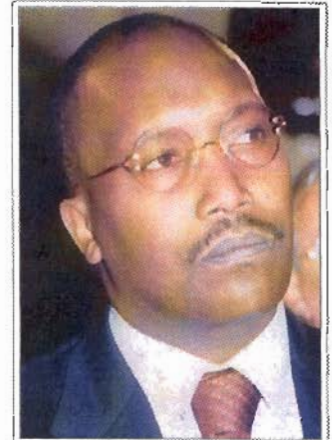
13. Biwott was involved in the siphoning of funds from the proceeds of Turkwell Gorge Hydro- Electric Dam Project (page 108)

Philip Moi

It is understood that Philip has an estimated wealth of approximately \$ 770 million and controls more hidden cash than Gideon, even though significant attention has been directed at the latter. (page 55).

Business links

1. Gateway Properties Inc, 1992 documentary evidence (page 55)
2. Paradise Holdings (page 55)
3. Sheraton Holdings (page 55)
4. Hahuru Investors (page 55)
5. General Commodity Dealers (page 55)
6. Kiharu Investors (page 55)
7. Concord Holdings, 1992 Connected to Goldenberg (page 55)
8. Panafcon Engineering (page 55)
9. Tiger Farm Limited (page 55)
10. Ecta Kenya Limited (page 55)



Philip Moi, son of ex-President Daniel arap Moi.

Finance

He operates accounts in London, 1992 Branch of HSBC and Standard Chartered Plc.

Barclays Bank (page 57)

The details of the account Philip Moi holds at Barclays bank are as follows:

Name of Bank: Barclays Bank Plc.
Address: Barclays Business Centre Hampstead High Street Branch, 28 Hampstead, London NW3 1 QB
Sort Code: 203616
Account Number: 90391158

As this information dates back ten years ago, it is possibly connected to Goldenberg

Credit Suisse Zurich, Switzerland. (page 57)

Rosanna Moi indicated that in October 2002, Philip Moi lost US Dollars 15 million to an Italian family on a deal that failed to deliver. This money was paid to his family through Philip, 1992 Sandhurst Matrix Inc account held at Credit Suisse, Zurich

Sultanate of Brunei (page 57)

Philip is a close friend of Prince Hamid of Brunei. Moi, 1992 family has invested heavily through Prince Hamid. The precise details of Philip, 1992 investments through these investments are not known. Philip, 1992 wife was planning to spend a vacation of Christmas 2003 in Brunei with their children.

Business Associates

1. Zara/Rosanna Moi (page 57)
2. Dr. Clemente (page 58)
3. Akasha Family (page 59)
4. Muzahim (page 59)

KTM report country index

What follows is a list of countries (excluding Kenya) involved in the holdings, transactions and other links of Moi's associates, as detailed in the original leaked report, KTM_report.pdf.

Australia

- Target 3's wife lived in Australia (page 15)
- Biwott's investment with commercial interests in Australia (page 39)
- Biwott / Ownership of a 10.000 hectare ranch (page 40)
- Mukesh Gohil / Directorship of two companies (page 65)
- Mukesh Gohil / Shantilal Brother (Australia) Pty Ltd (page 85)
- Mukesh Gohil / South Austral Pty Ltd (page 86)

Belgium

- Biwott / Moi (joint?) ownership of Banque Belolaise (page 47)
- Team Simoco / Simens International / Siemens Atea, the Belgian branch (page 104)

Brunei

- Philip is a close friend of Prince Hamid of Brunei (page 57)
- Moi's family has invested heavily through Prince Hamid (page 57)
- Philip's wife and children were planning to spend Christmas 2003 vacation in Brunei (page 57)

Canada

- Charles Field-Marshal / Biwott's son in law, manager Yaya Center / canadian citizenship and present residence (page 53)

Dubai

- Saimon Roadrekearek of Allen & Overy (page 33)
- Gideon telephone call to Mukesh (page 36)

Finland

- Public sector related fraud / Generators from Finland (page 110)

Germany

- \$200 million laundered via Frankfurt (page 8)
- Solomon Muthamia / Biwott's funds channelled to bank accounts in Germany (page 45)
- PAB / Aslam / Biwott's money recycles through unidentified German bank (page 46)
- Team Simoco / Siemens International / Siemens Group (page 104)
- Proceeds of Turkwell Gorge Hydro-Electric Dam Project / Unidentified banks (page 108)

Grand Cayman

- Gideon / Ken Boit (page 32)

Israel

- Biwott's investment with commercial interests (page 39)
- Zeevi's present residence / under investigation (page 48)
- Danny Vardi / Israeli national, former Israeli Defence Force, an advisor to the Israeli government of natural gas projects (page 54)
- David Bartknowski / Israeli national, Gad Zeevi's former CFO (page 54)

Italy

- Philip Moi / property ownership (page 55)

- Zara/Rosanna Moi / Philip's Italian wife / numerous bank operations (page 57)
- Zara/Rosanna Moi travelled from Italy to Leichtenstein and Switzerland (page 57)
- Zara/Rosanna Moi is relatively unknown, so Philip prefers to use her as his 'Italian connection' (page 58)
- Philip refuses to visit Italy, uses Dr. Cliemete to recover money (page 58)
- Mrs Moi was visiting Italy to meet Dr. Cliemete to discuss money (page 58)
- Philip provided cover to Italian families dealing with drugs in Malindi (page 59)

Japan

- Naushad Merali / contract secured to supply Daihatsu 4x4s to government parastatals (page 49)

Jersey

- Millions held (page 8)

Leichtenstein

- Zara/Rosanna Moi made visits to Leichtenstein (page 57)

Liberia

- Muzahim / Philip / counterfeiting (page 59)

Luxembourg

- Kulei / Moi / Gideon / CitiCorp / CitiBank / UBP (page 33)

Malawi

- Tobacco farm owned by Gideon (page 31)
- Gideon's meeting with Harbinder Singh Sethi (page 37)

Namibia

- President Sam Nujoma (page 13)
- Meeting with President Nujoma (page 29)

Netherlands

- Team Simoco / Background / Philips Electronics N.V. (page 102)

Puerto Rico

- Moi / Biwott / Zeevi's investment in oil refineries (page 48)

Russia

- Zeevi / Chernoy corrupt dealings

Somalia

- Muzahim / Philip / counterfeiting (page 59)

South Africa

- 74 closed corporations under the name of Harbinder Singh Sethi (page 10)
- Gideon (page 13)
- Kulei has property interests (page 23)
- 74 closed corporations under the name of Harbinder Singh Sethi (page 32)
- Gideon / Harbinder Singh Sethi (page 33)

- Sethi holds many of Gideon's assets, a ranch (page 37)
- Sethi flew the Moi's carrying cases of dollars (page 37)
- Gideon / Kiplagat / sale of \$650,000 Durban-based residential property (page 38)
- Harbinder Singh Sethi / resident in Sandton, Johannesburg (page 65)
- Harbinder Singh Sethi / property (pages 66-67)
- Sethi / 'member' of 74 closed corporations (pages 68-71)

Sudan

- Muzahim / Philip / counterfeiting (page 59)

Switzerland

- \$200 million laundered via UBP. (page 8)
- Geneva launder Gabriel Moussa Katri (page 8)
- \$100-\$500 million laundered via UBP (page 8)
- Transfer orchestrated by Mukesh Gohil (page 8)
- Credit Swiss / Sandhurst Matrix / Dr Clemente / Garian Investments (page 9)
- Gabriel Moussa Katri's \$200 million launder / UBP (page 24, 25)
- PAB / Aslam / Biwott's money recycles through unidentified Swiss bank (page 46)
- Zeevi and Biwott's accounts Credit Suisse in Geneva and Citiban in Zurich (page 46)
- Zeevi / \$12 million credit from Credit Suisse (page 46)
- Biwott / significant amount of money moved from Banque Cantonale Vaudoise (page 46)
- Philip Moi / lost US\$15 million process paid through account held at Credit Suisse, Zurich (page 57)
- Zara/Rosanna Moi visited Lugano in Ticino, a remote area but with over 100 banks (page 57)
- 'Not surprising' that Zara should visit Lugano, since major international drug barons favor this destination (page 58)
- Gabriel Moussa Katri / Banque Patrimoines Prives Geneve BPG SA (pages 89-90)
- Gabriel Moussa Katri / Discount Bank and Trust Company "The Recanati Bank" (pages 90-91)
- Gabriel Moussa Katri / Union Bancaire Privee (pages 91-92)
- Gabriel Moussa Katri / Banque Privee de Rothschild S.A. (pages 92-93)

Uganda

- Ownership of petrol stations operated through Kenol-Kobil (page 40)
- Biwott expelled in 1972 (page 48)
- Damani Harshad / Article in 'The Monitor' / Ugandan individual (page 79)

United Kingdom

- Mukesh Gohil / Citibank (page 9)
- HSBC / Standard Chartered PLC / Barclays (page 10, 56)
- 6.5 million pounds laundered into Surrey and Knightsbridge (page 10)
- Sovereign Group Ltd / Sovereign holdings (page 11)
- Hotels in London (page 13)
- Kulei and Moi properties in Surrey (page 22)
- Broadlands Overseas S.A (page 22)
- Lowdnes Square London (page 22)
- Kulei stock brokers (page 27)
- Gideon / Mukesh Gohil properties in London (page 31)
- \$50 million pounds laundered via Citibank (page 32)
- Mukesh / Gideon holdings in London (page 32)
- Chales Field-Marsham / code-sharing arrangement with British Airways (page 41)
- Rayner / resident in the UK (page 44)
- Solomon Muthamia / Biwott's funds channelled to bank accounts in UK (page 45)
- Field Marsham / work in an international investment bank in London (page 53)
- Philip Moi / issue cheques for the purchase of equipment for manufacturing cooking fat (page 56)
- Philip Moi / used HSBC account to buy equipment for Cut Tobacco Ltd. (page 56)
- Philip Moi / signed ,Ç\$500000 Barclays Bank cheques for and behalf of Gateway Properties Inc (page 56)
- Mukesh Gohil / Properties in Middlesex, Bedfordshire and Leicestershire (pages 61-64)
- Mukesh Gohil / Directorship of 3 companies (pages 64-65)
- Sethi / former directorships of 3 companies (page 67)
- Naushad Noorali Merali / Directorships in 2 companies (page 73)

- Merali / Holdings in several companies (pages 73-74)
- Rohit Pattni / Two properties in Middlesex and Surrey (pages 75-76)
- Rohit Pattni / Director of 6 companies (pages 76-78)
- Vaju Pattni / KP's brother is in London, travels to Birmingham, Manchester (page 79)
- Vaju Pattni / Property in Sudbury US\$1m (page 79)
- Damani Harshad / Located in Hertfordshire (page 79)
- Damani Harshad / Director of company (page 80)
- Hema Damani / Director of company (page 80)
- Vaju Pattni / Property searches (pages 80-81)
- Mukesh Gohil / Armada Services Ltd (page 84)
- Mukesh Gohil / Technology 4 All Ltd (page 84)
- Mukesh Gohil / Aandatta Ltd (page 85)
- Harbinder Sethi / BasicStone Ltd (pages 86-87)
- Harbinder Sethi / Canray Ltd (pages 87-88)
- Harbinder Sethi / Hollywood Electronics Ltd (pages 88-89)
- Naushad Merali / W.P.H Kenya Tea Ltd (page 94)
- Naushad Merali / Overseas International Telecommunications Ltd (pages 94-95)
- Akber Esmail / Steel Brothers and Company (pages 95-97)
- Horatius da Gama Rose / Symphony Global Technologies Plc (page 97)
- Rohit Pattni / Octogen Ltd (pages 97-98)
- Rohit Pattni / Riverton Securities Ltd (page 98)
- Rohit Pattni / Deonberry Finance Ltd (pages 98-99)
- Rohit Pattni / Ashym Properties Ltd (pages 99-100)
- Rohit Pattni / L Thomas & Company Ltd (page 100)
- Rohit Pattni / Fair Oak Investments Ltd (pages 100-101)
- Team Simoco / Corporate records listing (pages 103-104)
- Team Simoco / Team Communications / Company listings (page 104)
- Proceeds of Turkwell Gorge Hydro-Electric Dam Project / Unidentified banks (page 108)

United States

- Properties held (page 11)
- Kulei / Terer Kulei owns several properties in NY (page 23, 26)
- Alnoor Kassam / Zeevi agreement of sale of Trade Bank in NY (page 51)
- Field Marsham / work in an international investment bank in NY (page 53)

Zaire

- Muzahim / Philip / counterfeiting (page 59)

Index of names, company names and properties

| Name | Page reference(s) in KTM_report.pdf |
|----------------------------|-------------------------------------|
| 42 Villa Via Developments | 70 |
| 58 Cambridge | 68 |
| Aandata Limited | 85 |
| Aandatta Limited | 65 |
| ABN AMRO | 36, 107 |
| Africa Cargo Handling | 20 |
| Aga Khan Project | 103 |
| AIC Church | 20 |
| Air Kenya | 40 |
| Air Kenya Aviation Limited | 40 |
| Ajay Shah | 34, 36, 107 |
| Akasha Family | 109 |

| | |
|---|--------------------------------|
| Akbar Esmail | 9 |
| Akber Esmail | 40, 42, 47, 48, 49, 52, 74, 95 |
| Akes Management | 74 |
| Akif Hamid Butt | 94, 95 |
| Alec Furrer | 28 |
| Alexandre Zeller | 47 |
| Allen & Overy, Dubai | 33 |
| Allied Network Limited | 24 |
| Alnoor Kassam | 28, 42, 43, 44, 45, 48, 51, 53 |
| American Life Insurance Company | 20 |
| Amin Juma | 11, 103 |
| Anhalf Road Apartment | 20 |
| Anil Gordhanbai Patel | 86 |
| ANZ Grindlays Bank | 56 |
| Arbinter-Omnivalor S.A | 93 |
| Armada Services Limited | 64 |
| Armada Services Ltd | 84 |
| Arvindkumar Purshottam | 95 |
| ASCE International Group | 82 |
| Ashar Kimited | 24 |
| Ashok Gohil | 24 |
| Ashym Properties Ltd | 77, 99 |
| AVIS, Nairobi | 27 |
| Bachu Patel | 86 |
| Bamburi Cement | 19 |
| Banca Privata Edmond de Rothschild Lugano S.A | 93 |
| Banque Belgoise | 9, 40, 47, 74 |
| Banque Belgoise, Belgium | 15 |
| Banque Cantonale Vaudoise | 9, 46, 47 |
| Banque Cantonel de Vaudoise, Lausanne | 15 |
| Banque de Gestion Edmond de Rothschild, Monaco | 93 |
| Banque Patrimoines Prives, Bahamas | 26 |
| Banque Privee Edmond de Rothschild | 26 |
| Banque Privee Edmond de Rothschild Ltd, Luxembourg | 93 |
| Banque Privee Edmond de Rothschild Ltd, Nassau, Bahamas | 93 |
| Banque Privee Edmond de Rothschild SA | 93 |
| Banque Privee Edmond de Rothschild S.A, Hong Kong | 93 |
| Banque Privee Edmond de Rothschild S.A, Switzerland | 92, 93 |
| Banques Patrimoines Prives Geneve BPG SA | 89 |
| Barclays Bank | 10, 56 |
| Barclays Bank, London | 15, 57 |

| | |
|---------------------------------------|---|
| Barclays Bank PLC | 76 |
| Barsirim Investment | 39 |
| Basic Stone Limited, UK | 67 |
| Basic Stone Ltd | 86 |
| Benedic Fontanet | 89 |
| Benjamin de Rothschild | 93 |
| Ben Sassoon | 54 |
| Bhupesh Harshadray Rana | 96 |
| Bhupesh Rana | 75 |
| BIDCO | 40 |
| British Airways | 41 |
| Broadlands Overseas S.A | 22 |
| Cable & Wireless | 30 |
| Canray Limited, UK | 67 |
| Canray Ltd | 87 |
| Canterbury Close no. 1 | 69 |
| Canterbury Close no. 10 | 69 |
| Canterbury Close no. 11 | 69 |
| Canterbury Close no. 12 | 69 |
| Canterbury Close no. 31 | 69 |
| Capital Project Transport | 20 |
| Cartrack Kenya Limited | 30 |
| CBI-UBP International Ltd | 92 |
| Central Bank | 110 |
| Central Bank of Kenya | 34, 42, 43, 44, 45, 51, 52, 107, 108, 109 |
| Centre Trust Ltd, Jersey | 92 |
| CFC Bank | 19 |
| Chalton Oakes no. 40 | 69 |
| Chalton Oakes no. 42 | 69 |
| Charles Field-Marsham | 20, 31, 40, 41, 53, 82, 83, 103 |
| Charles Njonjo | 20 |
| Chemusian Company | 30 |
| Chen | 24 |
| Chepkonga | 37 |
| Cherengani Farm | 20 |
| Chernoy (money launderer from Russia) | 48 |
| Chesco Limited | 30 |
| Chester House | 31, 37 |
| Chrysanthus Okemo | 41, 82 |
| Chrysantus Okemo | 12 |
| Citibank | 9, 33, 36, 107 |
| Citibank, Nairobi | 15, 46 |
| Citibank, Zurich | 15, 46 |
| Citicorp | 14, 33 |

| | |
|---|--|
| Citicorp, Luxembourg | 10 |
| Claude Brechbuhi | 89 |
| Claude Clifford Greaves | 89 |
| Claude Nordmann | 90 |
| CMC Holdings | 19 |
| Commercial Bank of Africa | 49, 74 |
| Commissioner of Lands | 34, 107 |
| Concord Holdings | 55 |
| Continental Investment Bank, Grand Cayman | 92 |
| Coteges, Geneva | 92 |
| Courtyard Property Investment Limited | 22 |
| Coventry Building Society, Economic House, Coventry | 80 |
| Credit Suisse, First Boston | 53 |
| Credit Suisse, Geneva | 15, 46 |
| Credit Suisse, Zurich | 8, 15, 57 |
| Cromwell Accountants Limited | 85 |
| Crown Agents, UK | 27 |
| Cut Tobacco Limited | 56 |
| Cyrus Jirongo | 30, 31, 34 |
| Da Gama Rose Advocates | 41 |
| Da Gama Rose Group of Companies | 50 |
| Damani Group | 79 |
| Damani Harshad | 79 |
| Damji Chhotolal Pattni | 98, 99, 100, 101 |
| Damji Pattni | 77 |
| Daniel Arap Moi | 9, 10, 12, 13, 14, 14, 18, 19, 20, 22, 24, 27, 28, 29, 31, 33, 36, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 53, 74, 82, 106 |
| Daniel Treves | 93 |
| Danny Vardi | 54 |
| Dan Vardi | 83 |
| Darrenwood no. 47 | 69 |
| Data Centre | 52 |
| Date Centre | 51 |
| David Alan Aldous | 94 |
| David Bartknowski | 54 |
| Deepak Kamani | 20 |
| De Gama Rose Advocates | 11 |
| Delphis Bank (former BCCI) | 36 |
| Deonberry Finance Limited | 77 |
| Deonberry Finance Ltd | 98 |
| Dilip M. Patel | 87 |
| Diners Finance | 51, 52 |
| Discount Bank & Trust Company | 26 |
| Discount Bank & Trust Company ,Äö√Ñ√/The | 90 |

| | |
|-----------------------------------|---------------------|
| Recanati Bank, Ἀδελφότητα | |
| Donald Kipkorir | 14, 36 |
| Donal Kipkorir (Dr) | 38 |
| Dr. Clemente | 9, 15, 56, 58 |
| Dr. Clemente (Garian Investments) | 56 |
| Dr. Kiplagat | 12, 32, 38 |
| Dr. Kiplgat | 37 |
| DT Dobie Car Distributors | 20 |
| Duty Free Company, The | 31 |
| Eagle Airlines | 30 |
| Ecta Kenya Limited | 55 |
| Edgar De Piciotto | 91 |
| Edgar Pincotto | 25 |
| Edwin Ruhil | 91 |
| Eliphaz Riungu | 43, 44, 109 |
| Equator Flowers, Eldoret | 19 |
| Equatorial Bank | 27, 30 |
| Equity Stockbrokers | 31 |
| Erf 6536, Loots Park | 69 |
| Erf 6542, Loots Park | 69 |
| Erf 6544, Loots Park | 69 |
| Eric Kotut | 43, 43, 44, 51, 109 |
| Esmail & Esmail | 11 |
| Esmail & Esmail Advocates | 41 |
| Euro Bank | 34, 45, 107 |
| Evelyn de Rothschild | 93 |
| Eveready Batteries | 74 |
| Eveready Company | 31 |
| Ezekiel Oyugi | 27 |
| Fairoak Investments Limited | 78 |
| Fairoak Investments Ltd | 100 |
| Fairview Hotel | 38 |
| Fauzia Shah | 94 |
| Fidulex S.A, Switzerland | 92 |
| Firestone Africa | 20 |
| Firestone East Africa | 74 |
| First American Bank | 30, 36, 41, 74 |
| First Force Security Company | 31 |
| Fontenay no 11 | 69 |
| Fontenay no 22 | 69 |
| Fontenay no 38 | 69 |
| Fontenay no 44 | 69 |
| Fontenay no 47 | 69 |
| Fontenay no 64 | 69 |

| | |
|---------------------------------------|---|
| Fontenay no 76 | 69 |
| Fontenay no 78 | 69 |
| Francis Michuki | 104 |
| Francois Hottinger | 93 |
| Francois Moser | 90 |
| Francois Rouge | 89 |
| Fresh Produce Limited | 30 |
| Gabriel Katri Moussa | 30 |
| Gabriel Moussa Katri | 8, 14, 24, 25, 26, 89 |
| Gad Zeeri | 15 |
| Gad Zeevi | 43, 44, 45, 46, 48, 51, 52, 53, 54, 108 |
| Gambit Holdings Limited | 21 |
| Garian Investments | 9, 56 |
| Gateway Properties Inc | 55, 56 |
| General Commodity Dealers | 55 |
| Gen. Mohammed | 110 |
| Geoffrey Kenoi | 45 |
| George Saitoti | 12, 19, 41, 42, 44, 45, 52, 82 |
| George Tuwey | 83 |
| Gerard Modoux | 90 |
| Giant Forex Bureau | 30 |
| Giant Holdings Limited | 30 |
| Gideon Moi | 8, 12, 13, 14, 18, 19, 20, 24, 29, 30, 31, 32, 33, 34, 36, 37, 38, 40, 41, 55, 65, 74, 82 |
| Gideon Ndambuki | 44, 110 |
| Giro Bank | 31, 34, 107 |
| GK Finance | 25 |
| Goldenberg | 43, 55, 57, 59, 75, 77, 106, 109 |
| Government of Kenya | 20, 82 |
| Grace J. Kipyator | 21 |
| Graemes d**e Property Company Limited | 80, 81 |
| Grand Diani Reef Hotel | 40 |
| Great Rift Transporters Limited | 21 |
| Guy Pinccotto | 25 |
| Guy Wais | 93 |
| Habinder Singh Sethi | 37 |
| Hahuru Investments | 55 |
| Hampstead Enterprises | 30 |
| Harbinder Sethi | 86, 89 |
| Harbinder Singh Sethi | 10, 14, 32, 33, 40, 65, 66, 67, 68, 71 |
| Harji Laxman Gohil | 62 |
| Harshad Manubhai Patel | 88 |
| Helmut Maucher | 91 |
| Hema Damani | 80 |
| Heritage All Insurance Company | 19 |

| | |
|--|--------------------|
| Hollywood Electronics Ltd | 88 |
| Hollywood Electronics, UK | 67 |
| Horatius da Gama Rose | 49, 50, 74, 97 |
| Horatius Mirabo da Gama Rose | 15 |
| Hotel Intercontinental, Nairobi | 19 |
| HSBC | 15, 56 |
| HSBC Bank | 10, 22 |
| H. Young | 31, 53 |
| H. Young & Company | 41 |
| HZ Construction | 52 |
| HZ Construction and Engineering | 46, 48 |
| HZ Construction & Engineering | 40, 108 |
| HZ Group | 103 |
| HZ Group of Companies | 40, 53 |
| HZ Group of Companies, Israel | 40 |
| Ian Allan | 82 |
| Ian Rayner | 44, 110 |
| I&M Bank | 26 |
| Incoronata Trading | 71 |
| Intercontinental Churchill Hotel, London | 14 |
| Intercontinental Hotel, Nairobi | 28 |
| Intercontinental Hotels | 28 |
| Iqbal Kassam | 43, 51, 52 |
| Jacob Frenkel | 91 |
| Jacques Andre Reymond | 93 |
| Jaihindbala Ganatra | 80 |
| James Kanyotu | 31, 41, 49, 50, 74 |
| Jared Kangwana | 20, 37 |
| Jean-Francois Furer | 89 |
| Jean-Francois Gin | 89 |
| Jean Pierre Mongon | 98 |
| Jean Zwahlen | 91 |
| Jeffrey Kinwa, DPF | 15 |
| Jeffrey Tessler | 25 |
| Jeremiah Kiereini | 20 |
| J K Musyimi | 12, 82 |
| JK Musymi | 41 |
| John Alexander | 93 |
| John Matere Keriri | 103 |
| John Michael Arkley | 98 |
| John Michuki | 104 |
| Jonathan Mark Falkner | 98 |
| Joseph Assaraf | 90 |
| Joseph Kanouf | 93 |

| | |
|------------------------------------|--|
| Joseph Schwartzman | 53 |
| Joshua Kulei | 12, 13, 14, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 30, 31, 33, 49, 51, 77 |
| Joshua Orwa Ojode | 37 |
| Josiah Kiplagat | 27, 28 |
| Josna Haria | 84 |
| J. Thompson & Company | 77 |
| Jyotsna Vinod Patel | 88 |
| Kabarak Farm | 20 |
| Kabarak High School | 19, 30 |
| Kabarak University | 21 |
| Kamlaben Mohanlal Gohil | 63 |
| Kamlesh Hasmukhlal Gohil | 86 |
| Kamlesh Pattni | 13, 31, 79 |
| Kamsons Limited | 20 |
| Kandan Gohil | 63 |
| Kangwana | 20 |
| KANU | 106 |
| Kapila & Kapila | 11 |
| Kapila & Kapila Advocates | 41 |
| Kapsinende Farm | 39 |
| Kassam | 15 |
| Kelso Place Asset Management | 102 |
| Ken Boit | 14, 32 |
| Kencell | 74 |
| Kenchic Limited | 20 |
| Ken Kiplagat | 14 |
| Kenol and Kobil | 46 |
| Kenol-Kobil | 40 |
| Kenol Petroleum | 20 |
| Kent Ship Maritime | 30 |
| Kenya Aerotech Ltd | 19 |
| Kenya Airways | 20 |
| Kenya Commercial Bank | 20, 41 |
| Kenya Pipeline | 46, 48, 106, 108 |
| Kenya Pipeline Company | 18 |
| Kenya Police | 103 |
| Kenya Ports Authority | 50, 104 |
| Kenya Postal Corporation | 40 |
| Kenya Power & Lighting Company | 109 |
| Kenya Power & Lighting Company Ltd | 106 |
| Kenya Seed Company | 12, 28 |
| Keshavji Khimji Kukadia | 96 |
| Kestrel Capital | 53 |
| Ketan Somaia | 27, 36, 110 |

| | |
|---|---------|
| Kiharu Investors | 55 |
| Kilgoris Farm | 20 |
| Kilonzo (former police commissioner) | 45 |
| Kiran Manilal Kotecha | 85 |
| Kobil | 20 |
| Kobil Petrol | 39 |
| Kogo | 14, 36 |
| Korninklijke Philips Electronics N.V, Netherlands | 102 |
| KPMG | 102 |
| Krishnakant Dhirubhai Patel | 87 |
| KTN | 19 |
| Kundan Gohil | 63 |
| Lazarus Simonorsky | 89 |
| LCF Rothschild Ltd, London | 93 |
| Leon Recanati | 90 |
| Lima Finance | 43 |
| Lima Kenya | 40 |
| Lima Limited | 41, 43 |
| Lima Ltd | 53, 82 |
| L Thomas & Company Ltd | 77, 100 |
| Luc Argand | 93 |
| LZ Engineering | 40 |
| Madhu Pattni | 76 |
| Maini Thomarn | 89 |
| Maisha International Limited | 50 |
| Maisha PLC | 50 |
| Maitori Gohil | 64 |
| Makbul Mohamed Kassamali Jaffer | 95 |
| Manjit Sethi | 89 |
| Manuel Dami | 93 |
| Maria Raj Rani Gulani | 80 |
| Mark Bor | 12, 41 |
| Mark Bot | 82 |
| Matere Kerere | 12 |
| Maternity Shop | 30 |
| MDI Consultancy | 20 |
| Merinda Investments | 31 |
| Metipso Services Limited | 30 |
| M.H. da Gama Rose | 40 |
| Mica Chasren | 51 |
| Micah Cheserem | 51 |
| Michael Recanati | 90 |
| Michael Somen | 50 |
| Michel Cicurel | 93 |

| | |
|---|--------------------------------------|
| Michel Delazun | 89 |
| Michel Potsios | 89 |
| Middle East Bank | 9, 26, 41, 42, 47, 108 |
| Mike Eldon | 49, 50 |
| Miles Donnelly | 20 |
| Mirabeau Horatius Da Gama Rose | 83 |
| Mobil | 48 |
| Mohammed Aslam | 46, 51, 52 |
| Mohammed Bawazir | 50 |
| Mohammed Esmail Chogley | 85 |
| Mohanlal Lalji Gohil | 63 |
| Moi Africa Institute | 21 |
| Moi Educational Centre | 21 |
| Moi High School, Kabarak | 21 |
| Moi University, Kabarak | 20 |
| Moneyline 1605 | 68 |
| Moody Awori | 50 |
| Morris and Company | 20 |
| Morton Hyman | 90 |
| Moshe ****egman | 83 |
| Mr. Deche | 12, 41, 82 |
| Mrs. DT Dobie | 27 |
| Mr. Sevak | 56 |
| Msamaha | 20, 22, 31, 33, 37, 47, 53, 65 |
| Mugoya Construction | 31 |
| Muhoho Kenyatta | 49, 74 |
| Mukesh Gohil | 8, 9, 14, 31, 32, 37, 64, 84, 85, 86 |
| Mukesh Keshavlal Gohil | 63 |
| Mukesh Mansukhlal Vaya | 96 |
| Mukesh Shamji Gohil | 63 |
| Mukesh Vaya | 75 |
| Mumelo | 110 |
| Mumelo, Head of Foreign Exchange , Central Bank of Kenya | 43 |
| Mungai | 20, 20 |
| Mutula Kilonzo | 24 |
| Muzahim | 15 |
| Muzahim (car dealer/drug baron) | 59 |
| Nairobi Airport Services | 18, 20 |
| Nairobi Kisumu Eldoret Oil Pipeline | 109 |
| Nalin Hansa Gohil | 62 |
| Nandini Rohit Pattni | 76 |
| Narendra Ganatra | 80 |
| Narendra Gohil | 84 |
| Narendra Shamji Gohil | 63 |

| | |
|---|--|
| Nasir Ali Ibrahim | 15, 16 |
| Nathaniel. Tum | 12, 28 |
| National Milling Company | 19 |
| National Milling Corporation | 19, 40 |
| National Westminster Home Loans Ltd | 76 |
| Nationwide Building Society, Swindon | 64 |
| Naushad Merali | 20, 30, 31, 36, 41, 49, 50, 53, 73, 74, 94 |
| Ndegwa Family | 49 |
| Ngata Flower Farm | 19 |
| NHIF | 34, 107 |
| NIC Bank | 19 |
| Nicholas Biwott | 12, 19, 20, 24, 27, 30, 31, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 65, 74, 82, 83, 102, 103, 108, 109 |
| Nicholas Brunschwig | 91 |
| Nick Cochran | 102 |
| Niharika Harshad Patel | 87 |
| Niral Harshad Patel | 88 |
| Nisar Juma | 103 |
| Nissar Juma | 11 |
| Nordfinanz Bank Zurich | 92 |
| Northwold Manor no. 10 | 70 |
| Northwold Manor no 36 | 69 |
| Northwold Manor no 47 | 69 |
| Northwold Manor no 9 | 69, 70 |
| N.R Pavitt | 21 |
| NSSF | 34, 107 |
| Nyachae | 20 |
| Octogen Ltd | 76, 97 |
| Olivier Steimer | 47 |
| Olivier Vodoz | 91 |
| Oudi Recanati | 90 |
| Overseas International Telecommunications Ltd | 73, 94 |
| Palu-Zara | 70 |
| Pan African Bank | 41, 46, 48, 108 |
| Pankaj Rana | 75, 96 |
| Pankaj Somaia | 27 |
| Panther Investments | 109 |
| Paradise Holdings | 55 |
| Paraha Investment no. 1 | 70 |
| Paraha Investment no. 2 | 70 |
| Paraha Investment no. 3 | 70 |
| Paraha Investment no. 4 | 70 |
| Paraha Investment no. 5 | 70 |
| Parimal Ranchoddas Devani | 85 |
| Paul Brooks | 82 |

| | |
|--|-------------------------------|
| Paul Muite | 15, 16 |
| Penafcon Engineering | 55 |
| Penohatek Electrical & Security Systems | 71 |
| Pete Aviation & Electronics | 83 |
| Pete Aviation & Electronics Limited | 40, 53 |
| Philip King | 12, 103 |
| Philip Meyer | 24 |
| Philip Moi | 9, 12, 15, 55, 56, 57, 58, 59 |
| Philip Murgor | 20 |
| Philippe Grunbach | 90 |
| Philips PMR | 102 |
| Philips RCS Ltd | 102 |
| Phillip Meyer | 24 |
| Phillip Moi | 24 |
| Piero Theodore Soteriou | 96 |
| Pierre-Alain Blum | 91 |
| Pierre Resplinger | 91 |
| Pirasia Ltd | 93 |
| P.K. Jani | 20, 30 |
| Postal Corporation of Kenya | 20, 31 |
| Pratixa Gohil | 62 |
| Premier Group of Companies | 40 |
| Premkunwar Gohil | 62 |
| President Sam Nujoma (Namibia) | 13 |
| Pricewaterhouse Coopers S.A | 93 |
| Prince Hamid of Brunei | 57 |
| Private Investments Bank Ltd, Nassau Bahamas | 89 |
| Pye Telecommunications | 102 |
| Rai Plywood, Eldoret | 20 |
| Rajan Dadubhai Patel | 87 |
| Rakhee Impex Trading | 68 |
| Rangers Restaurant | 9 |
| Rashid Sajjad | 50 |
| Rasiklal Chhotalal Kantaria | 96 |
| Rasiklal Kantaria | 75 |
| Ravenseft Properties | 80, 81 |
| Ravens Hill no. 29 | 69 |
| Ravens Hill no. 46 | 69 |
| Ravens Hill no. 47 | 69 |
| Ravens Hill no. 49 | 69 |
| Ravens Hill no. 51 | 70 |
| Regent Management | 19, 23, 31 |
| Regional Air | 41 |
| Rene Nicolazzi | 90 |

| | |
|---|--------------------------|
| Representacion B.P. de Rothschild SA, Montevideo, Uruguay | 93 |
| Revak Limited | 30 |
| Richard Lendi | 90 |
| Richard Thoman | 91 |
| Ri-Decent Diamonds (SA) | 71 |
| Rift Valley Agencies Limited | 21 |
| Rita Biwott | 11, 41 |
| Rita Soni | 75, 77, 98, 99, 100, 101 |
| Riverglades no. 159 | 70 |
| Riverglades no. 255 | 70 |
| Riverglades no. 277 | 70 |
| Riverton Securities | 76 |
| Riverton Securities Ltd | 98 |
| Robert Ouko | 54 |
| Robert Soteriou | 96 |
| Rohit Chhotolal Pattni | 75, 76 |
| Rohit Chhotolal Pattni | 99, 100, 101 |
| Rohit Kuma Pattni | 75 |
| Rohit Pattni | 75, 77, 97, 98 |
| Rono Limited | 40 |
| Rosanna Moi | 57 |
| Rossana Moi | 15 |
| Royunga | 43 |
| Ryce Motors | 49, 74 |
| Sacho High School | 21 |
| Safaricom Kenya | 20, 31, 40, 53 |
| Safariland Club | 31 |
| Sahida Begum | 62 |
| Sally Kosgei | 12, 82 |
| Sally Kosgey | 41 |
| Salmon Roadrodearek, Allen and Overy , آδvÑv+ Dubai | 14 |
| Salmon Roadrodeark | 33 |
| Sameer Industries | 74 |
| Sameer Investments | 74 |
| Sam Nujoma | 29 |
| Samuel Gichuru | 109 |
| Samuel Karuthi Murage | 11, 12, 103 |
| SAMUT Trust | 14, 36, 74 |
| SAMUT Trust Kenya | 11 |
| Sandhurst Matrix Inc | 56, 57 |
| Sandip Vinod Patel | 88 |
| Sani Abacha | 24, 25 |
| Sanjay Keshavji Vaya | 97 |

| | |
|---|--------|
| Sanjay Vaya | 75 |
| Saphire | 56 |
| Saraswati Gohil | 85, 86 |
| Sasini Group of Farms, The | 30 |
| Satinder Singh Sandu | 88 |
| Schwartzman | 31 |
| Sepura | 102 |
| Shantilal Brother (Australia) Pty Ltd | 65, 85 |
| Shapley Barret Advocates | 41 |
| Sharpley & Berret Advocates | 11 |
| Sheldon Gordon | 91 |
| Shelley Norohha Merville | 95 |
| Sheraton Holdings | 55 |
| Shrin Esmail (Akber Esmail, AðvNv's mother) | 48 |
| Sian Roses | 19, 31 |
| Sieel Properties Limited | 30 |
| Siemens Atea | 104 |
| Siemens Group | 104 |
| Siemens International | 104 |
| Siginon Freight | 19, 30 |
| Simeon Nyachae | 110 |
| Simoco | 102 |
| Simoco Digital | 102 |
| Sirma | 14, 36 |
| Sixbar Trading 299 | 71 |
| Societe Genevoise d, AðvNv Investissements | 25 |
| Solomon Muthamia | 45, 45 |
| South Austral Pty Limited | 86 |
| South Austral Pty Ltd | 65 |
| Sovereign Group | 11, 21 |
| Sovereign Holdings | 21 |
| Sovereign Holdings Ltd, UK | 11 |
| Special Branch | 49 |
| Spirit Wind Investments | 68 |
| Spirit Wind Investments 114 | 68 |
| S. R. Telecommunications Co. Limited | 41 |
| Stanbic Bank, Durban | 38 |
| Standard Chartered PLC | 10, 56 |
| Standard Chartered PLC, London | 15 |
| Standard Newspapers | 19 |
| Steel Brothers and Company (Overseas Investments Ltd) | 95 |
| Steel Brothers (Overseas Investment) Ltd | 75 |
| Stoney Athi River | 19 |
| Stuart Armitage | 49, 74 |

| | |
|--|---------------------------------------|
| Sudbury Investments | 30 |
| Sudbury Limited | 30 |
| Suleiman Murunga | 44 |
| Suleiman Murunga | 110 |
| Sunshine Educational Trust | 21 |
| Sunshine Secondary School | 21 |
| Susan Temple | 84 |
| Symphony Global Technologies PLC | 50, 97 |
| Tana River project | 109 |
| Tarachand Devidass Gulani | 80 |
| Taurino Enterprises | 31 |
| Team Communications International Ltd | 104 |
| Team Communications Ltd | 104 |
| Team Communications Services Ltd | 104 |
| Team Communications (UK) Ltd | 104 |
| Team Simico | 11 |
| Team Simoco | 12, 40, 102, 103 |
| Team Telcom Group Ltd | 102 |
| Technology 4 All | 84 |
| Technology 4All Limited | 64 |
| Telkom Kenya | 41 |
| Terer Kulei | 26, 27 |
| Terry Davidson | 15, 46 |
| Thabazimbi Game Lodge | 70 |
| The Akasha Family | 59 |
| The Mau Farm | 20 |
| The Ndegwa family | 19, 20 |
| The Pan Paper House Limited | 21 |
| The Rai family | 20 |
| The Risk Advisory Group (TRAG) | 54 |
| Tiger Farm Limited | 55 |
| Toremor Investments 102 | 70 |
| Torino Enterprises | 34 |
| Trade Bank | 42, 43, 44, 45, 48, 51, 52, 109 |
| Trade World Kenya | 19 |
| Trans National Bank | 8, 9, 14, 18, 20, 24, 26, 31, 40, 106 |
| Trevor Salathe | 93 |
| Trinity Enterprises | 40 |
| Triple Check (UK) Ltd | 88 |
| Trust Bank | 34, 36, 107 |
| Turkwel Gorge Hydroelectric Dam Project | 108 |
| Turkwel Gorge | 45 |
| Turkwel Gorge Hydro-Electric Dam Project | 42 |
| Turkwel Gorge Project | 48 |

| | |
|--|-------------------|
| Ubarn International Management (Hamilton) Ltd, Bermuda | 92 |
| UBP Asset management | 92 |
| UBP Asset Management (Jersey) Ltd | 92 |
| UBP (Bahamas) Ltd/ UBP International Trust Ltd (Bahamas) | 92 |
| UBP London | 92 |
| UBP Switzerland | 92 |
| Uhuru Highway Development Real Estate Company | 40 |
| Uhuru Kenyatta | 74 |
| UK Surplus Stock | 80 |
| Unilever | 51 |
| Union Bancaire Privee | 8, 24, 25, 26, 33 |
| Union Bancaire Privee, Luxembourg | 10, 14 |
| Union Bancaire Privee, Zurich | 91 |
| Unit 11 Kingsley Place | 70 |
| Unit 18 Kingsley Place | 68 |
| Unit 22 Kingsley Place | 68 |
| Unit 9 Kingsley Place | 70 |
| Vaizman Aharoni | 82 |
| Vaju Pattni | 79 |
| Vexma Properties 200 | 70 |
| Via Veneto no 14 | 70 |
| Via Veneto no 30 | 70 |
| Via Veneto no 34 | 70 |
| Via Veneto no 36 | 70 |
| Via Veneto no 38 | 69 |
| Vijay Thakore | 87 |
| Villa Via no 9 | 70 |
| Villa Via no 22 | 69 |
| Villa Via no 24 | 69 |
| Villa Via no 31 | 70 |
| Villa Via no 33 | 70 |
| Villa Via no 37 | 70 |
| Villa Via no 39 | 70 |
| Villa Via no 41 | 70 |
| Villa Via no 46 | 70 |
| Villa Via no 48 | 70 |
| Villa Via no 50 | 70 |
| Wallaby Properties | 70 |
| Walter Bium Gentilomo | 93 |
| Westfield International Ltd | 30 |
| Westmont | 40 |
| Wetdan W47 | 69 |

| | |
|----------------------------------|------------|
| Wetdan W55 | 69 |
| William Sambu | 21 |
| Wilson Airport | 74 |
| Wilson Boinett | 20, 65, 74 |
| W.P.H. Tea Limited | 73 |
| W.P.H. Tea Ltd, Surbiton, UK | 94 |
| Yana Air Cargo | 74 |
| Yaya Centre | 40, 45, 53 |
| Zara Moi | 57, 58 |
| Zarina Naushad Merali | 95 |
| Ziba Management Services | 83 |
| Ziba Management Services Limited | 54 |
| Zioa Management & Services | 40 |

Notes & References

- ↑ Githongo's courageous whistleblowing actions have been the subject of much international media attention. See, for instance, John Githongo's page on this wiki, and a profile in the New Statesman from February 2006, available at <http://www.newstatesman.com/200602060018>.
- ↑ See, for instance, 'State Changes Tune on Looted Billions Abroad', <http://www.globalpolicy.org/nations/lauder/regions/2005/0519tune.htm>, May 19, 2005, written as the investigation was wound down by the Kenyan government. Kroll also played a role in the investigations of the Anglo Leasing investigations, see e.g. 'Githongo secret diary', <http://allafrica.com/stories/200601240569.html>.
- ↑ See <http://www.warmafrika.com/index/geo/9/cat/1/a/a/artid/135>
- ↑ See, e.g., in Time Magazine's article on Githongo, <http://www.time.com/time/magazine/article/0,9171,901060306-1167713-1,00.html>: 'Githongo's crusade started at a time of great hope. In 2002, Mwai Kibaki, head of the National Rainbow Coalition, won the presidency, promising an end to corruption as "a way of life."'
- ↑ See, e.g., 'Kenya's anti-graft czar resigns', <http://news.bbc.co.uk/2/hi/africa/4243619.stm>, and 'Kenya graft fighter threatened', <http://news.bbc.co.uk/2/hi/africa/4249679.stm>.
- ↑ 'Kenya: What Moi-Kibaki Alliance Means', <http://allafrica.com/stories/200708281270.html>.
- ↑ 'Kenya: Kibaki Appoints Moi Peace Envoy', <http://allafrica.com/stories/200707250755.html>.
- ↑ The table of contents is not easy to follow and does not make this clear, but there are 'sectioning' pages. It is a 'consolidated report', perhaps consolidating smaller reports. There are duplicate sections for some individuals investigated. The table of contents refers to an 'Introduction' section, which apparently has been redacted.
- ↑ see, e.g. http://www.motherjones.com/news/feature/1998/03/private_eye.html
- ↑ As documented by Githongo himself: see 'Githongo secret diary', <http://allafrica.com/stories/200601240569.html>.
- ↑ <http://www.kroll.com/services/ifai/professionals/marshall/>
- ↑ See, e.g., http://en.wikipedia.org/wiki/Goldenberg_scandal#Travel_restrictions and <http://news.bbc.co.uk/2/hi/africa/4711546.stm>.
- ↑ See, e.g., http://en.wikipedia.org/wiki/Gideon_Moi.
- ↑ See, e.g., http://en.wikipedia.org/wiki/Nicholas_Biwott and <http://allafrica.com/stories/200503020867.html>.

Retrieved from "https://wikileaks.be/wiki/The_looting_of_Kenya_under_President_Moi"

Categories: Analyses | Kenya | Published | Featured analyses

Get press releases:

Apply to volunteer: