



By Dauti Kahura



Nairobi, Kenya - THEY NEVER LEAVE YOU ALONE EVEN AFTER YOU'VE BEEN TRANSFERRED

The call came at precisely 3.00pm. My interlocutor could have easily ignored the vibrating mobile phone that was swivelling on the table, but on second thoughts, he chose to pick up the Nokia feature phone. On seeing the caller's address, my friend's body stiffened, his baritone voice became controlled, even deeper and for the next 10 minutes or so, he cooed into the phone.

When he put the phone down, he sounded relieved and shortly afterwards, our discussion came to an abrupt end. Recollecting that incident six years later, I could have sworn that that call nearly jolted my friend from his chair. He was an assistant commissioner of police of senior superintendent rank. He had finally agreed to grant me an interview after I had chased him for months, over a special report I was doing on police reforms.

The call had been from Malindi, 570 km southeast of Nairobi city. In the words of the ACP, 'The call was from my old Italian friend — we got to know each other when I was the officer commanding police division (OCPD) in Malindi. He was wondering why I'd gone quiet on him. They never leave you alone even after you've been transferred.'

I later learned that while in Malindi, the ACP had also served in Mombasa as an officer commanding station (OCS) — he had provided security services to the 'Italian Mafia' (his own words), who engaged in all manner of nefarious activities, including running illegal casinos and discotheques, running prostitution rings, turning their rented ocean front villas into little inns for German and Italian tourists and very often, providing security to parcels that needed to be dashed between

Mombasa and Malindi, either way.

Beginning in the late 1970s, when holidaying Italians first discovered Malindi — then a back-of-beyond, sand-swept, laidback town with unspoiled beaches, their compatriots, good and bad have since been trooping to the idyllic town

'I didn't ask about the parcels,' the ACP said to me, 'but I knew what they were: I couldn't stop it, because I didn't start it. In any case, the Italian job was good while it lasted, but it is dangerous, really dangerous.'

Beginning in the late 1970s, when holidaying Italians first discovered Malindi — then a back-of-beyond, sand-swept, laidback town with unspoiled beaches, their compatriots, good and bad have since been trooping to the idyllic town. Today referred to as 'Little Italy,' Malindi is home to 4,000 Italians. Every year, 30,000 Italians make a pilgrimage to Malindi. About 2,500 businesses in the town, which has a population of 150,000, are owned or run by Italians. The businesses are spread from bakeries to real estate, restaurants to supermarkets. Over time, Malindi has evolved into a multicultural town whose second language is Italian.

Frederico Varese, author of *Mafia on the Move: How Organised Crime Conquers New Territories*, writes that East Africa is emerging as a criminal hub. He insinuates that Malindi has become a centre of money laundering for Italian Mafia looking to hide their loot. 'Traditionally, there is a lot of Italian tourism there in Malindi,' says Varese. '[Criminal networks] need to invest in profitable businesses, many times abroad. They do it in communities that they know... where they have friends and shady financial advisors.'

One of the more famous Italians who came calling is Flavio Briatore, the Italian Formula One icon. Although not a Mafioso himself, he was nevertheless convicted in the 1980s of gambling-related offences. In 2008, he had to resign ignominiously from his F1 team because of a race-fixing scam. He built his Billionaires Club next to Malindi National Park, of course not without a hue and cry from the locals, who detested his encroaching on the park.

In a report sub-titled, *Malindi: Mixing Sun, Drugs, Corruption and a Marginalised Islamic Majority on the Kenyan Coast*, dated June 24, 2005, William Mark Bellamy, the then US ambassador to Kenya, detailed how the Kenyan Coastal ports of Mombasa and Malindi were being used as drug transit bases.

Bellamy, whose tour of duty was from 2003-2006, reported that 'drug traffickers are attracted to the Kenya Coast because of a porous transit point between Latin American producers and the international markets.' The 'porous transit point' was aided by 'clueless and corrupt police officers,' wrote the ambassador. Add 'political and/or police protection,' and Malindi, a town he described as 'schizophrenic,' was slowly gaining notoriety as a narco-centre.

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'Large scale narcotics trafficking is occurring in, or at least through Malindi,' said Bellamy. In December 2004, wrote Bellamy, an Italian, Angelo Ricci, 73, and his wife were arrested after 700-plus kilos of narcotics were uncovered in a speedboat at a house they rented out to tenants who

were later charged alongside the couple. Another '300 kilos seized while being repackaged in a Nairobi shipping container depot, make up the single largest cocaine seizure in African history.'

The previous year, 2004, the UN Office on Drugs and Crimes had said the Kenya Coast was increasingly used as a transit hub for narcotics on the global circuit. The cocaine and heroin drug lords from Colombia and Venezuela in South America loaded their cargo onto transit ships en route the Indian Ocean that would pass through the Strait of Gibraltar, through the Suez Canal via the Red Sea, down to the port city of Mombasa.

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THE GATEWAY TO EAST AFRICA

The port of Mombasa is the gateway to East Africa, whose hinterland stretches as far as the Great Lakes region of Burundi, Rwanda and the eastern Democratic Republic of Congo. It is the busiest port in this part of the world, with the deepest harbour — Kilindini — capable of accommodating even the largest of the bulk carriers. Since 2012, the port has been handling an average of 22 million tonnes annually. How much of this cargo could be tainted?

Philip Tuimur, the Coast Regional Police Co-ordinator, has been in the news lately. Tuimur, who survived the chop from the National Police Service vetting panel in August 2016, has been talking tough and stamping his authority on the area. My police boss friend in 2010 had told me it is not easy to be in charge of security in the Coast region: 'You do not mess around with the Italian Mafia — they are dangerous and anyway, most of them are criminals on the run, having committed crimes elsewhere. Believe me when I tell you they are capable of anything.'

Tuimur, after arresting three Italians and a Kenyan, among other suspected drug traffickers, told journalists: 'This will send a strong message that the Coastal region and Kenya at large can no longer be a safe haven for criminals.' Despite a Mombasa court restraining their extradition, the government nonetheless handed the trio to the Italian authorities in Malindi on Sunday, April 2, 2017. Italy is the only foreign country that has a consulate in the Coastal towns of Mombasa and Malindi.

Mario Mele, Alberto Fulvio and Stefano Poli had been on the Interpol watch list for a long time. All the three were fugitives on the run, cooling their heels in the easygoing, safe hideout of Malindi: Mele 56, who was arrested at his Pata Pata Beach Club, is wanted in Italy to face charges for tax evasion and fraudulent bankruptcy amounting to 17 million Euros. Fulvio, on Interpol's most wanted list since 1997, first came to Kenya in 1993. Running away from an eight-year jail term in Torini, Fulvio had by 2009 bought his way into becoming a Kenya citizen.

Poli, who is 70 years old, landed in Malindi only in 2016 to escape a 10-year and nine month sentence handed down by an Milan court for fiscal fraud and fraudulent bankruptcy. But it is the flamboyant Sardinian Mario who dazzled journalists with his wisecracks and nonchalant attitude of I-couldn't-care-less-if-they-are-looking-for-me-in-Italy.

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Mario flew to Malindi four years ago in 2012. He was running away from a criminal charge of deliberately bankrupting his own companies to avoid paying taxes in Italy. 'Do you honestly know anyone who has never evaded taxes?' asked Mario of a group of international investigative journalists who had flown to Pata Pata to interview him. When journalists, in 2015, enquired from him about the summonses from magistrate Andrea Schirra, Mario had the gall to answer: 'My lawyer is taking care of things at home. I can't just go back to stand a trial and do nothing. What will I live off while I'm there waiting, huh?' He boldly then declared — 'I have no intention of going back.'

MAKING ALL THE PROFITS DISAPPEAR

Mario's companies, RISEA and EDO, suddenly went bankrupt in 2011. 'We believe they were all bankrupted intentionally; in this way it was easier to make all the profits disappear,' said police officer Alberto Cambedda to *La Nuova Sardegna* newspaper in 2012. Still, when the police dug deeper, they realised Mario was not only scheming to evade tax, but had deep running connections with the Cosa Nostra — the most powerful umbrella mafia organisation in Sicily.

The Cosa Nostra is made up of local Sicilian Mafia groups and its mainstay is bootlegging, drug trafficking, money laundering and running prostitution rings. A due diligence by the police found Mario and his business partner companies had links with a Sicilian Mafia group, D'Agosta. The notorious organisation was started by Francesco D'Agosta.

'I have met D'Agosta once, maybe twice,' Mario said to the journalists in response to their questions about his apparent links to the Sicilian Mafia. 'I barely knew him.' Until he was apprehended, Mario would strut the streets of Malindi and would be found at his favourite street corner bantering away with his clients and visiting Italians.

The extradition of Mario and his assumed three other accomplices brings to mind another saga of an Italian couple a dozen years ago, caught in an intricate web of drug trafficking in Malindi. Angelo Ricci and his wife Estella Duminga Furuli were arrested in December 2004 in Malindi over what was then believed to have been the biggest cocaine haul ever apprehended on the coastline of the Indian Ocean. The 1.1 tonnes of cocaine nabbed at Mombasa port then had a street value estimated to be \$80 million.

The 2004 debacle of the cocaine shipment to Mombasa begins in Amsterdam, The Netherlands on December 8, 2004, when the Dutch Police tip off their counterparts in Nairobi about the cocaine haul that has just landed at the Mombasa port in a confidential note. The note says a cartel operating between Venezuela, Kenya and The Netherlands is repackaging tonnes of cocaine to be reshipped to Amsterdam.

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Although the Dutch authorities alerted the Kenya Police on December 8, it took a whole six days for the latter to move on Malindi on December 14. They raided Rocchi House — a villa off the Indian Ocean. Ricci, then believed to be roughly 70-73 years old and Furuli, 43 years old, had rented Rocchi to six Dutch citizens and one Kenyan, George Kiragu. The villa belonged to Pompeo Rocchi, an Italian.

The police who stormed the villa found a speedboat docked at the villa frontage with 800kg of pure cocaine. As the Coastal police were raiding the Rocchi House, CID officers were simultaneously raiding a container depot at Old Embakasi, where an additional 400kg of pure cocaine from the

same shipment was nabbed. The Dutch Police must have done their homework thoroughly.

Why had the police taken nearly a week to act on the Dutch tip-off? According to the leading Italian daily newspaper *Corriere Della Sera*, it is because the Kenya Police were ostensibly giving the Malindi cocaine co-conspirators time to flee Malindi and the country. As it is, the Dutch nationals — Arian Gorter, Baptiste Hermanj, Johan Neleen, Marinus Hendrick van Wezel, Robertus Johannes and Stehman Hendrik, calmly and quietly packed their belongings in Malindi and flew to Nairobi, where they checked in for a night at a five-star hotel in Nairobi before safely flying out the next day.

Corriere Della Sera had been sucked into the story of the cocaine seizure at Malindi because of the Italian national Ricci, who hailed from Foggia. By the time the paper began its own investigations, the Riccis had been languishing in a Nairobi jail for 14 months. The arrest of the Italian couple and the five Kenyans aside, *Corriere Della Sera* believed that the cocaine haul saga went as far as the highest echelons of the then Mwai Kibaki government.

POWERFUL CIRCLES COVERING UP THE COCAINE TRAFFIC

In the paper's view, the detention of Ricci and his wife was a smokescreen. Interviewing Philip Murgor, who was the deputy public prosecutor (DPP) at the time of the Riccis' arrest, the paper quoted him as saying: 'If the (two Italians) are convicted, it will only be so that those who are really guilty do not come to light.' Murgor, who was sacked in May 2005, added: 'They fired me because I wanted to identify who was really responsible for the cocaine traffic and because I was investigating the powerful circles that are covering it up.'

The Malindi cocaine saga would also claim a life. Erastus Chemorei, a police officer, was murdered on February 19, 2005. Chemorei had been charged with safekeeping of the drug storerooms. It is possible he stumbled on evidence he was not supposed to

On October 12, 2005, Murgor fired off a letter to the then Secretary to the Cabinet Francis K. Muthaura that expressly stated: 'For the record, I consider the flawed investigations and the prosecutions of the two cocaine cases while I was DPP amounted to a cover-up designed to leave the drugs cartel operating between South America, Kenya and The Netherlands, intact.'

The saga would also claim a life. Erastus Chemorei, a police officer, was murdered on February 19, 2005. Chemorei had been charged with safekeeping of the drug storerooms. It is possible he was a victim of knowing too much and stumbling on evidence he was not supposed to.

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