

Gasim Abdul Kareem: The Hand that Rocked the Boat

On 18 February 2016 Gasim Abdul Kareem, Manager at Bank of Maldives Nilandhoo Branch, was arrested by Maldives Police Service for leaking detailed bank statements of a private company, SOF Pvt. Ltd., that is in the midst of one of the biggest cases of grand corruption, money laundering, embezzlement and abuse of power the country has ever seen.

The leaked documents revealed how SOF bank accounts were used to siphon off millions of dollars embezzled from Maldives Marketing and Public Relations Company (MMPRC) – a state company set up to promote Maldives as a tourism destination.

The issue was first flagged in an audit report published in 2014 by the then Auditor General, Niyaz Ibrahim. The report revealed that a staggering USD 6 million had been embezzled from MMPRC by the then Tourism Minister, Ahmed Adeeb, and the Managing Director of the Company, Abdulla Ziyath. In his report, Niyaz recommended a thorough investigation to hold those responsible to account.

His report was ignored by investigative authorities and instead he was summarily dismissed from his position as the Auditor General, by a government majority controlled parliament. It appeared that the government had been successful in quashing any further inquiry into MMPRC corruption.

Ironically, the issue was dug up by the government following an explosion on the presidential speedboat, for which Adeeb, by then the Vice President of Maldives, was named the primary suspect. Adeeb and Ziyath were promptly arrested. Following the incident, President Yameen addressed the nation and narrated a story of corruption, nepotism and abuse of power orchestrated by his former right-hand man, Adeeb.

This finally forced investigative authorities, including the Anti-Corruption Commission (ACC), into action. The new Auditor General published a second audit report stating that over USD 79.37 million had been embezzled from the state coffers. The ACC launched its own investigation, which is still ongoing.

Who is Gasim? What did he do?

Four years ago Gasim Abdul Kareem, a native of Naifaruu and a father of three, was hired by Bank of Maldives to manage their branch in Rasdhoo. Since then he has also worked as the manager in Kulhudhuffushi branch and more recently, in the Nilandhoo branch where he discovered questionable financial transactions made by SOF Pvt. Ltd.

Instead of taking his discovery to the seniors at the bank or reporting to relevant state authorities, Gasim chose to email the documents to some 500 bank staff and a further 99 people – for which he was sacked, arrested, and eventually charged with unauthorised disclosure of private information.

Since his arrest on 18 February 2016, there have been many opinions about Gasim, his motives and interests. The state considers him a criminal. Others view him as a whistleblower who exposed corruption involving powerful people, for which he is being unfairly targeted and persecuted by the state. For the most part, his case has been ignored by a desensitised public driven to exhaustion by the continuous targeting of individuals even slightly critical of the state.

Whistleblower or criminal?

The state wants Gasim to be seen not as a whistleblower but as someone who violated privacy by revealing confidential information. But does that argument really hold water?

A whistleblower is someone who exposes a wrongdoing—for example, corruption or money laundering—at work, and does so in the interest of the public and not for any personal benefit. According to Article 232(b)

of the Penal Code, any good faith disclosure of private information for the purpose of exposing a wrongdoing is not an offence.

Gasim, by exposing a clear case of corruption, gained no monetary benefit nor was he expecting to acquire political or institutional power and therefore acted in good faith. This makes Gasim a whistleblower and the state has a responsibility to ensure his protection.

However, the state has decided to prosecute Gasim as a criminal, under Article 232 (Unlawful Acquisition of Information) and Section 233 (Unlawful Disclosure of Information) of the Penal Code. The reason for this becomes clear when we look at what has been revealed so far about the MMPRC scandal.

The latest audit report states that a total of USD 79.37 million was embezzled through MMPRC, and of this, USD 70.17 million was deposited into the bank account of SOF Pvt. Ltd. Mohamed Allam Latheef 'Moho', owner of SOF Pvt. Ltd, later said the money was distributed to the first couple, the ruling Progressive Party of Maldives, and other senior politicians.

Analysis of bank statements leaked by Gasim show that large amounts of money, in some cases, ranging from USD 10,000 to 500,000 was credited to various private accounts in different banks in the Maldives. One such account was reportedly that of President Yameen at Maldives Islamic Bank.

The audit report stated that embezzled money was deposited into SOF accounts but stopped short of stating where this money was routed to through these accounts. Gasim filled in those essential gaps through his disclosures.

One point that the state has been eager to emphasise is that Gasim did not share the information to competent state authorities: why did Gasim go straight to the public instead of reporting to the police, Anti-Corruption-Commission, or the judiciary, if he was so concerned about corruption and money laundering?

Making even a cursory effort to understand Gasim's actions through his perspective reveals a dilemma. He had witnessed the state's pattern of response towards individuals who dared to associate them with corruption. Consider how the former Auditor General was removed from office for bringing this issue to the spotlight in 2014. It was clear that the systems put in place to stop corruption was not working.

Consider also how the arrest and subsequent investigation of the then Vice President Ahmed Adeeb revealed the compromised nature of all key watchdog state institutions. One cannot be blamed if Gasim had little faith in law enforcement agencies, as it was the President who stated that law enforcement agencies were corrupted and that Adeeb routinely bought influence from the police.

As for the Anti-Corruption Commission, the Chair of the Commission just a few short months back accepted a luxury flat gifted to him by the President's Economic Council, which is co-chaired by the President and the then Vice President, Adeeb.

Therefore, it is not all that surprising that Gasim chose to bypass state institutions and go straight to the public.

Drop the case

Gasim should be praised and protected, not punished, for taking action against corruption. The public have a right to know when public funds are being embezzled to enrich a powerful few that always seem to be above the law.

To prosecute Gasim sends the message that protecting the privacy of individuals who engage in corruption on a grand scale is more important than protecting whistleblowers who expose their corruption.

The state must drop the case against Gasim Abdul Kareem.

#DropTheCase

For updates on Gasim's case please visit: <http://dropthecase.transparencymaldives.org/>

