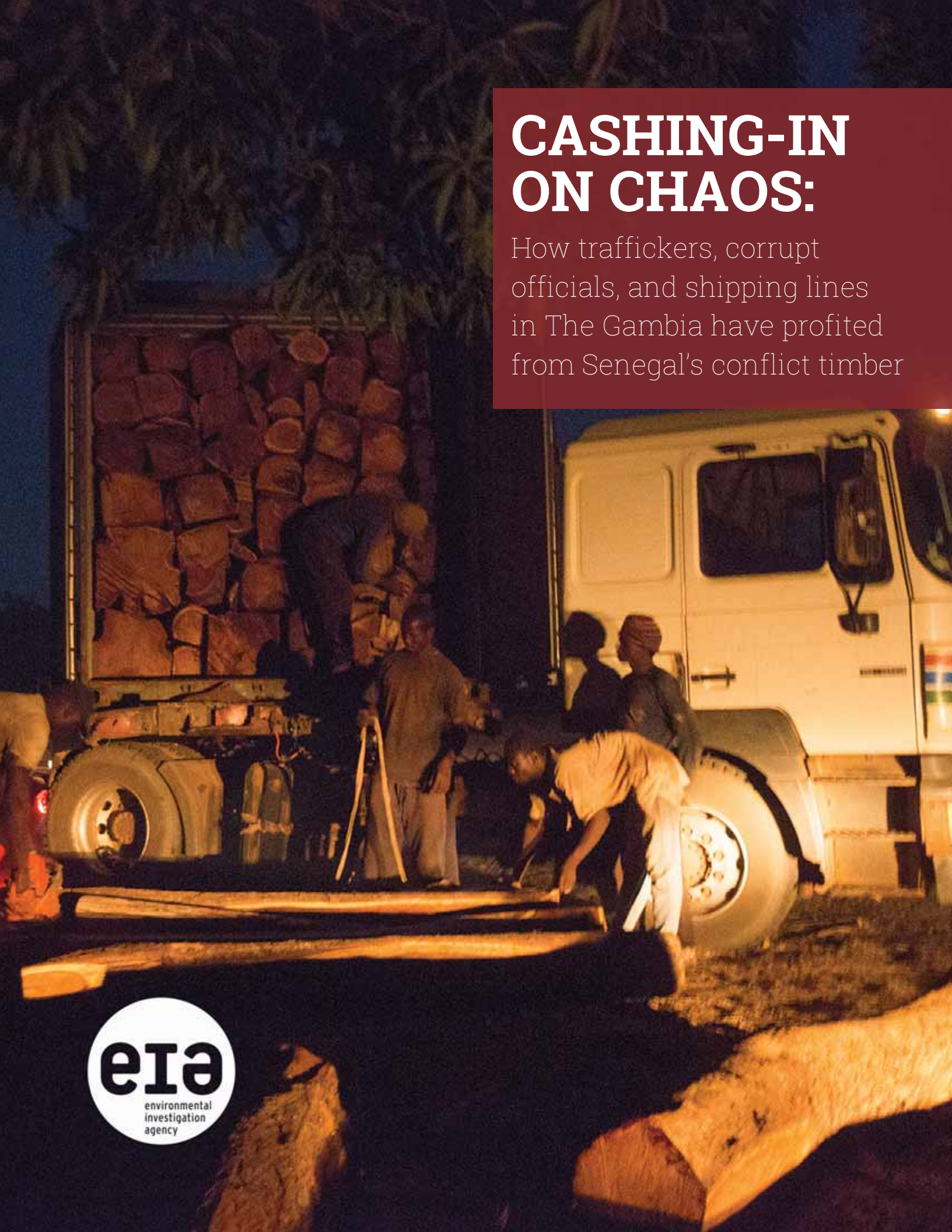


CASHING-IN ON CHAOS:

How traffickers, corrupt officials, and shipping lines in The Gambia have profited from Senegal's conflict timber



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ACKNOWLEDGEMENT

The document has been produced with financial assistance from the Tilia Fund, Good Energies Foundation, and the Cox Family Fund. The contents of this publication are the sole responsibility of EIA-US and do not necessarily reflect the positions of any donors. This report benefited from Not One More (N1M)'s contributions.



ABOUT EIA

We investigate and campaign against environmental crime and abuse. Our undercover investigations expose transnational wildlife crime, with a focus on elephants and tigers, and forest crimes such as illegal logging and deforestation for cash crops like palm oil. We work to safeguard global marine ecosystems by addressing the threats posed by plastic pollution, bycatch and commercial exploitation of whales, dolphins and porpoises. Finally, we reduce the impact of climate change by campaigning to eliminate powerful refrigerant greenhouse gases, exposing related illicit trade and improving energy efficiency in the cooling sector.

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Unless otherwise noted, the source for the report are EIA's internal investigative reports, photos, audio and video evidence collected during the investigation.

All documents mentioned related to this investigation are in possession of EIA-US. Pseudonyms were given to informants in order to comply with standard ethical guidelines in protecting confidentiality of sources. EIA-US made attempts to contact the individuals and entities related to the findings and named in the report, and incorporated responses received prior to the time of publication.



Scar left on a Senegalese forest defender's hand after he survived an ambush set by traffickers.

EXECUTIVE SUMMARY

Environmental Investigation Agency (EIA)'s three-year investigation into the Senegal-Gambia-China rosewood traffic uncovered unprecedented evidence on a series of major forest crimes.¹

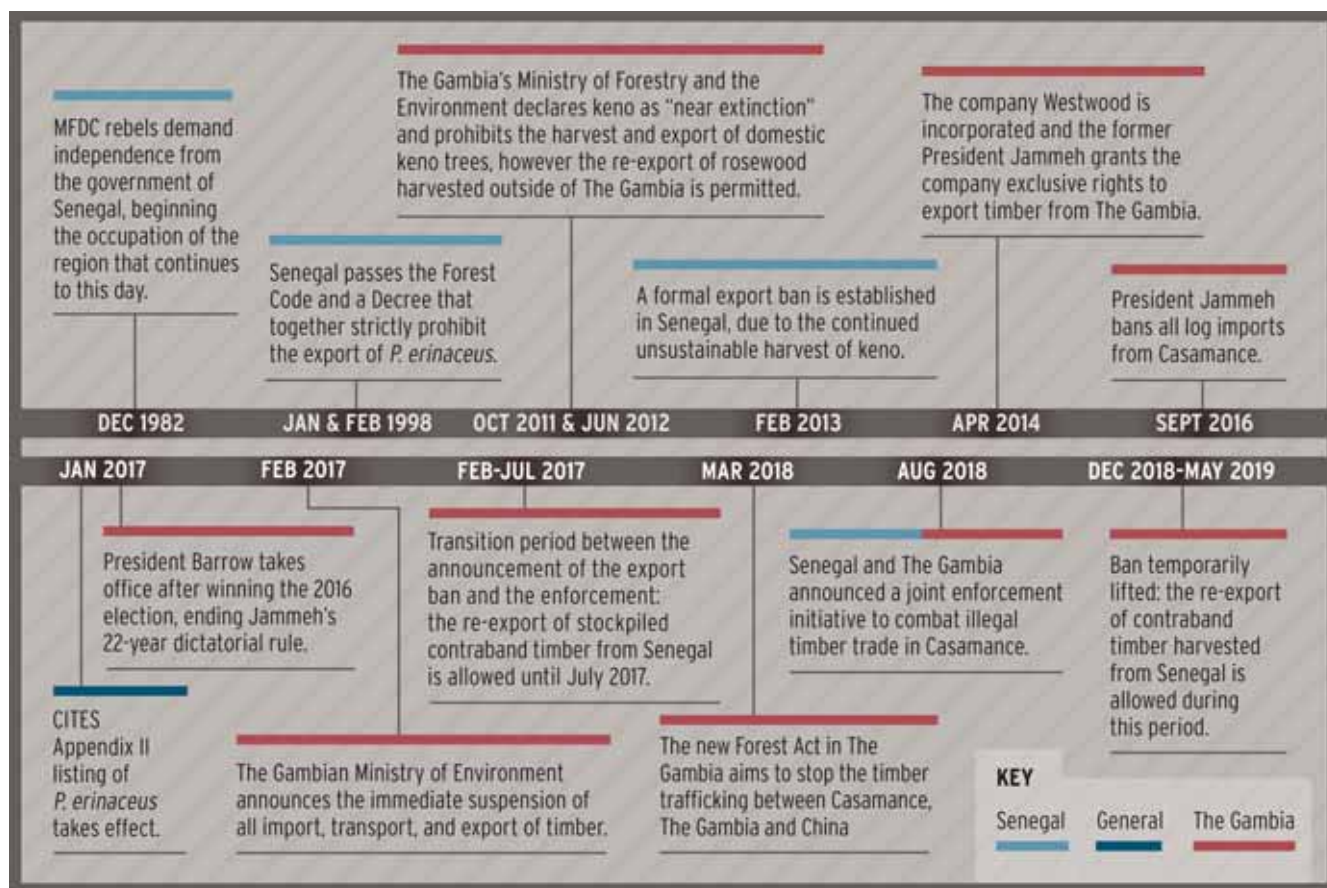
EIA's findings indicate that: i) an estimated 1.6 million trees have been illegally harvested in Senegal and smuggled into The Gambia between June 2012 and April 2020; ii) the rosewood traffic between Senegal and The Gambia has been largely controlled by the armed rebel group Movement of Democratic Forces of Casamance (Mouvement des forces démocratiques de Casamance – MFDC in French) and is the principal source of income for the rebels; iii) according to traffickers, high-level Gambian officials – including Minister Lamin Dibba of the Ministry of Environment, Climate Change and Natural Resources (MECCNAR) – have undermined the export ban put in place by the current Gambian president, Adama Barrow, while traffickers used the parastatal company Jagne Narr Procurement & Agency Services ("Jagne Narr") to bypass the ban; iv) the unaccounted export volume and potential revenue loss in the Gambian timber sector are considerable, with The Gambia reporting US\$444million less in exports than its trading partners declared as imports between 2010 and 2018. ; and v) the Senegal-Gambia-China rosewood trade has flourished in violation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Over the past five years, EIA has investigated and exposed rosewood trafficking groups and their associated forest crimes across Africa, with investigations

conducted in Ghana, Guinea-Bissau, Nigeria, and Zambia, and, as well as China and Vietnam, the two major markets for rosewood in the world. Since it began in Africa over a decade ago, the insatiable hunt for rosewood species has now devastated most of the West African dry forests, affecting hundreds of thousands of lives, threatening livelihoods, increasing desertification, and contributing to climate change.ⁱⁱⁱⁱⁱ The trafficking of rosewood in West Africa has become the largest in the world.^{iv}

This new report, which focuses on Senegal and The Gambia, presents yet another case of rosewood-related crimes. It shows how the current rosewood crisis weakens countries' rule of law, fuels ethnic rivalries and armed conflict, and triggers diplomatic tensions between neighboring countries. Through evidence collected from undercover investigations and analysis of international trade data, the report illustrates the threats that criminal timber networks and their enablers are posing to governance and stability in Africa.^v

Since 2012, when authorities in the smallest country in continental Africa already considered the rosewood species *Pterocarpus erinaceus* "near extinction," The Gambia has exported the equivalent of 1.6 million trees to China – equivalent to 978,968 tons worth over US\$470



Chronological Overview

million.^{vi,vii} In 2019, The Gambia was the third largest source of hongmu (a well-defined group of rosewood species) imported into China, accounting for 12 percent of Chinese imports in volume. This has only been possible because the vast majority of the square logs exported to China have been logged in The Gambia's neighboring country of Senegal.^{viii}

Meanwhile in Senegal, the harvest of *P. erinaceus* has been controlled and the export strictly banned for over ten years.^{ix} Despite this ban, trafficking networks have continued the illegal felling and smuggling of rosewood logs from Senegal through and out of The Gambia.^x The illicit trade, which has primarily developed in the southern Senegalese region of Casamance, is controlled by the MFDC separatist group, as explained by traffickers. According to EIA's findings, this illegal rosewood has been the primary source of finance for the rebels and their armed uprising. According to traders who spoke with EIA investigators, the transport and smuggling between Senegal and The Gambia has also benefited from complicities within the Senegalese forces stationed in Casamance.

Since he took office in 2017, Gambian president Adama Barrow has been seeking to address the rosewood crisis between Senegal and The Gambia (see the Figure i for a chronological overview). One of his first presidential measures, taken within weeks of the start of his tenure,

"Trader R: The only process, the only income for the Casamance rebels now is timber. [...] that is the only way they can achieve money. This is why they are selling those timbers."

was to impose a ban on timber exports out of the country.^{xii} Between the announcement of this ban in February 2017 and April 2020, China reportedly imported 329,351 tons of rosewood from The Gambia. This is more than China imported from The Gambia in 2015 and 2016 (241,254 tons), during the last two years of the previous president's despotic regime, when rosewood trafficking was a well-known Matter of State.^{xiii,xiv} As EIA's investigation reveals, traffickers have been able to torpedo President Barrow's public commitment to stop the illegal trade by perpetuating the corrupt scheme that was already in place under former president Yahya Jammeh. At a time when the nation is slowly recovering

from ethnic tensions stirred by Jammeh's dictatorship, timber traffickers and their accomplices have threatened to create turmoil and even made personal threats to officials who attempted to enforce the timber export ban, as explained to EIA's investigators.

Three years after a new government was elected, traffickers are in full control of the rosewood trade and have re-established their close connections within the Gambian administration.^{xv} Powerful traffickers who have been in the business for almost ten years continue to monopolize the timber economy in The Gambia, while a large part of timber exports are not accounted for officially. From 2010 to 2018, timber product exports represented over 30 percent, on average, of the total national export value (in 2017, approximately half of the Gambian annual export value was timber). But an enormous US\$444 million gap between what The Gambia reports as timber export versus what the rest of the world reports as timber imports from The Gambia, has emerged between 2010 and 2018.

The private company Jagne Narr has been created as the exclusive interface between traders and the administration, succeeding the Westwood Gambia Limited ("Westwood") company which operated under Jammeh.^{xvi} Westwood is expected to be investigated by the Swiss War Crime Unit after the non-governmental organization TRIAL International filed a criminal complaint against the company and one of its alleged owners, Swiss national Nicolae Bogdan Buzaianu, in June 2019.^{xvii,xviii,xxix}

As traffickers told EIA undercover investigators, Jagne Narr helps them to bypass the export ban through influential connections, bribery, and by obtaining the required paperwork for export. Traffickers also allegedly benefit from enablers within the government. They told EIA investigators that Minister Lamin Dibba of MECCNAR was the person to meet and negotiate with in order to agree on a smuggling scheme and its price. To further facilitate their business, it appears that traffickers obtained a temporary lifting of the export ban between December 2018 and May 2019, which allowed them to accelerate the trade of tens of thousands of stolen logs from Senegal.

In light of this ongoing illegal trade, the protection granted to *P. erinaceus* in 2017 under CITES has had limited – if any – effect on protecting standing forests in The Gambia and Senegal thus far. According to EIA's findings, the vast majority of rosewood imported by China from The Gambia under CITES has been exported in breach of the international convention permit requirements, which requires the declaration of the true legal origin of timber and evidence that the international trade is not detrimental to the survival of the species. The CITES permitting system in The Gambia has instead been perverted into a deceptive paper exercise. While in 2019 the CITES Secretariat acknowledged the rosewood crisis in West Africa and in particular the non-compliant trade

in timber that is currently happening between Senegal, The Gambia, and China, further action – including the suspension of trade in *P. erinaceus* in The Gambia – is urgently needed.^{xx} To effectively stop the uncontrolled illegal "boom and bust" of West African rosewood however, exports from all countries in the region should be stopped.

According to traffickers who spoke with EIA undercover investigators, the three shipping lines operating in the port of Banjul – Maersk Line, Mediterranean Shipping Company (MSC), and Compagnie Maritime d'Affrètement-Compagnie Générale Maritime (CMACGM), which have transported illegal timber from Africa to Asia for almost ten years, have been aware of the trafficking scheme. According to documents reviewed by EIA, the Gambian government officially warned the companies to not take part in the export of timber from Banjul, to little effect.

In order to urgently stop the criminal networks that operate between Senegal, The Gambia and China, EIA recommends:

- 1 An investigation in The Gambia into the rosewood traffickers and their enablers, including the Association of Wood Exporters and Forest Users, who have bypassed the export ban and abused the CITES licensing scheme;
- 2 The immediate dismantling of the company Jagne Narr Procurement & Agency Services;
- 3 An investigation into the alleged participation in rosewood trafficking by members of the Senegalese army stationed in Casamance;
- 4 Seizure by Chinese authorities of containers of *Pterocarpus erinaceus* from The Gambia located in the ports or landing on Chinese shores, in light of the provisions against trade in illegal timber in the recently adopted Chinese Forest Code and in keeping with CITES obligations;
- 5 Immediate suspension of the trade in *Pterocarpus erinaceus* from The Gambia under CITES, and suspension of the trade in *Pterocarpus erinaceus* from West Africa following its inclusion in the Review of Significant Trade, through the adoption of a region-wide "zero quota" for exports;
- 6 An investigation by the International Police Organization (INTERPOL) into the shipping lines' alleged role in the re-export of contraband Senegalese rosewood from The Gambia; and
- 7 Swiss authorities to conduct a thorough investigation into the criminal case filed by TRIAL International against Nicolae Bogdan Buzaianu, for his alleged role in facilitating the pillaging of Senegalese rosewood, through Westwood Company Ltd.

ROSEWOOD IN WEST AFRICA: FROM DEVASTATION TO DESTINATION CHINA

The insatiable demand for hongmu or “red wood,” a rare and valuable category of rosewood used primarily for antique-style furniture in China, has resulted in a sharp reduction in wild rosewood populations globally.¹² Primarily sourced from Southeast Asia prior to 2010, the exhaustion of these forests has led to the rapid expansion of trafficking networks into new frontiers in Africa and Central America.³⁴ Since 2015, West Africa has become the world’s top hongmu producing region, accounting for the majority of all hongmu log imports to China by volume between January 2015 and January 2020 (Figure 1).⁵

Hongmu traffickers in West Africa have relentlessly targeted the species *Pterocarpus erinaceus*, also known in the region as “kosso,” “keno,” or “bois de vène.”⁴⁶ Hunger for hongmu has driven boom and bust cycles characterized by steep rises in harvest and export volumes from individual countries before a sudden collapse, or “bust.”⁴⁷ This “bust” or fall corresponds to the rapid relocation of trading networks from one country to the next, following the exhaustion of the species,

discovery of a new supply, or to avoid new control measures put in place by besieged governments.

In an attempt to combat these networks and protect remaining *P. erinaceus* populations, African governments – in addition to instituting domestic measures – joined forces in 2016 and collectively obtained the listing of the species on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which took effect in January 2017 and imposes international rules and restrictions on exporters and importers to ensure legal and sustainable trade.⁸

Despite a substantial reduction in illegal rosewood trade from West Africa due to the trade suspension placed on Nigerian rosewood in November 2018 under CITES (Box 1), trafficking networks have maintained their grip on the vulnerable forests in the region.^{9,10} These networks rely in particular on regional trading hubs where they have established roots within the government and administrations, such as in The Gambia.

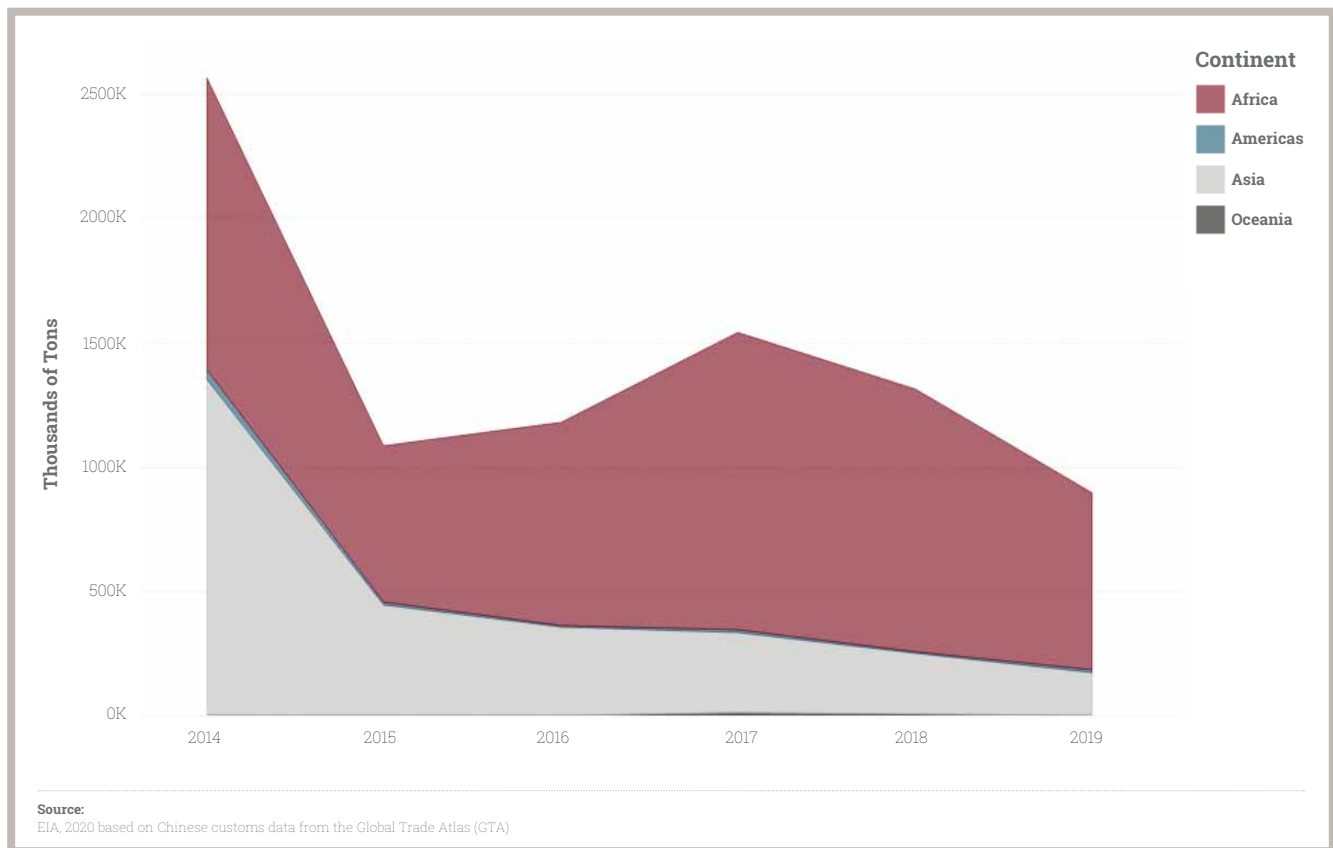


Figure 1
Import of hongmu by China by region of origin from 2014 to 2019, by weight

THE TRADE SUSPENSION THAT STOPPED THE LARGEST ILLEGAL ROSEWOOD FLOW IN THE WORLD

In October 2018, the CITES Standing Committee recommended to suspend commercial trade in *P. erinaceus* from Nigeria, after an investigation by the CITES Secretariat found major violations and rampant corruption in the country, raising concern about the legal acquisition of the timber and sustainability of the trade.^{11,12,13} Nigerian officials who tried to enforce the Convention were reportedly receiving threats.¹⁴ The field investigation conducted by the CITES Secretariat confirmed the results presented by EIA in its 2017 *Rosewood Racket* report, and concluded that key requirements for species listed on Appendix II of the Convention were not met in Nigeria.¹⁵

This trade suspension on *P. erinaceus* from Nigeria, which took effect on November 1st, 2018, significantly slowed down and eventually put a halt to illegal Nigerian rosewood exports. As shown in Figure 2, by August 2019, due primarily to the implementation of the trade suspension by China, the trade flow reported out of Nigeria dropped to zero.

Considering that in 2017 and 2018, Nigeria was by far the world's largest exporter of rosewood to China, the impact of the CITES ban on stopping illegal timber trade flows cannot be overstated. The 2018 decision and its full implementation by China serve as an example for the potential impact that a regional trade suspension or "zero export quota" for *P. erinaceus* could have on regional and global rosewood traffic. In a report presented at the 18th meeting of the Conference of the Parties (CoP18) in August 2019, the CITES Secretariat recommended such a regional approach as a way for West African countries to control the illegal trade in *P. erinaceus*.¹⁶

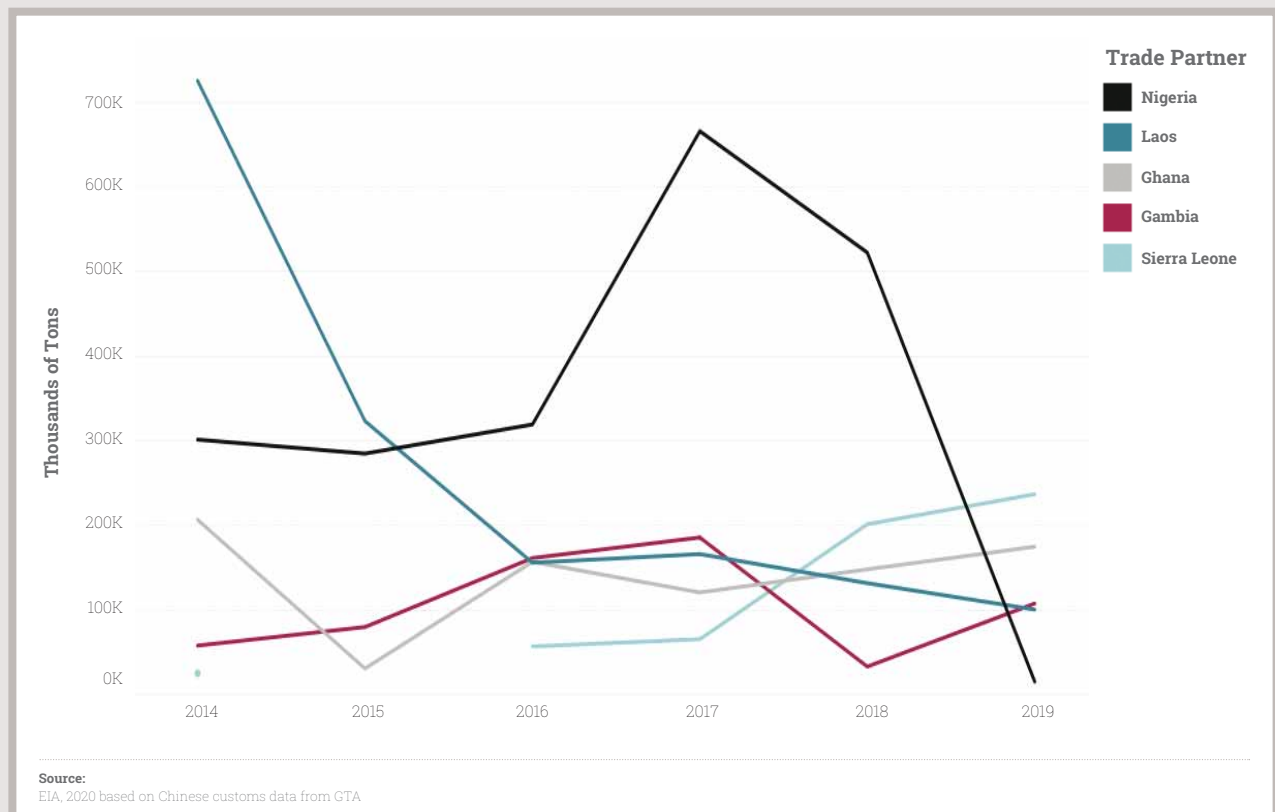


Figure 2
Evolution of the import of hongmu by China, by weight, from January 2014 to December 2019, for the top-5 producing countries

HIGH HOPES IN THE GAMBIA

3.1. A Species Commercially Extinct in The Gambia Long Ago

Traffickers told EIA undercover investigators that the rosewood business started approximately ten years ago in The Gambia and rapidly exploded. By 2012, keno trees were near extinct in The Gambia according to the Gambian Ministry of Forestry and Environment, who blamed “rampant tree felling” for the fast disappearance of the species.¹⁷ The Ministry warned:

“You would recall that the rampant tree felling that occurred in the year 2007 and the ones which followed thereafter have contributed to the fast disappearance of such valuable species like ‘Keno’ (*Pterocarpus erinaceous*) [...] and other economic tree species, most of which are found to be immature, threatened and near extinction. With the advent of this trade, forest protection becomes a

real challenge in terms of monitoring as the incidents of illegal felling become highly alarming over the period. Despite the Department of Forestry’s effort in prosecuting people found wanting, the rate keeps on increasing and has reached a point where the Department cannot contain it [...].¹⁸

In response to the crisis, the Gambian Ministry of Forestry and Environment had prohibited the harvest and export of domestic keno trees in June 2011:¹⁹ “Strict measures should be devised to ensure that wood involved are not domestic ones, but those imported for re-export purposes only. This means that on no grounds should Gambian forest wood be exported from The Gambia.”²⁰

A few months later in October 2011, the Ministry further clarified the distinction between the harvest of keno within The Gambia (prohibited) and the re-export of keno

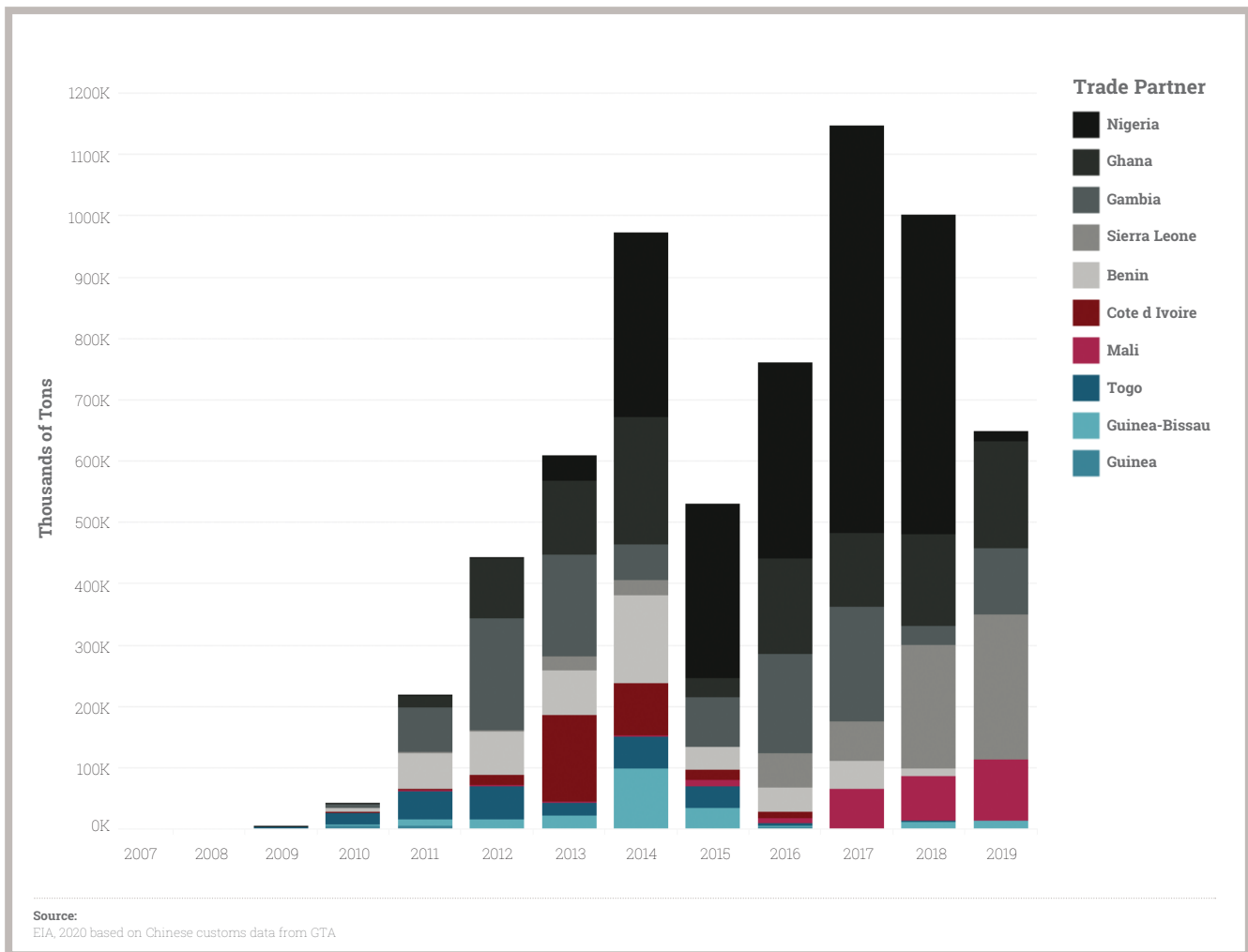


Figure 3
Import of *Pterocarpus erinaceus* by China by country of origin from 2011 to 2019, by weight

harvested outside of the country (allowed), and urged the Director of Forestry “to put proper mechanisms in place that will ensure that wood in The Gambia is by no means utilized for the purpose of re-export trade.”²¹ With this approach, The Gambian government successfully decoupled the growing export of keno from domestic harvest in an effort to maintain the lucrative revenue generated by the rosewood trade. In 2014, the Gambian Department of Forestry confirmed this approach was prevailing:

“under no circumstances should the forests in The Gambia be used to produce logs for the current wood re-export trade. [...] In the same vein, the Department solicits the support and cooperation of all the security apparatus particularly those at the check points as well as the local authorities (Regional Governors, Chiefs, Alkalolous etc.) in ensuring that illegal logging of our forests is prevented.”²²

This decoupling process explains how The Gambia ranked on average as the third largest source of *P. erinaceus* imported into China from West Africa between 2011 and 2019, despite the exhaustion of its own rosewood resources in 2012 (Figure 3). With the decoupling tactic, the exports from The Gambia peaked in March 2013. In one single month, The Gambia exported more rosewood logs than any other country in the world to China, shipping between thirty and fifty 20-foot shipping containers filled with rosewood logs out of the Banjul port each day.²³ [Figure 3].

3.2. Jammeh Dictatorship and the Rosewood State Apparatus

Under former President Yahya Jammeh, The Gambia consolidated its role as the region’s trading hub for rosewood. Chinese demand for keno continued to grow and the trade generated tens of millions of dollars in profit each year.²⁴ President Jammeh and his close associates reportedly took an active part in the rosewood re-export trade, directly benefiting from it:

“According to interviews with senior officials, in 2014, the President took control of a trafficking flow that had been running since 2010. To do this, he established his own export company, called “Westwood.” All other companies wishing to export *P. erinaceus* were required to pay a fee of US\$3,000 per container to Westwood before they were authorized to gain access to export. In 2016, the CITES Management Authority sought to collect data on *P. erinaceus* exports but was immediately warned by soldiers not to collect any more information.”²⁵

Westwood Gambia Limited (“Westwood”) was established in Banjul in April 2014.²⁶ It appears that the two individuals behind its creation were President Jammeh and Nicolae Bogdan Buzaianu, a naturalized Swiss citizen of Romanian origin (see Box 4 for more details on Buzaianu and current legal action against him).²⁷

The exclusive timber export license granted to Westwood allowed the company, and no other entity in The Gambia, to export wood of all types, including keno.²⁸ Between June 2014 and July 2017, when the High Court of The Gambia placed it under receivership, Westwood exported over 300 million tons of keno to China.²⁹ Westwood, who denied any wrongdoing, confirmed that it was “the only company authorized to export wood from The Gambia.”³⁰ Pressured by Senegal’s move to tighten its border with The Gambia, President Jammeh banned all log imports from Casamance in September 2016 to align with the Senegalese export ban.³¹ However, experts described this move as a “big charade.”³² Former Senegalese Environment Minister, Haidar El Ali, shared concerns that this ban was only established in an attempt to gain additional votes ahead of the upcoming Gambian presidential election.³³

Jammeh’s ruthless regime and his deep involvement in organized rosewood trafficking left the country in disarray.³⁴ His twenty two-year long reign ended when opposition candidate Adama Barrow defeated him in the December 2016 election.³⁵ After initially conceding defeat, President Jammeh quickly rejected the result and called for a new election, sparking a constitutional crisis in the country.³⁶ The situation escalated despite diplomatic efforts by neighboring countries and regional and international organizations, until a military intervention by armed forces from several Economic Community of Western States (ECOWAS) countries ended the standoff.³⁷ In January 2017, Jammeh went into exile, leaving the country in a precarious social, political, and economic situation.³⁸

Despite Jammeh’s departure, the system of trafficking and corruption he developed and nurtured over the years became deeply rooted inside all key government structures, so much so that the national economy seemed to depend on it. It has been estimated that the exports of rosewood are worth half of the country’s total exports, about 10 percent of the national Gross Domestic Product (GDP) and more than twenty times the budget of the Ministry of Environment.³⁹ Available information indicates though that the sudden growth of the timber export/re-export sector in The Gambia has largely been captured by private interests, has failed to support the general economy, and has contributed little to the State’s reserves. In fact, the comparison between the reported value of timber exported by The Gambia and the reported value of timber imported worldwide from The Gambia over the same period, indicate a massive discrepancy beginning in 2010 and coinciding with the rosewood export/re-export boom (Figure 4). Between 2010 and 2018, this difference totaled US\$444 million or approximately \$50 million/year on average.

Dismantling this well-established system and reforming the sector would be a massive endeavor for any elected president, but especially critical when economy is the current president’s “chief priority.”⁴⁰

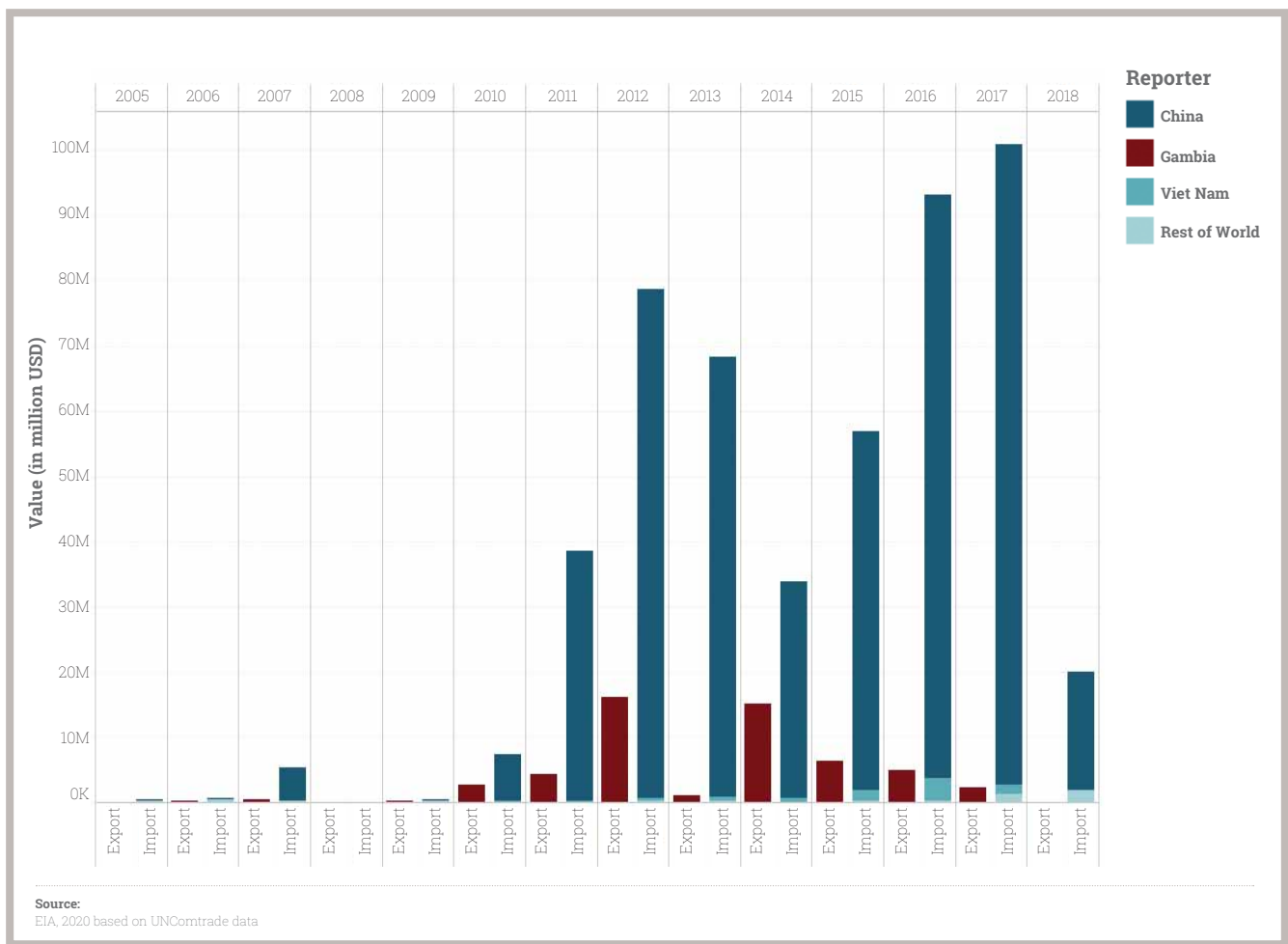


Figure 4
Difference between the timber reported as exported by The Gambia and the timber reported as imported from The Gambia by trading partners, between 2010 and 2018, in value

BOX 2.

THE LONG LASTING CASAMANCE CONFLICT

Casamance, located in the southern-most region of Senegal between The Gambia and Guinea-Bissau, is religiously and ethnically distinct from the rest of the country and for almost forty years it has been the subject of an ongoing separatist conflict – West Africa’s longest running unresolved conflict.⁴⁸ The MFDC demanded independence from the Government of Senegal in 1982, and has continued to occupy the region ever since.⁴⁹ The conflict grew violent in the 1990s, when MFDC rebels began attacking both the Senegalese army and civilians. Several attempts to end the conflict – including ceasefire agreements in May 1991, July 1993, December 1999, December 2004 and 2014 – have been ineffective and failed to last long-term. Apart from occasional lulls in fighting due to the ceasefire agreements, the conflict has remained active, killing hundreds of individuals – including civilians, Senegalese

soldiers, and MFDC rebels – and displacing thousands.^{50,51} As of 2017, more than 150,000 people have lost their homes, with an estimated 6,000 refugees in Ziguinchor, Senegal and another 10,000 in The Gambia and Guinea-Bissau.⁵²

The conflict has significantly impacted the region’s productivity and livelihoods, providing a sense of never-ending instability described as “neither peace nor war.”⁵³ Villages have been destroyed, schools and homes evacuated, and landmines scattered across formerly productive agricultural areas.⁵⁴ While violence has reportedly decreased since the death of MFDC leader Augustin Diamacoune Senghor in 2007, the group has splintered into separate factions and Casamance remains in political and geographical isolation from the remainder of the country.⁵⁵

3.3. Regime Change and New Hope

The election of opposition leader Adama Barrow in December 2016 seemingly paved the way for radical change in how the country was managed, and hopes were raised that the illicit rosewood trafficking could finally be stopped.^{41,42}

The Senegalese government reportedly considers much of the rosewood traded into The Gambia as “conflict timber” since it originates in parts of the Casamance region held by separatist groups (Box 2).⁴³ Due to its link to the Movement of Democratic Forces in the Casamance (MFDC) conflict in Casamance, the rosewood trade between Senegal and The Gambia became a priority diplomatic issue for newly elected Gambian President Barrow. During the first six months of his presidency, Barrow voiced his desire for peace in Casamance and for restoring the relationship with the Senegalese government, a relationship that had been heavily strained during the last years of Jammeh’s presidency.^{44,45} Shortly after his election, President Barrow declared that his country would no longer “support rebellion in any country,” when he was questioned about former President Jammeh’s reported support to the MFDC.⁴⁶ He further stated: “Anything that happens in Senegal, it affects Gambia, anything that happens in Gambia, it affects Senegal. [...] The peace in Casamance is fundamental, it’s important and I think we are ready to be part of that process.”⁴⁷

In February 2017, Minister Lamin Dibba of Gambia’s Ministry of Environment, Climate Change and Natural Resources (MECCNAR) reportedly announced via press release the immediate suspension of all import, transport and export of timber until further notice.^{56,57} A few months later in April 2017, Dibba visited Dakar, Senegal where he and his Senegalese counterpart, Abdoulaye Bibo Balde, signed an agreement that included, among other things, the protection of forest resources in both countries.⁵⁸

In March 2018, the President of the National Assembly replaced the Gambian Forest Act 1998 with the Forest Act 2018 (Box 3). The reforms presented in the new Forest Act were accompanied by renewed diplomatic efforts. In August 2018, Senegal and The Gambia announced a joint enforcement initiative to combat illegal logging and the associated timber trade in Casamance, which included security forces stationed at timber landing sites and joint border patrols to stop traffickers.⁵⁹ During a press conference in August 2018, President Barrow declared: “Myself and President Sall, we are doing everything to stop this illegal logging.”^{60,61}

EIA’s investigation into the current situation in The Gambia reveals that three years after Barrow took office and the new plans to end the illegal rosewood trade were announced, the situation in The Gambia has not improved and trans-border smuggling and re-export continue to this day. Trafficking rings have consolidated their power through threats, bribes and the use of parastatal apparatus very much alike the one created during Jammeh’s time. EIA’s key findings are presented in the following sections.

Unaccounted export: The Gambia has reported US\$444million less in timber exports than its trading partners declared as imports between 2010 and 2018.

BOX 3.

THE GAMBIAN FOREST ACT 2018

The Forest Act 2018 aims to stop the trafficking between Casamance, The Gambia and China through a series of new articles that clarify the requirements for timber legally entering The Gambia. According to the new Forest Act, importers must produce “evidence of lawful export from the country of origin,” as well as an “import certificate issued by the Department of Forestry,” and the importation can only take place through a “customs entry port.” All documentation must be produced to the satisfaction of the customs officer at customs port of entry, detailing evidence that such forest products have been lawfully exported from the country of origin otherwise the importer will commit an offence under section 108, sub section 1a and b, as offences relating to import of forest products according to Forest Act 2018. Moreover, *P. erinaceus* is listed as a protected species in The Gambia, according to Part XI of Forest Act 2018.

Any person who fells, cuts, burns, injures, takes or removes a protected flora species under sub section 5 of section 84 of the Forest Act 2018, commits an offence. The maximum fine for illegal logging under the former Forest Act 1998 was US\$100 in any case. The Forestry Act 2018 increases this 10-fold, and includes the possibility of one year of imprisonment.

CONTRABAND, BRIBES, AND DONKEY CARTS: THE JOURNEY OF THE ROSEWOOD TREES

4.1. Domestic Protection in Senegal

Pterocarpus erinaceus has been a protected species in Senegal since the early 1990s.⁶² The protection status was further strengthened by the Forest Code (Law No 98-03 Act) and Decree (No 98-164, Article 63) in January and February of 1998, respectively, which together strictly prohibited the export of *P. erinaceus*. Due to the continued unsustainable harvest, a formal export ban was re-established in 2013.⁶³ In response to the continued illegal rosewood trafficking, Senegal revised its Forest Code to increase financial penalties for illegal exporters in 2015.⁶⁴ The export ban has since been enforced through a series of military operations and seizures (Figure 5).

It appears that Senegalese authorities have been aware of the organized illegal harvest and smuggling of keno to The Gambia since the early 2010s.⁶⁵ In the following section, EIA presents unprecedented evidence on the organized forest crimes that have taken place for a decade between Senegal and The Gambia.

4.2. Keno Logs Exported from The Gambia: All from Senegal

All of the traffickers and individuals who have been directly or indirectly involved in the rosewood supply chain between The Gambia and China, met by EIA undercover investigators over the course of the three-year investigation (more than 50 people in total),

indicated that over the past ten years the vast majority, if not all, of the rosewood exported out of The Gambia has originated from Senegal. Given that the Senegalese government strictly banned the harvest and export of keno, almost all Gambian exports therefore consist of contraband stolen wood. In The Gambia, traffickers explained to EIA undercover investigators in 2019:

EIA: Keno is from Senegal?

Trader H: Yes.

EIA: OK. All smuggled in [to The Gambia]?

Trader H: Yeah.

EIA: All smuggled?

Trader H: All the keno we are exporting 95 percent is from Senegal.

EIA: OK.

Trader H: Some are from The Gambia here, but not too much.

EIA: Really, five percent, that much?

Trader H: No... Yes, it's very small what we take in The Gambia here. All in Senegal.

EIA: All from Senegal?

Trader H: Yes."

According to one of the largest traffickers in The Gambia:

"EIA: The wood comes from where? From Senegal?

Trader D: Senegal, yeah.

EIA: Casamance?

Trader D: Casamance.

EIA: They are smuggled in?

Trader D: They are smuggled.



Figure 5
Seizure of keno by the Senegalese army

EIA: They are all smuggled?

Trader D: Yeah.

EIA: But you don't smuggle ... Do you smuggle?

Trader D: Yeah I smuggle, yeah.

EIA: From where? From?

Trader D: Senegal."

The fact that the vast majority of the timber exported by The Gambia was not harvested in-country is common knowledge along the supply chain. A Chinese trader, based in the city of Shenzhen, who has been importing Gambian timber for years, told EIA undercover investigators:

"EIA: So a large portion of wood exported from Gambia were actually...

Trader K: ... not from Gambia at all.

EIA: Then, where were they from?

Trader K: From countries like Mali and other adjacent nations. Gambia is in no way able to provide that volume of logs by themselves."

In order to understand the mechanics of this massive contraband scheme, EIA investigators followed the route taken by the logs from their logging areas to the port of Banjul.

4.3. The Contraband Roads from Casamance to Banjul Port

Previously operating very close to the Gambian border, keno loggers have moved further away in search of sizeable rosewood trees. According to information collected by EIA, the harvesting areas have changed considerably between 2010 and 2020 following the progressive depletion of timber resources. Some traffickers mentioned that current logging sites are located about sixty kilometers from the border near Kolda, while others told EIA undercover investigators that they now have to purchase rosewood trees from over two hundred kilometers away. Based on this information as well as the observed presence of Gambian timber traders in Guinea-Bissau, it appears that rosewood smuggled into The Gambia is not only sourced from logging sites in Senegal but may also originate from the northern part of Guinea-Bissau (Figure 7). Since resources in the over-harvested areas near the Gambian-Senegalese border have been largely depleted, large trees (between fifty and seventy centimeters in diameter) only remain standing in these remote areas.



Figure 6
The Senegal-Gambia-China Rosewood Road



Figure 7
A Senegalese donkey cart on its way to the border



Figure 8
A Senegalese donkey cart waiting to unload an illegal rosewood log at a landing site in The Gambia



Figure 9
Hundreds of logs at a landing site about to be squared and loaded in a Maersk Group's containers

The felling of rosewood trees in Casamance is done both manually, using axes or a two-man saw, and mechanically by chainsaw. Individual logs measuring two meters or more in length are transported on donkey carts towards the Gambian border. The transport of keno logs from felling areas to the border is long, arduous, and risky, and usually occurs at night in order to avoid authorities. The donkey carts begin their slow progression in the evening and travel north throughout the night, stopping only around dawn the following day. The cart drivers water and feed the animals and sleep during the day, then continue the trek in the evening with the goal of crossing the Gambian border in the middle of the night or just before dawn.

A few hundred meters past the border on the Gambian side, Gambian traffickers await the donkey carts at designated clandestine landing sites. Once the transaction is completed, the cart drivers travel back south to the logging sites, collect another individual log, and begin yet another journey north (Figure 8).

Landing sites and timber depots along the Gambia-Senegal border have varied considerably in size over the years, reflecting the successive opening and closing of timber exports in The Gambia (cf. Section 6). Figure 9 presents a considerably sized landing site, while Figure 10 shows a more modestly sized site, as observed in March 2019. According to EIA's analysis, between 200 and 300 logs could be stockpiled each week (equivalent to two to three 20-foot containers) in a small landing site, as represented in the Figure 10.



Figure 10
Approximately a dozen logs at the Badoumeh landing site in March 2019



Figure 11
Police praying with people involved in the rosewood contraband at a landing site

Although the access to clandestine landing sites is usually restricted to Gambian traffickers, EIA investigators were able to visit four of them in person. In addition to confirming the scale and species of timber stored at these landing sites, investigators witnessed the presence of Gambian police (Figure 11). The agents were not attempting to stop the illegal stockpiling or smuggling operations. Traffickers told EIA investigators that police agents are generally paid 200 Dalasi (equivalent to US\$4) per log landed at the site in exchange for protecting the smugglers.

After the stockpiled logs are purchased by Gambian traffickers, the timber is loaded onto trucks that transport them to container loading depots further inland. Traffickers told EIA investigators that they usually have to pay a bribe to police and customs officials at each of the fifteen to twenty checkpoints located along the road between the landing sites and clandestine loading depots near the Banjul port in the Kondos district (Brikama Local Government Area). In the loading depots, the logs are squared before they are loaded into containers ready for export (Figure 12 and 13). The timber containers are transported to the port of Banjul, from which point they are shipped to China. Asian buyers are usually present in person or through local representatives during this loading process (Figure 14). The modalities of the loading operations are dependent on the status of the export ban in The Gambia (see Section 6 for further details).



Figure 12
Clandestine loading yards in the Kombos areas

Source: Facebook



Figure 13
Sizing of round logs to square logs for re-export in containers



Figure 14
Asian buyers overseeing the loading of containers at a loading site

THE REBELS WHO CONTROL THE ROSEWOOD TRADE

Contraband rosewood between Senegal and The Gambia has been mentioned in several regional and international publications and frequently raised by Senegalese authorities.^{66,67,68} However, to date, primary evidence brought to the public eye has been scarce, and details about the rebels' alleged role has been almost non-existent. EIA's investigative findings indicate that the rebels are in fact controlling and directly benefitting from the illegal activities and suggest that rosewood trafficking currently serves as the main, if not only, form of income for the MFDC rebels.

5.1. Traffickers and Rebels: A Win-Win Relationship

Traffickers in The Gambia told EIA undercover investigators on multiple occasions that they have established a long-term business relationship with the MFDC rebels. One trafficker describes over a decade of collaboration:

EIA: How long you have been working with the rebels?

Trader Z: I have been there for... since 2008.

EIA: 2008?

Trader Z: Yeah.

EIA: And you have friends with the rebels?

Trader Z: Of course. We are used to each other now, because we are doing business now. Their philosophy is they need straightforward. [...] So, if you are straightforward you have no problem with them. They are nice people. The only thing that they hate, if they do business with you, is if you betray them. If you betray them and you come there again, you are off.

Trader N: They kill you.

EIA: They really kill you?

Trader Z: Yeah. "

According to the information gathered by EIA, the current illegal trade between Casamance, The Gambia and China is still very much controlled by the rebels. Traffickers told EIA undercover investigators that the MFDC separatist movement relies heavily if not exclusively on proceeds from the rosewood traffic to fuel their rebellion:

"Trader R: The only process, the only income for the Casamance rebels now is timber. Always bring money for them. So that they can feed themselves, they can build their project.

EIA: They can buy their guns.

Trader R: Might be gun, food, with other stuff. But that is the only way they can achieve money. This is why they are selling those timbers. [...] They need money. So when we are going there, it is not credit business. We are going with our money. They have their timbers. If they

come and said: "this is two hundred." We give them two hundred, no discount. We give them two hundred, we take our timber. That is the only thing in between us. Apart from that, no other relations.

EIA: When you pay them, you pay them in Dalasi or US dollars?

Trader R: Dalasi.

Trader D: Dalasi. They buy everything here [in The Gambia]."

For the traffickers, the dealings with the rebels are based on a mutually beneficial relationship and both sides win: "It is our interest, it is their interest."

5.2. Modus Operandi for Conflict Timber

Traffickers explained to EIA undercover investigators the different modalities of collaboration with the rebels developed over the years. In some cases, it appears that traffickers have directly worked with rebels or people close to the rebels in order to obtain the timber from the forested areas directly controlled by the separatists, in particular in the northern region of the Basse Casamance between the cities of Mongone, Dioulouou and the Narangs Forest.⁶⁹

In other instances, the trees are located outside of the MFDC-controlled areas but money has to be paid to the rebels in order to cross the territory they directly or indirectly control (Figure 15). In certain instances, it seems that the rebels guide or even escort the convoys through the MFDC-controlled territory in order to avoid hitting land mines (Figure 16):

"Trader Z: We are crossing their land, we are crossing their territory. It's Casamance, they are there.

Trader N: Sometimes they are normally the ones that guide you because it is their territory they know where they put their mines and other stuff. So they are the ones that direct you: "Take this way or this way."

Along the way, money changes hands at each of the checkpoints:

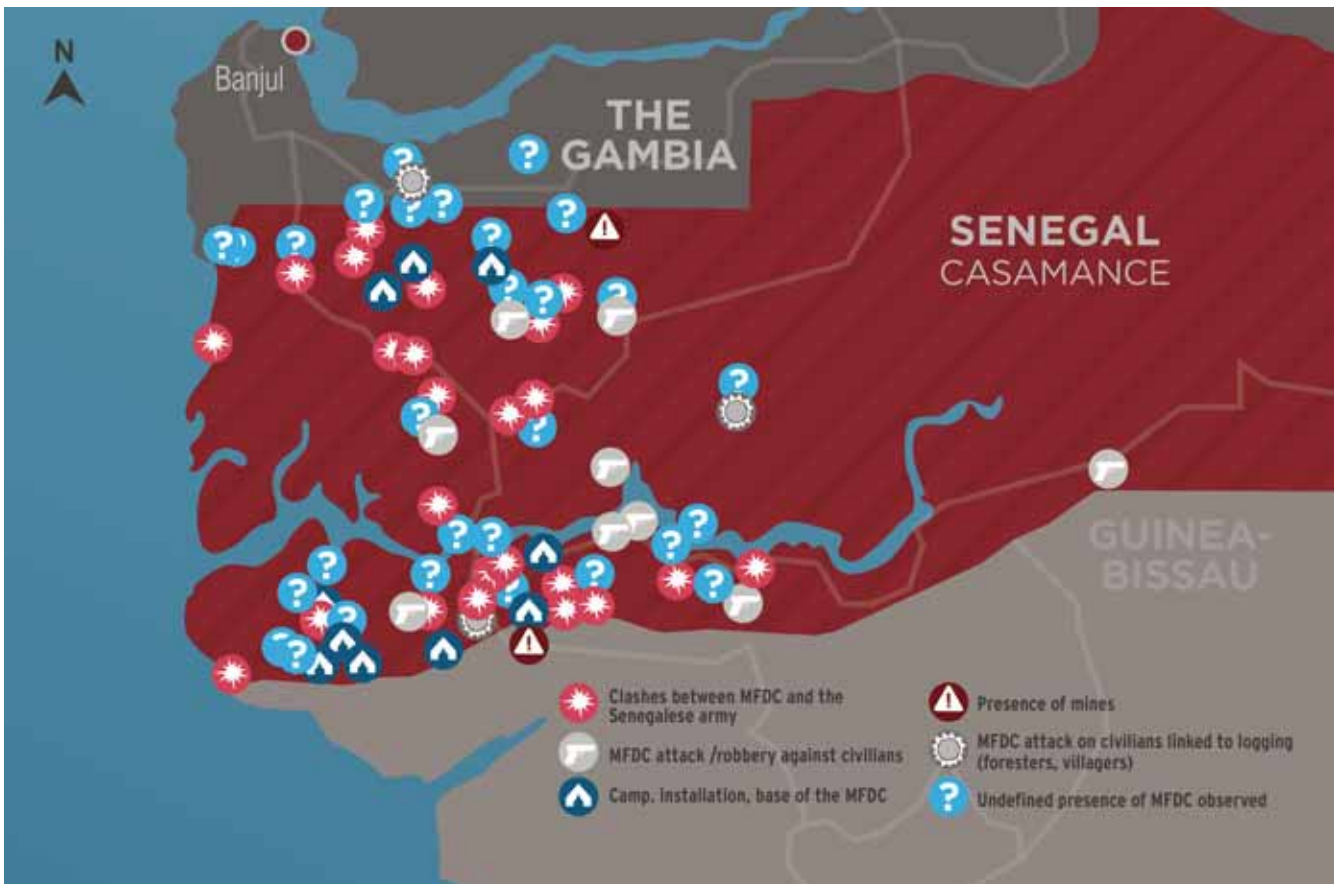
"EIA: You work with the rebels?

Trader Z: Yes, ahahah.

EIA: They are not dangerous people?

Trader Z: No. We are used to them. We are all human.

Trader N: Because they are getting money from it. They are getting money. Every time the timber passes, it passes through their checkpoints. You pay them. "



Source: EIA based on ITRIAL International Investigation®

Figure 15
Areas controlled by the MFDC in Casamance



Figure 16
Mine Field Warning in Casamance

Several traders explained to EIA investigators that the rebels are the ones who are ultimately in “full control of the timber” in Casamance:

“EIA: So you only deal with the rebels, not normal people?”

Trader Z: No, not with normal people. [...] They [rebels] are in full control of the timber. The rebels they are in full control. So anything that you do you have to consult them. If you go there and smuggle. They will catch you. They catch you, you are gone. They kill you [...]. No, there is no compromise on their side. So you deal with them directly. [...]”

Rebels have formalized their illegal business through the issuance of “permits” (Figure 17), which are issued and approved by the MFDC to allow the transport of timber through Casamance and to the Gambian border.⁷¹ Under this system, all transporters of Senegalese logs are expected to carry a permit as they travel up to the Gambian border. The permitting system generates additional cash for the separatist movement:

“The rebel groups have created their own documents, which are hand written and stamped by them. If you are purchasing logs directly from the rebels to take them over to the border into The Gambia you need to pay for this ‘export’ document. It ranges between D1,200 to D1,500 (\$31 to \$38) and must be paid for each load of logs that are sold.⁷²”

As traffickers explained to EIA undercover investigators, the collaboration with the rebels is not optional, and instead appears to be an essential condition of the rosewood business between Senegal and The Gambia. Respecting the agreements with the rebels is the golden rule, according to the smugglers:

“Trafficker N: So you come in, they control you. You deny, they kill you.”

5.3. The Senegalese Army’s Involvement

Over the years, thousands of Senegalese troops have been deployed to certain areas of the Casamance to combat thinly spread guerilla units.^{74,75} Gambian traders explained to EIA investigators that Senegalese troops, like the rebels, were not a problem, and just as they pay the rebels, they also pay the army a “share” of the rosewood trafficking business:

“EIA: Well they are rebels.

Trader D: We don’t have problem.

Trader J: We don’t have problem. Like armies, we don’t have problem.

EIA: But they are rebels, army against the government.

Trader J: Yeah against the government. But there are areas, even the [Senegalese] soldiers are there.

EIA: Even the what?

Trader J: Soldiers are there. [...]

Trader R: It is a combination.

EIA: A combination?

Trader R: A combination between them.

EIA: Of the rebels and the soldiers.

Trader R: Yes! Any business they [the rebels] make, this other part [the army] will have this piece here, and they [rebels] have there.

Trader D: People have share.

EIA: They have different share...

Trader D: Yes.

Trader R: So that is what makes it work.

EIA: So they work together?

Trader D: They work together!”

On one side of the border, in Senegal, traffickers have partnered with rebel and corrupt members of the army. On the other side, in The Gambia, traffickers have threatened and bribed officials, reviving the schemes set up during Jammeh’s presidency to ensure the continued export of illegal logs to China, despite the new policies announced by President Barrow.



Figure 17
The timber transport permits issued or approved by the rebels

BROKEN BAN IN THE “NEW GAMBIA”

As shown in Figure 18, the ban announced by President Barrow in February 2017 (cf. Section 3.3) has had little or no effect on stopping the re-export of illegal Senegalese timber out of The Gambia. In reality, the country has exported nearly as much timber during the first two years of the new government (from January 2017 to December 2018 China imported 218,813 tons of rosewood from The Gambia), as it did during the last two years of Jammeh’s regime (from January 2015 to December 2016, China imported 241,254 tons of rosewood from The Gambia).

The long transition period between the announcement of the new export ban in February 2017 and the ban’s enforcement in July of the same year (cf. Section 6.1), as well as the temporary lifting of the ban between December 2018 and May 2019 (cf. Section 6.2), suggests that under pressure from timber traders, Barrow’s government backtracked on its policies to stop the illegal trade. Figure 19 chronologically summarizes the key events and phases that took place in The Gambia between January 2014 and December 2019.

6.1. Barrow’s Ban Implementation is Postponed

President Barrow’s decision to stop the rosewood traffic altogether, announced in February 2017 (cf. Section 3.3), was met with strong opposition from timber traders in The Gambia. During the first six months of his new presidency, several trade representatives including from the Association of Wood Exporters and Forest Users in The Gambia met, according to EIA’s sources, with Ministry officials repeatedly, asking to extend the transition period before the ban was implemented and allow for the re-export of existing stockpiled timber.

In May 2017, an official press release issued by MECCNAR stated that, following a consultation with stakeholders, the Ministry decided that “the timber re-export trade that was suspended a couple of months ago will be temporarily re-opened for a period of 10 weeks, with effect from 15th May 2017, to evacuate timber logs that got stranded in the country at the time of closure.”⁷⁶ It explicitly stated that only already stockpiled timber

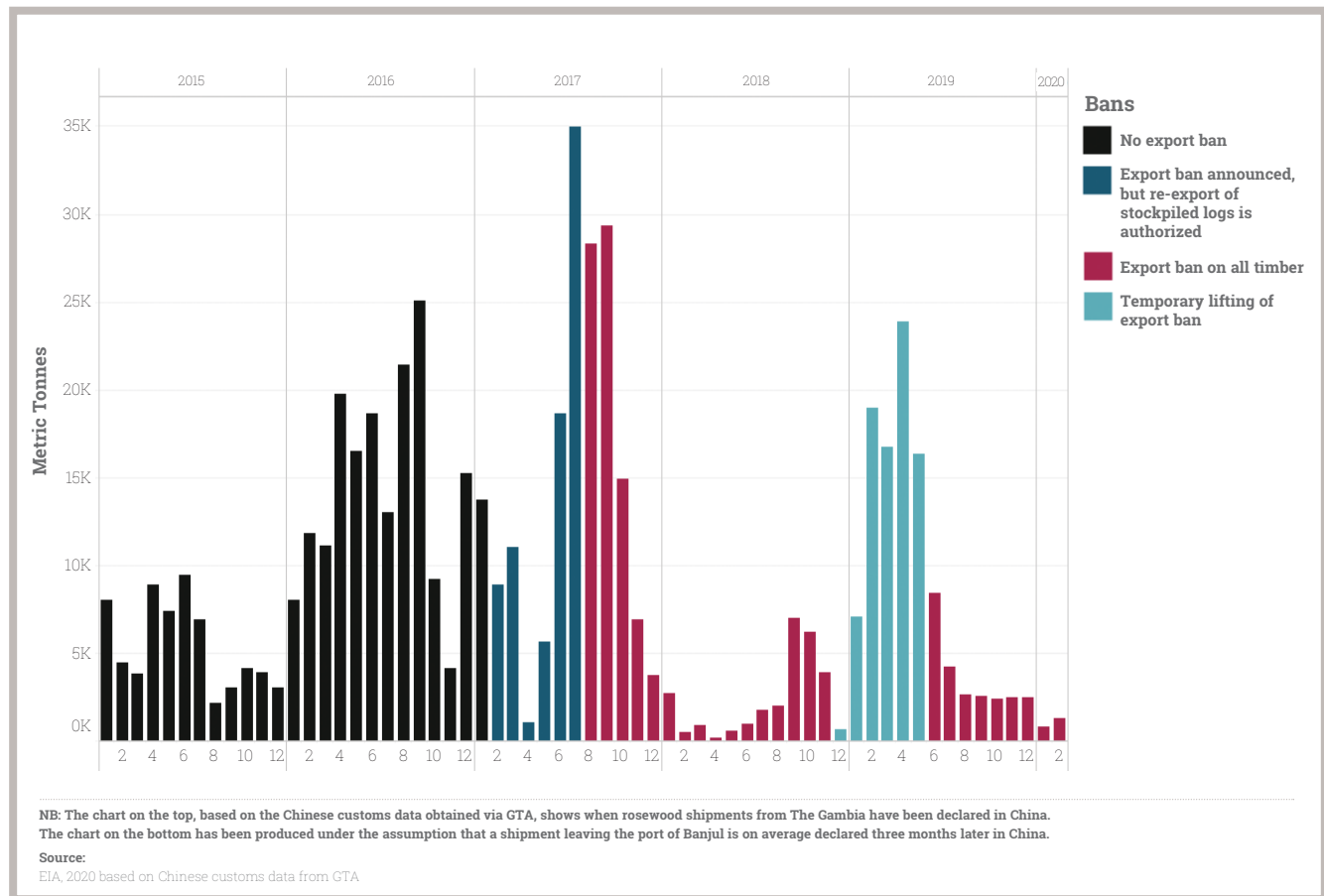


Figure 18

Estimation of the evolution of the monthly export of rosewood from Banjul port, by weight, from 2015 to 2020

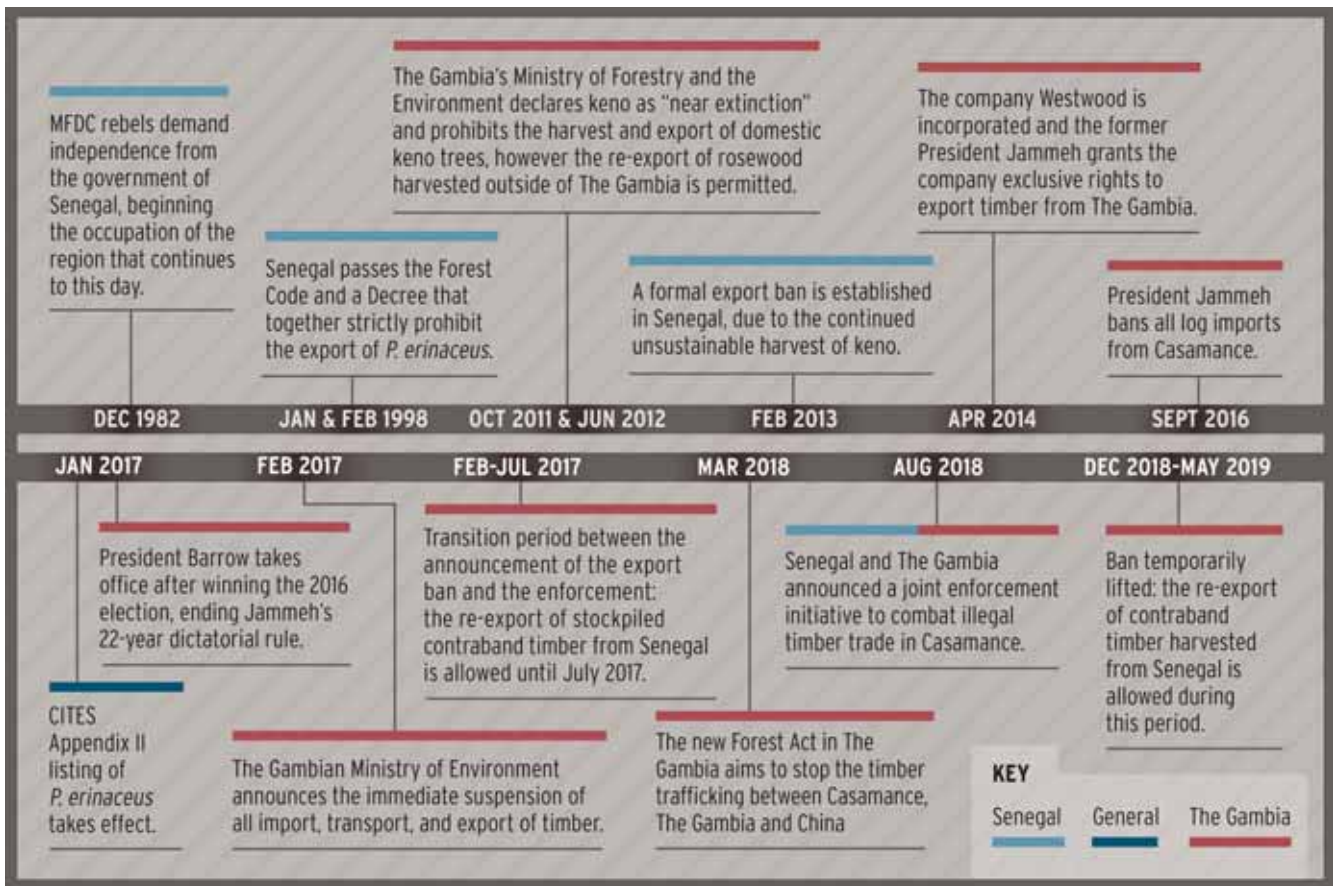


Figure 19
Rosewood traffic chronology in The Gambia

was allowed for export: "Anyone caught bringing into the country new logs during this period will face the full force of the law, and may have his logs confiscated."⁷⁷ The lifting of the export ban would last until the end of July. An official document obtained by EIA confirms that, under the pressure of the industry's representatives, the ban enforcement did not start before the end of July 2017 (Figure 20).

Decisions on timber export bans and their implementation are of great significance in The Gambia, where rosewood appears to represent over 30 percent of the overall value of exports from 2010 to 2018 (Figure 21).⁷⁸ In 2017, approximately half of the total annual export value from The Gambia was timber. The timber re-export sector significantly contributes to a national economy in a dire state, with over 40 percent of the country's youth unemployed and thousands of people risking their lives every year to migrate to Europe for work.^{79,80} For Barrow, who won the election by uniting a divided opposition through an electoral promise to grow the economy, putting an immediate stop to the timber sector was a difficult decision.⁸¹ By the end of 2017, field operations were conducted to implement the new ban, resulting in the monitoring of stockpiles at landing sites and the seizure of logs transported in breach of the ban.⁸² The impact of the postponed implementation of the re-

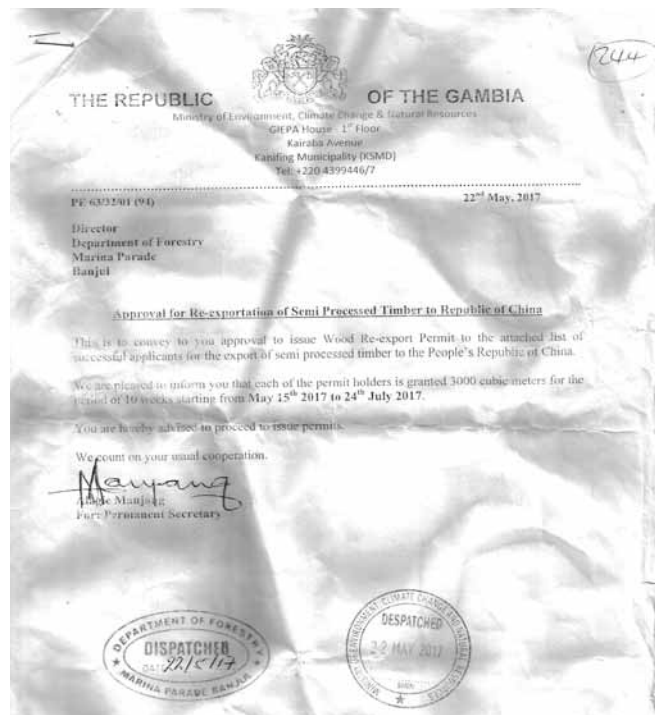


Figure 20
Re-export of squared logs stockpiles authorized until July 24, 2017

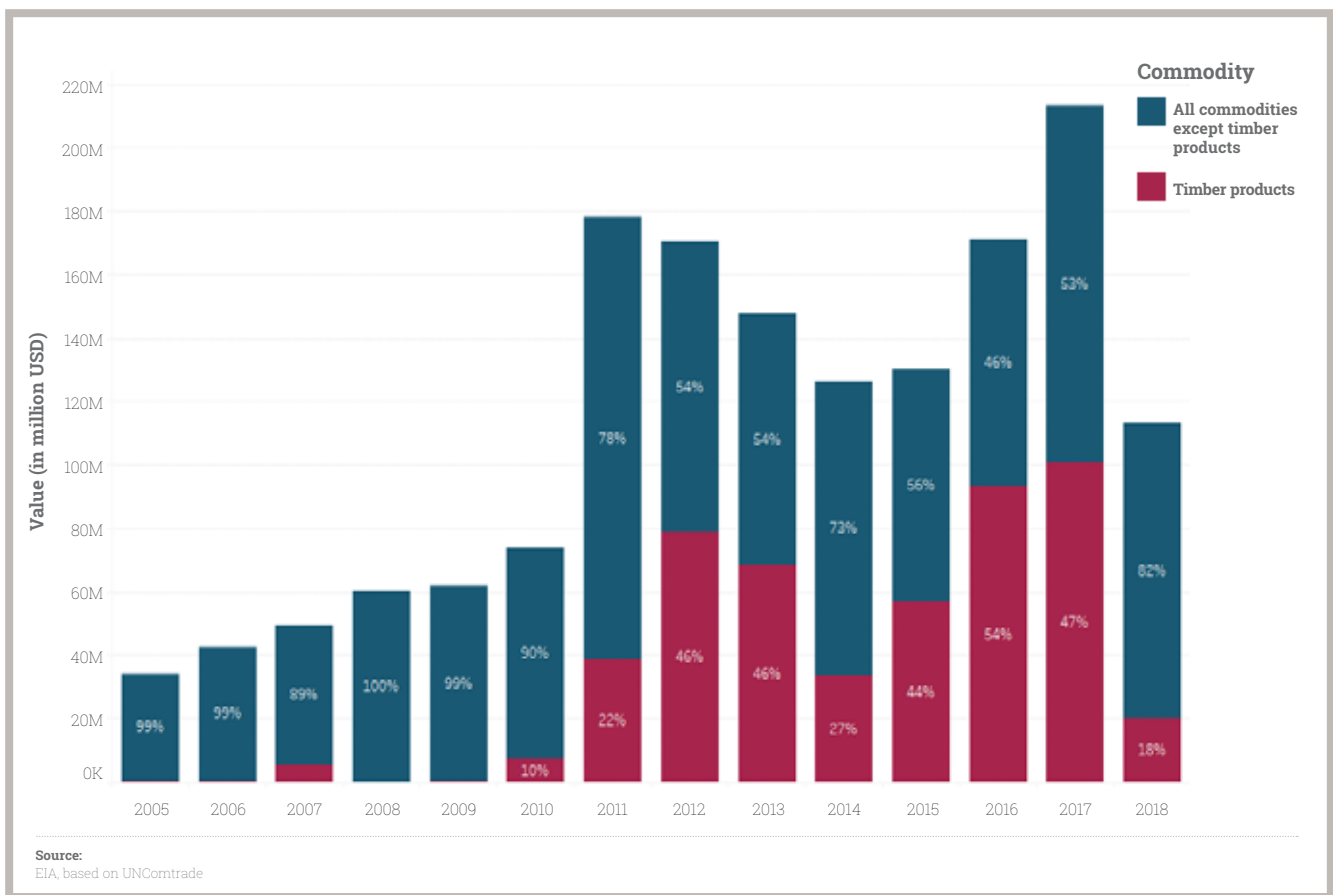


Figure 21
Evolution of the timber imported worldwide from The Gambia, in percentage of the overall import from The Gambia, in value

export ban until July 2017 is reflected in the trade data (Figure 18). Keno re-exports from Banjul did not stop when the re-export ban was announced in February 2017. Instead, trade data shows that the volume declared in China as coming from The Gambia slowly declined from January to May, and then exploded from May to August 2017. EIA’s findings indicate that during this period, traffickers were not only able to export the existing stockpiles of timber smuggled out of Senegal but also obtained and shipped fresh, illegally cut logs, in contravention of the statements made by the Ministry.

6.2. Barrow’s Ban Is Lifted

Jammeh’s regime stirred turmoil and ethnic tensions – primarily between Diola and Mandinka groups – leaving the country at what observers describe as the edge of civil war.⁸³ When President Barrow took office in 2017, he declared that restoring the relationship with Senegal and maintaining the fragile domestic peace were top priorities.⁸⁴ Additionally, the new President promised to break with the old corrupt system that was at the heart of the rosewood traffic and reiterated his commitment on many occasions.⁸⁵ As President Barrow told African

Heads of State: “Our successes in the fight against corruption will ensure that resources are retained and used to support structural transformations and expansion of our economies.”⁸⁶

However, sources told EIA investigators that timber traders made personal threats against government officials and warned they would create new turmoil in the already fragile country if rosewood exports were stopped.⁸⁷ One forestry employee reported to EIA’s source that he had been directly threatened by a trafficker who, after the officer had told him he could not process the paperwork for export, stated they would complain directly to Minister Lamin Dibba and have him handle the matter. Several members of the administration told EIA’s sources that the Permanent Secretary for MECCNAR received death threats in 2018 following the confiscation of logs he initiated.⁸⁸

After continuous threats, it appears that the government began to capitulate on several fronts. In August 2018, the government announced that officers would visit each of the landing sites at the border to collect and monitor the log stockpiles, but the government retracted the statement several days later due to the serious

“security threat” they would face at the border.⁸⁹ Shortly thereafter, the Forestry Department issued a notice to temporarily lift the ban and re-open the re-export of keno in December 2018 (Figure 22).

The renewed lifting of the ban allowed traders to rapidly re-export considerable amounts of contraband timber from Senegal, as several of them explained to EIA undercover investigators. As shown in Figure 18, during the lifting of the ban from December 2018 to May 2019, 53,456 tons of illegal keno were declared as imported by China from The Gambia.

As the temporary lifting of the re-export ban did not allow traffickers to sell all of the timber they have obtained, and as stockpiles of contraband timber continue to grow in the clandestine landing sites and loading sites, traffickers have since returned to routine smuggling of timber out of The Gambia to China.

“Trader N: Because they [the rebels] are getting money from it. They are getting money. Every time the timber passes, it passes through their checkpoints. You pay them.”

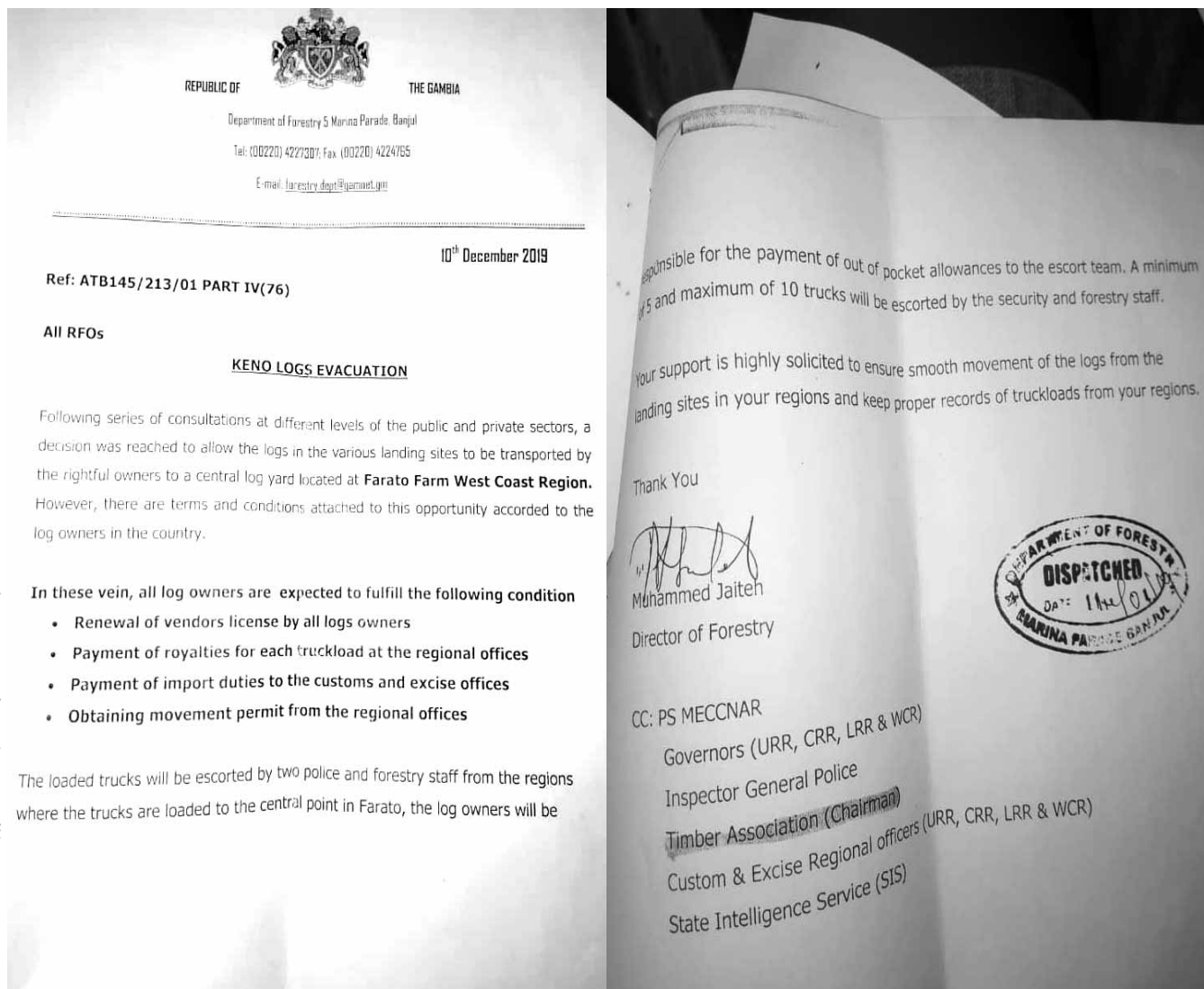


Figure 22
The temporary suspension of the export ban in December 2018

SMUGGLING OUT OF THE GAMBIA: “HIDE AND WORK”

Despite the long delays in enforcement and lifting of the export ban, traffickers told EIA undercover investigators that they were unhappy with the policies implemented by the new government. Several traffickers told investigators that they miss the times when Jammeh was in power since, as one explained, the former president was “the best for the timber business.”⁹⁰ In order to meet the Chinese demand traffickers have bypassed the ban and re-exported contraband timber from the Banjul port. As the Foroya newspaper reported in August 2019, “Rosewood Still Exported Despite Ban.”⁹¹

Indeed, trade data indicates that from June to December 2019, the country exported 60,363 tons of timber – worth \$39,482,829 – all while the re-export ban was officially in place.⁹² This has been possible because well-formed smuggling operations are in place, according to traffickers, including a number of corrupt officials “from the Ministry down.” All of the traffickers who spoke to EIA investigators confirmed that they were smuggling containers of keno out of The Gambia. The main limiting factor is the amount of cash needed to bribe officials, one trafficker explained: “If you have money, you will have timber.” Another trafficker stated:

“Trader Z: Even in a single day, even if you want ten containers. It is left to you. You bring your money, we get document.

EIA: Smuggled out?

Trader Z: Yes! That’s what I am telling you! Smuggling, getting inside the port, if you put that money, even in a single day you can have ten containers.

Trader N: You have money, you do anything you want. Bribing, bribing, bribing.”

7.1. Authorization to Smuggle

All traffickers met by EIA undercover investigators explained that shipments of rosewood from Senegal routinely leave the port of Banjul, despite the export ban in The Gambia. For this to happen, having a “counterpart” in the government that can solve any problems that may arise throughout the smuggling operation is paramount.

“EIA: But now everything is closed?

Trader D: But it is not a problem now. You know the people. You talk to them. You load your container. No problem. [...]

EIA: That’s smuggling?

Trader J: Yeah. Illegal.

EIA: Illegal?

Trader J: Yes!

EIA: To China?

Trader J: Yes!

EIA: How do you do that?

Trader J: Normal business. Normal work.

Trader D: You see the Minister. The Minister himself.

Trader J: We sit down. We chat, everything there. And he will tell you. You start the smuggling. Smuggling, smuggling. Everybody is doing smuggle. Every Chinese here now is doing smuggling. When you are loading, you have to hide. You load, you take your container. You go.”

According to traffickers who spoke with EIA undercover investigators, it appears that Lamin Dibba, the Minister of MECCNAR, is a key figure in the scheme. One trafficker explained how the Minister would give his “go ahead” for the smuggling operation to proceed and then negotiate and collect money from them:

“Trader R: Do you understand what he means?

EIA: No.

Trader R: He said: any day you are ready for the process, when there is agreement that we have to operate, we are going with you to have a table with the Minister. Likely we can call and invite him. You understand? You show him what you liked. What type of wood. We make an agreement.

EIA: With the Minister?

Trader R: Yes. So if that be the case he is going to give us a go ahead. For me to go.

EIA: So you pay him.

Trader R: Yes.

EIA: How much do we pay?

Trader R: Well, it is all up for negotiation, the discussion. Do you understand? So we are aware, if he is aware, then no one who will disturb, because this is directly from the head. You understand?

EIA: The president?

Trader R: No, the Minister. The Minister of Forestry [MECCNAR]. You know we have a Minister of Forestry who is in charge of all the forest, all the wood.

EIA: He is your friend?

Trader R: Yes, he is his friend [indicating Trafficker 1]. He goes up to his house. Even tomorrow, if you want we go there, we sit down, we agree, we arrange everything, we sign, we make a paper, we sign everything and we start the process. If you want that.”

Traffickers further explained to EIA investigators that Minister Lamin Dibba, would not only approve the illegal operations but also advise on how best to conduct them:

“EIA: Do we go there to sign an agreement with him [Minister]?

Trader R: We are going there to discuss. First thing. To tell him that we want to work. And this type of work you want. You understand? So now he is going to tell us how to work. And how we are going to do it. After giving us advice, then we can agree on something. Then we need

paper. You get me? You are going to be there present. He is going to be there present. You understand? And when paper is done, then we can start the process. Then, in the room, you will see that there will be a witness of it, which is going to be the big one.

EIA: What's the name of the Minister?

Trader D: Lamin Dibba.

EIA: Dibba?

Trader D: Dibba.

Trader J: D.I.B.B.A.

EIA: Dibba, alright."

EIA did not receive a response to its multiple inquiries from Minister Dibba. Another alleged role for the Minister is to stifle any reports from officers who witness the illegal port traffic and try to stop it. As one trafficker explained, once an agreement has been reached with the Minister, if someone were to call his office, he would just tell them, "No, no, forget them [...] Forget them, these are my people." Due to the Minister's involvement, traffickers take extra precaution to ensure the confidentiality of the agreement and operations. One trafficker stated, "But when they give you the paper to work, you have to do it secretly. You have to hide and work. Hide and work. Because it is not legal. It's illegal. You have to hide and work."⁹³

7.2. Obtaining the Paperwork to Smuggle

Obtaining all of the required paperwork from the Gambian administration for export and, more importantly, import into China – in particular the CITES export permit – despite the export bans in Senegal and The Gambia, is key to the success of the smuggling process. According to traffickers who spoke to EIA investigators, one particular person named Lamin Sadykhan plays a key role in ensuring a smooth operation and obtaining all necessary documentation. One of them explained:

Trader H: Last year [2018] I worked with him [Lamin Sadykhan], smuggling, I loaded about 70 containers in the smuggling times. But when not smuggling, one hundred, two hundred that's no problem.

EIA: So when you say that during "smuggling times" you shipped out 70 containers.

Trader H: Yes, last year.

EIA: During not smuggling times, when it is opened, do you have to pay Lamin?

Trader H: Yes.

EIA: You still do?

Trader H: Yes.

EIA: Just a little less money, right?

Trader H: Yes.

Even with the export ban in place, multiple sources referred to Lamin Sadykhan as the key facilitator to obtain all of the required paperwork from the Gambian administration to ship rosewood out of the country. One trafficker explained: "We don't hide. We don't go behind

Sadykhan, he knows everything," and another claimed: "He is the main man for this timber. [...] He is not government body, he's very strong. He is part of the timber association."⁹⁴

Mr. Sadykhan appears to have a double affiliation. While he is part of the Association of Wood Exporters and Forest Users in The Gambia, traffickers told EIA investigators that Sadykhan is also in charge of the company Jagne Narr Agency and Procurement Service ("Jagne Narr"), which exercises control over all Gambian timber exports:

"EIA: So Sadykhan is what? He is government? He is not a Minister?

Trader H: No.

EIA: What is he?

Trader H: Sadykhan is the one who... He is working his own company. He owns company.

EIA: He owns his company.

Trader H: Yes. You know before Sadykhan comes to CITES, like the company called Westwood. You know Westwood?

EIA: Westwood is who? Who is Westwood?

Trader H: Before this new government comes, Westwood they were working with the former president Jammeh.

The one who controlled this CITES. After the government changes, this new government, they transfer this CITES to one company, company named Jagne Narr. Jagne Naar. [...] So this Jagne Narr company, so Lamin Sadykhan is the one who is responsible for this company. You understand now? Before, Westwood is the one who controlled the CITES. [...] So now, after the change of the government, they transfer the CITES to one company, the company name is Jagne Narr. And who is the owner of this company is Lamin Sadykhan. He is the one who controls the CITES."

Jagne Narr's role under President Barrow appears to be a direct continuation of Westwood, which operated under President Jammeh. The alleged owners of Westwood have been accused of facilitating the traffic of conflict timber from Senegal. In June 2019, the Geneva-based non-governmental organization, TRIAL International, filed a criminal complaint against Nicolae Bogdan Buzaianu, a Swiss national who is the co-owner of Westwood and close business associate of former Gambian President Jammeh, for the alleged pillaging of protected, Senegalese rosewood (Box 4). President Barrow has reportedly had trouble stepping out of Jammeh's cliques and schemes, in several instances the old president's men, are still the new president's men.⁹⁵

EIA investigators obtained documents that summarize the particular role that Jagne Narr plays in the rosewood trade. According to these documents, the company operates as the "exclusive coordinators for the export activities" and the "exclusive interface with all the stakeholders" (Figure 23). The company is formally responsible for providing exporters with key required documents, including "CITES certification" and

SANCTIONS AGAINST THE PILLAGING OF SENEGALESE FORESTS: THE BALL IN THE SWISS COURT

After more than a year-long investigation – which included field missions to Casamance and The Gambia – TRIAL International filed a criminal complaint before the Swiss War Crimes Unit in June 2019 against Nicolae Bogdan Buzaiianu, the alleged co-owner of Westwood, for pillaging precious rosewood from Casamance.

The complaint introduced original evidence that links the role of the MFDC in rosewood trafficking from Casamance to Westwood's timber export business and its two alleged beneficial owners, Buzaiianu and former President Jammeh. TRIAL International's case was filed strategically in Switzerland because Buzaiianu is a Swiss national, and the Swiss federal prosecuting authorities have jurisdiction over war crimes committed outside its territory.

The case is ground-breaking as it relies on the existing international criminal legal framework to punish accountability for a non-enumerated environmental crime. The war crime of pillage, which amounts to dealing with stolen, conflict resources, is committed on a daily basis in war zones; many times, resulting in severe environmental degradation. But pillagers – who are responsible for the financing of wars – are mostly left unpunished.⁹⁶ In the case of timber, no individual or company has ever been convicted of pillaging this natural resource despite the fact that much deforestation takes place illegally in conflict zones.

TRIAL International is expecting the opening of an investigation by the Swiss War Crimes Unit, followed by a trial against Buzaiianu.

“certificate of origin per BL [bill of lading]” (Figure 24). The certificate of origin obtained by EIA investigators shows Jagne Narr as the declared consignee on behalf of the Gambian exporter, while the Association of Wood Exporters and Forest Users is listed as the certifying authority. On the certificate of origin for the squared logs exported to China, The Gambia is indicated as the origin of the goods.

Questioned by investigators on how a CITES permit was obtained for illegal timber to be smuggled out of the country, multiple traffickers pointed out Saidykhan as “the one who normally brings the CITES [export permits],” When asked about Saidykhan, one trafficker told EIA investigators: “He is the one that controls the CITES, even when the government put the ban. He is the one who controlled, still now he is the one who controls.” The alleged way for Saidykhan to control the process, is, unsurprisingly, money:

“EIA: So you have to pay him [Lamin Saidykhan]?”

Trader H: Yes.

EIA: A lot of money?

Trader H: Yes. [...] I have to pay him because also he has to pay some people in the government. But you know smuggling also, you don't allow everybody to come to you. [...] This is why he allows some people who are experienced, who know the job. They allow those people.”

CITES permits obtained by EIA investigators were signed by Mr. Momodou Lamin Kassama, Director of Parks and Wildlife Management, representative of the CITES Management Authority in The Gambia. Answering EIA's formal written inquiry, M. Kassama stated in April 2020 that he was aware that some of the rosewood exported may have been smuggled [out of Senegal], he further explained that the origin of the

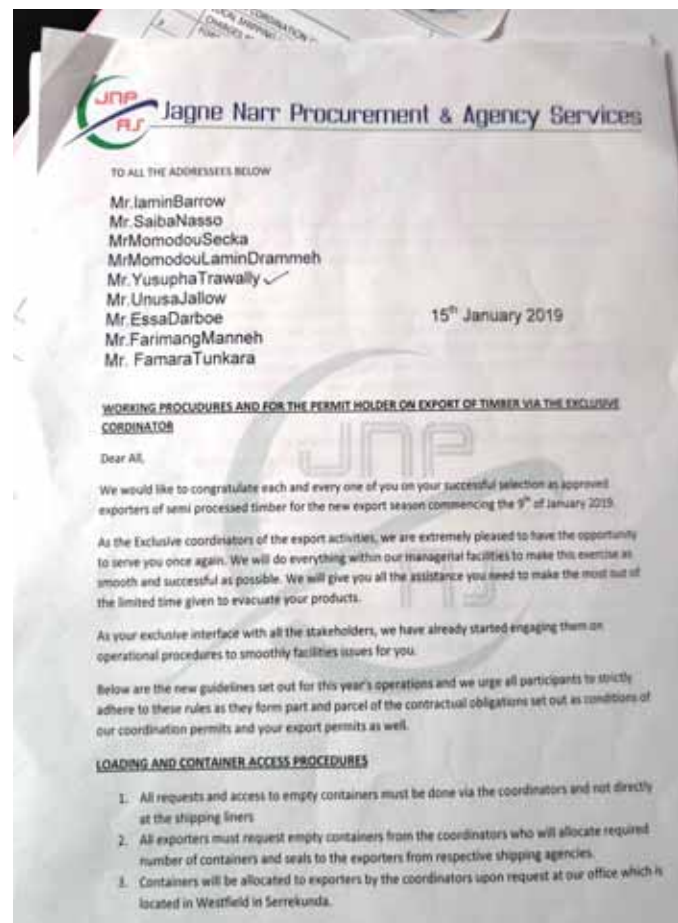


Figure 23
Document issued by Jagne Narr explaining its role in the timber re-export from The Gambia.

PS: None of the people named in this document have been charged with wrongdoing.

142 102 101 11 (Revised/Revisé, Juillet 01)

Certificate of Origin

Generalized system of Preferences
Certificate of Origin
(Continue destination and certificate)
Form A

1. Goods originated from (Exporter's business name, address, country)
JAGNE NARR AGENCY & PROCUREMENT SERVICES
LAMIN VILLAGE, S.A.C
THE GAMBIA

Reference No. **00000 00000**

2. Goods assigned to (importer's name, address, country)

3. Means of transport and route (if for air travel)

4. For official use

5. Item Num.	6. Marks and Numbers of packages	7. Number and kind of packages; description of goods	8. Origin criterion (see notes over leaf)	9. Gross weight or other quantity	10. Number and date of invoice

11. Declaration by the exporter
The undersigned hereby declares that the above details and statements are correct and that all the goods were produced in
THE GAMBIA
(country)
and that they comply with the origin requirements specified for these goods in the Generalized System of Preferences for goods exported to
SENEGAL
(importing country)

12. Declaration by the importer
The undersigned hereby declares that the above details and statements are correct and that all the goods were produced in
THE GAMBIA
(country)
and that they comply with the origin requirements specified for these goods in the Generalized System of Preferences for goods imported from
SENEGAL
(exporting country)

Figure 24
Certificate of origin for a shipment of contraband Senegalese rosewood re-exported from The Gambia

timber was often unclear, in his words: "It is very difficult for us to determine origin of the rosewood on the face value as the documentation presented forms the basis of our judgement in issuing the permits or otherwise."⁹⁷ M. Kassama also mentioned that several protocols are in place between The Gambia and Senegal, regulating the trans-frontier movement. He claims that he is not aware of any rosewood export from The Gambia since the ban on export is in place. Asked if he has facilitated the export of *Pterocarpus erinaceus* despite the ban, M. Kassama explained: "I have not facilitated the issuance of permit during the banned period. Though it is difficult to verify everything as smugglers keep changing and adjusting their modus operandi to evade safeguards."⁹⁸ EIA did not receive a response to its inquiries from Lamin Sadykhan. When EIA contacted Jagne Narr, via the phone number showing on the company's document, a representative indicated that any question should be directed to the company's "administrator" and share a phone number that EIA investigators had previously linked to Lamin Sadykhan.

7.3. Entering the Port and Shipping to China

Once traffickers have secured high-level protection and the required paperwork, the wood can be moved into the port of Banjul. One trafficker described the operation: "Trader Z: I take the containers into the port. Before then you [the exporter] give me the address for the containers. I'll send the SI [shipping instruction] to the shipping lines. After two-three days, they will give me a draft copy. Draft copy I will bring to you. You will go through it. When you are satisfied I'll bring the original of the bill of lading for you, bring it for you, give your CITES and your bill of lading. That's the thing I do. [...] If we come to conclusion, we agree on price, we will move it by tomorrow. We will move it to our place [clandestine loading site]. Even tomorrow in the night, we will load that container for you. So when the loading is finished. Maybe we will finish around like 12 to one o'clock at night. When half past to three o'clock I will be on my way taking the container to the port."⁹⁹

In order to complete the operation and export the timber, traffickers told EIA investigators that they need the help of a clearing agent. They also explained that the export of timber, even when the ban is in place, occurs with the knowledge of the shipping lines:

"EIA: So the government knows and the shipping companies know?"

Trader Z: Yeah.

EIA: Everybody knows?"

Trader Z: Yeah. Because you know timber when it is going to open in Gambia, it is a negotiation between Gambia and Senegal. And this is a big profit for Gambia to be doing export of timber, because Gambia here we do not have any resources. We don't produce anything. So this is our source of income and it is bringing huge amount of income into our country. [...] So we do our things without everybody knowing it: our government have, the shipping lines have, we have."

The same trafficker explained to EIA undercover investigators how in practice the shipping lines are aware of the timber leaving the country, despite the export ban in place:

EIA: So the smuggling, it's smuggling is illegal [...] But then the shipping companies like Maersk Line, all these other big companies...

Trader Z: Maersk Line, MSC, CMA.

EIA: Yeah, so when they issue bill of lading, when they actually take the container up to their boat. Remember you say in the morning: we load, we smuggled in to the port, get loaded in there. Do they know that?"

Trader Z: They know.

EIA: Maersk Line, MSC?"

Trader Z: Yeah. It's a deal. Because the companies for them, export, export, export, huge plus for their company, in Gambia here. So for that being the case, we deal with them directly. Because any container that we

load, when you stuff it, they know. Because when container goes out, they will know, because you go there for a booking.

The trafficker explained that in order to book and obtain a container, it is common for traffickers to fill out the shipping instruction for the export of "gravel," rather than timber. Nevertheless, the true nature of the goods actually shipped appears on the bill of lading which, as explained by the trafficker: "The details in the bill of lading instead of gravel, it's timber. So they will issue a bill of lading [for timber] for us." A typical bill of lading for the export of kenia during both the "smuggling time" and the "trading time" would show, according to traders, the exact commodities loaded into the container, as presented in the Figure 25.

Because of their role in the export of timber, the government explicitly called out the shipping lines, stating explicitly "no shipping line is permitted to export any form of wood" (Figure 26).

In response to EIA's written inquiries about their alleged role in rosewood trafficking, Maersk stated that they acknowledge the link between the container business and the potential misuse or abuse of containers in transporting restricted commodities, and they cooperate with all relevant authorities if an illegal activity is suspected.¹⁰⁰ They observe that legal limitations hamper their strategy to combat illegal trade: "First and foremost we are not entitled to open the containers (in most cases, this authority rests with customs)".¹⁰¹ According to the representative who answered EIA's written inquiry, the company does not accept illegal goods and have a screening process in place to ensure the company is not transporting illegal goods, the company has added the CITES lists of restricted commodities to their sanctions screening, so that, in their words "if the cargo is declared as restricted commodity we will catch it." The company further describes: "As any container logistics company, we rely on our customers to fulfill their regulatory obligations. This includes correctly declaring the content of the container. While we have guidelines in place to guide the staff on screening and handling cargo bookings, in most countries, including Gambia, we rely on customs authorities to ensure that a shipment has been cleared for export and to verify the compliance status of the cargo. It is the customs authorities' duty and obligation to receive the more detailed information and certificates regarding the cargo for the import/export of containers."¹⁰²

In its response to EIA, MSC did not address the questions raised about their role and knowledge of the Senegal-Gambia-China rosewood trafficking. EIA did not receive a response to its inquiries from CMA-CGM.

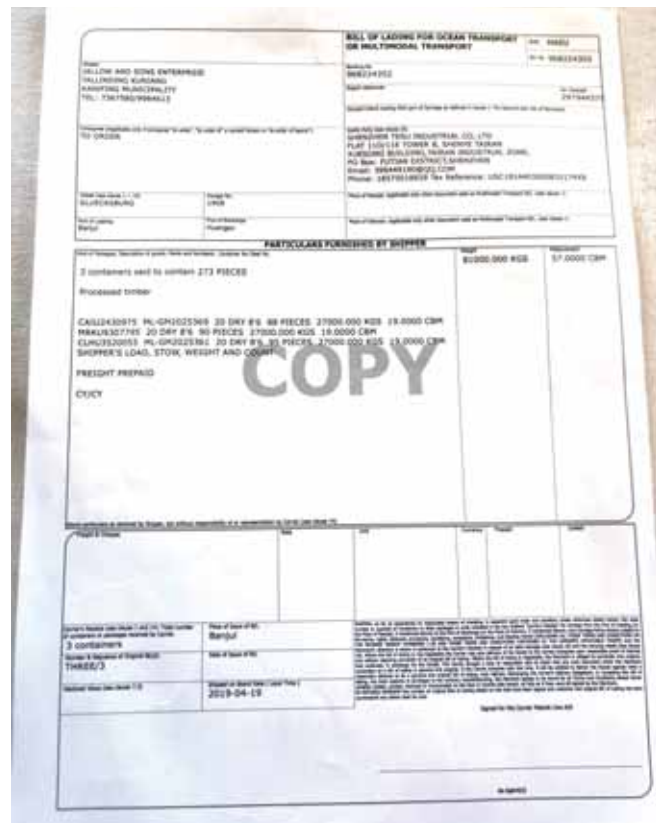


Figure 25
Example of a bill of lading issued by the shipping companies for the export of rosewood



Figure 26
Warning from the government to all shipping lines operating in the port of Banjul

CONCLUSION AND RECOMMENDATIONS

EIA's investigation indicates that the equivalent of approximately 1.7 million keno trees have been exported from The Gambia since 2011, when the species was described as "near extinct" by the local administration. According to EIA's findings, the vast majority (over 95 percent of the total) of the trees were illegally logged and smuggled out of Senegal, in particular from the Casamance region.

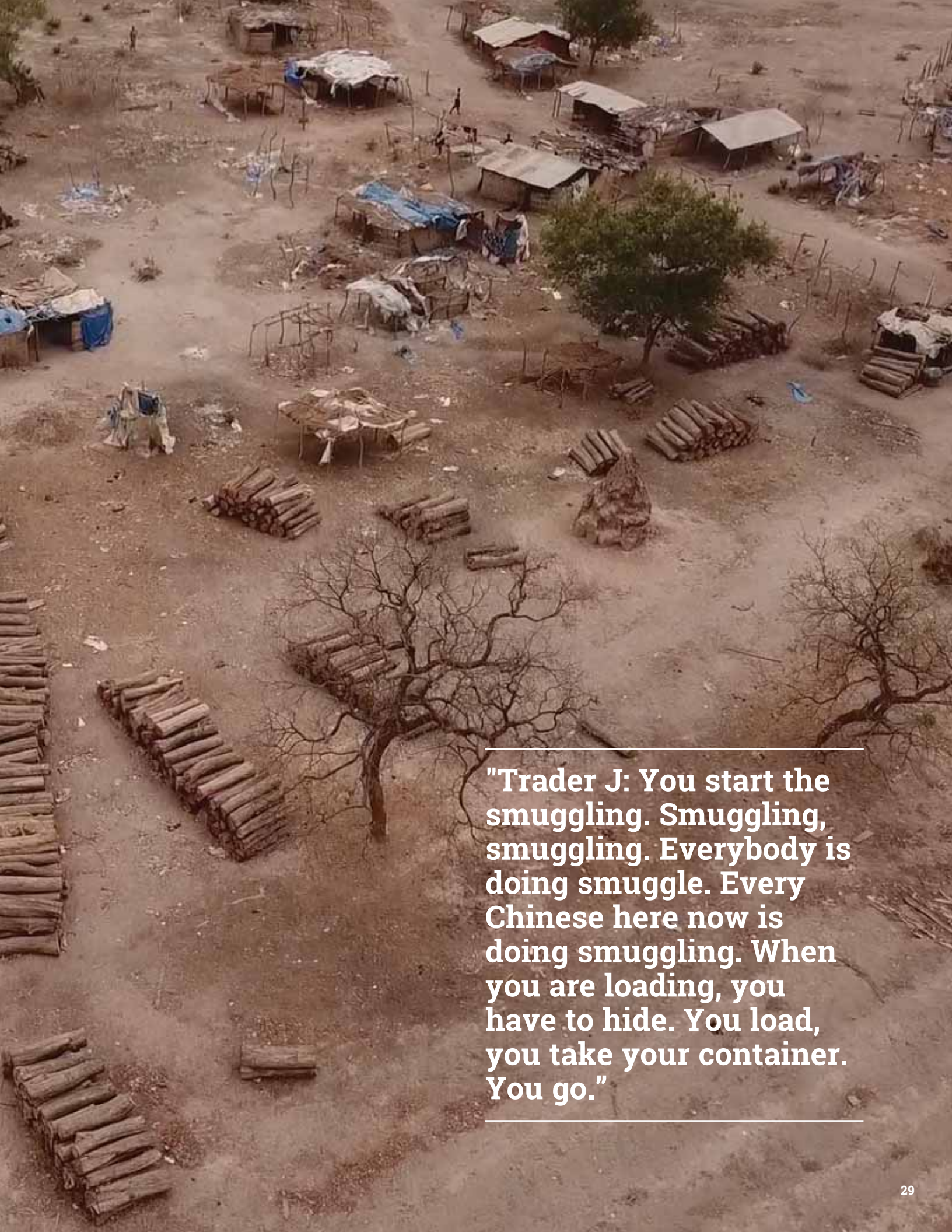
Traffickers in The Gambia told EIA investigators that the ten-year long timber contraband operations in Casamance have been controlled by the MFDC rebels, who rely on the profits from the rosewood traffic as their primary source of income.

President Barrow's accession to power in January 2017 promised the renaissance of a "New Gambia," free of corruption and violence. Despite Barrow's promises and attempts, traffickers still appear to be in control of the rosewood traffic in The Gambia. Through the intimidation of dutiful officers and threats of unrest against the fragile new government, traffickers have consolidated their power. Under their pressure, the implementation of the re-export ban announced by the government was delayed and then lifted for significant periods. Traffickers have also benefitted from the alleged support of high-level officials, including MECNARR Minister Lamin Dibba, in order to bypass the re-export ban currently in place. According to traffickers, the smuggling out of The Gambia of Senegalese conflict and contraband wood would not have been possible without the shipping lines that operate out of the port of Banjul. According to traffickers: "They know." The coming months will show the impact of the government's warning to the shipping lines.

Since 2017, *P. erinaceus* has been protected by CITES through a listing on Appendix II of the international Convention. The CITES Secretariat and member states need to take urgent measures to address the rosewood crisis in West Africa, in particular to stop the illegal trade currently happening between Senegal, The Gambia, and China. In order to effectively stop the boom and bust style illegal exploitation of West African rosewood, trade in *P. erinaceus* should be suspended in the Gambia, as well as at the regional level.

In order to urgently stop the criminal networks that operate between Senegal, The Gambia and China, EIA recommends:

- 1 An investigation in The Gambia into the rosewood traffickers and their enablers, including the Association of Wood Exporters and Forest Users, who have bypassed the export ban and abused the CITES licensing scheme;
- 2 The immediate dismantling of the company Jagne Narr Procurement & Agency Services;
- 3 An investigation into the alleged participation in rosewood trafficking by members of the Senegalese army stationed in Casamance;
- 4 Seizure by Chinese authorities of containers of *Pterocarpus erinaceus* from the Gambia located in the ports or landing on Chinese shores, in light of the provisions against trade in illegal timber in the recently adopted Chinese Forest Code and in keeping with CITES obligations;
- 5 Immediate suspension of the trade in *Pterocarpus erinaceus* from The Gambia under CITES, and suspension of the trade in *Pterocarpus erinaceus* from West Africa following its inclusion in the Review of Significant Trade, through the adoption of a region-wide "zero quota" for exports;
- 6 An investigation by the International Police Organization (INTERPOL) into the shipping lines' alleged role in the re-export of contraband Senegalese rosewood from The Gambia; and
- 7 Swiss authorities to conduct a thorough investigation into the criminal case filed by TRIAL International against Nicolae Bogdan Buzaianu, for his alleged role in facilitating the pillaging of Senegalese rosewood, through Westwood Company Ltd.



"Trader J: You start the smuggling. Smuggling, smuggling. Everybody is doing smuggle. Every Chinese here now is doing smuggling. When you are loading, you have to hide. You load, you take your container. You go."

ACRONYMS

CMA-CGM	Compagnie Maritime d’Affrètement-Compagnie Générale Maritime
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
EIA	Environmental Investigation Agency
MECCNAR	Ministry of Environment, Climate Change and Natural Resources
MSC	Mediterranean Shipping Company
SI	Shipping instructions

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