PILLAGE

WESTWOOD: DEALING IN CONFLICT TIMBER
PRESS KIT

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March 2020
Between 2014 and 2017, The Gambia exported nearly 163 million US dollars-worth of rosewood, a rare and precious tree species, to China. During this time, Westwood, a Gambian company presumably owned by Swiss national Nicolae Bogdan Buzaianu and former Gambian President Jammeh, had the exclusive license to export rosewood. The timber it exported was illegally felled in neighboring Casamance where the separatist armed group has been fighting the Senegalese army for decades. TRIAL International filed a criminal complaint with the Swiss Office of the Attorney General against Mr. Buzaianu accusing him of having pillaged conflict timber.

According to the criminal complaint (dénonciation pénale) filed by TRIAL International, Swiss businessman Nicolae Bogdan Buzaianu’s company was involved in the pillaging of precious rosewood from Casamance between 2014 and 2017. During this period, Westwood Company Ltd – which, according to TRIAL International’s findings, Mr. Buzaianu co-founded with former Gambian President Yahya Jammeh – had a monopoly on the export of rosewood, a precious tropical wood from The Gambia. But with Gambian rosewood nearly depleted since 2011, most of the timber was actually imported from Casamance, a region in southern Senegal that borders The Gambia. For several decades, large areas of this region have been under the control of the separatist armed group, the Mouvement des forces démocratiques de Casamance (MFDC).

‘Exploiting natural resources from a conflict zone is a war crime that must be punished. Without the pillaging of natural resources, many armed groups would have no means of financing their wars’, said Montse Ferrer, Senior Legal Advisor and Corporate Accountability Coordinator at TRIAL International. ‘Despite numerous documented cases of pillage, not a single conviction has been made since the end of World War II.'

TRIAL International filed a criminal complaint for pillage against Mr. Buzaianu in Switzerland with the Office of the Attorney General (OAG) in June 2019. ‘We have waited until today to go public because we wanted to give the Swiss prosecutorial authorities sufficient time to review the evidence and, as the case may be, take decisive action against Mr. Buzaianu. We are hopeful that these steps have been taken and that the OAG is investigating the matter’, she added.

Some estimates suggest that Senegal loses the equivalent of 40,000 hectares of forest per year, several dozen hectares of which are lost due to the illegal exploitation of rosewood in Casamance. This selective deforestation has led to a decrease in rainfall and increased desertification in the region. It has also led to conflicts between rebels and communities who can no longer use the forests for sustainable livelihoods. Illegal logging of precious woods is problematic, as it undermines reforestation efforts in the region. According to the International Institute for Environment and Development (IIED), ‘in the village of Koudioube, the restoration of the community forest has helped to overcome conflicts.’ Illegal logging has stopped, fruits and wildlife are abundant, and local people are once again able to sell forest products. Communities that used to fight each other are now working together.

A large share of the trafficking and logging has been taking place directly in the territory controlled by the MFDC for almost thirty years. Westwood’s illegal activity is all the more serious because it contributed to an illegal timber trade that has historically financed the MFDC. Equally striking is that this trade has had such a negative impact on the lives of local people contributing directly to the deforestation of the region’, said Jennifer Triscone, Legal Advisor at TRIAL International. The armed group exercises de facto control over the precious wood industry by issuing logging authorizations and transport permits, and by ensuring the security of the latter. The rebels also illegally exploit and sell precious hardwood timber to finance their armed struggle: an illegal trade fueled by demand from the global tropical hardwood market.
Copy of a delivery slip issued in the village of Sambouladiang, in the Diouloolou district. The document is not officially stamped by the MFDC, but the presence of the armed group in this village is attested by other evidence contained in the file.

Between April 18, 2015 and January 17, 2016, the three large trees still present in 2015 were felled, on this plot located southeast of Kolonba, in the Bignona forest. ©Google Earth | selection: Transparent World

An example of selective deforestation between January 12 and November 25, 2014 in the Tobor forest. ©Google Earth | selection: Transparent World

Légende
- Bande armée, supposée appartenir au MFDC
- Coupes de bois sélectives
- Fraction d'Ousmane Niang Diatta
- Fraction de César Aloum Badiaté
- Fraction de Ibrahima Compass Diatta
- Fraction de Lamarre Sambou
- Fraction de Paul Bassène
- Fraction de Salf Sadio
- Fraction du MFDC non-spécifiée
**BACKGROUND INFORMATION**

**SUMMARY OF THE CASE**

In June 2019, TRIAL International filed a criminal complaint against Swiss national Nicolae Bogdan Buzaianu, a close business associate of former Gambian President Yahya Jammeh, for alleged pillaging of Senegalese rosewood. rosewood is a protected species. Between June 2014 and March 2017, Westwood Gambia Limited, a Gambian company owned by entities affiliated to Mr. Buzaianu and former President Jammeh, allegedly exported over 315,000 tons of *Pterocarpus erinaceus* to China, roughly equivalent to USD 163 million. This precious rosewood species was illegally harvested from the neighboring Casamance region, where the armed group the Mouvement des forces démocratiques de Casamance (MFDC), has been fighting the Senegalese army since the 1980s. With Jammeh as an ally, the MFDC was able to monopolize the timber trade in Lower Casamance, using its profits to finance its armed struggle. Westwood benefited generously from this trade, transferring its profits to individuals and companies associated with Former President Jammeh and Mr. Buzaianu. The MFDC would have exercised de facto control over the timber trade out of Lower Casamance by issuing authorizations for logging and transport permits, and by providing safe passage to the timber traders. Westwood Gambia Limited would have been involved in this trade, transferring millions of dollars in profits to individuals and companies associated with former President Jammeh and Mr. Buzaianu. The illegal felling of rosewood has had a detrimental impact on the Senegalese forests, contributing to declines in rainfall and desertification, as well as preventing the sustainable livelihood of local communities.

**FILING’S STATEMENTS**

- A Swiss national would have partnered business-wise with former Gambian President Yahya Jammeh, accused by the so-called “Janneh” Gambian Commission of Inquiry, established to shed light on the economic and financial activities linked to the former President, of having embezzled millions of dollars in state funds, and would have benefitted from such business partnership.
- The MFDC would have exercised de facto control over the timber trade out of Lower Casamance by issuing authorizations for logging and transport permits, and by providing safe passage to the timber traders.
- Westwood Gambia Limited would have benefited largely from this trade, transferring millions of dollars in profits to individuals and companies associated with former President Jammeh and Mr. Buzaianu.
- The illegal felling of rosewood has had a detrimental impact on the Senegalese forests, contributing to declines in rainfall and desertification, as well as preventing the sustainable livelihood of local communities.

**TIMBER TRADE SUPPLY CHAIN**

In the course of its investigation at the border between The Gambia and Casamance, TRIAL International was able to visit the timber trade supply chain, from the forests controlled by the MFDC in Casamance to the port in Banjul where the timber was exported. The investigation allowed to find that rosewood was felled in Casamance with the support of the MFDC. The armed group allowed the cutting to take place and benefited financially by issuing transport permits in exchange for fees — when they did not directly engage in the trade. BBC Africa Eye’s documentary *The Trees that Bleed: How rosewood is smuggled from Senegal into Gambia*, shows clearly the role of the MFDC in the timber trade.

The traders would then transport the timber to The Gambia via a network of small roads that were not subject to customs control. On the other side of the border, Gambian traders would then set up timber depots displaying the valuable rosewood for sale. Convoys of trucks would then carry the timber through the main checkpoint, located in Mandina Ba, on the road to the capital, Banjul. This checkpoint was staffed by officials from the customs, forestry and tax authorities as well as an agent from Westwood Gambia Limited that would collect fees for the company, imposed to wood traders for the shipment of their good. Every shipment then received a permit from the Gambian government before proceeding to the port. From this point on, their Senegalese origin was blurred. At the port of Banjul, the logs were placed in containers by Westwood Gambia Limited and then loaded onto cargo ships mainly heading to China, for most of them. Between mid-2014 and early 2017, Westwood Gambia Limited was the only company allowed to export any rosewood from The Gambia: it was delivered an exclusive export license by the Gambian Government, which was periodically renewed until early 2017.

**‘IVORY OF THE FOREST’**

Rosewood consists of several species including *Pterocarpus erinaceus*. It is characterized by its greasy texture, its colour ranging from dark red to brown violet, as well as its black resin layers. In addition to its local use for medicinal properties, animal grazing, handicrafts, woodworking and charcoal, it has gradually become prized for its decorative attributes. China has been the main importer of rosewood. Within 15 years, the volume of its imports increased from 200,000 cubic meters to more than 1.1 million cubic meters in 2017. Until 2009, the country was importing between 70% and 90% of this wood from South-East Asia. However, from 2010 onwards, wood imports from West Africa gradually increased, reaching more than three-quarters of the country’s imports in 2016.