



global witness

Mr. Jean-François Mahe
Director-General
Delmas Shipping
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France

22 March 2010

RE: Your response to our letter from 15 March

Dear Mr Mahé,

Many thanks for your quick response to our letter voicing grave concerns over your continuing role in transporting illegal timber from Madagascar to China. Having received no response to our previous letters, we felt obliged to bring this matter into the public sphere. This is particularly urgent given that the Delmas vessel has just departed the port of Vohémar carrying hundreds of tons of Malagasy rosewood, and another Delmas vessel is scheduled to arrive within the next few days.

We acknowledge your statement that Delmas had suspended the transport of timber from Madagascar, pending provision of “guarantees of chain-of-custody to the point of origin” from the Malagasy authorities which you claim now to possess. We also accept your offer to provide us with documentation for these transactions, which we will independently review. However, the various texts you cite as providing a legal cover for the export of wood are not evidence of the timber’s legal origin. Decree No. 38409 (05 October 2009), which is the basis for the directives you cite, explicitly acknowledges the “illegal nature” of the merchandise to be exported.

More significantly, we remain deeply sceptical of the ability and readiness of the transitional government to effectively monitor the illegal trade in rosewood. Our August 2009 report showed that export permits for illegally logged precious wood are being issued in contravention of Malagasy law, and made clear that decrees issued by the transitional government are superseded by existing laws.

Madagascar’s transition government is not legally recognised by the international community, and is now subject to African Union sanctions. The government’s laundering of illicitly sourced wood has been publicly criticised by its international development partners (Cercle de Concertation des Partenaires Techniques et Financiers du Secteur Environnement), while the civil society group Alliance Voahary Gasy filed a legal action in November calling for the authorisations in question to be cancelled (contained in Inter-ministerial Decree 38244). It is clearly not good enough for a reputable international

company such as Delmas to claim that it is acting properly by relying on these highly questionable legal authorisations.

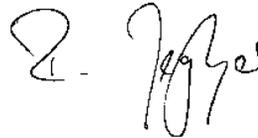
These retrospective export authorisations are providing impunity for the timber barons profiting from the illegal ransacking of Madagascar's national parks. As previously stated, Delmas is the only global shipping company still willing to provide an exit route for this illegally-sourced timber. This is facilitating and fuelling the devastation of Madagascar's last remaining rosewood forests.

We reiterate our call for Delmas to cancel all shipments of rosewood, and hope that this letter more clearly illustrates the seriousness of the company's responsibilities. Global Witness and EIA would like to express our continued willingness to work with you on this issue.

Sincerely,



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