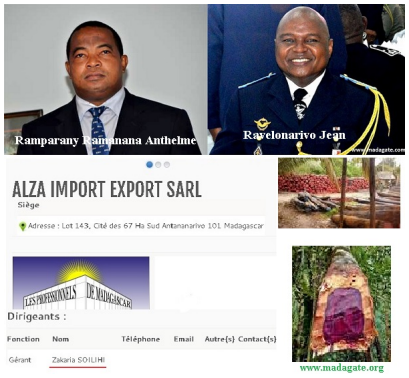
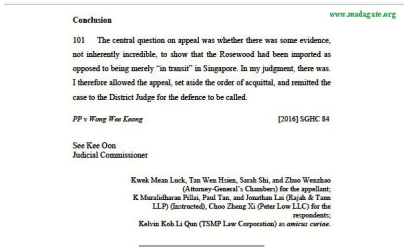


Le 5 mai 2016, une séance d'annulation en acquittement, résumée en 52 pages, a eu lieu au sein de la Haute cour de justice singapourienne concernant les 30.000 tonnes de bois de rose illégalement importés à Singapour. Voici la conclusion des juges:



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Conclusion

101 The central question on appeal was whether there was some evidence, not inherently incredible, to show that the Rosewood had been imported as opposed to being merely "in transit" in Singapore. In my judgment, there was. I therefore allowed the appeal, set aside the order of acquittal, and remitted the case to the District Judge for the defence to be called.

PP v Wong Wee Keong [2016] SGHC 84

See Kee Oon
Judicial Commissioner

Kwek Mean Luck, Tan Wen Hsien, Sarah Shi, and Zhuo Wenzhao (Attorney-General's Chambers) for the appellant;
K Muralidharan Pillai, Paul Tan, and Jonathan Lai (Rajah & Tann LLP) (instructed), Choo Zheng Xi (Peter Low LLC) for the respondents;
Kelvin Koh Li Qun (TSMP Law Corporation) as *amicus curiae*.

« La question principale en appel était de savoir s'il y avait des éléments de preuve, pas intrinsèquement incroyables, pour montrer que les bois de rose avaient été importés plutôt que d'être simplement «en transit» à Singapour. À mon avis, il y en avait. J'ai donc autorisé l'appel, annulé l'ordonnance d'acquittement, et renvoyé l'affaire devant le juge de district pour que la défense puisse être appelée
»
.

Cela signifie tout simplement que le procès va reprendre et tous ceux qui sont impliqués de près ou de loin dans ce trafic de bois de rose qui fait la honte de la Grande île de l'océan Indien, seront convoqués d'ici peu...

Dans ce rapport officiel de 52 pages, des noms apparaissent noir sur blanc: Ramparany Ramanana (avec une faute d'orthographe dans le rapport), plus connu à Madagascar en tant qu'Anthelme Ramparany, ancien ministre de l'environnement; Mr. Jean-Claude (Rabemanantsoa), ancien Directeur général de l'Environnement; Jean Ravelonarivo, ancien Premier ministre et Zakaria Soihili (encore une faute d'orhtographe dans le rapport), gérant de Alza Import-Export S.A.R.L. Voici des extraits de ce rapport. Et j'ai souligné ces noms en rouge. Alors, que fait exactement Hery Rajaonarimampianina à Singapour en ce moment même? A part cette histoire de forum économique créé de toutes pièces (**ICI**)? Nous le saurons tôt ou tard. Car à Singapour, l'indépendance de la Justice n'est pas un mot vain comme à Madagascar.

IN THE HIGH COURT OF THE REPUBLIC OF SINGAPORE www.madagate.org

[2016] SGHC 84

Magistrate's Appeal No 9136 of 2015

Between

Public Prosecutor ... *Appellant*

And

Wong Wee Keong ... *Respondent*

Magistrate's Appeal No 9137 of 2015

Between

Public Prosecutor ... *Appellant*

And

Kong Hoo Pte Ltd ... *Respondent*

GROUNDS OF DECISION

This judgment is subject to final editorial corrections approved by the court and/or redaction pursuant to the publisher's duty in compliance with the law, for publication in LawNet and/or the Singapore Law Reports.

Public Prosecutor
v
Wong Wee Keong and another appeal

[2016] SGHC 84

High Court — Magistrates' Appeals Nos 9136 and 9137 of 2015
See Kee Oon JC
12, 19 February 2016

5 May 2016 www.madagate.org

PP v Wong Wee Leong [2016] SGHC 84

Ministry in order that the latter might verify the authenticity of the documents.[29] On or about 19 March 2014, Ms Lye wrote to the Madagascan Forestry Ministry to seek clarification on the authenticity of the documents. She received a reply from one Mr Jean Claude, who bore the title of Director-General in the Ministry, that the documents in D5 were not authentic.[30]

21 Separately, Wong wrote to one Ms Sabine Dorothee on 24 March 2014 to explain the situation and to seek clarification that the export documents contained in D5 were authentic.[31] On 28 March 2014, Ms Lye received an unsigned email in which it was stated that "Mr. ZAKARIA Solihi has been exceptionally allowed to export these marchandises [*sic*] under the bill of lading" and that the "export of such good has been officially authorised by the component [*sic*] of Madagascar".[32] Faced with conflicting information, Ms Lye then wrote to the Ms Pia Jonsson of the CITES Secretariat in Geneva on the same day to seek her assistance. Ms Jonsson replied on 4 November 2014 to say that investigations were still going on. During cross-examination, Ms Lye explained that the Madagascan authorities had informed the CITES Secretariat that their email account had been hacked into and so the "investigations" referred to in Ms Jonsson's letter related to investigations into both the authenticity of D5 as well as the alleged hacking incident.[33]

22 Between 3 and 4 December 2014, a delegation from Madagascar visited Singapore. On 9 January 2015, Mr Ramaparany Ramanana of the Madagascan Forestry Ministry wrote to Ms Lye, referencing the visit by the Madagascan delegation and stating, in the penultimate line, "I confirm that the documents were established in due form by the signatories authorities during the period of transition. I therefore confirm the authenticity of these documents." Ms Lye accepted that the "documents" referred to were D5 and that the "transition" referred to was the period of transition between governments in Madagascar.[34] On 20 January 2015, the same information was relayed to Mr Foo Cheow Ming, the previous solicitors for the respondents, and a copy of the letter sent by Mr Ramanana was enclosed.[35]

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The application to admit further evidence

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49 The hearing of this appeal took place over two days, with the first session on 12 February 2016 and the second on 19 February 2016. At the commencement of the second hearing day, the prosecution tendered a letter from the Prime Minister of the Government of Madagascar dated 10 February 2016 in which it was stated that the position which had previously been taken on the authenticity of D5 on 20 January 2015 (see [22] above) "should be considered as repudiated and rejected". Mr Kwek explained that the prosecution had not tendered the letter, which arrived unsolicited, at the first

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Conclusion

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Un dossier préparé par Jeannot Ramambazafy - 17 mai 2016