

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	Economic Case No 38 of 2013
Court	District Court Of Iringa
Year (date)	03/06/2014
Name of the judge	Mareng
Name of the parties	Republic v. Ally Peter Pamagila
Prosecuting authority (DGOs, state attorney, police...)	State Attorney
Representation of accused person (lawyer?)	Not Represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	Citizens/ crime committed in Tanzania, Magubike Village in Iringa rural district.
DESCRIPTION	
Defendants (age, gender...)	Accused person is male, 28 years, peasant.
History of the case	-
Facts	The accused person, on 11 th December 2013 at Magubike Village within rural district of Iringa, was found in unlawful possession of government trophies in the form of bush buck skin. The accused person pleaded not guilty.
Charges	Being in an unlawful possession of government trophies contrary to sections 86(1)(2)(b) of the Wildlife Conservation Act, cap 283, RE 2002 and Paragraph 14(d) of the first schedule to and section 57(1) and 60 (2) of the Economic and Organised Crimes Control Act, Cap 200, R.E., 2002. Unlawful possession of firearm contrary to section 4(1) and 34(1)(2) of the Arms and Ammunition Act, Cap 253, RE 2002.
SPECIES	
Name	Bushbuck

Value	Tshs. 966,258/=
Processed/Not processed	Not processed
LEGAL REFERENCES	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act, No. 5 of 2009 Economic and Organised Crimes Control Act, Cap 200, R.E. 2002 Arms and Ammunition Act, Cap 253, R.E., 2002 Criminal Procedure Act, Cap 20, RE 2002
Cases cited	None
International instruments	None
DECISION/OPINION	
Decision	Case withdrawn under section 91(1) of the Criminal Procedure Code and the accused is discharged.
Basis of the decision (reasons)	Nolle prosequi. The prosecution expressed desire not to proceed with prosecution.
Legal issues raised in judgment	None, since the case was withdrawn before a Preliminary hearing.
Penalty	None.
OTHER CONTEXTUAL INFORMATION	
Context	-
Appealed/Not appealed	No indication
Bail	Granted
Opinion on the case	-