

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	CRIMINAL APPEAL NO. 196 OF 2014
Court	COURT OF APPEAL
Year (date)	14 TH August, 2015.
Name of the judge	MBAROUK, J.A., MMILLA J.A., And MWARIJA,J.A.
Name of the parties	JOHN IKLAND @ AYOUB.....APPELLANT <p style="text-align: center;">VERSUS</p> THE REPUBLICRESPONDENT
Prosecuting authority (DGOs, state attorney, police...)	State attorney
Representation of accused person (lawyer?)	Not represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	
Defendants (age, gender...)	
History of the case	
Facts	The appellant was convicted and sentenced to 30 years imprisonment for first count and 10 years imprisonment for second count following an admission of guilty entered into during the preliminary hearing held immediately after the accused pleaded not guilty. The appellant appealed to the High Court a decision of the appeal dismissing it was rendered by the resident magistrate with extended jurisdiction. The appellant decided to lodge another appeal to the court of appeal to which the respondent raised preliminary objection giving rise to the current ruling.
Charges	1 ST COUNT: unlawful possession of government trophy contrary to section 86 (1) and (2) (c) (ii) of the Wildlife Conservation Act, No. 5 of 2009 read together with Paragraph 14 (d)

	of the First Schedule to and sections 57 (1) and 60 (2) of the Economic and Organized Crime Control Act, Cap. 200 of the Revised Edition, 2002 2 nd COUNT: unlawful possession of ammunicions contrary to sections 4 (1) and 34 (1) and (2) of the Arms and Ammunitions Act Cap. 223 of the Revised Edition, 2002.
SPECIES	
Name	
Value	
Processed/Not processed	
Legislation (principal and ancillary legislation)	Arms and Ammunitions Act Cap. 223 of the Revised Edition, 2002 Economic and Organized Crime Control Act, Cap. 200 of the Revised Edition, 2002 Wildlife Conservation Act, No. 5 of 2009 Criminal Procedure Act Cap. 20 of the Revised Edition, 2002
Cases cited	Daudi Mwampamba v. Republic, Criminal Appeal No. 204 of 2009, CAT unreported Majid Goa Vedastus v. Republic, Criminal Appeal No. 268 of 2006, CAT unreported Lazaro Msote Sangulu and Others v. Republic, Criminal Appeal No. 134 of 200, CAT (unreported) Mwanya Ally Dadi @ Hamisi Mussa Mtondoima v. Republic, Criminal Appeal No. 105 of 2013, CAT (unreported) The Director of Public Prosecutions v. ACP Abdalla Zombe and 8 others, Criminal Appeal No. 254 of 2009, CAT(unreported)
International instruments	
Decision	Appeal dismissed
Basis of the decision (reasons)	Defects in the notice of appeal
Legal issues raised in judgment	The failure of the appellant to adhere to Rule 68(2) of the Rules in drafting of the notice of appeal. The Rule instructs every notice of appeal to briefly state the nature of acquittal, conviction, sentence, order or finding against which it is intended to appeal.
Penalty	-

OTHER CONTEXTUAL INFORMATION	
Context	-
Appealed/Not appealed	-
Bail	-
Opinion on the case	-

GENERAL OPINION ON ANALYSED CASES

The decision rendered on this case was on preliminary objection. It was therefore a ruling and not a judgment.