

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	ECONOMIC CASE NO. 22 OF 2012
Court	DISTRICT COURT OF SERENGETI DISTRICT
Year (date)	22/04/2014
Name of the judge	KISWAGA F.S (RM)
Name of the parties	THE REPUBLIC V. MACHABA MAGORI LUCAS
Prosecuting authority (DGOs, state attorney, police...)	State attorney
Representation of accused person (lawyer?)	Not represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	
DESCRIPTION	
Defendants (age, gender...)	MALE
History of the case	The case lasted for two years from the date it was instituted to the date of the judgment.
Facts	On 14/03/2012 at 17:00 hours while on patrol at Rubanda area within SENAPA, they received information from a secret informant that, there was a person in the village (Machengere) selling wild animal's meat. They were directed where to find that person, he was caught drying dik-dik's meat. They arrested him and took him to Mugumu Police station.
Charges	Unlawful possession of Government Trophies contrary to Section 86(1) and (2)(c) of the wildlife conservation Act No. 5 Of 2009, read together with paragraph 14 (d) of the first schedule and Sections 57 (1) and 60(2) of the Economic and Organized Crimes Act Cap 200 R.E 2002.

SPECIES	
Name	Dik-dik (one fore leg and ribs)
Value	Tshs 307,500/=
Processed/Not processed	Processed
LEGAL REFERENCES	
Legislation (principal and ancillary legislation)	Economic and Organized Crimes Control Act [Cap 200 R. E. 2002] Wildlife Conservation Act, No. 5 of 2009
Cases cited	
International instruments	
DECISION/OPINION	
Decision	Convicted.
Basis of the decision (reasons)	Credibility of the prosecution witnesses and have proved their case beyond reasonable doubts
Legal issues raised in judgment	Whether the accused was found possessing parts of the dik-dik
Penalty	To pay Tshs 307,500/= or serve 18 months imprisonment in default
OTHER CONTEXTUAL INFORMATION	
Context	
Appealed/Not appealed	Not appealed
Bail	
Opinion on the case	