

CASE-LAW ANALYSIS  
**POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA**

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	Economic Case No. 01 of 2005
Court	District Court of Babati
Year (date)	2005
Name of the judge	Hon. C Magesa-RM
Name of the parties	R v. Jacob Michael
Prosecuting authority (DGOs, state attorney, police...)	State Attorney
Representation of accused person (lawyer?)	Nil
Transnational elements (Citizen/non-citizen, cross-border offence...)	Nil
<b>DESCRIPTION</b>	
Defendants (age, gender...)	Male
History of the case	
Facts	The accused person was arrested with dik-dik on 09.05.2005. Prosecution alleged that on the material day the accused was found in unlawful possession of the dik-dik without permit from the authorized authorities. During his defence, the accused said that on the material day he was at his farm guiding it against animals that destroys crops he had planted. He saw the alleged animal and decided to capture it and took it to the village leadership office. He was arrested before reaching the office.
Charges	Unlawful possession of government trophy

<b>SPECIES</b>	
Name	Dik-dik
Value	Tshs. 136,500/=
Processed/Not processed	Live
Legislation (principal and ancillary legislation)	Wildlife Conservation Act, No.12 of 1974 Economic and Organized Crimes Control Act, No. 10 of 1989 and No. 3 of 1992
Cases cited	-
International instruments	-
Decision	Convicted
Basis of the decision (reasons)	The accused defence that he trapped the wild animal because it destroyed his crops does not holder water. The matter could have reported to the village authority for proper remedial measures.
Legal issues raised in judgment	Whether the accused was found in unlawful possession of a dik-dik property of the Government of Tanzania?
Penalty	Ten (10) years imprisonment as per section 70 (2) (2)(b) (iii) of the Wildlife Conservation Act
Context	
Appealed/Not appealed	
Bail	
Opinion on the case	