

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	Economic Case No. 08 of 2008
Court	District Court of Arusha
Year (date)	2008
Name of the judge	HON. A.A SHAKALE-RM
Name of the parties	R v Kisali Isaya
Prosecuting authority (DGOs, state attorney, police...)	State Attorney
Representation of accused person (lawyer?)	nil
Transnational elements (Citizen/non-citizen, cross-border offence...)	-
DESCRIPTION	
Defendants (age, gender...)	Male
History of the case	
Facts	On 18 th August 2008 at Londoiya village Arumeru District within Arusha region was found in unlawful possession of giraffe meat valued Tshs. 840,000/= the property of Tanzania government. On the material day, two game rangers while on duty found three people with plastic bag containing 50 kg of giraffe meat. In the process of apprehending them, two suspects escaped while accused was arrested. After being taken to court, the accused jumped bail and the case proceeded under s. 226 of the Act.
Charges	Unlawful possession of government trophy contrary to paragraph 14 (d) of the 1 st Schedule and s. 60(2) of the Economic and Organized Crimes Control Act Cap 200 R.E 2002 together with s. 70 (1) (2) of the Wildlife Conservation Act Cap 283 R.E 2002

SPECIES	
Name	Giraffe
Value	Tsh. 840,000/=
Processed/Not processed	Not processed
LEGAL REFERENCES	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act, Cap 283 R.E 2002 Economic and Organized Crimes Control Act, Cap 200 RE 2002
Cases cited	-
International instruments	-
DECISION/OPINION	
Decision	The accused was found guilty and convicted
Basis of the decision (reasons)	The accused was found in actual possession of the Government Trophy and the evidence tendered by the prosecution proves that the accused is guilty of the offence charged.
Legal issues raised in judgment	1. Whether the prosecution managed to prove the guilty of the accused person beyond reasonable doubt? 2. Whether the accused was found in possession of Government trophy
Penalty	Three (3) years imprisonment to start run when the accused is apprehended.
OTHER CONTEXTUAL INFORMATION	
Context	
Appealed/Not appealed	No information
Bail	Bail was granted and accused jumped it.
Opinion on the case	