

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

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	Economic Case No. 17 of 2011
Court	Resident Magistrate's Court of Arusha
Year (date)	2011
Name of the judge	Hon. H.A Mnguruta-RM
Name of the parties	R v. Iddy Laurent Watae and 2 others
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 and two others on and about 11st December 2011 at Mererani within Simanjiro District in Manyara region were found in possession of government trophies valued at Tshs. 9,024,000/= without a valid license from authorized authority. It was the prosecution case that on the material day, the Anti-Poaching Unit received a tip from an informer that the accused persons were in the first accused house with wild meat. The Unit contacted the 10 x 10 cell leader where the accused house is located and went to search the house. Upon arriving in the house, the Unit found all three accused persons with zebra meat. On searching the house, two impala legs and horn of Grant gazelle were found.

	The accused persons were arrested, taken to Police station for interrogation then to the Anti-Poaching Office in Arusha.
Charges	Unlawful possession of the government trophy contrary to section 86 (1) (2) (b) of the Wildlife Conservation Act No. 5 of 2009 read together with para 14(d) of the First schedule of the Economic and Organized Crimes Control Act Cap 200 RE 2002
<b>SPECIES</b>	
Name	Zebra, Impala and Grant Gazelle
Value	Tsh. 9,024,000/=
Processed/Not processed	Not processed
<b>LEGAL REFERENCES</b>	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act, No. 5 of 2009 Economic and Organized Crimes Control Act Cap 200 RE 2002
Cases cited	-
International instruments	-
<b>DECISION/OPINION</b>	
Decision	The accused persons were found not guilty of the offences charged
Basis of the decision (reasons)	The Hon. RM reasoned that the prosecution was unable to prove that the accused persons were guilty. When analyzing evidence, the Hon. RM found differences in the testimonies of the prosecution witnesses. Basing on the analysis of the evidence, the Court found no scintilla of evidence out of those submitted to prove the offence charged.
Legal issues raised in judgment	Whether the accused persons committed the offence of unlawful possession of Government trophy
Penalty	
<b>OTHER CONTEXTUAL INFORMATION</b>	
Context	
Appealed/Not appealed	

Bail	
Opinion on the case	