

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

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	Economic Criminal case No. 28 of 2015
Court	Resident Magistrate Court of Katavi, at Mpanda
Year (date)	2015
Name of the judge/Magistrate	Hon C.M Tengwa
Name of the parties	Republic versus Haruna Exavery
Prosecuting authority (DGOs, state attorney, police...)	State Attorney
Representation of accused person (lawyer?)	Unrepresented
Transnational elements (Citizen/non-citizen, cross-border offence...)	NIL
<b>DESCRIPTION</b>	
Defendants (age, gender...)	Male
History of the case	
Facts	Sometimes on 24 <sup>th</sup> November, 2015 accused person was searched and arraigned in unlawful possession of government trophies. Then brought before the court to answer a charge.
Charges	Unlawful possession of government trophy contrary to sections 86(1) and (2)(b) 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 R.E 2002.

<b>SPECIES</b>	
Name	Unlawful possession of elephant tusk and two (2) tails of elephants
Value	Tshs. 60,000,000/=
Processed/Not processed	Not processed
<b>LEGAL REFERENCES</b>	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act No. 5 of 2009 Economic and Organized Crime Control Act Cap 200 R.E 2002
Cases cited	Moses Charles Deo versus Republic 1987 TLR 134 Abdul Salum Mnuye & Another versus Republic (1990) TLR 131
International instruments	NIL
<b>DECISION/OPINION</b>	
Decision	Accused was convicted
Basis of the decision (reasons)	Prosecution proved beyond reasonable doubt
Legal issues raised in judgment	Whether the accused person was in possession of the said elephant tusk and the two tails of elephants
Penalty	Sentenced to serve twenty (20) years imprisonment.
<b>OTHER CONTEXTUAL INFORMATION</b>	
Context	
Appealed/Not appealed	No appeal
Bail	NIL
Opinion on the case	NIL