

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

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	Economic Case No. 07 of 2015
Court	Resident Magistrate Court of Mbeya, at Mbeya
Year (date)	2015
Name of the judge/Magistrate	Hon. R.W Chaungu
Name of the parties	Republic versus Lucas s/o Wambura @ Lucas s/o Wambura Ginga
Prosecuting authority (DGOs, state attorney, police...)	State Attorney
Representation of accused person (lawyer?)	Represented by an Advocate
Transnational elements (Citizen/non-citizen, cross-border offence...)	
<b>DESCRIPTION</b>	
Defendants (age, gender...)	Male
History of the case	
Facts	On 30 <sup>th</sup> November, 2015 at Tunduma area, within Momba District in Mbeya Region accused person was found in unlawful possession of government trophy. Then brought before the court to answer a charge.
Charges	Unlawful possession of government trophy contrary to Section 86(1)(2)(c)(ii) of the Wildlife Conservation Act No. 5 of 2009 , read together with paragraph 14(d) of the First Schedule to and Section 57(1) of the Economic and Organized Crime Control Act Cap 200 R.E 2002.

<b>SPECIES</b>	
Name	Four (4) elephant tusks
Value	TZS. 64,140,000/=
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	No cases cited
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 found in unlawful possession of four (4) pieces of elephant tusks
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