

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

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	Economic Case No. 03 of 2015
Court	District Court of Chunya, at Chunya
Year (date)	2015
Name of the judge/Magistrate	Hon. O.N Ngatunga
Name of the parties	Republic versus Abel S/O Christopher
Prosecuting authority (DGOs, state attorney, police...)	Police
Representation of accused person (lawyer?)	Not represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	
<b>DESCRIPTION</b>	
Defendants (age, gender...)	Male
History of the case	
Facts	Sometimes on 21 <sup>st</sup> November, 2015 at Gua village within Chunya District in Mbeya Region accused person was found in unlawful possession of government trophies property of United Republic of Tanzania, and unlawful possession of firearm. Then brought before the court to answer a charge.
Charges	1 <sup>st</sup> count was unlawful possession of government trophies 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, sections 57(1) and 60(2) of the Economic and Organized Crime Control Act Cap 200 R.E 2002. 2 <sup>nd</sup> count was unlawful possession of firearms contrary to section 4 and 34(2) of the

	Arms and Ammunition Act Cap 223 R.E 2002 as amended by Written Laws (Miscellaneous Amendments) No. 3 of Act No. 17 of 2010.
<b>SPECIES</b>	
Name	Common waterbuck meat (Tshs. 1,728,000) and Duiker meat (Tshs. 540,000/=)
Value	Tshs. 2,268,000/=
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 Arms and Ammunition Act Cap 223 R.E 2002 as amended by Written Laws (Miscellaneous Amendments) No. 3 of Act No. 17 of 2010.
Cases cited	No cases cited
International instruments	NIL
<b>DECISION/OPINION</b>	
Decision	Accused person was convicted
Basis of the decision (reasons)	Prosecution side proved beyond reasonable doubt
Legal issues raised in judgment	Whether the prosecution proves their case beyond reasonable doubts
Penalty	Sentenced to serve twenty years (20) imprisonment and pay fine of Tshs. 2,400,000/= for the first count, and pay fine of Tshs. 300,000/= or five (5) years imprisonment in default for the second count.
<b>OTHER CONTEXTUAL INFORMATION</b>	
Context	
Appealed/Not appealed	No appeal
Bail	NIL
Opinion on the case	NIL