

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

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	ECONOMIC CASE NO. 161 OF 2013
Court	THE DISTRICT COURT OF BUNDA DISTRICT
Year (date)	17/11/2015
Name of the judge	KASSONSO (PDM)
Name of the parties	THE REPUBLIC V. JEREMIA GISABA MLYAMBATI & ANOTHER
Prosecuting authority (DGOs, state attorney, police...)	State attorney
Representation of accused person (lawyer?)	Not represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	
<b>DESCRIPTION</b>	
Defendants (age, gender...)	MALE 70 YEARS, FEMALE 42 YEARS
History of the case	
Facts	The two accused persons on different material dates and different occasions were caught in possession of government trophies. The two on 29/10/2013 at Ngokoro area within Shinyanga region was found in possession of one piece of leopard skin. On 2/11/2013 the first accused, Jeremia Gisaba was found in possession of two tails of the wildebeest, one skull of rock hyrax, and one ostrich egg. They were both arrested and taken to KDU.
Charges	Unlawful possession of Government trophies contrary to section 70(1) and (2)(c)(iii) of the Wildlife Conservation Act No. 5 of 2009, read together with paragraph 14 (d) of the first schedule and Sections 57 (1) and 60 (2) of the Economic and Organized Crimes Act Cap 200 R.E 2002

<b>SPECIES</b>	
Name	Leopard Wildebeest Rock Hyrax Ostrich
Value	Leopard: Tshs. 5,600,000/= Wildebeest: Tshs. 2,080,000/= Rock Hyrax: Tshs. 160,000/= Ostrich: Tshs. 1,920,000/= Total: 9,760,000
Processed/Not processed	Not processed
<b>LEGAL REFERENCES</b>	
Legislation (principal and ancillary legislation)	Economic and Organized Crimes Control Act [Cap 200 R. E. 2002] Wildlife Conservation Act No. 5 of 2009 Criminal Procedure Act, Cap 20 R.E 2002
Cases cited	NO
International instruments	NO
<b>DECISION/OPINION</b>	
Decision	Dismissed
Basis of the decision (reasons)	Nolle prosequi
Legal issues raised in judgment	
Penalty	Accused released
<b>OTHER CONTEXTUAL INFORMATION</b>	
Context	
Appealed/Not appealed	
Bail	
Opinion on the case	