

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	ECONOMIC CASE NO. 21 OF 2013
Court	THE DISTRICT COURT OF BUNDA DISTRICT
Year (date)	17/11/2015
Name of the judge	MARIKI (SRM)
Name of the parties	THE REPUBLIC V. MOREMI MAMBASA @MARAGA
Prosecuting authority (DGOs, state attorney, police...)	State attorney
Representation of accused person (lawyer?)	Not represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	
DESCRIPTION	
Defendants (age, gender...)	MALE 22 YEARS
History of the case	
Facts	On 05/05/2013, the accused person was caught within SENAPA around Grumeti river, the accused was also found in possession of one knife, one carcass of impala and one carcass of Thompson gazelle. He was arrested and taken to KDU – Anti-Poaching Unit Bunda.
Charges	<ol style="list-style-type: none"> 1. Entering into national park without a written permit c/s 21(1) and (2) of the National Parks Act Cap 282 RE 2002 2. Unlawful possession of weapons in a national park c/s 24(1)(b) and (2) of the National Parks Act, Cap 282 R.E 2002 read together with paragraph 14(c) of the first schedule to the Economic and Organized Crimes Control Act Cap 200 R.E 2002 3. Unlawful hunting in a national park c/s 23 (1) the National Parks Act, Cap 282 R.E 2002 read together with paragraph 14(d) of the first schedule to the Economic and

	Organized crimes Control Act Cap 200 R.E 2002 4. 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
SPECIES	
Name	Impala Thompson gazelle
Value	Impala: Tshs. 624,000/= Thompson gazelle: Tshs. 800,000/= Total: 1,424,000
Processed/Not processed	Not processed
LEGAL REFERENCES	
Legislation (principal and ancillary legislation)	National Parks Act, Cap 282 R.E 282 Economic and Organized Crimes Control Act [Cap 200 R. E. 2002] Wildlife Conservation Act No. 5 of 2009
Cases cited	NO
International instruments	NO
DECISION/OPINION	
Decision	Case dismissed
Basis of the decision (reasons)	Nolle prosequi made under section 91(1) of the Criminal Procedure Code, Cap 20 RE 2002
Legal issues raised in judgment	
Penalty	Accused discharged.
OTHER CONTEXTUAL INFORMATION	
Context	
Appealed/Not appealed	
Bail	
Opinion on the case	

