

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	ECONOMIC CASE NO. 18 OF 2014
Court	THE DISTRICT COURT OF BUNDA DISTRICT
Year (date)	18/09/2015
Name of the judge	MARIKI (SRM)
Name of the parties	THE REPUBLIC V. SHEKA NYANDA & ANOTHER
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
History of the case	
Facts	On 2/04/2014, the two accused persons were found along Mongombiti area within SENAPA. They entered the park without permission and were found in possession of one knife, one bush knife, and one full fresh carcass of zebra.
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	Zebra
Value	Zebra: Tshs. 1,920,000
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	Dismissed under Section 225(5) of the Criminal Procedure Act, Cap 20 R.E 2002
Basis of the decision (reasons)	Want of prosecution
Legal issues raised in judgment	
Penalty	Accused discharged
OTHER CONTEXTUAL INFORMATION	
Context	
Appealed/Not appealed	
Bail	
Opinion on the case	

