

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

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	Economic Case No. 33 of 2014
Court	District Court of Iringa
Year (date)	2014
Name of the judge	Hon. Scout
Name of the parties	Republic, Aloyce Kalinga
Prosecuting authority (DGOs, state attorney, police...)	State Attorney
Representation of accused person (lawyer?)	Not Represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	Citizen/ Offence committed in Tanzania (Iringa Region)
<b>DESCRIPTION</b>	
Defendants (age, gender...)	Male, 20 years, peasant, resident of Idodi
History of the case	-
Facts	The accused on 17 November 2014 at Lubilo Village in Mufindi District and Region of Iringa was allegedly found in possession of six pieces of skin of Abbott's duiker.
Charges	Being in an unlawful possession of government trophies contrary to sections 86(1)(2)(b) of the Wildlife Conservation Act, Act No. 5 of 2009 and Paragraph 14(d) of the first schedule to and section 57(1) of the Economic and Organised Crimes Control Act, Cap 200, R.E., 2002.
<b>SPECIES</b>	
Name	Abbott's duiker
Value	One Million Five Hundred and One Thousand Shillings (1,501,000/=)

Processed/Not processed	Not processed
<b>LEGAL REFERENCES</b>	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act, Act No. 5 of 2009 Economic and Organised Crimes Control Act, Cap 200, R.E. 2002
Cases cited	Joseph John Makame v Republic [1986] TLR 44 (CA) Dick Mwakamele v Republic (1987) TLR 122 (HC)
International instruments	No international instrument cited.
<b>DECISION/OPINION</b>	
Decision	Not guilty
Basis of the decision (reasons)	The prosecution failed to prove whether the skin found in possession of the accused person was indeed duiker's skin.
Legal issues raised in judgment	Whether the accused was found in unlawful possession of government trophies.
Penalty	None
<b>OTHER CONTEXTUAL INFORMATION</b>	
Context	-
Appealed/Not appealed	No information available
Bail	Not indicated
Opinion on the case	There were weaknesses in the prosecution's case as even the alleged skin was never tendered before the court.