

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

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	Economic case No. 12 of 2014
Court	Resident Magistrate's Court of Arusha
Year (date)	2014
Name of the judge	Hon. P.A Kisinda-RM
Name of the parties	R v. Pastory John @ Kalenga
Prosecuting authority (DGOs, state attorney, police...)	State Attorney
Representation of accused person (lawyer?)	nil
Transnational elements (Citizen/non-citizen, cross-border offence...)	nil
<b>DESCRIPTION</b>	
Defendants (age, gender...)	Male
History of the case	-
Facts	On 24.01.2014 at Landman village within Simanjoto District, Arusha region, the accused person was found with unlawful possession of dik-dik meat by Anti-Poaching Unit. The Unit while in the routine patrol suspected the accused to be in possession of wild meat, upon being followed the accused ran away. He was apprehended and found with a bag with dik-dik meat in it.
Charges	Unlawful possession of government trophy c/s 86 (1) and 2 (b) of the Wildlife Conservation Act No. 5 of 2009 read together with section 57 (1) and paragraph 1 (d) of the 1 <sup>st</sup> schedule to the Economic and Organized Crime Control Act Cap 200 R.E 200

<b>SPECIES</b>	
Name	Dik-dik
Value	USD 250 = Tshs. 396,750/=
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
Cases cited	-
International instruments	-
<b>DECISION/OPINION</b>	
Decision	Guilty of the offence charged
Basis of the decision (reasons)	1. The accused person was found with the dik-dik meat and failed to produce any permit to possess the meat as required by law 2. The accused signed the certificate of seizure to certify that he was found with the dik-dik meat. He did not produce evidence to the contrary.
Legal issues raised in judgment	Whether the prosecution managed to prove the guilty of the accused person beyond reasonable doubt?
Penalty	Sentenced to pay a fine of Tshs. 3,962,500/= or one year imprisonment in default of such payment.
<b>OTHER CONTEXTUAL INFORMATION</b>	
Context	-
Appealed/Not appealed	No information
Bail	-
Opinion on the case	-