

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	Economic Case No. 15 of 2006
Court	Resident Magistrate's Court of Arusha
Year (date)	2006
Name of the judge	Hon. D.C Kamuzora
Name of the parties	R v. Jongo Mosoud and 4 others
Prosecuting authority (DGOs, state attorney, police...)	Public Prosecutor
Representation of accused person (lawyer?)	nil
Transnational elements (Citizen/non-citizen, cross-border offence...)	-
DESCRIPTION	
Defendants (age, gender...)	No information
History of the case	-
Facts	The accused persons on 29 th day of September 2006 at Namalulu within Engakiriti, Longido District were found by Anti-Poaching Unit in unlawfully possession of one zebra meat without valid permit from the Director of Wildlife. The Unit on the material day received a tip that the accused were illegally hunting. They raided the crime scene and found the accused person with the meat. No hunting weapon was recovered. The accused denied the charges and claimed that they were arrested within their working area.
Charges	Unlawful possession of government trophy c/s 67 (1) and 2 (b) of the Wildlife Conservation Act No. 12 of 1974 as amended by Act No. 10 of 1989.

SPECIES	
Name	Zebra
Value	Tshs. 475,200/=
Processed/Not processed	Not processed
LEGAL REFERENCES	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act No. 12 of 1974 as amended by Act No. 10 of 1989
Cases cited	Rashid Kirand vs. R (1990) TLR 59
International instruments	-
DECISION/OPINION	
Decision	Guilty of the offence charged
Basis of the decision (reasons)	<ol style="list-style-type: none"> 1. The accused persons were found in possession with the zebra meat 2. The fact that accused persons were not found with the hunting tool or equipments is immaterial 3. The offence which the accused are charged with does not concern with the means of obtaining the said meat, rather it deals with being in unlawfully possession irrespective of how ones comes into possession 4. Circumstances in which the accused came in possession of the meat can be a factor in mitigation 5. The prosecution managed to prove the offence which accused persons stood charged
Legal issues raised in judgment	Whether prosecution evidence is enough to prove the offence charged against the accused persons?
Penalty	Sentenced to one year conditional discharge
OTHER CONTEXTUAL INFORMATION	
Context	-
Appealed/Not appealed	No information

Bail	No information
Opinion on the case	-