

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	Economic Case No. 09 of 2015
Court	Resident Magistrate Court of Dodoma
Year (date)	2015
Name of the judge	Hon. Ngimilanga
Name of the parties	Republic, Ernest Togoya
Prosecuting authority (DGOs, state attorney, police...)	State Attorney
Representation of accused person (lawyer?)	Not represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	Citizens/ crime committed in Tanzania, Chanumba Village in Chamwino District in Dodoma Region.
DESCRIPTION	
Defendants (age, gender...)	Male
History of the case	-
Facts	The accused person on 20 March 2015 at Chanumba Village in Chamwino District in Dodoma Region, was found in possession of crocodile skin, pangolin skin, lion's nail and two dik-dik teeth.
Charges	Being in an unlawful possession of government trophies contrary to sections 86(1)(2)(c)(ii),(3)(b) of the Wildlife Conservation Act, No. 5 of 2009 and Paragraph 14(d) of the first schedule to and section 57(1) and 60(2) of the Economic and Organised Crimes Control Act, Cap 200 R.E. 2002.
SPECIES	
Name	Crocodile, pangolin, lion, dik-dik.
Value	1 crocodile skin – Tshs. 137,400/= 1 pangolin skin – Tshs. 1,758,720/=

	1 lion's nail -Tshs. 8,976,800/= 2 dik-dik teeth - Tshs. 458,000/= Total: Tshs. 11,329,400
Processed/Not processed	Processed
LEGAL REFERENCES	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act, No. 5 of 2009 Economic and Organised Crimes Control Act, Cap 200 RE 2002
Cases cited	None
International instruments	None
DECISION/OPINION	
Decision	Guilty
Basis of the decision (reasons)	The accused entered a plea of guilty
Legal issues raised in judgment	-
Penalty	Tshs. 100,000/= fine or three years imprisonment.
OTHER CONTEXTUAL INFORMATION	
Context	It is common among the rural communities for persons to use the items similar to those found with the accused person for witchcraft purposes.
Appealed/Not appealed	No indication
Bail	No indication
Opinion on the case	-