

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	Economic Case No. 241 of 2013
Court	District Court of Manyoni
Year (date)	2013
Name of the judge	Hon. Kiwonde
Name of the parties	Republic, Rashidi Mkenga
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, Manyoni District, Singida Region.
DESCRIPTION	
Defendants (age, gender...)	Male
History of the case	-
Facts	It was alleged that the accused person on 6 December 2013 at Ipululu Area near Muhesi Game Reserve within Manyoni District in Singida Region, did enter a game reserve with a muzzle loader without permit.
Charges	Unlawful entry into a game reserve contrary to section 15(1) (2) of the Wildlife Conservation Act, No. 5 of 2009. Unlawful possession of a weapon in a game reserve contrary to section 17(1)(2) of the Wildlife Conservation Act, No. 5 of 2009
SPECIES	
Name	-
Value	-

Processed/Not processed	-
LEGAL REFERENCES	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act, No. 5 of 2009 Evidence Act, Cap 6 RE 2002
Cases cited	-
International instruments	None
DECISION/OPINION	
Decision	Not guilty
Basis of the decision (reasons)	The prosecution has failed to prove the charges beyond doubt by failing to prove that the area of arrest was indeed within a game reserve.
Legal issues raised in judgment	Whether the accused is guilty of the two offences charged.
Penalty	-
OTHER CONTEXTUAL INFORMATION	
Context	
Appealed/Not appealed	No indication
Bail	No indication
Opinion on the case	-