

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	04 of 2014
Court	Kilosa District Court
Year (date)	2014
Name of the judge	Hon. S. Fimbo SRM
Name of the parties	Republic vs Stambuli Rashid
Prosecuting authority (DGOs, state attorney, police...)	Inspector of Police Peter Nassoro
Representation of accused person (lawyer?)	Not represented
Transnational elements (Citizen/non-citizen, cross-border offence...)	Citizen
DESCRIPTION	
Defendants (age, gender...)	Adult, Male
History of the case	Accused Stambuli Rashid was arrested at Mfulu Village, Kitete Ward within Kilosa District with allegations of possessing four (4) kilograms of bushbuck meat. He was charged at District Court of Kilosa.
Facts	Accused was found in possession of four (4) kilograms of Bushbuck meat valued at Tshs. 936,000. He was charged of the offense of possessing Government trophy contrary to the laws of the country.
Charges	Unlawful possession of Government trophy contrary to section 86(1) (2) (c) (ii) of the Wildlife Conservation Act. No 5 of 2009 read together with paragraph 14(d) of the 1 st schedule to and section 57 (1) and 60 (2) of the Economic and organized Crime Control Act, Cap 200 R.E 2002.

SPECIES	
Name	Bushbuck
Value	Tshs. 936,000
Processed/Not processed	Not processed
LEGAL REFERENCES	
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	Republic vs. Kerstin Cameron (2003) TLR 84
International instruments	NIL
DECISION/OPINION	
Decision	Convicted as charged
Basis of the decision (reasons)	Prosecution managed to prove the case beyond shadow of doubt and lack of proper defense from the accused
Legal issues raised in judgment	Whether the accused person was guilty as charged
Penalty	Sentenced to pay the fine of Tshs. 2,808,000 or five (5) years imprisonment on default
OTHER CONTEXTUAL INFORMATION	
Context	This is one of the cases where a person is found of wildlife animal meat mainly intended for consumption.
Appealed/Not appealed	No appeal
Bail	No bail
Opinion on the case	NIL