

CASE-LAW ANALYSIS
POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA

GENERAL INFORMATION ABOUT THE CASE	
Case number	Criminal case No. 99 of 2011
Court	The District Court of Mpanda, at Mpanda.
Year (date)	2011
Name of the judge/Magistrate	Hon. C.M. Tengwa
Name of the parties	Republic versus Peter Chilangaso and Three others
Prosecuting authority (DGOs, state attorney, police...)	Police
Representation of accused person (lawyer?)	Unrepresented
Transnational elements (Citizen/non-citizen, cross-border offence...)	NIL
DESCRIPTION	
Defendants (age, gender...)	Not stated
History of the case	
Facts	Sometimes on 17 th April, 2011 at Mafunsi village within Mpanda District in Rukwa region the accused persons were arrested and found in unlawful possession of government trophies. They were also found with unlawful possession of the gun. Then brought before the court to answer a charge.
Charges	In the first court, were charged with an offence of unlawful possession of government trophies c/s 86(1)(2)(a) and (c) (iii) of the Wildlife Conservation Act No.5 of 2009. In the second count were charged with unlawful possession of firearm c/s 4(1)(2) and

	34(1)(2) and (3) of the Arms and Ammunition Act, Cap 223 RE 2002 and the third count was unlawful possession of ammunitions c/s 4(1)(2) and 34(1)(2) of the Arms and ammunitions Act Cap 233 RE 2002.
SPECIES	
Name	Hippopotamus meat (200 kg)
Value	TSHS. 2,500,000/=
Processed/Not processed	Not processed
LEGAL REFERENCES	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act, No. 5 of 2009 Arms and Ammunitions Act, Cap 233 RE. 2002
Cases cited	Abdul Salum Mnuye & Another v. Republic [1990] TLR131 R V. Bimonyika (1971) HCD No. 215
International instruments	NIL
DECISION/OPINION	
Decision	Accused persons were convicted
Basis of the decision (reasons)	Prosecution proved their case beyond reasonable doubt
Legal issues raised in judgment	
Penalty	Sentenced to serve a punishment of twenty (20) years imprisonment in respect of the 1 st count. To pay a fine to the tune of Tshs. 500,000/= or to serve a sentence of two years in case of default. Each accused was charged to pay a fine of Tshs. 1,000,000/= or to serve a sentence of two years in prison in default in respect of third count.
OTHER CONTEXTUAL INFORMATION	
Context	
Appealed/Not appealed	NIL
Bail	NIL
Opinion on the case	NIL