

CASE-LAW ANALYSIS  
**POACHING AND ILLEGAL WILDLIFE TRADE IN TANZANIA**

<b>GENERAL INFORMATION ABOUT THE CASE</b>	
Case number	Economic Criminal Case No. 05 of 2015
Court	Resident Magistrate Court of Katavi, at Mpanda
Year (date)	2015
Name of the judge/Magistrate	Hon. C.M Tengwa
Name of the parties	Republic versus Juma Mpempa
Prosecuting authority (DGOs, state attorney, police...)	Police
Representation of accused person (lawyer?)	Unrepresented
Transnational elements (Citizen/non-citizen, cross-border offence...)	NIL
<b>DESCRIPTION</b>	
Defendants (age, gender...)	Male
History of the case	
Facts	On 24 <sup>th</sup> July, 2015 accused person was found and arrested in unlawful possession of government trophies. The accused was brought before the court to answer the charge.
Charges	Unlawful possession of government trophies contrary to sections 86(1) and (2)(b)(c)(ii) of the Wildlife Conservation Act No. 5 of 2009 read together with paragraph 14(d) of the 1 <sup>st</sup> Schedule and Section 57(1) and 60(2) of the Economic and Organized Crime Control Act Cap 200 RE 2002.
<b>SPECIES</b>	
Name	Elephant tusk

Value	Tshs. 24,750,000/=
Processed/Not processed	Not processed
<b>LEGAL REFERENCES</b>	
Legislation (principal and ancillary legislation)	Wildlife Conservation Act No. 5 of 2009 Economic and Organized Crime Control Act Cap 200 RE 2002
Cases cited	Moses Charles Deo versus Republic (1987) TLR 134
International instruments	NIL
<b>DECISION/OPINION</b>	
Decision	Accused was acquitted
Basis of the decision (reasons)	Prosecution side failed to prove the case beyond reasonable doubts.
Legal issues raised in judgment	Whether the accused person was in possession of the said government trophy
Penalty	No penalty imposed.
<b>OTHER CONTEXTUAL INFORMATION</b>	
Context	-
Appealed/Not appealed	NIL
Bail	NIL
Opinion on the case	NIL