

# AN INVESTIGATION OF THE LEGAL FRAMEWORK AGAINST ILLEGAL WILDLIFE ACTIVITIES IN THE CONTEXT OF WILDLIFE TOURISM IN TANZANIA

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## ABSTRACT

*Tanzania is one of the richest nations when it comes to the existence of wildlife in the world and wildlife tourism is among important sector in the country, Tanzania being the richest nation on existence of wildlife, has a number of national park, game reserves and conservation areas namely Serengeti, Mikumi, Arusha ,Mahale Mountains, Katavi, Saadan , Kitulo, Udzungwa Mountains, Mount Kilimanjaro, Mkomazi, Tarangire, Gombe, Selous, Lake Manyara and many others which are habitats for an immense diversity of flora and fauna, including elephants,, lions, rhinos, crocodiles, wildflowers and many other. This provides advantage to the state and its individual since it contributes a portion towards the government income by away of tax and it participate towards individual persons gain through different business opportunities such tourist agency, hotel accommodation, tour guiding, drivers and many other economic opportunities. Tanzania being among the few nations in the world with the gift of wildlife has established a number of legal and Institution regime to fight against illegal activities against wildlife within its jurisdiction. While wildlife tourism in Tanzania presents a sensitive aspect that showcase the country to the world, it faces several challenges that hinder its flourish existence. One significant issue is illegal wildlife trade, involving illicit-protected species. This detrimental factor has a substantial impact on wildlife tourism, as it disrupts the fundamental components of the industry, namely flora and fauna, thus exacerbating the threat to its future sustainability.*

**Keywords;** Wildlife Tourism, Illegal wildlife, illegality, Tanzania

## 1. INTRODUCTION

Wildlife is a wide concept due to its inclusive components. It can be defined as the living things such as mammals, birds and fishes which are living naturally in the forest without being domesticated.<sup>i</sup> It also means animals (Fauna) and plants (Flora) that grow independently of human, usually in natural conditions.<sup>ii</sup> In essence, wildlife is distinguished by the presence of living organism inhabiting their natural surroundings without any human intervention or interference. The natural existence of these living things attracts attention to humans to visit and observe the living things surviving naturally in the wild without any support or dependency from human being, this position result to existence, expansion and increase of the wildlife tourism as away humans can observe the best of mother nature.

Wildlife tourism is the actual visit by human being to watch and see the local species of flora and fauna in their natural environment and ecosystem. It introduces visitors to the world of wilderness against the backdrop of nature. It encompasses the observation and interaction of human beings with animals that inhabit their natural habitats in the wild<sup>iii</sup> Wildlife tourism is now a wide business which has been expanding day after day; it stands among the factors which lead to national and individual income due to its development. Many nations in Africa including Tanzania, South Africa, Zimbabwe, Kenya, Botswana and many other stands as beneficiaries of wildlife tourism.<sup>iv</sup> This position supports the national improvement through its contribution towards GDP as well as society individual gains.<sup>v</sup>

Wildlife tourism in Africa traces its evolution in the early 20<sup>th</sup> century. During this time the European upper class travelled to Africa to seek glory and adventure.<sup>vi</sup> The early explorers opened up the continent, and then European colonization followed.<sup>vii</sup> Not all Europeans personal engaged in colonization of Africa, some of them visit Africa just for their own adventure which include wildlife tourism.<sup>viii</sup>

In Tanzania, wildlife tourism is the second biggest sector that contributes to the national income, after the manufacturing sector. In 2019 tourism contribution to national GDP was US\$ 6.7 billion which is equivalent to 10/7% of the national GDP. This was affected significantly by COVID 19 pandemic which led to a drop to 5.3% in 2022.<sup>ix</sup> However, the sector has recovered and Tanzania Business Council forecast a rapid growth of tourism's share in the country's GDP by 2025/26 to be 19.5%.<sup>x</sup>

When it comes to individual earning wildlife tourism has provide a number of opportunities to Tanzania's from owners of tourism companies, to tourism agencies, hotel owners, hotel workers, tour guides, traders as well as the exposition of Tanzania culture to the world. This position shows how wildlife tourism plays a huge role towards national development.<sup>xi</sup> Moreover, recent research suggests that, 13% of the Tanzania's national Gross Development Products is represented by tourism. However, over exploitation of natural resources, habitat degradation, poaching and illegal wildlife trade is a threat to this. which calls for protective measures.<sup>xii</sup>

Wildlife tourism goes hand in hand with wildlife conservation, which is an application of various measures to protect wildlife and their surroundings. Wildlife resources need serious protection from dangers like poaching which has been increasing periodically and thus calls for serious attention. The presence of several national parks in Tanzania as already pointed out, led to the establishment of strategies to ensure wildlife conservation, the said strategies are; National Task Force Anti-Poaching (NTAP), and a Wildlife Crime Rapid Reference Guide. Despite these, anti-poaching processes still lack major solutions since wildlife crimes still calls for serious attention.<sup>xiii</sup>

In case the R. Vs. Salvius Francis Matembo and 2 Others<sup>xiv</sup>, the famous case of "Ivory Queen" the accused were convicted of leading a crime syndicate trafficking 860 elephant tusks worth more than 6,000,000\$ (Six million USD). This was a successful outcome of the strategy of the government as a response to rescue Tanzania's wildlife by illegal activities such as poaching. The strategy as already mentioned was formation of NTAP<sup>xv</sup>

Even though wildlife tourism provides a huge contribution towards economic development of individuals and the nations at large, there are individuals who intend and use harmful approach towards wildlife as a way to make a fortune out of wildlife existence. These individuals conduct themselves with activities which directly affect and jeopardize the current and future existence of wildlife. These individuals are involved in conducting activities such as illegal hunting and illegal wildlife trading.<sup>xvi</sup>

Furthermore, the population increase and human development activities stand as a threat towards wildlife as they conduct activities such as forest harvesting, burning of forest as well as they invade reserve areas for shelter of domestic animals and establishments of cultivation areas which affect the current and future existence of wildlife.<sup>xvii</sup>

The main discussion of this article is based on the illegal wildlife trade as among the factors which cause huge destruction towards wildlife. Illegal wildlife trade being un lawful and unauthorized capture and selling of wild animals within or outside the nation.<sup>xviii</sup> It endangers the existence of wildlife in Tanzania since it interferes with ecosystem. Illegal wildlife falls under the category of wildlife trafficking which involves the illegal trade, smuggling, poaching, capture, or collection of endangered species.<sup>xix</sup>

## 2. THE LEGAL FRAMEWORK FOR WILDLIFE CONSERVATION

Wildlife conservation encompasses the efforts and practices aimed at safeguarding wildlife species and their habitats, with the ultimate goals of promoting healthy wildlife populations, restoring endangered species, and preserving the ecological balance of natural ecosystems.<sup>xx</sup>

The Tanzania wildlife conservation is traced from the pre-colonial era where indigenous people protected wildlife as part of their environment using their customs not to endanger them. During that period, there was a harmonious coexistence between people and wildlife.<sup>xxi</sup> However, with the advent of the colonial era, the focus shifted, and the need for enacting laws to ensure wildlife conservation became evident.

The foundation of wildlife conservation's legal basis can be traced back to the colonial period. In particular, during the German period from 1885 to 1919, the first formal law on wildlife conservation was enacted, known as the Wildlife Act of 1891.<sup>xxii</sup> For paramount protection of wildlife, colonialists entered into several agreements to protect wild animals basically for their interests. The German government signed the London Convention for the Protection of Wild Animals, Birds and Fish in Africa.<sup>xxiii</sup>

During the British colonial era, from 1920 to 1961, the state took control over wildlife conservation; in line with this, other laws inherited from the German administration were incorporated for example restrictions on wildlife hunting.<sup>xxiv</sup> The British administration gave little consideration to the natives on accessing wildlife resources. Wildlife hunting was prohibited unless there is permission from the respective Authority. After gaining independence, Tanzania continued its efforts in wildlife management to preserve and protect its diverse flora and fauna. This continued even after independence to date but challenges affecting wildlife conservation still persist regardless of having laws relevant on wildlife

conservation in Tanzania.<sup>xxv</sup> That, at international and national levels there are establishments of legal regimes to ensure wildlife conservation. These regimes include:

## **2.1 International Framework for Wildlife Conservation**

It is of view that wildlife is a gift to the whole world. That is to say, this approach establishes duty and responsibility towards all states and their subjects to participate in protection of wildlife from destructions and ensure safety current and future existence of wildlife. This approach leads to the recognition of wildlife conservation at international level resulting to formulation of different conversion which intends in ensure wildlife conservation.

### **2.1.1 The Convention on International Trade in Endangered Species (CITES)**

This is an international agreement between governments conducted in 1973 that establishes protection for over 35,000 species of plants and animals in the scope of international wildlife trade. CITES currently has 184 members.<sup>xxvi</sup> The main goal of the convention is to prevent the extinction of endangered species by eliminate and abolish illegal trades which involve the said animal species. These animals include but not limited to Seahorses, Sea Cucumbers, Marine Turtles and Totoaba and Vaquita.<sup>xxvii</sup> The convention approach is based on the position that there are some animals who are migrant and they travel and swim long distances crossing national and international boundaries, that being the case the nations must stand as one to ensure these animals are well protected so as to support their current and future survivorship. Tanzania joined the CITES on July 18,1977. As a member of CITES, Tanzania is committed to implementation the regulations and provisions of the convention to protect its wildlife and contribute to global conservation efforts.

The advantages of Tanzania and any member of CITES are among others are; to ensure legal and sustainable trade access to capacity building programmes. These will further assist in combating illegal trade and overexploitation of resources, access to technical support in making legal acquisition findings and drafting legislations through the national legislation policy which eventually will help combat illegal activities which is a threat to wildlife conservation and wildlife tourism at the end.<sup>xxviii</sup>

### **2.1.2 The Convention on Biological Diversity (CBD)**

The Convention on Biological Diversity (CBD) is the international legal instrument for the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources that has been ratified by 196 nations.<sup>xxix</sup> The key aim of CBD is to ensure effective protection of wildlife as a way to have future existence of wildlife. That is to say CBD intends to ensure wildlife conservation by prohibit the occurrence of conducts or activities which endanger the current and future existence of wildlife.<sup>xxx</sup> Tanzania ratified the CBD on June 23, 1993. By ratifying and implementing the CDB, Tanzania has reinforced its commitment to biodiversity conservation and sustainable development, contributing to global efforts to protect the world's natural heritage and ensure a more sustainable future.

### **2.1.3 The Convention Concerning the Protection of the World Cultural and Natural Heritage, 1972**

This convention was adopted by the United Nation in 1972 with the intention to identify and protect universal natural common heritage of the world.<sup>xxxii</sup> This was due to the result of increase of unlawful conducts by private individual for personal gain but with high destruction of natural world wealth including flora and fauna. The convention was based on major two objectives which are to protect the endangered cultural and natural resources which were direct supervised by the United Nations Educational Scientific and Cultural Organization (UNESCO).<sup>xxxiii</sup> According to the convention natural resources include flora and fauna, that is to say the convention intends to protect the wildlife from all unlawful which affect the current and future existence of wildlife. Tanzania joined the World Heritage Convention on September 6, 1977. Hence it is committed in preserving the world's cultural and natural treasures for the benefit of both current and future generations, festering international collaboration for the greater good of humanity and the planate at large.

### **2.1.4 The United Nations Educational, Scientific and Cultural Organization (UNESCO)**

Convention Concerning the Protection of the World Cultural and Natural Heritage aims to protect natural and cultural heritage by protecting World Heritage sites.<sup>xxxiii</sup> The Convention

intends to protect and ensure existence of the traditional world culture basing on specific location surrounding the world. That being among its objective further the convention intends to protect the world natural resources which among many are the wildlife. That is to say the increase of wildlife trafficking has caught the eye of the United Nations since it causes destruction to the wildlife including extinction of some animals and increase threat towards extraction of animals such as lion, elephant, rhino and many others.<sup>xxxiv</sup> The convention establishes a framework to the world to stand as one in ensuring safe environment for the existence of wildlife. Tanzania become a member of UNESCO on December 14,1962. Its Membership allows the country to collaborate with other nations on various educational, scientific, cultural, and communication initiatives to enhance global understanding and cooperation.

### **2.1.5 The United Nations Convention against Corruption (UNCAC), 2003**

In October 2003 the United Nations adopt this convention for the intention of exposing the intention to the world that international community will not stand blind against the cross-border corruption practices. Thus, all corrupt transaction involving international cooperation therefore are condemned and prosecuted at the international point of cooperation among the states with a close execution of the United Nations Office on Drugs and Crime (UNODC).<sup>xxxv</sup>

The conversion expresses the five (5) major areas which will be operated by the United Nation for the purpose of eliminating cross boarder corruption, these areas includes Preventive Measures, Law enforcement and Criminalization of wrongs, Cooperation within the, International Community, Recovery of Assets, Information Exchange and Assistance in Legal Technical Matters.<sup>xxxvi</sup>

Wildlife is among the victims of cross border corruption, this is due to the fact that there are government personal engaged in corruption and accept the illegal hunting, killing, capture and transfer wild animal for the intention of personal gain. This position jeopardizes the current and future existence of wildlife hence United Nation establish a regime to eliminate the said threat.<sup>xxxvii</sup>

## **2.2 Domestic Legal and Institutional Framework for Wildlife Conservation**

Tanzania being among the nation with high wildlife tourism, faces challenges including illegal wildlife trade. In ensuring it protects its natural gift of wildlife, Tanzania has established a legal and institution regime to ensure effective protection of wildlife from illegal wildlife trade and to keep alive the business of wildlife tourism.

### **2.2.1 The Wildlife Conservation Act of 2009**

This is the mother law when it comes to legal regulation of wildlife in Tanzania. It was enacted in 2009 to replace the Wildlife Conservation Act of 1974. The Act establish a number of laws, principle, duty, responsibility and regulations regards the protection of the wildlife and for the purpose of establish effective wildlife conservation. In doing so it has legally recognized a number of offences against wildlife include unlawful behaviors such as unlawful hunting, capturing, wounding, killing, disturbing, possession of weapons, destruction of vegetation, and a like.<sup>xxxviii</sup> Furthermore, the Act provide regulation on hunting licenses by regulating unlawful transfer of hunting licenses to be considered as a crime.<sup>xxxix</sup> In addition the Act recognize unlawful possession, transportation, importation or exportation of government trophies to be a crime.<sup>xl</sup> Generally being the parent law provide governance towards wildlife in Tanzania the Act has directly establish a regime which contribute towards wildlife conservation and safety in Tanzania, by clearly stipulate the acts which are no to be conducted due to the negative effect they cause to wildlife and it establishes the punishments on not complying towards the said laws.

### **2.2.2 The National Parks Act (CAP 282)**

This Act in respect to the national parks as a perfect place for wildlife conservation it has grant power to the president in consultation with the national assembly to declare any area to be a national park.<sup>xli</sup> Wildlife being the natural way of life of flora and fauna without direct interaction with human being, the Act recognizes this position and prohibits entry of people, operating mining activities, hunting and capture of animals without authorized permit from nation parks authorities.<sup>xlii</sup> The Act has established the said positions as a way to keep in line conducts of individuals which directly or indirectly affects the life of animals in the wild. These positions directly establish good grounds towards wildlife conservation. An example is drawn

from the case of *Mwita Mwita @ Chacha v. The Republic*<sup>xliii</sup> where the appellant was found in the National Park without permit to enter. He was searched and found in illegal possession of the weapons namely, animal trapping wires which are among the offenses against this Act and The Economic and Organized Crime Control Act which is also analyzed by this article.

### **2.2.3 The Ngorongoro Conservation Area Act, Cap 284**

This Act was enacted for the purpose of control and regulates native's entry and residence within the Ngorongoro Crater Highlands Area. The regulation was aiming at making proper conservation, protection and development of natural resources within the said areas. The Act under section 38 prohibit unlicensed hunting, living and gathering thus illegal wildlife killing and trading of animals are also prohibited by this Act. Also, the Act under section 37 mandates the law enforcement officers with the power to make an arrest to any person who is found illegally in the conservation area and may make that arrest with or without arrest.<sup>xliv</sup> Additionally, the Act aims to protect and conserve the Ngorongoro Crater Highlands Area's natural resources and wildlife by regulating native entry and residence. While its objects are commendable, effective enforcement, community involvement, and balanced approach between conservation and local livelihood are of significant for its success in achieving sustainable conservation outcome.

### **2.2.4 The Forest Resources Management and Conservation Act (No. 10 of 1996)**

The act establishes a legal framework on protection and conservation of forest in Tanzania. Further, the Act provide recognition of the all components of biodiversity to include wild animals, plants, non-living natural resources for which trees provide a habitat, shelter or food or that are associated with forest ecosystems.<sup>xlv</sup> Part VIII of the Act stand as the base of wildlife conservation under this Act.<sup>xlvi</sup> This is due to the duty establishes which has effects on protection of the wildlife, these duties includes duty to extinguish fire, duty not start fire, duty to protect wild animal and plans, duty not to conduct activities which may endanger wildlife.<sup>xlvii</sup> In ensure binding nature of the duty and principles established under this Act, the Act has recognizes some offences which may be done towards wildlife. Part XII of the Act has established a number of offences which can be conducted towards forest; this includes

cultivation of trees without license, wild animal and wild plant offences.<sup>xlviii</sup> Protection of forest areas result to existence of living areas and source of food to wild animals that is to say by the protective position established by the Act towards forest protection its pave way towards wildlife conservation in Tanzania.

### **2.2.5 The Wildlife National Policy, 1998**

This is among the documents which provide regulation on wildlife in Tanzania. The document contains four parts where under the first part it's about the whole history of wildlife in Tanzania, this part introduces and exposes the nature on the nation under wildlife aspects. Part two establishes Tanzania wildlife resources and potentials while part three lays down the wide policy aspects and strategies established in the document as far as protection and utilization of wildlife resources and potentials are concerned. Part four establishes various stakeholders and their roles in the conservation and management of wildlife in the country.<sup>xlix</sup> The document establishes a strong line of wildlife its importance as well as it establishes the duty of the community towards wildlife to among many to protect and ensure safe environment for wildlife as well as ensure wildlife conservation.

The policy seems to have a strong focus on wildlife conservation and its importance in Tanzania. However, its effectiveness will depend on successful implementation, stakeholder collaboration, and balance between conservation objectives and the needs of local community. Worth noting, continuous monitoring and evaluation of the policy's impact will be essential to ensure its long-term success in preserving Tanzania's wildlife and natural heritage.

### **2.2.6 The Criminal Procedure Act, 1985**

This is the law governing all investigation and prosecution of criminal cases in Tanzania. Illegal wildlife trade has been criminalized by both domestic and international law the prosecution of the relevant offences therefore is prosecuted and tried via the procedural requirements established under this Act. The Act provide rules and procedure on a number of aspects including arresting of suspects, charging of the accused of the wildlife crimes, pleadings and conviction of the accusations and the accused persons.<sup>1</sup> Furthermore, Act gives the prosecution

powers to the Director of Public Prosecution and the same power that is extended to the wildlife cases. That is to say the Criminal Procedure Act stands among important laws relating to wildlife protection by showing all means and procedures to be followed while punishing the culprits against wildlife Tanzania.

### **2.2.6 The Economic and Organized Crime Control Act of 1984**

The EOCCA<sup>li</sup> provides for prosecution of specific crimes, qualified as economic offences and listed in a schedule to the listed offences which includes; economic crimes and corruption to be tried by the Corruption and Economic Crimes Division of the High Court.<sup>lii</sup> Leading organized crime pursuant to the Act are; occasioning loss to a specified authority,<sup>liii</sup> unlawful use of firearms,<sup>liv</sup> and offences against conservation of wildlife and unlawful possession of arms.<sup>lv</sup>

The Act further classifies majority of the offenses that are codified under the Wildlife Conservation Act of 2009 as economic offenses and gives authorization through a formal certificate. Additionally, it establishes a general penalty that can transfer such jurisdiction to trial courts when the Director of Public Prosecutions (DPP) certifies in writing that he has the necessary authority. The Act also establishes a general punishment that, in the absence of a specific penalty then this general punishment is applicable.<sup>lvi</sup> In 2019 the EOCCA was revised and its main objective still is to prevent, investigate, and prosecute various forms of economic and organized crimes.

## **2.3 Tanzania Institutional Framework on Wildlife Conservation**

In ensuring the laws, rules and regulations provides for wildlife conservation are well enforced in Tanzania the legal regime provides for institution framework which consists of institutions which stands as the enforcer of laws, rules and regulations as a way to ensure effective protection of wildlife from wildlife trafficking. These institutions include but not limited to: -

### **2.3.1 The Judiciary**

Judiciary being the organ of the state with the power to interpret the law and dispensation of justice in Tanzania stands as one of the institutions which support protection of wildlife.<sup>lvii</sup> That in Tanzania the offenders who have conduct wildlife crimes their cases may be heard in the magistrate courts, district as well as the High court basing on the nature on the nature of the offence and the monetary value of the contradicting national trophy in dispute.<sup>lviii</sup> The court by interpreting the laws, and through judgments which may include convictions in a way of sentences to prison or penalties or both.<sup>lix</sup> This position has somehow decreased the occurrences of crimes against wildlife due to the fear that once a person becomes guilty of wildlife crimes he or she will be held responsible in accordance with the law. There are number of cases concerning wildlife crimes have been tried in different courts. Example of this cases are the case of *Republic V. Song Lei and three others [2015] Resident Magistrate Court Mbeya, no 06 of 2015* where under this case the accused were charge for unlawful possession of government trophies and unlawful dealing in government trophies by being caught with 11 pieces of rhino horns.<sup>lx</sup>

### **2.3.2 Tanzania Wildlife Research Institute (TAWIRI)**

This is a governmental institution under the Ministry of Natural Resources and Tourism responsible for conducting and coordinating wildlife research in the United Republic of Tanzania.<sup>lxi</sup> The main role of TAWIRI is to advising and providing scientific information on biodiversity conservation and management, that is to say the institution has role to advice the government on better approaches to ensure wildlife conservation, as well as it has the role to educate the society on proper conducts towards the creation of safe environment to wildlife as a way to ensure proper existence of the current and future wildlife. TAWIRI contribute a lot when it comes to wildlife conservation in Tanzania this is due to the plans they establish which provide governance towards protection of wildlife. Example is the National Giraffe Conservation Plan- 2020 and Selous – Mikumi census report Tanzania Chimpanzee Conservation Action Plan – 2018/2023.<sup>lxii</sup>

### **2.3.3 Tanzania Wildlife Management Authority (TAWA)**

TAWA was established in 2016 under Section 8 of the Wildlife Conservation Act 2009 (Cap 283), through a Government Notice No. 135 published on 9th May 2014 for the aim of ensure biodiversity conservation and sustainable management of wildlife resources in National Parks and Ngorongoro Conservation Area. Further, TAWA is the supervisor and stands as the watchdog towards wild animal who are not located in the reserves but in places such as farms, zoos, ranches, sanctuaries and orphanage centers and Wildlife Management Areas. When it comes to wildlife conservation TAWA stands as a strong agent since it is a watchdog of all wildlife living in natural environment and those under captivity of human being. it provides a guideline on how to interact with the wildlife without endangering their current and future existence by regulating activities including tourism hunting.<sup>lxiii</sup>

TAWA is one of the government's efforts and strong measures combat illegal wildlife activities including poaching. It functions alongside TANAPA in taking care of game reserves, wildlife management areas, hunting blocks and centralized anti- poaching operations.<sup>lxiv</sup>

#### **2.3.4 Tanzania National Parks (TANAPA)**

TANAPA can be said to be the main institution when it comes to wildlife conservation in Tanzania. It stands as the direct protector, regulator and the supervisor of all national parks in Tanzania.<sup>lxv</sup> In ensure there is effective conservation of wildlife TANAPA conduct patrols in national parks as a way to fight against illegal porches. Further, it has special medical team which deals with treatment of wildlife who are affected by porches brutality. When it come to the expansion of wildlife tourism TANAPA provide tourism tours services where by it involve it self in reserving, accommodating as well as guide tourists within parks.<sup>lxvi</sup> Examples of the projects conducted by TANAPA in ensure wildlife conservation is the IWT Project; this project specifically deals with combating poaching and the illegal wildlife trade in Tanzania through an integrated approach project.<sup>lxvii</sup> The project was a result of 2009-2014 crisis where there was increase of number of porches who hunts elephants and rhinos because of there ivory. The project directly reduces number of porches in national parks and makes the environment safe for wildlife.

#### **2.3.6 Ngorongoro Conservation Area Authority (NCAA)**

NCAA is a governmental institution which aims at establishing a sustainably conserve biodiversity and cultural heritage, enhance livelihood of the indigenous communities and promote tourism for the benefit of the Nation and the World.<sup>lxviii</sup> The institution in performing its goals it establishes educative scope towards the society by exposing the advantages of having wildlife and how to protect the wildlife.<sup>lxix</sup> These projects have directly affect the society approach towards wildlife in appositive way. This is due to that the community reside around conservations areas have change to more protective in wildlife than destructive. This is witnessed by decrease of illegal poaching as well as few occurrence inventions towards conservations areas by the community.<sup>lxx</sup>

### **3. THE IMPACT OF ILLEGAL WILDLIFE TRADE**

Illegal wildlife trade being unlawful capture, selling, killing and selling body parts of wild animals has an enormous impact naturally, culturally, socially both at national and global level. This is due to that the long-term effect of illegal wildlife trade affecting the whole world at large. The followings are the impacts of illegal wildlife trade: -

#### **3.1 Destruction of Wildlife Tourism Business**

Wildlife tourism consists of movement of people from different part of the world to visit and observe flora and fauna which exists naturally without direct interactions from human being.<sup>lxxi</sup> illegal capture and selling of wildlife affect tourism due to the decrease of wild animals which stand as the main key ingredient in wildlife tourism business. In 2009 to 2014 there was a huge poacher's crisis in Tanzania. That huge number of wild animals such as lion, elephant, rhino, cheater, buffalos and crocodile where hunted to the higher extent.<sup>lxxii</sup> That is to say illegal wildlife trade long termly affects and kills the tourism business were by upon the collapse of tourism business the nation will suffer through loss of national income as well as the community will suffer loss and eventual loss suffered to involved individuals in wildlife business, since the wildlife tourism stand as the source of income to a number of different persons from hotel owner, drivers, tour guides, hotel workers, travel agencies and many more. Tourism stand as among the ways to expose Tanzania culture since the tourists upon there visits they are introduced and exposed in Tanzania culture.

### 3.2 Destruction of Natural Ecosystem

Natural ecosystem is the natural state of the environment to control it self, that is to say there is existence of pray and predators which together depends on one another and destroying of one level of ecosystem may result to the collapse of the whole ecosystem.<sup>lxxiii</sup> That is to say extermination of producers will cause starvation to the consumers and extermination of consumers will cause over production.<sup>lxxiv</sup> That in order to ensure stable ecosystem which result to presence of wildlife resulting to survival and development of wildlife tourism the natural ecosystem must be protected at all cost hence the conservation of wildlife and protection of wildlife from illegal wildlife trade.

### 3.3 Threatened Wildlife Extinction

Records reveals that, Tanzania is a home to the 11<sup>th</sup> highest total number of the IUCN Red listed threatened species in the world.<sup>lxxv</sup> Moreover, extinction of animals is a global problem; a number of animal species have extinct from the face of the earth due to different natural factors such animal extinctions may be caused by natural occurrences such as climatic heating or cooling or changes in sea levels.<sup>lxxvi</sup> Human conduct in their part has also contributes towards wildlife extinction by activities such as wildlife trafficking.<sup>lxxvii</sup> When it comes to wildlife trafficking all wild animals are in danger due to the methods used by hunters and there evil intentions. These activities have caused a number of species to be in danger of extinction, this animal includes Lion, African elephant, rhino, Giraffe, Cheetah and Gorilla are among the animals found in Tanzania which are in danger of being extinct.<sup>lxxviii</sup>

### 3.4 Destruction of National Economy

It is well noted that, the number of tourist and tourism contribution has been increasing steadily over the past few years and due to the fact that wildlife through wildlife tourism is supposed to insure national growth and stable income of the nation. This is possible when there is absence of the illegal wildlife trade. The existence of wildlife trade affects the nation because the state direct and dedicate a huge amount of money towards protection and conservation of the wildlife. This is done through deploying a number of personal to conduct patrol as a way to

protect the wildlife, furthermore there are purchasing of military gear such as weapons, armour, cars, night visions and other military equipment's as way to establish a strong security regime among parks.<sup>lxxix</sup> The government incur costs of paying salaries to the man power which stands as the physical protectors towards illegal wildlife trade the fund which could be used in development projects such as building of school, hospitals, roads, electricity and water supply are now reallocated towards wildlife preservation and this affect nation economy and nation development at large.

#### **4. CONCLUSION AND RECOMENDATIONS**

##### **4.1 Conclusion**

Wildlife tourism contributes significantly to socio economic development in Tanzania. This is due to the economic opportunities established to both, the nation by increase of national revenue by way of tax. Further, individual income is increased through creation of business opportunities as a result of wildlife tourism. When it comes to social development wildlife tourism has brought strong interaction between Tanzania's and tourists exposing number of social opportunities including scholarships, funds for social development which include development of infrastructure, hospitals, schools and more. Culturally wildlife tourism has contributed in exposing Tanzania culture all across the world. That is to say Tanzania is well known in its hospitality, kindness and richness in natural resources and this can be reflected in the Tanzania tourist film called Royal Tour created under the supervision of the president of Tanzania Honorable Samia Suluhu Hassan.

This can be achieved when illegal wild life activities are prohibited as articulated above, considering the rationale behind both the domestic and international legal framework, the role of the judiciary and other institution dealing with the implementation and enforcement of the law. Moreover, looking at the impacts of illegal wildlife trade has on wildlife tourism all stakeholders, the society and the state at large has an obligation too by integration of sustainable wildlife tourism approach, which integrates the long term use of wildlife biodiversity to encourage wild life conservation. Wildlife tourism should add value to the preservation of the wildlife and their habitat. This will ensure that future generations can experience the natural environment and wildlife that lives in it. It is therefore important to comprehend how creatures

socialize inside their and how human activities such as illegal wildlife affects them. This paper therefore makes the following recommendations

#### **4.2 Recommendations**

Despite the United Nation and states to expose the importance of wildlife to the world still there are a number of factors which hinder the growth and sustainability of wildlife trade due to the increase of wildlife trafficking. Form this there must be a fight towards wildlife trafficking and this fight can be won if the following are to be considered:

##### **a) To the Government**

The Government being the organ of the state with the mandate to regulate and supervise all national activities it has the duty to ensure there is proper and effective protection and conservation of wildlife. This can be done by educate the society on importance of wildlife to the nation and world at large. And also a duty to regulate well and supervise settlement planning as a way to avoid individual intervention in the national parks and reserved areas. Further, the government should investigate and remove from positions corrupt government personal who participate in wildlife trafficking.

##### **b) To Community**

The communities are the stake holder of all-natural wealth including wildlife. Therefore, they have a duty to protect and to insure the safe survival and existence of wildlife in Tanzania. That is to say the community has the duty to report any activities which affects the current and future existence of wildlife as a way to protect them and ensure conservation of the wildlli8fe. Further, the community has the duty not to intervene and invade into parks or reserved areas for the purpose of establishing settlement or cultivations since these acts disturb the natural environment of wildlife.

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