



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Proclamation

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 8

2020

ANNOUNCEMENT OF GRANTING OF PRESIDENTIAL PARDON OR REPRIEVE TO CERTAIN CATEGORIES OF CONVICTED INMATES: NAMIBIAN CONSTITUTION

In terms of Sub-Article (8) of Article 32 of the Namibian Constitution I announce that I have, under the powers vested in me by Sub-Article (3)(d) of that Article, read with section 108 of the Correctional Service Act, 2012 (Act No. 9 of 2012) and in commemoration of the 30th anniversary of the independence of the Republic of Namibia on 21 March 2020, granted pardon or reprieve to certain categories of convicted inmates as contemplated in paragraphs 1 and 2, except any convicted inmates to whom the provisions of paragraph 3 apply:

1. The following convicted inmates have been pardoned:
 - (a) those serving sentences of imprisonment whose conditional release on parole has been approved prior to or on 21 March 2020;
 - (b) those serving sentences of imprisonment of six months or less and who, on 21 March 2020, have served half or more of their sentences;

- (c) those of the age of 60 years or older and who have, during their incarceration in a correctional facility, maintained good discipline and who, once released, are likely not to pose any risk to society; and
 - (d) those who, on 21 March 2020, were serving sentences of 12 months or less but who on that date have not yet completed half of their sentences, in which case the pardon is to become effective on the date that they complete serving half of their sentences.
2. Reprieve of a period of three months has been granted to convicted inmates who -
- (a) are serving sentences of more than 12 months but not more than two years and who, on 21 March 2020, have served half or more of their sentences; and
 - (b) are serving sentences of more than 12 months but not more than two years and who, on 21 March 2020, have not yet completed half of their sentences, in which case the reprieve is to become effective on the date they complete serving half of their sentences.
3. The pardon and reprieve granted under paragraphs 1 and 2 respectively does not apply to any convicted inmate contemplated in that paragraph who falls in any of the following categories:
- (a) convicted inmates who have been convicted of a minor disciplinary offence or major disciplinary offence, as contemplated in section 85 or 86 of the Correctional Service Act, 2012 (Act No. 9 of 2012), at any time during the period 21 September 2019 to 21 March 2020;
 - (b) convicted inmates who have been released under any previous presidential pardon or reprieve since Namibia's Independence and have again been convicted of any offence committed after they had been pardoned or reprieved;
 - (c) inmates who are convicted of any of the following offences:
 - (i) assault causing grievous bodily harm;
 - (ii) rape;
 - (iii) murder;
 - (iv) robbery with aggravated circumstances;
 - (v) housebreaking with aggravated circumstances;
 - (vi) treason;
 - (vii) illegal conveyance or supply of dependence-producing drugs as defined in section 1 of the Abuse of Dependence-producing Substances and Rehabilitation Centres Act, 1971 (Act No. 41 of 1971);
 - (viii) any offence under the Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975) for unlawful hunting of specially protected game;
 - (ix) any offence under the Controlled Wildlife Products and Trade Act, 2008 (Act No. 9 of 2008) for the unlawful dealing in any controlled wildlife product;

- (x) theft, possession or supplying of illegal arms;
- (xi) attempted murder;
- (d) convicted inmates who, on 21 March 2020, have further charges pending;
- (e) convicted inmates who previously were released on parole but violated the parole conditions by committing another offence while on parole; and
- (f) sentenced inmates who escaped from correctional facility and while at large committed an offence.

Given under my Hand and the Seal of the Republic of Namibia at Windhoek this 23rd day of March, Two Thousand and Twenty.

DR. HAGE G. GEINGOB

President

BY ORDER OF THE PRESIDENT-IN-CABINET
