



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Proclamation

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 19

2020

ANNOUNCEMENT OF GRANTING OF PRESIDENTIAL PARDON OR REPRIEVE TO CERTAIN CATEGORIES OF OFFENDERS: 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 and in commemoration of the 30th anniversary of the Independence of the Republic of Namibia on 21 March 2020 -

- (a) granted pardon or reprieve to certain categories of offenders as set out in the Schedule; and
- (b) withdrawn Proclamation No. 8 of 25 March 2020.

Given under my Hand and the Seal of the Republic of Namibia at Windhoek this 12th day of May, Two Thousand and Twenty.

HAGE G. GEINGOB

President

BY ORDER OF THE PRESIDENT-IN-CABINET

SCHEDULE

1. The following sentenced offenders have been pardoned:
 - (a) those serving sentences of imprisonment whose conditional release on full parole or remission of sentences has been approved prior to or on 21 March 2020;
 - (b) those serving sentences of imprisonment of 12 months or less and who, on or before 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 serving sentences of imprisonment of 12 months or less and who, on or before 21 March 2020, 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 sentenced offenders who -
 - (a) are serving sentences of imprisonment of more than 12 months but not more than two years and who, on or before 21 March 2020, have served half or more of their sentences; and
 - (b) are serving sentences of imprisonment of more than 12 months but not more than two years and who, on or before 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. Reprieve of a period of six months has been granted to sentenced offenders who -
 - (a) are serving sentences of imprisonment of six months and more and who, on or before 21 March 2020, have served three quarters of their sentences and have been classified to minimum security for a consecutive period of six months;
 - (b) are serving sentences of imprisonment of six months or more and who, on or before 21 March 2020, have served three quarters of their sentences and have been classified to minimum security but not for a consecutive period of six months, in which case the reprieve is to become effective on the date they complete being in the minimum security classification for a consecutive period of six months;
 - (c) are serving sentences of imprisonment of six months or more and who, on or before 21 March 2020, have served three quarters of their sentences and have been classified to A-group for a consecutive period of six months; and
 - (d) are serving sentences of imprisonment of six months or more and who, on or before 21 March 2020, have served three quarters of their sentences and have been classified to A-group but not for a consecutive period of six months, in which case the reprieve is to become effective on the date they complete being in A-group classification for a consecutive period of six months.
4. The pardon or reprieve granted under paragraph 1, 2 or 3 does not apply to sentenced offenders contemplated in those paragraphs who fall in any of the following categories:

- (a) sentenced offenders who are convicted of any of the following offences:
 - (i) murder;
 - (ii) attempted murder;
 - (iii) rape;
 - (iv) treason;
 - (v) assault causing grievous bodily harm;
 - (vi) robbery with aggravated circumstances;
 - (vii) housebreaking with aggravated circumstances;
 - (viii) illicit possession, 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);
 - (ix) any offence under the Nature Conservation Ordinance, 1975 (Ordinance No. 4 of 1975) for unlawful hunting of specially protected game;
 - (x) any offence under the Controlled Wildlife Products and Trade Act, 2008 (Act No. 9 of 2008) for unlawful dealing in any controlled wildlife product; or
 - (xi) illicit dealing in or smuggling of ammunition, firearms, explosives or armaments;
 - (b) sentenced offenders 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 have been pardoned or reprieved;
 - (c) sentenced offenders who, on 21 March 2020, have further charges pending;
 - (d) sentenced offenders who previously were released on parole or remission of sentences but violated the parole or remission conditions by committing other offences while on parole or remission of sentences; or
 - (e) sentenced offenders who escaped from correctional facilities and while at large committed offences.
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