



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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Proclamation

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 28

2013

ANNOUNCEMENT OF GRANTING OF PRESIDENTIAL PARDON OR REPRIEVE TO CERTAIN CATEGORIES OF OFFENDERS

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 Heroes Day in the Republic of Namibia on 26 August 2013, granted pardon or reprieve to certain categories of prisoners as set out in paragraph 1 below, except any prisoners to whom the provisions of paragraph 2 apply:

1. (a) The following prisoners have been pardoned:
 - (i) Those serving sentences of imprisonment of 12 months or less and who, on 21 August 2013, have served half or more of their sentences;
 - (ii) Those serving sentences of imprisonment whose conditional release on parole has been approved prior to or on 26 August 2013;
 - (iii) Those of the age of 60 years or older who maintained good discipline in prison and there is reasonable probability that they will not pose any risk to society when released; and

- (iv) Those serving sentences of imprisonment and on 26 August 2013 have successfully completed any of the core rehabilitation programmes.
 - (b) Pardon has also been granted to all prisoners who, on 26 August 2013, were serving sentences of 12 months or less but who on that date had not yet completed half of their sentences, which pardon is to become effective on the dates they complete serving half of their sentences.
 - (c) Reprieve of a period of three months has been granted to prisoners who are serving sentences of more than 12 months but not more than two years and who, on 26 August 2013, had served half or more of their sentences.
 - (d) Reprieve of a period of three months has been granted to prisoners who are serving sentences of more than 12 months but not more than two years and who, on 26 August 2013, had not completed serving half or more of their sentences, which reprieve is to become effective on the dates they complete serving half of their sentences.
 - (e) Reprieve of a period of six months has been granted to prisoners who are serving sentences of imprisonment and on 26 August 2013 had served three-quarters or more of their sentences and had been classified to minimum security for a consecutive period of not less than six months.
 - (f) Reprieve of a period of six months has been granted to prisoners who are serving sentences of imprisonment and on 26 August 2013 had served three-quarters or more of their sentences and had been classified to minimum security but not for a consecutive period of six months, which reprieve is to become effective on the dates they complete being in minimum security classification for a consecutive period of six months.
 - (g) Reprieve of a period of six months has been granted to prisoners who are serving sentences of imprisonment and on 26 August 2013 had served three-quarters or more of their sentences and had been classified to A-Group for a consecutive period of not less than six months.
 - (h) Reprieve of a period of six months has been granted to prisoners who are serving sentences of imprisonment and on 26 August 2013 had served three-quarters or more of their sentences and had been classified to A-Group but not for a consecutive period of six months, which reprieve is to become effective on the dates they complete being in A-Group classification for a consecutive period of six months.
2. The pardon and reprieve granted under paragraph 1 does not apply to any prisoner contemplated in that paragraph who falls in any of the following categories:
- (a) Prisoners convicted of any of the following offences:
 - (i) murder;
 - (ii) attempted murder;
 - (iii) rape;
 - (iv) assault causing grievous bodily harm;
 - (v) treason;

- (vi) robbery with aggravating circumstances;
 - (vii) house breaking with aggravating circumstances;
 - (viii) illegal conveyance of, or supply of dependence-producing drugs; and
 - (ix) theft, possession or supplying illegal arms.
- (b) Prisoners who have been released under any previous presidential pardon or reprieve since Namibia's Independence and have again been convicted for any offence they committed thereafter.
- (c) Prisoners who, on 26 August 2013, have further charges pending against them.
- (d) Prisoners who previously were released on parole but violated the parole conditions by committing another offence while on parole.
- (e) Sentenced prisoners who escaped from prison and while at large committed an offence.

Given under my Hand and Seal of the Republic of Namibia, at Windhoek, this 8th day of August, Two Thousand and Thirteen.

HIFIKEPUNYE POHAMBA

President

BY ORDER OF THE PRESIDENT-IN-CABINET
