



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

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No. 4230

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Proclamation

by the

PRESIDENT OF THE REPUBLIC OF NAMIBIA

No. 6

2009

ANNOUNCEMENT OF THE 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 nineteenth anniversary of the independence of the Republic of Namibia on 21 March 2009, granted pardon or reprieve to certain 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 whose conditional release on parole has been approved prior to or on 21 March 2009.
 - (ii) Those serving sentences of imprisonment of six months or less and who, on 21 March 2009, had served half or more of their sentences.
 - (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.

- (b) Pardon has also been granted to all prisoners who, on 21 March 2009, were serving sentences of six months or less but who on that date had not yet completed half of their sentences, which pardon is to become of effect on the date that 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 six months but not more than two years and who, on 21 March 2009, 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 six months but not more than two years and who, on 21 March 2009, had not yet completed half of their sentences, which reprieve is to become of effect on the date they complete serving half of their sentences.
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 who have been convicted of a minor or a major offence at any time during the period 21 September 2008 to 21 March 2009.
 - (b) Prisoners who have been released under any previous presidential pardon or reprieve since Namibia's Independence and have again been convicted for any crime committed thereafter.
 - (c) Prisoners 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.
 - (viii) Theft of, dealing in or possession of ivory or rhino horns.
 - (ix) Theft, possession or supplying of illegal arms.
 - (x) Attempted murder.
 - (xi) Stock theft, where the value of stolen stock exceeds N\$2000.
 - (d) Prisoners who, on 21 March 2009, had further charges pending.
 - (e) Prisoners who previously were released on parole but violated the parole conditions by committing another offence while on parole.
 - (f) Sentenced prisoners who escaped from prison and while at large committed an offence.

Given under my Hand and the Seal of the Republic of Namibia, at Windhoek, this 18th day of March, Two Thousand and Nine.

HIFIKEPUNYE POHAMBA

President

BY ORDER OF THE PRESIDENT-IN-CABINET
