

CONSTITUTION OF ZIMBABWE

Clemency Order 1 of 2020

IT is hereby notified that His Excellency the President has, in terms of section 112(1)(a) and (d) of the Constitution of Zimbabwe, made the order set out in the Schedule.

27-3-2020. V. MABIZA,
Secretary for Justice, Legal and
Parliamentary Affairs.

SCHEDULE

Title

1. This order may be cited as the Clemency Order No. 1 of 2020.

Remission of sentence for all convicted female prisoners

2. Full remission of the remaining period of imprisonment is hereby granted to all female prisoners, save for those convicted of specified offences. The inmate should have served at least half of her sentence.

Remission of sentence for all juveniles

3. Full remission of the remaining period of imprisonment is hereby granted to all juvenile prisoners under the age of eighteen (18), save for those convicted of specified offences. The prisoners should have served at least one third of his or her sentence.

Remission of sentence for prisoners serving effective sentence of 36 months and below

4. Full remission of the remaining period of imprisonment is hereby granted to all those prisoners serving effective period of thirty-six (36) months and below and who would have served half of their sentence by the date of gazetting of this Clemency Order, provided they are not excluded from benefiting in terms of paragraphs 11 and 12.

Remission of sentence on medical grounds

5. Full remission of the remaining period of imprisonment is hereby granted to all prisoners who have been bed ridden for a prolonged period without recovery upon certification by a Correctional Medical Officer or a Government Medical Officer. The Department of Correctional Service should liaise with social welfare so that a commitment for providing medication is attained.

Remission of sentence for prisoners at the Open Prison

6. Full remission of sentence is hereby granted to all prisoners serving a term of imprisonment at the Open Prison regardless of offences committed.

Remission of sentence for prisoners aged 70 years and above

7. Full remission of sentence is hereby granted to all prisoners aged seventy (70) years and above, and who have served half of their sentence by the date of gazetting of this Clemency Order, save for those convicted of specified offences.

Remission of sentence for prisoners serving life imprisonment

8. Full remission of sentence is hereby granted to all prisoners who have served life imprisonment for at least twenty-five (25) years. This include—

- (i) prisoners sentenced to life imprisonment;
- (ii) prisoners whose sentences were commuted from death to life imprisonment; and
- (iii) prisoners whose sentences were altered to life imprisonment on appeal or review.

The 25-year period shall include any period spent under the sentence of death.

Commutation of death sentence to life imprisonment

9. A commutation of death sentence to life imprisonment is hereby granted to all prisoners who have been on the death row for at least ten years and above.

Quarter remission of sentence for prisoners serving effective sentence above 36 months

10. Prisoners serving an effective period of imprisonment of more than thirty-six months who have served a third of their remaining sentence are hereby granted an additional one-quarter remission of the remaining effective period of imprisonment.

Prisoners excluded from the proposed amnesty

11. The following persons are excluded from the amnesty:

- (a) any prisoner who was previously released on amnesty;
- (b) any prisoner serving a sentence imposed by a Court Martial;
- (c) any prisoner who has a record of escaping from lawful custody;
- (d) any prisoner convicted of committing any specified offence.

Definitions

12. For the purposes of this amnesty—

“specified offence” means—

- (a) murder, treason;
- (b) rape or any sexual offence;
- (c) carjacking, robbery;
- (d) stock theft;
- (e) public violence;
- (f) any conspiracy, incitement or attempt to commit any of the offences referred to in paragraph (a), (b), (c), (d) or (e);
- (g) being an accessory after the fact to any of the offences referred to in paragraphs (a), (b), (c), (d) or (e).

GIVEN under my hand and seal at Harare this twenty-fourth day of March, in the year of Our Lord two thousand and twenty.

EMMERSON DAMBUDZO MNANGAGWA,
President.

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