

CONSTITUTION OF ZIMBABWE

Clemency Order No. 1 of 2024

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.

16-4-2024. Secretary for Justice, Legal and Parliamentary Affairs. V. NYEMBA,

SCHEDULE

Title

This order may be cited as Clemency Order No. 1 of 2024.

Remission of Sentence for Convicted Female Inmates

1. A full remission of the remaining period of imprisonment is hereby granted to all convicted female inmates, save for those convicted of specified offences. The inmate should have served one third (1/3) of the sentence by 18th April, 2024.

Remission of Sentence for All Juveniles

2. Full remission of the remaining period of imprisonment for all juveniles that is, those inmates under the age of eighteen (18) years. The inmate should have served one third (1/3) of the sentence by 18th April, 2024. Age determination will be based on the birth certificate or dental age estimation of the concerned prisoner. Inmates charged under the Criminal Law (Codification and Reform) Act [Chapter 9:23] are excluded from this Amnesty.

Remission for Prisoners Sentenced to 48 Months and Below

3. Full remission of the remaining period of imprisonment is hereby granted to all those prisoners serving an effective period of forty-eight (48) months and below and who would have served one third (1/3) of their sentence by 18th April, 2024, provided they are not convicted for specified offences.

Remission of Sentence on Medical Grounds

4. Full remission of the remaining period of imprisonment is hereby granted to all inmates certified terminally ill by a Correctional Medical Officer or a Government Medical Officer (GMO). Inmates charged under the Criminal Law (Codification and Reform) Act [Chapter 9:23] are excluded from this Amnesty. The department of Correctional Services should liaise with Social Welfare so that there is continuity of treatment after release.

Remission of Sentence for Prisoners at Open Prison

5. Full remission of sentence is hereby granted to all inmates serving terms of imprisonment at the Open Prison. Inmates charged under

the Criminal Law (Codification and Reform) Act [Chapter 9:23] are excluded from this Amnesty.

Remission of Sentence for Prisoners Aged 60 Years and Above

6. Full remission of the remaining period of imprisonment for all prisoners aged sixty (60) years and above, and who would have served one tenth (1/10) of their sentence by 18th April, 2024. Inmates charged under the Criminal Law (Codification and Reform) Act [Chapter 9:23] are excluded.

Remission of Sentence to Prisoners Sentenced to Life Imprisonment

7. Full remission of the remaining period is hereby granted to all those inmates who would have served life imprisonment for at least twenty (20) years. This includes—

- (a) inmates sentenced to life imprisonment;
- (b) inmates whose sentences were commuted from death to life imprisonment. In this case the period of 20 years will include the period when the inmate was serving as a Prisoner under sentence of death;
- (c) inmates whose sentences were altered to life imprisonment on appeal or review.

Commutation of Death Sentence to life imprisonment

8. Commutation of the death sentence to life imprisonment is hereby granted to all inmates who have been on death roll for ten years and above.

Remission of Sentence for Prisoners with disabilities

9. Full remission of the remaining period of imprisonment is hereby granted to all inmates who are certified by a Correctional Medical Officer or a Government Medical Officer to be visually impaired, and those who are physically challenged to the extent that they cannot be catered for in a Prison or Correctional environment and have served one third (1/3) of their sentence by 18th April, 2024.

Quarter Remission for Inmates Serving Effective Sentence Above 48 Months

10. An additional one quarter remission of the effective term of imprisonment to those prisoners who were sentenced to more than 48 months and who would have served at least one third (1/3) of the sentence by 18th April, 2024, including those with specified offences provided they are not excluded in terms of paragraph 12.

Prisoners Excluded from the Proposed Amnesty

11. Inmates to be excluded from the proposed general amnesty are the following:

- (a) any inmate who was previously released on amnesty;

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- (b) any inmate serving a sentence imposed by Court Martial;
- (c) any inmate who has a record of escaping from lawful custody.

Specified Offences

12. For the purpose of this amnesty “specified offence” includes:

- (a) Murder;
- (b) Treason;
- (c) Rape or any sexual offence;
- (d) Carjacking;
- (e) Robbery;
- (f) Public violence;
- (g) Human trafficking;
- (h) Unlawful possession of firearm;
- (j) Contravention of the Electricity Act;
- (k) Contravention of the Postal and Telecommunications Act;

- (l) Contravention of the Public Order and Security Act/ Maintenance of Peace and Order Act;
- (m) Any conspiracy, incitement or attempt to commit any of the offences listed above.

Given under my hand and seal at Harare this sixteenth day of April, in the year of Our Lord two thousand and twenty-four.

E. D. MNANGAGWA,
President.