

Lebanese Republic

Chamber of Deputies

Law No. 183 of 05/10/2011

(Official Gazette No. 47 of 13/10/2011)

Law

On the Amendment of the Law on the Enforcement of Penalties

No. 463 of 17/09/2002

Single Article: The proposed law to amend the Law on the Enforcement of Penalties No. 17/09/2002 is hereby ratified as amended by the Administration and Justice Committee.

This Law shall come into effect upon its publication in the Official Gazette.

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Law

On the Amendment of the Law on the Enforcement of Penalties

No. 463 of 17/09/2002

Article 1: Part "Fourth" of Article 2 shall be amended to be as follows:

"Two doctors, one of whom shall be a doctor specialized in mental and psychological illnesses to be named by the Minister of Justice and the other a prison doctor for everything related to physical illnesses, shall join the committee only when cases falling within Class 3 of Article 4 are under consideration."

Article 2: The first paragraph of Article 3 shall be amended to be as follows:

"The committee shall throughout the year make recommendations with detailed grounds on the names of convicted individuals who merit a reduction of their sentence.

Accordingly, it shall study the status of each convicted prisoner and observe the following rules and principles in making its recommendations:"

(The remainder is unchanged.)

The following paragraph shall also be added to Article 3:

"With regard to requests to reduce the sentences of individuals convicted under Article 549 of the Penal Code, the committee chairman must notify the civil claim parties of the request for a reduced sentence along with the documents and

reports it deems suitable to make its observations thereon so as to familiarize both the committee and the court therewith."

Article 3: The text of Article 4 shall be repealed and replaced with the following text:

"New Article 4:

Convicted individuals shall be categorized into the following classes:

Class 1:

1. Individuals sentenced to fixed-term felony or misdemeanor penalties.

Each individual shall benefit from a reduction of their sentence by one-sixth to one-half if at least half of their sentence has been enforced and the general conditions stated in Article 3 of this Law are met.

2. Individuals sentenced to fixed-term felony penalties under Article 549 of the Penal Code.

Each individual shall benefit from a reduction of their sentence by one-sixth to one-third if at least half of their sentence has been enforced and the general conditions stated in Article 3 of this Law are met.

Individuals with repeat convictions shall also benefit the first time from the reduction set out in this paragraph.

Class 2:

1. Individuals sentenced to life under a felony penalty. Each individual shall benefit from the reduction of their sentence if at least eighteen years of their sentence have been enforced and the general conditions are met, provided that the total reduced sentence to be enforced is not less than twenty years and no more than twenty-five years.

2. Individuals sentenced to life under a felony penalty under Article 549 of the Penal Code. Each individual shall benefit from the reduction of their sentence if at least twenty years of their sentence has been enforced and the general conditions are met, provided that the total reduced sentence to be enforced is not less than twenty-five years and no more than thirty years.

Convicted individuals who have previously benefitted from the commutation of a death sentence to life imprisonment under a ruling based on the General Amnesty Law or under a special amnesty decree shall not submit a request for a reduced sentence unless at least twenty-five years of their sentence has been enforced and provided that the general conditions are met and the total reduced sentence to be enforced is not less than thirty years and no more than thirty-five years."

Class 3:

Convicted individuals diagnosed in prison as suffering from blindness, hemiplegia, or any chronic incurable illness or who suffers from a dangerous illness that threatens their life or the lives of other prisoners, or who have become disabled and are unable to take care of themselves or perform a certain actions.

Each individual in this class may be pardoned of the remainder of their sentence if the committee establishes that they are afflicted with one of the illnesses set out in the previous paragraph and they are not included in the exceptions set out in Article 15 of this Law.

The committee is required to establish that the release of convicted individuals in this class does not constitute a danger to others.

Class 4:

Individuals sentenced to the death penalty who have spent thirty years in detention and meet all of the general conditions stated in this Law in addition to

lapse of the personal right, shall benefit from a reduction of their sentence, provided that the total reduced sentence to be enforced is not less than thirty-five years and not more than forty years."

Article 4: The text of Article 6 shall be repealed and replaced with the following text:

New Article 6:

A chamber of the Court of Appeals in Beirut or another appeals chamber in the governorates shall be entrusted with the matter of reviewing the reduction of the sentences of convicted individuals. The chamber or chambers shall be appointed in a decree distributing the works and the chairman of the committee entrusted with providing recommendations shall join the panel without holding voting rights.

Article 5: The text of Article 10 shall be repealed and replaced with the following text:

"New Article 10:

Decisions of the court shall be self-executing and not subject to any recourse to review, ordinary or extraordinary.

Convicted individuals whose requests are dismissed, in whole or in part, may submit another request for a reduction of their sentence after at least six months have passed from the date of the dismissal decision.

Article 6: The following text shall be added to first paragraph of Article 13:

"Submission shall be compulsory in cases sentenced under Article 549 of the Penal Code."

Article 7: The expression "reduced penalty" in the last paragraph of Article 14 shall be replaced with the expression "original penalty".

Article 8: The text of Article 15 shall be repealed and replaced with the following text:

"New Article 15:

The following crimes shall be excepted from the grant of a reduction.

- Felonies falling committee against state security and public funds.
- Counterfeiting, forging, or circulating currency.
- Sale or trafficking of drugs.

Individuals with repeat felony convictions sentenced to life shall also be excepted.

These exceptions shall not include persons involved in the crimes mentioned above as long as the involved party is not convicted of the same penalty as the offender."

Article 9: This Law shall come into effect upon its publication in the Official Gazette.