

Decree N° 2008/175 of 20 May 2008

Commuting and Remission of Sentences

The President of the Republic hereby decrees as follows:

Article 1: Persons whose sentences have become final as at the date of signature of this decree shall benefit from remission as follows:

1. Commutation of the death sentences to life imprisonment for persons originally sentenced to death;
2. Commutation to 20 (twenty) years imprisonment for persons originally sentenced to death and whose sentence has already been commuted to life imprisonment;
3. Commutation to 20 (twenty) years imprisonment for persons originally sentenced to life imprisonment that has not yet been commuted;
4. Remission of 03 (three) years imprisonment for persons originally sentenced to death and whose sentence has already been commuted to a fixed term;
5. Remission of 03 (three) years for persons originally sentenced to life imprisonment that has already been commuted to a fixed term;
6. Remission of 02 (two) years for persons originally sentenced to imprisonment equal to or above 10 (ten) years;
7. Remission of 15 (fifteen) months for persons serving a prison term of less than 10 (ten) years but above 5 (five) years;
8. Remission of 12 (twelve) months for persons serving a prison equal to or less than 05 five years but above 03 (three) years;
9. Remission of 08 (eight) months for persons serving a prison term equal to or above 03 (three) years, but above 01 (one) year;
10. Remission of 06 (six) months for persons serving a prison term equal to or less than 01(one) year.

Article 2: For the application of the remissions provided hereinabove, minors within the meaning of criminal law who have been sentenced shall in addition benefit from one-third of the application remission.

Article 3:

- a) The commutations provided under article I (b) and (c) above shall take effect from the date of signature of this Decree, the said date being the starting point for the calculation of the remaining term of imprisonment to be served;

- b) In case of concurrent sentences, the provisions of Article 1 shall apply to the sentence being served on the date of signature of this Decree, and where the person is free; they shall apply to the sentence to be served first;
- c) In case of concurrent sentences, remission shall apply to the sentence to be served.

Article 4: The provisions of Article 1 of this Decree shall not apply to:

- fugitives at the date of signature of this Decree;
- recidivist offenders;
- persons sentenced for the following offences:
 - capital murder;
 - aggravated theft;
 - misappropriation of public funds;
 - corruption, indulgence (undue demand), favour, procuring, favouritism, influence, interest in grant;
 - counterfeit note and coin;
 - customs or tax fraud;
 - fraud in official and other examinations;
 - fraudulent export of currency;
 - unlawful possession and trafficking in toxic wastes;
 - unlawful possession and trafficking in drugs;
 - breaches against legislation on arms;
 - breaches against forestry legislation;
 - torture.
- Persons imprisoned and sentenced for committing an offence while in detention.

Article 5: The Vice-Prime Minister, Minister of Justice, Keeper of the Seals is responsible for the implementation of this Decree which shall be published according the procedure of urgency, and inserted in the Official Gazette in English and French.

Yaounde, the 20th of May 2008

President of the Republic

Paul BIYA