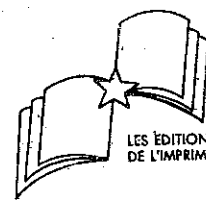


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Peace — Work — Fatherland

**Constitution**  
**of the Republic of Cameroon**



LES ÉDITIONS  
DE L'IMPRIMERIE NATIONALE

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Constitution

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of the Presidency of the Republic



...the people of Cameroon...

**CONSTITUTION  
of the Republic of Cameroon.**

**PREAMBLE.**

**The People of Cameroon.**

— Proud of its cultural and linguistic diversity, a feature of its national personality which it is helping to enrich but profoundly aware of the imperative need to achieve complete unity, solemnly declares that it constitutes one and the same Nation, committed to the same destiny, and affirms its unshakeable determination to construct the Cameroonian Fatherland on the basis of the ideal of fraternity, justice and progress;

— Convinced that the salvation of Africa depends on the realization of an ever more closely-knit solidarity between the African States, affirms its desire to achieve in the independence of the Cameroonian Fatherland the creation of a

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united and free Africa, at the same time maintaining peaceful and brotherly relations with the other Peoples of the world in accordance with the principles laid down by the United Nations Charter;

— Resolved to exploit its natural wealth in order to ensure the well-being of every citizen by the raising of living standards, proclaims its right to development as well as its determination to devote all its efforts to that end and declares that it is ready to co-operate with all States desirous of participating in this national enterprise in respect for its sovereignty and the independence of the Cameroonian State.

**The People of Cameroon,**

— Declares that the human being, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights.

— Affirms its attachment to the fundamental freedoms embodied in the Universal Declaration of Human Rights and the United Nations Charter and in particular to the following principles:

— Everyone has equal rights and obligations. The State endeavours to assure for all its citizens the conditions necessary for their development.

— Freedom and security are guaranteed to each individual subject to respect for the rights of others and the higher interests of the State.

— No one may be compelled to do what the law does not prescribe.

— Everyone has the right to settle in any place and to move about freely, subject to the statutory provisions concerning public order, security and tranquillity.

— The home is inviolate. No search may take place except by virtue of the law.

— The privacy of all correspondence is inviolate. No interference shall be allowed except by virtue of decisions emanating from the judicial authorities.

— No one shall be subjected to prosecution, arrest or detention except in the cases and according to the manner determined by the law.

— The law may not have retrospective effect.

— No one shall be judged or punished except by virtue of a law promulgated and published before the offence was committed.

— The law ensures the right of everyone to a fair hearing before the courts.

— No one shall be harassed because of his origin, opinions or beliefs in religious, philosophical or political matters, subject to respect for public order.

— Freedom of religion and freedom to practise a religion are guaranteed.

— The State is secular. The neutrality and independence of the State in respect of all religions are guaranteed.

— The freedom of expression, the freedom of the press, the freedom of assembly, the freedom of association, and the freedom of trade-unions are guaranteed under the conditions fixed by the law.

— The Nation protects and promotes the family, the natural basis of human society.

— The State ensures the child's right to education. The organization and control of education at all levels are bounden duties of the State.

— Ownership is the right guaranteed to everyone by the law to use, enjoy and dispose of property. No one shall be deprived thereof, save for public purposes and subject to the pay-

ment of compensation to be determined by the law.

— The right of ownership may not be exercised in violation of the public interests or in such a way as to be prejudicial to the security, freedom, existence or property of other persons.

— Everyone has the right and duty to work.

— Everyone must share in the burden of public expenditure according to his means.

— The State guarantees to all citizens of either sex the rights and freedoms set out in the preamble of the Constitution.

## PART I

### Sovereignty.

#### Article 1. [Law No. 84/1 of 4 February 1984.]

(1) The United Republic of Cameroon shall with effect from the date entry into force of this law be known as « Republic of Cameroon ».

(2) The Republic of Cameroon shall be a Unitary State. It shall be one and indivisible, democratic, secular and dedicated to social service. It shall ensure the equality of all citizens before the law.

(3) The official languages of the Republic of Cameroon shall be English and French.

(4) Its motto shall be «Peace — Work — Fatherland».

(5) Its flag shall be of three equal vertical stripes of green, red and yellow charged with one gold star in the centre of the red stripe.

(6) Its national anthem shall be « O Cameroon, cradle of our Forefathers ».

(7) The seal of the Republic of Cameroon shall be a circular medallion in bas-relief, 46 millimeters in diameter, bearing on the obverse and in the centre the head of a girl in profile turned to the dexter towards a coffee branch with two leaves and flanked on the sinister by five cocoa pods, encircled beneath the upper edge by the French words « République du Cameroun » and above the lower edge by the national motto «Paix - Travail - Patrie»; on the reverse and in the centre the coat of arms of the Republic of Cameroon, encircled beneath the upper edge by the English words « Republic of Cameroon » and above the lower edge by the national motto « Peace - Work - Fatherland ».

(8) The coat of arms of the Republic of Cameroon shall be an escutcheon surmounted chief by the legend « Republic of Cameroon » and supported two crossed fasces with the motto « Peace - Work - Fatherland » base.

(9) The escutcheon shall be composed of a star or on a field vent and triangle gules, charged with the geographical outline of Cameroon azure and surcharged with the sword and scales of justice sable.

(10) The capital shall be Yaounde.

**Article 2. — [Law No. 91/21 of 16 December 1991.]**

(1) National sovereignty shall be vested in the people of Cameroon who shall exercise it either through the President of the Republic and the members returned by it to the National Assembly or by way of referendum; nor may any section of the people or any individual arrogate to itself or to himself the exercise thereof.

(2) The vote shall be equal and secret, and every citizen aged twenty years or over shall be entitled to it.

(3) The authorities responsible for the direction of the State shall hold their powers of the people by way of election by direct or indirect universal suffrage.

3. (1) Political parties and groups may take part in elections. They shall be formed and shall exercise their activities in accordance with the law.

(2) Such parties shall be bound to respect the principles of democracy and of national sovereignty and unity.

4. State authority shall be exercised by:
- The President of the Republic, and
  - The National Assembly.

## PART II

Article 5. — [Law No. 84/1 of 4 February 1984] modified by law No. 91/1 of 23 April 1991.

(1) The President of the Republic, as Head of State, shall ensure respect for the Constitution

and the unity of the State as well as guarantee, through his arbitration, the smooth functioning of public authorities.

(2) He shall define the policy of the Nation. He may delegate some of his powers to the Prime Minister, other members of Government and certain senior officials of the State administration, within the context of their respective duties.

Article 6. (1) The President of the Republic shall be elected by universal suffrage and direct and secret ballot.

(2) Candidates for the office of President of the Republic must be in possession of their civic and political rights and have attained the age of thirty-five years by the date of the election.

(3) The nomination of candidates, the supervision of elections and the proclamation of results shall be regulated by law.

(4) The office of President of the Republic may not be held together with any other elective public office or professional activity.



**Article 7. — [Law No. 84/1 of 4 February 1984]  
modified by law No. 91/1 of 23 April 1991.**

(1) The President of the Republic shall be elected for five years by universal suffrage. The vote shall be direct, equal and secret.

(2) However, if he deems it necessary, he may call early presidential elections, in which case the vote shall take place within the time-limits laid down under this Article, that is, beginning from the date of notification of this decision to the President of the Supreme Court.

(3) The President of the Republic may be re-elected.

(4) Election shall be by a majority of votes cast, and shall be held not less than twenty nor more than fifty days before the expiry of the term of the President in office.

(5) The President-elect shall take the oath in the manner laid down by the law.

(6) Where the President of the Republic is temporarily unable to discharge his duties, he shall instruct the Prime Minister and should the latter be unable to perform his duties, another member of Government to discharge his duties within the scope of an express delegation of powers.

(7) Should the Presidency become vacant as a result of death or resignation or of the occupant being permanently prevented from attending to his duties, as duly ascertained by the Supreme Court, the President of the National Assembly shall automatically act as President of the Republic until a new President is elected. If the President of the National Assembly is unable to act, power shall be exercised by the next member of the Assembly, following the order of precedence.

(8) The interim President of the Republic — the President of the National Assembly or his deputy — may not amend the Constitution nor the composition of the Government. He may not



resort to a referendum. He may not run for President of the Republic.

(9) Voting to elect a new President shall take place not less than twenty days nor more than forty days after the vacancy.

**Article 8. — [Law No. 84/1 of 4 February 1984] modified by law No. 91/1 of 23 April 1991.**

(1) The President of the Republic shall appoint the Prime Minister and, on the recommendation of the latter, the ministers and secretaries of State whose powers and duties he shall define.

(2) He shall terminate their appointments.

(3) The President of the Republic shall preside over the Council of Ministers.

(4) The office of Prime Minister, minister or secretary of State may not be held together with parliamentary office, office as member of a body representing nationally any occupation, or any public post or gainful activity.

**Article 9. — [Law No. 84/1 of 4 February 1984] modified by law No. 91/1 of 23 April 1991.**

(1) The President of the Republic shall :

(a) represent the State in all public activities ;

(b) be head of the Armed Forces ;

(c) accredit ambassadors and envoys extraordinary to foreign powers.

(2) He shall receive letters of credence of ambassadors and envoys extraordinary from foreign powers.

(3) The President of the Republic shall :

(a) negotiate and ratify agreements and treaties provided that treaties dealing with the sphere reserved by Article 20 to the legislature shall be submitted before ratification for approval in form of law by the National Assembly ;

(b) exercise the prerogative of clemency after consultation with the Higher Judicial Council ;

(c) confer the decorations of the Republic ;

(d) enact laws as provided for under Article 29.



- (4) He shall: (a) exercise statutory authority;
- (b) appoint to top civil and military posts;
- (c) ensure the internal and external security of the Republic;
- (d) set up and regulate the administrative services of the State.

The Prime Minister shall: head the Government and direct its action; enforce laws; exercise statutory authority; appoint to civil posts; direct all the administrative services necessary for the accomplishment of his mission. He may delegate some of his powers to ministers, secretaries of State and top officials of the State administration.

**Article 10.** — The President of the Republic shall refer to the Supreme Court under the conditions prescribed by the law provided for in Article 32 any law which he considers to be contrary to this Constitution.

**Article 11.** — (a) The President of the Republic may where circumstances require proclaim by Decree a State Emergency, which will confer upon him such special powers as may be provided by law.

(b) In the event of grave peril threatening the nation's territorial integrity or its existence, independence or institutions, the President of the Republic may proclaim by Decree a State of Siege and take all measures as he may deem necessary.

(c) He shall inform the nation by message of his decision.

### PART III

### The National Assembly.

**Article 12.** — [Law No. 83/10 of 21<sup>st</sup> July 1983] modified by law No. 91/20 of 16 December 1991, to lay down conditions governing the election of Members of Parliament.

(a) The National Assembly shall be renewed every five years, and shall be composed of one

hundred and eighty members elected by universal suffrage and direct and secret ballot.

(b) The National Assembly may, at the instance of the President of the Republic, decide by law to extend or shorten its term of office.

**Article 13.** — Laws shall be passed by a simple majority of the members present.

**Article 14.** — Before promulgating any bill, the President of the Republic may request a second reading. In this case, laws shall only be passed by the National Assembly by a majority of its membership.

**Article 15.** — (1) The National Assembly shall meet twice a year, the duration of each session being limited to thirty days.

(2) The opening date of each session shall be fixed by the Assembly's steering committee after consultation with the President of the Republic. In the course of one such session the Assembly shall approve the Budget: Provided that in the event of the budget not being approved before

the end of the current financial year the President of the Republic shall have power to act according to the old budget at the rate of one twelfth for each month until the new budget is approved.

(3) On request of the President of the Republic or of two thirds of its membership the Assembly shall be recalled to an extraordinary session, limited to fifteen days, to consider a specific programme of business.

**Article 16.** — (1) The National Assembly shall adopt its own rules or organization and functioning in the form of a law to establish its standing orders.

(2) At the opening of the first session of each year it shall elect its President and steering committee.

(3) The sittings of the National Assembly shall be open to the public; provided that in exceptional circumstances and on the request of the Government or of a majority of its members strangers may be excluded.

**Article 17.** — Elections shall be regulated by law.

**Article 18.** — Parliamentary immunity, disqualification of candidates or of sitting members and the allowances and privileges of members shall be governed by law.

#### PART IV

### Relations between the Executive and the Legislature.

**Article 19.** — Bills may be introduced either by the President of the Republic or by any member of the National Assembly.

**Article 20.** — The following shall be reserved to the legislature:

- (1) The fundamental rights and duties of the citizen, including:
  - protection of the liberty of the subject;
  - human rights;
  - labour and trade union law;
  - the overriding duties and obligations of the citizen in respect of national defence.

- (2) The law of persons and property, including:
  - nationality and personal status;
  - law of moveable and immoveable property;
  - law of civil and Commercial obligations.

- (3) The political, administrative and judicial system in respect of:
  - elections to the National Assembly;
  - general regulation of national defence;
  - the definition of criminal offences not triable summarily and the authorization of penalties of any kind, criminal procedure, civil procedure, execution procedure, amnesty, the creation of new classes of Courts;
  - the organization of the local authorities.

- (4) The following matters of finance and public property:
  - currency;
  - budget;
  - imposition, assessment and rate of all dues and taxes;
  - legislation on public property.

(5) Long-term commitments to economic and social policy, together with the general aims of such policy.

(6) The education system.

**Article 21.** — (1) Provided that with regard to the subjects listed in Article 20, the National Assembly may empower the President of the Republic to legislate by way of Ordinance for a limited period and for given purposes.

(2) Such ordinances shall enter into force on the date of their publication. They shall be tabled before the National Assembly for purposes of ratification within the time limit fixed by the enabling law.

(3) They shall remain in force as long as the Assembly has not refused to ratify them.

**Article 22.** — Matters not reserved for the legislature shall come under the jurisdiction of the authority empowered to issue statutory rules and orders.

**Article 23.** — Bills laid on the table of the National Assembly shall be considered in the appropriate committee before debate on the floor of the house.

**Article 24.** — The text laid before the Assembly shall be that proposed by the President of the Republic when the proposal comes from him, and otherwise the text as amended in committee, but in either case amendments may be moved in the course of the debate.

**Article 25.** — The President of the Republic may at his request address the Assembly in person, and may send messages to it; but no such address or message may be debated in his presence.

**Article 26.** — [Law No. 84/1 of 4 February 1984 modified by law No. 91/1 of 23 April 1991.]

The Prime Minister, ministers and secretaries of State shall have access to the National Assembly and may take part in debates.

The Prime Minister's address may give rise to voting following a vote of confidence or a motion of censure.

A motion of censure may be admissible only when it is signed by a least one third of the members of the National Assembly.

In any case, voting shall take place not less than 48 hours after the request for a vote of confidence or the submission of a motion of censure.

The vote of no confidence and the motion of censure shall be passed by a two-third majority of the members of the National Assembly.

Only votes in favour of a motion of censure or against a vote of confidence shall be counted.

In the event of the rejection of a motion of censure, its signatories may not propose a new motion before a period of one year.

Where the National Assembly adopts a motion of censure or passes a vote of no confidence, the Prime Minister shall submit the resignation of the Government to the President of the Republic.

In the event of the resignation of the Government or of a motion of censure, the President of the Republic may reappoint the Prime Minister and ask him to form a new Government.

The President of the Republic may, should the need arise and after consulting the Government and the Bureau of the National Assembly, dissolve the National Assembly.

**Article 27. — [Law No. 84/1 of 4 February 1984] modified by law No. 91/1 of 23 April 1991.**

(1) The agenda of the Assembly shall be drawn up by the chairmen's conference, composed of party leaders, chairmen of committees and members of the steering committee of the National Assembly, together with a minister or secretary of State.

(2) The agenda may not include bills beyond the jurisdiction of the Assembly as defined by Article 20.

(3) Nor may any bill introduced by a member or any amendment be included which if passed would result in a burden on public funds or an



increase in public charges without a corresponding reduction in other expenditure or the grant of equivalent new supply of funds.

(4) Any doubt or dispute on the admissibility of a bill or amendment shall be referred by the President of the Assembly or by the President of the Republic to the Supreme Court for decision.

(5) The agenda shall give priority and the order decided by the Government, to the consideration of bills introduced or accepted by it.

(6) Any item on the agenda shall, on request by the Government, be treated as urgent.

(7) The Prime Minister may, after the deliberations of the Council of Ministers and in respect of the approval of a given instrument, call for a vote of confidence of the National Assembly. In such a case, the instrument shall be considered approved, except where the motion of censure tabled within the next twenty-four hours is voted under the conditions provided for by Article 26 above.

**Article 28.** — (1) The National Assembly may inquire about governmental activity by means of oral or written questions and by setting up committees of inquiry with specific terms of reference.

(2) The Government, subject to the imperatives of national defence and the security of the State, shall furnish any explication and information to the Assembly.

(3) The procedure of all committees of inquiry shall be laid down by law.

**Article 29.** — (1) The President of the Republic shall promulgate laws passed by the National Assembly within fifteen days of their being forwarded to him unless he requests a second reading or refers the matter to the Supreme Court.

(2) On his failure to do so within such period, the President of the National Assembly may record the fact and himself promulgate.

(3) Laws shall be published in both official languages of the Republic.

**Article 30.** — (1) The President of the Republic, after consultation with the President of the National Assembly, may submit to a referendum any



reform bill which, although normally reserved for the legislature, could have profound repercussions on the future of the Nation and the national institutions.

(2) This shall apply in particular to:

(a) Bills concerning the organization of the public authorities or the amendment of the Constitution;

(b) Bills to ratify international agreements or treaties having particularly important consequences;

(c) Certain reform bills relating to the law of persons and property, etc.

(3) The bill shall be adopted by a majority of valid votes cast.

(4) The referendum procedure shall be determined by law.

#### PART V

#### The Judiciary.

**Article 31.** — (1) Justice shall be administered in the territory of the Republic in the name of the people of Cameroon.

(2) The President of the Republic shall ensure the independence of the judiciary, and shall appoint to the Bench and to the legal service.

(3) He shall be assisted in his task by the Higher Judicial Council, which shall give him its opinion on all proposed appointments to the Bench and on disciplinary sanctions concerning them.

(4) It shall be regulated as to procedure and otherwise by law.

#### PART VI

#### The Supreme Court.

**Article 32.** [Law No. 75/1 of 9 May 1975.]

(1) The Supreme Court, in addition to the powers and duties provided for by Articles 7, 10, and 27 shall give final judgment on:

(a) such appeals as may be granted by law from the final judgments of the Courts of Appeal and lower courts;

(b) enforceable court decisions whenever the application of the law is in issue;

(c) complaints against administrative acts, whether claiming damages or on grounds of ultra vires;



(d) disputes which the law expressly refers to it.  
(2) The composition of, the taking of cognizance by, and the procedure of the Supreme Court shall be laid down by law.

**Article 33.** — Where the Supreme Court is called upon to give an opinion in the case contemplated

**PART VII  
Impeachment.**

**Article 34.** — [Law No. 84/1 of 4 February 1984] modified by the law No. 91/1 of 23 April 1991.

(1) A Court of Impeachment shall be set up. The conditions governing the bringing of matters before it and its organization shall be fixed by law.

(2) The Court of Impeachment shall have jurisdiction, in respect of acts performed in the exercise of their functions, to try the President of the Republic for high treason and the Prime Minister, ministers, secretaries of State and senior government officials to whom powers have been delegated in pursuance of Article 5 above, for conspiracy against the security of the State.

**PART VIII  
The Economic and Social Council.**

**Article 35.** — There shall be an Economic and Social Council which shall be regulated as to powers and in other respects by the law.

**PART IX  
Amendment of the Constitution.**

**Article 36.** — (1) Bills to amend this Constitution may be introduced either by the President of the Republic or the National Assembly.

(2) Provided that any bill introduced by a member of the Assembly shall bear the signature of at least one third of its membership.

(3) An amendment presented to the Assembly on the initiative of the members or of the President of the Republic shall be passed by a majority of the membership of the National Assembly.

(4) The President of the Republic may request a second reading, in which case the amendment shall be passed by a two-thirds majority of the membership of the National Assembly.

(5) The President of the Republic may decide to submit any amendment to the people by way of a referendum.

**Article 37.** — No procedure to amend the Constitution may be accepted if it tends to impair the republican character, unity or territorial integrity of the State, or the democratic principles by which the Republic is governed.

PART X

**Final provisions.**

[Law No. 75/1 of 9 May 1975.]

**Article 38.** — The legislation resulting from the laws and regulations applicable in the Federal State of Cameroon and in the Federated States on the date of entry into force of this Constitution shall remain in force in all of their provisions which are not contrary to the stipulations of this Constitution, for as long as it is not amended by legislative or regulatory process.

**Article 39.** — This Constitution shall be registered and published in the **Official Gazette** of the State in French and in English, the French text being authentic. It shall be implemented as the Constitution of the Republic of Cameroon.

TITRE X

**Dispositions finales.**

**Article 38.** — [Loi n° 75/1 du 9 mai 1975.]

La législation résultant des lois et règlements applicables dans l'Etat fédéral du Cameroun et dans les Etats fédérés à la date de prise d'effet de la présente Constitution reste en vigueur dans ses dispositions qui ne sont pas contraires aux stipulations de celle-ci, tant qu'elle n'aura pas été modifiée par voie législative ou réglementaire.

**Article 39.** — [Loi n° 75/1 du 9 mai 1975.]

La présente Constitution sera enregistrée et publiée au **Journal officiel** de l'Etat en français et en anglais, le texte en français faisant foi. Elle sera exécutée comme Constitution de la République du Cameroun.