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THE FUTURE OF THE TRUST TERRITORIES OF THE CAMEROONS
UNDER FRENCH ADMINISTRATION AND THE CAMEROONS UNDER
UNITED KINGDOM ADMINISTRATION

Letter dated 23 February 1959 from the representative
of France addressed to the Secretary-General

New York, 23 February 1959

During the discussions in the Trusteeship Council some delegations expressed a desire for further information on the text of the Amnesty Act passed by the Cameroons Legislative Assembly on 14 February 1959.

Since this is a domestic matter within the sole jurisdiction of the Cameroonian authorities, I communicated this desire to the Cameroonian Government. The latter requests me to transmit to you, for the information of such delegations as may wish to examine it, the text of this instrument of national reconciliation.

(Signed) J. KOSCIUSKO-MORIZET

Amnesty Act

The Legislative Assembly, at its meeting of 14 February 1959 discussed and adopted the following bill:

TITLE I

Amnesty de jure

Article 1. A full and complete general amnesty is granted in respect of any act of a political nature, or directly connected with incidents of political origin, committed before 1 January 1959, for which the offender has been sentenced or is liable to a fine or to a penalty involving deprivation of liberty for a term not exceeding twenty years, with or without a fine.

TITLE II

Commutation of penalties ad hoc

Article 2. A sentence of forced labour for life or of death which has been or is liable to be imposed for the offence of manslaughter or murder committed in connexion with acts of the nature indicated in the preceding article may be commuted to a sentence of forced labour for a specified term upon the advice of a committee which shall be presided over by the Minister of Justice and the composition of which shall be determined by Decree:

sentence of death may be commuted to sentence of forced labour for twenty years;

sentence of forced labour for life may be commuted to sentence of forced labour for ten years.

TITLE III

Amnesty under ordinary law

Article 3. An amnesty is granted in respect of all less serious offences (délits, contraventions) for which the offender has been sentenced or is liable to:

- (a) imprisonment for a term not exceeding three months, with or without a fine
- (b) imprisonment for a term not exceeding one year subject to the provisions of the Act of 26 March 1891, with a fine;
- (c) a fine.

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TITLE IV

General provisions

Article 4. All principal, accessory or supplementary penalties imposed for an offence covered by this amnesty, including rigorous imprisonment (régation), shall be remitted and may never be reimposed. The benefit of a suspended sentence granted to a person on the occasion of his previous conviction for an offence covered by this amnesty shall be restored to him.

Article 5. The amnesty shall in no case constitute a bar to the institution of review proceedings before any competent court for the purpose of establishing the innocence of a convicted person.

Article 6. "An amnesty is granted in respect of any act for which a disciplinary penalty has been or may be imposed and which is the outcome of an amnestied judicial sentence imposed as a result of the events, incidents or offences referred to in articles 1 and 3 above.

"A person who benefits from the provisions of this article may be restored to the position he enjoyed on the date on which the penalty took effect but shall not be entitled to claim reinstatement in his occupation or compensation.

"The amnesty shall not automatically entail the reinstatement of a civil servant in his appointment.

"A decision in this regard shall be taken in each individual case by order of the Prime Minister."

Article 7. Any Cameroonian citizen whose civic rights are restored under this Act after the expiry of the time-limit for registration provided for on the occasion of the annual revision of the electoral lists may apply for registration in the said lists in accordance with the procedure prescribed for transferred civil servants under the Act of 28 August 1946.

The name of the person concerned may be entered either in the electoral list in which he was registered before the loss of his civic rights or in that of the place at which he had been regularly domiciled for not less than six months at the time of the events leading to the sentence or proceedings covered by the Amnesty Act.

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Article 8. The amnesty shall not prejudice the rights of third parties. If proceedings are instituted in connexion with civil interests, the record of the criminal proceedings shall be transmitted to the court and made available to the parties.

If the case was brought before the criminal court before the publication of this Act, either by writ of summons or by transfer from another court, the said criminal court shall remain competent to rule on the civil interests, where appropriate.

Article 9. The amnesty shall not apply to judicial costs advanced by the State. Attachment of the person may not be used against a convicted person who has benefited by the amnesty except at the request of the victims of the offence or their heirs and assigns.

Article 10. Any dispute concerning the benefit of this amnesty shall be subject to the rules of jurisdiction and procedure laid down in articles 590 et seq. of the Code of Criminal Procedure.

Where the benefit of the amnesty is claimed by a person under examination or committed for trial, the application shall be made to the court having jurisdiction in the case. The application shall be heard in the judge's chambers.

Article 11. Any judge or judicial or administrative official who, in a court or police record or in any other document, refers to a sentence, disciplinary penalty or forfeiture of rights revoked by **this** amnesty, or who leaves any reference thereto in whatsoever form, in such a record or document, shall be liable to disciplinary action, which may include dismissal.

The sole exception to this provision shall be the minutes of judgements or orders filed in the court registry.

It shall be unlawful, subject to the penalties hereinbefore prescribed, to refer to a disciplinary penalty revoked by this amnesty, or to leave any reference thereto in whatsoever form, in any administrative record or other document concerning an official, agent, ~~employee~~ or worker in a public service or a concessionary service.

This law shall be executed as an Act of the State.

Yaoundé, 14 February 1959

D. KEMAJOU
