

# THE CAMEROON PENAL CODE.

PREPARED BY THE  
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## **THE CAMEROON PENAL CODE.**

The Penal Code is that Code in which laws have been drafted which deal with criminal actions. Cameroon has a well-defined and structured Penal Code. Though the aim of this Code is punishment for defaulters, it is important to note here that the Code is not too strict. In fact the way the laws have been drafted is so encouraging bearing in mind that everybody is susceptible to committing crimes.

Taking into consideration the fact that the 3 basic aspects after the commission of a crime are investigation, trial and judgment, we shall analyze briefly how the Penal Code deals with each aspect vis-à-vis certain basic human rights and civil liberties.

### **1. INVESTIGATION.**

At the level of investigation, the Penal Code provides the following:

- Presumption of innocence: This means that any suspect is presumed to be innocent unless proven guilty. If guilt cannot be proven at the end, then the said suspect is set free.
- Also, in case of arrest, the victim has the right to remain silent and might speak only in the presence of his Counsel or whenever he chooses to speak.
- Furthermore, there is a provision for bail. A person under detention can apply for bail.

### **2. TRIAL.**

With regard to trial, the basic rule here is that each victim has the right to a Counsel. If he cannot have one, the State has the obligation to provide one for him. The law is even more flexible to the extent that a victim has a choice between a Counsel who is a national and a Counsel who is a foreigner. However, it is always advisable to seek a Counsel who is a national. This is so because not only will his services be cheap, he will also be versed with the Cameroonian Law as compared to a foreign Counsel.

**The Nico Halle and Co. Law Firm has intelligent and experienced lawyers who are ever ready to diligently serve your interest.**

### **3. JUDGMENT.**

Judgment, which is the last stage involved in a criminal action has certain rights.

- **Right to appeal:** This is a fundamental right to every person who thinks judgment was not properly passed or who is not satisfied with the decision of the judge.

- **Right to bail:** Bail can also be granted after a judgment has been passed. However this can only be possible upon application for appeal.

- Also, a convict has the right to apply for transfer to his country of origin so that he could serve his imprisonment term there. There is no such strict rule that imprisonment term must only be served in the country where the decision was passed.