

Law No. 1968-LF-3 of the 11th June 1968 to set up the Cameroon Nationality Code

The National Assembly deliberated and adopted;

The President of the Federal Republic enacts the law set out below:

CHAPTER I General.

Section 1.

Cameroon nationality attaches at birth, as the nationality of origin, by operation of law.

Section 2.

Cameroon nationality is acquired or lost after birth either by operation of law or by the decision of a public authority under the law.

Section 3.

Provisions regarding nationality contained in international treaties or agreements duly ratified and published shall have effect in Cameroon even though contrary to the provisions of Cameroon internal legislation.

Section 4.

Majority for the purposes of this code is attained at the full age of twenty one years.

Section 5.

The attachment or acquisition of Cameroon nationality extends automatically to the minor unmarried children of the person in question.

CHAPTER II Nationality of Origin.

A. By Descent.

Section 6.

Cameroon nationality attaches to:

- a) A legitimate child born of Cameroonian parents;
- b) An illegitimate child whose natural parents are both Cameroonians.

Section 7.

Cameroon nationality attaches to:

- a) A legitimate child born of a Cameroonian father or a Cameroonian mother;
- b) An illegitimate child born of parents of whom one is Cameroonian, when his affiliation to that one is first established, though the other be foreign; but subject in either case to the minor's right to renounce Cameroon nationality within six months before his majority, either if he was born out of Cameroon or if, according to the national law of the foreign parent, he is able to avail himself of that nationality.

Section 8.

Cameroon nationality attaches to:

- a) A legitimate child born of a Cameroonian mother and a father of no nationality or of unknown nationality;
- b) An illegitimate child born of parents of whom one is Cameroonian, though his affiliation to that one be later established, if the other is of no nationality or of unknown nationality.

B. By Birth.

Section 9.

Cameroon nationality attaches to every child born in Cameroon of unknown parents. Provided that, if during his minority his affiliation is established with regard to a foreign parent and if in accordance with the national law of this foreign parent, he has the nationality of the latter, he shall be deemed never to have been a Cameroonian.

Section 10.

A new-born child found in Cameroon will be presumed prima facie to have been born in Cameroon.

Section 11.

Cameroon nationality attaches, subject to the right to renounce it within six months before majority, to:

- a) A legitimate child born of foreign parents, if both he and his father or mother were born in Cameroon;
- b) An illegitimate child born of foreign parents, if both he and the parent to whom his affiliation is first established were born in Cameroon.

Section 12.

The acquisition of Cameroon nationality extends automatically to any person unable to claim any other nationality of origin if that person was born in Cameroon.

C. Common.

Section 13.

(1) A child having Cameroon nationality under the provisions of this Chapter shall be deemed to have been Cameroonian from birth even if the conditions required by law for the attachment of that nationality are not satisfied until later.

(2) Provided that in that case the attachment of Cameroon nationality from birth shall not affect the rights acquired by third parties on the basis of the child's apparent nationality.

Section 14.

To be effective in causing Cameroon nationality to attach, affiliation must be established by Cameroon law or custom.

Section 15.

The affiliation of an illegitimate child has no effect on his nationality unless established in the course of his minority.

Section 16.

The provisions of Section 11 of this are not applicable to children born in Cameroon to foreign diplomatic representatives or career consuls, but such children may voluntarily acquire Cameroon nationality under Section 20 of this law.

CHAPTER III Acquisition.

A. By Marriage.

Section 17.

Subject to the following provisions, a foreign woman marrying a Cameroonian may, by express request, acquire Cameroon nationality at the moment of celebration of the marriage.

Section 18.

(1) A woman whose national law permits her to retain her nationality of origin may declare, at the time of celebration of the marriage and in the form prescribed by Sections 36 and following of this law, that she declines Cameroon nationality.

(2) She may exercise this right without authorization even if a minor.

Section 19.

Within six months after the celebration of marriage while this law is in force or within six months from the date of the promulgation of this law in the case of any marriage celebrated earlier, the Government may by Decree prevent such an acquisition of Cameroon nationality.

B. By Declaration.

Section 20.

Any person born in Cameroon of foreign parents may claim Cameroon nationality within six months before attaining his majority by declaration in the manner prescribed by Sections 36 and following of this law, provided that on such date he has had his domicile or residence in Cameroon for at least five years.

Section 21.

The adopted child of a Cameroonian may declare within six months before attaining his majority and in the manner prescribed by Sections 36 and following of this law, that he claims Cameroon nationality, provided that at the time of his declaration he has his domicile or residence in Cameroon.

Section 22.

The married minor children or major children of a parent restored to Cameroon nationality under Section 28 of this law, wherever born and of whatever residence, may claim Cameroon nationality by declaration in the manner prescribed in Sections 36 and following of this law.

Section 23.

Cameroon nationality may be acquired by declaration under Section 20, or 21, or 22 of this Government's right to prevent such acquisition by decree.

C.By Naturalization.

Section 24.

Cameroon nationality may be conferred by decree on a foreigner requesting it.

Section 25.

Cameroon nationality may not be conferred on a person:

- a) Who has not attained the full age of twenty one years;
- b) Who cannot show habitual residence in Cameroon for five consecutive years up to presentation of his application;
- c) Whose main interests are not based in Cameroon at the time of the signature of the naturalization decree;
- d) Who is not of good character and morals, or has suffered conviction of an offence against ordinary law, not expunged by rehabilitation or amnesty;
- e) Who has not been found to be of sound body and mind.

Section 26.

Notwithstanding the provisions of the foregoing section, no probationary period shall be required of a foreigner;

- a) Born in Cameroon or married to a Cameroon wife;
- b) Who has rendered exceptional services to Cameroon or whose naturalization would be highly advantageous to Cameroon.

Section 27.

The manner of dealing with the application and the ascertainment of the assimilation and state of health of a foreigner applying for naturalization as well as the determination of the duty payable to the Treasury shall be prescribed by decree.

D.Restoration.

Section 28.

Restoration to Cameroon nationality shall be conferred by decree without condition of age or probation, but subject to necessity of proof that the applicant was formerly a Cameroonian and showing residence in Cameroon at the moment of restoration.

Section 29.

No person who has forfeited Cameroonian nationality under Section 34 of this law may be restored to it without having later rendered exceptional service to Cameroon.

E.Common.

Section 30.

- (1) Acquisition of Cameroon nationality implies enjoyment from the same date thereof of all rights attached to nationality.
- (2) A naturalized foreigner may not, however, be invested with any elective office for a period of five years from the date of his naturalization.

(3) Exceptionally, if the naturalized foreigner has rendered outstanding services to Cameroon or if his naturalization is of exceptional interest to Cameroon, this incapacity may be annulled by decree.

CHAPTER IV Loss and Forfeiture.

A. Loss.

Section 31.

Cameroon nationality is lost by:

- a) Any Cameroon adult national who wilfully acquires or keeps a foreign nationality;
- b) Renunciation under this law;
- c) any person who, occupying a post in a public service of an international or foreign body, retains that post notwithstanding an injunction by the Cameroonian Government to resign it.

Section 32.

(1) A Cameroon woman marrying a foreigner shall retain her Cameroon nationality unless she expressly renounces it at the moment of marriage and in the manner prescribed by Sections 36 and following of this law.

(2) She may declare without authorisation even if a minor. Provided always that no such declaration shall be valid unless by her husband's national law the wife will or may acquire his nationality.

Section 33.

In all the foregoing cases loss of Cameroon nationality frees from allegiance to Cameroon.

B. Forfeiture.

Section 34.

A foreigner who has acquired Cameroon nationality may forfeit it by decree:

- a) If he has been convicted of an act defined as a criminal act or an offence against the internal or external security of the State;

b) If he has committed acts harmful to the interests of the State.

Section 35.

Forfeiture is incurred only if the events contemplated by the foregoing Section took place within ten years of acquisition of Cameroon nationality, and may be pronounced only within ten years from the commission of such an act.

CHAPTER V Form of Acts.

Section 36.

Any declaration acquiring, declining or renouncing Cameroon nationality, or abandoning the right to renounce it under the circumstances prescribed by law, shall be signed before the Judge or President of the Civil Court at the chief/town of the subdivision in which the declarant resides.

Section 37.

A declarant outside Cameroon shall sign before a diplomatic or consular representative of Cameroon.

Section 38.

Any declaration of nationality signed under the foregoing sections shall be void unless registered at the Ministry of justice.

Section 39.

- (1) All decrees of naturalization or restoration shall be published in the Official Gazette.
- (2) They take effect from the date of their signature but without prejudice to the validity of acts in the law of the person concerned, or to rights acquired by third parties before publication.
- (3) When it appears after a decree of naturalization or restoration that the person concerned did not satisfy the conditions required by law for that purpose, the decree may be revoked within a year from the date of discovery of the mistake or fraud.

Section 40.

Loss of Cameroon nationality under Section 31 (b) of this law and forfeiture under section 34 shall be pronounced by decree.

CHAPTER VI Disputes.

Section 41.

(1) The ordinary civil courts shall have exclusive jurisdiction of disputes on a question of nationality.

(2) Any such action shall be brought before the court of the domicile or failing that the residence of the person whose nationality is disputed, according to the rules of procedure in force, and the raising of Cameroon or foreign of procedure in force, and the raising of Cameroon or foreign nationality as a defence before any other court suspends further proceedings until decided in the ordinary civil court.

(3) Such defence cannot be waived and must be raised by the judge of his own motion.

(4) The legal department shall be made a party and the representation of the State shall lie within its exclusive jurisdiction.

(5) A final judgment on a question of nationality in a civil court is, notwithstanding the ordinary law, *resjudicata* against the world.

Section 42.

(1) Judges of civil courts sitting at the chieftowns of subdivisions have exclusive jurisdiction to deliver a certificate of Cameroon nationality to any person proving that he has that nationality.

(2) Such certificates shall refer to Chapters I and III of this law and to the provision of law under which the person concerned is a Cameroon national, together with the documents establishing his claim. It shall be *prima facie* proof of its truth.

(3) When the person concerned meets with a refusal to deliver a certificate of nationality he may apply to the Minister of Justice who shall decide whether it should be delivered.

Section 43.

The procedure under this Chapter and in particular the manner of providing proof of nationality shall be prescribed by decree.

CHAPTER VII Transition and Final.

Section 44.

The provisions of Chapter II above regarding the attachment of Cameroon nationality as the nationality of origin are applicable equally to persons born before the promulgation of this law, though not having attained majority by that date; but without prejudice to the validity of their acts in the law or to rights acquired by third parties.

Section 45.

(1) Any person in East Cameroon showing possession of the status of a Cameroonian national on the 1st January 1960 shall be deemed to have been a Cameroonian nation on that date.

(2) For the purpose of Subsection 1 of this Section, a person shall be deemed to possess the status of native of West Cameroon if:

a) He is born in West Cameroon of parents who them selves were born in that State;

b) Wherever his place of birth, both of his parents we born in West Cameroon or one of his parents we born in West Cameroon.

Section 46.

The detailed application of this law shall prescribed by Decree.

Section 47.

All previous provisions repugnant hereto she be repealed, in particular Ordinance No. 59-66 of the 28th November 1959 enacting the Cameroon Nationality Code and the British Nationality Act of 1948.

Section 48.

This law shall be registered and enforced a Federal Law and published in accordance with the procedure of urgency in French and in English in the Officie Gazette of the Federal Republic of Cameroon.

Yaounde, the 11th June 1968.

EL HADJ AHMADOU AHIDJO.