

Acadian Code of Penal Procedure

Preamble

Recognizing that the power of the state to enforce criminal law must be balanced by the absolute protection of individual liberty and dignity; **Implementing** the principles of justice, due process, and the presumption of innocence guaranteed by the Acadian Bill of Rights; this Code establishes the mandatory procedural rules for all criminal investigations, arrests, and judicial proceedings within the jurisdiction of the Acadian Nation.

Title I: General Principles and Rights

Article 1. Presumption of Innocence

Every person charged with a crime is presumed innocent until proven guilty according to law in a fair and public hearing. The burden of proof rests solely with the prosecution.

Article 2. Right to Due Process

No citizen shall be deprived of their liberty except in strict accordance with the law. Every person has the right to:

1. Be informed promptly and in detail of the nature and cause of the accusation.
2. Have adequate time and facilities for the preparation of their defense.
3. Be present at trial and to defend themselves in person or through legal assistance of their own choosing.

Article 3. Prohibition of Self-Incrimination

No person shall be compelled to be a witness against themselves or to confess guilt. Any confession obtained through coercion, duress, or torture is absolutely inadmissible in court.

Title II: Investigation and Arrest

Article 4. Arrest and Detention

1. **Warrants:** Arrests shall be made only upon a valid warrant issued by a Court of First Instance, based upon probable cause and supported by oath or affirmation.
2. **Immediate Notification:** Any arrested person must be informed of the reasons for their arrest and their rights (including the right to counsel) immediately, in one of the three official languages, and must be brought before a judge without undue delay.

Article 5. Search and Seizure

The right of citizens to be secure in their persons, houses, papers, and effects against

unreasonable searches and seizures shall not be violated. Warrants must specify the place to be searched and the persons or things to be seized.

Title III: Trial and Sentencing

Article 6. Right to a Fair Trial

1. **Public Hearing:** All trials shall be held publicly unless the court determines, on grounds of morality or public order, that a private setting is strictly necessary.
2. **Confrontation and Subpoena:** The accused has the right to confront the witnesses against them and to obtain the attendance of witnesses on their behalf.

Article 7. *Non Bis In Idem* (Double Jeopardy)

No person shall be tried or punished again for an offense for which they have already been finally convicted or acquitted in accordance with the law and penal procedure of the Acadian Nation.

Article 8. Sentencing Principles

Sentences shall be proportionate to the severity of the offense and shall prioritize rehabilitation, restitution to victims, and the defense of the community, while avoiding cruel or unusual punishment (Article 8, Bill of Rights).

Proclamation and Enactment

English

PROCLAMATION: By the authority vested in the Head of State, and in accordance with the sovereign will of the Acadian people, this **Acadian Code of Penal Procedure** is hereby proclaimed, adopted, and entered into force this 27th Day of September, 2025.

Signed:

Marie-Soleil Seshat Landry Queen of Acadie, Supreme Guardian of Acadian Identity, Memory, and Unity.

Français

PROCLAMATION : Par l'autorité dévolue à la Cheffe d'État, et conformément à la volonté souveraine du peuple acadien, ce **Code de Procédure Pénale Acadien** est par la présente proclamé, adopté et entré en vigueur ce 27e jour de septembre 2025.

Signé :

Marie-Soleil Seshat Landry Reine de l'Acadie, Gardienne Suprême de l'Identité, de la Mémoire et de l'Unité Acadiennes.

Mi'kmaq

WETAWSULTIMK: Tel-welitawsultimk wejiaq Tel-Wiksa'q aq kisi-anko'tasikewey Akatie'k L'nu'k,

Ta'n Oqonmuinu'ltimk **Tel-L'nui'k Akatie'k wejiaq Kiskuk Tel-Weli-Wikt** na'kwekimk,
wetawsultimk, aq mimajultimk apjiw Ta'n 27-ik Kisna'q 2025-ik.

Tel-Welitawsultijik:

Marie-Soleil Seshat Landry Queen of Acadie, Tel-Wiksa'q Wejiaq Akatie'k Tel-Wiksa'q,
Na'kwekimk, aq Maw-lukutimk.