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Book Review

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SCANDALIZING THE COURTS AND GHANA'S INTERNATIONAL LAW OBLIGATIONS ON THE RIGHT TO FAIR TRIAL

Abdul Baasit AZIZ BAMBA¹

Abstract

The primary objective of criminal contempt of court or the crime of scandalizing the court is to preserve the integrity of court proceedings and ensure an effective and fair administration of justice. The authority of the law rests in public confidence, and it is important that this confidence should not be shaken by scurrilous attacks on the integrity or impartiality of the courts and judges. In line with this objective, courts in the common law world have always recognized an inherent, vague, amorphous and arbitrary power to punish for criminal contempt. This paper discusses the law of criminal contempt in Ghana in the context of Ghana's international law obligations. It is argued that aspects of Ghana's law of criminal contempt and the procedure followed in convicting contemnors fall short of Ghana's international law obligations on the right to fair trial.

Introduction

At the end of the Second World War, there were concerted efforts to provide minimum international guarantees for the protection and promotion of human rights, individual liberties and freedom. Since then there have been a plethora of international legal standards that seek to regulate how States treat individuals within their jurisdictions. These international legal standards contained in customary international law and treaties do serve as benchmarks for measuring up the conduct of States to assess its compatibility with international

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APPLICATION OF THE RECOGNITION OF GOVERNMENTS TEST TO JAMMEH'S DEMOCRATIC CONVOLUTION IN THE GAMBIA

Kwadwo APPIAGYEI-ATUA¹

Abstract

The paper offers a critical review of the recent democratic convolusion in The Gambia. The decision by the former President to retract his concession of defeat, his efforts to decompose and recompose the Independent Electoral Commission, his attempts to reconstitute the Supreme Court to hear his petition and his decision to remain in office until the petition is heard and the extent to which these actions violated the Gambian Constitution and international law, particularly ECOWAS and African Union (AU) laws are discussed in this paper. As well, the paper assesses the reaction of ECOWAS to these developments. In the end, the paper places blame for this convolusion on the AU's poor and inconsistent policies on recognition of governments, which has continued on the same trajectory that its predecessor, the Organisation of African Unity (OAU), charted.

Introduction

On 22 July 1994, a junior officer in the ranks of the Gambian army, Lt. Yahya Jammeh, led a group of soldiers to oust the then longest-serving democratic government in Africa led by Sir Dawda Jawara. The *raison d'être* for the military putsch was to clean up an alleged

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HUMAN MOBILITY: THE THREAT OF DISEASE AND POLICY RESPONSES

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Abstract

The article employed human mobility as a global health factor and a model for infectious epidemic management policies, knowledge of disparate prevalence settings, and a rigorous health threat to risk valuation ability. It reviewed the 2005 WHO IHR and sought to know if perceptions of the threat of infectious epidemics and risks have influenced the management of epidemic outbreaks. It argues that the IHR was progressive in managing the 2008 Yellow Fever, 2009 H1NI virus, 2014 EVD and 2016 Zika virus. However, the global response to the 2014 Ebola virus outbreak in West Africa was very tardy and resource strapped. The article also notes that the IHR's efficiency is undermined by cultural and region-specific differences as demonstrated in the West Africa EVD outbreak. Greater effort must be made to enable WHA members, especially, the resource-constrained ones to develop, strengthen and maintain capacities to detect, assess, notify, and report infectious epidemics of international concern as stipulated by Article 5.3. Many resource challenged countries need more direction and economic empowerment than the WHO has so far offered.

Key Words: Human Mobility, Infectious Diseases, WHO, IHR

Introduction

The premeditated use of anthrax as bioterrorism in the US in September 2001 in the aftermath of the 9/11 terrorist attacks and the recent resurgence and outbreaks of infectious epidemics have changed the profile of the threats infectious disease pose in an extraordinary way (Heyman, 2003). The deaths and hysteria caused

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THE WORLD TRADE ORGANIZATION (WTO) AND THE CONSIDERATIONS FOR REFORM: REFLECTIONS OF A CONFORMIST

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Abstract

This paper argues that the WTO does not require significant institutional reform to lead and provide a forum for global trade to deliver on development objectives such as poverty reduction, environmental protection and food security. The paper is written from the conformist perspective, relied on existing qualitative data and avoided the hortatory language that has been associated with the call for reform of the W.T.O. to argue that no reform will be advantageous to the developing world especially Africa, since the continent lacks the technical and financial capacity to substantially influence changes within the global or multilateral setting. In doing so, the paper looks at the reform debates, its historical evolution, and specific ministerial meetings such as Seattle, Doha Round and the Bali Package Agreement and concluded that the decision-making processes of the organization are democratic enough to accommodate the concerns of the developing world. The relative success of the Bali negotiations points to the fact that what needs to be addressed is not the real or imaginary concern of the developing world but rather to ensure the appointment of experienced people to the WTO. These individuals should be endowed and gifted with sharp negotiation and diplomatic skills; and form an integral part of key leaders and government delegations to yield the expected results.

Key Words: World Trade Organization, Dispute Settlement Mechanism, Reformist, Conformist.

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