

## ABSTRACTS

HATCHARD, JOHN, Presidential removal: unzipping the constitutional provisions, *Journal of African Law* 44 (2000): 1–16

Impeachment proceedings are a rarity in the African context. This is not surprising given the history of executive dictatorships, all-powerful one-party states and a subservient media. With the dramatic change in the constitutional landscape of the 1990s, attention should be focused on the adequacy of the presidential removal provisions in African constitutions. This article therefore undertakes a critical review of the relevant provisions in anglophonic African states. It argues that they are unsatisfactory in several respects and calls for them to be thoroughly revised.

HENRARD, KRISTIN, and SMIS, STEFAAN, Recent experiences in South Africa and Ethiopia to accommodate cultural diversity: a regained interest in the right of self-determination, *Journal of African Law* 44 (2000): 17–51

This article examines the right to self-determination and the various constitutional mechanisms that can be used to accommodate cultural diversity. Using the South African and Ethiopian constitutions as case-studies, it concludes that it is possible to respect the principle of equality and the right to identity of “population groups” in a way which will pre-empt calls for external self-determination, and it suggests that the mechanisms used in these two countries may serve as a model elsewhere in Africa and beyond.

KUFUOR, KOFI OTENG, Forest management in Ghana: towards a sustainable approach, *Journal of African Law* 44 (2000): 52–64

This article examines a recent attempt to promote sustainable forest management in Ghana through the Timber Resources Management Act, 1997. It places the Act in the context of massive deforestation and analyses its provisions imposing social and environmental conditions on the timber industry and giving a greater role to local communities. It warns that excessive government intervention may undermine the industry and the important part it plays in Ghana’s economy.

COLDHAM, SIMON, Land reform and customary rights: the case of Uganda, *Journal of African Law* 44 (2000): 65–77

This article examines the Ugandan Land Act, 1998, which seeks to transform land relations throughout the country both by settling once and for all the vexed question as to the relative rights of “owners” and “tenants” of mailo land, and by providing procedures whereby persons may apply either for certificates of customary ownership or for freehold titles to their land. While the Act recognizes that in some areas it may be more appropriate for land to be held communally, it is the long-term aim that most land should be held on individual freehold title. However, the negotiability of such a title is undermined by a variety of provisions designed to protect customary rights.

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NNONA, GEORGE, Choice of law in international contracts for the transfer of technology: a critique of the Nigerian approach, *Journal of African Law* **44** (2000): 78–85

The practice of the National Office for Technology Acquisition and Promotion has been to insist that in contracts for the transfer of technology involving Nigerian parties on the one hand and foreigners on the other, Nigerian law must be chosen as the law governing the obligation of the parties under the contract. This article critically examines the legality and relevance of this approach and considers in particular the relevant legislation, the doctrinal bases of choice of law and the practical implications of the choice of Nigerian law in the context of its legal development. The article concludes that the current position needs to be reviewed in that the current approach may ultimately prove harmful to foreign investment and technology in the country.

BOGDAN, MICHAEL, The law of the Republic of Cape Verde after 25 years of independence, *Journal of African Law* **44** (2000): 86–95

The laws of Cape Verde are unusual in that the islands were uninhabited prior to the arrival of the Portuguese and their legal system. The extent to which Capeverdean law is and is likely to be influenced by Portuguese law is considered. The article concludes that whilst some original legal solutions have been developed in Cape Verde, its limited legal resources and the continuing close ties with Portugal will remain but this should be seen as a strength rather than a weakness of the legal system.

ADDO, MICHAEL K., Implementation by African states of the Plan of Action for the United Nations Decade for Human Rights, *Journal of African Law* **44** (2000): 96–109

For Africa, the launch of the United Nations Decade for Human Rights Education represents an invaluable opportunity to help transform human rights ideals into reality. The article assesses the key characteristics of this strategy and its viability in the African context. It highlights current constraints on implementing the Plan of Action and suggests some solutions.

VILJOEN, FRANS, State reporting under the African Charter on Human and Peoples' Rights: a boost from the South, *Journal of African Law* **44** (2000): 110–118

The problems of the absence or infrequency of states parties reports to the African Commission and the inadequacy of many that are submitted needs to be addressed. At the 25th session of the African Commission, South Africa presented its initial report. This process before, during and after the examination of the report is discussed and provides both encouragement for states to comply with their reporting obligations under the African Charter and useful lessons for states wishing to improve the quality of their reports.