

Foreword

This document is a continuation of seminars organized for doctoral students of the Faculty of Law of the University of Lubumbashi in collaboration with the Konrad Adenauer Stiftung.

The analyses touch on many and diverse fields of science of law in an approach which is essentially termed as empirical and pragmatic.

Thus, the writings of MUYUMBA FUNDI Aimé and BANZA ILUNGA Aimé as well as those of MUTONWA KALOMBE Jean-Marc Pacifique and MUHUNGA CHILESHE intend to define the organization, functioning and civil law jurisdiction of the Public Prosecution Service on one hand, and its role in private law for judicial proceedings on the other hand. t

The study conducted by BANZA ILUNGA Aimé and MWANSA KALUNGA Jean-Pierre on the issue of jurisdiction and procedure before the Joint Court of Justice and Arbitration OHADA in case of recourse in Congolese commercial disputes enhances this point from a domestic point of view.

KANGASEKA MBAKA John and TSHIZENA TSHINATE Céline address the issue of enforcement of foreign arbitral sentences in the Democratic Republic of Congo while referring to the arbitral decisions made under OHADA.

KAPYA KABESA Jean Salem Israel Marcel, KITONGE MWAPE Eddy, KYUNGU NSENGA Justin and KYEMBE MULUMBWA Albert highlight, *matatis mutandis*, through two contributions, both the role and the influence of the civil society on the guarantee of a right to a fair trial (case of Lubumbashi town) and the right to a fair trial against judicial pluralism in Democratic Republic of Congo.

Further, KABALIKA LUKWESA, Laurent MAKAL and Professor Dieudonné KANTENGA as well as MUMBA KAKUDJI Martial, focus their study on challenges and prospects of Congolese justice system in practice of transaction between parties, and protection of children in the event of artisanal mining in Lualaba Province, with a view to finding solutions and prospects of strengthening legislation on possession and use of weapons in Democratic Republic of Congo.

Questions of environmental aspects for economic development in Democratic Republic of Congo as well as the question of respect for international humanitarian law by multinational forces or peacekeeping forces were commented on by Professor KALALA ILUNGA Matthias, at the same time, KALALA ILUNGA MULUMBA Matthias and SANGA KABAMBA Emilie, contributed to the research on diagnostic study of the causes of the inefficiency of the Public Services in Democratic Republic of Congo, the autopsy of respect of classical principles governing the public services in the Democratic Republic Congo and the Congolese public service in face of satisfaction of general interest in the case of the National Electricity Company (N.E.C).

This work is a vital admission of commitment of each of these authors to this Program, which contributes to the search for appropriate and plausible solutions for the establishment and consolidation of the long desired true state of the rule of law in Democratic Republic of Congo in particular and African Great Lakes Region in general.

However, it is important to stress that the views expressed herein do not necessarily represent the views of the editors and the persons in charge of the Program, and neither do they represent the position of Konrad Adenauer Stiftung. The articles and information herein belong solely to the respective authors who take full and exclusive responsibility in case of any claims.

Adalbert Sango Mukalay

Hartmut Hamann

Kalala Ilunga-Matthias