

Foreword

Despite the various commitments made by States in the wake of numerous armed conflicts that humanity has faced throughout history, several regions of the world continue to experience unspeakable atrocities. These armed conflicts not only pose a permanent threat to peace, but also hinder economic and social development, to which populations aspire, and also affect the functioning of political institutions in many countries that are directly or indirectly affected.

Indeed, international headlines are constantly revealing new dimensions of armed conflict, marked by the use of new technologies and a diversification of actors. Analysing these various changes in contemporary armed conflicts, *Rossi Pumbulu Kipasa* calls for urgent reform of international humanitarian law, whose current standards seem ill-suited to the complexities of new forms of conflict. He points out that human dignity must be guaranteed in all circumstances, including and especially in times of war.

For instance, *Degaule Mayungu Matondo* refers to the armed conflicts that have been raging in the Eastern Democratic Republic of Congo (DRC) for decades and which have taken on a new dimension due to their asymmetrical nature. He examines the various peace agreements signed between the DRC and Rwanda, notably the most recent one, signed on 27 June 2025 under US mediation, which aims to neutralize the Democratic Forces for the Liberation of Rwanda (FDLR) and lift Rwanda's defensive measures. For the author, the objective sought by the parties to this agreement is a major challenge given the complex nature of the FDLR and its various ramifications.

From an international perspective, *Papy Manzanza Kazeka* addresses the issue of armed conflict from the point of view of the UN Security Council's primary mission, namely the maintenance of international peace and security, and criticizes its ineffectiveness in the face of the new challenges of today's world. He calls for sincere and courageous reform of this body to make it more representative, and therefore more legitimate and effective in fulfilling its mission, despite the fact that the outcome of such a process remains uncertain due to the frequent abuse of the veto power granted to each of the five permanent members.

Furthermore, without disregarding the role that the international community is supposed to play in preventing armed conflicts and resolving crises that have already broken out, it is also necessary to look internally to analyse the endogenous factors behind the political and security instability engulfing certain countries. In the case of the DRC in particular, institutional legitimacy has often been cited as one of the factors that would push certain citizens to resort to force to make their wishes heard and thus hope to participate in the management of the affairs of their country. However, the Congolese Constitution provides for elections as the only democratic means of acceding to power. However, it turned out that the proportional representation system introduced in the first electoral cycle in 2006 had many shortcomings, including the risk of vote fragmentation, under-representation in legislative assemblies, and the risk of governmental instability due to the prolifer-

ation of political parties and candidates. To address these issues, in 2017 the Congolese legislature adopted a proportional voting system with the introduction of a legal threshold for representation in national and provincial legislative elections, a system that *Rodrigue Mafungu Mayele* analyses in his article. Despite its hoped-for contribution to the stability of legislative assemblies, this reform also raises concerns among voters who are powerless in the face of the exclusion of certain candidates, despite having been overwhelmingly elected, in favour of candidates who obtained fewer votes in their respective constituencies, but whose parties or political groupings reached the threshold at the national level.

Although it may seem unfair, the eligibility threshold system has been deemed constitutional by the Constitutional Court. While the jurisdiction of this body responsible for reviewing constitutionality does not pose a problem in this specific case, doubts remain about its tendency to interpret the Constitution in a vague manner. Thus, examining the evolution of the case law of the DRC's Constitutional Court, *Dieu-Merci Ngusu Masuta* points out that constitutional review, as established in Congolese law, is characterized by a strictly defined normative scope. This configuration gives rise to the notion of acts eligible for constitutional review. However, the Constitutional Court tends to extend its jurisdiction even to acts that would not normally be subject to constitutional review, such as court decisions of other supreme courts, as was the case in its ruling R.const. 1800 of 22 July 2022.

On another note, but still within the framework of fundamental rights protection, in this case workers' rights, *Jean-Michel Kumbu ki Ngimbi* and *Gloria Lubaki Sita* study the scope of Article 80 of the Congolese Labour Law and its impact on the right to work guaranteed by Article 36 of the Constitution. In the same vein, *Dan Idima Nkanda* analyses the extent of the employer's regulatory power in disciplinary matters in relation to the principle of the legality of offences and penalties. Advocating for the unequivocal application of this principle in criminal law in matters of labour discipline, he hopes to strengthen workers' rights against the risk of abuse by employers.

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