

Foreword

The first part of this volume of the African Law Study Library is devoted to the work of the third Regional Conference for Young Researchers in Dar es Salaam, held on October 26th-October 29th.

The third regional conference was held in the light of the positive results of the first and the second regional conference on "The Rule of Law in the Great Lakes Region" in November 2010 in Butare and in November 2012 in Nairobi. As in the case of the first two conferences this third regional conference was aimed primarily at young members of the legal profession from DR Congo, Rwanda and Burundi who have finished studying and are now working as research assistants of postgraduate/doctoral researchers at universities. In addition, the third regional conference included post-graduates students at the Tanzanian-German Centre for Eastern African Legal Studies (TGCL) with participants from Uganda, Kenya, Tanzania and South Sudan as well as additional young researchers from Rwanda and Burundi. Of the 39 participants, 25 are part of the Rule of Law Program for Sub-Saharan-Africa and 14 from TGCL.

The volume contains contributions relating to the issue of legal challenges when using natural resources in the interest of the people. The conference included lectures and workshops, which are being published in this volume.

The first lecture by Dr Jean-Michel Kumbu ki Ngimbi of the University of Kinshasa reviews the question of the mining industry in the Democratic Republic of Congo, titled "La gouvernance des ressources naturelles en RDC: rôle de l'ITIE et nécessité d'une loi sur l'accès à l'information". The lecture examines the mining industry with the exclusion of other natural resources, the budget question of the Congolese State, the imperative of good governance in the management of the resources, the Transparency Initiative of Extractive Industries (ITIE) and the right of access to information, as well as the double guarantee for a transparent management of mineral resources.

The second lecture by Prof Sango Mukalay Adalbert of the University of Lubumbashi was titled "L'absence de la 'culture' du respect des textes juridiques en matière d'exploitation et d'utilisation des ressources naturelles en faveur de la population congolaise". The DRC, like every other country in the world has ratified international legal or declaratory texts. The lecture analyzes the issues of why some of these texts are either not, or only partly, respected. It is clear from the overall analysis of the situation in the field; there is a striking paradox between the legal guarantee and the expectations of the population; and especially between the irrational exploitation of these materials and concern for their protection for future generations. The lecturer concludes that knowledge of the laws and parliamentary acts as a resource is to be promoted at all costs, because it represents an essential basis for building a democratic conscience, civil, serious and conscious.

The third lecture by Prof Stanislas Makoroka of the University of Burundi was titled "Le rôle de la justice dans le développement économique". The lecture examines the topic

of the regulation of economic activities and entrepreneurs and the system that is necessary when conflicts arise. The existence of a legal framework including investment codes, codes of mining, forestry and the environment cannot be considered enough regarding an effective *jouissance* right by the people. In the field of the exploitation of natural resources, the community needs a judge's protection whose mission it is to state the law whenever someone poses a threat to the community or its property. The economic judge must strive to evaluate the effectiveness of the rule and seek in the law enforcement solutions likely to safeguard the equilibrium necessary for the proper functioning of society. The lecture remarks in conclusion that there is an urgent need for the training of judges.

The four workshops had the following topics: "Using instruments of public international economic law"; "Strategies to reduce corruption"; "Environmental aspects of economic development" and "The role of the judiciary in economic development". The Conclusions of the Workshops are also published in this volume.

The opinions expressed in these writings belong to the authors, despite the observations and comments given by the supervisors.

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