

FOREWORD

The present volume is, as before, a continuation of the research carried out in the context of the seminars organised for doctoral students and other researchers at the Faculty of Law of the University of Lubumbashi, or elsewhere, with the collaboration of the Konrad Adenauer Foundation. However, unlike previous editions, this edition is published against the background of strengthening public institution in the Province of Haut-Katanga.

In 2006, the Democratic Republic of Congo chose the regionalist model for its internal organization. Regionalism is understood as a system of political and administrative decentralisation that gives portions of the territory of a state with a certain geographical, historical, ethnographic or economic unity, a greater or lesser degree of independence from the central power. The constitution has structured the Congolese state administratively into 26 provinces, including the city of Kinshasa, all of which have legal status and exercise local powers. In order to create centres of impetus and development at the grassroots level and to ensure the best functioning of these provinces, a system of sharing functions between the national and provincial institutions has been established. Article 195 of the Constitution establishes two provincial political institutions: The Provincial Assembly and the Provincial Government, and article 200 establishes a third institution common to all the provinces, namely the Conference of Provincial Governors, which is responsible for issuing opinions and formulating recommendations on policy and legislation that need to be enacted by the Republic.

Moreover, these institutions can only achieve their respective missions if they are strong. In this context, Konrad Adenauer Foundation organized a scientific conference from 7 to 8 September 2021 at the Cercle Hellénique in Lubumbashi on the theme of strengthening public institutions in the Province of Haut-Katanga, one of the key provinces of the Democratic Republic of Congo, due to its geo-strategic and geopolitical position. A number of researchers examined, in one way or another, various aspects of this theme, in particular, the legal, socio-political, administrative, economic and financial, with the aim of providing an explanation, identifying the issues at stake, benefits and opportunities, as well as determining challenges with a view to proposing possible solutions.

In the foregoing, Mumba Kakudji Martial explains the problem relating to the application of international legal instruments aimed at strengthening public institutions in the province of Haut-Katanga; Musulwa Senga Adolphe focuses on remuneration and social benefits of civil servants in this province, noting the legal framework, methods of application and proposing the way forward. Mfuamba Mulumba Isidore, Kishiba Malifwa Clémence and Ngosa Bupe Gody, explain the contribution of public institutions in this province to its economic development, while defining the legal framework, identifying the challenges and proposing avenues for improvement. As development requires a strong administration, Sanga Mulopwe Chris presents the deficit in the structure and organization of the public administration in this province; Sangwa Ilonda Idris, explains how the financial

authorities participate in the consolidation of public institutions in this province and Kalala Ilunga Mulumba Matthias, Kazadi Wa Malale Doty, Bula-Bula Keloba Papy and Mande Numbi Saddam, outline the role of these institutions in international trade, with a particular focus on the legal framework, challenges and prospects.

It should be noted that these authors, most of whom are not only researchers but also practitioners, are well versed with the issues being addressed. Thus, this volume contributes to the consolidation of democracy and the rule of law in the Democratic Republic of Congo and ensures harmonious collaboration between the institutions of the Republic and those of the province of Haut-Katanga.

Finally, the participants reiterate their gratitude to their supervisors, including Professor Dr. Kalala Ilunga Matthiesen, Professor Ngoy Ndjibu Laurent, Dr. Mutonwa Kalombe Jean-Marc Pacifique, all of the University of Lubumbashi in the Republic of Congo and Professor Dr. Hartmut Hamann, of the Free University of Berlin in Germany. We also thank the Konrad Adenauer Foundation for its generous support.

We would like to state that the analyses and opinions expressed in this volume are solely those of the authors, for which they take full responsibility and do not in any way represent the views of those responsible for the programme or the Konrad Adenauer Foundation. Our desire remain the same: continuity, success of the programme and improvement of further studies.

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