

Foreword

The Rule of Law Program for Sub-Sahara Africa of the Konrad-Adenauer-Stiftung organized an online seminar on „Legal and Economic Framework for the Protection of Human Rights“ on 8th and 9th October 2020.

This online seminar was directed at young Leaders for Justice from the SADC region.

Allison Geduld, South Africa, presented on „Decoloniality, ubuntu and Human Rights in South Africa: A bridge to social justice.“ She emphasized the need to rethink the legal system from a modern African perspective.

Balingene Kahombo, DR Congo, gave a detailed presentation on „The promise and realization of the right to development in DRC“. Given the discrepancy between the existing legal framework and the reality, an engagement of citizens using their democratic means to ask for a better implementation of legal rules is necessary.

Adolphe Kilomba Sumaili, DR Congo, presented on the „Legal Framework of tax income in DR Congo: Obstacles and challenges in collecting taxes and duties, parliamentary and judicial control“. The legal framework is in place, a consequent push for implementation is needed.

Hanifa Massawe, Tanzania, complemented Mr.Kilomba’s Congolese view on that matter from a Tanzanian perspective: „Tax income in Tanzania: Legal framework, obstacles and challenges in collecting taxes.“: Both speakers strongly advocated in favour of consequent tax collection and enforcement of tax laws in order to enable the state to act in favour of the population by using adequate resources.

Magdalena Sylister, Tanzania, regarded this prerequisite for state activities within her presentation on „Rules of State budget in Tanzania: Control mechanisms and legal challenges to enable state activities.“ To protect human rights the state has to be able and willing to establish and maintain an adequate framework.

This was confirmed by the presentation of Mumbanika Dady, DR Congo: „The state’s obligation to provide public health institutions with sufficient medical equipment and to ensure the ongoing training of medical personnel in the Democratic Republic of the Congo: A case study of the health centre Lukula.“

A further step towards economic issues was made by the presentation of Hannah Wamuyu, Kenya: „Legal protection for the agriculture led economy in Kenya: Case for Dairy Farming.“ With her detailed case study Hannah Wamuyu illustrated the necessity for a transparent legal framework, ensured by the state, to enable economic activities in the interest of all citizens.

Irene Joshua Ndossy, Tanzania, treated the issue of infrastructure in Tanzania in her article titled „Infrastructure projects in Tanzania: Obstacles and Challenges to improve infrastructure“ by giving an overview on studies and criterias to implement infrastructure projects.

Grace Mtawali, Malawi, discussed in her paper titled „A perspective on utilizing legal frameworks to obligate service providers to protect human rights in Malawi: A Case of the Mandatory Provision on Pro Bono Services under the Legal Education and Legal Practitioners Act, 2018“ the access to justice as a human right in Malawi.

All presentations were followed by a very vivid debate. Participants enjoyed the international exchange with a view on „best practice“ all over the region. All participants expressed the strong wish to have future Leaders for Justice Workshops and to strengthen the network of young Leaders for Justice in the SADC region and beyond.

This volume presents the lectures in written form – either as articles or as reports – and the articles submitted within the workshop. Opinions expressed in the articles and published in this volume are those of the respective authors and do not necessarily represent our opinion or those of Konrad Adenauer Foundation.

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