

Foreword

Since the inception of the « Rule of Law » seminars for doctorate students in the Faculty of Law of the University of Lubumbashi, authors of different articles published to date have attempted to reconcile the Congolese social reality with the law. The same applies to the articles contained in this volume.

Twelve articles were selected for this volume, and they address different sectors of the socio-political and economic organization life of the Democratic Republic of Congo. The reflections range from town planning policy of some communes of Lubumbashi; liberalization of the electricity sector in the DRC and marketing of electrical energy and its legal consequences; prospects for the recovery of agricultural development and food sufficiency in the DRC; analysis of the impact of economic liberalization: the example of the telecommunication sector; modalities and effects of public enterprises reforms; changes brought about by public finance reforms in health and education sectors; insufficiency of incentives, legislative and regulatory arrangements for development of SMEs: the example of the decline of the textile industry; mechanisms for protection against competition in the DRC and their effectiveness: the example of the telecommunication sector; multimodal transport project related to reforms of state-owned enterprises reforms: springboard towards economic recovery in the DRC: the example of the city of Lubumbashi; and preparation of a water code: a solution for provision of clean drinking water in the DRC, the case of the city of Lubumbashi.

The pool of subjects tackled here, demonstrate sufficiently, that the law penetrates all the sectors of the life of a nation and constitute, in this regard, a legal guarantee, and why not a judicial one for the promotion of human rights, proof of existence or emergence of a state governed by the rule of law!

The Democratic Republic of Congo, being a state governed by the Rule of law (ref. Constitution of 2006, article 1) has the sole duty of ensuring that her citizens have access to clean water, electricity, transport, an appropriate urban environment. Within the framework of aspects of the studies done and published in this volume, she must improve management of other areas of national life, especially proper management of public finances, by ensuring that free market economy does not constitute an avenue for unfair competition, in the case of the telecommunication sector.

This volume like the previous ones was published with the support of Konrad Adenauer Stiftung to whom we are very grateful. However, the authors of the articles published here remain solely responsible for their writings. May the authorities in charge of the University of Lubumbashi find, here, the mark of our gratitude for the facility which they continuously offered us each time we turned for their support in the realization of this project.

Adalbert Sango Mukalay

Hartmut Hamann

Kalala Ilunga-Matthiesen