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DROIT CONSTITUTIONNEL

L'expérience
congolaise (RDC)

*Préface de
Placide MOUDOU DOU*

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RENDUS**

L'Harmattan

Droit Constitutionnel Congolais Iii Droitcongolais

Charles M. Fombad, Nico Steytler



Droit Constitutionnel Congolais Iii Droit congolais:

Traité de droit administratif de la République Démocratique du Congo Jean-Marie Mboko DJ'Andima, Félix Vunduawe te Pemako, 2021-02-02 Comme un appel à la définition d'une réelle démocratie et d'un état de droit en République Démocratique du Congo le présent Traité de droit administratif pose le fondement du droit public congolais en général à travers ses bases idéologiques et historiques ses principales sources d'inspiration intellectuelle et ses sources formelles en temps normal dans le cadre de la légalité ordinaire et en circonstances exceptionnelles dans le cadre de la légalité d'exception Plus spécifiquement ce traité aborde l'organisation de l'administration publique Administration d'état centrale et déconcentrée Administration territoriale décentralisée et Administration parastatale les modalités police administrative et service public et les moyens humains juridiques et matériels de son action la responsabilité des pouvoirs publics et le contrôle de l'Administration citoyen politique administratif et juridictionnel La présente édition est pour des dernières évolutions législatives réglementaires et jurisprudentielles

Decentralization and Constitutionalism in Africa Charles M. Fombad, Nico Steytler, 2019-09-10 This collection of essays assesses the efforts of African governments to constitutionalise decentralisation be it in the form of federalism local government or traditional authorities Since the end of the Cold War jurisdictions across Africa have witnessed an ostensible return to multi party democracy within the paradigm of constitutionalism and the rule of law Linked to the democratisation process many countries took steps to decentralize power by departing from the heavily centralized systems inherited from colonial regimes The centralization of power typically characterized by the personalization and concentration of power in the hands of leaders and privileged elites in capital cities mostly resulted in repressive regimes and fragile states As decentralisation is a response to these challenges this volume analyses the dynamic relationship between the efforts to implement decentralization and presence or absence of constitutionalism This volume examines a variety of forms and degrees of decentralization found across Africa It advances a new understanding of trends and patterns and facilitates the exchange of ideas among African governments and scholars about the critical role that decentralisation may play in democratization of and constitutionalism in Africa

La Position du droit international dans l'ordre juridique congolais et l'application de ses normes Joseph Kazadi Mpiana, 2013-04-04 La République démocratique du Congo est unanimement présente comme un état de tradition moniste avec primauté du droit international Cependant aux termes d'une analyse critique tant du point de vue de la théorie que de la pratique l'auteur offre une nouvelle approche qui accorde mieux la thèse dualiste La primauté du droit international en droit congolais n'est nullement constitutive d'un rapport hiérarchique mais se traduit par une préférence pas absolue de la norme internationale au détriment de la norme interne Cette approche dualiste s'étend également au droit des organisations internationales Au moment où le juge congolais s'internationalise notamment par le biais de l'application du statut de Rome de la Cour pénale internationale et au regard de l'entrée en vigueur en droit congolais du droit découlant de l'OHADA une étude approfondie sur les rapports entre le droit international et le droit

congolais s'avère indispensable En plus de la r ussite de sa lecture r aliste des normes constitutionnelles de la RDC en mati re de trait s et d actes normatifs des organisations internationales l ouvrage de Joseph Kazadi Mpiana s av re un apport de poids pour la jurisprudence congolaise dans l application du droit international *Eglises et Etat en République démocratique du Congo* Jean-Pacifique Balaamo Mokelwa,2008-04-01 Il importe de se pencher sur la question religieuse au Congo dans le nouvel espace politique d origine coloniale Dans l histoire contemporaine la question religieuse a boulevers les soci t s politiques traditionnelles africaines Cette tude fait merger le socle juridique sur lequel reposent les relations Eglise et Etat en RDC Elle contribue clairer la compr hension plus g n rale du probl me de la r gulation tatique des religions dans ce pays

Bibliographie générale des sciences juridiques, politiques, économiques et sociales de 1800 à 1925-1926: Tables A.

Grandin,1926 **Annual Survey of African Law** ,1970 Historical Dictionary of Gabon Douglas A. Yates,2017-12-28 This new fourth edition of the Historical Dictionary of Gabon brings up to date the political affairs of the country since the accession to power of Ali Bongo eldest son of Omar Bongo the former president for life who died in 2009 after the publication of the third edition Themes of continuity and change are present throughout the entries not only as the Bongo family continues its half century of dynastic rule there are a dozen Bongos in this new edition but as the rare primeval tropical rainforests continue to dominate the landscape yet are menaced by destructive logging and palm oil plantations and as this former French colony after independence continues to collaborate with the French African sphere of influence yet seeks new partners from America and Asia China Singapore and as the country s numerous ethnic groups perpetuate a multicultural mosaic that is nevertheless threatened by globalization of communications and cultural convergence This fourth edition of Historical Dictionary of Gabon contains a chronology an introduction appendixes and an extensive bibliography The dictionary section has over 300 cross referenced entries on important personalities politics economy foreign relations religion and culture This book is an excellent resource for students researchers and anyone wanting to know more about Gabon

Bibliographie générale des sciences juridiques, politiques, économiques et sociales de 1800 à 1925-1926 A. Grandin,1926 **L'évolution des partis politiques de la république démocratique du Congo** Alphonse Makengo nkutu,2016-01-15 Utile pour tous ceux qui abordent l volution des partis politiques de la R publique du Congo cet ouvrage explique les mouvements de r sistance les partis politiques de 1950 1958 le nouveau tournant historique 1959 1960 la structure des partis et la mise en place des institutions politiques les partis politiques sous la Premi re r publique ainsi que le ph nom ne M P R parti unique sous la Deuxi me R publique *Droit congolais des droits de l'homme* Nkoy-ea-Loongya Ngondankoy,2004 Dans cet ouvrage pionnier l auteur propose de d gager les sources du Droit congolais des droits de l homme d examiner les droits et libert s garantis au Congo et enfin de r fl chir sur les mesures de sauvegarde des droits des Congolais et de toute personne plac e sous la juridiction de la R publique D mocratique du Congo Dans la premi re partie l auteur pr sente d une part ce qu il appelle l h ritage ancien ou le pass congolais des droits de l homme et d autre part les

sources juridiques proprement dites d'origine nationale et internationale encore en vigueur ou non en R publique D
mocratique du Congo La deuxième partie consiste en un examen s lectif mais approfondi des principaux droits qui dans les
différentes branches du Droit congolais sont reconnus ou aménagés en faveur des hommes et du peuple Le Droit congolais des
droits de l'homme apparaît ainsi comme une discipline carrefour qui justifie la méthode principale suivie par l'auteur l
interdisciplinarité C'est essentiellement la question de la justiciabilité des droits de l'homme telle qu'elle est abordée ici qui
constitue un apport scientifique notable de l'auteur Et c'est cette problématique qui dans la troisième partie du livre le
conduit à se pencher parmi les mécanismes existants au Congo ou ailleurs les mécanismes dits de protection des droits de l'homme
Pour lui l'instauration d'un Ordre juridictionnel spécial des droits de l'homme est nécessaire Il serait b ti sur le modèle de l
Ordre judiciaire classique mais s'en différencierait tant par le contenu de sa mission la philosophie de base de ses acteurs que
par le profil scientifique et public des magistrats des droits de l'homme

Démocratie et développement au

Congo-Kinshasa Dieudonné Kaluba Dibwa, 2010-07-01 L'auteur repasse en revue les engrenages des machines juridiques
ayant régi le Congo Kinshasa depuis la colonisation jusqu'à nos jours Le couplage de ces appareils juridiques avec les diffé
rentes politiques ayant débattu sur le Zaïre ont engendré le sous-développement et la déconfiture Deux virus la parenté et le
mysticisme y ont trouvé un terrain de rayonnement Mais l'auteur réfléchit sur un modèle politique approprié le système fédéraliste
afin de rassembler la pléiade des tribus

La Question de la justice de proximité au Congo Jean-Pierre

Mboto, 2015-07-16 Quel type de juridiction de proximité peut-on instituer au Congo pour satisfaire aux besoins de justice de la
population Un regard croisé sur les systèmes juridictionnels congolais et français peut-il produire un effet de mixage capable
de rapprocher la justice congolaise de ses usagers Cette étude adopte une approche de tissage du droit coutumier du droit
moderne et des structures parallèles de règlement des conflits fonctionnant dans un système de foisonnement pluriel et
multiforme Abolies par une loi de 2013 les tribunaux de police et les tribunaux coutumiers jouaient un rôle majeur dans la
justice de proximité en RDC De la mise en parallèle des systèmes congolais et français une enquête de terrain aussi bien auprès
des juridictions françaises de proximité qu'auprès des tribunaux de paix de Kinshasa cette étude permet de comprendre la
complexité du système juridictionnel de proximité au Congo et dévoile ses dysfonctionnements Posant un regard critique sur le
passé et s'inspirant du système français l'auteur tente de mieux envisager l'avenir par une analyse pertinente des différentes
juridictions officielles et des structures informelles de résolution des conflits afin de proposer la refondation de véritables
juridictions de proximité au Congo

Congo 1965 Jules Gerard-Libois, Benoit Verhaegen, 2015-12-08 This seventh volume in
the annual series of Congolese documents compiled by the Centre de Recherche et d'Information Socio Politiques in Brussels
consists of official statements and memoranda proceedings of conferences etc In French with an English introduction by
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Africa South of the Sahara: Central African Republic-Ivory Coast Library of Congress. African Section,1971

Compendium of documents on National Human Rights Institutions in eastern and southern Africa Edited by Charles M Fombad 2019 Charles M Fombad,2019-01-01 Compendium of documents on National Human Rights Institutions in eastern and southern Africa Edited by Charles M Fombad 2019 ISBN 978 1 920538 95 8 Pages 898 Print version Available Electronic version Free PDF available

About the publication Africa s increasing recognition and protection of human rights have been accompanied by a surge in the number of NHRIs established with broad mandates to promote and protect human rights The mandates and powers of the NHRIs vary from country to country as does their ability to deliver on these mandates Indeed the rapid increase in the number of NHRIs in Africa has come with a variety of substantive and operational challenges In the face of such challenges those who work in NHRIs need to understand the broader regional and global context in which the institutions operate and the changing nature of human rights issues This compendium provides an overview of NHRIs in eastern and southern Africa It is guided to a large extent by the internationally agreed upon Principles Relating to the Status of National Institutions referred to as the Paris Principles These Principles are broadly accepted as the benchmark against which the legitimacy and credibility of NHRIs can be assessed Endorsed by the United Nations General Assembly in 1993 the Paris Principles provide NHRIs with guidelines as to their competence and responsibilities their composition and guarantees of independence and pluralism and their methods of operation additional principles relate to the status of commissions with quasi jurisdictional competence The generous financial support of the Konrad Adenauer Stiftung Rule of Law for Sub Saharan Africa Nairobi Kenya office is gratefully acknowledged Table of Contents PREFACE INTRODUCTION AN OVERVIEW OF NHRIS IN EASTERN AND SOUTHERN AFRICA THE OMBUDSMAN OF ANGOLA THE OFFICE OF THE OMBUDSMAN IN BOTSWANA THE BURUNDIAN INDEPENDENT NATIONAL HUMAN RIGHTS COMMISSION THE DEMOCRATIC REPUBLIC OF THE CONGO S NATIONAL COMMISSION ON HUMAN RIGHTS 6 PART B THE SWAZILAND COMMISSION ON HUMAN RIGHTS AND PUBLIC ADMINISTRATION INTEGRITY THE ETHIOPIAN HUMAN RIGHTS COMMISSION THE KENYA NATIONAL COMMISSION ON HUMAN RIGHTS THE LESOTHO HUMAN RIGHTS COMMISSION THE LESOTHO HUMAN RIGHTS COMMISSION THE NATIONAL HUMAN RIGHTS COMMISSION OF MAURITIUS THE RWANDAN NATIONAL COMMISSION FOR HUMAN RIGHTS THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION THE TANZANIAN COMMISSION FOR HUMAN RIGHTS AND GOOD GOVERNANCE THE ZAMBIAN HUMAN RIGHTS COMMISSION THE ZIMBABWE HUMAN RIGHTS COMMISSION NATIONAL HUMAN RIGHTS INSTITUTIONS IN EASTERN AND SOUTHERN AFRICA LESSONS AND PROSPECTS FOR THE FUTURE

Revue générale de droit international public ,1902 *Bulletin officiel administratif*

du Congo français French Equatorial Africa, 1908 **Droit et administration de l'État indépendant du Congo** Félicien Cattier, 1898 *Constitutions et transition démocratique en R.D.Congo* Ngoy-Ndouba Kamatanda, Kayamba Tshitshi Ndouba, 2022-07-12 La transition démocratique en R D Congo est ce jour une expérience très intéressante tant du point de vue des sciences politiques que de celui du droit constitutionnel pour trois raisons principales Elle est d'abord par rapport son extension temporelle une des plus longues périodes de transition politique Ensuite elle détient le record des textes constitutionnels transitoires Enfin elle a expérimenté presque tous les modes de transition démocratique laborés par la science politique Cet ouvrage fait ainsi dialoguer le droit constitutionnel de transition avec le processus de transformation des régimes autoritaires Il saisit partir des vicissitudes et de la singularité de la transition congolaise le double défi de l'écriture des constitutions de transition traduire la rupture avec le constitutionnalisme autoritaire répressif tout en donnant les gages d'un avenir démocratique et libéral **L'ONU et l'affaire du Congo** Claude Leclercq, 1964-01-01 T00:00:00+01:00 Tout le monde a encore l'esprit les rebondissements de l'affaire congolaise qui a coûté la vie au secrétaire général des Nations Unies Dag Hammarskjöld et a mis en danger l'Organisation Dans ce livre Claude Leclercq entreprend l'étude politique et juridique de cette affaire qui a fait l'objet des interprétations les plus contradictoires Quel fut le rôle de l'ONU en Afrique Son action a-t-elle revêtu un caractère d'autonomie qui lui aurait permis de s'engager en Troisième Force Quelles transformations l'affaire pouvait-elle entraîner pour l'avenir de l'Organisation Tous ces problèmes sont analysés par l'auteur avec une parfaite objectivité et sur la base d'une documentation considérable Son ouvrage présente pour la première fois et sous tous ses aspects le dossier complet du drame congolais

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