

Research Article

The Constraints on the Effectiveness of the Activities of the Permanent Economic Consultation Framework in Lubumbashi: An Evaluation of the Effectiveness

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Abstract

This publication is an analysis of the functioning of the permanent framework of economic consultation, abbreviated as CPCE, which is a state structure created since 2001, by presidential decree n° 008/01 of February 23, 2001[14], with the aim of improving the business climate in the Democratic Republic of Congo, through its activities in the field in accordance with the objectives and mission assigned to it by the law. As a consultation framework, the CPCE is a neutral body that receives the claims of economic operators, organizes consultations on socio-economic issues between the public sector (government) and the private sector (economic operators), including representatives of consumer associations and civil society, especially with regard to the stability of prices of basic necessities (foodstuffs, petroleum products...) and the maintenance of the market exchange rate of foreign currency. Etc. in order to reach a consensus likely to improve the business climate and the living conditions of the population. Since 2020, no activity has been carried out on the ground and the population has only been subjected to pressure from economic operators, it is clear that there is a gap between the requirements of the law and the practices of the actors concerned. This is a problematic situation that has motivated our research on the evaluation of CPCE activities, based on the constraints that can influence the effectiveness of CPCE activities, while setting some evaluation indicators.

Keywords

Effectiveness, Legal Norms, Public Policies, Business Climate, Socio-Economic Problems, Population

1. Introduction

The Democratic Republic of Congo is a potentially wealthy country, with a subsoil overflowing with raw materials that attract the attention of foreign countries, so its economy should be stable and powerful. The socio-economic situation of the population is deteriorating from day to day, to the point of raising questions within the population that remain unanswered.

For some, there is no public policy in place to regulate the

country's economic activities; for others, it is a lack of will on the part of the executive, which is unwilling to improve the business climate and the living conditions of the Congolese people.

Others still think that economic operators are free to do as they please to the detriment of consumers, without any form of regulation from the public authorities, because they are economically strong. Especially when it comes to the rising

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prices of basic necessities.

There is a whole legal arsenal regulating the economic sector in the DRC, but it is sometimes difficult to apply. This is the case with Presidential Decree no. 008/01 of 23 February 2001 [14], which sets up and organises the permanent framework for economic consultation, a structure that should bring the problems of society and the demands of economic operators to the attention of the government with a view to finding concrete and satisfactory solutions.

When a law creates an institution or a public service, it is to resolve a specific problem in society in order to bring about a change or an improvement in the living conditions of the target population, faced with the problem identified. When a law is enacted, it is supposed to come into force and produce effects on the ground, which may be positive or negative. And society must feel the effects of this new law in their daily lives by making lasting changes and modifying their habits through the operation of the institution or service created. But if we are unable to establish a difference in lifestyle between the period before the law was passed and the period after it was promulgated, we have to conclude that there is a problem between what the law prescribes and what actually happens on the ground.

Particularly in a context where the State is mobilising financial resources, human resources and material resources for the organisation and operation of the newly-created institution, but the latter is not producing any results in terms of carrying out its activities, the situation is becoming worrying and deserves the attention of a criminological researcher in order to understand the reality on the ground.

Since it was set up in 2001 at national level and in 2015 in some of the country's provinces to help provincial governments solve the socio-economic problems of the population. Particularly in Haut Katanga and specifically in the city of Lubumbashi, the Permanent Economic Consultation Framework has only been in operation for a few years, with a remarkable impact on the economic scene in the Province (formerly Katanga), and it was once a significant framework for finding solutions to the appropriate problems.

The recommendations resulting from the CPCE's meetings were the subject of proposals for solutions formulated for the Ministry of the National Economy, which in turn passed them on in the form of problem resolutions submitted to the National Government by the Council of Ministers or to the strategic troika.

From this point of view, we have set ourselves a research object which concerns the evaluation of the effectiveness of the CPCE's activities, by situating ourselves in a criminological manner, it is a problem situation which can be explained through our research.

This study is part of the criminology of social reaction in that it is a constructed social reality that is in the process of unfolding. It leads us to understand that the social fact (...) is

not the raw result of a physical phenomenon, but rather a construction of human society that can be understood.

2. Methodology

The qualitative inductive approach [1] was used to achieve the research objective. The setting for this research is the city of Lubumbashi, an urban centre comprising a multitude of economic players operating in several sectors. Indeed, the city of Lubumbashi represents an economic hub of the country, but also because of its basic infrastructures as well as the office of the Permanent Economic Consultation Framework.

The research is based on a constructivist approach in that it considers individuals as social actors with autonomy of action and thought, with skills, reflexivity and scope for action [4].

2.1. Sampling Strategies

The first concern was to approach all the players in the wake of the Permanent Economic Consultation Framework as defined by the CPCE statutes and by Ministerial Decree n°009/CAB/MIN/ECONAT/MLB/DLK/BLA/ 2015 amending Ministerial Decree n°018/CAB/MIN/ECONAT ET COM 2014 of 24 September [12] relating to the application measures of the decree referred to above, based on the hierarchy and responsibilities of each player at his or her level. This decision is based on the fact that these actors are the best placed because they are exposed to the reality of the permanent framework of economic consultation in various dimensions. To this end, three agents of the permanent consultation framework, three executives of the Fédération de l'entreprise du Congo, two experts from civil society, an economic adviser to the governor, an adviser to the provincial minister responsible for the economy, and three economic operators made up our research population by virtue of their quality. Multiple case sampling[15] combined with snowball sampling enabled us to collect the data.

2.2. The Interviews

The technique of the semi-structured interview, which consists of a situation of interaction, an asymmetric dialogue and a normative context [13], enabled us to remain within the logic of qualitative research in order to respond to our concern for knowledge.

The importance of understanding the way in which economic actors and state actors interpret their own situation by giving pride of place to their points of view, hence the use of the qualitative approach to meet the research need. The interview grid included thematic questions to answer the research question.

Table 1. INTERVIEW GUIDE.

Themes	Instructions	Reminders
I'd like you to take a look at the history, creation and emergence of this permanent consultation forum.	I would like you to tell me about the creation of the permanent framework for economic consultation. Can you enlighten us on the history of the permanent framework for economic consultation and its current situation?	You were telling us about the existence of the permanent framework...
The functioning of the permanent framework for economic consultation	I would like you to tell me about the functioning of the permanent framework for economic consultation.	And if you could tell us about what is happening in the operation of the permanent framework...
Involvement of stakeholders in the functioning of the permanent economic consultation framework	Can you shed some light on the involvement of stakeholders in the permanent economic consultation framework ? Who are the stakeholders involved? How do they operate, and how are their roles distributed?	Could you clarify what you just said?
Involvement of stakeholders in the functioning of the permanent economic consultation framework	I would like you to tell me about the involvement of stakeholders in the functioning of the activities of the permanent framework for economic consultation.	You were telling me about the involvement of the actors...

2.3. Data Analysis

Thematic analysis made it possible to analyse the interviews collected through thematisation, i.e. the identification of significant ideas and their categorisation. Roughly speaking, this involves finding out what fact, event or actor is mentioned in the extract, what the main idea is, and what the overall theme is that sums up the extract or paragraph [13].

In our analysis, we proceeded to anonymise the respondents in order to meet the need for respect for the human person and the need for confidentiality as requested by the people who agreed to take part in our research.

3. Obstacles to or Constraints on the Operation of the Permanent Economic Consultation Framework

The Permanent Economic Consultation Framework is a framework for constructive dialogue and exchange of views on socio-economic issues, with the aim of fostering and establishing a peaceful environment for the benefit of all partners involved in the economic sector.

3.1. Notion of Effectiveness and Setting Evaluation Indicators

1. The effectiveness of law and public policy

The Permanent Economic Consultation Framework was formally established by Presidential Decree no. 008/01 of 23 February 2001 [14] on the creation and organisation of the Permanent Economic Consultation Framework between the government and economic operators. From the outset, the institutional code places us in a purely legal field, and we shall attempt to analyse the question of its effectiveness.

It is essential to begin by clarifying the concept of "effectivity". According to B é aille, J. (2012) [2], the substantive term "effectivity" does not appear as such in dictionaries; it refers to the character of what is "effective", i.e. what is done, what has a real and concrete effect, what exists in fact. For a right to be "effective", we can consider that it must be translated into facts, i.e. into reality. In other words, a right is effective when it is put into practice. However, it is not a question of the primacy of fact over law, but of the translation of law into fact. This is "feasible" law. In more legal terms, we would say that it is law that is applied, implemented and produces effects. Alongside the law on paper, the "formal law", we are interested in the law that is applied, the "real law".

Effectiveness could be considered, in the legal sense, as the meeting of law and fact, which ideally leads to their unity. A

living law is a law that applies, as opposed to the obsolescence that characterises a dead law. A living law is one that is not only still in force, but also has the legal means to enable it to be applied, monitored and, if necessary, sanctioned. Thus, the effectiveness of the law requires a chain of components to go from the law (the text) to the fact (its application). Ultimately, the effectiveness of the law is an obvious and commonplace requirement: the law is designed to be applied. But the effectiveness of the law first implies that the rule exists, that it is legally applicable, that it is respected, applied and controlled, and that it is possibly sanctioned by the administration and by the judge [16].

Moreover, the Permanent Economic Consultation Framework is becoming a legal issue and a public policy at the same time through its institutionalization as a state structure on the one hand, and as an alternative for finding solutions to the socio-economic problems of the Democratic Republic of Congo on the other. This ties in with the ideas of Jacques de Maillard and Daniel Kübler [7], who believe that: "The activities of Governments are extremely varied: they levy taxes, grant subsidies, enact laws, redistribute income, recruit and manage personnel, wage war, conduct diplomatic relations with other countries or with international organizations, deliver speeches, etc.", so that the activities of the Permanent Economic Consultation Framework become in themselves a form of economic public policy to respond to a collective problem.

Evaluating effectiveness is a scientific activity, as Betaille, J. (2012) [2], argues, highlighting the fact that it is important to note that the theme of the effectiveness of the law is attracting growing interest from researchers and decision-makers when it comes to evaluating the mechanisms put in place to resolve a given social problem. Legal texts in a number of areas (administrative, civil, criminal, economic) also expressly refer to the need for effectiveness. While the rule of law does not usually concern itself with its application, apart from rules relating to sanctions, we note that several legal texts¹ use the word "effectiveness" to clearly show the concern of decision-makers to adopt texts that will be applied effectively, i.e. genuinely.

For our part, we are going to make an assessment of effectiveness while first setting indicators to evaluate the legal factors that contribute to the effective application of the legal requirements imposed by the standard that created the Permanent Economic Consultation Framework. For the sake of completeness, other factors relating to the effectiveness of the general principles of the law which created the said framework should be formulated in parallel, such as the actors who intervene in this framework, the activities carried out by the Permanent Economic Consultation Framework, the representations on the work carried out by the Permanent Economic Consultation Framework and the conclusions of the committees for compliance with the obligations contained in the agreements between the parties involved in this state structure.

2. Setting indicators

According to Antoine Jeammaud [8], indicators are "data, variables in the mathematical sense, used to identify or measure a phenomenon, or to predict its occurrence". Indicators provide a systematic, stylized account of what the instruments making up a legal provision "do" or "have done". These are indicators relating to the effectiveness of the activities of the Permanent Economic Consultation Framework, in other words, indicators of effectiveness. At the same time, evokes the effectiveness of public socio-economic policy, by looking at the factors involved in its implementation and observance.

The law cannot mathematically measure the application of a legal provision. Mathias M. Siems [17]. shows that, apart from performance indicators (benchmarking), three types of indicators can be combined: functional indicators in relation to a problem posed to be examined in comparative law, indicators measuring the quality of institutions or economic systems and indicators relating to the perception of the conditions of application of the law relating to trade (or business). This last type of indicator involves collecting the perceptions of businesses, the public and the administration. But the level of application of a legal standard in relation to the economy would require both the calculation of performance and data from perceptions.

As far as we are concerned, we have set ourselves three indicators as evaluation criteria for the effectiveness of the activities of the Permanent Economic Consultation Framework:

Indicators relating to consistency between legal orders

In this category we have:

a) Formal indicators -

- 1) Promulgation of the legal text,
- 2) Publication,
- 3) Incorporation into a law/order/decreet-law.

b) Institutional indicators

- 1) The institution
- 2) Monitoring of implementation
- 3) Staff and budget allocated

Indicators linked to control

- 1) Stakeholders capable of triggering activities
- 2) Crisis management
- 3) Adoption of measures
- 4) Execution of measures

Indicators linked to the objective pursued

a) Objectives and achievement

- 1) Do activities take account of the country's particular situation? -
- 2) To what extent have the fundamental objectives set out in the decree creating The Permanent Economic Consultation Framework been achieved? and how is their achievement measured?

b) Participation

- 1) Is membership restricted or open?
- 2) What is the breakdown of members involved in im-

proving the business climate in Lubumbashi?

- 3) What are the commitments imposed on the parties, and how are they monitored and measured?

Now that our indicators have been set, we will analyse the involvement of stakeholders in improving the socio-economic situation in the city of Lubumbashi.

3.2. Stakeholder Involvement in Improving the Socio-economic Situation of the City of Lubumbashi

1. Stakeholder involvement governed by standards

Stakeholders become involved through the norms that govern interactions within the framework of consultations aimed at establishing a business climate.

From the outset, the actions of stakeholders in any area depend on the existence of the law that governs all the activities of the permanent framework for economic consultation in Haut-Katanga.

From the outset, resources and operating costs are a matter for the central government, which includes them in the budget according to the forecast of possible needs.

2. Involvement dependent on Resources

Resources are what we can provide what we need, and they direct our actions by linking them to the objectives of a given structure. According to Ms Anne:

"The CPCE's resources come from:

- *The public treasury (subsidies made available by the government);*
- *Fees made available by national partners;*
- *Funds made available by bilateral and multilateral partners;*
- *Donations and bequests...*

(...) In principle, this is what is planned, but the CPCE's funding is still at a level that is not entirely satisfactory. All the parties I have just mentioned are unable to provide adequate funding for the practical implementation of the CPCE's activities, starting with the government, which set us up".

According to this testimony, the resources made available to the CPCE do not meet the objective of ensuring that the structure functions properly, to the extent that this has an impact on the progress of activities that could help to find socio-economic solutions. As a public policy, the financing of the CPCE will have a considerable impact on the business climate, and it is by finding rapid solutions to the problems that the community can benefit at different levels.

Mr Am énohis in turn commented as follows:

"Funding depends on the policy of the national minister responsible for the economy. Since the CPCE was set up, there have been many ministers at both national and provincial level, each with completely different priorities. For the year 2020, we did not operate due to a lack of funding".

We understand from this interview that the public economic policy put in place requires the means to implement it and the players to carry out the tasks involved. In this way, a

network of connections is formed between the players, both vertically and horizontally.

3. Involvement of stakeholders conditioned by operating costs

Mrs Soprano expressed herself as follows:

"The CPCE's operating costs come from the government and the other components mentioned above, as follows: 60% from the government and 40% from the other components...in 2020 we had no operating costs, the building we use as an office is rented from a third party to whom the State still owes several months' unpaid rent until the office was evicted by the lessors. With the change in ministers of the economy, governors, etc., staff salaries have been cut by the minister of the political party that differs from that of the Head of State".

It is clear from the above that operating costs are a driving force for the implementation of the CPCE's objectives, and that if they are insufficient, the repercussions will lead to corollary dysfunction. Government action through its institutions aims to increase public wealth in order to alleviate socio-economic problems. To set up such a framework, a change in policy (public mandate) is worth its weight in gold, this change is also concretised by the state's economic and social action such as a framework for solving social and economic problems to legitimise economic and social public action [13].

4. Involvement at the expense of interference between players

The multitude of players within the CPCE offers a broad scope for understanding of day-to-day activities.

It is clear that interference from other players undermines efforts to improve socio-economic life in the city of Lubumbashi, and the trend is for economic operators to become political players.

4. Weaknesses or Constraints on the Effectiveness of the Activities of the CPCE

To the question of what analysis should be made of the obstacles and constraints linked to the effectiveness of the activities of the CPCE, our respondents replied in several ways.

Of the CPCE's activities, our respondents replied in several ways. It should be noted that the activities of the Permanent Economic Consultation Framework are carried out through its constituent bodies: the general assembly, the bureau and the multidisciplinary technical secretariat.

4.1. Weight or Constraint Linked to the Bodies and Power of the Players

The issue represents what the players meet and pursue as their objective, as we have described above, with each body and each player having its own distinct role to play. In fact,

there are three categories of bodies when it comes to the permanent economic consultation framework: the general assembly, the bureau and the permanent technical secretariat.

According to the interviews conducted with the respondents, the general assembly meets twice a year, but can hold a meeting if a crisis arises between the government and the economic operators, between local and expatriate economic operators, or between local and foreign economic operators and economic operators, between local and expatriate economic operators, and between local and foreign economic operators. With regard to the activities of the permanent consultation framework.

Mr Donat told us:

"This general meeting is chaired by the provincial governor or his delegate. At present, the meeting is no longer held, because the moderator is above all a political player who sides with the ideology of his political party, and with the economic crises that the city is experiencing, the CPCE has not been able to adopt measures that could strike a balance between the Government and economic operators and consumers".

In the words of our interviewee, the failure to hold the activities of the general assembly shows the existing gaps between the objective of this body and the objectives of the Cadre.

Permanent Economic Consultation Framework, recognising that the power of this body has an impact on the economy one way or another on the other.

He added:

"The activities of the Executive Committee require preparation by the multidisciplinary technical secretariat, so that the General Meeting can decide on the issues on the agenda. As the Executive Board is run by the national minister, he is dependent on his political formation. The year 2020 has seen several economic crises that have turned the economic public order upside down, including monetary inflation, Covid-19 which has significantly impacted commercial activities in all sectors."

In view of the above, each body has its own role, and each player has its own role to play, a meeting of the players involved in the operation of the structure shows the different objectives pursued by the groups of players involved, but also by the extent of the powers possessed by each group of players.

He added:

"No meetings were held in the provinces, particularly Lubumbashi, to find a solution to these problems, and the oil companies and importers of maize flour were forced to pay higher customs duties and other taxes. This crisis led to an increase in the price of 25kg sacks of flour, and the closure of service stations for a period of seven days..."

In this respect, the absence of these activities meant that the crisis was not anticipated in order to remedy it as quickly as possible. The absence of these activities shows firstly the importance of holding them, because of the impact on the economic and social order, which could be disrupted. Power between actors and bodies is an issue that can be observed

around the activities of actors in the context of the CPCE.

4.2. Weight or Constraint Linked to the Monopolisation of the Exchange Framework

The Bureau de Permanent Economic Consultation Framework is managed by the Governor of the province or his delegate, who is the minister responsible for the economy. or his delegate, who is the minister responsible for the economy. The activities revolve around the functioning of the CPCE, in particular decrees and the mobilisation of financial resources.

As far as the decrees are concerned, a number of players working for the employers' associations play a key role. During the fuel crisis, the CPCE was not involved in negotiating solutions, as Mr Tabari explains:

"The minister responsible for hydrocarbons had to negotiate with the economic operators (the FEC) to find a solution to the problem raised. The demand was that the government was making economic operators pay more tax, and they in turn went on strike. This strike led to an increase in the price of other commodities on the market because transport depends on fuel [...] [...] The solution to this problem was found in another framework, the national Ministry of Finance conceded to them the revision of the selling price, and this resulted in the revision of the price of fuel at the pump, from 1500 FC per litre to 1750 FC. As a stakeholder in the Permanent Economic Consultation Framework, the FEC has influenced the adoption of this measure, albeit as a member of the CPCE, but without taking into account the socio-economic situation of consumers."

It should be noted that it was during the same year, 2020, that the selling price of fuel at the station was increased from 1200 FC to 1500 FC per litre and from 1500 FC to 1750 FC per litre. The economic operators have succeeded in imposing their will on the government, which has not involved the experts around the negotiating table. The Government, which did not want to lose the revenue from the taxation of petroleum products, agreed to protect its own interests and sacrifice consumers.

The CPCE's failure to take action has been pre-empted by other structures. This means that the framework is not doing the work to achieve the objectives, but rather is being pre-empted by another structure or other players. As a policy put in place to alleviate crises and improve socio-economic conditions, its management is first and foremost a matter for the players placed at the helm of the structure, which means that the fact that several players have different statuses has an impact on the functioning of the Bureau of the Permanent Economic Consultation Framework. As a result, activities relating to the production of decrees to improve the business climate are in a standstill.

4.3. The Weight or Constraint of Financial Resources

Financial resources are plentiful in the economic sector, and their mobilization requires action by a number of players. They enable the framework to be implemented as planned, and some actors mobilize them for different objectives of the CPCE.

Ms TOBI explains:

"At present, the Bureau is not even fulfilling its role of raising funds for the operation of the CPCE operation of the CPCE. The 60% of funds coming from the government and the 40% which should come from the other components as determined by our internal are no longer mobilized because the President does absolutely nothing. Another thing at the root of the difficulties experienced by the CPCE is the political instability in our Country, which leads to the instability of the Institutions of the Republic, in this case the Government. I would point out that the legal texts governing the CPCE stipulate that the Chairman of the Board must be the National Minister for the Economy, and in the provinces, the Governor or his Provincial Minister for the Economy, when there is a reshuffle with the short-lived governments, The person who replaces him at the Ministry of the Economy does not have the time to understand his mission and master his field of work and action, including the state structures under his supervision, he is reshuffled, yet he is the creator of the resources for the operation of the CPCE... when the secretary at writes to the office to claim the expenses, the replies are of a personal nature, they tell us that the others have eaten, it's our turn too... It's in such conditions that we find ourselves with no operating expenses, no bonus apart from the meager state salary. So how do you expect the CPCE to carry out its activities as provided for by law?"

As a result, the finances used to run the structure fall prey to the actors who run the CPCE's bodies according to their personal or political agendas. For them, it is money that can be used for purposes other than those intended for the CPCE.

4.4. Weight or Constraint Linked to the Disappearance of the Multidisciplinary Technical Secretariat (STP)

The activities of the multidisciplinary technical secretariat revolve around administration, finance, operations and the implementation of measures taken by the assembly and the bureau. The CPCE's activities are directly linked to administration and the management of human and financial resources. The inadequate and lacking involvement of the Governor and the National Minister responsible for the economy means that the CPCE is in the doldrums, which means that the secretariat is unable to carry out its tasks through its members.

In fact, the CPCE is a strategic structure of the State made up of experts and researchers who meet in the STP to analyse

the socio-economic situation, organise meetings (consultations and economic forums) and propose solutions that will satisfy the State, the economic operators who are making demands and the consumers who are suffering.

The fact that we are not visible on the ground means that the authorities take measures that sometimes do not take account of the needs of consumers sometimes fail to take into account the interests of the consumer or the population. And the business business climate is threatened.

5. Analysis of the Effectiveness of the Activities of the CPCE

5.1. Verification of Indicators

Indicators relating to consistency between legal systems

1st category: formal indicators

It is clear that formal indicators can be verified by the three elements listed below:

- 1) Presidential Decree n°008/01 of 23 February 2001 on the creation and organisation of the permanent framework for economic consultation between the Government and Economic Operators [14].
- 2) Ministerial Order n°009/CAB/MIN/ECONAT/MLB/DLK/BLA/ 2015 amending modification of Ministerial Order n°018/CAB/MIN/ECONAT ET COM 2014 of 24 September [12] relating to the application of the decree referred to above.
- 3) The Rules of Procedure adopted by all the members of the permanent framework for economic consultation.

2nd category: institutional indicators

With regard to our empirical material, when checking the institutional indicators we observed the following:

Since 2018, the CPCE has no longer functioned as an institution with headquarters at provincial level, more specifically in the city of Lubumbashi. It should be noted that the provincial executive secretary is still in office (sepro and sepra1) with a non-existent head office, only a legal existence remains. According to some of our investigations, the agents are paid simply as civil servants.

A look at control-related indicators

Under this heading we have:

1st category: Stakeholders capable of triggering activities.

We have observed that the stakeholders have not been working together for a long period of time, since 2015 each party has been operating autonomously with regard to CPCE related activities.

2nd category: Crisis management

With regard to the management of persistent and recurring crises, upstream measures are not taken to remedy the problems. Nevertheless, crisis management is carried out by the national government to the detriment of the existing local framework.

3rd category: Adoption of measures

Measures are adopted by a group of stakeholders, the measures adopted are sometimes inappropriate, which often brings us back to square one, because there are sometimes inconsistencies due to the absence of all the stakeholders and the absence of the CPCE, as we saw with the oil crisis, as reported by our respondents.

4th category: Implementation of measures

Measures are implemented by means of a decree or decision taken by a stakeholder in the CPCE, as demonstrated by the measures relating to the setting of fuel prices, in particular by the ministry responsible for hydrocarbons. The CPCE is absent from this process because it has no headquarters and no budget for its operation.

*Indicators linked to the objective pursued**1st category: objectives and achievement*

With reference to the decree establishing and operating the permanent consultation framework, we need to ask whether the general objective and the specific objective have been achieved. The data collected in the field shows that the two objectives have not been achieved due to the constraints faced by the permanent framework for economic consultation, which prevents it from fulfilling its role and pursuing the objectives assigned to it.

2nd category: Participation

Membership remains limited, in the sense that there is no participation by all the categories of players recognised for their role in resolving economic problems, and there is no breakdown between members who are stakeholders.

The imposition of the commitment of the parties in the non-inclusive restricted group, which makes monitoring and measuring compliance complex.

5.2. Effectiveness Gaps: Resources, Activities and Effects

Thanks to the resources available, an organisation is likely to carry out activities that can have an impact. An organisation may have the objective of carrying out activities, in this case the CPCE with the improvement of the business climate, to designate the achievement of objectives on activities we will use the term effectiveness.

The various indicators having been set to analyse the effectiveness of the CPCE's activities, it emerges that the Permanent Economic Concertation Framework is suffering in the performance of its activities although it has remained legally functional.

The year 2020 has left its mark on the world economy with the crisis linked to Covid-19, and the activities of the Permanent Economic Consultation Framework have been conspicuous by their absence, even though the Decree creating the structure exists, but the field has shown us a gap between the planned facts, the legal standard and the reality on the ground.

The agents are there, the structure is there, but the activities

are not.

The economic situation is in constant crisis (monetary inflation, fluctuating exchange rates, rising prices of essential consumer goods, rising fuel prices, etc.).

Indeed, the economy shapes the State's system of action through the levy and the relationships between public action, economic actors and the community relationships between public actions, economic actors and the community [11]. The adoption of economic measures aims to regulate social public order and economic democracy.

The city of Lubumbashi has an exchange framework that regulates crises, the business climate and the improvement of socio-economic life. According to the data collected, the internal regulations set out the procedures for conducting and developing the activities of the permanent consultation framework, which remains without any force of action.

The intervention of a number of political players on the economic scene has an impact on the effectiveness of the rules governing the CPCE, with the result that the CPCE does not have a positive impact economic and social life in the city of Lubumbashi.

Analysis of the effectiveness of the activities of the permanent framework for economic consultation reveals discrepancies between the presidential decree establishing the permanent framework for economic consultation and activities on the ground. The analysis shows that a number of players with roles to play are involved to an extent that does not help the structure to function to its full potential, without achieving the well-founded objective of the permanent framework for economic consultation. These results corroborate those of Laurence & Brigitte [10] who analyse the poorly conceived mechanisms and poorly mastered methodologies in the context of economic consultation and development in France. In fact, consultation mechanisms are sometimes criticised, and they point out that the consultation process is often the result either of dysfunction upstream, or of a confrontation over societal choices. On the other hand, the study shows that everything depends on the objectives pursued by the organisation, and the dynamic of the players involved in promoting the activities. Bearing in mind that the provisions provide for different activities to release and future in a country.

The results of this study also corroborate those of Etienne Arcq [5] in his book on concertation and economic democracy. This study shows that, after the Second World War, some nations introduced planned and concerted economic policies in order to ensure political and economic equality for those involved in the economic arena, and parity between the parties involved, in line with socialist ideas. The underlying idea is to give direction to the economy, but not to direct it, in the case of improving the business climate.

In view of the above, we have subdivided the indicators into three main groups of indicators, in turn the groups are subdivided into sub-indicators. Some indicators involve a yes or no answer, others, a choice between several answers, for

the most part a qualitative response.

Winter, G (2006) [18] rightly points out that the "law" factor is not the only one to be taken into account and that, alongside "formal" law, there is "real" law, i.e. as it is applied. This provides a broad understanding of the reality observed in relation to the effectiveness of the CPCE's activities.

Solving any economic problems remains a public commitment for the Congolese state. Public economic policy requires further efforts to improve the framework that concerns the city of Lubumbashi. The gaps in the existing effectiveness of the activities of the permanent framework for economic consultation are indicative of the issues surrounding the actions that are maintained by the groups of actors concerned by the public policy put in place.

In the same vein, the notion of economic policy in this context covers all the decisions taken by the public authorities with the aim of modifying or influencing the free development of economies, disrupting the natural course of events and giving them another, more voluntarist course, as Pierre Blaise [3], who analyses the setting up of the framework for economic consultation in a Brussels context, sees it.

On the other hand, globalisation offers opportunities for economic operators to carry out their activities in any country in order to make money from them, and for governments to make money from their activities. Not to mention the fact that interactions between economic players can escape the control of the public authorities, which is why regulating them becomes a mission to foster a favourable framework.

The force of a legal rule derives from its capacity to have an impact on behaviour of those to whom it is addressed. [6]. To bring about a possibility of change, practices need to be reconsidered and the framework in which the plurality of exchanges takes place needs to be readjusted.

By considering the CPCE as a public policy, Lascoumes and LeGalès [9] demonstrate that the analysis of public policies does not make it possible to grasp all the dimensions of

public action. While the distribution of available common goods and the enactment of norms concerning certain general categories of the population (the elderly, the sick, the disabled, the unemployed, etc.) are all forms of public action that can be grasped through the study of the policies implemented by the public authorities through the study of policies implemented in various sectors, the outcome of government activities. However, the results of government activities must also be sought in the adoption of general rules concerning relations between social groups, or in the legitimisation of practices in use in society. As Max Weber said, the action of those in power to impose a compromise of interests (socialisation) or to activate a subjective feeling of belonging to a group (communalisation) is an essential dimension of the management of societies. This dimension, which is part of a broad conception of public action, is only indirectly addressed in the analysis of public policies, which are more often than not fragmented by problem or by differentiated sector, as the field data shows.

With regard to the proposed solutions, it should be noted that the evaluation of the effectiveness of the CPCE's activities in the city of Lubumbashi enabled us to establish the gap between what is and what should be. The field has shown us the reality of the effectiveness of the CPCE's activities in relation to the legal texts governing its operation.

On the basis of the data collected and the analysis of the legal instruments that regulate the CPCE, in particular Presidential Decree n°008/01 of 23 February 2001 [14], the various Ministerial Orders, including the Internal Regulations, there is reason to understand that the law itself constitutes a first problem, it is a major obstacle for the functioning of the CPCE.

In the light of the foregoing, we have set out our proposals in a table listing the issues analysed, the problems identified and possible solutions. The table is as follows:

Table 2. *Involvement of stakeholders in the permanent economic consultation framework.*

<i>Issue analysed</i>	<i>Problem identified</i>	<i>Possible solution</i>
The actors	Absence of actors in their respective roles	The revision of the CPCE Rules of Procedure to clearly define the role to be played by each category of actors
The organs	Absence of organs in their respective roles	The construction infrastructures of to house all the organs of the CPCE, in order to channel all activities.

Table 3. The involvement of stakeholders in the permanent economic consultation framework in improving the socio-economic situation of the city of Lubumbashi.

<i>Issue analysed</i>	<i>Problem identified</i>	<i>Possible solution</i>
Resources	Insufficient resources	Determining selection criteria for human and technical resources
Operating costs	Lack of operating costs and no willingness to contribute to the operation of the CPCE in accordance with the distribution key set out in the legal texts.	Strengthen mechanisms de mobilisation of funds operation CPCE
Interference from other players	Role encroachment between players	Depoliticization of CPCE by appointing facilitators and recruiting agents who are not linked to political parties or political currents and who will ensure neutrality when managing conflicts through consultation

Table 4. The activities of the permanent economic consultation framework.

<i>Issue analysed</i>	<i>Problem identified</i>	<i>Possible solution</i>
The activities of the General Assembly	Observable gap between remits and activities in the field	Autonomy the of operation of the CPCE as a fully-fledged State structure with legal personality and without being totally dependent on the Ministry of the Economy or on the will of a Minister or Provincial Governor.
The activities of the Office	Observable gap between the office's remit and activities in the field	Revision of the above-mentioned Presidential Decree and the internal regulations, which place the Minister for the National Economy at as Chairman of the CPCE Bureau, given that the latter is a political player, which emanates from a political party and which can be reshuffled at any time.
The activities of the multidisciplinary technical secretariat The activities of the multidisciplinary technical secretariat	Observable gap between the secretariat's remit and practices in the field	Improving working conditions for staff of Technical Multidisciplinary secretariat

6. Conclusion

By focusing on an analysis of effectiveness, because this is indeed a public policy with legal public policy with a legal scope, we wanted to know: What are the constraints on the effectiveness of the activities of the Permanent Economic Consultation Framework in Lubumbashi? This was the main question guiding our research.

These are the concerns raised by this work. These questions are based on observations made in the city of Lubumbashi and raise the issue of the effectiveness of the Permanent Economic Consultation Framework in Lubumbashi and raises the issue

of the effectiveness of the presidential decree n 008/01 of 23 February 2001 [14] creating and organising the Permanent Economic Consultation Framework. We have thus subdivided this work into three main chapters.

From the analysis of the data collected, the economic framework of the city of Lubumbashi is a problematic sector requiring particular attention, because it is governed by several laws and economic principles, but also because of the role that the Permanent Economic Consultation Framework has to play in the operation of economic activities, in supporting economic operators with a view to improving living conditions life of the city's population.

As far as the CPCE's activities are concerned, the results

from the field have shown us that the activities of this structure in the city of Lubumbashi are ineffective, and consequently, when evaluating its impacts, these do not provide sufficient results, since an activity must first be effective before we can talk about its effectiveness and efficiency. If an activity is not effective, it will not be possible to talk about its effects or impact.

To this end, we have noted the difficulties in putting the Permanent Framework for Economic to insufficient resources and interference from other players. These expressions explain the reality of improving the business climate, which is encountering many obstacles.

We conclude with a few practical proposals for effective reform of the CPCE's activities:

- 1) Revise the presidential decree and its internal regulations,
- 2) Make the CPCE legally autonomous,
- 3) Providing the CPCE with appropriate facilities to make it available,
- 4) Improving the working conditions of its staff,
- 5) Depoliticise the CPCE.

Abbreviations

CPCE Permanent Economic Consultation Framework
STP Multidisciplinary Technical Secretariat

Author Contributions

Mpoo Mokuba Alliance David is the sole author. The author read and approved the final manuscript.

Conflicts of Interest

There are no conflicts of interest.

References

- [1] Anadon M. (1984), Qualitative research: from the dynamics of its evolution to undeniable achievements and current questions, in *Qualitative Research*, Vol. 26(1), ISSN 1715-8705. <https://doi.org/10.7202/1085396ar>
- [2] BETAILLE, J. (2012), Les conditions juridiques de l'effectivité de la norme en droit public interne: illustrations en droit de l'urbanisme et en droit de l'environnement, thèse de droit, Université Limoges.
- [3] Blaise, P (1998) The emergence of economic and social consultation in Brussels, in weekly newsletter, no. 1622-1623. Center for Socio-Political Research and Information (CRISP), Brussels. <https://doi.org/10.7202/008842ar>
- [4] Cartuyvels, Y (2004), Criminology and its paradoxical subjects: reflections on a debate that is more relevant than ever, Brussels, FUSL. <https://doi.org/10.3917/ds.314.0445>
- [5] Etienne, A (2014) Economic consultation "1944-1978," Crisp, Brussels.
- [6] Gesualdi-Fecteau, D (2016). On the use of labor law: a theoretical contribution to studies on the effectiveness of law, in *Revue de droit compare du travail et de la sécurité sociale* (1) http://comptrasec.ubordeaux.fr/sites/default/files/resume_abstract/gesualdi-fecyauddrctss_2016-1.pdf
- [7] Jacques, D-M & Kübler, D (2013) Analyzing Public Policy, Grenoble, Grenoble University Press, 2nd ed.
- [8] Jeammaud (2005) The concept of the impact of European social standards: what indicators? CRDS (IETL), University of Lyon 2, study for the European Commission.
- [9] Lascoumes, P. and Le Gales, P. (2012), *Sociology of Political Action*, Paris, Armand Colin.
- [10] Laurence, H & Brigitte, F (2014) Stakeholder consultation and economic development, Paris, Les éditions des journaux officiels, France.
- [11] Leroy, M. (2010), *Taxation, the State, and Society: The Fiscal Sociology of Interventionist Democracy*, Paris, Economica.
- [12] Ministerial Order No. 009/CAB/MIN/ECONAT/MLB/DLK/BLA/ 2015 amending Ministerial Order No. 018/CAB/MIN/ECONAT AND COM 2014 of September 24 relating to the measures for the implementation of the aforementioned decree.
- [13] Mwenze, N. (2022), *Simplified Practice of Interview Observation*, Louvain-la-Neuve, Academia-L'harmattan.
- [14] Presidential Decree No. 008/01 of February 23, 2001, establishing and organizing the permanent framework for economic consultation.
- [15] Pires, A. (2008), *Criminology yesterday and today*, in Ch. Debuyst, Fr. Digneffe, J.-M. Labadie, A. Pires, *History of Knowledge about Crime and Punishment*, 1. From Diffuse Knowledge to the Notion of the Born Criminal, Montreal, Ottawa, Brussels, Ottawa University Press.
- [16] Prieur, M. (2012). The national implementation of international environmental law in French-speaking countries, ed., Limoges, Presses de l'Université de Limoges.
- [17] Siems, M. M. (2011) « Mesurer l'inmesurable: comment transformer le droit en chiffres », dans M. Faure et J. Smits (dir.), *Does Law Matter? On Law and Economic Growth*, Cambridge, Intersentia, p. 115-136.
- [18] Winter, G (2006), chilean lawyer and politician.