



Natural Resource Governance and Community Rights in DRC and Senegal: A Comparative Legal Analysis

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Abstract

Natural resource governance is a critical issue in both Democratic Republic of Congo (DRC) and Senegal, where legal frameworks often struggle to balance state control with local community rights. The research employs a comparative legal analysis approach, examining existing legislation, judicial decisions, and policy documents from both countries. Interviews with stakeholders and case studies provide additional insights into current practices and challenges faced by local communities. A key finding is the significant disparity in how DRC and Senegal allocate rights to natural resources: while DRC's laws allow for extensive community participation, Senegal's policies often favour centralized state management. This discrepancy affects resource exploitation and community livelihoods differently. The study concludes that both countries have room for improvement in aligning their legal frameworks with international best practices, particularly in enhancing the rights of local communities to natural resources. Recommendations include revising Senegal's resource management laws to increase community participation and implementing DRC's successful models where possible. Strengthening enforcement mechanisms is also crucial to ensure compliance and effective implementation of these reforms.

Keywords: *African geography, Community land rights, Customary law, Decentralization, Ecosystem services, Legal pluralism, Resource extraction laws*

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