

# Emalungelo Eluntfu **emphakatsini** **Umshuco**



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# SENDLALELO



Imishuco leminyenti e Ningizimu Africa isukela tikwebuphuya nekungalingani. Indlela lekwakheke ngakhona nekungalingani kwetikhungo lokuchubekako e Ningizimu Africa ngiko lekwenza kutsi kungabi nekutfolakala kwetinsita letisisekelo etindzaweni letiphuyile tase Ningizimu Africa. Kanyenti kwenteka emiphakatsini, noma etindzaweni letitsite temiphakatsi, bavakalise kukhatsateka kwabo ngelizinga lekhumba kancane kweluntjintjo nekungaphakelwa kwetinsita letisisekelo njenge manti, gezi nekutfutfw kwelindle, ngemishuco. Lemishuco, leyatiwa ngekutsi imishuco yekutfula tinsita, esikhatsini lesinyenti igucuke yaba ngulelimata imphahla nendlela lebatiphatsa ngayo, kuvimbela lamanye emalungelo njengelilungelo lemfundvo sisekelo.

Kulinganiswa kutsi i Ningizimu Afrika inemishuco lengca ku- 13 500 njalo ngemnyaka, leminyenti ayinalo ludlame 1. Kut'bophelela kwe Mbuso lekuhlonipha lilungelo lekushuca kusho kutsi kufanele lingavimbeli bashuci kutsi bashuce, kodwa liciniseke kutsi tintfo time ngemumo kuze kutsi bantfu nematicembu basebentise lelilungelo labo lekushuca.

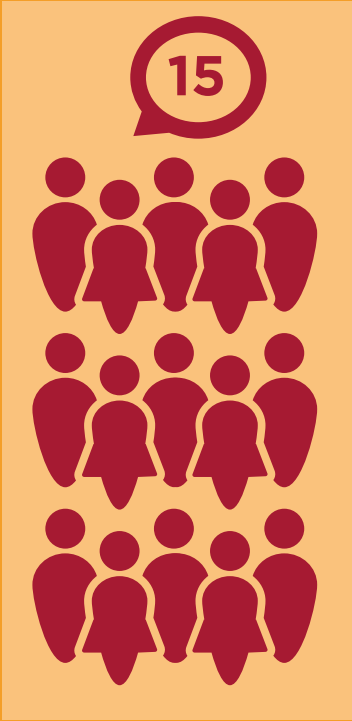
## Utsini Umtsetfosisekelo?

**Wonkhe umuntfu unelilungelo lekuhlangana nalabanye asho umbono wakhe nanoma ngabe yini ngekukhululeka emphakatsini nekutivela bunandzi bekuvikelwa ngumbuso asakwenta loko.**

**Sigaba 17 se Mtsetfosisekelo siniketa kutsi: wonkhe umuntfu unelilungelo, ngekuthula futsi angalinyatwa, lekuhlangana, kumasha, kuphiketha nekubhala ema phethishini.**

**Kusentjentiswa kwalamalungelo kutawenteka ngekuthula kubuye kukhombise kucabangele emalungelo alabanye.**

<sup>1</sup> Lwatiso loluniketwe yi SAPS ngesikhatsi seku Lalelwa Kweluphenyo Lwavelonkhe lwe SAHRC ngemtsela lohlobene nemshuco welilungelo lemfundvo sisekelo e Ningizimu Africa.



## Uyini umtsetfo wa 1993, wekulawula Kubutsana

E-Ningizimu Africa, imishuco yebantfu labengca ku -15 ilawulwa ngu Mtsetfo 205 wa 1993 Wekulawula Imihlangano. Lomtsetfo wabekelwa kulawulwa kwekubamba imihlangano emphakatsini neku masha etindzaweni letitsite nekuniketa tintfo letihlobene nako.

Lomtsetfo ulawula tindzaba letihlobene nekuhlangana letichaza noma ngabe nguluphi luhlobo lwemshuco, kuphikisana noma kugcekana esidlangalaleni.

Umtsetfo 15 wa 2013 Wetikhali Letiyingoti uhlobene ne Mtsetfo Wekulawula Imihlangano lositjela ngalatinye tintfo letivimbela kuphatfwa kwetikhali letiyingoti.

## Iyini indzawo levulekile?



Indzawo levulekile isho noma ngusiphi sitaladi noma umgwaco, ipaki, sikwele semphakatsi, titepisi noma libala lesakhiwo noma indzawo lefana nayo.

## ! Satiso sekushuca

Awudzingi kutfolo imvumo yekushuca kodwa kufanele unikete satiso sekwenta loko.

Sigaba 3 se Mtsetfo wekulawula Imihlangano sicacisa kutsi umhlanganisi wemhlangano utawufaka satiso kungakadluli tinsuku leti-7 ngembi kwelusuku lapho lomshuco utawuba khona, afake satiso sekuhlangana kulophetse uma kwenteka kutsi asikho sidzingo kutsi afake satiso, lomhlanganisi ngembi kwetinsuku leti (7) kungakafiki lolosuku lwekuhlangana, utawufaka satiso ngekushesha kulelitfuba laniketwe lona. Kwengeta, uma lesatiso siniketwe sikhatsi lesingaphansi kwa-48 wema awa kungakacala umhlangano, lolophetse angabhala satiso avimbele lomhlangano.

Noma ngabe nguwuphi umhlangano lowenteka ngaphandle kwesatiso ngumhlangano longekho emtsetfweni.

## Uyini umhlanganisi?



Umhlanganisi kushiwo noma ngabe ngumuphi umuntfu lonelilungelo lekuhlanganisa umhlangano noma umuntfu lokhetfwe sikhungo noma ligatja lesikhungo kuhlanguanisa umhlangano.

## Yini lekufanele ibe kulesatiso

Leminingwane kufanele ifakwe kule satiso:

- Iminingwane yemhlanganisi
- Ligama Lesikhungo
- Injongo yalomhlangano
- Sikhatsi, budze besikhatsi nelusuku lwemhlangano
- Indzawo lapho utawuba khona lomhlangano
- Inombolo lebukelelwe yalabatawube bakhona.



## Liyini ligunya ngekwemtsetfosisekelo Letemisebenti Yemaphoyisa e Ningizimu Africa (SAPS)?

Betemisebenti Yemaphoyisa Eningizimu Africa banemsebenti wekuvikela, kulwa nekuphenya bugebengu, bacinisekise kutsi kunekuthula emphakatsini, bavikele bente kutsi bantfu base Rephabliki bativela bakhululekile bona kanye nemphahla yabo. Kungeta, i-SAPS iniketwe umsebenti wekusekela nekusebentisa umtsetfo kwentela kutsi kube nesimondzawo lesiphephile nalapho bantfu bonkhe base Ningizimu Afrika bativela bakhululekile. Emaphoyisa kufanele avikele noma ngabe yini lengabeka timphilo temphakatsi ebungotini, bacinisekise kutsi tonkhe tiphulamntsetfo tibukana nebulungiswa, bese bahlanganyela babe basebentisa imizamo yabo kutfola kutsi bubangwe yini lobugebengu.

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### Umsebenti wemaphoyisa uma kunekuhlangana noma kumasha

Uma kutawuba khona kuhlangana noma imashi letawenteka, emaphoyisa anga:

- Uma bacabanga kwekutsi angeke bakhone kuniketa kuvikeleka lokwanele nekuvikeleka kulabantfu labahlanganyele kulomhlangano noma kulemashi, atisa umhlanganisi noma labo bantfu.
- Bangavimbela labantfu labahlangene kutsi bangachubekeli kulenye indzawo lehlukile noma baphume endleleni lebaniketwe yona kule satiso noma sichibiyelo ngalokunjalo noma kungahloniphi imigomo yalomhlangano.
- Banganiketa umtsetfo tikwemuntfu noma licembu lebantfu labaphazamisa lomhlangano noma lemashi bese batjelwa kutsi beme kudze nalomhlangano noma lemashi.
- Bangabopha noma ngubani lowenta licala kulombutsano.



## Ayini emalungelo nemisebenti yebashuci?

Umscuci ngamunye unelilungelo nemisebenti we:

- Nkhululeko yenkholo, kwetsemba nembono. Loku kusho kutsi unelilungelo lekucabanga, kwetsemba nekukhonta noma ngabe ngubani lotamkhetsa.
- Nkhululeko yekukhuluma. Wonkhe umuntfu unenkululeko yekusho, kufundza nekufundzela lapho atsandza khona. Inkhulumo yenzondo ayikavumeleki.
- Kubutsana, kumasha, kuphiketha nekubhala luhla lwetikhalo. Wonkhe umuntfu unelilungelo lekubamba noma ahlanganyele tikwemashi, aphikethe bese utfula luhla lwetikhalo. Loku kufanelwe kwentiwe ngekuthula.
- Budlelwano betisebenti. Unelilungelo lekujoyina tinyonyana tibasebenti aphindze ateleke. Tonkhe tisebenti ne/noma umcashi unelilungelo lekuhlela nekuba nendlela yekuchubekisela embili tifiso takhe. Loku kufanele kwenteke ngekwe mtsetfo futsi kungasabisi laba labangangeneli siteleka.



## Umsebenti we SAHRC



**INKHOMISHANE YEMALUNGELO ELUNTFU E NINGIZIMU AFRICA (LE NKHOMISHANE) SIKHUNGO SAVELONKHE SEMALUNGELO ELUNTFU LESINIKETWE LIGUNYA NGU MTSETFOSISEKELO KUVIKELA, KUGCUGCUTELA, NEKUGADZA EMALUNGELO ELUNTFU KULELIVE. KWENGETA, LE NKHOMISHANE INEMSEBENTI WEKUPHENYA, KUBIKA, NEKUSITA NGEKULUNGISA LAPHO KUNGENTEKA KHONA, BACWANINGE, NEKUFUNDZISA NGEMALUNGELO ELUNTFU.**

Le Nkhomishane iniketwe emandla ngekwe Mtsetfo 40 wa 2013 Sigaba 13 na 14 Semalungelo Eluntfu Eningizimu Afrika kwenta luphenyo nekulalela tindzaba letitsandvwa ngumphakatsi kuze kutsi bakhone kwenta tincomo letidzinga kutsi kugadvwe kutsi emalungelo eluntfu ayahlonishwa.

Nga-2016, le Nkhomishane ihlele Kulalelwa Kwavelonkhe nge Mtselela Wetento Letihlobene-Nemishuco kuleli Lungelo Lemfundvo Sisekelo. Le Nkhomishane ibambe loku kulokunye lokutfolakele kutsi:

- Lelilungelo lemfundvo sisekelo litsikametwa tento letihlobene nemishuco esikhatsini lesinyenti tibangelwa kutsi atikahlobani nemibandzela yetemfundvo sisekelo.
- Bashuci labangavumeli kutsi kungenwe kumfundvo sisekelo abalihloniphi lilungelo letemfundvo sisekelo lebafundzi labatsintsekako.
- Letento letihlobene nemishuco tibamisa kabi labafundzi ngoba abakavunyelwa kuta ngesici sabo noma bayasatjiswa kutsi bangeti etikolweni, nesakhiwonthanti lesi lebatsembele kuso kuze batfole imfundvo siyalinyatwa noma sidzilitwe.



- Kusabela kwe Litiko Letemfundvo Sisekelo ne SAPS ngalesinye sikhatsi kutsetse sikhatsi kwahamba kancane futsi kubonakala kwangatsi abanayo inchubomgomo nendlela lefanako lebekiwe yekubukana naletehlakalo.
- Kungabi khona kwendlela lekahle yekuchumana phakatsi kwetiphatsimandla nemiphakatsi letsintsekile letawenta kutsi babe netindlela letitawubasita nabadzinga kusitwa kulokukhala kwabo. Ngekubukana netikole ngco , emalungelo ebantfwana emfundvo sisekelo ayalimala.
- Umsebenti wekucinisekisa kutsi bantfwana , bothishela netikole kuphephile akusiko kwelitiko linye kuphela, futsi bekungacaci kutsi nguliphi litiko lebelihamba embili uma kunemishuco leyenteka etikoleni.
- Ngalesinye sikhatsi kungasebenti kahle kwebuholi kuhulumende wasekhaya kuba nemtselela lomubi emizameni yekulungisa letinkhinga letivelako, ngaloko lilungelo lemfundvo sisekelo liyalimala.
- Kunesidzingo sematiko ahulumende , ikakhulu ezingeni lahulumende wasekhaya kutsi bakhulumisane kancono nemiphakatsi ngetintfo letibalulekile temiphakatsi.
- Kunesidzingo sekugcugcutela bantfu kutsi batfole tindlela letinsha tekusho tikhalo tabo kuze kutsi tento tabo tingabi nemtselela lomubi tikwemalungelo abo njengelilungelo lemfundvo sisekelo.

## Imimango ishuka ngebunyenti

Lwatiso loluniketwe be-SAPS kuloku Kulalela Nekuphenya Kwavelonkhe kwe SAHRC nge Mtselela Wetento Letihlobene Nemishuco kuleli Lungelo Lemfundvo Sisekelo e Ningizimu Afrika lwekwaba khona e Braamfontein nga 2016 kukhombisa kutsi:

- Kulesikhatsi seminyaka lemitsatfu lesingu- 2012 kuya ku-2014 i Gauteng ibe nemishuco leminyenti kunato tonkhe letifundza.
- I Cape Town ibe ngulecishe yaba nemishuco leminyenti ngobe ibe na 84 wemishuco, ilandzelwa yi Johannesburg, e Thekwini, Tshwane ne Ekurhuleni. Phakatsi kwabo labomasipala labasihlanu basemadolobheni babalelwe ku hhafu yayo yonkhe lemishuco lebhalisiwe.
- Kubonakala kweludlame loluhlobene nemishuco kuchubekile kwandza. Inombolo yemishuco lebe neludlame ikhule kakhulu nga 2014. Nga 2007 phansi kwehhafu kuphela yemishuco lebeyihlobene neludlame. Nga 2014 cishe 80% walemishuco beyineludlame lolwentiwe ngulabashuci netiphatsimandla.

### Emalinki lalusito

Lihhovisi la Nkhomishane Losetulu we Malungelo Eluntfu - [www.ohchr.org.za](http://www.ohchr.org.za);  
[Kubutsana lokukhululekile@ohcr.org.za](mailto:Kubutsana lokukhululekile@ohcr.org.za) (Umbiko Lokhetsekile we Mave Lahlangene ngelilungelo lenkhululeko yekubutsana nekuhlangana ngekuthula).

Sikhungo Senkhululeko Yekukhuluma - [www.fxio.org.za](http://www.fxio.org.za)

Lombiko uyatfolakala ku webhusaythi [www.sahrc.org.za](http://www.sahrc.org.za)

# Iminingwane Yekuchumana

## EMAHHOVISI ESIFUNDZA

### Eastern Cape

Address: 4th Floor Oxford house,  
86 Oxford street, East London, 5200  
Tel: 043 722 7828/21/25 | Ifeksi: 043 722 7830

#### I-Menenja ye Sifundza

##### ***M Abongile Sipondo***

Contact: Yolokazi Mvovo  
E-mail: ymvovo@sahrc.org.za

### Free State

18 Keller Street, Bloemfontein  
Tel: 051 447 1130 | Ifeksi: 051 447 1128

#### I-Menenja ye Sifundza

##### ***Mr. Thabang Kheswa***

Contact: Alinah Khompeli  
E-mail: akhompeli@sahrc.org.za

### Limpopo

First Floor, Office 102, Library Garden Square,  
Corner of Schoeman and  
Grobler Streets, Polokwane  
Tel: 015 291 3500 | Ifeksi: 015 291 3505

#### I-Menenja ye Sifundza

##### ***Mr Victor Mavhidula***

Contact: Mahlatse Ngobeni  
E-mail: mngobeni@sahrc.org.za

### Northern Cape

45 Mark and Scot Road,  
Ancorley Building, Upington  
Tel: 054 332 3993/4 | Ifeksi: 054 332 7750

#### I-Menenja ye Sifundza

##### ***Ms Chantelle Williams***

Contact: Zukiswa Louw  
E-mail: zlouw@sahrc.org.za

### Western Cape

7th Floor ABSA building,  
132 Adderley Street, Cape Town  
Tel: 021 426 2277 | Ifeksi: 021 426 2875

#### I-Menenja ye Sifundza

##### ***Adv Lloyd Lotz***

Contact: Shafeeqah Salie  
E-mail: ssalie@sahrc.org.za

### Gauteng Office

2nd Floor, Braampark Forum 3,  
33 Hoofd Street, Braamfontein  
Tel: 011 877 3750 | Ifeksi 011 403 0668

#### I-Menenja ye Sifundza

##### ***Mr Buang Jones***

Contact: Nthabiseng Kwaza  
E-mail: nvkwaza@sahrc.org.za

### KwaZulu-Natal

First Floor, 136 Margaret Mncadi, Durban  
Tel: 031 304 7323/4/5 | Ifeksi: 031 304 7323

#### I-Menenja ye Sifundza

##### ***Ms Tanuja Munnoo***

Contact: Kathleen Boyce  
E-mail: kathleenboyce@sahrc.org.za

### Mpumalanga

4th Floor Carltex Building,  
32 Bell Street, Nelspruit  
Tel: 013 752 8292 | Ifeksi: 013 752 6890

#### I-Menenja ye Sifundza

##### ***Mr Eric Mokonyama***

Contact: Carol Ngwenyama  
E-mail: cngwenyama@sahrc.org.za

### North West

25 Heystek Street, Rustenburg  
Tel: 014 592 0694 | Ifeksi: 014 594 1069

#### I-Menenja ye Sifundza

##### ***Ms Mpho Boikanyo***

Contact: Poppy Mochadibane  
E-mail: pmochadibane@sahrc.org.za

## Ungachumana njani ne SAHRC

Forum 3, Braampark Office Park, Braamfontein

Johannesburg

Tel No: 011 877 3600

[www.sahrc.org.za](http://www.sahrc.org.za)

E-mail: [info@sahrc.org.za](mailto:info@sahrc.org.za)

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