

Indima edlalwa yi-SAHRC

Ikomitihini yamaLungelo wobuNtu eSewula Afrika (i-SAHRC) imkhandlu ozijameleko ohlonywe mThethosisekelo ukobana utjheje, uvikele begodu uthuthukise ukuzuzwa kwamalungelo wobuntu enarhenethu.

I Sewula Afrika inabantu abahlala emaplasini abangaphezukweengidi ezima-20. UmThethomlingwa wamaKhotso weNdabuko (i-TCB) wenziwa ngaphandle kokubonisana kanye nokubandakanya imiphakathi yabantu abahlala emaplasini. I-SAHRC seyamukele imiraro eminengi ephathelene nokungabinelwazi mayelana nokumnyethweko kanye nalokho kutjhiwoyi-TCB, kufakwe hlanguka ukungabikhona kokubonisana lokha nakwenziwa ikambiso yetlhatlha.

Ikambiso yemithetho ephathelene namasiko we-Afrika iqakatheke tle emaphilweni wabantu abanengi abahlala kilenarha. Emzameni wokulungisa indlela yokwenzangcono ukungenelela kudemokhrasi, kubulungiswa ebudzimelele kumalungelo obufiswa mThethosisekelo, kuqakathekile ukufaka ukubandakanya abantu kizozoke iinkambiso zedemokhrasi, kufakwe hlanguka nalabo abasemaplasini. I-SAHRC iyayivuma imithetho ephathelene namasiko ekhambisana nokutjhuguluka kobujamo bephasi mazombe begodu ekhambisana nomthethosisekelo wethu.

I-TCB, nangabe ibamthetho, lokho kungadala bona kubekhona ukwepulwa kwamalungelo wabomma kanye nemi ndenabo. Nasiqala umlando wesikhathi seabandlululo wokuhlanakela amaqiniso, i-TCB izakukhona ukalalisa ukuragela phambili kokubandlululwa kwabomma.

Umbuso unikelwe babantu amandlawo wokubusa begodu kufanele usebenzele abantu. Kuqakathekile ukobana i-TCB imiraro yoke emnyethwe ngaphakathi kwayo. Labo abaphetheko kufanele balalele imiphakathi yemaplasini bese bathuthukisa imithetho evikela amalungelwayo.

Nalokha i-SAHRC inekghono kanye nemithombo eyimbijana, isebenzisana namanye amaziko weenhlanguka ezibizwa bona ma-Chapter 9 Institutions kanye nama-NGO ukusiza imiphakathi ukobana iqinisekise bona imiraro yabantu emayelana namalungelo wobuntu iyararululwa etlhatlheni elenziwe ngobutjha le-TCB.

The aim of the SAHRC is to transform society, secure rights and restore dignity!

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ISINDEBELE



UYINI UMTHETHOMLINGWA WAMAKHOTHO WENDABUKO (AMABANDLA)

Isirhunyezo se-SAHRC



Ukuzibandakanya komphakathi lokha nabekusifundobandulo somthethomlingwa wamakhotso wendabuko

Ukutjhugulula umphakathi

Ukuvikela amalungelo

Ukubuyisa isithunzi

Uyini umthethomlingwa wamakhotho wendabuko?

Isendlalelo:

- Umthethomlingwa wamakhotho wendabuko (i-TCB) wathoma wafakwa ntanzi epalamende ngomnyaka ka-2008 ufakwa mNyango wezoBulungiswa nokuThuthukiswa komThethosisekelo, kanti-kengawo kwabekuhloswe ukunikela itlhatlha elisemthethweni kanye nokuhlonitjiswa kwamakhotho wendabuko kanye nemithetho ephathelene namasiko ngendlela ekhambisana ngayo nomThethosisekelo.
- Ikambiso yokwenza itlhatlha le-TCB labeli tshwaywe kungabikhona kokubonisana nayo yoke imiphakathi ebongazimbi ethintekako. Kwabonisanwa namakhosi kwaphela.
- I-TCB yokuthoma yahlatjwa bahlanganyeli ngesimanga seenzathu ezimbalwa ezizwakalako ezimayelana nekambiso.
- Yonakanye i-TCB, enee mphakamiso zonezo, yethulwa kusiGunguseliZweloke sama Phrovinsi(i-NCOP) ngomnyaka ka-2012 ukuthola umbiko obuyako kumaphrovinsi, ngokwenza ikambiso yokulalela emaphrovinsini.
- I-NCOP yabhalelwa kulawula ukubonisana nemiphakathi eseendaweni zemakhaya ngendlela etjengisa ikghono lokobana boke abantu bakghone ukuveza imibonwabo ngaphandle kokwesaba nanyana ukuzanyelwa— okuyinto eqakatheke khulu kilawo mezwi agandelelweko.
- I-SAHRC, umphakathi, nabantu abathintekako boke nje baphikisana ne-TCB ngoku khuluma ngomlomo nangokuthumela iimphakamiso ezitlolwe phasi, nango kuzibandakanya eenkulumiswaneni zamaphrovinsi.

Imithetho yendabuko:

- Isigaba 211 somThethosisekelo sinikela ngokobana ihlangano, ubujamo kanye nendima edlalwa makhosi we ndabuko yaziwe begodu ikhambisane nomThethosisekelo.
- Amakhosi kwakade akhona ehlanganweni begodu bekararulula imirarohlangana nemiphakathi yawo yemakhaya, ukusukela emirarweni esezingeni eliphasi ukuya kweliphezulu khulu.
- Kuliqiniso bona indlela imilandu igwetjwa ngakhona ngokwekambiso yama siko kubekhona ukufihleka kwelwazi kibo boke abantu ababandakanyekako.
- Umthetho ophathelene namasiko unikela amaphuzu afanako walapha kungaqalwa khona mayelana nalabo abahlala emaplasini, begodu ukhambisana nemikghwayo kuhlukana kwabantu ngokwamasiko emiphakathinethu.
- Kuqakathekile bona sikhumbulei Ndlela yama siko kanye nemikghwa begodu nokufuna ukusekela imikghwa yama siko weSewula Afrika. Okhunye okuqakathekileko kumthethosisekelo kuya kuqinisekisa lokhu, okufana nemithetho evamileko, imithetho ephathelene namasiko njenganje sekufanele nakanjani ukhambisane nomThethosisekelo.

Imiraro ekhona kile-TCB ifaka hlangana:

- Ukungabikhona kokubonisana nabantu bemaplasini lokhona kwenziwa ikambiso yetlhatlha nokubonisana ngalokho okumraro kiyo i-TCB;
- lindlela ezimbili ezihlukeneko zokungenelela kumalungelo wobulungiswa kwenziwe: yinye ngeya labo abahlala eendaweni zemaplasini; enye ngeyabo boke abantu be Sewula Afrika. Lokhu kusafana nekambiso ye-Aparteyidi yama Bantustans;
- I-TCB ayinikeli ikghonakalo yokobana umuntu akhethekiyo. Imithetho ephathelene namasiko nokwenza kuyahluka emiphakathini engaphakathi kwe Sewula Afrika begodu iyingcenyeyo yoku notha kwamasiko kanye nekhethe elinikelwa kumThethosisekelo wethu. Omunye nomunye umuntu kufanele kghone ukuzenzelala ikhethe lokobana ingabe ukhambisana nemithetho ephathelene namasiko womphakathi;
- I-TCB itjheja khulu amakhosi ngikhonje ungakhambisani namanye amazing kanye neengaba zelawulo lamasiko;
- Kwenza ikosi ukobana kubengiyo kwaphela ebasiphathiswa esengameleko nanyana usihlalo wekhotho yendabuko. Lokhu kunikela amandla woke emuntwini oyedwa okungenzeka abenama rhamaru kubene pambano yekareko ngendaba ekuthethwe isiqunto kiyo. I-TCB inikela amakhosi amandla wokwenza imithetho, isebenzise umthetho bese ithatha iinqunto ngerarano elibakhona kileyondawo apethekiyo, ngalindlela i-TCB yenza kube budisi ukuhlola nanyana ukutjhintja iinqunto ezingakalungi;
- Ilungelo loku sebenzisa umthetho kumakhotho layo lehlisa isithunzi sokuqakatheka seenqunto ezizijameleko ezithethweko mayelana nokuthi ngubani okufanele abekwe umlandu ngokwesi nghonghoyilo. Ukubeka umlandu kufanele kuhlukaniswe;
- Angeze kwaba neendlela ezizwakalako ngeenghonyo zomhlobo ofanako, begodu ayikho indlela engabonelwa phambili mayelana nokuthi ngiwuphi umhlobo wokuzi phatha ofanele ubalekelwe esikhathini esizako. Omunye nomunye umdosiphambili angalawula ngendlela abona ngayo okuzakwenza bona abadosi phambili ngokuhlukana kwabo baqale umthetho ngeendlela ezihlukeneko;
- Ilungelo loku bonakala nokuvikelwa kwabomma alika vezwa kuhle;
- Amalungelo wabantwana akavikelwa ngokwaneleko;
- Ukujezisa okunga kghoneka kungafaka hlangana ukukatelela, imisebenzi enga bhadelwako begodu kungaphetha ngokwephulwa kwamanye amalungelo,

ngikhonje kuqalelwa phasi ilungelo lokuphathwa ngesithunzi;

- Ngaphandle kokuphulwa kwesisekelo samalungelo, iinqunto ezimbalwa kanye neezejezo angeze kwanghonyolwa ngazo. Lokhu kuzaku vimbela abantu ilungelo lokobana iindaba zabo zizwiwe ebandla nanyana ekhotho yomphakathi

Sikuphi njenganje?

I-TCB yathunyelwa kumaphrovinsi begodu kwaba neengcoco ezabanjwa ngenyanga ka Sihlabantangana neka Mrhayili 2012. Kwaba nobudisana ngendlela iingcoco ezaragwa ngayo; ukobana ngubani obeka zengamele nanyana angusihlalo; ikghonakalo yokobana abantu bakhulume; neenkhwelo zokobana imiphakathii kghone ukukhambela iingcoco. Nanyana kunjalo, eminye imiphakathi yemaplasini yakghona ukuthatha ithutjana lokobana iyozi bandakanya ku-TCB.

I-SAHRC, kanye nabahlanganyeli bomphakathi wokana, babamba iimfundobandulo mayelana ne-TCB begodu bebakhona eengcoco. I-SAHRC, kanye nabanye, benza iimphakamiso ngomlomo ezinye bazitlola phasi mayelana ne-TCB bazithumela epalamende ku Komiti ebizwa ngokuthiwa yi-Parliamentary Portfolio Committee on Justice and Constitutional Development. Okhunye godu i-SAHRC nayo yaveza iinghonyo zayo mayelana ne-TCB ngoku khuluma emirhatjhwini yomphakathi ehlukeneko.

Iimbetha mthetho zama phrovinsi zatjheja i-TCB, kiwo woke amaphrovinsi maphrovinsi amabili kwaphela angakhange akhambisane nayo ngendlela engayo njenganje, amanye amaphrovinsi akhange akhambisane nayo begodu abawa bona kukhitjelelwe okhunye okuwezweko. Ikomiti ye-NCOP yeke yathatha isiqunto sokobana ifake ekambisweni okhunye okungasiyo ingcenyeyo ekhambisana nomthetho—igadango elingeziweko lapha amaphrovinsi athatha yona i-TCB Bukobana abuyelele ikambiso yokubonisana kanye nokubuyela emvaku komiti ye-NCOP ihlandla lesibili kube negunya.

Enyangueni ka Rhoboyi 2012, uNgqongqotjhe wabo Mma nabe Ntwana, kanye nabantu abaphila nokukhubazeka baveza iinghonyo zabo mayelana ne-TCB. Umnyango wezoBulungiswa nokuThuthukiswa komThethosisekelo, okungiwu oqalene ne-TCB, waveza bona angeze wabuyela emva, kodwana ukobana iinkhibelelo ziza kwenziwa bajameli bekomiti ye-NCOP.

Iindlela zeNdabuko zoku Rarulula umRaro

Ukobana i-TCB ibese mthethweni, kufanele yenze isiqiniseko sokobana yenziwa ngokobana kufakwe hlangana ukubonisana nemiphakathi yemaplasini ngokuzeleko, khulukhulu abomma, abasendaweni eyodwa ngendlela ethuthukisa khudlwana ukucocisana nokuvikelwa boke abantu ekutheni bangathuselwa nanyana bangasatjiswa. Kunesidingo sokobana yoke imiraro evezwe ngehla le ilungiswe.