



Zyeelelo Zyaampandamunsaka Munzila Imvwisisika:

*Constitution of Zimbabwe
Amendment (No. 20) Act 2013*



1. Niinzi Zyelelo Zyaampandamunsaka?

Ikkata Lyamulawu wanyika nguumulawu mupati munyika uupandulula mbiiyelede kulelwa nyika. Zyelelo Zyaampandamunsaka (*Declaration of Rights*) zijanika muChaandano ChaNe muKkata Lyamulawu wanyika yesu. Chaandano eechi chipandulula zyelelo antoomwe angwangunuko bantu nzibeelede kujana mubuumi bwabo kakutakwe uubabinda.

Zyelelo zyantutu ningwangunuko nzibeelede kubaazyo nkaambo kakuti mbantu. Zyelelo zijanika muZyelelo Zyaampandamunsaka nzyeelelo zyakasindaminwa muKkata Lyamulawu wanyika zyelelede kukwabililwa amulawu chiindi choonse. Milawu iinyansya zyelelo zijanika muZyelelo Zyaampandamunsaka taakwe niinga ilapangwa pe adomane kwazuminanwa kuti ikkama lyazyeelelo zyaampandamunsaka lwalyo lizumizye. Fumbwa mulawu uunyansya akukazyania aazyeelelo zijanika muzyeelelo zyaampandamunsaka, ooyo mulawu weelede kubambululwa nkaambo tuuzumizigwi pe. Kuti zyelelo eezi zijanika muzyeelelo zyaampandamunsaka zyatolwa, sikutyolelwa zyelelo ooyo ulazumizigwa kuya kunkuta akakumbile kuliigwa. Ulakonzya kuya kunkuta mpati yaajulu iitegwa ni Constitutional Court kaambo kakwe kakalangwelangwe kabotu.

Izyeelelo Zyaampandamunsaka zijanika muKkata Lyamulawu wesu pya lijisi zyelelo zisiyenesiyene. Kuli zyelelo zyameendelezyo aanyika, zyantutu antoomwe azyabukkale bwabantu. Kabiyo zyelelo zyazilengwa zituzyungulukide zilajanika muZyelelo Zyaampandamunsaka. **Zyelelo Zyameendelezyo Eenyika (*Civil and Political rights*)** nzyeelelo nzyalaazyo muntu nkaambo kakuti wakazyalilwa antoomwe akukomenena munyika eeyo. Zyelelo eezi zikwabilila muntu kuti atajatwi buzike afulumende wakwe, tumwi tubunga antoomwe abamwi bantu banjanika munyika. Zyelelo eezi kabiyo zizumizya muntu kuti anjile mumabambe aakweendelezegwa kwanyika yakwe kakutakwe uumukasya naakuti kumusaluula.. Mukozyanisyo wazyeelelo zili boobu nzeezi: cheelelo chakupona, cheelelo chakwaangunuka, cheelelo chakutasonsegwa awumwi muntu,

ngwangunuko yakwaambuula mbayanda muntu, yakuswaanana abamwi bantu mboyanda/tubunga ntoyanda, angwangunuko yakunjila mumabambe azyameendeleyo eenyika. Zyelelo zili boobu zitegwa nzyeelelo zyalutaanzi (*first generation rights*) nkaambo nzizyelelo zyakataanguna kulemekwa aansi lyoonse mbulizulwa.

Zyelelo Zyabuvubi, Bukkale aTunsiyansiya twabantu (*Economic, social and cultural rights*) zijata zyelelo zilaatala akusimatizya antoomwe akusumpula maponeno aamuntu mubukkale bwakwe. Zyelelo eezi zili mbuuli cheelelo chakuti muntu woonse weelede kubeleka mulimu uumupa mali/mpindu, cheelelo chakujana chakulya, cheelelo chakujana chiyusilo, cheelelo chakujana lwiiyo, cheelelo chakujana maponeno maboutu, cheelelo chakwiiya mulaka wako. Zyelelo eezi zitegwa nzyeelelo zyachibili (*second generation rights*) nkaambo zyakazoolemekwa nikwakazwa aakulemekwa zyelelo zyaatala ameendeleyo eenyika. **Zyelelo Zyakukamantana azyatubunga (*Solidarity and group rights*)** azilazyo zitegwa nzyeelelo zyachitatu (*third generation rights*). Eezi zyelelo nzezi ziili mbuuli cheelelo chakujana lusumpuko, cheelelo chakupona muluumuno, cheelelo chakukkala mubusena butakwe tombe.

Zintu zili mbuuli zyelelo zyabantu, milimu yeelede kuchitwa abantu antoomwe amilimu yeelede kuchitilwa chisi, zintu ziboneka kazikamantene kabiyo zyeendela aamwi. Muntu woonse ulamulandu wakulemekwa zyelelo zyabamwi antoomwe akuba aamukuli wakutobela akulemekwa zyaambwa aKkata Lyamulawu wanyika yaZimbabwe ayimwi milawu iijanika munyika. Nkinkaako zimwi zyelelo zijanika muZyelelo Zyaampandamunsaka zilakonzya kutazuzikizigwa muchiindi chimwi kuchitila kuti buumi bwaluundu bube kabotu. Kabiyo eezi zichitilwa kuti zyelelo zyabamwi bantu tazityolwi.

2. Sena zimwi nyika zilaalyo na Kkama Lyazyelelo Zyaampandamunsaka?

Nyika zyiingi zilizisi zyelelo zyaampandamunsaka mumaKkata aaMilawu yabo yanyika. Eezi zilajanika mumanyika manji aabelesya kkata lyamulawu lyamazuba aasunu, nyika zili mbuuli; South Africa aNamibia.

3. Nziizili zyelelo zijanika muzyeelelo zyaampandamunsaka?

Zyelelo zikwabililwa akkata lyamulawu wanyika yesu nzyingi kabiyo zijatikizya eezi: Zyelelo Zyameendelezyo Aanyika (*Civil and Political rights*); Zyelelo Zyabuvubi, Bukkale aTunsiyansiya twabantu (*Economic, social and cultural rights*); Zyakukamantana azyatubunga (*Solidarity and group rights*); azyeelelo zyatubunga tulisantide. Eezi zitondezya kuti fulumende ulilipedeledede kulela nyika eeyi kwiinda mukulemeka zyelelo zyantutu, munzila yajandabanji antoomwe amububalangale. Zyoonse eezi zilatondeezegwa muzyaandano zisiyenesiyene ziyakkata lyamulawu wanyika yesu pya. Muchaandano chitaanzi zyoosne eezi zijanika muBwaalo BwaMulawu (*founding provisions*), Chaandano chabili – Mpalamo zyanyika, Chaandano chatatu- Zyelelo zyantutinyika (*citizenship*) antoomwe azyeelelo zyaampandamunsaka zijanika muchaandano chaNe. Zyelelo zyaampandamunsaka zibangila fulumende antoomwe amitabi yakwe iisiyenesiyene muzibeela zyoonse zyanyika kuti alemeke zyelelo eezi. Kabiyo zyelelo zyaampandamunsaka zibikka mukuli kubantu, luundu antoomwe atubunga kuti boonse beelede kulemeka zyelelo eezi mbuuli mbuzibede. Bantu antoomwe atubunga kweelede bakwabililwe kabiyo bajane lugwasyo kuzyeelelo eezi zijanika muZyelelo Zyaampandamunsaka.

Nikulangwalangwa zyelelo zijanika muzyeelelo zyaampandamunsaka, inkuta zyoonse zyamunyika zyelede kuchenjelela zintu zitobela:

- milawu yakatambulwa aamanyikamanyika manji aansii aano (*international law and all treaties and conventions*) kabiyo njitwakatambula aswebo mu Zimbabwe;

- zyoonse zibeela zyaKkata Lyamulawu wanyika yesu, ikapati impalamo zyanyika antoomwe abwaalo bwamulawu mbuuli mbukupandulwidwe muchaandano chabili;
- zikomezegwa mubukkale bwabantu bweendelezegwa munzila yajandabanji kakulemekwa bweendelezegwe bwanyika bubalangele, bulaabululami, bulemeka chiimo chamuntu, bweelanisya muntu woonse akwaangununa muntu woonse

Kabiyo inkuta zyoonse zyeedelede kuchenjelela imwi milawu yakunze yazimwi nyika.

3.1 Nziizili zyelelo zijanika muZyelelo Zyaampandamunsaka

Eezi zitobela nzyeelelo zilembedwe muZyelelo Zyaampandamunsaka :

Cheelelo chakupona

Muntu woonse ulacheelelo chakupona.

Pesi, Kkata Lyamulawu wanyika lilazumizya kuti muntu ajeegwe na wajanika kalaamulandu wakujeya muntunyina achaali. Nikuba boobo inkuta tazikonzyi kupa chisubulo chalufu pe kubantu batobela:

- Kumuntu woonse wasunda mulandu kalaa minyaka ilaansi kwamakumi obile awumwi (21 years).
- Kumuntu woonse uulaa minyaka iiyinda makumi musanu awabili (70 years);
- banakazi.

Bana batana tumbukwa abalabo balijisi cheelelo chakupona. Mulawu uzoobikkwa uupandulula zyiindi nikweelede kuti mwanakazi agwisye bula/ida zili mumulawu.

Cheelelo chakwaangunuka kwamuntu

Woonse muntu ulacheelelo chakwaangunuka. Eezi zibikkilizya cheelelo chakutabikkwa muchitookesi kutatoledwe kunkuta pe naakuti kakutakwe mulandu nguwasunda pe. Taakwe muntu uunga ulasungwa nkaambo kakutyola

chizuminano naakuti cheene pe. Eezi zyaamba kuti taakwe muntu uunga ulasungwa pe nkaambo kakuti wakachilwa kuliya chikwelete.

Zyeelelo zyabaange naakuti balimuchitookesi

Zyeelelo zyabo bantu aaba nzeezi:

- kwaambilwa mulandu ngubasunda/ngubaangilwa;
- cheelelo chakwiimininwa aSimulawu munkuta yalubeta;
- kutaangilwa kuzumina mulandu ngwaakatasunda;
- kwaambilwa zyeelelo zyabo chiindi chakwaangwa;
- ulacheelelo chakuumuna kwaambuula chiindi nuwasungwa;
- kwaambila nzubo zyako kuti waangwa;
- kutatolelwa kwaangunuka kwako;
- kutongawuka nzila njibakwaanga aayo kuti kiitali mumulawu;
- kulemekwa akutasonsegwa kuti kuli mumaboko aamapulisa naakuti mujele.

Kabiyo muntu woose waangwa weelede kutolegwa kunkuta achakufwambaana mukati kachiindi chitiindi mawola ali makumi aane alaamusanu aatatu (48hrs). Eezi tazikwe kuti muntu waangwa kumamanino aamviki kiinjila mumugibelo, nsondo naakuti mubuzuba bwakulyookezya. Muntu watatolwa kunkuta mukati kachiindi chamawola aasika makumi aane alaamusanu aatatu weelede wagwisigwa muchitookesi nkaambo mulawu mbuwamba.

Cheeelo chakujatwa aabulemu

Muntu woose uzyedwe kajisi bulemu mubuumi bwakwe boonse kabiyo cheelelo chakulemeka bulemu bwamuntu cheelede kukwabililwa akutatyolwa.

Cheeelo eechi chisimatizigwa kapati muKkata Lyamulawu wanyika. Tachili cheelelo chijanika kachilisantide luzutu pe muchibeela 51 pesi nchiichimwi chazeezyo zijanika mubwaalo bwakkata lyamulawu wanyika muchaandano 3. Mbuuli mbukwaambwa kale

bulemu bwamuntu nchintu cheelede kulemekwa zyakuti inkuta zyoonse zyeede kukomezya nizichita milimu yazyo.

Cheelelelo chakujana lukwabililo lwakwe muntu

Muntu woose ulacheelelelo chakuchita mbabona kazimweede aatala amubili wakwe antoomwe amizeezo yakwe. Eezi zibikkilizya zitobela:

- cheelelelo chakutanjila mumpyompyongano antoomwe amulumamba;
- cheelelelo chakuchita mbayanda muntu aatala azyakuzyala bana bakwe;
- cheelelelo chakutabelesegeza muziyo zyakufunuuka akuyanduula bwiime bwazintu zipya (*scientific or medical experimentation*), naakuti kugwisigwa kwazipanzi zyamubili muntu katazumide kuti agwisigwe.

Kwaangunuka kuzwa mukusonsegwa akujatwa bunkala munzila iigwisya bulemu bwamuntu.

Taakwe muntu uunga ulasonsegwa pe aamubili naakuti muboongo bwakwe.

Taakwe muntu weede kupegwa chisubulo chimugwisya bulemu bwakwe pe.

Kwaangunuka kuzwa kubuzike

Taakwe muntu weede kujatwa buzike pe naakuti kukasigwa kuchita nzyayanda aatala abuumi bwakwe.

Ngwanguko kuzwa kukwaangilwa kubeleka mulimu ngutayandi

Taakwe muntu weede kwaangilwa kuchita mulimu katayandi pe/ ngwaatalisalila pe mwini.

Kweelana kwabantu antoomwe akutasaluulana

Woose muntu ulelene kunembo lyamulawu kabiyo woose muntu weedelede kukwabililwa amulawu. Boonse baalumi abanakazi bajisi myeenya iikozyania mubuumi kuzintu zyoonse zichitikana mubuumi; mulizyakweendelezegwa

kwanyika, zyabuvubi, zyabukkale bwabantu, azyatunsiyansiya. Woonse muntu ulacheelelo chakutasaluulwa pe abamwi kwiinda muzintu zisiyenesiyene mbuuli bunanyika bwakwe, mubala wachikumba chakwe, mulaka wakwe, musyobo wakwe, nkombyo yakwe, kabunga kazyanyika nkanjide, tunsiyansiya twakwe, nkwazwa kubusena, bwanakazi/bwaalumi bwakwe, bulema bwakwe, minyaka yakwe, kuba aada kwakwe, mayeeyelo aakwe, nzila njaakazyalwa aayo, azimwi zintu zinga zilapa kuti muntu asaluulwe.

Fulumende weelede kupanga milawu iiwamba kuti bantu kweelede bajatwe bweelene mubuumi. Weelede kuchita zintu zikwabilila akusungwaazya bantu batakwe nguzu zyakulikwabilila mubuumi nkaambo kabubumbwe amaponeno aabo abamwi bantu. Eezi kuti zyachitwa takunooli kwategwa nkusaluula pe nkaambo nkuyanda kugwasya bantu bakadyamizigwa.

Cheelelo chakuba aansiswa

Cheelelo eechi chibikkikizya zitobela:

- kutanjilwa kwalubuwa lwako, muunzi wako, n'anda yako kakutakwe mvumo pe;
- kutasechwa kwamubili wako, n'anda yako, alubono lwako kakutakwe mvumo pe;
- kutanyeegwa lubono lwako zitali mumulawu;
- kutanjililwa muzyaambo zyako nzuwambuula aaluwayile, aanjobolamakani mumagwalo aako awumwi muntu katakwe mvumo;
- kubbulula bwiime bwamalwazi aamuntu we mwini katayandi kuti zizibikane abamwi bantu.

Kwaangunuka kwakuswaanana, kulyidilana akubungana abamwi bantu

Woonse muntu ulacheelelo chakubungana, kulyidilana akuswaanana aabamwi bantu mbayanda. Kabiyo muntu ulacheelelo chakusala kutayanda kuswaanana,

kulyidilana antoomwe akubungana aabantu mbatayandi mwini. Muntu takweelede kuti waangilwa pe kuti abe umwi wakabunga nkatayandi naakuti anjile mumiswaangano njatayandi.

Kwaangunuka kwamuntu kuti atongawuke antoomwe akulemba aansi zintu zyamuchima

Woonse muntu ulacheelelo chakutongawuka akung'ung'una aawo mpaajatwa bubu akutondezya kutabotelwa kwakwe kwiinda mukuzilemba aapepa eezyo nzyatayandi mpawo pepa walipa baabo bakonzya kuzizyotolola. Pesi kutongawuka akung'ung'una ooku kweelede kwachitwa muluumuno.

Kwaangunuka mulizyakulibeteka kulilyamoyo

Woonse muntu ulaangunukide kuti alilye moyo antoomwe akulibeteka mwini, eezi zijatikizya kwaangunuka kwamuntu kuti awambe mbayeeya, maboneno aakwe, kukomba zintu nzyayanda/Leza ngwayanda aantanganana naakuti munsiswa. Taakwe muntu uunga ulaangilwa kuchita chikonke chiteendelani aankombyo yakwe pe. Bazyali antoomwe abaabo bazyali balelede bana bateensi babo balacheelelo chakugwasizya mwana nzyeelede kukomba akuchita mubuumi. Pesi eezi tazyeelede kukazyania pe acheelelo chamwana kuti ajane lwiiyo, lukwabililo, zyakusilikwa abukkale bubotu. Basinkombyo balakonzya kuyaka mayake aawo mpubatanoochitile nkombyo zyabo.

Ngwangunuko yakwaambuula akumwaya twaambo/milumbe

Woonse muntu ulacheelelo chakwaangunuka kutiambuule nzyayanda, eezi zibikkikizya zeezi:

- kwaangunuka kwamuntu kuti ayanduule, atambule akumwaya mizeezo ayimwi milumbe;
- kwaangunuka kupanga zikozyanisyo, kuchita mfunkululo, antoomwe akulumba zintu zyalwiiyo muntu kaangunukide

Kabiyo:

- Ngwangunuko yabasimumwaya milumbe/twaambo azimwi nzila zyakwaambuzyania azilazyo zyelelo zyabo zilakwabililwa. Basimutola twaambo tabeelede pe kwaangilwa kuti babbongonone bantu bakabaambila twaambo ntubakamwaya kuluundu/ ntubakalemba mumapepatwaambo.
- Maanda aasikapepele aamwaya milumbe alakonzya kupangwa kakutakwe chikachizya pesi ayelede kutobelezya milawu yakujana mvumo yakutaanguna kubeleka.
- Basikumwaya twaambo babelekela fulumende tabeelede pe kutola mabazu mulizyatubunga twazyanyika. Beelede kuchita mulimu wabo mbuuli mbubawubona kakweelede nikuba kuti mayeeyelo aabo anoli akazyania amizeezo yafulumende, tazikwe ndaba.
- Ngwangunuko zyakulyambwiida antoomwe akumwaya milumbe atwaambo takweelede pe kuti zyabanzila zyakusungwaazya lupyopyongano, kulwanisya akuchisa bantu. Kabiyo takweelede pe kuti basimutola twaambo kabanjilila nsiswa zyantantu kabatapedwe mvumo.

Kujana zyaluzibo antoomwe amilumbe

Woonse munaZimbabwe naakuti wakapegwa mvumo yakubeleka kakkede muZimbabwe ulacheelelo chakujana luzibo antoomwe amilumbe zibambidwe afulumende aawo luzibo oolo mpulweelede kubelesegwa kutondeezya bulewusi bwafulumende kwiinda munchito zyakwe fulumende. Cheelelo eechi chilabelesegwa atubunga tuli mbuuli makkampani ang'anda zimwaya milumbe azilazyo kuti zyelede kujana luzibo luyandikana. Kabiyo woonse muntu ulacheelelo chakujana luzibo/ milumbe iibambidwe aawumwi muntu antoomwe afulumende aawo luzibo oolo mpuluyandikana kubelesegwa mukukwabilila cheelelo chabamwi bantu.

Boonse bantu beelede kubuzya fulumende, mitabi yafulumende antoomwe

atumwi tubunga-bunga tubeleka aafulumende kuti bamwaye naakuti kuzyotolola zilembedwe bubu aatala ambabo naakuti zilembedwe munzila iitaluleme yakubeja..

Milawu yeelede kupangwa yakusimatizya cheelelo eechi.

Milawu eeyi ilakonzya kukasya lumwi luzibo kuti talweelede kupegwa bantu boonse pe nkaambo kakuti ninsiswa yafulumende yakukwabilila nyika mbiizulwa naakuti ninsiswa yazyamilimu. Kukasya ooku kweelede kwachitwa munzila iibalangala muchisi cheendelezya jandabanji.

Mulaka antoomwe atunsiyansiya

Muntu woonse ulacheelelo chakubelesya mulaka ngwayanda antoomwe akutobelezya tunsiyansiya twakwe. Pesi mukutobelezya cheelelo eechi muntu tayeledede kutyola zyelelo znyabamwi pe bantu mbuuli mbuzyaambidwe muKkata Lyumulawu wanyika yesu. Ikkata Lyumulawu wanyika yesu likomezya milaka ilikkumi amusanu awumwi (*16 languages*) iitobela: Chewa, Chibarwe, English, Kalanga, Koisan, Nambya, Ndau, Ndebele, Shangani, Shona, sign language, Sotho, Tonga, Tswana, Venda and Xhosa.

Ngwangunuko zyamilimu

Woonse muntu weelede kulisalila antoomwe akuchita mulimu ngwayanda mwini. Pesi mabelekelo aamulimu ooyo ayelede kutobelezya milawu iiliwo.

Zyelelo znyababelesi

- Woonse muntu ulacheelelo chakujatwa kabotu kakutobelezegwa milawu yakubelekelana aakati kabasikubelekelwa ababelesi antoomwe akubbadalwa mali iyelelede mulimu ngwalokuchita muntu.
- Woonse mubelesi weelede kubeleka munzila iiyandikana amulawu.
- Woonse muntu, aanze kwabaabo babeleka milimu yakukwabilila nyika (basilumamba, tuswiilizyabavwiya amapulisa), ulacheelelo chakupanga kabunga

antoomwe akunjila mukabunga kakapangwa kale kalaatala akwiimininwa kwabablesi aamilimu yabo.

- Woonse muntu, aanze kwabaabo babeleka milimu yakukwabilila nyika (basilumamba, tuswiilizyabavwiya amapulisa), ulacheelelo chakutongawuka aatala amabelekelo aakwe kuti taajatwa kabotu aamilimu. Eezi zijatikizya cheelelo chakutakata mulimu akukkala mubelekelwa kabatabeleki pe bantu. Pesi mulawu ulakonzya kukasya bamwi babelesi bachita imwi milimu yakuvuna buumi bwabantu kuti tabeelede pe kutakata milimu.
- Banakazi abaalumi bajisi zyelelo zikozyania kabiyo beelede bafola mali iiyelene nibabeleka milimu iikozyania.
- Banakazi beelede kupegwa mazuba akuya kukulyookezya nichasika chiindi chakuyanda kutumbuka kuli baabo banooli balaada. Bulamfu bwachiindi eechi nchibeelede kupegwa busika kumyeezi iitatu.

Ngwangunuko yakweendeenda akukkala munyika

Woonse muntu ulacheelelo chakunjila muZimbabwe akutagwisigwa kuzwa muZimbabwe kabiyo acheelelo chakujana Pasipoti antoomwe awamwi mapepa azyakweenzya.

Woonse muntu munaZimbabwe awoonse ooyo wakanjila munyika yaZimbabwe zili mumulawu ulacheelelo chakwendeenda kaangunukide fumbwa nkwayanda kuya munyika, akukkala fumbwa nkwaayanda munyika antoomwe akubbuda munyika nichiba chili chiindi nchaayanda.

Zyelelo zyameendelezyo aanyika

Woonse munaZimbabwe ulacheelelo:

- chakunjila munsaluuzyo zyakusala bazuluzi zichitwa mukubalangala kazichitwa chiindi nizyelede kuchitwa kakutobelezegwa mulawu wanyika;
- chakusala zeezyo nzyayanda aatala ameendelezyo aanyika
- chakusala munsiswa antoomwe akuyanda kuvootelwa kuti wasisya minyaka

kkumi lilamusanu atutatu (18 years).

Kwiinda muKkata Lyamulawu waZimbabwe bantu bamuZimbabwe balacheelelo:

- chakupanga akunjila mutubunga twakweendelezwa nyika amutubunga tuliwo;
- kukombelezwa bantu muluumuno kuti bavootele kabunga nkuyanda
- kunjila mumabambe azyakweendelezwa nyika aasiyenesiyene.

Woonse munaZimbabwe uujisi minyaka iisika akwiinda kkumi lilamusanu atutatu (18 years) ulacheelelo chakuvoota antoomwe kuyanda kuvootelwa kuti ajane chuuno chabuzuluzi nchayanda. Munzila yakusungwaazya kuvula kwatubunga twakweendelezwa nyika , kweeleda kwapangwa mulawu uupa kuti fulumenfe ape mali tubunga twazyakweendelezwa nyika.

Cheelelo chakweendelezegwa kwazyabululami

Woonse muntu ulacheeleleo chakweendelezegwa kwazyabululami munzila iilimumulawu amububalangale. Woonse muntu ulacheelelo chakwaambilwa kufwambaana kwiinda mumalembe aatala akunyonganisigwa kwameendelezezyo aazyabululami.

Cheelelo chakubetekwa zizwide

Woonse muntu watamizigwa mulandu ulacheelelo chakubetekwa zizwide munzila iilaantanganana kabiyo kiibalangala muchiindi chifwiifwi munkunta yamulawu yabwini.

Woonse muntu ulacheelelo chakwiinka kunkuta zyalubeta kabiyo alisalile lwakwe simulawu utamwiimine munkuta yamulawu.

Zyeelelo zyantutu batamizigwa mulandu

- Woonse muntu watamizigwa mulandu ulazyeelelo zinji zimwi nzeezi:
- kubonwa katakwe mulandu domane nkuta yamujana

kalaamulandu kwiinda mulubeta;

- kwaambilwa achakufwambaana mulandu ngwaawangilwa muntu;
- kupegwa chiindi chinji kuti muntu alibambile zyaambo zyakoolisakwida munkuta yalubeta;
- cheelelo chakuyanduula simulawu uunga ulamwiimikilila munkuta yamulawu kamubbadala lwakwe sikwiimikililwa;
- cheelelo chakuti fulumende ayandwiide sikusunda simulawu uunga ulamwiimikilila munkuta yalubeta kabbadalwa afulumende;
- cheelelo chakubetekwa mumulaka ngwamvwa kabotu sikusunda;
- cheelelo chakubawo nabetekwa muntu peepe kubetekwa kutawo;
- kweeta bukamboni munkuta yamulawu busakwida nzwaamba kabiyo acheelelo chakukazya bukamboni bweetwa aawumwi ukutamizya mulandu;
- kutansika mulandu wako kunkuta yaajulu kuti teewakkutikana achisubulo nchuwapegwa;
- cheelelo chakuti mulandu wako ulangwelangwe ankuta yaajulu;
- cheelelo chakukasya bukamboni bweetwa munkuta nkaambo nzila njibwakajanwa aayo yakatyola zyelelo zyaampandamunsaka.
- cheelelo chakutabetekwa mulandu wakatali mulandu kusaanguna;
- cheelelo chakutabetekelwa mulandu wakali walekwa naakuti wajanika kutaakwaawo.
- Cheelelo chakupegwa malembe alaatala akubetekwa kwako muchiindi chifwiifwi nilwamana lubeta. Kweelede wabbadala mali inche zwayo kuti uwapegwe malembe aaya.

Zyelelo zyaatala alubono

Woonse muntu ulacheelelo chakuula lubono ndwayanda, kubamba lubono, kuuzya lubono, kupa bamwi bantu lubono lwakwe, kujatisya bamwi bantu lubono lwakwe. Zyoonse eezi zikonzya kuchitwa muntu kalaalikke naakuti kabali mukabunga.

Woonse muntu ulacheelelo chakutanyeegega lubono lwakwe adomane wanyeegega

kwiinda mumulawu. Aawo muntu mpanyeegwa lubono lwakwe mweini lubono weelede kwaambilwa aatala akunyeegwa kakuchili chiindi chiingi kabiyo wabbadalwa aawo mpukweelede kuti abbadalwe. Aabo bayanda kutola lubono lwamuntu beelede kukumbila nkuta kuti ibape manguzu akutola lubono lwamuntu ooyo. Kuti bapegwa mvumo eeyo beelede kutola lubono oolo mukati kamazuba aali makumi otatwe (30 days).

Muntu ulaalubono luyanda kutolwa ulacheelelo chakukasya kutolwa kwalubono lwakwe kwiinda mukukumbila nkuta kuti imugwasizye kutatolwa kwalubono lwakwe antoomwe akulilalila kumuliyo ngwaapegwa abasikumubbadala. Pesi cheelelo eechi chijana buyumuyumu muzyaambo zilangene azyakutolwa kwamyuunda/mafamu mbuuli mbukupandulwidwe aansii.

Cheeelo chakujana busena bwakulima

Fulumende ulakonzya kutola nyika yakulima kuzwa kubalimi kayanda kukkazika bantu bayanda busena bwakukkala anyika yakulima, kayanda kubambulula mabelesezyo aanyika, kubyala minsamu antoomwe akubamba zituzyungulukide naakuti kuyanda kulonzya bantu bakakkale kumbi. Kuti nyika eeyo yatolwa afulumende ngayaba nyika yafulumende.

Taakwe kubbadalwa pe kumuntu watolelwa nyika yakwe yakulima kwiinda munzila yaambidwe muKkata Lyamulawu. Pesi muntu ulakonzya kubbadalilwa lusumpuko ndwaakachita aanyika njaatolelwa.

Kubbadala balimi bakatolelwa myuunda yakulima afulumende mukuli wanyika yamakuwa yakabeetede ikapati Britain.

Zyelelo zyazituzyungulukide

Woonse muntu ulacheelelo:

- chakukkala mubusena buteeti malwazi
- chakukwabilila zituzyungulukide kuchitila kuti mazyalane aalino awajuunza agwasikane kuzintu zituzyungulukide.

Fulumende weelede kupanga milawu azimwi zinga:

- zilapa kuti takubi kubisigwa kwamaanzi, muuya antoomwe anyika munzila njizitabeleseki;
- zilasungwaazya kukwabilila akuyobolola zituzyungulukide
- zilasimatizya bwiime bwazituzyungulukide antoomwe amabelesezyo mabotu aazintu zyakaanzwa aSikabumba kuchitila kuti bantu basumpuke mubukkale bwabo.

Fulumende weelede kuchita zimwi zinga zilapa kuti zyelelo eezi zitatyolwi.

Ngwangunuko yakutayandogwisigwa achanguzu kutayandi

Taakwe muntu uunga ulalonzegwa aamuunzi wakwe naakuti amwayilwe muunzi wakwe kakutakwe mvumo iizwa kunkuta yamulawu itanooli yapegwa mvumo kakuli kwalangwalangwa bulingolingo boonse buyandikana kulangisisigwa.

Cheeelo chakujana lwiiyo

Woonse munaZimbabwe abaabo bakapegwa mvumo yakuchita kakkalila muZimbabwe bajisi cheelelo:

- chakujana lwiiyo lwakumatalikilo kalubbadalilwa aFulumende. Eezi zibikkikizya lwiiyo lwabantu bakakomena.
- Chakwiiya kuya kunembo kwiinda mukugwasigwa afulumende kakubelesegwa milawu azimwi zinga zilachitwa. Fulumende weelede kuchita kuti kube kuuba kujana lwiiyo munyika

Woonse muntu ulacheelelo chakupanga zikolo zilyiimvwilidi pesi zikolo eezi tazyeelede kusaluula bantu pe kwiinda munzila zisiyenesiyene zyaambidwe muKkata Lyamulawu wanyika.

Fulumende weelede kuchita zyoonse nzyakonzya kuti cheelelo eechi chizuzikizigwe.

Cheeelo chakujana kusilikwa muzibbadela

Woonse munaZimbabwe antoomwe abaabo bakapegwa mvumo yakuchita kakkalila muZimbabwe bajisi cheelelo chakujana mpubanga balasilikwa malwazi

akulangwalangwa zya bwiiime bwamibili yabo. Eezi zibikkikizya cheelelo chakugwasigwa muli zyakutumbukwa kwabana.

Woonse muntu uupona kachiswa bulwazi butola chiindi ulaacheelelo chakujana lugwasyo lwakusilikwa zyabulwazi bwakwe. Taakwe muntu uunga ulakasigwa kusilikwa muchiindi naanjila muntenda nikuba kuli chili chibbadela.

Fulumende weelede kuchita zyoonse nzyakonzya kuti zyeelelo eezi zizuzikizigwe kuti kaziliwo zibelesyo.

Cheeelo chakujana chakulya antoomwe ameenda

Woonse muntu ulacheelelo chakujana maanzi antoomwe achakulya zitakwe malwazi.

Fulumende weelede kupanga milawu azimwi zintu zinga zilapa kuti cheelelo eechi chizuzikizigwe kuti kaziliwo zibelesyo. .

Zyelelo zyamakwatane

Woonse muntu ulaaminyaka ilaajulu kwakkumi amusanu aminyaka yotatwe (18 years) ulacheelelo chakukwata/kukwatwa mpawo atalike kuyaka muunzi wakwe. Taakwe muntu uunga ulaangilwa kukwatana aamuntu ngwatayandi pe lwakwe. Baalumi/Banakazi tabakonzyi kukwatana aabalikke.

Bupanduluzi bwiindilide bwazimwi zyelelo

Chibeela eechi muKk Kata Lyamulawu wanyika chipa bupanduluzi bwiindilide aatala azimwi zyelelo antoomwe angwanguko kuchitila kuti bantu bazimvwisisisye kabotu akuzitobelesya.

Zyelelo zyabanakazi

- Banakazi bajisi bulemu bwachiimo chamuntu buzwide mbuuli mbwalaabo

mwaalumi. Bajisi zyelelo zikozyania azyabaalumi kabiyo zyelelo eezyo zijatikizya cheelelo chakupegwa myeenya iiyelene ayabaalumi mubuumi, muzibeela zyakweendelezegwa kwanyika, mubuvubi bwanyika amubukkale bwabantu.

- Banakazi abalabo bajisi zyelelo zyakubamba akukkala aabana. Ipalyamenti ilakonzya kupanga mulawu uupandulula bulingolingo bweelede kuchitwa kuti cheelelo eechi chizuzikizigwe kabotu.
- Yoonse milawu atunsiyansiya twabukkale bwabasikale tudyaamizya akutyola zyelelo zyabanakazi zilimuKkata Lyumulawu wanyika, zyelede kusweegwa nkaambo zidinkaana amulawu mupati.

Zyelelo zyanana

Woonse mwana (woonse muntu ulaaminyaka ilaansi kwakkumi amusanu ayitatu-18 years) ulazyelelo zitobela:

- cheelelo chakujatwa bweelene abamwi bantu kunembo lyumulawu wanyika;
- cheelelo chakupegwa zina amutupo naazyalwa;
- cheelelo chakujana pepa lyakuzyalwa achakufwambaana;
- cheelelo chakujana lukwabililo akuvubwa abazyali naakuti abamwi bantu;
- cheelelo chakukwabililwa kuzwa kukuchitwa muzike mbuuli kubelesya bana mulizyabusangu, kubelesegwa ziyumu, kusonsegwa, kutakatwa , azimwi nzila zyakujata bana buzike;
- cheelelo chakujana lwiiyo akusilikwa, kulya chakulya cheelede antoomwe akujana chiyusilo;
- cheelelo chakutaangilwa kunjila mutubunga twabasilumamba akulwana nkondo kabachili bana;
- cheelelo chakutanjila mutubunga twazyameendelezyo aazyanyika;
- cheelelo chakutabikkwa muchitookesi/mujele adomane kwabulika nzila zimbi zinga zilatobelwa
- kuti wabikkwa muchitookesi/mujele, kweelede kaali mabambe achiindi chifwiifwi, kabiyo kabikkidwe aalikke kuzwa kubantu bapati balimuchitookesi antoomwe

akujatwa kweelede..

Muzintu zyoonse zilaangene abaana, eezyo nzyanda mwana nzizyo zitobelwa. Bana beelede kukwabililwa kapati ankuta zyamulawu ikapati nkuta ya *High Court*.

Zyeelelo zyantutu bakachembaala

Woonse muntu ulaaminyaka iisika kumakumi musanu awabili (70 years) ulacheelelo chakujana:

- lugwasyo nilucheya luzwa kulifulumende antoomwe akuzwakumpuli yakwe;
- lugwasyo lwazyakusilikwa kaluzwa kulifulumende
- lugwasyo lwamali luzwa kulifulumende.

Fulumende weelede kuchita zyoonse nzyakonzya kuti zyeelelo eezi zizuzikizigwe kuti kaziliwo zibelesyo.

Zyeelelo zyantutu balemene

Fulumende weelede kuchita nzyanga ulachita, kuti zibelesyo kaziliwo, kugwasya bantu balemene kuti bajane nzibayanda akubelesya luzibo ndubalaalo antoomwe azipigo zyabo mubuumi bwabo. Nzyeelede kuchita fulumende zijatikizya:

- kubagwasizya kuti bakonzye kulichitila milimu iinga ilabapa mali;
- kubagwasizya kuti bakkale aampuli zyabo antoomwe akuti babe aachakuchita muzintu zyiingi zichitikana mubukkale bwampuli zyabo azyakulikondelezya kwabo;
- kubakwabilila kuzwa kukusonsegwa akujatwa buzike abamwi bantu;
- kubagwasya kuti bajane kusilikwa kumalwazi aamubili antoomwe akubakkazika mayeeyelo aabo
- kubagwasizya zikolo zinga zilabapa lwiiyo;
- kubagwasizya kuti bajane lugwasyo lwakuyiisigwa afulumende.

Zyeelelo zyantantu bakalwana nkondo yalwaangunuko

Bantu bakalwana nkondo yalwaangunuko mbaabo bakalwana munkondo, bakagwasizya munkondo munzila zisiyenesiyene naakuti bakaangidwe kwachiindi chilamfu kabaangilwa zyanyika muchiindi niyakali kulwanwa nkondo yalwaangunuko. Bantu aaba beelede kuzibikana kuti bakalwana nkondo yalwaangunuko antoomwe akupegwa bulemu bweelede. Nkaako beelede kuchitilwa zintu zili mbuuli kupegwa mali yakubelesya yabantu bakaleka kubeleka akujana kusilikwa nibachiswa. Ipalyamenti yeelede kupanga mulawu upandulula kuti banoozijana biyeni zyoonse eezi.

4. Sena eezi zyeelelo zyaampandamunsaka kuli chiindi na mpuzyelede kulekwa kuzuzikizigwa?

Kkata Lyumulawu wanyika pya lijisi zibeela ziche zikachizya kuzuzikizigwa kwazyeelelo zyaampandamunsaka ngibati ma *'claw back clauses'* kwiinda muKkata Lyumulawu wansiku lyakajisi zibeela zyiingi zyakali kukachizya mabelekelo azyeelelo zyaampandamunsaka. Ma *'claw back clauses'* nzibeela zijanika mumulawu zikachizya kuti zyeelelo zizuzikizigwe mbuuli mbukweelede. Minchali eeyi njibati ma *'claw back clauses'* ipandulula zyiindi mpuziteelede kubeleka zyeelelo zyaampandamunsaka. Chibeela chijisi ma *'claw back clauses'* nga chipandulula zimwi zintu zinji zyeelede kulangisisigwa akuti nchobeni zyeelelo zyaampandamunsaka zileelede na kukachizigwa kubeleka ibiyo aawo nikunga bulumbu bwanjila mubuyumuyumu kuti zyazuzikizigwa.

Pesi nikuba boobo, zimwi zyeelelo tazikonzyi kukachizigwa mbuuli cheelelo chakupona (domane muntu naapegwa chisubulo chalufu ankuta yalubeta), cheelelo chakulemeka bulemu bwamuntu, cheelelo chakutasonsegwa naakuti kujatwa buzike munzila iisampula, cheelelo chakutaangilwa kubeleka antoomwe acheelelo chakujana mweenya wakubetekwa uuzwide.

Kakuyungizigwa zyaambwa kale zikachizya kuzuzikizigwa kwazyelelo zyaampandamunsaka, Kkata Lyamulawu lilazumizya kabiyo kuti zyelelo zyaampandamunsaka zyiimikile kubeleka kuti nyika yanjila muchiindi champyompyongano naakuti chankando.

5. Zyelelo zyaampandamunsaka zilakonzya na kubambululwa?

Lilakonzya kubambululwa nchobeni. Zyelelo zyaampandamunsaka nchibeela chaKkata Lyamulawu wanyika. Mulawu wanyika ulakonzya kubambululwa nichiba chili chiindi fumbwa zyatobelezegwa ziyandikana kuchitwa. Pesi kulibuyumuyumu kubambulula Zyelelo Zyaampandamunsaka kwiinda kubambulula zimwi zibeela zyaKkata Lyamulawu wanyika. Fumbwa masandu aachitwa kuZyelelo Zyaampandamunsaka kweelede masandu aayo apedekezegwa kubulumbu bwanyika boonse kuti buvoote kabwatambula naakuti kwaakaka masandu aayo aachitwa *munational referendum*.

6. Zyelelo eezi zizuzikizigwa biyeni?

Ikkata Lyamulawu wanyika lipa nzila zyiingi zyakuti zyelelo eezi zijanika muChaandano 4 zizuzikizigwe antoomwe akusumpulwa.

Ikkata Lyamulawu wanyika lyakapanga nkuta yalubeta yaajulu iitegwa ni *Constitutional Court* iibeleka kubona aatala akuzuzikizigwa antoomwe akulemekwa kwazyelelo eezi. Eezyo nziyaamba nkuta eeyi zibangila zyoonse nkuta zyambeta zilaansi. Muchiindi chisika kuminyaka musanu ayibili kuzwa mpulitanooli lyatambulwa Kkata Lyamulawu eeli, Babetesi Nkuta ya *Supreme Court* mbabo kabiyo batanoojanike kunkuta ya *Constitutional Court*.

- Kuti muntu wabona kuti cheelelo/zyelelo zyakwe zyaampandamunsaka zyatyolwa naakuti ziyanda kutyolwa, ulakonzya kulembela ku *Constitutional Court* kuti kaambo kakwe kakamvwigwe nkuko. Ikkata Lyamulawu wanyika ipya

eeli, lizumizya fumbwa naba uuli muntu uyiimikilide naakuti uyiimikilila bamwi bantu naakuti uyiimikilila kamwi kabunga katakoznyi kwiinka akalikke kunkuta ya*Constitutional Court*, kuti bantu baliboobo biinke kunkuta eeyi bakajane lugwasyo. Muntu uunga wayinka kunkuta eeyi ngooyo uubwene kuti cheelelo/zyeelelo zyakwe zijanika muChaandano 4 (Mukkama Lyazyeelelo Zyaampandamunsaka) zyatyolwa naakuti zyaamba kutyolwa. Inkuta eeyi ilakonzya kugwasizya mbuuli mbukweelede.

- Muntu ulakonzya kabiyo kukumbila mu Betesi kuti atole kaambo kakwe kunkuta ya*Constitutional Court* kuti kali wabona kuti cheelelo/zyeelelo zyakwe zyaampandamunsaka zyatyolwa naakuti zyaamba kutyolwa. Mu Betesi waNkuta weelede wazumina kutola kaambo aako kunkuta eeyi yaajulu. Pesi kuti mu Betesi wabona kuti chikumbizyo eecho tacheelede pe kuyoosika kunkuta yaajulu, ulakonzya kukakila sikukumbila kuti kaambo kakwe kakasike kunkuta yaajulu.
- Kubawo kwaNkamu Zilyiimvwilidi (*Independent Commissions*) njiimwi nzila yakubona kuti zyelelo zyaampandamunsaka zyzuzikizigwa ikapati iNkamu yaZyelelo Zyabantu muZimbabwe (*Zimbabwe Human Rights Commission*) a Nkamu yakweelanisigwa kwabanakazi abaalumi muZimbabwe (*Gender Commission*). Inkamu Zilyiimvwilidi eezi zikonzya kupokoola kuyanduulisisya kuti eezyo zyamang'alwa nzyanchobeni na aatala akutyolwa kwazyeelelo zyantutu pesi Nkamu zilyiimvwilidi tazikonzyi kupa zisubulo zili mbuuli zyantutu yamulawu.