

Malembo Aabami Abasimabbuku

Aakulanganya Nguzu Zyabuntususu



CITONGA



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Acronyms

AU	African Union
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex
PSAf	Panos Institute Southern Africa
UDHR	Universal Declaration of Human Rights

Amatotelo

Aka katabo kantungulushi sha cikaya akabona pa nsambu sha bantu, kapekanishiwe naba Panos Institute Southern Africa (PSAf). Kabikilwe pamo naba Landilani Banda incenshi iyi ibombela yenka, abo bafwailishe ilyashi lyonse elyo abapitulwikemo no kusalululamo fimo niba Mamoletsane Khati elyo naba Lilian Kiefer abaku kabungwe ka PSAf.

Akabungwe ka PSAf kabili kako tota iofeshi lya calo ca Canada muno Zambia ilyaba mu Lusaka pakutungilila umulimo wakusansha intungulushi sha cikaya mukupwisha kwa kapatulula, ico icalengele ukulemba kwa aka katabo.

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Pakumfwilapo nafimbi nangu ukulomba utu tutabo, lembeleni ba :

Panos Institute Southern Africa (PSAf)

Plot 9028 Buluwe Road, Woodlands

P. O Box 39163

Lusaka, Zambia

Tel: +260-978-778148/9

Fax: +260-211-261039

Email: general@panos.org.zm

Website: www.panos.org.zm

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Ntalisyo

Mbunga ya Panos Institute Southern Africa (PSAf) ilalemekezya luzyibo atwaambo twakupa kuti nenzila yakugwasyiliza mbunga zyandeene kuti batole lubazu mumilimo yalusumpuko.

Mulikaako,mbunga eeyi ilabelesya nzila zyandeene kugwasyiliza kuti bantu kabaabana twaambo twalusumpuko kwiinda mumbunga zyabantu zyandeene ,kubona masimpe kuti twaambo twabelesyegwa mukutola kumbele lusumpuko .

Mbunga zyabantu iimwi iibeleda aambunga ya PSAF kuleta kuchincha mubukkale bwabantu mbami abasimabbuku ,balo bajisi nguzu yakubambulula akucincha mizeezo yabantu azyianza zyatunsiyansiya twabasikale ,akaambo kamulimo mupati ngobabeleda mukukomezya akuyandiliza bukwabilizi bwanguzu zyabuntususu mucilawo eeco,kulanganya zyiianza zyabukkale azyatunsiyansiya twabasikale zyipa kuti kakuba lusalululo ,butunduluzi alimwi akusulaikwa.

Ootu twaambo tulanganya nguzu zyabuntususu mulikaako twakalembwa kutegwa cibe nchecitondezwo catwaambo kubami abasimabbuku twalo tuyakugwasyiliza kuti babeleke mulimo wabo bweelede.Malembo aamubbuku eeli ngakusoleka kubona masimpe kuti twaambo twajanika akujanwa twalo tuyakugwasyiliza basimabbuku abami kuti bazyibisyisye nzila ziyibikkidwe zyoolwe zyoakonzya kubelesya mukukwabilila nguzu zyabuntususu.

Basimabbuku abami bazyibisyisya kaambo aaka ciyakugwasyiliza kusumpula mulimo wabasimabbuku abami mukukwabilila nguzu zyabuntususu mucilawo nchobalela akukkala.

Ooyu mulumbe uuli mubbuku eeli ulakulwaizya bami abasimabbuku kuti bayandilize nguzu zyabo alimwi ampuwo zyabo kwiinda mukuyungizya kuluziyibo ndobajisi alimwi atwaambo tobazyi. Kuba aaluzyibo ninguzu ziyipati.

Bami abasimabbuku bajisi luzyibo balijisi nguzu yakukweleleza kuti kube kutola lubazu kwabantu mulusumpuko lutolelela munzila iilikabotu kwiinda nobakanyina luzyibo.Ciindi bapegwa lwiiyo akusensemunwa ,nchubauba kuti balo beendeleze kabotu bantu bamucilawo nchobeendeleza alimwi azyibeela zyimwi zykonzya kugwasya kutegwa zyintu zyeende bweelede.

Twaambo twapegwa mukabbuku aaka tulagwasyiliza kubamba cisyiko cakuti bami abasimabbuku baye ambele mukukulwaizya bantu mukutola lubazu kabajisi luzyibo alimwi akubona masimpe kuti mbunga zyandeene zyatobela malailile aaya alimwi akucita zyintu bweelede.

Nkusyoma kwesu kuti eeli bbuku liyakugwasyiliza kumbaakani yakubelekela antoomwe bamai abasimabbuku mukukwabilila nguzu zyabuntususu muzyilawo mukkala bantu calo kumane ciyakugwasyiliza kusumpula bukkale abuvwubi bwambunga zyabantu bapengede .

Twaambo ootu twakalembwa munzila eeyo yalo iiyakugwasyiliza kuti bami abasimabbuku babelekele antoomwe ababelesi bakumutabi uulanganya zyamakansulo mbunga zyamfwulumende alimwi ambunga zyitalikumbatizyi kumfwulumende kukulwaizya kugwasyiliza mbunga zyabantu bapengede muzyilawo mobakkala alimwi akusensemuna bantu kujatikizya nguzu zyabuntususu.

Tulijisi kusyoma kuti bami abasimabbuku twaambo twakalembwa mubbuku eeli tuyakubagwasyiliza kubapa luzyibo akuyiisya alimwi alimwi azyibisyisya twaambo twanguzu zyabuntususu akusumpula mulimo wabo wakukwabilila nguzu zyabuntususu.



Lilian Kiefer
Mweendelezi
Kumbunga ya PSAF

Kwakazyilwa

Mbuli cisi calo cikkala kutobela Mulawo Mupati Wacisi naa constitution walo uupa kuliiba akwaanguluka kukanana twaambo twacisi, cisi ca Zambia cilakwabilila nguzu zybuntususu zyantutu bamucisi caco kwiinda Mumulawo Mupati Wacisi naa Constitution mucikuwa. Mulawo Mupati Wacisi naa Constitution ngomulawo mupati mucisi walo uujisi amilawo iilanganya nguzu zybuntususu naa Bill of Rights yalo iijanika mucibeela catatu. Kunze buyo kwa Mulawo Mupati Wacisi, cisi ca Zambia kumane cakazumina akusimba kuzyibeela zyamilawo zybuntususu yamuciinga anyika yoonse mboizulwa. Eezi zyibeela zyamilawo zyakabikkwa kutegwa kuti zyipe bukwalizi kukutundululwa kwamilawo zazyabuntususu mbuli lusalululo, kusulaikwa alimwi akupenzyegwa.

Nokuba boobo, nokuba kuti kuli nguzu zybuntususu zyalo ziyibikkidwe mu Mulawo Mupati Wacisi akuzuminwa kwamilawo zazyabuntususu nyika yoonse. Cisi ca Zambia cicijana buyumuyumu bunji mukukwabilila alimwi akuzwidilizya nguzu zybuntususu. Bantu balijana kapati mupenzi eeli lyabutunduluzi bwanguzu zybuntususu mucisi ca Zambia mbaamakaintu, bana, bantu bakacembaala, bantu bapika ntolongo, bantu balema, alimwi abantu bapona aakazunda kaleta bulwazi bwa sikalileke, naa HIV, kumane abantu balo bakwatana baalumi mulicabo (gay) naa bamakaintu mulicabo (Lesbians), bantu bakwelelezyegwa kunkwela kuli boonse bamaaluminyina abamakaintu naa bamakaintu nyina abaalumi (Bisexual), bantu balimvwa kuti naa mwaalumi ulimvwa kuti ujisi zyizo zylubide naa mukaintu ulimvwa kuti ujisi zyizo zylubede akuti weede kuba mwaalumi (transgender) alimwi abaabo bakwelelezyegwa kuba aankwela kumwaaluminyina naa kumukaintunyina (intersex). Penzi ndipati kuli bamakaintu bamukabafwu abana basimbi balo basinikizyigwa kukwasyigwa kabacili baniini. Eezi mbunga zyantutu kuzwa kaindi zyakapenga kapati kubutunduluzi alimwi eeli penzi licizumanana kucitika.

Butunduluzi bwanguzu zybuntususu zyiindi zynji kulacitika akaambo kakubula luziyibo mukuti bantu tabacikonzyi kujana milumbe, lugwasyo alimwi azyimwi zyintu ziyiyandikana mubukkale bwabo. Eezi zyilasangana akubula ziyibadela, zykolo, kulijana mubutunduluzi akati kabaalumi abamakaintu alimwi akukwasyigwa kwabana kabacili baniini, kotalanganyizyigwa alimwi alusalululo lumwi lwandeene. Zyintu zynji zyipa kuti kakuba kudyaamininwa akutundululwa kwa nguzu zybuntususu. Eezi kuli bucece, kutazyiba nguzu zybuntususu zyakwe muntu, bantu zymwi zyintu zyitali zymasimpe zybayeeyela bamwi, kubikka muntu muciiimo cimwi citaasyi zyalo zyipa kuti kakuba kwaamba majwi mabi alo aaleta kusalululwa kwabantu.

Nokuba kuti kuli buyumuyumu mukulemekezya alimwi akukwabilila nguzu zybuntususu, kucili zyoolwe zynji zyalo zyliliko zyakusyomezya kubona masimpe kuti kwaba nguzu zybuntususu. Akati kazoolwe zyliliko kuli mulimo mupati walo basimabbuku abami ngobakonzya kubeleka. Bamami abasimabbuku balijisi zyuuno zyandeene mubukkale bwamucisi ca Zambia calo cilabikka ambaakani iilikabotu mukukulwaizya alimwi akukwabilila nguzu zybuntususu. Eeli bbuku liyakutondezya mbuli bami abamasimabbuku mbobakonzya kubelesya zyuuno zyabo kukwabilila akukulwaizya nguzu zybuntususu.

1.1 Muzezo wakusanganya bamami abamasimabbuku mukukulwaizya akukwabilila nguzu zybuntususu.

Bwami abuleli kwasibbuku caamba ciyanza cabasikale cabuleli bwabwami naa basimabbuku bwalo bwakkala kwaciindi cilamfwu muziyibaka zyandeene zyamucisi ca Zambia alimwi inga zyiyanika kutobelanya amusyobo

wamucibaka eeco. Bamami abasimabbuku bakkala antoomwe abantu mbobalela kumane mbabasilutwe bamilawo yatunsiyansiya twasikale azyiyanza zyamucibaka naa ciinga cabo. Aaba basololi bamuminzi kuli bamami, basimabbuku bamalombwana abamakaintu abaabo balo baiminina akugwasyilizya bami.

Busololi bwabamasimabbuku mbobwakaindi abusololi munyika ya Africa alimwi amucisi ca Zambia. Muno mucisi ca Zambia bwami abusololi bwamuminzi bulalemekwa alimwi nkobuli mukabeela ka nambala eleven (11) Mumulawo Mupati Wacisi kalo kampango kabwami kacibeela ca 287 mumilawo yacisi ca Zambia. Kutobelanya aMulawo Mupati Wacisi, bami mbasololi balemekwa bamuzyiinga zyobalela. Aaka kampango kumane alimwi kalatondezya akupandulula mulimo wabami muzyooko amuzyiinga zyabo.

Bamami balijisi mulimo mupati mukukulwaizya akukwabilila nguzu zyabuntususu akaambo katwaambo tutobela:

- i) Bamami balalemekwa muzyooko zynji zyamuminzi alimwi balijisi mulimo mupati mukulwanina akutola lusumpuko lwabukkale bwabantu. Kumane alimwi mbabeendelezya nkuta zyatunsiyansiya twabasikale zyalo zyibelesya nguzu zyamilawo alimwi akubona kuti mulawo watobelwa alimwi kakuli kukkala caluumuno mucilawo eeco. Balabelesya mulawo wazyatunsiyansiya twasikale munkuta zyamuminzi walo uukonzya kutalika kukwabilila nguzu zyabuntususu kubantu boonse bapengende abaabo banyina nguzu zyakulyaambilila mumenzi mobakkala.
- ii) Bami abamasimabbuku balakwabana akusisya milumbe kubantu bali zyuulu muzyooko zyobalela kwiinda mukukkala kwakubandisyanya abanamaleya alimwi akupa malailile kumfwulumende mutwaambo tujatikizya tunsiyansiya twasikale. Mulikaako baljisi mulimo mupati munzila ziyibikkwa zyalo ziyatikizya akulwana bukkale bwazyuulu zyuulu zyabantu bunji bwabo bazwa muzyooko zyamuminzi.
- iii) Bami abasimabbuku balijisi mpuwo zyakugwasyilizya kuyiisya kuti kube kucinha akulilemeka kulikabotu kubantu mukuti bajisi mulimo mupati mukuyiisya bakukushi kujatikizya bulwazi kwasikalileke, kukulwaizya makani aajatikizya nguzu zyobajisi kumakani aazyaluzyalo mucilawo nchobakkala.
- iv) Mucibeela canguzu zyabuntususu bami abamasimabbuku balijisi mulimo mupati walo uugwasyilizya mukubona masimpe kuti kwaba kulemeka akukulwaizya nguzu zyabuntususu kubantu mbobalela. Kutegwa kube kucinha kweelede mubukkale bwamucisi ca Zambia, bamami abasimabbuku beelede kuba aalubazu lupati muzyiibeela zyandeene zyabuponi alusumpuko lwabukkale bwabantu kusanganya anguzu zyabuntususu alimwi akukkala aansu kubelekela antoomwe abantu bamucisi.

Bamami abasimabbuku balijisi mulimo mupati mukukwelelezya mizeezo yabantu. Mummyaka yainda mbunga ya Panos Southern Africa PSAF yamvwa kuti kubelekela antoomwe abami abasimabbuku kubaunkila muzyilawo zyobalela nenzila iibelega kabotu kutegwa kuti bazumine akuzyiba zyintu ziyikonzya kunyongana akubelega mulimo wabo ngobeelede. Eeyi nzila yabelega mukubamba twaambo twalo tujisi kukazyanya mbuli twaambo twabutunduluzi bucitika akati kabaalumi abamakaintu, kukwata maali, kukona mukaintu naa kusalalazya, kukwasya bana kabacili baniini alimwi akugusya mada munzila iileta ntenda kumaumi aabo. Mbunga ya PSAF ilakwelelezyegwa kuti naa nzila njoona eeyi yabelesyegwa mukukulwaizya alimwi akukwabilila nguzu zyabuntususu, ciyakuzwidilizya kuncinha kuyandika.

Mapenzi aapa kuti bami abamasimabbuku kabatatoli lubazu mukukwabilila alimwi akulwanina kuti kube nguzu zyabuntususu zyabantu aabo balijana mukuba aankwela munzila zyalo bantu banji zyobataciti mucisi ca Zambia cilaboola akaambo ka:

1. Bami abasimabbuku kubula luzyibo kumisyobo yankwela zyandeene bantu zyobacita.
2. Bami abasimabbuku kubula luzyibo lunji kujatikizya nguzu zyabuntususu.
3. Kutazyiba mbuli bupati bwamulimo ngobajisi bami abasimabbuku mukumana lusalululo muzyilawo zyobeendelezya.

Bamami abasimabbuku mulikaako beelede kugwasilizyigwa amilumbe naa twaambo tuyandikana kutegwa bacikonzye kukanana kabotu twaambo twakweelana kwamuntu alimwi akukwabilila nguzu zyabuntususu. Mbunga ya PSAF mulikaako yakalemba malailile aaya aajisi milumbe yakugwasyilizya kupa twaambo mbuli makani aanguzu zyabuntususu, mapenzi aboola akaambo kakudyaaminina nguzu zyabuntususu kumbunga zyabantu bapengede banyina nguzu yakuliiminina akulikwabilila kusanganya abaabo bajanika kuti balijana mukucita nkwele munzila bantu banji zyobataciti sexual minorities mucikuwa. Eeyi milumbe atwaambo ootu iyakupa kuti kukabe kuzyibisyisya nguzu zyabuntususu alimwi akubona mulimo mupati bami abasimabbuku ngobajisi mukumana kusalulana muzyibaka zyobalela. Aaya malailile kumane alapa lwiiyo kubami abasimabbuku lwalo luyakuyungizya luzyibo abubotu bwakulemeka nguzu zyabuntususu zyabantu bapengede balo batakonzyi kulyaambilila akuliiminina kutegwa babeleke milimo yabo munzila ili kabotu.

Nguzu zybuntususu mbozyibede

2.1 Kupandulula b bala Iya Nguzu zybuntususu naa Human Rights ncholyaamba

Nguzu zybuntususu ninguzu aumwi muntu nzyajisi alimwi akuliiba kwalo aumwi muntu nkwajisi mubube bwakulengwa kuba muntu. Mukozyanyo nguzu zyakuba aanseba zyilikabotu. Eeci caamba kuti muntu amuntu ulijisi nguzu zyakusilikwa muzyibadela, kupegwa musamu alimwi akupona buumi bujisi nseba zyilikabotu.

Kampango kakusaanguna 1 Citondezyo cacibeela cangusu zybuntususu zytobelwa nyika yoonse mboibede mucikuwa, Universal Declaration of Human Rights (UDHR), cilazumina ntaamu eeyi alimwi yaamba kuti.

“Bantu boonse balazyalwa cakuliiba alimwi baleelene muciiimo anguzu.” Ooku kutondezya amulawo uuli mucizuminano eeci calo citobelwa nyika yoonse ca UDHR ncheciyusilo cakukkala kabotu, kukwabilila alimwi akuzwidilizya nguzu zybuntususu zyoonse. Mulawo ooyu mubwini utondezya buyo kuti bantu boonse baleelene mulikaako beelede kukkala akuzyijana nguzu kakunyina kusalululwa naa kwiindanya.

Kampango kabili 2 mumayalane aacizuminano ca UDHR kaamba kuti:

“Muntu oonse ulijisi nguzu akuliiba kwalo kwakabikkwa amukulyaaba ooku, kakunyina kwiindanya nokuba kuli buti, mbuli musyobo, mubala, mulombwana naa mukaintu, mulaka cikombelo, nkamu zyikanana twaambo aumwi zyzulilwa nokuba mizeezo naanka nkazwa, mpasya, kuzyalwa naa bube bumwi buyo bwaciimo” Mubwini mayalane aaya aacizuminano a UDHR atondezya kuti mayalane mabotu mukulikkomanisya munguzu zybuntususu zyoonse oobu kumane eeci nchecitondezyo cilailila kukkala kwakweelana bantu boonse alimwi kakunyina kusalulana.

2.2 Kujana nguzu zybuntususu

Muntu amuntu uleelede kukkala cakukkomana akujana nguzu zybuntususu. “Ibbala Muntu” “anguzu” caamba kuti muntu woonse uleelede kujana nguzu zybuntususu akuliiba kakunyina kusalululwa kwamusyobo kufwumbwa. Eeci caamba kuti mukaintu tayeledede kwiimwa nyika mukaambo kakuti unyina mulumi. Mbubona buyo, muntu uujanika muciiimo cakukwatana kwabaalumi naa bamakaintu mulicabo homosexuality mucikuwa naa mulombwana naanka mukaintu uulimvwa kuba musankwa naa mukaintu mucikuwa transgender walo weelede kukkala cakuliiba kuba aanguzu zybuntususu kumane mulikaako tabeelede kusalululwa akaambo kabube ankwela ciimo nchobalijana. Nguzu zybuntususu zyamuntu woonse kuti apone akukkala anzyinzyo.

2.3 Musyobo wanguzu zybuntususu

Kuli misyobo yosanwe yanguzu zybuntususu zyalo zyeezyi:

2.3.1 Tazyikonzyi kunyangwa: Nguzu zybuntususu yakuzyalwa aazyo mumuntu amuntu kumane tazyikonzyi kunyangwa pee akaambo kakuba mwaalumi naa mukaintu, bukombi bwakwe, bube naa ciimo camuntu naa aiimwi buyo misyobo. Nguzu zybuntususu zyabulengwe kumuntu amuntu nyika yoonse mboibede. Mukozyanyo uukonzya kupegwa ngwamuntu uujanika muciiimo cakuti mwaalumi ukwete mwaalumi nyina naa mukaintu ukwetwe mukaintu nyina mucikuwa homosexual, mwana,

mukaintu naa sintolongo tacaambi kuti banyina nguzu zyabuntususu. Akuzyalwa bantu aaba aumwi bakatambula nguzu zyabuntususu eezyi munyika yoonse mboibede kumane nguzu eezyi tazyigoli naa kusimpa pee.

- 2.3.2 **Zyilikozyene nyika yoonse:** Nguzu zyabuntususu nchikono kumuntu amuntu, nyika yoonse kumane mulikaako zyilikozyene koonse koonse. Kunyina bubi nokuba kwaamba kuti muntu wakazyalilwa kuli naa muntu wakazyalwa buti, boonse bajisi nguzu zyabuntususu zyikozyene alimwi beelede kukkala akuponaazyo. Eeci caamba kuti munyika yoonse mboibede, bantu balijisi alimwi baleelede kuba aanguzu zyeelene. Mulikaako inga tacikonzyi kwaamba kuti tabuli buna Afulika naa buna Zambia kulemeka nguzu zyamukaintu ,muntu uulimuciimo cakulimvwa kuti mwaalumi naa mukaintu, bantu bakwatana mwaalumi naa mukaintu mulicabo naanka mwana muniini.
- 2.3.3 **Tazyaaandanzigwi:** Nguzu zyabuntususu tazyikonzyi kwandaanzigwa pe kupa kuti zyimwi nguzu zyabuntususu zyiboneke kuba ziyipati alimwi azyimwi zyiboneke kuceya kwiinda zyimwi. Bube bwakutakonzya kwaandanzigwa bwaamba kuti nguzu zyabuntususu zyoonse zyileelene mubube nokuba kwaamba kuti zyimwi ambwene zyibikkidwe mucibeela cazyabuvwubi bwacisi, bukkale, zyatunsiyasiya twabasikale, twaambo twacisi naa nguzu zyakucikonzya kukkala kabotu. Nkokuti eeci caamba kuti nguzu yomwe taikonzyi kulyatililwa naa kugusyigwa akaambo kaimwi nguzu. Bube bwakutaandanzigwa kwanguzu zyabuntususu zyeenda antoomwe acibeela cakweendela antoomwe mucikuwa interdependence.
- 2.3.4 **Zyiyaamina azyeezyinyina:** Nguzu zyabuntususu zyalo zyeendela antoomwe kutegwa kuti basicisi bapone cakukkumana munguzu zyabo.Ncenchico eeco nguzu zyabuntususu tazyikonzyi kunyangwa, zyileelene alimwi tazyikonzyi kwandaanyizigwa kuti eezyi ziyipati naa zyilayandika kwiinda zyimwi. Mukozyanyo, nguzu zyakupona buumi ziyeeeme aanguzu yakuba aanseba zyilikabotu, nguzu yakuba aanseba zyilikabotu ziyiponena aanguzu yakuba aanyika yakulima cakulya alimwi azyimwi buyo. Kuti nguzu yabuntususu yomwe yagusyigwa naa yabonwa kuti taili mpati kwiinda zyimwi, nkokuti kulikkomanisya munguzu zyabuntususu zyimwi akwalo kulanyonganizigwa takuko kuba kabotu.
- 2.3.5 **Kweelana akubula lusalululo:** Ntaamu eeyi yakweelana alimwi akubula kusalulana aambwa kuti mpaalede nguzu zyabuntususu. Kweelana caamba kuti bantu boonse balazyalwa cakuliiba alimwi kabeelene. Ooku kweelana kwabantu mukuba bantu tacisalululi kuti ooyu muntu ngwamusyobo uulubiti, mubala myaka yakuzyalwa njajisi, abe mwaalumi naa mukaintu, cikombelo, nkwasulilwa mutunzanyu, tunsyasiya twabasikale,uukwete mwaalumi nyina naa mukaintu nyina naa uukwete wabuti,ciimo mbwabede kubulwazi kwasikalileke naa zyimwi buyo misyobo muntu zyanga kajisi.

Mukuti bantu boonse baleelene caamba kuti beelede kukkala cakulikkomanisya munguzu zyabuntususu kakunyina kusalululwa. Kusalulula caamba kulanganya muntu uumwi munzila yiimpene yalo iimwi akaambo kabube muntu ooyu kujatikizya myaka njajisi ,kuti mulombwana naa mukaintu,naa uumwi mbwakwelelezyegwa kankwela nkwele kumuntu uuli mumsi mumsi anguwe, kuba mwaalumi naa mukaintu, kuzyibwa kuti azyibe eeni mpabede, ciimo nchabede kubulwazi kwasikalileke,bukombi bwakwe naa tunsyasiya twabasikale. Ciindi muntu asalululwa ,nguzu yakwe zyabuntususu zyiladyaamininwa alimwi zyiletela kupenga. Mukozyanyo buyo ciindi muntu akakilwa kusilikwa akaambo kakuti ulimuciimo cakukwatana kwabaalumi naa bamakaintu mulicabo, nkokuti basalululwa akaambo kakukwelelezyegwa nkwele nkobajisi. Eeci caamba kuti nguzu zyabo yakuba aanseba zyilikabotu zyadyaamininwa alimwi akaambo kakudyaamininwa ooku muntu inga wafwa akaambo kakutasilikwa. Akaambo kaako nchintu cipati kuti bami abasimabbuku babone masimpe kuti bantu boonse bamucilawo nchobalela balanganizigwa cakweelana kakunyina kusalulula pee.

2.4 Musyobo wanguzu

Kuli misyobo minji yanguzu alimwi kumane nguzi zyoonse eezyi zyileelene, zyiyaamina alizyimwi, tazyandaanizyigwi alimwi zyacikono mumuntu amuntu. Nguzu zyabuntususu zyilaapaudwe munzila zyobilo. Eeyi ninguzu zyabukkale alimwi anguzu zyatunzanyu twamucisi kumane kumwi kulubazu kuli alimwi nguzu zyakubuvwubi bwacisi, bukkale alimwi anguzu zyatunsiyansiya twabasikale kumwi kulubazu.

Eezyi zyilipanduludwe mubufwaafwi oobu butobela : -

1. Nguzu zyabukakale atwaambo twatunzanyu mucikuwa zyitegwa Civil and Political Rights: Nguzu zyabukkale mucikuwa Civil and political rights zyibeela zyanguzu zyabuntususu zyalo zyipa bantu bamucisi naa mucibaka kuti bakkale cakuliiba mbuli bantu naa mbunga zyabantu. Nguzu zyabukkale atwaambo twamuciisi Civil and political rights zyilabamba akupa bukwabilizi kubantu ambunga zyabantu kuzwa mukudyaamininwa kumbunga zyamfwulumende zyilanganya bukkale bwabantu, bantu buyo baliiminide beni alimwi abantu bamumakkampani. Kwiinda mukukwabilila bantu ambunga zyabantu, nguzu zyabantu zyabukkale atunzanyu twamucisi zyibona masimpe kuti bantu bamucisi batola lubazu mutwaambo twazyabukkale atunzanyu twamucisi mucibaka eeco kakunyina kusalululwa ,kusinkililwa naa kucitilwa lunya.

Mikozyanyo yanguzu zyabuntususu eezyi kuli mbuli nguzu zyakuvwoota, nguzu zyakuba abuumi, nguzu zyakuliiba kukanana twaambo, kubungana, kusinkililwa akusangana. Mukozyanyo bantu inga tiibaliiba munguzu zyakuvwoota kuti naa tiibaliiba kubungana naa kulijana munsangano zyobayanda.

2. Nguzu zyakubuvwubi bwacisi ,bukkale alimwi azyatunsiyansiya
Nguzu zyakubuvwubi, bukkale alimwi azyatunsiyansiya twabasikale zyibeela zyanguzu zyabuntususu zyalo ziyandika kuzwidiliza kwini amfwulumende kwiinda mukupa mali azyintu ziyandika kubantu bamucisi. Eezyi nguzu zytondezya kuti mfwulumende ilijsii mulimo wakubikka mbunga zyalo bantu bamucisi zyo bakonzya kunakuunka kuti bagwasyilizyigwe kakunyina kusalululwa pee.

Mukozyanyo wanguzu zyabuntususu, bukkale alimwi azyatunsiyanisya kuli; nguzu zyakuba aanseba zyilikabotu, nguzu zyakujana lwiiyo, nguzu zyakuba amaanda akoona ,nguzu zyakuba aazyianza zyabunsengwe-nsengwe alimwi azyatunsiyansiya twabasikale .Kutegwa bantu bamucisi bakkale akuzyijana nguzu zyabuntususu eezyi kakunyina apenzi, nguzu zyabuntususu eezyi zyeede kweendela antoomwe. Mukozyanyo bantu bamucisi inga tiibajana nguzu zyakuba alwiiyo kuti kakunyina nseba zyilikabotu. Nseba zyilikabotu inga tiizyanwa kuti kakunyina maanda akoona alimwi abubotu buzwa kubunsengwe-nsengwe. Maanda akoona mabotu alimwi aabunsengwe-nsengwe inga tiizyanwa buubauba kuti kakunyina nyika, lwiiyo alimwi azyianza zyatunsiyanisya. Eeci caamba kuti nguzu zyabuntususu zyilikozyene alimwi zyeendela antoomwe akubelekela antoomwe aimwi aimwi.

Bube bwanguzu zyangubuntususu mucisi ca Zambia

Nguzu zyangubuntususu mucisi ca Zambia zylilkwabilidwe kwiinda mumilawo iijisi nguzu zyangubuntuusu itegwa Bill of Rights mucikuwa zyalo zyili mucibeela catatu nambala (3) three mu Mulawo Mupati Wacisi. Mbuli cisi cijanika mumbunga iilanganya lukamantano lwamasi aluumuno nyika yoonse yalo ya United Nations alimwi ambunga iilanganya kukamantana kwamasi aamunyika ya Africa ya African Union, cisi ca Zambia cakazumina kuzyizuminano zyipati zyamuciinga anyika yoonse zyamilawo yanguzu zyangubuntususu. Eeci caamba kuti, kunze buyo kwanguzu zyangubuntususu mu Mulawo Mupati Wacisi naa Constitution, zyintu mbozyakayalwa amilawo eeyi kuti zyibe kumasi aalikunze alo ngozyitobela kumane azyalo zylilabeleka mulimo mupati wakukwabilila nguzu zyangubuntususu mucisi ca Zambia.

3.1 Mulimo wamfwulumende

Mfwulumnede ilaamulimo mupati wakulemeka, kukwabilila alimwi akuzwidilizya nguzu zyangubuntususu. Ciindi mfwulumende yaalilwa kubeleka milimo eeyi, butunduluzi bwanguzu zyangubuntususu bwacitika. Mukozyanyo mbuli yeeyi:

- i. Kwaaliwa kulemeka: Ciindi nguzu zyangubasicisi zyakuti balifwoole kutondezya kutakkomana naa kubungana kwakasyigwa kwiinda mubasilikani bakaka kupa cipepa cizumizya. Akaambo kakuti bantu bamucisi balijisi nguzu zyangubungana alimwi akuliiba kukanana, ooku kuba kudyaaminina nguzu zyangubo.
- ii. Kwaalilwa kukwabilila: Ciindi mfwulumende noitabikki nzila zyikkwene kukwabilila butunduluzi bwabantu. Mukozyanyo uunga wapegwa mbuli wabantu banji bana Zambia bakkala muminzi kwalo makkampani aamigodi nkwaabelekela. Makkampani alanyonganya myuwo, nyika, meenda abulongo calo cipa malwazi, kufwa kwazyisyango alimwi apenzi lyakujana meenda. Ooku nkutyola nguzu zyanginji mbuli zyanguba amaanda, nseba zylilakobotu alimwi anguzu zyangupona akukkala kubantu bakkala muminzi.
- iii. Kwaalilwa kuzwidilizya: Ciindi mfwulumende yaalilwa kupa zyintu zyikkwene zyibelesyegwa kubantu mubukkale bwabo. Mukozyanyo ukonzya kupegwa muzyooko zyanginji zyangucisi ca Zambia bantu bamuminzi banyina zyibbadela zyikkwene kwakusilikilwa, zyikolo, meenda azyintu zyangimwi buyo zyangandika mubuponi bwabo. Ooku kwaalilwa kwamusyobo ooyu cipa kuti kakuba kudyaaminina nguzu zyangabantu kukujana buvwubi bwacisi, bukkale alimwi azyatunsiyansiya twabasikale.

3.2 Mulimo wabantu basicisi

Bantu mubukkale bwamucisi boonse balijisi mulimo wakukwabilila bantu bamwi basicisi mobakkala kuti batatundululwi naa kudyaamininwa kunguzu zyangubo zyangubuntususu. Nokuba boobo, mukuti bantu kuli kuyeeyela bantu bamwi kutali kwamasimpe akusyoma kwatunsiya nsiya kwabasikale mukusulaika mbunga zyangabantu mbuli bamakaintu, bamwaabi, bantu balijana munzila zyangucita nkwele bantu banji zyangobataciti mucikuwa LGBTI alimwi abantu balema zyangiindi zyanginji balatundululwa, kusulaikwa akubonwa mbuli kuti tabali bantu pe. Ooku kudyaaminina kusinkilila zyangintu zyangonzya kucita muntu kumane aabona citola muntu kulufwu. Bamami abamasimabbuku mulikaako balijisi mulimo mupati mukukwabilila mbunga zyangabantu boonse balo bapengede kuti batatundululwi. Bantu mubukkale kumane balijisi mulimo wakwaamba kuti bakwabililwe kumfwulumende kunguzu zyangubo zyangubuntususu.

3.3 Kutundulula nguzu zyabuntususu

Nokuba kuti kuli kukwabilila kupati kwalo kuliko mu Mulawo Mupati Wacisi alimwi amilawo iitobela nyika yoonse yalo muntu amuntu ambunga zyabantu mucisi ca Zambia, kulikkalila cakukkomana kukkwene munguzu zyandeene calo cicijanika kuti licili penzi kubantu bamucisi. Eeziy zyllaba akaambo katwaambo ootu tutobela:

- i) Milawo mboibambidwe: Mulawo Mupati Wacisi ca Zambia ujisi buyo nguzu zyakukanana twaambo twabukkale alimwi anguzu zyakukanana twaambo twamucisi kwamana kunyina nguzu zyakujana buvwubi bwacisi alimwi atunsiyansiya twabasikale. Kuyungizya, bube bwanguzu zyakukanana twaambo twabukkale alimwi anguzu zyakukanana twaambo twacisi ziykwabilidwe tazyiindilizyi kusikila aciimo ciyandika mukuti tumpango tumwi tulagusya akunyanga nguzu zymwi kuti bantu bakkale cakulikkomanisiya kabotu munguzu zyabo. Mukozyanyo uukonzya kupegwa ngwakuti nguzu zyabuumi inga zyagusyigwa akunyangwa kwiinda mukupegwa cisubulo cakujaigwa muntu naa walubizya mucikuwa chitegwa death penalty, kuliiba kusangana kumbunga kufwumbwa njoyanda inga kwajanwa buyo kwiinda mukupegwa cipepa cizumizya kuswaangana abasilikani mucikuwa chitegwa police permit. Mukuti milawo yakabikkwa yakutobela nyika yoonse taininga tambulwa muno mucisi kumane cileta buyumuyumu bwakubelesya bweelede milawo eeyi.
- ii) Kutazyiba nguzu zyabuntususu amulimo wamfwulumende kubantu basicisi, basololi bamfwulumende alimwi abami naa basimabbuku. Kubula kusensemunwa akutazyiba citondezya kusulaikwa akutabikkilwa maano alimwi akunyanga nguzu bantu basicisi.
- iii) Bucete bucesya zyoolwe zyabuvwubi bwacisi kubantu basicisi kumane cipa kuti kakuba lusalululo alimwi akusulaikwa.
- iv) Kusula bamwi kakunyina kaambo, tunsiyansiya twabasikale tutobelwa tubi alimwi azyiyanza zyabukkale zyatunsiyansiya. Eeziy zyipa kuti kakuba kutundulula akudyaaminina nguzu zyabuntususu kubantu balimuntenda ziyakonzya kutundululwa mbuli bamakaintu, bantu balema, bantu balijana munkwela bantu banji ziyobataciti alimwi abana. Eeci caba akaambo kakuti tumwi tunsiyansiya twabasikale aciyanza cakusula bamwi kakunyina akaambo cipa kuti bantu mubukkale basyome kuti mbunga eeziy zyabantu balaansi maningi mubukkale, mbantu basyoonto naa tabali bantu kwiinda bamwi calo cipa kuti kabatundululwa akudyaamininwa.

Mukuti bantu bunji bwabo bakkala muzyibaka zyeendelezyegwa abami abasimabbuku, nchintu cipati kuti busololi bwabwami abusibbuku bwabeleka mulimo mupati mukukwabilila nguzu zyabo aaba bantu.

3.3.1 Kupandulula kutundululwa kwanguzu zyabuntususu

Kutundulula nguzu zyabuntususu ninzila yakukasya iitali mumulawo nguzu zyamuntu kumugama zyalo ziyijanika kuti ninguzu ziyakuzalwa aazyo alimwi nchikono camuntu woonse. Kutundulula nguzu zyabuntususu ndileliya ciindi muntu nguzu ziyakwe nakasyigwa naa kutalemekwa naanka kutazwidilizyigwa. Kuti naa bantu bakkala mucilawo eeco tiibapegwa choolewe cakutola lubazu mukubweza ntaamu iimwi naa muzeezo uumwi kujatikizya penzi lilwana bantu, eeci calo caba penzi iyakudyaaminina naa kutundulula nguzu zyabantu bakkala mucibaka eeco. Kutundulula nguzu zyabuntususu kumane cipa kusulaikwa akutalanganyizyigwa kwabantu bapengede. Mukozyanyo wakusaanguna uunga wapegwa kwalo muntu uujanika kuti ulimvwa kweenda aamusankwa nyina naa mukaintu nyina homosexual mucikuwa kwalo bamukakila kumusilika citondezya kudyaaminina nguzu zyabuntususu kwalo nguzu ziyakuba aanseba zyili kabotu nkoyidyaamininwa.

3.4 Bantu naa mbunga zyabantu bapengede akulijana mukutundululwa kunguzu zyabuntususu

Bunji bwabutunduluzi bulacitika akaambo kabube bwamuntu kujatikizya buvwubi, tunsianisiya twabasikale naa bube bwatunzanyu mucisi zyalo zyipa mapenzi kubantu bapengede. Mbunga zyilijana kapati mumapenzi aakutundululwa munguzu zyabo muno mucisi ca Zambia mbabaabo banyina nguzu, bacete alimwi batabacikonzyi kulikwabilila lwabo beni naa kulyaambilila mizeezo yabo.

Mbunga zyabantu zyipengede kapati kupenzi eeli nzyeezyi:

- i. Bamakaintu: Mubukkale bwatunsiyansiya twasikale bamakaintu balijana mupenzi akaambo kakusyoma kwabukkale atunsiyansiya twakasiya basikale mbuli mbobakkala akulanganyiziyigwa mubukkale naa muzyilawo mobakkala. Bunji bwatunsiyansiya twasikale tubikka bamakaintu kuti balaansi kuli bamaalumi kumane mulikaako cilabasinkila kuti batole lubazu mubusololi. Ooku kusyoma atunsiyansiya twasikale akulanganya bamakaintu cipa kuti bamakaintu kabasalululwa. Ooku kusalululwa nokodyaaminina akutundulula nguzu zyabuntususu.
- ii. Bana: Bana zyiindi zyinji banyina nguzu, balipengede alimwi tabazyi nguzu zyobajisi. Balo buumi bwabo buba buyo mpobweendela buvwubi bwacisi abukkale kwaciindi eeco mucibaka mobabede. Bana basimbi zyiindi zyinji mbabapengede kapati mukuti balalesyegwa naa kutumiziyigwa muzyikwati kabacili basyoonto. Eeci cipa kwaamba kuti babule lwiiyo lwakucikonzya kubala akulemba, kabatazyi nguzu zyobajisi, akubaliziya ali bamaalumi mubuponi bwabo. Ipenzi likomena kapati bakomena inga tiibacikonzya kuba aanyika yabo iibageme alimwi akubula lwiiyo calo cibaletela penzi kunseba alwiiyo lwabana babo, kumane cipa penzi lyakuti batakkali akuliiba kujana nguzu zyabo bana babo.
- iii. Bantu bakwatana baalumi mulicabo naa bamakaintu mulicabo, bantu bafwida kankwela nkwela baaluminyina alimwi akuli bamatumbu naa mutumbu uufwida nkwela bamatumbu nyina abaalumi, kumane muntu mwaalumi naa mukaintu uulimvwa kuti mukaintu kakuli mulombwana naa mukaintu kalimvwa kuti mulombwana, kulimvwa kuba bulombwana abukaintu aciindi comwe, LGBTI: Eezyi mbunga zyilaakati kabaabo bantu bapengede kupati kunguzu zyabo muzyooko mukkalwa. Eeci cilaba akaambo kakuti balasulaikwa akudyaamininwa mutwaambo twacisi, kubuvwubi bwacisi, kubukkale, kutunsiyansiya twabasikale, mubukombi alimwi amukukanana twaambo twabukkale. Mubwini aaba bantu balasulwa alimwi balasampaulwa mubukkale boonse bwandeene kwalo bantu nkobeelede kukkala akuziyijana nguzu zyabuntususu cakukkomana.

3.5 Cipa kuti kakuba kutundulula nguzu zyabuntususu

- a) Kubula luzyibo: Kuli penzi lyakubula luzyibo akutazyibisyisya muzeezo anchocaamba nguzu zyabuntususu. Nguzu zyabuntususu naa Human Rights mucikuwa ndibbala libelesyegwa zyiindi zyinji kakunyina kuzyibisyisya mbolijatikizya bantu mubuponi bwabo bwaabuzuba-abuzuba, mukukkala kwandeene muzyooko zyesu. Eeci mulikaako cipa buyumuyumu kuzyibisyisya bubu buboola akudyaaminina nguzu zyabuntususu kumuntu amuntu alimwi akubantu bakkala mucilawo eeco coonse.
- b) Kuyeeyela kutako: Kuli kusyoma kwatunsiyansiya twasikale azyiyanza zyalo zyibelesyegwa abantu zyobalemeka kapati kuzwa lili zyalo zyileta kudyaaminina akutundulula nguzu zyabuntususu kubantu bapengede. Mukozyanyo uukonzya kupegwa ngwabantu balijana munzila zyakucita nkwela zytaciti bantu banji mucikuwa cabufwaafwi LGBTI caambwa zyiindi zyinji kuti zyobacita tabuli buna Zambia naa Buna Afulika. Twaambo tujatikizya makani aamuntu mbwalimvwa kubeezyinyina kumakani aankwela alimwi akuyanda kuzyibwa kuti azyibwe kuti mulombwana naa mukaintu zyiboneka kuti zyintu zytondwa

mutunsiyansisya twabasikale. Kwiinda mukuzumanana kukanana amakani aakukwabilila nguzu zyabuntususu, inga caubauba kukanana twaambo tujatikizya bantu mbuli makani aankwela mbobalimvwa kuli bamwi alimwi akulitondezya nkobazululilwa kuba mwaalumi naa mukaintu akubona masimpe kuti eezyi mbunga zyakwabililwa. Tunsianisya twabasikale, bukombi alimwi akusyomwa kwamuziyianza zyesu zyabelesyegwa kuzwa ciindi mukutundulula bantu nguzu zyabuntususu kumbunga zyabantu bapengede. Eeci cakali kupa lusalululo kapati.

- c) Milawo mboiyalidwe: Cisi ca Zambia cakazumina kuziyizuminano zyinji zyamilawo iitobelwa nyika yoonse amuciinga mukulanganya nguzu zyabuntususu. Nokuba boobo, kuli milawo anzila zyamucisi zyalo zyipa kuti kazyiyungizya lusalululo abungwebenga kumbunga zyabantu bamwi bapengede. Kunjilana akukazyanya kwamilawo iitobelwa nyika yoonse amuciinga alimwi amilawo yamucisi anzila zyipa buyumuyumu kuti bantu bamucibaka eeco bakwabilile nguzu zyabuntususu zyabantu boonse.
- d) Kupenga alimwi akusulaikwa: Kuli mbunga zyabantu balo basiigwa ambali mukepgwa kwazyintu zyimwi ziyandika zyabukkale zyalo zyipa kuti bantu bapengele limwi akujana butunduluzi kunguzu zyabuntususu. Eezyi ziyianza zyibikkidwe zyicitwa zyalo ziyiyungizya mapenzi aambunga zyabantu aaba. Mukozanyo uukonzya kupegwa, bamakaintu bakabonwa kuti mbantu baindwa kubaalumi kubalwa kubantu calo capa kuti kabasulaikwa mutwaambo tunji mbuli kuba aanyika. Ooku kusulaikwa ziyungizya mapenzi kuti avwulile limwi akuti balijane mukutundululwa kunguzu zyabuntususu bwabo mbuli kulijana kunyangwa nyika ciindi bafwidwa mulumi naa mukaintu. Kuli kwiindana kapati mubwapauzi bwabuvwubi bwacisi alimwi akwaabana busololi calo cibapa buyumuyumu kuti balyaambilile kutegwa bajane nguzu zyabuntususu zyabo. Eeci cipa kuti kube kuceya bubotu mbobabona bwanguzu zyabuntususu mbozyilanganya mbuli kweelana kwabantu alimwi akubula lusalululo akati kabantu.

3.6 Bubi bwakudyaaminina akutundulula nguzu zyabuntususu

Kutundulula nguzu zyabuntususu kulaleta mapenzi manji muzyibeela zytatwe; amuntu kumugama, bantu bakkala mucilawo eeco alimwi acisi coonse mbocibede.

3.6.1. Bubi kumuntu kumugama

Kutundulula akudyaamina Nguzu zyabuntususu cilaleta mapenzi kumuntu munzila zyandeene. Mapenzi aaya aabutunduluzi alaboola munzila zyandeene:

- i) Cipa kuti muntu abe mbuli kuti tali muntu pe: Butunduluzi bwanguzu zyamuntu zyilamucesya muntu kusika muciiimo cambulikuti talimuntu pe. Mukozanyo kutundulula kwakupa cisubulo alimwi akulanganya muntu munzila zyimwi zyuubula mukulanganya bantu balo balijana mukulinvwa nkwela zyalo zyandeene abantu banji mbobalimvwa, kwiinda mubutunduluzi bwabaalumi abamakaintu alimwi azyiindi kwalo muntu bulemu bwakwe bulaubulwa. Bantu baina mubutunduluzi oobu zyiindi zyinji balimvwa kuubulwa kube tabali bantu kumane eeci cipa kuti lyoonse kabalimvwa kubaaansi akuceya mubube bwabo, aciimo cabo kumane aabona cibapa kuti balijane mukulisina.
- ii) Kumaninwa ciimo: Eeli ndipenzi liboola kuzwa kubutunduluzi bwanguzu zyabuntususu kwalo kuboola kuzwa abutunduluzi bwakutabonwa buntu. Eeli ndileliya ciindi muntu nabonwa mbuli kuti tali muntu kumane alimwi ulanganizyigwa mbuli kuti tali muntu. Zyisubulo zyatunsinsiya twabasikale mbuli kuyasaulwa kwakusinikizyigwa aabona akujaigwa ngomukozanyo wakumana bulemu aciimo camuntu. Kusalazya

muntu kwankwela alimwi akupalulwa mbuli bana basimbi njemikozyanyo iimwi mibi yalo yabutunduluzi bwabuntususu munzila zyatunsiyanisya twabasikale.

- iii) Kudyaaminina zyipego zyabo zyakukonzya kusumpuka : Butunduluzi bumwi bulanyangwa akudyaaminina chipego camuntu nchajisi cakuti asumpuke .mukozyanyo kukwasya bana kabacili baniini ciladyaaminina akunyanga chipego abusongo bujisi mwana musimbi cakukonzya kuti akomene kuba muntu mupati cakabotu kabotu,kuti aunke kucikolo aiye akubelesya busongo bwakwe mubukkale bwakwe, kuti ajane choolwe cakuba abuumi bulikabotu alijanine mali manji kutegwa akkale buumi bulikabotu.

3.6.2 Penzi liboola muzyilawo bantu mobakkala

Mukuti muntu amuntu ujanika akati kabanamaleya bakkala mucilawo eeco kati kacilawo, butunduluzi bwanguzu zyabuntususu zyamuntu cilaleta penzi kubantu bakkala mucilawo eeco. Mapezzi aboola mucilawo cikkala bantu kuli:

- i) Cisinkilila bantu kutola lubazu cakumaninina: Bunji bwabutunduluzi bwanguzu zyabuntusu cisinkilila muntu nguzu zyakuti azyibelesye mukusumpula bukkale bwacilawo eeco. Penzi lipati liboola ndyakuti bantu bamucilawo eeco balasweekelwa lugwasyo lunji lweelede kugwasyilizya kusumpula cilawo eeco. Ooku kusinkililwa kwanguzu bantu akugwasyilizya nkobakonzya kucita mukutola lubazu cipa kuti kakuba mapenzi aamwi buyo mbuli kubula lusumpuko mucilawo alimwi akubula luumuno mucilawo oomo akaambo kakusalululwa.
- ii) Kuunka ansi lusumpuko: Ciindi bantu batacikonzya kutola lubazu bweelede mubukkale bwabantu mucilawo, cilawo eeco inga tiicasumpuka pe kumane bucete bulazumanana kukomena. Kutatola lubazu bantu bakkala mucilawo oomo cipa kuti kakubula abusololi bulikabotu alimwi zyintu kazyiteendi kabotu.
- iii) Kwandaana mucilawo: Eeci cilacitika ciindi mbunga zyabantu zyimwi naa muntu amuntu balasalululwa. Ooku kwandaana kulanyonganya nguzu azyintu zyobakonzya kucita bana maleya bamucilawo eeco kuti basumpule alimwi naa beendelezyegwa kabotu. Kwandaana kulaleta mazwanga manji mbuli kuzwanganina nyika calo cipa kuti kube kusulana bantu. Mulikaako lufwu naa kwaba waciswa bantu balatalika kuyeeyelana kuti andiza kuli wamujaya naa kupa kuti aciswe. Penzi lipati liboola ndyakuti cilawo eeco tacikonzyi kusumpuka.

3.6.3 Mapenzi aboola kucisi

Penzi liboola akaambo kakutundululwa kwanguzu zyabuntususu kucisi coonse mbocibede nkwa mapenzi aalwana muntu amuntu naa bantu mucilawo eeco. Mapenzi woonse asika alandaanya bantu bamucilawo eeco bandeene balo batakonzyi kusumpuka mubukkale bwabo, mutunsiyanisya twabasikale, mubuvwubi alimwi amukukanana twambo twacisi naa tunzanyu. Izyimwi zytondezyo zyamapenzi aaya nkulifwoola kwabantu kwakuzanga kuleta manyongwe, kuunka ansi buvwubi bwacisi, kutasumpuka bweende bwazyamilawo kumane akutakanazyanya kabotu twaambo twatunzanyu.

3.7 Mulimo wabami abasimabbuku mukukwabilila nguzu zyabuntususu

Kukwabilila nguzu zyabuntususu kubantu bapengende mulimo alimwi nchibeela camuntu woose kapati basimabbuku abami. Bami abasimabbuku beelede kunjila akutalika kubeleka kubona masimpe kuti bantu babo mbobalela basensemunwa kutwaambo twa nguzu zyabuntususu akubeleka milimo eeyi kubona masimpe kuti nguzu zyabantu bapengede muzyilawo zyilakwabililwa.

3.7.1 Kutola lubazu kwabana Maleya: Bami abasimabbuku beelede kweendeleza akubona masimpe kuti bantu bamucilawo nchobalela batola lubazu mumilimo yamucilawo eeco nchobalela. Kutola lubazu kwabanamaleya kumilimo abukkale bwabo nchintu cipati akaambo kakuti cibona masimpe kuti muntu amuntu walanganyizyigwa, kuti majwi aabo amatongoosi aabo amwigwa kumane alimwi cilagwasyilizya kulesya kusalulula. Mulikaako cilagwasyilizya kukwabilila kuti kutabi kutundulula nguzu zyabuntususu. Nkokuti bami abasimabbuku balijii mulimo mupati wakubona masimpe kuti banamaleya bamucilawo eeco batola lubazu kubukkale amilimo yamucilawo cabo.

3.7.2 Kubona masimpe kuti mulawo watunsiyansiya twabasikale tadyaaminini nguzu zyabuntususu: Bamami abasimabbuku bajisi cibeela cipati mutwambo twamilawo yazyatunsiyansiya twabasikale kumane beelede kubona masimpe kuti ciindi mulawo watunsiyansiya twabasikale naa ciyanza catunsiyansiya twabasikale iibelesyegwa itadyaaminini nguzu zyabuntususu. Mukozyanyo bami abasimabbuku beelede kubona masimpe kuti mulawo watunsiyansiya twabasikale utapi kuti aabo bamvwa kuti inga bakwatana baalumi naa bamakaintu mulicabo, naa aabo balimwa kuba musankwa kali mukaintu naa mukaintu kulimvwa kuba musankwa mucikuwa cabufwaafwi LGBTI (Lesbians, Gay, Bisexual, Transgender and intersex) batatundululwi naa kupenzyegwa naanka kutalanganyizyiwa kabotu munzila kufwumbwa iilibuti ciindi nokubelesyegwa nzila zyatunsiyansiya twabasikale mukubweza kuti bagusya zyeelo naa muuya mubi mulimbabo. Bamami abasimabbuku kumane inga babona masimpe kuti bakwabilila kuti bantu bataangwi balijana munzila zyankwela zyimwi zya LGBTI.

3.7.3 Nenzila yakuba akati kabantu amfwulumende: Akaambo kabupati amulimo mupati bami abasimabbuku ngobajisi muzyooko zybalela mucisi ca Zambia, bami abasimabbuku mbabaima akati kamfwulumende abantu. Bami abasimabbuku bali kumbele alimwi balizyi ziyandika kubantu babo. Akaambo kaako bami mbabakonzya kwiiminina kabotu zyintu zyo bayandika bantu kumfwulumende kwiinda mubaiminiza bamung'anda yamilawo naa beendelezi bazyilikiti. Mukaambo aaka bami abasimabbuku baambwa kuti balagwasyilizya mukuzwidilizya nguzu zyabuntususu zyabantu. Mukozyanyo ukonzya kupegwa ciindi cibbadela cayakwa akaambo kamulimo ngobabeleka, bami naa basimabbuku inga bagwasyilizya kuti kube kuzwidilizya nguzu zyabuntususu kucibeela canguzu yakuba aanseba zyilikabotu.

3.7.4. Kubelekela antoomwe ambunga zyitalikumbatizyi kumfwulumende: Mulimo uumwi akati kamilimo yabami abasimabbuku mukukulwaizya akukwabilila nguzu zyabuntususu nkukanazyanya akubelekela antoomwe ambunga zyitalikumbatizyi kumfwulumende zyalo zyibelekela muzyilawo nzyobalela. Eeci cilagwasyilizya kubona kuti bantu bamuzyilawo nzyobalela bazyibe nguzu zyabo, alimwi anobeelde kuzycita azyobakonzya kucita kujatikizya buyo kwaamba buyo butunduluzi bwanguzu zyabuntususu alimwi amapenzi aboola mubukkale bwabo. Mukozyanyo ukonzya kupegwa kwiinda mukubelekela antoomwe ambunga ya PANOS Institute Southern Africa, bamami abasimabbuku bayakusensemunwa akuziyiba mulimo mupati ngobajisi munguzu zyabuntususu kumane bantu mbobalela bayakwiiya kujatikizya lusalululo, butunduluzi bwanguzu zyabuntususu alimwi amapenzi aboola nguzu zyabo zyatundululwa akudyaamininwa.

Zyoolwe zyiliko mukukwabilila nguzu zyabuntususu

Bami abasimabbuku balijisi mulimo wandeene alimwi amulimo mupati mukukwabilila nguzu zyabuntususu zyabantu babo. Mbuli mbukwaambwa kale, kamwi kaambo kapa boobu nkakuti balimunsimunsi abantu kumane balacikonzya kulwana zyintu zyipa kuti kakuba buntunduluzi alimwi amapenzi aboola akaambo kabuntunduluzi kunguzu zyabuntususu. Mbuli basololi, bami abasimabbuku inga babelekela antoomwe azyoolwe zyiliko zyandeene akuzyibelesya kugwasyiliza kukwabilila nguzu zyabuntususu zyabantu babo. Mukulanganya butunduluzi bwanguzu zyabuntususu, kuli zyoolwe zynjaanji zyalo bami abasimabbuku zyobanga babelesya.

Mukozyanyo:

- i. Kubula luzyibo kunguzu zyabuntususu: Nchintu cipati kusumpula lwiiyo alimwi akwambaula kutonkeeka kuti zyilanganyizyigwe nguzu zyabuntususu. Lwiiyo alimwi akusensemuna bantu inga zyapegwa kubelesya nzila zyandeene mbuli ng'anda zyasikapepele zyili muzyooko zyabo antela community Radio Stations.
- ii. Kuyeeyela zyintu zyitali mbubo: Kubikka nzila ziyakusensemuna kutwaambo twakweelana alimwi akutasalulana nchintu cipati kubanamaleya bamucilawo acimwi acimwi kutegwa bazyibe mayalane aanzila aali mucisi alo aakubona masimpe kuti kwaba kulemekezya nguzu zyabuntususu.
- iii. Bube bwamilawo mboibede: Kuli milawo yanguzu zyabuntususu zyandeene zyamucisi, munyka yoonse aciinga calo ciba nchecitondezyo mbuli mbozyeelede kukwabililwa nguzu zyabuntususu. Bube bwamilawo mboiyalidwe inga kwalanganyizyigwa kwiinda mukubelesya nkuta mucisi coonse.
- iv. Kupenga alimwi akusulaikwa: Kuzyibya akusensemuna kwiinda mukubelekela antoomwe ambunga zyitalikumbatizi kumfwulumende, mbunga zyiiminina nguzu zyabuntususu azyibeela zyamfwulumende nenzila zyilikabotu kubelesya. Kulayandika kubelesya nzila zyimwi azyiindi zyimwi mucilawo mbuli kubelesya miswaangano yamumunzi alimwi amawailesi aamuminzi ma community radio stations kuba nenzila zyibotu kwambaula kutonkeeka kuti penzi eeli limane.

Eezi zyoolwe nkozyili mubukkale bwandeene alimwi milyango iljalukide kutegwa bami abasimabbuku babelesye kukanana twaambo ootu. Zyoolwe eezyi ninzila kumane kumwi zyiliyalidwe cakabotu kabotu kumane zyilajanika cisi coonse, zyooko, zyilikiti alimwi amuzylawo zyikkala bantu. Eezi zyoolwe inga tiizyapandululwa mubulamfwu pee pele bube akukomena kwazyintu zyilapandululwa ansi aawa. Eezi zyili:

4.1. Nzila zya Nguzu zyabuntususu alimwi amayalane mbwaabede mucisi ca Zamba

Nzila zya nguzu zyabuntususu alimwi ambozyiyalidwe mucisi ca Zambia zyilajanika kubona masimpe kuti nguzu zyabuntususu ziyakwabililwa, ziyakulwaizyigwa alimwi akuzwidilizyigwa.

4.1.1. Mayalane aanzila ziyibikkidwe

Mucibeela camayalane, kuli nzila zynji ziyibikkidwe zyalo ziyijisi kunyonganya kunguzu zyabuntususu. Ceelede kuzyibwa kuti nzila zyilabambwa ziyakulanganya cisi amfwulumende kubona masimpe kuti muntu amuntu mucilawo oomo ajane bubotu bwaco. Eezi nzila zynji kuzyaamba aawa pele kweelede kuzyibwa kuti nzila zyoonse kutobelanya aMulawo Mupati Wacisi ziyibambidwe kuzwidilizya kulyaaba amulimo wamfwulumende

kunguzu zyabuntususu. Mukozyanyo:

- i. Nzila iibikkidwe mucisi coonse yakulanganya makani aabulwazi kwasikalileke naa HIV and AIDS policy mucikuwa kucikonzya kujana busilisi amisamu yakusilikwa. Eeyi nzila kwamana ilalanganya abantu balo balijana munkwela zytaciti bunji bwabantu mbuli bantu bakwatana baalumi naa bamakaintu mulicabo, bantu bajisi zyizo zyoonse zyobilo zyabukaintu abulombwana (mucikuwa cakufwaafwi LGBTI) beelede kujana busilisi muzyibbadela kakunyina kakunyina penzi. .
- ii. Nizla iilanganya zyamilawo yakwiiminina bantu: Eeyi nzila yakabikkilwa kuti ibone masimpe kuti muntu amuntu kajana bwiiminizi akulanganyizigigwa kabotu akukwabililwa amulawo. Kwiinda munzila eeyi kampango kambunga yiiminina bantu mulizyamilawo iitegwa Legal Aid Board Act kakabikkwa ang'anda yamilawo kumane kwakabikkwa ambunga ya Legal Aid board. Nkokuti kufwumbwa muntu mucete kumane wakalijana mukusalululwa akaambo kakuba mukaintu naa kuba mulema inga wajana lugwasyo kwiimininwa kuli zyamilawo munkuta kumbunga ya legal AID board.
- iii. Mbunga yakugwasyilizya kusumpula bantu kubuvwubi iitegwa mucikuwa Citizens Economic Empowerment Commission: Eeyi nzila yakabikkwa kugwasyilizya bantu bacete kwiinda mukubapa mali aakutalisya makwebo. Mulikaako mbunga zyabantu bapengede tabacikonzyi naa bajana buyo kusyoonto kujana milimo mbuli bantu balema inga bajana lugwasyo kuzwa kunzila eeyi.

Kutobelanya anzila zyoonse, cilakonyeka kuti mbunga zyabantu bapengede inga zyasalululwa alimwi akutapegwa ciindi cakuti bajane zyintu naa milimo eeyo. Bamami abasimabbuku balijsii mulimo mupati wakugwasyilizya kubona kuti kubelesya nzila yalo iitobelwa cisi coonse tazyisalululi bantu mbobalela pe alimwi zylabeleka kakunyina kusala alusalululo kubantu bakkala muzyilawo bapengede.

4.2. Mayalane aazyintu zyoonse.

Bube bwazyibeela zyabwapauzi bwazyintu kuli mbunga zyandeene zyalo ziyjanika muminzi mukkala banamaleya, zyooko alimwi acisi coonse.

4.2.1 Mucilawo mobakkala banamaleya

- i. Mbunga iigwasyilizya bantu batundululwa mucikuwa iitegwa Victims Support Unit – Eeyi mbunga zylajanika muzyitisyini zyabasilikani muzyibaka zyoonse mukkala banamaleya naa tutisyini tusyooonto twabasilikani walo ngomukozyanyo wabukwabilizi bwanguzu zyabuntususu. Mubwini bwabukkale yakazyizyilwe buyo kuti yakali kugwasyilizya buyo bantu batundululwa mumaanda pele mubwini mbunga eeyi nkozyili kugwasyilizya bantu boonse batundululwa babe baalumi naa bamakaintu.
- ii. Nkuta zyamuminzi. Eeyi azyalo ziyjanika muzyooko zyamuminzi mukkala banamaleya zyalo ziykonzya kubelesyegwa kukwabilila nguzu zyabuntususu. Eeyi nkuta zyeede kuti lyoonse zyabona masimpe kuti nguzu zyabuntususu yakwabililwa mucindi nobabelesya mulawo wazyatunsiyansiya twabasikale mukubamba twaambo.
- iii. Tubunga tujanika muminzi tulanganya nguzu zyabuntususu mucikuwa Community based human rights committees. Eeyi zylimunzila yalo iilikabotu kukulwaizya akukwabilila nguzu zyabuntususu. Eeyi mbunga, nkuba kwaamba kuti tazyialidwe mucibeela camilawo yatunsiyansiya twabasikale, inga

zyabambwa kwiinda mukuzumizyigwa anguzu zyabami abasimabbuku alimwi zyabeleka ambunga zyitalikumbatizyi kumfwulumende kutola mulumbe wakusensemuna bantu kunguzu zyabuntususu mucilawo naa mumunzi oomo.

Kubula luziyibo munguzu zyabuntususu canyonganya akufwubya tubunga twanguzu zyabuntususu kuti tubeleke kabotu.

4.2.2 Bube bwazyintu acooko naa Provincial Level

Acibeela eeci, zyibeela zyamfwulumende zyandeene zyamitabi yamfwulumende zyileelene kulubazu lwakukwabilila nguzu zyabuntususu.

- i. Minister wacooko amweendelezi wacilikiti. Maopesi mapati acooko alijisi mulimo mupati alo bami abasimabbuku nkobakonzya kuunka kubona masimpe kuti kwaba kuzwidilizya nguzu zyabantu mbobalela amfwulumende. Nkwiinda buyo mucilikiti alimwi amitabi yamfwulumende yamucooko balo bantu nkobakonzya kujana kulyaambilila akuba aajwi lyabo kuti limvwugwe.
- ii. Nkuta zya Magistrate Courts. Eezi nkuta ziyilijisi mulimo mupati kwiinda mukubona masimpe kuti mulawo watobelwa akubeleka bweelede. Mukozanyo ukonzya kupegwa bantu bamumunzi balo balimvwa kuti nguzu zyabo zyadyaamininwa mbuli mboubelesyegwa mulawo watunsiyansiya twabasikale inga bazeka akutola kaambo kunkuta ya magirstrate. Munzila eeyi nkuta ya magistrate ilalanganya akweendelezya kubona kuti zyatunsiyansiya zyasikale tazyuubelesyi mulawo watunsiyansiya twabasikale munzila iitundulula nguzu zyabuntususu.

4.2.3 Ambaakani yacisi naa National Level

- i) Nkuta mpati yamucici ca Zambia ya Supreme Court a High Court: Eeyi nimbunga ziyijisi mulimo mupati mukukwabilila nguzu zyabuntususu. Ninkuta eezi zyalikke zybilo zyalo zyilanganya akubelesya milawo mipati iitobela nyika yoonse aciinga kutobela milawo yanguzu zyabuntususu akupandulula kutondezya nguzu muMulawo Mupati Wacisi. Bantu bamucooko naa mumunzi balijisi nguzu zyakuunka kunkuta eezi kuyandaula bukwalilizi kunguzu zyabo ziyijanika muMulawo Mupati Wacisi constitution mucikuwa. Ceelede kuzyibwa kuti kaambo kakataninga tolwa kunkuta mpati ya Supreme Court muntu weelede kusaanguna kutola kaambo kunkuta mpati ya High Court.
- ii) Mbunga iilanganya nguzu zyabuntususu mucisi ca Zambia Human Rights Commission of Zambia. Mbunga eeyi ibambwa aa Mulawo Mupati Wacisi. Mulimo wambunga eeyi ngwakukwabilila nguzu zyabuntususu kwiinda mukuvwuntauzya kulanganya butunduluzi, kubweza mulimo wakusensemuna alimwi akuzyibya bantu makani aanguzu zyabo. Mulimo uumwi wambunga eeyi ngwakuvwuntauzya kutwaambo twayeeyelwa kutundulula nguzu zyabuntususu. Mbunga eeyi nimbunga iijanika cisi coonse alimwi ilijisi maopesi muzyooko zyandeene zyoonse zyacisi alimwi mulikaako inga yabelesyegwa abami abasimabbuku kukulwaizya akukwabilila nguzu zyabuntususu muzyooko zyoobakkala.

4.3 Milawo iitobelwa nyika yoonse aciinga camasi yakukwabilila nguzu zyabuntususu.

Nokuba kwaamba kuti mulimo ngwakukwabilila nguzu zyabuntususu walo ulimumaanza aamfwulumende, bamami abalo inga baibelesya milawo iitobela masi akubelesyegwa nyika yoonse amuciinga cabo, munzila yakubona kuti bakwabililwa bantu mbobalela kunguzu zyabo.

Bamami abasimabbuku inga babelesya milawo eeyi ku:

- i) Kwaamba kuti bazuzukiziyilwe zyisyomyo: Basololi inga babelesya milawo anguzu kwaambila mfwulumende kuti izuzukizye kulyaaba kwayo kucibeela canguzu zyabuntususu. Mukozyanyo uunga wapegwa buyo ciindi banikukanazyanya amfwulumende kwiinda mumweendelezi wacilikiti district commissioner kuyandika kwakuti kube zykolo, bami balaaciindi cakukanana kwaamba kuti kupa zykolo mulimo wamfwulumende ngojisi kutobelanya anguzu zyakujana lwiiyo. Mboona buyo ciindi bani kwaamba kuti bapegwe ziybbadela bamami inga bayaambila mfwulumende kuti izuzukizye kwiinda mukutondezya kuti mulimo wakupa nseba tauli buyo mulimo wamfwulumende pele akuti balijisi amulimo wamfwulumende walo uuli mukampango kamilawo kutobelanya anguzu zyakuba aanseba zyilikabotu .
- ii) Kwaambila nzila ziyibikkidwe mucisi ziyiyandika kucita: Milawo inga yabelesyegwa kulailila mizeezo atwaambo twakazuminanwa kulanganya nguzu zyabuntususu kutobelanya atwaambo twamung'anda yabami kulanganya mubukale bwesu. Mukozyanyo ciindi banikukanana mulawo uumwi naa nzila yalombozyegwa, bami inga bacikonzya kugwasyiliza kuzuunyene kufwumbwa bazyiba bube bwanguzu zyabuntususu.
- iii) Kusumpula bube bwankuta zyatunsiyansiya twabasikale naa zyamuminzi: Tumpango twamilawo yanguzu zyabuntususu zyilabikka zyintu zyeede kutobelwa zyalo bami zyo bakonzya kubelesya mumulawo wazyatunsiyansiya twabasikale kubona masimpe kuti kwataba kudyaaminina nguzu zyabuntususu alimwi zyalemekwa nguzu zyabuntususu munkuta zyamuminzi naa nkuta zyatunsiyansiya twabasikale. Mukozyanyo kwiima kwakulanganya kweelana alimwi akubula lusalululo kwalo kujanwa mumilawo eeyi inga yabelesyegwa kukwabilila bamakaintu, bana baniini, bantu bacita nkwelela zytaciti bantu banji, balema alimwi ambunga zyabantu bamwi bapengede antoomwe ambunga zyabantu bamwi basulaikwa. Mbubona buyo zyintu mbozyeelede kuba azyeelede kutobelwa inga zyabelesyegwa mumiswaangano yamuminzi mukusala zyintu zyakucita.

Nchubauba kubami abasimabbuku kutondezya bantu babo munzila iikonzya kugwasya kusumpuka kuti kabazyi nguzu zyabuntususu nchozyaamba alimwi amilawo iiliko kukwabilila nguzu eeyo. Eeci cilagwasyiliza kuti bami bakkale akuba aaluziyibo lwanguzu zyabuntususu alimwi nchintu cipati kutegwa kube kuzwidilila alusumpuko lutolelele mucilawo oomo.

4.3.1. Milawo iitobela masi aamunyika yoonse yanguzu zyabuntususu

Mukulanganya kwamasi aamunyika yoonse bantu balapegwa alimwi balikwabilidwe amulawo uulanganya nguzu zyabuntususu nyika yoonse mucikuwa iitegwa international bill of rights. Milawo iilanganya ilijisi atumpango totatwe tupati twanguzu zyabuntususu. Eeziy kuli zyibeela ziyibikkidwe zyakutondezya kulyaaba kwanyika yoonse kumulawo yanguzu zyabuntususu, Cizuminano camasi kunguzu zyakubuvwubi atunsiyansiya twabasikale alimwi acizuminano camasi nyika yoonse cilanganya nguzu zyakunana twaambo twamubukkale atunzanyu zyitegwa mucikuwa universal declaration of human rights, international covenant on economic social and cultural rights and the international covenant on civil and political rights.

4.3.1.1 Cibeela cakutondezya kuzumina nguzu zyabuntususu nyika yoonse mucikuwa chitegwa Universal declaration of Human Rights (UDHR)

Kuzumina kwanguzu zyabuntususu zyeede kutobelwa nyika yoonse naa Universal Declaration of Human Rights (UDHR) calo cakazuminwa mumuswaangano mupati wa United Nations General Assembly mu 10th

December 1948, calo nchicakapa kuti kubikkwe buzuba bupati bwakulanganya nguzu zyabuntususu butegwa, "human rights day".

Ooyu muzeezo walo wakweelana kwabantu ulatondezyegwa mukampango ka article 1 kucibeela cakutondezya kulyaaba kunguzu zyabuntususu nyika yoonse Universal Human Rights Declaration UDHR mucikuwa. Ooku kulyaaba nchecisyiko kutegwa kuti kube kukkala munguzu zyabuntususu akukwabilila nguzu zyabuntususu alimwi amilawo iitobelwa nyika yoonse. Kampango kakusaanguna ka one kalo kalizyiziyilwe kapati kwaamba kuti:

"Bantu boonse balazyalwa cakuliiba alimwi baleelene mubulemu, anguzu.

Kampango kakusaanguna 1 kalalemekezya kweelana kwabantu alimwi acikono cakuba aabulemu muntu amuntu. Cilasindinganya kaambo kakuti muntu amuntu nguujisi nguzu alimwi baleelene abantu boonse amuntu amuntu woonse mukukkala cakukkamana anguzu zyabo. Mulikaako cilabikka ntalisyo mbotu kutegwa kubule lusalululo. Aaka kaambo kakubula lusalululo kalalemekwa mukampango ka article 2 mucibeela cacizuminano cakutobela milawo yanguzu zyabuntususu nyika yoonse naa UDHR mbuli boobu butobela:- "Muntu amuntu ulipedwe nguzu zyoonse alimwi akwaanguluka kwalo kwakabikkwa mukulyaaba akwaamba ooku, kakunyina kulanganya nkwayila muntu, mbuli mubala, musyobo, mukaintu naa abe mwaalumi, mulaka, cikombelo, tunzanyu twazulilwa nkamu naa mizeezo iili buti njobaimvwi, cisi naa kucibaka nkobakkala, lubono, nkwakazyalilwa naa bube bwazyimwi zyintu"

Kampango 7 kali mucizuminano canyika yoonse ya UDHR kazumanana kutondezya kaambo aaka kwiinda mukutondezya kuti "muntu oonse" uleelene kumulawo alimwi kakunyina lusalululo luliloonse kubukwabilizi bwamulawo. Ilazumanana kutondezya kuti "Oonse muntu" ulipedwe nguzu zyabukwabilizi bweelene kuzwa "kumusyobo wabutunduluzi oonse" mukutyola cizuminano eeci amusyobo wakuyunga kufwumbwa kwalo kupa lusalululo.

Nokuba kwaamba kuti eeyi ntaamu yacizuminanao ya UDHR taibooli caantangalala kutondezya kutasalululwa kwabantu bamwi bacita nkwele bantu banji zyobataciti, cibeela eeci ca UDHR cilacikonzya kupa bukwalilizi kubantu balo balijana kuti mbasyoonto boonse alimwi ambunga zyabantu zyipengede kusanganya abaabo balijana kucita nkwele mumusyobo bantu banji ngobataciti. Muswaangano mupati wamasai aakamantene nyika yoonse wa United Nations General Assembly ulalemekezya mayalane aabikkidwe mukampango kabili 2 tacipi kukatala pe. Mukozyanyo ,kwiinda mucizuminano ca 45/187 alimwi a 46/203 yamwaka wa 1991 muswaangano mupati wa United Nations General Assembly UNGA wakatondezya kulyaaba kuti bantu bapona aakazunda kasikalileke balikwabilidwe kuti batasalululwi kwiinda mubbala lyaamba kuti zyiimo zyabube zyimwi.

4.3.1.2 Kampango kacizuminano camasi kalanganya zyanguzu zyakukanana twaambo twabukkale atuzanyo mucikuwa International Covenant on Civil and Political Rights (ICCPR)

Cizuminano cakulanganya masi nguzu zyakukanana twaambo twabukkale alimwi anguzu zyakukanana twaambo twacisi ICCPR nchizuminano ciswaanganya cizuunyene mucizuminano canyika yoonse amasi mbwaatobela. Cisi ca Zambia cakaba akati kamasi alo aali mucibeela cakulemekezya nguzu zyabantu kwiinda mucizuminano ca ICCPR mu 10th April 1984.

Cibeela cakweelana alimwi akubula lusulululo mucizuminano ca ICCPR cilaba antalisyo preamble mucikuwa. Cilalemekezya kuti nguzu zyilajanwa kuzwa kubulemu bwacikono bwabube bwamuntu kumugama. Kuzwa mukampango kabili article 2(1) cizuminano ca ICCPR cilabikka kulyaaba kuba amulimo Kumasi woonse aakazuminana kuba akati kayaayo (kusanganya acisi ca Zambia) kubona masimpe kuti muntu amuntu wamucisi kakkala cakulanganyizyigwa akukkomana munguzu zyabuntususu kakunyina kusulululwa.

Caamba kuti ; -

“Cisi acisi (mukozyanyo cisi ca Zambia) kucizuminano cibeleda ino cilalemekezya akubona masimpe kuti muntu amuntu uuli mucooko oomo alimwi uuzumina kumulimo wanguzu ulalemekezya cizuminano ciliino,kakunyina kusinkilila nokuba kwabuti,mbuli mubala,muntu musyobo wakwe, musyobo wankwela ngwazumina,bukombi,nkazulilwa mutunzanyu naa mizeezo njasyoma,cisi nkwaswa ,lubono ndwajisi ,nkwaakazyalilwa naa abube bumwi.

Mbunga yeendelezya cizuminano eeci njijisi mulimo wakubona kuti masi aakazumina akuba akati kacizuminano eeci atobela akucita bweeleda kukulyaaba kwabo mucizuminano eeci nimbunga iilanganya nguzu zyabuntususu iitegwa mucikuwa Human Rights Committee. Mukusandulula kampango kakweelana alimwi akubula lusulululo kabunga aaka kakazumina kwiinzya twaambo twa number 18 kalo kaambo kakakananwa kusaanguna.mubwini, kaambo aaka kakali kukanana zyintu mbozyibede zyilimukati kuba aanguzu yakweelana alimwi akubula lusulululo mubwini.

4.3.1.3 Cizuminano camasi ca Kampango kalanganya nguzu yakubuvwubi, bukkale alimwi anguzu kutunsiyansiya twabasikale naa mucikuwa International Covenant on Economic, Social and Cultural Rights (ICESCR)

Cizuminano camasi ca Kampango kalanganya nguzu yakubuvwubi, bukkale alimwi anguzu yakutunsiyansiya twabasikale naa mucikuwa International Covenant on Economic, Social and Cultural Rights (ICESCR) mbuli kusumpula alimwi akukomezya nguzu zyikozyanya mucizuminano camasi cakulyaaba nyika yoonse mubulamfwu alimwi ilazumanana kutondezya nzila ziyandika kutegwa kube kuzyiba kukkwene nguzu zyabuntususu zyiliko. Cisi ca Zambia cakasangana kuba akati kamasi kucibeela ca ICESCR mu 10 April 1984. Nokuba kwaamba kuti cili akati kamasi aakazumina kumbaakani eeyi kwamyaka yiindi kumakumi otatwe 30 lino, cisi ca Zambia tacina bikka munzila iilibonya noiba yomwe akati kanguzu yakubuvwubi bwacisi, bukkale, tunsiyansiya twabasikale zyalo yakabikkwa mu ICESCR. Eeci cilacesya mulimo ngocakalyaba kuzwidilizya kwiinda mu ICESCR kakunyina kulitamizya kuti cinyona lubono naa zyibelesyo zyamucisi.

Mulimo wini kuugama uuliko kwiinda mu ICESR nchibeela cakulyaaba cakubula lusulululo.Ooku nkwaamba kuti, kuti zyasupa kusyoonto buyo cisi acisi calo cilikumbatizyide kumbunga ya ICESR ceelede kukkala cakuliiba kwiinda mucizuminano ESCR kakunyina lusulululo nokuba lwabuti.Kuyungizya muntu amuntu weeleda kulanganyizyigwa kabotu cakweelana mukukkala cakuliiba munguzu zyabuntususu alimwi akumulawo. Eeci tacyandiki amali naa lubono buya pee kuti cizwidilizyigwe, kumane nchecicitwa kuti mulimo uumwi wantalisyo uuyandikana kuzwidilizya

Ooku kulyaaba anguzu yakubula lusulululo nchisyomezyo cizuunyene kwiinda mukampango naa article 2(2) kacizuminano cakulyaaba citegwa ICESCR.

Caamba kuti:-

“Masi aalijanide kuba akati kacizuminano eeci alabweza kulyaaba kusyomezwa nguzu zyakabikkwa mucizuminano ciliino ciyakubelesyegwa kakunyina lusalululo lwamusyobo nokuba uulibuti mbuli kuba musyobo, mubala, musankwa naa mukaintu, mulaka, bukombi naa nkwarzulilwa mutunzanyu naanka mizeezo akusyoma mpaimvwi, cisi nkwarzwa naa ankwakkala, lubono, nkwaakazyalilwa naa bube bwaciimo cakwe.

Mbunga iilanganya cizuminano ya ICESR nimbunga iizwa mukabunga kalanganya nguzu zyabuvwubi bwacisi alimwi atunsiyansiya twabasikale naa committee on Economic Social and Cultural Rights mucikuwa. Mbunga eeyi ilasandulula nguzu zyabuntususu zyandeene alimwi akupa zyintu zyijanika kwiinda mutwaambo tuzwa kubunji bwabantu bazwa mumasi aamunyika yoonse.

4.4 Cibelesyo camulawo wamuciinga

Aciimo cacooko mpociimvwi, cisi ca Zambia cili akati kambunga yamasi aamunyika ya Afulika ya African Union alimwi akuba akati kamasi aakazumina cizuminano camasi munyika ya Africa yakulanganya nguzu zyabuntususu zyabantu naa African Charter on Human and People’s Rights (zyiindi zyinji zyizyibidwe kuti African Charter). Cibeela ca African Charter cakazuminwa akutalisigwa ambunga ya Organisation of African Unity (OAU) mazubaa aano yitwa kuti African Union(AU) okuya ku Nairobi ku Kenya mu 27th June 1981 kumane yakatalika kubeleka mu 21 October 1986. Cisi Ca Zambia cakangana akuzumina kuba akati kambunga eeyi mu 10th January, 1984.

Cibeela ca African Charter nchizuminano cakulanganya nguzu zyabuntusu calo ciswaanganya akuzuunyika cizuminano eeci mukuwabilila akukulwaizya nguzu zyabuntususu munyika ya Africa. Zyimwi nzila zyamilawo iimwi kuli cizuminano eeci ca African Charter kulanganya nguzu zyabamakaintu alimwi acibeela ca African Charter kunguzu zyabana akulanganya bukkale bwabo. Cizuminano eeci cilijisi tumpango tusika ku 26 twalo tubamba zyzuminanano akulyaaba mu Zambia amasi aamwi aamunyika ya Africa kulemeka, kukwabilila alimwi akuzwidilizya nguzu zyabantu basicisi. Nguzu eezyi zyamucizuminano ca African Charter zyilisangenwe a nguzu zyakweelana alimwi akubula lusalululo, nguzu zyakuba abuumi, bulemu bwamuntu, mulimo, nseba zyilikabotu, kuliiba kubungana alimwi akusanganana kumbunga aumwi njayanda.

Kampango kabili ka Article 2 ka Africa Charter kaamba kuti kuliiminina anguzu eezyi kukweelana akubula lusalululo. Yaamba kuti

“Muntu amuntu weelede kuna kukkala cakukkomana munguzu zyabo zyabuntususu akwaanguluka kwabo kwalemekwa akuzyibwa alimwi akusyomezyegwa mucizuminano na African Charter iliino kakunyina kusalulua kwamusyobo, mubala, musyobo wamuntu, mwaalumi naa abe mukaintu, bukombi, nkamu nkwarzulilwa amizeezo njajisi iimwi, kucisi naa kucooko nkwarzwida, zyoolwe, nkwaakazyalilwa alimwi abube bumwi .

Kampango katatu ka Article 3 kalatondezwa cizuminano eeci cakweelana munzila eezyi zytobela aawa:

“Muntu amuntu unakweelene kumulawo, muntu amuntu unakupegwa bukwabilizi mumulawo”

Kampango kane 4 akasanu 5 akalo kajanika mumona oomu mucizuminano kwakweelana alimwi akubula lusalululo mukuti tulasindinganya kuba kwabulemu bwamuntu kumugama. Kampango kane 4 kalalemekezya

akuzyiba kuti “muntu amuntu ulizuunyene munguzu zyakwe zyabulengwe alimwi muntu amuntu uleelede kupegwa bulemu kubuumi oobu alimwi aciimo cakuba muntu”.Kampango kasanu 5 kalazumanana kuyaambe akuti “muntu amuntu uyakuba aanguzu zyakulemekwa kubulemu mbwaakazyalwa ambubo mukuba buntu alimwi akulemekwa bube bwakwe.”

Mubwini cilasalala mbunga eeyi acizuminano cilalemeke kuti kumatalikilo kakutaninga ba cintu nociba comwe naa bube bwabantu bamumasi aajanika mumbunga eeyi “mbantu” alimwi mulikaako bulemu bwabo bwacikono cakuzyalwa cibabika kuba muciiimo cakweelana mubube amuntu amuntu mulikaako kunyina butunduluzi bwamusyobo uulibuti tabweelede kucitika kukasya bantu nguzu zyabo mukampango ka,2,3,4 alimwi a 5 mulikaako zyliljisi mulimo mupati mukukwabilila nguzu zyabantu bacita nkwele bantu banji zybataciti. Nokuba kwaamba kuti bantu balijana munkwela bantu banji zybataciti tazyitondezyegwe cakusalazya kapati, penzi liboola kuzwa mukampango ndyakuti bantu balijana munkwela zytaciti bantu banji naa sexual minorities balemekwa akuti balijisi nguzu mulikaako baleelede kukwabililwa

4.5 Milawo yanguzu zyabuntususu yamucisi

Kulanganya mucisi naa muno nguzu zyabuntususu zylilkwabilidwe aMulawo Mupati Wacisi alimwi ambunga zyamilawo yanguzu zyabuntususu naa Bill of Rights mucikuwa,

4.5.1 Mulawo Mupati Wacisi ca Zambia (naa Constitution)

Mulawo Mupati Wacisi naa Constitution mucikuwa wakabikkwa kuzwa ciindi cisi nocakajana lwaanguluko mumwaka wa 1964. Kuzwaciindi eeco Mulawo Mupati Wacisi wabambululwa zyiindi zyinjaanji. Mu 1976, Mulawo Mupati Wacisi wakabambululwa kumane cisi cakabona kuzyalwa kwacisi mukuba aankamu yomwe iikanana twaambo mucisi (naa One Party State). Mumwaka wa 1991, nokwakaba matongoosi akulifwoola kunji, Mulawo Mupati Wacisi alimwi wakabambululwa, calo cakaba kuti kutalisyigwe alimwi kuba kwa nkamu zyinji zyikanana twaambo twacisi naa Multi Party Democracy. Mumwakwa wa 1996, Mulawo Mupati Wacisi alimwi wakabambululwa, ciindi eeci amuzeezo wakuyumya yumya ciyanza cankamu zyinji kwalo bantu nkobaliiba kusala akukanana twaambo mucisi (naa democracy mucikuwa).

Nokuba kuti kwakaba bubambuluzi boonse oobu bwa Mulawo Mupati Wacisi, Mulawo Mupati Wacisi wa 1996 walo uliino walo wakazwida kumfwulumende yacisi ca Britain calo cakali kutulela ucili buyo nguwana awamu 1996 muzyibeela zyinji. Kampango ka 11 kalatondezya nguzu zyakweelana alimwi akubula lusalululo, citalisya aa:

“Cilalemekwa akutondezyegwa kuti muntu amuntu mucisi ca Zambia uyakuba alimwi unakuya kuzumanana kukwabililwa anguzu zyabuntususu zyalo zyliljisi mulimo mupati akwaanguluka kwamuntu calo caamba kuti ,nguzu,nokuba musyobo wakwe mukuwa naa muntu uusiya,nkwazwa,nkwazulilwa mutunzanyu zyajanika,musyobo,kusyoma kwakwe, abe mwaalumi naa mukaintu kakwete naa katakwetwe pele ulabikkilizyigwa mukusinkililwa nguzu kuli moomu.

Kampango naa Article 23 (3) kaamba kuit lusulululo

“eeci caamba kucikonzya kulanganyizyigwa kwiindene kubantu baambwa ,akaambo kambobabede kuti kwiinda mumusyobo,mubala,abemwaalumi naa mukaintu,kubusena nkwaszwa,kakwetwe naa katakwetwe ,nkwaszililwa mutunzanyu ,mubala,naa kusyoma kwakwe kwalo muntu nkwanga uumwi tabapegwi zyoolwe naa kucitwa munzila iimwi zyalo zyitapegwi kubantu bamwi balimuciimo cimwi”

Kulanganya tumpango ootu tobilo, nchintu lino cisalala kuti Mulawo Mupati Wacisi ucizuunyene mukubona masimpe kuti bantu baleelene alimwi kunyina kusalululwa kuliko.

Ciindi tumpango twa Mulawo Mupati Wacisi twapandululwa kabotu kujatikizya zyintu mbozyibede zyamilawo iitobelwa nyika yoonse yalo cisi ca Zambia acalo njocitobela, bube bwakampango ka Mulawo Mupati Wacisi kulanganya lusulululo takabelesyegwi pe. Eeci mulikaako caamba kuti bantu boonse kusanganya abantu bapengede inga balemekwa akupegwa nguzu zyabuntususu Mumulawo Mupati Wacisi mbuli kulyeendela, kubungana, kuliiba kukanana, kubandika, buumi kakunyina kwaangwa naa kupegwa cisubulo. Mulawo Mupati Wacisi ulijisi kampango kajisi nguzu zyabuntususu kategwa Bill of Rights mucikuwa kalo kali nkabeela katatu three Mumulawo Mupati Wacisi.Mubwini cibeela catatu naa Mulawo wanguzu zyabuntusu calo cili anambala three cicjisi nguzu zyabuntususu mukukanana twaambo twabukkale atwatunzanyu mbuli nguzu ziyakuvwoota, kuliiba kulyeendela, kusangana kufwumbwa kumbunga muntu njayanda alimwi akubungana.

4.5.2 Milawo yanguzu zyabuntususu (naa Bill of Rights)

Milawo yanguzu zyabuntususu Bill of Rights mucikuwa ilijisi buyo nguzu ziyakukanana twaambo twabukkale akukanana twaambo twamucisi kusiya ambali nguzu ziyakulanganya buvwubi, bukkale alimwi anguzu ziyatunsiyansiya twabasikale kuba nenzila yalo iijisi nzila zyamfwulumende. Nokuba kwaamba kuti tajjisi nguzu zyabuntususu zyilanganya buvwubi, bukkale alimwi atunsiyansiya twabasikale,bantu bana Zambia balipedwe nguzu eezyi mukuti cisi ca Zambia cakalemba akuzumina kumilawo iitobela masi woonse aciinga kunguzu zyabuntususu. Mukuti cisi cakalemba kuzumina caamba kuti cisi ca Zambia cakatondezya kulyaaba kutobela alimwi akulemeka nzila azyiyandika kuzwidilizya mumilawo yandeene yanguzu zyabuntususu.

Kubula milawo yanguzu kubuvwubi,kubukkale alimwi atunsiyansiya twasikale mumilawo yanguzu zyabuntususu mulikaako ciyungizya kukkwanya kuti bwini cisi ca Zambia cilaalilwa kuzwidilizya milawo yakulyaba iicitwa amasi azyooko. Milawo yanguzu ziyabuntususu mulikaako tainabambuludwe alimwi mulikaako cijosya bube bwazyintu kuzwa ciindi cisi kacitaninga jana lwaangulukulo calo ciindene abulelo bwabutunduluzi. Bube bwazyintu lino casyomezya kusumpuka kwanguzu zyabuntususu mucisi ca Zambia calo cazumanana kuba penzi lipati.

Bantu bamucisi inga tiibabona bubotu mubukwabilizi bupegwa kwiinda mukutobela akuzyibisyisya masi woonse munyika aciinga zyobatobela nguzu zyabuntusuu mbozyeelede kuba zyalikke pee.Mulikaako eeyi milawo ilazwidlilizyigwa akucitwa mucisi kwiinda munzila abwapauzi bwabusololi kusyomezya akubona masimpe kuti kwaba bukwabilizi kunguzu zyabuntuusu kubantu boonse.

Mayalane antaamu basimabbuku abami zyobeelede kutobela akubweza kukwabilila nguzu zybuntususu zyantutu babo

Mukuubeleka bweelede mulimo wabo wakukwabilla nguzu zybuntususu, bamami abasimabbuku babweza ntaamu zytobela kutegwa cibe nchicitondezyo mumulimo wabo:

- 5.1 **Bami abasimabbuku balaacibeela nchobatola lubazu mumilimo yandeene muziyilawo zybalela ciindi aciindi:** Eeci ciyakupa kuti kube kubona masimpe kuti muntu amuntu wamucooko naa mumunzi oomo mobakkala wabeleka mulimo mupati mubuumi bwakwe mucilawo mwakkala kumane calo ciyakubona masimpe kuti nguzu zyamuntu oonse zyalanganyizyigwa. Bubotu kubantu bakkala mucilawo oomo kutola lubazu mumilimo iicitika mucilawo cabo mbwakuti nguzu zybuntususu ziyilalemekwa kukwabililwa muntu amuntu abanamaleya bamucilawo oomo. Eeci cibona masimpe kuti nzila mbozyeelede kuba zyintu zyatobelwa kusalikila kumuntu wamucilawo oomo mwakkala. Mulikaako bantu bapengede abalo basulaikidwe mbuli bantu balijana kuba aankwela baalumi naanka bamakaintu mulicabo, bantu bajisi zyizo zybilo zybawaalumi azyabukaintu, abantu balimvwa kuti mbalombwana kakuli mukaintu naa mulombwana kalimvwa kuti mukaintu kali mulombwana aaba bantu tabakasulaikwi pe. Nchintu cipati alimwi kuzyiba kuti kusumpuka kwabukkale bwamucilawo inga tiikwacitika kuti kakunyina kutola lubazu bantu bamucilawo oomo kumilimo yandeene.
- 5.2 **Kubeleka antoomwe ambunga zyitalikumbatizyi kumfwulumende ambunga zyimwi zyiiminina nguzu zybuntususu ambunga buyo zyimwi:** Kubeleka aambunga zyitali kumbatizyi kumfwulumende abantu babo ninzila iigwasyilizya kukusumpula nguzu zybuntususu muziyilawo nzyobalela. Mukozyanyo buyo mbunga zyitali kumbatizyi kumfwulumende ziyakugwasyilizya bantu banamaleya bakkala mucilawo eeco babelesya bweelede kunzila iigwasyilizya nguzu zyabo zybuntususu ziyakumbatene aamilawo, nzila alimwi abwapauzi bwazyuuno naa zyibeela zyalo zyiliko mucisi ca Zambia. Mukozyanyo alimwi ambunga zyitalikumbatizyi kumfwulumende mbuli mbunga ya PSFA (PANOS) iyakugwasyilizya zyintu ziyandika zyalo ziyakutondezya bupati bwakutasalaula muntu naba omwe mucilawo. Mukaambo kaako mbunga zyitalikumbatizyi kumfwulumende zyelede kuti nimbunga ziyakumantana kubelekelala antoomwe abami mukusumpula nguzu zybuntususu .
- 5.3 **Kubamba akubikka zyibeela mubusena naa mucilawo kumilimo yakusensemuna bantu kunguzu zybuntususu.** Kutegwa kuti mulimo wakusensemuna bantu kunguzu zybuntususu weende bweelede mucilawo naa mumunzi, kulayandikana kwapaula akubikka zyibeela amasena aayakugwasyilizya kubona kutondezya kuti nguzu zyantutu boonse ziyakukwabililwa. Mukozyanyo uunga wapegwa tubunga twamucilawo twakulanganya nguzu zybuntususu naa Community Human Rights Committees inga twajulwa akubambwa calo cipa kuti kakubonwa masimpe kuti nguzu zybuntususu mbozyeelede kutobelwa caba mbubo mucilawo oobo. Bamami kwiinda munguzu zyamulawo watunsiya nsiya twabasikale nzyobajisi kubona masimpe kuti mulawo watunsiyansiya twabasikale mboibelesyegwa azyiyanza zyimwi tazyityoli akutundulula nguzu zyantutu bamucilawo eeco inga bapa mulimo tubunga ootu. Tubunga ootu inga yaba nzila mbotu yalo mbunga zyitalikumbatizyi kumfwulumende nkozyinga zyanganya akupa lwiiyo lwanguzu zybuntususu amilimo yakusensemuna bantu.

- 5.4 Kubona masimpe kuti mulawo watunsiyansiya twabasikale azyiyanza tawutundululi nguzu zyabuntususu. Bamami abasimabbuku beelede kubona masimpe kuti mulawo watunsiyansiya twabasikale taudyaaminini naa kutundulula nguzu zyabuntususu. Nkokuti bamami abasimabbuku beelede kuti baba aabubelesi bulanganya anguzu zyabuntususu ciindi nobabelesya mulawo watunsiya nsiya twabasikale. Eeci caamba kuti mukulanganya twaambo naa zyimwi zyintu kunkuta zyamuminzi, nguzu zyamuntu amuntu zyelede kulanganyizyigwa kubikka kungsi kansiyansiya. Munzila eeyi butunduluzi bwalo bucitika akaambo kaciyanza cimwi caba akucitwa kwaciindi alimwi tunsiyansiya twabasikale antoomwe akusyoma kumwi kulaleka kucitika.
- 5.5 Kukanazyanya akubelekela antoomwe mumsi mumsi amfwulumende kubona masimpe kuti nguzu zyabantu babo zyakwabililwa. Mfwulumende njijisi mulimo wantalisyo casika kunguzu zyabuntususu. Njenjiyo yeelede kubona kuti mulawo yanguzu zyabuntususu zyabasikale yandeene iitobela nyika yoonse achiinga zyabikkwa kuba mulawo naa kuba nzila zyabubelesi zyelede kutobelwa. Nkokuti lino, bamami beelede kubona masimpe kuti babelekela antoomwe mumsi mumsi amfwulumende naa ambunga zyandeene zyamumfwulumende. Kukanazyanya akubelekela antoomwe amfwulumende caamba kuti, mukozyanyo ukonzya kupegwa ngwakuti bamami bayakwiita mutabi weelede kubikka cibbadela cipati na kabbadela kasyoonto, naa cikolo calo ciyakuzwidilizya nguzu zyakuba alwiiyo. Eeci nchintu cipati akaambo kakuti bami bakkala mumsi mumsi aabantu alimwi balizyi kabotu zyintu zyobayandika kwiinda mfwulumende. Mulikaako bami abasimabbuku inga baambwa kuti nindomboyo yakwiiminina bantu babo.



Contact us

Panos Institute Southern Africa

Regional Office

Plot 9028 Buluwe Road
Off Leopards Hill, Woodlands
P.O. Box 39163, Lusaka Zambia
Tel: +260 211 263258 Fax: +260 211 261039
Email: general@panos.org.zm Website: <http://www.panos.org>

South Africa Office

P.O. Box 3286, Parklands, 2121
158 Jan Smuts Avenue, 3rd Floor
Rosebank, 2196
Johannesburg
Email: admin@panos.org.za

Mozambique Office

Rua Castelo Branco,47 -1st Floor
Malhangalene
Tel/Fax: (+258)21415549/ 849414984
Mobile: (+258) 823050604/ 848585135
Email: mozambique@panos.org.zm

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Panos Network Secretariat

www.panosnetwork.org
Email: info@panosnetwork.org

Panos Caribbean

www.panoscaribbean.org

Panos Eastern Africa

www.panoseasternafrica.org.ug

Kampala, Uganda

(regional centre)
tel: +256 414 344231
fax: +256 412 54729
pea@panoseasternafrica.org.ug

Panos Paris

www.panosparis.org
tel: +33 1 40 41 05 50
fax: +33 1 40 41 03 30
panos@panosparis.org

Panos South Asia

www.panosouthasia.org

Kathmandu, Nepal

(regional centre)
tel: +977 1 5521889
fax: +977 1 5544641
psa@panosouthasia.org

Panos West Africa

www.panos-ao.org

Dakar, Senegal

(regional centre)
tel: +221 849 16 666
fax: +221 822 17 61
info@panos-ao.org



Vision: A Southern African community
that drives its own development