

**PANGANO LA MFUNDO ZOVOMEREZEKA  
PA UFULU WOBADWANAWO ANTHU  
WOKHUDZA**

# **AMAYI MU AFRICA**





## PANGANO LA MFUNDO ZOVOMEREZEKA PA UFULU WOBADWA NAWO ANTHU WOKHUDZA AMAYI MU AFRICA

Mayiko amene asayinira panganoli atatakambiranakambirana aonapo mfundo zingapo motere:

**Mamembala akudziwa kuti** Gawo 66 la mfundo zovomerezeka pa ufulu wobadwa nawo wa anthu mu Africa likuvomereza zopanga mapangano apadera ngati kungakhale kofunika, ndi cholinga chakuti athandizire mfundo za mayiko a mu Africa-zo, komanso tikuzindikira kuti msonkhano wa 31 wa atsogoleri a mayiko ndi maboma a m'bungwe la Organization of African Unity omwe unachitikira ku Addis Ababa m'dziko la Ethiopia, mwezi wa June m'chaka cha 1995, unavomereza mfundo ya AHG/Res.240 (XXXI) omwe anali maganizo amene inapereka nthambi ya bungwe la OAU yona za ufulu wobadwa nawo wa anthu mu Africa ofotokozera momveka bwino pangano lokhudza ufulu wa amayi mu Africa.

**Mamembala akuonanso kuti** Gawo 2 la mfundo zimene mayiko a mu Africa anamvana pa za ufulu wobadwa nawo wa anthu zikufotokozanso za nkhani yosachita tsankho poyang'ana za mtundu, maonekedwe a khungu, zoti munthu ndi wamkazi kapena wamwamuna, chiyankhulo, chipembedzo, chipani kapena maganizo ena aliwonse amene munthu amakhala nawo, komwe munthu amachokera, chuma chidadwa kapena ulemerero wina uliwonse.

**Mamembala akuzindikiranso** kuti Gawo 18 la mfundo zimene mayiko a mu Africa anamvana pa za ufulu wobadwa nawo wa anthu likupempha mayiko amene anasayinira panganoli kuti athetse tsankho lililonse lochitira amayi komanso kuti aonetsetse kuti ufulu wa amayi ukutetezedwa mogwirizana ndi zomwe mayiko a padziko lonse anamvana;

**Mayikowa akudziwa** kuti Gawo 60 ndi la 61 la mfundo zimene mayiko a mu Africa anamvana pa za ufulu wobadwa nawo wa anthu akuonetsa kuti mapangano ndi mfundo za m'zigawo komanso za padziko lonse kuphati kizapo zinthu zimene mayiko a mu Africa amachita zogwirizana ndi mfundo za mayiko onse zokhudza ufulu wobadwa nawo anthu, n'zofunika kuziganizira pogwiritsa ntchito ndi kutanthauzira mfundo za mayiko a mu Africazi;

**Mayikowa akukumbukiranso bwino lomwe** kuti ufulu wa amayi waganiziridwa ndi kuperekedwa mu mfundo ndi mapangano onse a padzikolonse, makamaka mu mfundo zofotokoza za ufulu wobadwa nawo wa munthu aliyense, pangano la mayiko onse lokhudza ufulu wa anthu pandale ndi zochitika zina, pangano la mayiko onse lokhudza ufulu pa chuma, chikhalidwe ndi miyambo, pangano lothetsa tsankho lina lililonse lochitira amayi ndi gawo lina la panganoli limene mayiko atha kulitsatira kapena ayi, mfundo za mayiko a mu Africa pa za ufulu wa anthu ndi chisamaliro cha ana, ndi mfundo zina zonse zimene mayiko onse kapena mayiko a chigawo chimodzi anamvana zokhudza ufulu wa amayi kuti ndi ufulu woti sungathetsedwe kugawidwa ndikutinso ndi wodalirana;



**Mamembala akudziwanso** kuti ufulu wa amayi ndi udindo wawo ofunikira pa chitukuko zanenedwanso m'mapulani a ntchito okhudza zachilengedwe ndi chitukuko a bungwe la United Nations a m'chaka cha 1992, okhudza ufulu wobadwa nawo wa anthu a chaka cha 1993, okhudza chiwerengero cha anthu ndi chitukuko a chaka cha 1994 ndi okhudza chitukuko cha chikhalidwe cha anthu a chaka cha 1995;

**Ndipo akukumbukira** mfundo ya 1325 (2000) ya nthambi ya za chitetezo ya bungwe la United Nations yokhudza udindo wa amayi polimbikitsa mtendere ndi chitetezo;

**Kuonjezera apo mamembala akutsimikiza za** mfundo yosasiyanitsa anthu kamba koti wina ndi wamwamuna pamene wina ndi wamkazi monga momwe zanenedwera mu malamulo okhazikitsira bungwe la African Union kuphatikizapo mu ndondomeko za mu mgwirizano wa za chitukuko wotchedwa New Partnership for Africa's Development, mapangano ena oyenera, mfundo ndi maganizo, omwe akutsimiki zira kudzipereka kwa mayiko a mu Africa kuti akufuna kuonetsetsa kuti amayi a mu Africa akutenga nawo gawo pa chitukuko cha Africa mofanana ndi wina aliyense;

**Mamembala akudziwanso bwino lomwe** kuti ndondomeko zokwaniritsira mfundozi za mayiko a mu Africa ndi ndi mfundo zimene mayiko anamvana ku Dakar m'chaka cha 1994 komanso ndondomeko zokwaniritsira mfundozi zimene anamvana ku Beijing m'chaka cha 1995 zikupempha mayiko onse omwe ndi maembala a bungwe la United Nations, amene anadzipereka kwathunthu kukwaniritsa mfundozi, kuti achite zinthu zooneka ndi amso poganizira kwambiri ufulu wa amayi pofuna kuthetsa tsankho lina lilonse ndi nkhanza zimene amayi amachitiridwa ;

**Mamembala akuzindikira** udindo ofunikira kwambiri umene amayi ali nawo posunga chikhalidwe cha chifilika moyedzamira pa mfundo yosasiyanitsa anthu pa zifukwa zina zilizonse, mtendere, ufulu, ulemerero, chilungamo chimvano ndi demokalase;

**Mamembala aganiziranso mozama za** mfundo ndi maganizo komanso zinthu zina zofanana zimene mayiko a dera lmodzi kapena mayiko onse anamvana n'cholinga chofuna kuthetsa tsankho lamtundu wina ulionse ndi kulimbikitsa zosasiyanitsa pa china chilichonse pakati pa amayi ndi abambo;

**Mamembala ndiokhudzidwa** kuti ngakhale mayiko ambiri anavomereza mfundo za mayiko a mu Africa pa za ufulu wobadwa nawo wa anthu ndi mfundo zina za padziko lonse zokhudza ufulu wa anthuwu ndikulonjeza motsindika kuti athetsa tsankho ndi zochitika zonse zimene zimasautsa amayi, amayi akupitirirabe kusankhidwa ndi kukumana ndi zokhoma mu Africa.;

**Mamembala akukhulupirira kwambiri** kuti mchitidwe uliwonse umene umalepheretsa kapena kuopseza ndi kusokoneza kukula ku thupi ndi m'maganizo kwa amayi ndi atsikana uyenera kusiyidwa ndi kuthetsedwa;

**Mamembala ndiodzipereka** kuonetsetsa kuti ufulu wa amayi ukulimbikitsidwa, kukwaniritsidwa ndi kutetezedwa pofuna kuthandiza kuti amayiwo azitha kugwiritsa ntchito ufulu wawo onse;

## **CHONCHO POFUNA KUTSIMIKIZIRA PA MFUNDO ZILI PAMWAMBAPAZI MAMEMBALA AMANGA MFUNDO ZINGAPO MOTERE**

### **Mfundo 1**

#### **Matanthauzo**

##### **Malinga ndi pangano lino:**

- a) "Mfundo za mayiko a mu Africa" ak utanthauza mfundo zimene mayiko a mu Africa anamvana pa za ufulu wobadwa nawo wa anthu;
- b) "African Commission" means the African Commission on Human and Peoples' Rights;
- c) "Msonkhano waukulu" ukutanthauza msonkhano waukulu wa Atsogoleri a Mayiko a mu Bungwe la African Union;
- d) "AU" akutanthauza kuti African Union;
- e) "Lamulo Losankhira Maudindo" likutanthauza Lamulo Loasankhira audindo mu bungwe la African Union;
- f) "Tsankho lochitira amayi" akutanthauza kusiyantsa, kupatula kapena kuletsa kapena mchitidwe wina uliwonse womuchitira munthu zinthu zosiyana ndi anthu ena potengera kuti munthuyo ndi wamwamuna kapena wamkazi ndipo zolinga kapena zotsatira zake zimasulutsa, kusoko neza amayi kuti asamagwiritse ntchito ufulu wawo m'zinthu zonse mosayang'anira kuti n'ngokwtiwa kapena ayi;
- g) "Mchitidwe wachabe" ukutanthauza makhalidwe ndi maganizo amene amasokoneza ufulu ofunikira wa amayi ndi atsikana monga ufulu wokhala ndi moyo, moyo wathanzi, ulemerero, maphunziro ndi thupi langwiwo;
- h) "NEPAD" akutanthauza mgwirizano watsopano wa pachitukuko cha mayiko a mu Africa womwe unakhazikitsidwa ndi atsogoleri a mayiko a mu Africa;
- i) "States Parties" akutanthauza mayiko amene anasayinira pangano lino;
- j) "Nkhanza zochitira amayi" akutanthauza chilichonse chimene amayi amachitiridwa chimene chitha kapena chimawabweretsera zovuta ku thupi, kumbali ya zogonana, m'maganizo komanso pa chuma, kuphatikizapo kuopsezidwa kuti achite zinthu zimenezi kapena kuletsedwa kugwiritsa ntchito ufulu wawo popanda zifukwa m'nthawi yamtendere komanso m'nthawi yankhondo;
- k) "Amayi" akutanthauza anthu amene ali aakazi, kuphatikizapo atsikana.

## Mfundo 2

### Kuthetsa Tsankho Lochitira Amayi

1. Mayiko amene asayinira panganoli ad zalimbana ndi tsankho lina lililonse lochitira amayi kudzera m'malamulo, mabungwe ndi njira zina. Pachifukwa chimenechi mayikowa:
  - a) adzayika m'malamulo oyendetsera mayiko awo ndi malamulo, ngati sanachite izi, mfundo yosasiyanitsa pakati pa amayi ndi abambo ndikuonetsetsa kuti malamulowo akugwiritsidwa ntchito moyenera;
  - b) kukhazikitsa ndi kugwiritsa ntchito malamulo kapena njira, kuphatikizapo zoletsa ndi kuthetsa tsankho lina lililonse makamaka khalidwe loyipa limaopseza umoyo wa amayi;
  - c) kuphatikiza mfundo za jenda mu ndondomeko, maganizo, malamulo ndi mapulani a za chitukuko, ntchito ndi zochitikachitika zokhudza moyo wa munthu;
  - d) kukonza m'madera momwe tsankho lochitira amayi likupitirirabe m'malamulo kapena mu mfundo;
  - e) kuthandiza pa ntchito zochitika m'madera, m'dziko, m'chigawo chimene chili ndi mayiko angapo komanso padziko lonse zomwe cholinga chake n'kuthetsa tsankho lina lililonse lochitira amayi.
2. Mayiko amene asayinira panganoli ad zadzipereka paokha kusintha chikhalidwe ndi miyambo yokhudza amayi ndi abambo kudzera mu kuphunzitsa anthu, kufalitsa nkhani ndi mauthenga, njira zophunzitsira ndi kufalitsira nkhani ndi mauthenga, n'cholinga chofuna kuthetsa miyambo ndi chikhalidwe chimene chimadzetsa zokhoma kwa amayi ndi makhalidwe ena onse amene amayedzamira pa maganizo opeputsa kapena kulemekeza amuna kapena akazi kapena kuyedzamira pa maudindo ongoganizira kuti amayi kapena abambo okha ndi amene angakwanitse kuchita.



## Mfundo 3

### Ufulu Wolemekezedwa

1. Mayi aliyense adzakhala ndi ufulu wolemekezedwa umene munthu wina aliyense amabadwa nawo komanso kuti ufulu wake wa umunthu ndiponso okhudza malamulo uzizindikiridwa ndi kutetezedwa .
2. Mayi aliyense adzakhala ndi ufulu wolemekezedwa ngati munthu ndikukhala ndi ufulu wopititsa patsogolo chikhalidwe chake.
3. Mayiko amene asayinira panganoli adzavome reza ndi kugwiritsa ntchito njira zoletsa kudyera masuku pamutu kapena kupeputsa amayi.
4. Mayiko amene asayinira panganoli adzavomereza ndi kugwiritsa ntchito njira zoyenera pofuna kuonetsetsa kuti ufulu ulionse wa amayi woti azilemekezedwa ukutetezedwa ndikuteteza amayi ku nkhanza zamtundu wina ulionse, makamaka nkhanza zokhudza zogonana ndi zoyankhulayankhula.

## Mfundo 4

### Ufulu wokhala ndi moyo, ulemerero ndi chitetezo

1. Mayi aliyense adzakhala ndi ufulu woti moyo wake ukhale wotetezedwa komanso ufulu wokhala ndi ulemerero ndi chitetezo. Mchitidwe wina ulionse wodyerana masuku, nkhanza, chilango chonyazitsa umunthu wa munthu ndi zina zidzaletsedwa.
2. Mayiko amene asayinira panganoli adzagwiritsa ntchito njira zoyenera komanso zabwino:
  - a) popanga ndi kugwiritsa ntchito malamulo oletsa nkhanza zamtundu wina ulionse zochitira amayi kwina kulikonse kuphatikizapo kukakamizidwa kugonana;
  - b) potsatira njira zina monga za malamulo, zapachiweniweni, chikhalidwe ndi chuma zimene zingakhale zofunika pofuna kuonetsetsa kuti nkhanza zonse zochitira amayi zikupewedwa ndi kuthetsedwandikutinso zilango zikuperekedwa kwa nthu ochita nkhanzazi;
  - c) kupeza zinthu zimene zimayambitsa komanso zotsatira za nkhanza zochitira amayi ndikupeza njira zoyenera zopewera ndi kuthetsa nkhanzazi;
  - d) polimbikitsa maphunziro okhudza mtendere kudzera mu ndondomeko za mitu ya maphunziro ndi chikhalidwe cha anthu pofuna kuthetsa chikhalidwe, miyambo ndi maganizo olakwika amene amavomereza ndi kulimbikitsa zoti anthu azipitiriza kulolera nkhanza zochitira amayi;
  - e) polanga anthu amene amachitira nkhanza amayi ndikuchita ndondomeko othandiza amayi amene achitiridwa nkhanza;
  - f) pokonza njira ndi chithandizo choti aliyense atha kuchipeza kuti nkhanzi ndi mauthenga zizfalikira bwino, kuthandiza ndi kupereka chipukuta misozi kwa amayi amene achitiridwa nkhanza;
  - g) popewa ndi kuletsa mchitidwe wotenga amayi ndikuwagwiritsa ntchito zopeputsa umlemerero wawo ndi kuteteza amayi amene ali pa chiopsezo chachikulu;
  - h) kuletsa zoyesera mankhwala ndi zinthu zina za sayansi pa amayi popanda amayiwo kuvomereza mozindikira;
  - i) kupereka ndalama zokwanira ndi zinthu zina zogwirira ntchito ndi kuchitira kawuniwnui ndi cholinga chopewa ndi kuthetsa nkhanza zochitira amayi;
  - j) kuonetsetsa kuti m'mayiko m'mene chilango chophedwa chikadalipobe, asapereke chilangochi kwa amayi apakati kapena oyamwitsa;
  - k) kuonetsetsa kuti amayi ndi abambo ali ndi ufulu wofanana pa ntchito yoganizira anthu kuti akhale othawa kwawo ndikutinso amayi akupatsidwa chitetezo ndi zina zonse zimene zinanenedwa m'malamulo a anthu othawa kwawo kuphatikizapo zotupa zowazindikiritsa ndi zina.



## Mfundo 5

### Kuthetsa Makhalidwe Oyipa

Mayiko amene asayinira panganoli adza thetsa mchitidwe ulionse oyipa umene umaphwanya ufulu wa amayi umenenso ukutsutsana ndi zomwe mayiko onse anagwirizana. Mayiko amene asayinira panganoli adzakonza malamulo ndi njira zina pofuna kuthetsa mchitidwewu monga:

- a) kuphunzitsa anthu za mchitidwe wachabewu kudzera ma'mauthenga, maphunziro ndi ntchito zina zoyendera ndi kucheza ndi anthu;
- b) pogwiritsa ntchito malamulo ndi zilango zake, kuletsa ndi kuthetsa mdulidwe wa amayi ndi kutema mphini kumaliseche kwa amayi;
- c) kupereka chithandizo choyenera kwa anthu amene apezana ndi zovuta kamba ka mchitidwe wachabewu monga chithandizo cha zaumoyo, chithandizo chokhudza malamulo komanso pa milandu, uphungu ndi maphunziro a zaluso kuti anthuwo azidzidalira okha;
- d) kuteteza amayi omwe n'kosavuta kuti achitidwe zoipa kapena nkhanza, kuponderzedwa ndi zina.

## Mfundo 6

### Ukwati

Mayiko amene asayinira panganoli adzaonetsetsa kuti amayi ndi abambo ali ndi ufulu wofanana ndipo kuti ndi ofanana ndi amuna awo m'banja. Mayikowa adzakhaizikitsa malamulo oyenera pofuna kuonetsetsa kuti:

- a) palibe ukwati umene ukuchitika mopanda m'modzi mwa anthu awiriwo kuvomereza mwakufuna kwake;
- b) zaka za mayi amene angakwatiwe zisachepere 18;
- c) kulimbikitsa zoti mwamuna kapena mkazi azikhala ndi mkazi kapena mwamuna m'modzi komanso kuti ufulu wa amayi mu ukwati ndi m'banja kuphatikizapo pa mitala ukulimbikitsidwa ndi kutetezedwa;
- d) ukwati ulionse udzalembetsedwa ndi kuikidwa m'kawundula motsatira malamulo a dziko pofuna kuti ukwatiwo ukhale ovomerezeka ndi malamulo;
- e) mwamuna ndi mkazi adzakambirana ndi kugwirizana za momwe aziyendetsera banja lawo kuphatikizapo kumene akufuna kukakhala;
- f) mayi wokwatiwa adzakhala ndi ufulu wogwiritsa ntchito dzina lomwe iye amadziwika nalo asanakwatiwe, kugwiritsa ntchito dzinalo limodzi ndi la mwamuna wake kapena la mwamuna wake palokha monga momwe iye angafunire;
- g) mayi adzakhala ndi ufulu wopitiriza kukhala nzika ya dziko lake kapena kusintha n'kukhala nzika ya dziko la mwamuna wake;



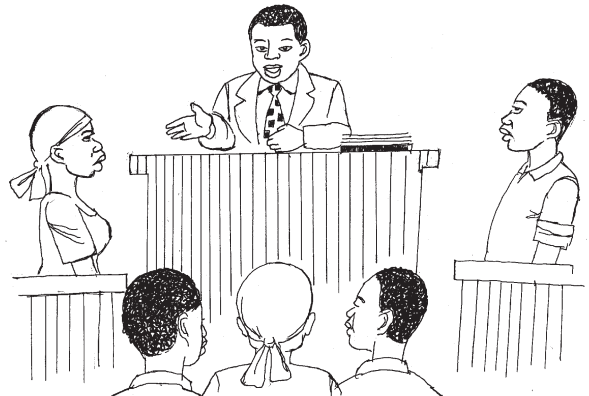
- h) mayi ndi bambo adzakhala ndi ufulu wofanana pa nkhani ya unzika wa ana awo kupatula pomwe izi zikutsutsana ndi malamulo a dziko kapena pamene zimenezi zikutsutsana ndi chitetezo cha dziko;
- i) mayi ndi bambo adzathandizana kutchinjiriza zinthu zabwino zokomera banjalo, kuteteza ndi kuphunzitsa ana awo;
- j) panthawi imene ali pabanja, mayi adzakhala ndi ufulu woipeza ndi kuyendetsa chuma chakechake mopanda kupingidwapingidwa.

## Mfundo 7

### Kupatukana, Kusudzulana ndi Kuthetsa kwa Ukwati

Mayiko amene asayinira panganoli adzakhazikitsa malamulo oyenera pofuna kuonetsetsa kuti amayi ndi abambo ali ndi ufulu wofanana pankhani ya kupatukana, kusudzulana kapena kuthetsa kwa ukwati. Pamenepa mayikowo adzaonetsetsa kuti:

- a) kupatukana kapena kusudzulana ukwati kudzachitika potsata zomwe bwalo la milandu lalamula;
- b) amayi ndi abambo ali ndi ufulu wofanana woyambitsa kupatukana kapenakusudzulana ukwati;
- c) ngati mayi ndi bambo apatukana, kusudzulana kapena athetsa ukwati wao, awiriwo adzakhala ndi ufulu wothandizana komanso udindo pa ana awo. Mwanjira ina iliyonse anthu awiriwo adzaganizira mokwanira moyo wa anawo;
- d) ngati mayi ndi bambo apatukana, kusudzulana kapena athetsa ukwati wao, awiriwo adzakhala ndi ufulu wogawana mwachilungamo chuma chimene anapeza pamene iwo anali pa ukwati.



## Mfundo 8

### Chilungamo ndi Kuteteaedwa Mofanana ndi Malamulo

Malamulo sasiyanitsa amayi ndi abambo ndipo amayi ndi abambo adzatetezedwa ndi kuthandizidwa mofanana ndi malamulo. Mayiko amene asayinira panganoli adzachita chilichonse choyenera pofuna kuonetsetsa kuti:

- a) amayi ali ndi mwayi woipeza chithandizo pa milandu ndiponso pa nkhani za malamulo kuphatikizapo chithandizo cha loya wowaimira pa milandu



- b) akuthandiza pa ntchito zimene anthu, dziko, mayiko a bungwe limodzi kapena mayiko onse akuchita ndi cholinga chopereka mwayi kwa amayi wopeza chithandizo pa nkhani za malamulo kuphatikizapo cithandizo cha loya wowaimira pa milandu;
- a) akhazikitsa ndondomeko zokwanira za maphunziro ndi za zinthu zina zoyenera moganizira kwambiri amayi pofuna kuzindikiritsa aliyense za ufulu wa amayi;
- b) nthambi za boma zimene zimalimbikitsa ndi kuonetsetsa kuti malamulo akutsatidwa zaphunzitsidwa mokwanira kuti zizitha kutanthauzira ndi kulimbikitsa zoti amayi ndi abaambo asamasiyanitsidwe pa zinthu zosiyanasiyana;
- c) m'makhothi ndi m'nthambi zina za boma zimene zimalimbikitsa ndi kuonetsetsa kuti malamulo akutsatidwa muli amayi ochuluka chimodzimodzi ngati abambo;
- d) kusintha malamulo ndi mchitidwe wa tsankho omwe ulipo pofuna kulimbikitsa ndi kuteteza ufulu wa amayi.

## Mfundo 9

### Ufulu Wotenga nawo Mbali pa Ndale komanso Kumanga Nawo Mfundo

1. Mayiko amene asayinira panganoli adzachita chotheka kulimbikitsa ulamuliro wolola anthu wamba kutenga nawo mbali komanso ku lola amayi kutenga nawo mbali pa ndale mofanana ndi abambo kudzera mu njira yopereka mwayi wochuluka ku gulu la anthu limene lakhala likuponderezedwa makamakachifukwa chakuti anthuwo ndi aakazi kapena aamuna kapenanso kamba ka mtundu wawo, malamulo ndi njira zina. Mayiko adzachita izi pofuna kuonetsetsa kuti:
  - a) amayi akuchita nawo zisankho zonse popanda kuchitiridwa tsankho la mtundu wina ulionse;
  - b) m'ntchito zonse zokhudza chisankho muli amayi ochuluka chimodzimodzi ngati abambo;
  - c) amayi ndi abambo ndi anthu ofanana pa zochitika zonse zokhudza chitukuko kuphatikizapo pokwaniritsa ndondomeko ndi ntchito za boma.
2. Mayiko amene asayinira panganoli adzaonetsetsa kuti akuwonjezera chiwerengero cha amayi m'maudindo aakuluaukulu.



## **Mfundo 10**

### **Ufulu Wokhala Mwamtendere**

1. Amayi ali ndi ufulu wokhala mwamtendere komanso ufulu wotenga nawo mbali yolimbikitsa ndi kukhazikitsa bata.
2. Mayiko amene asayinira panganoli adzako nza njira zoyenera pofuna kuonetsetsa kuti amayi ambiri akutenga nawo mbali:
  - a) pa ntchito ya maphunziro omwe cholinga chake n'kukhazikitsa bata ndi chikhalidwe chokonda mtendere;
  - b) m'ndondomeko ndi ntchito zopewa, kulimba na ndi kutetsa kusamvana, m'madera a m'dzikomo, m'dziko lonse, m'mayiko a dera limodzi, komanso padziko lonse;
  - c) m'mabungwe opanga mfundo ndi malamulo a m'madera a m'dzikomo, m'dziko lonse, m'mayiko a dera limodzi, komanso padziko lonse pofuna kuteteza ku thupi, maganizo, chikhalidwe komanso pa nkhani ya malamulo anthu ofuna kubisala m'mayiko ena pofuna kudzipulumutsa ku maboma akwawo, anthu othawa nkondo, obwereranso kwawo ndi anthu amene akakam izidwa kusamuka ku malo awo kamba zifukwa zosiyanasiyana makamaka amayi;
  - d) m'ndondomeko zonse zimene zakhazikitsidwa zoyang'anira ndi kuyendetsa misasa ndi malo okhala anthu opempha chitetezo m'dziko lina pofuna kudzipulumutsa ku maboma akwawo, othawa nkondo obwereranso kwawo ndi osamuka m'madera awo ndi kukakhala kwina m'dziko lomwelo kamba ka mavuto oyisanasiyana makamaka amayi;
  - e) m'zochitika zonse zokhudza kukonza ndi kugwiritsa ntchito mapulani pofuna kukonzanso zinthu nkondo itatha.
3. Mayiko amene asayinira panganoli adzako nza njira zothandiza kuchepetsa ndalama zimene amagwiritsa ntchito pa ntchito za asilikali ndikugwilitsa ntchito ndalamazo potukula miyoyo ya anthu makamaka kutukula amayi.

## **Mfundo 11**

### **Kuteteza Amayi Panthawi Yankhondo**

1. Mayiko amene asayinira panganoli adzachitapo kanthu polemekeza komanso poonetsetsa kuti malamulo a padziko lonse onena za chifundo, okhudza anthu makamaka amayi, akugwiritsidwa ntchito panthawi yankhondo.
2. Mogwirizana ndi zimene malamulo a padziko lonse onena za chifundo akuwalamula kuchita, mayiko amene asayinira panganoli adzatezeza anthu wamba makamaka amayi mosaganizira mbali imene anthuwo ali pa kumenyanako.
3. Mayiko amene asayinira panganoli adzachitapo kanthu poteteza amayi amene akufuna kubisala pofuna kudzipulumutsa ku maboma akwawo, othawa nkondo, obwereranso kwawo ndi osamuka m'madera awo ndi kukakhala kwina m'dziko lomwelo kamba ka mavuto oyisanasiyana, ku nkhanza zina zilizonse, kugwiriridwa ndi mchitidwe wina uliwonse kugonedwa mongogwiritsidwa ntchito ndikuonetsetsa zinthu ngati zimenezi zikuganiziridwa kuti ndi nkhanza zochitika panthawi yankhondo, kupha anthu miyandamiyanda kapena nkhanza zochitira anthu ankaninkhani koterokuti anthu ochita zimenezi akuzengedwa milandu ndi makhothi odziwa bwino kuzenga milandu yamtunduwu ovomerezeka ndi malamulo.

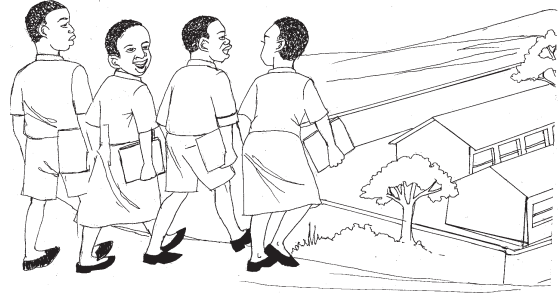
4. Mayiko amene asayinira panganoli adzachita chotheka kuonetsetsa kuti palibe mwana, makamaka atsikana omwe zaka zaow sizinakwane 18, akumenya nawo nkondo ndikutinso palibe mwana wina aliyense amene akulembedwa ntchito ya usilikali.

## **Mfundo 12**

### **Ufulu wa Maphunziro**

1. Mayiko amene asayinira panganoli adzatsata njira zoyenera pofuna:

- a) kuthetsa tsankho lina lilionse lichitira amayi ndi kuonetsetsa kuti mwayi wa maphunziro ndi ofanana kwa aliyense;
  - b) kuthetsa maganizo onse opotoka okhudza zomwe amayi kapena abambo angathe kapena sangathe kuchita zomwe zimayikidwa m'mabuku, m'ndondomeko za mitu yophunzitsa m'sukulu ndi m'nkhani zofalitsidwa amene amakolezera tsankholi;
  - c) kuteteza amayi, makamaka atsikana ku mchitidwe wina ulionse ogwiritsidwa ntchito molakwika, kuphatikizapo nkhanza okhudza kugonana zochitikira ku sukulu ndi malo ena ophunzirira ndikupereka zilango kwa anthu ochita zimenezi;
  - d) kupereka mwayi wa chithandizo cha uphungu ndi kubwerezetsa m'chimake moyo wa amayiamene akumana ndi zovuta zogwiritsidwa ntchito molakwika kapena zokhudza kugonana;
  - e) kuphatikiza nkhani yodziwitsa anthu za jenda mu mndandanda wa zophunzitsa zilizonse kuphatikizapo m'maphunziro a uphuznitsi.
2. Mayiko amene asayinira panganoli adzalimbikitsa:
    - a) luso la kulemba ndi kuwerenga komanso kuwerengera pakati pa amayi;
    - b) maphunziro a amayi a mtundu wina ulionse makamaka a zasayansi ndi luso;
    - c) zoti atsikana ambiri aziyamba ndi kupitiriza maphunziro awo ndikuyambitsa zochitika zoti amayi amene anasiyira panjira sukulu yawo azichita.



## Mfundo 13

### Ufulu wokhudza Chuma ndi Chisamaliro cha Anthu

Mayiko amene asayinira panganoli adzayamba kugwiritsa ntchito ndi kulimbikitsa malamulo ndi njira zina pofuna kuonetsetsa kuti palibe kusiyanyitsa amayi ndi abambo powapatsa mwayi wa ntchito ndi zinthu zina zopezera chuma komanso powakweza pa ntchito. Pachifukwa chimenechi, mayikowa:

- a) adzalimbikitsa zoti pazikhala mwayi wofanana polemba anthu ntchito;
- b) adzalimbikitsa ufulu wolandira malipiro ofanana pa ntchito zofanana zimene a mayi ndi abambo akugwira;
- c) adzaonetsetsa kuti kulemba, kukweza ndi kuchotsa ntchito amayi kukuchitika mosabisa ndi kuthana ndi zochita kapena zonena zamwano kapena zankhanza zomuchitira mayi zokhudza kugonana m'malo ogwirira ntchito ndikulanga anthu onse ochita zimenezi;
- d) adzapereka ufulu kwa amayi osankha ntchito zakumtima kwawo ndikuwateteza kuti asamadyeredwe masuku pamutu ndi owalemba ntchito ndikuwaphwanyira komanso kugwiritsa ntchito moononga ufulu wa amayiwo motsutsana ndi zimene zikunenera mfundo ndi malamulo amene akutsatidwa panopa.;
- e) kukhazikitsa ndondomeko zolimbikitsira ndi kuthandizira ntchito zimene amayi akugwira kuti apeze chuma makamaka ntchito zosatengera chitupa kuboma;
- f) kukhazikitsa ndondomeko yoteteza ndikuchita mapangano a zosamalira anthu ndi mabungwe a za Insurance othandiza amayi amene akugwira ntchito zosatengera chitupa kuboma ndikuwadziwitsa amayiwo kuti azitsatira mapanganowo;
- g) kukhazikitsa zaka zimene munthu ayenera kukwanitsa kuti alembedwe ntchito ndikuletsa mchitidwe wolembe ntchito ana amene sanakwanitse zaka zimenezo ndikuletsa, kuthetsa komanso kulanga wina aliyense amene angagwiritse ntchito ana aang'ono, makamaka atsikana, molakwika;
- h) kukhazikitsa njira zothandiza kuganizira kufunika pachuma, ntchito imene amayi amagwira pakhomo;
- i) kupereka tchuthi cha uchembere chokwanira komanso cholandira nacho malipiro panthawi yoyembekezera ndi yachikuta m'boma ndi m'makampani komanso mabungwe omwe siaboma;
- j) kuonetsetsa kuti malamulo a za misonkho akugwiritsidwa ntchito mofanana pakatipa amayi ndi abambo; kuganizira ndi kulimbikitsa ufulu wa amayi amene amagwira ntchito yolandira malipiro pakutha pa mwezi wopatsidwa *ma-alawansi* a amuna ndi ana awo ndi zina zonse zimene munthu wogwira ntchito yolembedwa amayenera kulandira chimodzimodzi ngati m'mene amawapatsira abambo amene alembedwa ntchito; kuganizira nkhani yoti mayi ndi bambo onse ali ndi udindo wolera ndi kutukula ana awo ndipo iyi ndi ntchito imene boma ndi mabungwe komanso makampani amene siaboma amangothandizirapo; kukhazikitsa malamulo ndi njira zina zothetsera nkhani mwapachiweniweni pofuna kupewa mchitidwe wogwiritsa ntchito amayi molakwika komanso mowasambula posatsa malonda kuphatikizapo zithunzi zolaula.





## Mfundo 14

### Ufulu Wokhala ndi Moyo Wathanzi ndi Uchembere Wabwino

Mayiko amene asayinira panganoli adzaonetse tsa kuti ufulu wa mayi wokhala ndi moyo wathanzi kuphatikizapo ufulu wokhudza zogonana ndi uchembere wabwino ukulemekezedwa komanso kutetezedwa.

Ufuluwu ndi monga:

- a) ufulu wokhala ndi mphamvu zonena pa za kaberekedwe ka ana;
  - b) ufulu wosankha kubereka ana kapena ayi, kunena kuchuluka kwa anawo ndi kuchuluka kwa zaka zodikirira mwana wina asanabadwe;
  - c) ufulu wosankha njira ina iliyonse yolerera;
  - d) ufulu wodziteteza yekha komanso kutete zedwa ku matenda opatsirana pogonana kuphatikizapo HIV ndi EDZI;
  - e) ufulu wodziwitsidwa za m'mene moyo wake ulili komanso m'mene ulili moyo wa mwamuna kapena bwenzi wake makamaka ngati ali ndi matenda opatsirana pogonana, kuphatikizapo HIV ndi EDZI motsatira ndondomeko zabwino zovomerezeka padziko lonse;
  - f) ufulu wophunzira za kulera.
2. Mayiko amene asayinira panganoli adzakonza njira zoyenera kuti:
- a) azipereka chithandizo cha za umoyo chokwanira chotsika mtengo komanso chopezeka mosavuta kuphatikizapo ntchito yodziwitsa ndi kuphunzitsa amayi makamaka amene amakhala m'madera a kumidzi;
  - b) kukhazikitsa ndi kulimbikitsa sikelo za amayi apakati komanso za ana zimene zilipo kale kuphatikizapo chithandizo cha chakudya chopatsa thanzi kwa amayi panthawi imene akuyembekezera kudzanso panthawi imene akuyamwitsa;
  - c) protect the reproductive rights of women by authorising medical abortion in cases of sexual assault, rape, incest, and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus.



## Mfundo 15

### Ufulu wokhala ndi Chakudya Chokwanira

Mayiko amene asayinira panganoli adzaonetsetsa kuti amayi ali ndi ufulu wokhala ndi chakudya chopatsa thanzi chokwanira. Pachifukwa chimenechi, mayikowo adzakonza njira zothandiza:

- a) kupereka mwayi kwa amayi wopeza madzi abwino akumwa, kupeza mosavuta zinthu zokolezera moto monga nkhuuni, malo ndi njira zopezera chakudya chopatsa thanzi;
- b) kukhazikitsa ndondomeko zoperekera ndi kusungira chakudya pofuna kuonetsetsa kuti chakudya chilipo nthawi zonse.

## **Mfundo 16**

### **Ufulu Wokhala ndi Nyumba Yabwino**

Amayi adzakhala ndi ufulu wofanana ndi ena onse popeza mwayi wa nyumba komanso ufulu wokhala pamalo abwino aukhondo. Pofuna kulimbikitsa ufulu umenewu, mayiko amene apanga panganoli adzapereka mwayi wopeza nyumba zabwino kwa amayi mosaganizira kuti mayiyo ndi wokwatiwa kapena ayi.

## **Mfundo 17**

### **Ufulu Wokhala ndi Chikhalidwe Chabwino**

1. Amayi adzakhala ndi ufulu wokhala kumalo kumene chikhalidwe chake ndi chabwino ndikutenga nawo mbali m'zochitika zonse zokonzana ndondomeko zokhudza chikhalidwe cha anthu.
2. Mayiko amene asayinira panganoli adzakhazikitsa njira zolimbikitsa kuti amayi azitenga nawo mbali m'zochitika zonse zothandiza kukonzana ndondomeko zokhudza chikhalidwe cha anthu.

## **Mfundo 18**

### **Ufulu Wokhala ndi Zinthu Zachilengedwe Zabwino**

1. Amayi adzakhala ndi ufulu wokhala ndi zinthu zachilengedwe zabwino.
2. Mayiko amene asayinira panganoli adzakonzana njira zoyenera:
  - a) pofuna kuonetsetsa kuti amayi akutenga nawo mbali pokonzana mapulani, kuyenedetsa, kusamalira ndi kugwiritsa ntchito mosamala zinthu zachilengedwe;
  - b) kulimbikitsa kafukufuku ndi ntchito zothandiza kupeza njira zatsopano zam'bwereza zothandiza kupeza moto ndi zinthu zina komanso luso loyenera kuphatikizapo luso lodziwitsirana nkhani ndi mauthenga pofuna kuthandiza amayi kupeza mwayi wotenga nawo mbali pa zachilengedwe;
  - c) kuteteza ndi kuthandiza kutukula nzeru ndi luso lawolawo limene amayi ali nalo kale;
  - d) kuyang'anira, kukonzana, kusungana ndi kuta ya zinyalala za m'malo okhala anthu;
  - e) kuonetsetsa kuti njira zabwino zikutsatidwa posungana, kunyamula ndi kutaya zinyalala zokhala ndi michere yoipa komanso yoopsa.

## Mfundo 19

### Ufulu wa Chitukuko Chokhazikika

Amayi adzakhala ndi ufulu wodyerera ufulu wawo wa chitukuko chokhazikika. Malinga ndi mfundo imeneyi, amayiko amene apanga nawo pangaoli adzakonza njira zoyenera:

- a) kuyambitsa zoganzira nkhani za jenda mu ndondomeko zokonzera mapulani a za chitukuko;
- b) kuonetsetsa kuti amayi akutenga nawo mbali poganzira, kukonza, kugwiritsa ntchito ndi kuwunika ndondomeko ndi ntchito zonse za chitukuko;
- c) kulimbikitsa amayi kupeza ndi kuyang'anira katundu monga malo ndikukhala ndi ufulu pa katundu wawoyo;
- d) kulimbikitsa mwayi wa amayi wopeza ng'ongole, maphunziro, luso ndi malangizo pa zinthu zosiyanasiyana m'midzi ndi m'tawuni momwe pofuna kuti amayi azikhala ndi moyo wabwino ndikuchepetsa umphawi pakati pa amayi;
- e) kuganzira zizindikiro zoonetsa kuti anthu akutukuka makamaka zokhudza amayi pofotokoza bwino ndondomeko ndi ntchito za chitukuko; ndiponso
- f) kuonetsetsa kuti amayi sakuvutika kwambiri ndi zotsatira zoipa za mfundo zimene mayiko onse akutsata kuphatikizapo mfundo za malonda za chuma ndi ntchito zina zonse.



## Mfundo 20

### Ufulu wa Amayi Amene Amuna Awo Amwalira

Mayiko amene asayinira panganoli adzakhazikitsa malamulo oyenera pofuna kuonetsetsa kuti amayi amene amuna awo amwalira ali ndi ufulu wonse pogwiritsa ntchito malamulo awa:

- a) amayi amene amuna awo anamwalira sakuchitidwa zinthu zonyansa, kuwachititsa manyazi kapena kuwasambula;
- b) kuti mayi yemwe mwamuna wake wamwalira, mosachita kukambirana, amatenga udindo woyang'anira komanso mwini wa ana ake pokhapokha ngati izi zikutsutsana ndi zimene zingawakomere ndikuwathandiza komanso chisamaliro cha anawo;
- c) kuti mayi amene wamwamuna wake anamwalira adzakhala ndi ufulu wokwatiwanso ndipo iye adzakwatiwa ndi mwamuna wakumtima kwake.

## Mfundo 21

### Ufulu Wotenga Chuma Chamasiye

1. Mayi yemwe mwamuna wake wamwalira adzakhala ndi ufulu wogawiridwa mwachilungamo chuma chimene mwamunayo anali nacho. Mayiyu adzakhala ndi ufulu wopitiriza kukhalabe m'nyumba imene iye ndi mwamuna wakeyo amakhala imfayo isanachitike. Ngati mayiyu atakwati wanso, iye adzakhalabe ndi ufulu wokhala m'nyumbayo ngati nyumbayo inali yake ka pena anapatsidwa kuti ikhale yake mwamuna wake woyambayo atamwalira.
2. Amayi adzakhala ndi ufulu wogawiridwa mwachilungamo chuma makolo awo.

## Mfundo 22

### Kuteteza Mwapadera Amayi Okalamba

Mayiko amene asayinira pangan oli adzadzipereka kwathunthu:

- a) kuteteza amayi okalamba ndikukhazikitsa njira zogwirizana ndi zosowa zawo ku thupi, pa chuma ndi chikhalidwe komanso momwe akupezera mwayi wa ntchito ndi maphunziro;
- b) kuonetsetsa kuti anthu okalamba sakuchitiridwa nkhanza kuphatikizapo kugonedwa, tsankho lomuchitira munthu kamba ka ukalamba komanso ali ndi ufulu wolemekezedwa.



## Mfundo 23

### Kuteteza Mwapadera Amayi Olumala

Mayiko amene asayinira pangan oli adzadzipereka kwathunthu:

- a) kuteteza amayi olumala ndikukhazikitsa njira zogwirizana zosowa zawo ku thupi, pa chuma ndi chikhalidwe pofuna kuwathandiza kukhala ndi mwayi wolembedwa ntchito ndi maphunziro a ntchito zosiyanasiyana komanso kutenga nawo mbali pomanga mfundo zokhudza zinthu zoti zichitike;
- b) kuonetsetsa kuti anthu olumala sakuchitiridwa nkhanza kuphatikizapo kugonedwa, tsankho lomuchitira munthu kamba ka ukalamba komanso kuti ali ndi ufulu wolemekezedwa.



## **Mfundo 24**

### **Kuteteza Amayi Ovutika**

Mayiko amene asayinira pangan oli adzadzipereka kwathunthu:

- a) kuteteza amayi osauka ndi amayi amene ndi mitu ya mabanja awo kuphatikizapo amayi ochokera ku magulu a anthu amene amangopondereredwa ndi kukonza mfundo zothandiza kuti anthuwa azitha kupeza zosowa zawo ku thupi, pa chuma ndi chikhalidwe;
- b) kulimbikitsanso ufulu wa amayi oyembekezera kapena oyamwitsa kapena amayi amene ali m'ndende pokonza zinthu kuti zizigwirizana ndi m'meme iwo alili komanso ufulu wolemekezedwa.

## **Mfundo 25**

### **Njira Zothandizira Amayi Amene Ufulu Wawo Waphwanyidwa**

Mayiko amene asayinira pangan oli adzadzipereka kwathunthu:

- a) kupereka njira zoyenera zothandizira mayi aliyense amene ufulu wake, umene wafotokozedwa m'pangano lino, waphwanyidwa;
- b) kuonetsetsa kuti njira zimenezi zikugamulidwa ndi makhothi kapena anthu odziwa bwino za nkhanizi kapena wina aliyense amene ali ndi mphamvu zochitira zimenezi monga m'mene malamulo akunenera.

## **Mfundo 26**

### **Kugwiritsa Ntchito ndi Kuchita Kalondolondo wa Panganoli**

1. Mayiko amene asayinira panganoli adzaonetsetsa kuti akugwiritsira ntchito panganoli ndipo m'malipoti awo amene amapereka nthawi n'nthawi motsatira Gawo 62 la mfundo za mayiko a mu Africa, akusonyeza malamulo ndi njira zina zimene achita pofuna kukwaniritsa ufulu umene wafotokozedwa m'pangano lino.
2. Mayiko amene asayinira panganoli adza dzipereka kwathunthu pokonza njira zoyenera makamaka poika padera ndalama ndi zinthu zina zoti akwaniritsire ufulu umene wafotokozedwa m'pangano lino.

## **Mfundo 27**

### **Kutanthauzira**

Khothi la mayiko a mu Africa lokamba milandu yokhudza ufulu wobadwa nawo wa anthu lidzapatsidwa mphamvu yomva ndi kugamula nkhanizi zobuka pa katanthauziridwe ka panganoli panthawi imene likugwiritsidwa ntchito.

## **Mfundo 28**

### **Kusayina ndi Kuvomereza**

1. Pangano lino lidzasayinidwa ndi kuvomerezedwa ndi mayiko amene asayinira panganoli motsatira ndondomeko za m'malamulo oyendetsera mayikowo.
2. Zikalata zovomereza panganoli zidzaperekedwa kwa Wapampando wa nthambi ya bungwe la AU yona za ufulu wobadwa nawo wa anthu.

## **Mfundo 29**

### **Kuyamba Kugwira Ntchito**

1. Pangano lino lidzayamba kugwira patatha masiku makumi atatu (30) kuchokera tsiku lomwe zikalata khumi n'zisanu (15) zinaperekedwa kwa Wapampandoyu.
2. Ngati dziko limene lasayinira panganoli lipereka zikalata zake zovomereza panganoli panthawi yoti panganoli linayamba kale kugwira ntchito ndiye kuti m'dziko limenelo panganoli lidzayamba kugwira ntchito kuyambira tsiku lomwe dzikolo lapereka zikalata zake zovomereza panganoli.
3. Wapampando wa nthambi ya bungwe la AU yona za ufulu wobadwa nawo wa anthu adzawadziwitsa mamembala onse a bungweli zoti panganoli layamba kugwira ntchito.

## **Mfundo 30**

### **Kusintha ndi Kukonzanso Panganoli**

1. Dziko lililonse limene lasayinira panganoli litha kupereka maganizo ake ofuna kuti pangano lino lisinthidwe kapena likonzedwenso bwino.
2. Maganizo ofuna kusintha kapena kukonzanso bwino panganoli adzaperekedwa, mochita kulemba, kwa Wapampando wa nthambi ya bungwe la AU yona za ufulu wobadwa nawo wa anthu yemwe adzatumize maganizowa ku mayiko onse amene asayinira panganoli pasanathe masiku makumi atatu (30) kuchokera tsiku limene iye analandira maganizowo.
3. Utalanzidwa ndi nthambi ya bungwe la AU yona za ufulu wobadwa nawo wa anthu, msonkhano wa atsogoleri a bungweli udzaunika maganizowo pasanathe chaka chimodzi kuchokera pamene mayikowo anadziwitsidwa za maganizowo motsatira ndime yachiwiri ya gawo lino.
4. Kusintha kapena kukonzanso panganoli kudzachitika ngati atsogoleri ambiri agwirizana nako kuposa amene sanagwirizane nako.
5. Kusinthako kudzayamba kugwira ntchito m'dziko lililonse limene lasayinira panganoli, limene lavomerezanso za kusintha ko, patatha masiku makumi atatu (30) kuchokera tsiku limene Wapampando wa nthambi ya bungwe la AU yona za ufulu wobadwa nawo wa anthu walandira zikalata zomudziwitsa za kuvomerezako.

## **Mfundo 31**

### **Mphamvu za Pangano Lino**

Palibe mfundo iliyonse ya m'pangano lino imene idzasokoneze mfundo zabwino zokwaniritsira ufulu wa amayi zimene zili m'malamulo a mayiko amene asayinira panganoli kapena zimene zili m'mapangano ndi mu mfundo zina za m'mabungwe opangidwa ndi mayiko a dera limodzi kapena za padziko lons e zimene zikugwiritsidwa ntchito m'mayikowo.

## **Mfundo 32**

### **Mfundo Zongoyembekezera**

Podikirira kukhazikitsidwa kwa khoti lokamba milandu yokhudza ufulu wobadwa nawo wa anthu, nthambi ya bungwe la AU yona za ufulu wobadwa nawo idzakhala ndi mphamvu yomva ndi kugamula nkhani zobuka pa katant hauziridwe ka panganoli panthawi imene likugwiritsidwa ntchito .

Lavomerezedwa ndi Msonkhano Wachiwiri wa Atsogoleri a Bungwe la African Union  
Maputo, 11 July 2003

**PANGANO LA MFUNDO ZOVOMEREZEKA PA UFULU WOBADWA NAWO WA ANTHU WOKHUDZA AMAYI MU AFRICA**

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