



FISHER PEOPLE TRIBUNAL

ISIGQIBO SEENGICALI

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Ukumamelwa Kwengxoxo Yabalobi: **12-14 Agasti 2024**

Inkomfa Yabalobi: **23-25 Okthobha 2024**



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INTSHAYELELO

Ukhe weva ngeFisher People Tribunal? Yayinge24 kaAgasti, kwaye soze ilibaleke kuthi.



Ndingayifanisa nenkundla ekhethekileyo, nkundla leyo esade samameleka kuyo zaza iimbono zethu zabhalwa phantsi!

I-Coastal Links kunye neMasifundise zayihambela phambili le nkqubo. Yayiyinxoxo Yezomthetho Yoluntu yokuqala ngqa eKapa, eMzantsi Afrika emalunga nezokuloba kunye neendawo esihlala kuzo. Yayingeyontlanganiso nje le; yayiliphulo elithetha phandle ngeengxaki esijamelene nazo.



Kwakutheni ukuze abalobi babe neNgxoxo Yezomthetho?

Besineengxaki kangangexesha elide: amalungelo ethu oluntu ebengahoywanga, iindawo esiloba kuzo bezisohluthwa, kwaye besiphathwa ngathi asingobantu thina.

Le Ngxoxo yomthetho yabakho ngenxa yezi ngxaki sasijamelene nazo. Yaba liphulo elinamandla kakhulu - ithuba lethu lokuveza iimbono zethu, elokubonisa ukuba sichasene nokungaphathwa kakuhle, nelokubonisa indlela esimanyene ngayo. Yenza kwacaca okwekat' emhlophe ehlungwini ukuba ukuloba kwethu kuxabisekile kwaye kubalulekile kuthi, ingakumbi njengokuba siphila kwilizwe elinezinga eliphezulu lokungalingani.

Kangangeentsuku ezintathu, abameli babalobi abavela kulo lonke elaseMzantsi Afrika badibana kule Ngxoxo Yezomthetho. Ibiziziphumo zomsebenzi onzima weentsuku ezintathu, obuquka iingxoxo nokuqokelela inkcazelo kwiingingqi ezikufutshane nezikude nolwandle. Oku kukwabonakalise namandla okusebenzisana, kuba bekusebenza abantu abohlukahlukeneyo abavela eMzantsi Afrika nasemhlabeni uphela.

Ebudeni bezo ntsuku, sathetha **ngamatyalala amathandathu**, nenqwaba yobungqina, kwaye abalobi abangoyiki ngokoyikiswa beza ngaphambili bathetha ngamava abo, bechaza indlela esiye saphathwa kakubi ngayo. Baninzi kuthi abancedisayo kule nkqubo, ngokubalisa amava ethu nangokubonisa isibindi ngendlela encomekayo.

I-Coastal Links, iqela lethu labalobi elizweni, lidlale indima enkulu ekuqinisekiseni ukuba imiba yethu ebalulekileyo iyaviwa, nasekusincediseni ukuba simanyane ekuzithetheleleni nasekuzilweleni.

Le ncwadi iza kusinceda sonke siqonde oko kuye kwafunyaniswa kula Ngxoxo Yomthetho ibalulekileyo, nokuba singayisebenzisa njani ukuze silwe nxamnye nokuphathwa kakubi, size sakhele thina nabalobi abeza emva kwethu ikamva elingcono.

NANGA AMATYALA AMA-6 AYE AXOXWA:

ITYALA 1: IZITHEMBISO EZINGAGCINWANGA ZOMGAQO NKQUBO WE-SSF

Izithembiso Eziphuliwe zeNqubomgomo yabaDobi abaDobela ukuziphilisa eNingizimu Afrika

Eli tyala belihlola enokuba Ipolisi Yabalobi Abasakhasayo iyasebenza na. Kudala abalobi bazama ukuba urhulumene enze le polisi ukuze ekugqibeleni baqatshelwe nabo baze babe namalungelo okukhuselwa. Ngelishwa ke, basamokamokana nezi ngxaki zininzi zinye.

ITYALA 2: KUBALOB I ABANGEKHO NGASELUNXWEMENI

'Ubomi bethu kunye nempilo yethu busemngciphekweni': Abalobi abakude nolwandle kunye nokusokola kwabo ukufumana ingqwalasela eMzantsi Afrika

Yiba nombono wakho ungumlobi okude nolwandle eMzantsi Afrika, kwaye le nto uyenzayo ekubekela isonka etafileni ayifumani ngqwalasela ngokwasemthethweni. Unganeengxaki ezininzi ngoba awuvunyelwa ukuba ulobe kwiindawo obuqhele ukuloba kuzo, kwaye ngenxa yaloo nto, ungaphathwa kakubi okanye ujongane nengalo yomthetho.

ITYALA 3: KULONDOLOZELWA BANI?

Ubundlobongela bolondolozo KwaZulu-Natal: Ingxoxo malunga nolondolozo olwenzelwe abakhenkethi eSimangaliso nendlela okuchaphazela ngayo abalobi basekuhlaleni oku

Kweli tyala kuboniswa indlela iinzame zokulondolozela indalo eMzantsi Afrika ezichana ngayo uluntu nendlela ebekudala luphila ngayo, endaweni yokukhusela indalo. Kodwa likwaveze into ebalulekileyo- abantu ababephila kule ndawo kangangezizukulwana, ngabona bayaziyo indlela yokukhusela indalo.

ITYALA 4: ABAHLALI BASEDWESA-CWEBE

Impatho-mbi Yaselwandle: I-Dwesa-Cwebe kunye nomlo wabo wokuphathwa ngobulungisa ngokunxulumene namalungelo okuloba

Nangona abantu baseDwesa-Cwebe babenikwe amalungelo okuloba abhalwe phantsi, eso sithembiso saphelela emoyeni. Eli tyala libonisa indlela abaye batsala nzima ngayo ngenxa yoku. Basatsala nzima ukufumana izinto abanelungelo lazo kwaye bafumana izigrogriso.

ITYALA 5: KUCHATSHAZELWA YIMIGODI KUNXWEME OLUNGASENTSHONA

Ulombiwo Lwaselunxwemeni: Imisebenzi Yasemigodini, Ukwembiwa Kweoyile neRhasi Neziphakamiso Zokwemba Iiminerali Zomoya Ococekileyo Kumalwandle Asentshona AseMzantsi Afrika

Eli tyala belimalunga noko bekusenzeka kumanxweme aseNtshona aseMzantsi Afrika, apho iinkampani bezisomba iiminerali elunxwemeni lolwandle ixesha elide. Kweli tyala kuye kwajongwa iindlela ezahlukeneyo eziye zachaphazela ngayo le ndawo, ukususela ekonkaliseni izilwanyana zaselwandle ukuya ekungcoliseni indalo.

ITYALA 6: AMABHINQA ANGABALOB I NEZIKHUKULA EKZN

Kwiindawo eziselunxwemeni, amabhinqa alobayo ngamaxesha entlekele yokutshintsha kwemozulu

Idla ngokuba ngamabhinqa abona bantu kumiwe ngabo kwiindawo ahlala kuzo, kodwa awasoloko efumana ingqwalasela ewafaneleyo. Eli tyala lalingumzekelo omhle waloo nto. Kuye kwathethwa ngokukhethekileyo ngendlela izantyalantyalala zemvula zango-2022 ezachaphazela ngayo amabhinqa aqokelela iimbaza, kuboniswa indlela la malungu axabisekileyo oluntu angazange ahoywe ngayo ebudeni bentlekele kunye neziphumo ezibi zoko.

KUTHENI ZIBALULE- KILE IZIGQIBO EZITH- ATHWE KWI-FISHER PEOPLE TRIBUNAL?

Ngaba le Fisher People Tribunal ibiyinkundla yokwenyani, njengaleyo ifaka abantu etrongweni?



Hayi ncam. Khawuyicinge kanje: enkundleni kulandelwa imithetho engqongqo karhulumente, kwaye nangona siwiswa isigwebo, kuba nzima ukubona indlela esisetyenziswa ngayo eso sigwebo. Mininzi kakhulu imiqobo!



I-Fisher People Tribunal yayahlukile. 'Yayiyinkundla yabantu.' Le nto ithetha ukuba thina, njengabalobi, saba zijaji zeengxaki esinazo.

sizange sitshutshise nabani na ngendlela iinkundla zikarhulumente ebeziza kwenza ngayo; endaweni yoko, sakhangela inkcazelo, sabalisa amava ethu, saza senza izigqibo ezinxulumene nokungaphatheki kakuhle esiye sajamelana nako. Ibilithuba lethu lokuba sizenzele iingxelo ezisemthethweni ngezinto ezenzekileyo, ngokweembono zethu, nokuze sisebenzise loo nkcazelo ukuze sinyanzelise utshintsho, singalindi nje ukuba izinto zizitshintshele.

Kangangexesha elide, nasemva kokuphela korhulumente wengcinezelo, izithembiso ezenziwe kuthi ngamalungelo esinawo khangе zigcinwe. Besibekelwe bucala, sathintelwa ukuba silobe kwiindawo ebesiloba kuzo, saza saphathwa njengabaphuli-mthetho kuba nje sifuna ukubeka izonka etafileni. Le Ngxoxo Yomthetho izivelele zonke ezi ndlela besiphethwe kakubi ngazo, indlela anyhashwe ngayo amalungelo ethu, indlela ezohluthwe ngayo iindawo ebesiloba kuzo ukuze kwenziwe amashishini amakhulu nokuze kukhuselwe indalo, nendlela esecicini lokuphela ngayo indlela esiziphilisa ngayo. Akuthethwanga nje ngezinto ezimbi; ibonise indima esinayo ekuveliseni ukutya, ekukhuseleni iilwandle namanzi, kunye nokugcina amasiko ethu.

Esi sigwebo singumyalezo ocace gca ovela kwiingcali nakuthi, wokuba urhulumente wethu wohlulekile, eyona nto iphambili kuye ziimali ezenziwa ngamashishini amakhulu endaweni yokuba ibe yimpilontle yethu kwaye uvumela ukuba siphathwe kakubi. Esi sigwebo asingomazwi nje asephepheni; sisixhobo esingqina ukuba imizabalazo yethu iyinyani, isinika ilizwi elinamandla ekulweleni amalungelo ethu, kwaye isinceda sifune ubulungisa obusifaneleyo. Likhwelo lokuma kunye, sibonisa ukuba siziinkokeli kulo mlo wekamva lethu, inkcubeko yethu, kunye nokusinda kwethu.

IZINTO EZIFUN- YANISWE KWIFISHER PEOPLE TRIBUNAL

Ebudeni bokumanyelwa kweNgxoxo, kuye kwakhethwa iqela leengcali ukuba limamele amatyala avela kubalobi.

Ezi ngcali ibingabalweli bamalungelo oluntu abanamava, iingcali zomthetho nezemfundo, kwaye zonke zineminyaka yamava ekulweleni ukuba uluntu luphathwe ngokusesikweni nangendlela elinganayo. Ngamnye kuzo uze namava nolwazi lwakhe, enokuba kukulwela amalungelo oluntu, ukuphathwa kwendalo ngokusesikweni, ukulungiselela iingxoxo zomthetho okanye kukusebenza ngemiba yokuphathwa kakuhle koluntu.

Emva kokumanyelwa kweNgxoxo, iingcali ziye zanikwa umsebenzi wokuhlola ubungqina ukuze ziqinisekise enokuba ukunyhashwa kwamalungelo oluntu abalobi, zigqibe ukuba ngubani onoxanduva lolo nyhasho, enokuba ibingurhulumente okanye amanye amaqela kwaye ziye zancelwa ukuba zicebise ngenyathelo elifanelekileyo ukuze kulungiswe ezi ngxaki.



IINGCALI ZIYE ZAFUMANISA IZINTO EZILI-12 EZIYINTLOKO KULE NGXOXO:

1. Ukuqwalaselwa nokukhuselwa kwabalobi namalungelo abo

Kubalobi abaninzi eMzantsi Afrika, ukuloba ayonto nje “yokwenza imali”, yindlela yokuphila abayifumana kookhokho babo. Sisithethe esinolwazi lwakudala noluncedisa ekukhuselweni kwendalo nokugcina iintlanzi zisempilweni. Obu bulumko budluliselwa ngeentsomi nangemisitho, kuze kumanyanise abantu kungekhona bona bodwa kuphela, kodwa kunye nendalo. Iingcali ebezimamele abahlali zachukumiseka kakhulu, zaqonda ukuba ukuqhubeka nokuloba ngolu hlobo yindlela yokuzilwela, ingakumbi kuba amabhinqa nabantwana idla ngokuba ngabona bachanekayo zezi polisi zingekho sesikweni. Ngoku kucace gca ukuba urhulumente umele abone indlela ezibaluleke ngayo ezi zithethe. Bamele babandakanye abantu bezi ngingqi xa besenza izigqibo ngeelwandle nemifula, kuba soze nanini na ukhusele indalo ungakhange ubandakanye abantu ababegcine loo ndalo kangangeminyaka.

2. Emva ko-1994, abahlali kwafuneka baqhubeka besebenzisana kwaye bethetha phandle ukuze bafumane ipolisi yabalobi abasakhasayo, kwaye loo ntsebenziswano isafuneka nanamhlanje.

Nangona iipolisi zangemva korhulumente wengcinezelo zoysakele ukuxhasa ngokupheleleyo abalobi, intsebenziswano yabalobi baseMzantsi Afrika ibisoloko ibalulekile. Abalobi baye babambisana ukuze balwe nxamnye nemithetho engabakhuseliyo, baphumelela kumatyala asenkundleni, baza banyanzelisa urhulumente ukuba aqonde amalungelo abo aze enze iipolisi ezingakumbi ezibonisa ukuhambela phambili. Oku kubonisa indlela enamandla ngayo into yokuhlangana koluntu ukuze kubekho inkqubela.

3. Iipolisi azihoywa ibe zisengela phantsi yimigqaliselo kwaye akukho nkqubela-phambili

I-Small-scale fisheries Policy (SSFP) yango-2012 yayenzelwe ukunceda abalobi, kodwa zange kubekho nkqubela ingako kuyo. Endaweni yokunika abahlali iimpepha-mvume nenkxaso,

urhulumente usebenzise iqhinga elingumgca wempuku acinga ukuba liza kulungela wonke umntu. Le nto iye yaphumela ekubeni amalungelo abalobi anyhashwe nezithethe zabo zingavunyelwa, nto leyo ebangele ukuba babhuqwe yindlala.

4. Ukufikelela kwindalo kubalobi yindlela esisiseko yokufikelela kwilungelo lokuba nokutya

“Ilungelo lokuloba linxulumene kakhulu nelungelo lokutya, njengoko ubonisa Umgaqo-siseko

waseMzantsi Afrika.” – uGeoffrey Budlender (igqwetha laseMzantsi Afrika kunye nomnye wabaseki beziko leLegal Resources) ngethuba evula intetho yakhe kwiiNgxoxo. Abalobi bayenze yacaca into yokuba bangakwazi ukuzondla ngeendlela zokuloba zesiqhelo. Kule Ngxoxo kuye kwahlatywa ikhwelo lokuba urhulumente ayeke ukubeka phambili amashishini nezenzo zawo ezibangela iingxaki kubalobi ekufumaneni izinto zendalo. Ukungakhuseli ilungelo labo lokutya kwandisa indlala nokunqongophala kokutya kubalobi..

5. Urhulumente unedolo kwiinkampani ezilobayo nakubantu abalobela ukuzonwabisa

Ipolisi yabalobi karhulumente ayibahoyi abalobi abakhasayo, kodwa ithathela engqalelweni kuphela iinkampani zokuloba. Akukho plani yolawulo, zimbalelwa iintlobo zeentlanzi ezivunyelweyo kubalobi besiqhelo, kukho imithetho ebhido, kwaye abalobi abakhasayo abafumani zixhobo zaneleyo zokusebenza ezivela kumasebe amakhulu. Le polisi ayizihoyi iintlobo zeentlanzi ezibalulekileyo kwaye kukho iindawo ezingahoywanga, ezifana naseMpuma Koloni kunye naKwaZulu-Natal. Oku kuba neziphumo ezibi, kwaye kuphumela ekunqongophaleni kokutya kuze kubeke ubomi babalobi neentsapho zabo esichengeni.

6. Iimbono ezingafanelekanga nokungabandakanywa kwabalobi abasakhasayo kwiipolisi zikarhulumente ezixhasa iinkampani ezinkulu emva korhulumente wengcinezelo

Isebe lokuloba laseMzantsi Afrika kubonakala ngathi linxamnye nabalobi abasakhasayo ngenxa yeepolisi azenzileyo emva

kwedemokrasi. Urhulumente wentando yesininzi ukhethe iipolisi ezibeka phambili iinkampani ezinkulu, kwaye uhambisela iimbono zawo zobuqu kunokuxhasa abalobi abasakhasayo. Le nto iye yakhokelela ekubeni ziphathwe ngokungathi ziyakokoswa iinkampani zokuloba ezinkulu, ezeoli kunye nezombiwo lweoyili kunye nerhasi kunye nezinye iinkampani. Ukongezelela, iinkqubo ezifana ‘neOperation Phakisa’ kunye ‘neOcean Economy’ zinceda iinkampani ezinkulu ezikhangela ioyile nerhasi okanye ezomba izimbiwa. Oku kuyingozi elwandle, nakwimpilo yabalobi abasakhasayo. Okokugqibela, iindawo ezinamanzi ziyatshixwa kusenzelwa ezokhenketho, kuvalelwa abalobi kwimihlaba yookhokho babo.

7. Indlela amashishini amakhulu akweli lizwe nangaphandle achaphazela ngayo abalobi abasakhasayo neendawo abaloba kuz

Ubungqina obuboniswe kule Ngxoxo bubonise ukuba abalobi kudala bema nxamnye neenkampani ezinkulu ezifuna ukuhlolha izisu zazo ngeelwandle zethu. Bebesilwa nxamnye neeprojekti ezintsha ebezinokuphazamisana nobomi babo, njengeenkampani ezifuna ukwemba izimbiwa elunxwemeni lwethu, ezifuna ukwemba ioyili nerhasi, nezifuna ukuphanda ngeemveliso zamandla ezingonakalisi indalo. Eyona ngxaki kukuba abalobi abakrweywa xa kuza kwenziwa izigqibo eziza kuchaphazela ubomi babo, zikhokelele ekulahlekeni kweemveliso kuze kwande ukungalingani. Iingcali bezixhalabile “nangeOperation Phakisa,” icebo likarhulumente lokwandisa “uqoqosho ngolwandle” nokubeka phambili iinjongo zamashishini endaweni kwezabantu nezendalo, nto leyo ephumela kwizinto ezimbi zodwa. Oku kubekela ecaleni abalobi, baza abakwazi ukuloba kwiindawo zabo. Ukongezelela, ezinye iinkampani nabasebenzi bakarhulumente bazame ukuval’ umlomo abo bathetha nxamnye nezi polisi ngokufuna ukubanika izinyobo okanye ngokubabiza njengabantu “abachasene nenkqubela.”

8. Ukwenziwa kwabalobi ngathi zizaphuli-mthetho kunye nokususwa kwabalobi kwiindawo zabo ngenxa yokutshixwa kwazo, ukukhusela indalo kunye nolawulo lwentlekele.

Ngokusekelwe kubungqina obufunyenwe kwiNgxoxo, indlela urhulumente waseMzantsi Afrika ofuna ukukhusela ngayo indalo ibangela iingxaki kubalobi: kukho ugonyamelo oluninzi oluvela kubagcini bolwandle, abangaphenduliswayo, nto leyo eyenza kungabikho kuthenjwana. Indlela urhulumente azama ngayo ukukhusela indalo ibangela apha the abalobi njengeentshaba, angabavumeli ukuba kwiindawo ababeloba kuzo nezenziwe lindawo Zokukhusela Indalo kungakhange kuthethwe nabo. Ukongezelela, iipolisi zokuloba ezintsha azihambelani nemithetho eqhelekileyo, nto leyo enyanzelisa abalobi bakhethe phakathi kokusebenzisela iintlanzi izinto zobuqu nokuzithengisa, mahluko lowo ongavelisi isimo semihla ngemihla. Enye into eyenze izinto zambi kakhulu iimeko kukuba urhulumente khange abaquke abalobi kumacebo okulwa nokutshintsha kwemozulu, nto leyo ebashiye bengenabani oza kubaxhasa xa kukho iintlekele zemvelo.

9. Ucalucalulo kunye nokungalingani kubalobi abangamabhinqa nabangabantu abasebatsha

Iziphumo zeNgxoxo zibonisa ukuba amabhinqa nabantwana ngabona bachatshazelwa ziingxaki abajongene nazo abalobi. Amabhinqa, ekungabona bantu kuxhomekekwe kubo ngokutya kwaselwandle, kudala ajongana nobundlobongela kunye nocalucalulo kwiipolisi nakwiinkampani zabucala. Iimbono zawo ezibalulekileyo beziqhubeka zingahoywa, ebekelwa ecaleni naxa kusenziwa izigqibo. Kwaneepolisi ebezenzelwe ukunceda zibabekele ecaleni. Olu calucalulo, olunxamnye noMgaqo-Siseko waseMzantsi Afrika, lubangelwa nayingxaki yemozulu. Isigqibo siye sasekubeni kubekho izenzo ezithile zikarhulumente ezenzelwe ukukhuthaza amabhinqa nokuqinisekisa ukuba aba nenxaxheba elinganayo namadoda.

10. Ukubulawa kwabalobi

Iingcali ezichophele la matyala zifumanise ukuba oonogada baye baba nobundlobongela kubalobi, nto leyo ekhokelele ekuswelekeni nasekulimaleni ngendlela emandundu. Elinye ingqina lakhubazeka ngokusisigxina ngenxa yoku kuhlaselwa. Iingcali zikwavile ukuba abasemagunyeni abazihoyanga izigwebo zenkundla eziqinisekisa amalungelo abalobi okuloba kwindawo ethile ekhuselekileyo. Obu bundlobongela, obubeka esichengeni impilo nempilo-

ntle yentsapho iphela kunye noluntu, ifunyaniswe ikhabana nemigaqo yaseMzantsi Afrika emva korhulumente wengcinezelo. Ngokusekelwe kwezi zinto ziye zafunyaniswa, iingcali ziye zacebisa ukuba urhulumente waseMzantsi Afrika apha nde aze atshutshise bonke abo batyholwa ngokuhlasela, njengoko usitsho njalo uMgaqo-Siseko kunye nomthetho wazwelonke. Iingcali ziye zacebisa ukuba abalobi nemibutho yabo bafake isimangalo somthetho kumagunya okukhusela indalo elizwe, ephondo nawasekuhlaleni.

11. Uxanduva lwamalungelo oluntu kunye nemfuneko yokuphenduliswa kweenkampani zabucala zangaphandle nakweli lizwe ezibandakanyekileyo nezixhasa ngemali iindawo zokukhusela indalo

Urhulumente uyohluleka ukukhusela amalungelo oluntu asiseko abalobi baseMzantsi Afrika kwaye uqhubeka ebeka phambili iinjongo zamashishini. Nangona kukho imithetho yasemhlabeni wonke, efana neUN Declaration on the Rights of Peasants kunye neUN Guiding Principles on Business and Human Rights, abalobi abafikeleli ngendlela elinganayo ekulweleni amalungelo oluntu kwaye bayasuswa kwiindawo abaloba kuzo. Kokubini urhulumente namashishini banoxanduva lokuwahlonipha nokukhusela la malungelo.

12. Amalungelo oluntu neengxaki ezinxulumene nendalo ezichaphazela iimpilo zabalobi ziphakamisa imibuzo ngokuzimisela koMzantsi Afrika kwimigaqo-siseko yawo kunye namalungelo oluntu asemhlabeni wonke

Emva kokuva ubungqina, iingcali ziye zagqiba ekubeni izenzo zikarhulumente waseMzantsi Afrika ezinxamnye nabalobi zophula amalungelo abo oluntu. Ayizongxaki zincinci ezi; ziquka amalungelo oluntu afana neLungelo loKutya, iLungelo leNkcubeko, iLungelo Lesidima, kunye neLungelo loBomi. La malungelo aqinisekiswa kuMgaqo-siseko woMzantsi Afrika nazizivumelwano zasemhlabeni wonke. Nangona abalobi bemangalele urhulumente enkundleni baza baphumelela amadabi amakhulu ngeenzame zokukhusela amalungelo abo, akukho nto ingako itshintshileyo kubo. Urhulumente namaqumrhu akhe abakhange bayilande imiyalelo yenkundla okanye bayihlaziye imithetho ukuze babakhusele

IINGCEBISO EZIVELA KWIINGCALI

Ngokwenxalenye yesigwebo, iingcali ziye zanikela la macebiso alandelayo:

1. Ukuphenduliswa kukaRhulumente

Iingcali zifumanise urhulumente waseMzantsi Afrika enetyala lokubangela iingxaki abajamelene nazo abalobi abakufutshane nabakude nolwandle. Iipolisi nemithetho iwachaphazele kakubi amalungelo abalobi kwaye inyhasha imithetho yasemhlabeni wonke yamalungelo oluntu.

2. Ukubeka Phambili Abalobi Abasakhasayo

Urhulumente kufuneka abeke phambili iimfuno zabalobi abasakhasayo. Oku kuthetha ukuba kufuneka aqinisekise isidima namalungelo awo oluntu akhuselekile.

3. Iqhinga Elitsha Lolawulo LweSSF

Abalobi bamele babe nendima ekulawuleni ulwandle namanzi akude nolwandle. Kudingeka imodeli entsha yolawulo lwabalobi, leyo inika abalobi inkululeko yokuzenzela amacebo abo olawulo ngokusekelwe kumasiko nezithetho zabo.

4. Ukuhlonipha Amalungelo Nolwazi Lwesintu

Urhulumente kufuneka azame iindlela ezintsha zokukhusela indalo ezihlonipha amalungelo abalobi nolwazi lwesintu lookhokho babo.

5. Ingxaki Enxulumene Neendawo Zokukhusela Indalo

Ukwandisa lindawo Zokukhusela Indalo (iiMPA) nonyanzeliso lomthetho wokukhuselwa kwendalo ibonakala ikukunyahswa kwamalungelo oluntu. Oku kubeka esichengeni iimpilo namasiko abalobi.

6. Ukubongoza Ukuba Kuphandwe Ngobundlobongela

Iingcali zifuna urhulumente angenelele ngokukhawuleza kumba wokuba ndlongondlongo konoogada basepakini. Amangqina aye eza nobungqina bokubulawa, ukudutyulwa, nokugrogriswa. Urhulumente umele amisele iipolisi zokuqeqesha kakuhle oonogada, aphande aze ahlwaye abo baye benza ubundlobongela.

7. Ukubambelela kuMthetho waMazwe ngaMazwe

UMzantsi Afrika umele uthobele izivumelwano zawo zamalungelo oluntu amazwe ngamazwe. Oku kuthetha ukuba urhulumente umele abe nenyani kwiingxelo zakhe eziya kwiZizwe Ezimanyeneyo malunga neengxaki abajamelane nawe abalobi kwaye umele wenze okuthile ngamacebiso eliwafumanayo avela kuloo mibutho yamalungelo oluntu.

8. Ikhwelo Lokugqibela Lokuba Kuthathwe Isenzo

Nangona le Ngxoxo ingeyonkundla yomthetho, iziphumo zayo zisekelwe kumthetho welizwe nowasemhlabeni wonke. Iingcali zicela urhulumente waseMzantsi Afrika nayo yonke imibutho yamalungelo oluntu ukuba izihoye ezi ziphumo ize yenze okuthile ukuze ilungise iingxaki abajongene nazo abalimi. I-Fisher Peoples' Tribunal, nangona ingeyonkundla yezomthetho, isekela iziphumo zayo kumthetho oqinileyo wesizwe nowamazwe ngamazwe kunye nobungqina obuthembekileyo obuvela kubalobi. Iingcali zikhuthaza urhulumente waseMzantsi Afrika kunye namaqumrhu omthetho ukuba azithathele engqalelweni ezi ziphumo aze enze okuthile ngokukhawuleza ukuze kukhuselwe ubomi babalobi abasakhasayo.

I-MASIFUNDISE NE-COASTAL LINKS ZIZA KWENZA NTONI NGOKU?

Izinto ezifunyaniswe ziingcali namacebiso abaluleke kakhulu kwimpilo nakwikamva labalobi. Kuba ke ngoku siphumile isigwebo, yintoni elandelayo eza kwenzeka?



Emva kweNgxoxo ende, siqondile ukuba asinakuphelela apho. Ngoko, iMasifundise neCoastal Links yabamba intlanganiso elizweni jikelele ukuze ifumanise oko inokukwenza okulandelayo.

Sinomkhomba-ndlela ocace gca kunye neenjongo ezintlanu eziza kusikhokela kumlo wethu:

1. Ukukhusela inkcubeko namasiko ethu
2. Ukuqhubeka nokwakha iqela elomeleleyo nelimanyeneyo labalobi abakufutshane nabakude nolwandle.
3. Ukwenza indlela entsha yokuqhuba ushishino apho uluntu lunamandla okuzikhulisela, ukwabelana, kunye nokulawula ukutya kwalo.
4. Ukukhusela amalwandle nemifula yethu ekusetyenzisweni kakubi nakuyo nayiphi indlela yokoxuthwa kolwandle nomhlaba
5. Ukubambisana nabalobi kunye nabasebenzi kwamanye amazwe ukuze sixhasane size sikhule kunye. Kanye nokunyakaza kwabantu abasebenzayo emhlabeni wonke ukuze bathole ukwesekwa okwengeziwe.

Ukuze ikwazi ukwenzeka loo nto, zonke iingxaki zethu ziza kukhokelwa yinto esiyibiza ngokuba ngooR aba-5.

Sifuna urhulumente aqaphele (**Recognition**) amalungelo ethu, ukulwela ukulungiswa (**Restitution**) kwezinto ezimbi zakudala, ukuqinisekisa ukwabelwa ngendlela esesikweni (**Redistribution**) kweemveliso, ukusebenzela uphuhliso (**Regeneration**) loluntu kunye nendalo, kunye nokuvelisa abantu abaza kusimela nabaza kusilwela (**Representation or Resistance**) xa singamanyelwa.

Eli lithuba elikhulu lokuba iphulo lethu libe namandla angakumbi epolitiki ukuze kunyanzelwe urhulumente ukuba atshintshe ngokupheleleyo iipolisi zawo. Imithetho emitsha imele ilungise iingxaki zexesha elidlulileyo ngokuqinisekisa abantu banokutya, amalungelo oluntu ayahlonitshwa, kwanokuba amandla asezandleni zethu thina bantu bakuvelisayo. Yindlela yethu yokulawula inkqubo ngokupheleleyo nangokungqalileyo.

LUNGANTONI ULAWULO OLUPHELELEYO LOKUTYA?

Ulawulo lokutya lilungelo loluntu lokulawula iindawo abafumana kuzo ukutya, amanzi, nempilontle yawo ngokwemigaqo yendalo kunye neyamasiko. Lisekelwe kwizinto ezintandathu eziphambili:

- **Okokuqala**, linikela ingqalelo kukutya kwabantu, ukuqinisekisa ukuba abantu babekwa phambili kunoqoqosho.
- **Okwesibini**, lixabisa abalobi nabenzi bokutya, ngokuqaphela ulwazi, izakhono nezithethe zabo.
- **Okwesithathu**, linceda abahlali bazenzele ngokwabo ukutya ngokuxhasa abalobi basekuhlaleni nokungathembeli kakhulu kwiinkampani ezinkulu.
- **Okwesine**, yenza uluntu lukwazi ukulawula yonkeinto, luze lukwazi ukufikelela emanzini, kwizixhobo zokuseenza, nasekuzenzeleni izigqibo.
- **Okwesihlanu**, lenza babe nolwazi nezakhono, kugcinwe iindlela zakudala zokuloba ngoxa kuhanjiselwana notshintsho lwendalo.
- **Okwesithandathu**, lisebenza nendalo, ihambisela phambili ukuloba okukhusela indalo. Xa zizonke ezi ndlela ziqinisa umanyano, isidima, nokusesikweni kuluntu ngoxa kukhuselwa indalo kusenzelwa ikamva.



UMQUKUMBELO

Ngoko, iFisher People Tribunal yayisisihlandlo esiyimbali apho abalobi abavela emhlabeni wonke baye bamanyelwa.

Nangona yayingeyonkundla yesiqhelo, isigwebo sayo esinamandla sisekelwe kumabali obomi bokwenyani kunye nobungqina, nto leyo esenza ukuba ibe sisixhobo esibalulekileyo sokufuna utshintsho.

Iingcali zaqinisekisa kwanokuba urhulumente waseMzantsi Afrika woyisakele kukukhusela amalungelo abalobi basekuhlaleni. Esi sigwebo sibonisa ukuba iipolisi zikarhulumente azikho sesikweni kwaye zinedolo kumashishini amakhulu neengxaki zokukhuselwa kwendalo. Oku kuye kwakhokelela ekunyahashweni kwamalungelo asisiseko abalobi, nto leyo ebangela ukuba baphulukane nesidima sabo, kunye nogonyamelo.

Ezi ziphumo azisosiphelo, sisiqalo. Zibonisa ukuba iingxaki abanazo abalobi basekuhlaleni ziyinyani, nto leyo enika iMasifundise neCoastal Links isiseko sekamva elinesidima nesisesikweni kubalobi bexesha elizayo.



ULUHLU LWEZISHUNQULELO:

KZN	KwaZulu-Natal
MLRA	Umthetho Wezilwanyana Eziphila Elwandi
MPA	Iindawo Ezikhuselekileyo Zendalo
SSF	Abalobi Abasakhasayo
UN	IZizwe Ezimanyeneyo

Le ncwajana yenziwe
yiMasifundise Development Trust



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isinqumo esiphelele kanye nokunye!**

okanye ndwendwela: www.masifundise.org/fisher-people-tribunal/