



FISHER PEOPLE TRIBUNAL

ISINQUMO SENKANTOLO

23 EPHRELI 2025



Ukulalelwa Kwe-Fisher People Tribunal: 12-14 Agasti 2024

Inkomfa Ye-Fisher People: 23-25 Okthoba 2024



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ISINGENISO

Uke wezwa nge-Fisher People Tribunal? Yayingo-Agasti 2024, futhi kwakuyisikhathi esiyingqophamlando ngempela kithi sonke.



Yibheke njengenkantolo ekhethekile, kodwa lapho amazwi ethu ezwakala khona kakhulu nangendlela ecacile futhi amaqiniso ethu abhalwa phansi! I-Coastal Links kanye neMasifundise baqhubekisela phambili le nqubo. Kwakuyi-People's Tribunal yokuqala eKapa, eNingizimu Afrika eyayigxile kuphela kubadobi kanye nemiphakathi yethu. Lona kwakungewona umhlangano nje; kwakuwumkhankaso osuka ebantwini obangelwe ngokuqondile ubunzima esibhekana nabo.



Kungani abadobi bebe nale Nkantolo Ekhethekile phecelezi i-Tribunal?

Kudlule isikhathi eside kakhulu, sibhekane nezinkinga ezinkulu: amalungelo ethu abantu eshaywa indiva, umhlaba wethu ngohlobo lokuqhwagwa kolwandle kanye nomhlaba, kanye nokungaphathwa ngesithunzi esisifanele.

Le Nkantolo yabangelwa yilowo mzabalazo. Kwakuyisikhathi esinamandla sezombusazwe – ithuba lethu lokukhuluma iqiniso, ukukhombisa ukumelana kwethu nezinhlelo ezingenabulungisa, kanye nokuma ngokubambisana. Bekuyisititimende esicacile sokuthi indlela yethu yokuphila yokudoba iyigugu, inesizotha futhi ibalulekile, ikakhulukazi ezweni elisagcwele ukungalingani okukhulu.

Izinsuku ezintathu, abamele abadobi abavela kulo lonke elaseNingizimu Afrika babuthana ndawonye ukuze benze i-Tribunal. Kwakuwumphumela weminyaka emithathu yokusebenza kanzima, okwakhilela izingxoxo eziqhubekayo nokuqoqa ulwazi emiphakathini egudle ugu namaphakathi nezwe ezweni. Lo mcimbi uphinde wakhombisa amandla okusebenza ngokubambisana, njengoba ububandakanya ukusebenza nabantu abehlukene eNingizimu Afrika nasemhlabeni jikelele.

Ngalezo zinsuku, sethula **amacala anzima ayisithupha**, anobufakazi obuningi, futhi abadobi abanesibindi basukuma bafakaza, badalula ukwephulwa komthetho esibhekene nakho. Amakhulu ethu asize ekulolongeni le nqubo, sabelana ngolwazi lwethu futhi abonise isibindi esiyisimangaliso. **I-Coastal Links**, inhlangano yethu kazwelonke yabadobi, yayiwumgogodla wakho konke, iqinisekisa ukuthi izindaba zethu ezibaluleke kakhulu ziyalalelwa nokuthi sonke kufanele sibe yingxenywe yalesi senzo esihlangene sokukhuluma iqiniso nokudelela.

Le ncwajana izosisiza sonke siqonde ukuthi yini eyaphuma kuleyo Nkantolo ebalulekile, nokuthi singayisebenzisa kanjani ukwakha amandla ethu, inselele ukungabi nabulungisa, futhi silolonge ikusasa elingcono lethu kanye nezizukulwane zabadobi ezizayo.

NAKHU UKUBUYEKEZWA KWAMACALA AYI-6 ETHULIWE:

ICALA 1: IZITHEMBISO EZIPHULIWE ZENQUBOMGOMO YE-SSF

Izithembiso Eziphuliwe zeNqubomgomo yabaDobi abaDobela ukuziphilisa eNingizimu Afrika

Icala lalibheka ukuthi ngabe iNqubomgomo Yezokudobela Ukuziphilisa iyasebenza ngempela yini. Abadobi babe nomzabalazo omude ukuze uhulumeni enze lo mgomo ukuze ekugcineni baqashelwe futhi amalungelo abo avikelwe. Ngeshwa, basabhekene nezinkinga eziningi ezifanayo.

ICALA 2: ABADOBI BASEMACHIBINI

'Izimpilo zethu nendlela yethu yokuziphilisa isemgqeni': Abadobi basemazweni kanye nomzabalazo wabo wokufinyelela nokuqashelwa eNingizimu Afrika

Zicabange ungumdobi waseNingizimu Afrika, lapho imisebenzi yakho yokuziphilisa njengomdobi namanje ingakaqashelwa emthethweni. Ubungabhekana nezinkinga eziningi ngoba unqatshelwe ukungena futhi uyekiswa ukusebenzisa izindawo zakho zokudoba zendabuko, futhi ngenxa yalokho, unghlukunyezwa futhi ungene enkingeni nomthetho.

ICALA 3: UKULONDOLOZWA KWEMVELO KWENZELWA BANI?

Udlame lwezokongiwa kwemvelo KwaZulu-Natal: Ukudalula ukongiwa kwemvelo okuqhutshwa izivakashi eSimangaliso kanye nomthelela emiphakathini edobela ukuziphilisa

Leli cala likhombisa ukuthi imizamo yokongiwa kwemvelo eNingizimu Afrika, eyayihloselwe ukuvikela imvelo, yayilimaza kanjani imiphakathi kanye nendlela yayo yokuphila yendabuko. Kodwa futhi kwafakazela iphuzu elinamandla- abantu bomdabu, asebehlale emhlabeni izizukulwane ngezizukulwane, ngokuvamile bangabanakekeli abangcono kakhulu bemithombo yawo yemvelo.

ICALA 4: IMIPHAKATHI YASEDWESA-CWEBE

Ulwandle Lokungabi Nabulungisa: Dwesa-Cwebe kanye nomzabalazo wobulungiswa bezenhlalakahle ngasogwini lwesintu

Yize noma imiphakathi yaseDwesa-Cwebe yanikezwa amalungelo esintu ngephepha, izithembiso azizange zilandelwe ngempela. Leli cala likhombisa ukuthi lokho kwenze izinto zaba nzima kanjani kubo. Basakuthola kunzima ukufinyelela kubo futhi basabhekene nokuhlukunyezwa okukhulu.

ICALA 5: IMITHELELA YEZIMAYINI OGWINI OLUSENTSHONALANGA

Ugu Lokuzimba: Imisebenzi Yezimayini, Ukuhlola Nokusetshenzwa Kwamafutha Negesi kanye Neziphakamiso Ze-Hydrogen Eluhlaza Ogwini OluseNtshonalanga lwaseNingizimu Afrika

Lolu daba belumayelana nokwenzeka eNingizimu Afrika oGwini oluseNtshonalanga lapho izinkampani sezinesikhathi eside zimba izimbiwa phansi nasolwandle. Leli cala libheke zonke izindlela ezahlukene lokhu okuye kwathinta ngayo indawo, kusukela ekulimazeni izilwane zasolwandle kuya ekungcoliseni imvelo.

ICALA 6: ABESIFAZANE ABADOBAYO KANYE NEZIKHUKHULA E-KZN

Ezindaweni ezihlangana namagagasi, abesifazane abadobela ukuziphilisa ngezikhathi zezimo eziphuthumayo

Abesifazane bavamise ukuba yizinsika zemiphakathi yabo, kodwa abakutholi ukuhlonishwa okubafanele ngaso sonke isikhathi. Leli cala laliyisibonelo esiphelele salokho. Kubhekwe ngqo ukuthi izikhukhula zaKwaZulu-Natal zango-2022 zaba nomthelela kanjani kwabesifazane abaqoqa izimbaza, okukhombisa ukuthi la malungu abalulekile omphakathi awanganakwa kanjani ngesikhathi senhlekelele kanye nemiphumela yayo.

KUNGANI ISINQUMO SE-FISHER PEOPLE TRIBUNAL SIBALULEKILE?

Ingabe le Fisher People Tribunal yayiyinkantolo yangempela, efana naleyo ethumela abantu ejele?



Hhayi-ke impela. Cabanga ngalokhu: inkantolo evamile yezomthetho noma inkantolo ilandela imithetho nemithetho kahulumeni eqinile, futhi nakuba ikwazi ukwenza izinqumo, sivame ukubona ukuthi kunzima kangakanani ukwenza lezo zinqumo zisebenze. Kunezivimbamgwazo eziningi!



I-Fisher People Tribunal yayihlukile. 'Kwakuyinkantolo yabantu.' Lokhu kusho ukuthi thina, njengabadobi, ngokuhlangene saba abahluleli besimo sethu.

Asizange sishushise muntu ngendlela inkantolo kahulumeni eyayizokwenza ngayo; esikhundleni salokho, saqoqa amaqiniso ethu, sabelana ngokuhlangenwe nakho kwethu, futhi sazenzela ezethu izahlulelo ngokungabi nabulungisa esiye sabhekana nakho. Bekuyithuba lethu lokuzenzela irekhodi lethu elisemthethweni lalokho okwenzekile, ngokombono wethu, nokusebenzisa lelo qiniso esabelenwe ngalo ukufuna ushintsho lwangempela, hhayi nje ukulinda ukuthi uhlelo olusemthethweni luthathe isinyathelo.

Isikhathi eside, ngisho nangemva kobandlululo, izethembiso esazenza kithi ngamalungelo ethu zaphulwa. Siye saphushelwa eceleni, sanqatshelwa ukufinyelela ezindaweni zethu zokudoba ezivamile, futhi size saphathwa njengezigebe ngu ngenxa nje yokuzama ukondla imindeni yethu. I-Tribunal ikubeke obala konke lokhu kungabi nabulungisa, ukuthi amalungelo ethu ahlukunyezwe kanjani, ukuthi izindawo zethu zokudoba zithathwa kanjani ngenxa yamabhezini amakhulu nokongiwa kwemvelo, nokuthi indlela yethu yokuphila isengozini. Ayizange ivele iveze okubi; iphinde yabungaza indima yethu ebalulekile ekuhlizakeni ngokudla, ukuvikela ulwandle namanzi, kanye nokugcina amasiko ethu ephila.

Lesi sinqumo siwumyalezo ocacile ovela kongoti nakithi, sisho phezu sithi uhulumeni usehlulekile, ubeke inzuzo yamabhezini amakhulu ngaphambi kwezimpilo zethu futhi wavumela nodlame olubhekiswe kithi. Lesi sinqumo akuwona nje amazwi asephepheni; iyithuluzi elifakazela ukuthi imizabalazo yethu ingokoqobo, lisinika izwi elinamandla ekulweleni amalungelo ethu, futhi lisisiza ukuba sifune ubulungisa obusifanele. Kuyikhwelo lokuma ndawonye, sikhombise ukuthi singabholi kule mpi yekusasa lethu, amasiko ethu kanye nokuphila kwethu.

OKUTHOLWE ESIN- QUMWENI SE-FISHER PEOPLE TRIBUNAL

Ngesikhathi sokulalelwa kwe-Tribunal, ithimba elinamandla lamalungu ejaji lakhethwa ukuthi lilalele amacala alethwe abadobi

Ijaji lakhiwe izishosho ezingomakadebona, ochwepheshe bezomthetho nezifundiswa, ngamunye enolwazi lweminyaka elwela umphakathi onobulungiswa nolingana. Ngamunye wabo weza nesipiliyoni sakhe nolwazi lwakhe, kungakhathaliseki ukuthi kwakulwela amalungelo abantu, ubulungiswa bezemvelo, ukwakha izimpikiswano zomthetho noma ukusebenza ezindabeni zobulungiswa bezenhlalakahle.

Ngemva kokuqulwa kwamacala e-Tribunal, i-Jury yanikezwa umsebenzi wokuhlola ubufakazi ukuze kuqinisekise ukwephulwa kwamalungelo abantu abadobi ababhekana nakho, inqume ukuthi ubani owayenecala kulokhu kuphulwa, kungakhathaliseki ukuthi kwakunguhulumeni noma amanye amaqembu futhi yacelwa ukuba iphakamise izinyathelo ezifanele zokubhekana nalezi zinkinga.



AMAJAJI ATHOLE IZINTO EZIYI-12 EZIBAL- ULEKILE ENKANTOLO:

1. EUkuqashelwa nokuvikelwa kobunikazi namalungelo abantu abadobi

Kubantu abaningi abadobayo eNingizimu Afrika, ukudoba kungaphezu komsebenzi “womnotho”, kuyindlela yokuphila eye yadluliselwa ezizukulwaneni ngezizukulwane. Kuyisiko eligcwele izindinganiso zamasiko nolwazi lwendabuko olubasiza ukuba bavikele imvelo futhi bagcine izinhlanzi ziphilile. Lokhu kuhlakanipha kwabiwa ngezindaba nemikhosi, ukuxhumanisa abantu hhayi kuphela komunye nomunye kodwa nayo yonke imvelo. Amajaji azwakale kule miphakathi athinteka kakhulu, ebona ukuthi ukuqhubeka nokudoba ngale ndlela kuyisenzo sokuphikisa, ikakhulukazi njengoba abesifazane nezingane bevame ukushayeka kakhulu ngezinqubomgomo ezingalungile. Manje sekuyacaca ukuthi uhulumeni kumele abone ukuthi abaluleke kangakanani la masiko. Kudingeka banikeze le miphakathi izwi langempela ezinqumweni mayelana nezilwandle nemifula yethu, ngoba awukwazi ukuvikela imvelo ngaphandle kwabantu asebangababheki bayo amakhulu eminyaka.

2. Ukugqugquzelwa nokukhuthaza okuqhubekayo ngamaqembu omphakathi kwadingeka ukuze kumiswe inqubomgomo yabadobi abadobela ukuziphilisa ngemva kuka-1994, futhi kusazoqhubeka kudingeke

Nakuba izinqubomgomo zangemva kobandlululo zehluleka ukweseka ngokugcwele abadobi, ukugqugquzelwa okuqhubekayo kwemiphakathi edobayo yaseNingizimu Afrika kanye nabasekeli bayo bekubalulekile. Ngokusebenza ngokubambisana, abadobi baphonse inselelo imithetho engabavikeli, bawina amacala abalulekile ezinkantolo, futhi baphoqa uhulumeni ukuthi avume amalungelo abo futhi enze izinqubomgomo eziqhubekayo. Lokhu kumela kukhombisa amandla okuhlangana komphakathi ekuzuzeni inqubekelaphambili ebalulekile.

3. Izinqubomgomo eziqhubekayo ziyangqubuzana futhi zibukelwa phansi yimithethonqubo kanye nokungaqalis ukusebenza ngendlela efaneleg

Inqubomgomo yabadobi abadobela ukuziphilisa ka-2012 (i-SSFP) yayihloselwe ukusiza abadobi, kodwa ukuqaliswa kwayo kuye

kwadumazeka kakhulu. Esikhundleni sokunikeza imiphakathi amandla ngezimvume nokwesekwa, uhulumeni usebenzise indlela enephutha, elingana yonke into. Lokhu sekuholele ekutheni amalungelo abadobi ephulwe futhi banqatshelwe ukufinyelela kwabo ngokwesiko, okubaqhubekisele phambili ebuphofini nasekubandlululweni.

4. Ukufinyelela emithonjeni yemvelo kubantu abadobayo kuyisici esibalulekile ekufezekisweni kwelungelo lokuthola ukudla

“Ilungelo lokudoba lixhumene kakhulu nelungelo lokuthola ukudla, njengoba kuqinisekiswa Umthethosisekelo waseNingizimu Afrika.” – Geoffrey Budlender (ummeli waseNingizimu Afrika kanye nomsunguli wesikhungo se-Legal Resources) ngesikhathi ethula inkulumbo yokuvula i-Tribunal Hearings. Abadobi bakubeke kwacaca ukuthi bangakwazi ukuzondla ngokwesiko labo lokudoba. I-Tribunal inxuse uhulumeni ukuba ayeke ukubeka phambili izithakazelo zezohwebo kanye nezimbiwa ezidala inselelo kubantu abadobayo ekufinyeleleni izinsiza zemvelo. Ukwehluleka ukuvikela ilungelo labo lokuthola ukudla kwandisa ubumpofu kanye nokungavikeleki kokudla emiphakathini edobayo.

5. Uhulumeni uchemile ekudobeni kwezentengiselwano kanye nesigatshana sezokungcebeleka esivulekile

Inqubomgomo kahulumeni yezokudoba ishaya indiva abadobi abadobela ukuziphilisa, futhi ivuna abadobi bezokungcebeleka. Kunokuntuleka kohlelo oluphelele lokuphatha, izinhlobo ezanele ezinikezwa abadobi, imithetho edidayo, nokwehluleka ukudlulisela izinsiza ezanele kubadobi abadobela ukuziphilisa abavela emikhakheni emikhulu. Lo mgomo futhi awuzinaki izilwane ezibalulekile futhi ukhombisa ukuchema kwezifunda, ukunganaki izindawo ezifana neMpumalanga Kapa neKwaZulu-Natal. Lokhu kwehluleka kunemiphumela, kubangela ukuntuleka kokudla futhi kusongela ukuphila kwemindeni edobayo.

6. Ukucatshangelwa okuyinkinga kanye nokuchema kwabadobi abadobela ukuziphilisa kusekelwe ekukhetheni inqubomgomo yezomnotho esekela izimakethe kanye namabhizinisi oMbuso wangemva kobandlululo

Umkhakha wezokudoba waseNingizimu Afrika ubonakala

usebenzelana nabadobi abadobela ukuziphilisa ngenxa yezinqumo zenqubomgomo zikahulumeni ezenziwa ngemva kwentando yeningi. Uhulumeni wentando yeningi wakhetha inqubomgomo ezibeka phambili amabhizinisi amakhulu, kanye nezithakazelo ezizimele kunokweseka abadobi abadobela ukuziphilisa. Lokhu sekuholele ekutheni izinkampani ezinkulu zokudobela inzuzo, uwoyela negesi kanye nezinkampani zezimayini, kanye nezinye izimboni ezinkulu zithole ukwelashwa okungcono. Ukwengeza, izinhlelo ezifana nezinhlelo ze-‘Operation Phakisa’ kanye ‘ne-‘Ocean Economy’ zizuzisa izinkampani ezinkulu ezifuna uwoyela negesi noma ezimba izimbiwa. Lokhu kuyingozi ezilwandle, empilweni nasezipilweni zabadobi abadobela ukuziphilisa. Okokugcina, izindawo ezisogwini zithengiselwa ezokuvakasha, okuxosha abadobi kude nezindawo zabo zendabuko.

7. Izinkampani zakwamanye amazwe nezisekhaya zinomthelela emiphakathini yabadobi abadobela ukuziphilisa kanye nezindawo ezisogwini zasolwandle nezasemifuleni.

Ubufakazi be-Tribunal bukhombisa ukuthi imiphakathi edobayo ibilokhu imelene nezinkampani ezinkulu ezifuna ukuzuza olwandle lwethu. Bebelokhu belwa namaphrojekthi amasha asongela indlela yabo yokuphila, njengezinkampani ezifuna ukumba izimayini ogwini lwethu, zimba uwoyela negesi, futhi zihlole imithombo yamandla emisha njenge-hydrogen eluhlaza. Inkinga enkulu ukuthi abadobi ngokuvamile akuboniswana ngezinqumo ezithinta ukuphila kwabo ngokuqondile, okuholela ekulahlekelweni kokuthola izinsiza nokungalingani okukhona. Amajaji aphinde akhathazeke “nge-Operation Phakisa,” uhlelo lukahulumeni lokwandisa “umnotho oluhlaza” obeka phambili izimfuno zezinkampani ngaphezu kwenhlalakahle yomphakathi neyemvelo, okuholela emiphumeleni elimazayo. Lokhu sekubeke eceleni imiphakathi edobayo, okudale ukuthi ilahlekelwe ukufinyelela ezindaweni zokudoba kanye nomhlaba osogwini. Ngaphezu kwalokho, ezinye izinhlangano nezikhulu zikahulumeni zizama ukuvala umlomo labo abakhuluma ngokumelene nalezi zinqubomgomo ngokubanikeza izikhuthazi ezincane noma bazibize ngokuthi “ezimelene nentuthuko.”

8. Ubugebengu kanye nokuxoshwa kwemiphakathi edobela ukuziphilisa ngokusungulwa kwezinkampani ezizimele, ukongiwa kwezinqaba kanye nokulawulwa kwezinhlekelele.

Ngokusekelwe ebufakazini obuzwiwe ku-Tribunal, indlela uhulumeni waseNingizimu Afrika afuna ukuvikela ngayo imvelo idala izinselelo eziningi emiphakathini edobayo: kunodlame nokuhlukunyezwa okusabalele okuvela kubaqaphi, abangaziphenduleli, okuholela ekuqedweni okuphelele kokuthembana. Indlela kahulumeni yokongiwa kwemvelo ngokungafanele iphatha abadobi njengosongo, ibavimbele ezindaweni zamasiko ukuze basungule Izindawo Ezivikelekile Zasolwandle ngaphandle kokubonisana okufanele. Ukwengeza, izinqubomgomo ezintsha zezokudoba azisekelwa yimithetho esebenzayo, ephoqa abadobi ukuthi bakhethe phakathi kokuzisebenzisela bona kanye nokudayisa ukuthengisa, umehluko ongabonisi iqiniso labo. Okubi kakhulu wukuthi uhulumeni uhlulekile ukufaka imiphakathi edobayo ezinhlelweni zokuguquguquka kwesimo sezulu, okuyishiya ingenakho ukwesekwa ukuze ibhekane nemithelela yezinhlekelele zemvelo.

9. Ukucwasa kanye nemithelela engalingani kubadobi nentsha

Okutholwe yi-Tribunal kukhombisa ukuthi abesifazane nezingane bathinteka kakhulu yizinkinga ezikhungethe imiphakathi edobayo. Abesifazane, abawumgogodla wokuvikeleka kokudla ogwini, kudala bebhakene nodlame nokucwaswa yimigomo nezinkampani. Imibono yabo ebalulekile ishaywa indiva njalo, ibashiya ngaphandle kokuthatha izinqumo. Ngisho nezinqubomgomo okuhloswe ngazo ukusiza ziye zababukela phansi. Lolu bandlululo oluphula uMthethosisekelo waseNingizimu Afrika lubhebhetheka ngenxa yesimo sezulu. Lesi sinqumo sifuna ukuba kuthathwe izinyathelo ezithile zikahulumeni zokuthuthukisa abesifazane futhi kuqinisekiswa ukubamba iqhaza kwabo ngokulinganayo.

10. Ukubulawa kwabantu abadobi

Ijaji lithole ukuthi abaqaphi bezokongiwa kwemvelo basebenzisa udlame kubadobi, okubangele ukufa nokulimala kanzima. Ufakazi oyedwa ukhutshazwe unomphela ekuhlaselweni. Ijaji liphinde laphawula ukuthi iziphathimandla azisinakanga isinqumo senkantolo esiqinisekisa ilungelo lesintu labadobi lokusebenzela endaweni evikelekile. Lolu dlame, olulimaza impilo nenhlalakahle yemindeni yonke nemiphakathi, luthathwe njengoluphikisana nemigomo yentando yeningi yaseNingizimu Afrika yangemva kobandlululo. Ngokusekelwe kulokhu okutholakele, amajaji ancoma ukuthi uhulumeni waseNingizimu Afrika

aphenye futhi ashushise labo abathintekayo ngokuhlaselwa, njengoba kudingwa uMthethosisekelo kanye nomthetho wamazwe ngamazwe. Amajaji aphinde aphakamise ukuthi abadobi nezinhlango zabo bacubungule icala lesigaba elimelene neziphathimandla zezokongiwa kwemvelo zikazwelonke, zezifundazwe kanye nezasekhaya.

11. Izibopho zamalungelo abantu kanye nesidingo sokuziphendulela kwabadlali bangaphandle nabasekhaya abazimele abathintekayo kanye nokuxhasa ngezimali izimbongi zokongiwa kwezinqaba kanye nezimbongi zokukhiqiza

Uhulumeni uyehluleka ukusekela amalungelo abantu ayisisekelo emiphakathini edobayo yaseNingizimu Afrika futhi uyaqhubeka nokubeka eqhulwini izimfuno zezinkampani, ezisebenza ngokungajeziswa. Naphezu kwezindinganiso zamazwe ngamazwe, njengeSimemezero Se-UN Samalungelo Abalimi kanye Nezimiso Eziqondisayo ze-UN Ebhizinisini Namalungelo Abantu, abadobi abafinyeleli ngendlela efanelekile yokuthola usizo olungokomthetho lokwephulwa kwamalungelo abantu futhi baphucwa izindawo zabo zokuziphilisa. Kokubili uhulumeni namabhizinisi banesibopho sokuhlonipha nokuvikela la malungelo

12. Inkinga yamalungelo abantu kanye nemvelo enomthelela ezimpilweni nasezimpilweni zabadobi ibeka kungabaza ukuzibophezela kweNingizimu Afrika ezinhlinzekweni zayo zoMthethosisekelo kanye nezibopho zamalungelo abantu emhlabeni jikelele.

Ngemva kokuzwa bonke ubufakazi, amajaji anqume ukuthi izenzo zikahulumeni waseNingizimu Afrika ngokumelene nabadobi zephula amalungelo abo amaningi ayisisekelo. Lezi akuzona izindaba ezincane; ahlanganisa amalungelo abantu ayisisekelo njengeLungelo Lokudla, Ilungelo Lokuthola Isiko, Ilungelo Lesithunzi, kanye Nelungelo Lokuphila. Lawa malungelo aqinisekiswa nguMthethosisekelo waseNingizimu Afrika kanye nezivumelwano zamazwe ngamazwe. Yize noma abadobi beyisa uhulumeni enkantolo futhi banqoba izimpi ezinkulu zomthetho ukuze bavikele amalungelo abo, kuncane kakhulu okushintshile kubona phansi. Uhulumeni nama-ejensi akhe abakaze bayilandele imiyalo yenkantolo noma babuyekeze imithetho ukuze bayivikel.

IZINCOMO EZIVELA KUMAJAJI

Njengengxenye yesinqumo ijaji lenze lezi zincomo ezilandelayo:

1. Ukuziphendulela Kukahulumeni

Ijaji lithole ukuthi uhulumeni waseNingizimu Afrika unecala kule nkinga ebhekene nemiphakathi edoba ngasogwini kanye nemaphakathi nezwe. Izinqubomgomo nezinqubo zabo zibe nomthelela omubi kumalungelo alaba badobi futhi zephule nemithetho yamazwe ngamazwe yamalungelo abantu.

2. Okubalulekile kwabadobi abadobela ukuziphilisa

Uhulumeni udinga ukubeka eqhulwini imiphakathi edobela ukuziphilisa. Lokhu kusho ukuqinisekisa ukuthi isithunzi sabo namalungelo abantu ayavikelwa.

3. Indlela Entsha Yokuphatha I-SSF

Imiphakathi edobayo kufanele ibe neqhaza ekulawuleni izilwandle namanzi aphakathi nezwe. Kudingeka imodeli entsha yokuphathwa kwezindawo zokudoba, enikeza imiphakathi edobayo inkululeko yokuzenzela izinhlelo zayo zokuphatha zendawo ngokusekelwe kumasiko namasiko abo

4. Ukuhlonipha Amalungelo Esintu kanye Nolwaz

Uhulumeni kumele asebenzise indlela entsha yokongiwa kwemvelo ehlonipha amalungelo okudoba nolwazi lwendabuko lwabantu boMdabu.

5. Inkinga Ngezindawo Zasolwandle Ezivikelwe

Ukwandisa Izindawo Ezivikelekile Zasolwandle (ama-MPA) kanye nokuphoqeelwa ngobudlova kwemithetho yokongiwa kwemvelo ngaphakathi kwazo kubonakala njengokwephulwa kwamalungelo abantu. Le ndlela ibeka engcupheni izimpilo namasiko abantu abadobayo.

6. Ukugqugquzela Ukuphenya Ngodlame

Ijaji lifuna uhulumeni enze uphenyo oluphuthumayo mayelana nokusetshenziswa kwendluzula ngokweqile ngabaqaphi beziqwi. Ofakazi banikeze ubufakazi bokubulala, ukudubula, nokwesabisa. Uhulumeni kumele futhi asungule imigomo yokuqeqesha ngendlela efanele abaqaphi kanye nokuphenya nokujezisa lezi zenzo zodlame.

7. Ukuhambisana Nomthetho Wamazwe Ngamazwe

INingizimu Afrika kumele ihloniphe izivumelwano zayo zamazwe ngamazwe zamalungelo abantu. Lokhu kusho ukuthi uhulumeni kufanele athembeke emibikweni yakhe ayibhekise kuNhlango Yezizwe ngezindlela abadobi ababhekana nazo futhi kumele enze ngokuvumelana nezincomo azithola kulezo zinhlangano zamalungelo abantu.

8. Ubizo Lokugcina Lokuthatha Isinyathelo

Nakuba le nkantolo ingeyona inhlangano esemthethweni, okutholakele kusekelwe emthethweni kazwelonke nowamazwe ngamazwe. Ijaji linxusa uhulumeni waseNingizimu Afrika kanye nazo zonke izinhlangano eziphathelene namalungelo abantu ukuthi bakuthathele phezu lokhu okutholakele futhi bathathe isinyathelo ngokushesha ukuze baxazulule izinkinga abadobi ababhekana nazo. I-Fisher Peoples' Tribunal, nakuba ingeyona inkantolo yezomthetho, isekela ekutholeni kwayo emthethweni kazwelonke nowamazwe ngamazwe oqinile kanye nobufakazi obuthembekile obuvela emiphakathini edobayo. Ijaji licela uhulumeni waseNingizimu Afrika kanye nezinhlangano zamazwe ngamazwe ukuthi bakuthathele phezu lokhu okutholakele futhi bathathe isinyathelo ngokushesha ukuze bavikele amalungelo kanye nezimpilo zemiphakathi edobayo.

IZOKWENZANI MANJE IMASIFUNDISE KANYE NE-COASTAL LINKS?

Okutholwe yisinqumo kanye nezincwadi kubaluleke kakhulu ezimpilweni zabantu abadobayo kanye nekusasa. Manje njengoba sesinesinqumo, kwenzekani ngokulandelayo?



Ngemuva kwenqubo ende ye-Tribunal, sasazi ukuthi ngeke simane sigcine lapho. Ngakho, iMasifundise kanye neCoastal Links babambe imihlangano ezweni lonke ukuthola ukuthi yini elandelayo.

Senze indlela ecacile eya phambili enemigomo emihlanu eyinhloko yokuqondisa impi yethu:

1. Ukuvikela amasiko ethu kanye namagugu aphilayo
2. Ukuqhubeka nokwakha inhlangano eqinile yabadobi emiphakathini edoba ngasogwini kanye namaphakathi nezwe.
3. Ukwakha indlela entsha yezepolitiki esekelwe ekubuseni kokudla okusho ukuthi imiphakathi yethu izokwazi ukulawula ukudla kwayo.
4. Ukuvikela izilwandle nemifula yethu ekuxhashazweni nanoma yiluphi uhlobo lokuthathwa kolwandle nomhlaba
5. Ukwakha imifelandawonye nobumbano nezinhlangano zabadobi kanye nokunyakaza kwabantu abasebenzayo emhlabeni wonke ukuze bathole ukwesekwa okwengeziwe.

Ukuze sithole usizo lokufika lapho, umzabalazo wethu wonke uzoholwa yilokho esikubiza ngokuthi ama-5R.

Sifuna uhulumeni **Ahloniphe** amalungelo ethu, silwela **Ukunxeshezela** ngezenzo ezingalungile zenkathi edlule, silwela ukuthi **Kwabiwe Kabusha** izinsiza ngendlela efanele, sisebenzela **Ukuvuselelwa Kabusha** kwemiphakathi yethu kanye nemvelo, kanye nokwakha **Ukumelelwa noma Ukumelana** lapho singezwakali.

Lesi yisikhathi esikhulu sokuthi inhlangano yethu yakhe amandla ezezipolitiki anele ukuphoqa uhulumeni ukuthi aguqule ngokuphelele izinqubomgomo zakhe. Imithetho emisha kufanele ilungise konke ukungabi nabulungisa okwedlule ngokuqinisekisa ukuthi kukhona ukudla kwabantu, ukuthi amalungelo ethu abantu ayahlonishwa, futhi lawo mandla abekwe ezandleni zethu ngqo njengabakhiqizi. Kuyindlela yethu yokuthatha lonke uhlelo ngqo.

BUMAYELANA NANI UBUKHOSI BOKUDLA?

Ubukhosi bokudla ilungelo lemiphakathi lokulawula izinhlelo zayo zokudla, amanzi, kanye nendlela yokuziphilisa ngokuhambisana nezindinganiso zemvelo namasiko. Isekelwe ezinsikeni eziyisithupha ezibalulekile:

- **Okokuqala**, igxile ekudleni kwabantu, iqinisekisa ukuthi imiphakathi yendawo ibeka phambili izimakethe.
- **Okwesibili**, iyabazisa abadobi nabahlinzeki bokudla, iqaphela ulwazi lwabo, amakhono, kanye nemikhuba yendabuko.
- **Okwesithathu**, ibeka izinhlelo zokudla endaweni ngokuqinisa izindawo zokudoba ezisemphakathini kanye nokunciphisa ukuthembela ezinkampanini ezinkulu.
- **Okwesine**, ibeka ukulawula ezingeni lomphakathi, inika imiphakathi amandla okubusa ukufinyelela emanzini, izinsiza, kanye nezinqubo zokuthatha isinqumo.
- **Okwesihlanu**, yakha ulwazi namakhono, igcine izindlela zokudoba zendabuko ngenkathi ijwayela nokushintsha kwemvelo.
- **Okwesithupha**, isebenza nemvelo, igqugquzela ukudoba okugcina imvelo kanye nezinhlobonhlobo zezinto eziphilayo. Ndawonye, lezi zinsika ziqinisa ukuqina, isithunzi, kanye nobulungiswa emiphakathini kuyilapho zivikela izindawo zasolwandle ukuze kuzuze izizukulwane ezizayo.



ISIPHETHO

Ngakho-ke, i-Fisher People Tribunal yaba isenzakalo esiyinqophamlando lapho abadobi abavela ezweni lonke begcine beveze imizwa yabo.

Nakuba bekungeyona inkantolo esemthethweni, isinqumo sayo esinamandla sisekelwe ezindabeni zempilo yangempela kanye nobufakazi, okuyenza ibe ithuluzi elibalulekile lokufuna ushintsho.

Ijaji liphinde laqinisekisa ukuthi uhulumeni waseNingizimu Afrika wehlulekile ukuvikela imiphakathi edobayo. Lesi sinqumo sikhombisa ukuthi imigomo kahulumeni ivuna amabhizinisi amakhulu ngokungafanele kanye nemizamo yokulondoloza imvelo enephutha. Lokhu kuye kwaholela ekwephulwani kwamalungelo abantu abadobi ayisisekelo, okubangela ukuba balahlekelwe isithunzi, indlela yokuziphilisa, baze babhekane nobudlova.

Isinqumo asisona isiphetho, siyisiqalo. Kufakazela ukuthi imizabalazo yemiphakathi edobayo ingokoqobo, okwenza iMasifundise ne-Coastal Links isisekelo sekusasa elinobulungiswa nelhloniphekile lezizukulwane ezizayo zabadobi.



UHLU LWEZIFUSHANISO:

KZN	KwaZulu-Natal
I-MLRA	Marine Living Resources Act
I-MPA	Marine Protected Areas
I-SSF	Small-Scale Fisheries
I-UN	United Nations

Le ncwadana ilungiswe
yi-Masifundise Development Trust



**Jonga apha iingxelo zamatyala,
iividiyo zobungqina, isigwebo
esipheleleleyo nokunye!**

noma vakashela: www.masifundise.org/fisher-people-tribunal/