

**Buku la Ndondomeko Zoyenera  
Kutsata Pothandiza Amayi ndi  
Atsikana Ochitiridwa Nkhanza ku  
Malawi**



## Mawu Otsogolera

Kuchuluka kwa nkhanza zochikira amayi ndi atsikana ndi chimodzi mwa zinthu zomwe zikuchititsa kuti padzikhale kusiyanasiyana pakati pa abambo ndi amayi komanso pakati pa atsikana ndi anyamata m'dziko la Malawi. Zimenezi zikubwezeretsanso m'mbuyo ntchito zosiyanasiyana zotukula dziko la Malawi. Boma la Malawi ndi lodzipereka kuthetsa nkhanza zochitikira amayi ndi atsikana, ndipo kudziperekaku kukubwera poyera kudzera m'malamulo ndi ndondomeko zamphamvu zomwe zinakhazikitsidwa zokhudza nkhanza kwa amayi ndi atsikana, komanso kudzera m'mapulogalamu osiyanasiyana omwe anakhazikitsidwa pofuna kuthana ndi mchitidwe woipawu. Unduna oona kuti pasakhale kusiyanasiyana pakati pa amuna ndi akazi, chitukuko cha m'madera, ndi chisamaliro cha anthu (The Ministry of Gender, Community Development and Social Welfare) ukugwira ntchito ndi magulu komanso mabungwe osiyanasiyana omwe akugwirira ntchito m'madera, m'maboma komanso m'dziko lonse la Malawi pokhazikitsa njira zopewera nkhanza zochitika kwa amayi ndi atsikana, komanso kukhazikitsa njira zothandizira amayi ndi atsikana omwe achitiridwa nkhanza kuti potero vutoli lithetsedwe.

Undunawu waona kuti ngakhale mabungwe ndi magulu osiyanasiyana akuika chidwi chochuluka pothana ndi nkhanza zamtundu, nkhanza kwa amayi ndi atsikana ndi vuto lomwe likadali lalikulu komanso lokhazikika m'dziko la Malawi. Limodzi mwa mavuto akuluakulu omwe akubwezeretsa m'mbuyo ntchito yothana ndi nkhanza kwa amayi ndi atsikana ndi kusowekera kwa mgwirizano pakati pa anthu, magulu komanso mabungwe omwe ali ndi udindo wothandiza anthu ochitiridwa nkhanza. Vuto linanso ndi lakuti ena mwa magulu ndi mabungwe amenewa samapereka dongosolo la kagwiridwe ka ntchito zawo kwa omwe akuyenera kudziwa za magwiridwe a ntchito, monga ku boma kapena kwa anthu okhudzidwa ndi ntchito.

Amayi ndi atsikana amakumana ndi zikhomo zochuluka pamene akufuna kupeza chilungamo ndi chithandizo choyenera akachitiridwa nkhanza. Koma ngakhale pena anthuwa amakwanitsa kukafika kumalo omwe angakalandire thandizo, nthawi zina chithandizo chomwe amalandira chimakhala chosagwirizana ndi mavuto kapena zosowa zawo zenizeni. Ngakhale amayi ambiri omwe akufuna chithandizo amakonda kugwiritsa ntchito ndondomeko zachikhalidwe zopezera chilungamo, ndondomeko zimenezi nazo zimakumana ndi mavuto osiyanasiyana omwe amapingapinga ntchito yopewa mchitidwe wa nkhanza komanso kuthana ndi anthu ochitira amayi ndi atsikana nkhanza. Zina mwa zikhomo zimenezi ndi kusowekera kwa ndondomeko zofunikira zotumizira anthu ochitiridwa nkhanza kumalo okalandira chithandizo. Izi ndi monga kusalumikizana mokwanira pakati pa nthambi zogwira ntchito zachipatala ndi nthambi zopereka chisamaliro kwa anthu; komanso kusalumikiza pakati pa anthu ndi magulu oyendetsa milandu yankhanza pogwiritsa ntchito ndondomeko za makhothi ndi omwe amayendetsa milanduzi pogwiritsa ntchito ndondomeko zina zosadzera kumakhothi, monga mabwalo am'midzi. Choncho, n'kofunika kuti monga dziko, mavuto amenewa tithane nawo mwachangu kuti tikwanitse kuthana ndi chipsinjo chimenechi cha nkhanza kwa amayi ndi atsikana.

Kotero, Unduna wanga ndi osangalala ndi ntchito yomwe yagwiridwa pokonza ndondomeko zoyenera kutsata pothandiza amayi ndi atsikana ochitiridwa nkhanza zomwe zalembedwa m'bukuli, ngati njira imodzi yolimbikitsa kuti ntchito yothandiza amayi ndi atsikana ochitiridwa nkhanza ichitike mogwirizana, mokwanira, komanso moyika patsogolo anthuwa. Ndongomekozi zikufotokoza mwatsatanetsatane dongosolo loyenera kutsatidwa ndi anthu ndi magulu oyendetsa milandu ya nkhanza pogwiritsa ntchito ndondomeko zosadzera kukhothi (monga ma TA, mabungwe am'madera othandiza anthu ochitiridwa nkhanza (CVSUs), mabungwe omenyerera mafulu a amayi (WROs), magulu oweruza nkhanzi zam'banja otsogozedwa ndi malamulo a Marriage, Divorce, and Family Relations Act (MDFRA), mabungwe omwe si aboma, ndi magulu ena oyanjanitsa anthu olakwirana (ADR forums)). Ndongomekozi zikufotokoza dongosolo loyenera kutsatidwa ndi nthambi ndi mabungwe aboma komanso magulu omwe si aboma koma amagwira ntchito m'malo mwa boma, pothana ndi nkhanza kwa amayi ndi atsikana (monga zipatala, ma OSCs, magulu othandiza anthu ochitiridwa nkhanza (VSU), ofesi yaboma yoona za chisamaliro cha anthu (social welfare), Unduna oona kuti pasakhale kusiyanasiyana pakati pa amuna ndi akazi komanso Nthambi yoona za anthu olumala mu Undunawu, bungwe loona za mafulu a anthu la Human Rights Commission, ofesi yolandira madandaulo a anthu ya Ombudsman, ofesi yoona za kagawidwe ka chuma chamasiye ya Administrator General, komanso mabwalo amilandu ndi malo ena othandizira anthu kuti apeze chilungamo).

Pantchito imeneyi, yomwe ikukhudza magulu osiyanasiyana omwe amagwira ntchito molumikizana, ndondomeko zomwe zalembedwa m'bukuli zikufotokoza zinthu zomwe anthu omwe achitiridwa nkhanza akuyembekezereka kukumana nazo pa ndime iliyonse ya dongosolo lopezera chithandizo kugwiritsa ntchito ndondomeko za makhothi, ndondomeko zosadzera ku makhothi, komanso kudzera ku nthambi zomwe si zaboma koma zogwira ntchito m'malo mwa boma. Ndongomekozi zikufotokoza dongosolo momveka bwino dongosolo lotsatidwa polandira ndi kulondoloza madandaulo a anthu; udindo wa anthu onse okhudzidwa pa ntchito imeneyi; ndi zomwe munthu wochitiridwa nkhanza akuyenera kuyembekezera pa ndime iliyonse, monga mndandanda wa zochitika komanso nthawi yomwe ikufunikira kuti zochitika za pandime iliyonse zitheke. Zochitikazi zidzakhazikitsidwa mogwirizana ndi mfundo zomwe mayiko onse amatsata pogwira ntchito zamtundu umenewu.

Pokonza ndondomekozi, anthu ndi magulu onse okhudzidwa anafikiridwa. Izi zinachitika ngati njira imodzi yoonetsetsa kuti onse okhudzidwa pantchito yothandiza anthu ochitiridwa nkhanza akhale ndi upangiri oyenera pa dongosolo loyenera kutsata pothandiza anthuwa kapena kuwatumiza kumalo olandira thandizo ndi cholinga chakuti adzitha kutumiza anthuwa kumalo oyenera komanso kuchita kalondolondo wa mmene akuthandizidwira. Ngakhale sipangalephere mavuto angapo pokhazikitsa ndondomekozi, titha kuchepetsa mavutowa poonetsetsa kuti anthu onse omwe ali ndi udindo wogwira ntchito imeneyi, komanso ena onse okhudziwa, ali ndi upangiri komanso maluso onse ofunikira a momwe ntchitoyi ikuyenera kuchitikira. Izi zidzachititsa kuti chithandizo choperekedwa kwa amayi ndi atsikana ochitiridwa nkhanza chidzikhala choyenera poyang'ana munthu aliyense wochitiridwa nkhanza payekhapayekha.

Choncho, ine ndikupempha anthu ndi magulu onse omwe atagwiritse ntchito Ndongomekozi, komanso anthu onse okhudzidwa pantchito yothana ndi nkhanza kwa amayi ndi atsikana, kuti athandizire ndi kuikapa mtima pantchito yokhazikitsa ndondomekozi. Ngati aliyense angakwaniritse udindo wake moyenera, tonse pamodzi tidzakwanitsa kupewa komanso kuchitapo kanthu pa nkhanza zosiyanasiyana, ndipo tidzathandizira kuti anthu ochitiridwa nkhanza adzipeza chilungamo pa nkhanza zowachitikira. Tikatere tidzaonetsetsa kuti anthu ochitira amayi ndi atsikana nkhanza akulandira chilango choyenera, mogwirizana ndi mchitidwe wawo.

Ndikuthokoza nthambi yoona za chitukuko cha maiko onse ya Department for International Development-UKaid, kudzera mu pulogalamu ya Tithetse Nkhanza, popereka chithandizo cha ndalama komanso upangiri ofunikira pantchito yokonza ndondomekozi. Ndikuthokozanso mabungwe a UNFPA, UN Women, ndi mabungwe ena ogwira nawo ntchito zachitukuko chifukwa cha upangiri omwe akhala akupereka ku Undunawu. Ndikudziwa kuti panyengo imeneyi dziko lathu likulimbana ndi mliri wa COVID19- monga momwe maiko enanso akuchitira, choncho takhala tikugwira ntchito zathu moonetsetsa kuti ndondomekozi zigwirizane ndi mmene maiko amagwirira ntchito zawo munyengo za mavuto okudza mwadzidzidzi. Izi ndi zofunikira kwambiri chifukwa zithandiza kuti malo omwe timatumizako anthu ochitiridwa nkhanza kuti akalandire chithandizo akhale akugwirabe ntchito ngakhale mu nyengo yovutayi. Pamodzi tikhoza kuthetsa nkhanza zochitirana chifukwa cha chibadwa chokhala mwamuna kapena mkazi, makamaka nkhanza zochitikira amayi ndi ana.

Patricia Annie Kaliati

**NDUNA YOONA KUTI PASAKHALE KUSIYANA PAKATI PA AMUNA NDI AKAZI, CHITUKUKO CHA M'MADERA, NDI CHISAMALIRO CHA ANTHU**

JULY 2020

## Mawu Ofunikira

**“Mwana”:** munthu wa zaka zakubadwa zosadutsa 18.

**“Kuzembetsa ana”:** malingana ndi gawo 15 la malamulo okhudza kuzembetsa anthu a Trafficking in Persons Act, uku ndi kulemba, kutumiza, kusunga, kulandira kapena kutenga mwana ndi cholinga chofuna kupeza naye phindu. Pamene mwana wazembetsedwa, uwu ndi mlandu ndithu ngakhale wozembetsayo atakhala kuti sanagwiritse ntchito njira zomwe zimagwiritsidwa ntchito pozembetsa akulu (monga kupusitsa, kuopseza kapena kunyengerera), ndipo ndi mlandube ngakhaleenso atakhala kuti mwanayo anavomereza kuti azembetsedwe.

**“Ndalama zoperekedwa kwa wodandaula/chipepeso”** ndi ndalama zomwe yemwe wapezeka wolakwa amapereka kwa wodandaula pa mlandu womwe unazengedwa kubwalo lamilandu. Ndalama zitha kuperekedwa monga chindapusa, chilango, kapena chipepeso choperekedwa pa mavuto osakhudza ndalama omwe adza kamba ka nkhanzazo, kapenanso kuphatikiza mitundu ingapo yomwe yatchulidwayi. **“chindapusa” kapena “ndalama zachindapusa” (compensation)** ndi monga ndalama zomwe bwalo lamilandu limatha kulamula kuti ziperekedwe kuti zigwiritsidwe ntchito polipirira zinthu monga chithandizo cha kuchipatala, ndalama zoyendetsera mlandu, kubwezeretsa chuma chomwe chataika, komanso ndalama zokonzetsera kapena zobwezeretsa katundu yemwe waonongedwa wa munthu wochitiridwa nkhanza. Mwachitsanzo, mkazi amene anamenyedwa ndi mwamuna wake ndikugonekedwa kuchipatala kwa masiku asanu ndi limodzi kamba kotu anathyoka mkono, koteru kuti waononga ndalama zake, akhoza kusumira mwamunayo kubwalo lamilandu chifukwa cha ndalama zomwe wagwiritsa ntchito kuchipatala potsatira kuvulazidwa kwakeko komanso kugonekedwa kuchipatalako. Atapeza loya kuti akamuimire mu bwalo lozenga milandu ya nkhanzi zakuntchito kamba kochotsedwa ntchito kapena kutaika kwa ndalama, akhozanso kusumira mwamuna wake kamba komuchotsetsa ntchito kapena kumuonongetsa ndalama, kuphatikizapo ndalama zoyendetsera mlanduwo. Pa mlandu wotere pamafunikira malisiti ndi zikalata zoyenera zoperekeru umboni kuti bwalo lamilandu lipereke chigamulo cha ndalama zachindapusa. **“Chipepeso chomwe chimaperekedwa chifukwa cha mavuto osakhudzana ndi ndalama” (general damages)** omwe wolakwiridwayo wakumana nawo ndi monga ndalama zomwe zimaperekedwa chifukwa cha zinthu zomwe sizokhudza ndalama, monga ululu kapena kuzunzika. Pamkono wothyokawo, bwalo likhoza kuona kuti ndi ululu komanso kuzunzika kochuluka bwanji komwe mkaziyo wakumana nako, ndipo litha kutchula ndalama zoyenera kuti apatsidwe. **“Ndalama zachipepeso zoperekedwa monga chilango” (punitive damages)** ndi monga zomwe zimaperekedwa chifukwa cha kutaika kapena kuonongeka kwa zinthu chifukwa cha kulekerera kwa munthu woyankha mlandu. Pankhani yothyoka mkonoyi, ngati bambo anakankha mkazi wake mwamphamvu kwambiri mosalabidira kuti pali malo otsetsera kumbuyo kwake ndipo mayiyu anagwa ndikuthyola mkono pamene amapewa kumugwera mwana, mayiyu akhoza kupatsidwa ndalama zamtunduwo.

**“Kugonana ndi mwana”:** Malingana ndi gawo 138 la malamulo olongosola za milandu ndi zilango zake (Penal Code), uku ndi kugonana ndi mtsikana aliyense yemwe sanakwanitse zaka 16.

**“Kupatutsa mlandu (Diversion)”:** Malingana ndi gawo 2 la malamulo okhudza chisamaliro ndi chitetezo cha ana a (Child Care, Protection and Justice Act), apa ndipamene milandu ya ana omwe aphwanya malamulo siimatimizidwa ku bwalo lamilandu koma imapatutsidwira kumalo ena okambira milandu monga mabwalo achikhalidwe.

**“Nkhanza zam’banja”:** malingana ndi gawo 2 la malamulo oletsa nkhanza zam’banja (Prevention of Domestic Violence Act), uwu ndi m’chitidwe uliwonse (ophwanya malamulo) wa nkhanza zokhudza kuvulaza thupi, kugonana, nkhanza zam’mingaliro, nkhanza zokhudza kakhaliidwe ka anthu, ngakhaleenso nkhanza zokhudza zachuma, zomwe munthu amachitira munthu wokhala naye limodzi monga banja.

**“Ubale wokhalira limodzi/wapachiweniweni”:** malingana ndi gawo

2 la malamulo oletsa nkhanza zam’banja (Prevention of Domestic Violence Act), tikamakamba za nkhanza zam’banja, uwu ndi ubale pakati pa anthu omwe ndi abanja limodzi ndipo amakhala m’nyumba imodzi, kapena amadalirana pa nkhanzi zachuma ndi zina zokhudza moyo watsiku ndi tsiku, ndipo uwu ndi ubale umene-

- wodandaula ndi woyankha mlandu ndi munthu ndi mwamuna/mkazi wake
- wodandaula ali ndi mwana ndi woyankha mlandu ndipo iye akuchitiridwa kapena pali kuthekera kotu akhoza kuchitiridwa nkhanza ndi woyankha mlanduyo;
- pali kholo ndi mwana wake, kapena kholo ndi munthu yemwe khololo limamuthandiza; komanso
- wodandaula ndi woyankha mlandu ali kapena akhala ali paubwenzi oyenderana kwa nthawi yoposera chaka chimodzi.

**“Nkhanza zokudza chifukwa cha chibadwa chokhala mkazi kapena mwamuna”:** Nkhanzazi zimakhudza mchitidwe uliwonse oyipa omwe umachitikira munthu kamba kotu iye ndi mwamuna kapena mkazi, ndipo kawirikawiri umachitikira amayi ndi atsikana.

**“Miyambo yoipa”:** malingana ndi gawo 3 la malamulo oonetsetsa kuti pasakhale kusiyana pakati pa amuna ndi akazi (Gender Equality Act), uwu ndi mchitidwe uliwonse okhudza chikhalidwe kapena chipembedzo umene, poyang’ana chibadwa chamunthu chokhala mwamuna kapena mkazi, kapena poyang’ana kuti munthuyo ndi wokwatira kapena ayi, umachititsa kapena ukhoza kuchititsa zinthu zotsatirazi:

- kunyazitsa munthu kapena kuika pachiposezo umoyo kapena ufulu wake;
- kuchititsa kuti munthu avulazike m’njira zosiyanasiyana monga kuthupi, m’mingaliro kapena m’njira zokhudza kugonana

**“Thandizo la zaumoyo/malo opereka thandizo la zaumoyo”:** awa ndi malo kapena anthu omwe amapereka thandizo la zaumoyo, anamwino, madotolo, kapena anthu othandizira madotolo ndi anamwino, amene anaphunzitsidwa ntchito yopereka chithandizo cha zaumoyo kudzera ku boma kapena malo omwe si aboma.

**“Wachikondi (wako)”:** Uyu ndi mwamuna kapena mkazi yemwe uli naye pabanja, kapena mnyamata kapena mtsikana yemwe uli naye pachibwenzi. Mawu okuti nkhanza zochitika pakati pa anthu omwe ali m’chikondi amayimira nkhanza zonse zomwe zimachitika m’banja kapena pachibwenzi.

**“One-Stop Centre”:** awa ndi malo omwe nthambi kapena magulu omwe amapereka chithandizo cha zaumoyo/mankhwala, cha zamalamulo, komanso oona za chisamaliro cha anthu amakumana pafupipafupi kuti alumikizane ndikuyendetsera limodzi ntchito younika kaperekedwe ka chithandizo cha zaumoyo/mankhwala, zamalamulo ndi chitetezo; kuunika milandu yokhudza nkhanza; komanso kugwira ntchito yomemeza za umoyo wa anthu ochitiridwa nkhanza zakuthupi komanso zokhudza kugonana (ana ndi akulu omwe).

**“Nkhanza zakuthupi” (physical abuse):** zikutanthauza mchitidwe uliwonse umene umachititsa, kapena umene cholinga chake ndi kuchititsa kuti ochitiridwayo apwetekeke pathupi lake.

**“Malo otetezeka”:** awa ndi malo oyenera omwe munthu wochitiridwa nkhanza, yemwe akufunikira chithandizo ndi chitetezo, akhoza kusungidwa mongoyembekezera, ndipo malowa ndi monga panyumba yosungiramo anthu omwe ali pachiposezo kapena opanda kwawo.

**“Kugwiririra” (rape):** malingana ndi gawo 132 la malamulo osonyeza milandu ndi zilango zake (Penal Code), kugwiririra kumatanthauza kugonana ndi mayi kapena mtsikana (wa zaka 16 kapena kuposera apo) mophwanya malamulo, mopanda chilolezo chake, kapena atavomereza koma chifukwa choopsezidwa munjira iliyonse, kapena atavomera chifukwa choopa kuvulazidwa, kapena chifukwa cha kupusitsidwa komwe kwatsatira m’kugonanaku, kapena akakhala mkazi wapabanja, pamene mwamuna wagonana naye wanamizira kuti ndi mwamuna wake.

“Dongosolo lotumizira anthu kumalo olandira thandizo” (Referral Pathway): ili ndi dongosolo lomwe limathandizira kulumikizansitsa anthu ochitiridwa nkhanza ndi magulu odalirika othandiza anhuwa.

“Opereka thandizo” (service provider): awa ndi anthu kapena magulu/mabungwe omwe ali ovomerezeka kupereka thandizo kwa amayi kapena atsikana ochitiridwa nkhanza (zowachitikira chifukwa cha chibadwa chawo chokhala akazi), ndipo anthu/maguluwa ndi monga apolisi, magulu a zachitetezo a m'madera/m'midzi, mabungwe azachipembedzo, nthambi zaboma, mabungwe omwe si aboma, mabungwe ogwira ntchito mongodzipereka, ndi ena otero.

“Kukhudza/kumuyankhula munthu mosonyeza chilakolako chogonana moopseza/mokakamiza/monyengerera (Sexual abuse)”: uku ndi kukhudza thupi lamunthu kwamtundu uliwonse komwe kumachitika moopseza kapena mokakamiza, komanso kuchita kapena kufuna kuchita mchitidwe uliwonse oletsedwa ndi malamulo omwe ali pa Mutu XV ya malamulo osonyeza milandu ndi zilango zake (Penal Code) (monga kugwiririra, kuba/kusunga munthu mokakamiza, kukhudza thupi lamkazi mosayenera, kunyazitsa mkazi, mchitidwe wosavomerezeka wochitika pakati pa akazi okhaokha, kugonana ndi mtsikana yemwe ndi mwana potengera malamulo adziko, kugonana ndi munthu wozerezeke, munthu kulipira ndalama kuti agone ndi wina, amuna kuchititsa anthu uhule kuti apeze ndalama, mkazi kuthandizira mkazi mnzake kuti achite uhule, kutaya pakati, mchitidwe uliwonse osemphana ndi chilengedwe monga kugonana ndi nyama, mchitidwe wosavomerezeka wochitika pakati pa amuna okhaokha, kugonana kwa pakati pa anthu omwe ndi apachibale (amuna kapenanso akazi), kugonana ndi ana osatha msinkhu omwe munthu akuwasamalira, ndi zina zotero).

“Kugonana/kugwira munthu mosayenera mokakamiza (Sexual assault)”: mawu omwe amaimira mchitidwe wosiyanasiyana monga kugwiririra, kugonana ndi mwana, kukhudza thupi lamunthu mosayenera, komanso mchitidwe osonyeza khalidwe lokonda zogonana.

“Kuchita/kuchititsa wina zogonana/zolaula n'cholinga chopezerapo phindu (Sexual exploitation)”: malingana ndi gawo 2 la malamulo okhudza kuzembetsa anthu (Trafficking in Persons Act), mchitidwewu ndi monga uhule, kuvina kapena kuchita zisudzo molaula, kukakamiza munthu kuchita uhule, komanso kutenga gawo popanga makanema olaula.

“Mchitidwe wosonyeza chilakolako chogonana mokakamiza (Sexual harassment)”: malingana ndi gawo 6 la malamulo oonetsetsa kuti pasakhale kusiyana pakati pa amuna ndi akazi (Gender Equality Act), uwu ndi mchitidwe uliwonse wosayenera (m'mayankhulidwe kapena zochitika) okhudza zogonana omwe panthawi yomwe ukuchitika, munthu aliyense wanzeru zake akhoza kudziwa kuti akumulakwira, kunyazitsa kapena kumuopseza amene akumuchitirayo.

“Wochitiridwa nkhanza (Survivor)”: munthu (monga mayi, mwana, munthu wolumala) amene wakadandaula kuti wachitiridwa nkhanza zochitika chifukwa cha chibadwa chawo chokhala mwamuna kapena mkazi. Mawu oti 'wochitiridwa nkhanza' amasonyeza kuti munthuyu anachitiridwadi nkhanza angakhale kuti palibe khoti lomwe lazenga mlandu wochita nkhanzayo ndikumupeza wolakwa.

“Kutsogoza wochitiridwa nkhanza (Survivor-centered approach)”: zikutanthauza kuti onse opanga kapena kukhazikitsa mapulogalamu okhudza nkhanza kwa amayi ndi atsikana adziika patsogolo maufulu, zosowa komanso zokhumba za anthu ochitiridwa nkhanza.

“Chiweruzo chokomera wochitiridwa nkhanza (Survivor-friendly or survivor-responsive adjudication)”: nthawi zina munthu wokamang'ala akhoza kukhala kuti si amene wachitiridwa nkhanza, choncho mabwalo amilandu akuyenera kuchita zotheke kuti adziwe munthu weniweni amene wachitiridwa nkhanza. Mwachitsanzo, pa nkhani zolimbirana malo, mwamuna akhoza kugulitsa malo kwa anthu abizinesi awiri osiyana, malo omwe anali a abanja ndipo azichemwali ake awiri omwe amuna awo anamwalira amadalira malowo pamoyo wawo wa tsiku ndi tsiku. Akatero, mwamunayo akhoza kuthawa ndi ndalamazo ndipo nkhaniyo ikhoza kupita kubwalo lamilandu chifukwa anthu abizinesiwo akufuna kuti bwalo ligamule kuti mwini wovomerezeka wa malowo ndi ndani. Amayi awiriwa apsinjika chifukwa alandidwa mwayi wozepeza ndalama, ndipo iyi ndi nkhanza yokhudza zachuma, kotero kuti ndi ochitiridwa nkhanza. Ngati bwalo siliganizira chipsinjo chawo pounika mozama nkhaniyo, maufulu amene atatetezedwe akhala a amuna abizinesi okhawa basi. Chitsanzo chimenechi chikufuna kusonyeza kuti wochitiridwa nkhanza samakhala 'wachidziwikire' nthawi zonse ndipo mabwalo amilandu akuyenera kusamala komanso kuonetsetsa kuti adziwe ochitiridwa nkhanza otere ndicholinga chowateteza, ngakhale izi zingachitike pongowatumiza kumalo oyenera komwe angakalandire thandizo.

“

*Ogwira ntchito ku chipatala anali anthu omvetsetsa komanso achifundo.*

*Anandithandiza kuti ndimvetsetse momwe ndondomeko yoyendetsera mlandu wanga itayendere.*

”



# Ndondomeko Yoyendetsera Milandu Kudzera Kumakhothi

Ndondomeko ya kayendetsetedwe ka milandu kudzera kumakhothi ndi thandizo lomwe limaperekedwa pofunafuna kupeza chilungamo kwa munthu wochitiridwa nkhanza, ndipo ikhoza kutsatidwa pa milandu yokhudza kuphwanya malamulo aboma oteteza wina aliyense, kapenanso milandu yokhudza kusamvana pakati pa anthu.

**“Ndondomeko yoyendetsera milandu yokhudzana ndi kuphwanya malamulo adziko otezeteza aliyense”** inakonzedwa kuti idzipereka chilungamo ndi chitetezo kwa munthu aliyense m’dziko pomanga, kulanga, komanso kusintha khalidwe la anthu opalamula milandu. Ndondomekoyi imayambitsidwa ndi wapolisi oyimiria boma pamilandu (prosecutor), ndipo munthu wochitiridwa nkhanza, yemwe amatchedwa wodandaula/wosuma, amakhala mboni pozenga manduwo.

**“Ndondomeko yoyendetsera milandu yokhudzana ndi kuphwanya malamulo adziko otezeteza aliyense”** ili ndi magawo angapo, monga kufufuza nkhanzi komanso kumanga oganiziridwa kuti ndi olakwa, dongosolo lochitika woganiziridwayo asanapititsidwe kubwalo lamilandu (monga kupeza umboni wokagwiritsidwa ntchito pozenga manduwo kuphatikizapo lipoti la kuchipatala komanso kupeza ndi kuitana mboni), chitetezo cha mboni za pa manduwu panthawi yonse ya manduwu, kupempha belo, kukana kapena kuvomera mandu, kupereka chigamulo, kupereka chipepeso chifukwa cha kuvulazidwa kapena chifukwa cha zinthu za wochitiridwa nkhanza zomwe zaonongeka, kupereka chilango, ndi kupita kundende. Ikakhala milandu yomwe wopalumulayo ndi mwana, malamulo okhudza chitetezo ndi chisamaliro cha ana (Child care, protection and Justice Act) amapereka kuthekera koti ngati mwana wavomera kuti anapalamuladi mandu wina wake, nkhanziyi itha osakambidwa kubwalo lamilandu ndipo itha kukambidwa ndi magulu ena oyanjanitsa anthu, kapena mwanayo atha kufunsidwa kuchita zinthu zothandizira kumusintha khalidwe lake, ndipo wochitiridwa nkhanzayo akuyenera kukhutitsidwa kuti chilango chomwe wopalumulayo walandira ndi chokwanira potengera nkhanza zomwe anamuchitira. Milandu yambiri yokhudza nkhanza kwa amayi ndi atsikana siimachotsedwa kubwalo lamilandu kuti ikambidwe ndi magulu oyanjanitsa anthu. Poweruza milandu ya nkhanza kwa amayi ndi atsikana, ndondomeko yoyendetsera milandu yokhudzana ndi kuphwanya malamulo adziko ikuyenera kugwira ntchito mothandizidwa ndi zinthu zina monga:

- thandizo la zachipatala limene limagwiritsidwa ntchito ngati umboni kubwalo lamilandu, komanso thandizo la mankhwala ndi uphungu operekedwa kwa munthu wochitiridwa nkhanza
- anthu ndi magulu osiyanasiyana omwe amapereka chithandizo chosiyanasiyana chothandizira kuti umoyo wamunthu wochitiridwa nkhanza ubwerere m’chimake pamene akukhala ndi anthu ena (monga uphungu komanso kupereka/ kunena kubwalo lamilandu zinthu zina ndi zina zofunika kuti bwalolo lidziwe makamaka pamene likupereka chilango kwa wopalamula), komanso kuthandizira wochitiridwa nkhanza kuti aiwale zankhanza zomwe zinamuchitikirazo ndikuyamba monga kale limodzi ndi anthu ena m’dera lakwawo. Izi zikhoza kudziwika pofunsa anthu okhala ndi munthuyo kapena kuwerenga malipoti osonyeza mmene wochitiridwa nkhanza akukhalira kuchokera panthawi yomwe anakumana ndi nkhanza.
- anthu/magulu oyang’anira momwe munthu wolakwa pamlanduwu akukhalira, omwe amadziwitsa bwalo lamilandu zinthu zofunikira zothandizira bwaloli kuti lipereke chilango choyenera potsatira lipoti lomwe limalembedwa chilangochi chisanaperekedwe. Izi zikupezeke m’magawo 260 ndi 320J a malamulo okhudza kazengedwe ka milandu komanso kagwiritsidwa ntchito ka umboni (Criminal Procedure and Evidence Code). Zinthu zimenezi zimachitira umboni, m’malo mwa wochitiridwa nkhanza, wosonyeza momwe nkhanza zomwe anachitiridwa zakhudzira moyo kapena gawo lamoyo wake.

**“Ndondomeko ya kayendetsetedwe ka milandu yokhudza kusamvana/kulakwirana pakati pa anthu”** (*civil justice system*) inakonzedwa kuti idzithandiza anthu omwe akasuma kubwalo lamilandu kapena kupempha bwalo lamilandu kuti liwathandize. Ndondomeko imeneyi imathandizira anthu kuti apeze chilungamo pamene avulazidwa chifukwa cha kutailira/kulekerera, kusalabadira/kusasamala, kapena mchitidwe uliwonse woipa wa anthu ena. Ndondomekoyi imaperekanso kuthekera kwakuti munthu akasume kuti alandire chipepeso cha ndalama pofuna kuthana ndi mavuto omwe wakumana nawo chifukwa cha zomwe wachitiridwa. Munjira ina, ndondomeko imeneyi imawathandizira ochitiridwa nkhanza kuonetsetsa kuti amene awachitira nkhanza alandire chilango choyenera, mogwirizana ndi nkhanza zomwe anawachitira. Mandu okhudza kulakwirana pakati pa anthu umayambitsidwa ndi munthu yemwe wamva kulakwiridwa kapena kukhumudwitsidwa, ndipo atha kukasuma kubwalo lamilandu pazifukwa zingapo:

- Kuti apeze chitetezo, malo okhala, ndi zina; kuti atalikirane ndi wachibale yemwe amamuchitira nkhanza zam’banja;
- Kuti athetse banja lake motsatira malamulo komanso kuti atenge gawo lake loyenera la katundu wam’banjamo;
- Kuti athetse banja la ana kapena ukwati uliwonse omwe unamangidwa mophwanya malamulo;
- Kuti apeze chithandizo cha ndalama (cha mwana kapena mkazi/mwamuna);
- Kuti apereke umboni wosonyeza bambo yemwe ali kholo lamwana wake, ngakhale zitakhala kuti mayi yemwe akufuna kupereka umboni wosonyeza kuti bambo wamwanayo ndi ndani sakufuna kupempha chithandizo chilichonse kwa bamboyo;
- Kupempha bwalo kuti lionetsetse kuti katundu wam’banja wagawidwa mwachilungamo;
- Kuti abwezeredwe katundu wamasiye yemwe analandidwa;
- Kuti alandire chipepeso chifukwa cha kuvulazidwa/ kulakwiridwa kuthupi, m’malinaliro, kapenanso kumbali ya zachuma;
- Kuti alandire chipepeso chifukwa cha kusapatsidwa malipiro, kuchotsedwa ntchito, kapena kutaya mwayi wabizinesi panthawi imene wochitiridwa nkhanzayo anavulazidwa kapena anali kubwalo lamilandu poyendetsa nkhanzi yake ;
- Kusuma kubwalo lozenga milandu yapantchito chifukwa chochotsedwa ntchito mophwanya malamulo ngati wochitiridwa nkhanza wachotsedwa ntchito chifukwa chojomba kuntchito chifukwa choti anapita kubwalo lamilandu panthawi yozenga mandu, kapena chifukwa anali m’chipatala;
- Kuti apatsidwe ndalama zolipira poyendetsa dongosolo lokasuma kubwalo lozenga milandu yapantchito chifukwa chochotsedwa ntchito mopanda chilungamo, pachifukwa choti wochitiridwa nkhanzayo anajomba kuntchito chifukwa cha zotsatira za nkhanza zomwe anachitiridwa;
- Kuti apeze ulamuliro wogawa kapena kutenga gawo lake la chuma chamasiye (kutenga zikalata zosonyeza ulamuliro, kapena zosonyeza umwini wa chuma chosiidwa (wilo));
- Kuti akadandaule pa kagawidwe ka chuma chamasiye komwe anakonza a ofesi yotsogolera kagawidwe ka chuma chamasiye ya Administrator General kapena Bwanamkubwa;
- Kuti akadandaule pa kagawidwe kachuma chamasiye komwe kalembedwa mu wilo (pamene sanalembedwe mu wilo);
- Kuti akathetse kusamvana komwe kulipo pa nkhanzi za malo;
- Kuti akapeze thandizo lamtundu uliwonse mogwirizana ndi kuvulazidwa kwake kapena kuonongeka kwa katundu wake.

(Mfundo zatchulidwa m’mwambazi ndi zitsanzo chabe; pali zinthu zina zochulukira zomwe zingachitike koma sizinalembedwe pa mndandanda umenewu.)

Kawirikawiri, mu ndondomeko yoyendetsera milandu yokhudza

kusamvana/kulakwirana pakati pa anthu, munthu yemwe walakwiridwa ndi yekhaya amene angakasume; anthu ena samaloledwa kukasuma kubwalo lamilandu m'malo mwa wolakwiridwayo. Komabe, pali nthawi zina zomwe malamulo amalola anthu ena kukasuma m'malo mwa munthu wochitiridwa nkhanzayo. Izi zitha kuchitika pazifukwa zotsatirazi:

Anthu ena akhoza kukasuma m'malo mwa wochitiridwa nkhanza motsogozedwa ndi malamulo awa:

- (a) Kutenga chilolezo/chiletso ku bwalo lamilandu (chokhudza ntchito, kukhala pamalo, chitetezo) mogwirizana ndi malamulo oletsa nkhanza zam'banja (Prevention of Domestic Violence Act) ndipo anthuwa ndi monga:
- i. Mwamuna/mkazi yemwe wachitiridwa nkhanza kapena yemwe ali pachiposezo chochitiridwa nkhanza ndi munthu woyankha mlanduwo;
  - ii. Munthu yemwe woyankha mlanduwo ali naye mwana ndipo wosumayo akuchitiridwa kapena akhoza kuchitiridwa nkhanza ndi woyankha mlanduwo;
  - iii. Kholo kapena munthu wosungu mwana, kapena munthu wosungidwa, kapenanso munthu yemwe amakhala ndi mwanayo kapena wosungidwayo nthawi zonse kapena nthawi zina chabe, pamene nkhanza zam'banja zachitikira mwanayo kapena munthu wosungidwayo;
  - iv. Munthu yemwe amasungidwa panyumba, pamene wosungidwayo ali wabwinobwino, osati wozerezeke;
  - v. Kholo kapena mchimwene /mchemwali wamunthu, amene ubale wake ndi wodandaula/wodandaulidwa ndi wamagazi kapena obwera chifukwa cha ukwati, ndipo si wam'banja la ochitiridwa nkhanza;
  - vi. Wapolisi
  - vii. Anthu okhazikitsa malamulo (ngakhale ena omwe si apolisi)
  - viii. Anthu/magulu othandiza ochitiridwa nkhanza omwe ndi ovomerezeka ndi Nduna yaboma, omwe ndi osindikizidwa m'buku lapadera laboma (Gazette).

(b) Kuti apeze chithandizo cha mwana, ndipo anthu ndi monga:

- i. Mwana wofunikira chithandizoyo
- ii. Kholo la mwanayo
- iii. Munthu wolera kapena wosungu mwanayo
- iv. Achibale a mwanayo
- v. Wogwira ntchito ku ofesi yoona za chisamaliro cha anthu (social welfare office)
- vi. Wapolisi
- vii. Mphunzitsi
- viii. Wogwira ntchito ya zaumoyo; komanso
- ix. Munthu wina aliyense yemwe ali woyenera

Ndondomeko ya kayendetsedwe ka milandu yokhudza kusamvana/kulakwirana pakati pa anthu imayambitsidwa ndi munthu yemwe akuona kuti walakwiridwa (wodandaula) ndipo munthuyu amalemba pafomu yofotokoza zomwe zamuchitikira, ndipo akatero munthu yemwe akuyankha mlanduwo (woyankha mlandu) amayenera kuti akayankhe ku Bwalo Lalikulu pasanathe masiku 14. Ngati woyankha mlandu sayankha mpaka masiku 14 kudutsa, wodandaulayo amalipiridwa chipepeso chomwe anapempha kuti apatsidwe (chigamulo). Ngati woyankha mlandu sayankhapo kanthu, mlanduwo umadutsa m'ndime zingapo ndipo umakhosha kukhala ku Bwalo Lalikulu kwa masiku pafupifupi 60 usanayambe kuzengedwa. Mlanduwo utha kuzengedwa kwa masiku awiri kapena atatu ndipo chigamulo chikuyenera kuperekedwa pasanadutse masiku 30. Mubwalo laling'ono (magistrate's court), palibe malamulo achindunji osonyeza dongosolo lomwe likuyenera kutsatidwa mlanduwo usanayambe kuzengedwa komanso kusonyeza kuti mlanduwo ukuyenera kuzengedwa kwa masiku angati, kotero kayendetsedwe ka mlandu kamatengera nthawi ya oweruza mlanduwo. Kawirikawiri, mlandu wokhudzana ndi kulakwirana pakati pa anthu ukazengedwa kubwalo laling'ono ukhoza kuzengedwa mpaka kumapeto pasanadutse mwezi umodzi, ndipo chigamulo chikuyenera kuperekedwa pasanathe mwezi umodzi chimalizireni kuzenga mlanduwo.



## Anthu ndi magulu othandiza amayi ndi atsikana ochitiridwa nkhanza

### Mfundo Zotsogolera Anthu ndi Magulu Ofunikira Othandiza Amayi ndi Atsikana Ochitiridwa Nkhanza

- Choyamba, wochitiridwa nkhanza asavulazidwe mwamtundu uliwonse - pa chilichonse chonse chomwe othandiza wochitiridwa nkhanza achita kapena akufuna kuchita, mfundo yotsogolera ikuyenera kukhala kuti wochitiridwa nkhanza sakuyenera kuvulala munjira iliyonse chifukwa cha zomwe omuthandizawo achita.
- Wochitiridwa nkhanza ngati ali mwana, chiganizo chilichonse chomwe othandizawo apanga chikuyenera kukhala choyika zosowa za mwanayo patsogolo.
- Chiganizo chikuyenera kupangidwa pokapokha ngati wochitiridwa nkhanzayo WAVOMEREZA za chiganizochi atafotokozeredwa bwino lomwe chilichonse chomwe akuyenera kudziwa chokhudza chiganizochi. Ngati wochitiridwa nkhanzayo ali mwana kapena wozerezeke, chilolezo chikuyenera kuperekedwa ndi makolo/munthu yemwe akusungu mwana kapena munthuyu/munthu

wamkulu aliyense woyenera/woperekeza/wogwira ntchito yoteteza ana ndi ena amene angakhale oyenerera.

- Zokambirana zichitikire pamalo oduka mphepo - ngati wochitiridwa nkhanza ali mwamuna, akambirane ndi mwamuna, ndipo ngati ali mkazi akambiranenso ndi mkazi mnzake (ngati zili zomwe wochitiridwa nkhanzayo wafuna).
- Mvetserani mwachidwi, mosaweruza. Osaseka kapena kusonyeza kuti simukukhulupirira zomwe mukumvazo - sonyezani ulemu.
- Khalani odekha: musakakamize munthuyo kuti anene zomwe mukufuna kumva ngati iyeyo sakufuna kupitiriza kufotokoza.
- Vomerezani kuti kukambirana kwanu ndi wochitiridwa nkhanzayo kuli ndi malire. Musachite kapena kunena chilichonse chomwe chikhoza kutengedwa ngati chosayenera.
- Funsani mafunso okhawa omwe ndi ofunikira.
- Musamuchititse wochitiridwa nkhanza kuti afotokoze nkhanzi imodzimodzi kangapo pamene akufunsidwa mafunso ndi anthu osiyanasiyana, kapena pamene akufunsidwa mafunso ndi munthu yemweyo koma maulendo osiyana.

- Musamuchititse wochitiridwa nkhanza kuti adzimve kuti ndiolakwa.
- Ikani patsogolo chitetezo cha wochitiridwa nkhanza nthawi zonse
- Mlandu uliwonse okhudza kuphwanya malamulo aboma oteteza wina aliyense sukuyenera kuzengedwa ndi magulu okhazikitsa bata omwe si makhothi aboma, ngakhale zitakhala kuti wochitiridwa nkhanzayo sanavulazidwe kwenikweni, pokhapokha ngati uli mlandu umene, potsatira malamulo, ukhoza kukambidwa ndi magulu okhazikitsa bata; ndipo wochita nkhanzayo akuyenera kuvomereza kuti alipira ndalama zoyendetsera dongosolo limeneli komanso zachipepso; ndipo apolisi kapena a bwalo lamilandu akuyenera kuvomereza kuti nkhanzi ikhoza kukambidwa ndi magulu okhazikitsa batawo.
- Pamalamulo, nkhanzi zonse zokhudza kugwiririra (ana ngakhale akulu) ndi milandu yokhudza kuphwanya malamulo aboma, koto nkhanzi zamtunduwa ZIKUYENERA kukatulidwa kupolisi. Choncho, milandu yonse yokhudza kugwiririra sizikuyenera kuthera pongokambirana chabe m'midzi kapena m'madera momwe yachitikira, kapenanso kuthera munthambi zothandiza anthu ochitiridwa nkhanza.
- Apolisi akuyenera kulimbikitsa anthu ochitiridwa nkhanza pamodzi ndi mabanja awo kuti asamakatsetse milandu yonse yokhudzana ndi kugwiririra kuti isakafike kubwalo lamilandu. Milandu imeneyi ikuyenera kupita kubwalo lamilandu ndipo ochitiridwa nkhanza akuyenera kukhala monga mboni kuti wochita nkhanzayo alandire chilango pa zomwe anachitazo.
- Onetsetsani kuti mfundo zoteteza/kulemekeza CHINSINSI, CHITETEZO, ULEMU komanso UMUNTHU wa ochitiridwa nkhanza zikutsatidwa nthawi zonse.
- Pamalamulo, CHITHANDIZO choperekedwa kwa anthu omwe agwiriridwa mwamtundu uliwonse CHITHA KUYAMBA KUPEREKEDWA NGAKHALE MUSANADZIWIWITSE APOLISI ZA NKHANIYI.

### Anthu am'mudzi/m'madera

Mafumu, atsogoleri amipingo komanso atsogoleri andale ali ndi gawo lofunikira kwambiri pothana ndi nkhanza zochitika kwa amayi ndi atsikana. Kawirikawiri, pakachitika nkhanza, anthu ochitiridwa nkhanza kapena abale awo amakatula kaye nkhanziyo kwa mafumu kapena ku magulu am'madera othandiza anthu, omwe amayendetsedwa ndi adindo osiyanasiyana ofunikira m'madera. Udindo wa mafumu ndi maguluwa ndi kuona kaye mtundu wa nkhanzi yomwe yadzatulidwayo. Ngati ili nkhanzi yokhudzana ndi kuphwanya malamulo aboma oteteza wina aliyense (kugwiririra, kuvulaza munthu, ndi ina), udindo wawo ndi kukatula nkhanziyo mwachangu kumalo oyenerera omwe ali ndi udindo komanso ulamuliro othandiza anthu pankhani zamtundu umenewo, monga azachipatala kapena apolisi. Mafumu komanso magulu am'mudzi/m'midzi asayesere kutsogolera zokambirana zilizonse pa milandu yamtundu wotere. Milandu imeneyi ikuyenera kukatulidwa kumalo oyenera pasanatse maola 24 chichitikireni nkhanziyo, ndipo izi zikuyenera kuchitika mosonyeza chidwi chofuna kuthandiza komanso mosaweruzwa wina aliyense, ndipo akuyenera kuonetsetsa kuti wochitiridwa nkhanza akuyenera kusungiridwa chinsinsi komanso kulemekezidwa nthawi zonse.

### Azachipatala/Kuphatikizapo ma 'One Stop Centre'

Anthu onse omwe akuganiziridwa kuti achitiridwa nkhanza akuyenera kuunikidwa ndi azachipatala amene anaphunzitsidwa ntchito younika komanso kupereka chithandizo chamankhala kwa anthu omweachitiridwa nkhanza zakuthupi, zokhudza kugonana ndi zam'malingaliro. Uphungu udzaperekedwa ndi azachipatala amene anaphunzitsidwa za njira zodalirika zoperekeri uphungu kwa anthu omwe angokumana kumene ndi zipsinjo. Njira zoperekeri uphunguzi zikuyenera kukhala zomwe zimaperera kuthekeri kodziwa ngati umoyo wamunthu wopatsidwa uphunguyo akusintha kamba ka uphunguwo, ndipo zikuyeneranso kukhala zoika chidwi chachikulu pa chipsinjo chamunthuyo.

Azachipatala adzachita zinthu zotsatirazi:

- Kupereka chisamaliro chapamwamba komanso choyenera motsogoza wochitiridwa nkhanza
- Kufunsa anthu ochitiridwa nkhanza mafunso ofuna kudziwa

zomwe zinachitika

- Kufufuza zonse zokhudza matenda omwe wochitiridwa nkhanza anadwalako, zomwe zili zofunikira kudziwa panthawiyi
- Kutenga chilolezo chounikira wochitiridwa nkhanza
- Kuunika thupi lonse la wochitiridwa nkhanza
- Kuyeza magazi ndi zina zotero za munthu wochitiridwa nkhanza kuti adziwe vuto kapena matenda omwe alipo
- Kulemba zonse zokhudza kuvulala kwa wochitiridwa nkhanza m'kabuku kake kakuchipatala komanso m'mabuku (ngakhale mu kompyuta) akuchipatala
- Kupereka chithandizo chachangu chochepetsa ululu kapena kutaya magazi ngati munthuyo wavulala kwambiri kapena ali mu ululu wochuluka
- Kupereka mankhwala othandiza kupewa kutenga kachilombo ka HIV (HIV-PEP) pasanadutse maola 72
- Kupereka mankhwala othandiza kupewa kutenga kachilombo ka Hepatitis B (HBV-PEP) pasanadutse maola 72 (ngati alipo)
- Kupereka mankhwala othandiza kupewa pathupi pasanadutse maola 72
- Kupereka mankhwala othandiza kupewa kufala kwa matenda opatsirana pogonana
- Kupereka uphungu
- Kuchita kalondolondo wa momwe wochitiridwa nkhanza akupezera, ndikupereka chithandizo choonjezera chomwe chingafunikire
- Kuunika nkhanzi ya nkhanzayo pafupipafupi mothandizana ndi akatswiri osiyanasiyana
- Kupereka lipoti yokhudza wochitiridwa nkhanzayo mosonyeza zachipatala komanso zamalamulo
- Kuthandizira wochitiridwa nkhanza pomwe akukaonekera kubwalo lamilandu

Azachipatala akuyenera kupereka nkhanziyo m'manja mwa apolisi pasanathe maola 24 kuchokera pomwe alandira munthu wochitiridwa nkhanza.

### Unduna oona kuti pasakhale kusiyana pakati pa amuna ndi akazi, chitukuko cha m'madera, ndi chisamaliro cha anthu

Anthu othandizira ogwira ntchito yopereka chisamaliro kwa anthu (Social Welfare Assistants) komanso ogwira ntchito yoteteza ana (Community Child Protection Workers) ali ndi maudindo osiyanasiyana. Ntchito zawo ndi monga kuunika mabanja, kukonza dongosolo lotetezera anthu, kuchita kalondolondo, komanso kugwira ntchito limodzi ndi mabanja pokonza ndondomeko zimene zikhoza kugwiritsidwa ntchito kwanthawi yayitali polimbikitsa tsogolo labwino komanso lotetezeka la anthu/ana.

### Ofesi yoona za chisamaliro cha anthu/ofesi yoyendera anthu oyimbidwa mlandu wankhanza (Social Welfare/ Probation services)

- Kufunsa mafunso pofuna kudziwa zambiri zokhudza nkhanza zomwe zinachitika (kuunika nkhanzi)
- Kuthandizira anthu ochitiridwa nkhanza kuti umoyo wawo ubwerere mchimake
- Kulimbikitsa anthu ochitiridwa nkhanza (kuwaphunzitsa mmene angadzitetezere)
- Kuteteza anthu ochitiridwa nkhanza
- Kuchita kalondolondo

### Nthambi ya polisi yothandiza anthu ochitiridwa nkhanza (VSU)

Maudindo awo ndi monga otsatirawa:

- Kupereka uphungu/chithandizo chochepetsera nkhanza
- Kuunika chiopsezo chomwe anthu ochitiridwa nkhanza ali nacho- zidzachitika ndi ma VSU komanso ogwira ntchito ku ofesi yoyendera anthu okhudziwa ndi nkhanza (Probation officer)
- Kulumikizana ndi a ofesi yoona za chisamaliro cha anthu pankhani yopereka malo okhala kwa anthu ochitiridwa nkhanza
- Ngati wochitiridwa nkhanza ali mwana, ogwira ntchito yoona za chitetezo cha ana (child protection officer) akuyenera kukhalapo nthawi zonse.



Thandizoli likuyenera kuperekedwa pasanathe maola 24 chichitikireni nkhanayo ndipo nkhanayo ikatulidwe ku nthambi zina za Polisi zothandiza anthu ochitiridwa nkhanza.

### Nthambi yapolisi yofufuza milandu ya CID

Maudindo awo ndi monga:

- Kufufuza mlandu komanso kumanga munthu yemwe akuganiziridwa kuti anachita nkhanza
- Kupereka chitetezo kwa anthu ochitiridwa nkhanza komanso mboni
- Kufufuza ndi kupeza mboni zodzayankhula pa mlanduwo
- Kulemba malipoti okhudzana ndi kumangidwa kwa munthu woganiziridwa kuti anachita nkhanza

Zonsezi zikuyenera kuchitika pasanadutse maola 48 ndipo nkhanayo ikuyenera kuperekedwa ku nthambi zina zothandizira pa nkhanza za nkhanza ku Polisi.

### Nthambi yapolisi yoimira boma pamilandu

- Kukonza dongosolo lonse loyenera kukonza mlandu usanayambe kuzengedwa
- Kukonza ma fayilo a mlandu ndi zonse zoyenera kukhala mu fayiloyo
- Kutsogolera ntchito yopatsana umboni womwe mbali zonse pa mlanduwo zili nawo ndi zonse zofunikira kuti mbali zonse zipatsane
- Kulumikizana ndi bwalo lamilandu pofuna kupeza masiku omwe mlanduwo udzazengedwe
- Kugwira ntchito ndi anthu ogwira ntchito yoyendera ndi kuunika anthu omwe akuimbidwa mlandu (probation officers) pofuna kupeza malipoti a kalondolondo wawo
- Kufufuza ndi kupeza mboni za mlanduwo mogwirizana ndi nthambi ya CID
- Kupereka zikalata zoperekeramboni pa mlandu ku mbali yoimirira woyankha mlandu
- Kuonetsetsa kuti lipoti lokhudza kumangidwa kwa woganiziridwa kuti anachita nkhanzayo laperekedwa kwa oweruza mlandu (Majisitileti)

Zonsezi zikuyenera kuchitika pasanathe masiku 14 ndipo mlanduwo ukuyenera kupita kubwalo lamilandu kuti ukyambe kuzengedwa.

Fayilo ya mlandu ikuyenera kukhala ndi zinthu zotsatirazi:

- Dongosolo losonyeza kafukufuku yemwe wachitika pa mlandu
- Sitimenti yomwe amapereka munthu wodandaula
- Malipoti a polisi
- Chitetezo cha mlandu (caution statement)
- Chenjezo cha mlandu (evidence of arrest)
- Zinthu zomwe zitagwiritsidwe ntchito ngati umboni
- Zinthu zina ndi zina zothandizira kupereka umboni pa mlanduwo

### Nthambi yaboma ya mabwalo amilandu

Zina mwa ntchito zake ndi monga izi:

- Kukhazikitsa tsiku la mlandu ndi kudziwitsa mbali zokhudzidwa pasanadutsemasikuawiri
- Kuyamba kuzenga mlandu ndipo uzengedwe kwa masiku osapitirira 14 - mlanduwo usaimitsidwe popanda zifukwa zomveka bwino
- Kuonetsetsa kuti bwalo la milandu lipereke kuthekera koti wochitiridwa nkhanza akhale womasuka mu nthawi yonse yomwe mlanduwo ukuzengedwa
- Kutumiza wochitiridwa nkhanza kolandira thandizo mwamsanga zitapezeka kuti munthuyu wapsinjika kapena wazunguzika m'maganizo panthawi ya mlanduwo
- Kuthandiza wochitiridwa nkhanza kupeza thandizo laulele la oyimira mlandu ngati wodandaula ali wovutika kapena ali wosowa thandizo loyendetsera ndondomeko ya mlandu
- Kuunika/kuzukuta umboni
- Kupereka chigamulo- zigamulo zina zoonjezera monga chipopeso cha wochitiridwa nkhanza, kupereka upungu, ndi thandizo la zachuma kwa wochitiridwa nkhanza zikhoza kuperekedwa ndi Bwalo.
- Chiweruzo: (pasanasutse masiku 30 kuchokera pa tsiku lomaliza kumva mlandu). Chigamulo chiyenera kusonyeza zomwe

bwalo lalamula, monga chipopeso pa zomwe zaonongeka kapena mavuto omwe anakumana nawo ochitiridwa nkhanza, komanso chilango cha wochita nkhanza. Pa zonsezi, bwalo la milandu likuyenera kuonetsetsa kuti wochitiridwa nkhanza akhale womasuka popewa kumuchititsa manyazi chifukwa cha zomwe zinamuchitikira.

- Kuonetsetsa kuti chigamulo chikutsatidwa malinga ndi momwe wafunira wochitiridwa nkhanza kapena omuyimirira
- Aliyense yemwe sali wokhutitsidwa ndi chigamulo cha bwalo la milandu kapena ndi momwe ndondomeko ya mlandu inayendetsedwera akhoza kukamang'ala ku bwalo lalikulu la milandu, monga kuchokaku bwalo la majisitileti kupita ku Bwalo Lalikulu la milandu (High Court), kapena kuchoka ku Bwalo Lalikulu la milandu kupita ku Bwalo la ma Apilo (Supreme Court).
- Mabwalo a milandu ali ndi udindo woyang'anira kayendetsedwe ka milandu motsogozedwa ndi magawo 360 ndi 361 a Ndondomeko yoyendetsera milandu (Criminal Procedure) ndi malamulo otsogolera kagwiritsidwe ntchito ka umboni (Evidence Code), zomwe zimapereka mphamvu kwa Majisitileti aliyense kapena Jaji wa Bwalo Lalikulu la milandu kuti atha kuitanitsa ndi kuunika umboni uliwonse kuchokera ku bwalo lam'munsi mwake mpaka atsimikize ndi kukhutira kuti ndondomeko ya mlanduwo inayendetsedwa moyenera ndi motsata malamulo. Ngati panali kusatsata ndondomeko, majisitileti ali ndi mphamvu yotumiza nkhanayo ku bwalo lalikulu la milandu ndipo bwalo lalikulu, likaunikira bwinobwino n'kukhutira kuti panali zolakwika kapena kusatsata malamulo pa kayendetsedwe ka mlanduwo, likhoza kuchotsa chigamulo choyambacho n'kupereka chigamulo china, kapena kubwezera mlanduwo ku bwalo laling'ono lomwelo kuti liwuzengenso.

### Malo olangira: Ndende /Malo osinthira anthu khalidwe

Ili ndi thandizo loperekedwa pofuna kusintha khalidwe la wopalamula akangopezeka wolakwa. Nthawi zina, ochitiridwa nkhanza ena amafuna atakamuona munthu yemwe anawachitira nkhanza kundende kuti akamuuze zakukhosi kwao ngati sanathe kutero mu bwalo la milandu. Apolisi andende akhoza kukonza dongosolo lothandizira kuti wochitiridwa nkhanza ndi wopalamula athe kukumana.

### Mabungwe omwe si aboma

- Ogwira ntchito zopereka chisamaliro kwa anthu, anamwino othandiza pa matenda/mavuto a m'malingaliro, ogwira ntchito zothandizira kukhazikitsa chilungamo (paralegals), apolisi a nthambi yothetsa nkhanza, ndi mabungwe omwe si aboma amene amagwira nawo ntchito yothandiza anthu ochitiridwa nkhanza, akhoza kupereka upungu ngati analandira maphunziro ndi ukadaulo pantchitoyi, ndipo ntchitoyi ikuchitika pogwiritsa ntchito njira zomwe zikupereka kuthekera kodziwa ngati umoyo wamunthu wopatsidwa uphunguyo ukusintha kamba ka uphunguwo, ndipo zikuyeneranso kukhala zoika chidwi chachikulu pa chipsinjo chamunthuyo.
- Mabungwe omwe si aboma akhozanso kupereka thandizo la mitundu ina ngati gawo limodzi la One Stop Centre ndi cholinga choti afikire pa mavuto enieni omwe anthu am'madera akukumana nawo.
- Mabungwewa akhozanso kupereka thandizo la malo okhala, omwe ali otetezeka, kwa wochitiridwa nkhanza kuti adzikhala mu nthawi yomwe mlandu sunayambe, uli mkati kapena utatha.
- Mabungwewa akhozanso kupereka thandizo kwa ochitiridwa nkhanza kuti athe kukakhalanso ndi anthu ena m'madera mwawo monga kale komanso mopanda vuto. Izi n'kuphatikizapo thandizo lomwe cholinga chake ndi chakuti wochitiridwa nkhanza the kudzialira pa zachuma.
- Mabungwe omwe si aboma akhozanso kuthandizira kubweretsa chiyanjano pakati pa wopalamula ndi wochitiridwa nkhanza ndi cholinga chofuna kuthandizira wochitiridwa nkhanza kuti ayiwale za nkhanzazo ndikupitiriza kukhala moyo monga wakale, ndi kutinso wolakwayo athe kuvetsetsa momwe nkhanza zomwe anachita zinakhudzira moyo wa yemwe anachitiridwa nkhanzayo.

“

*Sindimadziwa ngati a polisi  
atakandithandize, komano  
andithandiza kwambiri.*

*Tsopano ndikupita kukhothi.*

”



# Ndondomeko Yoyendetsera Milandu Yosadzera ku Makhothi

Ndondomeko yoyendetsera milandu yosadzera kumakhothi imatchedwanso ndondomeko ya chikhalidwe (yamakolo), kapena ndondomeko yozengera milandu yomwe si yaboma. Mu ndondomekoyi, anthu/magulu omwe si aboma ndi anthu kapena magulu othandizira kubweretsa chilungamo kapena kuyanjanitsa anthu, amene anthu a m'madera mwawo awakhulupirira kuti adzitha kuthetsa kusamvana kwawo. Awa ndi anthu omwe ali ndi mphamvu m'madera mwawo, anthu omwe udindo wawo umadza kamba ka chikhalidwe kapena chipembedzo, kapenanso omwe anakhazikika ndipo anapanga dzina m'madera mwawo kotero kuti anthu amawakhulupirira ndi kuwalemekeza. Kafukufuku wa pulogalamu ya Tithetse Nkhanza ndi kafukufuku wina akuchitira umboni kuti azimayi amakonda kugwiritsa ntchito njira za chikhalidwe pofuna kupeza chilungamo pa nkhanzi zokhudza mikangano ya m'banja, monga yokhudza katundu, kagwiritsidwe ntchito ka chuma, nkhanza pa zachuma kapena kumanidwa chuma, nkhanzi zokhudza kusamala ana banja likatha, zibwenzi za anthu apabanja, kumwa mowa mwauchidakwa, ndi zina. Malingana ndi kafukufuku yemwe bungwe la United Nations linachita mogwirizana ndi mabungwe ena pa ndondomeko ya njira zachikhalidwe zozengera milandu, milandu pafupifupi 80 pa milandu 100 iliyonse imakambidwa kudzera mu njira zozengera milandu za chikhalidwe. Kafukufuku waonetsa kuti anthu ambiri amakonda njira zachikhalidwe zozengera milandu chifukwa zimapereka mwayi wozeza chilungamo ndi chitetezo mosavuta kwa anthu omwe alibe mwayi wozeza chilungamo kudzera m'njira zamakhothi. Kuphatikiza apo, njira yachikhalidweyi ndi mlowammalo wabwino ku madera omwe njira yamakhothi ili yofooka kapena ikulephera kugwira ntchito mmene iyenera kuchitira. Kwa anthu osauka, njira zachikhalidwezi zimakhala zopezekeratu, ndipo zigamulo zake zimakhala zosavuta kuti anthu okhala m'maderawo azivomereze. Kuonjezera pamene, ndondomeko zachikhalidwe ndi zosavuta, zomvetsetseka komanso zachangu.

## ATENGAMBALI OFUNIKIRA MU NDONDOMEKOYI (ANTHU/MAGULU OPEREKA CHITHANDIZO)

Pali anthu ndi magulu osiyanasiyana okhudzidwa mu ndondomeko ya chikhalidwe yozengera milandu. Awa ndi monga:

- Mafumu, atsogoleri azipembedzo, atsogoleri andale, atsogoleri a zikhalidwe za makolo, mabwalo oweruza milandu am'midzi, anthu operekeza ochitiridwa nkhanza, ma gulu a m'madera omwe amathandiza ochitiridwa nkhanza (ma CVSU), ma CBO omwe amathandizira pankhani za nkhanza monga mabungwe omenyerera mafulu a amayi (ma WROs), ankhoswe a mabanja, ndi mabungwe omwe si aboma ogwira ntchito yothetsa nkhanza kwa amayi ndi atsikana.
- Udindo waukulu wa atengambali akuluakuluwa ndi kulimbikitsa kukambirana ndi kuyanjana pamene anthu asemphana maganizo, kupereka chithandizo chochepetsera nkhanza kwa ochitiridwa nkhanza pamodzi ndi mabanja awo (monga uphungu), kuperekeza anthu ochitiridwa nkhanza pokalandira thandizo, komanso kutumiza ochitiridwa nkhanza ku malo oyenera komwe angakalandire thandizo.
- Kawirikawiri, anthu/magulu amenewa samakhala ndi nthawi yeniyeni yoyikika yozengera milandu ya kusamvana pakati pa anthu, koma amalimbikitsidwa kuyendetsa milandyo mwachangu.
- Atengambali onse akuyenera kuonetsetsa kuti wochitiridwa nkhanza akupatsidwa ulemu wake komanso kuti akusungiridwa chinsinsi pamene akuyendetsa milandu yotere.
- Ngati mlandu uli wokhudza mwana, mayi wa ulumali wa mu ubongo, kapenanso munthu yemwe ali ndi vuto la kumwa kapena kuyankhula, atengambaliwa akuyenera kufunsa abale a munthuyo, ogwira ntchito yopereka chisamaliro kwa anthu, kapenanso ogwira ntchito za umoyo kuti amuthandizire

munthu wochitiridwa nkhanzayo kufotokoza mbali yake kapena kufotokoza chilichonse chomwe akufuna kunena.

- Nthawi zina mlandu ukhoza kuzengedwa ndi kumalizidwa ku malo kapena bwalo loyamba lomwe unakatulidwa. Ngati sizitero, mlanduwo ukhoza kutumizidwa ku mabwalo okulirapo monga kuchoka kwa nyakwawa kupita kwa gulupu, kenako kupita kwa mfumu yaikulu.

## KULUMIKIZANA PAKATI PA NDONDOMEKO ZOYENDETSERA MILANDU KUDZERA KUMAKHOTI NDI ZACHIKHALIDWE PA MILANDU YOKHUDZA KUSAMVANA PAKATI PA ANTHU

Ngati mlandu walephereka kuzengedwa pogwiritsa ntchito ndondomeko zachikhalidwe, mlanduwo utha kukatulidwa ku mabungwe kapena nthambi zaboma zomwe zomwe zinapatsidwa mphamvu ndi boma kuti zidziyendetsa milandu yotere kapena kupeza njira zina zothetsera kusamvana. Kawirikawiri, nthambizi zimagwiritsa ntchito ndondomeko za malamulo kapena zokhudzana ndi mafulu a anthu. Iyi ndi ndime yoyamba ya dongosolo losamutsira mlandu omwe umayendetsedwa kugwiritsa ntchito ndondomeko za chikhalidwe zozengera milandu kuti ukazengedwe kugwiritsa ntchito ndondomeko zodzera kumakhothi.

Mlandu ukhoza kusamutsiridwa ku mabungwe ndi nthambi zaboma izi:

## BUNGWE LOONA ZA UFULU WACHIBADIDWE WA ANTHU LA MALAWI HUMAN RIGHTS COMMISSION

Malawi Human Rights Commission ndi bungwe loyima palokha la dziko lonse loona za mafulu achibadwidwe a anthu, lomwe linakhazikitsidwa ndi Malamulo oyendetsera dziko la Malawi mogwirizana ndi gawo 129, ndi cholinga chachikulu chofuna "kuteteza ndi kufufuza za kuphwanyidwa kwa mafulu a chibadwidwe omwe amaperekedwa kudzera m'Malamulo oyendetsera dziko lino, kapena lamulo lililonse m'Malamulowa."

Bungwe la Malawi Human Rights Commission limagwira ntchito zosiyanasiyana. Zina mwa izo ndi zi:

- Kupereka mauthenga a zafulu wa chibadwidwe ku boma ndi kwa anthu a ku Malawi
- Kufufuza nkhanzi
- Kuthandiza popeza njira zina zothetsera mikangano monga kukhala mkhalapakati
- Kuthandiza kumuunikira wochitiridwa nkhanza pa zomwe angatsate poyendetsa mlandu wake, komanso kumuthandiza posamutsa milandu
- Kuthandizira nthawi yoyang'anira momwe ogwira ntchito zaboma akutumikirira anthu
- Milandu imazengedwa ndikumalizidwa mu nyengo yosachepera miyezi itatu (masiku 90)

## UNDUNA OONA KUTI PASAKHALE KUSIYANA PAKATI PA AMUNA NDI AKAZI; CHITUKUKO CHA M'MADERA; KOMANSO CHISAMALIRO CHA ANTHU

(Werengani zomwe zalembedwa ku gawo la ndondomeko za makhothi zozengera milandu)

## NTHAMBI YABOMA YA MALOYA OYIMIRIRA ANTHU OVUTIKA PA MILANDU (LEGAL AID BUREAU)

Bungwe la Legal Aid Bureau linakhazikitsidwa pogwiritsa ntchito gawo 3 la malamulo a Legal Aid ndi cholinga chopereka thandizo la zamalamulo monga umkhalapakati komanso kuimirira anthu pa

za malamulo, ndipo limapereka njira zina kwa anthu ochitiridwa nkhanza omwe sangakwanitse kupeza maloya omwe si aboma. Ichi ndi chimodzi mwa zinthu zosiyanasiyana zomwe boma limapereka kwa anthu ake, monga chisamaliro cha zaumoyo, maphunziro, chakudya ndi madzi. Bungwe lotereli ndi lokhalo m'Malawi muno.

**NTHAMBI YAPOLISI YOONA ZA NKHANZA (VSU)**

Kuthandiza ochitiridwa nkhanza komanso kuteteza ana ndi gawo lofunikira kwambiri la chitetezo cha m'madera chokhazikitsidwa ndi a Malawi Police Service. Nthambi ya polisi inakhazikitsidwa m'chaka cha 2001 ndi cholinga chofuna kutetsetza, kupititsa patsogolo ndi kulimbikitsa mafulu a anthu ochitiridwa nkhanza zamitundu yosiyanasiyana, makamaka amayi ndi ana omwe ali pachiopezo. Nthambiyi imagwira ntchito ngati malo achinsinsi ofunsira mafunso pa milandu ya nkhanza zokhudza kugonana, monga kugwiririra, ndi milandu ina yomwe imafunika kusungirana chinsinsi. Ma VSU amathandiza anthu pochita zinthu monga izi:

- Kupereka uphungu
- Kupereka thandizo loyamba pamene munthu wavulazidwa
- Kupereka malangizo
- Kusamutsira milandu ku mabungwe ena **pasanadutse masiku 5**

**OFESI YOONA ZA KAYENDESEDWE KA CHUMA CHAMASIYE (THE ADMINISTRATOR GENERAL)**

Iyi ndi ofesi ya boma yomwe ntchito yake ndi kuyendetsa/kugawa chuma cha masiye. Bwanamkubwa aliyense ndi nthumwi ya Administrator General. Administrator General akhoza kuchita izi:

- Kusunga chuma pamene sizikudziwika kuti womwalirayo wasiya mkazi/mwamuna kapena kapena m'bale aliyense yemwe angayendetse/kugawa chumacho
- Kupempha makalata oyendetsera chumacho
- Munthu aliyense akhoza kusankha Administrator General kuti akhale womuyendetsera wilo yake
- Administrator General ayenera kulemba khumbo lake lofuna kupempha makalata oyendetsera chuma cha masiyecho patatsala masiku osachepera 14 asanapemphe makalatawo

- Munthu aliyense woyenera akhoza kupempha bwalo la milandu pa nthawi iliyonse kuti lisagwiritse ntchito makalata ogawira chuma omwe Administrator General wapereka
- Administrator General amamsunga mabuku onse osonyeza chuma chamasiye chomwe iye wakhala akugawa
- Bwalo lalikulu la milandu likhoza kusankha munthu wamkulu woyenera kuti alandire gawo la chuma cha masiye la mwana ndipo Administrator General adzapereka gawolo kwa mwanayo
- Gawo la chuma lilichonse lotsala, lomwe mwini wake sakudzatenga, liyenera kulembedwa m'mabuku aboma ndipo pakadutsa zaka ziwiri litha kusungidwa ku thumba la chuma chaboma kapena kugwiritsidwa ntchito pobwezeretsa ndalama zomwe zinagwiritsidwa ntchito poyendetsa dongosolo logawa chuma chomwe chinatengedwa kale
- Administrator General amakhala mkhalapakati pamene oyenera kulandira chuma sakugwirizana pa kagawidwe ka chuma cha masiyecho, ndipo amatumiza nkhanayo ku bwalo la milandu ngati kukambiranako kwakanika.

**MABWALO AMILANDU**

(Werengani zomwe zalembedwa ku gawo la ndondomeko za makhothi zozengera milandu)

**OFESI YOKUMVA MADANDAULO A ANTHU (THE OFFICE OF THE OMBUDSMAN)**

Ofesi ya Ombudsman ndi bungwe la boma lomwe linakhazikitsidwa motsogozedwa ndi gawo 123 la Malamulo oyendetsera dziko la Malawi kuti lidzifufuza milandu iliyonse yokhudzana ndikuti munthu walakwiridwa kapena waphwanyiridwa ufulu, koma sipakuoneka njira yomuthandizira pokamang'ala ku bwalo lamilandu, kapenanso ngati palibe njira ina iliyonse yooneka yothandiza. Ili ndi bungwe lomwe lili ndi udindo woyang'anira kayendetse ka mabungwe ena lomwe wochitiridwa nkhanza akhoza kukadandaulako ngati mabungwe ena, monga Polisi, zipatala, mabwalo a milandu ndi ogwira ntchito zotumikira anthu sakugwira ntchito zawo mwaukadaulo ndi moyenera.

**Anthu/magulu othandiza amayi/atsikana ochitiridwa nkhanza**



Government of Malawi

Oyendetsa ndi kuyang'anira zonse ndi a Unduna oona kuti pasakhale kusiyana pakati pa amuna ndi akazi, chitukuko cham'madera, komanso chisamaliro cha anthu. Undunawu umatsogoleranso pa nkhanzi za malamulo otsogolera kagwiridwe ka ntchito zaboma.



Oyang'angira ntchitoyi ndi a bungwe loona za mafulu a anthu la Human Rights Commission, amenenso amafufuza nkhanzi zokhudza kuphwanja mafulu a amayi ndi atsikana ochitiridwa nkhanza



Mabungwe ndi magulu onsewa amatsogozedwa ndi nthambi yaboma yoona za malamulo (Judiciary)

“

*Oweruza mlandu anandivomera  
kuti umboni wanga ndikaperekere  
poduka mphepo.*

*Izi zinachititsa kuti ndipereke nkhani komanso  
dandaulo langa mosavuta.*

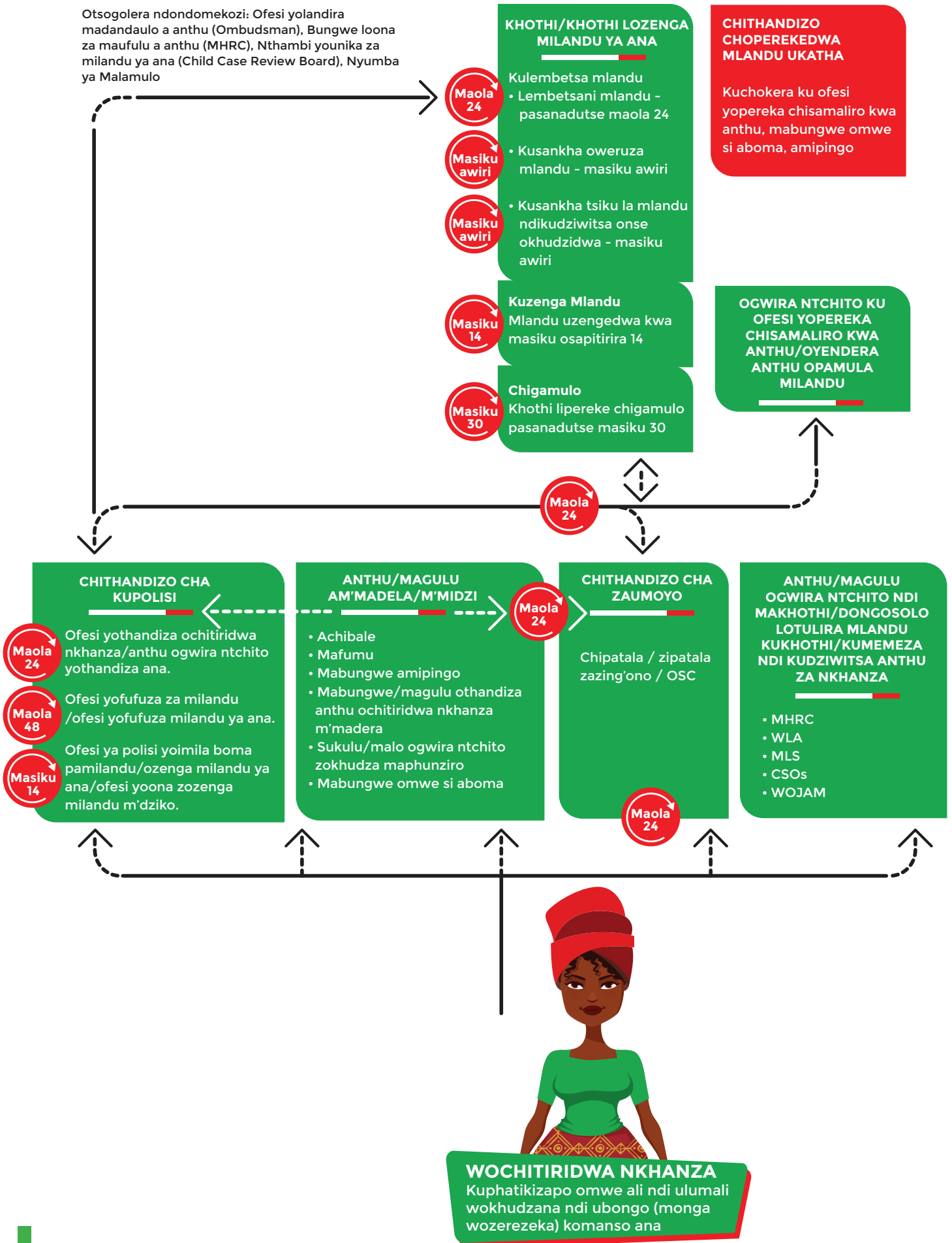
”



## Tsamba loonjezera loyamba: Zithunzi zosonyeza dongosolo loyendetsera milandu

Dongosolo loyendetsera milandu ya nkhanza kwa amayi ndi atsikana/nkhanza zokhudza kugonana/nkhanza zochitiridwa ndi wachikondi/nkhanza zakuthupi/ mu ndondomeko zozengera milandu zodzera kumakhothi ndi zosadzera kumakhothi

Otsogolera ndondomekozi: Ofesi yolandira madandaulo a anthu (Ombudsman), Bungwe loona za maufulu a anthu (MHRC), Nthambi younika za milandu ya ana (Child Case Review Board), Nyumba ya Malamulo



“

*Chiyambireni mlandu wa mwana wanga wamkazi, anthu am'dera lakwathu akhala akutithandiza mu zinthu zambiri.*

”



**Dongosolo loyendetsera milandu ya nkhanza kwa amayi ndi atsikana/Nkhanza zokhudza kugonana/nkhanza zochitiridwa ndi wachikondi/nkhanza zakuthupi /Ndondomeko zozengera milandu zodzera kumakhothi ndi zosadzera kumakhothi**

## APOLISI

### Ofesi yofufuza milandu/ofufuza milandu ya ana

- Kulemba ma sitetimenti
- Kufufuza ndi kubweretsa pamodzi umboni onse
- Kusunga bwino umboni kuti mlandu uyende bwino
- Kukambirana mlandu ndi oimira boma pamilandu
- Kukambirana ndi azachipatala komanso ofesi yoona zachisamaliro cha anthu pa zotsatira zomwe zapezeka
- Kumanga munthu woganiziridwa kuti anachita nkhanza

### Ofesi yothandiza ochitiridwa nkhanza/ogwira ntchito ku ofesi yoteteza ana

- Kuonetsetsa kuti wochitiridwa nkhanza ndi otetezeka
- Kuonetsetsa kuti wochitiridwa nkhanza sakutengedwa ngati iye ndi wolakwitsa
- Kuunika ngati wochitiridwa nkhanza ali pachipesezo chilichonse (VSU)
- Kupereka uphungu
- Kupereka thandizo loyamba ngati wochitiridwa nkhanza wavulala m'thupi
- Kulangiza Kufunsa mafunso pamalo oduka mphepo
- Ngati mlandu uli wokhudza mwana, ogwira ntchito ku ofesi yoteteza ana atsogolere

### Kuzenga mlandu/ozenga milandu ana/ofesi yozenga anthu milandu (DPP chambers)

- Wapolisi oyimira boma pamilandu . Ngati mlandu uli wamwana, mlanduwu ukhala m'manja mwa ozenga milandu ya ana
- Kuzenga mulandu
  - Kuthandiza wochitiridwa nkhanza kuti apeze chithandizo cha akatswiri osiyanasiyana monga omasulira ziyankhulo
  - Kugwira ntchito ndi khothi poonetsetsa kuti ochitiridwa nkhanza akhale otetezeka
  - Kufotokoza momwe mlandu ukuyendera komanso pomwe uli
  - Kupereka uphungu kwa ochitiridwa nkhanza mlanduwu usanayambe
  - Kulumikizana ndi operekeza kapena anthu ena othandiza wochitiridwa nkhanza

## ANTHU, MABUNGWE NDI MAOFE AM'MADERA/M'MIDZI

- Achibale
- Mafumu
- Magulu am'madera othandiza anthu ochitiridwa nkhanza/CCPW
- Mabungwe amipingo
- Mabungwe omwe si aboma/ma CBO
- Sukulu/malo oona zamaphunziro

### Ntchito zawo ndi monga izi:

- Kuwonetsetsa kuti wochitiridwa nkhanza ndi otetezeka
- Kulandira nkhanzi za nkhanza kuchokera kwa ochitiridwa nkhanza
- Kuonetsetsa kuti wochitiridwa nkhanza sakutengedwa ngati iye ndi wolakwitsa
- Ngati wochitiridwa nkhanza ali mwana kapena wolumala, kuunika zizindikiro zosonyeza kuti wachitiridwa nkhanza pathupi pake
- Kutumiza nkhanzi kumalo ena oyenera

## KHOTHU

### Kulembetsa Mlandu

- Lembetsani mlandu pasanadutse maola 24
- Kusankha yemwe atazenge mlandu (majisitileti) - masiku awiri
- Kusankha tsiku la mlandu ndikudziwitsa onse okhudzidwa - masiku awiri

### Kuzenga mlandu

- Mlandu uzengedwe m'masiku osadutsa 14
- Kumva mbali zonse
  - Ngati mlandu ndi wamwana, mlanduwu umazengedwera m'malo achinsinsi mokhala anthu okhawa osankhika
  - Osayimitsayimitsa mlandupopanda zifukwa zomveka bwino

### Chigamulo

Mwezi usapitirire chigamulo chisanaperekedwe

- Zigamulo zoonjezera monga kupereka chipopeso kwa ochitiridwa nkhanza, uphungu, chithandizo cha ndalama kwa ochitiridwa nkhanza
- Kuonetsetsa kuti zomwe bwalo lalamula zikusatidwa

## THANDIZO LOPEREKEDWA MLANDU UKATHA

Ofesi yopereka chisamaliro kwa anthu, mabungwe omwe si aboma, mipingo

- Uphungu
- Malo okhala otetezeka
- Kuthandizira kuti wochitiridwa nkhanza adzikhala ngati kale ndi anthu ena m'dera/ m'mudzi, kusukulu, kuntchito

## OFESI YOPEREKA CHISAMALIRO KWA ANTHU/OFESI YOYENDERA ANTHU OKHUDZIDWA NDI NKHANZA

- Kuunika kuti wochitiridwa nkhanza ali bwanji
- Kupereka uphungu kwa wochitiridwa nkhanza - kusunga chinsinsi
- Kuperekeza wochitiridwa nkhanza kumalo ena oyenera opereka thandizo, makamaka akakhala mwana
- Kuthandiza wochitiridwa nkhanza kuti apeze chithandizo cha akatswiri osiyanasiyana monga omasulira ziyankhulo
- Kutumiza wochitiridwa nkhanza kumalo ena oyenera opereka thandizo
- Kulemba lipoti la zonse zokhudza nkhanziyi
- Kukapeleka lipotili ku khothi

Ofesi yopereka chisamaliro kwa anthu imathandizanso kupereka thandizo monga:

- **Malo okhala mongoyembekezera**
- **Malo otetezeka osungira ochitiridwa nkhanza**

Malingana ndi momwe mwaonera chipesezo chomwe wochitiridwa nkhanza ali nacho, anthu/magulu onse othandiza ochitiridwa nkhanza akhoza kutumiza munthuyu ku maofesi amenewa ngati sali otetezeka akakhala kunyumba kwake.

Wochitiridwa nkhanza akuyeneranso kupatsidwa mwachangu zinthu zochitira ukhondo pathupi lake monga zovala zamkati, mafuta odzola, mankhwala otsukira mkamwa , ndi mapadi

## THANDIZO LA ZAUMOYO

Zipatala/zipatala zazing'ono

### Udindo wa zipatala:

- Kupereka thandizo lamankhwala mwachangu pamene munthuyo wavulala kapena ali mu ululu
- Ngati ndi mwana, wa ku ofesi yoteteza ana akuyenera kukhalapo
- Uphungu
- Mankhwala operewera kutenga kachilombo ka HIV (HIV PEP) - aperekedwe pasanadutse maola 72.
- Mankhwala operewera kutenga kachilombo ka Hepatitis B (HBV PEP) - aperekedwe pasanadutse maola 72..
- Mankhwala opewera kutenga pathupi - aperekedwe pasanadutse maola 72.
- Katemela wa matenda a kafumbata (Tetanus)
- Mankhwala opewera matenda opatsirana pogonana
- Kuunika ngati mutu wamunthuyo ukugwira bwino ntchito
- Kulemba lipoti la chipatala lothandizira ku khothi
- Kuperekeza umboni ku khothi
- Kukalembetsa mlandu ku khothi
- Kusainira m'kabuku ka kuchipatala ka munthuyu
- Kuthandizira wochitiridwa nkhanza kuti umoyo wake ubwerere mchimake ndikuti adzikhala ndi anthu ena monga kale



“

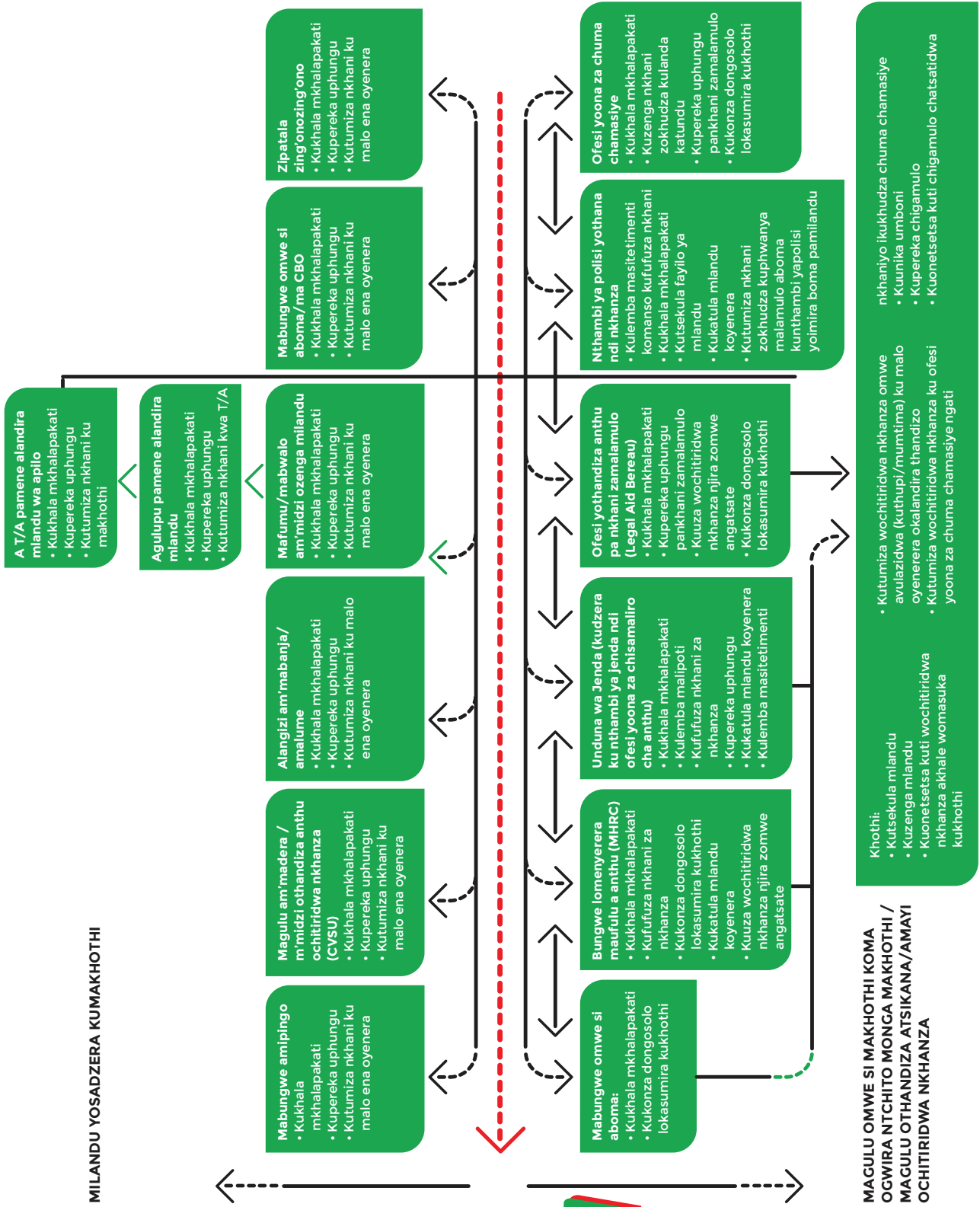
*Tabwera kuti mutiyanjanitse komanso kutipatsa uphungu pa kusamvana kwa m'banja mwathu. Atitumiza kuno ndi abungwe lothandiza anthu ochitiridwa nkhanza la kudera kwathu. Tikukhulupirira kuti kunoko tithandizidwa.*

”

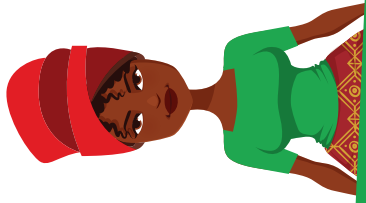


**Tsamba loonjezera lachiriwiri: Dongosolo loyendetsera milandu ya nkhanza kwa amayi ndi atsikana (nkhanza zochitiridwa ndi wachikondi/nkhanza zokhudza zachuma)**

**Dongosolo loyendetsera milandu ya nkhanza kwa amayi ndi atsikana (nkhanza zochitiridwa ndi wachikondi/nkhanza zokhudza zachuma) kuchoka ku ndondomeko zosadzera kumakhothi kupita kumakhothi**



**Nkhanza/miyambo yoipa yachitika, monga:**  
 Mchitidwe uliwonse woyipa wokhunza chikhalidwe kapena chipembezo umene zotsatira zake zavulazitsa munthu kuthupi kapena m'malingaliro



**WOCHITIDWA NKHANZA**  
 Kuphatikizapo omwe ali ndi ulumali wokhudzana ndi ubongo (monga wozerezeke) komanso ana

**Nkhanza za m'banja / zochitirana anthu apachikondi**  
 Mikangano yam'banja monga:  
 • Kusapereka chithandizo chokwanira kwa mwana ndi / kapena chamkazi  
 • Kulanda katundu / chuma  
 • Nkhanza pa zachuma  
 • Nkhanza zam'malingaliro, monga kuchita zibwenzi  
 • Uchidakwa

**MAGULU OMWE SI MAKHOTHI KOMA OGWIRA NTCHITO MONGA MAKHOTHI / MAGULU OTHANDIZA ATSIKANA/AMAYI OCHITIRIDWA NKHANZA**

**Khothi:**

- Kutsekula milandu
- Kuzenga milandu
- Kuonetsetsa kuti wochitiridwa nkhanza akhale womasuka kukhothi

- Kutumiza wochitiridwa nkhanza omwe avulazidwa (kuthupi/mumtima) ku malo oyenera okalandira thandizo
- Kutumiza wochitiridwa nkhanza ku ofesi yoona za chuma chamasiye ngati nkhanayo ikukhudza chuma chamasiye
- Kuunika umboni
- Kupereka chigamulo
- Kuonetsetsa kuti chigamulo chatsatidwa

“

*Ndimaopa kukatula nkhani yanga kupolisi, koma andithandiza kwambiri.*

*Andithandizanso kuti ndidziwe zinthu zina ndi zina zomwe zikuyenera kuchitika kutsogoloku mu ndondomeko ya mlandu wanga.*

”





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**Tithetse !  
Nkhanza ●**

**Udindo Watonse**



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