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[LESBIAN, GAY AND BISEXUAL RIGHTS CHARTER]

UMQULU WAMALUNGELO ABANTU ABATHANDANAYO BESISINI ESIFANAYO NEBISEXUAL ABAFAZI ABATHANDANAYO BAPHINDE BATHANDANE NENDODA.

QAPHELA: Xa sithetha ngamalungelo abantu abathandana besisini esinye kulo mqulu, sibandakanya namalungelo abafazi abathandanayo baphinde bathandane namadoda.

INTSHAYELELO

Nje ngabantu abathandana besisini esifanayo, siyazibophelela ekwakheni uMzantsi Afrika ongenacalulo, abesini esifanayo bathandane ngokukhululekileyo, kungacalulwa ngokwesini, kwanolawulo olungenamkhethe.

Kwakunye nazo zonke intlanga zoMzantsi Afrika, sibanga inkululeko yamalungelo ethu kucalulo, kwingcinezelo nakusetyenziso ngobuganga ngenxa yohlanga, isini osiso, imveli yohlanga lwakho, ibala, ubudala, ukukhobozeka, inkolo, umqondo, inkolelo, inkqubo yesizwe okanye ulwimi oluthethayo.

Sikholelwa ekubeni sivumelekile kumalungelo omthetho siseko nezicwangcwiso zozalisekiso kokuqulathwe ngulomqulu.

AMALUNGELO NGOKUSEMTHETHWENI

A. ULINGANO

1. Njengabantu abathandana besisini esifanayo (indoda nendoda okanye umfazi nomnye umfazi), sinalo ilungelo lamalungelo alinganayo phambi komthetho kwakunye nokhuselo olulinganayo phambi komthetho.

2. Uqulunqo lwamalungelo, umthetho ongenamkhethe neminye imibandela elungiswayo iyakwaziswa ukuqinisekisa ukhuseleko nokuqatshelwa kwalamalungelo ngendlela efanayo.

3. Yonke imithetho ebhaliweyo neyolwaphulo mthetho oluqhelekileyo,nokuba ziqhutywa ngendlela eyiyo okanye engeyiyo kwiimeko zobuni obubo ziyakutshitshiswa.

B. INTLONIPHO

1. Sinelungelo lokufumana intlonipho kwanokhuselo.

2. Umthetho nonyango ziyakuvakaliswa ukuqinisekiswa kokhuseleko lwamalungelo alinganayo.

3. Sifuna ukhuseleko olululo ingakumbi kwintshutshiso nezonyeliso okanye kwimpatho zokuhlazwa nokuthotywa isidima ujongelwe phantsi.

C. UBOMI OBUBOBAKHO

1. Sinelungelo kukhuseleko lobomi obubobakho.

2. Ngaphandle kokuba kubekho isigwebo esilinganayo kuluntu lonke jikelele, asiyi kuba ngamaxhoba okugqogqwa kwamakhaya ethu, ukuthinjwa kwezinto ezizezethu nokungahlonelwa kothethwano phakathi kwethu.

D. INKULULEKO YOKUZIBONAKALISA.

1. Sinelungelo elifanayo lokuvakalisa izimvo zethu nje ngabo bonke abantu, kudibene nelungelo kosondaba nobhengezo emoyeni.

2. Izixhobo ezinyusa izinga labathandanayo besisini esinye nezinto abanomdla kuzo ziya kubandakanywa kulenkululeko.

3. Sinelungelo lokuhlangana, senze imiboniso sifake nezicelo zezinto esizifunayo.

E. INKULULEKO YOMANYANO.

1. Sinelungelo nje ngomntu wonke kwinkululeko yomanyano, nelungelo lokudala ubuhlobo kwanokuhlala ndawonye.

2. Umthetho uyakujonga ngeliso elibukhali ukuba abo babini bangabalingani okanye izihlobo zesini esifanayo bawafumana ngokusemthethweni amalungelo ashicilelwe phantsi kwincwadi zoburhulumente, ilungelo elibandakanya ulwabiwo lwempahla, ubutyebi, nokuhlulwa kwelifa nalowo usenyongweni. Le iyakubandakanya ezoqoqosho nenzuzo ngokwasemsebenzini ezinje nge inshorensi, umhlala phantsi, irafu, izindlu, uncedo lonyango, nokunikwa ixeshana emsebenzini xa uthe wehlelwa yinto ebuhlungu.

3. Nokuba ubuhlobo bethu bubhaliwe ezincwadini okanye hayi, sinelungelo kubantwana njengamntu wonke. Iyakubandakanya ilungelo lokufumana abantwana ngendlela zokuhlwayela, wamkele umntwana nje ngowakho, umondle, wonwabele ixesha lokuphumla xa uyokubeleka.

INDLELA ZOZALISEKISO

Nje ngabantu abathandanayo besini esinye, sivumelekile ukunyanzelisa amalungelo ethu, nayakubandakanya kwimithetho emitsha elungiswayo:

A. IMFUNDO

1. Imfundo engena calulo ngokwesini, uqhelwaniso lobuni ziyakudityaniswa kuludwe lwesikolo, kumiso mgangatho nakulutsha nakwinkqubo zasekuhlaleni.

2. Oonompilo, onontlalontle, amapolisa nezinye inkonzo zoxhaso mthetho, ulawulo lwezobulungisa kwanenkonzo zikawonke-wonke, ziyakufumana uqeqesho kwizinto ezinxulumene nesini sabo, kwanemfundo phantsi komthetho omtsha ongenacalulo nolinganiselelo.

3. Siyacela sikhuthaza imibutho yezorhwebo, imibutho yezepolitiki nezinye intlangano zibandakanye imveliso zobuni obungenamkhethe kwisini osiso.

4. Sibiza sikhuthaza icawa zenkolo ezisekuhlaleni ziqonde ukuba amava enkolo, namava obomi abantu abathandanayo besini esifanayo, ziyamkele ze zibakhuthaze ekunyuseni izinga labo bathatha nxaxheba kwesisini sifanayo kubomi benkolo yabo ekuhlaleni.

B. UMTHETHO NENKUNDLA

1. Yonke imithetho emisiweyo iyakuphengululwa ukuqinisekisa ukuba iyayilandelwa imigaqo elinganayo nengakhethe bani phambi komthetho, njengokuba ifakiwe kumqulu wamalungelo oluntu.

2. Umthetho ohlobene nowesini, omalunga nabathathi nxaxheba kuqhelwaniso lwesini, oqwalasela ukuba ingaba umntu izinto uzenza ngokwemvume na, usetyenziswa ngendlela engeyiyo nokubeka isivumelwano kubudala obuthile.

3. Elinqanaba linye liyakusebenza ekohlwayeni kwingxaki ezinxulumene nokuhlutshwa, ukunyeliswa okanye ubundlobongela, akukhathaliseki nokuba uthambekele kwisini esingafaniyo nesakho okanye esifanayo.

4. Elinqanaba lisaya kuhluza usetyenziso ngendlela engeyiyo nakwizenzo zobundlobongela konondaba, akukhathaliseki nokuba zizenzo zendoda ethandana nobhinqileyo okanye ngobhinqileyo kwanomnye umfazi okanye indoda nendoda na.

C. UBUPOLISA

1. Ukungcungcuthekiswa nokugcayiselwa kwabafazi abathandanayo, amadoda athandanayo ngamapolisa kwaneminye imithetho enobuganga iyakutshitshiswa.

2. Abantu bonke bayakukhuselwa ngamapolisa nezinye iziqu zomthetho kwizonyeliso, kubandakanywe nempatho mbi, ukuba ngamaxhoba okubethwa kwabo bathandana besisini esifanayo.

D. BAKWAZI UKUSEBENZA, UKUKHALAZA KWANOKUFUMANA ULWAZI

1. Abo bathandana besisini esinye bayakufikelela ngokulinganayo kwimijelo nakwezoziqu ziyakuthi zidalelwe ukunika ingxelo, uphando, nokumamela izikhalazo ezinxulumene notshabhiso, aba ngamaxhoba nocalulo.

2. Kwakhona sikwazi ukufikelela kuzo zonke indlela zoncedo lukawonke-wonke olunika ingcebiso, ulwazi, inxaso, kwingxaki zethu, kunyango nakwinkqubo zentlalakahle.

3. Ingakumbi ulutsha nabafundi bayakufumana indlela yokufunda ngesini baze bafumane uncedo oluyakubanika inxaso ekuqapheleni uhlobo abalulo lwesini.

E. INGQESHO

1. Iyakuba yimpatho engaphucukanga kumqeshi ukuphatha kakubi umqeshwa wakhe emnyelisa, emcalula ngenxa yokuziqhelanisa kwakhe nesini esifana nesakhe.

2. Abaqeshwa abathandana besisini esinye, kubandakanywe abafundisi ntsapho nabanye abasebenza nabantu abatsha, abayi kuba ngamaxhoba kuba uqhelaniso lwabo lwesini bekwenza elubala, kwindawo abasebenza kuzo.

3. Ababantu bathandana befana bayakufumana ingqesho efanayo kwinkampu zomthetho.

F. EZIBHEDLELE NASEZINTOLONGWENI

1. Izithandwa zesini esifanayo ziyakubahambela abalingani babo ezibhedlele nakwezinye indawo ezifanelekileyo.

2. Siyakukwazi ukuzihambela izithandwa nabalingani bethu ezintolongweni nakwezinye indawo zogcino.

3. Amabanjwa abantu abathandana besisini esifanayo bayakufumana ukhuselo kutshutshiso nezonyeliso.

G. UMNGENELI

1. Isini osiso asiyi kukunika bunzima bocalulo kulowo uyakuthi afake isicelo sokuhlala kwelilizwe.

2. Utshutshiso ngenxa yesini osiso aluyi kwamkelwa phantsi kwewonga lokunikwa imvume komngeneli kwelilizwe.

3. Ubulingani obushicilelweyo buyakuqwalaselwa nje ngemvume yabangeneli okanye ugunyaziso lokuhlala isigxina.

Ikhutshwe sisizwe ngokubanzi nge 11 Disemba 1993