

NKENE OMULOPOTI GWOSHIPOTHA SHEKWATONKONGA E NA OKU KALA OMBANGI MOHOFA



LEGAL ASSISTANCE CENTRE

EFALOMO

Omuntu ngoka a kватва koonkondo olwindji oha ka pulwa e ye kohofa uuna omutamanekwa ta ka pangulwa. Oshipotha oshi li pokati kepangelo na nakutamanekelwa oshimbuluma. Naku kватва onkonga oha kala owala ombangi. Ombangi oye omuntu ngoka ha gandja uuyelele kohi yegano mokaketha komohofa. Ombangi oyи na okuyamukula omapulo mohofa noku popya oshili.

Oku kala ombangi oha shi vulika shi kale uupyakadhi. Uupyakadhi owundji oha wu zi ko kwaahatseya shoka omulandu gwa kwatelamo. Eyelithililo ndika ota li ku pe efalomo lyomulandu gwohofa osho wo oshinakugwanithwa shombangi mohofa.

Omuntu nakufekelwa oshimbuluma oha ithanwa "omutamanekwa/omulundilwa". Ngele ngoye wa longelwa omuyonena, oho ithanwa "nakulopota". Konima ngele wa tulilemo omutamanekwa oshipotha, oku na okuholoka mohofa. Oku na oku zimina kutya okuna ondjo, nenge ngele ota ka kambadhala oku ulikila ohofa kutya ke na ondjo ya sha.

Ngele omutamanekwa
okwa zimina kutya
okwa longa /
omuyonena, nena
Mangestrata nenge
omupanguli ote
ke mupa etokolo.
Etokolo oyo eegelo
lyoshimbuluma.
Inandi shi ninga.

Onda zimina
kutya onde
mu kwata
KoonKondo.

Mokambo haka otwi ikolelela
kaatamanekwa aalumentu molwaashoka
olwindji aalumentu oyo haya longo
iimbuluma yomakwatonkonga moNamibia.



Ngele
omutamanekwa
okwa ti kutya ke
na ondjo, nena oku
na okupangulwa.
Pethimbo
lyepangulo,
epangelo oli na
okuholola kutya
oye a longa
oshimbuluma/
omuyonena.
Mangestrata nenge
omupanguli oku
na okutokola kutya
omutamanekwa oku
na ondjo, "kaapena
nando omalimbililo
ga sha".

Inandi
shi
ninga
ngaye



Hahende/omutseyiveta ngoka e lile po epangelo oha ithanwa "Prosecutor". Mompangu omukalelipo gwepangelo nguka oha gandja uumbangi okuulika kutya oshimbuluma osha ningwa shili. Kehe gumwe ngoka a mona nenge uuva shoka shaningwapo, ota vulu okuya kohofa ongombangi. Shika osha kwatela mo ngoye nakulopota.

Ngoye owu li ombangi ya simana, molwaashoka ongoye to vulu okulombwela ohofa naana nkene oshimbuluma sha ningwa. Ota pu ka kala wo oombangi dhilwe. Omupolisi ngoka a konakona oshipotha naye ota ka kala ombangi. Aantu yalwe mboka yamona omuyonena nenge yeshi sha kombinga yagwo ota shi vulika wo ya kale oombangi. Oshiholelwa, ngele omwiidhopa uuwehame momuyonena, nena ndohotola ngoka e ku konakona ota shi vulika a kale ombangi.

Oku kala ombangi oshowo oku lombwela ompangu shoka sha ningwa ohashi vulika shi kale oshidhigu kakele oha shi vulu wo oku kala shina ondjambi. Oto ningi shoka wu na okuninga oku shilipaleka kutya omutamanekwa okwa futa oshizemo shiilonga ye.



Ohofa/Ompangu yopombanda moVenduka



Ohofa/Ompangu yaMangestrata mOpuwo

OKU MONA ETSEYITHO LYESIKU LYOHOFIA/ LYOMPANGU

Omathimbo gamwe omasiku goompangu oha ga tulwapo pwapita oomwedhi dhontumba konima yoshimbuluma sha longwa. Oompangulilo ohadhi kala dha ndumbalelwu unene nomasiku go kupangula oha ga tulwapo uuna pena ethimbo. Ishewe, oohahende nadho odha pumbwa ethimbo oku ilongekidhila oshipotha.

Opolisi ohayi ku lombwele esiku wu na okuya kohofa noku ku tumina omukanda ha gu ithanwa "subpoena", ha gu ya oomwedhi dhontumba manga esiku lyompangu ina li thika. "Subpoena" melaka lyoshitakumi, olyo etseyitho nenge elombwelo lyompangu/ohofo wu kale wa thika kohofa wu ka ninge ombangi. Elombwelo lya tya ngeyi oha li kala lya shangwa esiku lyompangu, edhina lyomutamanekwa nonomola yoshimbuluma ("CR number"). Kaleka omukanda lombwelo pehala lya gamenwa opo wu kale to vulu oku li tala uuna sha pumbiwa. Ngele owa tembuka mpoka wa li ho kala pethimbo wa tulamo oshipotha, owu na okulombwela opolisi opo yi kale yi shi mpoka ye na oku ku tumina elombwelo lyoye.

Elombwelo lyokuya kohofa inaa li shangwa sha. Kashi na nando oku ku pula oshimaliwa sha sha opo wu kale wa thika kohofa. Ngele owu na oku enda wu ye kondoolopa yilwe oku ya kohofa/kompangu, nena ombelewa yomukalelipo gwepangelo (Prosecutor) ota yi ku kwatha oku ninga omalongekidho golweendo. Ngele oho hingi osheenditho shoye mwene, oto ka pewa omwaalu gwoshimaliwa shontumba mokilometra kehe yolweendo Iwoye. Ngele kuna ohauto, opolisi ota yi vulu oku ku fala nenge yi ku kwathele oku ninga omalongekidho gwalwe. nena epangelo ota li ka futa omulalo gwoye. Oto ka pewa wo oondola 50 mesiku dhiikulya niipumbiwa yilwe.

Ngele owa pumbwa oku kala wa faula iilonga, nena owu na oku ulikila omugandji gwiilonga gwoye eithano lyoye lyokuya kohofa. Ngele omugandji gwiilonga ke uvite ko, pula opo omukalelipo gwepangelo e ku shangele omukanda/ombapila.

Yanuna epandja ta li landula, opo wu mone kutya omukanda ngoka ha gu tuminwa omuntu gu ku tseyithile esiku lyepangulo gwo ta gu ku tseyithile wo wu holoke kompangu ogwa tya ngiini.

**SUBPOENA IN CRIMINAL PROCEEDINGS TO ATTEND AND GIVE EVIDENCE
in the High / Lower Courts of Namibia**

Division District

..... Regional Division

Place of trial	Court	Date of trial

To any police officer or other person authorised to serve process.

You are hereby commanded in the name of the State to summon the persons(s) of whom particulars appear hereunder, to appear in person before this court at 09h00 on the date of the trial to testify and declare all he/she/they know concerning certain charge(s) preferred against.

charged with the offence(s) of

Name, Sex, Age, etc.	Address	No. of rail warrant

Serve on each of them a copy of this summons and return to this Court what you have done thereon.

Date stamp of issuing office

*** Delete the words which are not applicable.**

Warning:

- (i) Should any change in the abovementioned address take place before the proceedings are finally disposed of or before you are officially advised that you are no longer required as a witness, you are compelled to inform the official who served this subpoena upon you thereof.
 - (ii) Failure to comply with either the abovementioned warning or this subpoena renders you liable to arrest and to sentence not exceeding N\$ 300.00 or three months imprisonment.

EILONGEKIDHO OMANGA OHOFA INAYI THIKA

Oshipotha shoye otashi ka pewa/gandjwa komukalelipo gwepangelo. Omukalelipo gwepangelo oku na oku kuutumba nangweye mu kundathane oshipotha manga ompangu ina yi thika. Aakalelipo yepangelo aluhe oha ya kala yiipyakidhila, onkee otashi vulika eke ku mone owala esiku lyepangulo, omanga ohofa inayi ya mo/tameka.

Ngele owa hala okupopya nomukalelipo gwepangloomanga esiku lyepangulo ina li thika, oto vulu okudhengela kombelewa yaakalelipo yepangelo, to popi/gandja edhina lyomutamanekwa nonomola yoshimbuluma (CR number). Uuyelete mbuka ohawu kala melombwelo lyoye. Ombelewa yomukalelipo gwepangelo otayi vulu oku ku lombwela edhina lyomukalelipo gwepangelo ngoka te ke kukalelapo opo wu kwatathane naye wu mu pule omapulo omanga ethimbo inaali thika/kuyele.

Owu na okulombwela omukalelipo gwepangelo kutya elaka lini po wahala wu kapopye mohofa opo omukalelipo gwepangelo a kale a longekidha omutoloki ngele owe mu pumbwa. Owu na oku longitha elaka ndyoka wu shi nawa opo ohofa yi ke kuuveko naana shoka to ti.

Omupolisi ngoka a konakona oshipotha shoye oku na oku ku lombwela ngele momudhingoloko gweni omu na omayakulo yambidhidho gaantu mboka ya ningilwa iiimbuluma/omiyonena. Aayambidhidhi yaantu mboka ya longelwa iiimbuluma/omiyonena otashi vulika ya kale aaniilonga yonkalonawa yopantu nenge aaniilonga yomomahangano ina ga yama kepangelo (NGO). Aaniilonga mbaka ota shi vulika ye ku yelithile nkene omukalo gwepangulo hagu ende nenge oku ku ulikila meni lyohofa kuyele.

Ngele oho kala popepi nohofa, oto vulu wu ye ngoye mwene wu ka tale nkene ongulu yompangu yili no ku tala epangulo nkene hali ende opo no ku tseya omilandu dhamo. (Ito vulu oku tala/mona oshipotha shekwatonkonga molwaashoka iipotha mbika kayi shi yaakwashigwana ayehe.



OOMPANGO DHOKU KWATHELA OONAKUKWATWA ONKONGA MOHOFA

Oveta oya tula po oompango dhowina oku pupaleka iinima mompangu koonakulopota onkonga.

Ohofa oyi na oku kala andola ita mu yiwa komuntu kehe pethimbo lyoshipotha shekwattonkonga. Shino otashi pupaleke egandjo lyuumbangi li kale epu. Aantu owala mboka ye na mo oshitopolwa moshipotha yena oku kala mo. Mangestrata nenge omupanguli, omukalelipo gwepangelo, omutamanekwa nenge omukalelipo gwomutamanekwa oyo ta ya kala mompangu/mohofa. Ohashi vulika wo mu kale aantu yalwe aashona mboka haya longo mohofa.

Oshili ompinge noveta opo oshifokundaneki o'radio nenge o'tv yi holole uukwatywa wanakulopota oshipotha shonkonga. Itaya vulu ya shange nenge yuulike edhina lyoye, ondjukithi yoye, omathano goye nenge uuyelele wulwe mboka tawu vulu okuholola kutya ongweye lye.

Ompangu ohayi vulu oku ninga omalandulathano gowina pethimbo lyoku gandja uumbangi:

- Okufala oompangu kehala inaali nika uupangulilo omanga to gandja uumbangi woye, Oshiholelwa, oto vulu oku gandjela uumbangi woye wa kuutumba mombelewa ya Mangestrata nenge yomupanguli pehala lyoku shi ningila mohofa.
- Okulundulula iipundi mohofa, nenge okulundulula mpoka aantu haya thikama. Oshiholelwa, mangestrata nenge omupanguli ota vulu okukuutumba popepi kashona nangweye ye omutamanekwa ta kalekwa kokule kashona nangweye opo wu kale wuuuite wa gamenwa.
- Okupitika omuntu gwontumba gwopungweye e ku thindikile onga omuyambidhidhi. Oto vulu oku kala na kuume koye nenge omuntu gwaandjeni a thikama nenge a kuutumba pooha nangweye sho to gandja uumbangi. Omuntu nguka ita vulu oku popya nangweye omanga to gandja uumbangi, ihe oku kala wu na omuyambidhidhi e li popepi nangweye sho to gandja uumbangi otashi vulu shi kwathele wuuve wu li megameno nowa manguluka. Omuntu nguka ota vulu okutseyithila ohofa uuna wu uvite wa lulilwa n wu fudhe po kashona.

- Moohofa dhimwe omuntu oha vulu okugandja uumbangi konima yekende ha li uvikila koombinga adhihe mbali, nenge konima yethano lyo radio yomuzizimba (Mpaka o hopopi uli komeho gethano no kuuvika kaantu mboka yeli mongulu yompangulilo yekuwete ko radio yomuzizimba oha shi ithanwa ompito yapata oshoka kapena we gumwe ekuwete ko tv yilwe). Ngele opena iilongitho y o'tv, ota shi vulika kuukale mondunda yimwe nomutamanekwa.

Opena omalongekidho galwe ta ga vulika. Oto vulu okupula omukalelipo gwepangelo eku lombwele oshindji.



Ondunda/ondjugo yuumbangi wo methano lyo'tv mo Windhoek



Oshiholelwa shokakololo ko ku gandjela uumbangi ombangi kayi wetike kaantu yalwe, ke li mompangu yOmbaye.

Owu na okudhiladhila kutya ehogololo lini po tali ku opalele no kuli tseyithila omukalelipo gwepangelo. Omukalelipo gwepangelo okuna oku pula omalongekidho ngaka gowina ku mangestrata nenge komupanguli. Itashi vulika mangestrata nenge omupanguli yaaha zimine pethimbo ndjoka. Ngele owu uvite kutya owa hala limwe lyomalongekidho gowina, oshihwepo wushikundathane nomukalelipo gwepangelo omanga esiku lyepangulo ina lithika. Shika otashi gandja ethimbo komukalelipo gwepangelo okuninga omalongekidho.

Omapulo kombinga yondjokonona yoye yiinima ya nika omilalo/iipala/iihulo ina ga pitikwa. Shika otashi ti kutya kapena ngo ta vulu oku pula omapulo nngaashi "Owa lala naantu yangapi?" Omapulo ga tya ngeyi kage na sha nekwatonkonga.

Omapulo omashona gondjokonona kombinga yiihulo yoye oha shi vulika ga pitikwe, ihe opoompito dhowina. Oshiholelwa, ngele molotu lwoye omwa adhika omasita, nena omukalelipo gwomutamanekwa ota shi vulika a kambadhale uulike kutya omasita ngaka oga zi momilalo no muntu gulwe. Kakele kape na nando ogumwe ta vulu ekupule omapulo kombinga yiihulo monkalamwenyo yoye, omanga inaa mona epitikilo oku ku mangestrata nenge komupanguli.

OMPANGU

Esiku lyoshipotha, owu na oku thika kohofa pethimbo wa zala iikutu ya yela noye ku opalela. Otashi vulika wu tegelele ope ompito yoye yokupopya yi thike. Otashi vulika wu kale wa hala oku faalela kuume koye nenge oshifokundane ki shokulesha. Otashi vulika wo wu kale wa hala okufaalela sha shoku lya nenge okunwa pamwe oto kala ko sigo ethimbo lyomwiha. (Ito vulu oku lila meni lyongulu yohofa).

Oku kala wa tegelela pondje yohofa ota shi vulika shikale oshikenyeneka, ngele owa tila kutya pamwe oto mono omutamanekwa, ookuumee ke nenge ofamili/aanegumbo lye. Oto vulu okupula ngele ope na ehala lilwe to vulu okutegelela. Oto vulu wo okutegelela wu li nomunambelewa gwopolisi. Ngele ope na ngoka te ku piyageneke sho wa tegelela ompangu, shi tseyithila omuntu gontumba. Oto vulu okulombwela omunambelewa gwoopolisi, omukalekipo gwelandulathano pohofa nenge Omukalelipo Gwepangelo. Ohofa oli na oku kala ehala mpoka wu na oku kala wuuvite wa gamenwa.

Otashi ka kala oshiwinayi oku tegelela mpoka pamwe no mutamanekwa oshowo ookuumee ke ayehe. Natu ka pule ngele ope na ehala lyopaumwene mpoka ta tu vulu okutegelela sigo ompangu otayi tameke.



Oto ka tsakanena nomukalelipo gwepangelo manga ompangu inayi tameka. Omukalelipo gwepangelo ota ka kala e na okopi yehokololo ndyoka wa gandja kopolisi. Omukalelipo gwepangelo ota ka talulula ehokololo ndika pamwe nangoye. Omukalelipo gwepangelo nomukalelipo gwanakulopota oyo ayeke ta ya kakala ye na ehokololo lyoye ndele komupanguli nenge mangestrata. Otashi vulika wu ka pulwe omapulo kombinga yehokololo lyoye, onkene owu na oku lombwela omukalelipo gwepangelo ngele mehokololo ndyoka omu na sha shaashi sho shili, nenge inaa shiyela.

Ito ka ethelwa mongulu yompangu omanga ethimbo lyoye lyokupopya inaali thika. Ito vulu okuua uumbangi woombangi dhilwe omanga ino yamo wu kapopye. Ngele owe wu uvu nena omutamanekwa ota shivulika afekele kutya oto popi shoka wu uva shatiwa kaantu yalwe. Netompelo ndika, kuna nande oku kundathana shoka to ka popya mohofa nando onalye kakele naapolisi nenge nomukalelipo gwepangelo.

Nandi ku lombwele Kutya otandi
ka tya mompangu ngele oya
pulandje showali to monika uusiku
wo Kuza Kostasie yopolisi.

Edhiladhilo
ndoka olya
puka. Ina tu
pitikwa tu
kundathane
shoka ta tu
katya mohofa.
Popya owala
oshili.



Omukalelipo gwepangelo ote ke ku ithana uuna wa pumbiwa. Omunambelewa gwomohofa ote ke ku pula wu gandje edhina lyoye, ye te ku ganitha. Oto vulu oku ninga egano nenge ekoleko:

- Egano olyo euvaneko kuKalunga oku popya oshili. Omunambelewa gwomohofa ote ke ku pula ngele uumbangi to ka gandja wukale oshili, ku udha nokaapena shoka kashi shi oshili, ngweye to ti “Kalunga ne ku k wathe”.
- Ngele ino itaala muKalunga nena oto vulu okukoleka. Ekoleko olyo euvaneko lyolela. Ngele owa koleke omunambelewa gwomohofa ote ke ku pula ngele oto koleke shili kutya uumbangi to ka gandja ota wu ka kala woshili, oshili ku udha nopwaa he na shimwe kashi shi oshili. Owu na oku yelutha okwaako kwoye kwokolulyo uuna to yamukula”.

Aantu yalwe mboka taya ka kala mohofa:

Mangestrata nenge omupanguli – Omuntu ngoka e na oshinakugwanithwa shokupulakena uumbangi awuhe noku tokola ngele omuntu gontumba okwa teya ompango/oveta. Oomangestrata naapanguli ohaya zala omaguwo omaluudhe mohofa.

Mohofa, aapanguli ohaya ithanwa “*My Lord*” ngele omulumentu, nenge “*My Lady*” ngele omupanguli omukiintu. Omanga oomangestrata haya ithanwa “*Your Worship*”. Shika ohashi ningwa oku u ulika esimaneko yepangelo lyohofa.

Omukalelipo/Hahende gwepangelo – Ohahende ndjoka yi lile po epangelo. Omukalelipo gwepangelo ke shi ohahende yoye yopaumwene ndele oku na oshinakugwanithwa a kalele po uuwanawa woye pomathimbo gamwe goshipotha shoye. Aakalelipo yepangelo noohahende yalwe ayehe ohaya zala omaguwo omaluudhe mohofa.

Omupopili hahende – Ohahende ndjoka yi lile po uuwanawa womutamanekwa. Ota shi vulika shikale oshidhigu okuyamukula omapulo gawo ndele osha simana opo wu kale we ga yamukula. Ngaashi naanaa omukalelipo gwepangelo, Omupopili hahende oha zala eguwo eluudhe mohofa.

Nakulundilwa/Omutamanekwa – omuntu ngoka ta fekelelwa a longa oshimbuluma. Owu na oku ilongekidha oku kamona omutamanekwa mohofa.

Tolokela – Omuntu ngoka ha longo mohofa oku tula omalaka galwe moshiingilisa oshowo oku shi galula ko ishewe. Lilonga yatolokela okukwashilipaleka kutya kehe gumwe e li mohofa oku uvite ko shoka tashi ningwa mohofa. Shilipaleka aluhe oku tegelela kutya tolokela okwa mana okupopya manga ino tameka ishewe okupopya. (Ngele owu uvite kutya omutoloki ina toloka shoka wapopya shayela, mu pula amwene po.)

Omuntu ngoka eli lepo egameno mondjugo yompangulilo mohofa – omuntu nguka oha kwashilipaleke kutya owa gamenwa mondjugo yompangulilo. Omukalekipo gwelandulathano mohofa nguka oha zala aluhe omuzalo gwiilonga.

Omunanabelewa yakuli gwohofa – omuntu ngoka ha shanga shoka tashi ningwa mohofa ye ta takamitha no ku ungaunga nomishangelo kehe dhomohofa.



OKUGANDJA UUMBANGI

Konima ngele wa gandja egano nenge ekoleko lyoye, omukalelipo gwepangelo ote ke ku pula omapulo ngweye to gandja uumbangi woye. Dhimbulukwa:

- Popya muule nonewi lya yela opo kehe gumwe a vule okuuvako.
- Kala wa yela kombinga yaashoka to ti, no ku popya to ende kashona. Mangestrata, aapanguli noohahende ota taya ka shanga iitsa, onkee oya pumbwa ethimbo lyokushanga shoka to ti.
- Popya oshili.
- Pulakena nuukeka komapulo agehe.
- Ngele oshi dhigu oku uva ko epulo, pula omuntu ngoka e ku pula epulo opo a fatulule epulo lye manga inoo yamukula. Ino kala wu na no kulimbililwaosha simana oku yanda oku yanda engwangwano.
- Ngele ku na eyamukulo kepulo lya pulwa, yamukula owala kutya “kandi shi wo” Ino tengeneka.
- Owu na owala oku popya shoka ngoye mwene wa. Ito vulu oku lombwela ohofa shoka sha aantu yalwe ya ti oye shi ningilwa.

Ohofa oyi na elandulathano, osha simana opo wu kale wa manguluka. Shika otashi ku kwa thele oku longa oshilonga shokupopya oshili shoye mpoka to vulu. Ngele owa pumbwa oku ya kokandjugo, nenge wa pumbwa okambapila kokwiitheta nenge okafudho, shlipaleka oku tseyithila omuntu gontumba. Kashi shi oshinima oshiwinayi ngele owa lili mohofa. Oshili mondjila ngele owa pumbwa okafudho.

Omukalelipo gwepangelo ote ke ku pula wu lombwele ohofa shoka sha ningwa po. Osha simana opo wu hokololele ohofa uuye lele awuhe, nonando ethimbo limwe oshisithahoni kashona okuhokolola iinima yoye yopaumwene nenge kombinga yo lutu lwoye. Osha simana oku gandja. ehokololo lyayela no lyuuka poshitsa. Ohofa oya pumbwa okuuva shoka shaningwa lela. Oshiholelwaa, Ombangi otashi vulika yi tye oya lala nomulumentu. Kuyamwe shika otashi vulu okutya oya kotha po owala na ye. Omanga yamwe taye shi uvu ko kutya oya lalathana nomulumentu nguka panyama. Osha simana opo wu hokolole naanaa niitya ya yela opo oku keelela engwangwano/etompakano lyoludhi nduka. Oshuuka okutya “ondha” nenge “ohundu” mohofa. OoMangestrata naapanguli oya uva nale iitya mbika tayi longithwa mohofa no itaya ka geya ngele owa longitha iitya yomondjila. lilonga yawo otayi ka kala iipu uuna ye ku uvite ko shili mondjila.

OMAPULAAPULO- OMAPULULULO

Konima yomapulo goOmukalelipo gwepangelo, Omutamanekwa nenge omukalelipo gwe ota ka mona ompito yo ku ku "pululula". Shika otashi ti ote ke ku pula omapulo kombinga yaashoka wa popya nale. Mangestrata nenge omupanguli nayo ota ya vulu oku ku pula omapulo.



Omutamanekwa ohashi vulika a kale e na ohahende nenge a kale kee na. Aantu oyendji mgoka ha yalundililwa ekwato nkonga oha ya kala ye na ohahende. Aatamanekwa yamwe ohaya vulu okufuta oohahende kuyo yene. Yamwe ohaya pewa ohahende kepangelo opo yi ya kalele po. Yamwe ihaya kala ye na oohahende nande nande nohaya ikalele po yo yene – nonande shika osha pumba.

Ngele nakutamanekwa otii ikalele po ye mwene, omukalelipo gwepangelo oku na oku ku lombwela omanga kuyele. Otashi vulika shi ka kale oshidhigu unene kungweye ngele owuna okuyamukula omapulo guukilila okuza komutamanekwa, kakele Mangestrata nomukalelipo gwepangelo otaa kwashilipaleke kutya omutamanekwa ite ku pula omapulo inaga opalaokupulwa. Omukalelipo gwepangelo otashi vulika a pule opo omapulo ga pulwe oku pitila mu mangestrata nenge momupanguli, pehala lyoku popya nangweye ukilila. Mangestrata nenge Omupanguli kena oku zimina kwaashika, ndele otashi vulika ye shi ninge – unene tuu ngele omutamanekwa ota popi nangweye momukalo ngoka tagu ku tilitha.

Omapulo ngoka ha ga pulwa komutamanekwa nenge kuhahende ngoka emulilepo ota ga kala ga yooloka kwaangoka gomukalelipo gwepangelo. Omukalelipo gwomutamanekwa ota pula omapulo opo a tale ngele shoka wa popi tango oshali mondjila. Omapulo ngaka ota shi vulika ga ka le omadhigu okuyamukula. Omukalelipo gwomutamanekwa otashi vulika a fekele kutya oto fundju nenge ehokololo owe li tota mwene Omukalelipo gwomutamanekwa otashi vulika a kambadhale oku ku geyitha nenge e ku ngwangwaneke. Osha simana opo wu kale wangungumana no ku yamukula omapulo. Kambadhala waa geye komukalo ngoka omapulo ta gapulwa. Ngele owa tameke wu uvite uudhigu, fudha omufudho gwe gundjilo nenge okampito okashona wu ngungumane. Dhimbulukwa kutya oto vulu okupula okafudho ngele owe ka pumbwa.

Owu na oku yamukula omapulo momukalo gwoshili noguukeka, ngaashi naanaa wa yamukulile omapulo gomukalelipo gwepangelo. Otashi vulika shi ku kwathe oku tala kumangestrata nenge komupanguli pethimbo lyomapulo-konakono. Mohofa owu lile mo okulombwela mangestrata nenge omupanguli shoka sha ningwa po.

Omanga to gandja uumbangi, ohofo ohashi vulika yi kuthe okafudho no ku ku pula wu ze mo manga. Shika itashi ti owu na shi wa ninga sha puka. Shika otashi ti owala mangetrata noohahende otashi vulika ye na oku kundathana sha kuupo. Oohahende otashi vulika itadhi tsu kumwe moshiniima shontumba, na mangestrata nenge omupanguli oyena oku okutokola kutya ogu ni po e li mondjila. Idhidhimika nokonima oto ka ithanwa wu galukile mo ngoye wu kamane oku gandja uuyelegele woye.

Epangulo otashi vulika li kale inaa li pwa mesiku limwe. lipotha yimwe ohayi kwata omasiku gontumba. Omasiku gompangu otashi vulika ga kale ga topolwe momasiku ogendji moomwedhi odhindji pehala lyompangu yi pwe mesiku limwe.

Oshiholelwaa, ethimbo limwe oombangi otadhi ehama noshipotha oshi na oku undulilwa komeho sigo oombangi dha tipo hwepo. Ethimbo limwe oohahende odha pumbwa ethimbo olyindji okwii longekidha. Omukalelipo gwanakulopota otashi vulika a kale a pumbwa oku kutha okafudho opo a popye nanakulundilwa. linima inaayi tegelelwaa ohayi vulu okuningwa noohahende odha pumbwa oku dhilaadhila mule nenge oku tsa oompata. Mangestrata nenge omupanguli nayo otaya pumbwa wo ethimbo oku ninga omatokolo. Ethimbo limwe kapu na ethimbo lya gwana pethimbo lyoshipotha – oshiholelwaa ongaashi, uuna oombangi dha kwata ethimbo ele inaashi tegelelwaa, nenge ohofo ethimbo limwe otashi vulika yi kale inaa yi longekidha omasiku ga gwana galandulathanaopo oshipotha shi shimanithwe owala lumwe.

EHULITHO LYOSHIPOTHA NE ETOKOLO

Ngele wa mana okugandja uumbangi, oshipotha otashi ka tsikila. Omukalelipo gwepangelo otashi vulika a ithane oombangi dhilwe. Uuna omukalelipo gwepangelo a mana oshipotha she pangelo, ombinga yomutamanekwa otayi vulu wo oku ithana oombangi dhawo. Nonande itashi dhengele. Konima yaayihe, uumbangi owa manithwa, omukalelipo gwepangelo ota ka lombwela mangestrata kutya omolwashike omutamanekwa e na oku monika ondjo, omanga aakalelipo yomutamanekwa taya ka lombwela ohofa kutya omolwashike kee na oku monika ondjo.

Konima yo ku pulakena kuumbangi nomahokololo agehe ga gandjwa komeho gohofa, mangestrata nenge omupanguli ota ka ninga etokolo. Shika otashi vulika kashi ka kale sha ningwa pethimbo ndyoka/mbala. Mangestrata nenge omupanguli otashi vulika a ka kale a hala oku dhiladhila manga kombinga yetokolo, no ku talulula kiindhindhilkwa ya shanga momambo ge pethimbo lyompangu. Otashi vulika pu pite iiwike omanga inoo tseyithilwa.

Mangestrata nenge omupanguli okuna okupulakena kuumbangi awuhe no ku tokolela omukonenenwa na kuninga oshimbulumapwaa he na nando omalimbililo gasha". Shika oshopamuthika go pombanda. Ngele Mangestrata nenge omupanguli ina mona omutamanekwa ondjo, shika itashi ti oshimbulumina shi ningwa. Otashi ti owala kutya ompangu inayi etelwa uumbangi wa gwana oku kwashilipaleka kutya oshimbulumuma osha longwa shili.



Ngele omutamanekwa ina pewa egeelo, otashi vulika wu uve nayi. Ino kala wu uvite kutya andola epuko lyoye. Kala wu uvite uuntsa kutya owa li wu na ompito yoye yoku lombwela ohofa shoka shaningwapo.

ETOKOLO

Ngele omutamanekwa okwa monika ondjo, shoka sha landula ko okutokolelwaa egeelo. Mangestrata nenge omupanguli oku na oku ninga etokolo kutya omutamanekwa ota ka pewa egeelo lya tya ngiini.

Moveta ndjoka ya tulwa po okukondjitha omakwatonkonga (Combating of Rape Act) omu na omatokolo gopevi. Egeelo lyopevi olyo egeelo lyoomvula ntano (5) mondholongo. Mangestrata nenge omupanguli oha vulu okutokolela omukonenenwa sha egeelolyopevi, ngele oku uvite kutya omu na oompito dhiisheyelwa. (Omageelo gopevi iha ga ningilwa aatamanekwa mboka inaya adha oomvula 18 pethimbo ya longa oshimbuluma.)

Molwaashoka owu na owala oomvula 15, oveta itayi thiminike ndje opo ndi ku pe egeelo tali ku Kalitha mondholongo uugundjuka woye awuhe. Otandi ku pe egeelo eshona/epu opo wu mone oompito ontiyali okulonga sha monkalamwenyo yoye. Kakele oto ka pewa egeelo. Ondi inekaet kutya ekwatonkonga olyo oshimbuluma shimwe shomiimbuluma yinyanyalitha



Ota pu ka kala epulakeno lyegeelo. Omukalelipo gwepangelo ota ka lombwelaa mangestrata nenge omupanguli kutya epangelo olyo dhiladhila kutya egeelo oli na oku kala ngiini. Omukalelipo gwepangelo otashi vulika ithane natango oombangi oku ulika uupyakadhi we etelwa komuyonena ngoka. Otashi vulika nangweye wu ka pulwe wu gandje natango uumbangi kohi yegano komeho gohoha. Omukalelipo gwepangelo otashi vulika a ka pule omuniilonga gwokombelewa yehungomwenyo ngoka a popile nangweye petameko lyoshipotha, opo naye a gandje uumbangi kutya oshinima shika oshe ku guma ngiini. Uuyelete awuhe mbuka ota wu ka kwathela mangestrata nenge omupanguli opo a tokole kutya egeelo lyomutamanekwa ota li ka kala li thike peni.

Hahende ngoka e lile po omutamanekwa ota ka gandja uuyelete kombinga yuukwatya womutamanekwa wopaumwene.

Mangestrata nenge omupanguli oku na okuninga etokolo shiikolelela kuuyelete wekwatonkonga, uukwatya wonkalo yomutamanekwa nuuwanawa waantu ayehe.

KONIMA SHO OSHIPOTHA SHA PWA

Konima sho oshipotha sha pwa, oto vulu wu ka kale wu uvite kutyua oshipu oku tula oshinima shika konima ngweye wu ye komeho nonkalamwenyo yoye. Kakele otashi vulika wo oshipotha shi ku etele omadhimbuluko omawinayi kombinga yekwatonkonga wuuva nayi unene ngele omutamanekwa ina monika ondjo mompangu. Nonande oshinima shi kale sha ningwa nale otashi vulika sha pumbiwa opo wu ka popye nomuhungimwenyo, opo e ku kwathele nomaiyuvo ngoka omadhiwu na omolwoshiningwanima shika.



Ekotampango lya Namibia ota li ti oompangu odhi na oku kala hadhi vulu okuninga omatokolo gadho dha manguluka no inaadhi gama nande ombinga uuna tadhi ningi omatokolo miimbulumka.

– Okatendo 12 (1)(a)



Ehokololo: Allison De Smet & Dianne Hubbard
Omafano: Nicky Marais
Omutholomo netulomelandulathano: Perri Caplan
Omuwiliki gwoproyeka: Dianne Hubbard & Rachel Coomer
Omunyanyangidhi: John Meinert Printing
Omukwatheli: Dutch Ministry of Foreign Affairs, MDG3 Fund
Omuholokithimbo: Gender Research & Advocacy Project,
Legal Assistance Centre, 2010



Okafo haka otaka vulu okuningwa ookopi omolwomalakano ge na sha nelongo, shampa ashike onzo ya tseyithilwa.