LAWYERS FOR
HUMAN RIGHTS

ISIZULU

INGABE I-ID YAKHO YAKE YAVINJWA?

Umhlahlandlela wokuvinjwa kwe-ID kanye nendlela yokuthola usizo

#UNBLOCKMYID #UNLOCKMYLIFE

KUYINI UKUVINJWA KWE-ID?

Ukuvinjwa kwe-ID “yithuluzi lokuqondisa” elisetshenziswa yi-DHA ukuze igcine i-National Population Register inembile futhi iqotho. “Ukuvimba” kwenzeka lapho kubekwa uphawu enombolweni ye-ID kusistimu, okuwuphawu olubonisa ukuthi inombolo inephutha, noma itholwe ngomgunyathi noma ngokukhohlisa.

I-ID INGASE IVINJWE KUZIPHI IZIMO?

Ama-ID angase avinjwe ngaphansi kwezimo ezihlukahlukene, njengalezi:

Lapho umuntu enezinombolo eziningi ze-ID noma enenombolo ye-ID efana neyomunye umuntu (I-ID efana nenye noma izinombolo ezihlukahlukene),

Lapho kutholwe iphutha elidinga ukulungiswa, ngokwesibonelo, lapho igama lakho, usuku lokuzalwa, noma ubulili bubhalwe ngendlela eyiphutha noma:

Lapho i-ID itholwe ngomgunyathi noma ngokukhohlisa (kuhlanganise ukukhohlisa okuhlobene nokubhaliswa kokuzalwa, umshado noma ukufa.)

Ukuvinjwa kwe-ID kuthinta izakhamuzi zaseNingizimu Afrika kanye nalabo abanelungelo eligcwele lokuhlala kuleli.

IYINI IMIPHUMELA YOKUVINJWA KWE-ID?

Uma i-ID ivinjiwe, ayisebenziseki futhi ukusebenzisa amalungelo akho namasevisi adinga i-ID kubekelwa imikhawulo noma kuvinjelwe ngokuphelele, njengalokhu:

- ukusebenzisa ibhange
- ukuthola imfundo (ephakeme)
- ukuthola ukunakekelwa kwempilo
- ukuthola umsebenzi
- aukuthola usizo lwezenhlalo
- ukubhalisela ukuvota

... kanye nokuthola amanye amadokhumenti awusizo njengamaphepha okushayela noma iphasiphothi.

Uma i-ID yakho ivinjelwe, kungase kube nzima ukuthola isitifiketi sokuzalwa sengane yakho noma isitifiketi somshado noma isitifiketo sokufa.

Ngezinye izikhathi ukuvimba i-ID kungaholela ekutheni uthathelwe ilungelo lokuba yisakhamuzi futhi ungabi nazwe*, ikakhulukazi lapho isizathu zokuvinjwa kwe-ID sihlobene nezinsolo zokuthi awusona isakhamuzi saseNingizimu Afrika.

"Umuntu ongenazwe" umuntu ongabhaliswanga njengesakhamuzi sanoma yiliphi izwe emhlabeni. Ukuze ufunde okwengeziwe ngokungabi nazwe: www.unhcr.org/ibelong/about-statelessness.

YATHINI INKANTOLO NGOKUVINJWA KWE-ID?

Udaba lokuvinjwa ye-ID luye lwabekelwa inselele enkantolo ecaleni lakamuva lika- P.P.M. kanye nabanye v Ungqongqoshe Wezasekhaya kanye nomunye. Lokhu kwaziwa ngokuthi "Icala likaMazibuko."

Inkantolo iyawuqaphela umthwalo we-DHA wokunakekela i-National Population Register. Nokho, iye yamemezela ukuthi ukuvimba ama-ID ngaphandle kokulandelwa kwenqubo engokomthetho nenobulungisa **kunqubuzana nomthethosisekelo.**

I-DHA ayikwazi ukuvimba i-ID ngenxa yezinsolo kuphela.

I-DHA yavuma ukuthi ukuvinjwa kwama-ID okwenziwa ngaphambi kukaLwezi 2022 akuzange kulandele inqubo engokomthetho nenobulungisa futhi yathi iye yakususa ukuvinjwa kwama-ID ayizigidi ezingu-1,8 kodwa cishe **angu-700,000 asavinjiwe kuze kube manje** ngenxa yokuthi "ayingozi enkulu yokuphepha" ezweni.

Inkantolo yayalela okulandelayo:

Uma uyiklayenti ye-LHR

Uma uyiklayenti ye-LHR, imininingwane yakho izodluliselwa enkantolo nase-DHA ngomhla **ka-13 kuNhlolanja 2024** futhi i-DHA kumele isuse ukuvijwa kwama-ID zingakapheli izinsuku **ezingu-90 zokuthola imininingwane**. Uma i-DHA ithi i-ID yakho ibangela ingozi yokuphepha, kumelwe ithole umyalelo wenkantolo ukuze

FEBRUARY 2024

Uma ungelona iklayenti le-LHR

Uma ungelona iklayenti le-LHR, inkantolo inike i-DHA **izinyanga ezingu-12ukuba** ihlole futhi isuse ukuvinjwa kwawo wonke ama-ID avinjwe **ngaphambi kukaLwezi 2022.** Uma i-DHA ithi i-ID yakho ibangela ingozi yokuphepha, kumelwe ithole umyalelo wenkantolo ukuze iyigcine ivinjiwe.

MARCH 2025

P.P.M. and others v Minister of Home Affairs and another (14238/21) [2024] ZAGPPHC 2 (16 January 2024).

If you are a **child under 18 years old,** the court ordered that:

Uma **uyingane eneminyaka engu-18 ubudala**, inkantolo yayalela lokhu:

I-DHA kumelwe isuse **ngokushesha** ukuvinjwa kwama-ID ezingane ezinama-ID avinjwe ngenxa yophenyo olusaqhubeka lwesimo sabazali bazo bese kubikwa ukuthotshelwa komyalelo enkantolo ngomhla **ka-8 kuMbasa 2024.**

I-DHA **ayikwazi** ukwenqabela ingane isitifiketi sokuzalwa noma i-ID ngenxa yophenyo olusaqhubeka lwesimo sabazali.

KWENZEKANI UMA I-DHA IHLULEKA UKWENZA IZINTO NGESIKHATHI ESINIKWE YINKANTOLO?

Uma i-DHA ihluleka ukwenza izinto ngesikhathi esinikwe yinkantolo, ingacela ukunwetshwa kwesikhathi ngokunikeza izizathu ezizwakalayo kanye nemininingwane elandelayo:

1. Inani lama-ID avinjiwe kusukela ngomhla ka-16 kuMasingana 2024 (okungukuthi, ngesikhathi kukhishwa isahlulelo)
2. Izinyathelo ezithathiwe ukuze kususwe ukuvinjwa kwama-ID
3. Izizathu ezibangela ukuba ama-ID aqhubeke evinjiwe
4. Inani elisele lama-ID avinjiwe
5. Izinyathelo ezinconyelwe ezizothathwa ukuze kuqinisekiswe ukuthi ukuvinjwa kwama-ID kuyasuswa,
6. kanye nenkathi enconyelwe yokuphothula inqubo.

OKUMELWE KULANDELWE YI-DHA LAPHO IVIMBA AMA-ID NGOKUQHUBEKAYO?

I-DHA isengakwazi ukuphenya nokuvimba ama-ID, KODWA kuphela uma:

1. i-DHA yenza ngokuvumelana nemithetho efanele (njengoMthetho Wokuhlonza, uMthetho Wokuthuthela Kwelinye Izwe, noma uMthetho

2. DHA follows a fair administrative process that includes;

   - ukutshela abantu abathintekayo ukuthi kuye kwatholakala okuthile okungalungile nge-ID yabo futhi uphenyo lwesimo sabo olungase luholele ekutheni i-ID ivinjwe luqalile,

   - okunika umuntu othintekayo ithuba lokuba adlulisele icala lakhe phambili noma asabele kulokhu okungalungile okusolwayo ku-ID yakhe,

   - ukutshela umuntu othintekayo ngomphumela wophenyo kanye nanganoma yisiphi isinqumo sokugcina sokuvimba i-ID,

   - kuhlanganise izizathu zalesi sinqumo, kanye nokunikeza umuntu othintekayo isaziso esimayelana nelungelo lakhe lokufaka isikhalo noma lokuhlola isinqumo sokuvimba i-ID.

3. I-DHA ithola umyalelo wenkantolo ogunyaza ukuvinjwa kwe-ID.

Sicela uqaphele ukuthi amacala athile okukhwabanisa noma okukhohlisa ngase abandakanye nobugebengu okuyothi - uma utholwa unecala - kubangele ukuba kuthathwe ilungelo lakho lokuba yisakhamuzi nelokuhlala ngokugcwele kuleli, kuthathwe futhi kukhanselwe i-ID namadocumenti ahlobene nayo bese ukhokhiswa imali yesijeziso noma uvalelwe ejele.

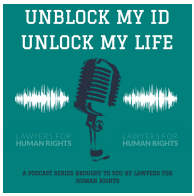
NGINGALUTHOLA KUPHI USIZO OLWENGEZIWE?

Sicela uqaphele ukuthi i-LHR ayikwazi ukuvula amafayela amasha e-ID evinjiwe ngenxa yokulinganiselwa kwayo. Uma ungakabi yiklayenti le-LHR futhi i-ID yakho ivinjiwe ngaphandle kokulandelwa kwenqubo engokomthetho nenobulungisa (kungakhathaliseki ukuthi ivinjwe ngaphambi noma ngemva kukaLwezi 2022), sikukhuthaza ukuba uye ehhovis le-DHA eliseduze nawe ukuze unikezwe ikhophi yomyalelo wenkantolo wecala likaMazibuko. Lokhu ungakudawuniloda lapha **www.saflii.org/za/cases/ZAGPPHC/2024/2.html.**

Uma i-DHA iyenqaba ukukusiza, sicela ucabangele ukufaka isikhalo kuMvikeli Womphakathi, kwiKhomishana Yamalungelo Abantu YaseNingizimu Afrika, noma kwiKhomishana Yezinkonzo Zomphakathi. Mayelana namacala abandakanya izingane ezineminyaka engaphansi kwengu-18 ubudala, sicela uthinte i-Child Law (CCL) eNyuvesi yasePitoli.

NGINGAFUNDA KUPHI OKWENGEZIWE NGOKUVINJWA KWE-ID?

I-LHR iqalise umkhankaso wokuqwashisa ngezindaba ezingokoqobo zezisuku zama-ID avinjiwe. Siyine ekulweleni ukuqedwa kwale nqubo engenabulungisa futhi sibuyisele isithunzi ezinkulungwaneni zabantu abaye bahlukumezeka. Landela i-hashtag ethi #UnblockMyID #UnlockMyLife kuzo zonke izinkundla zokuxhumana ze-LHR (bheka ngemuva ukuze ubone amakheli ezinkundla zokuxhumana ze-LHR).
Lalela i-podcast yethu enesihloko esithi #UnblockMyID #UnlockMyLife ku-Spotify futhi ubukele amadokhumentari amafushane akhuluma ngalesi sihloko esiteshini sethu se-Youtube. Imininingwane ingezansi.



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Leli pheshana likhiqizwe ngosizo Lwesikhwama Sokuxhasa esilawulwa yi-Investec Wealth & Investment Philanthropy.

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