Government of Malawi

Pangano la Chaka cha 2003 la Kuteteza kwa Chikhalidwe Chosakhudzika Chotengera kwa Makolo

United Nations Educational, Scientific and Cultural Organization

Intangible Cultural Heritage

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Pangano la Kuteteza kwa Chikhalidwe Chosakhudzika Chotengera kwa Makolo

Paris, 17 Okotobala 2003

Msonkhano Waukulu wa Bungwe la Mgwirizano wa Maiko pa Maphunziro, Sayansi ndi Chikhalidwe, UNESCO, pa mkumano wake wa nambala 32 omwe unachitika kuchokera pa 29 Seputembala mpaka pa 17 Okutobala 2003 unagwirizana izi:

Kutengera pa zikalata zomwe ziripo za mapangano a pakati pa maiko za maufulu a chibadwidwe cha anthu, makamaka chikalata cholengeza za malamulo a fulu wa chibadidwe cha *Universal Declaration of Human Rights* cha 1948, pangano la pakati pa maiko pa maufulu a ncthito za chuma ndi chikhalidwe cha anthu, International Economic, Social and CulturalRights cha 1966, kudzanso pangano la pakati pa maiko la ufulu wa chibadwidwe ndi ufulu wa za ndale, I*nternational Convenant on Civil and Potical Rights* cha 1966,

Polingalira kufunika kwa chikhalidwe chosakhudzika chotengera kwa Makolo monga maziko osiyanitsa chikhalidwe komanso chitukuko chochilizika, monga momwe zatsimikizidwa m'chikalata cha bungwe la UNESCO cholongosola zoyenera kuchita pa kuteteza chikhalidwe chotengera kwa makolo komanso nzeru za kale Recommendations on Safeguarding of Traditional Culture andFolklore cha 1989, chomwe chikupezeka mu chidziwitso cha kusiyana kwa chikhalidwe cha bungwe la UNESCO cha Universal Declaration on CulturalDiversity cha 2001, kudzanso chidziwitso chinaperekedwa ku Istanbul,Instabul Declaration of 2002 chomwe chinavomerezedwa pa mkumano wachitatu wa nduna za chikhalidwe, Third Round Table of Ministers of Culture,

Polingalira kuzama kwa ubale wa pakati pa chikhalidwe chosakhudzika chotengera kwa makolo ndi chikhalidwe chokhudzika kudzanso zopezeka pa chilengedwe,

Pozindikira kutidongosolo la kufala kwa chikhalidwe cha anthu,makamaka a kumaiko a kuzambwe ku Ulaya, kukukhudza maiko ena komanso kusintha kwa chikhalidwe cha anthu

pamodzi ndi zomwe anthuwo amachita pakuyambitsanso mwatsopano chikhalidwe pakati pao, monga kuchitira kusatolerana, kumayambitsanso chiopsezo cha kulowa pansi, kusowa ndi kuonongeka kwa chikhalidwe chosakhudzika chotengera kwa makolo, izi zimachitika makamaka chifukwa cha kusowa kwa ndalama zotetezera chikhalidwe,

Kukhala wozindikira za kufalikira kwa chikhumbokhumbo komanso nkhawa zomwe ziripo pa katetezedwe ka chikhalidwe chosakhudzika chotengera kwa makolo cha mtundu onse wa anthu,

Pozindikira kuti anthu omwe amachitira zinthu limodzi, makamaka magulu a anthu m'madera komanso anthu paokhapaokha, amatenga gawo lalikulu pa kupanga, kusunga ndi kusamalira komanso kupanga mwatsopano za chikhalidwe chosagwirika chotengera kwa makolo, ndipo potero kumathandiza kupititsa mtsogolo chikhalidwe chosiyanasiyana kudzanso kupititsa mtsogolo nzeru za anthu zolenga zinthu zaluso,

Pokumbukira kufala kwa ntchito za bungwe la UNESCO pokhazikitsa malamulo otetezera za chikhalidwe, makamaka pangano lotetezera chikhalidwe pa dziko lapansi ndi zopezeka pa chilengedwe, Convention for the Protection of the World Cultural Heritage of 1972,

Pokumbukiranso kuti pakadali pano palibe malamulo oti n'kutsatira okhudzana ndi kasamalidwe ka chikhalidwe chosakhudzika chotengera kwa makolo,

Pozindikira kuti mapangano a pakati pa maiko, zoyenera kuchita ndi mfundo zomangidwa zokhudza chikhalidwe chochokera kwamakolo kudzanso zachilengedwe zomwe zilipo ndi zosakwanira ndiponso zofuna kukonzanso ndi kuzilimbikitsa pokhazikitsa malamulo atsopano okhudza za chikhalidwe chosakhudzika chotengera kwa makolochi,

Pozindikira kufunika kwa kuzindikiritsa anthu ochulika, makamaka pakati pa mibadwo ya achinyamata za kufunika kwa chikhalidwe chosakhudzika chotengera kwa makolo,

Polingalira kuti maiko olemera athandizepo pamodzi ndi maiko omwe ndi mamembala am'Pangano lino, pa chitetezo chachikhalidwechi pofuna kuonetsa umodzi ndi kuthandizana,

Pokumbukira ntchito za bungwe la UNESCO zokhudza chikhalidwe chosakhudzika chotengerakwa makolo, makamaka kulengeza kwa zochitachita zaluso lopambana za chikhalidwe cha mtundu wa anthu a padziko lonse lapansi, *Proclamamtion of masterpieces of Oral and Intangible Heritage of Humanity*,

Polingalirakufunika kwa chikhalidwe chosakhudzika chotengera kwa makolo ngati njira imodzi yobweretsera anthu pamodzi ndi kuonetsetsa kuti pali kumvana pakati pao,

Ukuvomereza Panganoli patsiku la pa mwezi la khumi ndi mphambu zisanu ndi ziwiri (17) la Okutobala, m'chaka cha 2003.

I ZOYENERA KUDZIWA POYAMBA

Mutu 1: Zolinga za panganoli

Zolinga za panganoli ndi izi:

a) kuteteza chikhalidwe chosakhudzika chotengera kwa makolo;

b) kuonetsetsa kuti chikhalidwe chosakhudzika chotengera kwa makolocha anthu a m'madera, m'magulu ndi anthu paokhapaokha chikulemekedweza;

c) kudzindikilitsa anthu pa ndime za dera, dziko, komanso pakati pa maiko za kufunika kwa chikhalidwe chosakhudzika chotengera kwa makolo, kudzanso kuonetsetsa kuti pali kumvetsetsana;

d) kupereka mwayi wa kugwirizana ndi kuthandizana pakati pa maiko;

Mutu 2: Matanthauzo a mawu

Malinga ndi zolinga za Panganoli;

1. Mawu akuti "Chikhalidwe chosakhudzika chotengera kwa makolo" akutanthauza zochita, zoimira, zokamba, nzeru, maluso- kudzanso zipangizo, zokhudzika, zinthu zopanga mwamaluso ndi malo okhudzana ndi zimenezizomwe anthu a m'madera, magulu komanso, nthaiwi zina, anthu paokhapaokha amaziganizira ngati gawo la chikhalidwe chao.

   Chikhalidwe chosakhudzikachi chimayambikira kuchokera kum'badwo umodzi kupita ku m'badwo wina ndipo chimakhala chikusinthasintha nthawi zonse potsatira zomwe zikuchitika m'dera lawo, mmene akukhalira ndi chilengedwe kudzanso mbiri yao yakale. Izi zimawapatsa anthu mphamvu yakuti asanyoze zomwe zimawasiyanitsa pofanizira anthu ena komanso kupitilira kwa chikhalidwe chao, pakutero kupititsa mtsogolo kusiyana kwa chikhalidwe ndi maluso a anthu.

   Malinga ndi zolinga za Panganoli, chikhalidwe chosakhudzika chotengera kwa makolo chokhachokhacho

chomwe chikugwirizana ndi zikalata za maufulu a chibadwidwe zomwe ziripo, komanso zotsatira kufunikakwa kulemekezana pakati pa anthu m'madera, m'magulu kapena anthu paokhapaokha ndiponso chitukuko chochilizika ndi zokhazo zidzaganiziridwe.

2. "Chikhalidwe chosakhudzika chotengera kwa makolo" monga chatanthauziridwa m'ndime 1 pamwambapa, mwa zina, chimaoneka mu zinthu izi:

   a) miyambo ndi zolankhula zina, chiyankhulo ngati njira yofalitsira chikhalidwechi;

   b) zisudzo ndi zamasewero;

   c) zisimo, zikhulupiliro ndi zochitika pa zisangalalo;

   d) nzeru ndi zochita zokhudzana ndi chilengedwe ndi zopezeka m'dziko lapansi;

   e) maluso ochokera kwa makolo.

3. "Kusamalira" kutanthauza njira zomwe cholinga chake ndi kuonetsetsa kuti chikhalidwe chotengera kwa makolo chikukhalapobe, monga kulozera, kulembera, kafukufuku, kusunga, kuteteza, kupititsa mtsogolo, kulimbikitsa, kufalitsa, makamaka podzera m'maphunziro a ndondomeko komanso opanda ndondomeko kudzanso njira zina zolimbikitsa zigawo zosiyanasiyana za chikakhalidwechi.

4. "Maiko a m'Pangano" ndi maiko amene anasayina Panganoli ndipo amene pakati pawo panganoli lili ndi mphamvu.

5. Panganoli ligwira ntchito, zonse zoyenera kusintha zitasinthidwa, m'madera omwe atchulidwa m'Mutu 33 omwe akhala Mamembala a Panganoli potsatira malamulo omwe alembedwa m'Mutu umenewo. Choncho mawu akuti "Maiko a m'Pangano" akufungatiranso Madera oterewa.

Mutu 3: Ubale ndi mapangano ena a pakati pa maiko

Palibe chilichonse m'Pangano lino chomwe chingatanthauziridwe ngati:

a) kusintha mphamvu kapena kuchepetsa mphamvu za chitetezo za Pangano lokhudza kuteteza kwa chikhalidwe cha dziko lonse lapansi ndi zopezeka pa chilengedwe cha dziko lonse la pansi, *Convention concerning Protection of WorldCultural and Natural Heritage of the World* la 1972 lomwe mfundo zake zina zikukhudza chikhalidwe chosakhudzika chotengera kwa makolo, kapena;

b) kukhudza maufulu ndi maudindo a Maiko a M'panganoli ochokera ku mapangano a pakati pa maiko okhudza maufulu a maluso monga opanga ndi kulemba, *intellectual property rights*, kapena kagwiritsidwe ntchito ka zinthu za moyo kudzanso zomera zomwe zikalata zake iwo adasayina.

II Nthambi za Panganoli

Mutu 4: Msonkhano waukulu wa maiko a m'pangano

1. Msonkhano Waukulu wa Maiko a m'Panganoli ukukhazikitsidwa pano, ndipo m'chikalatachi udzitchedwa "Msonkhano Waukulu." Msonkhano Waukuluwu ndi nthambi yomwe ili ndi mphamvu yolamula pa Panganoli.

2. Msonkhano Waukulu uzikumana pa mkumano wamba kamodzi pa zaka ziwiri zilizonse. Msonkhanowu ukhoza kukumananso pa mkumano wapadera ngati n'kofunika kutero kapena ngati Komiti ya pakati pa maboma yoteteza chikhalidwe chotengerakwa Makolo, *Intergovermental Committee on the Safeguarding of the Intangible Cultural Heritage*, kapena Maiko a mu Panganoli pafupifupi theka (1/3) apempha kutero.

3. Msonkhano Waukulu udzakhazikitsa Malamulo ndi Ndondomeko yakayake yogwilira ntchito.

Mutu 5: Komiti yoteteza chikhalidwe chotengerakwa makolo ya pakati pa maboma

1. Komiti yoteteza chikhalidwe chotengera kwa makolo yapakati pa maboma yomwe pano ikutchedwa "Komiti" ikukhazikitsidwa m' bungwe la UNESCO. Komitiyi izikhala ndi mamembala oyimilira Maiko a m'Panganoli khumi ndi mphambu zisanu ndi zitatu (18), osankhidwa ndi Maiko a m'Panganoli pa mkumano wa Msonkhano Waukulu panganoli likakhazikitsidwa motsatira Mutu 34.

2. Chiwerengero cha Mamembala a Maiko a m'Komiti chidzaonjezeredwa kufika 24 ngati maiko osaina panganoli afika 50.

Mutu 6: Chisankho ndi nthawi yokhalira pa udindo kwa mamembala a komiti

1. Kusankha kwa Mamembala a Maiko m'Komiti kudzatsatira mfundo yosonyeza kugawana kwa maudindo kwachilungamo potsatira zigawo zomwe memembala akuimilira kudzanso kasinthasintha.

2. Mamembala a Maiko a m'Komiti adzasankhidwa kukhala paudindo kwa zaka zinayi (4) ndi Maiko a m'Panganoli pa mkumano wa Msonkhano Waukulu.

3. Koma nthawi yokhalira paudindo ya theka (½) la Maiko a m'Panganoli a m'Komiti amene anasankhidwa pa chisankho choyamba idzakhala zaka ziwili. Maikowa adzasankhidwa pochita mayere pa chisankho choyamba.
4. Zaka ziwiri zilizonse, Msokhano Waukulu udzasankhanso theka (½) la mamembala a m'Komiti.

5. Msonkhano Waukulu udzasankhanso Mamembala a Maiko olowa m'Komiti omwe akufunika ngati pali mipando yomwe mulibe oyimilira.

6. Membala wa m'Komiti sadzasankhidwa koposa materemu awiri otsatirana.

7. Mamembala a Maiko a m'Komiti adzasankha monga owaimilira awo anthu amene ali ndi zowayenereza m'zigawo zosiyanasiyana zokhudza chikhalidwe chosakhudzika chotengera kwa makolo.

Mutu 7: Ntchito za komiti

Mosachotsera mphamvu zina zoperekedwa ndi Panganoli, ntchito za Komiti zidzakhala izi:

a) kupititsa mtsogolo zolinga za Pangano komanso kulimbikitsa ndi kuyang'anira kakhazikitsidwe kake;

b) kupereka utsogoleri pa kagwiritsidwe ntchito kabwino komanso kutamandira njira zabwino pa ntchito pa kuteteza chikhalidwe chosakhudzika chotengera kwa Makolo;

c) kukonza ndi kupereka ku Msonkhano Waukulu kuti uvomereze ndondomeko yongoyesera ya kagwiritsidwe ntchito ka ndalama zochokera ku Thumba, potsatira Mutu 25;

d) Kupeza njira yochulukitsira ndalama zake ndi kuchita zoyenera kutero potsatira Mutu 24;

e) kukonza ndi kupereka ku Msonkhano Waukulu kuti uvomereze ndondomeko ya mmene zofunikam'panganoli zichitikire;

f) kuunika potsatira Mutu 29 malipoti operekedwa ndi Maiko m'Panganoli komanso kuwalemba mwachidule kuti Msonkhano Waukulu awatsatire mosavuta;

g) kuunika zopempha za Maiko a m'Panganoli ndi kuzisankha, potsatira ndondomeko yosankhira yomwe idzakhazikitsidwe ndi Komiti ndi kuvomerezedwa ndi Msonkhano Waukulu pochita izi:

   i. kulemba pa mndandanda wa maina kudzanso maganizo olembedwa omwe atchulidwa m'Mutu 16, 17 ndi 18.

   ii. kuperekedwa kwa chithandizo cha pakati pa maiko potsatira Mutu 22.

Mutu 8: Kagwiridwe ncthito ka komiti

1. Komiti idzakhala pansi pa ulamuliro wa Msonkhano Waukulu. Komitiyi idzapereka malipoti a ntchito zake komanso mfundo zomwe yamanga ku Msonkhanowu.
2. Komiti idzakhazikitsa Ndondomeko ya Malamulo akeake ngati mamembala ake oposa theka (2/3) avomera kutero.
3. Komiti ikhoza kuyitana ku misonkhano yake mabungwe ena a boma kapena oti siaboma komanso munthu mwa iye yekha, ali ndi zomuyenereza m'zigawo zosiyanasiyana za kuteteza chikhalidwe chosakhudzika chotengera kwa Makolo kuti agawane nzeru pa mfundo zodziwika bwino.

Mutu 8: Kuvomereza kwa mabungwe opereka upangiri

1. Komiti idzapereka maina a mabungwe omwe siaboma omwe ali ndi zowayenereza m'ntchito za kuteteza chikhalidwe chosakhudzika chotengera kwa makolo kuti azigwira ntchito yopereka upangiri ku Komitiyo.

2. Komiti idzaperekanso ku Msonkhano Waukulu ndondomeko yosankhira komanso machitidwe a kusankha apangiriwa.

Mutu 10: Ofesi ya mlembi

1. Komiti idzathandizidwa ndi Ofesi ya Mlembi wa bungwe la UNESCO.

2. Ofesi ya Mlembi idzakonza zikalata za Msonkhano Waukulu komanso za Komiti ndipo idzakonzanso ndondomeko yongoyesera ya zokambirana ya mkumano wao ndipo idzaonetsetsa kuti mfundo zomangidwa pa mkumanowu zikukhazikitsidwa.

III Kuteteza za Chilengedwe Chosakhudzika Chotengera kwa Makolo

Mutu 11: Ntchito ya maiko a m'panganoli

Dziko lili lonse la m'Panganoli lidzachita izi:

(a) Kuchita zoyenera poonetsetsa kuti chikhalidwe chotengera kwa makolo chomwe chikupezeka m'dziko lake chikutetezedwa;

(b) Panjira zotetezera zomwe zatchulidwa m'Mutu 2 ndime 3, kusankhapo ndi kutanthauzira limodzi ndi anthu a m'madera kudzanso, magulu mabungwe omwe siaboma oyenera zigawo zosiyanasiyana za chikhalidwe chosakhudzika chotengera kwa makolo chopezeka m'dzikolo.

Mutu 12: Kaundula

1. Pofuna kuonetsetsa kuti pali kulozera ndi cholinga choteteza, Dziko lili lonse la m'Panganolino lidzakonza motsatira zomwe zikuchitika m'dzikolo, kaundula kapena akaundula angapo a chikhalidwe chosakhudzika chotengera kwa makolo chomwe chikupezeka m'dzikolo. Akaundulawa adzakhala akukonzedwa pafupipafupi polembamo zina zatsopano.
2. Pamene Dziko lili lonse la m'Panganoli lidzapereka lipoti lake ku Komiti, motsatira Mutu 29, lidzaperekanso mauthenga ofunikira okhudza akaundulawa.

Mutu 13: Njira zina zotetezera

Pofuna kuonetsa kuti pali kuteteza, kutukula ndi kupititsa mtsogolo kwa chikhalidwe chosakhudzika chotengera kwa makolo, Dziko lililonse la m'Panganoli lidzayetsetsa kuchita izi:

a) kutsatira ndondomeko yomwe cholinga chake ndi kupititsa mtsogolo ntchito za chikhalidwe, chosakhudzika chotengera kwa makolo m'dziko komanso kuika ntchito ya kuteteza chikhalidwecho m'mapulani ake a za chitukuko;

b) kukhazikitsa bungwe kapena mabungwe oteteza chikhalidwe chosakhudzikachi chomwe chikupezeka m'dera lake;

c) kulimbikitsa maphunziro a sayansi, umisiri ndi zaluso, komanso machitidwe a kafukufuku, ndi cholinga choteteza chikhalidwe chosakhudzika chotengera kwa makolo, makamaka chikhalidwe chomwe chili pa chiopsezo choti chikhoza kutha,

d) kutsatira njira zoyenera za malamulo, umisiri, zoyendetsera ntchito kudzanso chuma ndi cholinga cha:

   i. kulimbikitsa kakhazikitsidwe kape na kulimbikitsa mabungwe ophun zitsa za kayendet sedwe ka chikha lidwe chosakhudzi ka chotengera kwa Makolo kudzanso kafalitsidwe ka chikhalid wechi kudzera m'mikumano ndi malo omwe cholinga chake ndi kuchitirapo za chikhalidwechi;

   ii. kuonetsetsa kuti pali njira zopereka mpata wokhoza kuonera nawo za chikhalidwe chosakhudzikachi pamene nthawi yomweyo tikulemekeza miyambo komanso malamulo omwe alipo oyendetsera chikhalidwechi;

   iii. kukhazikitsa mabungwe osunga akaundula a chikhalidwe chosakhudzika chotengera kwa makolochi ndiponso kuyenereza njira zowapezera mabungwe.

Mutu 14: Maphunziro, kuzindikiritsa ndi kuphunzitsa

Dziko lililonse la m'Panganoli lidzachita zotheka potsata njira zoyenera:

a) Kuonetsetsa kuti pali kuzindikira, kulemekeza komanso kulimbikitsa kwa chikhalidwe chosakhudzika chotengera kwa makolo m'dziko lake, makamaka podzera mu:

   i. ndondomeko za maphunziro, zozindikiritsa ndi za mauthenga, olunjika anthu wamba, makamaka achinyamata;

ii. ndondomeko za maphunziro komanso kusula anthu okhudzidwa m'madera awo ndi m'magulu awo;

iii. kuphunzitsa anthu zoyenera kuchita pa chitetezo cha chikhalidwe chosakhudzika chotengera kwa makolo makamaka kayendetsedwe kake ndi kafukufuku wa sayansi; kudzanso

iv. njira zina zofalitsira nzeru osakhala mwandondomeko mokhamu;

b) kudziwitsa anthu za chiopsezo chomwe chilipo pa chikhalidwechi komanso ntchito zomwe zikugwirika pofuna kukwaniritsa Panganoli.

c) kupititsa mtsogolo maphunziro a ntchito zothandiza pa chitetezo cha malo ochitirapo zinthu za chikhalidwechi komanso ena a chikumbumtima omwe kukhalapo kwao ndikofunika kwambiri pochita za chikhalidwezo.

Mutu 15: Kutengapo mbali kwa anthu a m'madera, magulu kudzanso anthu paokhapaokha

M'ndondomeko yake ya ntchito zotetezera chikhalidwechi, Dziko lililonse la m'Panganoli lidzachita zotheka kuonetsetsa kuti anthu ochuluka a m'madera, m'magulu, ndipo ngati n'koyenera kutero, anthu paokhapaokha amene amapanga, kusamalira ndi kufalitsa chikhalidwechi akuyendetsa nawo ntchitoyi.

IV Kuteteza Chikhalidwe Chotengera kwa Makolo pa Ndime ya Pakati pa Maiko

Mutu 16: Mndandanda woimilira chikhalidwe chosakhudzika chochokera kwa makolo cha anthu onse a dziko lapansi

1. Pofuna kuonetsetsa kuti chikhalidwe chosakhuzika chotengera kwa makolo chikudziwika komanso kufunika kwake kukuzindikirika mokwanira, ndi kulimbikitsa kukambirana pa nkhani za kusiyana chikhalidwe, Komiti potsatira mfundo za Maiko a m'Pangano okhudzidwa, idzakhazikitsa, kukonzanso poonjezera zina zatsopano, kusindikiza mndandanda woimilira wa chikhalidwe chosakhudzika chotengera kwa makolo cha anthuonse a dziko lapansi, *Representative List of the Intangible Heritage of Humanity*.

2. Komiti idzakonza ndi kupereka ku Msonkhano Waukulu kuti uvomereze njira zokhazikitsira, kukonzanso poonjezera zina zatsopano ndi kusindikiza kwa Mndandandawu.

Mutu 17: Mndandanda wa chikhalidwe chotengera kwa makolo chofuna kutetezedwa mwachangu

1. Ndi cholinga chofuna kukhala ndi njira zotetezera chikhalidwe chosakhudzika chotengera kwa makolo zoyenera, Komiti idzakhazikitsa, kukonzanso poonjera zina zatsopano ndi kusindikiza mndandanda wa chikhalidwe chofunika kutetezedwa mwachangu, *List of Intangible Cultural Heritage in Need of Urgent Safeguarding* ndipo idzalemba zimenezi potsatira pempho la Dziko la m'Panganoli lokhudzidwa.

2. Komiti idzakonza ndi kupereka ku Msonkhano Waukulu kuti uvomereze dongosolo la njira zomwe yagwiritsa ntchito pa kukhazikitsako, kukonzanso pakuonjezera zina zatsopano ndi kusindikiza mndandawu.

3. Ngati pali changu chachikulu- njira zomwe zagwiritsidwa ntchito zomwe zidavomerezedwa ndi Msonkhano Waukulu potsatira maganizo a Komiti-Komiti ikhoza kulemba chochitika cha chikhalidwecho, pa mndandanda omwe watchulidwa m'ndime 1, pokumanizana ndi Dziko la m'Panganoli lokhudzidwa.

Mutu 18: Mapulogalamu, mapulojekiti ndi zochitachita pa kuteteza kwa chikhalidwe chosakhudzika chotengera kwa makolo

1. Potengera maganizo omwe aperekedwa ndi Maiko a m'Panganoli, komanso potsatira njira zogwirira ntchito zomwe zakhazikitsidwa ndi Komiti ndi kuvomerezedwa ndi Msonkhano Waukulu, Komiti, kwa nthawi ndi nthawi, idzasankha ndi kupititsa mtsogolo, mapulojekiti ndi zochitachita za kasamalidwe ka chikhalidwe chotengera kwa makolo chomwe Komitiyo ikuganizira kuti zikuonetseratu poyera mfundo ndi zolinga za Panganoli, komanso poganizira zofuna za maiko amene akukwera kumene.
2. Choncho, Komitiyi idzalandira, kuunika ndi kuvomereza pempho lachithandizo chapakati pa maiko lochokera ku Maiko a m'Panganoli lokonzera polemba maganizo a zomwe dzikolo likufuna kuchita.
3. Komiti pokhazikitsa mapulojekiti, mapulogalamu ndi zochitachita idzalimbikitsa ndi kufalitsa njira zovomerezeka pogwiritsa ntchito njira zomwe Komitiyo ingaganizire.

V MGWIRIZANO WA PAKATI PA MAIKO NDI CHITHANDIZO

Mutu 19: Mgwirizano

1. Potsatira zolinga za Panganoli, kugwirizana kwa pakati pa maiko kukuphatikizapo, mwa zina, kusinthana mauthenga ndi luso/luntha lochokera pochita zina zake kwa nthawi yaitali, kuyambitsa limodzizinthu zoti zichitike komanso kukhazikitsa njira zothandizira Maiko a m'Panganoli pa kuyesetsa kwao kuteteza chikhalidwe chosakhudzika chotengera kwa makolo.

2. Mopanda kuchotsera kapena kapena kuchepetsa mphamvu za malamulo kudzanso miyambo ndi zizolowezi za m'maiko awo, Maiko a m'Panganoli akuzindikira kuti kuteteza chikhalidwe chosakhudzika chotengerakwa makolo n'chokomera anthu onse a dziko lapansi, ndiye choncho maikowa akutenga ngati udindo wao kugwirizana pakati pao.

Mutu 20: Cholinga cha chithandizo cha pakati pa maiko

Chithandizo cha pakati pa maiko chikhoza kuperekedwa pa zifukwa izi:

a) kuteteza kwa chikhalidwe chomwe chalembedwa pa mndandanda wa chikhalidwe chotengera kwa makolo chofuna kutetezedwa mwachangu, *List of Intangible Cultural Heritage in Need of Urgent Safeguarding*;

b) kukonza akaundula monga zalembedwera m'Mutu 11 ndi 12,

c) kuthandizira mapulogalamu, mapulojeketi ndi zina zochitachita zomwe zikuchitika pa ndime ya dziko kudzanso zigawo zomwe cholinga chake ndi kuteteza chikhalidwe chosakhudzika chotengera kwa makolo.

d) ntchito ina iliyonse yomwe Komiti ingaganize kuti ndi yofunika,

Mutu 21: Mitundu ya chithandizo pakati pa maiko

Chithandizo choperekedwa ndi Komiti ku Dziko la m'Panganoli chidzayendetsedwa ndi malamulo omwe ayalidwa m'Mutu 7 komanso mgwirizano omwe ukutchulidwa m'Mutu 24, ndipo chikhoza kukhala motere:

a) maphunziro okhudza mbali zosiyanasiyana zokhudza kuteteza;

b) kupereka akatswiri pa ntchito zao kudzanso ena omwe amagwira ntchito za chitetezo za chikhalidwezi;

c) kuphunzitsa ogwira ntchito onse oyenera;

d) kulongosola mwatsatanetsatane kukhazikitsa njira zovomerezeka ndi njira zina;

e) kukonza ndi kuyendetsa zinthu zofunika pa ntchitoyi monga malo ndi zina;

f) kupereka zipangizo ndi ukatswiri woyendetsera zipangizozi;

g) njira zina za chithandizo cha ndalama komanso umisiri, kuonjezera, ngati n'kofunika kutero, kupereka ngongole ya chiongola dzanja chochepa kudzanso chithandizo la ulele.

Mutu 22: Malamulo oyendetsera chithandizo la pakati pa maiko

1. Komiti idzakhazikitsa ndondomeko yowunikira kufunika kwa pempho lofuna chithandizo cha pakati pa maiko, ndipo idzafotokoza momveka bwino mauthenga omwe Komitiyo ikufuna kuti ayikidwe m'pemphelo, monga njira zomwe zikuganiziridwa kuti ndi zofunika komanso zomwe zikufunika pa chitetezo cha chikhalidwechi, pamodzi ndi mlingo wa ndalama zimene ntchito idzafune.

2. Pa zakugwa mwadzidzidzi, pempho la chithandizo lidzaunikidwa ndi Komiti moyambilira.

3. Pofuna kumanga mfundo, Komiti idzachita kafukufuku ndi mikumanizo ngati kungafunike kutero.

Mutu 23: Pempho la chithandizo cha pakati pa maiko

1. Dziko lililonse la m'Panganoli likhoza kupereka ku Komiti pempho la chithandizo cha pakati pa maiko chotetezera chikhalidwe chosakhudzika chotengerakwa makolo chomwe chikupezeka m'dzikomo.

2. Pempholi likhoza kuperekedwa ndi maiko awiri kapena angapo omwe ndi maiko a m'Panganoli.

3. Pempholi lidzaphatikizapo mauthenga omwe atchulidwa m'Mutu 22, ndime 1, pamodzi ndi zikalata zina zofunikira.

Mutu 24: Udindo wa Maiko a m'Panganoli olandira chithandizo

1. Potsatira malamulo am'Panganoli, chithandizo chapakati pa maiko chomwe chaperekedwa chidzayendetsedwa ndi mgwirizano umene udzakhalepo pakati pa Dziko la m'Panganoli lomwe likulandira chithandizocho ndi Komiti.

2. Monga lamulo wamba, Dziko la m'Panganoli lomwe lalandira chithandizo, poganizira ndalama zomwe lili nazo, lidzaperekako gawo la ndalama zomwe zidzafunike pa ntchito yomwe chithandizochi chikufunikira.

3. Dziko la m'Panganoli lomwe lalandira chithandizo lidzapereka ku Komiti lipoti la mmene lagwiritsira ntchito chithandizo chotetezera chikhalidwe chotengerakwa makolo chomwe linalandira.

VI Thumba la ndalama la Chikhalidwe Chosakhudzika Chotengera kwa Makolo

Mutu 25: Mtundu ndi ndalama za m'Thumba

1. "Thumba la ndalama zotetezera chikhalidwe chosakhudzika chotengera kwa makolo," lomwe m'chikalata chino likutchedwa "Thumba", pano likukhazikitsidwa.

2. Thumbali lidzakhala ndi ndalama zoyendetsedwa ndi anthu odalirika,funds-in-trust, lokhazikitsidwa potsatira malamulo oyendetsera ndalama za bungwe la UNESCO.

3. Ndalama za Thumbali zidzakhala:

   a) zosonkha za Maiko a m'Panganoli;

   b) ndalama zomwe zakhazikitsidwa ndi Msokhano Waukulu wa bungwe la UNESCO ndi cholinga chakuti zigwire ntchito yotereyi;

   c) zosonkha mphatso kapena ndalama zopereka mwakufuna, zomwe zingaperekedwe ndi:

      i. maiko ena

      ii. mabungwe ndi nthambi za mgwirizano wa maiko, *United Nations*, makamaka nthambi yokhudza chitukuko cha maiko *United Nations Development Programme* kudzanso mabungwe ena a pakati pa maiko;

      iii. mabungwe a boma kapena siaboma kapenanso anthu mwa iwo okha;

   d) chiongola dzanja chilichonse chomwe chingapezeke pa ndalama za Thumbali;

   e) ndalama zomwe zingapezeke pa msonkhamsonkha, komanso ndalama zomwe zingapezeke pa zochitachita zosiyanasiyanapofuna kupeza ndalama za Thumbali;

   f) ndalama zina zilizonse zomwe zingavomerezedwe ndi malamulo oyendetsera Thumbali, omwe adzakhazikitsidwa ndi Komiti.

4. Kugwiritsa ntchito ndalama za Thumbali ndi Komiti kudzachitika potsatira ndondomeko yomwe yakhazikidwa ndi Msonkhano Waukulu.

5. Komiti ikhoza kulandira chopereka ndi zithandizo zina pa ntchito zomwe zatchulidwa kapena zosatchulidwa, pokhapokha ngati mapulojekitiwa avomerezedwa ndi Komitiyi.

6. Thandizo loperekedwa ku Thumbali lisalumikizidwe ndi cholinga chofuna kupindulapo pa zandale, zachuma kapena zolinga zina zosagwirizana ndi zolinga za Panganoli.

Mutu26: Chopereka ku Thumba cha Maiko a m'Panganoli

1. Mosachotsera chopereka mwakufuna chapadera chilichonse, Maiko a m'Panganoli adzapereka ku Thumbali, zaka ziwiri zilizonse, chopereka chomwe kuchuluka kwake, kudzakhala gawo lofanana kwa Maiko onse. Gawo lidzakhazikitsidwa ndi Msonkhano Waukulu. Chigamulochi chidzavomerezedwa ndi Maiko a m'Panganoli omwe alipo ndipo aponya voti panthawiyo koma sadalengeze monga zafotokozeredwa m'ndime 2 ya Mutu uno. Chopereka cha Dziko la m'Panganolisichidzabzola 1% ya ndalama zomwe dziko limapereka ku bajeti ya bungwe la UNESCOmwalamulo.

2. Ngakhale zili choncho, Dziko lililonse la m'Pangano lomwe latchulidwa m'Mutu 32 kapena 33 m'Pangano lino likhoza kulengeza, panthawi yopereka zikalata zovomereza kulowa m'panganoli, kuti silizakakamizidwa kutsatira zomwe zatchulidwa m'ndime 1 ya Mutu uno.

3. Dziko la m'Pangano lomwe lalengeza zomwe zatchulidwa m'ndime 2 ya Mutu uno likhoza kulandula kulengezako podziwitsa Director General, Wamkulu wa bungwe la UNESCO. Koma kulandulako sikudzakhudza chopereka chomwe Dziko liyenera kepereka mpaka tsiku limene Msonkhano Waukulu wotsatira udzayambe

4. Kuti Komiti igwire ntchito yake bwino, chopereka cha Maiko a m'Panganoli omwe alengezedwa m'ndime 2 ya Mutu uno chidzaperekedwa mosalephera, zaka ziwiri zilizonse, ndipo choperekachi chidzakhala pafupifupi ngongole ya chopereka yomwe ikadakhalapo ngati dzikolo likadatsatira zomwe zatchulidwa mu ndime 1 ya Mutu uno.

5. Dziko lililonse la m'Panganoli lino lomwe lili ndi ngongole ya chopereka mwalamulo kapena chopereka mwachifuniro chaka chino kapena chaka changotha kumenechi silidzakhala ndi mpata wokhala Membala wa Komiti: lamulo ili silikhudza chisankho choyamba. Nthawi yokhalira m'Komiti idzatha pa nthawi ya chisankho monga zatchulidwa m'Mutu 6 wa Panganoli.

Mutu 27: Chopereka ku Thumba choonjezera mwakufuna

Maiko a m'Panganoli omwe akufuna kupereka ndalama zina zapadera osakhala zomwe zatchulidwa m'Mutu 26 adzauza Komiti mwansanga kuti Komiti ithe kupanga mapulani ake mwatsatanetsatane.

Mutu 28: Kampeni yopezera ndalama ya pakati pa maiko

Maiko a m'Panganoli ngati kungatheke kutero, adzathandizira pa makampeni a pakati pa maiko opindulira Thumba omwe angakonzedwe pansi pa bungwe la UNESCO.

VII MALIPOTI

Mutu 29: Malipoti a Maiko m'Pangano

Maiko a m'Panganoli adzapereka ku Komiti, potsatira mtundu ndi nthawi yomwe idzatchulidwa ndi Komiti, malipoti a malamulo komanso njira zina zoyendetsera Panganoli.

Mutu 30: Malipoti a Komiti

1. Potsatira ntchito zake kudzanso malipoti a Maiko a m'Panganoli omwe atchulidwa m'Mutu 29, Komiti idzapereka lipoti ku Msonkhano Waukulu ku mkumano wake uliwonse.

2. Lipoti lidzaperekedwa ku Msonkhano Waukulu wa bungwe la UNESCO.

VIII Malamulo Ongogwirizila

Mutu 31: Ubale ndi chikalata cholengeza zaluso lopambana za zokamba kudzanso chikhalidwe chosakhudzika chotengera kwa makolo za mtundu onse wa anthu a pa dziko lapansi

1. Komiti idzalemba pa ndandanda wa zinthu zoimirira za chikhalidwe chochokera kwa makolo cha mtundu onse wa anthu a padziko lapansi zomwe zalengezedwa kuti ndi zaluso lopambana kwambiri *Masterpieces of Oral and Intangible Heritage of Humanity*, Panganoli lisanayambe kugwira ntchito.

2. Kulemba zinthuzi pa mndandanda wa zinthu zoimilira za chikhalidwe chosakhudzika chotenger kwa makolo cha anthu onse a dziko la pansi, Representative List of Untangible Cultural Heritage of Humanity sikudzasokoneza mwa njira iliyonse milingo yosankhira yomwe yakhazikitsidwa posankha zaluso lopambanali mtsogolo muno potsatira Mutu 16, ndime 2.

3. Sikudzakhala kulengeza kwina Panganoli likadzayamba kugwira ntchito.

IX Malamulo Otsiriza

Mutu 32: Kuvomereza

1. Panganoli lidzavomerezedwa ndi Maiko omwe ali memembala a UNESCO potsatira makonsititushoni awo.

2. Zikalata zovomereza zidzaperekedwa/kusungidwa ndi Wamkulu wa Bungwe la UNESCO.

Mutu 33: Kulowa m'panganoli

1. Kulowa m'panganoli ndi kuvomerezeka kwa Maiko onse omwe siali mamembala a bungwe la UNESCO koma apemphedwa ndi Wamkulu wa bungwe la UNESCO kuti achite motero.

2. Zigawo za dziko zomwe zili ndi ufulu wozilamulira wodzindikiridwa ndi bungwe la United Nations, koma sizinapezekeretu ufulu woima paokha potsatira lamulo la Msonkhano Waukulu wa United Nations nambala 1514 (XV) lomwe lili ndi mphamvu pa zomwe zikuyendetsa Panganoli, kuonjezerapo mphamvu zolowera m'mapangano m'nkhani zoterezi.

3. Chikalata cholowera m'Panganoli chidzaperekedwa/kusungidwa ndi Wamkulu wa bungwe la UNESCO.

Mutu 34: Kuyamba kugwira ntchito kwa pangano

Panganoli lidzayamba kugwira ntchito patatha miyezi itatu chiperekere chikalata chamasiku makumi atatu (30) chovomereza, koma izi zidzakhudza Maiko a m'Panganoli okhaokhawo amene apereka zikalata zawo zovomereza patsiku la pamwezi lochitira izi kapena tsikulo lisanakwane. Panganoli lidzagwira ntchito kwa Dziko lina lililonse la m'Panganoli patatha miyezi itatu chikalata chovomereza chitaperekedwa.

Mutu 35: Makonsititushoni achitaganya

Malamulo otsatirawa adzakhudza Maiko a m'Panganoli omwe ali ndi maboma achitaganya.

a) Poganizira malamulo a m'Panganoli, omwe kukhazikitsa kwake kuli pansi pa ulamuliro wa boma lachitaganya, udindo wa boma lachitaganya udzakhala wofanana ndi Maiko a m'Panganoli omwe si maiko a chitaganya,

b) Poganizira malamulo m'panganoli, omwe kukhazikitsidwa kwake kuli pansi pa ulamuliro wa maiko, kapena zigawo za dziko zomwe sizikakamizidwa kutsatira malamulo a chitaganya, boma lachitaganya lidzauza adindo olamulira maiko kapena zigawo zotere za malamulo otchulidwawo, komanso kuwalimbikitsa kuti awavomereze.

Mutu 36: Kulandula

1. Dziko lililonse la m'Panganoli likhoza kulandula Panganoli.

2. Kulandulako kudzalengezedwa ndi chikalata chomwe chidzalembedwa ndi kuperekedwe kwa Wamkulu wa bungwe la UNESCO.

3. Kulandulako kudzayamba kugwira ntchito patatha miyezi khumi ndi iwiri (12) chilandilire chikalata cholandulacho. Izi sizidzakhudza udindowa Dziko lomwe likulandula wopereka ndalama mpaka tsiku la pamwezi lomwe kuchoka M'Panganoli kudzachitike.

Mutu 37: Ntchito za msungi

Mkulu wa bungwe la UNESCO, monga Msungi wa Panganoli, adzauza Maiko omwe ndi Mamembala a bungweli , Mamembala omwe simamembala a bungweli omwe atchulidwa m'Mutu 33, kudzanso bungwe la maiko onse a dziko lapansi, *United Nations*, za kuperekedwa kwa ziikalata zovomereza zomwe zatchulidwa m'Mutu 32 ndi 33, komanso zakulandula zomwe zatchulidwa m'Mutu 36.

Mutu 38: Kukonzanso zina ndi zina

1. Dziko lililonse la m'Panganoli, polemba kalata kwa Wamkulu wa bungwe la UNESCO likhoza kupereka mfundo zoti zikonzedwenso m'Panganoli. Wamkuluyu adzapereka mfundozi ku Maiko onse a m'Panganoli. Ngati padutsa miyezi isanu ndi umodzi kuchokera patsiku la pamwezi lomwe anapereka maganizowo, ndipo Maiko a m'Panganoli osachepera theka (½) avomereza za kusinthako, Wamkuluyu adzaperekanso maganizo ku mkumano wotsatira wa Msonkhano Waukulu kuti akambirane ndi kuvomereza.

2. Zokonzazo zidzavomerezedwa ndi maiko a m'Panganoli oposera theka (2/3) a Maiko a m'Panganoli omwe alipo ndipo ali ndi mphamvu yoponya voti.

3. Kukonza kwa Panganoli kukavomerezedwa, zokonzazo zidzaperekedwa ku Maiko a mu Panganoli kuti azivomereze.

4. Zokonzazo zidzayamba kugwira ntchito koma kwa Maiko a m'Pangano okhaokhawo omwe avomereza patatha miyezi itatu chiperekere zikalata zomwe zatchulidwa m'ndime 3 ya Mutu uno komanso zitavomerezedwa ndi Maiko a m'Panganoli oposera theka (2/3). Zikatero, kwa Dziko lililonse la m'Pangano lomwe lidzavomereza zokonzazo, zokonzazo zidzayamba kukhala ndi mphamvu m'dzikomo patatha miyezi itatu kuchokera pa tsiku la pamwezi lomwe Dziko la m'panganoli linapereka chikalata chovomereza.

5. Ndondomeko yomwe yalongosoledwa m'ndime 3 ndi 4 siyidzakhudza kukonza kwa Mutu 5 omwe ukukamba za chiwerengero cha Maiko a m'Panganoli omwe ndi mamembala a Komiti. Kukonzako kudzayamba kugwira ntchito pa nthawi yomwe kwavomerezedwa.

6. Dziko lomwe likulowa m'Panganoli zokonzazo zitayamba kale kugwira ntchito motsatira ndime 4 ya Mutu uno, ngati palibe zifukwa zina zotsutsa lidzaganiziridwa:
   a) ngati Membala wa m'Panganoli monga mmene zakonzedwera; kudzanso
   b) ngati Membala wa Pangano losakonzedwa poganizira Membala wa Dziko lina lililonse lomwe silikukakamizidwa kutsata zokonzazo.

Mutu 39: Mphamvu za zikalata

Panganoli lalembedwa m'zilankhulo izi: Chiluya, Chichainizi, Chingerezi, Chifalansa, Chirasha kudzanso Chisipanishi. Zikalata zisanu ndi chimodzichi zimenezi zili ndi mphamvu zofanana.

Mutu 40: Kulembetsa m'kaundula

Potsatira Mutu 102 wa chikalata cha bungwe la maiko onse, *United Nations*, Panganoli lidzalembedwa m'kaundula wa Ofesi ya Mlembi wa United Nations potsatira pempho la Wamkulu wa bungwe la UNESCO.

2003 Convention for Safeguarding of Intangible Cultural Heritage

Key terms in Chichewa

Convention: Pangano

Intangible Cultural Heritage: Chikhalidwe chosakhudzika chotengera kwamakolo

Natural Heritage: Zopezekapachilengedwe

Instrument(s): Chikalata/zikalata

Document(s): Chikalata/zikalata

Letter: Kalata

States Parties: Maiko am'Pangano

Government(s): (Ma)boma

Intergovernmental agreement: Mgwirizano wapakati pa maboma

International agreement: Mgwirizano wapakati pa maiko

General Assembly: Msonkhano waukulu

International community: Maiko olemera

Ratification/ acceptance/ approval: Kuvomereza

Denunciation: Kulandula

Meeting/ session: Mkumano

Consultation: Kukumanizana

United Nations
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