

# **UMURYANGO W'ABIBUMBYE**

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MICT/7/Rev.1



Urwego rwashyiriweho  
Mpuzamahanga

Inkiko Mpanabyaha

16 Gashyantare  
2015

Umwimerere:  
Icyongereza

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## **AMABWIRIZA NGENGAMIKORERE KU ITANGWA RY'INYANDIKO MU RWEGO RWASHYIRIWEHO INKIKO MPANABYAH A MPUZAMAHANGA**

Yemejwe ku itariki ya 14 Ukuboza 2012

Yahinduwe ku itariki ya 16 Gashyantare 2015

**(MICT/7/Rev. 1)**

## **IRIBURIRO**

**Jyewe**, Gerefiye w'Urwego Rwashyiriweho Inkiko Mpanabyaha Mpuzamahanga;

**Nshingiye** kuri Sitati ya MICT, nk'uko yemejwe n'Inama Ishinzwe Amahoro ku Isi mu Cyemezo cya 1966 (2010) cyo ku itariki ya 22 Ukuboza 2010;

**Nshingiye** ku Mategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso, nk'uko yemejwe hashingiwe ku Ngingo ya 13 ya Sitati ya MICT;

**Nshingiye** ku Mabwiriza Ngengamikorere ku itangwa ry'inyandiko mu Rwego Rwashyiriweho Inkiko Mpanabyaha Mpuzamahanga, nk'uko yemejwe ku itariki ya 14 Ukuboza 2012 hashingiwe ku Ngingo ya 31(C) y'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso ("Amabwiriza Ngengamikorere");

**Nshingiye** ku mahame, politiki n'imihango bigenga kubika inyandiko muri ICTR, ICTY na MICT;

**Maze kubijyamo inama** na Perezida kandi

**Nshingiye** ku Ngingo ya 31(C) y'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso;

**Nshyizeho** aya Mabwiriza Ngengamikorere yahinduwe yerekanye n'amahame rusange yo gufungura dosiye y'imanza no gutanga, kwakira, kwandika ahabugenewe no guha abo bireba inyandiko muri buri Shami rya MICT.

John Hocking

Gerefiye

Bikozwe uyu munsi, tariki ya 16 Gashyantare 2015

I La Haye,

Mu Buholand.

## I. INTANGIRIRO

### Ingingo ya 1

#### Ibisobanuro by'amagambo

Muri aya Mabwiriza Ngengamikorere, amagambo akurikira avuga:

**Inshuti y'Urukiko:** Igihugu, umuryango cyangwa umuntu Urugereko rutumira cyangwa rwemerera kurwitaba ngo batange ubuhamya cyangwa bagire ibyo asobanura ku kibazo, icyo ari cyo cyose, rubona ko ari ngombwa hashingiwe ku Ngingo ya 83 y'Amategeko.

**Ishami:** Rimwe mu Mashami abiri ya MICT, Arusha cyangwa i La Haye.

**Dosiye:** Inyandiko zose zitanzwe n'Ibiryo bya Gerefiye zerekanye n'urubanza rwo muri MICT.

**Nomero y'urubanza:** Nomero ihabwa buri rubanza rwo muri MICT.

**Urugereko:** Urugereko rwa Mbere rw'iremezo cyangwa Urugereko rw'Ubujurire, Umucamanza, Umucamanza umwe rukumbi cyangwa Perezida wa MICT, hakurikijwe uko ibintu bimeze.

**Ibanga:** Ijambo rikoreshwa ku nyandiko cyangwa amakuru bishobora kuba byabangamira imirimo y'Umuryango w'Abibumbye, biramutse bimenyekanishijwe nta ruhushya.

**Ibanga ritareba zimwe mu mpande zifite aho zihuriye n'urubanza:** Amagambo akoreshwa ku nyandiko n'amakuru by'ibanga bitagomba kumenyeshwa zimwe mu mpande zirebwa n'urubanza.

<b>Inyandiko itanzwe:</b>	Inyandiko itanzwe n'umuburanyi, Urugereko cyangwa urundi ruhande rutari umuburanyi, yanditswe ahabugenewe maze igashyirwa muri dosiye y'urubanza. Muri izo nyandiko harimo, impapuro zo gufata/gusaka/gufunga..., inyandiko z'ibirego, ibyifuzo n'izindi nyandiko z'ababuranyi, izindi nyandiko z'impande zitari ababuranyi, ibyemezo, amategeko n'inyandiko z'imanza n'itangwa ry'ibihano.
<b>MICT:</b>	Urwego rwashyiriweho Inkiko Mpanabyaha Mpuzamahanga, rwashyizweho n'Icyemezo cya 1966 cyo ku itariki ya 22 Ukuboza 2010.
<b>Uruhande umuburanyi:</b>	<b>rutari</b> Uruhande, rutari umuburanyi, rwemerewe n'Urugereko cyangwa n'Amategeko gutanga inyandiko mu rubanza rwo muri MICT. Mu mpande zitari ababuranyi, harimo Ibiro bya Gerefiye, inshuti z'urukiko cyangwa abandi bantu, imiryango n'ibihugu.
<b>Umuburanyi:</b>	Porokireri, Ubwunganizi cyangwa uregwa wiburanira.
<b>Amabwiriza Ngengamikorere:</b>	Aya Mabwiriza Ngengamikorere ku itangwa ry'nyandiko mu Rwego Rwashyiriweho Inkiko Mpanabyaha Mpuzamahanga.
<b>Perezida:</b>	Perezida wa MICT ushyirwaho hashingiwe ku Ngingo ya 11 ya Sitati.
<b>Inyandiko:</b>	Inyandiko yose cyangwa amakuru yose abitswe na MICT ngo azakoreshwe nk'ibimenyetso, hatitawe ku miterere yayo n'uburyo yatanzwe.
<b>Gerefiye:</b>	Gerefiye wa MICT ushyirwaho hashingiwe ku Ngingo ya 15 ya Sitati.

<b>Ibiro bya Gerefeye:</b>	Urwego rwa MICT rushinzwe imirimo y'ubutegetsi bwa MICT n'indi itera inkunga Amashami yayo, nk'uko biteganywa n'Ingingo ya 15 ya Sitati.
<b>Amategeko:</b>	Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso yemejwe na MICT, hashingiwe ku Ngingo ya 13 ya Sitati, ku itariki ya 8 Kamena 2012, nk'uko yagiye ahindurwa nyuma.
<b>Urwego rw'umutekano iyandiko zigomba kubikwamo:</b>	Urwego rw'umutekano inyandiko zigomba kubikwamo kugira ngo amakuru y'ibanga atamenyekanishwa bidatangiwe uruhushya, hashingiwe ku mabwiriza y'Umunyamabanga Mukuru.
<b>Amabwiriza y'Umunyamabanga Mukuru:</b>	Amabwiriza y'Umunyamabanga Mukuru, Inkiko Mpanabyaha Mpuzamahanga: ibanga ry'amakuru, kuyabika, kuyakoresha no kuyageraho (ST/SGB/2012/3).
<b>Sitati:</b>	Sitati ya MICT yometse ku Cyemezo cya 1966 cy'Inama Ishinzwe Amahoro ku Isi cyo ku itariki ya 22 Ukuboza 2010.
<b>Ibanga rikomeye cyane:</b>	Amagambo akoreshwa ku nyandiko n'amakuru bishobora, hashyizwe mu gaciro, guhungabanya bikomeye cyane cyangwa kubangamira imigendekere myiza y'imirimo y'Umuryango w'Abibumbye, biramutse bimenyekanishije nta ruhushya.
<b>Ibanga rikomeye cyane ritareba na gato zimwe mu mpande zifite aho zihuriye n'urubanza:</b>	Amagambo akoreshwa ku nyandiko n'amakuru by'ibanga rikomeye cyane bitagomba kumenyeshwa zimwe mu mpande zirebwa n'urubanza.
<b>Inkiko:</b>	Urukiko Mpanyabyaha Mpuzamahanga rushinzwe gucira imana abantu bakekwaho kuba barakoreye mu Rwanda ibikorwa bya jenoside n'ibindi bikorwa binyuranije bikomeye n'Amategeko mpuzamahanga arengera abantu mu gihe cy'intambara n'Abanyarwanda bakekwaho kuba barabikoreye mu bihugu

bituranye n'u Rwanda hagati y'itariki ya 1 Mutarama 1994 n'iya 31 Ukuboza 1994, rwashyizweho n'Icyemezo cya 955 cy'Inama Ishinzwe Amahoro ku Isi cyo ku itariki ya 8 Ugushyingo 1994, n'Urukiko Mpanabyaha Mpuzamahanga rushinzwe gucira imanza abantu bakekwaho kuba barakoreye mu Cyahoze ari Yugosolaviya ibikorwa binyuranije bikomeye n'Amategeko mpuzamahanga aregera abantu mu gihe cy'intambara kuva mu mwaka wa 1991, rwashyizweho n'Icyemezo cya 827 cy'Inama Ishinzwe Amahoro Ku Isi cyo ku itariki ya 25 Gicurasi 1993. Mu buke, Urukiko ruzajya rukoreshwa hashaka kuvugwa rumwe muri izo nkiko zombi.

**Inyandiko itari ibanga:** Amagambo akoreshwa ku nyandiko n'amakuru bishobora, hashyizwe mu gaciro, kudahungabanya imirimo y'Umuryango w'Abibumbye, biramutse bimenyekanishijwe nta ruhushya. Mu rwego rw'inyandiko z'Urukiko, amagambo "itari ibanga" avuga kimwe n'amagambo "atagomba kugirirwa ibanga".

### **Ingingo ya 2**

#### **Icyo aya mabwiriza agamije**

Aya Mabwiriza Ngengamikorere yerekeranye no gufungura dosiye y'urubanza, gutanga, kwandika ahabugenewe no guha abo bireba inyandiko mu manza zose zo muri MICT. Aya Mabwiriza Ngengamikorere ahuriweho n'Amashami yombi ya MICT kandi buri Shami rishyiraho imikorere, inzego n'ibikorwa byaryo hashingiwe kuri aya Mabwiriza.

### **Ingingo ya 3**

#### **Kubahiriza aya Mabwiriza**

Aya Mabwiriza Ngengamikorere yahinduve atangira gukurikizwa ku itariki ya 17 Gashyantare 2015 ku Mashami yombi ya MICT.

### **Ingingo ya 4**

#### **Guhindura aya mabwiriza**

1. Amaze kugisha inama Perezida, Gerefiye ashobora guhindura aya Mabwiriza Ngengamikorere, nk'uko biteganywa n'Ingingo ya 31(C) y'Amategeko.
  
2. Amabwiriza ahinduwe atangira kubahirizwa ku itariki igenwa na Gerefiye.

## **II. GUFUNGURA DOSIYE**

**Ingingo ya 5**  
**Gufungura dosiye**

1. Haseguriwe ibivugwa mu gika cya 2 n'icya 3 hasi, dosiye nshya y'urubanza ifungurwa igihe hatanzwe inyandiko mu rubanza rutari rufite dosiye muri MICT.
  
2. Iyo Urugerekero rusenze urubanza rwarimuriwe muri MICT ngo ruhaburanishirizwe ruvuye muri rumwe mu Nkiko cyangwa rukumva ko MICT ifite ububasha bwo kuburanisha urubanza, MICT iburanisha urwo rubanza rushya kandi inyandiko zose zitanzwe nyuma yitariki urubanza rwimuriweho zishyirwa muri dosiye ya MICT. Dosiye ibikwa mu buryo bukurikira:
  - (a) Iyo MICT ifite ububasha bwo kuburanisha urubanza rutari rwagasomwa n'Urugerekero rwa Mbere rw'Iremezo rw'Urukiko, inyandiko zose zo muri dosiye yurubanza muri urwo Rukiko zimurirwa muri dosiye ya MICT.
  
  - (b) Iyo MICT ifite ububasha bwo kuburanisha urubanza rwarangije gusomwa n'Urugerekero rwa Mbere rw'Iremezo rw'Urukiko, muri dosiye ya MICT hashyirwamo icyemezo kigaragaza nomero yari yarahawe dosiye yurwo rubanza mu Rukiko. Muri dosiye ya MICT hashyirwamo kandi inyandiko zitari ibanga, iz'ibanga, iz'ibanga rikomeye cyane kandi zitareba zimwe zimwe mu mpande zifite aho zihuriye n'urubanza, aho ari ngombwa, zo muri dosiye y'Urukiko.

3. Byongeye kandi, MICT ifungura dosiye nshya:

- (a) Iyo imaze kubona itegeko ry'Urugereko rw'Ubujurire ryo gusubirishamo urubanza, hashingiwe ku Ngingo ya 144(C) y'Amategeko;
- (b) Iyo imaze kubona itegeko ry'Urugereko ritegeka gutangira urubanza rushya;
- (c) Iyo, mu manza zerekeranye no gusuzugura Urukiko, nk'uko biteganywa n'Igingo ya 90 y'Amategeko cyangwa izerekeranye n'ubuhamya bw'ikinyoma, nk'uko biteganywa n'Igingo ya 108 y'Amategeko, hamaze gutangwa inyandiko y'ibirego cyangwa hamaze gushyirwaho inshuti y'Urukiko cyangwa Urugereko rwarafashe icyemezo cyo guciria imanza abantu hashingiwe kuri izo Ngingo; cyangwa
- (d) Iyo hatanzwe ikirego kiri mu bubasha budasangiwe bwa MICT, hashingiwe kuri izo Ngingo z'Amageteko.

4. Hafungurwa dosiye imwe kuri buri rubanza.

### **Ingingo ya 6**

#### **Kugena nomero z'urubanza**

1. Buri rubanza rwo muri MICT ruhabwa nomero igizwe n'ibintu bitatu:

- (a) MICT, bivuga Urwego Rwashyiriweho Inkiko Mpanabyaha Mpuzamahanga;
  - (b) Umwaka MICT yashyikirijweho inyandiko ya mbere yatumye hagenwa dosiye y'urubanza (urugero, "12" ku mwaka wa 2012); na
  - (c) Uko nomero z'imanza zo muri MICT zikurikirana (urugero, "08" ku rubanza rwa munani).
2. Inyuma ya nomero y'urubanza hashyirwa inyuguti zikurikira kugira ngo hagaragazwe icyiciro cy'urubanza cyangwa ubwoko bwarwo:

- (a) A: Ubujurire: Kuva ku nyandiko y'ubujurire, nk'uko biteganywa n'Ingingo ya 133 y'Amategeko, kugera ku mikirize y'urubanza, nk'uko biteganywa n'Ingingo ya 144 y'Amategeko cyangwa, ku buryo budasanzwe, kuva hatanzwe icyemezo gisaba kongererwa igihe cyo gutanga inyandiko y'ubujurire. Ku bundi bujurire bwose bwerekanye n'imiburanishirize buteganywa n'inginzo zihariye, inyuguti "A" igomba kubanziriza indi nyunguti yerekana itegeko (Urugereko, AR14, AR79, AR80);
- (b) D: Kwikura urubanza: kuva hatanzwe icyifuzo gisaba ko Urukiko rw'igihugu rwikura urubanza kugeza hafashwe icyemezo kuri ico cyifuzo, hashingiwe ku Ngingo ya 12 y'Amategeko;
- (c) ES: Irangizagihano: Ku manza zirimo irangizagihano kuva ku itariki urubanza rucuriweho burundi;
- (d) I: Inyandiko y'ibirego: Kuva hatanzwe inyandiko y'ibirego, nk'uko biteganywa n'Ingingo ya 48 y'Amategeko, kugeza habaye umuhango wo kwemera cyangwa guhakana icyaha, nk'uko biteganywa n'Ingingo ya 64 y'Amategeko;
- (e) PT: Imihango mbanzirizarubanza: Kuva ku munsi w'umuhango wo kwemera cyangwa guhakana icyaha, nk'uko biteganywa n'Ingingo ya 64 y'Amategeko, kugera ku iburanisha rya mbere (urugero, imyanzuro yo mu ikubitiro mu magambo) cyangwa ku iburanisha ku igenagihano, nk'uko biteganywa n'Ingingo ya 124 y'Amategeko. Iyo urubanza ruregwamo umuntu urenze umwe, muri dosiye hashyirwamo inyandiko yerekanye n'uregwa utaremera cyangwa utarahakana icyaha, hagashyirwaho inyuguti I, naho inyandiko zerekanye n'abaregwa bemeye cyangwa bahakanye icyaha zigashyirwaho inyungu PT;
- (f) R: Gusubiramo urubanza: Kuva hatanzwe icyifuzo gisaba ko urubanza rusubirwamo, nk'uko biteganywa n'Ingingo ya 146 y'Amategeko, cyangwa ibyifuzo bijyanye n'ico kugeza hafashwe icyemezo kuri

icyo cyifuzo cyangwa kugeza urwo rubanza ruciwe bundi bushya, nk'uko biteganywa n'Ingingo ya 147 y'Amategeko;

- (g) R14: Kohereza urubanza mu rukiko rw'ighugu, nk'uko biteganywa n'Ingingo ya 14 y'Amategeko;
- (h) R78: Iburanisha ryo kumva ubuhamya budasanzwe, nk'uko biteganywa n'Ingingo ya 78 y'Amategeko;
- (i) R86G: Iburanisha ku cyemezo gisaba gukuraho, guhindura cyangwa kongera ingamba zo kurinda umutekano w'uwalkorewe icyaha cyangwa umutangabuhamya, nk'uko biteganywa n'Ingingo ya 86(G) y'Amategeko;
- (j) R86H: Iburanisha ku cyifuzo gisaba gukuraho, guhindura cyangwa kongera ingamba zo kurinda umutekano w'uwalkorewe icyaha cyangwa w'umutangabuhamya, nk'uko biteganywa n'Ingingo ya 86(H) y'Amategeko;
- (k) R87: Iburanisha ku cyifuzo kiyambaza MICT, hashingiwe ku Ngingo ya 87 y'Amategeko;
- (l) R90: Iburanisha ku uguzugura Urukiko, nk'uko biteganywa n'Ingingo ya 90 y'Amategeko, kugeza hatanzwe inyandiko y'ikirego ku wabikoze;
- (m) R108: Iburanisha ku buhamya bw'ikinyoma, nk'uko biteganywa n'Ingingo ya 108 y'Amategeko, kugeza hatanzwe inyandiko y'ikirego ku wabikoze;
- (n) S: Igenagihano: Ku iburanisha ribaye nyuma y'icyemezo cyemera icyifuzo gisaba kwemera amasezerano ku bwemeracyaha, nk'uko biteganywa n'Ingingo ya 124 y'Amategeko, cyangwa ku rindi buranisha ryihariye ryerekeranye n'igenagihano; na
- (o) T: Urubanza: kuva ku munsi wa mbere w'iburanisha mu rw'iremezo kugeza urubanza rusomwe mu rw'iremezo.

3. Iyo mu rubanza hari ikiregerwa kirenze kimwe, hashingiwe kuri iyo Ngingo, nyuma y'inyuguti hongerwaho nomero yerekana uko ibiregerwa bikurikirana, hatarebwa niba inyandiko yaratanzwe n'umuburanyi cyangwa uruhande rutari umuburanyi (urugero, MICT-12-26-R86.1). Iryo hame rinakoreshwa ku manza ziregwamo abantu barenze umwe iyo hakoreshwu inyuguti zivugwa haruguru mu duce (c) na (f) tw'igika cya kabiri. Nomero zigenda zikurikirana haherewe ku nyandiko ya mbere yakiriwe.
4. Inyuguti R90 na R108 zikoreshwa gusa ku nyandiko zitanzwe mu rubanza ruherwaho rwatumye haba iburanisha rishingiye ku Ngingo ya 90 cyangwa iya 108, kugeza igihe hafunguriwe dosiye nshya nk'uko biteganywa n'Ingingo ya 5(3)(c) y'aya Mabwiriza Ngengamikorere, kandi izo nyuguti ntizikoreshwa nk'izigize nomero nshya y'urubanza.

### **III. GUTANGA, KWAKIRA NO KWANDIKA INYANDIKO AHABUGENEWE**

#### **Ingingo ya 7 Kubika inyandiko**

1. Inyandiko zifatwa nk'aho zitanzwe mu buryo buzwi iyo Ibiryo bya Gerefifiye bizakiriye maze Gerefifiye cyangwa umukozi umuhagarariye ubifitiye uburenganzira, hashingiwe ku Ngingo ya 10 y'aya Mabwiriza Ngengamikorere, akazandika ahabugenewe nuko akazishyira muri dosiye.
2. Inyandiko z'umwimerere zahinduwe mu rundi rurimi zifatwa kimwe nk'inyandiko zatanzwe.
3. Hatitawe ku buryo zitanzwe, inyandiko zitanzwe mu ntoki, ziriho umukono w'umukozi wo mu Biro bya Gerefifiye zifatwa nk'izitanzwe mu buryo bwemewe.
4. Amabaruwa yohererejwe Urugereko, umuburanyi cyangwa uruhande rutari umuburanyi cyangwo ayo izo mbande zohereje ntafatwa nk'izindi nyandiko zitanzwe kandi ntashyirwa muri dosiye, kureka Uregereko rubitangiye uruhushya cyangwa yometse ku nyandiko yatanzwe ngo ishyirwe muri dosiye hashingiwe ku Ngingo ya 8 y'aya

Mabwiriza Ngengamikorere. Amabaruwa n'izindi nyandiko byatanzwe bibikwa ukwabyo ahagenewe amabaruwa.

**Ingingo ya 8**  
**Gutanga inyandiko zo gushyira muri dosiye**

1. Urugerekko, umuburanyi, cyangwa uruhande rutari umuburanyi bashobora gutanga nk'urugero, imyimerere cyangwa kopi z'inyandiko zikurikira ngo zishyirwe muri dosiye y'urubanza:
  - (a) Inyandiko zo gufata/gusaka/gufunga...;
  - (b) Inyandiko z'ibirego;
  - (c) Ibyifuzo;
  - (d) Izindi nyandiko z'ababuranyi;
  - (e) Izindi nyandiko z'impande zitari ababuranyi;
  - (f) Ibyemezo;
  - (g) Amategeko;
  - (h) Inyandiko z'imanza, inyandiko zerekeranye n'igenagihano n'ibitekerezo by'abacamanza byemeranya, byihariye cyangwa binyuranye n'ibya bagenzi babo ku mikirize y'urubanza; na
  - (i) Inyandiko zishyigikira ibivugwa n'imigereka y'inyandiko, iyo ari yo yose, ivugwa haruguru.
2. Mu nyandiko batanga ngo zishyirwe muri dosiye, umuburanyi cyangwa uruhande rutari umuburanyi, bavuga abakozi ba MICT n'ab'Ubwunganizi bakoresheje amazina ajyanye n'imirimo bakora igihe cyose bishoboka. Byongeye kandi, ntibamenyekanisha amakuru y'umuntu ku giti cye yerekeranye na buri mukozi w'Ubwunganizi nka nomero za telefoni, aderesi za imeyiri, aho batuye, nomero za pasiporo, kureka iyo ari ngombwa ko babikora.
3. Inyandiko zishyikirijwe Ibiro bya Gerefifiye ngo zishyirwe muri dosiye zitangwa mu ntoki cyangwa mu buryo bwa elegitoroniki. Zigezwa mu Biryo bya Gerefifiye umuntu azizaniye ubwe, azohereje kuri fagisi, azinyujije mu iposita cyangwa akoresheje imeyiri. Inyandiko zitanzwe ngo zishyirwe muri dosiye zigomba kuba ziri mu

cyongereza cyangwa mu gifaransa, kerek aho bitemanywa ukundi n'Amategeko cyangwa itegeko ry'Urukiko.

4. Inyandiko zose zitanzwe ngo zishyirwe muri dosiye zigomba kuba ziherekejwe n'urupapuro rumenyerewe rwerekana ko inyandiko itanzwe kandi ruriho amakuru akurikira:
  - (a) Izina ry'uruhande rutanze inyandiko;
  - (b) Izina na nomero by'urubanza;
  - (c) Itariki inyandiko yakoreweho n'iyo itangiweho;
  - (d) Urwego rw'umutekano inyandiko igomba kubikwamo;
  - (e) Kuvuga ko itareba zimwe mu mpande zifite aho zihuriye n'urubanza, iyo ari ngombwa;
  - (f) Umubare w'amapaji;
  - (g) Ururimi rw'umwimerere inyandiko yanditsemo;
  - (h) Uko inyandiko yitwa;
  - (i) Ubwoko bw'inyandiko; na
  - (j) Icyifuzo gisaba ko iyo nyandiko ihindurwa mu rundi rurimi, iyo ari ngombwa.
5. Impande zitanga inyandiko zigomba gukora ku buryo amakuru ari muri izo nyandiko no mu rupapuro ruziherekeje aba ari yo kandi yuzuye.
6. Bitabangamiye ububasha bwo kubika inyandiko buvugwa mu gika cya 3.2 cy'Amabwiriza y'Umunyamabanga Mukuru, impande zitanga inyandiko zigomba kuvuga urwego rw'umutekano inyandiko zigomba kubikwamo ndetse, iyo ari ngombwa, hakavugwa niba izo nyandiko zitanzwe ngo zishyizwe muri dosiye zitareba zimwe mu mpande zifite aho zihuriye n'urubanza kandi izo mpande zibyandika ku rupapuro rubanziriza izindi mu nyandiko itanzwe ndetse no ku rupapuro ruherekeje iyo nyandiko.

## **Ingingo ya 9**

### **Kwakira inyandiko zitanzwe ngo zishyirwe muri dosiye**

1. Inyandiko zose zo gushyira muri dosiye zishyikirizwa Ibiro bya Gerefiye, nk'uko biteganywa n'Ingingo ya 8 y'aya Mabwiriza Ngengamikorere.
2. Kuri buri Shami rya MICT hashyirwaho imeyiri yoherezwaho inyandiko zose zitanzwe mu buryo bwa elegitoroniki ngo zibikwe.
  - (a) Inyandiko zitanzwe ngo zibikwe zerekanye n'imanza zo mu Ishami rya Arusha zoherezwa kuri: *JudicialFilingsArusha@un.org*;
  - (b) Inyandiko zitanzwe ngo zibikwe zerekanye n'imanza zo mu Ishami ry'i La Haye zoherezwa kuri: *JudicialFilingsHague@un.org*.
3. Ibiro bya Gerefiye bisuzuma izo nyandiko zitanzwe bikareba niba zujuje ibisabwa mu Ngingo ya 8 y'aya Mabwiriza Ngengamikorere. Inyandiko itanzwe ngo ishyirwe muri dosiye itujuje ibisabwa ishobora gusubizwa uwayitanze kugira ngo ikosorwe, aho ari ngombwa, maze yuzuze ibisabwa.
4. Inyandiko zitanzwe mu ntoki zakirwa mu masaha y'akazi ya buri Shami rya MICT. Inyandiko yose itanzwe mu buryo bwa elegitoroniki ngo ishyirwe muri dosiye kandi ihageze ku munsi w'akazi, nyuma y'amasaha y'akazi ariko mbere ya saa sita z'ijoro, ku isaha yo kuri buri Shami rya MICT, cyangwa muri wikendi, umunsi w'ikiruhuko cyangwa ikindi gihe cyose Ibiro bya Gerefiye bifunze, ibikwa hamaze kwandikwaho itariki iyo nyandiko yahagereye nk'uko bigaragara ku itariki n'isaha iyo nyandiko yagereye muri imeyiri y'Ibiro bya Gerefiye kandi yandikwa ahabugenewe ndetse igatangwa ku munsi w'akazi ukurikiyeho.

## **Ingingo ya 10**

### **Kwandika ahabugenewe inyandiko zitanzwe no kuzishyira muri dosiye**

1. Iyo amaze kubona inyandiko zitanzwe ngo zishyirwe muri dosiye hashingiwe ku Ngingo ya 8 n'iya 9 y'aya Mabwiriza Ngengamikorere, Gerefiye cyangwa umukozi umuhagarariye ubifitiye uburenganzira yandika ahabugenewe inyandiko itanzwe kandi akayishyira muri dosiye hakurikijwe ibisabwa muri iyi Ngingo.
2. Mu kwandika inyandiko ahabugenewe, umukozi w'Ibiryo bya Gerefiye wagenwe ashyira itariki n'umukono ku nyandiko itanzwe ngo ishyirwe muri dosiye.
3. Ku rupapuro rwa mbere rwa buri nyandiko, Ibiro bya Gerefiye bishyiraho nomero y'urubanza, amapaji mashya atanzwe n'ibyo Biro, itariki ibyo Biro biboneyeho iyo nyandiko ndetse n'inyuguti zibanza z'amazina y'umukozi uhagarariye Ibiro bya Gerefiye ubikoze.
4. Buri rupapuro rw'ijo nyandiko ruhabwa nomero ya paji n'Ibiro bya Gerefiye kandi urupapuro ruhera ruhabwa nomero ya mbere naho urubanza rugahabwa nomero ya nyuma. Urupapuro ruhera rwa buri nyandiko ruhabwa nomero ikurikira iy'urupapuro rwa mbere rw'inyandiko ibanziriza iyo.

## **IV. GUHA ABO BIREBA INYANDIKO ZAKIRIWE**

### **Ingingo ya 11**

#### **Gutanga inyandiko zakiriwe**

1. Umukozi wo mu Biro bya Gerefiye wagenwe yoherereza Urugerek, ababuranyi n'izindi mpande zagenwe, kopi y'inyandiko zose zoherejwe kandi akabikora mu buryo bwa elegitoroniki kuri imeyiri y'Ishami rya MICT. Mu kubikora, azirikana ibyo atagomba gukora ku byerekeranye n'inyandiko zanditsweho ko ari ibanga, ibanga rikomeye cyane cyangwa zitareba zimwe mu mpande zifite aho zihuriye n'urubanza, kureka iyo hagomba gukurikizwa ibiteganywa mu gika cya 3 cy'iyi Ngingo. Mu gutanga inyandiko, Ibiro bya Gerefiye bikora ku buryo byandika ibintu bikurikira:

- (a) Nomero na/cyangwa izina by'urubanza;
  - (b) Itariki inyandiko itangiweho;
  - (c) Itariki byaboneyeho iyo nyandiko;
  - (d) Izina ry'iyo nyandiko;
  - (e) Urwego rw'umutekano inyandiko igomba kubikwamo; no
  - (f) Kuba itareba zimwe mu mpande zifite aho zihuriye n'urubanza, aho ari ngombwa.
2. Iyo bidashobora kuzohereza mu buryo bwa elegitoroniki, izo nyandiko zoherezwa hakoreshwejwe iposita, ivalisi y'abadipolomate, gafisi cyangwa zigatangwa mu ntoki hariho amakuru y'imenesheha avugwa mu gika cya 1 cy'iyi Ngingo. Kopi y'inyandiko itanzwe mu ntoki igomba kuba iherekewe na gihamya igaragaza ko itanzwe. Iyo gihamya isinywaho n'uwaliriye iyo nyandiko maze ikabikwa n'Ibiro bya Gerefiye.
3. Uretse igihe iyi ngingo yabiteganya ukundi cyangwa bitegetswe n'Urugereko, havugwa ko uruhande rugenewe iyi nyandiko ruba ruyimenyeshejwe ku munsi itangiweho n'Ibiro bya Gerefiye, hakoreshejwe imeyiri cyangwa, ku buryo budasanzwe, fagisi. Iyo ugenewe inyandiko atabonye iyo nyandiko ashobora gusaba Urugereko ingurane ikwiye kandi muri iyo ngurane harimo kongererwa igehe ntarengwa. Ibiro bya Gerefiye bibika gihamya ko inyandiko yoherejwe kandi bikayerekana iyo bibaye ngombwa. Ibikubiye muri iki gika binareba, hahindutse ibigomba guhinduka, gutanga inyandiko uyishyira mu gasunduku k'Ubwunganizi iyo Ubwunganizi bwamenyeshejwe kuri imiyeri ko bikozwe.
4. Uretse igihe iyi Ngingo ibiteganya ukundi cyangwa bitegetswe n'Urugereko, iyo inyandiko yoherejwe uwo igenewe hakoreshejwe iposita havugwa ko uyoherejwe aba ayimenyeshejwe ku munsi ayiboneyeho, nk'uko bigaragarira ku gapapuro k'iposita kerekana ko yoherejwe. Iyo inyandiko yoherejwe mu ntoki, havugwa ko uyoherejwe aba abimenyeshejwe ku munsi ayiboneyeho nk'uko bigaragazwa n'umukono w'uyakiriye. Iyo uwakiriye inyandiko yanze gusinya cyangwa adashoboye gusinya ngo yemeze ko ayihawe, gihamya yo kuyitanga iba ari ukubyemeza, mu nyandiko, ku rupapuro rwabugenewe rwavuzwe rwuzuzwa n'umuntu wohereje cyangwa utanze iyo nyandiko.

5. Gihamya zose z'uko inyandiko zahawe abo zigenewe zizanwa kandi zikabikwa n'Ibiro bya Gerefiye.

## **V. GUHINDURA INYANDIKO MU RUNDI RURIMI**

### **Ingingo ya 12**

#### **Guhindura, mu rundi rurimi, inyandiko zakiriwe**

1. Iyo ku rupapuro rwerekana ko inyandiko itanzwe handitseho ko iyo nyandiko ikenewe guhindurwa mu rundi rurimi, Gerefiye akora ku buryo MICT ihindura iyo nyandiko mu rundi rurimi, haseguriwe amabwiriza y'Urugereko cyangwa ibiteganywa na politiki y'Ibiro bya Gerefiye ku byerekeranye no guhindura inyandiko. Iyo bitavuzwe ku rupapuro rwerekana ko inyandiko itanzwe, iyo nyandiko ntihindurwa mu rurindi rurimi kureka iyo ari icyemezo, itegeko cyangwa inyandiko y'urubanza bya Perezida cyangwa Urugereko. Ibyemezo, amategeko n'inyandiko z'imanza bigomba buri gihe guhindurwa mu rurimi uregwga yumva.
2. Inyandiko yahinduve na MICT ibikwa ukwayo, hakurikijwe imihango yo kwandika, ahabugenewe, inyandiko zitanzwe nk'uko biteganywa muri aya Mabwiriza Ngengamikorere no mu gika cya gatatu hasi.
3. Haseguriwe ibiteganywa n'Ingingo ya 10 y'aya Mabwiriza Ngengamikorere, buri rupapuro rw'inyandiko yahinduve ruhabwa numero ku buryo urupapuro rwa nyuma ari rwo ruhabwa numero ya mbere naho urubanza rugahabwa numero ya nyuma. Numero ya paji y'urupapuro rubanziriza izindi rw'inyandiko y'umwimerere yongerwa ku mpera ya numero ya buri rupapuro rw'inyandiko yahinduve kugira ngo hagaragazweho aho inyandiko y'umwimerere ihuriye n'inyandiko yahinduve mu rundi rurimi. Amagambo “BIS” yongerwaho kuri numero z'amapaji y'inyandiko yahinduve na MICT mu rurimi rwa kabiri. Amagambo “TER”, “QUATER”.... yongerwa ku nyandiko MICT yahinduye mu ndimi zitandukanye (urugero, 1/1579 TER aho “1” bivuga paji ya nyuma y'inyandiko yahinduve mu rundi rurimi, “1579” bikavuga numero ya paji ibanziriza izindi mu nyandiko y'umwimerere naho “TER” bikavuga inyandiko yahinduve mu rurimi rwa gatatu).

## **VI. IMPINDUKA MU KUBIKA INYANDIKO**

### **Ingingo ya 13**

#### **Impinduka mu kubika inyandiko**

1. Nk'uko bivugwa mu cyiciro cya 6.1 cy'Amabwiriza y'Umunyamabanga Mukuru, haba impinduka mu rwego rw'umutekano inyandiko zigomba kubikwamo ari uko gusa Urukiko rubitangiye uruhushya cyangwa hakurikijwe ibiteganywa ukundi n'Amategeko akurikizwa. Iyo urwo ruhushya rwasabwe, Ibiro bya Gerefiye bishobora kugabanya by'agateganyo kuba rubanda yagera kuri izo nyandiko, mu gihe bitegereeje ikindi cyemezo cy'Urugerek.
2. Haseguriwe ibiteganywa mu gika cya 1 cy'iyi Ngingo, iyo utanze inyandiko yibeshye akandika, mu rwego rw'umutekano ugomba kugirirwa inyandiko, ko iyo nyandiko itari ibanga maze ikaba yarashyizwe muri dosiye, icyo gihe amenyekanisha iryo kosa maze agasaba Ubwanditsi bw'Urukiko kwandika, uko bikwiye, ko iyo nyandiko ari ibanga cyangwa ko ari ibanga rikomeye cyane. Ingingo ya 8 y'aya Mabwiriza Ngengamikorere ikoreshwa kuri buri menyekanisha rimeze gutyo.
3. Ibiteganywa mu gika cya kabiri haruguru binakoreshwa iyo uruhande rutanzo inyandiko rwibeshye ntirwandike ko iyo nyandiko itareba zimwe mu mpande zifite aho zihuriye n'urubanza.

## **VII. KWEMEZA KOPI Z'INYANDIKO**

### **Ingingo ya 14**

#### **Kwemeza kopi z'inyandiko**

Mu rwego rwo kubahiriza ibiteganywa mu yandi mabwiriza akurikizwa kuri buri Shami rya MICT, Umukozi w'Ibiro bya Gerefiye wagenwe ashobora gutanga kopi zemejwe z'inyandiko. Izo kopi zemejwe zigomba kuba ziriho kashe ya MICT n'umukono w'Umukozi w'Ibiro bya Gerefiye wagenwe. Kopi zemejwe hashingiwe ku biteganywa n'iyi Ngingo ifatwa nk'aho ihuye neza n'umwimerere ntacyo yahinduweho.

## **VIII. IBIKURIKIZWA BY'AGATEGANYO**

### **Ingingo ya 15 Ibikurikizwa by'agateganyo**

1. Mu gihe cy'agateganyo kandi bamaze kugisha inama ba Gerefiye b'Inkiko, abakozi bo mu Biro bya Gerefiye mu Nkiko bafasha mu kwakira, kwandika ahabugenewe no guhindura mu rundi rurimi inyandiko zo muri MICT, nk'uko bisabwa kandi hakurikijweaya Mabwiriza Ngengamikorere. Nk'uko biteganywa n'Ingingo ya 31 y'Amategeko, Gerefiye, amaze kubijyaho inama na ba Gerefiye b'Inkiko, ashobora kongera kuriaya Mabwiriza Ngendamikorere inyandiko irimo ibigomba gukurikizwa mu gushyira mu gukora imirimo y'Ibiro bya Gerefiye wa MICT.
2. Mu nkunga itangwa n'Inkiko hashobora kuba harimo guteganya ubufasha mu bya tekiniki burimo kuba MICT yakoresha ububiko bwa elegitoroniki bw'inyandiko z'Inkiko kandi ubwo bufasha butangwa hazirikanwa ibyerekerye n'umutekano w'amakuru, kuyageraho no kuyabika cyangwa andi mabwiriza yose ya Gerefiye.
3. Iyo Ishami rimwe rya MICT ribonye kopi za elegitoroniki z'inyandiko rizishyikiriza irindi Shami kugira ngo naryo rizishyire mu bibiko bwa elegitoroniki bw'inyandiko bwaryo, maze abakoresha ayo makuru ku Mashami yombi bashobore kuyageraho.