UMURYANGO W'ABIBUMBYE
Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha

Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha ("IRMCT") rwashyizweho n'Inama Ishinzwe Amahoro ku Isi y'Umuryango w'Abibumbye ku itariki ya 22 Ukuboza 2010 kugira ngo rukomeze ububasha, uburenganzira, inshingano n'imirimo y'ingenzi by'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda (TPIR) n'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho Icyahoze ari Yugosilaviya (TPIY) zarangije manda zazo mu mwaka wa 2015 n'uwa 2017, uko zikurikirana.

DISIKURU

POROKIRERI

(Iyi nyandiko igenewe gukoreshwa n'itangazamakuru gusa. Ntigenderwaho mu mirimo ya IRMCT).

Arusha, Lahe, 12 Kamena 2023.

Ijambo rya Bwana Serge Brammertz, Porokireri w'Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha yagejeje ku Kanama ka Loni Gashinzwe Umutekano

Nyakubahwa Perezida, ba Nyakubahwa,

Murakoze kuri uyu mwanya wo kugirango nongere kubagezaho raporo y'ibikorwa by'ibiro byanjye n'aho ibikorwa bigeze.

Mu gihe raporo yanjye yanditse itanga amakuru kugeza kuri 15 Gicurasi, ndashaka kwibanda mw'ijambo ryanje uyu munsi ku bikorwa byinshi by'ingenzi byabaye mu byumweru bikeya bya vubaha.

Nyakubahwa Perezida, ba Nyakubahwa,

Icya mbere, ndifuza kwishimira ko ku ya 23 Gicurasi, Fulgence Kayishema, umunyarwanda wari kw'isonga mu bo twashakishaga bahunze ubutabera, yatawe muri yombi i Paarl, muri Afurika y'Epfo.

Nkuko mubyibuka, gushakisha Kayishema nakomeje kubigarukaho kenshi muri raporo zanjye no mu magambo yanjye hano mu myaka yashize, kimwe n'ingorane zo kubona ubufatanye bwari bukenewe.

Nkuko nabisobanuye mbere, Kayishema aregwa ubwicanyi bw'inzirakarengane zirenga 2000 z'abagore, abagabo, abana ndetse n'abasaza ku rusengero rwa Nyange mu Rwanda ku ya 16 Mata 1994.

Bivugwa ko yagerageje gutwika urwo rusengero impunzi zari zahungiyemo zikirimo imbere. Ibyo binaniranye, yateguye imodoka ikoreshwa gusenya inyubako (*bulldozer)* isenya igisenge cy'urusengero, yica abari imbere bari bakiri bazima.

Ifatwa rya Kayishema ni igikorwa cy'ingenzi mu ruhando mpuzamahanga mu guhana abakoze jenoside.

Ibisubizo nk'ibi byongerera icyizere ubutabera mpuzamahanga. Imiryango y'abahohotewe 2000 izabona Kayishema asubiza ku byaha akekwaho. Amakuba bahuye nayo hafi imyaka mirongo itatu ishize ashobora gutangira gushakirwa umuti.

Kuri iyi Nama n’Umuryango w’Abibumbye muri rusange, mwongeye kwerekana imbaraga n’ubushake byemeza ko itsembabwoko rishobora guhashwa no guhanirwa, kandi ko ubutabera ku byaha by’ubugizi bwa nabi ari ikibazo kireba umuryango mpuzamahanga.
Na none, iri fatwa ryerekana ibyagerwaho hifashishijwe ubufatanye mpuzamahanga n’ubwibihugu mu nzego zishinzwe kurwanya ibyaha.

N’ubwo ibiro byanjye byayoboye iri perereza, ibihugu byinshi bigize Umuryango w’Abibumbye, cyane cyane mu majyepfo ya Afurika, byagize uruhare runini mu kugeza Kayishema mu butabera.

Afurika y'Epfo niyo igaragara cyane.

Mu mwaka ushize, Ibiro byanjye byatewe inkunga yuzuye kandi y’ingirakamaro n’abayobozi bo muri Afurika y’Epfo, banashiraho itsinda rishinzwe ibikorwa byo gufasha iperereza ryacu. Ubufatanye bwa hafi n’ imikoranire twagiranye byabaye ingenzi kugira ngo tugere ku ntego, cyane cyane ku munsi w'ifatwa.

Eswatini nayo ni iyo gushimirwa. Abayobozi ba eSwatini bahise bashiraho itsinda ku busabe bwacu, kandi bakorana hafi cyane n’itsinda ryacu rikurikirana abahunze ubutabera. Ubwitange n'ubufatanye bwabo byari intangarugero.

Mozambique yari undi mufatanyabikorwa w'ingenzi. Ndashimira Umushinjacyaha Mukuru kuba yarakiriye itsinda ryanjye kandi akadusezeranya ko ibiro bye bizadushyigikira.

Kandi nkuko bisanzwe, abayobozi b'uRwanda bagize uruhare runini muri iyi ntsinzi. Umushinjacyaha Mukuru, Umuyobozi Mukuru wa Polisi n'abandi benshi bashyigikiye akazi kacu mu Rwanda kandi badufasha kubona ibimenyetso by’ingenzi.

Ibiro byanjye birashimira byimazeyo ibi bihugu ndetse n’abandi bafatanyije n’iperereza ryacu. Ibibazo byari byinshi, ariko biciye mu gukorana bya hafi cyane ni bwo Kayishema yaje kuboneka anatabwa muri yombi.

Hasigaye abantu batatu gusa bagishakishwa bahunze ubutabera, kandi Ibiro byanjye birakora cyane kugirango tumenye aho bari kugira ngo aka kazi tuzagasoze neza.

Nyakubahwa Perezida, ba Nyakubahwa,

Icyumweru kimwe nyuma y’ifatwa rya Kayishema, Urugereko rw’ubujurire rwa IRMCT rwatanze imyanzuro ya nyuma mu rubanza rwa *Stanišić na Simatović* , uru rubanza rukaba ari rwo rwa nyuma mu manza z’Urukiko Mpuzamahanga rwari Rwarashiriweho icyahoze ari Yugosilaviya (ICTY).

Ibiro byanjye byishimiye ko Urugereko rw'Ubujurire rwemeye ingingo z'ingenzi z'ubujurire bwacu.

Abacamanza bemeranyije natwe ko abaregwa bombi bagize uruhare mu byaha nk’abanyamuryango b’umushinga uhuriweho n’ibyaha byinshi muri Bosiniya na Herzegovina.

Nk’umuyobozi mukuru hamwe n’umuyobozi mukuru wungirije muri serivisi yari ishinzwe umutekano wa Leta ya Seribiya iyobowe na Slobodan Milosevic, Stanišić na Simatović basangiye umugambi n’abandi bayobozi ba Seribiya, Abanyaseribiya bo muri Korowasiya n’Abanyaseribiya bo muri Bosiniya kugira ngo bakorere itsembabwoko abatari Abaseribe mu turere twinshi twa Korowasiya na Bosiniya na

Herzegovina. Bakomeje kandi kugira uruhare mu ishyirwa mu bikorwa ry'imishinga ihuriweho n'ubugizi bwa nabi mu buryo bufatika, cyane cyane mu gushyigikira imitwe ya ba ruharwa yitwaraga gisirikari.

Urugereko rw'ubujurire rwongereye ibihano byabo kugeza ku myaka cumi n'itanu y'igifungo buri wese.

Uru rubanza ni umusozo ukwiye mu bikorwa bya ICTY. Mu gihe cy'imyaka irenga mirongo itatu y'akazi, twashoboye kugenza ibyaha by'abayobozi bakuru ba politiki, abasirikari n'abapolisi baturutse impande zose z'amakimbirane yabaye mu cyahoze ari Yugosilaviya. Twagaragaje ko gukurikirana ibyaha bikomeye ku rwego mpuzamahanga bishoboka, mu gihe kandi uru rugereko rwasize umurage w'ububiko bw'amateka y'ibyabaye.

Nyakubahwa Perezida, ba Nyakubahwa,

Ndifuza kandi kugaruka ku cyemezo cyatanzwe n'Urugereko rwa Mbere rw'Iremezo mu cyumweru gishize mu rubanza rwa *Kabuga*.

Iki cyemezo si icyanyuma kandi birashoboka ko cyajuririrwa.

Icyo navuga muri iki gihe ni uko ibiro byanjye byizera ko urubanza rwa Kabuga rushobora kandi rugomba kurangira mu buryo bujyanye n'uburenganzira bw'uregwa.

Nyakubahwa Perezida, ba Nyakubahwa,

Ifatwa rya Fulgence Kayishema no kurangiza urubanza rwa *Stanišić na Simatović* ni intambwe zikomeye zituma Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha rwegereza kurangiza ibikorwa byarwo by'ubucamanza.

Tuyoboye na Perezida, Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha rurategura byimazeyo ejo hazaza nk'urwego rw'insigarira koko. Ibiro byanjye biritabira iki gikorwa kandi bitanga ibitekerezo byacu n'ubufatanye.

Ndatekereza ko Mechanism igomba kandi izaba ikigo gito kuruta uko imeze magingo aya. Ibyo bizasobanura kwibanda cyane ku bikorwa by'ibanze.

Hamwe n'ibi, ni ngombwa kumenya ko Ibiro byanjye n'abacamanza b'Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha bazaba bagifite akazi gakomeye ko gukora.

Ku birebana n'ibiro byanjye, tuzibanda cyane ku nshingano zacu hashingiwe ku ngingo ya 28 (3) yo gufasha inkiko z'ibihugu gukomeza inzira yo gukurikirana ibyaha mpuzamahanga byakorewe mu Rwanda ndetse n'icyahoze cyitwa Yugosilaviya.

Iyi manda iri mu rwego rwo guteza imbere ingamba zo kurangiza ICTR na ICTY. Mu kureba imbere byemejwe ko ko n'ubwo imanza zarangiraga muri Arusha na La Haye, inkiko z'ibihugu zigomba gufata izo nshingano zo kugera ku butabera.

Nkuko raporo yanjye yanditse ibisobanura, nta gushidikanya guhari ko hakiri ubutabera bugikenewe kugerwaho ku rwego rw'ibihugu.

Mu Rwanda, hari abantu barenga 1.000 bahunze ubutabera bagomba gukurikiranwa. Ibiro byanjye bimaze gukora cyane kugirango byohereze ibimenyetso hamwe n'amadosiye y'imanza mu bushinjacyaha Bukuru.

Mu cyahoze cyitwa Yugosilaviya, abashinjacyaha b'igihugu baracyafite imanza ibihumbi byinshi zo kuburanisha. Usibye kubashigikira mu binyemetso n'amategeko, ibiro byanjye bikomeje kugira uruhare runini mu gukemura ibibazo mu bufatanye mu by'ubutabera mu karere, ariko haracyarimo ibibazo.

Byongeye kandi, buri mwaka mu bihugu byo ku isi hagaragara abantu bakekwaho kuba barakoze ibyaha mu Rwanda cyangwa ahahoze ari Yugosilaviya. Iyo bibaye, abo bantu baba bagomba koherezwa aho bakoreye ibyaha cyangwa bagakurikiranwa aho bari.

Ibiro byanjye bikomeje kugira uruhare runini mu gushyigikira iyi nzira yo gukirikirana abakekwaho ibyaha. Mu myaka mike ishize, twabonye ibyifuzo byinshi byo gufasha inzego z'ibihugu kuruta mbere hose. Iki ni ikimenyetso cyiza, kuko ubutabera butangwa neza ku rwego rwibanze.

Abagenzacyaha n'abashinjacyaha mu bihugu byinshi bagana ibiro byanjye kugira ngo bibafashe kubona ibimenyetso, gutegura ingamba z'iperereza, gutegura ibirego no kwerekana ibimenyetso byabo mu rukiko. Iyi mfashanyo y'ingirakamaro, kandi inafasha kugera ku bisubizo byiza, ntishobora kuboneka ahandi.

Ndizera ntashidikanya ko tuzakomeza kwishimira inkunga y'Inama Ishinzwe Umutekano mu gushyira mu bikorwa iyi nshingano yacu y'ingenzi, aho ibihugu bigize uyu muryango ubwabyo bifata iyambere mu gushaka ubutabera no guteza imbere amahoro.

Nyakubahwa Perezida, ba Nyakubahwa,

Mu gusoza, mu byumweru bishize uru rwego rwa Mechanism rwageze ku bikorwa by'ingenzi, bituma yegera cyane kurangiza ibikorwa byayo bya nyuma by'ubucamanza.

Nyuma y'imyaka irenga makumyabiri, Fulgence Kayishema ntakiri umuntu watorotse ubutabera kandi ubu azitaba urukiko.

Urubanza rw'ubujurire rwa *Stanišić na Simatović* rusoje imirimo ikomeye ICTY yatangiriye i La Haye mu myaka mirongo itatu ishize.

Ku bijyanye n'u Rwanda ndetse n'icyahoze cyitwa Yugosilaviya, inzira y'ubutabera mpuzamahanga ntiyari yoroshye. Byafashe igihe kirekire, kandi hariho amasomo twakura mu buryo bwo kunenga bwubaka. Nyamara, ibyavuyemo byarengeje ibyateganijwe, ikaba ari intsinzi ikomeye ku Muryango w'abibumbye.

Ubutabera buracyakeneye kugerwaho, kandi ibihugu bigize uyu muryango byiyemeje gufata iyambere muri uyu murimo. Vuba cyane, ibiro byanjye bizibanda cyane ku bikorwa byacu bisigaye, icy'ingenzi muri byo ari ugufasha ibihugu bigize uyu muryango gukomeza inzira y'ubutabera.

Nk'igitekerezo cya nyuma, guhakana itsembabwoko no guhimbaza abagizi ba nabi b'intambara bikomeje gutera impungenge. Umuryango mpuzamahanga wiyemeje gukurikirana abakora ibyaha by'ntambara. Ukwiriye kandi kwiyemeza guteza imbere ukuri nyuma y'uko izo manza zirangiye.

Ibiro byanjye byishimiye inkunga iyi Nama ikomeje kudutera mu mikorere yacu yose.

Murakoze kuntega amatwi.

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