UMURYANGO W'ABIBUMBYE

Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha	Urubanza Nº:	MICT-12-22
	Itariki:	13 Gicurasi 2025
	Umwimerere:	Icyongereza

<u>UMUCAMANZA UMWE RUKUMBI</u>

Umucamanza:	**Ivo Nelson de Caires Batista Rosa**
Gerefiye:	**Abubacarr M. Tambadou**
Itariki:	**13 Gicurasi 2025**

POROKIRERI

aburana na

RYANDIKAYO

INYANDIKO ITARI IBANGA

ICYEMEZO KU CYIFUZO GISABA KO HATANGWA ITEGEKO RIHAGARIKA BURUNDU IKURIKIRANACYAHA

<u>Ibiro bya Porokireri</u>

Serge Brammertz

Byasemuwe kandi byemezwa na LSS/IRMCT

NJYEWE, IVO NELSON DE CAIRES BATISTA ROSA, Umucamanza w'Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha ("IRMCT") nkaba n'Umucamanza umwe Rukumbi muri uru rubanza[1];

MAZE KUBONA Inyandiko y'ibirego ya mbere yakorewe Ryandikayo, yemejwe n'Umucamanza w'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda ("TPIR") ku itariki ya 28 Ugushyingo 1995[2] n'Inyandiko y'ibirego yamukorewe igenderwaho, yemejwe ku itariki ya 8 Gicurasi 2012, aho aregwa icyaha cya jenoside, kuba icyitso cy'abakoze jenoside, guhamagarira abantu, mu buryo butaziguye kandi mu ruhame, gukora jenoside, hamwe n'ubuhotozi, itsembatsemba, gusambanya ku gahato no gutoteza nk'ibyaha byibasiye inyokomuntu byakorewe muri Repubulika y'u Rwanda ("U Rwanda") muri Mata 1994 cyangwa hafi y'uko kwezi[3];

MAZE KUBONA KO, ku itariki ya 20 Kamena 2012, Urugereko rwashyizweho hashingiwe ku Ngingo ya 11bis y'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso ya TPIR rwategetse ko urubanza rwa Ryandikayo rwoherereezwa abayobozi bo mu Rwanda[4] kandi ko, ku itariki ya 7 Gicurasi 2014, Umucamanza umwe rukumbi wa IRMCT yavanyeho Urwandiko rwo gufata n'Itegeko ryo kwimura Ryandikayo TPIR yari yaratanze maze agatanga Urwandiko rwo gufata rushya n'Itegeko rishya ryo kumwimurira mu Rwanda[5];

MAZE KUBONA Icyifuzo Ibiro bya Porokireri wa IRMCT ("Porokireri") byatanze mu nyandiko y'ibanga ku itariki ya 9 Mata 2025, bisaba ko hatangwa itegeko ry'Urukiko rihagarika burundu ikurikiranacyaha kuri Ryandikayo muri IRMCT kubera ko yapfuye[6];

MAZE KUBONA ibyo Porokireri avuga ko iperereza yakoze ritanga amakuru ahagije – nk'uko bivugwa kandi mu Mugereka A w'ibanga w'icyo Cyifuzo – agaragaza ko Ryandikayo yapfuye[7];

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[1] Itegeko rishyiraho Umucamanza umwe rukumbi kugira ngo asuzume Icyifuzo, 17 Mata 2025, paje ya 1.
[2] *Urubanza Porokireri aburana na Clément Kayishema na bagenzi be*, Nº ICTR-95-1-I, Icyemezo cyerekeranye n'isuzuma ry'Inyandiko y'ibirego, 28 Ugushyingo 1995; *Urubanza Porokireri aburana na Clément Kayishema na bagenzi be*, Nº ICTR-95-1-I, Inyandiko y'ibirego, 22 Ugushyingo 1995. Reba n'*Urubanza Porokireri aburana na Clément Kayishema na bagenzi be*, Nº ICTR-95-1-I, Itegeko ryerekeranye n'Icyifuzo cya Porokireri gisaba uruhushya rwo guhindura Inyandiko y'ibirego yemejwe ku itariki ya 28 Ugushyingo 1995 kikanasaba ko Itegeko ryatanzwe kuri iyo tariki rihindurwa, 6 Gicurasi 1996, paje ya 1.
[3] *Urubanza Porokireri aburana na Ryandikayo*, Nº ICTR-95-1-I, Icyemezo cyerekeranye no kwemeza Inyandiko y'ibirego yahinduwe bwa kabiri, 8 Gicurasi 2012 (Inyandiko y'ibanga kandi ifite abo itagomba kumenyeshwa); *Urubanza Porokireri aburana na Ryandikayo*, Nº ICTR-95-1E-I, Inyandiko y'ibirego yahinduwe bwa kabiri, 8 Gicurasi 2012.
[4] *Urubanza Porokireri aburana na Ryandikayo*, Nº ICTR-95-1E-R11*bis*, Icyemezo ku Cyifuzo cya Porokireri gisaba ko urubanza rwimurirwa muri Repubulika y'u Rwanda, 20 Kamena 2012, igika cya 81, paje 3, 19, 20.
[5] *Urubanza Porokireri aburana na Ryandikayo*, Nº MICT-12-22-PT, Urwandiko rwo gufata n'Itegeko ryo kwimura bigenewe ibihugu byose, 7 Gicurasi 2014, paje 1, 2. Reba n'*Urubanza Porokireri aburana na Ryandikayo*, Nº ICTR-95-1E, Urwandiko rwo gufata n'Itegeko ryo kwimura, 20 Kamena 2012.
[6] Icyifuzo gisaba ko hatangwa itegeko rihagarika burundu ikurikiranacyaha, 9 Mata 2025 (Inyandiko itari ibanga ifite Umugereka A w'ibanga) ("Icyifuzo"), ibika 1-3.
[7] Icyifuzo, igika cya 2, Umugereka A, ibika 2, 3, 11-15.

Byasemuwe kandi byemezwa na LSS/IRMCT

MAZE KUBONA KO, nyuma yo kwimurira urubanza mu rukiko rw'igihugu na mbere y'uko urwo rukiko ruhamya icyaha umuntu uregwa cyangwa rwemeza ko ari umwere, IRMCT iba ikirufiteho ububasha ku bintu bimwe na bimwe [8];

MAZE KUBONA KO, n'ubwo bishoboka ko urubanza rwa Ryandikayo mu rukiko rwo mu Rwanda rwahagarikwa burundu, biba ari ngombwa gutanga itegeko ry'Urukiko risoza urwo rubanza muri IRMCT iyo Porokireri yatanze amakuru ahagije agaragaza ko umuntu uregwa utarafatwa yapfuye[9];

MAZE KUBONA KO Porokireri yatanze amakuru ahagije agaragaza ko Ryandikayo yapfuye[10];

MAZE KUBONA RERO KO itegeko ry'Urukiko rihagarika ikurikiranacyaha kuri Ryandikayo, muri IRMCT, ari ngombwa;

KUBERA IMPAMVU ZIMAZE KUVUGWA,

NEMEYE icyo Cyifuzo; kandi

MPAGARITSE BURUNDU ikurikiranacyaha kuri Ryandikayo muri IRMCT.

Bikozwe mu cyongereza no mu gifaransa ariko inyandiko yo mu cyongereza ni yo igenderwaho.

Bikozwe uyu munsi, tariki ya 13 Gicurasi 2025,
Arusha, muri Tanzaniya.

[Umukono]

Ivo Nelson de Caires Batista Rosa
Umucamanza umwe rukumbi

[Kashe ya IRMCT]

[8] *Urubanza Porokireri aburana n'Aloys Ndimbati*, Nº MICT-12-14, Icyemezo ku Cyifuzo gisaba ko hatangwa itegeko rihagarika burundu ikurikiranacyaha, 19 Werurwe 2024 ("Icyemezo mu rubanza rwa Ndimbati, 19 Werurwe 2024"), paje ya 2; *Urubanza Porokireri aburana na Phénéas Munyarugarama*, Nº MICT-12-09, Icyemezo ku Cyifuzo gisaba ko hatangwa itegeko rihagarika burundu ikurikiranacyaha, 16 Ukuboza 2022 ("Icyemezo mu rubanza rwa Munyarugarama, 16 Ukuboza 2022"), paje ya 2, igisobanuro Nº 11 cyo hasi kuri paje, havugwa ku biri mu Ngingo ya 6(5) na 6(6) ya Sitati ya IRMCT no mu Ngingo ya 14(C) y'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso ya IRMCT ("Amategeko").

[9] Icyemezo cyafashwe mu rubanza rwa Ndimbati ku itariki ya 19 Werurwe 2024, paje ya 2; Icyemezo mu rubanza rwa Munyarugarama, 16 Ukuboza 2022, paje 2, 3, mu bivugwaho harimo n'ibiri mu *Rubanza Porokireri aburana na Protais Mpiranya*, Nº MICT-12-02, Icyemezo ku Cyifuzo gisaba ko hatangwa itegeko rihagarika burundu ikurikiranacyaha, 14 Nzeri 2022, paje 1, 2, *Urubanza Porokireri aburana na Augustin Bizimana*, Nº MICT-13-39, Icyemezo ku Cyifuzo gisaba ko hatangwa itegeko rihagarika burundu ikurikiranacyaha, 4 Ugushyingo 2020, paje 1, 2; *Urubanza Porokireri aburana na Janko Bobetko*, Nº IT-02-62-I, Itegeko rihagarika burundu ikurikiranacyaha kuri Janko Bobetko, 24 Kamena 2003, Ingingo ya 15 y'Amategeko.

[10] Reba Icyifuzo, Umugereka A.

Byasemuwe kandi byemezwa na LSS/IRMCT