

**UMURYANGO
W'ABIBUMBYE**



Urwego Mpuzamahanga Rwashyiriweho Gukora
Imirimo y'Insigarira y'Inkiko Mpanabyaha

Urubanza N°: MICT-12-13

Itariki: 13 Gicurasi 2025

Umwimerere: Icyongereza

UMUCAMANZA UMWE RUKUMBI

Umucamanza: Ivo Nelson de Caires Batista Rosa

Gerefiye: Abubacarr M. Tambadou

Itariki: 13 Gicurasi 2025

POROKIRERI

aburana na

CHARLES SIKUBWABO

INYANDIKO ITARI IBANGA

**ICYEMEZO KU CYIFUZO GISABA KO HATANGWA ITEGEKO
RIHAGARIKA BURUNDU IKURIKIRANACYAHA**

Ibiro bya Porokireri

Serge Brammertz

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 rubanza¹;

MAZE KUBONA Inyandiko y’ibirego ya mbere yakorewe Charles Sikubwabo (“Sikubwabo”), yemejwe n’Umucamanza w’Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda (“TPIR”) ku itariki ya 28 Ugushyingo 1995², n’Inyandiko y’ibirego yamukorewe igenderwaho, yemejwe ku itariki ya 20 Ukwakira 2000³, aho Sikubwabo aregwa icyaha cya jenocide cyangwa, kitamuhama, akaryozwa icyo kuba icyitso cy’abakoze jenocide; ubwumvikane bugamije gukora jenocide, hamwe n’ubuhotozi, itsembatsemba, n’ibindi bikorwa bibi birenze kameremuntu nk’ibyaha byibasiye inyokomuntu, byakorewe muri Repubulika y’u Rwanda (“U Rwanda”) muri Mata 1994⁴;

MAZE KUBONA KO, ku itariki ya 26 Werurwe 2012, Urugereko rwashyizweho hashingiwe ku Ngingo ya 11bis y’Amategeko Agenga Imiburanishirize n’Itangwa ry’Ibimenyetso ya TPIR rwategetse ko urubanza rwa Sikubwabo rwohererezwa abayobozi bo mu Rwanda⁵ kandi ko, ku itariki ya 7 Gicurasi 2014, Umucamanza umwe rukumbi wa IRMCT yavanyeho Urwandiko rwo gufata n’Itegeko ryo kwimura Sikubwabo TPIR yari yatanze maze agatanga Urwandiko rwo gufata rushya n’Itegeko rishya ryo kumwimurira mu Rwanda⁶;

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*, N° ICTR-95-1-I, icyemezo cyerekeranye n’isuzuma ry’Inyandiko y’ibirego, 28 Ugushyingo 1995; *Urubanza Porokireri aburana na Clément Kayishema na bagenzi be*, N° ICTR-95-1-I, Inyandiko y’ibirego, 22 Ugushyingo 1995. Reba n’*Urubanza Porokireri aburana na Clément Kayishema na bagenzi be*, N° 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 n’Elizaphan Ntakirutimana na bagenzi be*, N° ICTR-96-10, icyemezo ku Cyifuzo cya Porokireri gisaba uruhushya rwo gutanga Inyandiko y’ibirego yahinduwe, 6 Ukwakira 2000; *Urubanza Porokireri aburana n’Elizaphan Ntakirutimana na bagenzi be*, N° ICTR-96-10-I, Inyandiko y’ibirego, 20 Ukwakira 2000 (“Inyandiko y’ibirego”).

⁴ Inyandiko y’ibirego, ibika 1, 2, 5.

⁵ *Urubanza Porokireri aburana na Charles Sikubwabo*, N° ICTR-95-1D-R11bis, icyemezo ku Cyifuzo cya Porokireri gisaba ko urubanza rwimurirwa muri Repubulika y’u Rwanda, 26 Werurwe 2012, paje ya 42.

⁶ *Urubanza Porokireri aburana na Charles Sikubwabo*, N° MICT-12-13-PT, Urwandiko rwo gufata n’Itegeko ryo kwimura bigenewe ibihugu byose, 7 Gicurasi 2014, paje 1, 2. Reba n’*Urubanza Porokireri aburana na Charles Sikubwabo*, N° ICTR-95-1D-R11bis, Urwandiko rwo gufata n’Itegeko ryo kwimura, 30 Mata 2012; *Urubanza Porokireri aburana na Charles Sikubwabo*, N° ICTR-95-1D-I, Urwandiko rwo gufata no kwimura, rwashyizweho umukono ku itariki ya 30 Kamena 2003, rutangwa ku itariki ya 1 Nyakanga 2003.

MAZE KUBONA icyifuzo ibiro bya Porokireri wa IRMCT (“Porokireri”) byatanze ku itariki ya 9 Mata 2012 [Sic], bisaba ko hatangwa itegeko ry’Urukiko rihagarika burundu ikurikiranacyaha kuri Sikubwabo muri IRMCT kubera ko yapfuye⁷;

MAZE KUBONA ibyo Porokireri avuga ko iperereza yakoze ritanga amakuru ahagije – nk’uko bivugwa mu Mugereka A w’ibanga w’icyo Cyifuzo – agaragaza ko Sikubwabo yapfuye⁸;

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 bimwe⁹;

MAZE KUBONA KO, n’ubwo bishoboka ko urubanza rwa Sikubwabo mu rukiko rwo mu Rwanda rwahagarikwa burundu, biba ari ngombwa ko hatangwa itegeko ry’Urukiko risoza urwo rubanza muri IRMCT iyo Porokireri yatanze amakuru ahagije agaragaza ko umuntu uregwa utarafatwa yapfuye¹⁰;

MAZE KUBONA KO Porokireri yatanze amakuru ahagije agaragaza ko Sikubwabo yapfuye¹¹;

MAZE KUBONA RERO KO itegeko rihagarika ikurikiranacyaha kuri Sikubwabo, muri IRMCT, ari ngombwa;

KUBERA IMPAMVU ZIMAZE KUVUGWA,

NEMEYE icyo Cyifuzo; kandi

MPAGARITSE BURUNDU ikurikiranacyaha kuri Sikubwabo muri IRMCT.

⁷ icyifuzo gisaba ko hatangwa itegeko rihagarika burundu ikurikiranacyaha, 9 Mata 2025 (Inyandiko itari ibanga ifite Umugereka A w’ibanga) (“Icyifuzo”), ibika 1-3.

⁸ icyifuzo, igika cya 2, Umugereka A, ibika 2, 3, 11-18.

⁹ *Urubanza Porokireri aburana n’Aloys Ndimbati*, N° MICT-12-14, icyemezo ku Cyifuzo gisaba ko hatangwa itegeko rihagarika burundu ikurikiranacyaha, 19 Werurwe 2024 (“icyemezo mu rubanza rwa Ndimbati ku itariki ya 19 Werurwe 2024”), paje ya 2; *Urubanza Porokireri aburana na Phénéas Munyarugarama*, N° 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 N° 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’Amategako Agenga Imiburanishirize n’Itangwa ry’Ibimenyetso ya IRMCT (“Amategako”).

¹⁰ icyemezo mu rubanza rwa Ndimbati, 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*, N° 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*, N° 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*, N° IT-02-62-I, itegeko rihagarika burundu ikurikiranacyaha kuri Janko Bobetko, 24 Kamena 2003, Ingingo ya 15 y’Amategako.

¹¹ Reba icyifuzo, Umugereka A.

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

Bikozwe uyu muni, tariki ya 13 Gicurasi 2025,

[Umukono]

Arusha, muri Tanzaniya.

Ivo Nelson de Caires Batista Rosa
Umucamanza umwe rukumbi

[Kashe ya IRMCT]