UMURYANGO W'ABIBUMBYE

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

Urubanza N°:	MICT-12-23-R14.1
Itariki:	16 Ukuboza 2025
Umwimerere:	Icyongereza

<u>URUGEREKO RWA MBERE RW'IREMEZO</u>

Umucamanza:	**Vagn Joensen, Perezida**
Gerefiye:	**Abubacarr M. Tambadou**
Itariki:	**16 Ukuboza 2025**

POROKIRERI

aburana na

FULGENCE KAYISHEMA

INYANDIKO ITARI IBANGA

ICYEMEZO KU CYIFUZO CYA POROKIRERI GISABA KO INYANDIKO ZIHINDURIRWA URWEGO RW'UMUTEKANO

<u>Ibiro bya Porokireri</u>

Serge Brammertz

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Byasemuwe kandi byemezwa na LSS/IRMCT

NJYEWE, VAGN JOENSEN, Perezida w'Urugereko rwa Mbere rw'Iremezo rw'Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha ("IRMCT")[1];

MAZE KUBONA KO, ku itariki ya 22 Gashyantare 2012, Urugereko rwa Mbere rw'Iremezo rw'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda rwimuriye muri Repubulika y'u Rwanda ("U Rwanda") urubanza rwa Fulgence Kayishema ("Kayishema") kugira ngo ruburanishwe n'Urukiko Rukuru rw'u Rwanda, akaba, mu Nyandiko y'ibirego yemejwe ku itariki ya 4 Nyakanga 2001, aregwa icyaha cya jenoside, kuba icyitso cy'abakoze jenoside, ubwumvikane bugamije gukora jenoside n'itsembatsemba nk'icyaha cyibasiye inyokomuntu[2];

MAZE KUBONA KO, ku itariki ya 24 Gicurasi 2023, Kayishema yafatiwe muri Repubulika y'Afurika y'Epfo ("Afurika y'Epfo") hashingiwe ku Rwandiko rwo gufata n'Itegeko ryo kwimura byatanzwe ku itariki ya 8 Werurwe 2019[3], kandi ko akiri muri icyo Gihugu mu gihe hagitegerejwe ko yohererezwa ku Ishami rya IRMCT ry'Arusha hagamijwe ko ahita yoherezwa mu Rwanda[4];

MAZE KUBONA KO, ku itariki ya 11 Mutarama 2025, Kayishema yatanze Icyifuzo gifite Umugereka A w'ibanga kandi ufite abo utagomba kumenyeshwa n'Imigereka B, C na D y'ibanga ("Imigereka A, B, C cyangwa D" cyangwa ivugiwe hamwe yitwa, "Imigereka"), aho mu byo asaba harimo ko gushyira mu bikorwa bimwe mu bikubiye mu Cyemezo cyimurira urubanza mu Rwanda biba bisubitswe mu rwego rwo kubungabunga intego y'icyifuzo yashoboraga kuzatanga gisaba ko itegeko ryimurira urubanza rwe mu Rwanda rivanwaho, ashingiye ku makuru yatanzwe n'abayobozi bo muri Afurika y'Epfo avuga ko Reta y'u Rwanda ishaka kumwica[5];

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[1] Icyemezo gishyiraho Urugereko rwa Mbere rw'Iremezo kugira ngo rusuzume Icyifuzo cya Fulgence Kayishema gisaba ko itegeko ryimurira urubanza muri Repubulika y'u Rwanda rivanwaho, 22 Kanama 2025, paje 1, 2.

[2] *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº ICTR-01-67-R11*bis*, Icyemezo ku Cyifuzo cya Porokireri gisaba ko urubanza rwimurirwa muri Repubulika y'u Rwanda, 22 Gashyantare 2012 ("Icyemezo cyimurira urubanza mu Rwanda"), igika cya 162, paje ya 44. *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº ICTR-2001-67-I, Urwandiko rwo gufata n'Itegeko ryo kwimura, 4 Nyakanga 2001, paje 2, 3.

[3] Reba *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº MICT-12-23-PT, Urwandiko rwo gufata n'Itegeko ryo kwimura bigenewe ibihugu byose, 8 Werurwe 2019, paje ya 1; *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº MICT-12-23-PT, Icyemezo ku Cyifuzo gisaba ko Urwandiko rwo gufata rukurwa mu rwego rw'inyandiko z'ibanga, 7 Nzeri 2023, paje ya 2. Reba n'*Urubanza Porokireri aburana na Fulgence Kayishema*, Nº MICT-12-23-PT, Icyemezo ku Cyifuzo cyihutirwa gisaba ko Urwandiko rwo gufata ruhindurwa, 8 Werurwe 2019 (Inyandiko y'ibanga kandi ifite abo itagomba kumenyeshwa), paje ya 2; *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº MICT-12-23-PT, Urwandiko rwo gufata n'Itegeko ryo kwimura bigenewe ibihugu byose, 7 Gicurasi 2014, paje 1, 2; *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº ICTR-00-67-R11*bis*, Urwandiko rwo gufata n'Itegeko ryo kwimura, 4 Mata 2012, paje 2-4.

[4] Reba Icyemezo ku Cyifuzo cya Fulgence Kayishema gisaba ko itegeko ryimurira urubanza muri Repubulika y'u Rwanda rivanwaho, n'igisaba guhabwa Avoka, 29 Ukwakira 2025 ("Icyemezo cyo ku itariki ya 29 Ukwakira 2025"), paje ya 2; *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº MICT-12-23-AR53, Icyemezo ku Bujurire bwa Porokireri ku Cyemezo ku Cyifuzo gisaba ko hasubirwa mu Cyemezo ku Cyifuzo gisaba ko inyandiko zihindurirwa urwego rw'umutekano, 1 Ukwakira 2024, igika cya 3.

[5] Reba *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº MICT-12-23-PT, Icyifuzo gisaba ko gushyira mu bikorwa bimwe mu bikubiye mu Cyemezo cyimurira urubanza mu Rwanda biba bisubitswe, 11 Mutarama 2025

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MAZE KUBONA Icyemezo Umucamanza w'izamu ku Ishami rya IRMCT ry'Arusha yatanze mu nyandiko y'ibanga ku itariki ya 14 Gashyantare 2025, cyanga Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa[6];

MAZE KUBONA KO, ku itariki ya 14 Kanama 2025, Kayishema "yasabye, abinyujije mu nzira zateganyijwe, ko Icyemezo cyimurira urubanza mu Rwanda kivanwaho" hashingiwe ku Ngingo ya 6(6) ya Sitati ya IRMCT no ku Ngingo ya 14(C) y'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso ya IRMCT[7], ashingiye ku mpamvu enye z'ibanze[8] zirimo no "kuba [Reta y'u Rwanda] ikomeje kubangamira umutekano n'umudendezo bye" ("Impamvu ya 1 y'Icyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho")[9];

MAZE KUBONA Igisubizo cya Porokireri, cyatanzwe ku itariki ya 28 Kanama 2025[10], n'Imyanzuro isubiza ya Kayishema ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho yatanzwe mu nyandiko y'ibanga kandi ifite abo itagomba kumenyeshwa, ku itariki ya 1 Nzeri 2025, no mu nyandiko y'ibanga, yakuwemo ibigomba kugirwa ibanga, ku itariki ya 2 Nzeri 2025[11];

MAZE KUBONA Icyifuzo cyatanzwe mu nyandiko y'ibanga ku itariki ya 23 Nzeri 2025, aho Porokireri asaba ko Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa, n'Imigereka yacyo, hamwe n'Imyanzuro isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho bihindurirwa urwego rw'umutekano bikagirwa inyandiko zitari ibanga nyuma yo gukuramo, aho biri ngombwa, ibigomba kugirwa ibanga, cyangwa ibyo byaba bitemewe, Porokireri akamenyeshwa Umugereka A n'inyandiko ifite abo itagomba kumenyeshwa y'Imyanzuro

(Inyandiko y'ibanga, ifite Umugereka A w'ibanga kandi ufite abo utagomba kumenyeshwa n'Imigereka B, C na D y'ibanga) ("Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa"), ibika 1, 2, 17, 28.

[6] Reba *Urubanza Porokireri aburana na Fulgence Kayishema*, N° MICT-12-23-PT, Icyemezo ku Cyifuzo cya Fulgence Kayishema gisaba ko gushyira mu bikorwa bimwe mu bikubiye mu Cyemezo cyimurira urubanza mu Rwanda biba bisubitswe, 14 Gashyantare 2025 (Inyandiko y'ibanga) ("Icyemezo ku Cyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa"), paje 4, 5.

[7] Icyifuzo gisaba ko itegeko ryimurira urubanza muri Repubulika y'u Rwanda rivanwaho, 14 Kanama 2025 (Inyandiko y'ibanga; inyandiko itari ibanga, yakuwemo ibigomba kugirwa ibanga, yatanzwe ku itariki ya 26 Kanama 2025) ("Icyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho"), ibika 2, 41.

[8] Reba Icyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, ibika 26-37.

[9] Reba Icyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, ibika 29-31.

[10] Igisubizo cya Porokireri ku Cyifuzo cya Kayishema gisaba ko itegeko ryimurira urubanza muri Repubulika y'u Rwanda rivanwaho, 28 Kanama 2025 (Inyandiko y'ibanga; inyandiko itari ibanga, yakuwemo ibigomba kugirwa ibanga, yatanzwe ku itariki ya 16 Nzeri 2025).

[11] Icyifuzo cy'Ubwunganizi gisaba uruhushya rwo gutanga imyanzuro isubiza hamwe n'iyo Myanzuro isubiza ku Gisubizo cya Porokireri ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, 1 Nzeri 2025 (Inyandiko y'ibanga kandi ifite abo itagomba kumenyeshwa); Inyandiko y'ibanga, yakuwemo ibigomba kugirwa ibanga, y'Icyifuzo cy'Ubwunganizi gisaba uruhushya rwo gutanga imyanzuro isubiza hamwe n'iyo Myanzuro isubiza ku Gisubizo cya Porokireri ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, 2 Nzeri 2025 (Inyandiko y'ibanga) (Bivugiwe hamwe byitwa, "Imyanzuro isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho").

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isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, nk'inyandiko zigomba kumenyeshwa ababuranyi bose[12];

MAZE KUBONA ibyo Porokireri avuga, birimo ko: (i) Umugereka A w'ibanga kandi ufite abo utagomba kumenyeshwa ukwiye guhindurirwa urwego rw'umutekano ukagirwa inyandiko itari ibanga kubera ko wavuzwe kenshi mu byifuzo binyuranye byashyikirijwe IRMCT, ari inyandiko ikomeye Kayishema ashingiraho mu byo akora agerageza gukerereza cyangwa guhagarika igikorwa cyo kumushyikiriza IRMCT, kandi ibiyikubiyemo rubanda bakaba bashobora kubibona mu Nyandiko ikozwe hejuru y'indahiro Kayishema yashyizeho umukono ku itariki ya 10 Kamena 2025[13]; kandi (ii) nta mpamvu zidasanzwe zikiriho zituma Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa, Imigereka B, C na D, hamwe n'Imyanzuro isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho bikomeza kugirwa ibanga kubera ko byose bishingiye ndetse/cyangwa bivuga mu ncamake ibiri mu Mugereka A, cyangwa bikaba bisanzwe biri ahantu rubanda bashobora kubigeraho[14];

MAZE KUBONA KO Kayishema nta gisubizo yatanze kuri icyo Cyifuzo;

NIBUTSA Icyemezo cyo ku itariki ya 29 Ukwakira 2025, aho mu byo Urugereko rwavuze harimo ko rutemeye Impamvu eshatu Icyifuzo cya Kayishema gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho cyari gishingiyeho, rwasabye Reta y'Afurika y'Epfo gutanga imyanzuro ku byerekeranye n'Impamvu ya 1 y'icyo Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, ndetse ruvuga ko ruzakomeza gukurikirana icyo kibazo[15];

MAZE KUBONA Imyanzuro yatanzwe na Reta y'Afurika y'Epfo ku itariki ya 28 Ugushyingo 2025, ivugwamo ko, nyuma y'iperereza ku bivugwa ko hari abashaka kwica Kayishema, hafashwe umwanzuro uvuga ko, nk'uko bisobanurwa mu nyandiko ikozwe hejuru y'indahiro, yo ku itariki ya

[12] Icyifuzo cya Porokireri gisaba ko inyandiko zihindurirwa urwego rw'umutekano, 23 Nzeri 2025 (Inyandiko y'ibanga) ("Icyifuzo"), ibika 1, 3, 4, 8, 12-16.
[13] Reba Icyifuzo, ibika 2, 6-8, 14, mu bivugwaho harimo ibiri mu Cyifuzo cya Porokireri gisaba uruhushya rwo gutanga igisubizo cy'inyongera hamwe n'icyo Gisubizo cy'inyongera ku Cyifuzo cya Kayishema gisaba ko hashyirwaho Urugereko rwa Mbere rw'Iremezo, 1 Nyakanga 2025 ("Inyandiko yatanzwe na Porokireri yo ku itariki ya 1 Nyakanga 2025"), Umugereka A, paje 55-52: amanomero yashyizweho n'Ibiro bya Gerefiye (Irimo inyandiko ikozwe hejuru y'indahiro yashyizweho umukono na Kayishema ku itariki ya 10 Kamena 2025, yo kubishyigikira) (Inyandiko ikozwe hejuru y'indahiro yo ku itariki ya 10 Kamena 2025").
[14] Reba Icyifuzo, ibika 3, 9-11, 15. Porokireri avuga ko gukura mu rwego rw'inyandiko z'ibanga Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa, Imigeraka B, C na D hamwe n'Imyanzuro isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho bifite "inyungu rusange zikomeye" kubera ko "izo nyandiko zigaragaza ko habayeho gutinda bikabije mu kwimurira Kayishema mu maboko ya IRMCT", ko kuzigira inyandiko zitari ibanga bishobora no gutuma ibirimo gukorwa muri Afurika y'Epfo kugira ngo yimurwe byihuta kandi ko zigaragaza ko "Kayishema adaha amakuru IRMCT cyangwa Urukiko rwo muri Afurika y'Epfo ku bijyanye n'ingingo zinyuranye zerekeranye n'ibyo aburana muri buri rukiko". Icyifuzo, igika cya 3.
[15] Reba Icyemezo cyo ku itariki ya 29 Ukwakira 2025, paje 8, 9.

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24 Nzeri 2025, y'Umuyobozi w'Ubushinjacyaha muri Western Cape mu rubanza rubera muri Afurika y'Epfo ("Inyandiko ikozwe hejuru y'indahiro y'Umushinjacyaha wo muri Afurika y'Epfo"), amakuru yerekeranye n'ibyo bintu "nta shingiro afite kandi yakomotse ahantu hatizewe", ko, "bisa n'ibidashoboka rwose ko Reta y'u Rwanda yaba ibifitemo uruhare'' kandi ko Kayishema "yongeyе gufungwa mu buryo busanzwe"[16];

MAZE KUBONA KO muri IRMCT inyandiko zose zerekeranye n'urubanza zigomba kuba atari ibanga uretse igihe hari impamvu zidasanzwe[17];

MAZE KUBONA KO mu Mugereka A, ugizwe n'ibaruwa ya Kayishema yandikishije intoki yo ku itariki ya 11 Nzeri 2024, no mu Nyandiko ikozwe hejuru y'indahiro yo ku itariki ya 10 Kamena 2025, Kayishema avuga ko yabonanye n'abayobozi bo muri Afurika y'Epfo ku itariki ya 10 Nzeri 2024 bakamumenyesha ko Reta y'u Rwanda ishaka kumwica n'ibyerekeranye n'ingamba bafashe hagamijwe kuburizamo icyo gikorwa[18];

MAZE KUBONA KO Kayishema yatanze Umugereka A nk'inyandiko y'ibanga kandi ifite abo itagomba kumenyeshwa "kubera ko ari ngombwa cyane mu rwego rwo kubungabunga umutekano we bitewe n'uko ibikorwa bigamije kumugirira nabi bishobora kuba bikomeza"[19];

MAZE KUBONA KO rubanda bashobora kugera ku Nyandiko ikozwe hejuru y'indahiro yo ku itariki ya 10 Kamena 2025[20];

MAZE KUBONA KO hari ibice by'Umugereka A bigaragaramo amakuru yihariye yerekeranye n'ingamba abayobozi bo muri Afurika y'Epfo bafashe zigamije kubungabunga umutekano wa Kayishema, nka nomero nshya iranga umuntu uri muri gereza yahawe, izina ry'iritizanyo rishya yahawe n'ahantu gereza yimuriwemo iherereye, kandi ayo makuru akaba atari mu Nyandiko ikozwe

[16] Reba Imyanzuro itanzwe hubahirizwa "Icyemezo ku Cyifuzo cya Kayishema gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, n'igisaba guhabwa Avoka", 28 Ugushyingo 2025 ("Imyanzuro y'Afurika y'Epfo yo ku itariki ya 28 Ugushyingo 2025"), igika cya 6, Umugereka A, ibika 24-40. Reba n'Icyifuzo cya Porokireri gisaba uruhushya rwo gutanga igisubizo cy'inyongera hamwe n'icyo Gisubizo cy'inyongera ku Cyifuzo cya Kayishema gisaba ko itegeko ryimurira urubanza muri Repubulika y'u Rwanda rivanwaho, 9 Ukwakira 2025 ("Igisubizo cy'inyongera cya Porokireri ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho"), Umugereka.

[17] *Urubanza Porokireri aburana n'Anselme Nzabonimpa na bagenzi be*, Nº MICT-18-116-AR90.1, Icyemezo ku Cyifuzo gisaba ko urwego rw'umutekano w'inyandiko ruhindurwa kikanasaba kongererwa igihe cyo gutanga igisubizo, 9 Gicurasi 2024, paje ya 3 n'ibisobanuro byo hasi kuri paje.

[18] Gereranya Umugereka A n'Inyandiko ikozwe hejuru y'indahiro yo ku itariki ya 10 Kamena 2025, ibika 3-10.

[19] Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa, igika cya 27, Umugereka A.

[20] Inyandiko yatanzwe na Porokireri yo ku itariki ya 1 Nyakanga 2025, yometseho Inyandiko ikozwe hejuru y'indahiro yo ku itariki ya 10 Kamena 2025, yatanzwe ari inyandiko itari ibanga. Reba Inyandiko yatanzwe na Porokireri yo ku itariki ya 1 Nyakanga 2025, paje 55-52: amanomero yashyizweho n'Ibiro bya Gerefiye. Reba n'Icyifuzo, ibika 6, 7, 14.

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hejuru y'indahiro yo ku itariki ya 10 Kamena 2025[21] cyangwa ngo habe hari ahandi avugwa ku mugararo[22];

MAZE KUBONA CYAKORA KO, mu Nyandiko ikozwe hejuru y'indahiro y'Umushinjacyaha wo muri Afurika y'Epfo, itari ibanga[23], havugwamo ko abayobozi bo muri Afurika y'Epfo basuzumye ibivugwa ko Reta y'u Rwanda ishaka kugirira nabi Kayishema maze bakemeza ko "bisa n'ibidashoboka rwose'' kandi ko, kubera iyo mpamvu, ubu Kayishema afunzwe mu buryo busanzwe[24];

MAZE KUBONA KO, kubera ibimaze kuvugwa no kuba Kayishema atarwanya ko Umugereka A uhindurirwa urwego rw'umutekano, nta mpamvu zidasanzwe zihari zituma uguma mu rwego rw'inyandiko z'ibanga kandi zifite abo zitagomba kumenyeshwa;

MAZE KUBONA KO inyandiko y'ibanga kandi ifite abo itagomba kumenyeshwa y'Imyanzuro isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, na yo igaragaramo ahantu gereza Kayishema yimuriwemo iherereye[25];

MAZE KUBONA KO, hashingiwe ku isesengura rimaze gukorwa ku byerekeranye n'Umugereka A, nta mpamvu zidasanzwe zihari zatuma Imyanzuro isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho iguma mu rwego rw'inyandiko z'ibanga kandi zifite abo zitagomba kumenyeshwa;

MAZE KUBONA KO (i) Umugereka B urimo amabaruwa abiri Avoka wunganira Kayishema yandikiye Gerefiye wa IRMCT ("Gerefiye" cyangwa "Ibiro bya Gerefiye") na Minisitiri w'Ububanyi n'Amahanga n'Ubutwererane w'Afurika y'Epfo yerekeranye no gusaba Afurika y'Epfo ubufasha ku byerekeranye no kuba Reta y'u Rwanda ishaka kwica Kayishema; (ii) Umugereka C ari imeyiri Avoka wunganira Kayishema yandikiye Gerefiye n'umuyobozi wo muri Afurika y'Epfo ku byerekeranye n'icyo kibazo kandi, (iii) Umugereka D ari Itegeko ry'Urukiko Rukuru rw'Afurika y'Epfo, ryo ku itariki ya 23 Ukwakira 2024, rishyiraho amatariki ibikorwa bigomba gukorerwaho rikanasubika urubanza rwa Kayishema rwo muri Afurika y'Epfo;

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[21] Gereranya Umugereka A n'Inyandiko ikozwe hejuru y'indahiro yo ku itariki ya 10 Kamena 2025, igika cya 8.
[22] Reba Icyifuzo, igika cya 7, paje 262, 259: amanomero yashyizweho n'Ibiro bya Gerefiye. Reba n'Imyanzuro y'Afurika y'Epfo yo ku itariki ya 28 Ugushyingo 2025, Umugereka A, igika cya 24.
[23] Imyanzuro y'Afurika y'Epfo yo ku itariki ya 28 Ugushyingo 2025 n'Igisubizo cy'inyongera cya Porokireri ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, byombi byometseho Inyandiko ikozwe hejuru y'indahiro y'Umushinjacyaha wo muri Afurika y'Epfo, byatanzwe ari inyandiko zitari ibanga.
[24] Reba Imyanzuro y'Afurika y'Epfo yo ku itariki ya 28 Ugushyingo 2025, igika cya 6, Umugereka A, ibika 24-40.
[25] Reba Imyanzuro isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, igika cya 5.

Byasemuwe kandi byemezwa na LSS/IRMCT

MAZE KUBONA ibyo Kayishema avuga, ko Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa n'Imigereka B, C na D byatanzwe mu nyandiko z'ibanga kubera ko "kumenyekanisha amakuru abikubiyemo bidatangiwe uruhushya bishobora, mu buryo bushyize mu gaciro, gutuma yicwa cyangwa akagirirwa nabi bikomeye"[26];

MAZE KUBONA KO rubanda bashobora kugera ku Mugereka B[27] kandi ko, kubera iyo mpamvu, nta mpamvu zidasanzwe zihari zatuma ukomeza kugirwa ibanga;

MAZE KUBONA KO, hashingiwe ku isesengura rimaze gukorwa ku byerekeranye n'Umugereka A, icyashingiweho mu gushyira mu rwego rw'inyandiko z'ibanga Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa, n'Umugereka C nta shingiro kigifite, kandi ko, bityo, nta mpamvu zidasanzwe zihari zatuma izo nyandiko zikomeza kugirwa ibanga;

MAZE KUBONA CYAKORA KO, mu rwego rwo kurinda ko imibereho bwite y'abantu yavogerwa, amakuru ari mu Mugereka C yatuma umwirondoro w'abantu na/cyangwa aho babarizwa bimenyekana ashobora kubungabungwa binyuze mu kuwukuramo agomba kugirwa ibanga[28];

MAZE KUBONA KO ibikubiye mu Mugereka D bivugwa mu Nyandiko ikozwe hejuru y'indahiro y'Umushinjacyaha wo muri Afurika y'Epfo, rubanda bashobora kugeraho[29], kandi ko isuzuma ry'uwo Mugereka rigaragaza ko nta mpamvu zidasanzwe zihari zatuma uguma mu rwego rw'inyandiko z'ibanga;

MAZE KUBONA CYAKORA KO Umugereka D ari Itegeko ryatanzwe n'Urukiko Rukuru rw'Afurika y'Epfo, bityo ko mbere y'uko rimenyeshwa rubanda bikwiye ko rubanza kubitangira uruhushya;

MAZE KUBONA KO, hashingiwe ku bimaze kuvugwa no kuba Kayishema atarwanya ko Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa, n'Imigereka B na C bihindurirwa urwego rw'umutekano, bikwiye ko izo nyandiko zitangwa nk'inyandiko zitari ibanga nyuma yo gukura mu Mugereka C amakuru agomba kugirwa ibanga, naho Umugereka D ugatangwa nk'inyandiko itari ibanga Urukiko Rukuru rw'Afurika y'Epfo rumaze kubitangira uruhushya;

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[26] Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa, igika cya 25.
[27] Reba Inyandiko yatanzwe na Porokireri yo ku itariki ya 1 Nyakanga 2025, paje 75-73: amanomero yashyizweho n'Ibiro bya Gerefiye.
[28] Reba *Urubanza Porokireri aburana na Fulgence Kayishema*, Nº MICT-12-23-PT, Icyemezo ku Cyifuzo cya Fulgence Kayishema gisaba ko inyandiko zimenyekanishwa kikanasaba ko izindi zihindurirwa urwego rw'umutekano, 28 Kamena 2024, paje ya 6.
[29] Reba Imyanzuro y'Afurika y'Epfo yo ku itariki ya 28 Ugushyingo 2025, Umugereka A, ibika 10.5, 10.6; Igisubizo cy'inyongera cya Porokireri ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, Umugereka, ibika 10.5, 10.6.

Byasemuwe kandi byemezwa na LSS/IRMCT

MAZE KUBONA KANDI KO, hashingiwe ku bimaze kuvugwa, bikwiye ko Icyemezo ku Cyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa kivanwa mu rwego rw'inyandiko z'ibanga;

KUBERA IMPAMVU ZIMAZE KUVUGWA,

NEMEYE icyo Cyifuzo;

NTEGETSE Kayishema gutanga mu nyandiko zitari ibanga, mu minsi itarenze 21 ibarwa uhereye ku itariki iki Cyemezo gitangiweho, Icyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa hamwe n'Imigereka yacyo, nyuma yo gukura mu Mugereka C amakuru agaragaza umwirondoro w'abantu bavugwa na/cyangwa aho babarizwa, na nyuma yo kubiherwa uruhushya n'Urukiko Rukuru rw'Afurika y'Epfo, ku byerekeranye n'Umugereka D; kandi

NTEGETSE Ibiro bya Gerefiye guhindura urwego rw'umutekano w'Imyanzuro isubiza ku Gisubizo ku Cyifuzo gisaba ko itegeko ryimurira urubanza mu Rwanda rivanwaho, n'uw'Icyemezo ku Cyifuzo gisaba ko gushyira mu bikorwa Icyemezo bisubikwa, bikagirwa inyandiko zitari ibanga.

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

Bikozwe uyu munsi, tariki ya 16 Ukuboza 2025,

Arusha, muri Tanzaniya.

[Umukono]

Vagn Joensen

Perezida

[Kashe ya IRMCT]

Byasemuwe kandi byemezwa na LSS/IRMCT