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**Urukiko Mpanabyaha Mpuzamahanga
Rwashyiriweho u Rwanda**

Umuryango
w'Abibumbye

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28 Ukwakira 2013

Kuri: Perezida
Urwego rushinzwe kurangiza imirimo y'Inkiko Mpanabyaha
Mpuzamahanga (« MICT »)

Binyujijwe kuri: Gerefiye
MICT

Gerefiye
Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u
Rwanda (« TPIR »)

Byanditswe na: Anees Ahmed
Umugenzuzi washyizweho na TPIR/MICT mu rubanza rwa
Munyagishari

**Raporo y'ubugenzuzi mu rubanza rwa
Munyagishari (Nzeri 2013)**

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Inyandiko yahinduwe mu kinyarwanda, byemezwa na SSL/TPIR

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I. INTANGIRIRO

1. Iyi raporo y'ubugenzuzi ya kabiri nyitanze nk'umugenzuzi washyizweho na TPIR / MICT ushinze kureba imigendekere y'urubanza rwa Bernard Munyagishari (« Munyagishari ») mu nkiko zo muri Repubulika y'u Rwanda¹.
2. Munyagishari yoherejwe mu Rwanda ku itariki ya 24 Nyakanga 2013, hashingiwe ku Cyemezo cyo ku itariki ya 6 Kamena 2012 cyafashwe n'Urugereko rwari rushinzwe gusuzuma iyimurwa ry'urubanza rwe nk'uko cyemejwe n'Urugereko rw'Ubujurire ku itariki ya 3 Gicurasi 2013.
3. Iyi Raporo yerekeranye n'ibyakozwe mu rubanza rwa Munyagishari mu nkiko zo mu Rwanda, yerekeranye kandi n'imishyikirano abagenzuzi bashyizweho na TPIR / MICT (ari bo Anees Ahmed, Constant Hometowu na Samuel Algozin) bagiranye n'abantu banyuranye barebwa n'ikibazo muri Nzeri 2013 (« Igihe kirebwa n'iyi Raporo »).
4. Mu gihe kirebwa n'iyi Raporo, abagenzuzi bagiye mu Rwanda inshuro eshatu².

¹ Nashyizweho n'Inyandiko igenewe abakozi Gerefiye wa MICT yandikiye Gerefiye wa TPIR ku wa 29 Gicurasi 2013. Gerefiye wa TPIR yemeye iryo shyirwaho mu nyandiko igenewe abakozi yandikiye Gerefiye wa MICT ku wa 31 Gicurasi 2013.

² Mu gihe cy'izo ngendo hakoze kandi n'ubugenzuzi mu rubanza rwa Jean Uwinkindi, biteganyijwe ko ruzatangira kuburanishwa n'Urukiko Rukuru ku wa 18 Ugushyingo 2013.

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II. RAPORO MU MAGAMBO ARAMBUYE

A. *Iburanisha mu rwego rw'ubujurire mu Rukiko Rwisumbuye rwa Nyamirambo*

5. Nk'uko byavuzwe mur Raporo y'Ubugenzuzi ya mbere yo ku itariki ya 16 Nzeri 2013³, Urukiko Rwisumbuye rwa Nyamirambo (Perezida w'iburanisha Yvette Uwantege) rwashyikirijwe ubujurire ku Cyemezo cy'Urukiko rw'Ibanze rwa Kanombe cyo ku itariki ya 6 Kanama 2013 cyategetse ko Munyagishari akomeza gufungwa by'agateganyo mu gihe cy'iminsi 30 mu gihe Ubushinjacyaha bugikora iperereza.
6. Ku itariki ya 23 Nzeri 2013, ubwo ubu bujurire kwasuzumwaga, Munyagishari yari yitabye urukiko kandi yungirijwe n'Avoka Mukuru ari we Jean-Baptiste Niyibizi na Avoka Wungirije ari we John Hakizimana, naho Ubushinjacyaha bwari buhagarariwe na Rugambwa Ndibwami. Iburanisha rigitangira, Niyibizi yabyukije ingoboka irebana n'ububasha bw'Urukiko Rwisumbuye rwa Nyamirambo bwo kuburanisha ubu bujurire. Yavuze ko ingingo zirambuye zikubiye mu nyandiko yatanze na Munyagishari mu gifaransa, kandi yasabye Urukiko Rwisumbuye kwita kuri izo ngingo.
7. Niyibizi amaze gutanga imyanzuro ye mu magambo, Munyagishari yagejeje ingingo ze ku Rukiko mu gifaransa. Nk'uko byagenze mu maburanisha yabanje, Perezida w'iburanisha Uwantege yasabye Munyagishari gusobanurira Urukiko ingingo ze

³ Raporo y'ubugenzuzi mu rubanza rwa Munyagishari ya Nyakanga-Kanama 2013, ibika 77-94.

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mu kinyarwanda. Niyibizi yavuze ko kubera ko Abavoka bunganira Uregwa batarabona dosiye y'urubanza, ntaho bahera bageza ku Rukiko ingingo z'ubujurire bwa Munyagishari mu mizi yazo. Yavuze ko bitewe n'uko Munyagishari ari we wateguye akaniyandikira iyo nyandiko, Urukiko Rwisumbuye rwagombye kureka Munyagishari akayisobanura. Umucamanza Uwantege yasubije ko Munyagishari nta burenganzira afite bwo kuburana ubujurire bwe mu gifaransa, ko bityo rero Abavoka bamwunganira baramutse babishatse bageza ku Rukiko ingingo zabo mu kinyarwanda.

8. Umucamanza Uwantege amaze kwemeza ibyo, Niyibizi yavuze ko hari ikibazo kigomba gukemurwa mu ikubitiro cy'uko Munyagishari afite uburenganzira bw'ibanze bwo kugira umusemuzi. Mu gushyikira ibyo avuga, Niyibizi yifashishije ibika kuva ku cya 64 kugeza ku cya 67 by'Icyemezo cya TPIR cyo ku wa 6 Kamena 2012 cyerekeranye n'iyimurwa ry'urubanza. Mu rwego rwo gufasha mu kumenya ibikubiye muri ibyo bika, byandukuwe hano hasi uko byakabaye:

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6.4 Indimi

64. Ubwunganizi buvuga ko Uregwa avuga gusa indimi z'igifaransa, igiswahili n'ilingala. U Rwanda nta cyo rugaragaza cyatuma umuntu yizera ko uburenganzira bw'Uregwa bwo guhabwa abamusemurira ku buntu buzubahirizwa. Byongeye kandi, u Rwanda ntirwigeze rwerekana ururimi ruzakoreshwa mu iburanisha, nta cyo ruvuga ku birebana no kumenya niba hazaboneka abasemuzi n'amafaranga yo kubahemba imirimo bazaba bakoze. Na none, u Rwanda nta cyo rugaragaza cyatuma umuntu yizera ko Uregwa azabona ibimenyetso gihamya n'izindi nyandiko za ngombwa byahinduwe mu rurimi rwe.

65. Ubushinjacyaha bwashubije ko hashingiwe ku Ngingo ziva ku ya 79 kugeza ku ya 83 z'itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha mu Rwanda, abaregwa bafite uburenganzira bwo guhabwa umusemuzi ku buntu. Inzego z'ubusemuzi ubu zirakora kandi muri Mutarama 2012 hagenwe bije y'inyongera ihwanye na miliyoni 118 z'amafaranga y'u Rwanda mu rwego rwo kongererera izo nzego ubushobozi bwo gukora umurimo wazo.

66. Ubwunganizi buvuga ko icyifuzo cya Leon Mugesera cyasabaga ko urubanza rwe mu Rwanda ruburanishwa mu cyongereza cyanzwe. Ubwunganizi ntibuhakana ko mu Rwanda haba abasemuzi na za kabine z'abasemuzi.

67. Ingingo ya 20(4)(f) ya Sitati ya TPIR ivuga ko uregwa afite uburenganzira bwo guhabwa ku buntu umusemuzi iyo atumva

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cyangwa atavuga ururimi rukoreshwa muri TPIR. Urugereko rumaze kubona ko hagenwe bije y'inyongera ku manza zizoherezwa mu Rwanda kandi ko hubatswe za kabine z'abasemuzi, rwemera ko Uregwa azemererwa uburenganzira nk'ubwo mu Rwanda nk'uko buteganywa n'itegeko rigenga imiburanshirize y'imanza z'inshinjabyaha mu Rwanda. Uregwa aramutse atemerewe ubwo burenganzira, icyemezo cyo kohereza urubanza gishobora kuvanwaho hashingiwe ku Ngingo ya 11 bis(F) y'Amategeko⁴.

9. Amaze gusubiramo ibyo bice by'Icyemezo cyo kohereza urubanza mu Rwanda, Niyibizi yavuze ko uburenganzira bwa Munyagishari bwo kugira umusemuzi buramutse butubahirijwe, haba habayeho kurenga ku Cyemezo cyohereje urubanza ku buryo byaba impamvu yo kukivanaho. Niyibizi yibukije Urukiko ko iburanisha rya Munyagishari muri TPIR akenshi ryagiye riba mu gifaransa, kandi ko amategeko yo mu Rwanda, nk'uko bikubiye mu Ngingo ya 5 y'Itegeko Nshinga, avuga ko igifaransa ari ururimi rwemewe mu Rwanda imanza zishobora kuburanishwamo. Niyibizi yavuze ko icyemezo cy'Urukiko rw'Ibanze rwa Kanombe cyose uko cyakabaye, ari na cyo cyajuririwe, kirangwamo inenge kubera impamvu zikurikira:
- (1) Munyagishari ntiyashoboye kumva imiburanshirize yabaye mu kinyarwanda;
 - (2) ntiyagenewe abasemuzi bo kumusemurira mu rukiko kugira ngo abashe

⁴ Urubanza Porokireri aburana na Munyagishari, N° TPIR-2005-89-R11bis, icyemezo ku Cyifuzo cya Porokireri gisaba Urukiko kohereza urubanza muri Repubulika y'u Rwanda, ibika 64-67 (ibisobanuro byo hasi ku rupapuro byakuwemo).

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gukurikirana imiburanishirize mu rurimi yumva; (3) ntiyemerewe kuburana mu gifaransa; kandi (4) ntiyari yungirijwe na avoka yihitiyemo.

10. Nyuma y'ingingo zatanze n'Avoka Niyibizi, Avoka umwungirije ari we Hakizimana yavuze ko itegeko rigena kwimurira imanza mu Rwanda, rigenga iyimurwa ry'imanza ziva muri TPIR zoherezwa mu Rwanda, rigomba kubahirizwa n'inkiko zose zo mu Rwanda. Bityo rero, Ibyemezo bya TPIR, aho bibumbiyemo ibintu bisa n'ibyitabwaho n'inkiko zo mu Rwanda, bigomba kubahirizwa n'izo nkiko zo mu Rwanda. Kubera icyo mpamvu, yavuze ko kuba TPIR yaraburanishije Munyagishari mu gifaransa, no kubera ubukemuramanza bwa TPIR bukubiye mu Cyemezo cyimuye urubanza cyo ku itariki ya 6 Kamena 2012 mu bika byacyo kuva ku cya 64 kugeza ku cya 67, ibyo bigomba kubahirizwa n'inkiko zo mu Rwanda. Bityo rero, yanzuye avuga ko Munyagishari agomba kugenerwa umusemuzi no kwemererwa kuburana mu gifaransa cyangwa kimwe muri ibyo byombi.
11. Asubiza ingingo z'Avoka wunganira Uregwa, Umushinjacyaha Ndibwami yavuze ko Urukiko Rwisumbuye rwamaze kwemeza ko Munyagishari avuga kandi yumva ikinyarwanda, ko rero icyemezo kuri icyo kibazo kidashobora kujuririrwa cyangwa gusubirwamo n'urwo rukiko. Yavuze kandi ko bitewe n'uko Urukiko Rwisumbuye rwamaze kwemeza ko Munyagishari yumva kandi avuga ikinyarwanda, ikibazo cy'umusemuzi nta cyo kikivuze. Ku birebana n'ibika kuva ku cya 64 kugeza ku cya 67 by'icyemezo cyo ku wa 6 Kamena 2012 cyerekeranye n'iyimurwa ry'urubanza, Umushinjacyaha yavuze ko ibyo bika byemeza gusa ihame rusange ry'amategeko ritakurikizwa muri uru rubanza kubera ko Urukiko Rwisumbuye rwamaze kwemeza

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ko Munyagishari yumva ikinyarwanda. Umushinjacyaha yavuze ko Munyagishari icyo yibandaho ari ugusaba urukiko kuburana « mu rurimi yihitiyemo aho kuburana mu rurimi yumva ». Mu gusoza, ku birebana n'ivanwaho ry'Icyemezo cyohereje urubanza mu Rwanda, Umushinjacyaha yavuze ko uburenganzira bwose bwa Munyagishari bwo gucirwa urubanza ku buryo buboneye bwubahirijwe, bityo rero ko nta mpamvu n'imwe iriho yatuma TPIR ifata icyemezo cyo kwisubiza uru rubanza.

12. Ubwo Ubushinjacyaha bwari bumaze gutanga ingingo zabwo ku kibazo kirebana n'indimi n'icyo gushyiraho umusemuzi, Avoka wunganira Uregwa ari we Niyibizi yavuze ko Urukiko Rwisumbuye rugomba mbere na mbere gusuzuma icyo kibazo mbere yo kumva ingingo z'ubujurire mu mizi yazo ku Cyemezo cy'Urukiko rw'Ibanze cyo ku itariki ya 6 Kanama 2013.
13. Nyamara ariko, Perezida w'iburanisha Uwantege yasabye Avoka wunganira Uregwa gutanga ingingo zose z'ubujurire.
14. Mu gusubiza, Avoka wunganira Uregwa yavuze ko ubujurire budashobora gusobanurwa nyabyo igihe cyose Munyagishari yaba atemerewe gukurikirana iburanisha mu rurimi yumva cyangwa se yaba atagenewe umusemuzi.
15. Nyuma y'izo ngingo z'Ubwunganizi, Umucamanza Uwantege yasubitse urubanza kugeza ku itariki ya 26 Nzeri 2013 azatangarizaho Icyemezo cye kuri icyo kibazo.
16. Ku itariki ya 26 Nzeri 2013, mu Cyemezo cyanditse, Umucamanza Uwantege yavuze ko ubujurire bwa Munyagishari ku Cyemezo cy'Urukiko rw'Ibanze cyo ku

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itariki ya 6 Kanama 2013 nta shingiro bufite, haba ku kibazo cyo mu ikubitiro kirebana n'indimi haba no ku birebana n'ikibazo nyamukuru cy'ifungwa ry'agateganyo. Umucamanza Uwantege yemeje ko, kubera ko Munyagishari yanze kuburana mu kinyarwanda no kubera ko yabujije Avoka umwunganira gutanga ingizo z'ubujurire bwe, yahisemo gufata icyemezo ku bujurire yitaye ku nyandiko z'ubujurire zonyine hashingiwe ku Ngingo ya 117 y'itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha⁵.

17. Umucamanza Uwantege yasanze Munyagishari yitwaza ikibazo cy'indimi kugira ngo atinze imiburanishirize, uwo mwanzuro akaba yarawufashe ashingiye ku mpamvu y'uko icyo kibazo cyakemuwe mbere.

B. Kongera igihe cy'igifungo ku wa 9 Nzeri 2013 n'ubujurire bwakurikiyeho

18. Nk'uko byavuzwe muri raporo ihuruka, Munyagishari yitabye bwa mbere Urukiko rw'Ibanze rwa Kanombe ku itariki ya 5 Kanama 2013. Nyuma yaho, ku itariki ya

⁵Ingingo ya 117 y'itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha igira iti :

Igihe cyo gusuzuma ubujurire

Ubujurire ku cyemezo cyo gufunga cyangwa gufungura by'agateganyo bugomba gusuzumwa mu minsi itanu (5) uhereye umunsi bwashyikirijwe urukiko. icyemezo kigomba gufatwa mu minsi itanu (5) ibarwa uhereye ku munsi urukiko rwasoreje iburanisha.

Iyo uwajuriye atari mu karere k'aho urukiko ruburanishiriza cyangwa se adafite umwunganira, urukiko rushobora guca urubanza rushingiye ku myanzuro yanditse yonyine y'uwajuriye.

Itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha mu Rwanda, 8 Nyakanga 2013.

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6 Kanama 2013, Urukiko rw'Ibanze rwategetse ko Munyagishari akomeza gufungwa by'agateganyo mu gihe cy'iminsi 30. Ku itariki ya 9 Nzeri 2013, Urukiko rw'Ibanze rwa Kanombe rwongereyeho iminsi 30 ku gihe cy'ifungwa ry'agateganyo rya Munyagishari.

19. Avoka wunganira Munyagishari yajuririyeho Urukiko Rwisumbuye rwa Nyamirambo ku birebana n'Icyemezo cy'Urukiko rw'ibanze cyongera igihe cy'ifungwa ry'agateganyo. Uretse ikibazo cy'indimi n'icy'ubusemuzi, Ubwunganizi bwavuze cyane cyane ko Icyemezo cy'Urukiko rw'ibanze cyo ku itariki ya 9 Nzeri 2013 kinyuranyije n'amategeko kubera ko igihe cy'iminsi 30 Munyagishari yagomabga gufungwamo cyari yararangiye ku itariki ya 5 Nzeri 2013. Kubera ibyo, Ubwunganizi bwavuze ko ifungwa ry'agateganyo rya Munyagishari hagati y'itariki ya 5 n'ya 9 Nzeri 2013 nta cyemezo cyemewe rishingiyeho. Ubu bujirire bwaburanishijwe n'Umucamanza Astérie Nyirangirimana wo mu Rukiko Rwisumbuye rwa Nyamirambo.

20. Ku itariki ya 24 Nzeri 2013, ubwo urubanza rwaburanishwaga n'Umucamanza Nyirangirimana, Munyagishari yari yunganiwe na ba Avoka Niyibizi na Hakizimana, naho Ubushinjacyaha buhagarariwe na Ndibwami. Mu ikubitiro, Munyagishari yaburanye mu gifaransa maze atanga icyifuzo gisaba ko umwirondoro we uri mu idosiye y'Ubushinjacyaha wakosorwa. Munyagishari yavuze ko muri dosiye, umwirondoro we ugomba kuba uteye utya « Bernard Munyagishari, uzwi kandi ku izina rya Mushari Nyamudede Bernard ».

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21. Umucamanza Nyirangirimana yavuze ko Munyagishari agomba kuburana mu kinyarwanda kandi yanze kumva ingingo iyo ari yo yose yatangwa mu gifaransa. Nyuma y'Icyemezo cy'umucamanza, Niyibizi yavuze ko Munyagishari agomba kwemererwa kuburana mu gifaransa cyangwa se kugenerwa umusemuzi wo kumufasha gukurikirana iburanisha. Na none, yavuze ko iki kibazo kigomba gukemurwa mbere y'uko batanga ingingo ku bujurire nyamukuru burebana n'inyongeragihe yo gufungwa by'agateganyo. Niyibizi yavuze kandi ko ibyanditse muri dosiye y'Ubushinjacyaha bigomba gukosorwa kugira ngo hagaragazwemo neza umwirondoro wa Munyagishari, ukubiyemo n'uko ari umwenegihugu wa Repubulika Ihariyira Demokarasi ya Kongo (« Kongo »). Hakizimana yavuze kandi ko, hakurikijwe Ingingo ya 29 y'itegeko ryo ku itariki ya 16 Kamena 2013 rigena kwimurira imanza mu Rwanda, ibyemezo byafashwe na TPIR biri mu bukemuramanza bigomba kubahirizwa n'inkiko zo mu Rwanda⁶. Kubera ibyo, Hakizimana yavuze ko icyemezo cyafashwe na TPIR cyo kuburanisha Munyagishari mu gifaransa kigomba kubahirizwa n'inkiko zo mu Rwanda, ko kandi kunyuranya na cyo mu buryo ubwo ari bwo bwose bishobora gukoma imbarutso yo

⁶ Ingingo ya 29 y'itegeko rigena kwimurira imanza mu Rwanda ryo mu wa 2013 igira iti :

Agaciro k'ibyakozwe na TPIR

Ibiteganywa n'iri tegeko birebana n'ibyakozwe na TPIR bikomeza kugira agaciro kabyo mu gihe bitanyuranyije n'Icyemezo n° 1966 cy'Inama y'Umuryango w'Abibumbye Ishinzwe Amahoro ku Isi cyo ku wa 22 Ukuboza 2010 n'Amategeko y'Urwego Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso.

Itegeko N° 47/2013 ryo ku wa 16/06/ 2013 rigena kwimurira imanza muri Repubulika y'u Rwanda.

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kuvanaho icyemezo cyohereje urubanza mu Rwanda cyo ku wa 6 Kamena 2012, nk'uko kibiteganyaga.

22. Mu gusubiza, Ubushinjacyaha bwavuze ko ibyo bibazo byabyukijwe imbere y'Umucamanza Yvette Uwantege wo mu Rukiko Rwisumbuye rwa Nyamirambo, ko rero Ubwunganizi butagomba kwemererwa kongera kubibyutsa imbere y'undi Mucamanza wo muri urwo Rukiko Rwisumbuye (Umucamanza Nyirangirimana). Ubushinjacyaha bwavuze ko ubujurire bushingiye ahanini ku birebana n'ifungwa ry'agateganyo. Umushinjacyaha Ndibwami yavuze ko, uko byagenda kose, Urukiko rw'Ibanze rwamaze kwemeza ko Munyagishari avuga kandi yumva ikinyarwanda. Yongeyeho ko ingingo nk'iyi yabyukijwe no mu rubanza rwa Leon Mugesera, washakaga kuburana mu gifaransa, ariko Urukiko rw'Ikirenga rw'u Rwanda rukemeza ko Mugesera adashobora kubyemererwa kubera ko avuga kandi yumva ikinyarwanda.

23. Ku birebana n'umwirondoro wa Munyagishari, Ubushinjacyaha bwavuze ko bwatanze ibimenyetso birambuye bigaragaza ko Munyagishari ari Umunyarwanda kandi ko yakoraga muri sosiyete yitwa Sonatubes aho mu mpapuro yatanze mu kazi yerekanaga ko ari Umunyarwanda. Ubushinjacyaha bwanavuze ko u Rwanda rwemera ko umuntu ashobora kugira ubwenegihugu bubiri kandi ko kuba Munyagishari avuga ko ari Umunyekongo bidakuraho ko ari n'Umunyarwanda. Ubushinjacyaha bwakomeje buvuga ko n'ubwo byaba ari ukuri ko Munyagishari ari Umunyekongo, ibyaha ashinjwa byakorewe mu Rwanda, binakubitiyeho ko Munyagishari yabaga mu Rwanda mu gihe cyose ibivugwa mu Nyandiko y'ibirego

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byabaga. Mu gusoza, Ubushinjacyaha bwavuze ko umunyamahanga uburanira mu Rwanda aramutse yumva ikinyarwanda, urubanza rwe rwaburanishwa mu kinyarwanda.

24. Ku kibazo kirebana no gukosora umwirondoro wa Munyagishari muri dosiye, Ubushinjacyaha bwagize buti niba koko Munyagishari yitwa Mushari Nyamudede Bernard, ni mpamvu ki atavuze ayo mazina mu rubanza yaburanye ku Gisenyi mu wa 1981 no mu nyandiko za TPIR mu myaka ibiri yose yamaze afungiyeye Arusha.
25. Mu gusubiza, Avoka wunganira Uregwa, ari we Niyibizi, yavuze ko Munyagishari (1) yavukiye muri Kongo; (2) yabyirukiye kandi yabatirijwe muri Kongo; (3) yize amashuri abanza n'igice cy'ayisumbuye muri Kongo; (4) ntiyakomeje amashuri ye mu kinyarwanda; (5) yize mu gifaransa igice cy'amashuri yisumbuye yize mu Rwanda; kandi (6) yigishije igifaransa mu mwaka wa 6. Mu gusoza, Niyibizi yavuze ko muri dosiye nta nyandiko irimo yanditswe cyangwa yasinywe na Munyagishari yerekana ko azi ikinyarwanda cyangwa se ko ashobora kugikoresha neza. Niyibizi yavuze ko ku birebana n'Inyandiko y'urubanza rwo mu wa 1981 Ubushinjacyaha bwifashishije mu gushyigikira ibyo buvuga ko Munyagishari yumva ikinyarwanda, Munyagishari yatsinzwe urwo rubanza kubera gusa ko atashobroaga kwiregura mu kinyarwanda kandi akaba atari afite avoka wo kumuburanira mu kinyarwanda. Niyibizi yavuze kandi ko urubanza rwa Leon Mugesera rutagomba kugereranywa n'urwa Munyagishari kubera ko Mugesera yari afite guhitamo indimi ebyiri (igifaransa n'ikinyarwanda), mu gihe Munyagishari nta yandi mahitamo afite.

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26. Umucamanza Nyirangirimana amaze kumva ingingo z'ababuranyi yimuriye urubanza ku itariki ya 27 Nzeri 2013 azatangarizaho icyemezo cye ku birebana n'Icyifuzo cya Munyagishari gisaba ikosorwa ry'umwirondoro we uri muri dosiye.
27. Ku itariki ya 27 Nzeri 2013, mu Cyemezo cyanditse cyafashwe n'Umucamanza Nyirangirimana, yavuze ko icyifuzo cya Munyagishari gisaba ikosorwa ry'umwirondoro we nta shingiro gifite kandi yemeje ko ibimenyetso byatanze bigaragaza neza ko umuntu uregwa mu rukiko ari Bernard Munyagishari koko. Umucamanza Nyirangirimana yavuze ko Munyagishari atahakanye ko yitwa Bernard Munyagishari, ko icyo ashaka gusa ari ukongera andi mazina ku mwirondoro we. Umucamanza Nyirangirimana yasanze kandi mu rubanza rwaraburanishijwe muri TPIR, Uregwa yitwa Bernard Munyagishari bityo rero yemeje ko agomba kuburanishirizwa mu Rwanda ku mazina yanditse mu Nyandiko y'ibirego ya TPIR, kandi ayo mazina ntiyigeze ayahakana.
28. Ku birebana n'ikibazo cy'indimi, Umucamanza Nyirangirimana yasanze Ubushinjacyaha bwaratanze ibimenyetso bihamya ko Munyagishari yumva ikinyarwanda, kandi yavuze ko inyandiko zo mu rubanza rwa Munyagishari rwaciriwe ku Gisenyi mu wa 1981 zerekana ko uretse no kumva ikinyarwanda, anakivuga ndetse akanakoresha amagambo y'ikinyarwanda y'inshoberamahanga. Umucamanza Nyirangirimana yerekanye ko muri urwo rubanza rwo mu wa 1981, Munyagishari yakoresheje imigani y'imigenurano. Umucamanza Nyirangirimana yasanze kandi ururimi rwakoreshwaga mu mashuri abanza mu Rwanda aho Munyagishari yigishije rwari ikinyarwanda. Na none, Umucamanza Nyirangirimana

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yavuze ko Munyagishari yari aturanye n'Abanyarwanda, ko yavugaga ikinyarwanda aho yakoraga muri Sonatubes, kandi ko n'umukobwa we avuga ikinyarwanda. Kubera ibyo, Umucamanza Nyirangirimana yasanze Munyagishari yumva kandi avuga ikinyarwanda. Kubera iyo mpamvu, Umucamanza Nyirangirimana yanze icyifuzo gisaba ko Munyagishari yagira umusemuzi mu iburanisha n'igisaba ko Munyagishari yakwemererwa kuburana mu gifaransa. Umucamanza Nyirangirimana yimuriye urubanza ku itariki ya 1 Ukwakira 2013 kugira ngo hazumvwe ingingo zirebana n'ubujurire nyamukuru ku Cyemezo cy'Urukiko rw'Ibanze cyo ku itariki ya 9 Nzeri 2013 cyongereye igihe cy'ifungwa ry'agateganyo rya Munyangishari.

29. Mu gihe cy'isoza ry'iburanisha ryo ku wa 27 Nzeri 2013, Munyagishari yatanze ibarwa yanditse mu gifaransa avuga ko kwangirwa umusemuzi no kwangirwa kuburana mu gifaransa bihungabanya uburenganzira bwe bwo gucirwa urubanza mu buryo buboneye. Yavuze ko azasaba kurenganurwa anyuze mu nzira zose zishoboka, harimo no kujuririra Urukiko rw'Ikirenga rw'u Rwanda. Munyagishari yavuze kandi ko ashobora no gusaba MICT kvanaho icyemezo cyohereje urubanza mu Rwanda kubera ibyo Byemezo hamwe n'ibindi byose bihungabanya uburenganzira bwe bwo gucirwa urubanza mu buryo buboneye.
30. Ku itariki ya 1 Ukwakira 2013, Umucamanza Nyirangirimana yumvise ingingo zerekanye n'ubujurire bw'Ubwunganizi ku Cyemezo cy'Urukiko rw'Ibanze rwa Kanombe cyo ku wa 9 Nzeri 2013 cyongereye igihe cy'ifungwa ry'agateganyo rya Munyagishari. Munyagishari yari yunganiwe n'Abavoka Niyibizi na Hakizimana naho Ubushinjacyaha bwari buhagarariwe na Ndibwami.

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31. Mu ikubitiro, Niyibizi yavuze ko Urukiko Rwisumbuye rwa Nyamirambo nta bubasha rwari rufite bwo kuburanisha ubu bujuzire. Yifashishije Ingingo ya 4 y'itegeko rigena kwimurira imanza mu Rwanda, ivuga ko Urukiko Rukuru rw'u Rwanda ari rwo rufite ububasha bwo kuburanisha imanza zimuriwe mu Rwanda⁷. Kubea ibyo, yavuze ko ibirebana n'imiburanishirize mu Rukiko rw'Ibanze no mu Rukiko Rwisumbuye bitari mu bubasha bw'izo nkiko zombi. Niyibizi yavuze ko, kubera iyo mpamvu yonyine, icyemezo cyo ku itariki ya 9 Nzeri 2013 cyongereye igihe cy'ifungwa ry'agateganyo rya Munyagishari kigomba guteshwa agaciro maze Munyagishari agahita afungurwa.
32. Ku kibazo kirebana n'inyogeragihe y'ifungwa ry'agateganyo, Niyibizi yavuze ko Munyagishari yitabye bwa mbere Urukiko rw'Ibanze rwa Kanombe ku itariki ya 5 Kanama 2013. Ku itariki ya 6 Kanama 2013, urwo Rukiko rw'Ibanze rwategetse ko Munyagishari akomeza gufungwa by'agateganyo mu gihe cy'iminsi 30. Kubera ibyo, Niyibizi yavuze ko icyo Cyemezo cy'ifungwa ry'agateganyo cyarangije igihe cyacyo ku itariki ya 5 Nzeri 2013. Nyamara ariko, Urukiko rw'Ibanze rwongereye

⁷ Ingingo ya 4 y'itegeko rigena kwimurira imanza mu Rwanda ryo mu wa 2013 igira iti :

Urukiko rufite ububasha

Urukiko Rukuru rufite ububasha bwo kuburanisha ku rwego rwa mbere imanza zimuriwe mu Rwanda.

Ku rwego rwa mbere, urubanza ruburanishwa n'umucamanza umwe yunganiwe n'umwanditsi w'urukiko. Cyakora, Perezida w'Urukiko, abyibwirije, ashobora gushyiraho inteko y'abacamanza batatu (3) cyangwa barenga bunganiwe n'umwanditsi w'urukiko bitewe n'uko abona uburemere n'imiterere by'urubanza.

Itegeko N° 47/2013 ryo ku wa 16/06/2013 rigena kwimurira imanza muri Repubulika y'u Rwanda.

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icyo gihe ku itariki ya 9 Nzeri 2013. Ubwunganizi buvuga ko hagati y'itariki ya 5 n'ya 9 Nzeri 2013, Munyagishari yari afunze rero nta nyandiko yemewe n'amategeko iriho. Niyibizi yavuze kandi ko icyemezo cyo ku itariki ya 9 Nzeri 2013 cyafashwe ababuranyi badahari. Niyibizi, yifashishije Ingingo ya 104 isomewe hamwe n'ya 276 n'ya 277 z'itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha mu Rwanda, yavuze ko icyo gihe cya mbere cy'ifungwa ry'agateganyo kitashoboraga kuba cyarongerewe ku itariki ya 9 Nzeri 2013 kubera ko cyari cyararangiyeye ku itariki ya 5 Nzeri 2013. Ku bw'ibyo, Niyibizi yavuze ko ifungwa rya Munyagishari hagati y'itariki ya 5 n'ya 9 Nzeri 2013 ryari rinyuranyije n'amategeko kandi ko icyemezo cyo ku itariki ya 9 Nzeri 2013 kitashoboraga guhesha agaciro iryo fungwa ry'agateganyo ryari rinyuranyije n'amategeko⁸.

33. Na none, Niyibizi yavuze ko ifungwa rya Munyagishari rigomba gufatwa nk'aho ari irya TPIR rigikomeza. Yavuze ko Munyagishari yafashwe ku itariki ya 25 Gicurasi 2011 kandi ko yafunzwe kuva icyo gihe kugeza ubu. Ingingo ya 104 y'itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha mu Rwanda ivuga ko igihe ntarengwa cy'ifungwa ry'agateganyo ku byaha by'ubugome ari umwaka umwe

⁸Ingingo ya 104 y'itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha igira iti :

Igihe icyemezo cyo gufungwa by'agateganyo kimara

Icyemezo cy'uko ukurikiranyweho icyaha aba afunzwe mbere y'urubanza kimara igihe cy'ukwezi habariwemo umunsi cyafashweho. Iyo iyo minsi irangiye, gishobora kongerwa ukwezi kumwe bigakomeza gutyo.

Itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha mu Rwanda, 8 Nyakanga 2013.

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gusa. Niyibizi yavuze ko kubera ibyo, kuba Munyagishari afunzwe igihe kirenze umwaka binyuranyije n'amategeko, bityo akaba akwiye gufungurwa.

34. Mu gusubiza, Ubushinjacyaha bwavuze ko Urukiko Rwisumbuye rufite ububasha mu rubanza rwa Munyagishari ku birebana n'imihango yose ibanziriza iburanisha ry'urubanza mu mizi yarwo. Ubushinjacyaha bwavuze ko urubanza rwa Munyagishari mu mizi yarwo ruzaburanishwa n'Urukiko Rukuru rw'u Rwanda. Umushinjacyaha Ndibwami yavuze ko Ingingo ya 3 y'itegeko rigena kwimurira imanza mu Rwanda iteganya ko ifatwa n'ifungwa ry'uregwa uwo ari we wese bigengwa n'itegeko ryerekeye imiburanishirize y'imanza z'inshinyabyaha mu Rwanda. Yavuze ko iyo imihango ibanziriza iburanisha ry'urubanza mu mizi yarwo irangiye, urubanza rwohererezwa Urukiko Rukuru kugira ngo ruruburanishe.
35. Ku birebana n'ikibazo cy'uko ifungwa ry'agateganyo hagati y'itariki ya 5 n'ya 9 Kanama 2013 ryari rinyuranyije n'amategeko, Ubushinjacyaha bwavuze ko ku itariki ya 4 Nzeri 2013 ari bwo bwatanze icyifuzo gisaba ko igihe cy'ifungwa ry'agateganyo cyongerwa, bityo ko bwabikoze mbere y'uko igihe cy'ifungwa cya mbere kirangira, ko kandi Umucamanza wo mu Rukiko rw'Ibanze yari afite amasaha 72 yo gufata icyemezo ku cyifuzo cyabwo. Nyamara ariko, kubera ko hanyuzemo iminsi ya wikendi Umucamanza wo mu Rukiko rw'Ibanze yongereye icyo gihe cy'ifungwa ku itariki ya 9 Nzeri 2013. Ubushinjacyaha bwavuze ko kubera ibyo, icyemezo cyo ku itariki ya 9 Nzeri 2013 cyongereye igihe cy'ifungwa gihuje n'amategeko. Ubushinjacyaha bwongeyeho ko icyemezo cyo ku itariki ya 9 Nzeri 2013 cyasomewe mu ruhame kabone n'ubwo Ubwunganizi butari buhari.

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36. Mu gusoza, ku kibazo cy'uko ifungwa rya Munyangishari rigomba gufatwa nk'aho ari irya TPIR rigikomeza, Ubushinjacyaha bwavuze ko imiburanishirize yo mu Rwanda iri ukwayo n'iyo muri TPIR ikaba ukwayo. Ubushinjacyaha buvuga ko kubera ibyo, ifungwa rya Munyangishari mu Rwanda ryatangiye ku itariki ya 24 Nyakanga 2013 ubwo yoherezwaga mu Rwanda.
37. Nyuma yo kumva ingingo z'ababuranyi, Umucamanza Nyirangirimana yimuriye urubanza ku itariki ya 4 Ukwakira 2013 ari nabwo azatangaza icyemezo cye ku birebana n'ubujurire nyamukuru bwa Munyangishari.
38. Ku itariki ya 4 Ukwakira 2013, mu Cyemezo cyanditse, Umucamanza Nyirangirimana yavuze ko ubujurire bwa Munyangishari ku Cyemezo cy'Urukiko rw'Ibanze cyo ku itariki ya 9 Nzeri 2013 cyongera igihe cy'ifungwa rya Munyangishari nta shingiro bufite. Umucamanza Nyirangirimana yavuze ko Urukiko Rwisumbuye rufite ububasha bwo kuburanisha ubwo bujurire kandi ko icyemezo cyo ku itariki ya 9 Nzeri 2013 cyongereye igihe cy'ifungwa cyafashwe n'Urukiko rw'Ibanze mu buryo buhuje n'amategeko. Yasanze ubwo icyemezo kibanza cy'ifungwa ry'agateganyo cyarangiraga ku itariki ya 5 Nzeri 2013, Ubushinjacyaha bwari bwaramaze gushyikiriza Urukiko rw'Ibanze icyifuzo cyabwo cyasabaga kongera icyo gihe kandi ko kubera ibyo, icyemezo cyo ku itariki ya 9 Nzeri 2013 cyongera igihe cy'ifungwa ho indi minsi 30 gihuje n'amategeko

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C. Kubonana na Munyagishari ku itariki ya 26 Nzeri 2013

39. Ku itariki ya 26 Nzeri 2013, nabonaniye na Munyagishari mu gipangu cyihariye cyo muri Gereza Nkuru ya Kigali (« Gereza ») afungiyemo. Munyagishari yasubiyemo zimwe mu ngingo ze z'ingenzi zirebana n'ubumenyi bwe mu by'indimi no kuba adafite umusemuzi. Ku birebana n'ingano n'ubuziranenge bw'ibiryo agaburibwa muri Gereza, Munyagishari yavuze ko nta cyahindutse ku bintu uko byari byifashe nk'uko byagaragajwe muri Raporo y'ubugenzuzi iheruka⁹. Munyagishari yahakanye ko nta bugari cyangwa isombe abona, nk'uko byari byaravuzwe na Diregiteri wa Gereza muri Raporo y'ubugenzuzi iheruka¹⁰.
40. Munyagishari yavuze ko hari itsinda ry'abashinjacyaha bari baherutse kumureba batamuteguye mu gipangu cyihariye cya Gereza. Yavuze ko uwo mubonano, hamwe n'ibibazo abo bashinjacyaha bamubajije bitagombaga kuba byaratangiwe uruhushya, kandi ko n'iyi ruza gutangwa, byagombaga kuba byarabanje kumenyeshwa Abavoka bamwunganira kandi bakabyemera.
41. Munyagishari yavuze ko umukobwa we « yabajijwe afunzwe » mu gihe cy'amasaha ane n'Ubushinjacyaha ku itariki ya 26 Nyakanga 2013. Yavuze ko ibyo byari ingaruka y'amakuru yerekeranye n'umwirondoro wa bene wabo Ubushinjacyaha

⁹ Raporo y'ubugenzuzi mu rubanza rwa Munyagishari ya Nyakanga-Kanama 2013, igika 32.

¹⁰ Raporo y'ubugenzuzi mu rubanza rwa Munyagishari ya Nyakanga-Kanama 2013, igika 72.

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« bwamukuyemo » mu minsi yo koherezwa mu Rwanda kandi ko yabazwaga icyo gihe nta Avoka umwunganira uhari¹¹.

42. Munyagishari yambwiye ko yaregeye MICT ayisaba kvanaho icyemezo cyimuriye urubanza rwe mu Rwanda ngo kubera ko « u Rwanda rwarenze ku bisabwa by'ingenzi muri icyo Cyemezo ».

D. Kubonana na Diregiteri wa Gereza ku wa 26 Nzeri 2013

43. Ku itariki ya 26 Nzeri 2013, nabonanye na Rusa Gahima, Diregiteri wa Gereza, ku birebana n'uburyo Munyagishari afunzwemo kimwe n'undi mufungwa na we dosiye ye yoherejwe mu Rwanda ari we Jean Uwinkindi.
44. Gahima yambwiye ko ku itariki ya 17 Nzeri 2013, itsinda ry'abashinjacyaha hamwe n'Umujyanama w'Umushinjacyaha Mukuru w'u Rwanda (itsinda ryari rigizwe n'abantu batandatu) basuye ikigo cyihariye cya Gereza gifungirwamo abafungwa boherejwe bavuye hanze y'igihugu. Gahima yavuze ko iryo tsinda ry'abantu ryari riturutse mu Biro by'Umushinjacyaha Mukuru yarakiriye we ubwe ari kumwe n'Umujyanama mu by'amategeko w'Umuyobozi Mukuru w'Urwego rw'igihugu Rushinzwe Imfungwa n'Abagororwa (« RCS »). Ubwo abagize iryo tsinda bari bamaze kubonana na Gahima, babonanye n'imfungwa muri rusange ndetse na buri wese ukwe mu bafunguye mu gipangu cyihariye cyo muri Gereza kugira ngo bagenzure ibirebana n'imibereho myiza yabo n'uburyo bafunzwemo. Abo

¹¹ Raporo y'ubugenzuzi mu rubanza rwa Munyagishari ya Nyakanga-Kanama 2013, igika 21.

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bafungwa, barimo Munyagishari na Uwinkindi, bagejeje ku bagize iryo tsinda ibitekerezo byabo ku birebana n'uburyo bafunzwemo.

45. Gahima yavuze ko ku itariki ya 19 Nzeri 2013, habayeho indi nama hagati y'abakozi bakuru bo mu Rwego rw'igihugu Rushinzwe Imfungwa n'Abagororwa n'abo mu Biro by'Umushinjacyaha Mukuru w'u Rwanda, ku birebana n'imibereho myiza y'imfungwa zifungiyemo mu gipangu cyihariye cya Gereza. Gahima yavuze ko muri iyo nama, hafashwe icyemezo cyo kwita ku bibazo by'imfungwa birebana n'ibiribwa, amashuka n'ibiringiti, ibikoresho byo mu gikoni n'ibyo ku meza, imyidagaduro, itumanaho, n'ibindi. Gahima yambwiye ko hakurikijwe ibyavuye muri iyo nama, itsinda rigizwe n'abantu batatu ari bo Umujyanama mu by'amategeko, umukozi ushinze imibereho myiza na kontabure wa Gereza bahuye kugira ngo barebere hamwe ibyo imfungwa zikeneye kandi bakore na dovi y'ikiguzi cyabyo. Gahima yavuze ko iyo dovi yagombaga kohererezwa Urwego rw'igihugu Rushinzwe Imfungwa n'Abagororwa kugira ngo ruyigenzure, kandi yavuze ko iyo gahunda yagombaga gushyirwa mu bikorwa mu gihe cya vuba. Gahima yanyeretse umushinga w'inyandiko yavugaga ko wohererejwe Urwego rw'igihugu Rushinzwe Imfungwa n'Abagororwa kugira ngo ruwemeze. By'umwihariko, Gahima yatsindagiye ibi bikurikira:

- a. Hagomba gukorwa urutonde rushya rw'ibiribwa bigize ifunguro rya mu gitondo, iryo ku manywa n'irya nimugoroba hifashishijwe inzobere mu by'imirire n'abanyururu ubwabo kugira ngo ibiribwa biteganyirizwa

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abafungiwe mu gipangu cyihariye cya Gereza bibe bihagije kandi bifite ubuziranenge bukwiye;

- b. Abanyururu bagomba guhabwa ibikoresho by'isuku yabo bwite;
- c. Hagomba gutangwa ibikoresho birimo amashuka n'ibiringiti hamwe n'ibikoresho byo mu gikoni n'ibyo ku meza;
- d. Hagomba gutangwa televiziyo ifite dekoderi ishobora kwerekana za porogaramu nyinshi hakubiyemo iz'amasiporo n'iz'ibindi bintu byo muri iki gihe;
- e. Hagomba kwitabwaho ibikenerwa n'imfungwa mu itumanaho kandi Gereza igomba kuzirihira amafaranga anyuze mu gaciro bakoresha mu gutelefona;
- f. Dovi y'ibikenerwa n'imfungwa mu kwivuza igomba gukorwa kandi serivisi yo kubavura igomba gutunganywa kurushaho;
- g. Hagomba kubakwa inyubako nshya mu gipangu cyihariye cyo muri Gereza igizwe n'ibumba bibiri birimo ameza, intebe, mudasobwa n'imashini isohora inyandiko zanditswe kuri mudasobwa (« *printer* ») kugira ngo imfungwa zishobore gukora no kubonana n'abavoka bazunganira¹²;

¹² Gahima yanyeretse pula y'umushinga w'iyi nyubako kandi yanyanye kureba aho iyi nyubako izaba iherereye mu gipangu cyihariye cyo muri Gereza.

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- h. Ahakorerwa siporo n'ibikoresho bya siporo mu gipangu cya gereza cyihariye bigomba kwitabwaho kurushaho kandi imfungwa zigomba kwemererwa gukorera siporo hanze y'igipangu cyihariye kabiri mu cyumweru;
 - i. Serivisi zirebana n'idini zigenerwa imfungwa zigomba kubera mu gipangu cyihariye cya gereza ubwacyo; kandi
 - j. Igihe cyateganyijwe imfungwa ishobora gusurwa mu cyumweru kigomba kongerwa kikaba iminota 30 aho kuba 10 igenerwa izindi mfungwa. Byongeye kandi, iyo abasura baturutse kure, abakozi ba Gereza bashobora kongera igihe cy'iminota 30 cyagenewe isurwa rya buri mfungwa mu cyumweru.
46. Gahima yavuze ko azagenda amenyesha buri gihe abagenzuzi bashyizweho na TPIR / MICT ku birebana n'ishyirwa mu bikorwa by'izo ngamba.

E. Kubonana na Munyagishari ku itariki ya 30 Nzeri 2013

47. Ku itariki ya 30 Nzeri 2013, nabonanye na Munyagishari kuri Gereza ari kumwe n'Avoka umwunganira Hakizimana. Munyagishari yambwiye ko Natacha Fauveau-Ivanović, Avoka wamwunganiraga muri TPIR, yasabye Urugaga rw'Abavoka rwa Kigali uruhushya rwo kumuburanira mu Rwanda ariko ko icyifuzo cye kitarasubizwa.
48. Munyagishari yambwiye kandi ko muri icyo gitondo yari yitabye Ubushinjacyaha, ko ariko yakoresheje uburenganzira bwe bwo kunuma.

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F. Kubonana n'abakozi bakuru bo mu Rwego rw'Ubushinjacyaha Bukuru

49. Ku itariki ya 25 Nzeri 2013, nabonanye n'Umushinjacyaha Mukuru mushya n'Umushinjacyaha Mukuru wungirije b'u Rwanda. Uwo mubonano warimo kandi na Florida Kabasinga, Umujyanama w'Umushinjacyaha Mukuru w'u Rwanda akaba yaranahoze ari umukozi wa TPIR. Kubera ko uwo mubonano wari ugamije gusa kwiyerekera abo bayobozi bashya, ibyo twaganiriye ntaho byanditswe kandi nta bintu bikomeye twavuganyeho. Umushinjacyaha Mukuru na njye twizezanyije gukomeza ubufatanye ku birebana n'ubugenzuzi bw'imigendekere y'imanza zoherejwe mu Rwanda.
50. Ku itariki ya 10 Ukwakira 2013, nabonanye na Jean-Bosco Mutangana, Umushinjacyaha ku rwego rw'igihugu, na Kabasinga, Umujyanama w'Umushinjacyaha Mukuru w'u Rwanda, mu biro by'Urwego rw'Ubushinjacyaha Bukuru (« NPPA »). Mutangana yambwiye ko urugendo itsinda ry'abakozi bo mu Bushinjacyaha bagiriye muri Gereza ku itariki ya 17 Nzeri 2013 rwari rugamije cyane cyane kugenzura imibereho myiza y'imfungwa zifungiyemo mu gipangu cyihariye cy'iyo Gereza n'uburyo zifunzwemo. Yavuze ko ibyo ari bimwe mu biri mu nshingano z'Ubushinjacyaha nk'uko biteganywa n'amategeko yo mu Rwanda. Mutangana yasobanuye ko nta biganiriro abo bakozi bagiranye n'imfungwa birebana n'imanza zabo mu mizi yazo.
51. Mutangana yemeje ko Ubushinjacyaha bwabajije koko umukobwa wa Munyagishari ubwo Munyagishari yari akimara kugera mu Rwanda, ariko ko ibazwa rye ryari mu

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rwego rw'iperereza Ubushinjacyaha burimo gukora kuri iyi dosiye. Mutangana yavuze ko umukobwa wa Munyagishari nta na rimwe yigeze afungwa n'Ubushinjacyaha.

G. Ishyirwaho ry'Umugenzuzi mushya

52. Ku itariki ya 30 Nzeri 2013, Constant Hometowu, Umukozi ushinzwe iby'amategeko muri Serivisi y'imanza n'amategeko ya TPIR, yasezeye mu kazi k'Urukiko. Kubera ibyo, imirimo yakoraga nk'umugenzuzi washyizweho na TPIR / MICT na yo yahise irangira.

53. Ku itariki ya 3 Ukwakira 2013, Gerefiye wa MICT yashyizeho Samuel Algozin, Umukozi ushinzwe iby'amategeko muri MICT, nk'umugenzuzi usimbura Hometowu¹³.

III. UMWANZURO

54. Imihango ibanziriza iburanisha ry'urubanza rwa Munyagishari mu mizi yarwo iracyakomeza. Muri iki gihe, Munyagishari afunzwe by'agateganyo mu gihe cy'iminsi 30 hashingiwe ku Cyemezo cy'Urukiko rw'Ibanze cyo ku itariki ya 9 Nzeri 2013.

¹³ Mu rubanza rwa Jean Bosco Uwinkindi, N° MICT-12-25 no mu rwa Bernard Munyagishari, N° MICT-12-20, icyemezo gishyiraho Umugenzuzi, 3 Ukwakira 2013, urup. 2.

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55. Nta tariki irashyirwaho y'igihe urubanza ruzatangira kuburanishirizwaho mu mizi yarwo.

Anees Ahmed

Umugenzuzi washyizweho na TPIR / MICT mu rubanza rwa Munyagishari

(Umukono)

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Inyandiko yahinduwe mu kinyarwanda, byemezwa na SSL/TPIR

Raporo y'ubugenzuzi mu rubanza rwa Munyagishari (A. Ahmed, Nzeri 2013)