

MICT-12-20
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UMURYANGO W'ABIBUMBYE

**Urukiko Mpanabyaha Mpuzamahanga
Rwashyiriweho u Rwanda**

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31 Gicurasi 2014

Kuri: Perezida w'Urwego Rwashyiriweho Kurangiza Imirimo y'Inkiko
Mpanabyaha Mpuzamahanga (MICT)

Binyujijwe kuri: Gerefiye wa MICT
Gerefiye w'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
(Mata 2014)**

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Byahinduwe mu Kinyarwanda kandi byemezwa na SSL/TPIR

Raporo y'ubugenzuzi mu rubanza rwa Munyagishari (A.Ahmed, Mata 2014)

I. INTANGIRIRO

1. Mbashyikirije iyi raporo y'igenzura (« Raporo ») nk'Umugenzuzi washyizweho na TPIR na MICT kugira ngo nkurikirane iby'urubanza rwa Bernard Munyangishari rwoherejwe mu nkiko za Repuburika y'u Rwanda¹.
2. Iyi raporo yerekeranye n'ibyakozwe mu rubanza rwa Munyangishari mu nkiko z'u Rwanda n'ibiganiro nagiranye n'abantu batandukanye barebwa n'icyo kibazo, muri Mata 2014 («Igihe kirebana n'iyi raporo »).
3. Muri iki gihe kirebana na Raporo, nagiyeye mu Rwanda inshuro imwe.

II. RAPORO IRAMBUYE**A. *Iburanisha mbanzizirubanza imbere y'Urukiko Rukuru rw'u Rwanda***

4. Ku itariki ya 3 Mata 2014, habayeho iburanisha mbanzizirubanza imbere y'Urukiko Rukuru rwa Repubulika y'u Rwanda, rirebana n'urubanza rwa Munyangishari. Iburanisha ryatangiyeye Urukiko rusaba umusemuzi wemewe washyirihweho Munyangishari kurwibwira. Uyu musemuzi yavuze ko yitwa Faustin B. Murangwa, umwe mu bagize Urugaga rw'Abavoka rwa Kigali (KBA mu magambo ahinye y'icyongereza) akaba n'umunyamategeko mu nzego z'ubutabera z'u Rwanda zishinzwe ibyaha byo mu rwego mpuzamahanga n'ianza zimurirwa mu Rwanda. Urukiko Rukuru rwasabye umusemuzi kurahirira ko atazamena ibanga ry'akazi, hanyuma arahizwa na Perezida w'Inteko.
5. Munyangishari yanenze ubushobozi bw'umusemuzi avuga ko atigeze yiga amashuri yihariye y'ubusemuzi.

¹ Nashyizweho n'ibaruwa yo mu rwego rw'akazi yo ku itariki ya 29 Gicurasi 2013, Gerefiye wa MICT yandikiye Gerefiye wa TPIR. Gerefiye wa TPIR yemeye ko nshyirwaho mu ibaruwa yo mu rwego rw'akazi yo ku itariki ya 31 Gicurasi 2013 yandikiye Gerefiye wa MICT.

6. Ubushinjacyaha bwabwabye guhabwa igihe cyo gushyikiriza Munyagishari Inyandiko y'ibirego yahinduwe mu rundi rurimi, kandi Ubwunganizi ntibwatambamiye icyo cyifuzo. Urukiko Rukuru rwavuze ko n'ubwo uregwa afite uburenganzira bwo guhabwa umusemuzi, iburanisha rizajya riba mu kinyarwanda.
7. Nyuma y'impaka zo mu rwego rw'amategeko zerekeye imiburanishirize, urubanza rwimuriwe ku itariki ya 4 Kamena 2014, ariko Ubushinjacyaha butegekwa kuba bwashyikirije Munyagishari Inyandiko y'ibirego yahinduwe mu gifaransa hasigaye icyumweru kimwe ngo iyo tariki igere.

B. Uburyo uregwa afunzwemo

8. Ku itariki ya 25 Mata 2014, nagiranye inama na Munyagishari muri gereza ya Nyarugenge. Yampaye inyandiko ikubiyemo ibyo yamenyesheje Diregiteri wa gereza byerekeranye n'imiterere y'ibiryoyi n'igihe biherwa imfungwa zo mu gice cyihariye cya gereza ya Nyarugenge Munyagishari afungiyemo.
9. Ku itariki ya 25 Mata 2014, biturutse ku gitekerezo cya Diregiteri wa gereza, nagiranye inama na Madame Janet Bugingo, Diregiteri wa gereza wungirije. Muri iyo nama, Madame Bugingo yavuze ko azi iby'iyoyi nyandiko kandi ko ibibazo bivugwamo byabonewe umuti ushimishije.
10. Ku itariki ya 29 Mata 2014, Munyagishari yandikiye abagenzuzi ba TPIR/MICT ibaruwa yise : Igisubizo ku buryo abantu bafungwamo (amategeko mashya ateganywa gukurikizwa n'ubuyobozi bwa gereza ya Nyarugenge ku mfungwa zoherejwe mu Rwanda) (*Réplique aux conditions de détention (nouvelle réglementation envisagée par la direction de la prison de Nyarugenge pour les détenus transférés*). Muri iyo baruwa, Munyagishari anenga amwe mu « mategeko n'amabwiriza mashya » byashyizweho n'abayobozi ba gereza, by'umwihariko, ayagereranyije n'amategeko akurikizwa ku bagororwa boherejwe mu Rwanda n'Urukiko Rudasanze rwashyirwaho *Sierra Leone* kugira ngo barangirize ibihano byabo mu ri Gereza ya Mpanga mu Rwanda.

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Byahinduwe mu Kinyarwanda kandi byemezwaga na SSL/TPIR

Raporo y'ubugenzuzi mu rubanza rwa Munyagishari (A.Ahmed, Mata 2014)

C. Uburenganzira bwo gucirwa urubanza mu buryo buboneye

11. Ubwo nabonanaga na Munyagishari ku itariki ya 25 Mata 2014, yavuze ko afite impungenge ko abavoka be b'agateganyo ari bo Jean Baptiste Niyibizi na John Hakizimana « badahemberwa mu buryo bukwiye » akazi bakora mu rubanza rwe. Yavuze ko azabyutsa icyo kibazo imbere y'inzego z'ubutabera zibishinzwe, anenga ibyemezo byafashwe na KBA ku birebana n'uburyo yunganirwa n'ibyerekeye amafaranga ahabwa abunganira abantu batishoboye mu nkiko.
12. Ku itariki ya 6 Gicurasi 2014, Munyagishari yashyikirije Urukiko Rukuru icyifuzo gisaba gutegeka KBA kumuha kopi y'urutonde rwuzuye rw'abavoka bagize urwo rugaga, kugira ngo ashobore gushyiraho ikipe ye y'Ubwunganizi hakiri kare. Bitewe n'uko icyo cyifuzo kikiri imbere y'Urukiko rugomba kugifataho icyemezo, nasanze Atari ngombwa kugira icyo mbaza KBA cyangwa abandi barebwa n'icyo kibazo ku bivugwa muri icyo cyifuzo. Amakuru arambuye azatangwa muri raporo z'ubugenzuzi zitaha ubwo icyo cyifuzo kizaba kimaze kuvugwaho ku buryo buhagije kandi n'ababuranyi basobanuye icyo bagitekerezaho imbere y'Urukiko Rukuru.

D. Ibindi

13. Ku itariki ya 3 Mata 2014, Gerefiye wa MICT yashyizeho uwitwa Jelena Gudirić nk'umugenzuzi w'inyongera uzakurikirana imanza ebyiri zoherejwe mu Rwanda na TPIR². Asanzwe ari umujyanama mu by'amategeko akaba n'umuhuza w'imirimo mu biro bya Gerefiye w'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho icyahozze ari Yugoslavia.

² Urubanza rwa Bernard Munyagishari, N°. MICT-12-25 & MICT-12-20, Itegeko rishyiraho umugenzuzi, Urwego Rwashyiriweho Kurangiza Imirimo y'Inkiko Mpanabyaha Mpuzamahanga, 3 Mata 2014, urup.2

III. UMWANZURO

14. Iburanisha mbanzirizarubanza ku birebana n'urubanza rwa Munyagishari riracyakomeza. Iritaha rizabera imbere y'Urukiko Rukuru ku itariki ya 4 Kamena 2014.
15. Ntiharagenwa itariki urubanza ruzatangira kuburanishwa mu mizi yarwo.

(Umukono)

Anees Ahmed

Umugenzuzi wa TPIR/MICT mu rubanza rwa Munyagishari

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Byahinduwe mu Kinyarwanda kandi byemezwa na SSL/TPIR

Raporo y'ubugenzuzi mu rubanza rwa Munyagishari (A.Ahmed, Mata 2014)