

MICT-12-20  
14-08-2014  
(257/ter - 244/ter)

257/ter  
JN

**UMURYANGO  
W'ABIBUMBYE**



Urwego Rwashyiriweho Kurangiza Imirimo  
y'Inkiko Mpanabyaha Mpuzamahanga

Urubanza N°: MICT-12-20

Itariki: 4 Nyakanga 2014

Umwimerere: icyongereza

**Umucamanza: Theodor Meron, Perezida**

**Gerefiye: John Hocking**

**POROKIRERI**

**Aburana na:**

**BERNARD MUNYAGISHARI**

INYANDIKO ITARI IBANGA

**RAPORO Y'UBUGENZUZI IREBANA NA GICURASI 2014**

**Received by the Registry  
Mechanism for International Criminal Tribunals  
14/08/2014 12:00**

*Anomara f.*

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## I. INTANGIRIRO

1. Iyi raporo y'ubugenzuzi irebana n'ibyakozwe mu rubanza rwa *Munyagishari* mu bucamanza bw'u Rwanda, n'imibonano abagenzuzi bashyizweho n'Urwego Rwashyiriweho Kurangiza Imirimo y'Inkiko Mpanabyaha Mpuzamahanga (« Urwego ») bagiranye n'abantu banyuranye barebwa n'ikibazo, mu kwezi kwa Gicurasi 2014 (« Igihe kirebwa na raporo »).
2. Mu gihe kirebwa na raporo, abagenzuzi bashyizweho aribo Anees Ahmed na Jelena Gudurić bagiye mu Rwanda rimwe. Uretse gukora ubugenzuzi ku manza ebyiri zimuriwe mu nkiko z'u Rwanda, ari zo urwa *Munyagishari* n'urwa *Uwinkindi*, muri urwo rugendo Ahmed yari agamije kandi kwereka Madamu Gudurić (« Umugenzuzi ») abantu banyuranye barebwa n'ikibazo, nk'ushinzwe by'agateganyo ubugenzuzi bw'izo manza<sup>1</sup>.
3. Umugenzuzi yabonanye na Munyagishari, ndetse n'Umukuru w'Ishami rishinzwe kwita ku batangabuhamya ukorera mu Rukiko rw'Ikirenga, Umuyobozi Wungirije wa Gereza, Gerefiye mu rubanza rwa *Uwinkindi* n'urwa *Munyagishari*, hamwe na Diregiteri wa gereza. Umugenzuzi yasuye kandi « igipangu cyihariye » cyo muri Gereza nkuru ya Kigali (Gereza ya Nyarugenge) (« Gereza ») aho Munyagishari na Uwinkindi bafungiyeye.
4. Mu gihe kirebwa na raporo nta buranisha ryabaye. Nk'uko byavuzwe muri raporo zabanjirije iyi<sup>2</sup>, iburanisha ritaha mu rubanza rwa *Munyagishari* riteganyijwe kuba ku itariki ya 4 Kamena 2014.

<sup>1</sup> Reba *Urubanza rwa Jean Bosco [sic] Uwinkindi n'urwa Bernard Munyagishari*, N° MICT-12-25 na MICT-12-20, « Itegeko rigena umugenzuzi » (inyandiko itari ibanga), yatanzwe ku itariki ya 4 Mata 2014.

<sup>2</sup> *Urubanza Porokireri aburana na Bernard Munyagishari*, N° MICT-12-20 (« *Munyagishari* »), « Raporo y'ubugenzuzi mu rubanza rwa Munyagishari (Mata 2014) » (inyandiko itari ibanga), yatanzwe ku itariki ya 6 Kamena 2014, igika 7.

5. Ibyakozwe byose mu gihe kirebwa n'iyi raporo bisobanurwa mu buryo burambuye hano hasi.

## II. RAPORO IRAMBUYE

### A. *Imirimo yerekeranye n'ubucamanza*

#### Iburanisha

6. Mu gihe kirebwa n'iyi raporo, nta buranisha ryabaye mu rubanza rwa *Munyagishari*. Iburanisha ritaha rizaba ku itariki ya 4 Kamena 2014. Porokireri yategetswe kugeza kuri Munyagishari Inyandiko y'ibirego isemuye mu rurimi rw'igifaransa hasigaye icyumweru kimwe ngo iyo tariki igere<sup>3</sup>.

#### Inyandiko zatanzwe mu rukiko

7. Ku itariki ya 27 Gicurasi 2014, Porokireri yatanze Inyandiko y'ibirego isemuye mu rurimi rw'igifaransa<sup>4</sup>.

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<sup>3</sup> Ni kimwe no haruguru.

<sup>4</sup> Umugenzuzui abifashijwemo n'umusemuzi yasuzumye dosiye y'urubanza rwa *Munyagishari* (Urubanza N° RP0012/13/HCCI) ubwo yajyaga mu Rwanda muri Kamena 2014.

**B. Imibonano na Munyagishari**

8. Ku itariki ya 14 n'ya 15 Gicurasi 2014, umugenzuzi yabonye na Munyagishari.
9. Ku itariki ya 14 Gicurasi 2014, umugenzuzi ari kumwe na Ahmed babonye na Munyagishari baganira babifashijwemo n'umusemuze. Uwo mubonano ntiwari ugamiye kuvugana ku bibazo runaka, ahubwo wari uwo kugira ngo Ahmed abashe kwereka Munyagishari umugenzuzi. Ahmed yamenyesheje kandi Munyagishari ko agiye kuva mu Rukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda (TPIR), ko rero atazakomeza gukora nk'umugenzuzi muri uru rubanza.
10. Ku itariki ya 15 Gicurasi 2014, umugenzuzi yongeye kubonana na Munyagishari, baganira babifashijwemo n'umusemuze. Muri uwo mubonano, Munyagishari yavuze ku bibazo binyuranye byerekeye imibereho ye muri gereza n'uburenganzira bwo gucirwa urubanza mu buryo bubonye.
11. Mu ikubitiro, Munyagishari yabajije umugenzuzi niba azi ibyerekeranye n'urubanza rwe. Umugenzuzi yamwijeje ko azi ibyemezo byose bya ngombwa n'inyandiko zatanzwe mu rubanza, harimo n'ibirebana n'icyemezo cyo kwimurira urubanza mu nkiko z'u Rwanda, n'ikirebana no kugenzura iburanisha, hamwe na raporo z'ubugenzuzi zakozwe mbere, n'amategeko akurikizwa mu gihugu.
12. Munyagishari yavuze no ku mibereho ye muri gereza. Muri rusange nta cyo yinubiye mu byerekeye uko avurwa n'ubwo hari utubazo duta. Nta n'icyo yinubiye ku birebana n'imirire, n'ubwo hari igihe adahabwa imbuto nk'uko biteganyijwe mu ndyo yumvikanyeho na Diregiteri wa Gereza.
13. Munyagishari yashimye ubuyobozi bwa Gereza kubera ko bukora uko bushoboye kugira ngo afatwe neza muri Gereza.

14. Munyagishari yasobanuye ko abacungagereza bari ukubiri: abacungagereza bambara iniforume, n'abapolisi bakora mu ibanga bambara imyenda ya gisiviri. Yasobanuye ko amategeko agenga Ikigo gishinzwe za gereza ateguka ko abacungagereza baba buri gihe bambaye iniforume. Ikindi kandi, avuga ko abacungagereza n'abapolisi bakorera mu ibanga bamubuza kuvugana n'abandi bafungwa no kubaha umukono abaramutsa, hirengagijwe amabwiriza ya Diregiteri wungirije yemera ko ashobora gushyikirana n'abandi bafungwa.
15. Munyagishari yamenyesheje kandi umugenzuzi ko yandikiye Diregiteri wa Gereza muri Mata 2014 amusaba kwerekwa dosiye ye, maze yayirebamo agatangazwa no kubonamo raporo yanditswe n'umuforomokazi ivuga ko yaba yitwara nabi. Munyagishari yasobanuye ko hari umuforomokazi waje kumusuzuma ku itariki ya 11 Kanama 2013, akamuhatira kuvuga mu kinyarwanda. Munyagishari avuga ko uwo muforomokazi yamuzaniye imiti aherekajwe n'abacungagereza babiri. Kubera ko ibiganiro biba hagati y'umuforomo n'umurwayi ari ibanga, Munyagishari yatangajwe n'uko hari abo bacungagereza babiri. Umuforomokazi yavuze ko Munyagishari yanga kuvuga ikinyarwanda, nyuma yaho akaba yaranditse raporo yemeza ko Munyagishari yagaragaje imyitwarire mibi. Munyagishari yasabye avoka we gusuzuma iyo raporo kubera ko yanditse mu kinyarwanda, maze akavugana na Diregiteri wa gereza. Munyagishari avuga ko mu mategeko agenga imikorere ya za gereza, abaforomo babujijwe kwandika raporo umurwayi atabizi, kubera ko baba bafite amakuru y'ibanga yerekeye abarwayi babo. Yongeyeho kandi ko abaganga bakwiriye gukora gusa ibifitiye abarwayi inyungu, nta zindi nyungu bitayeho. Yanzuye avuga ko mbere y'uko abakozi bo kwa muganga bandikira ubuyobozi raporo, bakwiriye kubanza kubimenyesha umurwayi kugira ngo abibahere uruhushya.
16. Ku birebana n'ikibazo cy'ahantu hakwiriye abafungwa babonanira n'abavoka babo, Munyagishari yavuze ko hari gahunda yo kubaka icyumba cyo kubonaniramo mu mbuga

- y'igipangu cyihariye cya gereza, akaba afite impungenge ko icyo cyumba gishya nicyubakwa bizatuma imbuga igabanuka.
17. Munyagishari yavuze amategeko anyuranye n'ibindi bintu byahindutse kuva yakwimurirwa mu Rwanda.
  18. Munyagishari yavuze ko muri raporo y'ubugenzuzi y'ukwezi kwa Mutarama n'ukwa Gashyantare 2014<sup>5</sup>, Diregiteri wa gereza yavuze ko hari amabwiriza mashya azashyirwaho. Munyagishari yavuze ko ibi binyuranyije n'amasezerano Guverinoma y'u Rwanda yagiranye n'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda yerekeye imanza zimurirwa mu nkiko z'u Rwanda. Yagarutse kuri raporo y'inshuti y'Urukiko (« *amicus curiae* ») ya Guverinoma y'u Rwanda yo guhera mu kwezi kwa Mutarama 2012, ivuga mu gika cya 23 ko abantu bafunze bimuriwe mu Rwanda bazafatwa kimwe n'abakatiwe n'Urukiko Rwihariye Rwashyiriweho Sierra Leone barangiriza igihano cyabo mu Rwanda<sup>6</sup>.
  19. Munyagishari yavuze kandi ko Urugaga rw'Abavoka mu Rwanda rwasimbuye Urugaga rw'Abavoka rwa Kigali rwariho mbere y'uko urubanza rwe rwimurirwa mu Rwanda. Munyagishari yavuze ko Urugaga rw'Abavoka mu Rwanda rufite ubushobozi buke ugereraniye n'Urugaga rw'Abavoka rwa Kigali rwarubanjirije, ibi bikaba bimutera impungenge ku birebana n'ingamba zivugwa mu gika cya 167 cy'icyemezo cyo ku itariki ya 6 Kamena 2012<sup>7</sup>, akaba akeka ko izo ngamba zitagukurikizwa. Muri urwo

<sup>5</sup> Reba *Urubanza rwa Munyagishari*, « Raporo y'ubugenzuzi mu rubanza rwa Munyagishari (Mutarama na Gashyantare 2014) » (inyandiko itari ibanga), yatanzwe ku itariki ya 11 Werurwe 2014, igika 35.

<sup>6</sup> Reba *Urubanza Porokireri aburana na Bernard Munyagishari*, N°ICTR-05-89-I, « Imyanzuro ya Repubulika y'u Rwanda nk'Inshuti y'urukiko » (inyandiko itari ibanga), yatanzwe ku itariki ya 19 Mutarama 2012.

<sup>7</sup> Reba *Urubanza Porokireri aburana na Bernard Munyagishari*, N° ICTR-2005-89-R11bis, « icyemezo ku cyifuzo cya Porokireri gisaba ko urubanza rwimurirwa mu nkiko z'u Rwanda » (inyandiko itari ibanga), cyatanzwe ku itariki ya 6 Kamena 2012, igika 167.

rwego, Munyagishari avuga ko amafaranga yo guhamba abavoka baburanira abantu badashobora kubirihira yacungwaga mbere na Minisitiri y'Ubutabera ibinyujije ku rugaga rw'Abavoka. Muri iki gihe, abavoka bagomba kumvikana na Minisitiri y'Ubutabera ku mushahara nta wundi muntu banyuzeho. Kubera ibyo, ashingiye kandi ku gika cya 29 cya raporo y'ukwezi kwa Werurwe<sup>8</sup>, Munyagishari asanga abavoka batakirengerwa n'Urugaga.

20. Munyagishari yavuze ko itegeko rigenga kwimurira imanza mu nkiko z'u Rwanda (« Itegeko rigenga kwimurira imanza ») naryo ryahindutse. Mbere y'uko yimurirwa mu Rwanda, itegeko ryariho ryari Itegeko Ngenga, naho iriraho ubu rikaba ari itegeko risanzwe.
21. Munyagishari yanabyukije ikibazo kirebana no kunganirwa ku buntu ku badafite ubushobozi bwo kwirihira abavoka, maze avuga ko abavoka be bamaze amezi icyenda badahembwa.
22. Munyagishari yavuze ko ku itariki ya 19 Werurwe 2014, urukiko rwemeje ko ashobora kuburana mu rurimi rw'igifaransa. Urukiko rwongeye gufata ikindi cyemezo ku itariki ya 3 Mata 2014; ibyo bikaba ari ibyemezo byatangajwe mu magambo mu iburanisha. Kugeza uyu muni, Munyagishari ntarashyikirizwa inyandiko z'ibi byemezo isemuye mu rurimi rw'igifaransa. Munyagishari yavuze ko urukiko rwemeje ko ari inshingano y'avoka kumumenyesha ibikubiye muri ibyo byemezo, ariko ko impungenge ze zikaba ari uko adashobora kujuririra ibyo byemezo igihe nta nyandiko isemuye iriho.
23. Munyagishari avuga ko urukiko rwanemeje ko abavoka bagomba kwishyura amafaranga ajyana n'iperereza. Munyagishari yavuze ko kugira ngo uburenganzira bwo gucirwa urubanza mu buryo buboneye bwubahirizwe, agomba kugenerwa avoka, umufasha mu

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<sup>8</sup> Reba *Urubanza rwa Munyagishari*, « Raporo y'ubugenzuzi mu rubanza rwa Munyagishari (Werurwe 2014) » (inyandiko itari ibanga), yatanze ku itariki ya 27 Werurwe 2014 (« Raporo y'ukwezi kwa Werurwe »).



by'amategeko, n'umupererezi. N'itegeko rigena kwimurira imanza mu Rwanda riteganywa ko ikipe y'Ubwunganizi igomba kuba irimo n'abantu bafasha avoka. Munyagishari yarangije avuga ko hagomba kurekurwa amafaranga yo guhamba abamwunganira.

24. Mu mubonano wo ku itariki ya 15 Gicurasi 2014, Munyagishari yahaye umugenzuzi inyandiko eshatu. Iya mbere yitwa « *Audience avec l'Observateur du monitoring (15/05/2014)* » [Umubonano n'umugenzuzi (15/05/2014)] ivuga mu ncamake ibibazo byavuzwe na Munyagishari mu mubonano wo ku itariki ya 15 Gicurasi 2014. Inyandiko ya kabiri yitwa « *Réplique aux conditions de détention (nouvelle réglementation envisagée par la direction de prison de Nyarugenge pour les détenus transférés)* » [Igisubizo ku mibereho yo muri gereza (amabwiriza mashya ateganywa n'ubuyobozi bwa Gereza ya Nyarugenge areba abafungwa bimuriwe mu Rwanda)] yo ku itariki ya 29 Mata 2014, yerekeye ikibazo cy'amabwiriza mashya yo muri gereza, na cyo cyavuzweho muri uyu mubonano. Inyandiko ya gatatu idafite itariki yitwa « *Les piliers de la justice (les juges, l'accusation et l'accusé)* » [Inkingi z'ubutabera (abacamanza, ubushinjacyaha, n'uregwa)], yerekeye bimwe mu bibazo Munyagishari yavuzeho ku itariki ya 15 Gicurasi 2014, harimo n'impungenge ze zirebana no kunganirwa ku buntu ku badafite ubushobozi bwo kwirihira abavoka<sup>9</sup>.

### C. *Amabaruwa yanditswe na Munyagishari*

25. Ku itariki ya 21 Gicurasi 2014, umugenzuzi yagejejweho kopi y'ibaruwa Munyagishari yandikiye Natacha Fauveau Ivanovic, yise « *Power of Attorney for Ms Natacha Fauveau Ivanovic to file the request of 16 May 2014 before the President of the MICT* » [Ububasha buhawe Natacha Fauveau Ivanovic bwo kugeza kuri Perezida wa MICT

<sup>9</sup> Izo nyandiko uko ari eshatu zibitse mu gice cya dosiye kirimo amabaruwa.

icyifuzo cyo ku itariki ya 16 Gicurasi 2014]<sup>10</sup>, ikaba yaranditswe ku itariki ya 19 Gicurasi 2014<sup>11</sup>.

26. Ku itariki ya 28 Gicurasi 2014, umugenzuzi yagejejweho ibaruwa yanditswe na Munyagishari ku itariki ya 26 Gicurasi 2014. Ku mugereka w'iyi baruwa, Munyagishari yometseho kopi y'inyandiko yitwa « *Ministerial Order N° 001/08.11 of 11/02/201 on Court Fees for Criminal Matters* » (« *Order* ») [Iteka rya Minisitiri N° 001/08.11 ryo ku itariki ya 11/02/2014 rigena amafaranga atangwa mu manza z'inshinjabyaha (« Iteka »)]. Akurikije ibivugwa kuva ku ngingo ya 6 kugera ku ya 8 by'iryo Teka (ahavugwa ko ababuranyi bafite inshingano yo kwiyishyurira abaganga, abasemuzi, abahanga, inzobere, abatangabuhamya n'ababuranyi mu manza z'inshinjabyaha), Munyagishari avuga ko iryo teka rinyuranyije n'uburenganzira bwe bwo gucirwa urubanza mu buryo buboneye kubera ko uburyo Ubwunganizi buhabwa n'ubwo Ubushinjacyaha buhabwa butandukanye cyane<sup>12</sup>.

**D. Imibonano n'Umukuru w'ishami rishinzwe kwita ku batangabuhamya**

27. Ku itariki ya 13 Gicurasi 2014, Umugenzuzi ari kumwe na Ahmed yabonanye na Janvier Bayingana, akaba ari Umukuru w'ishami rishinzwe kwita ku batangabuhamya ukorera mu Rukiko rw'ikirenga. Uyu mubonano wari uwo kugira ngo Ahmed yerekane umugenzuzi wanditse iyi raporo nk'umugenzuzi mushya; nta bintu birebana n'urubanza byaganiriweho.
28. Ku itariki ya 16 Gicurasi, umugenzuzi yabonanye bwa kabiri na Bayingana. Umubonano wabo wibanze ku rubanza rwa *Uwinkindi* ruri mu cyiciro cy'iburanisha. Ku birebana

<sup>10</sup> Inyito y'inyandiko y'umwimerere: *Mandat à Me Natacha Fauveau Ivanovic de déposer la requête du 16 mars 2014 au Président du MICT.*

<sup>11</sup> Iyo baruwa ibitse mu gice cya dosiye kirimo amabaruwa.

<sup>12</sup> Iyi baruwa ibitse mu gice cya dosiye kirimo amabaruwa.

n'urubanza rwa *Munyagishari*, Bayingana yavuze ko urwo rubanza rukiri mu cyiciro cy'iburanisha mbanzirizarubanza, kugeza ubu umubare w'abatangabuhamya ababuranyi bashobora kuzahamagaza ukaba utaramenyekana. Bayingana yongeyeho ariko ko ishami ayobora ryiteguye gutanga inkunga ya ngombwa igihe urubanza ruzaba rugeze mu cyiciro cy'iburanisha.

**E. Umubonano na Diregiteri Wungirije wa gereza**

29. Ku itariki ya 15 Gicurasi 2014, Umugenzuzi yabonye na Janet Bugingo, Diregiteri Wungirije wa gereza. Uyu mubonano utari ufite ibibazo runaka kuri gahunda wari uwo kugira ngo umugenzuzi yibwire Diregiteri Wungirije. Umugenzuzi yaboneyeho kubaza niba ashobora kureba igipangu cyihariye cyo muri gereza kugira ngo amenye gusa aho gihereye. Bugingo yamuzengurukije ku buryo butateguwe icyo gipangu Uwinkindi na Munyagishari bafungiyemo hamwe n'abandi bantu baregwa babiri inkiko zo mu bindi bihugu zohereje kuburanira mu Rwanda.

**F. Gusura igipangu cyihariye cyo muri Gereza**

30. Umugenzuzi wanditse iyi raporo yabonye igipangu cyihariye cyo muri Gereza kigizwe n'inzu ntoya irimo ibyumba binyuranye byo gufungiramo umuntu umwe umwe, icyumba cy'ubwiherero, n'imbuga ikoresha gusa n'abafungwa baba muri icyo gipangu. Umugenzuzi yinjije no mu cyumba cya Munyagishari n'icya Uwinkindi. Buri cyumba kirimo igitanda n'inzitiramibu, ameza yo gukoreraho, n'ahantu umufungwa abika ibintu bye bwite. Umugenzuzi yabonye ko igihe abafungwa bari muri icyo gipangu cyihariye, bashobora kwambara imyenda yabo isanzwe, naho mu gihe cyose basohotse hanze y'icyo gipangu bakaba bagomba kwambara iniforume<sup>13</sup>.

<sup>13</sup> Abafungwa batarakatirwa barimo Munyagishari na Uwinkindi bambara iniforume ya roza, naho abakatiwe bakambara ijya kuba umuhondo.

**G. Umubonano na Gerefiye**

31. Ku itariki ya 16 Gicurasi 2014, umugenzuzi wanditse iyi raporo yabonye na Hypax Nyamutama akaba ari Gerefiye mu rubanza rwa *Uwinkindi* n'urwa *Munyagishari*, hari kandi na Janvier Bayingana uyobora Ishami rishinzwe kwita ku batangabuhamya ukorera mu Rukiko rw'ikirenga. Uwo mubonano wari uwo kugira ngo umugenzuzi yibwire Gerefiye; nta bibazo runaka byaganiriweho.
32. Nyamutama yavuze ko iburanisha ritaha mu manza zombi, urwa *Munyagishari* n'urwa *Uwinkindi*, riteganyijwe ku itariki ya 4 Kamena 2014, kandi ko inteko iburanisha imanza zombi ari imwe. Bityo rero, nta gongana rishobora kubaho mu ngengabihe y'iburanisha ry'izo manza zombi.

**H. Umubonano na Diregiteri wa Gereza**

33. Ku itariki ya 16 Gicurasi 2014, umugenzuzi yabonye na Alex Murenzi, akaba ari Diregiteri wa Gereza. Murenzi yagize icyo avuga ku bibazo binyuranye byabyukijwe na Munyagishari na Uwinkindi.
34. Murenzi yasobanuye ko muri gereza hari abacungagereza b'ingeri imwe, hakaba nta bapolisi bakora mu ibanga bahari. Murenzi yongeyeho ko aha abacungagereza amabwiriza buri muni, harimo n'ayo kwambara imyenda ya gisiviri. Murenzi yemeza ko ayo mabwiriza atangwa gusa kubera impamvu z'umutekano.
35. Murenzi yavuze ko Uwinkindi na Munyagishari bafungiyeye mu gipangu cyihariye cyo muri gereza abandi bafungwa batemerewe kugeramo (uretse abandi bafungwa babiri bimuriwe mu Rwanda). Uwinkindi na Munyagishari bemerewe gusurwa, kandi bashobora guhura n'abandi bafungwa mu gihe cya siporo n'imihango y'idini. Uwinkindi na Munyagishari bashobora kubonana n'ababunganira mu mategeko ku muni uwo ari

wo wose w'akazi, nyamara si ko bimeze ku bandi bafungwa basurwa muri rusange ku wa gatanu gusa. By'umwihariko, bemererwa no gusurwa n'abantu bo mu miryango yabo ku yindi minsi itari ku wa gatanu iyo abo bantu baje bava mu mahanga kandi umufungwa yarabisabye mbere. Bashobora no kujya ahantu hadafunze ku minsi yagenwe.

36. Murenzi yemeje ko hari ingamba zo kubaka ibindi byumba bibiri abavoka bazajya babonaniramo n'abafungiyeye mu gipangu cyihariye cyo muri Gereza.
37. Murenzi yongeye kwemeza ko hariho hategurwa amabwiriza mashya yo gukurikiza muri gereza, asobanura ko ayo mabwiriza yerekeye disipulini n'andi agenga imikorere mu kigo. Ayo mabwiriza ntavanaho cyangwa ngo ahindure uburenganzira bw'abantu bafunze cyangwa uburyo bafungwamo.
38. Ku birebana n'uko Munyagishari yinubira raporo yatanzwe n'umuforomokazi amushinja ko afite imyitwarire mibi, Murenzi yavuze ko atigeze abona iyo raporo, ko ahubwo we abona Munyagishari yitwara neza.
39. Ku birebana no gusurwa n'uwo bashakanye bashobora kwiharira nk'umugabo n'umugore, Murenzi yavuze ko uko gusurwa atari uburenganzira kandi ko Komiseri Mukuru ari we ufite ububasha bwo gufata icyemezo ku bibazo nk'ibyo.
40. Murenzi avuga kandi ko hari ikarita y'ifatabuguzi yashyizwe muri televiziyo ku buryo abafungwa bashobora gukurikirana imiyoboro inyuranye.
41. Murenzi avuga ko abafunze bashobora kujya mu bikorwa binyuranye birimo iby'imihango y'idini, ibya siporo, inama n'impaka zo mu ruhame. Ku birebana n'impaka zo mu ruhame, Murenzi yasobanuye ko rimwe na rimwe asaba Komiseri Mukuru ushinze amagereza gutumira umukozi mukuru wo muri Minisiteri y'Ubutabera, uwo muri Minisiteri y'Ubutegetsi bw'Igihugu cyangwa uwo mu rundi rwego, kugira ngo aze kugirana ikiganiro n'abafungwa ku bintu runaka. Abafunze bese n'abakozi ba gereza

bateranira mu cyumba kinini cy'inama, maze bakaganira ku bibazo nk'ubutabera, ubwiyunge, n'inkiko Gacaca. Uwinkindi na Munyagishari bashobora kwitabira ibyo biganiro.

42. Murenzi yemeje ko mu gipangu cyihariye cyo muri gereza, Uwinkindi na Munyagishari bahafite mudasobwa n'imashini ikorana na yo isohora inyandiko (ko ariko badafite umurongo wa interineti).
43. Icyuma nyuma, Murenzi yavuze ko Uwinkindi na Munyagishari barya gatatu ku munsu hakurikijwe indyo yateguwe n'impuguke mu mirire, mu gihe abandi bose bafungiyeye muri Gereza (uretse abandi bafungwa babiri bimuriwe mu Rwanda) bahabwa ifunguro kabiri ku munsu.

### III. UMWANZURO

44. Umugenzuzi yiteguye gutanga amakuru yose y'inyongera yasabwa na Perezida.  
Murakoze.

(Umukono)

Jelena Gudurić

Umugenzuzi mu rubanza rwa *Munyagishari*

Bikozwe none ku itariki ya 4 Nyakanga 2014

La Haye,

Ubuholandi