

MICT-12-20
02-10-2014
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JN

UMURYANGO W'ABIBUMBYE



Urwego Rwashyiriweho Inkiko Mpanabyaha
Mpuzamahanga

Urubanza N°: MICT-12-20

Itariki: 28 Kanama 2014

Umwimerere: icyongereza

Kuri: Theodor Meron,
Perezida wa MICT

Binyujijwe kuri: John Hocking
Gerefiye

Byanditswe na: Porofeseri Zbigniew Lasocik
Umugenzuzi

POROKIRERI

aburana na

BERNARD MUNYAGISHARI

**RAPORO Y'UBUGENZUZI
NYAKANGA 2014**

INYANDIKO ITARI IBANGA

R(RM)14-0058K

Byahinduwe mu Kinyarwanda kandi byemezwa na SSL/TPIR

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INTANGIRIRO

1. Hashingiwe ku nyandiko nsobanuramikorere y'abagenzuzi, cyane igice « C » cy'Umugereka wa II w'Amasezerano hagati ya MICT na ISLP (Ishami ryo mu Burayi), nshyikirije Perezida wa MICT iyi raporo, nyinyujije kuri Gerefiye.
2. Iyi Raporo y'ubugenzuzi yerekeranye n'ibyakozwe mu rubanza rwa Munyagishari mu nkiko zo mu Rwanda hamwe n'ibiganiro abagenzuzi bashyizweho n'Urwego Rwashyiriweho Inkiko Mpanabyaha Mpuzamahanga (MICT) bagiranye n'abafatanyabikorwa banyuranye, muri Nyakanga 2014.

GUSURA GEREZA UMWANYA MUTO, N'IMIBEREHO MURI GEREZA, 2 NYAKANGA 2014

3. Mbiherewe uruhushya n'ubuyobozi bwa gereza, nasuye Igice cyihariye cya Gereza nkuru ya Kigali. Uregwa abanje kubimpera uruhushya, nasuye umwanya muto icyumba abamo.
4. Icyumba gifite ubuso bugera kuri metero kare enye, kikaba gifite ibikoresho by'ibanze bike bishoboka. Inyubako yubatswe ku buryo icyo cyumba nta dirishya gifite, bityo hakaba nta rumuri rwo hanze rukigeramo. Ntibishoboka gusoma umuntu adacanye itara.
5. Munyagishari afite inyandiko n'impapuro nyinshi mu cyumba cye, akaba yinubira ko adafite akagege na faride bihagije byo kubikamo izo nyandiko zose mu buryo buboneye.
6. Nta mazi yari muri robine ebyeri zegereye ibyumba by'Abaregwa, bose bakaba barinubiraga ko bagomba kwitwaza amazi iyo bagiye gukaraba cyangwa kwituma.

KUBONANA NA POROKIRERI MUTANGANA, 3 Nyakanga 2014

7. Mutangana yavuze ko ku itariki ya 27 Kamena, Uregwa yashyikirijwe Inyandiko y'ibirego isemuye mu rurimi rw'igifaransa. Porokireri ateganya kuzatangira gutanga imyanzuro yo mu ikubitiro mu Ugushyingo.
8. Mutangana yemeje ko Uregwa yasabye ko inyandiko nshya zose Ubushinjacyaha bwabonye zasemurwa mu rurimi rw'igifaransa. Aka kazi ko gusemura kareba impapuro 360 (impapuro 400 wongeyehe Inyandiko y'ibirego) kamaze gukorwa n'umuntu wakoranaga na TPIR. Nta bibazo biriho bijyanye n'imari yagombaga gukoreshwa muri aka kazi kubera ko Ubushinjacyaha bwari bwarateganyije ibizakagenda mu ngengo y'imari yabwo.

GUSUZUMA INYANDIKO ZIJYANA N'IBURANISHA, 16 NYAKANGA
(mbifashijwemo n'umusemuzi).

9. Twasuzumye dosiye, dusanga nta nyandiko nyinshi nshya zirimo.
10. Gerefiye yatumenyesheje ko ubu nta wamenya ikizaba mu iburanisha ritaha mu rubanza rwa Munyagishari riteganyijwe kuba mu Ugushyingo 2014 (niba hazatangwa imyanzuro yo mu ikubitiro cyangwa itazatangwa).

KUBONANA NA MURENZI, UMUYOBOZI WA GEREZA, 16 NYAKANGA

11. Murenzi yamenyesheje abagenzuzi ko Igice cyihariye cyubatswe mu mwaka wa 2009. Hakurikijwe ibipimo mpuzamahanga ngenderwaho, buri cyumba gifite ubuso bwa metero kare enye. Kubera ko Igice cyihariye ari gitoya, abavoka binubira ko badafite ahantu hisanzuye ho kubonanira n'Abaregwa. icyo ni cyo cyatumye hafatwa icyemezo cyo kubaka ibyo byumba byo kubonaniramo hafi y'Igice cyihariye; ibyo byumba bizaba byuzuye mu mpera z'uku kwezi. Niboneye ko imirimo y'ubwubatsi yatangiye hagati muri Nyakanga.
12. Murenzi avuga ko nta kibazo Munyagishari amutera. Kimwe n'abandi bafungwa bari mu Gice cyihariye, afite indyo yuzuye itandukanye rwose n'iy'abandi bafungwa.
13. Nta bintu byihariye bisabwa ku bafungwa nka we; azi amategeko yo muri gereza kandi arayubahiriza. Ku rundi ruhande, hari abakozi ba gereza bahiswemo by'umwihariko kugira ngo bite ku bafungwa bari mu Gice cyihariye. Ntibahawe amahugurwa yihariye, ariko batojwe imicungire myiza ya gereza ijyanye n'amategeko akurikizwa mu gihugu n'ibisabwa ku rwego mpuzamahanga. Rimwe na rimwe abo bakozi barasimburana.
14. Munyagishari ashobora kumenyesha abo bakozi ba gereza ikimubangamiye cyose nabo bakakigeza ku buyobozi bw'ikigo cyangwa bo ku buyobozi bwo ku rwego rwo hejuru. Nk'urugero, Murenzi yavuze ikibazo cyo kubonana mu ibanga n'uwo bashakanye nk'umugabo n'umugore Munyagishari yagarutseho kenshi ariko akaba atarigeze abisaba mu buryo buteganywa n'amategeko. Amategeko agenga gereza mu Rwanda ntiyemerera abafungwa kubonana mu ibanga n'abo bashakanye nk'umugabo n'umugore. Mugesera, undi mufungwa uri muri iki Gice cyihariye cya gereza, ni we wagejeje ku butegetsi bwite bwa Leta icyifuzo cyihariye gisaba ibisobanuro kuri iki kibazo, ariko kugeza ubu nta gisubizo arahabwa.
15. Murenzi abonana na Munyagishari nyuma y'igihe runaka nibura inshuro ebyiri mu kwezi, cyangwa Munyagishari abisabye, kandi iyo Murenzi atabonetse, umwungirije aramwakira. Murenzi asura kandi Igice cyihariye cya gereza kabiri mu cyumweru kugira ngo agenzure ibyumba abafungwa babamo, ubwiherero n'ibindi byumba, akanaboneraho umwanya wo kuganira na Munyagishari.
16. Umuyobozi wa gereza yabwiye abagenzuzi ko Munyagishari atajya muri za gahunda zigamije gutegura abafungwa gusubira mu buzima busanzwe no muri

gahunda zo kongera umusaruro kubera ko akiburanishwa, akaba ariko ashobora kujya muri gahunda z'idini, izo kwidagadura, n'ibiganiro n'abandi bafungwa ku ngingo nka jenocide, ivangura n'ubwiyunge.

17. Murenzi yagize n'icyo avuga ku kibazo cyo kuba nta tugege two kubikamo inyandiko ziri mu byumba abafungwa babamo. N'ubwo ibyo ari ukuri, ubuyobozi bugomba kuzirikana ubunini bw'ibyumba kandi bukirinda ko byageze aho n'uriya mwanya muto wuzura.
18. BIRASIBYE

KUBONANA NA BAYINGANA, UMUKURU W'AGASHAMI GASHINZWE KWITA KU MUTEKANO W'ABATANGABUHAMYA KO MU RUKIKO RW'IKIRENGA (WPU), 16, 18 NYAKANGA

19. Bayingana avuga ko Agashami gashinzwe kwita ku mutekano w'abatangabuhamy (WPU) gafasha Urukiko mu manza za jenocide kuva mu mwaka wa 2012, kakaba karashyizweho biturutse ku byavugwaga n'abanengaga imiterere y'umutekano w'abatangabuhamy mu Rwanda. WPU ni imwe muri serivise z'Ubucamanza.
20. WPU yita ku mutekano w'abatangabuhamy bashinja n'abashinjura, ikaba ifite inshingano ebyiri: 1/ kwita ku mutekano w'abatangabuhamy, 2/ no gukora ku buryo ihame rivuga ko ababuranyi bombi bahabwa uburyo bungana ryubahirizwa. Mu kurangiza izo nshingano, WPU ntikorera ababuranyi, ikorera Ubucamanza.
21. Ikiye y'abakora muri WPU igizwe n'abantu icyenda biganjemo abanyamategeko, ariko bese bakora ibikenewe byose kugira ngo umutekano w'abatangabuhamy ubungabungwe. Banakoresha amahugurwa ku batangabuhamy barindiwe umutekano, ariko kugeza ubu, mu rubanza rwa Munyagishari, nta mutangabuhamy ugomba kurindirwa umutekano uhari.
22. Ku birebana n'uburyo ibyo bikorwa, urukiko ni rwo buri gihe rufata icyemezo kigena ingamba zo kurinda umutekano ariko WPU ni yo yemeza uko gishyirwa mu bikorwa.
23. Bayingana avuga ko kwita ku mutekano bisobanura ko: 1/ umwirondoro w'umutangabuhamy ugirirwa ibanga, agahabwa izina ry'irihimbano, 2/ umutangabuhamy akomeza gutura aho aba, ariko nta wumenya ko ari umutangabuhamy, 3/ iyo umutekano w'umutangabuhamy ubangamiwe ku buryo bugaragara, arindwa birushijeho ku buryo butaziguye, 4/ iyo bibaye ngombwa, WPU ishobora guhindura umwirondoro w'umutangabuhamy.
24. Mu iburanisha, hashobora gukoreshwa amalido adasanzwe yabigenewe n'ibyuma bihindura ijwi ry'umutangabuhamy ku buryo ritamenyekana. Nabashije kureba uko ayo malido akoreshwa, ariko akanya gato gusa, kubera ko hari urundi rubanza rwahaburanishirizwaga.

25. Mu gihe cy'iburanisha ry'urubanza, abatangabuhamya bashinja n'abashinjura bazajya baba i Kigali, bishyurirwa ibintu byose na Leta.

KUBONANA NA MUNYAGISHARI, 17 NYAKANGA (mbifashijwemo n'umusemuzi)

26. BYARASIBWE
27. Nasobanuriye Munyagishari ko hari uburyo bushya bwo guhererekanya inyandiko bwemejwe n'ubuyobozi bwa gereza, bikaba ari itegeko ko abakozi ba gereza bagomba kwandika mu gitabo izo nyandiko ziherekanywa, inyandiko zigirirwa ibanga zigashyirwa mu mabasha ashirwaho ubujeni.
28. Nahaye Munyagishari igitekerezo ko nyuma yo kubonana, buri gihe najya mubwira muri make ibizajya muri raporo, kandi agakomeza kugira uburenganzira bwo gusaba ko ibibazo bimwe na bimwe bivugwa muri raporo bigirirwa ibanga.
29. Munyagishari yagize icyo avuga kuri iki kibazo. Mbere na mbere yavuze ko asanga ubu buryo bushya bwo guhererekanya inyandiko ari intambwe ikomeye cyane, avuga ko niba ari uko bimeze, yifuza kujya ategura byose mu nyandiko kugira ngo yirinde ko hagira igihinduka mu mvugo biturutse ku basemuzi. Munyagishari yavuze kandi ibyerekeye ibaruwa yandikiye Perezida yinubira imikorere y'abasemuzi, anawereka igisubizo cya Perezida.
30. Munyagishari yavuze ingorane yahuye nazo mu koherereza Natasha (avoka) uri i La Haye ibaruwa. Yavuze ko Umuyobozi wa gereza yanze koherereza Natasha iyo baruwa.
31. Munyagishari yatanze igitekerezo ko yajya abonana n'abagenzuzi ari kumwe na Uwinkindi. Namusobanuriye ko muri rusange ibyo bishobakira cyane, ariko ko igihe hari ibibazo byo kwitondera bigomba kuvugwaho, babonana n'abagenzuzi buri wese ukwe.
32. BYARASIBWE
33. Munyagishari yemeje ko yashyikirijwe Inyandiko y'ibirego hamwe n'izindi nyandiko ziyana n'iburanisha zisemuye mu rurimi rw'igifaransa (zose hamwe ni impapuro zigera kuri 400), avuga ariko ko azabanza kuzisuzuma afatanyije na avoka kugira ngo barebe niba inyandiko zisemuye hakurikije itegeko ryatanzwe n'urukiko.
34. Ku rundi ruhande, Munyagishari yavuze ko inyandiko zose zo muri dosiye zitarasemurwa mu rurimi rw'igifaransa. Yavuze ko dosiye igizwe n'inyandiko, zimwe ziri mu cyongereza, izindi mu gifaransa n'izindi mu kinyarwanda, avoka akaba azasuzuma ni buri nyandiko yarasemurwa mu gifaransa.
35. Munyagishari yamenyesheje kandi ko yasabye avoka we kumuha kopi ya dosiye ikozwe ku buryo bwa elegitoroniki kugira ngo abe ayifite muri gereza. Kugira kopi ikozwe ku buryo bwa elegitoroniki bizatuma ba avoka bombi na we bagira

dosiye yuzuye, kubera ko badafite uburyo bwo gukora kopi nyinshi z'impapuro 400, ariko ntarayishyikirizwa.

36. Munyagishari yagarutse kuri raporo y'ubugenzuzi y'ukwezi kwa Mata 2014. Mu byo Anees Ahmed wanditse iyo raporo avuga, harimo ko abavoka bunganira Munyagishari « badahembwa uko bikwiye », Perezida akaba yarashingiye kuri ayo magambo mu Cyemezo ku Cyifuzo cy'uwiswe MU gisaba ko urubanza rusubira muri MICT. MU yanzuye avuga ko icyemezo cya Perezida cyo kutemera icyo Cyifuzo cyashingiye kuri raporo yateguwe nabi.
37. Kubera impanuka ziterwa n'umuriro ziherutse kuba muri Kigali, Munyagishari yavuze ko muri gereza nta gahunda yihariye ihari yakurikizwa igihe habaye inkongi y'umuriro; nta kizimyamwoto cyangwa ibyuma by'intabaza, nta n'ahantu ho gusohokera igihe habaye impanuka. Mu minsi yashize, Munyagishari yigeze gutanga igitekerezo ko hacibwa umuryango abantu banyuramo bakajya ku mbuga, ariko ntiyagira igikorwa. Avuga kandi ko iki kibazo cyari cyanavuzweho mu gika cya 55 cya Raporo ya Mutarama/Gashyantare.
38. BYARASIBWE
39. Munyagishari yagarutse ku Ngingo ya 26 y'itegeko rigena kwimurira muri Repubulika y'u Rwanda imanza zivuye muri TPIR iteganya uburyo abantu bafungwamo. Iryo tegeko rikaba risaba ko abafungwa ba TPIR bafungiyeye i Kigali bazafatwa kimwe n'abafungwa b'Urukiko Rwihariye Rwashyirirweho Sierra Leone. Yanatanze igitekerezo ko abagenzuzi bakwiriye gusura iyo gereza, maze bakagereranya uburyo abayirimo bafunzwemo n'ubwo abari i Kigali bafunzwemo.
40. BYARASIBWE
41. Munyagishari yabajije icyo ibikorwa by'abagenzuzi mu Rwanda bishingiraho mu rwego rw'amategeko; maze kumusobanurira ko hari Amasezerano hagati ya MICT na ISLP, yasabye kopi y'ayo Mmasezerano.
42. Munyagishari yabajije niba byashoboka ko nashyigikira icyifuzo cyabo cyo guhabwa ameza yo kuriraho yegutse kurushaho. (Icyitonderwa: twabonye koko ko ameza bakoresha ari magufi cyane ariko abafungwa bakoresha intebe zisanze).
43. Munyagishari yampaye inyandiko igize ibikubiye mu ndyo bahabwa yateguwe babyumvikanyeho n'abakora mu gikoni. Yambwiye ko muri rusange iyo ndyo yubahirizwa usibye iyo ku wa gatandatu yubahirijwe rimwe gusa (inkoko). Yavuze kandi ko abafungwa basaba ko isaha yo gufata ifunguro ry'amanya yaba saa sita n'igice aho kuba saa saba, kugira ngo bifashe kurushaho abarwaye diyabete.
44. Mu kurangiza, twagarutse ku bibazo twaganiriyeho maze twongera kunyura mu magambo make mu bikubiye muri Raporo.

GUSURA GEREZA BWA NYUMA, 18 NYAKANGA

R(RM)14-0058K

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Byahinduwe mu Kinyarwanda kandi byemezwa na SSL/TPIR

45. Munyagishari yampaye inyandiko ebyiri. Nkurikije Amategeko, nahereyeke menyesha ubuyobozi bwa gereza iherekanywa ry'izo nyandiko.
46. BYARASIBWE
47. BYARASIBWE

UMWANZURO

48. BYARASIBWE
49. Iburanisha rya mbere muri uru rubanza riteganyijwe mu Ugushyingo 2014, ariko nta wizeye ko icyo gihe rizatangira koko.
50. Nzakomeza kugenzura iburanisha muri uru rubanza ubwo nzaba ngiye mu butumwa mu Rwanda hagati muri Nzeri 2014.

Murakoze.

[Umukono]

Porofeseri Zbigniew Lasocik
Umugenzuzi mu rubanza rwa Munyagishari

Bikorewe i Varsovie, Pologne, ku wa 28 Kanama 2014
