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15-04-2014  
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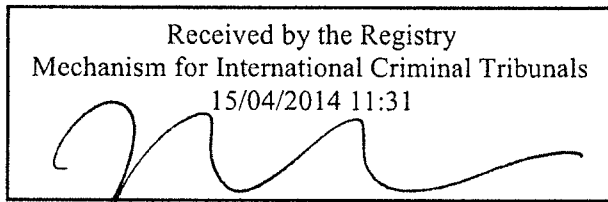
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**Urukiko Mpanabyaha Mpuzamahanga  
Rwashyiriweho u Rwanda**

Arusha International Conference Centre  
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28 Gashyantare 2013

Kuri : Perezida w'Urukiko Mpanabyaha Mpuzamahanga  
Rwashyiriweho u Rwanda

Perezida w'Urwego rushinzwe kurangiza imirimo y'Inkiko  
Mpanabyaha Mpuzamahanga

Binyujijwe kuri : Bwana Bongani Majola,  
Gerefiye wa TPIR

Byanditswe na : Constant K. Hometowu,  
Umugenzuzi washyizweho na TPIR mu rubanza rwa Uwinkindi

Impamvu : **Raporo y'Umugenzuzi w'Urukiko mu rubanza rwa Uwinkindi  
(tariki ya 1 kugeza ku ya 28 Gashyantare 2013)**

**Intangiriro, amavu n'amavuko**

1. Mboherereje iyi raporo nk'umukozi wo mu biro bya Gerefiye washyizweho nk'umugenzuzi ushinze gukurikirana urubanza rwa Uwinkindi rwoherejwe muri Repubulika y'u Rwanda kugira ngo ruhaburanishirizwe, hashingiwe ku ngingo ya

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Inyandiko yahinduwe mu kinyarwanda, byemezwa na SSL/TPIR

Uwinkindi, ubu ufungiyeye muri Gereza nkuru ya Kigali, yoherejwe mu Rwanda ku itariki ya 19 Mata 2012 hashingiye ku cyemezo cyafashwe n'Urugereko rw'Ubujurire ku bujurire bwe ku iyoherezwa ry'urubanza rwe mu Rwanda, n'ibindi byifuzo bijyanye na cyo,<sup>2</sup> cyemeje icyemezo cyafashwe n'Urugereko cyo kohereza urubanza. Urwo rubanza ubu rugeze ku ntera itegura iburanisha ryarwo.

2. Jean Uwinkindi aregwa ibyaha bibiri ari byo jenoside n'itsembatsemba nk'icyaha cyibasiye inyokomuntu.
3. Iyi raporo irebana n'imirimo itegura iburanisha ry'urubanza yo mu kwezi kwa Gashyantare 2013, harimo n'ibintu by'ingenzi bikubiye mu cyemezo cyafashwe n'Urukiko rw'Ikirenga hamwe n'ingendo z'ubugenzuzi nakoreye mu Rwanda kuva ku itariki ya 21 kugeza ku ya 24 Gashyantare 2012.

**Icyemezo cy'Urukiko rw'Ikirenga ku bujurire bwa Uwinkindi ku cyifuzo cy'ingoboka kivuga ko Urukiko Rukuru rudafite ububasha bwo kumuburanisha**

4. Ku wa gatanu, tariki ya 22 Gashyantare 2013, saa ine za mu gitondo, Urukiko rw'Ikirenga rw'u Rwanda, ruyobowe na Nyakubahwa Umucamanza Sam Rugege, rwasomye icyemezo cyarwo ku cyifuzo cya Uwinkindi, yatanze ku itariki ya 7 Ugushyamba 2013. Urukiko rumaze kuvuga mu ncamake ingingo zatanze n'ababuranyi, rwemeje ko Urukiko Rukuru rufite ububasha nyabwo bwo kuburanisha Uwinkindi. Mu byo Urukiko rw'Ikirenga rwavuze harimo ko nta kuvuguruzanya kuri hagati y'ibiteganywa mu Itegeko Nshinga n'Itegeko rigena kwimurira imanza mu Rwanda. Urukiko rwemeje ko ingingo ya 11 y'Itegeko Nshinga ry'u Rwanda iteganya ko Abanyarwanda bese bareshya kandi ko

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<sup>2</sup> *Urubanza Jean Uwinkindi aburana na Porokireri N° ICTR01-72-AR 11bis « Icyemezo ku bujurire bwa Uwinkindi ku cyemezo cyo kohereza urubanza rwe mu Rwanda no ku byifuzo bijyanye na cyo », 16 Ukuboza 2011.*

- batagomba kuvangurwa mu buryo ubwo ari bwo bwose. Rwakomeje ruvuga ko ayo mategeko uko ari abiri, irigena kwimurira imanza mu Rwanda n'itegeko Nshinga, avuga ku byiciro bibiri bitandukanye by'abantu. icyakora rwavuze ko hariho amategeko abiri atandukanye, ko gushyira abantu mu byiciro atari ivangura kandi ko gutandukanya abantu kose kutitwa ivangura. Gutandukanya abantu hano, rwavuze ko byari bigamije kugera ku ntego yihariye. Rwatsindagiye ko kuba abantu bareshya imbere y'amategeko bidasobanura buri gihe ko bagomba kuburanishirizwa imbere y'urukiko rumwe.
5. Urukiko rw'Ikirenga kandi rwemeje ko umuntu wese uburanira mu Rwanda afite uburenganzira bwo kujuririra icyemezo cyose cyafashwe n'urukiko rwamuburanishije kandi ko ubu bujuzire atari ubw'abantu bamwe gusa, ko bityo rero bushobora no kwitabazwa n'abantu bagengwa n'itegeko rigena kwimurira imanza mu Rwanda. Rwavuze ko Jean Uwinkindi n'abandi bantu bose boherejwe mu Rwanda bazaburanishwa n'Urukiko Rukuru kandi ko bafite uburenganzira bwo kujuririra ibyemezo byafashwe n'urwo rukiko.
  6. Urukiko rw'Ikirenga rero rwemeje ko icyifuzo cya Uwinkindi nta shingiro gifite.
  7. Inteko yari igizwe n'abacamanza bakurikira: Sam Rugege, Perezida, Louis Mugenzi, Fidelite Kanyange, Jean Baptiste Mutashya, Marie Thérèse Mukamulisa, Julien Havugiyaremye, Marie Josée Mukandamage, Fabien Hatagimbabazi na Ruben Rugabirwa.

Iburo bya Gerefiye byari bihagarariwe na Ahmed Gakuru.

Mu Rukiko kandi hari :

**Ku ruhande rw'Ubwunganizi** : Umwunganizi mukuru Gatera Gashabana n'umwungirije Jean Baptiste Niyibizi.

Uregwa ari we Jean Uwinkindi yari ahibereye.

**Ku ruhande rwa Leta:** Umushinjacyaha Epimaque Ruhago, Intumwa ihagararira Leta mu Nkiko.

**Impungege twagejweho na Uwinkindi**

8. Mu nama y’umwihereho twagiranye na Uwinkindi kuri gereza n’umwunganizi we mukuru ahari, yatubwiye ko afite impungege zikurikira :

- **Amagambo yaba yaravuzwe na Martin Ngoga, Porokireri Mukuru w’u Rwanda.** Jean Uwinkindi yavuze ko yumvise Martin Ngoga avugira kuri radiyo no kuri televisiyo ko atishimiye kuba ku itariki ya 4 Gashyantare 2013, Urugereko rw’Ubujurire rwa TPIR rwarahanaguye icyaha ku bantu babiri baregwaga muri urwo Rukiko ari bo Justin Mugenzi na Prosper Mugiraneza. Uwinkindi yavuze ko ahangayikishijwe n’ayo magambo kubera ko niba Urukiko rubifitiye ububasha ruhanaguyeho umuntu icyaha bikarakaza Porokireri Mukuru wa Repbulika, ni ikigaragaza ko ihame ryo mu mategeko rivuga ko uregwa aba ari umwere igihe atarahamwa n’icyaha ntacyo rivuze kuri we. Yanzuye avuga ko amagambo nk’ayo, kuri we utegereje kuburanishwa mu gihe cya vuba, afatwa nk’aho icyaha cyamaze kumuhama na mbere y’uko urubanza rutangira. Yagaragaje ko atewe impugenge n’ubutabera azahabwa igihe urubanza rwe ruzaba rutangiye kuburanishwa.
- **Ishyirwaho ry’abakozi b’iperereza b’Ubwunganizi:** Yongeye kugaragaza ko afite impungege zikomeye kubera ko nta gisubizo kiratangwa ku cyifuzo yatanze gisaba ko hashyirwaho abapererezi b’Ubwunganizi. Yavuze ko amabaruwa menshi yandikiwe Urukiko Rukuru asaba ko yahabwa abaperezi kugira ngo bamufashe gushaka abatangabuhamya. Yavuze ko kugeza ubu igisubizo yahawe ari uko Ubwunganizi bugomba gutanga urutonde rw’amazina y’abatangabuhamya kugira ngo Ubushinjacyaha bumukorere anketi. Yavuze ko iyi mikorere itandukanye n’iyo muri TPIR, aho buri kipe

y'Ubwunganizi ihabwa abapererezi kugira ngo bashake abantu bashobora kuzaba abatangabuhamy. Yavuze ko muri TPIR imyirondoro y'abatangabuhamy imenyekana igihe baje mu rukiko gutanga ubuhamy. Yinubiye imikorere irangwa no kuba Ubushinjacyaha ari bwo bushakira Ubwunganizi abatangabuhamy bashinjura, avuga ko ibi bishobora gutuma urubanza rucibwa nabi kubera ko abatangabuhamy bashobora gushyirwaho iterabwoba n'Ubushinjacyaha bubategeka kumushinja. Yanzuye avuga ko atizeye ubutabera bw'u Rwanda.

- Umwunganzi mukuru Gashabana na we yagarutse kuri izo mpungenge zavuzwe n'Uregwa. Yongeyeho ko impungege yihariye kuri we ari uko urubanza ruteganywa kuzatangira ku itariki ya 4 Werurwe 2013 kandi ibibazo bivugwa aha bitarakemuka.
- Yongeye kuvuga impungege z'uwo yunganira z'uko hakiri ibice by'Inyandiko y'ibirego bikiri mu cyongereza nta kinyarwanda cyabyo gihari kugira ngo ashobore kumva neza ibyo aregwa.

### **Kwishyura abunganizi**

9. Iki kibazo cyavuzwe muri raporo zabanjirije iyi, aho umwunganizi yinubiye ko atahembewe akazi yakoze yunganira Uregwa. Nabajije umwunganizi niba ibintu byarabaye byiza kurushaho, asubiza ko ubu buri gihe yishyurwa, bityo iki kibazo kikaba kitakiriho.

### **Gusura Gereza**

10. Mu gihe cy'ubu butumwa bw'akazi, nasuye Uregwa aho afungiyeye, nshobora no kuvugana n'umuyobozi wa gereza ku bibazo byari byavuzwe muri raporo zabanjirije iyi. Umuyobozi wa gereza Rusa Gahima yambwiye ko Jean Uwinkindi ari umufungwa ufite disipline cyane, ko buri gihe ajya gusenga, ko asurwa

n'abantu bo mu muryango we, ko afite ubuzima bwiza, ko buri gihe ashobora kubonana n'abunganizi be kandi ko ashobora gukoresha telefone igihe cyose abishakiye. Ku kibazo kirebana n'amafunguro, yavuze ko gutanga amafunguro muri gereza byeguriwe abikorera ku giti cyabo mu byumweru bibiri mbere y'uko tuvugana, ko amafunguro yarushijeho kuba meza. Yavuze ko yizeye ko kuba amafunguro yararushijeho kuba meza ku buryo bugaragara bizakomeza.

### **Umwanzuro**

Bitewe n'uko Urukiko rw'Ikirenga mu cyemezo rwafashe ku itariki ya 22 Gashyantare 2013 rwavuze ko ubujurire bwa Uwinkindi ku ngoboka yavugaga ko Urukiko Rukuru rudafite ububasha bwo kumuburanisha, nta shingiro bufite, Urukiko Rukuru ruzasubukura iburanisha ku wa mbere tariki ya 4 Werurwe 2013 nk'uko byari biteganijwe. icyakora ntabwo birafutuka niba Urukiko ruzabanza gusubiza ibibazo byavuzwe n'Ubwunganizi, cyangwa niba ruzahita rutangira kuburanisha urubanza.

11. Murakoze.

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