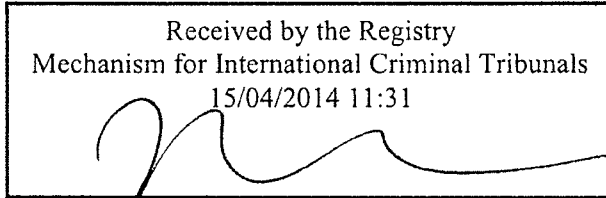




Umuryango
w'Abibumbye

**Urukiko Mpanabyaha Mpuzamahanga
Rwashyiriweho u Rwanda**

Arusha International Conference Centre
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Itariki : 30 Kamena 2013

Kuri : Perezida w'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda (TPIR)

Perezida w'Urwego rushinzwe kurangiza imirimo y'Inkiko Mpanabyaha Mpuzamahanga (MICT)

Binyujijwe kuri : Bwana Bongani Majola,
Gerefiye wa TPIR

Byanditswe na : Anees Ahmed [umukono wa Hometowu mu mwanya wa Anees Ahmed] na

Constant K. Hometowu [umukono],
Abagenzuzi bashyizweho na TPIR mu rubanza rwa Uwinkindi

Impamvu : **Raporo y'Abagenzuzi bashyizweho n'Urukiko mu rubanza rwa Uwinkindi (Itariki ya 1 Gicurasi kugeza ku ya 30 Kamena 2013)**

Intangiriro, amavu n'amavuko

1. Tubagejejeho iyi raporo nk'abakozi ba TPIR bo mu Biro bya Gerefiye, bashinzwe kugenzura urubanza rwa Jean Uwinkindi rwoherejwe mu nkiko zo muri Repubulika y'u Rwanda kugira ngo ruhaburanishirizwe, hashingiwe ku ngingo ya 11 bis y'Amategeko Agenga Imiburanishirizwe n'Itangwa ry'Ibimenyetso.¹ Jean

¹ *Urubanza Porokireri aburana na Jean Uwinkindi*, N° ICTIR-01-79 R11 bis. Itegeko rya gerefiye rishyiraho umugenzuzi wa kabiri ku rubanza rwa Jean Uwinkindi rwoherejwe mu Rwanda. 25 Ukuboza 2012

R(RM)13-0021K

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,² 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'imirimu itegura iburanisha ry'urubanza yo muri Gicurasi na Kamena 2013. Iyi raporo yakozwe nyuma y'ingendo z'ubugenzuzi zakozwe kuva ku matariki ya 1 kugeza ku ya 4 Gicurasi 2013, 15 kugeza ku ya 19 Gicurasi 2013 na 19 kugeza ku ya 22 Kamena 2013.

Iburanisha ryateganyijwe ku itariki ya 2 Gicurasi 2013

4. Nk'uko byavuzwe muri raporo y'igenzura yo muri Mata 2013, Urukiko Rukuru rw'u Rwanda rugizwe n'Abacamanza Alice Ngendakuliyo Perezida w'inteko, Angeline Rutazana na Cassien Nzabonimana, yategetse ko hazaba iburanisha ku itariki ya 2 Gicurasi 2013, abaturanyi bagatanga ingingo za bo z'inyongera.
5. Umwunganizi wa Uwinkindi ari we Gashabana, yasubiyemo ingingo yari yatanze mbere, asaba Urukiko akomeje kwemera icyifuzo cy'Ubwunganizi gisaba guhabwa abapererezi n'umufasha mu by'amategeko, hagamijwe kongererera ingufu ikipe y'Ubwunganizi mu rwego rwo guha abaturanyi ingufu zingana, mbere y'itangira ry'urubanza. Yavuze ko muri gahunda yo kunganira abaregwa ya TPIR, harimo abantu nk'abo bakorana n'amakipe y'Ubwunganizi, ko bityo rero Urukiko rukwiye kwemerera Ubwunganizi ibyo busaba. Yakomeje yibutsa ko, hakurikijwe amategeko agenga Urugaga rw'Abavoka rwa Kigali, imishahara n'amafaranga y'ingendo y'abapererezi bigomba kwishyurwa na Leta y'u Rwanda.

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

- Yongeye gusaba Urukiko guha Ubwunganizi igihe gikwiye kugira ngo butegure imyiregurire yabwo.
6. Umushinjacyaha Mutangana yasubije ko ibimaze kuvugwa n'Ubwunganizi byari byasuzumwe mu Rukiko mbere, ko nta gishya kiri mu ngingo z'Ubwunganizi. Yibukije ko habaye amanama menshi hagati y'abarebwa n'urubanza batandukanye kandi ko Guverinoma y'u Rwanda yemeye gutanga ibihembo by'abavoka ishingiye ku biciro by'abavoka bigenderwaho mu Rwanda. Yasubiyemo kandi ingingo zari zatanzwe n'Ubushinjacyaha mbere aho bwavuze ko amaperereza y'Ubwunganizi agomba gukorwa n'abagenzacyaha, nk'uko bisanzwe bikorwa mu Rwanda. Yavuze ko nta ngingo zihagije zatanzwe zatuma urubanza rusubikwa nk'uko bisabwa n'Ubwunganizi.
 7. Urukiko rumaze kumva ingingo z'ababuranyi, rwavuze ko ruzafata icyemezo kuri iki kibazo ku itariki ya 16 Gicurasi 2013 saa munani z'amanya.

Icyemezo cy'Urukiko : 16 Gicurasi 2013

8. Urukiko rwasubukuye iburanisha ku itariki ya 16 Gicurasi 2013 nk'uko byari biteganyijwe, rusoma icyemezo rwafashe ku cyifuzo cy'Ubwunganizi gisaba guhabwa abapererezi, mu buryo bukurikira :
 - Rwanze icyifuzo cy'Ubwunganizi gisaba guhabwa abapererezi n'umufasha mu by'amategeko, rwibutsa ko Itegeko n° 11/2007 ryo ku itariki ya 16 Werurwe 2007 (Itegeko rirebana no kohereza imanza mu Rwanda) ridateganya gushyiraho abantu nk'abo. Ku birebana no guhabwa abapererezi, Urukiko rwibukije ko ibika bya ngombwa by'Itegeko N° 13/2004 rigenga imiburanishirize y'imanza nshinjabyaha ritaganya ko umugenzacyaha anakorera iperereza ubwunganizi.
 - Ku birebana n'ibikenewe n'Ubwunganizi mu rwego rwo gukora iperereza, Urukiko rwahaye amabwiriza Ubwunganizi na Uwinkindi yo kwegera

Minisiteri y'Ubutabera n'Urugaga rw'Abavoka b'i Kigali, bakabaha ibya ngombwa bikenewe kugira ngo bakore iperereza.

- Urukiko rwavuze ko icyifuzo cy'Ubwunganizi cyo guhabwa amezi atandatu kugira ngo butange imyanzuro yabwo kitatangiwe ibimenyetso, ko icyo igihe gisabwa gikabije kuba kirekire. Kubera izo mpamvu, rwategetse Ubwunganizi gutanga imyanzuro yabwo mu mezi atatu n'iminsi itatu uhereye ku itariki icyemezo cyafatiwe, bityo itariki ntarengwa ikaba iya 20 Kanama 2013.
 - Urukiko kandi rwategetse Ubushinjacyaha guha Uregwa Inyandiko y'ibirego ihinduye mu kinyarwanda yose, rwibutsa ko Uregwa afite uburenganzira bwo kumenya ibyo aregwa, kandi bitewe n'uko yumva ikinyarwanda gusa, nta bice by'Inyandiko y'ibirego bigomba kuba mu rundi rurimi rutari ikinyarwanda.
 - Urukiko rwategetse ko urubaza ruzasubukurwa ku itariki ya 5 Nzeri 2013.
9. Mu igenzura ryakozwe kuva ku itariki ya 19 kugeza ku ya 22 Kamena 2013, umwunganizi mukuru yamenyesheje umugenzuzi ko yatanze umushinga w'amafaranga akenewe mu rwego rwo gukora iperereza ry'Ubwunganizi. Yavuze ko ayo mafaranga ataratangwa kugira ngo ako kazi gatangiye. Yavuze ko igihe kiri kubashirana. Yavuze icyakora ko yatumiwe kujya mu nama kuri Minisiteri y'Ubutabera ku itariki ya 24 Kamena 2013 kuganira ku rubanza rwa Uwinkindi hagasuzumwa uburyo icyemezo cy'Urukiko cyashyirwa mu bikorwa.
10. Mu kiganiro nagiranye kuri telefoni n'umwunganizi mukuru ku itariki ya 25 Kamena 2013 nshaka kumenya icyo inama yagezeho, Gashabana yambwiye ko inama yabaye nk'uko byari biteganyije kandi ko ibibazo byaganiriweho byarimo kongera gusuzuma urutonde rw'abatangabuhamyha hamwe n'amafaranga yagombaga gutangwa kugira ngo hakorwe iperereza. Yavuze ko umunyamabanga mukuru muri Minisiteri y'Ubutabera yamubwiye ko amafaranga yo gukora iperereza ry'Ubwunganizi azatangwa mu minsi ya vuba. Yavuze ko yasabwe

kwandikira Minisiteri ayohereza amakuru y'inyongera kugira ngo ifate ibyemezo bya ngombwa, anavuga ko iki kibazo kiri gusuzumwa mu buryo buboneye.

Uburyo Ubushinjacyaha bwubahirije itegeko ry'Urukiko ryo ku itariki ya 16 Gicurasi 2013

11. Ku itariki ya 21 Kamena 2013, umugenzuzi yagiye ku biro by'Ubushinjacyaha Bukuru, abonana n'Umushinjacyaha Jean Bosco Mutangana, wamubwiye ko Ubushinjacyaha Bukuru buri mu nzira zo kurangiza ihindurwa mu kinyarwanda ry'Inyandiko y'ibirego, kandi ko inyandiko inonosoye mu kinyarwanda izatangwa ku itariki ya 25 Kamena 2013 mu rwego rwo gushyira mu bikorwa itegeko ry'Urukiko. Mu kiganiro cyakurikiyeho kigamije kumenya aho ibintu bigeze, Mutangana yavuze ko Ubushinjacyaha Bukuru bwubahirije itegeko ry'Urukiko.

Kubonana n'Uregwa kuri gereza

12. Umugenzuzi yasuye Uregwa kuri gereza. Mbere yo kubonana na we, nakoranye akanama kamaze akanya gato, na Alex Murenzi, umuyobozi wungirije wa gereza. Yambwiye ko Jean Uwinkindi ameze neza, kandi ko akomeje kwitwara neza. Yambwiye ko nta kibazo yashyikirijwe n'Uregwa kandi ko akomeje gusurwa n'abantu bo mu muryango we n'abavoka be.
13. Mu nama nagiranye n'Uregwa nyuma yaho, nta kibazo yatubwiye afite mu rwego rw'uburyo abayeho muri gereza. Ikibazo cy'ingenzi yavuze ni ukuba igihe kiri kurenga cyane mu gihe hategerejwe ko amafaranga atangwa kugira ngo Ubwunganizi butangire gukora iperereza.

Umwanzuro

Hateganijwe urugendo rw'ubugenzuzi muri Nyakanga, mu bizasuzumwa icyo gihe hakaba harimo ikibazo cyo kumenya aho iperereza rizaba rigeze.

14. Murakoze. - - - - -