



Urwego Rwashyiriweho Kurangiza Imirimo y'Inkiko
Mpanabyaha Mpuzamahanga

Urubanza N°: MICT-12-29-A

Itariki: 26 Kamena 2014

Umwimerere: icyongereza

URUGEREKO RW'UBUJURIRE

Umucamanza: Theodor Meron, Umucamanza utegura urubanza mu bujurire
Gerefiye: John Hocking
Itariki: 26 Kamena 2014

AUGUSTIN NGIRABATWARE

Aburana na:

POROKIRERI

INYANDIKO ITARI IBANGA

**ICYEMEZO GISUBIKA ISUZUMWA RY'IBYIFUZO BYA
NGIRABATWARE BISABA URUGEREKO KWAKIRA
IBIMENYETSO BY'INYONGERA MU BUJURIRE**

Abavoka bunganira Augustin Ngirabatware:

Mylène Dimitri
Guénaél Mettraux

Ibiro bya Porokireri:

Hassan Bubacar Jallow
James J. Arguin
Inneke Onsea

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

Anneke Onsea

Jyewe, THEODOR MERON, Umucamanza wo mu Rugereko rw'Ubujurire (« Urugereko rw'Ubujurire » rw'Urwego Rwashyiriweho Kurangiza Imirimo y'Inkiko Mpanabyaha Mpuzamahanga (« Urwego »), nkaba ndi n'Umucamanza utegura urubanza mu bujurire¹;

NIBUTSA « Itegeko rishyiraho gahunda y'iburanisha mu bujurire » ryatanzwe ku itariki ya 16 Kamena 2014, riteganywa ko iburanisha ry'uru rubanza mu bujurire rizabera Arusha muri Tanzaniya ku wa mbere, ku itariki ya 30 Kamena 2014;

MAZE KUBONA (i) icyifuzo cy'ibanga Dr. Ngirabatware yangejejeho ashingiye ku Ngingo za 73, 74 na 142 z'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso, cyatanzwe mu nyandiko y'ibanga ku itariki ya 25 Nyakanga 2013; (ii) icyifuzo cya kabiri cyatanzwe na Dr. Ngirabatware ashingiye ku Ngingo za 73, 74 na 142 z'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso, cyatanzwe ku itariki ya 2 Nzeri 2013 mu nyandiko itari ibanga ariko Umugereka wayo A wo ukaba ari ibanga; (iii) n'icyifuzo cy'inyongera gisaba Urugereko kwakira ibimenyetso by'inyongera mu bujurire, cyatanzwe mu nyandiko y'ibanga ku itariki ya 7 Gicurasi 2014 (byose hamwe bikaba muri iyi nyandiko byiswe « ibyifuzo »);

MAZE KUBONA KO ababuranyi barangije gutanga imyanzuro irebana n'ibyo byifuzo gutangwa²;

MAZE KUBONA KO Ingingo ya 142(D) y'Amategeko Agenga Imiburanishirize n'Itangwa ry'ibimenyetso (« Amategeko ») iteganywa ko Urugereko rw'Ubujurire rushobora gufata icyemezo ku cyifuzo kirusaba kwakira ibimenyetso by'inyongera « mbere y'iburanisha mu bujurire cyangwa mu gihe cy'iburanisha »;

¹ icyemezo gishyiraho Umucamazo utegura urubanza mu bujurire, 28 Gashyantare 2013, urup. 1.

² Imyanzuro ya Porokireri isubiza icyifuzo cya Ngirabatware gishingiye ku Ngingo za 73, 74 na 142 z'Amategeko, 13 Kanama 2013; Imyanzuro ya Porokireri isubiza icyifuzo cya Ngirabatware cya kabiri gishingiye ku Ngingo za 73, 74 na 142 z'Amategeko, 2 Ukwakira 2013; Imyanzuro ya Porokireri isubiza icyifuzo cya Ngirabatware cya gatatu gishingiye ku Ngingo ya 142 y'Amategeko, 6 Kamena 2014 (inyandiko y'ibanga); Imyanzuro ya Dr. Ngirabatware ku birebana n'igisubizo cya Porokireri ku cyifuzo cy'ibanga yatanze ashingiye ku Ngingo za 73, 74 na 142 z'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso, 21 Kanama 2013 (inyandiko y'ibanga); Imyanzuro y'Ubwunganizi ku birebana n'igisubizo cya Porokireri ku cyifuzo cya gatatu cyatanzwe na Ngirabatware ashingiye ku Ngingo ya 142 y'Amategeko, 9 Kamena 2014 (inyandiko y'ibanga).

MAZE KUBONA KO, hakurikijwe Ingingo za 55, 131 na 135 z'Amategeko, Umucamanza utegura urubanza mu bujurire ashobora gutegeka ko isuzumwa ry'icyifuzo gisaba urugereko kwakira ibimenyetso by'inyongera risubikwa kugira ngo Urugereko ruzagifateho umwanzuro rumaze kumva impande zombi mu iburanisha ry'urubanza³;

MAZE KUBONA KO, nyuma yo kubivuganaho n'abagize inteko y'iburanisha muri uru rubanza, hariho impamvu zumvikana zituma ibi byifuzo biharirwa Urugereko kugira ngo imiburanishirize yihute kandi ibe ku buryo buboneye no kugira ngo ibyo byifuzo bizashobore gusuzumwa ku buryo burambuye hashingiwe ku ngingo zirebana n'ubujurire mu mizi y'urubanza;

KUBERA IZO MPAMVU ZIMAZE KUVUGWA,

NEMEJE KO ibi byifuzo bizafatwaho umwanzuro n'Urugereko rumaze kumva impande zombi mu iburanisha ry'urubanza;

Bikozwe mu cyongereza no mu gifaransa, ariko icyongereza ni cyo kigenderwaho haramutse habaye impaka ku myumvire y'iki cyemezo.

Umukono

Bikozwe kuri iyi tariki ya 26 Kamena 2014,
I La Haye,
Mu Buholandi

Theodor Meron, Umucamanza utegura urubanza mu
bujurire

[Kashe y'Urwego]



³Reba urubanza Callixte Kalimanzira aburana na Porokireri, N° ICTR-05-88-A, icyemezo giharira inteko y'Urugereko kuzasuzuma icyifuzo cya Kalimanzira gisaba ko ibimenyetso by'inyongera byakirwa mu bujurire, 10 Kamena 2010, urup. 1.