

**UMURYANGO W'ABIBUMBYE**

MICT-13-38  
D4-1/16 TER  
21 May 2020

MC



Urwego Rwashyiriweho Inkiko  
Mpanabyaha Mpuzamahanga

Urubanza N<sup>o</sup>: MICT-13-38

Itariki: 29 Mata 2013

Umwimerere: icyongereza

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**UMUCAMANZA UMWE RUKUMBI**

**Umucamanza:** Vagn Joensen, Umucamanza umwe rukumbi

**Gerefiye:** John Hocking

**POROKIRERI**

aburana na

**Félicien KABUGA**

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**URWANDIKO RWO GUFATA N'ITEGEKO RYO KWIMURA  
BIGENEWE IBIHUGU BYOSE**

Ingingo ya 57 y' Amategeko Agenga Imiburanishirize n' Itangwa ry' Ibimenyetso

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**Ibiro bya Porokireri:**

Hassan Boubacar Jallow  
Murtaza Jaffer  
Teresa Berrigan  
Sunkarie Ballah-Conteh

**URWEGO RWASHYIRIWEHO INKIKO MPANABYAHA MPUZAMAHANGA  
 (“MICT”):**

**Umucamanza Vagn Joensen**

**ABURANISHA** nk’Umucamanza umwe rukumbi hashingiwe ku Ngingo ya 57 y’Amategeko Agenga Imiburanishirize n’Itangwa ry’Ibimenyetso (“Amategeko”);

**AMAZE KUBONA** icyifuzo cy’ibanga kandi kitareba zimwe mu mpande zirebwa n’urubanza cyatanzwe na Porokireri asaba ko hatangwa urwandiko rwo gufata **Félicien Kabuga** (“Uregwa”) n’itegeko ryo kumwimura, cyatanzwe ku itariki ya 25 Gashyantare 2013;

**AMAZE KUBONA** Inyandiko z’ibirego zakorewe **Félicien Kabuga** maze zikemezwa n’Abacamanza b’Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda (“TPIR”) ku buryo bukurikira: iyemejwe n’Umucamanza Lennart Aspegren ku itariki ya 26 Ugushyinyo 1997; iyemejwe n’Umucamanza Navanethen Pillay ku itariki ya 29 Kanama 1998; iyemejwe n’Umucamanza Dennis Byron ku itariki ya 12 Ukwakira 2005 n’iyemejwe n’Umucamanza Dennis Byron ku ya 13 Mata 2011;

**AMAZE KUBONA** Urwandiko rwo gufata **Félicien Kabuga** n’Itegeko ryo kumwimura no kumufunga byatanzwe ku itariki ya 8 Ugushyinyo 2001, bikaba ari na byo bigenderwaho ubu;

**ASHINGIYE** ku Cyemezo cya 1966 (2010) cy’Inama Ishinzwe Amahoro ku Isi cyerekeranye n’ubufatanye hagati y’ibihugu na MICT;

**ASHINGIYE** ku Ngingo ya 28 ya Sitati ya MICT n’iya 57 y’Amategeko;

**AMAZE KUBONA** ko ari ngombwa kvanaho Urwandiko rwo gufata **Félicien Kabuga** n’Itegeko ryo kumwimura byatanzwe ku itariki ya 8 Ugushyinyo 2001 hasabwa ko Uregwa yimurirwa kuri TPIR, maze agasanga ari ngombwa ko bisimbuzwa icyifuzo gisaba ko yimurirwa ku Ishami rya MICT rikorera Arusha;

**ASABYE** ibihugu byose bigize Umuryango w’Abibumbye:

- I. **GUSHAKISHA, GUFATA NO KWIMURIRA** muri gereza y’Ishami rya MICT rya Arusha **Félicien Kabuga**, Umunyarwanda wavukiye muri Segiteri ya Muniga, Komine ya Mukarange, Perefegitura ya Byumba, mu Rwanda, mu mwaka wa 1935. Ashinjwa kuba, mu mwaka wa 1994, yarakoreye mu Rwanda ibyaha bikurikira: jenocide, kuba Urubanza N° MICT-13-38

icyitso cy'abakoze jenocide (igihe icyaha cya jenocide kitamuhanye), guhamagarira abantu, ku buryo butaziguye kandi mu ruhamwe, gukora jenocide, ubwinjiracyaha bwa jenocide, ubwumvikane bugamije gukora jenocide n'ibyaha byibasiye inyokomuntu (Itoteza n'itsembatsemba);

- II. **GUHA** Uregwa, ako kanya akimara gufatwa cyangwa nyuma yaho bidatinze kandi mu rurimi yumva, kopi, yemejwe ko ihuye n'umwimerere, y'Urwandiko rwo kumufata iherekejwe na kopi y'Inyandiko y'ibirego yemejwe ko ihuye n'Umwimere, nk'uko biteganywa n'Ingingo ya 48(G), hamwe n'inyandiko yibutsa uburenganzira bw'uregwa buteganywa n'Ingingo ya 19 ya Sitati n'Ingingo za 40 na 41 z'Amategeko;
- III. **KUMENYESHA** Uregwa, ako kanya akimara gufatwa cyangwa nyuma yaho bidatinze kandi mu rurimi yumva, ko agiye kwimurirwa ku Ishami rya MICT rikorera Arusha;
- IV. **GUSABA FÉLICIEN KABUGA KWEMEZA KO ahawe, mu rurimi yumva**, kopi y'urwandiko rwo kumufata, iy'Inyandiko y'ibirego n'iy'inyandiko yibutsa uburenganzira bwe; gusubiza Porokireri wa MICT umufungo umwe w'izo nyandiko no kumuha inyandiko yemeza ko Uregwa yahawe izo nyandiko;
- V. **GUSHAKISHA NO GUFATIRA** ibimenyetso byose bigaragara byerekeranye n'ibyaha **Félicien Kabuga** ashinjwa;
- VI. **GUKORA** irisite y'ibintu byose byafatiriwe, birimo inyandiko, ibitabo, impapuro cyangwa ibindi bintu kandi bigakorwa Uregwa abireba ndetse akabyemeza.
- VII. **KOHEREREZA** Porokireri wa MICT ibimenyetso byose byafatiriwe hamwe n'irisite yabyo;
- VIII. **KUMENYESHA** Gerefiye na Porokireri ba MICT ko Uregwa yafashwe kugira ngo hategurwe uko yimurirwa, bidatinze, muri gereza y'Ishami rya MICT rikorera Arusha;
- IX. **KUMENYESHA** Gerefiye na Porokireri ba MICT igihe bidashoboye gukora ibisabwa mu Rwanda rwo gufata Uregwa no mu Itegeko ryo kumwimura kandi bikavuga impamvu bidashobotse; no
- X. **GUSHAKA AMAKURU** kugira ngo hamenyekane niba Uregwa afite imitungo mu gihugu arimo, yaba ayifite hagafatwa ingamba z'agateganyo zo kuyifatira, bitabangamiye uburenganzira bw'abandi bantu bayifiteho uruhare;

**ATEGETSE** ko akimara kwimurwa, Uregwa, ari we Félicien Kabuga, afungirwa muri gereza y'Umuryango w'Abibumbye icungwa n'Ishami rya MICT rikorera Arusha; kandi

**AVANYEHO** Urwandiko rwo gufata n'Itegeko ryo kwimura no gufunga **Félicien Kabuga** byo ku itariki ya 8 Ugushyingo 2001.

Bikorewe Arusha, mu cyongereza, ku itariki ya 29 Mata 2013

[Umukono]

Vagn Joensen

Umucamanza umwe rukumbi

[Kashe ya MICT]