

MICT-13-44
24-06-2014
(18/ter - 15/ter)

18/ter
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**UMURYANGO
W'ABIBUMBYE**



Urwego Rwashyiriweho Kurangiza Imirimo
y'Inkiko Mpanabyaha Mpuzamahanga

Urubanza N° MICT-13-44

Date: 24 Mata 2014

Umwimerere: Igifaransa

Umucamanza : Theodor Meron, Perezida

Afashijwe na : John Hocking, Gerefiye

Urubanza rwa Laurent Bucyibaruta

RAPORO YA KANE Y'UBUGENZUZI

Laetitia Husson

Intumwa ya MICT ishinzwe gukurikirana urubanza rwa Laurent Bucyibaruta

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Raporo y'ubugenzuzi ya kane – Urubanza rwa Bucyibaruta

Anamurat

1. Mbagejejeho iyi raporo nk'intumwa y'Urwego Rushinzwe Kurangiza Imirimo y'Inkiko Mpanabyaha Mpuzamahanga (« MICT »), yashinzwe gukurikirana urubanza Porokireri aburana na Laurent Bucyibaruta, rwashyikirijwe ubutegetsi bw'u Bbufaransa hashingiwe ku Ngingo ya 11 bis y'Amategeko Agenga Imiburanishirize n'Itangwa ry'ibimenyetso y'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda (« Amategeko » na « TPIR »). Iyi raporo irebana n'igihe gihera muri Mutarama kugeza muri Werurwe 2014.

Intangiriro n'amavu n'amavuko

2. Porokireri wa ICTR yakoreye Bucyibaruta Inyandiko y'ibirego amurega ibyaha bikurikira : jenocide, kuba icyitso cy'abakoze jenocide, guhamagarira abantu mu buryo butaziguye kandi mu ruhamye gukora jenocide, kimwe n'ibyaha byo gusambanya ku gahato, itsembatsemba n'ubuhotozi nk'ibyaha byibasiye inyokomuntu byakorewe mu Rwanda mu mwaka wa 1994. Iyo Nyandiko y'ibirego yemejwe n'umucamanza wa TPIR ku itariki ya 17 Kamena 2005¹. Ku itariki ya 12 Kamena 2007, Porokireri wa ICTR yatanze icyifuzo asaba ko iyo Nyandiko y'ibirego yakoherezwa mu nkiko z'igihugu cy'u Bufaransa hashingiwe ku biteganywa n'Ingingo ya 11 bis y'Amategeko ya ICTR².
3. Ku itariki ya 20 Ugushyngi 2007, Urugereko rwa Mbere rw'Iremezo rwagenwe hashingiwe ku Ngingo ya 11 bis y'Amategeko ya TPIR rwasanze ibisabwa byose kugira ngo urubanza rwimurirwe ahandi byuzuye. Kubera iyo mpamvu, urwo Rugereko rwategetse ko Urubanza Porokireri aburana na *Laurent Bucyibaruta* rwimurirwa mu

¹Urubanza Porokireri aburana na Laurent Bucyibaruta, N° ICTR-2005-85-I, icyemezo cyemeza Inyandiko y'ibirego n'ibindi byemezo birebana na yo, 17 Kamena 2005 ; Urubanza Porokireri aburana na Laurent Bucyibaruta, Inyandiko y'ibirego, 20 Nyakanga 2005 (yaretse kugirwa ibanga ku itariki ya 20 Kamena 2007).

²Porokireri yakosoye icyo cyifuzo ku itariki ya 27 Kamena 2007. Reba Urubanza Porokireri aburana na Laurent Bucyibaruta, N° ICTR-2005-85-I, icyifuzo cy'ibanga cya Porokireri gisaba ko Inyandiko y'ibirego yakorewe Laurent Bucyibaruta yohererezwa ubutegetsi bw'u Bbufaransa hashingiwe ku Ngingo ya 11 bis y'Amategeko ya TPIR, 27 Kamena 2007.

Bufaransa, icyo gihugu kikagomba guhita kirushyikiriza urukiko rwaho rubifitiye ububasha³.

4. U Bufaransa bwari busanzwe bwaratangiye iperereza kuri Bucyibaruta nyuma y'aho umucamanza utegura urubanza yemeje ko agomba gukurikiranwa n'inkiko, uwo mucamanza na we ashingiye ku kirego yakiriye cyatanzwe mu mwaka wa 2000 n'abaregera indishyi. Bisabwe na Parike, urubanza rwoherejwe na ICTR rwafatanyijwe na dosiye y'ibyavuye mu iperereza ryatangiyeye gukorerwa mu Bufaransa mu mwaka wa 2000. Ni ukuvuga rero ko, kugeza ubu, idosiye y'urubanza rwa Bucyibaruta iri muri icyo gihugu ari imwe rukumbi. Kuva muri Nzeri 2007, Bucyibaruta yararekuwe ariko ashirwa mu bugenzurwe.

Ubutumwa bwo gukurikirana urubanza

5. Ubutumwa bw'ikubitiro bwo gukurikirana urubanza rwa Bucyibaruta nabugiyemo muri Kamena na Nyakanga 2013, ubwa kabiri mbujyamo muri Nzeri no mu Ukwakira 2013. Ubutumwa bwa gatatu bwo gukurikirana urwo rubanza bwabaye muri Mutarama 2014. Raporo z'ubwo butumwa uko ari butatu zohererejwe Perezida wa MICT uko zikurikirana binyujijwe kuri Gerefiye we ku itariki ya 12 Nyakanga, ku ya 1 Ugushyingo 2013 no ku ya 24 Mutarama 2014. Iya mbere yatangajwe na Gerefiye ku rubuga rwa interineti rwa MICT ku itariki ya 15 Nyakanga, indi ku ya 7 Ugushyingo 2013, naho iya gatatu itangazwa ku ya 28 Mutarama 2014⁴.
6. Ku itariki ya 8 Mata 2014, igihe nari mu butumwa ku nshuro ya kane, nabonanye na Madamu Aurélie Devos, Visi Porokireri, akaba n'umuyobozi w'agashami kiswe AC5 ku Rukiko Rwisumbuye rw'i Paris (mu Bufaransa), gashinzwe gukurikirana ibyaha byibasiye inyokomuntu, ibyaha by'ubugome n'ibikomeme byakozwe mu gihe cy'intambara. Kuri

³Urubanza Porokireri aburana na Laurent Bucyibaruta, N° ICTR-2005-85-I, icyemezo ku Cyifuzo cya Porokireri gisaba koherereza ubutegetsi bw'u Bufaransa Inyandiko y'ibirego yakorewe Bucyibaruta, 20 Ugushyingo 2007.

⁴Urubanza rwa Laurent Bucyibaruta, N° MICTR-13-44, Raporo y'ikubitiro y'ubugenzuzi mu rubanza rwa Bucyibaruta, 12 Nyakanga 2013, yakiriwe ku ya 15 Nyakanga 2013; Urubanza rwa Laurent Bucyibaruta, N° MICT-13-44, Raporo ya kabiri y'ubugenzuzi, 1 Ugushyingo 2013, yakiriwe ku ya 7 Ugushyingo 2013; Urubanza rwa Laurent Bucyibaruta, N° MICT-13-44, Raporo ya gatatu y'ubugenzuzi, 24 Mutarama 2014, yakiriwe ku ya 28 Mutarama 2014.

uwo munsu, mu biro by'ako gashami i *Paris*, nabonye na none na Bwana Olivier l'Etang, Subusititi wa Porokireri mu Rukiko Rwisumbuye rw'i *Paris*.

7. Madamu Devos yavuze ko Bucyibaruta yahaswe ibibazo mu kwezi kwa Mutarama kandi ko hakomeje isesengura ry'amakuru akubiye mu idosiye abacamanza bashinzwe gutegura urubanza bamaze gukusanya kugeza ubu. Madamu Devos yongeye kwemeza ko iperereza ryagombye kurangira mu ntangiriro za Mutarama 2015.
8. Avoka Philippe Greciano, wunganira Bucyibaruta yanditse ubutumwa bwa elegitoroniki (*e-mail*) amenyesha ko nta cyo afite avuga ku rubanza.
9. Mu butumwa butaha mu rwego rwo gukurikirana uru rubanza, abahagarariye abaregeye indishyi bazasabwa gutanga ibitekerezo byabo ku ku birebana n'imigendekere y'imiburanishirize y'uru rubanza, kimwe n'uko babona ibisabwa birebana n'iyimurwa ryarwo byubahirizwa.

Bikorewe i La Haye (mu Buholandi)
ku itariki ya 24 Mata 2014

[Umukono]

Laetitia Husson

Intumwa ishinze gukurikirana urubanza rwa Bucyibaruta