

**UMURYANGO
W'ABIBUMBYE**



Urwego Mpuzamahanga Rwashyiriweho Gukora
Imirimo y'Insigarira y'Inkiko Mpanabyaha

MICT/2/Ihindurwa rya 2

7 Gicurasi 2025

Umwimerere: Icyongereza

**AMABWIRIZA NGENGAMIKORERE MU KUGENA IGIHUGU UMUNTU
WAKATIWE AGOMBA KURANGIRIZAMO IGIHANO CY'IGIFUNGO**

(MICT/2/Ihindurwa rya 2)

INTANGIRIRO

1. Nshingiye ku Ngingo ya 23(B) y'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso y'Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha ("Amategeko" na "IRMCT", uko bikurikirana); nshingiye ku Ngingo ya 25 ya Sitati ya IRMCT no ku ya 127(A) y'Amategeko; nshingiye ku Mabwiriza ngengamikorere yerekeye kugena igihugu umuntu wakatiwe agomba kurangirizamo igihano cy'igifungo, ya TPIR no ku Mabwiriza ngengamikorere yerekeranye n'uko Urukiko Mpuzamahanga rugena igihugu umuntu wakatiwe agomba kurangirizamo igihano cy'igifungo, ya TPIY; maze kandi kugisha inama Gerefiye na Porokireri ba IRMCT, nshyizeho aya Mabwiriza ngengamikorere, avuguruye ya IRMCT, mu kugena igihugu umuntu wakatiwe agomba kurangirizamo igihano cy'igifungo.

KUVUGANA N'IBIHUGU

2. Perezida wa IRMCT avugana, mu buryo butaziguye cyangwa abinyujije kuri Gerefiye, n'igihugu, icyo ari cyo cyose, mu byagaragaje ubushake bwo kwakira abantu bakatiwe kandi cyagiranye, n'Umuryango w'Abibumbye, amasezerano yo muri urwo rwego cyangwa akavugana n'ibihugu byagaragaje ubushake bwo kwakira abantu bakatiwe hashingiwe ku bundi bwumvikane ubwo ari bwo bwose. Mu ikubitiro ry'ibyo biganiraho, reta (amareta) bireba isabwa ahanini kuvuga, mbere y'itariki runaka, niba yiteguye kwakira umuntu wakatiwe ndetse byaba ngombwa ikavuga niba, muri icyo gihugu, uwo muntu ashobora guhabwa ubufasha bwose yakenera mu kwivuza.
3. Iyo amaze kubona igisubizo (ibisubizo) cya reta, iyo ari yo yose mu zagejejweho ubusabe, cyemera ibyo yasabye byo mu ikubitiro, Perezida aha iyo reta, mu buryo butaziguye cyangwa abinyujije kuri Gerefiye, amakuru ya ngombwa kandi yerekeranye n'umuntu runaka wakatiwe IRMCT iteganya kohereza muri icyo gihugu kugira ngo aharangirize igihano cy'igifungo yakatiwe. Ayo makuru ni aya akurikira:
 - (a) Kopi y'inyandiko y'urubanza yemejwe ko ihuye n'umwimerere;
 - (b) Inyandiko ivuga igice cy'igifungo uwo muntu wakatiwe amaze kurangiza ndetse n'amakuru yerekeranye n'igihe yamaze afunzwe by'agateganyo; na
 - (c) Izindi nyandiko, izo ari zo zose, za ngombwa IRMCT ifite zirimo amakopi, yemejwe ko ahuye n'umwimerere, y'ibyangombwa biranga uwo muntu wakatiwe ndetse, aho bikenewe kandi hazirikanwa ibisabwa ku byerekeranye no kubika ibanga, hagatangwa raporo ya muganga, iyo ari

yo yose, ku buzima cyangwa ku mitekerereze by'uwo muntu wakatiwe ndetse n'inama ya muganga, iyo ari yo yose, ku byerekeranye no kuba yakomeza kuvurirwa muri icyo gihugu kizamwakira.

GUKUSANYA AMAKURU

4. Iyo, nyuma yo guhabwa amakuru avugwa mu gika cya 3, igihugu bireba gikomeje kugaragaza ubushake bwo kurangirizwamo igihano cyatanze na IRMCT, Perezida ashobora, mu buryo butaziguye cyangwa abinyujije kuri Gerefiye, gukusanya no gusuzuma amakuru arimo akurikira:
 - (a) Kuba uwo muntu wakatiwe yarashatse, yaratandukanye n'uwo bashakanye, ari umupfakazi cyangwa ingaragu, abantu atunze n'abandi bo mu muryango we, ahantu abo bantu basanzwe baba ndetse, aho bikenewe kandi bishoboka, amafaranga baba bafite ngo bashobore gusura uwo muntu wakatiwe;
 - (b) Niba biteganyijwe ko uwo muntu wakatiwe atanga ubuhamya mu zindi manza za IRMCT;
 - (c) Niba biteganyijwe ko uwo muntu wakatiwe azongera kwimurwa nk'umutangabuhamya kandi, byaba ari byo, hakavugwa igihugu (ibihugu) cyagiranye na IRMCT amasezerano yerekeranye no kumwimura;
 - (d) Raporo ya muganga, iyo ari yo yose, ku buzima cyangwa ku mitekerereze by'uwo muntu wakatiwe;
 - (e) Indimi uwo muntu wakatiwe azi;
 - (f) Uburyo abantu bafungwamo muri rusange n'amategeko yerekeranye n'umutekano n'ubwisanzure muri icyo gihugu;
 - (g) Amategeko y'icyo gihugu ku byerekeranye no gufungura, mbere y'igihe, abantu bakatiwe, kubaha imbabazi no kubagabanyiriza ibihano, hamwe n'ikintu icyo ari cyo cyose kibujijwe n'amategeko y'icyo gihugu ku byerekeranye n'irangizagihano;
 - (h) Niba icyo gihugu cyaremeye korohereza uwo muntu wakatiwe kukigumamo aramutse arangije igihano cye ariko ntashobore, kubera impamvu z'umutekano, guhita asubira mu gihugu yemerewe guturamo, mu gihe hagishakwa uko yasubizwa iwabo; na
 - (i) Igitekerezo, icyo ari cyo cyose, uwo muntu wakatiwe yaba yaratanze ku iyimurwa

rye.

UKO PEREZIDA AGENA IGIHUGU KIRANGIRIZWAMO IGIHANO

5. Ashingiye ku makuru yagejejweho n’andi yava mu iperereza ashobora kwikorera, Perezida akena igihugu kizarangirizwamo igihano cy’igifungo. Mu kugena icyo gihugu, Perezida azirikana ko byaba byiza umuntu wakatiwe arangirije igihano mu gihugu cyegeranye n’aho abantu bo mu muryango we baba cyangwa bashobora kugeramo bitabagoye. Mbere yo kugena igihugu, Perezida ashobora kugisha inama Abacamanza b’Urugereko rwakatiye uwo muntu, baburanisha muri IRMCT. Perezida ashobora no gusaba Porokireri kuvuga icyo abitekerezaho kandi ashobora no kongera kugisha inama Gerefiye.
6. Perezida ashyira icyemezo cye muri dosiye y’urubanza. Ashobora kwemeza ko, mbere y’uko uwo muntu wakatiwe yimurwa, rubanda batamenyeshwa ibyerekeranye no kugena igihugu azarangirizamo igihano asigaje.
7. Ashingiye ku biteganywa n’amasezerano yerekeranye n’irangizagihano Umuryango w’Abibumbye wagiranye n’igihugu cyagenwe, Perezida asaba, mu buryo butaziguye cyangwa abinyujije kuri Gerefiye, reta y’icyo gihugu kwakira uwo muntu wakatiwe kugira ngo akirangirizemo igihano.

IMYITEGURO YO KWIMURA UMUNTU WAKATIWE

8. Iyo reta bireba yemeye ubusabe bwa IRMCT bwo kwakira uwo muntu wakatiwe, Perezida amenyesha uwo muntu, mu buryo butaziguye cyangwa abinyujije kuri Gerefiye, igihugu cyagenwe azarangirizamo igihano ndetse n’ibikubiye mu masezerano IRMCT yagiranye n’icyo gihugu ku irangizagihano n’andi makuru yose ya ngombwa.
9. Perezida ashobora gutegura, mu buryo butaziguye cyangwa abinyujije kuri Gerefiye, inama ibanziriza kwimura uwo muntu. Iyo nama yitabirwa n’abahagarariye IRMCT, abahagarariye igihugu kizarangirizwamo igihano ndetse n’uwo muntu wakatiwe, kugira ngo baganire ku bijyanye no kumwimura no ku buzima bwo muri gereza muri icyo gihugu azarangirizamo igihano.

Bikozwe uyu muni, tariki ya 7 Gicurasi 2025,
I Lahe, mu Buholandi.

[Umukono]

Graciela Gatti Santana
Perezida

[Kashe ya IRMCT]