



UMURYANGO W'ABIBUMBYE

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

Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha ("IRMCT") rwashyizweho n'Inama Ishinzwe Amahoro ku Isi y'Umuryango w'Abibumbye ku itariki ya 22 Ukuboza 2010 kugira ngo rukomeze ububasha, uburenganzira, inshingano n'imirimo y'ingenzi by'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda (TPIR) n'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho icyahozze ari Yugosilaviya (TPIY) zarangije manda zazo mu mwaka wa 2015 n'uwa 2017, uko zikurikirana.

## DISIKURU

PEREZIDA

(Iyi nyandiko igenewe gukoreshwa n'itangamakuru gusa. Ntigenderwaho mu mirimo ya IRMCT.)

New York, tariki ya 13 Ukuboza 2021

UNIRMCT/PR274k

# Ijambo Carmel Agius, Perezida w'Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha yagejeje ku Nama Ishinzwe Amahoro ku Isi y'Umuryango w'Abibumbye 13 Ukuboza 2021

Bwana Perezida,

Ba Nyakubahwa,

Namwe mwese muteraniye hano,

Ndabaramukije mwese. Ntewe ishema rikomeye no kuza imbere yanyu kugira ngo mbagezeho raporo ya 19 y'ibikorwa by'Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha (IRMCT). Kubera impamvu nza gusobanura muri iri jambo, Nishimiye kuba mvuze iri jambo mu gihe iyi Nama iyobowe na Repubulika ya Nijeri.

Muri Kamena 2020, nyuma y'igenzura ryayo rya gatatu ryerekeranye n'aho ibikorwa bya IRMCT bigeze, iyi Nama yafashe icyemezo cya 2529 (2020). Kuva icyo gihe, muri IRMCT twakomeje kuzirikana icyo Cyemezo mu mirimo yacu ya buri munsu, haba ku rwego rw'Ingereko, urw'ibiro bya Porokireri cyangwa urw'ibiro bya Gerefiye. Iyo nyandiko ni igikoresho gituma dushobora gusuzuma imikorere yacu kandi twihatira buri gihe kuzaza ibyasabwe n'Inama Ishinzwe Amahoro ku Isi bikubiye muri icyo Cyemezo. Duterwa kandi imbaraga n'inkunga iyi Nama yatugaragariye muri icyo nyandiko, aho ihamagarira ibihugu bigize Umuryango w'Abibumbye gufatanyaga na IRMCT no kuyiha ubufasha bwose ikeneye.

Nejejwe no kuba, mu gihe kirebwa n'iyi raporo no mu byumweru byakurikiye itangwa rya raporo yacu, byinshi mu bikubiye mu Cyemezo cya 2529 (2020) byarashyizwe mu bikorwa. Ndabizeza ko tuzakomeza icyo gahunda mu gihe twitegura igenzura ritaha, rikorwa n'iyi Nama nyuma ya buri myaka ibiri, rizaba mu mwaka wa 2022. Ubu twatangiyeye gukorana n'ibiro bya Serivise z'igenzura ry'imbere mu Muryango w'Abibumbye (OIOS) ku byerekeranye n'uburyo bunyuranye IRMCT yifashisha mu kazi kayo, kandi mu by'ukuri turakorana n'ibiro bya Biro mu buryo bwuzuye.

Munyemerere mbibutse bimwe mu bikubiye muri icyo Cyemezo. Naba ngize uburangare ntabanje kugira icyo mvuga ku **gika cya 6**, kigaruka kuri bimwe mu bikubiye mu Cyemezo cya 1966 (2010) gishimangira ingingo zirimo ivuga ko IRMCT yashyizweho "nk'urwego ruto rudahoraho kandi rukora neza". Umuntu



yavuga ko aya magambo ari icyitegererezo cy'uburyo Inama Ishinzwe Amahoro ku Isi yifuzaga ko IRMCT izakora, nk'urwego rushinzwe kurangiza imirimo y'insigarira, kandi muri icyo gika IRMCT isabwa kugendera kuri izo ngingo.

Bwana Perezida,

Intambwe ikomeye yatewe ivugwa muri iyi raporo igaragaza ko twiyemeje bidasubirwaho kugera ku ntumbero Inama Ishinzwe Amahoro ku Isi ifite kuri IRMCT muri urwo rwego no kurangiza imirimo yacu yose mu buryo budahenze kandi buboneye, uko bishoboka, ibyo tukabikora tuzirikana amahame y'ingenzi, ari yo kubahiriza ubutabera n'uburenganzira bw'ibanze, bigomba kuranga imikorere ya IRMCT nk'Urukiko rwigenga.

By'umwihariko, mu gihe kirebwa n'iyi raporo, IRMCT yashoboye guca, ku gihe, imanza zose, uko ari eshatu, zari ziteganyijwe gusomwa muri Kamena uyu mwaka, ni ukuvuga urubanza rwa Mladić mu bujurire, n'imanza zaburanishwaga mu rw'iremezo, ari zo urwa Stanišić na Simatović n'urwa Nzabonimpa na bagenzi be, baregwaga gusuzugura Urukiko. Kuba iyi ntambwe itangaje, si ukubera gusa umubare w'imanza zasomwe, ahubwo ni no kubera umuhate Abacamanza ba IRMCT, abakozi n'abagize amakipe y'Ubwunganizi bakoranye kugira ngo iburanisha ry'izo manza rirangirire igihe cyateganyijwe, n'ubwo hari inzitizi nyinshi zashoboraga kuritinda iyo hatabaho uwo muhate wabo. Na none, IRMCT ishobora guterwa ishema ryinshi no kuba, mu gihe cy'icyorezo, umusaruro wayo warasumbye uw'izindi nkiko mpanabyaha mpuzamahanga.

Kubera iyo mpamvu, umurimo nyamukuru wa IRMCT, ni ukuvuga imanza zikiburanishwa, warushijeho kugabanuka maze twinjira mu kindi cyiciro cy'imirimo yayo. Mu madosiye arimo gusuzumwa ubu, harimo ubujurire mu manza ebyiri twavuze hamwe n'urubanza rwa Kabuga mu rw'iremezo, ubu rukiri mu cyiciro kibanziriza iburanisha kubera uburwayi bw'Uregwa. Ni ngombwa kwibutsa aha ko urubanza rwo mu bujurire ku mikirize y'urubanza rwa Nzabonimpa na bagenzi be mu rw'iremezo ubu rwitwa urwa Fatuma na bagenzi be kubera ko ibibazo birusuzumwamo mu bujurire byerekeranye gusa n'abantu bane mu baregwaga mu rw'iremezo.

N'ubwo izi manza n'indi mirimo iteganywa na manda ya IRMCT bizakomeza mu gihe kivugwa muri iyi raporo niba iyi Nama itabyemeje ukundi, impinduka yerekeranye n'umubare w'imanza zikiburanishwa ni nini. Ibi biterwa n'uko kuba imwe mu mirimo y'ingenzi yarasojwe bituma habaho, byanze bikunze, kugabanya abakozi n'umutungo ukoreshwa, kubera ko mu miterere yarwo, IRMCT ari urwego rugomba kugenda rugabanya abakozi kandi rudahoraho.

Bwana Perezida,

Icyemezo cya 2529 (2020) gikubiyemo n'ibitekerezo by'itsinda ryashyizweho bitanyuze mu nzira zisanze rishinzwe gutanga ibitekerezo ku Nkiko Mpuzamahanga. Dukurikije ibivugwa mu **gika cya 9** cy'icyo Cyemezo, ibyo bitekerezo twarabizirikanye kandi tugira icyo tubikoraho byose uko byakabaye, tugamije kunoza imicungire myiza, igusha ku ntego kandi irangwa n'umucyo. By'umwihariko, dukomeje gukora ibishoboka byose kugira ngo dushyire mu bikorwa inama zisigaye zatanze na OIOS. Muri urwo rwego icya mbere twibanzeho ni ukwemeza inyandiko ikoresha imbere muri IRMCT, igenekereza umubare w'abakozi IRMCT yakenera bitewe n'akazi yaba ifite, ihuriza hamwe ibitekerezo ku ngamba z'inzezo eshatu zigize IRMCT, ku byerekeranye n'uko imirimo myinshi isigaye ya IRMCT izakorwa mu



gihe kiri imbere. Urundi rugero rw'imicungire inoze ni imikoranire hagati y'Abayobozi bakuru n'inzezo mu byerekeranye n'uburyo IRMCT ihangana n'icyorezo cya Koronavirusi, harimo n'ibyo dukora kugira ngo abakozi bese bashobore kongera gukorera mu biro nta mpungenge.

Ikindi, mu **gika cya 10**, Inama Ishinzwe Amahoro ku Isi iteganya ibyangombwa byihariye raporo igomba kuba yujuje. Muri raporo mufite imbere yanyu no mu maraporo ya IRMCT abiri aheruka avuga ku byakozwe mu gihe cy'amezi atandatu, ibyasabwe n'iyi Nama ko hatangwa amakuru arambuye ku byerekeranye n'umubare w'abakozi, akazi kagomba gukorwa, amafaranga azakoreshwa n'igihe imirimo y'insigarira izamara, byatanzweho ibisubizo binoze kandi nyabyo. Nk'uko mubibona, IRMCT itegurana izi nyandiko ubushishozi bwinshi igamije gutanga amakuru yuzuye kandi akenewe. N'ubwo ibyo bitwara igihe, IRMCT inezeza n'uko uko gutanga raporo bituma ibikorwa bibera mu mucyo, kandi uko turushaho gukorera mu mucyo ni ko turushaho kuzuza inshingano duhabwa n'urwego rutuyobora kandi tugashobora kugaragaza umusaruro ufatika Abacamanza n'abakozi bacu bagezeho.

Ku byerekeranye n'ibivugwa mu **gika cya 11**, IRMCT yakomeje gukora ibishoboka byose kugira ngo ibungabunge uburenganzira bw'abantu bese bafunzwe ifiteho ububasha, yubahiriza amategeko mpuzamahanga akurikizwa, arimo ayerekeranye no kuvuzwa. Urugero natanga ni ingamba zashyizweho muri Gereza ya IRMCT i Lahe mu rwego rwo kurwanya icyorezo cya Koronavirusi, aho abantu bese bahafungirwe uko ari batanu, ni ukuvuga Brđanin, Kabuga, Mladić, Simatović na Stanišić, bakurikiranwa neza ndetse Urugereko rwa Mbere rw'Iremezo rukaba ruri maso mu gufata ibyemezo byerekeranye n'ubuzima bwa Kabuga. Ku rundi ruhande, mu rwego rw'amategeko natanze, Reta z'ibihugu bidufasha kurangiza ibihano zikomeje kungezaho amaraporo akubiyemo amakuru mashya yerekeranye n'uko ikibazo cy'icyorezo cya Koronavirusi cyifashe mu magereza abantu 48 bakatiwe bafungirwemo. Mu izina rya IRMCT, ndashimira mbivanye ku mutima buri yose muri izo Reta kubera ko yujuje inshingano zayo muri urwo rwego, ibikuye ku mutima.

Mu kurangiza inshingano zivugwa mu **gika cya 12**, nka Perezida wa IRMCT, nafashe igihe kirekire cyo gusuzumana ubushishozi ibyifuzo bisaba imbabazi, kugabanyirizwa ibihano cyangwa gufungurwa by'agateganyo ngezweho n'abantu bahamijwe ibyaha n'Urukiko Mpanabyaha Mpuzamahanga Rwashyirirweho u Rwanda (TPIR) n'Urukiko Mpanabyaha Mpuzamahanga Rwashyirirweho icyahoze ari Yugosilaviya. Mu gihe kirebwa n'iyi raporo, natanze ibyemezo ku Byifuzo bitatu nk'ibyo, ntanga n'Amategeko atandatu yerekeranye n'abafungwa mu rwego rw'ibindi Byifuzo bitarasuzumwa, kugira ngo tubanze tuvugane n'abafatanyabikorwa kandi dukusanye amakuru yuzuye uko bishoboka. Uretse ibyo, ku byerekeranye n'ikibazo mbona Inama Ishinzwe Amahoro ku Isi yitayeho by'umwihariko, mu gihe kirebwa n'iyi raporo, IRMCT yanogeye uburyo isuzuma ibyifuzo bisaba gufungura by'agateganyo. Nkomeje gukurikiranana, mu buryo bwihuse, uko abakatiwe barangiza ibihano bahawe, ndetse mu cyumweru kibanziriza igishize natanze icyemezo ku kindi Cyifuzo gisaba gufungurwa by'agateganyo.

Bwana Perezida,

Mu gusozza, ndagira ngo mvuge ku kibazo cyari kimaze igihe kirekire kiremereye IRMCT kandi cyanaremereye Urukiko rwayibanjirije, ari rwo TPIR, ndetse n'Inama Ishinzwe Amahoro ku Isi. Iki kibazo hari ubwo cyasaga n'ikidashobora kubonerwa umuti kandi cyavuzwe mu Byemezo bitari munsu y'icumi by'Inama Ishinzwe Amahoro ku Isi ndetse no mu maraporo menshi. Ndashaka kuvuga ibikubiye mu **gika cya 4** cy'Icyemezo cya 2529 (2020) ku bantu icyenda bagizwe abere cyangwa bafunguwe babaga Arusha mu nzu irindiwe umutekano. Kuri iki kibazo, Inama Ishinzwe Amahoro ku Isi yashimangiye ko byari



ngombwa kubona umuti urambye kandi mu buryo bwihuse, maze ihamagarira kandi ibihugu byose bigize Umuryango w'Abibumye gufatanya na IRMCT no kuyiha ubufasha bwose ikeneye.

Nejejwe no kubamenyesha ko kubera umuhate udasanze wa Gerefiye wa IRMCT, Abubacarr Tambadou, turi kumwe uyu muni, n'ubufatanye bw'intangarugero bwatanze n'igihugu cyanyu, aricyo Repubulika ya Nijeri, Bwana Perezida, twateye intambwe ikomeye, itunguranye. Ndagira ngo menyeshe ibihugu bigize Inama Ishinzwe Amahoro ku Isi ko, ku itariki ya 15 Ugushyirye 2021, Repubulika ya Nijeri n'Umuryango w'Abibumye byasinye amasezerano y'ingenzi yo kwimurira abantu bagizwe abere cyangwa bafunguwe na TPIR cyangwa IRMCT muri icyo gihugu. Muri ayo masezerano havugwa ko Repubulika ya Nijeri yemeye ko abantu bese bagizwe abere cyangwa bafunguwe uko ari icyenda bimurirwa muri icyo gihugu, kandi ndemeza ko ayo masezerano yamaze gushyirwa mu bikorwa, ku byerekeranye n'umunani muri bo. Kuba uyu muni Inama [Ishinzwe Amahoro ku Isi] iyobowe na Nijeri ni umwanya mwiza wo gutangaza iyi nkuru.

Bwana Perezida,

Munyemerere, mu izina ry'abakozi bese ba IRMCT, mbashimire byimazeyo kandi mbivanye ku mutima, mwebwe na Guverinoma y'igihugu cyanyu, kubera inkunga itagereranywa n'ubwitange mwagaragaje mu mu gushyigikira ubutabera mpuzamahanga. Ndifuzako kandi gushimira no kuvuga ibigwi Gerefiye Tambadou no kubabwira ko yagize uruhare rw'ingenzi muri uyu musaruro wagezweho ndetse no mu bindi byinshi byakozwe kuva yatangira imirimo ye muri Nyakanga, umwaka ushize.

Kuba Repubulika ya Nijeri yaragaragaje ubushake bwo gukorana na IRMCT mu buryo bufatika, ariko cyane cyane ikabushyira mu bikorwa, ni urugero ruhebuje rw'ubufatanye n'ibihugu buzagira uruhare rw'ingenzi mu gufasha IRMCT kurangiza izindi nshingano ziteganywa na manda yahawe, ubwo bukaba ari na bwo bufatanye Inama Ishinzwe Amahoro ku Isi isaba. N'ubwo, mu **gika cya 3** cy'Icyemezo cya 2529, Inama Ishinzwe Amahoro ku Isi ishishikariza ibihugu kongera ubufatanye n'ubufasha biha IRMCT hagamijwe gufata no kuyishyikiriza abantu batandatu bari bakurikiranywe na TPIR bakidegembya, ntitwibagirwe ko, mu **gika cya 2**, Inama Ishinzwe Amahoro ku Isi ishishikariza muri rusange ibihugu gufatanya mu buryo bwuzuye na IRMCT. Muri uru rwego, IRMCT yongeye gusaba Repubulika ya Seribiya kuzuza inshingano zayo mu rwego mpuzamahanga, igafata Petar Jojić na Vjerica Radeta maze ikabashyikiriza IRMCT.

Bwana Perezida,

Raporo mushyikirijwe igaragaza bihagije ko IRMCT yiyemeje gukomeza gutanga umusaruro mwiza ititaye ku ngorane ziterwa n'ibihe turimo twese. Byongeye kandi, iyo umuntu asuzumye intambwe twateye, anzirikana ibikubiye mu Cyemezo cya 2529 (2020), ntashobora gushidikanya ko IRMCT yiyemeje gukora ibishoboka byose kugira ngo isoze mu buryo bunozwe cyane manda yayo.

Mbijeje ko tuzakomeza gukorana ubwo bwitange mu bihe bizaza, nk'uko raporo zacu z'ubutaha zizabigaragaza. Na none kandi, tuzakomeza gukenere ubufatanye, buzira imbereka, bw'ibihugu bigize Umuryango w'Abibumye n'ubw'abandi bafatanyabikorwa, hamwe n'ibitekerezo ngenderwaho by'Inama Ishinzwe Amahoro ku Isi, iby'itsinda ryashyirwe bitanyuze mu nzira zisanze rishinzwe gutanga ibitekerezo ku Nkiko Mpuzamahanga, iby'ibiro bishinzwe ibirebana n'amategeko n'ibya OIOS.



Hagati aho, kandi nsoza, nongeye kubashimira, Bwana Perezida hamwe na Guverinoma y'igihugu cyanyu ndetse n'ibindi bihugu byose n'abafatanyabikorwa bakomeje gushyigikira bikomeye IRMCT mu gusohoza ubutumwa yahawe.

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**Ukeneye andi makuru, wabaza ibiro bya IRMCT bishinzwe imibanire no hanze**

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