



NATIONS UNIES

Mécanisme international appelé à exercer les fonctions résiduelles des Tribunaux pénaux

Le Mécanisme international appelé à exercer les fonctions résiduelles des Tribunaux pénaux (le « Mécanisme ») a été créé le 22 décembre 2010 par le Conseil de sécurité de l'ONU pour continuer à exercer les compétences, les droits, les obligations et les fonctions essentielles du Tribunal pénal international pour le Rwanda (le « TPIR ») et du Tribunal pénal international pour l'ex-Yougoslavie (le « TPIY »), qui ont fermé en 2015 et 2017 respectivement.

IJAMBO

POROKIRERI

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New York, 12 Ukuboza 2022

Ijambo Porokireri mukuru wa IRMCT Brammertz yagejeje ku Nama ya Loni Ishinzwe Umutekano ku ya 12 Ukuboza 2022

Nyakubahwa Perezida, ba Nyakubahwa,

Ndashimira aya mahirwe yo kubagezaho ibikorwa by'Ubushinjacyaha bw' Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha.

Raporo yanjye yanditse itanga ibisobanuro birambuye ku bikorwa byacu n'ibyagezweho mu gihe cyo gutanga raporo bijyanye nibyo dushyira imbere. Uyu muni, ndashaka kwerekana ibibazo bike by'ingenzi.

Ku ikubitiro, ndashaka gushimira Perezida Gatti Santana ku ishyingiraho rye, kandi nizeye ko tuzakorana neza na we n'ibiro bye.

Nyakubahwa Perezida, ba Nyakubahwa,

Ubu Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha rusigaranye imanza mpanabyaha ebyiri gusa, urubanza rwa *Kabuga* n'ubujurire bwa *Stanišić* na *Simatović*. Ibiro byanjye bikomeje kwiyemeza kwerekana amahame yo mu rwego rwo hejuru harimo no kwihutisha gukora inshingano zacu.

Twishimiye intambwe yihuse mu gutanga ibimenyetso byacu mu rubanza rwa *Kabuga*. Kuva umutangabuhamya wa mbere yahamagarwa ku ya 5 Ukwakira, ibimenyetso by'abatangabuhamya 12 kuri 54 bimaze kugaragazwa.

Iburanisha ririmo gukorwa abaturanyi n'abatangabuhamya bahari cyangwa hagakoreshwa ikoranabuhanga bari kure, kandi ririmo kugenda neza kugeza ubu.

Ku nkunga y'Urugereko rwa Mbere rw'Iremezo, itsinda ryacu ryakoresheje cyane Amategeko y'Urugereko kugira ngo ibimenyetso bitangwe mu nyandiko, bigabanya igihe cy'urukiko dukeneye.

Bitewe n'izindi ntambwe, turizera ko tuzashobora kurangiza kwerekana ibimenyetso byacu mu gihembwe cya kabiri cy'umwaka utaha.



Ku bijyanye n'ubujurire bwa *Stanišić* na *Simatović*, itsinda ry'Ubushinjacyaha ririmo kwitegura impaka zo mu magambo, kuri ubu ziteganijwe mu mpera za Mutarama.

Ndangije, ndashaka kwerekana ibikorwa by'ingenzi by'ibiro byanjye aho dushinzwe gukora iperereza no gukurikirana abatubahiriza ibyemezo by'Urukiko.

Mu mpera za Kamena Urugereko rw'Ubujurire rwatangaje imyanzuro yarwo mu rubanza rwa *Fatuma n'abandi*.

Urugereko rw'ubujurire rwemeye ubujurire bwacu rwose, mu gihe rwanze ubujurire bw'abaregwa bwose.

Iburo byanjye byishimiye ko kuba Augustin Ndirabatware yaragerageje kwoshya abatangabuhamya hagamijwe guhosha ibihano bye bya jenocide byagaragaye kandi bigahagarikwa. Batanu baregwa, harimo n'uwakoraga iperereza ry'ubwunganizi, bahamwe n'ibi byaha.

Iperereza ryiza no gukurikirana abatubahiriza ibyemezo by'Urukiko no kutubahiriza ingamba zo kurengera abatangabuhamya ni ngombwa mu kurinda abatangabuhamya no gukomeza ubusugire bw'iburanisha ryakozwe na ICTR, ICTY na Mechanism.

Twizera ko mu gukurikirana ibyo byaha ubu, tubuza abandi kugerageza gukora nk'ibyo mu gihe kizaza.

Nyakubahwa Perezida, ba Nyakubahwa,

Ku birebana no gushakisha abahunze ubutabera basigaye, ubu hasigaye bane gusa.

Uri kw'isonga ni Fulgence Kayishema. Kayishema aregwa ubwicanyi bw'abagore, abagabo, abana n'impunzi zirenga 2000 mu rusengeru rwa Nyange muri Mata 1994.

Nkuko nabibabwiye mbere, kuva muri 2018, iri perereza ryatewe imbogamizi n'ingorane zo kubona ubufatanye na Afurika y'Epfo.

Ariko, nishimiye ko ubufatanye na Afrika y'Epfo ubu burimo kugenda mu cyerekezo cyiza.

Bitewe n'inkunga ya Perezida wa Afurika y'Epfo, hashyizweho itsinda ry'igihugu ry'iperereza ryihariye kugira ngo rikorane neza ku rwego rw'ibikorwa n'itsinda ryacu rishinzwe gukurikirana abahunze ubutabera.

Amakipe yombi amaze guhura kenshi kandi arimo gukora iperereza rihuriweho kuva mu mezi atandatu ashize. Ibisubizo by'ingenzi bimaze kugerwaho, kandi iperereza ryacu muri Afrika y'Epfo riratera imbere byihuse.

Turebye imbere, ibiro byanjye bizakomeza gukenera inkunga nini y'abafatanyabikorwa b'ibihugu. Itsinda ryacu rishinzwe gukurikirana abahunze ubutabera ubu rirahuzwa n'ibindi bihugu byinshi byo muri Afurika, Uburayi na Amerika ya Ruguru, kandi twizera ko tuzakira ibisubizo byiza ku byo twabasabye.

Nkuko bisanzwe, dukomeje gushyigikirwa cyane na guverinoma y'u Rwanda, harimo Minisitiri w'Ubutabera, Minisitiri w'Ubumwe bw'Igihugu n'Ubufatanye bw'Abaturage, Umugenzuzi Mukuru wa Polisi n'Umushinjacyaha mukuru.



Ni muri urwo rwego nifuza gufata umwanya wo kubagezaho ikibazo gifatika kireba abahohotewe n'abacitse ku icumu rya Jenoside yakorewe Abatutsi muri 1994 mu Rwanda.

Muri iki gihe, haracyari abatorotse ubutabera barenga 1,000 bashakishwa n'abashinjacyaha b'u Rwanda ku byaha byakozwe mu gihe cya Jenoside.

Barateguye, barashishikariza, barayobora kandi bafasha ubwicanyi bwibasiye imbaga mu nzego z'ibanze, harimo nk'abasirikare, abapolisi n'abayobozi b'abasivili.

Kugira ngo bahunze ubutabera, babeshye amateka yabo kandi bakoresha nabi inzira nyakuri z'ubuhunzi kugira ngo babone ubuhungiro mu bihugu byo kw'isi. Mu ngo zabo nshya, benshi bakomeje guteza imbere ingengabitekerezo ya jenoside, bashishikariza urwango hagati y'Abahutu n'Abatutsi.

Mugihe dukurikirana abatorotse ICTR, Ibiro byanjye byagiye bitahura bamwe mu bahunze ubutabera, bishimira kudahana muri ibi bihugu bahungiyemo. Tuzakorana n'abayobozi b'ibihugu bashinzwe kubohera cyangwa kubakurikirana.

Ibihugu bikwiye guhangayikishwa nuko abakekwaho jenoside bashobora kuba batuye mu bihugu byabo. Kandi inzira y'ubuhunzi igomba gukingirwa harebwa niba abayikoresha nabi bamenyekana kandi bakabiryoza.

Ibiro byanjye bizakomeza gukurikirana abahunze ubutabera bwa ICTR. Nubwo gushyikiriza ubutabera aba bantu bane bahunze ari intambwe ikomeye, u Rwanda ruzakomeza gukenera ubufasha bw'umuryango mpuzamahanga kugira ngo ruburanishe abandi bantu benshi bahunze ubutabera kandi bakekwaho itsembabwoko.

Nyakubahwa Perezida, ba Nyakubahwa,

Kubera ko inkiko z'ibihugu zikomeje imirimo ya ICTR na ICTY, Akanama Gashinzwe Umutekano kahaye ububasha Ibiro byanjye gusubiza ibyifuzo by'ubufasha bituruka ku bashinzwe iperereza ry'imbere mu gihugu ndetse n'abashinjacyaha ku isi. Kuzuza iyi manda bikomeje kuba ibyo dushyira imbere.

Mugihe Ibiro byanjye bigenda byegereza kurangiza imanza zacu za nyuma no gukurikirana abahunze ubutabera ba nyuma, ni ngombwa kwiyibutsa ko hasigaye imanza ibihumbi n'ibibazo bikeneye kurangizwa mu nkiko z'ibihugu.

Mu kanya navuze ko umushinjacyaha mukuru w'u Rwanda akomeje gushaka gukurikirana abantu barenga 1,000 bahunze ubutabera kubera jenoside.

Muri Bosiniya na Herzegovina, Korowasiya na Seribiya, haracyari abantu barenga 3.000 bakekwaho kuba barakoze ibyaha by'intambara, ibyaha byibasiye inyoko muntu na jenoside bagomba gukorwaho iperereza no gukurikiranwa.

Ubufasha bw'ibiro byanjye buracyari ngombwa mu kurangiza iki gikorwa. Ikusanyamakuru ryacu ry'ibanga rikubiyemo impapuro zirenga miliyoni cumi nimwe z'ubuhumya, raporo n'amadosiye. Mu gutanga uburyo bwo kubona ibi bimenyetso, hamwe n'ubumenyi bw'inzobere bw'abakozi bacu, tuba dushyigikiye byimazeyo ubutabera ku bantu bahohotewe.

Ibi bigaragarira mu mibare isaba ubufasha twakira buri mwaka. Imyaka icumi ishize twakiriye ibyifuzo 100 byo gusaba ubufasha. Mu myaka itanu ishize, impuzandengo y'ubusabe bw'ubufasha 362 niyo yakozwe n'ibihugu buri mwaka.



Ibyifuzo bya vuba birushaho kuba bikubiyemo ingingo zikomeye kandi zifite uburemere.

Dukurikije ingamba zo kurwanya ibyaha by'intambara mu bihugu, turateganya ko ubu busabe buzakomeza no mu myaka iri imbere.

Nyamara nubwo dutanga inkunga, abashinjacyaha b'ibihugu baracyafite izindi mbogamizi zikomeye.

Mu cyahoze cyitwa Yugosilaviya, ikibazo gikomeye kiracyari ubufatanye mu bucamanza mu karere.

Ubufatanye hagati y'abashinjacyaha bo mu karere ni ngombwa kuko muri iki gihe, abahohotewe n'ababikoze akenshi baba mu bihugu bitandukanye.

Kugira ngo ubutabera bufite ireme bugerweho, imanza zigomba kwimurwa kuva mu bihugu gikora iperereza zikajyanwa ku bihugu gishobora gukurikirana ukekwa icyaha.

Nkuko raporo yanjye yanditse ibivuga, hari ibimenyetso by'ingenzi byerekana iterambere ryiza mu bufatanye hagati ya Bosiniya na Herzegovina, Montenegro na Seribiya.

Icyakora, abashinjacyaha bo muri ako karere baravugaga ko batabona ubufatanye bakeneye buva muri Korowasiya mu manza zirimo abakekwaho ibyaha bo muri Korowasiya.

Naganiriye kuri iki kibazo mu myaka itandatu ishize na ba Minisitiri b'Ubutabera ba Korowasiya n'abandi bafatanyabikorwa.

Nkuko abategesi ba Korowasiya babimbwiye hambere aha muri uyu mwaka, bemeza ko iperereza no gukurikirana abenegihugu ari ikibazo cy'umutekano w'igihugu. Iyi myifatire ihindura ubutabera ikibazo cya politiki, mu gihe byakagombye gusa kuba ari ugusuzuma mu buryo bw'ubutabera butabogamye hashingiwe ku bimenyetso n'amategeko.

Mu minsi yashize namenyeshejwe ko hari ubusabe buke bwa Bosiniya na Herzegovina buherutse kwemererwa gusuzumwa. Nyamara ibirarane biracyari byinshi, ndetse n'ibindi bisabwa bizatangwa mugihe kizaza. Igihe kizaza nicyo kizerekana niba hazaba impinduka zifatika koko.

Ni muri urwo rwego, imiryango itegamiye kuri Leta n'iy'uburenganzira bwa muntu yagaragaje impungenge z'ubutabera muri Korowasiya. Bavugaga ko imanza nyinshi muri Korowasiya ari imanza z'abenegihugu ba Seribiya badahari, mu gihe ibyaha bikomeye byibasiye abaSeribe bidakurikiranwa. Ubwo rero, abahohotewe bake niba bahabwa ubutabera nyabwo.

Mbere yo kwinjira mu muryango w'ubumwe bw'ibihugu by'Uburayi, Korowasiya yari ku isonga mu guteza imbere ubutabera n'ubufatanye bw'ubutabera mu karere. Ikibabaje n'uko itakitaye kuri iyo nshingano.

Iburo byanjye bizakomeza gufatanya n'abayobozi ba Korowasiya kugira ngo babone ibisubizo binogeye impande zombi, kuko intego yacu ari ukureba ko abahohotewe benshi babona ubutabera.

Muri rusange, raporo yanjye yongeye gusobanura impungenge zijyanye no guhakana ibyaha by'intambara no guhimbaza abanyabyaha b'intambara bakatiwe mu bihugu byahoze muri Yugosilaviya.

Muri Korowasiya, Perezida yakomeje gushidikanya ko habaye Jenocide muri Srebrenica.

Muri Republika ya Srpska, abayobozi bakuru, barimo na Minisitiri w'intebe, bashimye abahamijwe ibyaha by'intambara bakatiwe na ICTY.



Muri Seribiya, sosiyete sivile yemera guhakana no guhimbaza abakoze ibyaha byakozwe n'abayobozi ba politiki: ibishushanyo birenga 150 bya Ratko Mladić bimaze kubarurwa muri Belgrade honyine.

Aya ntabwo ari amagambo n'ibikorwa bya bake mu muryango mugari, ahubwo biri hagati muri politiki n'umuco byo mu karere. Guhimbaza abagizi ba nabi b'intambara no guhakana ubugizi bwa nabi bw'amahano ya vuba byagizwe ibisanzwe.

Ibiro byanjye bizakomeza guhamagarira abayobozi bose n'abaturage bo mu karere gukora neza kandi bagashyira abahohotewe n'abasivili bababaye ku mwanya wa mbere mu bikorwa byose.

Nyakubahwa Perezida, ba Nyakubahwa,

Mu gusoza, ndashaka kubizeza ko Ibiro byanjye bikomeje kwibanda ku nshingano zacu.

Ubushinjacyaha bw'imanza za nyuma z'Urwego mpagarariye buratera imbere byihuse.

Turimo gukora iperereza ryimbitse ku bantu bane basigaye batorotse ubutabera bwa ICTR.

Turimo gutanga ubufasha bukomeye ku bayobozi b'ibihugu ubu bafite inshingano zibanze zo gukomeza gukurikirana ibyaha byakorewe mu Rwanda ndetse n'icyahoze cyitwa Yugosilaviya.

Mu bikorwa byacu byose, dukomeje gushimira inkunga y'Akanama Gashinzwe Umutekano.

Murakoze kuntega amatwi.

Pour en savoir plus, veuillez prendre contact avec le Bureau chargé des relations extérieures

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