UMURYANGO W'ABIBUMBYE

Urwego Rwashyiriweho Inkiko Mpanabyaha Mpuzamahanga

Urubanza N°: MICT-12-20

Itariki: 27 Mata 2017

Umwimerere: Icyongereza

Umucamanza: **Theodor Meron, Perezida**

Gerefiye: **Olufemi Elias**

POROKIRERI

aburana na

BERNARD MUNYAGISHARI

RAPORO ITARI IBANGA

RAPORO Y'UBUGENZUZI KU BYAKOZWE MURI WERURWE 2017

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Umugenzuzi:
Stella Ndirangu

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I. INTANGIRIRO

1. Nk'uko biteganywa mu masezerano agenga umurimo w'Abagenzuzi, by'umwihariko mu gice "C" cy'Umugereka II w'Amasezerano y'Ubwumvikane hagati y'Urwego Rwashyiriweho Inkiko Mpanabyaha Mpuzamahanga ("MICT") n'Ishami rya Kenya rya Komisiyo Mpuzamahanga y'Abanyamategeko ("ICJ Kenya"), nshimishijwe no gushyikiriza Perezida wa MICT iyi raporo, mbinyujije kuri Gerefiye.

2. Iyi raporo yerekeranye n'ibyakozwe na Stella Ndirangu, Umugenzuzi washyizweho na MICT ("Umugenzuzi") ngo akurikirane urubanza rwa Bernard Munyagishari, muri Werurwe 2017 ("Igihe kirebwa n'iyi raporo").

3. Mu gihe kirebwa n'iyi raporo, Umugenzuzi yagiye mu butumwa mu Rwanda incuro ebyiri kugira ngo akurikirane urubanza rwa Bernard Munyagishari. Yariyo kuva ku itariki ya 1 kugera ku ya 3 Werurwe 2017 no kuva ku itariki ya 26 kugera ku ya 31 Werurwe 2017.

4. Mu gihe kirebwa n'iyi raporo, habaye amaburanisha abiri mu Rukiko rw'Ikirenga, ku itariki ya 3 Werurwe 2017 no ku ya 27 Werurwe 2017.

5. Ibikurikira ni raporo irambuye ku byakozwe byose mu gihe kirebwa n'iyi raporo.

II. RAPORO MU MAGAMBO ARAMBUYE

A. Ubutumwa Umugenzuzi yarimo kuva ku itariki ya 1 kugera ku ya 3 Werurwe 2017

Kubonana na Bernard Munyagishari ku itariki ya 2 Werurwe 2017

6. Umugenzuzi yabonanye na Munyagishari kuri Gereza nkuru ya Kigali bavugana yifashishije umusemuzi.

7. Munyagishari yabwiye Umugenzuzi ko, ari muri Gereza ya Mpanga ku itariki ya 16 Gashyantare 2017, yagejejweho gahunda y'iburanisha y'Urukiko Rukuru yo muri Werurwe 2017. Yavuze ko yabonye kuri iyo gahunda ko urubanza rwe rwari ruteganyijwe kuburanishwa ku itariki ya 1 Werurwe 2017.

8. Ku itariki ya 18 Gashyantare 2017, Munyagishari yagejejweho imyanzuro ya nyuma yanditse ya Porokireri yo ku itariki ya 15 Gashyantare 2017, mu Kinyarwanda. Ubwo yakiraga iyo nyandiko, yemeje ko yamugezeho kandi avuga ko yari ategereje ko isemurwa mu gifaransa.

9. Munyagishari yasobanuye ko yari yaranandikiye Urukiko Rukuru ibaruwa ku itariki ya 18 Gashyantare 2017, arumenyesha ko yashyikirijwe imyanzuro ya Porokireri, binyuze ku muyobozi wa Gereza, Bwana John Mukono. Asubiramo ibikubiye mu cyemezo cy'Urukiko Rukuru cyategetse ko agomba guhabwa inyandiko mu gifaransa, yasabye Urukiko ko rwakora ku buryo ahabwa iyo myanzuro nyine kugira ngo abashe gutegura igisubizo cye.

10. Munyagishari yavuze ko ubwo Umugenzuzi yamusuraga, yari yaramenye ko hari hateganyijwe irindi buranisha mbere y'itariki ya 1 Werurwe 2017, nk'uko byagaragaraga mu ngengabihe y'agateganyo y'iburanisha mu Rukiko Rukuru yari yarahawe. Iryo buranisha ryari riteganyijwe kuba ku itariki ya 21 Gashyantare 2017.

11. Kubera impungenge yari [Munyagishari] atewe n'ibyo, ku itariki ya 20 Gashyantare, yabonanye na Bwana Mukono, Umuyobozi wa Gereza ya Mpanga, amusaba ko yajyanwa ku Rukiko Rukuru kugira ngo asabe ibisobanuro ku itariki y'iburanisha no gukurikirana iby'icyifuzo cye cyasabaga guhabwa imyanzuro ya Porokireri mu gifaransa.

12. Umuyobozi wa gereza yamubwiye ko batari gushobora kumujyana ku Rukiko Rukuru batabanje kubivuganaho na Porokireri. Munyagishari yabwiye Umuyobozi wa gereza ko umuntu wagombaga kugira icyo abazwa kuri icyo kibazo cyihariye ari Umwanditsi w'Urukiko Rukuru.

13. Munyagishari yavuze ko Bwana Mukono yatumye umukozi wa gereza ushinzwe ibirebana n'amategeko kujya kubonana n'Umwanditsi w'Urukiko Rukuru, kugira ngo abaze niba Munyagishari yarashoboraga kujya ku Rukiko gusaba ibisobanuro yifuzaga. Uwo mukozi ushinzwe ibirebana n'amategeko agarutse, yavuze ko Umwanditsi w'Urukiko Rukuru yari yamusobanuriye ko, kugira ngo Munyagishari ashobore gusubira mu Rukiko mu maburanisha, yagombaga kwandika ibaruwa ku mugaragaro, agaragaza icyifuzo cye cyo kuza mu Rukiko, kubera ko mbere yari yarandikiye Urukiko arumenyesha ko atari kongera kuza mu maburanisha.

14. Munyagishari amaze kubona ayo makuru, ko yagombaga kwandika asaba gusubira mu Rukiko, yandikiye imeyiri Gerefiye w'Urukiko Rukuru ku itariki ya 20 Gashyantare 2017, amumenyesha ko yifuza kongera kujya ajya mu maburanisha mu Rukiko. Ku munsi wakurikiyeho, yabonye igisubizo cyamusabaga kugeza icyifuzo cye ku Rugereko rw'Urukiko Rukuru rwaburanishaga urubanza rwe. Kuri uwo munsi, tariki ya 21 Gashyantare 2017, yandikiye Perezida w'Urugereko ibaruwa iriho iyo tariki ya 21

Gashyantare 2017. Iyo baruwa yarafotowe hanyuma iyo kopi yayo yoherezwa mu Bwanditsi bw'Urukiko Rukuru uwo munsi.

15. Munyagishari yahamagaye Avoka Jeanne d'arc Umutesi amusaba ko, mu iburanisha ryo ku itariki ya 21 Gashyantare 2017 Ubwunganizi butazatanga igisubizo ku myanzuro ya Porokireri keretse we [Munyagishari] ari mu Rukiko. Avoka yamusezeranyije ko yari kubaza icyo kibazo mu Rukiko kandi amumenyesha ko bo, nk'Ubwunganizi, bari batarashobora gutegura igisubizo gikwiriye kubera ko bari bagejejweho imyanzuro ya Porokireri bitinze.

16. Nyuma yaho, Munyagishari yavuganye n'Avoka Umutesi maze amubwira ko yari yabajije icyo kibazo mu Rukiko asaba ko, hashingiwe ku cyifuzo cy'Uregwa, yakwemererwa kuza mu iburanisha kugira ngo asubize imyanzuro ya Porokireri. Icyo gihe Urukiko rwavuze ko rutari rwaragejejweho ibaruwa ya Munyagishari.

17. Munyagishari avuga ko, kubera inyungu z'ubutabera, Urukiko Rukuru rutagombaga gutera utwatsi ibyasabwe n'Avoka Umutesi kandi ko rwagombaga kumureka [Munyagishari] akaza mu rukiko. Avuga rero ko, kubera ko Urukiko rwanze kwakira icyifuzo cyatanzwe n'Ubwunganizi mu izina rye, rwanyuranyije n'Ingingo ya 153 (11) y'Itegeko Ryerekeye Imiburanishirize y'Imanza z'Inshinjabyaha, iteganya ko uregwa ahabwa ijambo ubwa nyuma[1]. Ingingo ya 147 y'Itegeko Ryerekeye Imiburanishirize y'Imanza z'Inshinjabyaha na yo itegenya ko ku cyaha cy'ubugome, uregwa agomba kwitaba urukiko ubwe ntawe umuhagarariye. Munyagishari yasubiyemo ko Urukiko rutubahirije amategeko.

18. Munyagishari yongeye kuvuga ko, kuba Urukiko Rukuru rwaranze guhindura umunsi w'iburanisha ryo ku itariki ya 21 Gashyantare 2017, kugira ngo ashobore kuza mu rukiko, na byo bifite ingaruka ku kuba yari kuba ari mu iburanisha ryari gukurikira, aho Urukiko rwagombaga gusoma urubanza. Ntiyashoboraga kujya mu Rukiko kubera ko atari yakabona igisubizo ku cyifuzo cye yasabagamo kwitabira iburanisha.

19. Munyagishari yabwiye Umugenzuzi ko, ku itariki ya 14 Gashyantare 2017, yajuririye mu Rukiko rw'Ikirenga icyemezo cy'Urukiko Rukuru cyanzuye ko Ubwunganizi butabonye abatangabuhamya bashinjura Uregwa.

[1] Itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha N° 30/2013 ryo ku wa 25 /5/2013.

Iburanisha mu Rukiko rw'Ikirenga ku itariki ya 3 Werurwe 2017

20. Muri iryo buranisha, hari Abacamanza bose bagize inteko y'Urugereko. Hari kandi Munyagishari n'umusemuzi w'Urukiko. Porokireri n'Ubwunganizi ntibari bahari.

21. Iburanisha ry'uwo munsi ryari iryo gusoma icyemezo cyerekeranye n'ingoboka mbanzirizarubanza yatanzwe na Porokireri avuga ko Urukiko rutari rufite ububasha bwo kumva ubujurire bwa Munyagishari warwanyaga ishyirwaho ry'umwavoka mushya wo kumwunganira.

22. Mbere yo gusoma icyemezo cyarwo, Urukiko rwasabye umusemuzi kwicara, rusobanura ko, muri iryo buranisha ryihariye, bitari ngombwa gusemura, ko nyuma y'iburanisha Umwanditsi yari kugeza icyo cyemezo ku Uregwa. Urukiko rwasabye umusemuzi gufasha Uregwa amaze guhabwa icyo cyemezo.

23. Urukiko rwarakomeje rutanga icyemezo mu Kinyarwanda.

24. Urukiko rwasubiyemo amateka y'urubanza rusobanura ko icyo Cyemezo cyaturutse ku iburanisha ryo ku itariki ya 30 Mutarama 2017[2], aho Porokireri yari yatanze ingoboka mbanzirizarubanza asaba Urukiko kutemera ubujurire kuko butashoboraga kwakirwa kubera ko urubanza rwari rukiburanishwa mu Rukiko Rukuru.

25. Urukiko rwemeje ko rudashobora kwakira ubujurire bwerekeranye n'icyemezo ku cyifuzo cy'ingoboka kubera ko urubanza rwari rukiburanishwa mu Rukiko Rukuru. Ubujurire bwashoboraga gusa kuburanishwa nyuma y'isomwa ry'urwo rubanza mu Rukiko Rukuru.

B. Ubutumwa Umugenzuzi yarimo kuva ku itariki ya 26 kugera ku ya 31 Werurwe 2017

Iburanisha mu Rukiko rw'Ikirenga ku itariki ya 27 Werurwe 2017

26. Ubwo bujurire bwari bwerekeranye n'icyemezo cy'Urukiko Rukuru cyo ku itariki ya 25 Gashyantare 2015, aho Urukiko rwateye utwatsi icyifuzo cy'Uregwa aho yasabaga guhabwa abapererezi kandi runategeka ko ikipe y'Ubwunganizi ifatwa nk'ihagaritse kunganira Uregwa.

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[2] *Reba Urubanza Porokireri aburana na Bernard Munyagishari,* N°. MICT 12-20, raporo y'ubugenzuzi, itari ibanga, ku byakozwe muri Mutarama 2017 ("Raporo ku byakozwe muri Mutarama 2017"), 22 Gashyantare 2017, Ibika 42 - 62.

27. Bugabo yari yateguye kandi yatanze imyanzuro yanditse ku bujurire bwatanzwe ku itariki ya 25 Werurwe 2017. Umugenzuzi yashyikirijwe kopi y'iyo myanzuro mbere gato y'uko iburanisha ritangira.

28. Muri iryo buranisha hari Abacamanza bose bagize inteko y'Urugereko, Uregwa na we yari ahari kandi yunganirwa na Laurent Bugabo, avoka mushya wari umaze igihe gito ashyizweho. Porokireri yari ahagarariwe na Bonaventure Ruberwa. Umusemuzi w'Urukiko na we yari ahari kugira ngo afashe Munyagishari.

29. Urukiko rwatangiye rusoma incamake y'urubanza kuva rutangira kugera uwo munsi, harimo no kuba Munyagishari yari yaratanze impamvu ze z'ubujurire.

30. Porokireri yasabwe gufata ijambo, atangira avuga ko ubujurire butashoboraga kwakirwa kandi asaba Urukiko kutabwakira. Mu gushyigikira icyifuzo cye, Porokireri yifashishije amategeko akurikizwa n'ubukemuramanza bw'Urukiko rw'Ikirenga. Yavuze ku Ngingo ya 162(2) y'Itegeko Ryerekeye Imiburanishirize y'Imanza z'Imbonezamubano, iz'Ubucuruzi, iz'Umurimo n'iz'Ubutegetsi[3], iteganya ko kujuririra imanza zibanziriza izindi bikorwa gusa iyo urubanza mu rw'iremezo rwaciwe, kandi ko muri urwo rubanza urwego rw'iremezo rwari Urukiko Rukuru.

31. Porokireri yifashishije kandi Ingingo ya 34(10) y'Itegeko rigena imikorere y'Urukiko rw'Ikirenga[4], iteganya ko Urukiko rw'Ikirenga rwakira ubujurire gusa iyo urubanza rwamaze gusomwa n'inkiko zo hasi.

32. Ku byerekeranye n'ubukemuramanza, Porokireri yifashishije ibyabaye mu *Rubanza Porokireri aburana na J. Uwinkindi*[5] no mu *Rubanza Porokireri aburana na Emmanuel Mbarushimana*[6], aho Urukiko rwanzuye ko ubujurire bugomba gutangwa mu Rukiko rw'Ikirenga nyuma y'uko urubanza rumaze gucibwa n'Urukiko Rukuru.

33. Porokireri yashoje ingingo ze ashimangira ko ubujurire bwatanzwe na Munyagishari butashoboraga kwakirwa kubera ko urubanza rwe rwari rukiburanishwa mu Rukiko Rukuru.

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[3] Itegeko Ngenga N° 21/2012 ryo ku wa 14/06/2016

[4] Itegeko Ngenga N° 01/2013/OL ryo ku wa 7/2/2013 rigena imiterere, imikorere n'ububasha by'Urukiko rw'Ikirenga, ryasohotse ku wa 11/03/2013.

[5] Reba urubanza N° RPA/Gen/0004/2016 C.S *Porokireri aburana na J. Uwinkindi*, 14 Ukwakira 2016, igika cya 20 n'icya 22.

[6] Reba urubanza N° RPA/Gen/005/007/2016 C.S *Porokireri aburana na Emmanuel Mbarushimana*, 9/12/2016.

Yavuze kandi ko yiteguye gutanga izindi ngingo zishyigikira icyifuzo cye gisaba ko ubwo bujurire butemerwa niba Urukiko rw'Ikirenga ruzikeneye,

34. Urukiko rwasabye Uregwa gusubiza. Munyagishari yavuze ko ku itariki ya 5 Ukuboza 2016 yagaragaje ko, muri dosiye y'Urukiko rw'Ikirenga, hari ikosa ryerekeranye n'umwirondoro we ariko ko ritari ryarakosowe. Munyagishari yashimangiye ko akomoka i Masisi muri Repubulika Iharanira Demokarasi ya Kongo, bityo ko adakomoka muri Segiteri ya Mudende nk'uko byanditse muri dosiye y'Urukiko.

35. Urukiko rwafashe ijambo rusaba Munyagishari kuvuga ku kibazo cy'ingenzi cy'iburanisha, ari cyo kuba ubujurire bwe butarashoboraga kwakirwa, nk'uko Porokireri yabivugaga.

36. Munyagishari yavuze ko yatanze ubujurire bwe mu mwaka wa 2015, ariko ko kugera mu mwaka wa 2017 urubanza rwe rukirimo kuburanishwa. Urubanza rwari rumaze imyaka ibiri kandi ko nta mpamvu zisobanura uko gutinda k'urubanza. Ku byerekeranye n'inzitizi yabyukijwe na Porokireri asaba ko ubujurire bwe butakirwa, Munyagishari yarwanyije ibivugwa na Porokireri asobanura ko Porokireri yibeshya ashingira ku Itegeko Ryerekeye Imiburanishirize y'Imanza z'Imbonezamubano, iz'Ubucuruzi, iz'Umurimo n'iz'Ubutegetsi, kubera ko urubanza rwe rutari mu cyiciro cy'imanza z'imbonezamubano.

37. Asabwe n'Urukiko kugira icyo avuga, Avoka Bugabo yavuze ko, mu rubanza rw'inshinjabyaha, Itegeko ryerekeye imanza z'imbonezamubano rishobora gushingirwaho ari uko gusa nta ngingo zirebana n'ikibazo kigibwaho impaka ziboneka mu itegeko ryerekeranye n'imanza z'inshinjabyaha no mu Itegeko rigena kwimura imanza[7]. Yavuze rero ko mu gushyigikira ingingo ze, Porokireri yiyambaje itegeko ritari ryo kubera ko itegeko ryagombaga gukoreshwa ryari kuba Ingingo ya 27 n'iya 18 z'Itegeko rigena kwimura imanza n'Ingigo ya 34 y'Itegeko ryerekeranye n'ububasha bw'Urukiko rw'Ikirenga.

38. Bugabo yashimangiye ko icyemezo mu *Rubanza Porokireri aburana na J. Uwinkindi* Porokireri yifashishije kinyuranyije n'icyemezo cy'Urukiko rw'Ikirenga mu rubanza RPA/Gen/0020/14 C.S *Porokireri aburana na J. Uwinkindi* cyo ku itariki ya 4 Mata 2014. Yashimangiye ko bidakwiye kuba Porokireri yaravuze igice kimwe cy'itegeko adasobanuye ko hari ukunyuranya hagati y'amategeko agenga ikurikirana ry'abaregwa bimuriwe mu Rwanda. Yanashimangiye kandi ko Porokireri atavugishije ukuri ubwo yifashishaga

[7]Itegeko Ngenga N° 47/2013 ryo ku wa 16/06/2013 ryerekeye kwimurira imanza muri Repubulika y'u Rwanda.

ubukemuramanza kugira ngo ashyigikire ingingo ze adasobanuye ko hari ubundi bukemuramanza bwerekeranye n'ibibazo nk'ibyo buvuguruza ingingo ze.

39. Asubiza ingingo z'Ubwunganizi, Porokireri yongeye kuvuga ku *Rubanza Porokireri aburana na J. Uwinkindi* rwo ku itariki ya 14 Mata 2014, igika cya 15 n'icya 19, aho Urukiko rwemeje ko nta ngingo mu mategeko yo mu Rwanda zemerera uregwa kujurira mbere y'uko urubanza mu rw'iremezo rusomwa.

40. Asabwe n'Urukiko kugira icyo avuga, Avoka Bugabo yavuze ku Ngingo ya 18 y'Itegeko Rigena Kwimura Imanza, iteganya ko uregwa afite uburenganzira bwo kunganirwa mu rubanza rwe harimo no guterwa inkunga mu gukora amaperereza ye. Yasabye kandi Urukiko kuzirikana ibiteganywa na Sitati ya TPIR ahavugwa ko uregwa afite uburenganzira bwo kunganirwa.

41. Munyagishari yasubije ingingo za Porokireri yifashishije Ingingo ya 39(3) y'Itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha, iteganya ko Uregwa afite uburenganzira bwo kwanga avoka umwunganira. Yabajije niba agomba gutegereza igihe Urukiko Rukuru ruzasomera urubanza, kandi uburenganzira bwe bwo kunganirwa n'avoka bwarahungabanyijwe mu rubanza rwe rwaburanishwaga mu Rukiko Rukuru. Munyagishari yifashishije Ingingo ya 17 y'Itegeko rigena kwimura imanza, iteganya ko uregwa agomba guhabwa abakozi bamufasha. Yabajije Urukiko niba, mu gihe uregwa avukijwe ubwo burenganzira, agomba gutegereza kugera igihe urubanza rusomewe maze akabona gutanga ubujurire bwerekeranye no guhabwa abakozi bo kumufasha.

42. Rumaze kumva impande ziburana, Urukiko rwasubitse iburanisha, ruvuga ko rwari gutanga icyemezo cyarwo ku itariki ya 28 Mata 2017 saa tatu za mu gitondo.

Kubonana na Munyagishari ku itariki ya 30 Werurwe 2017

43. Umugenzuzi yabonanye na Munyagishari kuri Gereza nkuru ya Kigali ku itariki ya 30 Werurwe 2017, hari umusemuzi.

44. Munyagishari yabwiye Umugenzuzi ibirebana n'uburyo afunzwemo. Yinubiye umwe mu bakozi bashinzwe umutekano ukorera ku irembo rya gereza, avuga ko abuza kwinjira abantu baza kumusura. Ikintu nk'icyo cyari giherutse kuba ku itariki ya 24 Werurwe 2017, ubwo uwo mukozi yanze ko umwe mu bantu bari baje kumusura yinjira muri gereza. Munyagishari yavuze ko yabimenyesheje Umuyobozi wungirije wa gereza wamwijeje ko

yari gukurikirana icyo kibazo akagikemura.

45. Munyagishari yongeye kuvuga ko mu maburanisha yabereye muri TPIR mu rwego rwo kwimurira abaregwa mu Rwanda, Guverinoma y'u Rwanda yari yaremeje ko yari kubafata kimwe n'abagororwa baturutse muri Sierra Leone, ariko ko yananiwe kuzuza amasezerano yayo.

46. Munyagishari yabwiye Umugenzuzi ko abaregwa bimuwe na MICT n'abimuwe n'izindi nkiko bari barandikiye Minisitiri w'Ubutabera ibaruwa ku itariki ya 27 Werurwe 2017, bamusaba kubahiriza ibyo Reta yiyemeje gukora ku birebana n'uburyo abagororwa bimuriwe mu Rwanda bari gufungwamo, hakurikijwe ibisabwa ngenderwaho n'amabwiriza byo mu rwego mpuzamahanga. Yijeje Umugenzuzi ko yari kumuha kopi y'iyo baruwa agarutse kumusura mu bugenzuzi bwari gukurikiraho.

47. Munyagishari yibukije iburanisha ryo ku itariki ya 3 Werurwe 2017, yamagana ukuntu umusemuzi w'Urukiko yategetswe kwicara no kutamusemurira. Yashingiye imvugo ye ku bikubiye mu Cyemezo cyo kumwimura[8] no ku Ngingo ya 20(4) (f) ya Sitati ya TPIR iteganya uburenganzira bw'uregwa bwo kugira umusemuzi w'ubuntu iyo adashobora kumva cyangwa kuvuga ururimi rukoreshwa muri TPIR.

48. Munyagishari yabwiye Umugenzuzi ko ku itariki ya 3 Werurwe 2017, nyuma y'iburanisha, yasabye Avoka John Hakizimana kujya gushaka icyo cyemezo. Agiye kureba Umwanditsi w'Urukiko rw'Ikirenga, yabwiwe ko icyo cyemezo cyari kitarategurwa. Cyakora, Umwanditsi yabwiye Avoka ko ubujurire bwa Munyagishari bwari bwatewe utwatsi.

49. Munyagishari yongeye kuvuga uko ibintu byagenze mbere y'itangwa ry'icyemezo cyo ku itariki ya 3 Werurwe 2017. Ku itariki ya 15 Nyakanga 2016 no ku ya 18 Ugushyingo 2016, Urukiko rw'Ikirenga rwasohoye ibyemezo bibiri rusobanura ko rwari kuzatanga icyemezo cya nyuma ku bujurire mu gihe Munyagishari yari kuba atatanze ubujurire ku mikirize y'urubanza. Munyagishari yaje gutanga impamvu ze z'ubujurire ku itariki ya 16 Mutarama 2017, akoresheje amaraporo y'ubugenzuzi kugira ngo abone amakuru, kuko Urukiko rwari

[8] Icyemezo ku Cyifuzo cya Porokireri gisaba kwimurira urubanza muri Repubulika y'u Rwanda, 6 Kamena 2012, paje 17 na 18, igika cya 67 "Rumaze kubona umubare w'amafaranga y'inyongera yateganyijwe ku iyimurwa ry'imanza no kubaka utwumba tw'abasemuzi, Urugereko rusanze Abaregwa bazahabwa uburenganzira nk'ubwo mu Rwanda hashingiwe ku biteganywa n'amategeko ahana yo mu Rwanda, kandi Abaregwa bavutswa ubwo burenganzira, urubanza rugaseswa hashingiwe ku Ngingo ya 11 bis (f)".

rwaranze kumuha ibyemezo by'Urukiko n'inyandikomvugo z'amaburanisha mu rurimi rw'igifaransa.

50. Ku itariki ya 20 Mutarama 2017, aho kugira ngo Porokireri asubize ku mpamvu z'ubujurire za Munyagishari, yatanze icyifuzo gishya cy'ingoboka asaba ko ubujurire butemerwa. Ku itariki ya 23 Nzeri 2015, yari yaratanze igisubizo ku bujurire bwe adasaba ko buterwa utwatsi. Muri icyo gisubizo cye, Porokireri yari yarasabye ko Urukiko rwanzura ko impamvu z'ubujurire bwa Munyagishari zitari zifite ishingiro kandi ko rwemeza icyemezo cy'Urukiko Rukuru. Munyagishari yavuze ko Porokireri yaje guhindura ibitekerezo bye nyuma y'imyaka ibiri maze asaba ko ubujurire bwe budakwiye kwakirwa, agamije kugira ngo Urukiko rutamwumva.

51. Munyagishari yasobanuye ko izo ngorane yarimo zari zaratewe kandi n'icyemezo cya MICT cyo ku itariki ya 5 Mutarama 2017, aho MICT yemeye abavoka we yavugaga, mu bujurire bwe, ko adashaka. Munyagishari asanga rero icyo cyemezo cyaratije umurindi Porokireri n'Urukiko rw'Ikirenga.

52. Munyagishari yavuze ko Guverinoma y'u Rwanda yamubangamiye mu buryo bukurikira:

    i. Yanze kumuha inyandiko z'Urukiko mu rurimi rw'igifaransa.

    ii. Yanze guhagarika iburanisha ry'urubanza rwe mu Rukiko Rukuru mu gihe ubujurire bwe bwarimo gusuzumwa.

    iii. Yatinze gufata ibyemezo mu bujurire yari yaratanze, akaba ari ibintu byari byarateguwe kandi byakozwe nkana.

    iv. Yategerezaga igihe cyose ko Porokireri abyutsa inzitizi ze kugira ngo bakore ku buryo badafata ibyemezo ku bibazo bifite ishingiro avuga mu bujurire bwe.

UMWANZURO

53. Umugenzuzi yiteguye gutanga amakuru yose y'inyongera, Perezida aramutse abitegetse.

Bikozwe uyu munsi, ku itariki ya 27 Mata 2017.

Murakoze.

//Stella Ndirangu//

Stella Ndirangu

Umugenzuzi mu rubanza rwa B. Munyagishari

Nairobi, Kenya.

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