

RWANDA / JUDGMENT

BIZUMUREMYI N’ABANDI v JIANGXI
WATER AND HYDROPOWER
CONSTRUCTION® Ltd

RS/INJUST/RSOC 00003/2024/CA CMB RS/INJUST/RSOC 00003/2025/CA-RS/INJUST/RSOC
00002/2025/CA-RS/INJUST/RSOC 00001/2025/CA

COURT

Court of Appeal

DECIDED

30 May 2025

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RSOC 00003/2025/CA-RS/INJUST/RSOC
00002/2025/CA-RS/INJUST/RSOC 00001/2025/CA

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BIZUMUREMYI N’ABANDI v JIANGXI WATER AND HYDROPOWER CONSTRUCTION®
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Text

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BIZUMUREMYI N’ABANDI v JIANGXI WATER AND HYDROPOWER CONSTRUCTION® Ltd
[Rwanda URUKIKI RW’UBUJURIRE - RS/INJUST/RSOC 00003/2024/CA CMB RS/INJUST/RSOC
00003/2025/CA-RS/INJUST/RSOC 00002/2025/CA-RS/INJUST/RSOC 00001/2025/CA (Munyangeri,
P.J.) 30 Gicurasi 2025] Amategeko agenga imanza z’umurimo – Amasezerano y’umurimo –
Umukozi uhoraho - Kugira ngo umukozi udafite amasezerano yanditse y’igihe kitazwi afatwe
nk’umukozi uhoraho, ni uko agomba kuba yarakoreye umukoresha umwe mu gihe nibura
cy’amezi atandatu kandi ahembwa umushahara udahinduka. Incamake y’ikibazo: JIANGXI

WATER AND HYDROPOWER CONSTRUCTION ® Ltd yagiranye amasezerano y'akazi na Bizumuremyi, Misago, Ndayisabye na Maniraguha, bakaba barasinyaga amasezerano yo gukora mu mezi abiri (2) yarangira bagasinya andi kandi umushahara ukaba warabarwaga kuri buri saha ariko ugatangwa nyuma y'ukwezi bityo uwo mushahara ukaba warahindukaga. Ku wa 02/10/2020 bagiranye amasezerano yagombaga kurangira ku wa 02/12/2020, ariko ku wa 27/11/2020 baza kwirukanwa ku kazi nta nteguza nk'uko babivuga. Batanze ikirego mu Rukiko Rwisumbuye rwa Nyarugenge, urwo rukiko rusanga icyo kirego nta shingiro, bajurira mu Rukiko Rukuru narwo rusanga ubujurire budafite ishingiro, baja mu nzira z'akarengane. Urubanza rwahawe Urukiko rw'Ubujurire maze hasuzumwa niba abarega bari abakozi bahoraho no kumenya niba barirukanwe mu buryo bunyuranije n'amategeko. Abarega basobanura ko bari abakozi bahoraho ba JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd kubera ko bahembwaga buri kwezi ndetse bakaba baratangirwa imisanzu muri RSSB buri kwezi, bakaba barasabye ko umukoresha abaha ibyo yabimereye mu masezerano bagiranye, aho kubibaha ahitamo kubirukana nta nteguza. Uregwa avuga ko abarega batari abakozi be bahoraho kuko bari bafite amasezerano y'igihe kizwi cy'amezi abiri (2) kandi bakaba barahembwaga hagendewe ku masaha bakoze bityo imishahara yabo ikaba yaragendaga ihindagurika. Akomeza avuga ko abo bakozi aribo bivanye ku kazi ko batigeze birukanwa. Incamake y'icyemezo: Kugira ngo umukozi udafite amasezerano yanditse y'igihe kitazwi afatwe nk'umukozi uhoraho, ni uko agomba kuba yarakoreye umukoresha umwe mu gihe nibura cy'amezi atandatu kandi ahembwa umushahara udahinduka. Ikirego gifite ishingiro kuri bimwe. Amategeko yashingiweho: Itegeko N° 66/2018 ryo ku wa 30/08/2018 rigenga umurimo mu Rwanda, ingingo ya 3, 11; Itegeko N° 062/2024 ryo ku wa 20/06/2024 ryerekeye ibimenyetso, ingingo ya 4; Itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, ingingo ya 12;

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Itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, ingingo ya 111. Imanza zifashishijwe: RS/INJUST/RSOC 00019/2022/CA, Nishimwe Françoise na HORIZON CONSTRUCTION Ltd rwaciwe n'Urukiko rw'Ubujurire ku wa 18/01/20241. Urubanza I. IMITERERE Y'URUBANZA [1] Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile, Tuyisenge Emmanuel na Uzabakiriho Joseph bavuga ko mu bihe bitandukanye byo mu mwaka wa 2018 n'uwa 2019, bagiranye amasezerano y'akazi na JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd. Bavuze ko ku wa 02/10/2020 bagiranye amasezerano yagombaga kurangira ku wa 02/12/2020, ariko ku wa 27/11/2020 baza kwirukanwa ku kazi nta nteguza. Ibyo byatumye batanga ikirego mu Rukiko Rwisumbuye rwa Nyarugenge basaba kwemeza ko birukanwe ku kazi mu buryo bunyuranije n'amategeko, banasaba indishyi zinyuranye harimo izo kwirukanwa mu buryo bunyuranije n'amategeko nta mpamvu, amafaranga y'integuza n'imperekeza, amafaranga asimburira ikiruhuko cy'umwaka, umushahara w'ukwezi kwa 04/2020, umushahara wa nyuma batahawe, guhabwa

icyemezo cy'umukoresha n'indishyi zigikomokaho, gutangirwa imisanzu ya RSSB, no kwishyurwa amasaha y'ikirenga. [2] JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd yireguye ivuga ko yagiye igirana n'abarega amasezerano y'akazi ya nyakabyizi yamaraga amezi abiri (2) yagendaga yongerwa, ku wa 16/11/2020 bahagarika ayo masezerano yagombaga kurangira ku wa 02/12/2020, bitewe n'uko basabaga kongezwa amafaranga bumvikanye umukoresha akabyanga, bityo ko kuba barivanye ku kazi kandi bafitanye amasezerano ya nyakabyizi, badakwiye kuvuga ko birukanwe, ndetse ko batari guhabwa integuza atari umukoresha wabasezereye, ko indishyi zinyuranye basaba batazihabwa. Yasoje isaba indishyi. [3] Mu rubanza N° RSOC 00226/2021/TGI/NYGE CMB RSOC 00216/2021/TGI/NYGE CMB RSOC 00217/2021/TGI/NYGE CMB RSOC 00230/2021/TGI/NYGE CMB RSOC 00231/2021/TGI/NYGE CMB

RSOC

00232/2021/TGI/NYGE

CMB

RSOC 00234/2021/TGI/NYGE CMB RSOC 00098/2021/TGI/NYGE rwaciwe n'Urukiko Rwisumbuye rwa Nyarugenge ku wa 30/06/2022, urwo Rukiko rushingiye ku ngingo ya 12 n'ya 111 z'itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegets, ku ngingo ya 3 n'ya 4 z'itegeko N° 15/2004 ryo ku wa 12/06/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo, rwemeje ko: - ibirego byatanze na Irankunda Jérémie, Bizumuremyi Emmanuel, Iradukunda Emmanuel, Maniraguha Egide, Misago Vincent, Ndayisabye Pierre, Niyonzima

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Théophile, Nizeyimana Schadrack, Nsengumuremyi Révérien, Tuyisenge Emmanuel na Rutayisire Emmanuel, nta shingiro bifite; - Irankunda Jérémie, Bizumuremyi Emmanuel, Iradukunda Emmanuel, Maniraguha Egide, Misago Vincent, Ndayisabye Pierre, Niyonzima Théophile, Nizeyimana Schadrack, Nsengumuremyi Révérien, Tuyisenge Emmanuel na Rutayisire Emmanuel, bafatanye kwishyura (in solidum) JIANGXI WATER AND HYDROPOWER CONSTRUCTION Ltd amafaranga miliyoni imwe (1,000,000 Frw) akubiyemo ay'ikurikiranarubanza n'igihembo cya Avoka; - Ingwate y'amagarama Irankunda Jérémie, Bizumuremyi Emmanuel, Iradukunda Emmanuel, Maniraguha Egide, Misago Vincent, Ndayisabye Pierre, Niyonzima Théophile, Nizeyimana Schadrack, Nsengumuremyi Révérien, Tuyisenge Emmanuel na Rutayisire Emmanuel batanze barega, ihwanye n'ibyakozwe mu rubanza. [4] Bizumuremyi Emmanuel yajuririye urwo rubanza mu Rukiko Rukuru, ubujurire bwe bwandikwa kuri N° RSOCA 00153/2022/HC/KIG, Irankunda Jérémie yajuririye urwo rubanza, ubujurire bwe bwandikwa kuri N° RSOCA 00154/2022/HC/KIG, ubujurire bwa Misago Vincent bwanditswe kuri N° RSOCA 00155/2022/HC/KIG, ubujurire bwa Nizeyimana Schadrack bwanditswe kuri N° RSOCA Nizeyimana Schadrack bwanditswe kuri N° RSOCA 00156/2022/HC/KIG, ubujurire bwa Maniraguha Egide bwanditswe kuri N° RSOCA 00157/2022/HC/KIG, ubujurire bwa Rutayisire Emmanuel bwanditswe kuri N° RSOCA 00158/2022/HC/KIG, ubujurire bwa

Ndayisabye Pierre bwanditswe kuri N° RSOCA 00159/2022/HC/KIG, ubujurire bwa Nsengumuremyi Révérien bwanditswe kuri N° RSOCA 00160/2022/HC/KIG, ubujurire bwa Niyonzima Théophile bwanditswe kuri N° RSOCA 00161/2022/HC/KIG, naho ubujurire bwa Tuyisenge Emmanuel bwandikwa kuri N° RSOCA 00162/2022/HC/KIG, banenga Urukiko Rwisumbuye rwa Nyarugenge kuba rwarirengagije ibisobanuro n'ibimenyetso batanze maze rukanga kwemeza ko birukanwe ku kazi nta mpamvu, bigatuma rutabagenera indishyi zinyuranye bari basabye zikomoka ku kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko, izo manza zose zarahujwe ziburanishirizwa hamwe. [5] JIANGXI WATER AND HYDROPOWER CONSTRUCTION® Ltd yireguye ivuga ko Urukiko Rwisumbuye rwa Nyarugenge nta bisobanuro cyangwa ibimenyetso rwirengagije, kuko rwashingiye ku bikubiye mu masezerano impande zombi zagiranye ku wa 02/10/2020 kandi ko ari ikimenyetso kihagije cyatumye Bizumuremyi Emmanuel na bagenzi be batsindwa. [6] Mu rubanza N° RSOCA 00153/2022/HC/KIG CMB RSOCA 00154/2022/HC/KIG CMB RSOCA 00155/2022/HC/KIG CMB RSOCA 00156/2022/HC/KIG CMB RSOCA 00157/2022/HC/KIG CMB RSOCA 00158/2022/HC/KIG CMB RSOCA 00159/2022/HC/KIG CMB RSOCA 00160/2022/HC/KIG CMB RSOCA 00161/2022/HC/KIG CMB RSOCA 00162/2022/HC/KIG CMB RSOCA 00163/2022/HC/KIG rwaciwe n'Urukiko Rukuru ku wa 31/07/2023, urwo Rukiko rushingiye ku ngingo ya 12 no ku ngingo ya 111 z'itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, ku ngingo ya 4 (1) y'itegeko N° 05/2015 ryo ku wa 30/03/2015 rigenga imitunganyirize y'ubwiteganyirize bwa pansiyi, rwemeje ko:

- Ubujurire bwa Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile na Tuyisenge Emmanuel;

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- Imanza RSOC 00153, 00154, 00155, 00156, 00157, 00158, 00159, 00160, 00161, 00162/2022/HC/KIG zajuririwe zidahindutse Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile na Tuyisenge Emmanuel bakaba bagomba gufatanya kwishyura JIANGXI WATER AND HYDROPOWER CONSTRUCTION Ltd amafaranga miliyoni ebyiri (2,000,000 Frw);
- Ingwate y'amagarama yatanze ihwana n'ibyakozwe mu rubanza. [7] Uzabakiriho Joseph na we yareze JIANGXI WATER AND HYDROPOWER CONSTRUCTION Ltd mu Rukiko Rwisumbuye rwa Nyarugenge, asaba indishyi zo kwirukanwa binyuranyije n'amategeko, indishyi zo kudahabwa integuza, amafaranga y'insimburakiruhuko, umushahara w'ukwezi kwa nyuma, icyemezo cy'umukoresha wa nyuma n'indishyi zo kutagihabwa. [8] JIANGXI WATER AND HYDROPOWER CONSTRUCTION® Ltd yireguye ivuga ko kuwa ku wa 11/03/2019 kugeza ku wa 26/11/2020, Uzabakiriho Joseph yakoraga nka charpentier ahembwa amafaranga magana ane na mirongo ine n'ane (444 Frw) ku isaha, ko amasezerano ya nyuma bagiranye yatangiye kuwa ku wa 02/10/2020 kugeza ku wa 02/12/2020, ko ariko ku wa

27/11/2020 atagarutse ku kazi kandi atarigeze yirukanwa. [9] Mu rubanza N° RSOC 000202/2021/TGI/NYGE rwaciwe n'Urukiko Rwisumbuye rwa Nyarugenge ku wa 30/03/2022, urwo Rukiko rushingiye ku ngingo ya 12 y'itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, ku ngingo ya 3 y'itegeko N° 15/2004 ryo ku wa 12/06/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo, ku ngingo ya 34, igika cya 2 y'itegeko N° 66/2018 ryo ku wa 30/08/2018 rigenga umurimo mu Rwanda, rwemeje ko ikirego cya Uzabakiriho Joseph arega JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd cyo gusesa amasezerano mu buryo bunyuranyije n'amategeko n'indishyi zitandukanye nta shingiro gifite, ko nta ndishyi zitangwa mu rubanza, ingwate y'amagarama yatanze na Uzabakiriho Joseph arega ihwana n'ibyakozwe mu rubanza. [10] Uzabakiriho Joseph yajuririye urwo rubanza mu Rukiko Rukuru avuga ko Urukiko Rwisumbuye rwa Nyarugenge rwirengagije ibimenyetso yarushyikirije. [11] Mu rubanza N° RSOCA 00080/2022/HC/KIG rwaciwe n'Urukiko Rukuru ku wa 28/12/2023, urwo Rukiko rushingiye ku ngingo ya 11 n'ya 28 z'itegeko N° 66/2018 ryo ku wa 30/08/2018 rigenga umurimo mu Rwanda, rwemeje ko: - Ubujurire bwa Uzabakiriho Joseph nta shingiro bufite; - Urubanza rwajuririye rudahindutse, Uzabakiriho Joseph akaba agomba kwishyura JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd amafaranga ibihumbi magana inani (800,000 Frw) y'ikurikiranarubanza n'igihembo cya Avoka; - Ingwate y'amagarama ingana n'amafaranga ibihumbi mirongo ine (40,000 Frw) Uzabakiriho Joseph yatanze ajurira ihwanye n'ibyakozwe mu rubanza.

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- [12] Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile, Tuyisenge Emmanuel na Uzabakiriho Joseph bandikiye Perezida w'Urukiko rw'Ubujurire basaba ko imanza zaciwe n'Urukiko Rukuru zagaragajwe haruguru zisubirishwamo ku mpamvu z'akarengane, uyu abikorera raporo ayohereza Perezida w'Urukiko rw'Ikirenga, mu byemezo N° 267/CJ/2024 cyo ku wa 08/01/2025, N° 101/CJ/2024 cyo ku wa 09/07/2024, N° 156/CJ/2024 cyo ku wa 09/10/2024 na N° 001/CJ/2025 cyo ku wa 31/01/2025, Perezida w'Urukiko rw'Ikirenga yemeza ko izo manza zisubirwamo ku mpamvu z'akarengane kandi ko zoherezwa mu Rukiko rw'Ubujurire kugira ngo ruziburanishe. [13] Ibyo birego byanditswe kuri N° RS/INJUST/RSOC 00003/2024/CA CMB RS/INJUST/RSOC 00003/2025/CA, RS/INJUST/RSOC 00002/2025/CA RS/INJUST/RSOC 00001/2025/CA, izo manza zose zikaba zarahujwe kugira ngo ziburanishirizwe hamwe, maze nyuma y'imihango ntegururubanza yose, hemezwa ko ruzaburanishwa ku wa 09/04/2025. [14] Uwo muni ababuranyi bitabye Urukiko, Bizumuremyi Emmanuel na bagenzi be bahagarariwe na Me Musanabera Athanasie afatanyije na Me DUSHIMIRIMANA Reuben, JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd ihagarariwe na Me KALINDA Stephen afatanyije na Me Iradukunda Betty, iburanisha rirasubikwa kugira ngo bajye mu biganiro byo kugerageza kurangiza ikibazo bafitanye mu bwumvikane, hemezwa ko nibumvikana icyemezo ku rubanza ruri muri uru Rukiko kizasomwa ku wa 24/04/2025, batakumvikana iburanisha

rigakomeza kuri iyo tariki. Ababuranyi bamenyesheje Urukiko ko ibiganiro byo kurangiza ikibazo mu bwumvikane bitashoboye gukorwa kubera ko uregwa yabyanze, iburanisha rikomeza ku wa 24/04/2025, bahagarariwe nka mbere, rirapfundikirwa bamenyeshwa ko icyemezo kizasomwa ku wa 23/05/2025, uwo munsu nticyasomwa kubera ko iyandikwa ryacyo ryari ritatarangira, ababuranyi bamenyeshwa ko kizasomwa ku wa 30/05/2025. [15] Mu myanzuro no mu miburanire, abahagarariye Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile, Tuyisenge Emmanuel na Uzabakiriho Joseph, bavuga ko Urukiko Rukuru rwirengagije ibimenyetso barushyikirije bigaragaza ko bari abakozi bagengwa n'amasezerano y'umurimo y'igihe kizwi, bituma rwemeza ko ikirego cyabo nta shingiro gifite, bakaba basaba uru Rukiko gukosora amakosa yakozwe, maze rukemeza ko birukanwe mu kazi mu buryo bunyuranyije n'amategeko, bakabiharerwa indishyi zitandukanye basabye. Basoba basaba amafaranga y'ibigenda ku rubanza. [16] Abahagarariye JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd biregura bavuga ko hakurikijwe uko abarega bahembwaga, uko batangirwaga imisanzu muri RSSB, batari abakozi bayo bahoraho, ko ahubwo bari ba nyakabyizi, bityo ko indishyi basaba badakwiye kuzihabwa. Basoba basaba Urukiko gutegeka abarega guha sosiyete bahagarariye amafaranga y'ibigenda ku rubanza. [17] Harebwe impaka ziri muri uru rubanza, harasuzumwa ibibazo bikurikira: a. Kumenya niba Bizumuremyi Emmanuel na bagenzi be bari abakozi bahoraho ba JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd cyangwa niba bari ba nyakabyizi;

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- b. Kumenya niba Bizumuremyi Emmanuel na bagenzi be barirukanwe ku kazi mu buryo bunyuranyije n'amategeko ku buryo babiharerwa indishyi zitandukanye basaba; c. Ibyerekeye amafaranga y'ikurikiranarubanza n'igihembo cya Avoka ababuranyi basaba II. ISESENGURA RY'IBIBAZO BIGIZE URUBANZA
1. Kumenya niba Bizumuremyi Emmanuel na bagenzi be bari abakozi bahoraho ba JIANGXI WATER AND HYDROPOWER CONSTRUCTION Ltd cyangwa niba bari ba nyakabyizi [18] Abahagarariye Bizumuremyi Emmanuel na bagenzi be basobanura ko abo bahagarariye bakoreye JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd (JWHC (R) Ltd) ari abakozi bahoraho bahawe amasezerano y'akazi y'igihe kizwi, aya nyuma akaba ari ayo kuva ku wa 02/10/2020 kugeza ku wa 02/12/2020, ko ariko umukoresha yaje kubirukana ku wa 27/11/2020 nta mpamvu yumvikana, nta n'iteguza abahaye, abaziza ko baharaniye uburenganzira bwabo basaba kwishyurwa amasaha y'ikirenga babaga bakoze. [19] Basobanura ko ibigaragaza ko bari abakozi bahoraho ba JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd ari ibikurikira: - Kuba barakoreraga ku masezerano y'akazi yanditse y'igihe kizwi, yagendaga asubirwaho uko arangiye; - Kuba amasezerano y'akazi aheruka yaragombaga kurangira ku wa 02/12/2020 bakirukanwa ku wa 27/11/2020; - Kuba ingingo zigize amasezerano y'akazi harimo ibiteganywa n'itegeko rigenga umurimo mu Rwanda nk'ikiruhuko cy'umwaka, n'inshingano z'umukozi n'umukoresha, kandi nyakabyizi

akaba atagengwa n'itegeko rigenga umurimo mu Rwanda, uretse imisanzu y'ubwiteganyirize bw'abakozi batangirwa, kandi ko nyakabyizi atafatwa nk'uwataye akazi kuko aba yemerewe kujya gukorera akazi aho ashimye. Bavuga kandi ko ingingo ya 5 y'amasezerano y'akazi hagati y'abakozi n'umukoresha, iteganya ko batangira akazi kuva saa mbili za mu gitondo kugeza saa kumi n'imwe n'igice z'umugoroba hakuwemo isaha imwe y'ikiruhuko, bityo ko bigaragara ko batakoraga umubare w'amasaha runaka ngo bigire muri gahunda zabo. [20] Basaza kuri iyi ngingo bavuga ko mu kwemeza ko abo bahagarariye bari abakozi ba nyakabyizi, Urukiko Rukuru rwirengagije ibimenyetso barushyikirije bigizwe n'inyandiko yo ku wa 01/12/2020 bandikiye umukoresha amaze kubirukana, inyandiko y'umugenzuzi w'umurimo, amasezerano abakozi bagiye bagirana n'umukoresha, amasezerano y'igeragezwa babanje guhabwa, urubanza N° RSOCA 00114/2022/HC/KIG rwaciye n'Urukiko Rukuru ku wa 29/02/2024 rwa mugenzi wabo wari ufite amasezerano ateye nk'ayabo, n'impapuro basinyagaho (paysheets) ari nazo zaherwagaho bahembwa. [21] Abahagarariye JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd biregura kuri iyi ngingo bavuga ko hagendewe ku buryo abarega bakoraga, ku buryo bateganyirizwaga, ku buhamya bwatanze n'uwakoranaga n'abarega witwa KABANDANA Jean

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Marie Vianney, no ku buryo bahembwaga, Bizumuremyi Emmanuel na bagenzi be bari abakozi ba nyakabyizi, kandi ko ibyo bishimangirwa no kuba Rutayisire Emmanuel yaragaragaje ko yatangiye imisanzu y'ubwiteganyirize y'ukwezi kwa 10/2020 na sosiyete ebyiri harimo iyo baburana ubu n'indi yitwa Veksons Rwanda Ltd, na Nsengumuremyi Reverien akaba yaritangiye ibimenyetso bigaragaza ko mu kwezi kwa 06/2018 yatangiye imisanzu y'ubwiteganyirize na sosiyete yitwa Avic International Engineers Ltd, mu kwezi kwa 10/2018 akayitangirwa n'indi yitwa Remote Partner. [22] Bakomeza bavuga ko amasezerano y'akazi bayemera nta kibazo, ko ariko agaragaza ko umukozi azajya ahembwa ku isaha kandi ko iyo isaha yagenewe yarangiraga yigiraga muri gahunda ze, umukozi wasibaga akaba yarashyirwagaho zeru uwo munsu. Bavuga ko ayo masezerano y'akazi yanditse abarega bavuga yari ayo kwifashisha gusa, kuko batigeze bahabwa ikiruhuko cy'umwaka cyangwa ngo habe hari uwiyeze kugisaba, ko impamvu nta wagisabye ari uko bari bazi neza ko batakemerewe, kandi ko imisanzu ya RSSB igaragaza ko bari abakozi ba nyakabyizi, kuko imisanzu yabo yagendaga ihindagurika bitewe n'umushahara bakoreye buri kwezi. Uko Urukiko rubibona [23] Impaka kuri iyi ngingo zishingiye ku kumenya niba Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile, Tuyisenge Emmanuel na Uzabakiriho Joseph bari abakozi ba JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd bahoraho cyangwa niba bari ba nyakabyizi. [24] Ingingo ya 3, 2° y'itegeko N° 66/2018 ryo ku wa 30/08/2018 rigenga umurimo mu Rwanda iteganya ko "Amasezerano y'umurimo ari amasezerano hagati y'umukoresha n'umukozi wiyemeza gukora akurikije amabwiriza y'umukoresha akabihemberwa umushahara. " Ingingo ya 11 y'iryo tegeko yo igateganya ko "Amasezerano y'akazi ashobora kuba yanditse cyangwa atanditse. Amasezerano y'akazi ashobora kuba ay'igihe kizwi cyangwa kitazwi." [25] Impande zombi

zemeranya ko Bizumuremyi Emmanuel na bagenzi bakoreye JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd bafitanye amasezerano y'akazi y'igihe kizwi cyamaraga amezi abiri (2) yarangira bakagirana andi. Zemeranya kandi ko muri ayo masezerano y'akazi, umukozi n'umukoresha bumvikanye igihembo kibariwe ku isaha, ariko agafata umushahara ku kwezi bitewe n'umubare w'amasaha yakoze. [26] Ku birebana n'uru rubanza, ibimenyetso Bizumuremyi Emmanuel na bagenzi be bashingiraho bavuga ko bari abakozi bahoraho ni uko bakoreraga ku masezerano y'akazi yanditse y'igihe kizwi, no kuba mu ngingo zigize ayo masezerano harimo ibiteganywa n'itegeko rigenga umurimo mu Rwanda. Kugira ngo hamenyekane koko icyiciro cy'abakozi abarega babarizwagamo, harifashishwa zimwe mu nyandiko za bamwe mu barega zashyizwe muri dosiye harimo: [27] Ikimenyetso cy'inyandiko yiswe: Etat des relevés nominatifs des rémunérations par assuré" kigaragaza ko Tuyisenge Emmanuel yafatiwe ubwiteganyirize muri RSSB ku wa 26/10/2019, mu kwezi k'Ukuboza k'uwo mwaka, JIANGXI WATER AND HYDROPOWER

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CONSTRUCTION ® Ltd imutangira umusanzu ungana n'amafaranga ibihumbi mirongo itanu n'icyenda na magana arindwi na mirongo icyenda n'atandatu (59,796 Frw), mu kwezi kwa Mutarama 2020, imutangira umusanzu w'amafaranga ibihumbi mirongo ine n'umunani na mirongo inani n'ane (48,084 Frw), muri Gashyantare 2020, imutangira ungana n'amafaranga ibihumbi mirongo ine n'umanani n'ijana na mirongo itatu n'atatu (48,133 Frw), muri Werurwe 2020, imutangira ungana n'amafaranga ibihumbi makumyabiri n'icyenda na magana inani na mirongo irindwi n'atandatu (29,876 Frw), muri Mata 2020 ntiyatangirwa umusanzu kuko muri uko kwezi atakoze, muri Gicurasi 2020, atangira ungana n'amafaranga ibihumbi mirongo itatu n'icyenda na magana ane na mirongo itanu n'umunani (39,458 Frw), muri Kamena 2020 atangirwa ungana n'amafaranga ibihumbi mirongo itanu na bitatu na magana acyenda na mirongo itandatu n'arindwi (53,967 Frw), muri Nyakanga 2020 atangirwa ungana n'amafaranga ibihumbi mirongo itanu na birindwi na magana ane na mirongo itatu n'ane (57,434 Frw), muri Kanama 2020 atangirwa ungana n'amafaranga ibihumbi mirongo itanu na birindwi na magana atatu na makumyabiri n'atanu (57,325 Frw), muri Nzeri 2020 atangirwa ungana n'amafaranga ibihumbi mirongo itanu n'icyenda na magana atatu na cumi n'atandatu (59,316 Frw), mu Ukwakira 2020 atangirwa ungana n'amafaranga ibihumbi mirongo itandatu na bibiri n'ijana na mirongo itatu n'arindwi (62,137 Frw), mu Ugushyingo atangirwa ungana n'amafaranga ibihumbi mirongo ine na birindwi na magana cyenda na mirongo itanu n'abiri (47,952 Frw), mu Ukuboza 2020 atangirwa ungana n'amafaranga ibihumbi bibiri n'ijana n'icyenda (2,109 Frw). [28] Ikimenyetso cy'inyandiko yiswe: Etat des relevés nominatifs des rémunérations par assuré" kigaragaza ko Nsengumuremyi Révérien yafatiwe ubwiteganyirize muri RSSB ku wa 25/07/2011, mu kwezi kwa Kamena 2019 JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd imutangira umusanzu ungana n'amafaranga ibihumbi mirongo itandatu n'umunani na magana inani na makumyabiri (68,820 Frw), muri Nyakanga 2019 imutangira ungana n'amafaranga ibihumbi ijana na cumi na magana atanu na mirongo inani n'atandatu (110,586 Frw), muri Kanama 2019 imutangira ungana n'amafaranga ibihumbi ijana na birindwi na magana abiri na

makumyabiri n'atanu (107,225 Frw), muri Nzeri 2019 imutangira ungana n'amafaranga ibihumbi ijana n'icyenda na magana inani na mirongo itatu n'atandatu (109,836 Frw), mu Ukwakira 2019 atangirwa ungana n'amafaranga ibihumbi ijana n'icyenda na mirongo inani n'atandatu (109,086 Frw), mu Ugushyingo 2019 atangirwa ungana n'amafaranga ibihumbi mirongo irindwi na kimwe na magana acyenda na makumyabiri n'umunani (71,928 Frw), mu Ukuboza 2019 atangirwa umusanzu ungana n'amafaranga ibihumbi ijana na mirongo itatu na bine na magana atanu na mirongo itatu n'ane (134,534 Frw). [29] Iyo nyandiko igaragaza kandi ko mu mwaka wa 2020, JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd yatangiye Nsengumuremyi Révérien imisanzu muri RSSB mu buryo bukurikira: muri Mutarama 2020 yatangiwe ungana n'amafaranga ibihumbi ijana na mirongo itatu na kimwe na magana atanu na mirongo itanu n'umunani (131,558 Frw), muri Gashyantare 2020 atangirwa ungana n'amafaranga ibihumbi ijana na mirongo ine na magana acyenda na mirongo itatu n'atandatu (140,936 Frw), muri Werurwe 2020 atangirwa amafaranga ibihumbi ijana na makumyabiri na magana atanu na cumi n'abiri (120, 512 Frw), muri Mata 2020 nta musanzu yatangiye kuko atakoze muri uko kwezi, muri Gicurasi 2020 atangirwa ungana n'amafaranga ibihumbi mirongo icyenda na bibiri na magana ane na mirongo irindwi n'ane (92,474 Frw), muri Kamena 2020 atangirwa ungana n'amafaranga ibihumbi ijana na mirongo itatu na magana abiri na mirongo irindwi n'atandatu (130,276 Frw), muri Nyakanga 2020 atangirwa ungana n'amafaranga ibihumbi ijana na mirongo itatu na bitandatu na magana atatu na mirongo

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itatu n'ane (136,334 Frw), muri Kanama 2020 atangirwa ungana n'amafaranga ibihumbi ijana na mirongo itanu n'icyenda na magana atandatu n'atandatu (159,606 Frw), muri Nzeri 2020 atangirwa ungana n'amafaranga ibihumbi ijana na mirongo ine n'umunani na magana atanu na mirongo irindwi n'abiri (148,572 Frw), mu Ukwakira 2020 atangirwa ungana n'amafaranga ibihumbi ijana na mirongo itanu na bibiri na makumyabiri n'atandatu (152,026 Frw), mu Ugushyingo 2020 atangirwa ungana n'amafaranga ibihumbi ijana na makumyabiri n'umunani na magana inani na mirongo inani n'atandatu (128,886 Frw), mu Ukuboza 2020 atangirwa ungana n'amafaranga ibihumbi umunani na magana ane na mirongo itatu n'atandatu (8,436 Frw). [30] Ikimenyetso cy'innyandiko yiswe: Etat des relevés nominatifs des rémunérations par assuré" kigaragaza ko Misago Vincent yafatiwe ubwiteganyirize muri RSSB ku wa 07/07/2019, mu kwezi kwa Nyakanga 2019 JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd imutangira umusanzu ungana n'amafaranga ibihumbi mirongo itandatu na magana atatu na mirongo inani n'ane (60,384 Frw), muri Kanama 2019 atangirwa ungana n'amafaranga ibihumbi ijana na cumi na magana arindwi na mirongo irindwi n'umunani (110,778 Frw), muri Nzeri 2019 atangirwa ungana n'amafaranga ibihumbi mirongo icyenda na birindwi na magana atanu na mirongo ine n'abiri (92,542 Frw), mu Ukwakira 2019 atangirwa ungana n'amafaranga ibihumbi ijana na cumi na birindwi na mirongo irindwi n'umunani (117,078 Frw), mu Ugushyingo 2019 atangirwa ungana n'amafaranga ibihumbi mirongo itandatu n'umunani na magana atandatu na mirongo inani n'abiri (68,682 Frw), mu Ukuboza 2019 atangirwa ungana n'amafaranga ibihumbi ijana na mirongo ine na bitatu na magana arindwi na makumyabiri n'atandatu (143,726 Frw). [31] Icyo

kimenyetso kigaragaza kandi ko mu mwaka wa 2020, JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd yatangiye Misago Vincent imisanzu y'ubwiteganyirize muri RSSB mu buryo bukurikira: muri Mutarama 2020 yatangiwe ungana n'amafaranga ibihumbi ijana na kimwe na magana arindwi na mirongo icyenda n'atandatu (101,796 Frw), muri Gashyantare 2020 atangirwa ungana n'amafaranga ibihumbi ijana na cumi na bitanu na magana arindwi n'umunani (115,708 Frw), muri Werurwe 2020 atangirwa ungana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana arindwi na mirongo inani n'atandatu (126,786 Frw), muri Mata 2020 nta yo yatangiwe kuko bemeranya ko muri uko kwezi atakoze, muri Gicurasi 2020 atangirwa ungana n'amafaranga ibihumbi mirongo inani na bibiri na magana ane na mirongo irindwi n'ane (82,474 Frw), muri Kamena 2020 atangirwa ungana n'amafaranga ibihumbi ijana na mirongo itatu na bitatu na magana atatu na mirongo inani (133,380 Frw), muri Nyakanga 2020 atangirwa ungana n'amafaranga ibihumbi ijana n'icyenda na magana acyenda na mirongo ine n'umunani (109,948 Frw), muri Kanama 2020 atangirwa ungana n'amafaranga ibihumbi ijana na makumyabiri na bine na magana acyenda na mirongo inani n'atandatu (124,986 Frw), muri Nzeri 2020 atangirwa ungana n'amafaranga ibihumbi ijana na cumi n'icyenda na mirongo icyenda n'abiri (119,092 Frw), mu Ukwakira 2020 atangirwa ungana n'amafaranga ibihumbi ijana na cumi n'umunani na magana inani na mirongo inani n'ane (118,884 Frw), mu Ugushyingo 2020 atangirwa ungana n'amafaranga ibihumbi ijana na makumyabiri na kimwe na magana abiri na mirongo itatu n'abiri (121,232 Frw), mu Ukuboza 2020 atangirwa ungana n'amafaranga ibihumbi umunani na magana ane na mirongo itatu n'atandatu (8,436 Frw). [32] Mu gika cya 10 cy'urubanza rusubirishwamo ku mpamvu z'akarengane, Urukiko Rukuru rwanzuye ko abaregwaga mu bujurire batari abakozi bahoraho ba JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd, rusobanura ko kuba umubare w'amafaranga bahembwaga ku kwezi warahindukaga bitewe n'umubare w'amasaha bakoze, bitafatwa ko bari

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abakozi bahoraho, ko kuba baratangirwaga imisanzu y'ubwiteganyirize bw'abakozi na byo bitabagira abakozi bahoraho b'ikigo kuko itegeko rigenga ubwiteganyirize riteganyako na ba nyakabyizi bagomba gutangirwa iyo misanzu, ndetse ko kuba bari bazi igihe umushinga uzarangirira, bari bazi neza ko icyo bakenewehe mu kazi nacyo gifite igihe kizarangirira, bikaba byumvikana ko batari gukomeza gukora ikitakiriho ku buryo bakwitwaga abakozi bahoraho. [33] Ku bijyanye no kuba abarega bavugaga ko kuba baragiranye n'umukoresha amasezerano y'umurimo yanditse ibyo ubwabyo bihita bibashyira mu cyiciro cy'abakozi bahoraho, uru Rukiko rurasanga nta shingiro bifite kuko nk'uko itegeko ribiteganyako, amasezerano y'akazi ashobora kuba yanditse cyangwa atanditse, kuba rero yanditse ubwabyo bikaba bitabashyira mu bakozi bahoraho kuko amasezerano bakoranaga n'umukoresha yabaga ari ay'igihe kizwi. [34] Urukiko rw'Ubujurire rukurikije ibyatanzweho nk'urugero rw'uburyo abakozi bamwe bagiye batangirwa imisanzu y'ubwiteganyirize bw'abakozi muri RSSB, bigaragara ko umubare w'umushahara bahembwaga uagenda utanukana bitewe n'amafaranga buri wese yumvikanye n'umukoresha ko azajya ahembwa ku isaha ndetse n'umubare w'amasaha yagiye akora mu kwezi. Kuba rero abarega batarahembwaga umushahara udahinduka mu kwezi ndetse igihembo cyabo kikaba

cyarashingiraga ku mubare w'amasaha bakoze, rurasanga nta gushidikanya ko bari abakozi ba nyakabyizi. Ibi ni nabyo uru Rukiko rwafasheho umurongo mu rubanza N° RS/INJUST/RSOC 00019/2022/CA rwaciye n'Urukiko rw'Ubujurire ku wa 18/01/2024, haburana Nishimwe Françoise na HORIZON CONSTRUCTION Ltd, aho rwasobanuye ko kugira ngo umukozi udafite amasezerano yanditse afatwe nk'umukozi uhoraho, ari uko agomba kuba yarakoreye umukoresha umwe mu gihe nibura cy'amezi atandatu kandi ahembwa umushahara udahinduka. [35] Urukiko rw'Ubujurire rurasanga n'ubwo abarega muri uru rubanza bagiranye na JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd amasezerano y'umurimo yanditse, ayo masezerano yarabaga afite igihe kizwi agomba kumara, bityo bikaba byumvikana ko batari abakozi b'iyi sosiyete bahoraho. Rurasanga kandi kuba bari bafite umushahara babarirwa ku isaha bitewe n'inshingano za buri wese ndetse bagahembwa hakurikijwe amasaha bakoze mu kwezi, ibi na byo bibashyira mu rwego rw'abakozi ba nyakabyizi kuko nk'uko byasobanuwe haruguru, umushahara bahembwaga ku kwezi wagiye uhinduka bitewe nyine n'amasaha babaga bakoze. [36] Hashingiwe ku biteganywa n'ingingo z'amategeko zavuzwe haruguru ndetse n'ibisobanuro byatanzwe, Urukiko rw'Ubujurire rurasanga Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile, Tuyisenge Emmanuel na Uzabakiriho Joseph batari abakozi ba JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd, ahubwo bari mu cyiciro cy'abakozi ba nyakabyizi.

1. 2. Kumenya niba Bizumuremyi Emmanuel na bagenzi be barirukanwe ku kazi mu buryo bunyuranyije n'amategeko ku buryo babiharerwa indishyi basaba A. Ibyerekeye kumenya niba Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile, Tuyisenge Emmanuel na Uzabakiriho Joseph barirukanwe ku kazi mu buryo bunyuranyije n'amategeko

1 Reba urubanza N° RS/INJUST/RSOC 00019/2022/CA rwo ku wa 18/01/2024, igika cya 25.

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[37] Abahagarariye Bizumuremyi Emmanuel na bagenzi bavuga ko kuba abo bahagarariye barirukanwe mu magambo gusa nta n'iteguza, byumvikanisha ko birukanwe mu buryo bunyuranyije n'amategeko. [38] Abahagarariye JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd bavuga ko abarega batirukanwe ku kazi mu buryo bunyuranyije n'amategeko, ko ahubwo ari bo ubwabo bakivanyeho babonye amasezerano y'akazi bari bafitanye ari hafi kurangira kandi ko ingingo ya 14 y'itegeko rigenga umurimo mu Rwanda ibibemerera. Uko Urukiko rubibona [39] Impaka kuri iyi ngingo zishingiye ku kumenya niba abarega barirukanwe ku kazi igihe cy'amasezerano kitarangiye ku buryo byafatwa ko birukanwe mu buryo bunyuranyije n'amategeko. [40] Ingingo ya 4 y'itegeko n° 062/2024 ryo ku wa 20/06/2024 ryerekeye ibimenyetso iteganywa ko "Urega cyangwa utanze ikibazo agaragaza ikimenyetso cy'ibyo aregera cyangwa asaba. Uwiregura agaragaza ikimenyetso gishyigikira ukwiregura kwe [.....]." [41] Ingingo ya 12, igika cya 1 y'itegeko N° 22/2018 ryo ku

wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsu iteganya ko" Urega agomba kugaragaza ibimenyetso by'ibyo aregera. Iyo abibuze uwarezwe aratsinda." [42] Izi ngingo zombi zifatwe hamwe zumvikanisha ko urega afite inshingano zo kugaragaza ibimenyetso ashingiraho asaba ibyo aregera kugira ngo uregwa nawe agire ibyo aheraho yiregura. [43] Abahagarariye abarega bavugaga ko umukoresha yabirukanye mu kazi mu magambo gusa nta n'impamvu yumvikana abirukanyije ngo ahubwo ko yabitewe n'uko bari bamwandikiye bamusaba kubahiriza uburenganzira bwabo bwo kubahemba amafaranga y'amasaha y'ikirenga bagiye bakora, abahagarariye umukoresha bo bakavugaga ko atigeze abirukana ku kazi, ko ahubwo ari bo bakivanyeho kandi ko atabakurikiranye ku ibura ryabo kuko kuba bari ba nyakabyizi, bari bemerewe kujya gukorera aho bashimye. [44] Urukiko rw'Ubujurire rurasanga nta kimenyetso gifatika cyaherwaho hemezwa koko ko abarega birukanwe ku kazi igihe cy'amasezerano kitarangiye, cyane ko kuba hasobanuwe ko bari abakozi ba nyakabyizi, bari bemerewe kuza ku kazi cyangwa ntibaze kuko nyine bahembwaga hashingiwe ku mubare w'amasaha bakoze. B. Ibyerekeye kumenya niba Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile, Tuyisenge Emmanuel na Uzabakiriho Joseph bagenerwa indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko [45] Abahagarariye Bizumuremyi Emmanuel na bagenzi basaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd guha buri wese mu bo bahagarariye indishyi z'imishahara y'amezi atandatu (6) zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko zibazwe mu buryo bukurikira:

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- [46] Kuri Irankunda Jérémie, basaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd kumuha indishyi zingana n'amafaranga ibihumbi magana arindwi na mirongo itanu n'icyenda na magana abiri na mirongo ine (759,240 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi nta nteguza zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw), ahwanye n'umushahara w'ukwezi kumwe, amafaranga y'insimburakiruhuko angana n'ibihumbi ijana na cumi na bibiri n'ijana na mirongo itandatu (112,160 Frw) abazwe mu buryo bukurikira: $126,540 \text{ Frw} \times 19.5/22 = 112,160 \text{ Frw}$, indishyi zo kudahabwa icyemezo cy'imirimo yakoze zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw) ahwanye n'umushahara w'ukwezi kumwe, umushahara w'iminsi 27 y'ukwezi kwa 11/2020 atahembwe ungana n'amafaranga ibihumbi ijana na cumi na bitatu na magana inani na mirongo inani n'atandatu (113, 886 Frw) abazwe mu buryo bukurikira: $444 \text{ Frw} \times \text{amasaha } 9.5 \times \text{iminsi } 27 = 113,886 \text{ Frw}$. Asobanura ko yakoreraga amafaranga 444 Frw ku isaha imwe, agakora amasaha 9.5 ku munsu. [47] Kuri Rutayisire Emmanuel, basaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd kumuha indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko zingana n'amafaranga ibihumbi

magana arindwi na mirongo itanu n'icyenda na magana abiri na mirongo ine (759,240 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi nta nteguza zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw) ahwanye n'umushahara w'ukwezi kumwe, amafaranga y'insimburakiruhuko angana n'ibihumbi ijana na bitatu na magana atanu na mirongo itatu n'abiri (103,532 Frw) abazwe mu buryo bukurikira: $126,540 \text{ Frw} \times 18/22 = 103,532 \text{ Frws}$, indishyi zo kudahabwa icyemezo cy'imirimo yakoze zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw) ahwanye n'umushahara w'ukwezi kumwe, umushahara w'iminsi 27 y'ukwezi kwa 11/2020 atahembwe ungana n'amafaranga ibihumbi ijana na cumi na bitatu na magana inani na mirongo inani n'atandatu (113, 886 Frw) abazwe mu buryo bukurikira: $444 \text{ Frw} \times \text{amasaha } 9.5 \times \text{iminsi } 27 = 113,886 \text{ Frws}$. Asobanura ko yakoreraga amafaranga 444 Frw ku isaha imwe, agakora amasaha 9.5 ku muni. [48] Kuri Nsengumuremyi Révérien, asaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd kumuha indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko zingana n'amafaranga ibihumbi magana arindwi na mirongo itanu n'icyenda na magana abiri na mirongo ine (759,240 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi nta nteguza zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw) ahwanye n'umushahara w'ukwezi kumwe, amafaranga y'insimburakiruhuko angana n'ibihumbi magana abiri na mirongo itanu na magana abiri n'ane (250, 204 Frw) abazwe mu buryo bukurikira: $126,540 \text{ Frw} \times 43.5/22 = 250, 204 \text{ Frws}$, indishyi zo kudahabwa icyemezo cy'imirimo yakoze zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw) ahwanye n'umushahara w'ukwezi kumwe, umushahara w'iminsi 27 y'ukwezi kwa 11/2020 atahembwe ungana n'amafaranga ibihumbi ijana na cumi na bitatu na magana inani na mirongo inani n'atandatu (113, 886 Frw) abazwe mu buryo bukurikira: $444 \text{ Frw} \times \text{amasaha } 9.5 \times \text{iminsi } 27 = 113,886 \text{ Frws}$. Asobanura ko yakoreraga amafaranga 444 Frw ku isaha imwe, agakora amasaha 9.5 ku muni.

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[49] Kuri Niyonzima Théophile, ashingiye ku ngingo ya 29 y'itegeko N° 66/2018 ryo ku wa 30/08/2018 rigenga umurimo mu Rwanda yerekeye integuza yo gusesa amasezerano y'akazi, avuga ko asanga JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd yaramwirukanye ku kazi nta nteguza, bityo ko igomba kumwishyura indishyi zingana n'umushahara w'ukwezi kumwe zibazwe mu buryo bukurikira: $3163,5 \times \text{iminsi } 30 =$ amafaranga ibihumbi mirongo icyenda na bine na magana acyenda n'atanu (94, 905 Frw), indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko zingana n'umushahara w'amezi atandatu, ni ukuvuga amafaranga ibihumbi magana atanu na mirongo itandatu n'icyenda na magana ane na mirongo itatu (569,430 Frw), n'indishyi zo kudahabwa icyemezo cy'imirimo yakoze zingana n'amafaranga ibihumbi mirongo icyenda na bine na magana acyenda n'atanu (94,905 Frw) ahwanye n'umushahara w'ukwezi kumwe. [50] Asaba kandi uru

Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION[®] Ltd kumuha amafaranga y'umushahara w'iminsi 26 y'ukwezi kwa 11/2020 itamuhembye abazwe mu buryo bukurikira: 3,163.5 Frw x iminsi 26 = amafaranga ibihumbi mirongo inani na bibiri na magana abiri na mirongo itanu na rimwe (82,251 Frw), ndetse n'amafaranga ibihumbi mirongo icyenda n'ijana na mirongo itanu n'icyenda (90,159 Frw) y'insimburakiruhuko. [51] Kuri Nizeyimana Schadrack, asaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION[®] Ltd kumuha indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amaegeko zingana n'amafaranga ibihumbi magana arindwi na mirongo itanu n'icyenda na magana abiri na mirongo ine (759, 240 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kumwirukana ku kazi nta nteguza zibazwe mu buryo bukurikira: 4,218 Frw X iminsi 30 = 126,540 Frws, amafaranga y'insimburakiruhuko angana n'ibihumbi mirongo inani na bibiri na magana abiri na mirongo itanu na rimwe (82, 251 Frw), indishyi zo kudahabwa icyemezo cy'imirimo yakoze zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw), n'umushahara w'ukwezi kwa 11/2020 ungana n'amafaranga ibihumbi ijana n'icyenda na magana atandatu na mirongo itandatu n'umunani (109,668 Frw) abazwe mu buryo bukurikira: 4,218 Frw x iminsi 26. [52] Kuri Tuyisenge Emmanuel, asaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION[®] Ltd kumuha indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amaegeko zingana n'amafaranga ibihumbi magana atatu na mirongo irindwi n'icyenda na magana atandatu na makumyabiri (379,620 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi nta nteguza zibazwe mu buryo bukurikira: (222 Frw x amasaha 9.5) x iminsi 30 = amafaranga ibihumbi mirongo itandatu na bitatu na magana abiri na mirongo irindwi (63, 270 Frw), amafaranga y'insimburakiruhuko angana n'ibihumbi mirongo ine na kimwe n'ijana na makumyabiri n'atanu (41,125 Frw), indishyi zo kudahabwa icyemezo cy'imirimo yakoze zingana n'amafaranga ibihumbi mirongo itandatu na bitatu na magana abiri na mirongo irindwi (63,270 Frw), n'umushahara w'ukwezi kwa 11/2020 ungana n'amafaranga ibihumbi mirongo itanu na bine na magana inani na mirongo itatu n'ane (54,834 Frw). [53] Kuri Bizumuremyi Emmanuel, asaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION[®] Ltd kumuha indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amaegeko zingana n'amafaranga ibihumbi magana inani na mirongo inani na bitanu (885,000 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi

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nta nteguza zingana n'amafaranga ibihumbi ijana na mirongo ine na bibiri na magana atanu (142,500 Frw), amafaranga y'insimburakiruhuko abazwe mu buryo bukurikira: 500 Frw ku isaha X amasaha 9.5 X umunsi 1.5 mu kwezi X amezi 32 = 228,000 Frw, umushahara atahembwe w'ukwezi kwa 11/2020 ubazwe mu buryo bukurikira: 4, 750 Frw X iminsi 26 = 122,200 Frws, indishyi zo guhabwa icyemezo cy'imirimo yakoze itanze zingana n'amafaranga ibihumbi ijana na mirongo ine na bibiri na magana atanu (142,500 Frw) zibazwe mu buryo bukurikira: 4750 Frw X iminsi 30 = 142 500 Frw. Asaba kandi gutangirwa imisanzu y'ubwiteganyirize bw'abakozi atatangiwe muri

RSSB. [54] Kuri Ndayisabye Pierre, asaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd kumuha zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko zingana n'amafaranga miliyoni imwe, ibihumbi ijana na mirongo irindwi na bitatu na magana inani na mirongo inani n'umunani (1,173,888 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi nta nteguza zingana n'amafaranga ibihumbi ijana na mirongo icyenda na bitanu na magana atandatu na mirongo ine n'umunani (195, 648 Frw), amafaranga y'insimburakiruhuko abazwe mu buryo bukurikira: $195,648 \text{ Frw} \times \text{iminsi } 30 \times \text{amezi } 31 = 202.169,6 \text{ Frw}$, umushahara atahembwe w'ukwezi kwa 11/2020 ungana na $195,648 : 30 \times \text{iminsi } 26 = 169, 561 \text{ Frw}$, indishyi zo kuba yarahawe icyemezo cy'imirimo yakoze bitinze zingana n'amafaranga ibihumbi ijana na mirongo icyenda na bitanu na magana atandatu na mirongo ine n'umunani (195,648 Frw) ahwanye n'umushahara w'ukwezi kumwe, no gutangirwa imisanzu y'ubwiteganyirize bw'abakozi atatangiwe muri RSSB mu gihe kingana n'amezi arindwi. [55] Kuri Misago Vincent, asaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd kumuha indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko zingana n'amafaranga ibihumbi magana arindwi na mirongo itanu n'icyenda na magana abiri na mirongo ine (759, 240 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi nta nteguza zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw) ahwanye n'umushahara w'ukwezi kumwe, amafaranga y'insimburakiruhuko abazwe mu buryo bukurikira: $4, 218 \text{ Frw} \times 1.5 \text{ mu kwezi } X \text{ amezi } 14 = 88, 578 \text{ Frw}$, indishyi zo kuba yarahawe icyemezo cy'imirimo yakoze bitinze zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126, 540 Frw), no gutangirwa imisanzu y'ubwiteganyirize bw'abakozi atatangiwe muri RSSB. [56] Kuri Maniraguha Egide, asaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd kumuha indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko zingana n'amafaranga ibihumbi magana arindwi na mirongo itanu n'icyenda na magana abiri na mirongo ine (759,240 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi nta nteguza zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126,540 Frw), amafaranga y'insimburakiruhuko angana n'ibihumbi mirongo inani n'umunani na magana atanu na mirongo irindwi n'umunani (88,578 Frw) abazwe mu buryo bukurikira: $4,218 \text{ Frw} \times (1.5 \text{ mu kwezi } X \text{ amezi } 14)$, indishyi zo guhabwa icyemezo cy'imirimo yakoze bitinze zingana n'amafaranga ibihumbi ijana na makumyabiri na bitandatu na magana atanu na mirongo ine (126, 540 Frw) ahwanye n'umushahara w'ukwezi kumwe, no guhabwa umushahara w'ukwezi kwa 11/2020 atahembwe

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ubazwe mu buryo bukurikira: $4, 218 \text{ Frw} \times \text{iminsi } 26 = \text{amafaranga ibihumbi ijana n'icyenda na magana atandatu na mirongo itandatu n'umunani } (109, 668 \text{ Frw})$. [57] Kuri Uzabakiriho Joseph, asaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd kumuha indishyi zo kwirukanwa ku kazi mu buryo bunyuranyije n'amategeko zingana n'amafaranga ibihumbi magana inani na mirongo itanu na bitanu (855,000 Frw) ahwanye n'umushahara w'amezi atandatu, indishyi zo kwirukanwa ku kazi nta nteguza zingana n'amafaranga ibihumbi

ijana na mirongo ine na bibiri na magana atanu (142,500 Frw) ahwanye n'umushahara w'ukwezi kumwe, amafaranga y'insimburakiruhuko angana n'ibihumbi ijana na mirongo ine na bibiri na magana atanu (142,500 Frw), umushahara atahembwe w'ukwezi kwa 11/2020 ungana n'amafaranga ibihumbi ijana na makumyabiri na bitatu na magana atanu (123,500 Frw), indishyi zo guhabwa icyemezo cy'imirimo yakoze bitinze zingana n'amafaranga ibihumbi ijana na mirongo ine na bibiri na magana atanu (142,500 Frw) , no gutangirwa imisanzu y'ubwiteganyirize bw'abakozi atatangiwe muri RSSB mu gihe kingana n'amezi arindwi. [58] Abahagarariye JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd bavuga ko Bizumuremyi Emmanuel na bagenzi be bari ba nyakabyizi kandi ko ari bo bataye akazi, akaba rero nta buryo bari guhabwa integuza, bityo ko badakwiye guhabwa indishyi basaba na cyane ko nta bimenyetso batanga byashingirwaho bazihabwa, ko nta ndishyi zishingiye ku biruhuko zigererwa ba nyakabyizi kuko ibyo ari uburenganzira bw'abakozi bahoraho, ndetse ko batahabwa icyemezo cy'imirimo bakoze kuko umukozi wa nyakabyizi ukora umunsi umwe undi ntakore, atahora ahabwa icyo cyemezo uko akazi ke karangiye buri muni. [59] Ku bijyanye n'umushahara w'ukwezi kwa 11/2020 abarega bavuga ko batahembwe, abahagarariye JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd bavuga ko umushahara abarega bakoreye wose bawuhawe kandi ko bigaragazwa na payroll y'ukwezi kwa 11/2020, ukaba waranyujijwe kuri konti zabo, ko buri wese yahembwe hakurikijwe umubare w'iminsi yakoze muri uko kwezi, kandi ko uretse kubivuga mu magambo gusa, nta kimenyetso bagaragaza cyemeza ko bakoraga amasaha 9.5 ku muni cyangwa ko bakoze iminsi yose y'ukwezi kwa 11/2020. Uko Urukiko rubibona [60] Urukiko rurasanga nyuma yo kugaragaza ko Bizumuremyi Emmanuel na bagenzi be batirukanwe na JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd mu buryo bunyuranyije n'amategeko kubera ko batigeze baba abakozi bayo bahoraho, bitakiri ngombwa gusuzuma ikibazo kirebana n'indishyi zikomoka kuri iryo yirukanwa bibwiraga ko rinyuranyije n'amategeko. [61] Ku bijyanye no kuba abarega basaba gutangirwa imisanzu y'ubwiteganyirize bw'abakozi muri RSSB ariko uregwa akavuga ko yagiye ayibatangira, uru Rukiko rurasanga umukozi uvuga ko atatangiwe imisanzu y'ubwiteganyirize mu gihe yakoreraga JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd agomba kuyishyikiriza icyemezo cya RSSB kigaragaza amezi atatangiweho imisanzu kugira ngo JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd ijye kubarisha muri icyo Kigo cy'ubwiteganyirize iyimutangire.

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[62] Ku bijyanye no kuba abarega basaba amafaranga asimburira ikiruhuko batahawe, Urukiko rurasanga nta yo bakwiye guhabwa kubera ko uretse kuba baragiye bashyira icyo kiruhuko mu masezerano y'akazi bagiranye n'umukoresha, batigeze bagaragazamo igihe bagomba kujya bagiharerwa mu masezerano y'akazi yagombaga kumara amezi abiri (2) yonyine, ndetse akaba nta n'ugaragaza ko yaba yarasabye icyo kiruhuko ngo akimwe ku mpamvu iyo ariyo yose ngo habe hamenyekana koko ko atagihawe kandi yari akemererwe ku buryo yabiharerwa amafaranga agisimbura. [63] Ku bijyanye no kuba abarega basaba indishyi zo kudahabwa icyemezo cy'imirimo yakozwe naho uregwa akavuga ko batagombaga guhabwa icyo cyemezo kuko bari ba nyakabyizi, Urukiko rurasanga nk'uko byasobanuwe haruguru

nta ndishyi abarega bakwiye guhabwa zikomoka ku kuba batarahawe icyemezo cy'imirimo bakoze kuko nta kimenyetso bagaragaza cyemeza ko nka ba nyakabyizi, hari ahandi baba baragiye gushaka akazi ngo bakabure kubera ko batagaragaje icyemezo cy'imirimo baba barakoreye ahandi. Rurasanga ariko ibivugwa n'abahagarariye JIANGXI WATER AND HYDROPOWER CONSTRUCTION[®] Ltd ko abarega batahabwa icyemezo cy'imirimo bakoze kuko ari ba nyakabyizi nta shingiro bifite kuko nta tegeko ribuza umukoresha kuba yaha umukozi we icyemezo cy'imirimo yamukoreye n'iyi yaba nyakabyizi, cyane ko uwitwa Misago Vincent agaragaza ko yahawe icyo cyemezo nyamara na we yari nyakabyizi nka bagenzi be, kuko agaragaza ko asaba indishyi zo kuba yarahawe icyo cyemezo bitinze. [64] Ibyo kuba umukoresha yaha umukozi we wa nyakabyizi icyemezo cy'imirimo yakoze byagaragajwe kandi mu rubanza N° RS/INJUST/RSOC 00019/2022/CA haburana Nishimwe Françoise na HORIZON CONSTRUCTION Ltd rwavuzwe haruguru, aho HORIZON CONSTRUCTION Ltd yahaye Nishimwe Françoise icyemezo cy'imirimo yakoze mu nyandiko yiswe "TO WHOM IT MAY CONCERN", umukoresha akaba yaragaragaje ko Nishimwe Françoise yayikorera ari umukozi wa nyakabyizi (casual worker) kuva muri Mutarama 2017 kugeza muri Nzeri 2018. [65] Ku bijyanye n'umushahara w'ukwezi k'Ugushyirye 2020 abarega bavugaga ko batishyuye, uru Rukiko rurasanga hakurikijwe ikimenyetso cy'uburyo batangiwe imisanzu y'ubwiteganyirize muri RSSB, bigaragara ko batangiwe umusanzu y'ukwezi k'Ugushyirye 2020, bakaba rero batari gutangirwa icyo misanzu bataragenewe umushahara w'uko kwezi.

2. 3. Ibyerekeye amafaranga y'ikurikiranarubanza n'igihembo cya Avoka ababuranyi basaba [66] Abahagarariye abarega basaba uru Rukiko gutegeka JIANGXI WATER AND HYDROPOWER CONSTRUCTION[®] Ltd guha buri wese amafaranga miliyoni imwe n'ibihumbi magana atanu (1,500,000 Frw) y'ikurikiranarubanza, amafaranga miliyoni ebyiri (2,000,000 Frw) kuri buri wese y'igihembo cya Avoka, amafaranga ibihumbi mirongo itandatu (60,000 Frw) kuri buri wese y'ingwate y'amagarama yatanze mu rwego rwa mbere no mu rwego rw'ubujurire. Ku mafaranga JIANGXI WATER AND HYDROPOWER CONSTRUCTION[®] Ltd isaba, bavugaga ko nta shingiro akwiye guhabwa kubera ko ari yo yishoye mu manza.

2 Reba igika cya 22 cy'urwo rubanza.

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- [67] Abahagarariye JIANGXI WATER AND HYDROPOWER CONSTRUCTION[®] Ltd basaba uru Rukiko gutegeka abarega kuyiha amafaranga miliyoni ebyiri n'ibihumbi magana atanu (2,500,000 Frw) akubiyemo amafaranga ibihumbi magana atanu (500,000 Frw) y'ikurikiranarubanza n'amafaranga miliyoni ebyiri (2,000,000 Frw) y'igihembo cya Avoka. Ku mafaranga abarega basaba ko ibaha, bavugaga kuba barishoye mu manza bagombaga kwirinda, bakwiye kwirengera ibihombo baba barahuye nabyo. Uko Urukiko rubibona [68] Ingingo ya 111 y'itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruza, iz'umurimo n'iz'ubutegetsi iteganya ibikurikira:"

Ikirego cy'amafaranga y'ikurikiranarubanza ni ikirego gishamikiye ku kirego cy'iremezo kigamije kwishyuza ibyakoreshejwe mu rubanza. Ikirego cy'amafaranga y'ikurikiranarubanza kiburanishwa rimwe n'ikirego cy'iremezo. Gishobora kandi kwakirwa kikaburanishwa n'iyi ikirego cy'iremezo cyaba kitakiriwe". [69] Urukiko rw'Ubujurire rurasanga nta muburanyi n'umwe ukwiye guhabwa amafaranga y'ibyagiye ku rubanza, kubera ko ku bisobanuro byatanze na buri ruhande hari ibyahawe ishingiro, ibindi ntibihabwe ishingiro. III. ICYEMEZO CY'URUKIKO [70] Rwemeje ko ikirego cya Bizumuremyi Emmanuel, Irankunda Jérémie, Misago Vincent, Nizeyimana Schadrack, Maniraguha Egide, Rutayisire Emmanuel, Ndayisabye Pierre, Nsengumuremyi Révérien, Niyonzima Théophile, Tuyisenge Emmanuel na Uzabakiriho Joseph cyo gusubirishamo ku mpamvu z'akarengane urubanza N° RSOCA RSOCA 00153/2022/HC/KIG CMB RSOCA 00154/2022/HC/KIG CMB RSOCA 00155/2022/HC/KIG CMB RSOCA 00156/2022/HC/KIG CMB RSOCA 00157/2022/HC/KIG CMB RSOCA 00158/2022/HC/KIG CMB RSOCA 00159/2022/HC/KIG CMB RSOCA 00160/2022/HC/KIG CMB RSOCA 00161/2022/HC/KIG CMB RSOCA 00162/2022/HC/KIG, rwaciye n'Urukiko Rukuru ku wa 31/07/2023, n'urubanza N° RSOCA 00080/2022/HC/KIG rwaciye n'Urukiko Rukuru ku wa 28/12/2023, gifite ishingiro kuri bimwe. [71] Rwemeje ko urubanza N° RSOCA RSOCA 00153/2022/HC/KIG CMB RSOCA 00154/2022/HC/KIG CMB RSOCA 00155/2022/HC/KIG CMB RSOCA 00156/2022/HC/KIG CMB RSOCA 00157/2022/HC/KIG CMB RSOCA 00158/2022/HC/KIG CMB RSOCA 00159/2022/HC/KIG CMB RSOCA 00160/2022/HC/KIG CMB RSOCA 00161/2022/HC/KIG CMB RSOCA 00162/2022/HC/KIG, rwaciye n'Urukiko Rukuru ku wa 31/07/2023, n'urubanza N° RSOCA 00080/2022/HC/KIG rwaciye n'Urukiko Rukuru ku wa 28/12/2023, zihindutse gusa ku bijyanye n'imisanzu y'ubwiteganyirize n'icyemezo cy'imirimo yakozwe. [72] Rutegetse JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd gutangira imisanzu y'ubwiteganyirize muri RSSB, abarega batayitangiye mu gihe bayikorera.

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[73] Rutegetse JIANGXI WATER AND HYDROPOWER CONSTRUCTION ® Ltd guha icyemezo cy'imirimo yakozwe, abarega batagihawe. [74] Rutegetse ko nta ndishyi zitanze muri uru rubanza. [75] Ruvuze ko amafaranga y'amagarama y'urubanza, aherera ku Isanduku ya Leta.

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