

RWANDA / JUDGMENT

UBUSHINJACYAHA vs NTAKIRUTIMANA ALIAS BEBI

RPAA01014/2024/CA

COURT

Court of Appeal

DECIDED

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UBUSHINJACYAHA vs NTAKIRUTIMANA ALIAS BEBI

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Text

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UBUSHINJACYAHA vs NTAKIRUTIMANA ALIAS BEBI [Rwanda URUKIKO RW'UBUJURIRE – RPAA01014/2024/CA (Kanyange, P.J.) 29 Gicurasi 2025] Amategeko yerekeye imiburanishirize y'imanza mpanabyaha – ibimenyetso – isesengura ry'ibimenyetso – kugira ngo Umucamanza afate icyemezo gihamya icyaha, agomba kuba afite ibimenyetso bihamya nta gushidikanya (preuves à conviction au-delà de tout doute raisonnable) ko ushinjwa ariwe wakoze icyaha, ko Umucamanza agomba gusesengurana ubushishozi uruhurirane rw'ibimenyetso, agahamya ushinjwa icyaha mu gihe gusa asanga nta wundi mwanzuro wagerwaho n'isesengura yakoze uretse iryo gusanisha uwakoze icyaha n'icyaha cyakozwe. Incamake y'ikibazo: Uru rubanza rwatangiye Ubushinjacyaha burega Ntakirutimana alias Bebi mu Rukiko Rwisumbuye rwa Ngoma icyaha cyo gusambanya umwana witwa Y.F w'imyaka 16, busaba Urukiko ko rumuhamya icyaha rukamuhanisha igifungo cy'imyaka makumyabiri n'itanu (25). Ntakirutimana alias Bebi yaburanye ahakana icyaha, avuga ko iryo joro ataryamanye n'uwo mukobwa kuko yari ari mu mihango, asaba kugirwa umwere. Urukiko mu rubanza RP00979/2021/TGI/NGOMA, rushingiye

ku kuba Ntakirutimana yemera ko Y.F yamusuraga, imvugo z'abatangabuhamya, rumuhamya icyaha rumuhanisha igifungo cy'imyaka makumyabiri n'itanu (25). Ruvuga kandi ko nubwo raporo ya muganga nta kimenyetso yagaragaje cyuko Y.F yasambanyijwe bitavuze ko atasambanyijwe kuko uregwa yafatiwe mu cyuho yamuranye. Ntakirutimana alias Bebi yajuririye Urukiko Rukuru, Urugereko rwa Rwamagana avuga ko Urukiko rwa mbere rwamuhamije icyaha cyo gusambanya umwana rushingiye ku gushidikanya no kugenekereza. Ubushinjacyaha bwashubije ko izo mpamvu z'ubujurire za Ntakirutimana alias Bebi atanga nta shingiro zifite, kuko Y.F amushinja kumusambanya kandi bakaba baramusanze mu cyumba cye ku buriri baryamye ari ibimenyetso bihagije bimuhamya icyaha, buvuga ariko ko yagabanyirizwa igihano kuko ari ubwa mbere akoze icyaha, akaba yahanishwa igifungo cy'imyaka cumi n'itanu (15). Urukiko mu rubanza RPA01047/2021/HC/RWG, rushingiye ku mvugo z'abatangabuhamya no kuba inzego z'ibanze zarasanze Y.F kwa Ntakirutimana alias Bebi yaharaye baryamanye, rumuhamya icyaha cyo gusambanya umwana rumuhanisha igifungo cy'imyaka cumi n'itanu (15) kuko ari ubwa mbere akurikiranyweho icyaha. Ruvuga kandi ko ibyo Ntakirutimana avuga ko raporo ya muganga itagaragaza ko uwo mwana yasambanyijwe nta shingiro byahabwa, kuko amategeko ateganya ko gusambanya umwana bishobora no kuba igikorwa cy'ishimishamubiri gikozwe ku mwana, Ntakirutimana alias Bebi yatanze ubujurire bwa kabiri mu Rukiko rw'Ubujurire, avuga ko Urukiko rwamuhamije icyaha cyo gusambanya umwana nta kimenyetso simusiga kigaragaza ko yamusambanyije, ruca urubanza rugenekereje. Uhagarariye Ubushinjacyaha avuga ko impamvu z'ubujurire za Ntakirutimana alias Bebi nta shingiro zifite kuko ibimenyetso byashingiweho bihagije mu kwemeza ko yakozwe icyaha aregwa Urukiko mu rubanza RPAA01014/2024/CA rwemeje ko ubujurire bwa Ntakirutimana bufite ishingiro kuko yahamijwe icyaha cyo gusambanya umwana mu rubanza rujuririrwa hashingiwe ku bimenyetso biteye gushidikanya. Rutegeka ko ahita arekurwa kuko icyaha cyo gusambanya umwana kitamuhama. Incamake y'icyemezo: kugira ngo Umucamanza afate icyemezo gihamya icyaha, agomba kuba afite ibimenyetso bihamya nta gushidikanya (preuves à conviction au-delà de tout doute raisonnable) ko ushinjwa ariwe wakoze icyaha, ko Umucamanza agomba gusesengurana ubushishozi uruhurirane rw'ibimenyetso, agahamya ushinjwa icyaha mu gihe gusa asanga nta wundi mwanzuro wagerwaho n'isesengura yakozwe uretse iryo gusanisha uwakoze icyaha n'icyaha cyakozwe.

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Ubujurire bufite ishingiro. Amategeko yashingiweho Itegeko N° 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange, ingingo ya 4 Itegeko N° 027/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha, Ingingo ya 111 Imanza zifashishijwe: Urubanza RPAA00737/2021/CA, haburana Ubushinjacyaha na Uwayisaba Habimana Antoine rwaciwe n'Urukiko rw'Ubujurire ku wa 16/12/2022, (igika cya 16-17). Urubanza RPAA00156/2025/CA, haburana Ubushinjacyaha na Nshimiyimana Jean de Dieu rwaciwe n'Urukiko rw'Ubujurire ku wa 25/04/2025, igika cya 20. Urubanza. I. IMITERERE Y'URUBANZA [1] Ntakirutimana alias Bebi yarezwe icyaha cyo gusambanya umwana w'umukobwa w'imyaka cumi n'itandatu (16) y'amavuko wahawe izina rya Y.F. mu manza zabanje, wavuze ko yamusambanyije ku matariki ya

21/06/2021 na 22/06/2021, bimenyekana ku wa 27/06/2021 saa kumi n'imwe n'igice za mu gitondo ubwo inzego z'umutekano zasangaga aryamanye n'uwo mwana iwe mu nzu, atangira gukurikiranwa. [2] Nyuma y'iperereza, Ubushinjacyaha bwareze Ntakirutimana alias Bebi mu Rukiko Rwisumbuye rwa Ngoma icyaha cyo gusambanya umwana, bushingiye ku bimenyetso birimo imvugo ze, imvugo za Y.F. umushinja kumusambanya, imvugo z'umutangabuhamya na raporo y'abayobozi b'inzego z'ibanze, bumusabira guhanishwa igifungo cy'imyaka makumyabiri n'itanu (25). [3] Ntakirutimana alias Bebi yaburanye ahakana icyaha, avuga ko iryo joro ataryamanye n'uwo mukobwa kuko yari ari mu mihango, asaba kugirwa umwere. [4] Mu rubanza RP00979/2021/TGI/NGOMA rwaciwe ku wa 22/07/2021, Urukiko rwasanze hari ibimenyetso byemeza ko Ntakirutimana alias Bebi ahamwe n'icyaha cyo gusambanya Y.F., birimo kuba yaremeye ko yamusuraga kenshi n'umunsi afatwa bari bararanye mu nzu, imvugo za Y.F. wemeje ko mu ijoro ryo ku wa 21/06/2021 na 22/06/2021 yamusambanyije, imvugo za nyina wa Y.F. wavuze ko yari amaze iminsi ataba iwabo, rusanga kandi kuba raporo ya muganga nta kimenyetso yagaragaje bitavuze ko Y.F. atasambanyijwe kuko imvugo ze zunganirwa no kuba Ntakirutimana alias Bebi yarafatiwe mu cyuho yamuranye, rumuhanisha igifungo cy'imyaka makumyabiri n'itanu (25). [5] Ntakirutimana alias Bebi yajuririye Urukiko Rukuru, Urugereko rwa Rwamagana avuga ko Urukiko rwa mbere rwamuhamije icyaha cyo gusambanya umwana rushingiye ku gushidikanya no kugenekereza. [6] Ubushinjacyaha bwashubije ko izo mpamvu z'ubujurire Ntakirutimana alias Bebi atanga nta shingiro zifite, kuko kuba uwo mwana amushinja kumusambanya kandi bakaba baramusanze mu cyumba cye ku burii baryamye ari ibimenyetso bihagije bimuhamya icyaha, ariko ko yagabanyirizwa igihano kuko ari ubwa mbere akoze icyaha, akaba yahanishwa igifungo cy'imyaka cumi n'itanu (15). [7] Mu rubanza RPA01047/2021/HC/RWG rwaciwe ku wa 27/09/2024, Urukiko rwasanze Ntakirutimana alias Bebi atavuguruzwa ibimenyetso byashingiweho mu kumuhamya icyaha, birimo

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imvugo za Y.F. wavuze ko yamusambanyije no kuba ubwo inzego z'ibanze zajyaga kumufata zaramusanganye n'uwo mwana bararanye ku buriri bumwe, kandi akaba adasobanura impamvu yaharaye cyangwa ngo agaragaze impamvu umushinja. Rwasanze ibyo avuga ko raporo ya muganga itagaragaza ko uwo mwana yasambanyijwe nta shingiro byahabwa, kuko gusambanya umwana bivugwa mu ngingo ya 4 y'Itegeko No 69/2019 ryo ku wa 08/11/2019 rihindura Itegeko No 68/2018 ryo ku wa 30/08/2018 riteganyaga ibyaha n'ibihano muri rusange1 bishobora no kuba igikorwa cy'ishimishamubiri gikozwe ku mwana, rusanga ariko ari ubwa mbere akurikiranyweho icyaha rumugabanyiriza igihano2, rumuhanisha igifungo cy'imyaka cumi n'itanu(15); [8] Ntakirutimana alias Bebi yatanze ubujurire bwa kabiri mu Rukiko rw'Ubujurire, urubanza rwandikwa kuri RPAA01014/2024/CA ruhabwa itariki yo kuburanishwa yo ku wa 06/05/2025, uwo munsi ruburanishwa yunganiwe na Me Illuminée Musasangohe, Ubushinjacyaha buhagarariwe na Uwizeye Jean Marie, Umushinjacyaha ku rwego rw'Igihugu. [9] Mu myanzuro y'ubujurire no mu miburanire, Ntakirutimana alias Bebi n'umwunganira bavugaga ko Urukiko rwamuhamije icyaha cyo gusambanya umwana nta kimenyetso simusiga kigaragaza ko yamusambanyije, ruca urubanza rugenekereje. [10] Uhagarariye Ubushinjacyaha avuga ko impamvu z'ubujurire bwa

Ntakirutimana alias Bebi nta shingiro zifite kuko ibimenyetso byashingiweho bihagije mu kwemeza ko yakozwe icyaha aregwa. [11] Ikibazo kigomba gusuzumwa muri uru rubanza ni ukumenya niba Ntakirutimana alias Bebi yarahamijwe icyaha cyo gusambanya umwana nta bimenyetso bikimuhamya ku buryo budashidikanywaho. II. ISESENGURA RY'IKIBAZO KIGIZE URUBANZA Kumenya niba Ntakirutimana alias Bebi yarahamijwe icyaha cyo gusambanya umwana nta bimenyetso bikimuhamya ku buryo budashidikanywaho. [12] Ntakirutimana alias Bebi n'umwunganira bavuga ko Urukiko rwamuhamije icyaha cyo gusambanya umwana nta kimenyetso simusiga kigaragaza ko yagikoze, ko imvugo za Y.F. zitagombaga gushingirwaho mu gihe nta kindi kimenyetso kizishyigikiye, ko kandi zitera urujijo kuko nta kigaragaza ko ku matariki ya 21/06/2021 na 22/06/2021 yamusambanyije ahubwo yabivuze kubera igitutu cy'inkoni yakubiswe, abyemera yitabara ngo arengere icyubahiro cye nk'umwana w'umukobwa wari usanzwe yaraye mu nzu y'umusore, ko kuba yaremeye ko baziranye bitamushinja icyaha kuko baziranye ku bijyanye n'akazi ko gukora mu nyanya, gahunda y'ako kazi akaba ari yo yari yamuzanye, naho ibivugwa n'Ubushinjacyaha ko bari kuzabana nta biri muri dosiye, ko rero kuba yararaye iwe ntagire icyo amutwara atari ikimenyetso kimushinja icyaha, ahubwo yamucumbikiye abuze aho aca kubera guma mu rugo kuko baturanye na Polisi. [13] Bavuga na none ko Urukiko rutahaye agaciro raporo ya muganga, kandi ari cyo kimenyetso cya kamarampaka kigaragaza ko umwana atasambanyijwe, nyamara ntirwagaragaje icyo ruyinenga, ahubwo rwaciye urubanza rugenekereje kandi binyuranyije n'ingingo ya 4 y'Itegeko No68/2018 ryo ku wa 30/08/2018 riteganyaga ibyaha n'ibihano muri rusange, ko rero ibikorwa byakozwe byo gucumbikira

1 Iyo ngingo iteganyaga ko: "Umuntu wese ukorera ku mwana kimwe mu bikorwa bishingiye ku gitsina bikurikira, aba akoze icyaha: 1° gushyira igitsina mu gitsina, mu kibuno cyangwa mu kanwa k'umwana; 2° gushyira urugingo urwo arirwo rwose rw'umubiri w'umuntu mu gitsina, cyangwa mu kibuno cy'umwana; 3° gukora ikindi gikorwa cyose ku mubiri w'umwana hagamijwe ishimishamubiri. 2 Rwabishingiye ku biteganyijwe n'ingingo ya agace ka b y'itegeko No 059/2023 ryo ku wa 4/12/2023 rihindura itegeko No 68/2018 ryo ku wa 30/08/2018 riteganyaga ibyaha n'ibihano.

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umwana utarageza ku myaka y'ubukure, imbere y'amategeko bitagize icyaha cyo gusambanya umwana kuko nta kimenyetso kigaragaza ko yasambanyijwe, ko no kuba Ubushinjacyaha buvugaga ko Ntakirutimana alias Bebi atagombaga kumugirira impuhwe bukongera bukavuga ko bari inshuti akaba atari kumubeshyera, basanga ari ukwivuguruza, ko rero hashingirwa kuri ibyo byose akagirwa umwere. [14] Uhagarariye Ubushinjacyaha avugaga ko impamvu itangwa na Ntakirutimana alias Bebi n'umwunganira y'uko Y.F. yakubiswe akavugaga ibitari byo nta shingiro ifite kuko nta kimenyetso abitangira ngo avuge uwamukubise n'umuganga wamuvuye inkoni cyangwa ngo habe hari umuntu wabonye akubitwa, bityo ibyo Y.F. yavuze ko yamusambanyije ari ukuri kuko nawe yemera ko bari inshuti, bategereje kuzabana amaze gukura, naho ibyo avugaga ko baziranye ku bijyanye n'akazi gusa atari byo, kuko atavugaga akazi ako ariko kandi atanabirezwe, kandi ko kumenyana atari ikibazo ahubwo ikibazo ari uko yararanye n'umwana akamusambanya

nk'uko uwo mwana abihamya kandi uwakorewe icyaha nawe ashobora kuvuga ibyamubayeho, bigahuzwa n'ibivugwa na Ntakirutimana alias Bebi ko bari inshuti bikagaragaza ko atamubeshyera. [15] Ku bijyanye na raporo ya muganga, uhagarariye Ubushinjacyaha avuga ko nta bimenyetso byerekana ko habayeho imibonano mpuzabitsina muganga yabonye kuko uwo mwana bari bamaze iminsi basambana, bikaba bishoboka ko yari amaze kumumenyereza kandi akaba yarabikoze buhoro yinjiza igitsina mu cy'umwana nta gahato ashyizeho nk'uko umwana yabivuze, ku buryo muganga atashoboye kubibona, naho ibyo bavuga ko iyo raporo ari cyo kimenyetso cya kamarampaka bikaba bitahabwa agaciro hashingiwe ku rubanza RPAA0107/07/CS rwaciwe ku wa 11/09/2009 Ubushinjacyaha buburana na Akimanizanye Agnès, aho Urukiko rwemeje ko raporo ya muganga atari ikimenyetso kamara ngo hemezwe ko umwana yasambanyijwe. [16] Uhagarariye Ubushinjacyaha asoza avuga ko kuba Ntakirutimana alias Bebi yaracumbikiye umwana ubwabyo bitagize icyaha, ahubwo ikibazo ari uko yamucumbikiye yarangiza akamusambanya, akaba atagaragaza impamvu idasanzwe yari gutuma amucumbikira n'impamvu yari kumugirira impuhwe kandi adasanzwe acumbikira abantu, ko kandi iwabo w'uwo mwana bari baramubuze mu gihe yari yaraye iwe bugacya akongera akaharara kandi akavuga ko yamusambanyije, ko rero atabasha kuvuguruza ibyashyingiweho mu kumuhamya icyaha, ariko kuko ari ubwa mbere akurikiranwe akaba yagabanyirizwa igihano agahanishwa igifungo cy'imyaka icumi (10) hashingiwe ku ngingo ya 2 (b) y'Itegeko No059/2023 ryo ku wa 04/12/2023 rihindura Itegeko No68/2018 ryo ku wa 30/08/2018 riteganyaga ibyaha n'ibihano muri rusange. UKO URUKIKO RUBIBONA [17] Impaka ziri muri uru rubanza zishingiye ku kumenya niba ibimenyetso byashyingiweho bidahamya mu buryo budashidikanywa ko Ntakirutimana alias Bebi yakoze icyaha akurikiranweho. [18] Ku bijyanye n'ibishingirwaho ngo hemezwe ko uregwa ahamwe n'icyaha byatanze umurongo n'Urukiko rw'Ubujurire mu manza zitandukanye harimo urubanza RPAA00737/2021/CA3, no mu zindi manza zaciwe nyuma yarwo nk'urubanza RPAA00156/2025/CA4, muri izo manza Urukiko rukaba rwaremeje ko: "kugira ngo Umucamanza afate icyemezo gihamya icyaha, agomba kuba afite ibimenyetso bihamya nta gushidikanya (preuves à conviction au-delà de tout doute raisonnable) ko ushinjwa ariwe wakoze icyaha, ko Umucamanza agomba gusesengurana ubushishozi uruhurirane rw'ibimenyetso,

3 Reba Urubanza RPAA00737/2021/CA rwaciwe ku wa 16/12/2022, haburana Ubushinjacyaha na Uwayisaba Habimana Antoine (igika cya 16-17). 4 Reba urubanza RPAA00156/2025/CA, rwaciwe n'Urukiko rw'Ubujurire ku wa 25/04/2025, haburana Ubushinjacyaha na NSHIMIYIMANA Jean de Dieu (igika cya 20).

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agahamya ushinjwa icyaha mu gihe gusa asanga nta wundi mwanzuro wagerwaho n'isesengura yakoze uretse iryo gusanisha uwakoze icyaha n'icyaha cyakozwe". [19] Kugira ngo Urukiko Rukuru rwemeze ko Ntakirutimana alias Bebi ahamwe n'icyaha cyo gusambanya umwana nk'uko yagihamijwe n'Urukiko Rwisumbuye rwa Ngoma, rwabishingiye ku kuba ataravugurujwe ibimenyetso byashyingiweho kuri urwo rwego birimo invugo za Y.F. wavuze ko yamusambanyije no kuba inzego z'ibanze ubwo zajyaga kumufata zaramusanganye n'uwo mwana bararanye ku buriri bumwe kandi akaba atagaragaza impamvu yaraye iwe, rusanga kandi kuba raporo ya

muganga itagaragaza ko umwana yasambanyijwe bitamushinjura, kuko hashingiwe kubyo Itegeko rivuga, gusambanya umwana bishobora no kuba igikorwa cy'ishimishamubiri gikozwe ku mwana. [20] Ibigaragajwe mu gika kibanziriza iki byumvikanisha ko usibye imvugo ya Y.F. wavuze ibyamubayeho, ikindi kimenyetso cyashingiweho n'Urukiko Rukuru ari ukuba inzego z'ibanze zarasanze Ntakirutimana alias Bebi na Y.F. bararanye ku buriri bumwe kandi ntagaragaze impamvu uwo mwana yaraye iwe, hashingiwe rero ku rubanza rwagaragajwe haruguru ibyo bimenyetso akaba aribyo bigomba gusesengurwa mu bushishozi bw'Urukiko mu rwego rwo gusanisha uwakoze icyaha n'icyaha cyakozwe. [21] Ku bijyanye n'uko inzego z'ibanze zasanze Y.F. yaraye mu nzu kwa Ntakirutimana alias Bebi bikaba byarashingiweho nk'ikimenyetso gihamya ko yamusambanyije, Urukiko rw'Ubujurire rurasanga nk'uko ababurana bose muri uru rubanza babyemera, kuba uwo mwana yararaye mu nzu ya Ntakirutimana alias Bebi ubwabyo bitakwitwa icyaha, ko rero kuba Urukiko rwarabishingiyeho rumuhamya icyaha cyo gusambanya umwana, ari ukugenekereza kandi bibujijwe n'amategeko⁵, kuko nta kimenyetso gihamya mu buryo budashidikanywaho ko yaraye iwe akamusambanya, cyane cyane ko raporo ya muganga wamupimye itigeze ibigaragaza. Na none kandi kuba Ntakirutimana alias Bebi yaremeye ko bari basanzwe ari inshuti na byo ntibyashingirwaho nk'ikimenyetso kimushinja kuko ubwabyo bitagize icyaha cyo gusambanya umwana. [22] Ku birebana n'imvugo za Y.F. nazo zashingiweho nk'ikimenyetso gishinja icyaha Ntakirutimana alias Bebi, bigaragara ko abazwa mu Bugenzacyaha yasobanuye ko yagiye kwa Ntakirutimana alias Bebi ku wa 21/06/2021 na 22/06/2021, iyo minsi yombi aramusambanya, ko ariko ataharaye ahubwo yagarutse ku wa 25/06/2021 arahaguma kugeza ku wa 27/06/2021 ubwo inzego z'umutekano zasangaga bari kumwe mu nzu ariko yemeza ko muri iyo minsi ibiri ya nyuma atamusambanyije. [23] Urukiko rw'Ubujurire rurasanga imvugo ya Y.F. n'ubwo ishobora gushingirwaho nk'iy'umuntu uvuga ibyo yakorewe, Urukiko rugomba gusuzuma ukuri kwayo ruyihuza n'ibindi bimenyetso, kandi ku birebana n'uru rubanza, usibye kuba inzego z'ibanze zarasanze Y.F. mu nzu ya Ntakirutimana alias Bebi yaharaye, kandi uru Rukiko rukaba rwasanze bitashingirwaho nk'ikimenyetso kimushinja icyaha cyo gusambanya umwana, byumvikana ko bitaba ikimenyetso gishyigikira imvugo ya Y.F. [24] Urukiko rw'Ubujurire rurasanga na raporo ya muganga yakabaye ishigikira imvugo ze, ntacyo yagaragaje kirebana n'isambanywa rye nk'uko n'Urukiko Rukuru rwabibonye n'ubwo rwavuze ko icyaha cyo gusambanya umwana gishobora kuba ibikorwa by'ishimisha mubiri umwana yakorewe, ariko rukaba rutaragaragaje ibyo bikorwa by'ishimishamubiri Y.F. yaba yarakorewe ibyo ari byo, bityo kubivuga gusa byaba ari ukugenekereza, naho ibivugwa n'Ubushinjacyaha ko kuba muganga nta kimenyetso kigaragaza ko uwo umwana yasambanyijwe yabonye byatewe n'uko yari amaze iminsi asambana na Ntakirutimana alias Bebi, ngo bikaba bishoboka ko yari amaze kumumenyereza, nabyo bitashingirwaho nk'ikimenyetso kidashidikanywaho gishyigikira imvugo z'uwo mwana, kuko nabyo ari ugukeka kudafitiwe gihamya.

5 Reba ingingo ya 4 y'Itegeko N°68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange igira iti: "Amategeko ahana agomba gufatwa uko ateye, ntashobora gukoreshwa ku buryo butandukira. Inkiko zibujijwe guca imanza ku buryo bugenekereje".

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[25] Hashingiwe ku byasobanuwe byose, Urukiko rw'Ubujurire rurasanga ibimenyetso byashingiweho n'Urukiko Rukuru, Urugereko rwa Rwamagana bitera gushidikanya ko Ntakirutimana alias Bebi yaba yarakoze icyaha cyo gusambanya umwana, bityo hashingiwe ku ngingo ya 111 y'Itegeko N°027/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha, ivuga ko gushidikanya birengera ushinjwa, ko iyo urubanza rwakurikiranywe mu buryo bwose ntihagire ibimenyetso nyakuri biboneka byemeza abacamanza ko ushinjwa yakozwe icyaha koko, bemeza ko atsinze, Ntakirutimana alias Bebi agomba kugirwa umwere kubera gushidikanya, bivuze ko imikirize y'urubanza rwajuririwe ihindutse. III. ICYEMEZO CY'URUKIKO [26] Rwemeje ko ubujurire bwa Ntakirutimana alias Bebi bufite ishingiro; [27] Rwemeje ko urubanza RPA01047/2021/HC/RWG rwaciwe n'Urukiko Rukuru, Urugereko rwa Rwamagana ku wa 27/09/2024 ruhindutse; [28] Rwemeje ko Ntakirutimana alias Bebi adahamwa n'icyaha cyo gusambanya umwana yari akurikiranweho, akaba agomba kurekurwa; [29] Rutegetse ko amagarama y'urubanza aherera ku isanduku ya Leta.

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