

RWANDA / JUDGMENT

NYIRAHABIMANA VS HABIMANA N'ABANDI

RS/INJUST/RC 00011/2018/SC

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NYIRAHABIMANA VS HABIMANA N'ABANDI

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Text

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NYIRAHABIMANA VS HABIMANA N'ABANDI [Rwanda URUKIKO RW'IKIRENGA – RS/INJUST/RC 00011/2018/SC (Ntezilyayo, P.J., Cyanzayire, Nyirinkwaya, Kalimunda na Hitiyaremye J.) 25 Gashyantare 2022] Itegeko rigenga amasezerano – Amasezerano y'ubugure bw'ubutaka – ubutaka bwanditse ku izungura (succession) – Igurisha ry'ubutaka bwanditse kuri succession, hagombaga kubanza kugaragazwa ko abasangiye uburenganzira ku mutungo basinye ku masezerano, bikorewe imbere y'umwanditsi w'irangamimerere cyangwa imbere y'Umukuru w'Ibiro by'ubutaka. Ingingo ya 35 na 37 y'Itegeko Ngenga No 08/2005 ryo ku wa 14/07/2005 rigena imikoreshereze n'imicungire y'ubutaka mu Rwanda. Itegeko rigenga amasezerano – igurisha ry'ikintu cy'undi – Ukurikiranye umutungo we wagurishijwe n'utari nyirawo, awukurikirana mu maboko y'uwofite, icyakora, mu gihe ari agaciro k'umutungo gasabwa gusubizwa, hahita hishyuzwa abatweme ubutaka buva mu maboko ya nyirabwo. Itegeko rigenga amasezerano – igurisha ry'umutungo umuntu asangiye n'abandi – Igurisha ry'umutungo umuntu asangiye n'abandi rigira agaciro ku bandi ku bireba gusa igipande kigize umugabane w'uwoagurishije.

Incamake y'ikibazo: Urubanza rwatangiye Nyirahabimana arega musaza we Habimana na Ndagijimana mu Rukiko Rwisumbuye rwa Ngoma, asaba Urukiko gutegeka ko amasezerano y'ubugure bw'isambu aba bombi bagiranye yateshwa agaciro kuko musaza we yayigurishije atabizi kandi barayisigiwe n'ababyeyi babo bakaba bayifiteho uburenganzira bungana. Munyandekwe na Sakindi bagobotse ku bushake muri urwo rubanza basaba urukiko kwemeza ko isambu iburanwa ari iyabo kuko bayiguze na Ndagijimana. Urukiko rwemeje ko amasezerano y'ubugure yakozwe hagati ya Habimana na Ndagijimana ateshejwe agaciro kuko Nyirahabimana atigeze ayashyiraho umukono cyangwa ngo ayemere kandi ayifatanyije na musaza we. Ku birebana n'abagobotse mu rubanza Urukiko rwavuze ko rutakwemeza nyiri sambu iburanwa kuko kuko Nyirahabimana atayiregeye asaba ko igaruka mu maboko ye na Habimana, ahubwo yasabye ko amasezerano y'ubugure bwiyo sambu ateshwa agaciro. Ndagijimana yajuririye urwo rubanza mu Rukiko Rukuru, Urugereko rwa Rwamagana, Urukiko rwemeza ko nta kimenyetso Nyirahabimana atanga kigaragaza ko yari afatanyije isambu iburanwa na Habimana kuko ngo kuba bavukana no kuba Habimana yaramwanditse ku masezerano atari byo byerekana ko bari bayifatanyije, rwemeza ko ubujurire bwe bufite ishingiye. Nyirahabimana yandikiye Urwego rw'Umuvunyi asaba ko urubanza rwaciwe n'Urukiko Rukuru rusubirwamo ku mpamvu z'akarengane. Nawe nyuma yo gusuzuma ikibazo yashyikirijwe, Umuvunyi Mukuru yandikiye Perezida w'Urukiko rw'Ikirenga asaba ko urwo rubanza rwasubirwamo ku mpamvu z'akarengane, Perezida w'Urukiko rw'Ikirenga nyuma yo gusuzuma raporo y'Ubugenzuzi Bukuru bw'Inkiko kuri urwo rubanza, yemeje ko ikirego cyandikwa kugira ngo urubanza ruzongere ruburanishwe. Nyirahabimana avuga ko akarengane ke gashingiye ku kuba Urukiko Rukuru rwarirengagije amategeko ateganya ko igurisha ry'ikintu cy'undi ari imfabusa kandi yaragaragaje ko isambu Habimana yagurishije ariyo basigiwe n'ababyeyi babo, akayigurisha nta burenganzira yabimuhereye. Uhagarariye Nyirahabimana yasabye ko Sakindi na Munyandekwe baguze ubutaka buburanwa, ndetse n'abo bagurishije ibibanza byakaswemo bagobokeshwa mu rubanza, Urukiko rwemeje ko mu nyungu z'ubutabera bagobokeshwa kuko icyemezo cyafatwa gishobora kubagiraho ingaruka. Abunganira Ndagijimana bazamuye inzitizi zo kutakira ikirego kuko Nyirahabimana adafite ububasha, inyungu n'ubushobozi byo gusaba ko amasezerano y'ubugure atagizemo uruhare ateshwa agaciro kuko atigeze ayabamo cyangwa ngo ayagiremo uruhare ndetse no kuba yaratanze ikirego nabi kuko yareze abatagitunze ubutaka aho

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kurega ababutunze ubu. Urukiko rwafatiye icyemezo ku ntebe rwemeza ko izo nzitizi nta shingiro zifite kuko atarizo akarengane gashingiyeho. Mu rubanza mu mizi, Nyirahabimana avuga ko yareze asaba ko amasezerano Habimana yakoranye na Ndagijimana ateshwa agaciro kuko yakozwe mu buryo budakurikije amategeko. Ndagijimana ndetse n'abagobokeshejwe bavuga ko amasezerano agira inkurikizi ku bayagiranye gusa, bityo ko Nyirahabimana adashobora gusaba ko ayo masezerano aseswa. Urukiko rwemeje ko Nyirahabimana adafite ububasha bwo gusaba iseswa ry'amasezerano atabayemo, ariko ko bitamubuza kugurikirana umutungo yumva ko afiteho uruhare wagurishijwe atabyemeye. Urukiko rwemeje ko Habimana yagurishije isambu iburanwa afatanyije na Nyirahabimana batabyumvikanyeho, bityo ko afite uburenganzira bwo

kugaruza umugabane we ungana na 50% ku mutungo uburanwa. Abagurishije n'abaguze mu buryarya bose Urukiko rwabategetse gufatanya kumusubiza agaciro mu mafaranga kuwo mutungo kuko niko asaba. Incamake y'icyemezo: 1. Umuntu ntiyasaba iseswa ry'amasezerano y'ubugure atagizemo uruhare. Cyakora, nyir'umutungo utimukanwa afite uburenganzira bwo kuwukurikirana ku wo awusanganye, kandi ntabwo ari ngombwa ko habanza kubaho gusaba iseswa ry'amasezerano y'ubugure yabaye hagati y'uwo awusanganye n'abawumugurishije.

2. Igurisha ry'ubutaka bwanditse kuri succession, hagombaga kubanza kugaragazwa ko abasangiye uburenganzira ku mutungo basinye ku masezerano, bikorewe imbere y'umwanditsi w'irangamimerere cyangwa imbere y'Umukuru w'Iburo by'ubutaka. Bityo ubugure bw'ubutaka bwanditse kuri succession butakozwe muri ubwo buryo ntibwemerwaga na serivisi z'ubutaka. 3. Ukurikiranye umutungo we wagurishijwe n'utari nyirawo, awukurikirana mu maboko y'uwo afite, nawe akishyura uwamugurishije agaciro k'ibyo avukijwe. Icyakora, mu gihe ari agaciro k'umutungo gasabwa gusubizwa, nta mpamvu yo kunyura iyo nzira yose, buri wese yishyura uwamugurishije, ahubwo hahita hishyuzwa abatumye ubutaka buva mu maboko ya nyirabwo.
4. Uburiganya (mauvaise foi) ntibukekwa, bugomba kugaragazwa. Bityo, imvugo ya nyir'umutungo, ubwayo ntihagije kugira ngo uwaguze byitwe ko yabikoze mu buriganya.
5. Igurisha ry'umutungo umuntu asangiye n'abandi rigira agaciro ku bandi ku bireba gusa igipande kigize umugabane w'uwo wagurishije. Gusubirishamo ku mpamvu z'akarengane bifite ishingiro. Amategeko yashingiweho: Itegeko No 22/2018 ryo ku wa 29/04/2018, ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, Ingingo ya 111, 273 Itegeko N° 45/2011 ryo ku wa 25/11/2011 rigenga amasezerano, Ingingo 64, 113 Itegeko N° 15/2004 ryo ku wa 12/06/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo, Ingingo ya 3 Itegeko Ngenga No 08/2005 ryo ku wa 14/07/2005 rigena imikoreshereze n'imicungire y'ubutaka mu Rwanda, Ingingo ya 35, 37 Imanza zashingiweho: Urubanza RS/INJUST/RC 00022/2018/SC, haburana Busoro Gervais c Busoro Mugunga Désiré et Crt, rwaciwe ku wa 28/06/2019;

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Urubanza RS/INJUST/RC 00002/2018/SC, haburana Uwimana Marine c Kagitare Dancille, rwaciwe ku wa 21/02/2020, urubanza RS/INJUST/RCOM 00002/2020/SC, haburana Road Solutions Pavement Products c MAILCO Ltd, rwaciwe ku wa 25/09/2020. Urubanza RCAA00045/2016/SC rwaciwe n'Urukiko rw'Ikirenga ku wa 24/05/2019, kuva ku bika bya 25 kugeza ku cya 34. Urubanza RCAA0117/11/CS rwacize ku wa 24/04/2015 Urubanza RC0235/TGI/NGOMA rwaciwe n'Urukiko Rwisumbuye rwa Ngoma ku wa 24/12/2013, Urubanza RCA0033/14/HC/RWG rwaciwe n'Urukiko Rukuru Urugereko rwa Rwamagana ku wa 19/03/2014. Urubanza RS/INJUST/RC 00008/2019/SC Gahire Athanase na Mukarushakiro Glorioso na bagenzi be rwaciwe n'Urukiko rw'Ikirenga ku wa 12/11/2021 Urubanza RS/INJUST/CIV 0024/16/SC2018 Mukangaruyinka Thérèse, Nderabakura Aloys vs Munyarukiko Jean rwacize ku wa 12/01/2018 Inyandiko z'abahanga zifashishijwe : Francois Terré et Philippe Simler ; Droit Civil, Les Biens, Dalloz, 7ème éd., 2006, p.406 Vincent

KARIM, Preuve et présomption de bonne foi, Revue de droit de l'Université de Sherbrooke, 1996, p 441. I. IMITERERE Y'URUBANZA: [1] Ku wa 11/07/2012, Habimana Jean Léo Pasteur yagurishije Ndagijimana Félicien isambu ifite N° 1684, iherereye mu Ntara y'Iburasirazuba, Akarere ka Rwamagana, Umurenge wa Fumbwe, Akagari ka Nyakagunga, Umudugudu wa Kirehe, ku mafaranga 3.000.000Frw. [2] Ku wa 02/12/2013, Nyirahabimana Umwali Roselyne yareze musaza we Habimana Jean Léo Pasteur na Ndagijimana Félicien mu Rukiko Rwisumbuye rwa Ngoma, asaba ko amasezerano y'ubugure bw'iyi sambu yateshwa agaciro kuko musaza we yayigurishije atabizi kandi barayisigiwe n'ababyeyi babo Birushyabagabo Cassien na Mukantagwabira Dancille, bakaba bayifiteho uburenganzira bungana. Munyandekwe Eugène na Sakindi Ildephonse bagobotse ku bushake muri urwo rubanza basaba urukiko kwemeza ko isambu iburanwa ari iyabo kuko bayiguze na Ndagijimana Félicien mu buryo bukurikije amategeko. [3] Ku wa 09/07/2014, Urukiko Rwisumbuye rwa Ngoma rwaciye urubanza RC0234/13/TGI/NGOMA, rwemeza ko amasezerano y'ubugure bw'isambu yakozwe hagati ya Habimana Jean Léo Pasteur na Ndagijimana Félicien ateshejwe agaciro kuko Nyirahabimana Umwali Roselyne atigeze ayashyiraho umukono cyangwa se ngo ayemere, nyamara isambu yagurishijwe barayisigiwe n'ababyeyi babo, bakaba bayifiteho uburenganzira bungana, rutegeka Habimana Jean Léo Pasteur na Ndagijimana Félicien gufatanyaga guha Nyirahabimana Umwali Roselyne 500.000Frw y'igihembo cya Avoka. [4] Ku birebana n'igoboka kwa Munyandekwe Eugène na Sakindi Ildephonse basaba urukiko kwemeza ko isambu iburanwa ari iyabo kuko bayiguze na Ndagijimana Félicien mu buryo bukurikije amategeko, Urukiko rwasanze ntaho rwahera ruvuga nyir' isambu kuko Nyirahabimana Umwali Roselyne atayiregeye asaba ko igaruka mu maboko ye na Habimana Jean Léo Pasteur, ahubwo yareze asaba ko amasezerano y'ubugure

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bw'isambu yabaye ku wa 11/07/2012 hagati ya Habimana Jean Léo Pasteur na Ndagijimana Félicien ateshwa agaciro. [5] Ndagijimana Félicien yajuririye urwo rubanza mu Rukiko Rukuru, Urugereko rwa Rwamagana, mu rubanza RCA0068/14/HC/RWG rwaciye ku wa 11/03/2015, Urukiko rusanga nta kimenyetso Nyirahabimana Umwali Roselyne atanga kigaragaza ko yari afatanyije isambu iburanwa na Habimana Jean Léo Pasteur, rwemeza ko ubujurire bwe bufite ishingiro, rutegeka Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne gufatanyaga kumuha 1.000.000 Frw y'indishyi, zikubiyemo 50.000Frw yo gushorwa mu manza ku maherere, 250.000Frw y'ikurikiranarubanza na 700.000Frw y'igihembo cya Avoka. [6] Urukiko rwasobanuye ko nta kimenyetso Nyirahabimana Umwali Roselyne atanga kigaragaza ko isambu yagurishijwe yari ayifatanyije na Habimana Jean Léo Pasteur, kuba bavukana no kuba Habimana Jean Léo Pasteur yaramwanditse ku masezerano ariko atagaragaza impamvu amwanditse akaba atari byo byerekana ko bari bayifatanyije. [7] Nyirahabimana Umwali Roselyne yandikiye Urwego rw'Umuvunyi asaba ko urubanza RCA0068/14/HC/RWG rwasubirwamo ku mpamvu z'akarengane. Urwo rwego rumaze gusuzuma ikibazo rwashyikirijwe rwandikiye Perezida w'Urukiko rw'Ikirenga rusaba ko urwo rubanza rwasubirwamo ku mpamvu z'akarengane, nawe nyuma yo gusuzuma raporo y'Ubugenzuzi Bukuru bw'Inkiko ku karengane kavugwa muri urwo rubanza, yemeza ko ikirego cyandikwa mu bitabo byabugenewe kugira ngo urubanza ruzongere

ruburanishwe, cyandikwa kuri RS/INJUST/RC 00011/2018/SC. [8] Nyirahabimana Umwali Roselyne avuga ko akarengane ke gashingiye ku kuba Urukiko Rukuru, Urugereko rwa Rwamagana rwariyengagije amategako ateganya ko igurisha ry'ikintu cy'undi ari impabusa kandi yaragaragaje ko isambu Habimana Jean Léo Pasteur yagurishije ariyo basigiwe n'ababyeyi babo, akayigurisha nta burenganzira yabimuhereye. Asaba ko amasezerano y'ubugure Habimana Jean Léo Pasteur yakoranye na Ndagijimana Félicien yateshwa agaciro, bityo agasubirana uruhare rwe ku isambu basigiwe n'ababyeyi babo. [9] Urubanza rwahamagawe ubwa mbere ku wa 07/01/2020, Urukiko rusanga Nyirahabimana Umwali Roselyne yunganiwe na Me Dushimire Jeannette, Habimana Jean Léo Pasteur ahagarariwe na Me Mbituyimana Jean de Dieu, Ndagijimana Félicien ahagarariwe na Me Alimasi Nkanika hamwe na Me Safari Kizito. Me Dushimire Jeannette yasabye ko Sakindi Ildephonse na Munyandekwe Eugène baguze ubutaka buburanwa na Ndagijimana Félicien, ndetse n'abo bagurishije ibibanza byakaswemo bagobokeshwa mu rubanza, Urukiko rwemeza ko mu nyungu z'ubutabera bagobokeshwa kuko icyemezo cyafatwa muri uru rubanza gishobora kuba cyabagiraho ingaruka. [10] Urubanza rwongeye guhamagarwa ku wa 10/11/2020, Urukiko rusanga Nyirahabimana Umwali Roselyne yunganiwe na Me Dushimire Jeannette, Habimana Jean Léo Pasteur ahagarariwe na Me Mbituyimana Jean de Dieu, Ndagijimana Félicien ahagarariwe na Me Alimasi Nkanika hamwe na Me Safari Kizito. [11] Rwasanze kandi abagobokeshejwe bahagarariwe usibye uwitwa Ndamukunda Joshua utarahamagawe, Urukiko rwemeza ko urubanza rusubikwa nawe agahamagazwa, ndetse ko mu rwego rwo kwirinda ko haba hari n'abandi baba baraguze ibibanza bikomoka ku butaka buburanwa bataramenyekana, rwandikira Ikigo cy'Igihugu gishinzwe imikoreshereze n'imicungire y'ubutaka mu Rwanda rubaza amakuru y'uburyo ubutaka bufite UPI:5/01/01/03/1684 bwagiye buhererekanwa n'amazina y'ababutunze ubu, icyo kigo cyamenyeshejwe kandi ko kuva kibonye iyo nyandiko kugeza uru rubanza ruciwe ubwo butaka butambamiwe. [12] Ikigo gishinzwe imikoreshereze n'imicungire y'ubutaka mu Rwanda cyandikiye Urukiko ku wa 21/01/2021, kigaragaza ko ubutaka buburanwa bwandikishijwe ubwa mbere na Mbarushimana na Murebwayire Charlotte, ko bwaje guhererekanywa bwandikwaho Munyandekwe Eugène na Mukamurenzi Jeanne, Sakindi

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Ildephonse na Munganyinka Annonciata, ko aba nabo baje kubugabanyishamo ibibanza icumi byagurishijwe ku bantu batandukanye, ndetse ko bwashyizweho itambama kugeza uru rubanza ruciwe nk'uko byasabwe n'Urukiko. [13] Nyuma yo kugenda rwimurwa kubera ingamba zo kwirinda ikwirakwizwa ry'icyorezo cya COVID-19, urubanza rwongeye guhamagarwa ku wa 06/04/2021, Urukiko rusanga Nyirahabimana Umwali Roselyne yunganiwe na Me Dushimire Jeannette, Habimana Jean Léo Pasteur ahagarariwe na Me Mbituyimana Jean de Dieu, Ndagijimana Félicien ahagarariwe na Me Alimasi Nkanika hamwe na Me Safari Kizito. [14] Ku bijyanye n'abagobokeshejwe, Me Kalimba Daniel yari ahagarariye Munyandekwe Eugène na Sakindi Ildephonse, Me Mulinda Dominique ahagarariye Kanyabuganza Eric na Nyirabihogo Francine, Me Twagiramungu Callixte ahagarariye Gashugi Jean Bosco, Mugabo John, Nyirandorimana Marguerite, Rutaburingonga Théodore, Nkinamubanzi Jean Baptiste,

Impanoyimana Solange, Uwimana Aloys, Me Uwimana Channy ahagarariye Eglise Vivante de Jésus Christ au Rwanda, Ndamukunda Joshua, Bunani Jean Luc na Mujawamariya Grâce. [15] Nyuma yo kumva icyo ababuranyi bavuga ku makuru yatanze n'Ikigo gishinzwe imikoreshereze n'imirungire y'ubutaka mu Rwanda ku bandikishijwe bwa mbere ku butaka bufite UPI:5/01/01/03/1684, Urukiko rwemeje ko mbere yo gukomeza urubanza ruzabanza gusobanura Ikigo gishinzwe imikoreshereze n'imirungire y'ubutaka mu Rwanda niba koko abitwa Mbarushimana na Murebwayire Charlotte barigeze bandikwa kuri ubwo butaka kuko ntaho bigeze bavugwa muri uru rubanza kugeza ubu, hakaba nta muburanyi n'umwe ubafiteho amakuru, rwasanga aribyo nabo bakagobokeshwa mu rubanza. Rwemeje kandi ko abitwa Bunani Jean Luc na Mujawamariya Grâce nabo bagomba kugobokeshwa nubwo ikibanza bari baraguzwe bakigurishije. [16] Icyo kigo cyandikiye Urukiko ku wa 07/05/2021, kigaragaza ko nyuma yo kongera kugenzura amakuru yakusanyijwe mu gihe cy'ibara rusange (Systematic Land Registration), cyasanze ubutaka bufite UPI:5/01/01/03/1684 bwaraburujwe na succession Birushyabagabo ihagarariye na Habimana Jean Léo Pasteur, ko andi makuru yongewemo ari ay'abari bafite inyungu kuri ubwo butaka, aribo Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne, ko Ndagijimana Félicien yigeze kwandikwaho ubwo butaka, akaba yarabwivanyeho abugurisha Sakindi Ildephonse na Munganyinka Annonciata, Munyandekwe Eugène na Mukamurenzi Jeanne, ariko ko batabashije kumenya amakuru arebana n'uburyo ubutaka bwavuye kuri Succession Birushyabagabo bukagera kuri Ndagijimana Félicien. [17] Ku wa 09/06/2021, urubanza rwaburanishijwe mu ruhamwe, ababuranyi bunganiye cyangwa bahagarariye nka mbere. Ababuranyi babanje kujya impaka ku nzitizi zo kutakira ikirego zabyukijwe n'abunganira Ndagijimana Félicien, zishingiye ku mpamvu zikurikira: Kuba Nyirahabimana Umwali Roselyne adafite ububasha, inyungu n'ubushobozi byo gusaba ko amasezerano y'ubugure bw'isambu yabaye hagati ya Ndagijimana Félicien na Habimana Jean Léo Pasteur ateshwa agaciro kuko atigeze ayabamo cyangwa ngo ayagiremo uruhare. Kuba Nyirahabimana Umwali Roselyne yatanze ikirego nabi (action mal dirigée), kuko yareze abatagitunze ubutaka aho kurega ababutunze ubu, ari nabo babufiteho uburenganzira (ownership). [18] Urukiko rwemeje mu ntebe ko izo nzitizi nta shingiro zifite kuko imanza ziza mu karengane ziba zaraciwe burundu zifite abaziburanye, akaba ari nabo bagaruka mu rubanza rw'akarengane, ibyo bikaba byarafashweho umurongo mu zindi manza nyinshi aho rwemeje ko inzitizi yo kutakira ikirego yakirwa gusa iyo 1 Urubanza RS/INJUST/RC 00022/2018/SC, haburana Busoro Gervais c Busoro Mugunga Désiré et Crt, rwaciwe ku wa 28/06/2019; Urubanza RS/INJUST/RC 00002/2018/SC, haburana Uwimana Marine c Kagitare Dancille, rwaciwe ku wa 21/02/2020, urubanza RS/INJUST/RCOM 00002/2020/SC, haburana Road Solutions Pavement Products c MAILCO Ltd, rwaciwe ku wa 25/09/2020

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ariyo akarengane gashingiyeho, muri uru rubanza inzitizi zabyukijwe zikaba zitaratanze nk'impamvu z'akarengane. [19] Nyuma yo gufata icyo cyemezo, iburanisha ryakomereje mu mizi y'urubanza, hasuzumwa ibibazo bikurikira: Kumenya niba Nyirahabimana Umwali Roselyne ashobora gusaba ko amasezerano y'ubugure yakozwe hagati ya Habimana Jean Léo Pasteur na

Ndagijimana félicien aseswa kugira ngo agaruze umutungo avuga ko yari afiteho uruhare wagurishijwe atabatangira uburenganzira. Kumenya niba Habimana Jean Léo Pasteur yaragurishije isambu ahuriyeho na Nyirahabimana Umwali Roselyne batabyumvikanyeho n'ingaruka byagira. Indishyi zisabwa. [20] Nyuma yo kumva imiburanire y'ababuranyi, urubanza rwarapfundikiwe, ariko ubwo rwihereraga ngo ruce urubanza, Urukiko rwasanze hari ibisobanuro by'inyongera rukeneye. Ku wa 02/07/2021, mu rubanza rubanziriza urundi, rwemeje ko urubanza ruzapfundurwa kugira ngo Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène bahamagarwe bagire ibisobanuro batanga, rukore n'iperereza kugira ngo rurushaho gusobanukirwa ku mateka y'isambu iburanwa no ku buryo yagiye ihererekanywa. [21] Ni muri urwo rwego ku itariki ya 21/10/2021, Urukiko rwageze ku biro by'Ikigo gishinzwe imikoreshereze n'imicungire y'ubutaka mu Ntara y'Iburasirazuba, aho rwabajije Bwana Muvara Potin, Umubitsi w'Impapurompamo z'ubutaka amakuru icyo kigo gifite ku buryo ubutaka bwahozze bufite n° 1684 bwabarujwe no ku buryo bwagiye buhererekanywa. Rwegeze kandi n'aho ubwo butaka buherereye, rubaza bamwe mu bahaturiyeye amakuru bazi ku bari bafite uburenganzira ku isambu yagurishijwe na Habimana Jean Léo Pasteur. [22] Urubanza rwongeye guhamagarwa ku wa 16/11/2021, rusanga Nyirahabimana Umwali Roselyne yunganiwe na Me Niyonsenga Vincent, Habimana Jean Léo Pasteur yitabye, yunganiwe na Me Mbituyimana Jean de Dieu, Ndagijimana Félicien yitabye ahagarariwe na Me Alimasi Nkanika hamwe na Me Safari Kizito, Munyandekwe Eugène na Sakindi Ildephonse nabo bitabye, bunganiwe na Me Kalimba Daniel. [23] Ku bijyanye n'abaguzwe ibibanza byakaswe mu butaka buburanwa, Urukiko rwasanze Me Mulinda Dominique ahagarariye Kanyabuganza Eric na Nyirabihogo Francine, Me Twagiramungu Callixte ahagarariye Gashugi Jean Bosco, Mugabo John, Nyirandorimana Marguerite, Rutaburingonga Théodore, Nkinamubanzi Jean Baptiste, Impanoyimana Solange na Uwimana Aloys, Me Uwimana Channy ahagarariye Eglise Vivante de Jésus Christ au Rwanda, Ndamukunda Joshua na Bunani Jean Luc na Mujawamariya Grâce. [24] Muri iryo buranisha, Urukiko rwagize ibisobanuro rubaza abari bategetswe kwitaba ubwabo, aribo Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène, rugira n'ibisobanuro rubaza umutangabuhamya Nkiranuye Jean Marie Vianney wari wahamagawe kugira ngo nawe agire ibisobanuro atanga kuko byari byagaragajwe mu gihe cy'iperereza ko ari se wabo wa Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne kandi ko ari we wabacungiraga imitungo bakiri abana. [25] Ababuranyi bahawe umwanya wo kugira ibyo bavugaga ku byavuye mu iperereza ryakozwe no ku byavuzwe n'abo baburana n'umutangabuhamya, nyuma yaho rwamenyesheje ababuranyi ko mbere yo gufata icyemezo, hazabanza gushyirwaho umuhanga uzagena agaciro k'ubutaka buburanwa.

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[26] Ni muri urwo rwego, Urukiko rwahaye Umugenagaciro Dushime Justine inshingano yo kugena agaciro k'ibibanza byakaswe mu butaka bwahozze bufite UPI: 5/01/01/03/1684, hatabariwemo ibibwubatsheho. Raporo y'igenagaciro yakoze ryashyizwe muri dosiye ku wa 22/12/2021. [27] Urubanza rwongeye guhamagarwa ku wa 06/01/2022, ruburanishwa mu ruhame, Nyirahabimana Umwali Roselyne ahari, yunganiwe na Me Dushimire Jeannette,

Habimana Jean Léo Pasteur yunganiwe na Me Mbituyimana Jean de Dieu, Ndagijimana Félicien yunganiwe na Me Almasi Nkanika, Sakindi Ildephonse na Munyandekwe Eugène bunganiwe na Me Kalimba Daniel, Rutaburingoga Théodore, Nyirabihogo Francine, Mugabo John, Uwimana Aloys na Nyirandorimana Marguerite, Nkinamubanzi Jean Baptiste, Gashugi Jean Bosco, Impanoyimana Solange bahagarariwe na Me Twagiramungu Callixte, Eglise Vivante de Jésus Christ au Rwanda, Joshua Ndamukunda, Bunani Jean Luc na Mujawamariya Grâce hamwe na Kanyabuganza Eric bahagarariwe na Me Uwimana Channy hakoreshejwe ikoranabuhanga rya SKYPE. [28] Muri iryo buranisha, Umugenagaciro Dushime Justine yasobanuye ibikubiye muri raporo ye n'icyo yagendeyeho agena agaciro k'ibibanza kuri m2, ababuranyi bavuga ko ntacyo banenga igiciro fatizo yashingiyeho, iburanisha rirapfundikirwa. II. IBIBAZO BIGIZE URUBANZA N'ISESENGURWA RYABYO: Kumenya niba Nyirahabimana Umwali roselyne ashobora gusaba ko amasezerano y'ubugure yakozwe hagati ya H abimana jean léo pasteur na Ndagijimana félicien aseswa kugira ngo agaruze umutungo avuga ko yari afiteho uruhare wagurishijwe atabitangiye uburenganzira [29] Nyirahabimana Umwali Roselyne n'umwunganira bavuga ko bareze basaba ko amasezerano Habimana Jean Léo Pasteur yakoranye na Ndagijimana Félicien ateshwa agaciro kuko yakozwe mu buryo budakurikije amategeko, akaba atagaruza umutungo afiteho uburenganzira ayo masezerano adasheshwe. [30] Bavuga kandi ko ibyo abo baburana bavuga mu myanzuro yabo ko Nyirahabimana Umwali Roselyne adashobora gusaba ko amasezerano atabayemo aseswa nta gaciro byahabwa kuko bayamwanditsemo nubwo atayasinye. [31] Bongeraho ko amasezerano akozwe mu buryo bukurikije amategeko ariyo agira inkurikizi ku bayagiranye bonyine, naho akozwe mu buryo bunyuranyije n'amategeko akaba agira inkurikizi no ku bo agizeho ingaruka. [32] Me Mbituyimana Jean de Dieu uhagarariye Habimana Jean Léo Pasteur avuga ko ibijyanye no kumenya niba amasezerano yo ku wa 11/07/2012 yaseswa abihariye Urukiko, ariko ko uwo yunganira yemera ko yagurishije isambu Se yari yararagije Gakima Elias. [33] Abahagarariye Ndagijimana Félicien bavuga ko ingingo ya 113, igika cya mbere, y'Itegeko N° 45/2011 ryo ku wa 25/11/2011 rigenga amasezerano mu Rwanda iteganya ko amasezerano agira inkurikizi ku bayagiranye gusa, bivuze ko abo areba kandi agiraho ingaruka ari Ndagijimana Félicien na Habimana Jean Léo Pasteur bayakoranye bonyine, bityo ko Nyirahabimana Umwali Roselyne adashobora gusaba ko ayo masezerano aseswa kuko atayabayemo, akaba ayagaragaramo gusa nk'umutangabuhamya. [34] Abahagarariye abagobokeshejwe mu rubanza, muri rusange bavuga ko Nyirahabimana Umwali Roselyne adashobora gusaba ko amasezerano Habimana Jean Léo Pasteur yakoranye na Ndagijimana Félicien aseswa kuko atayabayemo. Uko Urukiko rubibona:

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- [35] Ingingo ya 64 y'Itegeko N° 45/2011 ryo ku wa 25/11/2011 rigenga amasezerano iteganya ko amasezerano akozwe mu buryo bukurikije amategeko aba itegeko ku bayagiranye, akaba yaseswa ari uko abayagiranye babyumvikanyeho cyangwa ku zindi mpamvu zemewe n'amategeko, naho ingingo ya 113, igika cya mbere, y'iryo tegeko igateganya ko amasezerano

agira inkurikizi hagati y'abayagiranye gusa, ntabangamira undi wese kandi amugirira akamaro gusa mu biteganyijwe bijyanye no gusezerana ibifitiye undi akamaro. [36] Izi ngingo zasesenguwe n'uru rukiko mu manza zitandukanye, ariko cyane cyane mu rubanza Mukaruhanga Alexia yaburanaga na Nyirahabimana Emertha na Kold Hansen Jesper², aho rwasobanuye ko amasezerano y'ubugure ashobora guteshwa agaciro bisabwe gusa n'uwaguze ukurikiranywe na nyir'umutungo nyakuri ushaka kugaruza ibye, kuko uwagurishije atatanga bene icyo kirego kandi afite inshingano yo kwishingira uwaguze kugira ngo atunge uwo mutungo nta nkomyi (garantie contre l'éviction), ndetse ko na nyir'umutungo nyakuri atasaba iseswa ry'amasezerano y'ubugure atagizemo uruhare. [37] Hashingiwe kuri izo ngingo z'amategeko n'isesengura ryazikozweho mu rubanza rumaze kuvugwa, Urukiko rurasanga kuba Nyirahabimana Umwali Roselyne atarashyize umukono ku masezerano y'ubugure yabaye hagati ya Habimana Jean Léo Pasteur na Ndagijimana Félicien, adashobora gusaba ko amasezerano y'ubugure bw'isambu yabaye hagati ya Habimana Jean Léo Pasteur yakoranye na Ndagijimana Félicien ateshwa agaciro. [38] Urukiko rurasanga ariko n'ubwo mu kirego cye, Nyirahabimana Umwali Roselyne asaba iseswa ry'amasezerano yabaye hagati ya Habimana Jean Léo Pasteur na Ndagijimana Félicien, imiburanire ye guhera ku rwego rwa mbere igaragaza ko icyo akurikiranye ari uburenganzira ku isambu yasizwe naSe Birushyabagabo, yagurishijwe na musaza we batabyumvikanyeho. [39] Ku byerekeye uburenganzira bwo gukurikirana umutungo utimukanwa (action en revendication), nk'uko uru Rukiko rwabisobanuye mu rubanza Nibasenge Anathalie yaburanye na Nahayo Francois Xavier, ruhereye ku bisobanuro by'abahanga mu mategeko³, nyir'umutungo utimukanwa afite uburenganzira bwo kuwukurikira ku wo awusanganye, kandi ntabwo ari ngombwa ko habanza kubaho gusaba iseswa ry'amasezerano y'ubugure yabaye hagati y'uwo awusanganye n'abawumugurishije. [40] Urukiko rurasanga rero kuba Nyirahabimana Umwali Roselyne adafite ububasha bwo gusaba iseswa ry'amasezerano atabayemo, bitamubuza kugurikirana umutungo yumva ko afiteho uruhare wagurishijwe atabyemeye, hakurikijwe ibyo amategeko ateganya. Kumenya Niba Habimana Jean Léo Pasteur Yaragurishije Isambu Ahuriyeho Na Nyirahabimana Umwali Roselyne Batabyumvikanyeho [41] Nyirahabimana Umwali Roselyne n'umwunganira bavuga ko mu rubanza RCA 0068/14/HC/RWG habayemo akarengane kuko rwemeje ko Nyirahabimana Umwali Roselyne atashoboye kugaragaza ko Habimana Jean Léo Pasteur yagurishije isambu basigiwe n'ababyeyi babo batabyumvikanyeho, rwirengagije ibimenyetso bikurikira :

- a. Kuba ubutaka buburanwa bwari bwaraguzwe na Birushyabagabo Cassien ubyara Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne.
- b. Kuba aho apfiriye ubwo butaka butarigeze bugabanwa hagati y'abazungura ba Birushyabagabo Cassien. 2 Urubanza n° RCAA 00045/2016/SC rwaciye n'Urukiko rw'Ikirenga ku wa 24/05/2019, kuva ku bika bya 25 kugeza ku cya 34 3 Urubanza RCAA 0117/11/CS rwacize ku wa 24/04/2015

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- c. Kuba Habimana Jean Léo Pasteur ubwe yivugira ko ubutaka yagurishije ari ubwo basigiwe n'ababyeyi babo kandi ko yabugurishije Nyirahabimana Umwali Roselyne atabizi. d. Kuba Nyirahabimana Umwali Roselyne atarashyize umukono ku masezerano y'ubugure.
- e. Kuba mu iperereza Urukiko Rwisumbuye rwa Ngoma rwakoze mu biro by'ushinzwe ubutaka mu Karere ka Kayanza no mu biro by'ushinzwe ubutaka mu Karere ka Rwamagana, byaragaragaye ko Habimana Jean Léo Pasteur atigeze ahabwa icyangombwa cy'ubutaka cya burundu, ndetse ko uwiwandikishijeho ubutaka, agahabwa icyangombwa cya burundu bwa mbere ari Ndagijimana Félicien.
- f. Kuba Ndagijimana Félicien atagaragaza uburyo ubutaka bwavuye kuri succession Birushyabagabo bukamwandikwaho kandi Nyirahabimana Umwali Roselyne, nk'umwe mu bazungura ba Birushyabagabo usangiye uwo mutungo na Habimana Jean Léo Pasteur, atarasinye ku masezerano y'ubugure. [42] Ku bijyanye n'ibyo bamwe mu bo baburana bavuga mu myanzuro yabo ko Ndagijimana Félicien yaguze isambu na nyirayo, bavuga ko basanga iyo mvugo itahabwa agaciro kuko ababivuga batagaragaza uburyo isambu yaba yaravuye mu mutungo w'abazungura ba Birushyabagabo ikajya mu mutungo bwite wa Habimana Jean Léo Pasteur. [43] Ku bijyanye nanone n'ibyo bamwe mu bo baburana bavuga mu myanzuro yabo ko Nyirahabimana Umwali Roselyne na Habimana Jean Léo Pasteur bagurishije isambu basigiwe n'ababyeyi babo babyumvikanyeho kuko n'ubundi bari bafite uburyo bumvikanyeho bwo gucunga imitungo basigiwe n'ababyeyi babo, muri urwo rwego Nyirahabimana Umwali Roselyne akaba yaragurishije inzu iherereye i Nyamirambo, mu Biryogo, ndetse yaragabanye isambu iherereye hepfo y'iburanwa muri uru rubanza, bavuga ko basanga iyo mvugo nayo itahabwa agaciro kuko nta bimenyetso babitangira, inzu y'i Nyamirambo n'ubu ikaba igihari, ibaruye kuri succession Birushyabagabo, naho isambu iherereye hepfo y'iburanwa, ikaba yaragurishijwe n'imiryango yabo kugira ngo babashe kwiga, bakaba nta kibazo bayifiteho. [44] Ku byerekeranye nanone n'ibyo bamwe mu bo baburana bavuga mu myanzuro yabo ko ntacyo Nyirahabimana Umwali Roselyne yakoze kugira ngo ahagarike ihererekanywa ry'ubutaka buburanwa aho amenyeye ko bwagurishijwe, bashaka kumvikanisha ko yari yaremeye ubwo bugure, bavuga ko ataribyo kuko Nyirahabimana Umwali Roselyne yari yatanze ikirego cyo kugaruza umutungo we, arangije atanga n'ikirego cyihutirwa cyo guhagarikisha ibikorwa bikorerwa mu isambu yagurishijwe maze Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène bagategekwa kubihagarika kugeza urubanza mu mizi rurangiye, izo manza zikaba zarashyizwe muri dosiye⁴. [45] Uhagarariye Habimana Jean Léo Pasteur avuga ko:
- a. Habimana Jean Léo Pasteur yagurishije isambu bitewe na Ndagijimana Félicien wamubwiraga ko bazayimwambura niba atayigurishije, abibwiye Se wabo Nkiranuye Jean Marie Vianney, uyu arabyanga ariko akomeza igitekerezo cyo kugurisha kubera ibyo Ndagijimana Félicien yamubwiraga.

- b. Habimana Jean Léo Pasteur yanditse mu masezerano yakoranye na Ndagijimana Félicien ko agurishije isambu ye, aho kwandika ko agurishije isambu y’umuryango cyangwa isambu afatanyije na Nyirahabimana Umwali Roselyne kuko yayanditse akurikije ibyo yabwirwaga na Ndagijimana Félicien. c.Habimana Jean Léo Pasteur yasabye ko bandika Nyirahabimana Umwali Roselyne mu masezerano kugira ngo nawe azayasinye, bukeye bwaho amusanga ku ishuri KIE aho yigaga kugira ngo amusinyishe, arabyanga, amubwira ko bamuhenze. 4 Urubanza No RC 0235/TGI/NGOMA rwaciwe n’Urukiko Rwisumbuye rwa Ngoma ku wa 24/12/2013, n’urubanza No RCA 0033/14/HC/RWG rwaciwe n’Urukiko Rukuru Urugereko rwa Rwamagana ku wa 19/03/2014

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d.Habimana Jean Léo Pasteur, Nyirahabimana Umwali Roselyne, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène bagerageje kujya mu bwumvikane babifashijweno na Me Mutunzi Donath waburaniraga Ndagijimana Félicien, Nyirahabimana Umwali Roselyne yanga ubwumvikane, imanza zirakomeza. c.Kuba barateganyije mu masezerano aho Nyirahabimana Umwali Roselyne yagombaga gusinya bigaragaza ko Ndagijimana Félicien, ndetse na Sakindi Ildephonse na Munyandekwe Eugène babaye abatangabuhamya mu masezerano y’ubugure, babonaga ko iyo sambu ari iya succession Birushyabagabo, akaba atari iya Habimana Jean Léo Pasteur ku giti cye. [46] Ubwo yitabaga Urukiko kugira ngo rugire ibyo rumusobanuzwa, Habimana Jean Léo Pasteur yasobanuye ko:

- a. Yagiye i Fumbwe agiye kubaruzwa isambu, agezeyo Ndagijimana Félicien amubwira ko bagiye kuyibura, aterefona Se wabo Nkiranuye Jean Marie Vianney, uyu amubuza kuyigurisha, ariko abirengaho aragurisha bitewe n’urujijo yaterwaga na Ndagijimana Félicien wamugiraga inama yo kuhagurisha byihuse, akaba ari nawe wamweretse aho handi yaguze nyuma.
- b. Impamvu yanditse ko agurishije umurima we kandi wari uw’umuryango, byatewe na situation yarimo kuko yabwirwaga ibyo yandika, akabikora atabanje gutekereza. c.Nyuma y’umunsi umwe cyangwa ibiri agurishije yagiye kureba mushiki we aho yari acumbitse yizera ko amusinyira ku masezerano, arabyanga avuga ko bamuhenze. d.Mbere y’uko imanza zitangira, habayeho guhura ngo barebe ko bakumvikana. Bahuriye ku biro by’uwaburaniraga Ndagijimana Félicien, abaguze bose bahari, banga kubongerera amafaranga, ahubwo bakamusaba gusubiza ayo yahawe, hongeweho miliyoni, arayabura.
- e. Nyirahabimana Umwali Roselyne amaze kwanga gusinya, Ndagijimana Félicien yamweretse utundi dusambu aratugura, ku buryo igihe cy’ubuhuza nta mafaranga yabo yari agifite.
- f. Impamvu utwo dusambu tundi yaguze atatwandikishije kuri succession Birushyabagabo ni uko yabonye atari ngombwa kuko n’ubundi mushiki we yari yanze igurisha ry’isambu bafatanyije.

- g. Uburyo ubutaka bwavuye kuri succession Birushyabagabo bukandikwa kuri Ndagijimana Félicien cyangwa uburyo icyangombwa cya burundu cyasohokeye kuri Ndagijimana Félicien kimwanditseho ntabwo abizi. Ntabwo bigeze bajyana ku Kagari kugira ngo bahinduze.
- h. Amasezerano bamaze kuyasinya, agapapuro isambu ibarujweho ntabwo ari we wagasigaranye, katwawe na Sakindi Ildephonse. i. Inzu yo mu Biryogo kugeza n'ubu ibaruye kuri succession Birushyabagabo, amafaranga y'ubukode ni we na mushiki we bayafata, hari umuryango umwe afatira amafaranga, mushiki we agafata ay'uwundi muryango. [47] Abahagarariye Ndagijimana Félicien bavuga ko:
- a. Amasezerano Ndagijimana Félicien yagiranye na Habimana Jean Léo Pasteur yakozwe mu buryo bukurikije amategeko kuko uwagurishije ubutaka ariwe bwari bwanditseho mu bitabo by'Ikigo gishinzwe imikoreshereze n'imicungire y'ubutaka, bumvikana ku giciro, arishyura, ndetse bakora na mutation.

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- b. Ndagijimana Félicien yishyuye cash bakimara gusinya amasezerano y'ubugure. Ntaho banditsemo ko Habimana Jean Léo Pasteur azabanza gushaka mushiki we ngo asinye ku masezerano, iyo biba ibyo nta mafaranga yari kumuha kuko ubugure bwari kuba butuzuye.
- c. Habimana Jean Léo Pasteur yiyandikiye ubwe mu masezerano ko agurishije umutungo we. Ntabwo rero yahindukira ngo avuge ko yagurishije umutungo utari uwe cyangwa ko Ndagijimana Félicien yawuguze n'utari nyirawo. Iyo aza kuba awufatanyije na mushiki we, aba yaravuze ko bagurishije umutungo wabo.
- d. Nyirahabimana Umwali Roselyne bamwanditse mu masezerano mu rwego gusa rwo kumumenyesha ko Habimana Jean Léo Pasteur agurishije isambu.
- f. Kuba Nyirahabimana Umwali Roselyne yaramenyeshewe ubugure ntiyandikishe itambama, ku buryo isambu yakomeje guhererekanywa kugeza ubu, bigaragaza ko nawe ubwe yemeraga ko isambu ari iya musaza we.
- e. Kuba nyuma y'ibarura rusange ry'ubutaka, icyangombwa cya burundu cyarasohotse ku mazina ya Ndagijimana Félicien bihura n'ibyo Habimana Jean Léo Pasteur yiyandikiye mu masezerano y'ubugure ko bazahinduranya igihe ibyangombwa bya burundu bizabonekera.
- g. Nyirahabimana Umwali Roselyne yagurishije inzu we na Habimana Jean Léo Pasteur basigiwe n'ababyeyi babo iri i Nyamirambo kugira ngo abashe kwiga. Ibi byumvikanisha ko bari bafite uburyo bumvikanyeho bwo gucunga umutungo wabo, ari nayo mpamvu Nyirahabimana Umwali Roselyne yagurishije iyo nzu, Habimana Jean Léo Pasteur nawe akagurisha isambu, babonye aho hantu hazamuye agaciro, biga amayeri yo kuhagaruka. [48] Ubwo yitabaga Urukiko kugira ngo rugire ibyo rumusobanuza, Ndagijimana Félicien yasobanuye ko:

- a. Isambu yayiguze abisabwe na Habimana Jean Léo Pasteur wamubwiraga ko afite ibibazo by'amafaranga. Ntabwo yigeze amubwira ko isambu ifite ikibazo, ahubwo ibibazo niwe wabigize nyuma kuko bamubwiye ko aho hantu atazongera kuhahinga kuko ari mu miturire.
- b. Yayiguze azi neza ko ari umutungo Habimana Léo Pasteur afatanyije na mushiki we Nyirahabimana Umwali Roselyne, ari nayo mpamvu mbere yo kuyigura bamuhamagaye, ababwira ko ari ku ishuri, ko naboneka azaza kubasinyira. Yahamagaye na Se wabo w'abo bana, Nkiranuye Jean Marie Vianney, amubwira ko yahagura kuko igice kindi cy'isambu yakigurishije yishyurira mushiki we amashuri. c. Amasezerano bayajyanye ku Kagari Nyirahabimana Umwali Roselyne atarasinya kuko bari bamuhamagaye ababwira ko azabasinyira, Gitifu Mwenyemali wa Nyakagunga arabyumva ababwira kujya ku Kagari kugira ngo abahindurize icyangombwa kizasohoke ku mazina ye. d. Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne bagurishije babyumvikanyeho, ahubwo babonye ubutaka buzamuye agaciro bacura umugambi wo kubugaruza.
- e. Habimana Jean Léo Pasteur amaze kuhamugurisha, yaguze imirima itatu, harimo n'ishyamba n'umugano, wo ndetse nturagurishwa, naho imirima ibiri we na mushiki we bayigurishije bari kumwe. Sakindi Ildephonse na Munyandekwe Eugène ntabwo bari basanzwe baziranye, babasanze kuri banki bagiye kubikuza amafaranga y'ubugure, babasaba ko babasinyira ku masezerano, barabemerera. [49] Uhagarariye Sakindi Ildephonse na Munyandekwe Eugène nawe yasobanuye ko :

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- a. Sakindi Ildephonse na Munyandekwe Eugène baguze umutungo uburanwa na Ndagijimana Félicien amaze kubagaragariza icyangombwa cy'umutungo

kimubaruyeho,

bakorana ihererekanyamutungo, icyangombwa cy'ubutaka, kijya ku mazina yabo, bivuze ko babuguze na nyirabwo nta buryarya.

- b. Sakindi Ildephonse na Munyandekwe Eugène baguze ubutaka bubaruye mu gice cy'ubuhinzi, barabihinduza, buva mu buhinzi bujya mu miturire, barahatunganya, bacamo imihanda (lotissement) n'ibibanza, babigurisha abantu batandukanye ku buryo ubu batakibufite, ahubwo bufitwe n'abo babugurishije. c. Kuba ubutaka bwarakomeje guhererekanywa kugeza ubu, Nyirahabimana Umwari Roselyne ntagire icyo akora kugira ngo budakomeza guhererekanywa, bigaragaza ko ubugure bwabaye abuzi kandi abwemera, akaba yaracuze umugambi wo kubugaruza abonye hagize agaciro, yitwaje ko atigeze asinya ku masezerano. [50] Ubwo Sakindi Ildephonse na Munyandekwe Eugène bitabaga Urukiko kugira ngo bagire ibyo babazwa, basobanuye ko bahuriye na Ndagijimana Félicien na Habimana Jean Léo Pasteur muri banki i Nyagasambu muri centre, babasinyira ku masezerano bataziranye kuko bari babibasabye, nyuma baza kugura na Ndagijimana Félicien ababwiye ko ashaka kuhagurisha. [51] Abahagarariye abatunze ibibanza byakaswe mu isambu iburanwa, muri rusange bavuga ko bahereye ku mvugo ya Habimana Jean Léo

Pasteur ko akimara kugurisha isambu yabibwiye mushiki we akabyanga, basanga kuba Habimana Jean Léo Pasteur atarahise asubiza amafaranga bamuhaye agurisha, no kuba Nyirahabimana Umwali Roselyne atarahise ajya kwandikisha amakimbirane kuri ubwo butaka ngo ntibukomeze guhererekanywa, byumvikanisha ko nawe yemeraga ubwo bugure. [52] Bavuga kandi ko uko ubwo butaka bwagiye buhererekanywa bwaje kvanwa mu gice cy'ubuhinzi bushyirwa mu miturire, bucibwamo imihanda bunashyirwamo ibikorwa remezo, butangira kubakwamo amazu meza, agaciro kabwo karazamuka, maze Nyirahabimana Umwali Roselyne na musaza we babibonye bashakisha inzira banyuramo kugira ngo basese igurishwa ryabwo. [53] Me Twagiramungu Callixte, uburanira bamwe mu batunze ibibanza byakaswe mu isambu iburanwa, ku byavuzwe na bagenzi be yongeraho ko isambu ya Birushyabagabo yari ifite ibice bibiri, Nyirahabimana Umwali Roselyne agurisha igice cyo hepfo, Habimana Jean Léo Pasteur nawe agurisha Ndagijimana Félicien igice cyo haruguru, ibi bikaba byumvikanisha ko bagurishije babyumvikanyeho. Uko Urukiko rubibona : ku bijyanye no kumenya nyir'umutungo Habimana Jean Léo Pasteur yagurishije [54] Iki kibazo kirasuzumwa hakurikijwe ingingo ya 3, igika cya mbere, y'Itegeko N° 15/2004 ryo ku wa 12/06/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo iteganya ko buri muburanyi agomba kugaragaza ukuri kw'ibyo aburana. [55] Ubwo Urukiko rwakoraga iperereza mu biro by'Ikigo gishinzwe imikoreshereze n'imicungire y'ubutaka mu Ntara y'Iburasirazuba, rukabaza uburyo ubutaka bwahozze bufite n° 1684 bwabarujwe n'uburyo bwagiye buhererekanywa, Bwana Muvira Potin, Umubitsi w'Impapurompamo z'ubutaka yaruhaye amakuru akurikira : a.Mu gihe cy'ibarura rusange, ubutaka bufite N° 1684 bwabarujwe kuri succession Birushyabagabo ihagarariwe na Habimana Jean Léo Pasteur, ndetse handikwa ko ababufiteho inyungu ari Habimana Jean Léo Pasteur ubwe na Nyirahabimana Umwali Roselyne.

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b.Ku wa 03/05/2012, icyangombwa cy'agateganyo gihabwa uwabaruriwe ubutaka cyasohotse cyanditse kuri succession Birushyabagabo ihagarariwe na Habimana Jean Léo Pasteur.

c.Amakuru yatangwaga mu gihe cy'ibarura rusange yandikwaga muri system yitwa Land Tenure Regularization Support System (LTRSS). Iyo system yari ifite ubushobozi buhambaye mu bijyanye no guhuza amakuru y'ubutaka (land information maintenance and up date). Usibye kuba yarandikwagamo amakuru yose yatanze mu ibarura rusange, yashoboraga kwemera kwandikwamo impinduka zabaye ku butaka, ariko ntabwo yari ifite ubushobozi bwo kubika uruherekane rw'uburyo ayo makuru yagiye ahinduka. Ibyo byatumye kuva mu mwaka wa 2009, hatangira kubakwa indi system ifite ubwo bushobozi bwose, yitwa Land Administration Information System (LAIS). Muri 2013, iyi system nibwo yatangiye gukoreshwa, imaze kwakira (migration) amakuru yose yari abitse muri LTRSS. d.Hagati ya 2012 na 2013 abantu bari baramaze gufata ibyangombwa by'ubutaka, bashoboraga kugurisha, impinduka ku makuru zikandikwa muri LTRSS, kubera ko LAIS itari yagatangiyeye gukora. Ni muri ubwo buryo, hifashishijwe back up, byagaragaye ko ubutaka bufite n° 1864, bwanditswe kuri Ndagijimana Félicien, ku itariki ya 04/02/2013, nawe aza kubwukuraho abugurishije Sakindi Ildephonse na Munyandekwe Eugène ku

itariki ya 06/08/2013.

- e. Amakuru ajyanye n'uburyo ubutaka bwavuye kuri succession Birushyabagabo bukagera kuri Ndagijimana Félicien, ndetse n'icyangombwa cya mbere akaba ariwe gisohokeraho, barayashatse ntibayabona, bakibwira ko ihererekanya rishobora kuba ryarakozwe mu gihe system yakoreshwaga itabashaga kugaragaza uruhererekane (mu bijyanye n'inyandiko) rw'uburyo amakuru yagiye ahinduka.
- f. Icyangombwa cy'ubutaka cyashoboraga gusohokera ku waguze n'umuntu wibaruje kuri ubwo butaka utarabona icyangombwa, ariko babanje kugaragaza inyandiko zikurikira : urupapuro rw'ibarura, icyemezo cy'umutungo cyatangwaga na Komite y'Ubutaka, amasezerano y'ubugure yakorewe imbere ya Noteri cyangwa inyandiko bwite yemejwe n'inzego z'ibanze kugeza ku Kagari cyangwa ku Murenge biriho umukono na kashe.
- g. Mu igurisha ry'ubutaka bwanditse kuri succession, hagombaga kubanza kugaragazwa abazungura, hakarebwa niba bose barasinye ku masezerano y'igurisha kugira ngo ubwo bugure bwemerwe na serivisi z'ubutaka. [56] Ubwo Urukiko rwageraga aho ubutaka buburanwa buherereye, uwitwa Hakizimana Frédéric, akaba mwene Gakima Elias yaruhaye amakuru akurikira: a.Isambu iburanwa yari yaraguzwe na Birushyabagabo. Uyu yabaga i Kigali, Gakima Elias akayimucungira. Birushyabagabo amaze gupfa Gakima Elias yakomeje kuyicunga, nyuma aza gufungwa aba ariwe (Hakizimana Frédéric) usigara ayireberera Nkiranuye Jean Marie Vianney, Se wabo wa Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne kuko aba bari bakiri abana. b.Isambu yari ifite ibice bibiri, igice cyo haruguru kiburanwa Habimana Jean Léo Pasteur yagurishije Ndagijimana Félicien n'igice cyo hepfo kitaburanwa muri uru rubanza Nkiranuye Jean Marie Vianney yagurishije avuga ko ari ukugira ngo abana ba Birushyabagabo bashobore kwiga. c.Habimana Jean Léo Pasteur agurisha yarabimenye nubwo atahabaga, ahita ahamagara Nkiranuye Jean Marie Vianney, uyu amubwira ko umuryango wateranye ukegurira abana ibyabo kuko bageze mu myaka y'ubukure, ari nayo mpamvu atigeze agira ingingimira ko Habimana Jean Léo Pasteur yaba yaragurishije mu buryo budakurikije amategeko. d.Habimana Jean Léo Pasteur agurisha atekereza ko Nyirahabimana Umwali Roselyne yabimenye kuko nta na rimwe yigeze aza ngo ababaze uburyo isambu y'iwabo yagurishijwe.

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- e. Habimana Jean Léo Pasteur amaze kugurisha yaguze ubundi butaka buherereye haruguru y'ubwo yagurishije, ariko nabwo nyuma yarabugurishije agura ahandi mu Mudugudu wa Kabeza, usibye ko naho ubu yahagurishije. [57] Ubwo Nkiranuye Jean Marie Vianney, Se wabo wa Nyirahabimana Umwali Roselyne na Habimana Jean Léo Pasteur yitabaga Urukiko kugira ngo rugire ibyo rumusobanuzwa ku bijyanye n'ubutaka buburanwa, yasobanuye ko:
- a. Birushyabagabo na Gakima Elias bari inshuti, bombi batuye i Gikondo, Gakima Elias aza kugura isambu i Fumbwe, mu Kagari ka Nyakagunga, ahita ajyanayo Birushyabagabo, nawe ahagura isambu.

- b. Jenocide yasanze Habimana Jean Léo Pasteur ari kwa Gakima Elias, akomeza kubana nawe, aho Gakima Elias afungiwe amuvanayo amuzana iwe, barabana kugeza mu mwaka wa 2010. Nyirahabimana Umwali Roselyne we yahunganye n'ababyeyi be mu cyahoze ari Zayire, bagezeyo aburana na nyina n'undi mwana uvukana nabo witwa Habimana Emmanuel, mu mwaka wa 1996 ahungukana na nyirakuru. c. Aho Gakima Elias afungiwe, umurima wa Birushyabagabo yawucungishije Hakizimana Frédéric. Muri 2008, abifashijwemo n'umuryango mugari, yagurishije igice kimwe cy'uwo murima, giherereye hepfo y'ikiburanwa muri uru rubanza kugira ngo abana bashobore kwiga. d. Igihe cy'ibarura rusange ry'ubutaka, umuryango wahaye Habimana Jean Léo Pasteur uburenganzira bwo kubaruza umutungo wasizwe n'umubyeyi we kuri succession Birushyabagabo, ageze ku isambu aramuhamagara amubwira ko ibyiza yahagurisha, aramubuza amubwira ko ayibaruza gusa, ariko nyuma aza kubwirwa na Hakizimana Frédéric ko yahagurishije.
- e. Yabanje kwibaza ko Habimana Jean Léo Pasteur yahagurishije yumvikanye na mushiki we, nyuma aza gusanga batarabyumvikanyeho. Umuryango umaze kubimenya bashatse uburyo basubiza amafaranga ngo bawugaruze barayabura, bituma babwira Nyirahabimana Umwali Roselyne ngo atange ikirego mu rukiko
- f. Indi mitungo Birushyabagabo yasize ni umurima yatekeshejwe uri i Ruli n'akazu k'imiryango ibiri kari mu Biryogo gakodeshwa. Amafanga y'ubukode ni Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne bayafata.
- e. Ntabwo umuryango uzi niba hari uburyo Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne bumvikanye bwo gucunga imitungo yasizwe n'ababyeyi babo. [58] Urukiko rurasanga amakuru yatanze na Hakizimana Frédéric na Nkiranuye Jean Marie Vianney, bazi neza amateka y'ubutaka buburanwa, agaragaza ko bwari bwaraguzwe na Birushyabagabo, aburagiza Gakima Elias, aho apfiriye bukomeza gucungirwa abana be Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne. [59] Urukiko rurasanga Ndagijimana Félicien nawe ubwe yemera ko isambu yayiguze ari neza ko ari umutungo Habimana Jean Léo Pasteur afatanyije na mushiki we Nyirahabimana Umwali Roselyne, usibye ko avuga ko Roselyne yari yemeye kuri telefone ko azasinye amasezerano, ariko akaba nta gihamba abatangira. [60] Urukiko rurasanga abazi bose amateka y'isambu iburanwa, haba Nyirahabimana Umwali Roselyne, haba abakoranye amasezerano aribo Habimana Jean Léo Pasteur na Ndagijimana Félicien, haba abatangabuhamba Hakizimana Frédéric na Nkiranuye Jean Marie Vianney, bose bahuriza ku kuba icyo sambu yaragurishijwe ari umutungo w'abazungura ba Birushyabagabo.

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- [61] Urukiko rurasanga amakuru batanze ahura n'amakuru yatanze n'ikigo cy'Igihugu gishinzwe imikoreshereze n'umucungire y'ubutaka agaragaza ko bwaburujwe kuri succession Birushyabagabo ihagarariwe na Habimana Jean Léo Pasteur mu gihe cy'ibarura rusange ry'ubutaka mu Rwanda, ndetse ko abandikishijwe ko babufiteho uburenganzira ari Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne. [62] Ku byerekeranye

n'uko Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne baba baragabanye imitungo basigiwe n'ababyeyi babo nk'uko ababuranira Ndagijimana Félicien n'abagobotse mu rubanza bashaka kubyumvikanisha, muri urwo rwego Habimana Jean Léo Pasteur akaba yaragurishije isambu iburanwa, naho Nyirahabimana Umwali Roselyne akaba yaragurishije inzu ababyeyi babo babasigiye iherereye Nyamirambo, ndetse n'igice cy'isambu cyari gihereye hepfo y'ikiburanwa muri uru rubanza, ari nayo mpamvu ntacyo yakoze, aho amenyesherejwe ko isambu yagurishijwe, kugira ngo idakomeza guhererekanywa, Urukiko rurasanga ataribyo hashingiwe ku mpamvu zikurikira: a.Ku birebana n'inzu iherereye i Nyamirambo, mu Biryogo, Nkiranuye Jean Marie Vianney, Habimana Jean Léo Pasteur na Nyirahabimana Umwali Roselyne basobanuye ko itigeze igurishwa, ko ahubwo ikodeshwa, amafaranga y'ubukode avuyemo abavandimwe bombi bakayagabana. Urukiko rurasanga izo mvugo zabo zigomba gufatwaho ukuri kuko icyemezo cy'ubukode burambye cyashyizwe muri dosiye kigaragaraza ko inzu icyanditse kuri succession Birushyabagabo. b.Ku birebana n'igice cy'isambu cyari gihereye hepfo y'ikiburanwa muri uru rubanza, na none Nkiranuye Jean Marie Vianney yasobanuye ko ariwe wakigurishije mu mwaka wa 2008 abyumvikanyeho n'umuryango mugari, kugira ngo abana Birushyabagabo yasize bashobore kwiga. Urukiko rurasanga ibi byumvikanisha ko Nyirahabimana Umwali Roselyne na Habimana Jean Léo Pasteur batigeze bagabana isambu basigiwe n'ababyeyi babo, ngo umwe afate igice cyo hepfo cyagurishijwe muri 2008, undi nawe afate igice cyo haruguru kiburanwa muri uru rubanza. c.Ku birebana n'uko ntacyo Nyirahabimana Umwali Roselyne yakoze kugira ngo isambu idakomeza guhererekanywa aho amenyesherejwe ko isambu yagurishijwe, Urukiko rurasanga ataribyo kuko yatanze ikirego kigamije kuyigaruzwa, agitanga kitarasaza, ndetse mu gihe urubanza mu mizi rwari rutaracibwa atanga ikirego cyihutirwa gisaba ko ibikorwa bikorerwa mu isambu iburanwa ifite n° 1684 byaba bihagaze kugeza urubanza mu mizi rurangiye⁵. [63] Hashingiwe ku bisobanuro bimaze gutangwa, Urukiko rurasanga rero nta kigaragaza ko Habimana Jean Léo Pasteur na mushiki we Nyirahabimana Umwali Roselyne bagabanye imitungo basigiwe n'ababyeyi babo, ngo isambu iburanwa ibe yari yaregukanywe na Habimana Jean Léo Pasteur igihe yayigurishaga. [64] Ibimaze kuvugwa byumvikanisha ko isambu Habimana Jean Léo Pasteur yagurishije yari iya succession Birushyabagabo nk'uko bigaragazwa n'amakuru yakusanyijwe n'Ikigo gishinzwe imikoreshereze n'imicungire y'ubutaka mu Rwanda igihe cy'ibarura rusange ry'ubutaka, bigashimangirwa n'imvugo z'abatangabuhamya Hakizimana Frédéric na Nkiranuye Jean Marie Vianney, ndetse n'iza Habimana Jean Léo Pasteur na Ndagijimana Félicien ubwabo. Ku bijyanye no kumenya niba Habimana Jean Léo Pasteur yaragurishije isambu afatanyije na Nyirahabimana Umwali Roselyne batabyumvikanyeho. [65] Urukiko rurasanga iki kibazo gikwiye gusuzumwa hashingiwe ku ngingo z'amategeko zikurikira: a.Ingingo ya 35 y'Itegeko Ngenga No 08/2005 ryo ku wa 14/07/2005 rigena imikoreshereze n'imicungire y'ubutaka mu Rwanda naryo ryakurikizwaga ubwo hakorwaga amasezerano y'ubugure ku mutungo uburanwa, yateganyaga ko gutanga burundu uburenganzira ku butaka, nko kubugurisha, kubutangira 5 urubanza N°RC 0 0235/TGI/NGOMA rwaciwe ku ku wa 24/12/2013

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ubuntu cyangwa kubugurana, bikozwe n'uhagarariye umuryango, bigomba kubanza kwemerwa n'abagize umuryango bose basangiye ubwo burenganzira. b.Ingingo ya 37 y'iryo Tegeko iteganya ko ukwemerwa kuvugwa mu ngingo ya 35 yaryo kugaragazwa n'inyandiko yashyizweho umukono n'abarebwa n'icyo kibazo cyangwa bateyeho igikumwe, bikorewe imbere y'Umwanditsi w'Irangamimerere cyangwa imbere y'Umukuru w'Ibiro by'ubutaka akanabyandika mu bitabo bye. [66] Ibisobanuwe muri izo ngingo byumvikanisha ko mu igurisha ry'ubutaka bwanditse kuri succession, hagombaga kubanza kugaragazwa ko abasangiye uburenganzira ku mutungo basinye ku masezerano y'igurisha, bikorewe imbere y'umwanditsi w'irangamimerere cyangwa imbere y'Umukuru w'Ibiro by'ubutaka akanabyandika kugira ngo ubwo bugure bwemerwe na serivisi z'ubutaka. [67] Urukiko rurasanga rero ibyo abahagarariye Ndagijimana Félicien n'abagobotse mu rubanza bavuga ko Nyirahabimana Umwali Roselyne yemeye igurisha ry'isambu yari asangiye na Habimana Jean Léo Pasteur nta gaciro byahabwa mu gihe badashobora kugaragaza amasezerano yashyizeho umukono cyangwa yateyeho igikumwe, bikorewe imbere y'Umwanditsi w'Irangamimerere cyangwa imbere y'Umukuru w'Ibiro by'ubutaka. [68] Hashingiwe ku bisobanuro byatanze no ku ngingo z'amategako zavuzwe, Urukiko rurasanga Jean Léo Pasteur yaragurishije isambu afatanyije na Nyirahabimana Umwali Roselyne batabyumvikanyeho. ingaruka zo kuba umutungo wagurishijwe wari uwa succession birushyabagabo, ukaba waragurishijwe abazungura batabyumvikanyeho [69] Nyirahabimana Umwali Roselyne n'umwunganira bavuga ko Ndagijimana Félicien yaguze isambu iburanwa na Habimana Jean Léo Pasteur azi neza inkomoko yayo n'abayifiteho uburenganzira kuko yari yararagijwe Gakima Elias, Se umubyara, ndetse ko Sakindi Ildephonse na Munyandekwe Eugène nabo bari babizi kuko batari kuba abatangabuhamyi mu masezerano batari neza ibijyanye n'uwo mutungo, bakaba rero basanga bose uko ari batatu bafatwa nk'abaguze mu buryarya (acheteurs de mauvaise foi), naho abaguze ibibanza byakaswemo bagafatwa nk'abaguze nta buryarya (acheteurs de bonne foi). [70] Bavuga ko Nyirahabimana Umwali Roselyne afite uburenganzira bwo kugaruza umutungo afiteho uruhare wagurishijwe atabizi, ariko ko atifuza icyatuma yikungahaza nta mpamvu, ko Urukiko rwashingira ku gaciro ubutaka bufite uyu muni noneho abaguze nta buryarya bakamusubiza 50 % y'ako gaciro, bakagumana ubutaka n'ibikorwa byabo, hanyuma bagakurikirana ababagurishije mu buryarya. [71] Bavuga ko impamvu badasaba ko Habimana Jean Léo Pasteur ariwe usubiza Nyirahabimana Umwali Roselyne agaciro k'ubutaka gahwanye n'umugabane we kandi ari we wabugurishije, ari uko kuri uyu muni, atari we ukibufite ngo abe ari kububya umusaruro, bakaba basanga ababufite bashyizemo ibikorwa aribo bakwiye kumusubiza agaciro kabwo kugira ngo babugumane. [72] Uhagarariye Habimana Jean Léo Pasteur avuga ko uyu ntacyo yasabwa gusubiza kuko ubutaka atakibufite, ko ahubwo Nyirahabimana Umwali Roselyne yasubizwa n'ababufite. [73] Abahagarariye Ndagijimana Félicien bavuga ko ntacyo Ndagijimana Félicien akwiye gutegekwa kwishyura kuko ubutaka yabuguze nta buryarya, akaba atakibutunze, ko Urukiko rusanze Habimana Jean Léo Pasteur yaragurishije isambu yari ahuriyeho na mushiki we ariwe wategukwa kumusubiza uruhare rwe kuri ubwo butaka.

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[74] Uhagarariye Sakindi Ildephonse na Munyandekwe Eugène avuga ko babaye abatangabuhamy mu masezerano kuko babonaga ubugure bukurikije amategeko, ko ibyo ataribyo byashingirwaho hemezwa ko baguze mu buryarya. [75] Avuga kandi ko Urukiko rusanze hari amakosa yakozwe, Nyirahabimana Umwali Roselyne yahabwa 50% ya 3.000.000Frw yahawe musaza we, yaba ashaka gusubirana ubutaka, agasubiza agaciro bufite ubu. [76] Abahagarariye abatunze ubu ibibanza byakaswe mu butaka buburanwa, muri rusange bavuga ko uru rubanza rudakwiriye guhungabanya uburenganzira bwabo kuko baguze nta buryarya bamaze kwerekwa ibyangombwa byanditse ku babagurishije, batababwiye ko hari ikibazo kiri kuri ubwo butaka, nyuma bakaza gutungurwa no kugobokeshwa muri uru rubanza. [77] Bavuga kandi ko bibaye ngombwa ko Nyirahabimana Umwali Roselyne agira icyo asubizwa, ubwishyu bwava mu mafaranga Habimana Jean Léo Pasteur yakiriye mu igurisha ry'ubutaka kuko igihe ayamaranye yamwungukiye, na n'ubu akaba akiyatunze, ayabyaza umusaruro, nk'uko n'ubutaka yagurishije bwagiye bwongera agaciro, ko bitabaye ibyo akaba ari bo bishyuzwa nk'uko Nyirahabimana Umwali Roselyne abyifuza, baba barenganye. [78] Bavuga kandi ko nta mpungenge Nyirahabimana Umwali Roselyne akwiye kugira ko Habimana Jean Léo Pasteur yabura ubwishyu kuko niba bagifitanye inzu y'i Nyamirambo, yamuhareraho, hakaba guhwanya imyenda hagati yabo. [79] Bavuga ko mu gihe Urukiko rwabibona ukundi rukemeza ko Nyirahabimana Umwali Roselyne na Habimana Jean Léo Pasteur basubirana ubwo butaka, rwategeka ko abatunze ubutaka ubu basubizwa agaciro bufite ubu n'ibikorwa bashyizeho. Uko Urukiko rubibona: [80] Nk'uko byasobanuwe haruguru, Habimana Jean Léo Pasteur yagurishije umutungo wa succession Birushyabagabo nta burenganzira yabihereye na Nyirahabimana Umwali Roselyne basangiye uburenganzira kuri uwo mutungo, ibi bikaba byumvikanisha ko igice kitari icye yakigurishije mu buryo bunyuranyije n'amategeko. [81] Mu gihe hagurishijwe umutungo usangiwe, abawufiteho uburenganzira bose batabyumvikanyeho, uru Rukiko rwasobanuye mu rubanza Gahire Athanase yaburanaga na Mukarushakiro Gloriose na bagenzi be, ruhereye ku nyandiko z'abahanga mu mategeko, ko igurisha rigira agaciro ku bandi ku bireba gusa igipande kigize umugabane w'uwigurishije. [82] Urukiko rurasanga rero ihererekanya ry'ubutaka bwahoze bufite UPI :5/01/01/03/1684 rifite agaciro gusa ku bireba umugabane wa Habimana Jean Léo Pasteur ku mutungo uburanwa, ariko nta gaciro rifite ku bijyanye n'umugabane wa Nyirahabimana Umwali Roselyne ungana na 50%. [83] Urukiko rurasanga kandi abagiye bagura ubwo butaka ku bijyanye n'umugabane wa Nyirahabimana Umwali Roselyne barabuguze n'utari nyirabwo, bityo ingaruka zabyo akaba ari uko Nyirahabimana Umwali Roselyne afite uburenganzira bwo gusaba gusubizwa umutungo we n'abawufite nk'uko byasobanuwe mu bika bya 39 na 40 by'uru rubanza, nabo bagakurikirana ababagurishije. [84] Urukiko rurasanga ariko nubwo Nyirahabimana Umwali Roselyne afite uburenganzira bwo kugaruza umugabane we ku mutungo uburanwa ku wo awusanganye, kuri uru rwego adasaba gusubizwa ubutaka, ahubwo 6 Urubanza N° RS/INJUST/RC 00008/2019/SC rwaciye ku wa 12/11/2021

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asaba guhabwa agaciro kabwo mu mafaranga ababufite bakabugumana, hakaba hagomba gusuzumwa niba yahabwa ibyo asaba. [85] Urukiko rurasanga kuba Nyirahabimana Umwali Roselyne afite uburenganzira bwo kugaruza umugabane we ku mutungo uburanwa, ubundi yagombye gusubizwa $\frac{1}{2}$ cy'ubutaka buburanwa. Urukiko rusanga ariko, nta kibuzza ko yasaba guhabwa agaciro kabwo mu mafaranga mu gihe abafite ubwo butaka batanga kubugumana, ikibazo akaba ari ukumenya abakwiye kwishyura n'ayo bagomba kwishyura. [86] Urukiko rurasanga ihame ari uko ukurikiranye umutungo we wagurishijwe n'utari nyirawo, awukurikirana mu maboko y'uwufite, nawe akishyura uwamugurishije agaciro k'ibyo avukijwe. Hashingiwe kuri iryo hame, Urukiko rusanga amafaranga abatunze ubutaka ubu basubiza Nyirahabimana, nabo bashobora gusubira inyuma bakayaka uwabagurishije, nabo bakayishyura ababagurishije kugera bigeze ku ba mbere batumye umutungo uva mu maboko y'aba nyirawo. icyakora mu gihe ari agaciro k'umutungo gasabwa gusubizwa, Urukiko rusanga nta mpamvu yo kunyura iyo nzira yose, buri wese yishyura uwamugurishije, ahubwo hahita hishyuzwa abatumye ubutaka buva mu maboko ya nyirabwo. [87] Urukiko rusanga, abatumye ubutaka buva mu maboko ya Nyirahabimana ari ababuherekeranyije mu buryarya bazi ko bikozwe mu buryo bunyuranyije n'amategeko, bagamije kumuvutsa uburenganzira bwe ku mutungo wa succession Birushyabagabo, bityo akaba aribo bategekwa kwishyura. [88] Nk'uko byagarutsweho mu manza zinyuranye, uburiganya (mauvaise foi) ntibukekwa, bugomba kugaragazwa. Mu rubanza Bienvenu Jean Baptiste na Mugunga Aventurier baburanye na Mukangaruyinka Thérèse, Nderabakura Aloys na Munyarukiko Jean⁷, uru Rukiko ruherereye ku nyandiko y'umuhanga mu mategeko Vincent Karim, rwagaragaje ko imvugo ya nyir'umutungo, ubwayo idahagije kugira ngo uwaguze byitwe ko yabikoze mu buriganya. Ahubwo afatwa nk'uwaguze nta buryarya, iyo mu gihe cyo kugura atigeze amenya ko umugurisha atariwe nyiri umutungo koko, apfa kuba gusa uko kutabimenya kudaturuka ku burangare bwe cyangwa se kudaterwa no kwifata nk'utabizi kandi abizi. Mu yandi magambo, uwaguze ntashobora kwitwaza ko atari abizi mu gihe yari afite amakuru cyangwa se hari ibindi bigaragaza ugushidikanya ko umugurisha ari nyiri ikintu, ku buryo umuntu wese ushyira mu gaciro uri mu mwanya we atabura kubanza kubikurikirana mbere yo kuzura amasezerano y'ubugure⁸ [89] Ku birebana n'abaguze ibibanza byakaswe mu butaka buburanwa, inyandiko ziri muri dosiye zigaragaza ko bamwe muri bo baguze na Sakindi Ildephonse na Munyandekwe Eugène beretswe ibyangombwa by'ubutaka bibanditseho, abandi baguze n'abaguze na Sakindi Ildephonse na Munyandekwe Eugène, ku buryo ibibanza bimwe ubu bimaze guhererekanywa inshuro zirenze imwe. [90] Urukiko rurasanga abaguze na Sakindi Ildephonse na Munyandekwe Eugène ndetse n'abaguze nyuma yaho, nta mpamvu bari bafite yo kugira amakenga ku byangombwa by'ubutaka beretswe mbere yo kugura byanditse ku babagurishije kuko nta kigaragaza mu nyandiko zigize dosiye ko hari icyashoboraga gutuma bagira ugushidikanya kuri nyirabwo, bikaba byumvikanisha ko babuguze nta buryarya nk'uko Nyirahabimana Umwali Roselyne ubwe abyivugira mu miburanire ye. 7 Urubanza N° RS/ INJUST/ CIV 0024/16/SC rwavaciwe ku wa 12/01/2018 8 Une simple allégation de mauvaise foi par le véritable propriétaire du bien ne rend pas nécessairement l'acheteur de mauvaise foi. Au contraire, il est de bonne foi s'il ignore, lors de la transaction, que son vendeur n'est pas le

véritable propriétaire, à condition que son ignorance ne soit pas la conséquence d'une négligence voulue ou d'une négligence aveugle. En d'autres termes, l'acheteur ne peut pas plaider ignorance lorsqu'il a à sa disposition des informations ou des éléments pouvant soulever des doutes sur le droit de son vendeur, puisqu'une personne raisonnable se trouvant à sa place aurait pu procéder à une vérification avant de compléter la transaction. Vincent KARIM, Preuve et présomption de bonne foi, Revue de droit de l'Université de Sherbrooke, 1996, p 441. Reba inyandiko mvugo y'iburanisha yo ku wa 10/06/2014

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[91] Ku birebana na Habimana Jean Léo Pasteur na Ndagijimana Félicien, Urukiko rurasanga biyemerera ubwabo ko bakoranye amasezerano y'ubugure bw'isambu bazi ko Nyirahabimana Umwali Roselyne ayifiteho uburenganzira, kuba rero barayiherekanyije atabanje kwemera ubwo bugure ngo hubahirizwe ibiteganywa mu ngingo ya 35 na 37 z'Itegeko Ngenga ryavuzwe rigena imikoreshereze n'imicungire y'ubutaka mu Rwanda ryakurikizwaha ubwo ayo masezerano yakorwaga, byumvikanisha ko bayakoranye uburyarya (de mauvaise foi), bakaba bagomba gufatanya kumwishyura agaciro k'umugabane we kuri ubwo butaka. [92] Ku birebana na Sakindi Ildephonse na Munyandekwe Eugène, Urukiko rurasanga ubwo Ndagijimana Félicien yaburanaga mu Rukiko Rwisumbuye rwa Ngoma yarasobanuye ko yabagurishije isambu icyangombwa cya burundu kimwanditseho kitarasohoka, aberetse icyangombwa cy'agateganyo cyahabwaga uwabaruriwe ubutaka mu gihe cy'ibarura rusange⁹, bivuze ko baguze bashingiye ku cyangombwa cy'agateganyo cyari cyanditseho Succession Birushyabagabo, ndetse no ku masezerano y'ubugure Ndagijimana Félicien yakoranye na Habimana Jean Léo Pasteur. [93] Urukiko rurasanga kuba icyangombwa cy'agateganyo beretswe kigaragaza ko umutungo baguze na Ndagijimana Félicien wanditse kuri succession Birushyabagabo no kuba amasezerano y'ubugure Ndagijimana Félicien yakoranye na Habimana Jean Léo Pasteur, bashyizeho umukono nk'abatangabuhamy, atagaragaraho umukono wa Nyirahabimana Umwali Roselyne kandi amazina ye akurikiranye n'aya Habimana Jean Léo Pasteur, aho yanditse ngo "amafaranga ndayabonye", aho kuba yanditswe mu batangabuhamy bashyize umukono ku masezerano, ubwabyo byumvikanisha ko Ndagijimana Félicien yaguze n'utari nyir'umutungo kuko iyo Nyirahabimana Umwali Roselyne aza kuba nta burenganzira awufiteho ntacyo yari kuza kumara ku nyandiko y'amasezerano. [94] Mu gusesengura inyandiko bashyikirijwe bagura ubutaka buburanwa, Urukiko rurasanga Sakindi Ildephonse na Munyandekwe Eugène batari kubura kugira amakenga kuri nyir'umutungo, kuba barabuguze na Ndagijimana Félicien kandi babibona ko yabubonye mu buryo bunyuranyije n'amategeko bigaragaza ko nabo baguze mu buryarya, bikagira ingaruka zo gutuma ubutaka Nyirahabimana Umwali Roselyne yari afiteho uruhare bumuva mu maboko atabizi, bityo bakaba bagomba gufatanya na Habimana Jean Léo Pasteur na Ndagijimana Félicien kwishyura Nyirahabimana Umwali Roselyne amafaranga ahwanye n'agaciro k'umugabane we ku mutungo uburanwa. [95] Ku birebana n'agaciro k'uwo mugabane, Urukiko rurasanga katashingirwa ku gaciro ubutaka bwari bufite ubwo Habimana Jean Léo Pasteur yabugurishaga, ahubwo kashingirwa ku

gaciro bufite ubu kuko ariko yahabwa aramutse abusubijwe akabugurisha. [96] Ku birebana n'agaciro fatizo ubutaka bufite ubu kuri M2, ubwo yitabaga Urukiko ku wa 06/01/2022, Umugenagaciro yasobanuye ko agendeye ku miterere y'ubutaka, aho buherereye, iterambere ryaho, yifashishije n'ibiciro byatangajwe n'Urugaga rw'abagenagaciro ku mutungo utimukanwa mu Rwanda (IRPV), yasanze kabarirwa kuri 10.000 Frw. Urukiko rurasanga kuba ababuranyi bose bavuga ko ntacyo banenga ku gaciro fatizo kemejwe n'umugenagaciro, ariko gakwiye gushingirwaho. [97] Urukiko rurasanga rero ubuso bwa 7.262 Sqm, nk'uko bugaragara ku cyemezo cy'ubukode burambye cyahawe Ndagijimana Félicien, bufite agaciro ka 72.620.000 Frw kuri uyu muni, bivuze ko umugabane wa Nyirahabimana Umwali Roselyne ungana na 50% ufite agaciro ka 36.310.000 Frw. [98] Hashingiwe ku mategeko no ku bisobanuro byatanze, Urukiko rurasanga Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène bagomba gufatanya guha Nyirahabimana Umwali Roselyne 36.310.000Frw ahwanye n'umugabane we ku butaka bagurishije mu buryarya. 9 Reba inyandiko mvugo y'iburanisha yo ku wa 10/06/2014

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Ibyerekeye indishyi zisabwa n'amafaranga yishyurwe umugenagaciro [99] Nyirahabimana Umwali Roselyne n'umwunganira basaba ko yahabwa indishyi zinyuranye, zikubiyemo 1.000.000Frw y'igihembo cy'Avoka yatanze mu Rukiko Rwisumbuye rwa Ngoma no mu Rukiko Rukuru, 5.000.000Frw y'ikurikiranarubanza, 3.000.000Frw y'indishyi mbonezamusaruro, bakaba bazisaba abaguze mu buryarya, aribo Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène, ndetse na Habimana Jean Léo Pasteur. [100] Uhagarariye Habimana Jean Léo Pasteur avuga ko uyu nta bushobozi afite bwo kwishyura indishyi mushiki we asaba kuko ari nyinshi cyane kandi ari umukene. [101] Abahagarariye Ndagijimana Félicien bavuga ko indishyi Nyirahabimana Umwali Roselyne asaba adakwiye kuzihabwa kuko ariwe wishoye mu manza ari mu kagambane na musaza we, bagamije guhuguza isambu yaguze nta buryarya, bityo rero ko ari we ukwiye kwirengera ingaruka zose z'uru rubanza. [102] Basaba ko Nyirahabimana Umwali Roselyne na Habimana Jean Léo Pasteur bafatanye kumwishyura 25.000.000Frw y'indishyi z'akababaro z'ibyo yatakaje muri uru rubanza guhera rutangiye kugeza ubu na 5.000.000Frw y'igihembo cya Avoka. [103] Uhagarariye Sakindi Ildephonse na Munyandekwe Eugène avuga ko nta ndishyi bakwiye gutanga kuko nta kosa bakoze, ahubwo Nyirahabimana Umwali Roselyne yazisaba musaza we niba yaragurishije umutungo basangiye. [104] Uburanira Eglise Vivante de Jésus Christ au Rwanda, Ndamukunda Joshua, Bunani Jean Luc na Mujawamariya Grâce asaba ko Nyirahabimana Umwali Roselyne na Habimana Jean Léo Pasteur bategekwa kwishyura indishyi zikurikira : 1.000.000 Frw y'igihembo cy'Avoka na 500.000Frw y'ikurikiranarubanza kuri Eglise Vivante de Jésus Christ au Rwanda. 2.000.000 Frw y'igihembo cya Avoka na 3.000.000 Frw y'ikurikiranarubanza kuri Ndamukunda Joshua. 1.500.000Frw y'ikurikiranarubanza kuri Bunani Jean Luc na Mujawamariya Grâce. [105] Uburanira Kanyabuganza Eric asaba ko yagenerwa 700.000Frw y'igihembo cy'Avoka na 300.000Frw y'ikurikiranarubanza, Nyirahabimana Umwali Roselyne na Habimana Jean Léo Pasteur bagafatanye kuyatanga. [106] Uburanira Rutaburingoga

Théodore, Nyirabihogo Francine, Mugabo John, Uwimana Aloys, Nyirandorimana Marguerite, Nkinamubanzi Jean Baptiste, Gashugi Jean Bosco asaba ko buri wese yagenerwa 500.000 Frw y'igihembo cya Avoka na 500.000Frw y'ikurikiranarubanza, naho Impanoyimana Solange akagenerwa 1.000.000Frw y'igihembo cya Avoka na 500.000 Frw y'ikurikiranarubanza. Uko Urukiko rubibona: [107] Ku birebana n'amafaranga y'igihembo cya Avoka n'ay'ikurikiranarubanza, ingingo ya 111 y'Itegeko No 22/2018 ryo ku wa 29/04/2018, ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi iteganya ko ari ikirego gishamikira ku kirego cy'iremezo kigamije kwishyuza ibyakoreshejwe mu rubanza. Ikirego cy'amafaranga y'ikurikiranarubanza kiburanishirizwa rimwe n'ikirego cy'iremezo [] . [108] Urukiko rurasanga amafaranga y'igihembo cya Avoka Nyirahabimana Umwali Roselyne asaba ntayo akwiye guhabwa kuko igihe cy'iburanisha umwunganira yarumenyesheje ko yamwunganije ku buntu.

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[109] Urukiko rurasanga ariko yagenerwa amafaranga y'ikurikiranarubanza kuko byabaye ngombwa ko agira ibyo atakaza mu rwego rwo gukurikirana urubanza, ariko kubera ko amafaranga asaba ari menshi kandi akaba atagaragaza uburyo ariyo yagiye kuri uru rubanza, mu bushishozi bw'Urukiko akaba agenewe 300.000Frw kuri buri rwego yaburanyemo. [110] Urukiko rurasanga Habimana Jean Léo Pasteur na Ndagijimana Félicien bagomba gufatanya kumuha 600.000 Frw y'ikurikiranarubanza mu Rukiko Rwisumbuye no mu Rukiko Rukuru kuko Sakindi Ildephonse na Munyandekwe Eugène batabaye ababuranyi muri izo manza, bese uko ari bane bagafatanya kumuha 300.000 Frw yo kuri uru rwego. [111] Urukiko rurasanga ikibazo cy'indishyi z'akababaro cyatanzwe na Ndagijimana Félicien kidakwiye gusuzumwa kubera ko atariwe wasabye ko urubanza rusubirwamo ku mpamvu z'akarengane, naho amafaranga y'ikurikiranarubanza asaba Nyirahabimana Umwali Roselyne akaba ntayo agomba guhabwa kuko atsinzwe urubanza. [112] Ku bijyanye n'amafaranga y'igihembo cya Avoka n'ay'ikurikiranarubanza Eglise Vivante de Jésus Christ au Rwanda na Ndamukunda Joshua basaba, Urukiko rurasanga bayagenerwa ariko kuko ayo basaba ari menshi kandi bakaba batatyangira ibisobanuro, bagenerwa mu bushishozi bwarwo 500.000 Frw y'igihembo cya Avoka kuri bombi kuko uwababuraniye ari umwe, akazi yabakoreye akaba ari kamwe kuri bese na 300.000 Frw y'ikurikiranarubanza buri wese. [113] Ku bijyanye n'amafaranga y'ikurikiranarubanza Bunani Jean Luc asaba, Urukiko rurasanga mu bushishozi bwarwo yagenerwa 300.000 Frw, kuko ayo asaba atatyangira ibisobanuro. [114] Ku bijyanye n'amafaranga y'igihembo cya Avoka n'ay'ikurikiranarubanza Kanyabuganza Eric asaba, Urukiko rurasanga nawe yagenerwa 500.000Frw y'igihembo cy'Avoka na 300.000Frw y'ikurikiranarubanza agenwe mu bushishozi bwarwo kuko ayo asaba atatyangira ibisobanuro. [115] Ku bijyanye n'amafaranga y'igihembo cya Avoka n'ay'ikurikiranarubanza Rutaburingoga Théodore, Mugabo John, Uwimana Aloys, Nkinamubanzi Jean Baptiste, Gashugi Jean Bosco basaba, Urukiko rurasanga bagenerwa 500.000Frw y'igihembo cya Avoka bese hamwe kuko uwababuraniye ari umwe, akazi yabakoreye akaba ari kamwe kuri bese na 300.000Frw

y'ikurikiranarubanza buri wese. [116] Urukiko rurasanga kandi amafaranga yose ategetswe, haba ay'igihembo cya Avoka, haba ay'ikurikiranarubanza agomba gutangwa n'abatsinzwe uru rubanza bafatanyije, aribo Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène. [117] Ku birebana n'amafaranga y'igihembo cy'umugenagaciro wagenwe muri uru rubanza, ingingo ya 273 y'Itegeko No 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi iteganya ko yishyurwa n'umuburanyi watsinzwe urubanza. [118] Hashingiwe kuri iyo ngingo, Urukiko rurasanga abatsinzwe urubanza, aribo Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène bafatanyije bagomba kwishyura amafaranga akurikira : 66.700Frw kuri Gashugi Jean Bosco, 66.700 Frw kuri Eglise Vivante de Jésus Christ au Rwanda, 66.700Frw kuri Uwimana Aloys, 66.700Frw kuri Ndamukunda Joshua, 133.400Frw kuri Kanyabuganza Eric, 200.100Frw kuri Mugabo John, yose hamwe akaba ari 600.300Frw. ICYEMEZO CY'URUKIKO:

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[119] Rwemeje ko ikirego rwashyikirijwe na Nyirahabimana Umwali Roselyne cyo gusubirishamo ku mpamvu z'akarengane urubanza RCA0068/14/HC/RWG, rwaciwe n'Urukiko Rukuru, Urugereko rwa Rwamagana, ku wa 11/03/2015, gifite ishingiro ; [120] Rwemeje ko urubanza RCA0068/14/HC/RWG ruhindutse mu ngingo zarwo zose; [121] Rutegetse Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène gufatanya guha Nyirahabimana Umwali Roselyne 36.310.000Frw ahwanye na kimwe cya kabiri ($\frac{1}{2}$) cy'agaciro k'umugabane we ku butaka bwahoze bufite UPI:5/01/01/03/1684 n'ubuso bwa 7.262Sqm; [122] Rutegetse Habimana Jean Léo Pasteur na Ndagijimana Félicien gufatanya guha Nyirahabimana Umwali Roselyne 600.000Frw y'ikurikiranarubanza mu Rukiko Rwisumbuye no mu Rukiko Rukuru; [123] Rutegetse Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène gufatanya guha Nyirahabimana Umwali Roselyne 300.000Frw y'ikurikiranarubanza kuri uru rwego; [124] Rutegetse Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène gufatanya guha Eglise Vivante de Jésus Christ au Rwanda na Ndamukunda Joshua 500.000 Frw y'igihembo cya Avoka bombi na 300.000Frw y'ikurikiranarubanza buri wese; [125] Rutegetse Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène gufatanya guha Bunani Jean Luc 300.000Frw y'ikurikiranarubanza; [126] Rutegetse Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène gufatanya guha Kanyabuganza Eric 500.000Frw y'igihembo cy'Avoka na 300.000Frw y'ikurikiranarubanza; [127] Rutegetse Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène gufatanya guha Rutaburingoga Théodore, Mugabo John, Uwimana Aloys, Nkinamubanzi Jean Baptiste, Gashugi Jean Bosco 500.000Frw y'igihembo cya Avoka bose hamwe na 300.000Frw y'ikurikiranarubanza buri wese ; [128] Rutegetse Habimana Jean Léo Pasteur, Ndagijimana Félicien, Sakindi Ildephonse na Munyandekwe Eugène gufatanya gusubiza abatanze amafaranga y'igihembo cy'umugenagaciro mu buryo bukurikira :

Gashugi Jean Bosco : 66.700Frw ; Eglise Vivante de Jésus Christ au Rwanda : 66.700Frw ;
Uwimana Aloys: 66.700Frw; Ndamukunda Joshua: 66.700Frw; Kanyabuganza Eric:
133.400Frw; Mugabo John: 200.100Frw. Yose hamwe akaba ari 600.300Frw.

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