

RWANDA / JUDGMENT

UBUSHINJACYAHA vs PC Tuyishime

RPAA 00450/2022/CA

COURT

Court of Appeal

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UBUSHINJACYAHA vs PC Tuyishime

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Text

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UBUSHINJACYAHA v. PC TUYISHIME [Rwanda URUKIKO RW'UBUJURIRE – RPAA 00450/2022/CA (Rugabirwa, P.J.) 21 Nzeli 2023] Amategeko agenga imanza nshinjabyaha – Uburyozwacyaha – Impamvu zikuraho uburyozwacyaha – Kwitabara (self-defence/ légitime défense) – Kugira ngo ukwitabara (légitime défense) kwemerwe n'amategeko kugomba kuba kujuje ibintu bine (4) bikurikira: kuba hari igitero kikugarije (attaque) cy'ako kanya (actuel); kuba ikikugarije kikurenganya (injuste); gukoresha imbaraga (force) kugomba kuba aribwo buryo bwonyine bwo kwitabara cyangwa gutabara undi muntu; no kuba igitero cyugarije umuntu cyangwa ibintu. Amategeko agenga imanza nshinjabyaha – Uburyozwacyaha – Leta nk'umukoresha ntiyaryozwa mu rubanza ibyakozwe n'umukozi wayo (urugero nk'umusirikare), igihe uwakoze ikosa aba atahawe uruhushya rwo gukora icyo gikorwa, yabujijwe kugikora, bivuze ko aba yatandukiriye inshingano ze, cyangwa mu gihe nta nyungu Leta ifite muri icyo gikorwa kuko ntaho gihuriye n'akazi ashinzwe ndetse n'ubutumwa yari yahawe n'umukuriye. Incamake y'ikibazo: Uru rubanza rwatangiriye mu Rukiko Rwisumbuye rwa Gicumbi Ubushinjacyaha bukurikiranye umupolisi witwa PC Tuyishime ku cyaha cy'ubwicanyi, nyuma yuko uyu agiye mu kazi ari kumwe n'abandi bapolisi bagenzi be bambaye civil bagiye kugenzura abantu bacururiza inzoga mu ngo zabo mu

gihe cya covid-19, kandi bitemewe nuko bageze ku rugo rw'uwitwa Hakuzimana bahasanga abantu nuko bagirana nabo amakimbirane. Abapolisi baratashye bageze mu kigo bahita bapanga gusubira aho bari bavuye bambaye imyenda y'akazi banitwaza imbunda, bongera kugera kwa Hakuzimana ari nka saa mbili z'ijoro (20h00') maze abaturage bamenye ko baje kubafata kubera banywaga inzoga, bituma uwitwa Tuyizere ahungira kwa Nyirakuru noneho Abapolisi barimo PC Tuyishime bamenya aho yahungiyeye kwa bamusangayo, bagezeyo, barakingura binjira mu nzu bayisangamo abandi bantu bicaranye na Tuyizere mu gihe yari ahagurutse ahunze abapolisi bari baje ku mufata, umupolisi witwa PC Tuyishime ahita amurasa mu mugongo arapfa. Uregwa yaburanye avuga ko atakoze icyaha cy'ubwicanyi ku bushake, ko ahubwo yarashe anica Tuyizere yitabara kuko nyakwigendera yari agiye kumukubita icupa ry'inzoga yari afite. Urwo Rukiko rwaciye urubanza rwemeza ko uregwa ahamwe n'icyaha cy'ubwicanyi, rumuhanisha igifungo cy'imyaka makumyabiri n'itanu (25), runamutegeka guha indishyi abaziregeye. Uregwa yajuririye urwo rubanza mu Rukiko Rukuru avuga ko yarashe Tuyizere mu rwego rwo kwitabara, ariko ko yahanishijwe ibihano biremereye kandi aribwo bwa mbere akurikiranywe mu Nkiko, avuga kandi ko ku bw'ibanze yakoze icyaha yitabara, bityo ko ataryozwa indishyi, ariko ko mu gihe bigaragaye ko agomba kuziryoza hagombye kugobokeshwa Leta y'u Rwanda kuko yakoze icyaha ari mu kazi kayo ko gucunga umutekano. Urwo Rukiko narwo rwaciye urubanza, rwemeza ko urubanza rwajuririwe rudahindutse. Uregwa yarongeye ajurira mu Rukiko Rw'Ubujurire avuga ko Urukiko Rukuru rwemeje ko nta kwitabara cyangwa ubusembure bwabayeho igihe uregwa yarasaga nyakwigendera, nyamara hashingiwe ku bimenyetso biri muri dosiye, rwagombaga kwemeza ko nibura habayeho kimwe muri byo, ko kandi atakoze icyaha cy'ubwicanyi kuko kitabaho mu gihe uwishwe n'uhamwisha batari baziranye cyane cyane ko nta yindi nyungu iyo ariyo yose uwishwe afite mu rupfu

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rw'uwishwe kuko ubwicanyi ari icyaha gishingiye ku bushake (infraction intentionnelle). Ku birebana n'indishyi, avuga ariko ko mu gihe uru Rukiko rwemeje ko hari uburyozwacyaha kuri we, ataryozwa indishyi wenyine, ko ahubwo Leta y'u Rwanda ikwiye kugobokeshwa muri uru rubanza kugira ngo bafatanye kuzishyura kuko indishyi aryoza zishingiye ku byamugwiririyeye ari mu kazi yari yatumwemo na Leta Ubushinjacyaha bwo bwaburanye buvuga ko uregwa atakoze icyaha cy'ubwicanyi yitabara, ko ahubwo yagikoze yakigambiriye bitewe n'uko yarashe Tuyizere mu mugongo, arapfa, kandi yamuhungaga, ndetse ko uregwa atari yugarijwe n'icyago kitigobotorwa kuko nta ntwaro nyakwigendera yari afite. Incamake y'icyemezo: 1. Kugira ngo ukwitabara (légitime défense) kwemerwe n'amategeko kugomba kuba kujuje ibintu bine (4) bikurikira: kuba hari igitero kikugarije (attaque) cy'ako kanya (actuel); kuba ikikugarije kikurenganya (injuste); gukoresha imbaraga (force) kugomba kuba aribwo buryo bwonyine bwo kwitabara cyangwa gutabara undi muntu; no kuba igitero cyugarije umuntu cyangwa ibintu. Bityo uregwa yakoze icyaha cy'ubwicanyi atitabara.

2. Igikorwa cyo kwitabara cyemewe ni ikigaragaza ko cyari ngombwa (défense nécessaire), kandi ukwo kwitabara kukaba mu rugero (défense mesurée) rw'icyari cyugarije uwakoze icyaha yitabara.
3. Leta nk'umukoresha ntiyaryozwa mu rubanza ibyakozwe n'umukozi wayo (urugero nk'umusirikare), igihe uwakoze ikosa aba atahawe uruhushya rwo gukora icyo gikorwa, yabujijwe kugikora, bivuze ko aba yatandukiriye inshingano ze, cyangwa mu gihe nta nyungu Leta ifite muri icyo gikorwa kuko ntaho gihuriye n'akazi ashinzwe ndetse n'ubutumwa yari yahawe n'umukuriye. Ubujurire nta shingiro bufite. Amategako yashingiweho: Itegeko N° 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange, ingingo ya 56 n'ya 86. Itegeko N° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, Ingingo ya 111. Imanza zifashishijwe: RPA 0074/07/CS, Ubushinjacyaha vs. Pte Niyoyita Innocent rwaciwe n'Urukiko rw'Ikirenga ku wa 25/07/2008. Inyandiko z'abahanga: Nyabirungu mwene Songa, *Traité de Droit Pénal Général Congolais*, 2ème éd., Editions Universitaires Africaines, Kinshasa, 2007, p.176. G. Stephani, G. Levasseur, B. Bouloc, *Droit Pénal Général*, 12ème éd., Paris, 1984, pp. 350-352.

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Urubanza I. IMITERERE Y'URUBANZA [1] Ku wa 27/03/2021, hagati ya saa 16h00 na saa 18h00, nibwo umupolisi witwa Tuyishime Moïse wakoreraga kuri Station ya Kinihira, yagiye mu kazi ari kumwe n'abandi bapolisi bagenzi be bambaye civil bagiye kugenzura abantu bacururiza inzoga mu ngo zabo mu gihe cya covid- 19, kandi bitemewe, bageze ku rugo rw'uwitwa Hakuzimana Théoneste bumva abantu benshi bari mu rugo rwe, abapolisi barakomanga ariko abari barimo banga kubakingurira, ahubwo baza kureba ababakomangira bituma bamenya ko ari abapolisi, noneho barabirukankana bashaka kubatera amabuye, ndetse uwitwa Tuyizere Jean d'Amour bagirana amakimbirane kuko ngo yashatse kubakubita afatanyije n'abandi baturage afite n'umuhoro ashaka kubatema, ariko abapolisi barabareka baritahira birarangira. [2] Abapolisi baratashye bageze mu kigo babwira Komanda wabo ibyababayeho mu kazi baribagiyemo, bahita bapanga gusubira aho bari bavuye bambaye imyenda y'akazi banitwaza imbunda, bongera kugera kwa Hakuzimana Théoneste ari nka saa mbili z'ijoro (20h00') barikumwe na Komanda wabo, maze abaturage bamenye ko baje kubafata kubera banywaga inzoga, bituma Tuyizere Jean d'Amour ahungira kwa Nyirakuru witwa Mukamulisa Marigaritha noneho Abapolisi aribo PC Tuyishime Moïse na PC Katurebe Frank bamenya ko Tuyizere Jean d'Amour yahungiyeye kwa Mukamulisa Marguerite bamusangaye, bagezeyo, barakingura binjira mu nzu bayisangamo abandi bantu bicaranye na Tuyizere Jean d'Amour, mu gihe Tuyizere Jean d'Amour yari ahagurutse ahunze abapolisi bari baje ku mufata, umupolisi witwa Tuyishime Moïse ahita amurasa mu mugongo arapfa. [3] Ruhongeka François, umubyeyi wa nyakwigendera, na Uwitije, umuvandimwe we, batanze ikirego cy'indishyi muri urwo rubanza basaba ko PC Tuyishime Moïse wakoze icyaha cy'ubwicanyi abaha indishyi zinyuranye zingana na 10.525.127 Frw. [4] Ubushinjacyaha bwareze PC Tuyishime Moïse mu Rukiko Rwisumbuye rwa Gicumbi bumukurikiranyeho icyaha cy'ubwicanyi, uregwa yaburanye avuga ko atakoze icyaha

cy'ubwicanyi ku bushake, ko ahubwo yarashe anica Tuyizere Jean d'Amour yitabara kuko nyakwigendera yari agiye kumukubita icupa ry'inzoga yari afite, ndetse ko na mugenzi we Nsabagasani bari kumwe icyo gihe, yabanguye umuhoro ashaka kuwumutemesha. [5] PC Tuyishime Moïse yaburanye ahakana icyaha cy'ubwicanyi akavuga ko yagikoze yitabara kuko igihe bajyaga gushaka amakuru ku bantu banywaga inzoga igihe cya covid -19 babanje kugenda bambaye civil ari batatu, ariko bageze aho hantu abaturage babavugiriza induru, banabatera amabuye, ko bahise basubira mu kigo noneho babasaba gushyiramo uniforme, hanyuma bamaze kuyishyiramo, basubiranayo n'umuyobozi wabo, bagezeyo, basanga abaturage bacyinywera inzoga muri ya nzu, abaturage bamwe bababonye, barasimbuka, ariko umuyobozi wabo abasaba kujya kubashakira kwa Mukamulisa Marguerite, baragenda, bagezeyo, barahabasanga, nyamara abagabo batangira gushaka kwiruka kugira ngo babacike, naho abagore bakomeza kwiycarira mu nzu, ariko kubera ko umuryango wari muto, abagabo batangiye kunyura muri corridor, aba aribwo uwitwa Twagirimana Jean d'Amour yashatse kumukubita

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icupa, naho Nsabagasani abangura umuhoro asahaka kuwutemesha, ahita arasa Twagirimana mu mugongo yitabara ariko arapfa. [6] Urwo Rukiko rwaciye urubanza n° RP 00341/2021/TGI/GIC ku wa 25/11/2021, rushingiye ku mvugo z'abatangabuhamya barimo Nsabagasani wari kumwe na nyakwigendera igihe yaraswaga, no ku mvugo za PC Tuyishime Moïse waburanye yemera ko ariwe warashe nyakwigendera mu rwego rwo kwitabara kubera ko yari asumbirijwe, raporo y'Inzego z'Ibanze y'aho icyaha cyabereye igaragaza ko PC Tuyishime Moïse ariwe warashe nyakwigendera urusasu mu mugongo mu gihe yahungaga agahita apfa na raporo ya muganga igarasaza ko nyakwigendera Tuyizere Jean d'Amour yapfuye arashwe kuko umurambo we wari ufite ibikomere mu mugongo, rwemeza ko PC Tuyishime Moïse ahamwa n'icyaha cy'ubwicanyi, rumuhanisha igifungo cy'imyaka makumyabiri n'itanu (25), runamutegeka guha abaregera indishyi aribo Ruhongeka François na Uwitije indishyi z'akababaro zingana na miliyoni esheshatu (6.000.000 Frw), ibihumbi magana atanu (500.000 Frw) y'igihembo cy'Avoka n'ibihumbi magana abiri (200.000 Frw) y'ikurikiranarubanza, yose hamwe akaba miliyoni esheshatu n'ibihumbi magana arindwi (6.700.000 Frw). Urwo Rukiko rwasobanuye ko nta kigaragaza ko PC Tuyishime Moïse yitabaraga igihe yakoraga icyaha cy'ubwicanyi, ariko rumugabanyiriza igihano kubera ko ari ubwa mbere akurikiranyweho icyaha, no kuba atari yagambiriye kumwica kuko ntacyo bari basanzwe bapfa. [7] PC Tuyishime Moïse yajuririye urwo rubanza mu Rukiko Rukuru avuga ko yarashe TUYIZERE Jean d'Amour mu rwego rwo kwitabara, ariko ko yahanishijwe ibihano biremereye kandi aribwo bwa mbere akurikiranywe mu Nkiko. Me Kayijuka Ngabo, uwunganira, avuga ko ku bw'ibanze, uregwa yakoze icyaha yitabara, bityo ko ataryozwa indishyi, ariko ko mu gihe bigaragaye ko agomba kuziryoza wenyine, ko ahubwo hagombye kugobokeshwa Leta y'u Rwanda kuko yakoze icyaha ari mu kazi kayo ko gucunga umutekano. Uhagarariye Ubushinjacyaha avuga ko atakoze icyaha yitabara, ko ahubwo yarashe nyakwigendera agambiriye kumwica. Naho abaregera indishyi batanze ubujurire bwuririye ku bundi, basaba ko na icyezere Nicole nawe yagenerwa indishyi kuko ari umwana wa nyakwigenera. [8] Urukiko Rukuru rushingiye ku bimenyetso birimo imvugo za PC Tuyishime

Moïse yavugiye mu nzego z'iperereza, iza Nsabagasani Donatien, ndetse n'iza PC Katurebe Frank, rwasanze PC Tuyishime Moïse atarishe nyakwigendera yitabara, ko ahubwo yakoze icyaha cy'ubwicanyi yakigambiriye anabishaka kuko yari azi neza ko urusasu arekuye rwica nyakwigendera, nyamara nta kigaragaza ko yari yugarijwe, agiye kugirirwa nabi nk'uko abivuga, ruca urubanza n° RPA 001799/2021/HC/KIG ku wa 17/06/2022, rwemeza ko urubanza rwajuririwe rudahindutse, ko gifungo cy'imyaka 25 Tuyishime Moïse yahanishijwe kidahindutse, ndetse ko icyezere Nicole atahabwa indishyi kuko atigeze aba umuburanyi ku kwego rwa mbere. [9] PC Tuyishime Moïse yajuririye urwo rubanza mu Rukiko rw'Ubujurire, ubujurire bwe bwandikwa kuri n° RPAA 00450/2022/CA, urubanza ruburanishwa mu ruhamye ku wa 05 Nzeli 2023, PC Tuyishime Moïse yunganiwe na Me Kayijuka Ngabo, abaregera indishyi bahagarariwe na Me Rutaganira Alexandre, naho Ubushinjacyaha buhagarariwe na Habarurema Jean Pierre, Umushinjacyaha ku rwego rw'igihugu.

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[10] Mu myanzuro no mu miburanire, PC Tuyishime Moïse na Me Kayijuka Ngabo, umwunganira, bavuga ko Urukiko Rukuru rwemeje ko nta kwitabara cyangwa ubusembure bwabayeho igihe uregwa yarasaga nyakwigendera, nyamara hashingiwe ku bimenyetso biri muri dosiye, rwagombaga kwemeza ko nibura habayeho kimwe muri byo, ko kandi atakoze icyaha cy'ubwicanyi kuko kitabaho mu gihe uwishwe n'uhamwisha batari baziranye cyane cyane ko nta yindi nyungu iyo ariyo yose uwishwe afite mu rupfu rw'uhamwisha kuko ubwicanyi ari icyaha gishingiye ku bushake (infraction intentionnelle), ndetse ko rwamuhamije icyaha hashingiwe ku buhamya bw'abatangabuhamya bahamije ibyo batahagazeho kuko batari bari muri corridor, ko ahubwo ibyabaye byabonwe n'uregwa na Nsabagasani Donatien n'ubwo nawe ashinjwa n'uregwa ko yendaga kumutema. Ku birebana n'indishyi, bavuga ariko ko mu gihe uru Rukiko rwemeje ko hari uburyozwacyaha kuri PC Tuyishime Moïse, ataryozwa indishyi wenyine, ko ahubwo Leta y'u Rwanda ikwiye kugobokeshwa muri uru rubanza kugira ngo bafatanye kuzishyura kuko indishyi ariyozwa zishingiye ku byamugwiririyeho ari mu kazi yari yatumwemo na Leta. [11] Uhagarariye Ubushinjacyaha avuga ko PC Tuyishime Moïse atakoze icyaha cy'ubwicanyi yitabara, ko ahubwo yagikoze yakigambiriye bitewe n'uko yarashe Tuyizere Jean d'Amour mu mugongo, arapfa, kandi yamuhungaga, ndetse ko uregwa atari yugarijwe n'icyago kitigobotorwa kuko nta ntwaro nyakwigendera yari afite. [12] Uhagarariye abaregera indishyi avuga ko PC Tuyishime Moïse wakoze icyaha cy'ubwicanyi atitabara, akwiye kubaha indishyi bagenewe ku rwego rwa mbere hiyongereyeho amafaranga y'ikurikiranarubanza n'ay'igihembo cy'Avoka. [13] Urukiko rushingiye kuri izo mpaka, rusanga ibibazo bigomba gusuzumwa muri uru rubanza ari ibi bikurikira:

1. Kumenya niba Urukiko Rukuru rwarakoze amakosa mu kwemeza ko PC Tuyishime Moïse yakoze icyaha cy'ubwicanyi ku bushake atitabara kuko atari yasembuwe.
2. Kumenya niba Leta y'u Rwanda yaragombaga kugobokeshwa muri uru rubanza kugira ngo ifatanye na PC Tuyishime Moïse mu kwishyura indishyi ku baziregera.

3. Kumenya niba nta mafaranga y'ikurikiranarubanza n'ay'igihembo cy'Avoka PC Tuyishime Moïse agomba gutanga muri uru rubanza. II. ISESENGURA RY'IKIBAZO KIGIZE URUBANZA
1. Kumenya niba Urukiko Rukuru rwarakoze amakosa mu kwemeza ko PC Tuyishime Moïse yakozwe icyaha cy'ubwicanyi buturutse ku bushake atitabara kuko atari yasembuwe [14] PC Tuyishime Moïse n'umunganira bavuga ko ataragombaga kuryozwa icyaha kubera ko Yagikoze yitabara bitewe n'uko yari yasembuwe na Nsabagasani Donatien na nyakwigendera Tuyizere Jean d'Amour ubwo birukiraga muri corridor bagasanga urugi rw'aho bifuzaga gusohokera rukinze bagahindukirana PC Tuyishime Moïse bagatangira kumurwanya maze Tuyizere Jean d'Amour akabangura icupa agiye kurimukubita mu mutwe bigatuma PC

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Tuyishime Moïse ahita amurasa agahita apfira aho, binatuma Nsabagasani Donatien wari ubanguye umuhoro agiye kuwumutemesha yirukira mu cyumba, nyamara Urukiko Rukuru rwamuhamije icyaha cy'ubwicanyi buturutse ku bushake, rumuhanisha igihano kiremereye, kandi atari ukuri, ko ahubwo rwagombaga kwemeza ko ataryozwa icyaha yakozwe kubera ko yagikoze yitabaraga cyangwa rukamugabanyiriza igihano kubera ko yasembuwe na Nsabagasani Donatien na nyakwigendera, no kuba aribwo bwa mbere akurikiranwe mu Nkiko. [15] Bavuga kandi ko Urukiko Rukuru rwamuhamije icyaha cy'ubwicanyi gishingiye ku bushake (infraction intentionnelle), kandi kidashoboka mu gihe uwishwe n'uwamwishe ntacyo bapfaga kuko batari baziranye, ko kandi uwishwe nta yindi nyungu iyo ariyo yose yari afite mu rupfu rwa nyakwigendera, kuko kuba yararashe nyakwigendera mu mugongo byatewe n'uko we na mugenzi we birukaga muri corridor mu gihe cya saa mbiri z'ijoro (20h00') banafite icupa n'umuhoro, ko ahubwo Komanda wa Polisi yagombaga gutumizwa kugira ngo agaragaze ukuri kw'ibyabaye harimo gusobanura mission yari yahaye Abapolisi be, aho ibimene by'amacupa n'umuhoro byagiye kuko bitagaragaye muri dosiye, nyamara byari byatwawe n'imodoka yatwaye, uretse ko n'abavandimwe ba nyakwigendera nabo bashoboraga kuvana umuhoro hafi y'umurambo kugira ngo bitazagaragara ko Nsabagasani Donatien yashakaga kuwumutemesha PC Tuyishime Moïse. [16] Bakomeza bavuga ko rwamuhamije icyaha cy'ubwicanyi hashingiye ku buhamya bw'abatangabuhamya batandukanye kandi bamwe ari abavandimwe ba nyakwigendera, rwirengagiza ko ibyabereye muri corridor byabonywe gusa n'uregwa ariwe PC Tuyishime Moïse na Nsabagasani Donatien ushinjwa n'uregwa ko nawe yari agiye kumutemesha umuhoro yari afite, kuko abandi bose bari basohotse nk'uko bari babisabwe na Polisi hasigara gusa nyakwigendera na Nsabagasani Donatien kuko aribo bari bafite icupa n'umuhoro nk'uko byasobanuwe haruguru, ko n'ubwo Turagiwenimana avuga ko yari ahari, ubuhamya bwe butashingirwaho kuko asobanura ibyabaye mbere ya saa kumi (16h00'), ko ahubwo rwagombaga gushingira kuri raporo y'Inzego z'Ibanze kuko igaragaza ko yasembuwe. [17] Bongeyeho ko Abapolisi barimo PC Tuyishime Moïse bataje kurasa abaturage bagamije kwihimura nk'uko bivugwa n'Ubushinjacyaha, ko ahubwo byari kubaho iyo bahita bajya mu Kigo bakambara imyenda yabo, bagahita bagaruka, noneho agahita arasa nyakwigendera Tuyizere Jean d'Amour, ariko ko bataje kwihimura kuko bagarukanye na Komanda wabo, bigaragara ko bari mu kazi kabo ko kugenzura niba abaturage barubahirizaga amabwiriza ya Covid- 19, nyamara basanga

nyakwigendera afite icyupa yari agamije gukoresha nk'intwaro bituma araswa na PC Tuyishime Moïse, naho Nsabagasani Donatien washakaga kumutemesha umuhuro yari afite ahita ahungira mu cyumba. [18] Uhagarariye Ubushinjacyaha avuga ko PC Tuyishime Moïse yakoze icyaha cy'ubwicanyi buturutse ku bushake nk'uko byemejwe n'Urukiko Rukuru kubera ko yarashe nyakwigendera Tuyizere Jean d'Amour atitabara kuko atari yamusembuye, ko kandi uregwa n'umwunganira batabashije kuvuguruza ibyo urwo Rukiko rwashingiyeho rwemeza ko yakoze icyaha cy'ubwicanyi buturutse ku bushake. [19] Asobanura ko PC Tuyishime Moïse yakoze icyaha cy'ubwicanyi buturutse ku bushake kuko yarashe nyakwigendera Tuyizere Jean d'Amour mu mugongo amuturutse inyuma kuko raporo yakozwe na Rwanda Investigation Bureau igaragaza ko nyakwigendera afite igikomere

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mu mugongo, bigaragara ko ariho isasu ryinjiriye (entrance wound), risohokera mu gituzo hejuru y'ibere ry'ibumoso (exit wound) kuko hari igikomere kinini, akaba asanga nyakwigendera atarashatse kumurwanya no kumukubita icyupa cyangwa ko Nsabagasani Donatien atashatse kumutemesha umuhoro nk'uko uregwa n'umwunganira babivugaga kuko nta kimenyetso babitangiye, ko ahubwo PC Tuyishime Moïse yarashe nyakwigendera mu mugongo igihe yamuhungaga nk'uko n'ubundi yari yamuhungiyemo mu nzu mbere y'aho, bivuze ko PC Tuyishime Moïse nta makuba yaramwugariye ku buryo yagombaga kwirwanaho akoresheje intwaro. [20] Ku bivugwa n'umwunganira PC Tuyishime Moïse ko icyaha cy'ubwicanyi kitabaho mu gihe uwishwe n'uwishe bataziranye, avuga ko nta shingiro ifite kuko ataricyo ingingo ya 107 y'Itegeko n° 68/2018 ryo ku wa 30/08/2018 riteganyaga ibyaha n'ibihano muri rusange Iteganyaga kuko ivugaga ko "Umuntu wica undi abishaka, aba akoze icyaha. Iyo abihamijwe n'urukiko, ahanishwa igihano cy'igifungo cya burundu", akaba asanga kugira ngo icyaha cyo kwica undi ubishaka kibeho, ntahateganyijwe ko uwica agomba kuba azi uwo yica cyangwa ko bagomba kuba baziranye, ko kandi bitagombera ko uwica aba abifitemo inyungu, uretse ko ataricyo kibazo gisuzumwaga muri uru rubanza, ko ahubwo hasuzumwaga ibikorwa byakozwe n'uregwa, aho bihuriye n'uwabikoze, n'aho bihuriye n'ibiteganywaga n'itegeko. [21] Akomeza avuga ko impamvu yatumye PC Tuyishime Moïse arasa akanika Tuyizere Jean d'Amour ari inzika yari amufitiye yatewe nk'uko abaturage bari babanje kubarwanya mbere igihe yari yambaye igisivile n'abagenzi be, ariko ko basubiye mu Kigo cya Polisi bagaruka bambaye imyenda yabo y'akazi banitwaje imbunda, maze bahabwa amakuru ko Tuyizere Jean d'Amour bari bagiranye amakimbirane yahungiyemo kwa Nyirakuru witwa Mukamulisa Marguerite, bamusangaye, noneho PC Tuyishime Moïse abwira abaturage ngo nibongere bavuye ko imbunda zabo zirasa umwuka, maze ahita arasa Tuyizere Jean d'Amour mu mugongo arapfa, nyamara nta kimenyetso uregwa yatanze kigaragaza ko nyakwigendera yamusatiriye ashaka kumukubita icyupa yari afite, ko ahubwo bigaragara ko yamurashe yamuhungiyemo muri corridor, kubera ko yamurashe mu mugongo, bivuze ko nyakwigendera, warebaga imbere, atashoboraga gukubita PC Tuyishime Moïse icyupa kandi uyu yari amuturutse inyuma. Avugaga kandi ko Nsabagasani Donatien atari muri corridor, ndetse ko atigeze abangura umuhoro ashaka kuwutemesha PC Tuyishime Moïse, kuko icyo awubangura ariwe wari kuraswa, kurusha nyakwigendera wari ufite icyupa. [22] Akomeza asobanura ko Nsabagasani Donatien

atari muri corridor, ko ahubwo yasobanuye uburyo Tuyizere Jean d'Amour yahungiyeye Abapolisi kwa nyirakuru afite icupa ry'inzoga, n'uburyo yongeye kubahungira muri corridor igihe bazaga kumufata, ariko ko PC Tuyishime Moïse yahise amurasa mu mugonno arapfa, maze iryo cupa nyakwigendera yari afite rigahita rimeneka igihe yikubitaga hasi. [23] Avuga na none ko PC Katurebe Frank wari muri Salon mu nzu atabonye ibyabereye muri corridor, ko ahubwo yasobanuye ko PC Tuyishime Moïse yagiye akurikiye nyakwigendera muri corridor, ariko ko atigeze abona ibyahabereye, ko ahubwo we n'abo bari kumwe babajije PC Tuyishime Moïse impamvu arashe nyakwigendera ababwira ko yari agiye kumutera icupa, nyamara uyu nta kimenyetso abitangira, ahubwo yamurashe mu mugongo igihe yamuhungaga nk'uko byasobanuwe haruguru. Avuga kandi ko Komanda Mushimiyimana Thérèse atahamagazwa muri uru rubanza kuko atari muri corridor, ahabereye icyaha, ko wenda yabazwa

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ibijyanye no kumenya niba yaba yaratanze amabwiriza anyuranyijwe n'amategeko, uretse ko ataregwa muri uru rubanza. [24] Bongeyeho ko abatangabuhamya barimo Nsabagasani Donatien, ndetse n'ibikubiye muri raporo y'Ubuyobozi bw'Inzego z'Ibanze, basobanuye ibyabaye imbere y'iraswa rya nyakwigendera, nyamara ntibabonye ibyabereye muri corridor, aho PC Tuyishime Moïse yarasiye akanica Tuyizere Jean d'Amour yari yamuhungiyeye afite icupa ry'inzoga yanywaga, bigaragara ko uregwa yakoresheje imbaraga z'umurengera kuko niba abaturage bari bigometse batubahiriza amabwiriza ya Covid-19, ataricyo cyari gutuma uregwa arasa nyakwigendera akamwica, ko ahubwo yamwishe abitewe n'umujinya n'inzika yari amufitiye yatewe n'uko nyakwigendera yari mu baturage bari babanje kurwanya no gusuzugura Abapolisi bari bambaye civil barimo PC Tuyishime Moïse. [25] Ku birebana n'imikorere y'icyaha, Me Rutaganira Alexandre, uhagarariye abaregera indishyi, avuga ko Tuyishime Moïse agomba kuryozwa icyaha cy'ubwicanyi yakoze yakigambiriye, kubera ko yagiye mu Kigo yambara imyenda y'akazi, agaruka afite imbunda n'umujinya, ahita arasira nyakwigendera muri corridor, aho yari yamuhungiyeye, kuko habonaga, amuziza ko yari yamurwanije mbere. UKO URUKIKO RUBIBONA [26] Ku birebana no kwitabara (Légitime défense) PC TUYISHIME Moïse ashingiraho nk'impamvu ikuraho uburyozwacyaha, ingingo ya 86, igika cya 2, agace 2°, a), y'Itegeko n° 68/2018 ryo ku wa 30/08/2018 riteganyaga ibyaha n'ibihano muri rusange iteganyaga ko impamvu zikuraho uburyozwacyaha zishingiye ku gikorwa zibaho iyo umuntu witabara akoze igikorwa cyo kwirwanaho yugarijwe n'amakuba. [27] Na none ku bijyanye n'ubusembure nk'impamvu PC Tuyishime Moïse ashingiraho asaba kongera kugabanyirizwa igihano, ingingo ya 56 y'Itegeko n° 68/2018 ryo ku wa 30/08/2018 rimaze kuvugwa haruguru, iteganyaga ko "Igihe habaye ubusembure, umucamanza agaragaza mu cyemezo cy'urukiko ingingo zerekana ko imyitwarire y'uwakorewe icyaha ari yo yatumye icyo cyaha gikorwa". [28] Kugira ngo ubusembure bwemerwe, ari uko igikorwa uvuga ko yasembuwe yakorewe cyaba ari icyakozwe kimurenganya. [29] Inyandiko z'umuhanga mu mategeko ahana witwa Nyabirungu mwene Songa asobanura ko kugira ngo ukwitabara (légitime défense) kwemerwe n'amategeko kugomba kuba kujuje ibintu bine (4) bikurikira : kuba hari igitero kikugarije (attaque) cy'ako kanya (actuel); kuba ikikugarije kikurenganya (injuste); gukoresha imbaraga (force) kugomba kuba aribwo buryo bwonyine bwo

kwitabara cyangwa gutabara undi muntu; no kuba igitero cyugarije umuntu cyangwa ibintu¹. [30] Na none inyandiko z'abahanga mu mategeko barimo G. Stephani, G. Levasseur na B. Boulloc zisobanura ko igikorwa cyo kwitabara cyemewe ari ikigaragaza ko cyari ngombwa (*défense nécessaire*), kandi ukwo kwitabara kukaba mu rugero (*défense mesurée*) rw'icyari cyugarije uwakoze icyaha yitabara².

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[31] Nk'uko bigaragarira mu gika cya 40 cy'urubanza rwajuririwe muri uru Rukiko, Urukiko Rukuru rwasanze ibimenyetso bigizwe n'imvuzo za PC Tuyishime Moïse, imvugo z'abatangabuhamya, ndetse na raporo ya muganga bigaragaza ko yakozwe icyaha cy'ubwicanyi kuko yarekuye urusasu rwishe nyakwigendera abigambiriye kandi abishaka azi neza ko rumwica kuko nta kigaragaza ko yari yugarijwe agiye kugirirwa nabi nk'uko abivuga. [32] Kuva agifitwa kugera imbere y'uru Rukiko, Umupolisi witwa Tuyishime Moïse, uregwa muri uru rubanza, yemera ko yarashe akanica Tuyizere Jean d'Amour, ariko ko yamurashe yitabara (*Légitime défense*) kubera ko yari yasembuwe (*provocation*) na nyakwigendera kuko yashatse kumukubita icyupa ry'inzoga mu mutwe akinga akaboko ntiryamukomeretsa, no kuba mugenzi we Nsabagasani Donatien yarazamuye umuhoro ashaka kuwumutemesha ubwo bari bari muri corridor y'inzu ya nyirakuru witwa Mukamulisa Marguerite ku wa 27/03/2021, mu gihe cya saa mbili (20h00') z'ijoro. [33] Umutangabuhamya witwa Nsabagasani Donatien wari kumwe na nyakwigendera muri corridor, asobanura ko ubwo bari bicaye mu nzu ya Mukamulisa Marguerithe n'ijoro, haje umupolisi abwira Tuyizere Jean d'Amour ngo kare mwavugaga ko imbunda zacu ari umwuka, ko Nsabagasani Donatien yahagarutse amuhungira muri corridor ashaka gusohoka ariko asanga urugi urakinze, ko Tuyizere Jean d'Amour nawe yaje amukurikiye muri corridor, ariko uwo mupolisi amurasa isasu rimwe amuturutse mu mugongo ahita agwa hasi n'icyupa ry'urwagwa yari afite, naho we ahita ahungira mu cyumba arikingirana. Avuga kandi ko nta muntu wari muri iyo nzu wari ufite umuhoro. [34] PC Katurebe Franck wari kumwe na PC Tuyishime Moïse kwa Mukamulisa Marguerite, asobanura ko igihe bajyaga gufata abanyweraga inzoga mu nzu ya Mukamulisa Marguerithe, PC Tuyishime Moïse yakurikiye abanyuze muri corridor, ariko ko atazi impamvu yarashe kuko ataharebaga, uretse ko yabajije impamvu PC Tuyishime Moïse yarashe amubwira ko byatewe n'uko yageze muri corridor noneho uwo yarashe akamutera icyupa, naho mugenzi we ashaka kumutemesha umuhoro, arekura isasu ryafashe uwamuteye icyupa. [35] Raporo ya muganga yo ku wa 27/03/2021 igaragaza ko umurambo wa nyakwigendera Tuyizere Jean d'Amour wari ufite igikomere gito mu mugongo (bigaragara ko ariho isasu ryinjiriye (*etrance wound*)), ndetse n'igikomere kinini nka 12 cm hejuru y'ibere ry'ibumoso (bigaragara ko ariho isasu ryasohokeye (*exit wound*)), bigaragara ko yarashwe n'uware amwegereye ndetse n'igitoryi cy'isasu cyari hafi y'umurambo wa nyakwigendera wakomeretse mu maso n'uko yakubise umutwe ku bimene by'icyupa yari afite mu ntoki ryari iruhande rw'umurambo we. [36] Hashingiwe ku mategeko, no ku bisobanuro by'abahanga mu mategeko, ndetse no ku bimenyetso byavuzwe haruguru, Urukiko rusanga nk'uko n'Urukiko Rukuru rwabibonye, PC Tuyishime Moïse yarakozwe icyaha cy'ubwicanyi buturutse

ku bushake kuko yarashe Tuyizere Jean d'Amour mu mugongo akamwica kandi nyakwigendera yari yamuhungiye muri corridor ashaka gusohokera mu muryango wo mu gikari, bikaba bigaragara ko igihe PC Tuyishime Moïse yarasaga nyakwigendera atitabaraga kubera ko atari yasembuwe na nyakwigendera cyangwa Nsabagasani Donatien kuko nta kimenyetso kigaragaza ko nyakwigendera yashatse kumukubita icupa mu mutwe, cyangwa ko Nsabagasani Donatien yashatse kumutemesha umuhoro kuko nta kigaragaza ko yari awufite.

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- [37] Urukiko rusanga impamvu nyoroshyacyaha PC Tuyishime Moïse ashingiraho asaba kongera kugabanyirizwa igihano y'uko ari ubwa mbere akoze icyaha, nta shingiro ifite, kuko harebwe uburemere bw'icyaha cy'ubwicanyi yakoze atitabara kuko yarashe Tuyizere Jean d'Amour mu mugongo akamwica igihe yamuhungaga nk'uko byasobanuwe haruguru, kandi akaba yararashe umuturage kandi ari mu bashinzwe kumurinda, bigaragara ko uregwa atakongera kugabanyirizwa igihano hashingiwe kuri iyo mpamvu aburanisha.
2. Kumenya niba Leta y'u Rwanda yaragombaga kugobokeshwa muri uru rubanza kugira ngo ifatanye na PC Tuyishime Moïse mu kwishyura indishyi ku baziregera mu gihe ahamwe n'icyaha kuko yaba yaragikoze ari mu kazi. [38] PC Tuyishime Moïse n'umwunganira bavuga ko ku bw'ibanze uregwa ataryozwa icyaha kuko yagikoze yitabara bitewe n'uko yari yasembuwe na nyakwigendera ubwo yamukubitaga icupa yari afite nk'intwaro, ariko ko mu gihe uru Rukiko rubibonye ukundi, rukemeza ko agomba kuryozwa icyaha, Leta y'u Rwanda yagombaga kugobokeshwa muri uru rubanza kugira ngo ifatanye na PC Tuyishime Moïse mu kwishyura indishyi ku baziregera kuko ibyabaye byamugwiririyeye ari mu kazi, ndetse ko babisabye kuva ku rwego rwa mbere kugera muri uru Rukiko ariko ntibyahabwa agaciro. [39] Uhagarariye Ubushinjacyaha asaba uru Rukiko gusesengura ingingo ya 116 y'Itegeko n° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegets, rukamenya niba Leta y'u Rwanda igomba kugobokeshwa ku gahato muri uru rubanza, ariko ashingiye ku gika cya 3 cy'iyi ngingo, asanga Leta y'u Rwanda itagobokeshwa ku gahato muri uru rubanza, kuko iteganya ko ko "Kugobokeshwa ku gahato ntibyemewe mu Rukiko rw'Ubujurire cyangwa mu Rukiko rw'Ikirenga". UKO URUKIKO RUBIBONA [40] Iby'uko Leta y'u Rwanda nk'umukoresha itaryozwa mu rubanza ibyakozwe n'umukozi wayo, urugero nk'umusirikare, ari igihe uwakoze ikosa aba atahawe uruhushya rwo gukora icyo gikorwa yabujijwe kugikora, bivuze ko aba yatandukiriye inshingano ze, cyangwa mu gihe nta nyungu Leta ifite muri icyo gikorwa kuko ntaho gihuriye n'akazi ashinzwe ndetse n'ubutumwa yari yahawe n'umukuriye, byemejwe mu rubanza n° RPA 0074/07/CS rwaciye n'Urukiko rw'Ikirenga ku wa 25/07/2008, haburana Ubushinjacyaha na Pte Niyoyita Innocent n'abaregera indishyi barimo Gakosi Nkuriza. [41] Mu gika cya 40 cy'urubanza n° RPA 0074/07/CS rwavuzwe haruguru, Urukiko rw'Ikirenga rwasobanuye ko Leta y'u Rwanda itaryozwa indishyi zikomoka ku cyaha cy'ubwicanyi cyakozwe na Pte Niyoyita Innocent, kuko icyaha yakoze nta sano gifatanye n'inshingano ze za gisirikare, ko ahubwo izo ndishyi zigomba kwishyurwa na Pte Niyoyita

Innocent wenyine. [42] Hashingiwe ku murongo watanze mu rubanza n° RPA 0074/07/CS rumaze kuvugwa haruguru, Urukiko rusanga, kuba PC Tuyishime Moïse yarakoze icyaha cy'ubwicanyi ku giti cye no ku mpamvu ze bwite ubwo yarengeraga inshingano ze za gipolisi, akica Tuyizere Jean d'Amour amurashe mu mugongo kandi ataramurwanyaga, ko ahubwo yamuhungaga nk'uko

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byasobanuwe haruguru, bigaragara ko nta kosa Inkiko zabanje zakoze mu kutagobokesha Leta y'u Rwanda muri uru rubanza kugira ngo iryozwe indishyi zikomoka ku cyaha cy'ubwicanyi cyakozwe na PC Tuyishime Moïse ku giti cye, ko ahubwo izo ndishyi zigomba kwishyurwa na PC Tuyishime Moïse wenyine nk'uko byemejwe n'Inkiko zabanje.

3. Kumenya niba nta mafaranga y'ikurikiranarubanza n'ay'igihembo cy'Avoka PC Tuyishime Moïse agomba gutanga muri uru rubanza. [43] Uhagarariye abaregera indishyi avuga ko indishyi zingana na miliyoni esheshatu n'ibihumbi magana arindwi (6.700.000 Frw) bagenewe ku rwego rwa mbere zitahinduka, ko ahubwo PC Tuyishime Moïse wakoze icyaha cy'ubwicanyi, akwiye kubaha ibihumbi magana atanu (500.000 Frw) y'igihembo cya Avoka batahawe n'Urukiko Rukuru, hiyongereyeho ibihumbi magana atanu (500.000 Frw) y'igihembo cya Avoka yo kuri uru rwego n'ibihumbi ijana (100.000Frw) y'ikurikiranarubanza yo kuri uru rwego, yose hamwe akaba miliyoni indwi n'ibihumbi magana inani (7.800.000 Frw). [44] PC Tuyishime Moïse n'umwunganira bavuga ko ku bw'ibanze, PC Tuyishime Moïse atagomba guha abaregera indishyi amafaranga y'igihembo cya Avoka n'ay'ikurikiranarubanza basaba muri uru rubanza kubera ko yakoze icyaha yitabara nk'uko byasobanuwe haruguru, ko ariko mu gihe bigaragaye ko yakoze icyaha abitewe n'ubusembure yakorewe na Nsabagasani Donatien na nyakwigendera, atatanga ibihumbi ijana (100.000Frw) y'ikurikiranarubanza yo kuri uru rwego kubera ko nta kimenyetso abaregera indishyi batanze kigaragaza ko bakurikiranye uru rubanza kuko batagaragaje umubare w'imibyizi batakaje barukurikirana. UKO URUKIKO RUBIBONA [45] Ingingo ya 111 y'Itegeko n° 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegets, iteganya ko "Ikirego cy'amafaranga y'ikurikiranarubanza ni ikirego gishamikira ku kirego cy'iremezo kigamije kwishyura ibyakoreshejwe mu rubanza". [46] Umwanzuro Me Nkurunziza Valentin yatanze mu Rukiko mw'izina ry'abaregera indishyi, ugaragaza ko yatanze ubujurire bwuririye ku bundi asaba ibintu bitatu (3) bikurikira, Icyamba mbere: ko amafaranga miliyoni esheshatu n'ibihumbi magana arindwi (6.700.000 Frw) y'indishyi z'akababaro, ay'igihembo cy'Avoka n'ay'ikurikiranarubanza abaregera indishyi bagenewe ku rwego rwa mbere, ahamaho. Icyamba kabiri: ko icyizere Nicole nk'umwana wa nyakwigendera ahabwa miliyoni enye (4.000.000 Frw) y'indishyi z'akababaro. Icyamba gatatu (3): Ko uwajuriye yategekwa guha abaregera indishyi miliyoni imwe (1.000.000 Frw) y'ikurikiranarubanza n'igihembo cy'Avoka. [47] Nk'uko bigaragarira mu bika bya 48 na 52 cy'urubanza rwajuririye muri uru Rukiko, Urukiko Rukuru rwasanze PC Tuyishime Moïse akwiye kuryozwa ku giti cye indishyi yaciye n'Urukiko Rwisumbuye, ariko ko icyizere Nicole atahabwa miliyoni enye (4.000.000 Frw)

y'indishyi z'akababaro asaba muri urwo rubanza kuko ubujurire bwe bwuririye ku bundi butakiriwe kuko atigeze aba umuburanyi ku rwego rwa mbere, binavuze ko indishyi z'igihembo cy'Avoka zasabwe na Me Nkurunziza Valentin mu myanzuro nta shingiro zifite kuko n'ikirego cya icyizere Nicole kitakiriwe.

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[48] Urukiko rusanga, kuba miliyoni imwe (1.000.000 Frw) y'ikurikiranarubanza n'igihembo cy'Avoka yasabwe n'abaregera indishyi mu bujurire bwuririye ku bundi batangiye na Me Nkurunziza Valentin, atari iya icyizere Nicole wenyine, Urukiko Rukuru rwakoze amakosa yo kutagera Ruhongeka François na Uwitije nk'abaregera indishyi, ibihumbi magana atanu (500.000 Frw) y'igihembo cy'Avoka mu gihe bari bahagarariwe na Me Nkurunziza Valentin wababuraniye bakanatsinda urubanza, bityo ayo makosa akaba akwiye gukosorwa, maze Ruhongeka François na Uwitije bagahabwa na PC Tuyishime Moïse wahamwe n'icyaha cy'ubwicanyi, ibihumbi magana atanu (500.000 Frw) y'igihembo cy'Avoka batahawe n'Urukiko Rukuru. [49] Urukiko rusanga na none kuba abaregera indishyi aribo Ruhongeka François na Uwitije bari bahagarariwe na Avoka wababuraniye uru rubanza, bakwiye guhabwa na PC Tuyishime Moïse wenyine, ibihumbi magana atanu (500.000 Frw) y'igihembo cy'Avoka yo kuri uru rwego n'ibihumbi ijana (100.000Frw) y'ikurikiranarubanza yo kuri uru rwego kuko ari mu rugero rukwiye, yiyongera ku yo bagenewe mbere. [50] Urukiko rusanga rero, PC Tuyishime Moïse akwiye guha abaregera indishyi aribo Ruhongeka François na Uwitije miliyoni esheshatu n'ibihumbi magana arindwi (6.700.000 Frw) y'indishyi z'akababaro, ay'igihembo cy'Avoka n'ay'ikurikiranarubanza bagenewe ku rwego rwa mbere, ibihumbi magana atanu (500.000 Frw) y'igihembo cy'Avoka yo mu Rukiko Rukuru hiyongereyeho ibihumbi magana atanu (500.000 Frw) y'igihembo cy'Avoka n'ibihumbi ijana (100.000Frw) y'ikurikiranarubanza yo kuri uru rwego, yose hamwe akaba miliyoni indwi n'ibihumbi magana inani (7.800.000 Frw). III. ICYEMEZO CY'URUKIKO [51] Rwemeje ko ubujurire bwa PC Tuyishime Moïse nta shingiro bufite; [52] Rwemeje ko imikirize y'urubanza n° RPA 001799/2021/HC/KIG rwaciwe n'Urukiko Rukuru, ku wa 17/06/2022, idahindutse, ko igifungo cy'imyaka makumyabiri n'itanu (25) PC Tuyishime Moïse yahanishijwe kigumyeho, uretse ko abaregera indishyi, bagenewe amafaranga y'ikurikiranarubanza n'ay'igihembo cy'Avoka muri uru rubanza; [53] Rutegetse PC Tuyishime Moïse guha Ruhongeka François na Uwitije, abaregera indishyi, miliyoni imwe n'ibihumbi ijana (1.100.000 Frw) y'ikurikiranarubanza n'igihembo cy'Avoka yo ku nzego ebyiri yiyongera ku yo bagenewe mbere; [54] Rutegetse ko amagarama y'uru rubanza aherera ku Isanduku ya Leta.

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