

RWANDA / JUDGMENT

UBUSHINJACYAHA v. TWIZERIMANA

RPAA 01034/2024/CA

COURT

Court of Appeal

DECIDED

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UBUSHINJACYAHA v. TWIZERIMANA

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Text

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UBUSHINJACYAHA v. TWIZERIMANA [Rwanda URUKIKO RW'UBUJURIRE – RPAA 01034/2024/CA (Mukamurenzi, P.J.) 16 Gicurasi 2025] Amategeko Ibimenyetso – Ibimenyetso mu manza nshinjabyaha – Mu manza Nshinjabyaha, ibimenyetso byose bishobora gushingirwaho mu gihe bigaragaza ukuri kw'ibyabaye, ababuranyi bakaba barahawe uburyo bwo kuhaba ngo banyomozanye kandi Urukiko rukaba nirwo rwemeza ko ibyo bimenyetso bishobora kwemerwa. Incamake y'ikibazo: Twizerimana Pacy bita Risuba yakurikiranyweho n'Ubushinjacyaha icyaha cyo gucuruza ibiyobyabwenge mu buryo butemewe n'amategeko nyuma yuko afashwe amaze kugurisha udupfunyika 18 tw'urumogi n'amafaranga 27 500 Frw, nyuma y'iperereza bumiregera Urukiko Rwisumbuye rwa Ngoma busaba ko ahamwa n'icyo cyaha, agahanishwa igifungo cya burundu n'ihazabu ya miliyoni mirongo itatu (30.000.000 Frw). Twizerimana Pacy bita Risuba yaburanye ahakana icyaha. Urukiko Rwisumbuye rwa Ngoma rwaciye urubanza rwemeza ko Twizerimana ahamwa n'icyaha cyo gucuruza ibiyobyabwenge byo mu bwoko bw'urumogi mu buryo butemewe n'amategeko, rumuhanisha igifungo cya burundu n'ihazabu ya miliyoni mirongo itatu (30.000.000 Frw). Twizerimana yajuririye mu Rukiko Rukuru, Urugereko rwa Rwamagana avuga ko Urukiko rwamuhamije icyaha cyo gucuruza ibiyobyabwenge mu buryo

butemewe n'amategoko kandi nta bimenyetso bikimuhamya. Urwo Rukiko mu guca urubanza rwemeza ko impamvu ze z'ubujurire zidafite ishingiro, ariko ko nta cyabuza ko agabanyirizwa igihano kuko hari impamvu nyoroshyacyaha zirimo rumuhanisha igifungo cy'imyaka cumi n'itanu (15) n'ihazabu y' amafaranga miliyoni eshanu (5.000.000 Frw). Twizerimana yajuririyemo mu Rukiko rw'Ubujurire avugako Urukiko Rukuru rwamuhamije icyaha cyo Gucuruza ibiyobyabwenge byo mu bwoko bw'urumogi ntacyabayeho kuko nta rumogi yafatanwe cyangwa ngo barusange iwe, ndetse avugako urubanza rwaciwe mu buryo bugenekereje ko n'abatangabuhamya bamushinja bavuguruzanya kandi akaba ari umugambi bacuze. Ubushinjacyaha buvugako impamvu z'ubujurire nta shingiro zikwiye guhabwa kuko hari ibimenyetso Urukiko rwashingiyeho rumuhamya icyaha atabashije kuvuguruzanya bigaragaza neza ko icyaha yagikoze, ko rero urubanza rutaciwe mu buryo bugenekereje. Incamake y'icyemezo: Mu manza Nshinjabyaha, ibimenyetso byose bishobora gushingirwaho mu gihe bigaragaza ukuri kw'ibyabaye, abaturanyi bakaba barahawe uburyo bwo kuhaba ngo banyomozanye kandi Urukiko rukaba nirwo rwemeza ko ibyo bimenyetso bishobora kwemerwa. Ubujurire nta shingiro bufite. Urubanza rwaciwe n'Urukiko Rukuru, Urugereko rwa Rwamagana ntiruhindutse . Nta mategeko yashingiweho

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Imanza zifashishijwe: RPAA 00692/2021/CA; Ubushinjacyaha vs Ndayishimiye Jean Damascène rwaciwe n'Urukiko rw'Ubujurire ku wa 20/01/2023, RPAA 00160/2024/CA-CMB RPAA00161/2024/CA; Ubushinjacyaha buburana vs Ayinkamiye Cécile n'ubwa Mukandinda Claudine rwaciwe n'Urukiko rw'Ubujurire ku wa 25/04/2025. Urubanza I. IMITERERE Y'URUBANZA [1] Ku itariki ya 07/03/2021, Twizerimana Pacy bita Risuba ari mu Nkambi y'impunzi ya Mahama, mu mudugudu wa Kabeza, mu kagari ka Munini, mu murenge wa Mahama, mu Karere ka Kirehe, Intara y'i Burasirazuba yafashwe n'abarinda umutekano muri icyo Nkambi, amaze kugurisha urumogi uwitwaga Niyitegeka Jonathan bita Mariyaroza udupfunyika cumi n'umunani (18), anafatanwa amafaranga ibihumbi makumyabiri na birindwi magana arindwi na mirongo itanu (27,750 Frw) yari amaze gucuruza. [2] Iperereza rirangiye, Ubushinjacyaha bwamureze mu Rukiko Rwisumbuye rwa Ngoma, bumukurikiranyeho icyaha cyo gucuruza ibiyobyabwenge mu buryo butemewe n'amategoko, busaba ko cyamuhama agahanishwa igifungo cya burundu n'ihazabu ya miliyoni mirongo itatu (30.000.000 Frw). Twizerimana Pacy bita Risuba yaburanye ahakana icyaha. [3] Mu rubanza RP 00382/2021/TGI/NGOMA rwaciwe ku wa 20/05/2021, Urukiko Rwisumbuye rwa Ngoma rwasanze hari ibimenyetso bihamya ko Twizerimana Pacy bita Risuba yakozwe icyaha aregwa bikurikira :

- imvugo y'umutangabuhamya Arakaza Cedrick wari mu bacunga umutekano mu nkambi ya Mahama akaba ari no mu bafatiye mu cyuho Twizerimana Pacy bita Risuba;
- imvugo y'umutangabuhamya Niyitegeka Jonathan bita Mariyaroza nawe wari mu bacunga umutekano mu nkambi ya Mahama;
- imvugo y'umutangabuhamya Akimana Richard Eric;

- inyandikomvugo y'ifatira ry'udupfunyika 18 tw'urumogi Twizerimana Pacy bita Risuba yafatanwe ariko yanze gushyiraho umukono;
- raporo y'ubuyobozi bw'inkambi ya Mahama;
- urubanza RP 00023/2019/TB/NYARUB rugaragaza ko yakoze isubiracyaha.

Urukiko rushingiye kuri ibyo bimenyetso, rwemeje ko Twizerimana Pacy bita Risuba ahamwa n'icyaha cyo gucuruza ibiyobyabwenge byo mu bwoko bw'urumogi mu buryo butemewe n'amategeko, rumuhanisha igifungo cya burundu n'ihazabu ya miliyoni mirongo itatu (30.000.000 Frw). [4] Twizerimana Pacy bita Risuba yajuririye urwo rubanza mu Rukiko Rukuru, urugereko rwa Rwamagana asaba kurenganurwa kubera ko Urukiko rwamuhamije icyaha cyo gucuruza ibiyobyabwenge mu buryo butemewe n'amategeko kandi nta bimenyetso bikimuhamya, ko

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abatangabuhamya bamushinje barimo abashinzwe umutekano mu nkambi ya Mahama n'umuyobozi w'umudugudu bavuze ibyo Perezida w'abashinzwe umutekano yababwiye amubeshyera kubera ko bapfaga umukobwa, mu gihe urwo rumogi aregwa rwafatanywe undi muntu atazi, ko hari no kuvuguruzanya hagati y'imvugo z'abatangabuhamya na raporo y'inzego z'ibanze. [5] Uhagarariye Ubushinjacyaha yavuze ko impamvu z'ubujurire Twizerimana Pacy yatanze zidakwiye guhabwa ishingiro kuko atabasha kuvuguruza ibimenyetso byashingiweho n'Urukiko Rwisumbuye bimuhamya icyaha, akaba kandi atagaragaza ukuvuguruzanya kw'abatangabuhamya avuga. [6] Mu rubanza RPA 00883/2021/HC/RWG rwaciwe ku wa 27/09/2024, Urukiko Rukuru urugereko rwa Rwamagana rwasanze ubujurire bwa Twizerimana Pacy bita Risuba nta shingiro bufite, kuko atabashije kuvuguruza ibimenyetso Urukiko Rwisumbuye rwashingiyeho rumuhamya icyaha, kugaragaza uburyo imvugo z'abatangabuhamya zivuguruzanya hagati yazo, ndetse n'ikimenyetso cyemeza ibyo avuga apfa na Perezida w'abashinzwe umutekano mu nkambi. Urukiko rwasanze ariko n'ubwo impamvu ze z'ubujurire zidafite ishingiro, nta cyabuza ko agabanyirizwa igihano kuko hari impamvu nyoroshyacyaha zirimo kuba icyaha yakoze nta ngaruka cyateye, kuba yarafatanwe ingano nto y'urumogi no kuba abaye mu buzima butoroshye bw'ubuhunzi mu nkambi, rushingiye ku biteganwa n'ingingo ya 2 y'Itegeko n° 059/2023 ryo ku wa 04/12/2023 rihindura Itegeko n° 68/2018 ryo ku wa 30/08/2018 riteganyaga ibyaha n'ibihano muri rusange, rumuhanisha igifungo cy'imyaka cumi n'itanu (15) n'ihazabu y' amafaranga miliyoni eshanu (5.000.000 Frw). [7] Twizerimana Pacy bita Risuba yajuririye imikirize y'urwo rubanza mu Rukiko rw'Ubujurire, urubanza ruhabwa RPAA 01034/2024/CA, iburanisha mu ruhamwe rishyirwa ku wa 09/05/2025. Uwo munsu ugeze Twizerimana Pacy bita Risuba yitaba Urukiko yunganiwe na Me Musasangohe Illuminée, naho Ubushinjacyaha buhagarariye na Uwanziga Lydia, Umushinjacyaha ku rwego rw'Igihugu. [8] Mu myanzuro y'ubujurire no mu miburanire, Twizerimana Pacy bita Risuba n'umwunganira bavugaga ko Urukiko Rukuru rwamuhamije icyaha cyo gucuruza ibiyobyabwenge byo mu bwoko bw'urumogi ntacyabayeho kuko nta rumogi yafatanwe cyangwa ngo barusange iwe, kuko rwafatiwe mu nkambi ya Mahama muri village ya 2 kandi we atuye muri village ya 7, ko nta n'umukono yashyize ku nyandikomvugo y'ifatira ryarwo, uwawushyizeho yemeza ko arufatanwe

ari uwitwa Niyitegeka Mariyaroza. Banavuga ko urubanza rwaciwe ku buryo bugenekereje kuko n'abatangabuhamya bamushinja bavuguruzanya kandi akaba ari umugambi bacuze ngo bamufungishe kuko bose ari abashatswe na Perezida w'inkambi witwa Arakaza Cedrick basanzwe bafite icyo bapfa; basaba Urukiko guhamagaza uwitwa Claude, n'umudamu witwa mama SHIMI nk'abatangabuhamya kuko batabajijwe kandi aribo babonye aho yafatiwe bakanabona ko nta kintu yafatanwe. [9] Uhagarariye Ubushinjacyaha avuga ko asanga impamvu z'ubujuririre za Twizerimana Pacy bita Risuba nta shingiro zikwiye guhabwa kuko hari ibimenyetso Urukiko rwashingiyeho rumuhamya icyaha atabashije kuvuguruza bigaragaza neza ko icyaha yagikoze bigizwe n'imvugo z'abatangabuhamya, raporo yakozwe n'ubuyobozi bw'inkambi ya Mahama, inyandikomvugo y'ifatira igaragaza ko hari udupfunyika 18 tw'urumogi uregwa yafatanwe n'ubwo yanze

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kuyishyiraho umukono, kuba atari ubwa mbere ahaniwe icyaha kijyanye n'ibiyobyabwenge nk'uko Urukiko Rukuru, Urugereko rwa Rwamagana rwabisobanuye mu gika cya 11 cy'urubanza rwajuririwe, ko rero urubanza rutaciwe mu buryo bugenekereje nk'uko babivuga kandi n'ibyo Twizerimana asaba ko ubuhamya bwa Arakaza Cedrick butashingirwaho kuko bafite icyo bapfa nabyo nta shingiro bikwiye guhabwa kuko nta kimenyetso abigaragariza. [10] Muri uru rubanza harasuzumwa ikibazo cyo kumenya niba Twizerimana Pacy bita Risuba yarahamijwe icyaha cyo gucuruza urumogi ntacyo yakoze II. ISESENGURA RY'IKIBAZO KIGIZE URUBANZA

Kumenya niba Twizerimana Pacy bita Risuba yarahamijwe icyaha cyo gucuruza ibiyobyabwenge byo mu bwoko bw'urumogi ntacyo yakoze. [11] Twizerimana Pacy bita Risuba n'umwunganira bavuga yahamijwe icyaha cyo gucuruza urumogi kitarabayeho, nta n'ibimenyetso bishingiweho kuko nta rumogi yabonye, akaba nta n'urwo yafatanwe cyangwa ngo barusange iwe, ko n'aho bavuga ko rwafatiwe muri village ya 2 atahatuye kuko we atuye muri village ya 7, ko uwarufatanwe wanusinyiye ari uwitwa Niyitegeka Mariyaroza. Banavuga ko ubuhamya bwa Perezida ushinze umutekano mu nkambi Arakaza Cedrick butagombaga gushingirwaho kuko ari we wacuze umugambi wo kumufungisha kubera ko bapfaga umukobwa bakundaga bombi, ndetse akaba atari n'ubwa mbere yari amufungishije kuko bari basanzwe bafitanye amakimbirane aturuka ku mashyamba babagamo mbere y'uko bahungu. [12] Bakomeza bavuga ko mu icyamba ry'urubanza habayemo kugenekereza kuko yahamijwe icyaha cyo gucuruza urumogi atakoze hirengagijwe ko imvugo z'abatangabuhamya zivuguruzanya ku bijyanye n'aho bavuga ko yafatiwe kandi atariho yari atuye; raporo y'inze z'ibanze ikagaragaza ko uwitwa Abayisenga Divin na Richard Eric Akimana babanaga nawe kandi atari byo, naho uwitwa Mariyaroza bavuga ko bafatanwe we akaba atarakurikiranwe, ndetse bakavugaga ko yafatiwe mu cyuho kandi nta rumogi yafatanwe, ahubwo nk'uko inyandiko y'ifatira iri muri dosiye ibigaragaza ari Mariyaroza warusinyije yemeza ko arufatanwe, ko rero bitumvikana uburyo bavugaga ko nawe yaba yararufatanwe. Basaba ko Urukiko rwazahamagaza uwitwa Claude, n'umudamu witwa mama SHIMI nk'abatangabuhamya kuko batabajijwe kandi aribo babonye aho Twizerimana Pacy bita Risuba yafatiwe bakanabona ko nta kintu yafatanwe. [13] Uhagarariye Ubushinjacyaha avuga ko asanga impamvu z'ubujuririre za Twizerimana Pacy bita Risuba nta shingiro zikwiriye

guhabwa, kuko hari ibimenyetso Urukiko rwashingiyeho rumuhamya icyaha atabashije kuvuguruza kandi bigaragaza neza ko icyaha yagikoze birimo imvugo z'abatangabuhamya Arakaza Cedrick, Niyitegeka Mariyaroza Jonathan, raporo y'ubuyobozi bw'inkambi ya Mahama, inyandikomvugo y'ifatira igaragaza ko hari udupfunyika 18 tw'urumogi uregwa yafatanwe n'ubwo yanze kuyishyiraho umukono ndetse akaba atari ubwa mbere ahaniwe icyaha kijyanye n'ibiyobyabwenge nk'uko Urukiko Rukuru, Urugereko rwa Rwamagana rwabigaragaje mu rubanza rujuririrwa. [14] Anavuga ko ibyo banenga ibyo bimenyetso nta shingiro bifite, kuko imvugo ya Niyitegeka Mariyaroza yunganirwa n'iz'abandi batangabuhamya babajijwe banasobanura uko ibintu byagenze, kandi uyu akaba yarasobanuye uko yahawe akazi ko kujya kugura urumogi kwa

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Twizerimana kuko bari basanzwe bazi ko arucuruza; bityo rero imvugo ze kimwe n'iz'abandi batangabuhamya zikaba zigomba guhabwa agaciro cyane ko n'ibyo avuga ko hari icyo apfa na Rakaza Cedrick, Perezida w'abashinzwe umutekano mu nkambi nta kibihamya, ndetse akaba yarabiburanishije no mu Rukiko Rukuru ntibihabwe agaciro. Asoza avuga ko abatangabuhamya basaba ko Urukiko rwahamagaza bitakwemerwa kuko ntaho bigeze babisaba mu manza zabanje, uretse ko binagoye kuba bahamagazwa bakaboneka kuko batagaragaje imyirondoro yabo. UKO URUKIKO RUBIBONA [15] Impaka kuri iyi ngingo zigaragaza ko icyo Twizerimana Pacy bita Risuba anenga ari uko yahamijwe icyaha cyo gucuruza urumogi kandi nta rwo yafatanwe, n'aho urwafatiriwe rwafatiwe akaba atari ahari, akananenga kuba harashingiwe ku mvugo z'abatangabuhamya bavuga ibyo babwiwe n'umuntu bafite ibyo bapfa. [16] Ku birebana n'ibimenyetso mu manza nshinjabyaha byatanzweho umurongo mu rubanza RPAA 00692/2021/CA rwaciwe n'Urukiko rw'Ubujurire ku wa 20/01/2023, haburana Ubushinjacyaha na Ndayishimiye Jean Damascène. Muri urwo rubanza, uru Rukiko rwasesenguye ingingo ya 119 y'Itegeko N° 15/2004 ryo ku wa 12/06/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo1, harebwe cyane cyane ku mwihariko w'imanza nshinjabyaha, maze rusobanura ko muri izo manza, ibimenyetso byose bishobora gushingirwaho mu gihe bigaragaza ukuri kw'ibyabaye, ababuranyi bakaba barahawe uburyo bwo kuhaba ngo banyomozanye, kandi Urukiko rukaba arirwo rwemeza ko ibyo bimenyetso bishobora kwemerwa. Iri hame ryashingiweho mu zindi manza zaciwe n'uru Rukiko, mu ziheruka harimo nk'urubanza RPAA 00160/2024/CA-CMB RPAA00161/2024/CA rwaciwe n'Urukiko rw'Ubujurire ku wa 25/04/2025 Ubushinjacyaha buburana na Ayinkamiye Cécile n'ubwa Mukandinda Claudine. [17] Nk'uko urubanza rujuririrwa rubigaragaza, Urukiko Rukuru, urugereko rwa Rwamagana rwasanze Twizerimana Pacy bita Risuba mu bujurire bwe atarabashije kuvuguruza ibimenyetso byashingiweho n'Urukiko ku rwego rwa mbere birimo imvugo za Arakaza n'iza Niyitegeka na raporo y'ubuyobozi bw'inkambi ya Mahama, n'uko nawe adahakana ko yari kumwe na Niyitegeka wiyambajwe n'inzego z'umutekano ngo ajye kugura urumogi iwe zibashe kumufata, rwemeza ko ubuhamya bwatanze budashidikanywaho. Ku byerekeranye n'ibyo Twizerimana Pacy yavuze ko imvugo z'abatangabuhamya zivuguruzanya, urwo Rukiko rwasanze atagaragaza izo mvugo n'uburyo zivuguruzanya, ko n'ibyo avuga ko Perezida w'abasekirite amushinja kuko bapfa umugore ari

amatakirangoyi bitahabwa agaciro kuko nta gihamya abigaragariza. [18] Urukiko rw'ubujurire rurasanga ibyo Twizerimana Pacy bita Risuba avuga mu bujurire bwe ko yahamijwe icyaha mu buryo bwo kugenekereza kuko kitabayeho, kandi nta rumogi yafatanwe cyangwa ngo babe bararusanze iwe, ko ahubwo ari urwa Niyitegeka Mariyaroza Johnathan warusinyiye nta shingiro bifite, kuko nk'uko urubanza rujurirwa rubigaragaza, kumuhamya icyaha cyo gucuruza urumogi byashingiye ku mvugo za Niyitegeka bita Mariyaroza wasobanuye uburyo yakoranye n'abashinzwe umutekano mu nkambi kugira ngo afatwe, ko bamuhaye amafaranga ajye kumuranguraho urumogi kuko bari basanzwe bazi ko arucuruza, akajyayo

1 Ibyateganywaga n'iyi ngingo bihura n'ibiteganywa n'ingingo ya 87 y'Itegeko n° 062/2024 ryo ku wa 20/06/2024 rigenga ibimenyetso rikurikizwa ubu, ndetse n'ingingo ya 108, igika cya mbere, y'Itegeko N° 027/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha.

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akahasanga uwitwa Divin na Risuba, uyu ari gukatagura udupapuro bafungamo amabule y'urumogi, amubwira ko ashaka urumogi rw'ibihumbi bitatu (3000 Frw), yegura matela araraho akuramo isogisi ritukura, mu gihe yari agiye kurumuhereza abasekirite bahita baza we ahita yiruka, Risuba ashatse kubacika baramufata afite urwo rumogi. [19] Urukiko rurasanga haranashingiwe ku mutangabuhamya Arakaza Cedrick kuko abazwa yemeje ko Twizerimana Pacy bita Risuba afatanwa urumogi udupfunyika 18 yari ahari, amaze kurugurisha Niyitegeka bita Mariyaroza, urwari mu nzu uwitwa Divin babanaga akarucikana, yanavuze ko muri icyo nzu yabo bahasanze udupapuro twinshi twa envelope dukataguye bapfunyikamo amabule y'urumogi, umukasi badukatishaga n'inkoko barufungiragaho, na 27.750 Frw yari amaze kugurisha urumogi. Uyu mutangabuhamya yanemeje ko bari basanzwe bafite amakuru ko acuruza urumogi, ko n'umuntu ufatanwe urumogi mu nkambi ababwira ko yaruguze na RISUBA, abafashwe barucuruza bo bakavuga ko bafatanyaga nawe, ko ariyo mpamvu bifashishije uwitwa Niyitegeka bahimba Mariyaroza usanzwe umucururiza kugira ngo ajye kumuranguraho urumogi, babone uburyo bamufata. [20] Urukiko rusanga imvugo za Niyitegeka bahimba Mariyaroza n'iza Arakaza Cedrick zishimangirwa n'iza Akimana Richard Eric wavuze ko ubwo yari yazindutse agiye kwishyura Twizerimana Pacy bita Risuba, yamusanganye na Niyitegeka Mariyaroza, Risuba afite agasogisi gatukura bameze nk'abantu bari kugura ibintu, ko yamenye ko ari urumogi bamaze kubafata. Yanavuze ko icyo nzu Risuba yari asigaye ayibanamo n'uwitwa Divin, kandi ko ubajije umuntu uba aho mu nkambi yakubwira ko Risuba na Divin bacuruza urumogi, ko bigeze no kubifungirwa. [21] Urukiko rw'Ubujurire rurasanga imvugo z'abo batangabuhamya zisobanura neza uburyo ibintu byagenze kugira ngo Twizerimana Pacy bita Risuba afatirwe mu cyuho arimo kugurisha Niyitegeka bita Mariyaroza urumogi, bityo ibyo avuga ko nta rumogi yafatanwe n'uko imvugo zashingiweho zivuguruzanya bikaba nta shingiro bifite, kandi ibyo yitwaza ko aho urumogi rwafatiwe hatandukanye na village avuga atuyemo nta shingiro bifite, kuko nk'uko byasobanuwe na Akimana Richard Eric nawe bigeze kubana, aho yafatiwe ni mu nzu yari asigaye abanamo n'uwitwa Divin ariko ibaruye kuri uyu. Naho kuba atarashyize umukono ku nyandikomvugo y'ifatira bikaba bidatesha agaciro imvugo z'abatangabuhamya basobanura uburyo yafashwe arimo kugurisha urumogi. [22] Urukiko runasanga ibyo Twizerimana Pacy bita

Risuba avuga ko yagambaniwe na Arakaza Cedrick bapfa umukobwa bombi bakunda, yarabiburanishije mu nkiko zibanza, ndetse mu gika cya 13 cy'urubanza rujuririrwa, Urukiko Rukuru rukaba rwaramugaragarije ko nta gihamya abifitiye, ko bitahabwa agaciro kuko ari amatakirangoyi. Uru rukiko narwo rurasanga uretse gusubira muri iyo miburanire, atagaragaza icyo anenga ibyo bisobanuro by'Urukiko Rukuru cyangwa ishingiro ry'ibyo avuga. Bityo n'ibyo basaba ko hahamagazwa abatangabuhamya babonye aho yafatiwe, bakaba batabyemerewe, kuko kubahamagaza ntacyo byungura muri uru rubanza rurimo abatangabuhamya bari aho icyaha cyabereye, kandi basobanura neza mu buryo budashidikanywaho uko byagenze kugira ngo afatwe. [23] Hashingiwe ku bimaze gusobanurwa, no ku murongo watanze mu rubanza RPAA 00692/2021/CA wavuzwe haruguru, Urukiko rw'Ubujurire rusanga ubujurire bwa Twizerimana Pacy bita Risuba nta shingiro bufite, kuko atabashije kuvuguruzwa ibimenyetso bihamya ko yakoze

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icyaha cyo gucuruza ibiyobyabwenge byo mu bwoko bw'urumogi, bityo imikirize y'urubanza rwaciwe n'Urukiko Rukuru, urugereko rwa Rwamagana ikaba igumanye agaciro kayo. III. ICYEMEZO CY'URUKIKO [24] Rwemeje ko ubujurire bwa Twizerimana Pacy bita Risuba nta shingiro bufite; [25] Rwemeje ko urubanza RPA 00883/2021/HC/RWG, rwaciwe n'Urukiko Rukuru urugereko rwa Rwamagana ku wa 27/09/2024 rudahindutse; [26] Rwemeje ko igihano cy'igifungo cy'imyaka cumi n'itanu (15) n'ihazabu ya miliyoni eshanu (5.000.000) yahanishijwe mu rubanza rujuririrwa kidahindutse; [27] Ruvuze ko amafaranga y'amagarama y'urubanza aherera ku Isanduku ya Leta, kubera ko Twizerimana Pacy bita Risuba aburana afunze akaba asonewe kuyatanga.

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