

RWANDA / JUDGMENT

UBUSHINJACYAHA v. BIBAMBISI

RPAA01316/2024/CA

COURT

Court of Appeal

DECIDED

29 September 2025

CASE / FILE NUMBER

RPAA01316/2024/CA

Source: amategeko.gov.rw · Research copy typeset by Esheria. Not court-issued or certified.

UBUSHINJACYAHA v. BIBAMBISI

- Source: Amategeko
- Section: Decisions (Judgements)
- Date: 2025-09-29
- Case/document no.: RPAA01316/2024/CA
- Collection: Court of Appeal

Text

Page 1

UBUSHINJACYAHA v. BIBAMBISI [Rwanda URUKIKO RW'UBUJURIRE – RPAA01316/2024/CA (Umugwaneza, P.J.) 29 Nzeri 2025] Amategeko agenga ibimenyetso – Ibimenyetso mu manza nshinjabyaha – Abatangabuhanya – Nubwo abatangabuhanya babajijwe baba bafite icyo bapfana n'abaregwa, ibyo ntibyafatwa nk'umuziro kuribo utuma batabazwa, icy'ingenzi ni uko imvugo yabo itapfa kwemerwa cyangwa ngo ihakanwe itabanje gusuzumwa n'Urukiko. Amategeko agenga ibimenyetso – Ibimenyetso mu manza nshinjabyaha – Inyandikomvugo y'ibazwa – Kwibeshya ku matariki agaragaza igihe inyandiko mvugo y'ibazwa yakorewe ni ikosa ryo mu rwego rw'imyandikire ritatuma iyo nyandiko n'ibiyikubiyemo biteshwa agaciro cyangwa bibe ikimenyetso kigaragaza ko icyaha kitabaye mu gihe hari ibindi bimenyetso bikigaragaza. Incamake y'ikibazo: Inzego z'ibanze z'Umurenge wa Rukomo, DASSO hamwe n'Ingabo, mu Karere ka Nyagatare bahawe amakuru ko kwa Numukobwa hashobora kuba hinjiye ibiyobyabwenge, niko kujyayo bahasanga litiro 20 za kanyanga n'urumogi, hakekwa ko ari iby'umuhungu we witwa Bibambisi, wababonye agatoroka asimbutse igipangu ariko akaza gufatwa. Yarezwe n'Ubushinjacyaha mu Rukiko Rwisumbuye rwa Nyagatare, icyaha cyo kubika ibiyobyabwenge byo mu bwoko bwa kanyanga n'urumogi, ariko aburana abihanakana avuga ko

atazi uburyo ibyo biyobyabwenge byageze iwabo kuko atahabaga. Urukiko Rwisumbuye rwaciye urubanza rwemeza ko Uregwa ahamwa n'icyaha cyo kubika ibiyobyabwenge byo mu bwoko bw'urumogi na kanyanga, rumuhanisha igifungo cy'imyaka 25 n'ihazabu ya 21.000.000Frw. Iki cyemezo yakijuririye mu Rukiko Rukuru, urugereko rwa Rwamagana, avuga ko yaciriwe urubanza mu buryo bugenekereje, ahamywa icyaha atakoze aranagihanirwa, nta bimenyetso byemeza nta shiti ko yagikoze, asaba kurenganurwa akagirwa umwere. Ubushinjacyaha buvuga ko n'ubwo Urega ahakana icyaha aregwa ariko muri dosiye hari ibimenyetso bikimuhamya, birimo abatangabuhamya bamushinja barimo na mushiki we, bityo ko ubujurire bwe nta shingiro bufite. Urukiko Rukuru rwaciye urubanza rwemeza ko ubujurire bw'Uregwa nta shingiro bufite, rushingiye ku kuba hari ibimenyetso bitandukanye birimo imvugo z'abatangabuhamya bo mu muryango we n'ubuhamya bw'abayobozi b'aho atuye. Rwemeje ko ahamwa n'icyaha aregwa, rumuhanisha igifungo cy'imyaka 16 n'ihazabu ya 6.000.000Frw, igihano kigabanyije kuko bwari ubwa mbere yari akoze icyaha. Uregwa yongeye ajuririra muri uru Rukiko rw'Ubujurire avuga ko yahamijwe icyaha cyo kubika ibiyobyabwenge hashingiwe ku buhamya bwa nyina umubyara na mushiki we, ntaho bigaragara ko bamushinja no kuba imvugo z'abatangabuhamya be bamushinjura zitarahawe agaciro. Bityo, asaba ko yagirwa umwere kuko nta bimenyetso byemeza nta shiti ko yakoze icyo cyaha aregwa. Mu myanzuro ye y'inyongera yasabye yahindurirwa inyito y'icyaha aregwa avuga ko ibimenyetso byashingiweho mu kumurega icyo cyaha bigaragaza ko yakabaye yararezwe icyaha cyo gufatanwa no kunywa ibiyobyabwe, aho kuba icyaha cyo kubika ibiyobyabwenge byo mu bwoko bwa kanyanga n'urumogi. Muri ubu bujurire, Ubushinjacyaha buvuga ko ubujurire bw'Uregwa nta shingiro bufite kuko mu icibwa ry'urubanza rujuririrwa, Urukiko rwasesenguye ibimenyetso byose byatanzwe rusanga bimuhamya icyaha cyo kubika urumogi na kanyanga. Ibyo bibazo byagaragajwe nibyo byagiweho impaka n'impande zombi, uru Rukiko rusanga ntacyari kubuza ko ubuhamya bwa nyina na mushiki b'Uregwa budashingirwaho mu gufata icyemezo mu rubanza rujuririrwa, kuko bwuzuzanya n'imvugo z'abandi batangabuhamya na raporo z'ubuyobozi bw'aho yari atuye.

Page 2

Incamake y'icyemezo: 1. Nubwo abatangabuhamya babajijwe baba bafite icyo bapfana n'abaregwa, ibyo ntibyafatwa nk'umuziro kuribo utuma batabazwa, icy'ingenzi ni uko imvugo yabo itapfa kwemerwa cyangwa ngo ihakanwe itabanje gusuzumwa n'Urukiko.

2. Kwibeshya ku matariki agaragaza igihe inyandiko mvugo y'ibazwa yakorewe ni ikosa ryo mu rwego rw'imyandikire ritatuma iyo nyandiko n'ibiyikubiyemo biteshwa agaciro cyangwa bibe ikimenyetso kigaragaza ko icyaha kitabayeho mu gihe hari ibindi bimenyetso bikigaragaza. Ubujurire nta shingiro bufite. Amategeko yashingiweho: Itegeko N° 062/2024 ryo ku wa 20/06/2024 rigenga ibimenyetso, ingingo ya 4 n'ya 53. Itegeko N° 27/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha, ingingo ya 111. Imanza zifashishijwe: RPAA0117/07/CS Cpl Ngabonziza Faustin na Sgt Biziyaremye Jean Baptiste, rwaciwe n'Urukiko rw'Ikirenga ku wa 17/09/2010. RPAA00502/2023/CA, Ubushinjacyaha na Gakwerere Steven bita Nyinya, rwaciwe n'Urukiko rw'Ubujurire ku wa 18/03/2025. RPAA00016/2022/CA, Ubushinjacyaha na Abayisenga Vénant na bagenzi be rwaciwe

n'Urukiko rw'Ubujurire ku wa 22/03/2024. RPA 00043/2020/CA, Ubushinjacyaha na Ntawigira Fidèle rwaciwe n'Urukiko rw'Ubujurire ku wa 27/06/2022. Urubanza I. IMITERERE Y'URUBANZA [1] Ku wa 12/09/2019, mu Mudugudu wa Gashura, Akagari ka Nyakagarama, Umurenge wa Rukomo, Akarere ka Nyagatare, inzego zibanze, Umurenge, Dasso hamwe n'ingabo bahawe amakuru n'ushinzwe umutekano mu Mudugudu wa Gashura ko kwa Numukobwa Florentine hashobora kuba hinjiye ibiyobyabwenge, niko kujyayo bahasanga litiro 20 za kanyanga, bahasanga n'urumogi, hakekwa ko ari iby'umuhungu we witwa Bibambisi Claudien hashingiwe ku kuba yarabonye inzego z'umutekano zinjiye mu nzu ahita asimbuka igipangu aratoroka no kuba abaturage babajijwe baremeje ko ari we wabihazanye. Bibambisi Claudien yarashakishijwe arafatwa, ashyikirizwa Ubugenzacyaha atangira gukurikiranwa. [2] Ubushinjacyaha bwareze Bibambisi Claudien mu Rukiko Rwisumbuye rwa Nyagatare, icyaha cyo kubika ibiyobyabwenge byo mu bwoko bwa kanyanga n'urumogi, aburana agihakana avuga ko atazi uburyo ibyo biyobyabwenge byageze mu rugo rwabo kuko atahabaga. [3] Mu rubanza RP 00705/2020/TGI/NYG rwaciwe ku wa 14/07/2022, Urukiko Rwisumbuye rwa Nyagatare rushingiye ku kuba Bibambisi Claudien yarabonye abayobozi n'abashinzwe umutekano baje iwabo agahita asimbuka igipangu agatoroka, imvugo z'abatangabuhamya bamushinja, raporo y'inzego z'ibanze nayo imushinja n'inyandikomvugo y'ifatira igaragaza ibiyobyabwenge byafatiriwe; rwemeje ko Bibambisi Claudien ahamwa n'icyaha cyo kubika ibiyobyabwenge byo mu bwoko bw'urumogi na kanyanga, ahanishwa igifungo cy'imyaka makumyabiri n'itanu (25) n'ihazabu y'amafaranga y'u Rwanda miliyoni makumyabiri n'imwe (21.000.000Frw).

Page 3

- [4] Bibambisi Claudien yajuririye Urukiko Rukuru, Urugereko rwa Rwamagana, avuga ko yaciriwe rubanza mu buryo bugenekereje ahamywa icyaha atakoze aranagihanirwa, nta bimenyetso byemeza nta shiti ko yagikoze, asaba kurenganurwa akagirwa umwere. Ubushinjacyaha bwavuze ko n'ubwo Bibambisi Claudien ahakana icyaha aregwa ariko muri dosiye hari ibimenyetso bikimuhamya, birimo abatangabuhamya bamushinja barimo na mushiki we, bityo ko ubujurire bwe nta shingiro bufite. [5] Mu rubanza RPA01270/2022/HC/RWG rwaciwe ku wa 30/10/2024, Urukiko Rukuru, Urugereko rwa Rwamagana rwasanze hari ibimenyetso byemeza nta shiti ko Bibambisi Claudien yakoze icyaha aregwa, birimo imvugo z'abatangabuhamya bo mu muryango we babanaga mu nzu aribo nyina umubyara witwa Numukobwa Florentine na mushiki we witwa Iryayehova Phoïbe ndetse n'ubuhamya bw'abayobozi b'aho atuye barimo Umunyamabanga Nshingwabikorwa w'Umurenge wa Rukomo witwa Ndamage André n'Umuyobozi ushinzwe umutekano mu Mudugudu wa Gashura witwa Furaha Manasse, bese bamushinja ko ibiyobyabwenge byafashwe ari ibye; rwemeza ko ubujurire bwe nta shingiro bufite. Urukiko rwasanze ariko akwiye kugabanyirizwa igihano kuko ari ubwa mbere yari akoze icyaha, rumuhanisha igifungo cy'imyaka cumi n'itandatu (16) n'ihazabu y'amafaranga y'u Rwanda miliyoni esheshatu (6.000.000Frw). [6] Bibambisi Claudien yajuririye Urukiko rw'Ubujurire, urubanza ruhabwa RPAA01316/2024/CA, ruburanishwa mu ruhame ku wa 05/09/2025, yunganiwe na Me

Gashayija Mathieu, Ubushinjacyaha buhagarariwe na Butera Oscar, Umushinjacyaha ku rwego rw'Igihugu. Iburanisha ry'urubanza ryarapfundikiwe, isomwa rishyirwa ku wa 19/09/2025, ariko uwo munsu ntirwasomwa bitewe n'uko Umucamanza waruburanishije yari mu butumwa bw'akazi, rwimurirwa ku wa 29/09/2025, ari nawo munsu rusomweho. [7] Mu myanzuro y'ubujurire yabo, Bibambisi Claudien na Me Micomyiza Liliane wari umwunganire, banenga ko Bibambisi Claudien yahamijwe icyaha cyo kubika ibiyobyabwenge hashingiwe ku buhamya bwa nyina umubyara na mushiki we, nyamara mu mabazwa yabo ntaho bemeje ko ibiyobyabwenge byafashwe ari ibye, hashingirwa no kuri raporo z'inze z'ibanze zivuguruzanya. Banenga kandi ko Urukiko rwahaye agaciro imvugo z'abatangabuhamya bashinje iz'abashinjura ntizahabwa agaciro. Basaba kwemeza ko Bibambisi Claudien ari umwera ku cyaha aregwa kuko nta bimenyetso byemeza nta shiti ko yagikoze. [8] Mu mwanzuro w'inyongera wakoze na Me Harerimana Hilaire, avuye ko Bibambisi Claudien yarezwe mu Rukiko Rwisumbuye rwa Nyagatare icyaha cyo kubika ibiyobyabwenge byo mu bwoko bw'urumogi, nyamara ibimenyetso byashyigirweho mu kumurega icyo cyaha bigaragaza ko yakabaye yararezwe icyaha cyo gufatanwa no kunywa ibiyobyabwenge, asaba ko inyito y'icyaha yahinduka hakemurwa ko Bibambisi Claudien akwiye kuregwa icyaha cyo gufatanwa no kunywa ibiyobyabwenge, hakanemurwa ko Urukiko Rwisumbuye rwa Nyagatare rutari rufite ububasha bwo kumuranisha kuri icyo cyaha ku rwego rwa mbere kuko gihanishwa igifungo kiri munsu y'imyaka 5, bito ikirego kikoherezwa mu Rukiko rw'Ibanze rwa Gatunda kugira ngo kiburanishwe mu buryo bukurikije amategeko. [9] Muri uwo mwanzuro Me Harerimana Hilaire avuye kandi ko nta bimenyetso byashyigirweho bihamya Bibambisi Claudien icyaha cyo gutunda ibiyobyabwenge kuko Ubushinjacyaha butagaragaza icyemezo cyatanzwe n'impuguke cyemeza ko ibyo buvuye ko byafatirwe ari ibiyobyabwenge koko, bito ko Urukiko rw'Ubujurire rukwiye kubona ko ibyo bita gushikanya kurengera ushinjwa, maze Bibambisi Claudien akagirwa umwera. [10] Mu gihe cy'iburanisha Bibambisi Claudien na Me Gashayija Mathieu umwunganira bavuye ko ibikubiye mu mwanzuro w'inyongera watanze na Me Harerimana Hilaire babiretse, basaba ko hasuzumwa gusa ibikubiye mu mwanzuro watanze na Bibambisi Claudien na Me Micomyiza Liliane.

Page 4

- [11] Ubushinjacyaha buvuye ko ubujurire bwa Bibambisi Claudien nta shingiro bufite kuko mu icyamba ry'urubanza rukurirwa, Urukiko rwasesenguye ibimenyetso byose byatanzwe rusanga bimuhamya icyaha cyo kubika urumogi na kanyanga. [12] Hakurikijwe imiburanire y'impande zombi, muri uru rubanza hasuzumwa ibibazo bikurikira:
- kumenya niba mu buhamya bwatanze na Numukobwa Florentine na Iryayehova Phoebe, ntaho bashinje Bibambisi Claudien ku buryo butagombaga gushyirwaho mugufata icyemezo;
 - kumenya niba raporo z'inze z'ibanze zashyigirweho zivuguruzanya ku buryo zitagombaga gushyirwaho mugufata icyemezo;

- c. kumenya niba hari imvugo z'abatangabuhama bashinjura Bibambisi Claudien zirengagijwe. II. ISESENGURA RY'IBIBAZO BIGIZE URUBANZA A. Kumenya niba mu buhama bwatanzwe na Numukobwa Florentine na Iryayehova Phoibe, ntaho bashinja Bibambisi Claudien ku buryo butagombaga gushingirwaho mugufata icyemezo [13] Bibambisi Claudien n'umwunganira bavuga ko nk'uko bigaragara mu gika cya 14 cy'urubanza rujuririrwa, Urukiko rwahamije Bibambisi Claudien icyaha cyo kubika ibiyobyabwenge hashingiwe ku buhama bwa mushiki we Iryayehova Phoibe n'ubwa nyina umubyara witwa Numukobwa Florentine, nyamara mu mabazwa yabo ntaho bigeze bemeze ko urumogi na kanyanga byafatiwe iwabo ari ibya Bibambisi Claudien, Ahubwo ko Iryayehova Phoibe ubwo yabazwaga mu Bugenzacyaha ku kibazo cya 4 cyo kumenya uburyo urumogi na kanyanga byageze mu rugo rwabo, yasubije ko atabizi, ko ndetse atanazi nyirabyo, byumvikanisha ko ntaho yashinje Bibambisi Claudien ko ariwe wazanye ibyo biyobyabwenge murugo rwabo, naho Numukobwa Florentine nawe abazwa mu Bugenzacyaha ku kibazo cyaha 4 kijyane no kumenya icyo ibyo biyobyabwenge byari kuzakoreshe, yasubije ko atari nyirabyo, ko ntabyo azi kandi ko atazi nyirabyo, naho ku gisubizo cya 9 asubiza ko Bibambisi Claudien atari asanzwe acuruza ibiyobyabwenge. [14] Bibambisi Claudien n'umwunganira bakomeza bavuga ko Iryayehova Phoibe na Numukobwa Florentine batari kubona ko yazanye ibiyobyabwenge murugo ngo babure kubibwira inzego z'ibanze bitewe n'amakimbirane afitanye nabo bombi, aho amakimbirane afitanye na nyina Numukobwa Florentine ashingiye ku kuba yaratanze ubuhama mu rubanza RC0058/15/TB/GT Numukobwa yaburanaga n'umugabo we ari we se wa Bibambisi Claudien bwatumye se atsinda naho nyina aratsindwa, naho amakimbirane afitanye na mushiki we Iryayehova Phoibe akaba ashingiye ku kuba uyu mushiki we yaratewe inda akiri umwana Bibambisi Claudien agahora amubaza uwayimuteye ngo akurikiranwe. Ko rero ubuhama bwabo butagombaga gushingirwaho kuko ntaho bigeze bavuga ko ibiyobyabwenge byafatiwe mu rugo rwabo ari ibya Bibambisi Claudien, byongeye kandi bakaba bari bafitanye amakimbirane nk'uko byemezwa na raporo z'inzego z'ibanze, iyo ku wa 30/04/2020 n'yo ku wa 12/09/2019. [15] Ubushinjacyaha buvuga ko ibimenyetso byagezweho mu iperereza biragaragaza ko Bibambisi Claudien ari we wazanye ibiyobyabwenge abishyira mu nzu, ubuyobozi n'inzego z'umutekano baje kumufata aracika aragenda, ariko bari bamubonye, ndetse na nyina na mushiki we babajijwe nk'abatangabuhama akaba abyemeza. [16] Ubushinjacyaha buvuga ko, Numukobwa Florenti ariwe nyina wa Bibambisi Claudien, abazwa mu Bugenzacyaha ku kibazo cya 9, yasubije ko akeka ko uwazanye ibiyobyabwenge ari umuhungu we

Page 5

Bibambisi Claudien, abajijwe niba Bibambisi Claudien acuruza ibiyobyabwenge asubiza ko yigeze kubicuruzaho. [17] Ubushinjacyaha bukomeza buvuga ko, aribyo koko mushiki wa Bibambisi Claudien ariwe Iryayehova Phoibe yavuze ko atazi nyiri ibiyobyabwenge byafatiwe iwabo, ariko ko kukibazo cya 4 yagaragaje ko urumogi barusanze ku kazu k'amatungo kandi ko yari kumwe na musaza we Bibambisi Claudien, bamubajije igihe Bibambisi yatangiye gucuruza ibiyobyabwenge, asubiza ko yabicuruje ariko yabiretse. Ko imvugo za Numukobwa Florentine

zihujwe n'iza Iryayehova Phoïbe n'amakuru yatanzwe n'Ubuyobozi bw'Inzego z'Ibanze, aho bagaragaje ko baje gusaka kwa Numukobwa Florentine, Bibambisi Claudien ababonye ariruka baramubura, muri urwo rugo hakaboneka ibiyobyabwenge, bigaragaza ko ibyo biyobyabwenge byafatiwe mu rugo iwabo byazanywe na Bibambisi Claudien. UKO URUKIKO RUBIBONA [18] Ingingo ya 53 y'Itegeko N° 062/2024 ryo ku wa 20/06/2024 rigenga ibimenyetso ivuga ko urwego rufite ububasha rusuzuma ukwemerwa cyangwa ukutemerwa n'agaciro by'ikimenyetso gishingiye ku buhamya. Ntirwita ku mubare w'abatangabuhamya, ahubwo rwita cyane ku bumenyi bw'ibyabaye no ku budakemwa bw'ubuhamya batanga. [19] Nk'uko bigaragara mu gika cya 10 – 13 by'urubanza RP00705/2020/TGI/NYG rwaciwe n'Urukiko Rwisumbuye rwa Nyagatare, Bibambisi Claudien yahamijwe icyaha cyo kubika ibiyobyabwenge (urumogi) hashingiwe ku kuba yarabonye ababyobozi n'abashinzwe umutekano baje iwabo gusaka ibiyobyabwenge agahita asimbuka igipangu agatoroka, ubuhamya bwa nyina umubyara ariwe Numukobwa Florenti, ubwa mushiki we Iryayehova Phoïbe n'ubw'Umunyamabanga Nshingwabikorwa w'Umurenge wa Rukomo witwa Ndamage André, raporo y'inzego z'ibanze n'inyandiko y'ifatira ry'urumogi na kanyanga byafatiwe iwabo. [20] Imikirize y'urubanza rujuririrwa, mu gika 14 – 19, igaragaza ko Urukiko Rukuru, Urugereko rwa Rwamagana rwashyigikiye icyemeza cyafashwe n'Urukiko Rwisumbuye rwa Nyagatare gihamya Bibambisi Claudien icyaha cyo kubika ibiyobyabwenge, hashingiwe ku buhamya bw'abo mu muryango we babanaga nawe munzu yafatiwemo ibiyobyabwenge bamushinja, aribo Numukobwa Florentine na Iryayehova Phoïbe, ubuhamya bw'abari mu gikorwa cyo gufata ibiyobyabwenge, barimo Ndamage André (Umunyamabanga Nshingwabikorwa w'Umurenge wa Rukomo) na Furaha Manasse (umuyobozi ushinze umutekano mu Mudugudu wa Gashura). [21] Bibambisi Claudien n'umwunganira bavuga ko ubuhamya bwa Nukobwa Florantine n'ubwa Iryayehova Phoïbe bwashingiweho mu kumuhamya icyaha, nyamara nta nahamwe mu mabazwa yabo bigeze bemeza ko urumogi rwafatiwe iwabo ari urwa Bibambisi Claudien, bityo ko butagombaga gushingirwaho. Mu bika bikurikiraho by'uru rubanza, Urukiko rukaba rugiyeye gusuzuma niba koko abo batangabuhamya ntaho bashinja Bibambisi Claudien. [22] Dosiye y'uru rubanza igaragaza ko Numukobwa Florentine abazwa mu Bugenzacyaha ku wa 12/09/2019, yavuze ko urumogi na kanyanga byafatiwe iwe atari ibye ko atazi uburyo byahageze, ko akeka ko ari iby'umuhungu we Bibambisi Claudien, ko uyu mwana yigeze kubicuruza ariko ko yari yarabiretse. Igaragaza kandi ibazwa rya Iryayehova Phoïbe mu Bugenzacyaha ku wa 13/09/2019 aho asobanura ko abayobozi b'Umurenge n'abasirikare baje iwabo bahasanga urumogi ruzinze nk'umweyo na litiro 20 za kanyanga, ariko ko atazi uburyo byahageze, ko abayobozi basanze arikumwe na Bibambisi Claudien uyu abonye binjiye munzu aracika kandi ko Bibambisi Claudien yacuruzaga ibiyobyabwenge, ariko ko yari yarabiretse.

Page 6

[23] Muri dosiye kandi hagaragara ubuhamya bwa Furaha Manasse (ushinzwe umutekano mu Mudugudu wa Gashura) wabajijwe mu Bugenzacyaha ku wa 20/09/2019, wemeza ko ku itariki ya 12/11/2019 umunyerondo witwa Nizeyimana Emmanuel yamuhamagaye amubwira ko Niyonshuti Emmanuel ari ku kagare ka siporo ka Bibambisi Claudien arimo agenda aneka amayira aho urumogi na kanyanga byari bitwawe na Bibambisi Claudien biri bunyure,

yahise ahamagara Umunyamabanga Nshingwabikorwa w'Umurenge wa Rukomo nawe ahamagara Dasso n'abasirikari, bajya munzira abo bafite ibiyobyabwenge bari bunyuremo, ariko basanga babigejeje murugo, bajyayo barabihasangana, Bibambisi Claudien anyura mu gikari yurira igipangu aracika, babajije Iryayehova Phoïbe ababwira ko Bibambisi Claudien ariwe wabizanye. [24] Hari kandi ubuhamya bwa Ndamage André (Umunyamabanga Nshingwabikorwa w'Umurenge wa Rukomo) nawe wabajijwe mu Bugenzacyaha ku wa 16/12/2019, wemeza ko ku itariki ya 12/09/2019 yahamagawe n'Ubuyobozi bw'Umudugudu wa Gashura bamubwira ko mu rugo rwa Numukobwa na Habyarimana hinjiye kanyanga n'urumogi, abimenyesha abasirikari na Dasso bajyanayo bahageze umuhungu wo muri urwo rugo witwa Bibambisi Claudien ahita asimbuka igipangu arabacika, bahasanga litiro 20 za kanyanga n'urumogi, umudamu bahasanze witwa Iryayehova ababwira ko ibyo biyobyabwenge ari ibya musaza we Bibambisi Claudien. [25] Urukiko rw'Ubujurire rusesenguye ubuhamya bwa Numukobwa Florentine n'ubwa Iryayehova Phoïbe, rurasanga icyo bahurizaho ari uko murugo iwabo hafatiwe urumogi na kanyanga, ikindi bahurizaho ni uko Bibambisi Claudien yari asanzwe acuruza urumogi ariko ko yari yarabiretse. Numukobwa Florentine akavuga ko akeka ko urumogi na kanyanga byafatiwe iwe aribya Bibambisi Claudien, Iryayehova Phoïbe nawe akavuga ko Bibambisi Claudien yabonye abasinzwe umutekano baje kubasaka ahita acika. [26] Urukiko rw'Ubujurire rurasanga ubuhamya bwa Numukobwa Florentine bw'uko yaketse ko urumogi na kanyanga byafatiwe iwe ari ibya Bibambisi Claudien kandi ko uyu yari asanzwe acuruza ibiyobyabwenge ariko yari yarabiretse, n'ubwa Iryayehova Phoïbe bw'uko aribyo koko murugo iwabo hafatiwe urumogi na kanyanga kandi ko Bibambisi Claudien yabonye baje gusaka agacika ndetse ko yari asanzwe acuruza urumogi ariko ko yari yarabiretse, buhujwe n'ubuhamya bwa Furaha Manasse n'ubwa Ndamage André bemeza ko bahawe amakuru ko Bibambisi Claudien azanye urumogi na Kanyanga, bajya iwabo bagasanga koko ibyo biyobyabwenge bihari, yabana ko binjiye iwabako agacika ndetse Iryayehova Phoïbe bahasanze akababwira ko uyu musaza we Bibambisi Claudien ariwe wabizanye, byemeza nta gushidikanya ko ibyo biyobyabwenge ari ibya Bibambisi Claudien kandi ko ariwe wabizanye muri urwo rugo rwabo. Bityo imiburanire ye y'uko nyina Numukobwa Florentine na mushiki we Iryayehova Phoïbe batamushinja, ko ubuhamya bwabo butagombaga gushingirwaho, ikaba nta shingiro ifite kuko nk'uko bimeze gusobanurwa haruguru, ubuhamya bwabo bwuzuzanya n'ubwa Furaha Manasse n'ubwa Ndamage André. [27] Kuba mu buhamya bwabo Numukobwa Florentine na Iryayehova Phoïbe ntaho bigeze bavuga mu buryo bweruye ko kanyanga n'urumogi byafatiwe iwabo ari ibya Bibambisi Claudien, Urukiko rw'Ubujurire rurasanga ibyo ubwabyo bitaba impamvu yatuma ubuhamya bwabo budashingirwaho, kuko nk'uko byagaragajwe mu bika bibanziriza iki, ibyo bavuga bihujwe n'ibivugwa na Furaha Manasse na Ndamage André byemeza nta shiti ko kanyanga n'urumogi byafashwe ari ibye. [28] Ku bijyanye no kuvuga ko Bibambisi Claudien afitanye amakimbirane na Numukobwa Florentine na Iryayehova Phoïbe, bityo ko ubuhamya bwabo butagombaga gushingirwaho mugufata icyemezo, Urukiko rw'Ubujurire rurasanga nabyo nta shingiro bifite kuko n'ubwo muri raporo yo ku wa 30/04/2020 bigaragara ko koko Bibambisi Claudien afitanye amakimbirane na nyina Numukobwa Florentine, ibyo ntibyaba impamvu yatuma ubuhamya bwe n'ubwa Iryayehova

Phoïbe budashingirwaho kuko ataribo bamushinja bonyine, ahubwo anashinjwa na Furaha Manasse na Ndamage André nk'uko byakomeje kugaragazwa mu bika bibanziriza iki. Ibi bihura n'ibyemejwe n'uru Rukiko mu manza zitandukanye

Page 7

rwaciye, aho rwemeje ko nubwo abatangabuhamya babajijwe baba bafite icyo bapfa n'abaregwa, ibyo ntibyafatwa nk'umuziro kuribo utuma batabazwa, icy'ingenzi ni uko imvugo yabo itapfa kwemerwa cyangwa ngo ihakanwe itabanje gusuzumwa n'Urukiko1. [29] Hashingiwe ku bisobanuro bimeze gutangwa, Urukiko rw'Ubujurire rurasanga ntacyari kubuza ko ubuhamya bwa Numukobwa Florentine n'ubwa Iryayehova Phoïbe budashingirwaho mu gufata icyemezo mu icibwa ry'urubanza rujuririrwa kuko bwuzuzanya n'ubwa Furaha Manasse na Ndamage André. B. Kumenya niba raporo z'inze z'ibanze zashingiweho zivuguruzanya ku buryo zitagombaga gushingirwaho mugufata icyemezo [30] Bibambisi Claudien n'umwunganira bavuga ko, raporo yo ku wa 12/09/2019 n'iyi ku wa 30/04/2020 zitagombaga gushingirwaho kuko zivuguruzanya. Basobanura ko muri izo raporo hari aho bavuga ko umunyerondo witwa Nizeyimana Emmanuel yatanze amakuru y'uko uwitwa Niyonshuti Emmanuel yagendaga imbere ya Bibambisi Claudien atwaye igare amucungira umutekano naho Bibambi Claudien ari inyuma atwaye ibido irimo kanyanga; ko bitumvikana uburyo uyu munyerondo yamenye ayo makuru ntahite abibwira inzego z'ibanze ngo bafatirwe mucyoho. Bavuga kandi ko muri izo raporo bivugwa ko igihe icyaha cyakorwaga Bibambisi Claudien yabaga i Kigali, bakongera bakavuga ko yari yaratorotse, ubundi bakavuga ko hari uwamubonye afite kanyanga, hakaba n'imvugo z'abatangabuhamya bemeje ko Bibambisi Claudien atabaga murugo; ko ibyo byose bitera gushidikanya ariyo mpamvu izo raporo zitagombaga gushingirwaho, cyane cyane ko ahanini raporo z'inze z'ibanze ziba zikubiyemo amakuru yatanze n'abantu rimwe na rimwe batari abo kwizerwa, bityo ko nta mpamvu yatuma zishingirwaho mu icibwa ry'urubanza. [31] Bibambisi Claudien n'umwunganira bakomeza bavuga ko raporo zashingiweho zivuguruzanya no ku biyanye n'igihe bivugwa ko Bibambisi Claudien yafatanwe ibiyobyabwenge, aho iyo ku wa 30/04/2020 ivugwa ko yabifatanwe ku wa 19/09/2019 naho indi ikavugwa ko yabifatanwe ku wa 12/09/2019, ndetse ko muri izo raporo bavugwa ko Bibambisi Claudien yafatanwe ibiyobyabwenge, ariko wareba inyandikomvugo y'ifatira ry'ibyo biyobyabwenge ugasanga Iryayehova Phoïbe ariwe wayishyizeho umukono, ko ibyo nabyo bituma izo raporo zitera urujijo ku buryo zitagombaga gushingirwaho. [32] Ubushinjacyaha buvugwa ko nta raporo zivuguruzanya zashingiweho mu icibwa ry'urubanza rujurirwa, ko raporo ya mbere yakozwe ku wa 12/09/2019 yemejwe n'Ubuyobozi bw'Umurenge igaragaza ko Bibambisi Claudien acuruza ibiyobyabwenge, naho iyo ku wa 30/04/2020 ikagaragaza ko Bibambisi Claudien watorotse kubera gucuruza ibiyobyabwenge yagarutse mu rugo, ko ikosa riri muri iyi raporo ya kabiri ari uko ku rupapuro wa 2 habayeho kwibeshya ku matariki handikwa ko icyaha cyakozwe ku wa 19/09/2019 aho kwandika ko cyakozwe ku wa 12/09/2019, bityo ko izo raporo ntaho zivuguruzanya nk'uko Bibambisi Claudien abivugwa ahubwo ko Raporo ya mbere igaragaza ibyabaye, iya kabiri ikagaragaza ko Bibambisi Claudien wari watorotse yagarutse ko akwiye gukurikiranwa. UKO URUKIKO RUBIBONA [33] Ingingo ya 4, agace ka (1) y'Itegeko N° 062/2024 ryo ku wa 20/06/2024 rigenga ibimenyetso, ivuga

ko urega cyangwa utanze ikibazo agaragaza ikimenyetso cy'ibyo aregera cyangwa asaba. Uwiregura agaragaza ikimenyetso gishyigikira ukwiregura kwe.... [34] Muri dosiye hagaragara raporo yo ku wa 12/09/2019, ivuga ko mu gitondo cyo kuri iyo tariki ya 12/09/2019, Ubuyobozi bw'Umudugudu wa Gasharu bwahawe amakuru n'umunyerondo witwa

1 Reba urubanza RPAA0117/07/CS rwaciwe n'Urukiko rw'Ikirenga ku wa 17/09/2010 haburana Cpl Ngabonziza Faustin na Sgt Biziyaremye Jean Baptiste (igika cya 8), urubanza RPAA00502/2023/CA, rwaciwe n'Urukiko rw'Ubujurire ku wa 18/03/2025, haburana Ubushinjacyaha na Gakwerere Steven bita Nyinya (igika cya 17) n'izindi.

Page 8

Nizeyimana Emmanuel ko hari urumogi rugiyeye kwinjira muri uwo Mudugudu, ko uyu munyerondo yari agiye ku ishyamba ahura na Niyonshuti Emmanuel atwaye akagare ka siporo ka Bibambisi Claudien agenda amucungira inzira, Bibambisi Claudien agenda inyuma ye yikoreye litoro 20 za kanyanga n'ikizungu cy'urumogi. Ko ayo makuru akirama kumenyekana, Ubuyobozi bw'Umudugudu bwahise buhamagara Umunyamanga Nshingwabikorwa w'Umurenge wa Rukomo, uyu nawe ahamagara Dasso n'abasirikari, baje basanga ibiyobyabwenge byamaze kugera kwa se wa Bibambisi Claudien ariwe Habyarimana Athanase, Iryayehova Phoïbe aburira musaza we Bibambisi Claudien ko baje kumufata yurira igipangu aratoroka, ibiyobyabwenge babisanga muri urwo rugo Iryayehova Phoïbe ababwira ko ari ibya Bibambisi Claudien. [35] Muri dosiye hagaragara kandi raporo yo ku wa 30/04/2020 nayo y'Ubuyobozi bw'Umudugudu wa Gashura, ivuga ko Bibambisi Claudien yabonetse nyuma y'uko yari yaratorotse ahunga ubutabera kubera icyaha cyo gucuruza ibiyobyabwenge by'urumogi na kanyanga yafatanwe ku wa 19/09/2019, ko yari yarahungiyeye i Kigali ariko akaba yaragarutse kubera icyorezo cya Cov -19. [36] Urukiko rw'Ubujurire rurasanga raporo zimaze kuvugwa haruguru zitavuguruzanya nk'uko Bibambisi Claudien n'umwunganira bashyika kubyumvikanisha, ahubwo nk'uko ubushinjacyaha bubivugaga, iyo ku wa 12/09/2019 igaragaza uburyo Bibambisi Claudien yinjije ibiyobyabwenge mu Mudugudu wa Gashura bikarangira abigejeje iwabo mu rugo, bajya kumufata akabacika agatoroka, naho iyo ku wa 30/04/2020 ikagaragaza ko noneho nyuma yo gutorokera i Kigali yagarutse murugo iwabo kubera icyorezo cya Covid - 19, ko yakabaye akurikiranwa. [37] Ku bijyanye n'imiburanire ya Bibambisi Claudien y'uko umunyerondo Nizeyimana Emmanuel yamenye amakuru ko Niyonshuti Emmanuel yagendaga imbere ya Bibambisi Claudien atwaye igare amucungira umutekano naho Bibambi Claudien ari inyuma atwaye ibido irimo kanyanga, ntahite atanga ayo makuru ngo bafatirwe mu cyaho; Urukiko rw'Ubujurire rusanga nta shingiro ifite kuko nk'uko bigaragara muri raporo yo ku wa 12/09/2019 ndetse bikanemezwa na Furaha Manasse na Ndamage André, Nizeyimana Emmanuel yatanze ayo makuru ku buyobozi bw'inzego z'ibanze, Umunyamabanga Nshingwabikorwa ahamagara Dasso n'abasirikari bajyaye basanga ibiyobyabwenge byagejwe murugo iwabo wa Bibambisi Claudien, ababonye aratoroka. [38] Ku bijyanye no kuvuga ko muri izo raporo zakozwe n'inzego z'ibanze bivugwa ko igihe icyaha cyakorwaga Bibambisi Claudien yabaga i Kigali, bakongera bakavugaga ko yari yaratorotse, ubundi bakavugaga ko hari uwamubonye afite kanyanga; Urukiko rw'Ubujurire rurasanga nabyo nta shingiro bifite kuko muri izo raporo ntaho bivugwa ko igihe icyaha cyakorwaga Bibambisi

Claudien yabaga i Kigali, ahubwo nk'uko byakomeje kugarukwaho haruguru, imwe igaragaza uburyo hatanzwe amakuro ko arimo yinjiza urumogi na kanyanga mu Mudugudu n'uburyo byarangiye abigeje murugo iwabo, bagiye kumufata aratoroka (iyo ku wa 12/09/2019), indi ikagaragaza ko nyuma yo gutorokera i Kigali noneho yagarutse murugo iwabo. [39] Ku bijyanye no kuvuga ko raporo yo ku wa 12/09/2019 n'iyi ku wa 30/04/2020 zivuguruzanya ku bijyanye n'igihe icyaha gikurikiranywe cyakorewe, Urukiko rw'Ubujurira rurasanga aribyo koko muri raporo yo ku wa 30/04/2020 havugwamo ko icyaha cyakozwe ku wa 19/09/2019 naho iyo ku wa 12/09/2019 ikavuga ko cyakozwe ku wa 12/09/2019. Urukiko rw'Ubujurira rurasanga ariko kuba muri raporo yo ku wa 30/04/2020 havugwamo ko icyaha cyakozwe ku wa 19/09/2019 ari ikosa ry'imyandikire kuko izindi nyandiko zose ziri muri dosiye zigaragaza ko icyaha cyakozwe ku wa 12/09/2019. [40] Ikibazo nk'iki kimaze kuvugwa mu gika kibanziriza iki, kirajya gusa n'icyakemuwe n'uru Rukiko mu manza zitandukanye, harimo urubanza RPA00043/2020/CA rwaciwe ku wa 27/06/2022 haburana Ubushinjacyaha na Ntawigira Fidèle n'urubanza RPAA00016/2022/CA rwaciwe ku wa 22/03/2024, Ubushinjacyaha buburana na Abayisenga Vénant na bagenzi be. Muri izo manza hemjwe ko kwibeshya ku matariki agaragaza igihe inyandiko mvugo y'ibazwa yakorewe ari ikosa ryo mu rwego rw'imyandikire,

Page 9

ridashobora gutesha agaciro iyo nyandiko mvugo n'ibiyikubiyemo. Ko kandi uko kwibeshya atari ikimenyetso kigaragaza ko icyaha kitabayeho cyangwa se ngo bibe inenge yatuma iyo nyandiko iteshwa agaciro mu gihe itegeko ritateganyije ku buryo budashidikanywaho ko igihe habaye kwibeshya ku matariki y'igihe inyandiko yakorewe, biyitesha agaciro². Bityo rero kuba mu muri raporo yo ku wa 30/04/2020 handitswe ko icyaha Bibambisi Claudien yagikoze ku wa 19/09/2019, Urukiko rw'Ubujurire rurasanga ari ikosa ry'imyandikire ritatuma iyo raporo n'ibiyokubiyemo bitesha agaciro cyangwa bibe bikimenyetso kigaragaza ko icyaha Bibambisi Claudien aregwa kitabayeho mu gihe hari ibimenyetso bikigaragaza nk'uko byagaragajwe mu bika bibanziriza iki. [41] Kubera izo mpamvu zose zimaze gusobanurwa, Urukiko rw'Ubujurire rurasanga raporo yo ku wa 12/09/2019 n'iyi ku wa 30/04/2020, zitavuguruzanya nk'uko Bibambisi Claudien n'umwunganira babivuga ahubwo zuzuzanya, bityo rero hakaba nta mpamvu nimwe yari gutuma zidashingirwaho mugufata icyemezo. C. Kumenya niba hari imvugo z'abatangabuhamya bashinjura Bibambisi Claudien zirengagijwe [42] Bibambisi Claudien n'umwunganira bavuga ko, Urukiko Rukuru, Urugereko rwa Rwamagana rutahaye agaciro imvugo z'abatangabuhamya bashinjura Bibambisi Claudien, barimo: Ntawiha Elizabeth, Kabatesi Yvonne, Ngendahayo Prosper na Ntibagirirwa Ezechiel bese bemeza ko igihe hafatwaga ibiyobyabwenge, Bibambisi Claudien atabaga iwabo, Ntibagirirwa Ezechiel we akanavuga ko kuva mu kwezi kwa 07/2019 kugeza mu kwa 12/2019 yakoranaga na Bibambisi Claudien umwunga w'ubumotari mu muji wa Kigali kandi ko icyo gihe cyose atigeze agera mu rugo iwabo i Nyagatare. Ko ubwo buhamya Urukiko rwirinze kugira icyo rubuvugaho ngo rube rwabuha agaciro cyangwa rwabunenga kandi bushimangirwa n'ibikubiye muri za raporo zatanze n'Ubuyobozi. [43] Bibambisi Claudien n'umwunganira bakomeza bavuga ko ubuhamya bwatanze n'Umunyamabanga Nshingwabikorwa w'Umurenge ndetse n'ubwa Furaha Manasse wari ushinze umutekano,

butafatwa nk'ukuri kuko bavuguruzanya. Basobanura ko Furaha Manasse yavuze ko bageze iwabo wa Bibambisi Claudien mushiki we yabemereye ko urugomi ruhari, ko agiye kubereka aho ruri hafi y'igikoni, naho Umunyamabanga Nshingwabikorwa w'Umurenge akavuga ko bacyinjira mu rugo urumogi barusanze hejuru y'inzu, ko rero ubwo buhamya butagombaga gushingirwaho kuko buvuguruzanya. Bavuga kandi ko kuvuga ko Bibambisi Claudien yashyize umukono ku nyandikomvugo y'ifatira atari ukuri kuko atari ahari, ko uwayishyizeho umukono ari mushiki we Iryayehova Phoïbe, basaba ko hashingirwa ku ngingo ya 111 y'Itegeko N° 27/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha, rukabona ko ibimenyetso byashingiweho mu icibwa ry'urubanza rujuririrwa byuzuyemo kuvuguruzanya kuganisha ku kugushidikanya kurengera ushinjwa, maze rwemeze ko Bibambisi Claudien agizwe umwere. [44] Ubushinjacyaha buvuga ko nta buhamya bushinjura bwirengagijwe, ahubwo ko nk'uko bigaragara mu gika cya 19 cy'urubanza rujuririrwa, Urukiko Rukuru, Urugereko rwa Rwamagana rwasuzumye ibimenyetso byose rwanzura ko Bibambisi Claudine yakoze icyaha, maze rurakimuhanira. UKO URUKIKO RUBIBONA [45] Ingingo ya 53 y'Itegeko N° 062/2024 ryo ku wa 20/06/2024 rigenga ibimenyetso ivuga ko urwego rufite ububasha rusuzuma ukwemerwa cyangwa ukutemerwa n'agaciro by'ikimenyetso gishingiye ku

2Reba urubanza RPA00043/2020/CA rwaciwe ku wa 27/06/2022 haburana Ubushinjacyaha na Ntawigira Fidèle, urubanza RPAA00016/2022/CA rwaciwe n'Urukiko rw'Ubujurire ku wa 22/03/2024, Ubushinjacyaha buburana na Abayisenga Vénant na bagenzi be.

Page 10

buhamya. Ntirwita ku mubare w'abatangabuhamya, ahubwo rwita cyane ku bumenyi bw'ibyabaye no ku budakemwa bw'ubuhamya batanga. [46] Nk'uko bigaragara mu gika cya 19 cy'urubanza rujuririrwa, mu Rukiko Rukuru hasuzumwe ubuhamya bushinjura burimo ubwa Ntawiha Elisabeth na Kabatesi Yvonne, bahamya ko ubwo ibiyobyabwenge byafatwaga Bibambisi Claudien atari ahari kuko yari amaze iminsi aba i Kigali, maze Urukiko rusanga ubwo buhamya nta shingiro bufite kuko buvuguruzwa n'ubwa Numukobwa Florentine nyina wa Bibambisi Claudien n'ubwa mushiki we Iryayehova Phoïbe babana mu rugo, ndetse n'ubw'abayobozi b'aho atuye aribo Ndamage André (Umunyamabanga Nshingwabikorwa w'umurenge wa Rukomo) na Furaha Manasse (umuyobozi ushinzwe umutekano mu Mudugudu wa Gashura), ikindi kandi nko kuri Kabatesi Yvonne akaba avuga ko ibiyobyabwenge bifatwa Bibambisi Claudien yari amaze amezi agera kuri 3 atahaba, ariko ko atazi igihe yagendeye ndetse n'igihe yagarukiye. [47] Urukiko rw'Ubujurire rurasanga ubuhamya bwa Ntawiha Elizabeth, Kabatesi Yvonne, Ngendahayo Prosper na Ntibagirirwa Ezechiël, butarirengagijwe nk'uko Bibambisi Claudien ashaka kubyumvikanisha, ahubwo nk'uko n'Urukiko Rukuru, Urugereko rwa Rwamagana rwabibonye, butavuguruzwa ubwa Iryayehova Phoïbe wabanaga na Bibambisi Claudien murugo umunsi ku wundi wemeza ko icyo gihe ibiyobyabwenge bifatwa uyu yari ahari abonye inzego z'umutekano n'ubuyoboazi aratoroka, ndetse n'ubuhamya bwatanzwe na bamwe mu bayobozi b'aho ibiyobyabwenge byafatiwe banagiye gusaka muri urwo rugo bemeza ko bahasanze Iryayehova Phoïbe arikwe na musaza we Bibambisi Claudien wahise yurira igipangu arabacika. abo ni Furaha Manasse (ushinzwe umutekano mu Mudugudu wa Gashura) na Ndamage André

(Umunyamabanga Nshingwabikorwa w'umurenge wa Rukomo). [48] Ku bijyanye no kuvuga ko ubuhamya bwa Ndamage André n'ubwa Furaha Manasse buguruzanya, Urukiko rw'Ubujurire rurasanga nabyo nta shingiro bifite kuko ubuhamya bwabo nk'uko bwagaragajwe mu gika cya 23 na 24 by'uru rubanza, ntaho buvuguruzanya ahubwo bwuzuzanya, bose baturiza ku kuba ku itariki ya 12/11/2019 barahawe amakuru ko Bibambisi Claudien azanye urumogi na kanyanga mu Mudugudu, bagiyeye kumureba bamusanga iwabo abonye binjiye mu nzu ahita simbuka igipangu aratoroka, urumogi na kanyanga babisanga aho iwabo. [49] Ku bijyanye no kuba Bibambisi Claudien atari we washyize umukono ku nyandikomvugo y'ifatira, ahubwo ugashyirwaho na mushiki we Iryayehova Phoïbe, Urukiko rw'Ubujurire rurasanga ibyo bitamukuraho icyaha kuko nk'uko byakomeje kugaragazwa mu bika bibanziriza iki, Bibambisi Claudien yahise atoroka arabura nk'uko byemezwa na Iryayehova Phoïbe, Furaha Manasse, Ndamage André, raporo y'inzego z'ibanze yo ku wa 12/09/2019 n'iyi ku wa 30/04/2020, yongera kubone muri 2020. Kuba rero urumogi rwarasanzwe iwabo, agahita atoroka, ku nyandiko yifatira hagasinye Iryayehova Phoïbe wari uhari mugihe hagikorwa iperereza ngo hagarare nyirwo, rigasoza bigaragaye ko ari urwa Bibambisi Claudien, kuba atarasinye kunyandiko mvugo y'ifatira bitewe n'uko yari yamaze gutoroka, ntibyakuraho ko ari urwe mugihe hari ibindi bimenyetso bibyemeza nk'uko byakomeje gusobanurwa haruguru. [50] Kubera impamvu zose zasobauwe muri uru rubanza, Urukiko rw'Ubujurire rurasanga ubujurire bwa Bibambisi Claudien nta shingiro bufite mu ngingo zabwo zose, urubanza yajuririyeye rukaba rudahindutse. III. ICYEMEZO CY'URUKIKO [51] Rwemeje ko ubujurire bwatanze na BIBAMBISI Claudien nta shingiro bufite. [52] Rwemeje ko imikirize y'urubanza RPA01270/2022/HC/RWG rwaciye n'Urukiko Rukuru, Urugereko rwa Rwamagana ku wa 30/10/2024, idahindutse.

Page 11

[53] Rwemeje ko nta gihindutse ku cyaha cyo kubika ibiyobyabwenge Bibambisi Claudien yahamijwe n'Urukiko Rukuru, Urugereko rwa Rwamagana, ndetse n'igihano cy'igifungo cy'imyaka 16 n'ihazabu y'amafaranga angana na milioni esheshatu(6.000.000Frw) yahanishijwe n'urwo Rukiko. [54] Rutegetse ko Bibambisi Claudien asonewe gutanga amagarama y'urubanza kuko aburana afunze.

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.amategeko.gov.rw/view/doc/10281/10823>

CASE PAGE <https://chat.esheria.ai/case-law/rwanda/ubushinjacyaha-v-bibambisi-2025>

Prepared on 11 October 2026 · Esheria