Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha ("IRMCT") rwashyizweho n'Inama Ishinzwe Amahoro ku Isi y'Umuryango w'Abibumbye ku itariki ya 22 Ukuboza 2010 kugira ngo rukomeze ububasha, uburenganzira, inshingano n'imirimo y'ingenzi by'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda ("TPIR") n'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho Icyahoze ari Yugosilaviya ("TPIY") zafunze imiryango mu mwaka wa 2015 n'uwa 2017, uko zikurikirana.

IFISHE Y'AMAKURU KU RUBANZA

MICT-13-38

FÉLICIEN KABUGA

Mu gihe ibyaha bivugwa mu Nyandiko y'ibirego byakorwaga, Félicien Kabuga yari Perezida wa Komite y'abashinze Radiyo RTLM akaba na Perezida wa Komite y'agateganyo y'Ikigega cyo kurengera igihugu ("*Fonds de Défense Nationale")* kuva ahagana ku itariki ya 25 Mata 1994 kugera muri Nyakanga 1994.

Umwaka yavutsemo n'aho yavukiye	Mu mwaka wa 1935, muri Segiteri ya Muniga, Komine ya Mukarange, Perefegitura ya Byumba, mu Rwanda
Inyandiko y'ibirego	Inyandiko y'ibirego igenderwaho yatanzwe ku itariki ya 1 Werurwe 2021
Ifatwa	Yafatiwe Asnières-sur-Seine, mu Bufaransa, ku itariki ya 16 Gicurasi 2020
Urugereko rwa Mbere rw'Iremezo rwa IRMCT	Umucamanza Iain Bonomy, Perezida Umucamanza Mustapha El Baaj Umucamanza Margaret deGuzman
Aho urubanza rugeze	Icyiciro cy'iburanisha

IBURANISHA RY'URUBANZA MURI IRMCT

Kuva itangiye imirimo yayo ku itariki ya 1 Nyakanga 2012, IRMCT yakomeje ububasha, bwari bufitwe na TPIR, bwo kuburanisha uru rubanza.

Ku itariki ya 29 Mata 2013, Vagn Joensen, Umucamanza umwe rukumbi, yatanze Urwandiko rwo gufata n'Itegeko ryo kwimura bisaba ibihugu bigize Umuryango w'Abibumbye byose gushakisha Kabuga, kumufata no kumushyikiriza Ishami rya IRMCT ry'Arusha.

Ku itariki ya 16 Gicurasi 2020, abayobozi bo mu Bufaransa bafatiye Kabuga hafi y'i Paris, bikomotse ku iperereza ryakozwe bafatanyije n'Ibiro bya Porokireri wa IRMCT.

Ku itariki ya 30 Nzeri 2020, Urukiko rusesa imanza rw'u Bufaransa rwanze ubujurire bwa Kabuga ku cyemezo cy'Urukiko rw'ibanze, cyemeje ko agomba gushyikirizwa IRMCT.

Ku itariki ya 1 Ukwakira 2020, Perezida Carmel Agius yashyizeho Urugereko rwa Mbere rw'Iremezo rugizwe n'Abacamanza Iain Bonomy, Perezida, Graciela Susana Gatti Santana na Elizabeth Ibanda-Nahamya, kugira ngo ruzaburanishe uru rubanza kuva igihe Kabuga yimuriwe akajyanwa ku cyicaro cy'Ishami rya IRMCT bireba.

Ku itariki ya 21 Ukwakira 2020, Umucamanza Iain Bonomy yahinduye Urwandiko rwo gufata n'Itegeko ryo kwimura, anategeka ko Kabuga yimurirwa ku Ishami rya IRMCT ry'i Lahe, ashingiye ku Cyifuzo cy'Ubwunganizi cyashyigikiwe na Porokireri ndetse na Gerefiye, kugira ngo hakomeze gukorwa amasuzumabuzima agamije kugaragaza niba Kabuga ashobora kwimurirwa ku ishami rya IRMCT ry'Arusha, bidashyize ubuzima bwe mu kaga, kugira ngo abe ari ho aburanishirizwa. Kabuga yashyikirijwe IRMCT ku itariki ya 26 Ukwakira 2020.

Kabuga yitabye Urukiko bwa mbere ku itariki ya 11 Ugushyingo 2020, maze muri uwo muhango handikwa ko ahakana ibyaha byose aregwa mu Nyandiko y'ibirego.

Kuva aho Kabuga yitabiye Urukiko bwa mbere, Umucamanza utegura urubanza mu rw'iremezo cyangwa Urugereko rwa Mbere rw'Iremezo bagiye bakoresha amanama ntegurarubanza. Kubera ingamba zerekeranye na Koronavirusi zariho icyo gihe, inama ntegurarubanza ya mbere yabaye hifashishijwe uburyo bw'inyandiko, itangizwa n'Itegeko ry'Urugereko rwa Mbere rw'Iremezo ryatanzwe ku itariki ya 9 Werurwe 2021, hanyuma isozwa n'Itegeko ry'Urugereko rwa Mbere rw'Iremezo ryatanzwe ku itariki ya 6 Mata 2021. Nyuma yaho, hakozwe andi manama ntegurarubanza, abayitabiriye bahibereye, ku matariki ya 1 Kamena 2021, 6 Ukwakira 2021, 3 Gashyantare 2022, 11 Gicurasi 2022 na 18 Kanama 2022.

Hashingiwe ku Cyemezo cy'Urugereko rwa Mbere rw'Iremezo ku Cyifuzo cya Porokireri gisaba uruhushya rwo guhindura Inyandiko y'ibirego, cyatanzwe ku itariki ya 24 Gashyantare 2021, Porokireri yatanze Inyandiko y'ibirego yahinduwe bwa kabiri ku itariki ya 1 Werurwe 2021 ("Inyandiko y'ibirego"). Byongeye kandi, Urugereko rwa Mbere rw'Iremezo rwemeje ibintu byabaye 45 byemejwe mu zindi manza zaciwe n'ibyabaye by'ikimenyabose, kandi rutanga ibyemezo byerekeranye no gushyira muri dosiye ibimenyetso, byatanzwe n'abatangabuhamya bashinja bagera kuri 70, hashingiwe ku Ngingo za 110, 111 cyangwa 112 z'Amategeko Agenga Imiburanishirize n'Itangwa ry'Ibimenyetso ya IRMCT ("Amategeko").

Kuva nyuma gato y'uko Kabuga yimurirwa ku Ishami ry'i Lahe, Urugereko rwa Mbere rw'Iremezo rwagiye runashyikirizwa, kabiri mu kwezi, amaraporo ya Muganga ukuriye Serivise y'ubuvuzi ya Gereza y'Umuryango w'Abibumbye, yerekeranye n'ubuzima bwe kugira ngo hemezwe niba, hakurikijwe uko ubuzima bwe bwifashe, ashobora kwimurirwa ku ishami rya IRMCT ry'Arusha maze akaba ari ho afungirwa. Hakurikijwe Icyifuzo cy'Ubwunganizi gisaba ko hashyirwaho impuguke mu by'ubuvuzi kugira ngo zisuzume niba uko ubuzima bwe bwifashe byatuma ashobora kuburanishwa, Urugereko rwa Mbere rw'Iremezo rwashyizeho impuguke mu by'ubuvuzi zigenga eshatu, impuguke mu by'ubuvuzi imwe yatanzwe na Porokireri n'indi yatanzwe n'Ubwunganizi. Ku matariki ya 31 Gicurasi, iya 1 n'iya 7 Kamena 2022, mu Rugereko rwa Mbere rw'Iremezo habaye amaburanisha hagamijwe gusuzuma amaraporo y'impuguke mu by'ubuvuzi atatu n'imyanzuro yatanzwe n'ababuranyi yerekeranye no kumenya niba uko ubuzima bwa Kabuga bwifashe byatuma ashobora kuburanishwa no gufungirwa Arusha.

Mu Cyemezo cyerekeranye no kumenya niba uko ubuzima bwa Kabuga bwifashe byatuma ashobora kuburanishwa no kwimurirwa Arusha akaba ariho afungirwa, cyatanzwe ku itariki ya 13 Kamena 2022, Urugereko rwa Mbere rw'Iremezo rwemeje ko Ubwunganizi butagaragaje ko uko ubuzima bwa Kabuga bwifashe byatuma adashobora kuburanishwa. Cyakora, muri icyo Cyemezo, Urugereko rwa Mbere rw'Iremezo rwavuze ko afite indwara zituma imikorere y'ubwonko n'imitekerereze bye bigabanuka, afite intege nke n'ibyago byinshi byo gufatwa n'indwara kandi ko akeneye kwitabwaho no gukurikiranwa n'abaganga mu buryo buhoraho. Urugereko rwa Mbere rw'Iremezo rwazirikanye kandi ubuhamya buhuririwaho n'abaganga b'impuguke ko kwimurira Kabuga Arusha byatuma habaho ingorane zaterwa no kumuvana ahantu amenyereye, ibyo bikaba bishobora kubangamira bikomeye ibyashobokaga ko iburanisha ritangira rikanasozwa vuba. Kubera imyaka Kabuga afite n'ubuzima bwe bwazahaye ndetse n'uburenganzira bwe bw'ibanze bwo kuburanishwa mu buryo buboneye kandi nta kuzarira, Urugereko rwa Mbere rw'Iremezo rwemeje ko Kabuga azakomeza gufungirwa ku ishami rya IRMCT ry'i Lahe kandi ko iburanisha ry'urubanza rwe ari ho rizatangirira kugera

igihe byemejwe ukundi. Urugereko rwa Mbere rw'Iremezo ntirwakuyeho kuba iburanisha rishobora kubera Arusha ubuzima bwa Kabuga buramutse burushijeho kumera neza.

Ku itariki ya 20 Kamena 2022, Kabuga yatanze Icyifuzo gisaba uruhushya rwo kujuririra Icyemezo cy'Urugereko rwa Mbere rw'Iremezo cyo ku itariki ya 13 Kamena 2022 kivuga ko ashobora kuburanishwa. Ku itariki ya 23 Kamena 2022, Urugereko rwa Mbere rw'Iremezo rwatanze uruhushya rwo kujuririra icyo kibazo cyerekeranye no kumenya niba Kabuga ashobora kuburanishwa kandi rumenyesha ababuranyi ko urubanza ruzakomeza mu gihe hategerejwe ko icyemezo kuri ubwo bujurire gitangwa. Kabuga yatanze ubujurire bwe ku itariki ya 30 Kamena 2022 maze, mu Itegeko yatanze kuri iyo tariki, uwari Perezida wa IRMCT icyo gihe ashyiraho Abacamanza bagize inteko y'Urugereko rw'Ubujurire igizwe n'Abacamanza Carmel Agius, Perezida, Burton Hall, Liu Daqun, Aminatta Lois Runeni N'gum na José Ricardo de Prada Solaesa kugira ngo isuzume ubwo bujurire. Ku itariki ya 12 Kanama 2022, Urugereko rw'Ubujurire rwanze ubwo bujurire bwose uko bwakabaye.

Ku itariki ya 18 Kanama 2022, habaye inama mbanzirizarubanza ku ishami rya IRMCT ry'i Lahe.

Ku itariki ya 26 Kanama 2022, Perezida Graciela Gatti Santana yatanze Itegeko rishyiraho Umucamanza usimbura undi n'umucamanza w'ingoboka. Perezida yashyizeho Umucamanza Mustapha El Baaj kugira ngo amusimbure mu nteko igomba kuburanisha urubanza rwa Kabuga mu rw'iremezo kandi ashyiraho Umucamanza Margaret deGuzman nk'umucamanza w'ingoboka muri uru rubanza.

Ku matariki ya 29 na 30 Nzeri 2022, humviswe imyanzuro, mu magambo, ibanziriza itangwa ry'ibimenyetso maze Porokireri atangira gutanga ibimenyetso bishinja ku itariki ya 5 Ukwakira 2022. Bitewe n'uko ubuzima bwa Kabuga bwifashe kandi hakurikijwe inama z'abaganga, Urugereko rwa Mbere rw'Iremezo rwategetse ko amaburanisha azajya aba gatatu mu cyumweru (Ku wa Kabiri, ku wa Gatatu no ku wa Kane) kandi iburanisha rikazajya rimara amasaha abiri ku munsi (kuva saa yine kugera saa sita z'amanywa, ku isaha y'i Lahe).

Ku itariki ya 10 Mutarama 2023, Urugereko rwa Mbere rw'Iremezo rwatanze Icyemezo aho rwavuze ko, hashingiwe ku Ngingo ya 19(E) y'Amategeko, iburanisha ryagombaga gukomeza Umucamanza Margaret M. deGuzman agasimbura Umucamanza Ibanda-Nahamya, wapfuye ku itariki ya 5 Mutarama 2023. Ku itariki ya 16 Mutarama 2023, Perezida Graciela Gatti Santana yatanze Itegeko rishyiraho Umucamanza Ivo Nelson de Caires Batista Rosa nk'Umucamanza w'ingoboka muri uru rubanza.

AMAKURU KU NKOMOKO Y'URUBANZA

INYANDIKO Y'IBIREGO

Kabuga aregwa ibyaha bya jenoside, guhamagarira abantu, mu buryo butaziguye kandi mu ruhame, gukora jenoside, ubwumvikane bugamije gukora jenoside, itoteza rishingiye ku mpamvu za poritike, itsembatsemba, n'ubuhotozi nk'ibyaha byibasiye inyokomuntu byakorewe mu Rwanda mu mwaka wa 1994.

Mu Nyandiko y'ibirego havugwa ko, hagati y'itariki ya 6 Mata n'iya 17 Nyakanga 1994, mu Rwanda habaye jenoside yibasiye Abatutsi kandi ko, mu Rwanda hose hagabwe ibitero rusange kandi/cyangwa biri kuri gahunda byibasiraga abaturage b'abasivire bazira ko ari Abatutsi no/cyangwa kubera impamvu za poritike.

Mu Nyandiko y'ibirego havugwa ko Kabuga, washinze Radiyo RTLM, yayikoreshaga hamwe n'abandi bantu mu guhembera urwango n'urugomo byibasira Abatutsi n'abandi bantu, ndetse ko we n'abandi bantu bumvikanye ngo bakwirakwize ubutumwa burwanya Abatutsi hagamijwe kurimbura ubwoko bwabo mu Rwanda. By'umwihariko, mu Nyandiko y'ibirego havugwa ko RTLM yahamagariye abantu, mu buryo butaziguye kandi mu ruhame, gukora jenoside no gutoteza ikoresheje ibiganiro byarimo imvugo itesha Abatutsi agaciro kandi yuzuyemo ibikangisho. Muri ibyo biganiro, abantu bitwaga, mu buryo bweruye, Abatutsi cyangwa "ibyitso" cyangwa "abafatanyije" na FPR ndetse, rimwe na rimwe, hagatangwa amakuru yerekeranye n'aho bari n'andi ashishikariza abantu kubica cyangwa atuma kubica byoroha. Mu Nyandiko y'ibirego havugwa ko Kabuga aryozwa ibyo byaha kubera uruhare rwe mu mugambi mubisha yari ahuriyeho n'abandi bantu bagize uruhare mu mikorere ya RTLM, ndetse no kubera ko yashyigikiye

imyitwarire mibisha y'abanyamakuru ba RTLM, Interahamwe n'abandi bantu bakoze ibyaha babifashijwemo cyangwa babishishikarijwe n'ibiganiro bya RTLM.

Kabuga aregwa kandi icyaha cyo gushyigikira ibikorwa by'Interahamwe zishe zikanagirira nabi Abatutsi n'abandi bantu mu Maperefegitura y'Umujyi wa Kigali, Gisenyi na Kibuye binyuze mu kuzitera inkunga yo mu rwego rw'ibikoresho, urw'ingendo, iy'amafaranga no kuzitera akanyabugabo. Nk'urugero, mu Nyandiko y'ibirego havugwa ko, mu buryo bunyuranye, Kabuga yateraga inkunga itsinda ry'Interahamwe ryo ku Kimironko muri Kigali, rizwi nk'"Interahamwe za Kabuga", kandi ko iryo tsinda ryagiye mu bitero, mu bikorwa byo kwica no kugirira nabi Abatutsi n'abandi bantu muri Perefegitura y'Umujyi wa Kigali ku mabariyeri, aho abantu bari barahungiye no mu mago. Bivugwa kandi ko Kabuga yakusanyije amafaranga yo kugura intwaro n'amasasu byakwirakwijwe mu Nterahamwe muri Perefegitura ya Gisenyi. Mu Nyandiko y'ibirego havugwa ko ibyo bikoresho byakoreshejwe mu ikorwa ry'ibyaha mu Maperefegitura ya Gisenyi, Kibuye n'Umujyi wa Kigali.

Ibyaha aregwa mu Nyandiko y'ibirego ni ibi:

Ikirego cya jenoside (Ikirego cya 1)

Ikirego cyo guhamagarira abantu, mu buryo butaziguye kandi mu ruhame, gukora jenoside (Ikirego cya 2)

Ikirego cy'ubwumvikane bugamije gukora jenoside (Ikirego cya 3)

Ibirego bitatu by'ibyaha byibasiye inyokomuntu:

- Itoteza rishingiye ku mpamvu za poritike (Ikirego cya 4)
- Itsembatsemba (Ikirego cya 5)
- Ubuhotozi (Ikirego cya 6)

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