**NGENDAHIMANA - Urukiko Rwa Mbere Rwa Gitarama, 4.02.1998**

Tribunal de première Instance de Gitarama
Chambre spécialisée
Jugement rendu en séance publique du 4 février 1998

R.P. 39/GIT/CH.S/1/98

URUKIKO RWA MBERE RWA GITARAMA
URUGEREKO RWIHARIYE RURI GITARAMA
IKIZA RYURUBANZA MU RUHAME RYO KUWA 04/02/1998
R.P. 39/GIT/CH.S/1/98

ICYAHA CYITSEMBABWOKO CYANGWA IBYAHA BYIBASIYE INYOKO-MUNTU UBUGAMBANYI KUDATABARA UMUNTU URU MU BYAGO BIKOMEYE NTA NGARUKA BYAGIRA ICYAHA CYO GUSENYA KU BUSHAKE GUTUNGA INTWARO ZA GISILIKARE NTA BURENGANZIRA UGUSABA KO ABABURANYI BAREKURWA BYAGATEGANYO INGOBOKA MU RUBANZA IGIHE INGOBOKA ISHYIKIRIZWA URUKIKO KWIHANA UMWAVOKA IMPAMVU GUSIGA ABACAMANZA KU GASOZI ITEGEKO RIGENGA KWIHANA ABUNGANIRA ABANDI ICYEMEZO GICIYE UKUBIRI NAMATEGEKO

Génocide crimes contre lhumanité complicité non assistance à personne en danger sans aucun risque pour la vie destruction volontaire de biens port darmes illégal libération conditionnelle incident de procédure période de recevabilité récusation dun avocat motifs outrage à la cour motivation légale de la décision décision illégale

1. Icyaha cyo kudatabara umuntu kiba gikozwe iyo umuntu ahunze ngo bamuhishe ntababikore ahubwo bakamutabariza. (Infraction de non assistance à personne en danger est établie lorsque la personne sollicitée, au lieu de cacher le fuyard, dénonce celui-ci chez les voisins).
2. Umucamanza ashobora kwihana uwunganira ababuranyi aho imiburanishirize yaba igeze hose iyo yerekanye impamvu yubuhemu yamukoreye bwatuma adakomeza urubanza. Icyo gihe urukiko rusubika iburanisha rugaha igihe ababauranyi kugira ngo bashake undi ubunganira. (Un juge peut récuser un avocat dans un procès en tout état de la procédure lorsquil établit une conduite antérieure outrageante à légard des magistrats qui lempêche de siéger en sa présence. Le tribunal peut, dans ce cas, suspendre la séance et donner aux clients le temps de recourir aux services dun autre avocat).
3. Amategeko ntateganyiriza ibihano icyaha cyitsembabwoko, ahubwo ibihano biteganywa nibikorwa cyangwa ibyaha bigize icyo cyaha, bityo urukiko rukaba rutakwemeza nta shiti ko umuntu yakoze icyo cyaha ngo agihanirwe rutabanje gusuzuma niba ahanwa nibikorwa cyangwa ibyo byaha bigize icyo cyaha.
(La loi ne prévoit pas de peine pour le génocide, mais pour des faits ou des infractions constitutives de ce crime; ainsi le tribunal saisi ne peut condamner une personne pour génocide sans avoir établi des faits punissables constitutifs de ce crime de génocide).
4. Ntabwo byafatwa nkubugambanyi uguhungisha umuntu niyo yaba yarapfuye nyuma kandi bigaragara ko bashoboraga kumwica iyo babishaka kuko atari kubarusha intege kubera ubwinshi bwabo. Kugirango icyaha cyubugambanyi cyemerwe ni ngombwa

kwerekana aho bwabereye numuntu bamugambaniyeho. (Ne peut être tenu pour une complicité dans une infraction le fait pour des personnes daccompagner un fugitif même si ce dernier est mort ultérieurement, lorsquil est établi que si les accompagnateurs avaient voulu tuer le fugitif rien ne pouvaient les en empêcher vu leur nombre. Pour que linfraction de complicité soit reconnue il faut établir le lieu où se sont déroulés les faits et les relations entre les complices prétendus et lauteur du crime.
5. Iyo uwishwe atari umututsi ntibishobora kwitwa itsembabwoko ahubwo byitwa icyaha cyibasiye inyoko-muntu. (lorsque la victime nest pas dethnie tutsi on ne peut pas parler de génocide).

URUKIKO RWA MBERE RWA GITARAMA URUGEREKO RWIHARIYE RURI GITARAMA, RUHABURANISHIRIZA IMANZA ZINSHINJA-BYAHA, IBYAHA BIGIZE ICYAHA CYITSEMBABWOKO NITSEMBATSEMBA, CYANGWA IBINDI BYAHA BYIBASIYE INYOKO-MUNTU BYAKOZWE KUVA TARIKI YA MBERE UKWAKIRA 1990 KUGEZA TARIKI YA 31 UKUBOZA 1994.

IKIZA RYURUBANZA R.P.N°39/GIT/CH.S/1/98 MU RUHAME RYO KUWA 04/02/1998

HABURANA :

UBUSHINJA-CYAHA na

1. KAYIRANGA Léon, mwene Senguge na Mukamugenza wavutse muri 1952 serire Nyagisozi, segiteri Mahembe, Komini Mukingi, Perefegitura ya Gitarama.

2. NEMEYE Zeno, mwene Seburoro Léonard na Nyirahakizabera, serire Nyagisozi, segiteri Mahembe, Komini Mukingi, Perefegitura Gitarama.

3. NTIVUNWA Théoneste mwene Mubera na Nyiramakwikwi, serire Kamatonge, segiteri Mahembe, Komini Mukungi, Perefegitura Gitarama.

4. KAREMERA Straton mwene Shabutwa na Nyirarubibi, serire Nyagisozi, segiteri Mahembe, Komini Mukingi, Perefegitura Gitarama.

5. BIMENYIMANA Ferdinand mwene Rwalinda na Mujawinguge Véronique, serire Nyagisozi, segiteri Mahembe, Komini Mukingi, Perefegitura Gitarama.

6. Rwangalindi mwene Ruberirese na Nikuze, serire Nyagisozi, segiteri Mahembe, Komini Mukingi, Perefegitura Gitarama.

7. Rutazigwa Grégoire, mwene Zeno na Mukantabana, serire Nyagisozi, segiteri Mahembe, Komini Mukingi, Perefegitura Gitarama.

8. MANDARI Joseph, mwene Nduhura na Ngegera, serire Mutobo, segiteri Mahembe, Komini Mukingi, Perefegitura Gitarama.

9. KAYIRANGA Straton, mwene Karekezi Silas na Mukamurenzi, serire Kavumu, segiteri Mahembe, Komini Mukingi, Perefegitura ya Gitarama.

10. NIYONTEZE Karoli, mwene Mubera na Nyiramakwikwi, serire Nyagisozi, segiteri Mahembe, Komini Mukungi, Perefegitura Gitarama.

11. NGENDAHIMANA Célestin, mwene Mutagoma na Mukandamutsa, serire Nyagisozi, segiteri Mahembe, Komini Mukingi, Perefegitura Gitarama.

IKIBURANWA

1. Kuba bari muri serire Nyagisozi, segiteri Mahembe, Komini Mukingi, Perefegitura Gitarama, mu kwezi kwa Gicurasi 1994, bafatanyije, barakoze icyaha cyitsembabwoko cyangwa ibyaha byibasiye inyoko-muntu, nkuko byasobanuwe namategeko mpuzamahanga yo kuwa 9/12/1948 yerekeranye no guhana génocide ; mu masezerano yabereye i Genève kuwa 12/8/49 yerekeranye no kurengera abantu batari abasirikare mu gihe cyintambara, namasezerano yinyongera no mu masezerano yo kuwa 26/11/1960 yerekeranye no kudasaza ku byaha byintambara, nibyaha byibasiye inyoko-muntu, yose uko ari atatu akaba yaremewe nu Rwanda. Ibyo bikorwa biteganywa kandi bigahanishwa ningingo ya 2 niya 14 zitegeko-ngenga n° 08/96 ryo kuwa 30/8/1996.

2. Kuba bari aho hantu twavuze haruguru no mu gihe kimwe, bafatanyije, baragambaniye NDIHANO J.B. akicwa, icyo cyaha giteganywa kandi kigahanishwa ningingo za 89, 90, 91, niya 312 zigitabo cya mbere nicya II byamategeko ahana yu Rwanda.

3. Kuba bari aho hantu twavuze haruguru no mu gihe kimwe, bari bashoboye ku bwingoboka yabo ya bwangu, nta ngaruka mbi kuri bo no ku bandi kuburizamo urupfu rwa NDIHANO J. BAPTISTE, bakabyirengagiza, icyo cyaha giteganywa kandi kigahanishwa ningingo ya 256 yigitabo cya II cyamategeko ahana yu Rwanda.

4. Kuri BIMENYIMANA Ferdinand, KAYIRANGA Léon, RWANGALINDI, NEMEYE Zeno, KAYIRANGA Straton, Kuba bari aho hantu twavuze haruguru, hagati ya Mata-Nyakanga 1994 bafatanyije barashenye ku bushake inzu ya NDIHANO JEAN BAPTISTE, icyo cyaha giteganywa kandi kikanahanishwa ingingo ya 444 yigitabo cya II cyamategeko ahana yu Rwanda.

5. Kuri RUTAZIGWA GREGOIRE, Kuba bari aho hantu twavuze haruguru no mu gihe kimwe yaratunze intwaro za gisirikare atabyemerewe nkuko biteganywa nitegeko n°12/79.J.O.19979.P.343.

UMWIRONDORO WABAREGERA INDISHYI

1. NYIRABASHUMBA Léonilla, mwene Kayonga Siméon, na Mukamageza, Komini Mukingi, Perefegitura ya Gitarama.
2. UKURIKIYIMANA Télésphore, mwene Ndejeje Tharcisse na Mukarushema Marie, segiteri Mahembe, Komini Mukingi , Perefegitura Gitarama.

URUKIKO

RUMAZE kubona ikirego cyitsembabwoko nubuhotozi cyubushinja-cyaha cyatangiriye muri uru rukiko cyandikwa kuri R.P. 39/GIT/CH.S/1/98 ;

RUMAZE kubona itegeko ryo kuwa 20/6/1998 rya Perezida wurugereko rwihariye rishyiraho iburanisha ryuru rubanza kuwa 29/06/1998 saa mbiri za mu gitondo ; iyo tariki imenyeshwa ababuranyi bose ;

RUMAZE kubona ko uwo munsi ugeze ababuranyi bakitaba urukiko, habuzemo NEMEYE Zeno wari urwaye, urubanza ntirwaburanishwa kubera Mme MARIELLE HALLEZ wunganira abashinjwa utabashije kuboneka, abashinjwa bakavuga ko badashobora kuburana ubunganira adahari, urubanza rwimurirwa le 10/07/1998 saa mbiri za mugitondo ;

RUMAZE kubona ko uwo munsi wageze, ababuranyi bose bahari, urubanza ntirwaburanishwa kubera Mme MIREILLE HALLEZ wifuje ko rwakwimurirwa ku yindi tariki kugirango abashe gutegura dosiye yabo yunganira, urubanza rwimuriwe kuwa 3/08/1998 saa mbiri za mugitondo, ababuranyi bagenda basinyiye iyo tariki ;

RUMAZE kubona ko uwo munsi wageze, ababuranyi bose bahari, urukiko rukababaza ko biteguye kuburana, basubiza urukiko ko babyiteguye ;

RUMAZE kumva NYIRABASHUMBA asaba urukiko kwimurira urubanza ku wundi munsi kuko avoka we ataje, kandi yakomeza kutaza akazaruha umwana we akaruburana ;

RUMAZE kumva BADIBANGA J. Jacques wunganira abashinjwa, asaba urukiko kwimurira urubanza ku yindi tariki kubera ko yabuze amashanyarazi kugira ngo abashe gufotora impapuro zimuha uburenganzira bwo guhagararira abashinjwa ;

RUMAZE kumva icyifuzo cya NYIRABASHUMBA cyuko yabanza kubona umwunganira mu gukurikirana indishyi, urubanza rwimuriwe le 26/8/1998, saa mbiri za mugitondo, UKURIKIYIMANA utari uhari akazongera guhamagarwa ;

RUMAZE kubona ko uwo munsi wageze abashinjwa bose bahibereye, rukabaza buri wese niba yemera ibyaha ashinjwa, bityo KAYIRANGA Léon wabajijwe mbere agahakana ko ibyo byaha aregwa nubushinja-cyaha atabyemera ;

RUMAZE kumva NEMEYE Zeno ibyaha ashinjwa nubushinja-cyaha, kuba yarirengagije gutabara NDIHANO JEAN BAPTISTE, gusenyera NDIHANO, byose agahakana avuga ko atabyemera ;

RUMAZE kumva NTIVUNWA Théoneste yiregura ku byaha ashinjwa nubushinja-cyaha, akiregura avuga ko byose uko ari bine : icyaha cyitsembabwoko nitsembatsemba, kugambanira NDIHANO, kutamutabara (kuburizamo urupfu rwe) , no gusenya ku bushake inzu ya NDIHANO, byose agahakana ko atigeze abikora ;

RUMAZE kumva KAREMERA Straton, ibyaha ashinjwa nubushinja-cyaha atabyemera byose uko ari bitatu : icyaha cyitsembabwoko nitsembatsemba, kugambanira NDIHANO no kutamutabara ;

RUMAZE kumva BIMENYIMANA Ferdinand yiregura imbere yurukiko ko ibyo byose uko ari bine aregwa nubushinja-cyaha : kuba yarafatanyije nabandi gufata no gushorera NDIHANO, kwica NDIHANO, kutamutabara, no kumusenyera, ibyaha bindi yarabihakanye yemera gusa ko yamutabaye, kandi ahakana ko atamusenyeye ko ngo ari amategura yahawe gusa ;

RUMAZE kumva RWANGALINDI yiregura imbere yurukiko yuko ibyaha aregwa, icya gatatu yuko atatabaye NDIHANO J. BAPTISTE bigatuma yicwa, yireguye avuga ko nta bushobozi yari afite nubwo yari ahari bwose, naho icyaha cya kane cyo gusenya yemera ko yasanze abandi basenya nawe ahakura amabati atatu kandi akaba yaramaze kuyasubizayo ;

RUMAZE kumva RUTAZIGWA Grégoire yiregura avuga ko ibyaha aregwa byose icyo yemera gusa nicyuko yatunze imbunda ;

RUMAZE kumva MANDARI Joseph yiregura avuga ko ibyaha byose aregwa nubushinja-cyaha atabyemera ;

RUMAZE kumva KAYIRANGA Straton yiregura avuga ko ibyaha byose aregwa uko ari bine atabyemera ;

RUMAZE kumva NIYONTEZE Charles : mbere yo kwiregura akaba yarasabye urukiko kuvuga yicaye kuko yararwaye, rwarabimwemereye asubiza yicaye yuko ibyaha byose bitatu aregwa nubushinja-cyaha atabyemera ;

RUMAZE kumva KAYIRANGA Léon avuga yuko icyaha cya génocide bamushinja ntacyo yakoze ko nta muntu yigeze ahungabanyiriza ubuzima ;

RUMAZE kumva ko Jean Jacques BADIBANGA asaba ijambo, ati aragirango agire icyo avuga cyingenzi ku mihango yiburanisha : ati mu gihe umushinja-cyaha asabwe ikintu nuburanishwa ni byiza ko byakubahirizwa, kuko ari uburenganzira bwe, uhagarariye ubushinja-cyaha yasobanuye ko bitaba ngombwa guhora asobanurira abaregwa idosiye bisomeye, bityo si ngombwa kubera ko babonye igihe gihagije mu kwisomera amadosiye yabo ;

RUMAZE kumva Maître Jean Jacques asobanurira urukiko ko atashatse gutinza urubanza, ko ahubwo yashatse ko mu iburanisha mu ruhame nkiringiri, uburenganzira bwo gusubira mu magambo nkayangaya, ati ariko nimubona ari ngombwa abashinjwa barasubiza bashingiye kubyo basomye mu idosiye ;

RUMAZE kumva umushinja-cyaha asaba ijambo, asobanura ko ku byerekeye abaregwa, yari yasanze atari ngombwa kubasubiriramo ngo kuko babonye igihe gihagije, ati naho kuri uyu ushaka gusubiza, abaze icyo atumva ndamusubiza ariko atabigize akamanyero ;

RUMAZE kumva KAYIRANGA Léon abazwa nurukiko niba umwunganira (Jean Jacques BADIBANGA) yaba yarize idosiye ye, asubiza ko yayize ariko nubwo agiye kurugoboka,

nibiba ngombwa anabisobanura ; nkuko icyaha umushinja-cyaha ashinja cya génocide, agihakana, kuko ibimenyetso bitagaragara ;

RUMAZE kumva abazwa nurukiko ko, ruramutse rusuzumye ibimenyetso ubushinja-cyaha bushingiraho bukurega biriya byaha, bigasanga bifite ukuri, nkuko dosiye yabo ibyerekana wakwemera kubihanirwa, asubiza urukiko yuko ibimenyetso biramutse bimufata yabihanirwa ;

RUMAZE kumubaza ko nyakwigendera NDIHANO J. B. ajya guhunga nta kintu yamubikije, asubiza yemera ko yabimubikije, ariko nyuma akaba yarabihaye umukecuru we ;

RUMAZE kumva avuga ko ibintu nyakwigendera NDIHANO J. B. yabimubikije agiye guhunga abantu babanaga kwirondo aribo : RWANDA, EMMANUEL, RUHUMURIZA na EZECHIEL ; ahungira i Kirengere kwa ba nyirarume no mu kugaruka amubwira ko ariho avuye ;

RUMAZE kumva avuga ko NDIHANO ahungutse avuye i Kirengere yasanze (Kayiranga Léon) ngo ku musozi wiwabo i Nyagasozi, aragiye ingurube mu masaha ya 12 na saa moja, yamusabye kumuherekeza, anamubwira ko yahuye na RUHUMURIZA yagiye ahunga, ansaba kumugeza iwabo ngo yisabire abaturage kumuherekeza ngo bamugeze kuri Komini, naramuherekeje nimuhira, nkigerayo yatumije NEMEYE Zeno, NTIVUNWA Théoneste, na NIYONTEZE ngo bamufashe kumusabira abaturage kumuherekeza ngo bamugeze kuri Komini ;

RUMAZE kumva avuga ko bageze mu rugo yajyanye na NEMEYE Zeno hamwe nabandi navuze haruguru, bajya ahiherereye, abasaba kumufasha kugera kuri Komini. NEMEYE yaraje arabitubwira ndetse na NDIHANO yarabidusabye ubwe, atubwira ko ageze kuri Komini ntacyo ashobora kuba, kuko ngo Burugumesitiri yari mubyara we akaba ninshuti ye, natwe twasanze ari nta zindi ntege twagira tumugumisha aho, kuko tutari gushobora kurwanya abo bantu bari baturutse i TAMBWE ;

RUMAZE kumva avuga ko bageze kuri Komini ngo bamushyikirije Burugumesitiri ngo amuha umupolisi ngo amujyane aho abandi bari bari, natwe ubwo twahise twitahira, hashize nkiminsi ibiri nibwo naje kumva ngo NDIHANO yishwe nabasirikare, bamwicira muri Komini Nyamabuye nkuko ngo yabibwiwe na bene nyina alibo : NDAHIMANA Philibert na SAMVURA Joseph ;

RUMAZE kumva asobanura ko igihe bajyanaga nyakwigendera NDIHANO J. Baptiste kuri Komini ko nta bikorwa byubwicanyi byari byaratangiye ; akomeza avuga ko nta muntu yaba yarumvise wahaguye, ko nabari barahahungiye biwabo ntacyo bahabereye nubu baracyariho ;

RUMAZE kumva abazwa icyatumye yanga guhisha NDIHANO J. B., nkuko ngo yabimusabye agihunguka, aho kumuhisha agahitamo kumuhungisha, asubiza avuga ko yamusanze ku musozi, ari mu gitondo habona ngo ntiyigeze amusaba kumuhisha, ahubwo yamusabye kumuherekeza ngo amugeze imuhira iwabo ;

RUMAZE kumva akomeza kubazwa ko biramutse bigaragaye muri dosiye uregwa nubushinja-cyaha ko ari wowe waba waratabarije uriya NDIHANO bikamuviramo kwicwa ko

icyo cyaha wakwemera kugihanirwa, asubiza avuga ko hagize umwemeza muri dosiye ko uwo muntu yaba yaramutabarije, niho yakwemera icyaha ;

RUMAZE kumva abazwa ko NDIHANO ajya guhunga nta bintu yaba yarasize aramubikije, niba yarabimubikije avuge ibyo aribyo, asubiza avuga ko ibintu yamubikije ari matelas 3 simples, n'indi ya kane double matelas 1 yarimo ikaba iya muramu we, na radio gaseti ya murumuna we, izo matelas muri iryo joro abana be bari baziryamyeho, aho atwariye abana abahungishiriza kwa nyirakuru ku Ntenyo matelas zasigaye aho ;

RUMAZE kumva akomeza avuga ko intambara irangiye matelas yazishyikirije nyina hamwe na resho, naho iradiyo akayiha murumuna we MISAGO Théoneste ;

RUMAZE kumva abazwa niba NDIHANO igihe yasabaga guhungishirizwa muri Komini yarabyiyumviye wenyine cyangwa niba yarabibwiwe nabandi, asubiza avuga ko yabyiyumviye ubwe kandi ngo nabandi bari kumwe nawe barabyiyumviye ;

RUMAZE kumva akomeza avuga ko NDIHANO yamubwiye ko igituma ahunga ari uko bashakaga kumwica, ngo ibye barabizi anasubire iwabo i Gitarama ; amaze kunsaba kumuherekeza kubera ko bamumenesheje aho yari ari, kandi akanamubwira ko ahuye numwe mu batumye ahunga, kandi amaze kubona ko nta bundi bushobozi yari afite bwo kumurengera, ahitamo kumuherekeza kuri Komini bafite ubushake bwo kurengera ikiremwa-muntu ;

RUMAZE kumva abazwa ko biramutse bigaragaye ko aho NDIHANO J.B. yasanze yagiye kumuhururiza, avuga ko habonetse inyenzi ko yakwemera kubihanirwa, asubiza avuga ko biramutse bigaragaye ariko aruko hakozwe iperereza ninkiko cyangwa mubo bareganwa abamushinja ko ariwe wabahamagaye kuza gutwara NDIHANO, yabihanirwa ;

RUMAZE kumva abazwa ku byerekeye ku bantu bahungaga mu ntambara ya 1994 yuko bari abatutsi cyangwa abahutu batavugaga rumwe nubutegetsi bwariho, abazwa rero icyo NDIHANO yaricyo, nawe asubiza ko yari umututsi ;

RUMAZE kumva akomeza kubazwa uko bavuga ko NDIHANO J. B. bamujyanye kuri Komini bamushakira umutekano, niki cyatumye bagendaga bamukubita, bamwambura imyenda bamwima uruhusa rwo kuba yanywa amazi, yakomeje avuga ko we yamuherekeje amukuye ku musozi yamusanzeho, amujyana iwabo amuherekeje, ko nta wamwambuye imyenda, asabye kujya kuri Komini yahise asubira imuhira ajya kuzirika itungo, ubwo abajyanye NDIHANO bahise bazamuka ngo baje gusubira guhurira mu nzira, barakomezanya bagera kuri Komini ;

RUMAZE kumva abazwa niba mu kujyana NDIHANO kuri Komini ariho babonaga ko azabonera umutekano kurusha iwabo mu bavandimwe be, anabazwa abo yaba azi barokokeye kuri Komini, asubiza avuga ko babonaga kuri Komini ariho hari umutekano ngo kuko yanabonaga abari bawushinzwe ngo udahungabana, bari bafite ningufu kuko bari bafite intwaro, akomeza avuga ko kuri uwo murenge wiwabo abawuhungabanyaga babaga bavuye mu yindi Komini ya TAMBWE bakaza kuwuhungabanya muri Komini yabo bashaka abo bica nabo basahura, babonye rero ko nta bushobozi bo bafite bahitamo kumujyana kuri Komini ngo abe ariyo imurinda nkuko naba : UWIRINGIYIMANA Télesphore, KABANGO

Nicolas, HARERIMANA murumuna we, KALISA na barumuna be, EUGENE, ROSE nabandi atibuka bahakiriye ;

RUMAZE kubona ko uru rubanza rwasubitswe kubera akaruhuko ka saa sita, rukaza gusubukurwa na saa munani, ababuranyi bose bahari nabahagarariye, ijambo rigahabwa umushinja-cyaha wari warisabye tugiye kuruhuka ;

RUMAZE kumva umushinja-cyaha avuga ko afite icyo avuga ku mvugo ya KAYIRANGA Léon, akaba yagira ibyo asobanura ku byo amaze kuvuga ko amaze kubona ko nta mutekano NDIHANO afite i Nyarusozi, ngo yahisemo guhungira i Kirengeri, akomeza avuga ati ubwo rero nta mutekano yari afite kuko yahoze ahunga abashakaga kumwica, bavuze ko amahoro yagarutse, yahungutse yahitiye kwa KAYIRANGA, none bikaba aribyo byabaye nyirabayazana yurupfu rwe, umva ko avuga ko yanahageze hagati ya saa cumi nebyiri na saa moja, akomeza avuga ko atavugishije ukuri, ko ahubwo yamusanze mu rugo iwe ashaka ko yamuhisha, ariko ntabwo byashobotse ahubwo yaramuhururije ;

RUMAZE kumva ubushinja-cyaha bwababajije uwitwa RWANGARINDI ku buryo NDIHANO yafatiwe kwa KAYIRANGA nukuntu yajyanywe kuri Komini, yashubije avuga ko hari saa 2 za mu gitondo uwitwa RUTAZIGWA G. na RUZAGIRIZA Xavier bahise iwe, RUTAZIGWA afite imbunda, ubwo yarirukankaga, amubajije impamvu yirukanka, amusubiza ko yumvise ko kwa KAYIRANGA Léon habonetse inkotanyi ahageze asanga ari NDIHANO J.B., bamwohereje iwabo, ibyo rero bikagaragaza ko yakuwe kwa KAYIRANGA Léon ;

RUMAZE kumva ubushinja-cyaha bukomeza buvuga ko mu nyandiko-mvugo bwabajijemo RUTAZIGWA Grégoire, bamubaza abo bashyikirije NDIHANO kuri Komini, yashubije avuga ko ntawe bamuhaye ahubwo bamugejeje kuri kiosque barahamusiga baritahira, ati ubwo rero biragaragara ko atari uburyo bwo guhungisha NDIHANO J.B. RUTAZIGWA yatanga dore nawe ko yari mu bari kumwe na KAYIRANGA Léon ;

RUMAZE kumva ubushinja-cyaha bukomeza buvuga ko ikindi KAYIRANGA Léon yakunze kuvuga , nuko ngo ubwo NDIHANO J.B.yamusangaga aragiye ingurube yamusabye kumuherekeza ngo bamushakire abaturage bo kumugeza kuri Komini, ati urebye ahantu yari yahungiye rero, ntabwo aba yarabanje kugaruka kuri uwo musozi, kuko siho hari hafi ;

RUMAZE kumva KAYIRANGA Léon asabwa kugira icyo avuga asubiza kubyo umushinja-cyaha avuze, ko mu iperereza yikoreye ko hari bamwe mu bagabo yibarije bakavuga ko NDIHANO J. B. yamuhungiyeho bigatuma ari nabyo byamuviriyemo urupfu arabivugaho iki, yashubije avuga ko bamubeshyera, ati we yavuze ko NDIHANO J. B. yageze iwe hagati ya saa kumi nebyiri na saa moja, ati ubwo ni ukugereranya kuko nta saha yari afite, akomeza avuga ati ikindi abo bagabo bamushinja ko NDIHANO bamukuye mu rugo iwe, abavuga ko bari bahari bamukura mu rugo, atari ukubyumvana abandi, bazaze tuzabiburane ;

RUMAZE kumva abazwa niba mu byukuri akomeza guhakana niba atigeze atabariza NDIHANO, abantu yahuruje bagakura NDIHANO iwe, asubiza ahakana ko atigeze ahururiza NDIHANO kandi ko batigeze bamukura iwe ;

RUMAZE kumva abazwa kugira icyo avuga asobanura ku mvugo 2 zivuguruzanya imbere yumushinja-cyaha ; iya mbere ya RUTAZIGWA Grégoire ivuga ko NDIHANO mwamujyanye mukamugeza kuri kiosque, imvugo yawe ivuga ko mwamugejeje kuri Komini ndetse mukanamwihera Burugumesitiri, izo mvugo zombi urazivugaho iki, yashubije avuga ko imvugo za Grégoire RUTAZIGWA atazizi, niba yaragarukiye mu nzira (kiosque) atabizi, icyo we azi gusa nuko NDIHANO yashyikirijwe Burugumesitiri, nawe akamuha umupolisi akamujyana mu bandi aho bari barahungiye ;

RUMAZE kumva Maître Jean Jacques BADIBANGA asaba ijambo akavuga ko ibyo agiye kuvuga ari ibyo kuri KAYIRANGA, ahubwo nkuko hari abandi bagenzi be aruzi bari barateganyirijwe gufungurwa, ati ntazi niba hari undi mwanya bamuha agomba kubivugamo ;

RUMAZE kumva icyifuzo cya Jean Jacques BADIBANGA urukiko rwamubwiye ko ingoboka zurubanza zivugwa mbere yuko rwinjira mu mizi yarwo, none rero izo ngoboka Maître azanye rurabona ntacyo zamarira abo yunganira ;

RUMAZE kumva Maître Jean Jacques asubiza ko izo ngoboka atabazivuzeho kugirango ahagarike iburanisha ryuru rubanza, ati ahubwo mwiburanisha ryo kuwa 03/08/98 icyo kibazo yari yakigejeje imbere yurukiko rusubiza ko ruzagisuzuma rugatanga igisubizo cyuko bizaba bimeze mwiburanisha ryuyu munsi, bityo rero akaba abajije icyo kibazo atari ukugirango adindize iburanisha ahubwo akaba asaba ko iburanishwa ryakwimurirwa ku yindi tariki, akomeza asaba ko ubushinja-cyaha bwavuga ku byabo bantu baba barafunguwe none bakaba bagifunzwe aribo : RWANGARINDI, RUTAZIGWA Grégoire, KAREMERA Straton, icyo kibazo ariko kikaba kitabuza iburanisha gukomeza ;

RUMAZE kumva uhagarariye ubushinja-cyaha asabwa kugira icyo avuga kubyo Maître Jean Jacques BADIBANGA amaze kuvuga ku byerekeye ingoboka yabantu batatu bagombaga kuba barafunguwe, ati nkuko Perezida amaze kubivuga, ingoboka niyo ibanza, bakaba bagombye kuyitangiriraho mbere yuko hinjirwa mu mizi yikiburanwa, ati rero ibyo akabona ko basubiye muri ibyo baba basubiye inyuma aho kugirango urubanza rukomeze ;

RUMAZE kumva Maître DIALLO asaba ijambo agakomeza avuga ko yunganira mugenzi Jean Jacques ku byerekeranye ningoboka yo gufungura byagateganyo abafungwa batatu, ati iyo ngoboka si ubwa mbere irezwe, kuko no kuwa 3/8/98 iyo ngoboka yari yavuzwe, urukiko rukavuga ko icyo kibazo ruzakibonera umuti uyu munsi, kwari ukwibutsa rero icyo kibazo rwashyikirijwe, akaba asaba rero ko uwo muti waboneka kugirango abashinjwa babone kwiregura bari hanze, badafunze ;

RUMAZE kumva NEMEYE Zeno asabwa kugira icyo yisobanura kubyo aregwa nubushinja-cyaha yuko yaba yarakoze itsembabwoko nitsembatsemba nibindi biri kumwe nacyo, yasomye umwanzuro wakozwe le 26/08/98 atanga nakandi gapapuro kariho ibimenyetso ;

RUMAZE kumva abazwa igituma mu myiregurire ye akomeza guhakana, kandi rubona ko NDIHANO atakiriho nkuko ubushinja-cyaha burega, asabwa kuvuga amazina amwe mu baturage bamushoreye, asubiza avuga ko abo yabonye ari abo bari kumwe mu rubanza,

yongeraho na BUTORANO, KARAHAMUHETO, FIDELI, NGENDAHIMANA, Evariste murumuna we, NYANDWI, KABARIRA, KAREKEZI ;

RUMAZE kumva abazwa icyatumye NDIHANO amutumaho, asubiza ko kwari ukugirango amutabare kuko bashakaga kumwica, ngo kuko yari muri bamwe batavugaga rumwe na Leta, akomeza avuga ko ajya guhunga yari kumwe nawe ku irondo, ngo haza abagabo 3 : EZECHIEL NDENGABAHIZI, RUHUMURIZA nundi witwa EMMANUEL, barababaza ngo iyo babona bakorana na NDIHANO wicyitso bibaza iki, akomeza avuga ko bababwiye ngo ntibakaze kubahiriza umutekano, bajye baguma muri Komini yabo ya Tambwe ;

RUMAZE kumva ko bagiye nyuma bakongera bakagaruka, hari saa kumi nebyiri za nimugoroba, bafite amacupa ya byeri bagenda banywa, bari bitwaje imihoro, ngo babaza NDIHANO bati nawe ugatinyuka ukaba uri hano nabantu bacu ujyana i Kinihira, akomeza avuga ko ntacyo bari bamutwaye na murumuna we SAMVURA yari ahari ndetse na MISAGO Théogène yari ahari, ati ubwo rero abonye bimeze nabi yaranyereye aracika ariko nta muntu wiwabo umuteyeho rwaserera ;

RUMAZE kumva akomeza kubazwa ko haramutse habonetse ibimenyetso bigaragaza ko yari mu bashoreye NDIHANO bikamuviramo urupfu yakwemera kubihanirwa asubiza avuga ko bigaragaye kuba yarafatanyije nabandi kumugambanira yabihanirwa ;

RUMAZE kumva abazwa kubyo yavuze ko grillages zinzu ya NDIHANO atazisahuye ahubwo ko ngo yazibikijwe na barumuna be, biramutse bigaragaye ko atabikijwe ahubwo ahubwo yazijyanye kuzikoreshereza, niba yakwemera kubihanirwa, asubiza yemera ko yakwemera kubihanirwa ;

RUMAZE kumva abazwa ko ari we waba yaragiriye abandi inama yo guhungishiriza NDIHANO kuri Komini, kubera ko yari azi ko bafitanye amasano na Burugumesitiri hamwe na Perefe, asuza avuga ko atariwe wabibatoje, ahubwo icyo yakoze yaje asaba abaturage ko barwana ku buzima bwe, kuko ariwo mwanzuro twari tumaze gufata hamwe na NDIHANO mu gikari , naho kumujyana kuri Komini ni abaturage babyishakiye banga ko abagizi ba nabi bamugirira nabi, nabaserire nabaturage rero bafashe umwanzuro wo kumujyana kuri Komini ;

RUMAZE kumva asabwa kuvuga abantu bari bazi ko NDIHANO afitanye isano na Burugumesitiri, asubiza avuga ko abo bari kumwe bafitanye isano ;

RUMAZE kumva abazwa niba igihe yari amaze kuvugana na NDIHANO mu gikari, nyuma agarutse kuvugana nabaturage niba yaramusabiye imbabazi bakanga, yashubije avuga ko yabisabye rwose, abwira abaturage ko NDIHANO ntawe yigeze ahemukira, ubwo ngo biciyemo ibice bibiri, bamwe baranga, abandi barabyemera, ati we rero ntiyajyanye nabo kuko hari abantu yari ahishe bityo bituma atamuherekeza ;

RUMAZE kubona ko amasaha yakazi arangiye urubanza rwimurirwa kuwa 1/9/1998 kuwa kabiri saa mbiri za mu gitondo ;

RUMAZE kubona ko uru rubanza rwasubukuwe ku itariki imaze kuvugwa haruguru ;

RUMAZE kumva NEMEYE Zeno asomerwa imvugo ye yose yireguyemo anabazwa ko haricyo bibeshyeho, asubiza avuga ko asanze harimo ingingo zitanditse, ati ingingo ya mbere ni iyerekeye abo bari kumwe iwabo wa NDIHANO siko bose baherekeje NDIHANO, abo twari kumwe kwa NDIHANO bari bihagarariye nta mvugo mbi bafite, sinababonye bamuhungisha kuko nanjye ntarimpari sinamenya niba aribo batashye mbere yanjye cyangwa nyuma yanjye, ikindi nuko nabwiraga ko bashobora kumurindira aho, ngo kuko icyemezo cyose cyo muri serire gifatwa nabaturage ;

RUMAZE kumva umushinja-cyaha asaba kugira icyo yavuga ku byerekeye NEMEYE ku myiregurire ye, hari ibyakunze kuvugwa bamutwara kuri Komini bwari uburyo bwo kumuhungisha abandi batamwica, ati nagira ngo urukiko rutubarize NEMEYE abashakaga kwica NDIHANO, akomeza avuga ko abantu bari bateraniye kwa NDIHANO bari biciyemo ibice bibiri, kimwe ngo cyashakaga kumwica ikindi gishaka kumukiza ; ati bityo rero akaba ataragaragaza igice cyashakaga kumwica nikindi cyashakaga kumukiza, dore ko abo bantu bose bari aho i Nyagasozi, ngo akaba asaba ko yagaragariza urukiko uko ibyo bintu byagenze kugeza aho hafatiwe icyemezo cyo gutwara NDIHANO kuri komini, ati aho rero hakaba hari ikibazo atashatse gusobanura ;

RUMAZE kumva akomeza avuga ko mu mwanzuro we twumvise atemera ibyo NYIRABAGENZI avuga nubwo yari ahari. Ariko mu ibazwa rye ryo kuwa 6/12/1996 abazwa nubushinja-cyaha yivugiye ko ibyo Nyirabagenzi azavuga azabyemera kuko yari ahari akaba yaranamutanzeho umugabo, kuko ibyakorewe aho byose abizi, akomeza avuga ko yumvise ko mu myiregurire ye avuga ko atari we wazanye igitero cyo kujyana NDIHANO kuri Komini, ariko mwibazwa rya RUTAZIGWA Grégoire 11/02/1998 ahamya ko igitekerezo cyo kujyana NDIHANO kuri Komini cyatanzwe na NEMEYE Zeno, ati ikindi kigaragaza ko NEMEYE Zeno yagize uruhare mu rupfu rwa NDIHANO J. B. nuko dusanga mu ibazwa rya RWANGALINDI ryo kuwa 18/02/1998 ahamya ko NDIHANO J. B yambuwe ikoti yari yambaye na NEMEYE Zeno, ikweto azamburwa na RUTAZIGWA ati ubwo rero umuntu wari uhungishijwe ntiyagombye kwamburwa ibyo yari yambaye, akomeza avuga ko mu mvugo ye KAREMERA Straton yo kuwa 11/02/1998, avuga ko NDIHANO J. B. bamukura mu rugo, bamwe bamufashe amaboko abandi bamufata mu nda, bityo rero umuntu wari uhungishijwe, atari gufatwa mu buryo bamutwayemo, akomeza avuga ko icyo yongeraho kwibarwa ya NEMEYE wari responsable wa serire ya Nyagisozi, ibarwa ya le 28/03/1994 yandikiraga Konseye wa segiteri MAHEMBE mu bantu bagombaga kuryozwa urupfu rwa NDIHANO, yashyizemo Radio R.T.L.M ko yari imaze iminsi imushumuriza abaturage, bityo rero umushinja-cyaha akavuga ko asanga baratwaye NDIHANO kuri Komini bazi ko arimo gushakishwa, ati kuko R.T.L.M yari ishyigikiwe nubutegetsi bwagiye, agasanga ishorerwa rya NDIHANO bwari uburyo bwo kwumvisha atari ubwo kumukiza nkuko bakunze kubivuga ;

RUMAZE kumva NEMEYE Zeno urukiko rumusaba kwisobanura kubyo ubushinja-cyaha bumaze kuvuga, asubiza avuga ko yabisobanuye mu mpapuro nyinshi, mu mwanzuro , bityo rero bakazirebera ku rupapuro rwa 58 atongeye kubisubiramo ;

RUMAZE kandi kumva asubira kubazwa nurukiko ingingo ya kabiri ivuga ko hari abashakaga kumwica nabandi bashakaga ku mukiza ; akomeza asubiza ko abashakaga kumukiza ari abo bari kumwe, bareganwa muri iyi dosiye, akomeza avuga ko abashakaga nabo kumwica ari nka ba EZECHIEL nabagenzi be (biri mu mwanzuro) , nabandi bashakaga kumutera nka RWANGALINDI, RUFEDENI, SIKUBWABO, ati ariko bari bafite nandi mashumi menshi yari

aturutse i TAMBWE bamwe muri bo barafunze, abandi nka EZECHIEL na EMMANUEL bari i Kigali, abo maze kuvuga amazina yabo nibo babamenya neza ;

RUMAZE kumva abazwa impamvu ahakana imvugo za NYIRABAGENZI kandi yaravuze ko imvugo ze azazifataho ukuri, asubiza avuga ko nawe bitamutangaza ngo kuko imvugo ye yasanze I.P.J. atayishyizemo nkuko yayivuze ngo kandi yanga no kuyimusomera, ati kandi icyo gihe byahise binamurakaza ashaka inkoni yo kumukubita, ngo yemere gutera igikumwe ku ngufu ku buryo aho yagereye ino yasoma bikamutangaza ngo ku kibazo yamubwiye : umurega se yashobora kumubera umugabo?;

RUMAZE kumva abazwa icyatumye ahakana ko atari we wafashe icyemezo cyo kumujyana kuri Komini kandi babimushinja, asubiza avuga ko RUTAZIGWA mu kubivuga yari azindaye, ngo kuko we mu mvugo zose bamubajije yavuze ko kwari ukurwana ku buzima bwa NDIHANO, ari nabyo yasohotse mu gikari abwira abaturage, akomeza avuga ko atari we watangaga umusozo kuko byose byatangwaga nabaturage, ngo kuko we nta ngufu yari afite ;

RUMAZE kumva akomeza kubazwa kubyerekeye ikoti rya NDIHANO yamwambuye, bakaboneraho no kumwambura inkweto, asubiza avuga ko ibyo ari ukumusebya, ko ahubwo mu bamushakiraga amahoro yari arimo, akomeza avuga ko abavuga ko yambuye NDIHANO ikoti ari nabo bavuga ko no kuri Komini yagiyeyo, akabaza rero kuri Komini bavuga yagiye akabaza aho bamusanze aho ariho ;

RUMAZE kumva NTIVUNWA Théoneste abazwa mwiburanishwa ryurubanza ryo kuwa 26/08/1998 abazwa gusobanura niba yemera ibyaha aregwa yashubije ko byose atabyemera, akomeza kubazwa niba urukiko rusuzumye ibimenyetso rwashyikirijwe nubushinja-cyaha bifite ishingiro atazemera kubihanirwa , asubiza avuga ko kwiregura ibyaha aregwa kandi atemera, ati ibyo ubushinja-cyaha bushingiraho, kubyerekeranye namategeko niyo aduha umwanzuro wo kuwa 01/09/1999 ;

RUMAZE kumva Jean Jacques BADIBANGA asaba ijambo asobanurirwa na NYIRAHABINEZA Marie amaze kurahira, Jean Jacques akomeza asaba imbabazi, yisegura ko yaje akererewe muri uru rubanza, ati uyu yunganira muri uru rubanza yagerageje kubereka uburyo ibyo aregwa bitangwa nubushinja-cyaha bitagendeye ku mategeko, ati ku byerekeye itegeko-ngenga riteganya ibyaha bya génocide, abihariye urukiko ruzagendere ku bushishozi bwacyo, ati kuri we ibyo NTIVUNWA Théoneste avugiye aha yabonaga ari ngombwa ko bifatirwa icyemezo, ibindi bakabikora bitonze mu gihe urubanza rusuzumwa mu ngingo zarwo zose, dore ko yanavuze ko NDIHANO atari umututsi ;

RUMAZE KUMVA akomeza kuvuga ko hakurikijwe imanza nyinshi zaburanishijwe mu nkiko zo mu Rwanda, birababaje kubona icyaha cyo kudatabarana no kudatabariza abari mu kaga baragishyize mu cyaha cyitsembabwoko nitsembatsemba ;

RUMAZE kumva Maître BADIBANGA akomeza avuga ko igihe cye cyo kuburana azabigarukaho muri uru rubanza, ati ariko arabona urukiko rufite uburyo bubiri, ubwa mbere nuko rwafata ibyemezo ku ngoboka zavuzwe nuwo yunganira cyangwa se rugakomeza urubanza, rukazagira icyo ruvuga ku ngoboka yavuzwe nuwo yunganira, akaba

asaba rero ko babyandika kandi urukiko rugafata icyemezo bikurikije uburyo bubiri yavuze haruguru ;

RUMAZE kumva ubushinja-cyaha busaba ijambo ku byerekeye umwanzuro wa NTIVUNWA Théoneste, akomeza avuga ko we yumva ibyo avuga bijyanye ningoboka atanga, kuko asaba ko ikirego cyubushinja-cyaha kitakwakirwa ngo kuko kinyuranye namategeko, ubushinja-cyaha bukomeza buvuga yuko ari ukujijisha urukiko abyirengagiza nkana, kuko ngo ibyo bamureze biri mu gitabo cyitegeko-ngenga ryo kuwa 30/8/1996 nibiri mu gitabo cyamategeko ahana, ati kuba rero bavuga ngo ntaregwa génocide, kuko NDIHANO J.B. numugore we batari abatutsi ndetse na nyina NYIRABAGENZI yavuze ko batari abatutsi ko bari abahutu, akomeza avuga ko asanga ibyo bidashoboka, ati kubera ko niba bari abatutsi cyangwa abahutu bitabuza ko akurikiranwaho kiriya cyaha cyitsembabwoko nitsembatsemba, akomeza avuga ati nubwo babizi ko abantu bapfuye muri kiriya gihe bitari ubwoko bwabatutsi gusa, nabahutu batavugagaga rumwe nubutegetsi bwariho icyo gihe cyangwa batashyigikiye ibyakorwaga muri icyo gihe, atari ukuvuga abanyapolitiki nkuko yakunze kubivuga ko NDIHANO J.B. atari muri politiki, akaba asanga ari uburyo bwo guhunga icyaha yitwaza ibyo yasobanuye mu mwanzuro ;

RUMAZE kumva umushinja-cyaha akomeza avuga ko Maître yavuze ko bareze NTIVUNWA Théoneste icyaha cyubugambanyi kandi batagombaga kukimurega, ati ibyo bamureze birasobanuye ningingo zibiteganya zirasobanuye ; bukaba rero bwaramureze icyaha cyubufatanya-cyaha mu buhotozi giteganywa ningingo za 89, 90, 91, niya 312, bityo rero urukiko rukaba rwasuzuma ko ibyo twamureze biteganywa namategeko ;

RUMAZE kumva akomeza avuga ko ku cyaha cyo kudatabara abari mu kaga nabyo biteganywa namategeko ahana, hakurikije nibisobanuro byatanzwe nubushinja-cyaha ;

RUMAZE kubona ko urukiko rwasubitse imirimo yarwo kugirango rujye kwiherera kugirango rufate umwanzuro ku ngoboka NTIVUNWA Th. yasobanuye mu mwanzuro yashyikirije urukiko, runasuzumye ibyo uhagarariye ubushinja-cyaha amaze gusobanura haruguru niba bifite ishingiro ;

RUMAZE kubona umwiherero warwo urangira, rugasanga urubanza rukwiriye gukomeza kuburanishwa kuko ubushinja-cyaha bumurega bukurikije amategeko, ariko kubera ko amasaha yikiruhuko ageze rimurirwa saa munani ;

RUMAZE kubona iburanisha ryurubanza rikomeza saa 9 niminota 10 ;

RUMAZE kumva NTIVUNWA asabwa kugira icyo asubiza kuri cya kibazo cya mbere, asubiza avuga ko ibimenyetso biramutse bibonetse yabyireguraho kuri ibyo byaha ashinjwa ;

RUMAZE kumva asabwa kugira icyo asobanura ku mvugo yavugiye imbere yubushinja-cyaha kuri 28/12/1994 asobanura avuga ko yajyanye nabari bashoreye NDIHANO kuri Komini Mukingi, ngo we agiye kwivuza mu Byimana, nyamara mu baregwa hamwe nawe harimo abamushinja ko yari agiye gushorera NDIHANO, bityo rero urukiko rumubaza imvugo nyakuri rwafata, asubiza ko iyo bafata ari iyo yivugiye ;

RUMAZE kumva akomeza yisobanura, agahera ku mvugo ya KAYIRANGA Léon avuga ko ari 2 : ati KAYIRANGA amaze kwibonamo ubuhemu yagiriye NDIHANO J.B. mu gihe yangaga kumuhisha ashaka kwikuraho ibyo byose, niko kuyobya uburari ahimbira icyaha ku bantu yabonye aho kwa NDIHANO kuri we rero ngo ikinyoma yamugaragajeho nuko avuga ko yari kumwe na NEMEYE na NIYONTEZE , NDIHANO yabatumije kubagisha inama, kandi ibyo bitarabayeho, kuko na NEMEYE we yiyemerera ko ari we bagiranye ikiganiro biherereye ;

RUMAZE kumva akomeza avuga ko undi wemeza ko atigeze ajya mu bwiherero ari RUTAZIGWA, ndetse na KABARIRA, BIMENYIMANA, na NIYONTEZE, bityo rero akaba asanga ubuhamya bwa KAYIRANGA Léon atanga nta kuri kuri mo, kubera ko nimvugo ze zigenda zihindagurika, ibyo yavuze mbere ntibihure nibyo yavuze nyuma : Limwe ati : NDIHANO yajyanywe kuri Komini ngo yicwe, ubundi ngo yajyanywe kuri Komini ngo ahungishwe ibyo ngo bakaba babisanga mu bihe bibiri yabajijwemo mu mpamvu zitandukanye, cyakora muri izo mvugo ze zombi, akaba ngo ari ntaho avuga ko atari agiye kwivuza ;

RUMAZE kumva avuga ko imvugo za NYIRABAGENZI ari ibihimbano ngo kubera ko ari nyina wa NDIHANO bityo ngo akaba yifuza inyungu muri uru rubanza, kandi imvugo ze zikaba zuzuye amarangamutima nta kuri kurimo, kubera ko urupfu rwumuhungu we yegeka kubo yabonye banyuze mu maso mu gihe bari bakiri kumwe yibonera ubwe, bityo rero ubugambanyi nubwicanyi bwumuhungu we amushyiraho , ndetse ngo nabandi yaba yarishe, akaba atabizwiho nabafitanye amasano nabo avuga yaba yarishe ;

RUMAZE kumva akomeza avuga ko nabana be babiri (2) : NDAHIMANA Philibert na SAMVURA Joseph, nkuko bigaragazwa nubuhamya mu nyandiko yabo yo kuwa 28/08/1994 (mwareba muri dosiye mubishatse), amaranga-mutima yuwo mukecuru aho avuga ngo yishe umuhungu we na murumuna we GASORE Evode, baramu ba NDIHANO aribo NGANGO na GASHUMBA, MUNYANKINDI na MADALINA mushiki we, kandi ubundi atabaregwa ;

RUMAZE kumva avuga ko ngo na KARUHIMBI umukobwa wa MADALINA numugabo we GAHUTU ; nabo bakaba bari mu bemeza ko nta ruhare na rumwe yigeze agira mu bwicanyi cyangwa mu bindi bikorwa byubugizi bwa nabi, nkuko bigaragara mu buhamya yavuze muri dosiye ;

RUMAZE kumva akomeza avuga ko iyaza kuba ariwe wishe MUNYANKINDI umuhungu we, HATEGEKIMANA Théobald ufite ubuhamya muri iyi dosiye ntaba yarabuze kuvuga ko ariwe wishe se, ikindi kandi kerekana ko uwo mukecuru atazi ibyo avuga, nuko amubeshyera ngo yabwiye NDIHANO ngo najye kuri Komini kuko badashaka ko amaraso ye ameneka aho, ngo kandi NDIHANO yari yagarutse kubera ikizere yari amufitiye, na NIYONTEZE Karoli ngo kubera ko yabyaranye abana muri batisimu, nyamara akavuga ko mu kugisha inama NDIHANO yiyambaje KAREMERA na NEMEYE ;

RUMAZE kumva akomeza avuga ko muri icyo gihe bari batarahagera, kuko iyo bahaba bari kujya mu mubare nabo agisha inama kuko yari abafitiye ikizere ;

RUMAZE kumva avuga ngo aho bavuga ko ubwicanyi bumaze gutangira ino aha, NDIHANO akihisha i Kirengeri, ngo nibwo NTIVUNWA nabandi batangiye kumushakisha, ati ni ikinyoma cyambaye ubusa, kuko atagaragaza abo bandi abo aribo, ngo anagaragaze abo baba baranyuzeho babaririza NDIHANO, dore ko nuko kumubaririza bitashobokaga kubera

ko akimara kuva kuri Nyagisozi, inkuru yahise yamamara ko yiciwe mu nzira, bityo rero bikaba bitari gushoboka gushakisha umuntu bavugaga ko yamaze gupfa ;

RUMAZE kumva avuga ko ikindi umuntu yakwibaza, ni impamvu uyu mukecuru abeshya ko baturanye inzu mu yindi kandi azi ko batuye mu mabanga yumusozi anyuranye, ku buryo atashobora kumva cyangwa kubona ibibera iwe nawe akaba atabona ibibera kwa mukecuru ;

RUMAZE kumva avuga ko undi bamubwiye ari uwitwa NYIRAGUHIRWA, ati ataratangira kugira icyo amuvugaho, aragirango agire icyo avuga kuri NYIRABAGENZI we kuko adahakana ko yaragiye kwivuza, ariko Nyiraguhirwa Anyesi we atuye muri km 3 kugera iwe, ndetse akaba atuye muri segiteri atari iyo atuyemo ; avuga rero ko yambonye mu bashoreye NDIHANO bamujyanye kuri Komini, we nabandi bamboneye mu nzira akaba atari igitangaza kuko batari bazi gahunda ye yo kuba yari ashoreranye nabo, we agiye kwivuza nkuko bigaragazwa nurupapuro yivulijeho rwo kuwa 16/05/1994, ati iyo NYIRAGUHIRWA nabandi bavuga ko bambonye mu nzira baza kumenya gahunda ze, bari gutandukanya urugendo rwe nurwabagiye kuri Komini ;

RUMAZE kumva akomeza avuga ko NYIRABASHUMBA kimwe na NYIRABAGENZI ari ababuranyi muri uru rubanza, ko babifitemo inyungu, kandi BASHUMBA ari umugore wa NDIHANO, kuba rero NYIRABASHUMBA andega, anshyira mu bagize uruhare mu rupfu rwumugabo we nta kuri na busa kurimo ;

RUMAZE kumva akomeza avuga ko ibyo bigaragazwa nuko ibyo avuga atabizi, mu gihe yemeza ko umugabo we yishwe kuwa 02/05/1994, kandi bizwi ko umugabo we yatwawe nabasirikare kuwa 16/05/94, ikindi nuko avuga ko umugabo we yazize yuko ari umututsi kandi azi neza ko yari umuhutu, ubwo rero umuntu akibaza impamvu amuhimbira ubwoko ;

RUMAZE kumva NTIVUNWA akomeza avuga ko NYIRABASHUMBA mu gukwiza ibinyoma bye, yivugiye ko amaze gutandukana numugabo we kuwa 24/4/94, ko ngo hashize iminsi ibiri aho yari ari yihishe bamuhindutse, yagiye kwa KAYIRANGA ngo bahamukura bamujyana kuri KOMINI, aha naho rero akaba yivuguruje azana iyindi tariki ya 26/4/94 inyuranye niyo umugabo we yajyanyweho kuri Komini kuko umugabo we atigeze arara kwa KAYIRANGA ;

RUMAZE kumva akomeza kuvuga ko ngo uwo mukecuru yongeye akarega NIYONTEZE Karoli kuba ngo yuko ari we wamwiciye umugabo, iyo mvugo rero ntayihuze nizabandi bafitanye amasano na NDIHANO, nazo ubwazo ziravuguruzanya kuri ubwo buryo ;

RUMAZE kumva akomeza avuga ko NYIRABAGENZI ahamya ko NTIVUNWA yatsinze NDIHANO muri RUGERAMIGOZI, naho SAMVURA murumuna wa NDIHANO we akavuga ko ali abasirikare bishe NDIHANO, UKURIKIYIMANA mwene se wabo wa NDIHANO nawe hamwe avuga ko yishwe nabasirikare, ahandi akavuga ko yishwe na BIMENYIMANA Ferdinand na KAYIRANGA Straton, bityo rero uko kutagira icyo yemeza azi, bikaba aribyo bituma akoresha imvugo icishiriza avuga ngo ba NTIVUNWA bakuye NDIHANO kwa KAYIRANGA, bamujyana kuri Komini, kuko nyine abamukuye aho hantu nabamujyanye kuri Komini atabazi, ari nayo mpamvu ararira akanshyira muri ibyo ngibyo, cyakora ntaho ahakana ko nari ndwaye, ntari ngiye kwa muganga kwivuza ;

RUMAZE kumva asobanura ko imvugo za RWANGALINDI ari impimbano kubera impamvu zikurikira : ikinyoma cya mbere, inama avuga yabereye iwabo wa NDIHANO igizwe nabantu : NTIVUNWA, NEMEYE, RUTAZIGWA, MUHUTU, KAYIRANGA Léon, NGENDAHIMANA Célestin, ntayabayeho nta nabandi bayizi, habayeho umubonano hagati ya NEMEYE na NDIHANO, ali naho gahunda yo guhungishiriza NDIHANO kuri Komini yaturutse, iyo mvugo rero inshyira mu nama itarabayeho ikaba itafatwaho ukuri ;

RUMAZE kumva ko ikinyoma cya kabiri ari aho yemeza (RWANGALINDI) ko NEMEYE yari kumwe nabajyanye nawe kuri Komini, avuga ko naho abeshya, kuko ibyo niwe ubivuga wenyine akongera avuga ko indi mvugo yihariye irimo ikinyoma, nuko yemeza ko twabwiriye umusirikare icyarimwe ko tuzanye uwo bita NDIHANO, nyamara we ngo akaba atarigeze aterana nabali kumwe na NDIHANO kuri Komini, ko ahubwo icyo gihe yari yagiye kwivuza ;

RUMAZE kumva akomeza avuga ko bigaragara ko RWANGALINDI atazi ibyo avuga , mu gihe yemeza ko hari abajyanye NDIHANO kuri Komini babikoze bagamije kumushakira umutekano, ahandi akavuga ko batari bagamije kumukiza, aliko mubyo avuga byose, ntaho avuga ko ntari ngiye kwivuza ;

RUMAZE kumva avuga ko imvugo za : NIRERE Sophie, MUKAMANA Valentine, NTABANGANYIMANA Benjamin, KAYIRANGA Straton, IYAKAREMYE Fréderic, NYIRAGUHIRWA Agnès, imvugo yabo ni imwe kuko bavuga ko ngo bamubonye mu bari bashoreye NDIHANO, akomeza avuga ko atari igitangaza kuko batari bazi gahunda ye (NTIVUNWA) yo kwivuza nkuko bigaragazwa nurupapuro yivurijeho, akomeza avuga ko iyo baza kumenya gahunda ye, bali kuza gutandukanya urugendo rwe nurwabajyanye kuri Komini NDIHANO, bityo rero nabo ubwabo ntawe umuvuga ko ataragiye kwivuza ;

RUMAZE kumva avuga ko NEMEYE Zeno, BIMENYIMANA Ferdinand, RUTAZIGWA Grégoire, ngo akurikije ikibazo bamubajije ukuntu hari abamushinja ko yari agiye mu Byimana atagiye kwivuza, kandi ngo akurikiye ibiri muri dosiye, aba batatu bamaze kuvugwa haruguru ntacyo bamushinja, ntacyo babivugaho ;

RUMAZE kumva avuga ko kuri HABIMANA Jean Paul ari ibihimbano kubera ko ibyo yemeza yiboneye namaso ye ari ibintu binyuranye kandi byabereye ahantu hatandukanye, ati nta kuntu yri kuba ari kwa KAYIRANGA ngo yongere amenye abo KAYIRANGA yagiye guhuruza nibyo yababwiye, ngo yongere amenye uburyo MUHUTU yaje, nibyo yabwiye NDIHANO aho yari yihishe ngo amenye kandi nibyabereye mu nzira ;

RUMAZE kumva avuga ko : ikigaragaza ko ibyo avuga atabizi, ngo nuko yihandagaza akavuga ko NDIHANO yishwe nabakamukijije, avuga ko bamushoreye kandi atari byo, bikaba rero bigaragara ko atigeze amenya abishe NDIHANO, ati ni mu gihe rero kuko ibyo avuga byabaye adahari kuko yari yarasanze nyina i MAYUNZWE muri Komini TAMBWE ;

RUMAZE kumva ko iburanisha ryurubanza ryabaye risubitswe kubera amasaha yari ageze, rwimurirwa kuwa gatanu tariki ya 04/09/99 saa mbiri za mu gitondo ;

RUMAZE kubona iburanisha ryurubanza ryarakomeje kuwa 04/09/98, NTIVUNWA Théoneste akabazwa ko hari icyo ashigaje kuvuga kubyo abagabo bamushinja muri uru rubanza, asubiza avuga ko imvugo zabashinja zivuguruzanya kandi ngo zishingiye ku binyoma ati aragira ngo ageze ku rukiko ko mu bamushinja harimo akagambane, akaba ariyo mpamvu asanga abo bamushinja bavuga abantu babonye bari kumwe na NDIHANO usanga bahuriza ku mazina amwe gusa, nyamara kandi bakivugira ko abantu bari benshi cyane, ati nubu kandi inkuru zimugeraho ziravuga ko muri ibi bihe uwitwa NKURIKIYIMANA Teresifori, KONSEYE wa segiteri Mahembe, akaba mwene wabo wa NDIHANO, numwe mu baregera indishyi muri uru rubanza, ari mu gushakisha mu baturage ayobora abakwemera kunshinja ibinyoma, barimo uwitwa KANKUYO Rozariya, akabemerera kuzabandika mu bazahabwa amacumbi mu midugudu ;

RUMAZE kumva asaba urukiko ko biramutse bigaragaye ko ubuhamya bwatanzwe bivuye mu kagambane rutabifataho ukuri kuko utanga ibihembo agura imvugo zabagabo nta kuri aba afite kandi akawa mugani ngo ibuye iyo ryagaragaye ntiriba rikishe isuka ;

RUMAZE kumva abazwa ko ibyo avuga abifitiye ibimenyetso, asubiza avuga ko ari inkuru ngo kubera ko ari muri gereza nta bimenyetso bifatika yabibonera ;

RUMAZE kumva abazwa icyatumye avuga mwiburanishwa rye ryo kuwa 1/9/98 ko ngo batali gushakisha NDIHANO ngo kuko hari abavugaga ko yapfuye, urukiko rumubaza uwabivuze, bari hehe, kandi yaguye hehe, asubiza avuga ko byavuzwe numuryango wa NDIHANO, barumuna be : NDAHIMANA Philibert na SAMVURA Joseph, kandi iyo nkuru sinjye wayumvise jyenyine hari nabandi, uhereye naba bantu bari aho hantu mwababaza niba bitaravuzwe ;

RUMAZE kumva abazwa ko kuri iriya tariki yavuzwe haruguru yavuze imbere yurukiko ko atari mu bari bashoreye NDIHANO, ko ahubwo yari kumwe nabali bamushoreye ajya kwivuza mu Byimana, ndetse akavuga ko afite icyemezo (photocopie) muganga yamuhaye, abazwa rero aho urupapuro rwumwimerere ruherereye kugirango rubone ko atari ukubeshya, yararwerekanye urukiko rusanga rwaratanzwe ku i tariki ya 16/05/1994 ;

RUMAZE kumva abazwa ko ashinjwa nabantu benshi kuba yaragambaniye NDIHANO, bityo abazwa uwaba yaragize uruhare mu rupfu rwa NDIHANO, asubiza avuga ko we atabamenya kuko ngo we yavuye iwe ajyanywe n'ikibazo cy'uburwayi ngo ariko ibyerekeye NDIHANO ntiyabimenya;

RUMAZE kumva abazwa niba yakwemera kubihanirwa bigaragaye ko yagize uruhare mu rupfu rwa nyakwigendera, asubiza avuga ko yabinyomoza kuko ngo icyaha atagikoze, nkuko umugore we NYIRABASHUMBA mu nyandiko mvugo zibazwa rye yabyivugiye ko umugabo we yatangajwe na RTLM imivuga ko ari icyitso cyinkotanyi, bikaba aribyo byatumye NDIHANO numuryango we bahunga intatane bava i Gitarama, ati murumuna wa NDIHANO ariwe SAMVURA, we avuga ko ubwo bari kwirembo na NDIHANO, abitwa EMMANUEL na EZECHIEL, bakomoka muri Komini Tambwe, na RUHUMULIZA Fidèle, bababwiye ko ngo bari kwirondo hamwe nikitso (NDIHANO) ngo nkuko radio RTLM yabitangaje, ati ubwo rero NDIHANO yongeye kugenda yihisha, ndetse ibintu bye bimwe abibitsa KAYIRANGA Léon, nkuko bivugwa numuryango we, ari nawo uvugwa ko kwa NDIHANO bashenyewe bakaba banerekana ababasenyeye, ibi rero akaba aribyo bigaragaza ko kuva aho radio RTLM

imutangalije aribwo umutekano we watangiye guhungabana, akaba ari naho ubugambanyi bwatangiriye buturutse kuri iyo radio, kubera kandi na mbere hose nta kibazo yigeze agira kubera ko yari umuhutu ;

RUMAZE kumva akomeza avuga ko asanga ubwo bugambanyi aregwa bwaraturutse kuri radio, kimwe nuwayihaye amakuru ko NDIHANO ari icyitso, akaba ariwe bagombye kugaragaza, kubera yuko mu bushinja-cyaha abandega nabashinja ntawe uvuga ko arinjye wahaye RTLM amakuru ;

RUMAZE kumva akomeza avuga ko ikindi atigeze avanwa iwe mu rugo nikibazo cya NDIHANO, nkuko bamwe babivuga kubera kudasobanukurwa, jye jye nari ngiye kwivuza mu Byimana nyura iwabo wa NDIHANO kubera ko ari ku nzira kandi hateraniye abantu ku buryo budasanzwe ;

RUMAZE kumva avuga ko abaturage bamujyanye kuri KOMINI ngo kuko umutekano we wari muke kandi Burugumesitiri yari amaze iminsi atangaje ko ubwicanyi bugomba guhagarara, ati bityo rero bikaba bidatangaje kubona twaranyuze inzira imwe nabo baturage , kuko nkuko bisanzwe mu nzira birashoboka ko bagendana badahuje gahunda, bikagaragazwa kandi nuko aho ngereye mu nzira nagombaga kunyura ujya kwivuza natandukanye nabo ; akomeza avuga ati kandi ikindi nuko abandega ubwo bugambanyi bandega uwo nagambanyeho, agashyira mu bikorwa ubwo bugambanyi bwateye urupfu rwa NDIHANO, akomeza avuga ati ikibabaza nuko abamurega bazi neza ababiciye, aliko ntibashakishwe kandi aribo bazi neza uwabagambanyeho ;

RUMAZE kumva abazwa niba koko radio RTLM yaratangaje ko NDIHANO ari icyitso cyangwa niba yari amagambo yabaturage gusa, asubiza ko we iyo radio atigeze ayumva ahubwo akaba yarabimenye aje gusoma dosiye ye gusa ;

RUMAZE kumva abazwa ko yigeze agera kwa KAYIRANGA amaze kumva ko NDIHANO ahari yasubije avuga ko atigeze abimenya kandi atigeze ahagera ;

RUMAZE kumva abazwa gusobanura ibyo NYIRABAGENZI ngo amurega kubera ko afite inyungu muri uru rubanza, abazwa rero ko hari icyo apfa nabamushinja nabo bemeza ko yari kumwe nabajyanye NDIHANO , asubiza avuga ko abamushinja ari babandi bavuga ko bamubonye mu nzira , aliko akavuga ko ari bo babandi bamubonye batazi gahunda ye (ariyo yo kujya kwa muganga) ;

RUMAZE KUMVA ABAZWA icyatumye iyo gahunda ye yahuriranye nishorerwa rya NDIHANO , niba byaratewe nuko bamutwaye mu modoka nawe yifuza kuyigenderamo, cyangwa niba bari ku maguru asubiza avuga ko atali kuzimanganya ibirari ko ahubwo navuze abo nabonye kandi nibukaga ; ( ?)
RUMAZE kumva ubushinja-cyaha busaba kugira icyo buvuga ku byo NTIVUNWA arangije kuvuga yiregura, yavuze ko mu ibazwa rye ryo kuwa 28/7/1994, yivugiye ko icyatumye ajyana nabashoreye NDIHANO, ngo nuko bari bafite igitekerezo cyiza cyo kumuhungishiriza mu butegetsi, ati urebye uko yabivuze ndetse nuko NEMEYE Zeno yabivuze, bavugaga ko abashakaga kumwica cyangwa kumwicisha uwa mbere ari KAYIRANGA Léon, wanze kumuhisha, ahubwo agahitamo kumuhururiza, undi akaba ari RWANGALINDI washatse gutemera NDIHANO aho, kandi bombi kandi bari mu bantu bari bashoreye NDIHANO , aha

rero akibaza ukuntu umuntu washakaga kumwica yakongera kugira igitekerezo cyo kumukiza, akabona rero ko ibyo bintu byombi bidashobora kujyana ;

RUMAZE kumva akomeza avuga ko aho NDIHANO agaragariye kwa KAYIRANGA Léon, bakamushorera bakamugeza iwabo, we yabonaga ko byarangiye nkuko NEMEYE yabivuze muri PV. Yo kuwa 03/04/1998, ubwo yavugaga ko bamaze kubonana yamubwiye amagambo abiri : irya mbere ngo kwari ukumusezeraho, irya kabiri ngo kwali ukumusaba ngo abwire abari aho ntibamwicishe imihoro, asubiza avuga ko ari nta modoka ( ? ) bagenzemo ko bari ku maguru, ati si igitangaza rero ko mu nzira nyabagendwa umuntu agendana nabo badahuje inama, ati nkubu tugeze hanze aha , abantu baba bari mu muhanda , ntitwakwemeza aho bagiye nikijyanye buri muntu ;

RUMAZE kumva abazwa niba abakozi ba R.T.L.M. aribo bakuye NDIHANO iwe dore ko aribo bamushakishaga, niba aribyo ko baba aribo bamujyanye kuri Komini kugirango basohoze ubugambanyi bwabo, asubiza avuga ko abo bakozi ba R.T.L.M. ataribo bamukuye imuhira iwe kandi atazi abamukuye kuri komini kuko atari ahari, ati yabyumvanye abafitanye amasano na NDIHANO nibo bavugaga ko radio R.T.L.M. aliyo yamuteye ubwoba ;

RUMAZE kumva abazwa icyatumye mu bushinja-cyaha yaravuze ko abashoreye NDIHANO ngo bari nkabantu ijana(100), abazwa niba mubo bafungwanye barimo, abazwa nicyatumye avugamo batatu gusa : MUHUTU Adrien, Célestin NGENDAHIMANA, na NTAKAVURO, asubiza avuga ko yavuze gutyo kwari ugucishiriza kubera ko abantu bari bahari bari benshi, ati abamunyuze mu maso ni bariya yavugiye kuri Parike ;

RUMAZE kumva abazwa igituma atangaho abagabo bashoreye NDIHANO , abantu batari mu gihugu, abari mu gihugu ntubavuge aho ntushaka kuzimanganya ibirarí ;

( ?) ahubwo bamurase, kubera ko yabonaga ko ibye byarangiye ;

RUMAZE kumva yongera kuvuga ko muri icyo gihe NDIHANO yari aho nta jambo yari afite kuko ngo yari imbohe, urebye nkamagambo yose bamubwiraga, nkuko tubisanga mu nyandiko-mvugo ya NYIRABAGENZI Françoise wari uri aho ;

RUMAZE kumva avuga ko NTIVUNWA Théoneste yabwiye NDIHANO ko badashaka amaraso aho iwabo, kandi ko ikigaragaza ko batari bafite igitekerezo kiza kuri NDIHANO nuburyo bamutwayemo, bamwambura ikoti ninkweto yari yambaye, nimpiri nimihoro bari bitwaje, nigihe bageraga kwa HABIMANA Janvière aho yasabye amazi , anyura kwa MUSSA ngo amusezereho kuko yabonaga ko ibye byarangiye, aho hose rero ntibamwemerere, bakamunyuza aho bishakiye ;

RUMAZE kumva avuga ko ikindi kibyerekana ari uko bari bazi ko R.T.L.M. yirirwaga imuvuga kandi yarayoborwaga nabategetsi, kandi NDIHANO bamaze ko kumugeza kuri Komini , ubwo hazaga abo basirikare bamutwaye, umusirikare yabajije NDIHANO ati : siwowe NDIHANO, nigihe twagushakiye ? , ati ibyo rero ni ibyavuzwe na NTIVUNWA mwibazwa rye uko twarivuze, bikaba byaravuzwe na NIYONTEZE Charles, byose rero bikaba bigaragaza ko NDIHANO yagombaga kwicwa ;

RUMAZE kumva akomeza kuvuga ko Théoneste ngo yari afite iye gahunda , ngo yajyaga kwivuza, nkuko yanabigaragarije urupapuro rwo kwa muganga yivurijeho, nta kibyemeza ko uwo munsi ariwo yivurijeho kuko nta bandi babivuga uretse we nurupapuro rubigaragaza, bityo rero ubushinja-cyaha bukaba busanga uruhare rwa NTIVUNWA rwaragiye rugaragara, kuko yakomeje kugaragara muri icyo kivunge cyabo bantu bari batwaye NDIHANO kuva agifatwa kugeza bamwurije imodoka bamutwaye ;

RUMAZE kumva NTIVUNWA Théoneste abazwa kugira icyo avuga kuri ayo magambo umushinja-cyaha amaze kuvuga , asubiza ko icyo umushinja-cyaha yakunze kugenderaho aruko ngo mwibazwa rye rya mbere , yavuze ko yumvise abari bajyanye NDIHANO kuri Komini bari bafite igitekerezo kiza cyo kumuhungisha, ngo kuko iyo bitaba ibyo ngo ntibaba barajyanye, akaba rero yaraje bugenzi agasanga ntayandi magambo yarakivugwa, hari hasigaye guhaguruka bagenda; aho avuga ko KAYIRANGA yari mu bashakaga kumwica , ntabyo yavuze ahubwo yavuze ko atashoboye kumuhisha kubera ko yari yabajijwe kuvuga ibyo azi nuko nuko byagenze ; ku byerekeye RWANGALINDI we ati ntaho yavuze ko yashatse kumutema ;

RUMAZE kumva akomeza avuga ko ubushinja-cyaha bwavuze ko ivanwa rya NDIHANO kwa KAYIRANGA, yarabisobanuye avuga ko atigeze agera kwa KAYIRANGA , avuga ko namagambo yavugiwe iwabo wa NDIHNO atayazi kuko ngo atari ahari, yabisobanuye igihe yavuguruzaga imvugo za NYIRABAGENZI , ati ku byerekeranye namatangazo ya R.T.L.M. na yo yavuze ko ntacyo yigeze yumva nabasirikare bavuga ko ngo baje bagasuhuza NDIHANO barangiza bakamwuriza imodoka, ntabyo yamenye kuko kuko yari yagiye kwivuza, kandi ngo na NIYONTEZE Karoli iyo asobanura ibyabo basirikare ntavuga ko bari kumwe, ngo nubwo yarangije ashidikanya imyivurize ye, ngo nyamara biragaragazwa nurupapuro yivurijeho uwo munsi bashoreraga NDIHANO ;

RUMAZE kumva avuga ko kuba nta wundi ubizi, ngo we buri gihe iyo agiye kwivuza uwo abwira uburwayi bwe ni umuvura wenyine ; ati kandi nta vuriro riri hafi yirengagije kwivurizamo kugirango umuntu abe yaboneraho umwanya wo gukekeranya;

RUMAZE kubona ko mbere yo kubaza uwitwa KAREMERA Straton haje uwitwa NYIRABASHUMBA Léonille na UKURIKIYIMANA, NYIRABASHUMBA abazwa kugira icyo avuga ku ibarwa Maître MUSONERA Védaste yanditse asaba ko uru rubanza rwakwimurirwa ku yindi tariki nka 15/zuku kwezi kugirango azashake umwunganira, asubiza avuga ko abaregwa ngo bakiri benshi, iburanishwa ryabo rikomeje ntacyo byaba byishe, umwunganira akazaba aza ;

RUMAZE kubona ko iburanishwa ryuru rubanza ribaye risubitswe kubera ko urukiko rutabonetse nyuma ya saa sita kubera imilimo yarwo rwimuriwe kuwa 10/09/1998 saa mbiri za mu gitondo ;

RUMAZE kubona ko uwo munsi wageze mu bashinjwa habuzemo KAYIRANGA Léon, naho mu baregera indishyi UKURIKIYIMANA Téresphore nawe adahari kandi bo bari baramanyeshejwe iyi tariki ;

RUMAZE kubona haje NDUTIYE Emmanuel, KABARIRA Stanislas basemurira abahagarariye abashinjwa bakaba barahiye ;

RUMAZE kubona KAREMERA Straton asabwa kwiregura ku bimenyetso ubushinja-cyaha bwashingiyeho bumurega biriya byaha, Maître Jean Jacques wunganira abashinjwa asaba urukiko ko rwamusubiriramo mubyo ashinjwa ngo kuko asheshe akanguhe yavutse muri 1935 akaba atakibuka ibyo bamushinja, asubizwa ko rero uwo yunganira yakwiregura kubyo yaba yibuka ubushinja-cyaha bwashingiyeho bumurega ;

RUMAZE kumva KAREMERA Straton avuga ko ku itariki ya 11/05/1998 yari yafunguwe byagateganyo none ngo kugeza ubu akaba agifunzwe kandi yagombye kuburana ari hanze, abaza icyo urukiko rubivugaho, akomeza avuga ko ingingo bamushinja ko ngo yashoreye NDIHANO atigeze ahagera, kandi nta nicyo yabonye kubyerekeye kumushorera, ndetse ngo nabo bafunganye bamubera abagabo ndetse nabo baturanye ku murenge nta muntu wigeze amubona ashoreye NDIHANO , akomeza avuga ko abavuze ko bamushoreye ntawigeze amuvugamo ngo kandi sukuvuga ko batazi izina rye , ati nawe yumvise ko bamujyanye aliko ntiyahamya ngo ninde kuko atababonye ;

RUMAZE kumva abazwa ko haramutse habonetse ibimenyetso ko yashoreye NDIHANO yakwemera kubihanirwa, asubiza ko yakwemera kubihanirwa ;

RUMAZE kumva abazwa abamushinja ko yashoreye NDIHANO nicyatumye agera hano, asubiza ko ari muri bamwe bari bateye uwari wahungiye iwe , ati abo ashobora kuba azi ni uwitwa UKURIKIYIMANA Télesphore ulimo mu baregera indishyi ;

RUMAZE kumva abazwa ko muri dosiye ahakanira ubushinja-cyaha ko atashoreye NDIHANO ko abamushoreye basize ahinga, banagarutse basanga agihinga, bamubaza kubavuga amazina yabo, asubiza avuga ko rwose abo bantu atababonye ;

RUMAZE kumva abazwa ko mwibazwa rye ryo kuwa 08/02/1998 bamubaza kugira icyo yongera ku magambo ye, yavuze ko abantu bose ubushinja-cyaha bumusomeye bamushoreye koko ndetse banagarutse bamwambuye amafaranga yose yarazaniye umukecuru, avugamo uwitwa Karoli, ko ngo abo bari kumwe bayagabanye, asubiza ko bucyeye bwaho ari bwo yaje kubyumva ko ngo atabihamya ko bayazanye bakanayagabana ;

RUMAZE kumva umushinja-cyaha asaba ijambo akavuga ko KAREMERA adashaka gusobanurira urukiko avugisha ukuri ku byakorewe NDIHANO kandi yari ahari muri icyo gihe, nkuko bigaragara mu ibazwa rye ryo kuwa 11/02/1998 aho yavuze ko yabonye NDIHANO bamukura kwa KAYIRANGA Léon, akanavuga uko kamukuye kwa se, nuko bamutwaye basa nabamutwaye kuri burankari avuga ko imyenda yamubonanye mbere ava kwa KAYIRANGA Léon bari bayimwambuye : boubou ninkweto, ati kandi ikibigaragaza kindi nibyavuzwe na NEMEYE ubwo yabazwaga ku ya 3/2/1998 avuga ko yari yagiye mu nzu kubonana na NDIHANO, abari hanze bamwoherereje KAREMERA Straton kugirango arebe ko NDIHANO adaha NEMEYE Zeno amafaranga ; nandi magambo NEMEYE avuga KAREMERA yavugiye aho : ngo murahakana ko atagira nabi kandi R.T.L.M. imuvuga ? ati ibyo byose rero birerekana ko KAREMERA Straton yabaye mu nama yo gushorera NDIHANO, ntabwo rero yaje ngo amusuhuze nyuma ngo yisubirireyo ; bityo KAREMERA yavugisha ukuri , uko bakuye NDIHANO kwa KAYIRANGA Léon bakamujyana iwabo , nyuma bakamukura iwabo

bakamujyana kuri Komini, ati nasobanurire urukiko neza rero kuko abizi, ati ikindi nongeraho nuko KAREMERA yari umwe mu ba membre ba serire ya Gisozi ;

RUMAZE kumva urukiko rusaba KAREMERA kugira ibyo avuguruza kubyo ubushinja-cyaha bumaze kuvuga, asubiza ko kuva NDIHANO yaza i Gitarama, aho yabaga yaramaze igihe kirekire atagera iwabo ; yaje kubyumva mu gitondo abantu babivuga ko yaje iwabo, yarahingaga mu gitondo saa kumi nebyiri za mu gitondo, ubwo isuka yayirekeye mu mulima ajya kureba ko ariwe koko, asanga ahagararanye numukecuru we kwirembo, agize akanya yibuka isuka yasize asubira mu mulima kuyihakura ariko ntiyasubiye kugaruka kwa NDIHANO, kandi nabahageze kumutwara ntawigeze amusangayo, yabyumvise ku bandi ko bamutwaye kuri komini, kuvuga ngo yamubonye yambaye ubusa, ntabyo azi ntiyarahari ;

RUMAZE kumva abazwa niba azi aho NDIHANO yaguye nuwamwishe, asubiza avuga ko atazi aho yaguye nuwamwishe atamuzi ;

RUMAZE kumva Maître OUSMANE DIALLO yibutsa ko uwo aburanira yigeze gutanga ikibazo kiribagirana kandi yagombaga gufungurwa byagateganyo asubizwa ko icyo kibazo kizasuzumwa igihe cyo guca urubanza ;

RUMAZE kumva BIMENYIMANA Ferdinand asabwa kwiregura ku byaha ashinjwa, yiregura avuga ko kubyerekeye génocide, ntacyo yakoze kuko nta muntu yishe kandi mu buzima bwe ntawe yigeze abangamira, ku cyubugambanyi aragihakana ko ntawe yigeze agambanira cyangwa ngo amugambaneho, ati NDIHANO bamurega ntacyo bapfaga ;

RUMAZE kumva akomeza kuvuga ko icyaha cyo kwirengagiza gutabara NDIHANO atabikoze kuko yasabye ko bamuhungishiriza kuri Komini bisabwe numwe mu ba serire be NEMEYE Zeno, nabandi baturage benshi barahungishije kuko nta zindi ngufu bari bafite zo kuburizamo urupfu rwe, bamugejeje kuri Komini ari muzima, naho icyaha cyo gusenya kwa NDIHANO hasenyeshejwe na barumuna be aribo : NDAHIMANA Philibert, na SAMVURA nabandi ngo yasanze bari kumwe nabo : NGENDAHIMANA Célestin, NSENGIYUMVA Evode, RUHATA Boniface, BIKORIMANA NYANDWI Fidèle, NTABANA Eugène, SEBAZUNGU Siriake, ngo naho we amategura yatwaye yayahawe na bene nyina ngo abe ayabitse ;

RUMAZE kumva abazwa uwo bahaye NDIHANO kuri Komini, asubiza ko bamushyikirije Burugumesitiri nkuko KAYIRANGA abyivugira, bamaze gukora umulimo wabo ngo bahita bitahira ;

RUMAZE kumva abazwa umuntu NDIHANO yari yarabikije ibintu nkuko bagenzi be bavuga, ngo akaba ari naho yavumbuwe , avuga ko yagaragaye kwa KAYIRANGA, ngo ariko uko yahavumbuwe ntabizi ;

RUMAZE kumva abazwa icyari cyaratumye NDIHANO ahunga asubiza ko ari abantu batatu (3) aribo NDENGABAGANIZI Ezechiel, RUHUMURIZA Fidèle, SAMVURA Joseph, baturutse iwabo i Tambwe, bangaga ko babavogerera umurenge, uwitwa NGENDABAGANIZI, yabasanze ku irondo ati uwo NDIHANO muri kumwe ntimuzi ko ari ikitso cy'inkotanyi, ubwo NDIHANO ntiyongeye kugaruka kw'irondo;

RUMAZE kumva abazwa ko bahungishiriza NDIHANO kuri Komini nta bantu bari bigeze bahagwa, asubiza ko nta bantu bari barigeze bahicirwa kandi ngo hari hagiyeho itegeko ryuko nta we uzongera kwicwa ;

RUMAZE kumva abazwa aho yashyize amategura barumuna ba NDIHANO bamuhaye asubiza avuga ko akiyabitse ari iwe, ngo impamvu nuko avuye mu mulima yasanze SAMVURA na murumuna we basenya baramubwira ngo nabafashe atameneka kandi ngo ayo ayatware ajye kuyababikira ;

RUMAZE kumva abazwa uruhare KAYIRANGA Léon yaba yaragize mu gusenyera NDIHANO asubiza ko nta kintu yabonye KAYIRANGA Léon yatwaye, ngo niba mu gihe yatundaga amategura bari bamuhaye niba hari ikintu yatwaye ntabizi ;

RUMAZE kubona ko urubanza rwasubitswe kubera ko amasaha yikiruhuko yari ageze, rukaza gukomeza nyuma yikiruhuko ;

RUMAZE kubona isubukurwa ryuru rubanza ryaratangiye mu gihe cyavuzwe haruguru hagahamagarwa BIMENYIMANA Ferdinand, akabazwa niba : nkuko yiyemereye ko yatwaye amategura yavuye ku nzu ya NDIHANO kandi iyo nzu yari yasenywe ari nde wabibazwa, agasubiza ko bikwiriye kubazwa bene nyina nabo yabasanganye, ati NDIHANO numuryango we bahunga nta muturage wari wigeze atinyuka kujya kwa NDIHANO ngo asenye, kugira ngo abaturage bahagere rero nuko babonye bene nyina wa NDIHANO basenya ;

RUMAZE kumva abazwa niba inzu ya NDIHANO yarakuweho amategura gusa cyangwa niba yarashenywe