

**MISAGO, Ikiza ry'urubanza mu magamba ahinnye ry'Urukiko rwa mbere  
rw'Iremezo rwa Kigali 23 gashyantare 1998**

TRIBUNAL DE PREMIERE INSTANCE DE KIGALI  
RMP3227 /S13 RE/KE  
LE MINISTERE C/ MISAGO AUGUSTIN ET CSRTS

DISPOSITIF DU JUGEMENT EN KINYARWANDA DU 23 FEVRIER 1998

**I. UMWIRONDO W'ABAREGWA**

1. MISAGO Augustin, mwene BARAMBANZA na MUKAMPARIRWA, wavutse mu 1945 i Ruvune Komini KINYAMI, BYUMBA, utuye i Gikongoro, Komine NYAMAGABE, vêque wa GIKONGORO, ntarafungwa bizwi n'amategako.

2. BUCYIBARUTA Laurent n.a.i

3. Major BIZIMANA n.a.i

**II. IBYAHA BAREGWA**

Kuba bari muri Segiteri GIKONGORO, Komini NYAMAGABE n'i KADUHA muri Komini KARAMBO, i KIBEHO muri Komini MUB.UGA, muri Perefegitura ya GIKONGORO, i MURAMBI muri Perefegitura ya GITARAMA, no ku GISENYI muri Repubulika y'u Rwanda, hagati ya 4/94 na 7/94 ari gatozi, bafatanyije cyangwa umwe ari icyitso cy'aband k'uko biteganywa n'ingingo za 89, 90, 91 z'igitabo cya mbere cy'amategako ahana (CPLI), yarakoze icyaha cy'itsembabwoko n'itsembatsemba cyangwa ibyaha byibasiye inyoko-muntu nk'uko byasobanuwe mu masezerano mpuzamahanga yabereye Genève kuwa 12 kanama 1949 yerekeranye no kurengera abantu batali abasilikare mu gihe cy'intambara, n' amasezerano yo kuwa 26 Ugushyingo 1968 yerekeranye no kudasaza kw'ibyaha by'intambara byibasiye inyoko-muntu, yose uko ari atatu akaba yaremewe n'u Rwanda, n'itegeko-teka n° 08/75 ryo kuwa 12/12/1975 n'itegeko-ngenga n° 08/96 ryo kuwa 30/8/1996 rigena imitunganyilize n'ikurikiranwa ry'ibyaha bigize icyaha cy'itsembabwoko n'itsembatsemba cyangwa ibyaha byibasiye inyoko-muntu ;

Kuba bari aho hantu hamwe mu gihe kimwe nk'icyavuzwe haruguru, ari gatozi, bafatanyije cyangwa umwe ari icyitso cy'abandi nk'uko biteganywa n'ingingo za 89, 90 na 91 z'igitabo cya mbere cy'amategako ahana, yaragize uruhare mu rupfu rwa Padiri Irenée NYAMWASA, Padiri MURINZI Canisius, Padiri MUSONI Aloys, mu rupfu rw'abana yavanye mu nkambi y'i Kibeho barenga icumi, umukozi we witwa Innocent n'umukobwa bali kumwe, mu rupfu rw'abanyeshuli b'i Kibeho n'i Kaduha, icyaha giteganywa kandi kigahanishwa ingingo ya 312 y'igitabo cya kabili cy'amategako ahana (CP K 11) ;

Kuba bari aho hantu mu gihe kimwe n'icyavuzwe CPLI haruguru, nk'uko biteganywa n'ingingo za 89, 90 na 91 yarafatanyije na BUCYIBARUTA na Major BIZIMANA kurema umutwe w'abagizi ba nabi, icyaha giteganywa kandi kigahanishwa ingingo ya 282 y'igitabo cya II cy'amategako ahana.

Kuba bari aho hantu mu gihe kimwe nk'icyavuzwe haruguru, ari gatozi bafatanyije cyangwa umwe ari icyitso cy'abandi nk'uko biteganywa n'ingingo za 89, 90, 91 z'igitabo cya mbere cy'amategako ahana, yaranze gutabara abantu bari mu kaga kandi yarabifitiye ubushobozi, icyaha giteganywa kandi kigahanishwa ingingo ya 256 y'igitabo cya II cy'amategako ahana;

Kuba bari aho hantu mugihe kimwe nk'icyavuzwe haruguru ari gatozi bafatanyije cyangwa umwe ari icyitso cy'abandi nk'uko biteganywa n'ingingo ya 89, 90, 91 z'igitabo cya mbere cy'amategako ahana yakoze icyaha cyo kuyogozza igihugu bica batsemba imbaga, icyaha giteganywa kandi kigahanishwa ingingo ya 168 y'igitabo cya kabili cy'amategako ahana ;

URUKIKO,

RUSANZE ibimenyetso ubushinje-cyaha, Me François RWANGAMPUHWE na Me Agnès NYIRANDABARUTA bahagaraliye abaregera indishyi bashyikirije Urukiko kubyerekeye gutegura itsembabwoko n'itsembatsemba kwa MISAGO Augustin yitabira amanama ari ibi bikulikira ;

1. Ibyiswe kwishimira urupfu rwa Général Major RWIGEMA wari uyoboye ingabo za FPR inkotanyi, urugendo rwabereye mu Nyakibanda muri 1990 ;
2. Inyanyagizwa ry'imipanga yaguzwe na Caritas Rwanda mu gihugu ndetse no muri Diocèse ya Gikongoro MISAGO yari abereye umushumba ;
3. Itangazo ryashyizwe ahagaragiye kuwa 20/01/1994 n'inama y'Abepiskopi Gatolika y'u Rwanda ku bibazo by'Ingutu (graves) igihugu cyalimo ;
4. Inama yo kuwa 13/04/1994 yabereye ku Gikongoro iyobowe na Préfet BUCYIBARUTA Inama yo kuwa 26/4/94 yiswe ya Pacification yayobowe na KAMBANDA Jean wari Ministri w'Intebe yabereye ku Gikongoro n'inama yo kuwa 24/5/94 yiswe ya évaluation yayobowe na BUCYIBARUTA Laurent ku Gikongoro ;
5. Umubonano (Inama) MISAGO, Préfet Laurent BUCYIBARUTA, Commandant BIZIMANA, uwali ahagaraliye umugenzuzi w'amashuri muri Gikongoro n'ushinzwe iperereza bagiranye n'abanyeshuli bo muri Marie Merci i Kibeho kuwa 5/5/1994 ;
6. Umubonano MISAGO yagiranye na KAMBANDA Jean wari ministri w'Intebe kuwa 18/5/94 i Gitarama ;
7. Amagambo MISAGO yavugiye mu ruzinduko rwa Cardinal ETCHEGARAY kuwa 24/06/94 i Butare ;
9. Uruzinduko MISAGO yagiliye i GOMA i Gisenyi kubonana n'umugaba w'ingabo z'abafaransa ndetse na SINDIKUBWABO Théodore mu mataliki 10 cyangwa 1 1/07/94
10. Amagambo MISAGO yavugiye kuri Cassette vidéo mu mpera z'ukwezi kwa 7/94 ;

RUSANZE kubyerekeye kwishimira urupfu rwa Fred RWIGEMA mu Nyakibanda, abagabo babajijwe aribo Musenyeri RUBWEJANGA, Padiri MBONYINTEGE Smaragde, GAKWISI J.Bosco, RUTAREMARA na GATARAYIHA Gaétan, bese bemeza ko urwo rugendo rutakozwe na Seminali Nkuru ya Nyakibanda gusa, ko n'abaturage ndetse n'andi mashuri yo muri sous-prefecture yahahuliye hakavugwa discours Officiels z'abategetsi nka Bourgmestre wa Komini ; ko bamwe mu banyeshuli (extrémistes) b'intagondwa bari bitwaje ibyapa

byanditseho amagambo mabi yishimira urupfu rwa RWIGEMA n'indilimbo z'amacakubili, (umukuru w'inenzi n'ibitso byazo) mu gihe hali halimo n'abandi bafite ibyapa byifulizaga igihugu amahoro ibi byose ngo bikaba byarateguwe n'abanyeshuli nta ruhare MISAGO abigizemo cyane ko byanagaragaye ko bitegurwa atari ahari ko yari i Kigali n'ubwo aho ahagereye icyemezo cyari kimaze gufatwa n'abari bamwurigiliye cyo kwitabira ubwo butumire Officielle bwa Sous-Préfet bwo gukora urugendo rwo kwishimira intsinzi y'Ingabo z'igihugu nawe akabishyigikira ;

RUSANZE nyamara uwo muhango warabaye no mu gihugu cyose nk'uko binemeweza na Padiri UGIRASHEBUJA Octave bisabwe n'inzego z'ubutegetsi bwa Leta basaba abaturage bose gukora urugendo rwo gushyigikira ingabo z'igihugu no kwishimira ko intambara yarangiye kandi ko bahashyije umwanzi bitaga inenzi inkotanyi barwanaga ndetse ko n'umugaba wazo Général Fred RWIGEMA yishwe, n'ubwo kuri bamwe byavuyemo kwishimira urupfu rw'uwo bitaga inenzi nkuru (Général Fred Rwigema) ndetse bakanakora imihango yo kumuhamba bakoresheje imitumba, n'ibyapa biriho amagambo y'amacakubili kandi binashyigikiye n'ubutegetsi nk'uko byagaragaye guhera mu ukwakira 1990 ;

RUSANZE MISAGO kuba yaritabiriye uwo muhango wo gushyigikira Ingabo z'igihugu bitegetswe n'ubutegetsi bwa Leta bwari bwemewe kimwe n'abandi banyarwanda benshi babyitabiriye bitaba igikorwa kigize icyaha cy'itsembabwoko n'itsembatsemba ; kabona n'ubwo yaba yaragaragaye abyina kimwe n'abandi (byakwitwa acte cynique) cyane ko n'ubushinja-cyaha n'abaregera indishyi batagaragaza ibimenyetso simusiga ko yari yishimiye gusa urupfu rwa Fred Rwigema biramutse ari nabyo ntibagaragaze ko cyaba igikorwa kigize icyaha cy'itsembabwoko n'itsembatsemba cyangwa se ngo bagaragaze uruhare simusiga rwa MISAGO mu gutegura iyo mihango ; cyangwa ngo ashishikarize abafaratiri b'abahutu (extreïniste) kuvuga amagambo agamije kwangisha amoko mu ndirimbo baririmbaga cyangwa kuyashyira ku byapa baribitwaje ;

RUSANZE imvugo y'ubushinja-cyaha n'abaregera indishyi bavuga ko MISAGO yaryozwa ibyo bikorwa byakozwe n'abanyeshuli yari ayoboye nka Président wa Selire yihariye (Spécialisée) ya Seminali Nkuru ya Nyakibanda atari byo kuko iyo yari structure y'ishyamba MMD icyo gihe abanyarwanda bose bari bahuriyemo kandi yari yemewe n'amategeko y'igihugu ;

RUSANZE mu bindi bimenyetso Me RWANGAMPUHWE na NYIRANDABARUTA batanga bagaragaza ko MISAGO yagize uruhare mu gutegura itsembabwoko mu Rwanda ari bon de commande y'imipanga 816 n'amasuka 1608 yatanze na Caritas y'u Rwanda iyiha Rwandex Shillington kuwa 5/8/93 bakemeza ko iyo mipanga ariyo yanyanyagijwe muri za Centres Nutritionnels (ibigo mboneza milire) za diocèse ya Gikongoro Misago yari abereye umushumba, nka C.N ya Cyanika, Kirambi ngo iyo mipanga ikaba ariyo yakoreshejwe yica abatutsi mu itsembabwoko rya 1994, bityo ngo uruhare rwa MISAGO rukagaragazwa n'uko ngo yari abizi ko iyo mipanga yanyanyagijwe hose kandi yari igamije kulinibura abantu ntagire icyo abikoraho nk'umukuru wa diocèse kandi ari nawe wali ukuliye Caritas ya diocèse

RUSANZE nk'uko umugabo wahamagajwe ariwe DESCOMBES wayoboraga Caritas mu rwego rw'igihugu muri icyo gihe, ari nawe watumije iyo mipanga n'amasuka ahamya ko atari imipanga yatanze gusa hatanzwe n'ibindi byinshi nk'amasuka, ibilibwa, imiti, amabati.... Bitangwa n'umushinga wa Caritas Rwanda yari ifashizwemo na Communauté Européenne

(CEE) mu rwego rwo gutuza iwabo (réinstallation) abanyarwanda bari birukanwe na Tanzaniya guhera muri 1991 (les refoulés de Tanzanie ) kandi ko ibyo bitatanzwe muri Gikongoro gusa byanatanzwe byanatanzwe no mu ma paroissee yo mu Rwanda nk'uko bigaragazwa na raporo ya Caritas Rwanda ndetse na ordre de payement yo kuwa 1/08/93 igaragaza ko iyo ordre de payement yari iyo kwishyura amasuka n'imipanga yo gutuza abantu birukanywe na Tanzania (compte refoulés de Tanzanie CEE) ndetse ko hari n'imilyango 150 yayihawe muri Paroisse zitandukanye hirya no hino mu Rwanda ;

RUSANZE na none nkuko abagabo bandi babijijwe aribo Sur Josée MUKABAYIRA wayoboraga Centre Nutritionnel ya Cyanika Soeur Marie Gaspard NYIRAMAKUBA wayoboraga Centre Nutritionnel ya Murambi barenieje ko icyo mipanga n'ibindi bikoresho bya Centre Nutritionnel babivanye muri Caritas ya BUTARE kandi ko raporo y'imikoreshereze yabyo byahabwaga Région Sanitaire ya GIKONGORO ndetse n'ababihaye ( Caritas BUTARE), cyane ko Caritas GIKONGORO yari itarabaho ; ibyo bikagaragaza ko MISAGO atigeze amenya cyangwa ngo amenyeshwe ( nk'uko nawe abyivugira) iby'icyo mipanga kandi ko n'ubusanzwe Centres Nutritionnels zahabwaga ibikoresho bilimo amasuka n'imipanga kugirango zigishilizweho ababyeyi ibijyanye n'imilimo y'imboneza-milire ndetse ibijyanye n'ubuhinzi bworozi bwa kijyambere ;

RUSANZE kabone n'ubwo icyo mipanga yaba yarasahuwe mu bubiko bwa Centre Nutritionnel zimwe na zimwe, mu gihe cy'itsembabwoko, igakoreshwa n'abacanyu nk'uko byemeiwe na Sur NYIRAMAKUBA, bitanyozwa MISAGO kuko ari abaregera indishyi Ubushinja-cyaha batagaragaliye Urukiko uruhare rwa MISAGO mw'itangwa ry'icyo mipanga ngo ikoreshe mu bwicanyu ;

RUSANZE nanone mubimenyetso byatanzwe na Maître RWANGAMPURWE hari inyandiko yashyikifije Urukiko igaragaza ko umulyango w'abibumbye (Nations Unies) yari yamenyeshejwe na MINUAR ibyerekeye inama y'inyiteguro Y'itsembabwoko yakoreshejwe na Perezida Juvénal HABYALIMANA kw'IREBERO igira iti Juvénal HABYALIMANA a dirigé une réunion à l'hôtel REBERO le 5/11/1993 ; Là, il a été décidé de distribuer grenades, machettes, et autres armes aux Interahamwe et aux jeunes car le but est de tuer les Tutsi et les autres rwandais qui sont dans les villes et qui ne les soutiennent pas. La distribution des armes a déjà commencé uhagaraliye abaregera indishyi akaba atagaragaliza Urukiko ihuriye ry'icyo nama ya HABYALIMANA yafataga icyemezo cyo gutanga imipanga yabaye mu kwezi kwa 11/93 icyiha interahamwe n'urubyiruko rwa CDR igamije kwica abatutsi n'igurwa ry'imipanga yatanze na Caritas mu kwezi kwa 8 igamije gufasha abaturage ameze 3 mbere y'inama y'i REBERO ;

RUSANZE Ubushinja-cyaha n'abahagarariye abaregera indishyi bashinja MISAGO na bagenzi be b'abepiskopi mu Rwanda kuba barashyigikiye ko CDR yari ishyaka ryari rifite amatwara y'ubwicanyu no kwanganisha amoko, bikaba byarabaye bimwe mu ntandaro y'itsembabwoko, bavugaga ko yababwaga umwana mu Nteko ishingira amategeko y'inziyacyuho ; ibyo bikaba byari ibibazo bya politiki y'icyo gihe ; ubushinja-cyaha n'abaregera indishyi bakaba ntakimenyetso na kimwe bagaragaje, uretse kubivugaga gusa, nyamara ko bashingira ibimenyetso byabo ku gitabo cya HUMAN RIGHT cyitwa Aucun témoin ne doit survivre aho ku rupapuro 207 kivugaga ko intumwa idasanzwe y'Umunyamabanga Mukuru wa ONU, uhagaraliye PAPA mu Rwanda, ba Ambassaderi w'Ubudage, Ububiligi, Uburundi, Leta zunze ubumwe z'Amerika, Ubufaransa, Uganda na

Zaire n'uhagaraliye Umuhuza Perezida wa Tanzaniya aribo basohoye itangazo ryasabaga impande zishyamiranye ko zakubahiliza amasezerano y'Arusha, ko kandi amashyaka yose yariho mw'isinywa ry'amasezerano y'Arusha yahagaraliye mu nteko ishingira amategako y'inziyacyuho, ndetse na CDR ikaboneraho umwanya ;

RUSANZE nyamara ubushinja-cyaha bwalirengagije kuba abepiskopi gatolika mu Rwanda balimo na MISAGO barasohoye amatangazo mu bihe binyuranye nko kuwa 21/3/94, ku 24/3/94, ayo matangazo akaba yari agenewe abanyamakuru, bamagana ibyakorwaga n'amashyaka, n'abanyapolitiki muri icyo gihe, byatinzaga ishyirwa mu bikorwa by'amasezerano y'Arusha ngo abaturage bawe mu gihirahiro, banatewe inkeke n'intwara zanyanyagizwaga hirya no hino, ibyo bikagaragaza ko izo nyandiko zitari zigamije guca abanyarwandamo ibice ahubwo basaba iyuballizwa ry'amasezerano y'Arusha yari yimiliye imbere ubumwe n'ubwiyunge bw'abanyarwanda.

RUSANZE kuberekeye inama yo kuwa 13/4/1994 yayobowe na Préfet BUCYIBARUTA ku Gikongoro Ubushinja-cyaha buyishingiraho buvuga ko yari inama y'umutekano yanafatiwemo icyemezo cyo gukusanyiliza hamwe abari bahungiyeho hirya no hino muri za Kiliziya no mu mashuri ngo babashyire mu makambi babone uko bahicirwa MISAGO akaba yaritabiriye iyo nama bityo ngo akaba agomba kuryozwa urupfu rw'abaguye muri izo nkambi, ibyo ubushinja-cyaha bukabishyirira ku mvugo ya Caporal NZAMWITA nawe wibwiriye Urukiko ko yumvise bivugwa aho ku GIKONGORO ko kuwa 16/4/ alibwo inama yemeje ko inkambi za Murambi na Cyanika zigomba gusenywa ngo no gusubiza abantu iwabo ngo kandi ko na MISAGO yabemereye gukuraho izo nkambi ;

RUSANZE iyo mvugo ya Caporal NZAMWITA itafatwaho ukuri mu gihe nawe ashingira ku mvugo yumvise akaba ataranashoboye kugaragaza Urukiko abo yabyumvanye ngo n'ubushinja-cyaha bube bwabumvise ndetse kuri icyo taliki ya 16/4 Ubushinja -cyaha, abaregera indishyi ndetse n'ushinjwa bakaba batayihulizaho, ushinjwa we agahakana ko icyo nama atayizi bityo Urukiko rukaba rushidikanya kuri icyo nama izwi gusa na Caporal NZAMWITA ;

RUSANZE nyamara mu myiregure ya MISAGO ahuza italiki ya 13/4 n'Ubushinja-cyaha ko uwo munsu aribwo habaye inama ku Gikongoro iyobowe na Préfet BUCYIBATA aliko bakanyuranye kubayivugiyemo n'imyanzuro yayo ; Ubushinja -cyaha buvugaga ko icyo nama y'umutekano ariyo yafatiwemo icyemezo cyo kwica no gusenywa abababungiyeho mu nkambi hirya no hino (Cyanika, Murambi.. ) mu gihe ariko MISAGO ushinjwa we yiregura avugaga ko icyo nama ya conférence préfectorale yayitumijwemo uwo munsu yaraye avuye i Kigali, atumizwa nk'ukuriye Caritas kuko kuri gahunda y'inama hari icyemezo bikomeye byari bufatirwemo uyobora Caritas (Madeleine RAFFIN) atari afitiye ububasha cyane cyane nk'igikorwa cy'ubutabazi cyo kugoboka impunzi zari hirya no hino mu nkanibi, kuri za paroisses ngo Caritas ibigiremo uruhare ibaha ibyo kurya ndetse n'imiti, dore ko yari yonyine (ONG) yari ifite ibyo kurya ;

RUSANZE ari mu iburanisha, ari no mu bagabo Ubushinja-cyaha bwibaliye. ndetse ari no mu bagabo Urukiko rwumvise nta n'umwe washoboye kugaragaza ibyavugiye muri icyo nama yo kuwa 13/4 ndetse n'abari bayigize ndetse n'ubushinja-cyaha bukababwira butaligeze bugaragaza n'umwe mu bari muri icyo nama ngo abazwe maze ngo buvuguruzwe ibyo MISAGO yiyemerera avugaga ko yageze ku Gikongoro asanga icyemezo cyarafashwe mu nama

y'umutekano yabaye kuwa 11/4/94 yemeye ko abahungiyeye hirya no hino ku Gikongoro bakusanyilizwa mu nkambi ya Murambi, byongeye kandi Ubushinja-cyaha bukaba butagaragaza ibyo Misago yaba yaravugiyeye muri iyo nama yo kuwa 13/4/ashishikaliza abantu kwica abandi cyangwa se ngo bugaragaze imyanzuro y'iyi nama Urukiko rube rwayishingiraho ;

RUSANZE lero kuba Ubushinja-cyaha butagaragaza ibyo bimenyetso simusiga byemeza ko iyi nama yo kuwa 13/4 ariyo yafatiwemo ibyemezo byo kwica abali mu akambi, hakicwa abali i Kibeho kuwa 14/4 ; hakicwa abari i Murambi, Cyanika, Kaduha kuwa 20-21/4 mbere y'uho indi nama ya 26/4 iba, Ubushinja-cyaha bukaba bugendera ku bigereranyo gusa (suppositions), Urukiko rukaba rutabishiniraho ngo rubyemeze kandi rubiryoze mu buryo butaziguye MISAGO (Responsable directe) wiyemerera ko yari muri iyi nama yo kuwa 13/4 akanagaragaza ibyavugiyemo"

RUSANZE kuberekeye inama yo kuwa 18 cyangwa 19/4/94 ivugwa n'ubushinja-cyaha, buvuga ko yari iyobowe na SINDIKUBWABO ku Gikongoro ndetse na MISAGO akayitabira, ari mu iburanisha, ari mw'ibazwa ry'abagabo haba no mu bugenzacyaha ndetse no mu Rukiko nta numwe wemeza ko yabonye MISAGO muri iyi nama, MISAGO ubwe agahakana kuba yaravugiyemo ndetse n'Ubushinja-cyaha bukaba nta kimenyetso na kimwe bwashyikiriye Urukiko rwashingiraho rwemeza ko iyi nama MISAGO yavugiyemo n'ibyo yaba yaravugiyemo bigamije guhamagarira cyangwa gukangulira abahutu kwica abatutsi ."

RUSANZE nk'uko byemezwa n'ubushinja-cyaha ndetse na MISAGO ushinjwa ubwe akaba abiyemerera, MISAGO yaritabiriye inama yo kuwa 26/4/94 yari iyobowe na KAMBANDA Jean ku Gikongoro iyo nama ayitumirwamo yitwa iyo kugarura umutekano, ko ndetse hari n'indi nama yo kuwa 24/5/94 yari iyobowe na Préfet Laurent BUCYIBARUTA ku Gikongoro yiswe iya évaluation nayo yitabiriye ; Ubushinja-cyaha bukamushinje izo nama zombi zibuhereye ko kuba KAMBANDA mu miburanire ye (aveu) yaremeye ko inama yayoboye zari izo gutezura no gukangulira abaturage ubwicanyi, bityo ngo kuba MISAGO nawe yari muri iyi nama ya KAMBANDA nawe agafatwa nk'umwe mu batezura ubwicanyi, ko kandi inama yo kuwa 24/5/94 ngo ukuli kwayo n'uko yari igamije guhamagara abatutsi bari bihishye hirya no hino ngo bagaragare babone uko bicwa ;

RUSANZE mw'iburana rya MISAGO ndetse no mw'ibazwa rye yaragaragaje ko inama yo kuwa 26/4/94 yayobowe na KAMBANDA yari yatumiwemo abantu bingeli nyinshi ndetse n'abayobozi b'amadini, ko kubutumire yari igamije gushyira imbere ibikorwa byo guhosha ubwicanyi (campagne de pacification) ngo buvugwa ko KAMBANDA azanywe n'ubutumwa bw'amahoro ; ko lero MISAGO nk'umuyobozi wari mu baharanira amahoro byari ngombwa ko yitabira iyo nama yavugaga ko yamagana abanga amahoro, yari atumiwemo n'ubutegetsi ;,

RUSANZE Ubushinja-cyaha butagaragaza uruhare MISAGO yagize muri iyi nama, igikorwa cyangwa se amagambo ashishikaliza abantu kwica abandi, cyangwa se undi mugambi mubisha uwo ariwo wose, kwitwaza imvugo ya KAMBANDA Jean yemera icyaha bikaba ariwe ubwe, ku giti cyane bireba cyane ko atanigeza ashinje MISAGO uruhare urwo arirwo rwose mu migambi yo guteza ubwicanyi mu manama, ibyo bikaba bidahagije nk'ikimenyetso simusiga cyane ko n'ibyo KAMBANDA yari yemeye yisubiyeho (retractations) akabihakana, kandi n'urubanza rwe rukaba rutarabwira burundu ngo rube itegeko jugement coulé en force de

chose jugée) bityo Urukiko rukaba rutashingira kuri uko kwemera (aveu) kwa KAMBANDA Jean ; ikindi kandi Ubushinja-cyaha bukaba butagaragaza ko kujya mu nama watumiwemo n'ubutegetsu bwa Leta kabone n'ubwo nta jambo wafatamo cyangwa ngo ugire imvugo mbi uvugiramo ibyo byaba ari igikorwa kigize ibyaha by'itsembabwoko nk'uko amategeko yacu abiteganyaga ; cyane ko n'ibaruwa n° 125/04.1702 Préfet BUCYIBARUTA yandikiye ba Burgmestri bese abagezaho gahunda yo gukangulira abatwaga umutekano ndetse n'ubutumwa bwo kugarura uwo umutekano nk'uko byari byemejwe muri icyo nama yo kuwa 26/4/94 igaragaza ko ibyayivugiwemo ku mugaragaro nta nenge keretse ibyaha byari byihishe inyuma ubushinja-cyaha bukaba lero butagaragaza uruhare nyarwo rwa MISAGO muri ibyo byose ;

RUSANZE kubereye inama yo kuwa 24/5/94 yiswe icya évaluation yari iyobowe na Préfet BUCYIBARUTA nk'uko bigaragazwa n'ibaruwa n° 137/04.09.01 yo kuwa 18/5/94 yatumizaga abayobozi benshi ba Prefecture GIKONGORO muri icyo nama ihereye ku bayobozi bakuru b'amadini GIKONGORO, KIGEME na UEBR BUTARE gahunda yayo yari ukwiga uko umutekano wifashye nyuma y'ubutumwa bw'amahoro mu rwego rw'igihugu n'urw'akarere, ibibazo abantu bahungu imirwano batwaga muri Gikongoro, Segiteri zidafite abayobozi, itangira ry'amashuri n'ibindi ibyaha bikaba binyuranye n'imvugo y'ubushinja-cyaha buvugaga ko icyo nama yari igamije kugaragaza abatwaga bakiliho ngo bicwe, ibyo Urukiko rukaba rutabigenderaho ngo bifatweho ukuli mugihe butagaragaje umuntu n'umwe bwaba bwarabajije mu bari muri icyo nama ngo abyemeze cyangwa ngo habe n'umwe mu bagabo waba yaremeje imbere y'Urukiko ko yabihagazeho, bityo imvugo ya MISAGO inaherekejwe n'ikimenyetso cy'uwaru yatumije icyo nama yarimo n'ingingo yamurebaga cyane y'itangira ry'amashuri nk'uko n'amenshi yari ayabanyamadini (voir lettre n° 125/04.17.02 du 29.4.94, et invitation n°137/04/009.01 du 18.05.94) bikaba byafatwaho ukuri Urukiko rukabishingiraho kuko ntakimenyetso kibivuguruzaga ubushinja-cyaha bwarugaragaliye ;

RUSANZE kubereye urupfu rw'abanyeshuri bagera kuri mirongo cyenda (90) biciwe mu ishuri Marie Merci i Kibeli MISAGO yaba yaragizemo uruhare, ubushinja-cyaha bushingira ku nama yahakoreshejwe taliki ya 5/5/94 MISAGO ari kumwe na Préfet BUCYIBABARUTA, BIZIMANA wari umukuru w'Ingabo muri Gikongoro, uhagaraliye iperereza, uhagaraliye ubugenzuzi bw'amashuri, inama ngo yafatiwemo icyemezo cyo kongera abasilikare bo kulinda abo bana ngo bazi neza ko bari bubice ;

RUSANZE mu gushakisha ukuri ku ntandaro y'urupfu rw'abo bana, Urukiko rugomba gushingira ku mvugo z'abagabo babajijwe n'ubushinja-cyaha n'ababajijwe imbere y'Urukiko kandi batanzwe n'impande zombi (partie civile + Parquet et la défense) aribo : ZIGIRUMUGABE Théophile, KABERA Jeanne, IBYIMANA KABILIGI Azena, BADO BEDE, NSANZABAGANWA Silas, RWAYITARE Pascal na NAHAYO Anicet ;

RUSANZE muri icyo gihe ZIGIRUMUGABE Théophile, KABERA Jeanne, IBYIMANA KABILIGI Azena, BEDE na Anicet NAHAYO bari abanyeshuri muri Marie Merci, bahulizaga ku mvugo y'uko inama yabaye kuwa 5/5/94 abanyeshuri batwaga kuwa 7/5/94 ko kandi hari hasanzwe umwuka mubi mu banyeshuri kuva igihe kuri Paroisse hiciwe abantu kuri 14/4/94 kandi ko icyo nama yabaye abanyeshuri bamaze kwitandukanya (le 2 ou 3 mai 1994) abahutu bari muri Marie Merci, abatwaga muri Ecole des lettres ;

RUSANZE hari ibimenyetso simusiga bigaragaza ko mbere y'iyi nama harimo abanyeshuli b'abahutu bateguraga ubwicanyi bwa bagenzi babo babikorana n'abo hanze y'ikigo (interahamwe) ibyo, bikemezwa na KABERA Jeanne uvuga ko umunyeshuli bitaga RUKOKOMA yamwibwiliye ko basigaje iminsi itatu bagapfa, kandi ko kuwa 2/5 abahutu bitandukanya n'abatutsi bavugaga ko batabashaka banavugaga ndetse ko n'uzi ko ari umututsi atabajyamo ; IBYIMANA KABILIGI Azena akemeza ko kuwa 2/5 basanze tracts muri réfectoire zanditswe n'abahutu ngo ntidushaka inyenzi n'ibitso byazo, n'abazishigikiye bese, ko kandi hari abanyeshuli b'abahutu basohokaga gukora amanama n'interahamwe basaba interahamwe kuza kwica mu kigo zikanga zivugaga ko ibyiza abanyeshuli babanza bagasubiranamo, ko kandi ikigo kilinzwe, agakomeza avugaga ko kandi hari habanje kubaho igitero cy'abanyeshuli b'abahutu baturutse hanze y'ikigo, kivugaga ngo abatutsi batahavuye barabica ; ZIGIRUMUGABE akemeza ko kumugoroba habagaho udutsiko tw'abanyeshuli b'abahutu bayobowe na Gendarme KOMAYOMBI twakoraga listes na sensibilisation bafashijwe na Directeur w'ikigo ;

RUSANZE nanone imvugo ya KABERA Jeanne, IBYIMANA KABILIGI Azena, ZIGIRUMUGABE Théophile zihuliza ku mvugo MISAGO yababwiye mu gihe bari bavuye kubonana n'abanyeshuli b'abahutu, bakaba bemeza ko ayo magambo yayababwiye atari amagambo ye bwite ngo ko ahubwo yabagezagaho amagambo yari amaze kubwirwa n'abanyeshuli b'abahutu babarega ko ngo aribo babashotora iyo babyina indilimbo z'inkotanyi kandi zica abahutu ndetse ko banishimira ko zitsinda urugamba, nyamara abo bagabo ntibahulize ku myanzuro y'iyi nama, aho Azena KABILIGI we avugaga ko MISAGO yabijeje za bus za ONATRACOM zo kubacyura iwabo aza neza ko hatakibaho ngo kuko atanashobora kubabonera ikibatunga, mu gihe KABERA Jeanne na ZIGIRUMUGABE- bo bemeza ko umwanzuro wabaye uwo kubagumisha mu kigo bakababwira ndetse bakanagaburirwa ;

RUSANZE mu mvugo ya RWAYITARE Pascal wari muri iyi nama ahagaraliye umugenzuzi w'amashuri na NAHAYO Anicet nawe wari muri iyi nama nk'umunyeshuli w'umuhutu bemeza ko nta magambo mabi MISAGO yavuze, ko ahubwo harimo abanyeshuli bamwe b'intagondwa batemeraga kubana n'abatutsi ari nabo bavugaga ayo magambo MISAGO yagejeje kuri abo banyeshuli b'abatutsi, iza mvugo nazo zikaba zemeza ko ariya magambo atari aya MISAGO.

RUSANZE umwanzuro w'inama wo kongera aba Gendarme bo kulinda abo bana atariyo yabaye intandaro y'iyicwa ry'abanyeshuli bo muri Marie Merci kuko byagaragaye ko hali hasanzwe umwuka utari mwiza na mbere y'inama ndetse ko abanyeshuli bishwe n'abaturage b'interahamwe bavanze n'abajandarume ndetse na bamwe mu banyeshuli b'abahutu nk'uko byemezwa na ZIGIRUMUGABE Théophile na NSANZABAGANWA Silas ndetse n'ibimenyetso byavuzwe muri za Rusanze za mbere, NSANZABAGANWA agahamya ko Capitaine SEBUHURA ariwe wahinduraniye abasilikare ubwo yari ahanyuze agiye Nshili anababwira ngo nagaruka ntahasange umwanda, ibyo byose bikanashimangirwa n'imvugo ya KABERA Jeanne, ZIGIRUMUGABE, ko hari umugendarume wari wababwiye ko ejo bazapfa, ibyo lero bikaba bitarozwa MISAGO mu gihe ubushinje-cyaha butagaragaza isano iri hagati y'ibikorwa by'ubwicanyi byakorewe abo banyeshuli n'inama yabaye uretse gukekeranya (déductions) ;

RUSANZE rutakwita ku mvugo ya BEDE BADO wemeza ko atazi iby'urupfu rw'abanyeshuli bo muri Marie Merci kuko we yari amaze guhunga, yemeza ko yabonye MISAGO mu manama

inshuro eshatu yari ayoboye, akanemeza ko yamubonye we ku giti cye taliki ya 14/4 mbere ya saa sita (abo kuri paroisse bicwa nyamara byaragaragaye ko MISAGO yageze bwa mbere i Kibeho kuri 17/4/94 akanemeza ko ngo yamwumvise avuga ngo twishe abantu none tutabahambye amahanga yabibona akadufatira ibihano ; kandi ko ntacyo azi ku nama yo kuwa 5/5 kuko yari yarahunze ; nyamara bikaba byaragaragiye Urukiko ko MISAGO yageze i KIBEHO kabiri kuwa 17/4 no kuwa 5/5/94 ;

RUSANZE kubyerekeye umubonano MISAGO yagiranye n'uwahoze ari Ministri w'Intebe KAMBANDA Jean kuwa 18/5/94 ubushinja-cyaha bubifataho ikimenyetso simusiga kigaragaza ko icyo uwo mubonano wari ugamije ari ugutegura no gushyira mu bikorwa itsembabwoko, nyamara byagaragaliye Urukiko ko kuwa 13/5/94 abepiskopi Gatorika aribo Mgr Thadée NSENGIYUMVA, NSENGIYUMVA Vincent, RUZINDANA Joseph na MISAGO Augustin hamwe n'abayobozi b'amadini ya kiprotestanti alibo Pasteurs Michel TWAGIRAYEZU, RUHUMULIZA Aaron, Adounia SEBUNUNGULI, Normand KAYUMBA, Oreste RWAJE, RUHUMULIZA Jonathan, NSANZURWIMO Vincent, MVUNABANDI Augustin barateraniye I Kabwayi biga ibibazo by'intambara n'ubwicanyi ndetse n'iby'impunzi, basohora itangazo mu ngingo zaryo ya 2, 3 basaba FPR inkotanyi na Gouvemement y'u Rwanda ngo bashakire hamwe uburyo ibibazo by'u Rwanda byakemurwa mu mahoro hakanajyaho inzego zaguye z'ubutegetsu, akaba ari muri urwo rwego MISAGO na bagenzi be bagiye kubonana na KAMBANDA wali uhagaraliye Gouvemement y'u Rwanda bigaragara ko atari ku butumire bwa KAMBANDA ko ahubwo bari intumwa z'abo bayobozi b'amadini ;

RUSANZE ubushinja-cyaha butarashoboye kugaragaliza Urukiko imigambi mibisha abo bakuru b'amadini baba barumvikanyeho na KAMBANDA nyamara ushinjwa we akaba yemeza ko bese bari bajanywe no kumugezaho ubutumwa bw'amahoro banamubaza ibyerekeye ibyavugwaga muri icyo gihe (nk'ibyobo ngo abatutsi bari baracukuye ngo byo kuzashyiramo abahutu, brigades secrètes za FPR.) bamusaba ndetse ko ubutegetsu bwabeshyuzwa izo mpuha kumugaragara kubera ingaruka zateraga mu baturage ariko we ntiyagira icyo abasubiza gifatika yitwaza ibimenyetso bya nyirarureshwa ngo hari za brigades secrètes mu Rwanda ; izo mpuha (rumeurs) z'ibyobo byacukuwe zari zikwijwe n'ibinyamakuru harimo ndetse n'ibya Leta n'abanyamakuru b'intagondwa nk'uko bigaragazwa n'ikimenyetso ushinjwa yashyikiliye Urukiko (byanditswe kuri page 98 ya rapport ya Human right Watch mu gitabo *Aucun témoin ne doit survivre*, ubushinja-cyaha, Me RWANGAMPUHWE na NYIRANDABARUTA batashoboye kunyomoza cyangwa ngo bagaragaze ibindi bimenyetso bivuguruzwa ibikubiye muri icyo gitabo ;

RUSANZE nanone Ubushinja-cyaha bushingiye magambo MISAGO yaba yaravugiye mu ruzinduko rwa Cardinal Etchegaray taliki ya 24/6/94 i Butare ngo ntabona ukuntu umupadiri w'umututsi azongera kwakirwa Igihugu kitamushaka, ngo ahubwo n'ukubashakira ahandi baba, bavuga ko byafatwa nk'icyaha, ibyo bikemezwa na kwigendera Mgr GAHAMANYI nyamara ariko ubwo buhanga bukanyomozwa na nyirubwite waba warabibwiwe ( Cardinal Etchegaray) mu ibaruwa yo kuwa 19/10/1999 avuga ko atibuka ayo magambo Mgr GAHAMANYI atiza MISAGO kandi nawe ubwe (GAHAMANYI) kuri aide mémoire yahaye Etchegaray yifuzaga ko yareba uko yajyana abo bapadiri b'abatutsi bari kuri Evêché na Cathédrale ya BUTARE hanze y'igihugu by'agateganyo kuko nta mutekano bari bafite mu gihugu no kugirango baruhuke kuko n'imiryango yabo yari yarishwe ;

RUSANZE kandi iyo mvugo y'amagambo y'ubugome MISAGO ubwe avuga ko munyandiko ye yo kuwa 31/1/1996 ndetse n'imbere y'urukiko atari iye, ko ibyo yavuze yunganiraga umwe mu bapadiri bari bihishe aho wasabye Cardinal Etchegaray ko icyo yabafasha ari ugushaka bidatinze uburyo bwo kubavana aho hantu ( mu buhungiro) ko rero MISAGO icyo yunzemo asaba Etchegaray ari uko ubwo agiye i GISENYI kubonana na guverinoma yakoresha ubushobozi afite n'icyubahiro cy'uko ahagarariye Papa maze agasaba uburyo (escorte) bwo gukura abo bapadiri muri ubwo buhungiro bakambutswa nibura umupaka w'UBURUNDI kugirango babe ahantu mu mutekano n'ubwisanzure, ko ndetse ageze n'i Roma yasaba za Services zisanzwe zibafashisha infashanyo (Subsides) ko zareba uko zabishyurira urugendo i BURAYI bakaruhuka mu mutwe ;

RUSANZE nyamara kabone n'ubwo ayo magambo yaba yarayavuze, urukiko rutitaye kuri za ( interprétations) atari igikorwa kigize icyaha cy'itsembabwoko n'itsembatsemba nk'uko biteganywa n'amasezerano Mpuzamahanga yo muri 1948 ndetse n'itegeko ngenga igihugu cyacu kigenderaho, kuko aba atarabwiwe abahutu ( Incitation directe à commettre le génocide) ahubwo ETCHEGARAY ;

RUSANZE kuba tariki ya 10 cyangwa 11/7/1994 MISAGO yaragiye i Goma n'i GISENYI ajyanye na Mgr Thadée NTIHINYURWA na Pasteur Michel TWAGIRAYEZU n'undi utibutswe bakabonana na SINDIKUBWABO wari Perezida wa Repubulika, ndetse i GOMA bakabonana n'umugaba mukuru w'ingabo z'Abafaransa nta cyaha na gito kirimo mu gihe Ubushinja-cyaha butagaragariza Urukiko ubutumwa bubi cyangwa se inama mbisha yari ibajyanye uretse gukuka gusa ko SINDIKUBWABO yaba hari ubutumwa bwihariye yabahaye kandi butagaragaje, mu gihe ariko Mgr NTIHINYURWA na MISAGO bo bemeza ko bagiye ku mpamvu z'ubutabazi ( des raisons umanitaires) basaba ko ingabo z'abafaransa zari muri zone Turquoise zaba ziretse kugenda cyane ko izo ngabo zari zaratangiyeye gukora imirimo y'ubutabazi, nko kuvana ndetse no guhuriza hamwe abatutsi bari bacyitse kw'icumu nabo bamburaga abicanyi ngo babahurize hamwe mu nkambi ya MURAMBI i GIKONGORO na NYARUSHISHI i CYANGUGU, naho kubonana na SINDIKUBWABO kabone n'ubwo yari Perezida w'abatabazi, Ubushinja-cyaha bukaba butagaragaza icyaha kirimo cyakwitwaga icy'itsembatsemba ibi bikanashimangirwa kandi n'ibaruwa MISAGO yandikiye Commandant des Troupes Françaises à Gikongoro kuwa 4/7 mbere y'urwo rugendo asaba abo bafaransa ko barinda abatutsi barokotse bari bahungiyeye hirya no hino ya Evêché ya GIKONGORO ( abantu 12) ngo bahurizwe hamwe n'abandi i MURAMBI bikagaragaza ko ibyo bikorwa by'ubutabazi byari byaranatangiyeye mbere y'urwo rugendo

RUSANZE amagambo avugwa kuri Cassette video yitwaga RWANDA : LE MALHEUR EN MARCHE MISAGO yavugiyeye ku GIKONGORO mu mpera z'ukwezi kwa 7/94 kandi nawe ubwe yemera, kubereye ibibazo by'u Rwanda avuga atya : C'est un problème qui est ancien, un conflit qui est assez ancien et qui remonte à plus de trente ans, un conflit consistant essentiellement dans une opposition ethnique autour de la question de l' exercice du Contrôle du pouvoir dans le pays et c'est, ça qui a abouti à la guerre dite d'octobre 90 qui s'est prolongée, qui s'est aggravée jusqu'à Victoire Militaire du FPR. Cela évidemment a eu des conséquences sur le niveau de la population parce que cette guerre a eu des rebondissements sur les collines dans ce sens que les populations se sont opposées les unes aux autres surtout les Hutu et les Tutsi ; Comme les Hutu sont majoritaires ils ont pratiquement, surtout ces derniers temps, massacré systématiquement les Tutsi. On doit le faire remarquer que de son côté, le FPR dans les zones qu'il occupait, qu'il a occupées, au

fur et à mesure qu'il avançait, aussi il faisait des massacres massifs de gens, de populations, de Civils, généralement des Hutu, pour toutes sortes de raisons, ibyo bikaba ibitekerezo bye (droit d'opinion et d'expression) Urukiko rukaba nta cyaha rubisangamo cyo gutegura génocide kuko n'ubushinja-cyaha butabigaragariza ibimenyetso ;

RUSANZE kubyerekeye ubufatanyacyaha mu rupfu rwa ba Padiri Iréné NYAMWASA, MURINZI Canisius, MUSONI Aloys urukiko rwashingira ku mvugo z'abagabo batanzwe na Maître RWANGAMPUHWE n'ubushinja-cyaha ndetse n'ushinjwa aribo cyane cyane Padiri GAKWISI J. Bosco, MATABARO Cyriaque, Soeur Sarto NIKUZE abo bese bakaba muri icyo gihe bari kuri Evêché na MISAGO ;

RUSANZE nk'uko byemezwa na GAKWISI J. B. na MATABARO Cyriaque na Sarto NIKUZE ndetse n'uregwa ubwe ko tariki ya 21/4/94 Evêché yatewe kabiri n'interahamwe igitero kimwe mbere ya saa sita, icya kabiri nyuma ya saa sita kandi ko uwo munsu ari nabwo hishwe impunzi zari mu nkambi za Murambi, Cyanika na Kaduha ;

RUSANZE nk'uko byemezwa na GAKWISI J. B. na MATABARO Cyriaque na Sarto NIKUZE ndetse n'uregwa ubwe ko tariki ya 21/4/1994 haje igitero kivuye i Murambi gisaka muri Evêché, cyitwaje ko gishaka intwari (imbunda) gisohora Padiri NYAMWASA, MURINZI, nawe ubwe kirabajyana, Padiri NYAMWASA ababwiye ko amaraso yabo azabahama barabagarura ariko batwara amafaranga ya NYAMWASA n'aya MURINZI bari bahunganye ndetse icyo gitero kimaze no gukomeretsa padiri NYAMWASA, ko nyuma ya saa sita ikindi gitero cyagarutse kigashakisha ba bapadiri batatu kirabatwara bageze ku muhanda uwari ubayoboye witwa Félicien wakoraga muri Electrogaz, agaruka kureba MISAGO nyuma asubiraye avuga ko hari ubutumwa buvuye i Kigali ngo bareke abo bapadiri, ko igihe cyose bazabashakira bazababona ;

RUSANZE imvugo ya MISAGO avuga ko yahaye uwo Félicien amafaranga 500.000 Fr ishimangirwa n'imvugo ya MATABARO Cyriaque uvuga ko yabyumvanye umuzamu bakoranaga muri icyo gihe witwa Alfred ndetse mu mvugo ya GAKWISI avuga ko yabwiye na MISAGO ko yatanze 500.000 Fr ari nayo mpamvu banabagaruye, ibi MISAGO akaba yarabimubwiye kubushake bwe muri icyo gihe (1994) atari yanatangira gukurikiranwa mu bugenza-cyaha, bityo bikaba bigaragara ko ari imvugo Urukiko rwagenderaho cyane ko n'Ubushinja-cyaha butashoboye kunyomoza itangwa ry'ariya mafaranga 500.000 Fr ngo bugaragaze ko ari ikinyoma ;

RUSANZE nkuko byemezwa n'uregwa ndetse na Padiri GAKWISI, Commandant BIZIMANA yarageze kuri Evêché abwira MISAGO ko abitse abapadiri batatu bakekwaho kuba bafatanyaga na FPR kandi ko bukeye bwaho bazaza kubazwa, koko bukeye haza abagenza-cyaha ba Parike babaza abo bapadiri ndetse bunakeye hagaruka uwo Commandant BIZIMANA n'abasirikare maze barabatwara, ndetse GAKWISI anavugaga ko MISAGO avuye mu nama ya KAMBANDA muri Mata 1994 yamubwiye ko uwitwaga NTEZIRYIMANA Faustin, umu CDR wo muri RWAMIKO yavugiyemo mu nama ko MISAGO abitse inyenzi iwe zirimo kwandika ibitabo bigaragaza ko kuba abo bapadiri bari kwa MISAGO byari bizwi na benshi, cyane ko icyo nama yabayeho bese bari bakiri kwa MISAGO ;

RUSANZE muri ibyo byose ubushinja-cyaha ntaho bwerekana umugambi cyangwa ubufatanyacyaha MISAGO yaba yarafitanye n'ibyo bitero by'interahamwe cyangwa se n'uwo

mukuru w'ingabo BIZIMANA cyangwa ngo bugaragaze ko ibyo bitero bitazaga bimutunguye buri gihe cyangwa ngo bagaragaze ko ari we wabaga abihamagaye cyangwa ko ariwe wabaga ahurujye izo nterahamwe na Commandant BIZIMANA ;

RUSANZE na none nta bimenyetso bigaragaza ko MISAGO hari umugambi mubi yari afitiye bariya bapadiri b'abatutsi, ibyo bikagaragazwa n'uko iyo agira uwo mugambi mubisha wo kubatanga no kubagambanira ngo bicwe nk'uko yabisobanuriye Urukiko atari butumeho padiri MURINZI Canisius na GAKWISI J. Bosco bari bamaze kurokokera kuri Paroisse ya GIKONGORO kuwa 19/4 ndetse ngo anagerageze kubahungishiriza i BUTARE nubwo bitashobotse nk'uko byemezwa na GAKWISI ubwe avuga ko uretse Padiri MURINZI abandi basohowe biciwe aho, MURINZI akizwa na Padiri NTAGANDA wamugejeje kwa MISAGO we na GAKWISI, MISAGO ashaka kubohereza i Butare aterefona Perere BUCYIBARUTA amushyiriza ko nta mututsi ugenda mu mun muhanda, byongeye kandi iyo MISAGO aza kuba ashaka urupfu rw'abo bapadiri atari gutanga ariya mafaranga 500.00 Fr atigeze anyomozwa, cyangwa ngo abe yarakomeje kubika abo bapadiri bose b'abatutsi, kugeza mu kwezi kwa gatanu bicwa, mu gihe kandi abandi batutsi bicwaga hirya no hino cyangwa ngo ahishe GAKWISI kugeza ubwicanyi burangiye, kandi nawe ari umututsi ;

RUSANZE kuba Ubushinja-cyaha bushingira ikirego cyabwo kungufu cyangwa ububasha MISAGO yari afite muri icyo gihe bwo kuba yabuza ubutegetsu kujyana abo bapadiri ndetse bunashingira k'ubucuti MISAGO yaba yarafitanye na Perefe BUCYIBARUTA na Commandant BIZIMANA, Urukiko rutabifataho nk'ikimenyetso rwashingiraho buvuga ko atabatabaye kuko ubwo bucuti butagaragarijwe Urukiko kandi ko itegeko ridasaba ubutwali budasanze mu bihe ubuzima bwahutazwa ( la loi n'exige pas la bravoure ou l'exploit), kandi ko bitanakwitwaga kuba icyitso cy'abishi cyangwa cy'abo bajandarume kuko n'ubushinja-cyaha butigeze bugaragaza inkunga ya mgombwa MISAGO yatanze k'uburyo iyo atayitanga abo bapadiri batari bwicwe, cyane cyane ko batagaragaza uburyo yari kurwanya Commandant ufite abasirikare, ndetse afite na Mandat d'arrêt ya Procureur SEMIGABO Celse bese baliagarariye ubutegetsu bwa Leta ;

RUSANZE kuberekeye urupfu rwa Innocent na NYIRANTAKONTAGIZE M. Aimée bombi bakoraga muri Evêché, Ubushinja-cyaha bushinje MISAGO bushingiye ku mvugo ya Padiri GAKWISI J. Bosco gusa nawe wari wihishe aho, akaba atarigeze amenya imigendere yabo n'urupfu rwabo uretse kubibwirwa, nyamara hakaba abandi bagabo banagaragarije urukiko ko babashije kubona no kuvugana n'abo ba nyakwigendera muri Evêché mbere yuko bicwa, abo bagabo bakaba ari MATABARO Cyriaque wari Umutetsi kuri Paroisse ya GIKONGORO, Umubikira NIKUZE Sarto wakoraga kuri Evêché n'Umubikira Casienne MUKAMULIGO wari umushyitsi aho muri Evêché ,

RUSANZE imvugo ya MATABARO Cyriaque yemeza ko ubwe yabwiye na Innocent ko yifuza kuva muri Evêché akajya mu nkambi ya Murambi, ibyo bigashimangirwa kandi n'imvugo ya NIKUZE Sarto wabwiye Urukiko ko ubwicanyi butangira Marie Aimée yari yahungiyeye i Murambi n'ababyeyi be, agaruka kuri Evêché gushaka ibyo kurya nk'umukozi waho, aliko aho biciye abantu kuri Paroisse kuwa 19/4 ndetse n'interahamwe zigatangira kujya zulira urugo rwa Evêché zibashakisha, ubwabo basabye Sarto NIKUZE ko yabingirira Madeleine Raffin wari usanzwe ajya mu nkambi ya Murambi agemuye, ko yabagezaye bakagumana n'abana cyane ko byanavugwaga n'ubutegetsu ko ariho hari uburyo bwo kubalinda, (par les hauts parleurs) naho MUKAMULIGO Cassienne we akaba yarabwiye Urukiko ko Innocent

yafashe icyemezo cyo kujjya i Murambi kuko yari afite ubwoba nubwo Soeur Sarto yamuhishaga niu mangazini akanga akavamo ndetse ko Marie Aimée we Soeur Sarto yari yamubujije gusohoka ndetse anamusaba ko yigumira muri Evêché byaba ngombwa akazapfana n'abandi ariko we arabyanga ;

RUSANZE mu miburanire ya MISAGO yarabwiye Urukiko ko atariwe wafashe umugambi wo kohereza abo bakozi babili i Murambi ko ahubwo cyari icyifuzo cyabo kikaba cyaramugezeho bakinyujije kuri Raffin nawe ubwe akemera icyo cyifuzo cya banyirubwite, Raffin abatwaye babamwambulira kuri barrière, ko yamenye iby'urupfu rwabo abibwiye na Madeleine Raffin iyo mvugo igahuza n'iyabagabo batatu bari kumwe n'abo bakozi,ko ndetse na Madeleine Raffin mu nyandiko ye yo kuwa 6/1/2000 yohereje Urukiko ashimangira yemera ko ariko byagenze ko,babamwatse kuri barrière kuwa 20/4/94 bagahita babica ;

RUSANZE ubushinja-cyaha butarashoboye kunyomoza izi mvugo zose bugashaka kugaragaza gusa ko MISAGO yari azi ko bagiye kwicwa ndetse ari nawe wabohereje abishi, nyamara bikaba byaragaragaye ko abo bakozi bagiye ku bushake bwabo nyamara aliko kuba atarababujije bitakwitwa icyaha cyane ko n'ubushinja-cyaha butagaragaza umugambi na gahunda MISAGO yari afitanye n'abo bishi ;

RUSANZE kuberekeye urupfu rw'abana bagera kw'icumi n'umugore ukuze (KANKINDI) MISAGO yaba yaravanye i Kibeho kuwa 17/4/9, ubushinja-cyaha bumushinja buhereye ku mvugo ya NZEYIMANA Maximilien imbere y'Ubugenzacyaha taliki ya 7/5/99 aho avuga ko MISAGO yazanye abanyeshuri abavanye i Kibeho, abagejeje kuri barrière ya Gasaka barabica, abyemeza ko yanabyibonye n'amaso ye kuko we yabaga mu kigo i Kigenie ntaho yajyaga kuko iwabo bose bari nyamara akemeza ko yabonye imodoka y'ubururu yagejeje abo bana ku bitaro ngo ntibururutswe ngo MISAGO agakomeza n'imodoka ikamukulikira bakajya kubicira kuri barrière yari iyobowe n'uwitwa CYUMA ;

RUSANZE iyo mvugo ya NZEYIMANA Maximilien Urukiko rutayifataho ukuri kuko yivuguruzaga avuga ko yibonye n'amaso ye MISAGO n'abandi bica abo bana i Gasaka, akanavugaga ko nyamara yiberaga mu kigo adasohoka, bikaba bitumvikana ukuntu umuntu wari mu bitaro imbere, kandi yihishe nawe ubwe abicanyi, yaba yarabonye ibikorera ku muhanda mu Gasaka hari urugendo rwa 1 Km uretse gukekeranya ;

RUSANZE Urukiko rugomba gushingira ku bagabo babajijwe imbere yarwo bashobora kuba bazi ukuli k'urupfu rwa baliya bana aribo 1) Pierre Célestin wari i Kibelio wemeza ko abo bana MISAGO yabatwaye agiye kubavuzaga barokotse ubwicanyi aliko ko ibyakulikiyeho atabizi ; 2) Virginie UKUNZWE wakoraga muri Centre Nutritionnel ya Kigeme wemeza ko kuri 17/4 mu masaa munani, yaje kubitaro kuvuza umwana w'imfubyi witwa NIYOMUFASHA, asanga abana ku bitaro harimo abarembye abakozi bamubwira ko ari MISAGO wabazanye kandi ko na nyuma yalioraga abona umuzungukazi ubagemuliye ; 3) RUGEMA Jérôme nawe wiyemereye ko ari umwe mu barokotse muri bariya bana i Kibeho, avuga ko MISAGO yabajyanye bagera kw'icumi, bageze ku Kigeme abari bakomeretse babaha igitanda, umugore umwe wari ukomeretse cyane ahita apfa ko abandi bari abana ; iyo mvugo ye ikaba ihuza n'iya Silas NSANZABAGANWA wabwiye Urukiko ko mubo MISAGO yavanye i Kibelio harimo umugore witwa KANKINDI akaba kuva ubwo atarongeye kuboneka ; ko abandi bakomeje kuvurirwa aho, ko we abagore b'abasirikare baraho baje kumugira umuboyi wabo, ko nyuma aribwo abishi bateye mu bitaro abarimo bakicwa ndetse n'abo

banyeshuri, iyo mvugo ye igahuza n'iya Musenyeri BIRINDABAGABO wabwiye urukiko ko mu kwezi kwa gatanu aribwo abishi bateye mu bitaro kandi ko yiboneye mbere yaho gato abantu bavanwaga mu bitaro babatwara mu modoka y'ubururu bajyaga kubica babatemagura babajugunya mu nsi y'umuhanda ;

RUSANZE ku myiregurire ya MISAGO yemera ko yatwaye abo bana akabageza mu bitaro bya Kigeme, ko ariko ibyabayeho nyuma atabimenya ko gusa yari yasabye Madeleine Raffin kujya abagezaho ibyo kurya mu rwego rwa Caritas, bityo ubushinja-cyaha akaba aribwo bugomba kugaragaza uruhare MISAGO yagize mu rupfu rw'abo bana bigaragaza ko yabagejeje mu bitaro bya KIGEME ari bazima aho kumubuza kwerekana ababishe cyangwa kugaragaza ko bariho ( par démarches Contraires) bityo urukiko rugasanga ari ugushidikanya ku ruhare rwa MISAGO mu rupfu rw'abo bana cyane ko n'ubushinja-cyaha nta kindi kimenyetso bugaragaza ;

RUSANZE rero bitumvikana ukuntu MISAGO yari kuba afite umugambi wo kwicisha bariya bana akarinda kubagendana ibirometero bisaga 20 kandi aho yari abavanye i KIBEIIO n'ahandi hose yanyuze abishi batari babuze, yagera i GASAKA hari barrière akabanza kujya kubamurika ku bitaro mbere yuko abagarura kubicira aho kuri barrière y'i GASAKA ;

RUSANZE ikirego kijyanye n'urupfu rw'abanyeshuri bo muri EAV KADUHA ubushinja-cyaha bwaregaga MISAGO bwarakiretse mu mwanzuro wabwo kuko n'abagabo bose babajijwe mu rubanza ndetse n'ababajijwe mu bugenza- cyaha no mu bushinja-cyaha bagaragaza ko nta munyeshuri numwe wahaguye kuko bari mu biruhuko ;

RUSANZE nyamara mu myanzuro yabwo y'urubanza (réquisitoire) ubushinja-cyaha busaba ko MISAGO yaryozwa abantu bapfiriye kuri Paroisse no kuri Centre de santé bya KADUHA bukaba bushingira ku mvugo ya Caporal NZAMWITA wabwiye Urukiko ko yabonye MISAGO i Kaduha mbere yuko abantu bicwa kuwa 21 /4 ngo akoresha amanama y'ubwicanyi i KADUHA, ibyo MISAGO agatsemba avuga ko atigeze akandagira i KADUHA muri ibyo bihe, iyo mvugo ya NZAMWITA ikaba nta gaciro yahabwa nkuko n'abagabo babajijwe mu rubanza imbere y'ubugenza-cyaha aribo Sr Milgitha, GAHAMANYI Gaspard, Thacianne MUKAMUKUNDE, Anastasie MUKANSONERA, J. Claude NDOLIMANA, Janvier MUKUNDE, MBANZAMIHIGO Charles, MUKESHIMANA Goretti bari basanzwe i KADUHA bo bemeza ko babonye MISAGO limwe gusa i Kaduha kuwa 21/5/94 izo mvugo zigahuza n'iya MISAGO ;

RUSANZE kuri iyo tariki ya 21/5 nk'uko byemezwa na MISAGO ubwe aherekejwe na Padiri NTAGANDA, Soeur Milgitha na GAHAMANYI bemeza ko MISAGO yari azanywe n'ibibazo by'akazi no kubonana n'abapadiri NYANDWI na MUDAHARANWA Léodomir bari bacumbitse muri EAV binaba ngombwa ko akorana akanama nabo, ako kanama kakaba kari kagamije gucyaha NYANDWI kubera imyifatire mibi ye muri icyo gihe, nk'uko yari yabimenyeshejwe na Soeur Milgitha ibyo byose ubushinja-cyaha bukaba butarabinyomoje ;

RUSANZE amagambo y'ubugome yo gushishikariza ubwicanyi Incitation au Génocide) ubushinja-cyaha bushinja MISAGO bwarashingiye ku mwugo z'abagabo bavuguruzanya, NDORIMANA avuga ko MISAGO yasize avuze ngo nagaruka ntazasange ibitotsi aho , MUKUNDE Janvier we ngo abapadiri banjye narabatanze, aba kuki mutabica, na none MUKAMUKUNDE akemeza ko ayo magambo MISAGO yayabwiye Padiri NYANDWI na GAHAMANYI bari mu biro naho NDORIMANA, MUKUNDE bo bakemeza ko ayo magambo

yayabwiye NYANDWI na GAHAMANYI bamuherekeje ku kibuga aho abo bana bakiniraga amakarita, naho NDAGIJIMANA François we akemeza ko yabaramukije gusa akigendera, bityo rero uko kuvuguruzanya kw'abagabo kubirebana n'amagambo MISAGO yaba yaravuze ndetse naho yaba yaravugiye Urukiko rukaba rutabifataho ukuri kuko harimo ugushidikanya ( Doute) ;

RUSANZE urupfu rw'abanyeshuri baguye mu ishuli ryo kuri Marie Merci bagera kuri 90, byasobanuwe muri za Rusanze zibanziriza iyi ; Inama yo kuwa 5/5/94 MISAGO yagiyemo atariyo ntandaro y'iyicwa ry'abo banyeshuri, abagabo babajijwe ndetse n'ubushinja-cyaha bukaba nta kimenyetso na kimwe gifatika bashyikirije urukiko cyerekana uruhare rwa MISAGO mu iyicwa ry'abo banyeshuri ngo gifatweho ukuri, rukaba rutagendera ku mvugo y'umugabo umwe nawe wabwiwe ariwe ZIGIRUMUGABE uvuga ko yabwiwe n'umujandarume ko MISAGO yabatanze, Ubushinja-cyaha bubigenderaho buvuga ko kuba MISAGO yarahavuye hashira iminsi itatu abana bakicwa, ngo ubwo ari mu bacuze umugambi w'iyicwa ry'abo banyeshuri ;

RUSANZE kuberekeye uru rupfu rw'abanyeshuri bo kuri Marie Merci harabayeho tentative (igerageza) ryo kubica mbere y'uko MISAGO na bagenzi be bahaza, bikozwe n'abaturage nk'uko byemezwa na KABANO Narcisse wari umutetsi muri icyo kigo imbere y'ubugenza-cyaha bagateshwa nabo bajandarume bane bari baharinze, ko nyuma y'uko ba MISAGO bahava haje umusirikare mukuru uvuye RWAMIKO aza avuga ko hari abantu bari buzinduke baza gukubura i KIBEHO, akomeza ajya muri NSHILI iyo mvugo ikaba ihura n'iya Silas NSANZABAGANWA nawe wemeza ko Capitaine SEBUHURA ariwe wanyuze aho ahindura abo bajandarume, akaba aribo bishe abanyeshuri bukeye bwaho, iyo mvugo ikaba inahuye n'iya Caporal NZAMWITA wabwiye Urukiko ko SEBUHURA yari muri wa mutwe w'abicanyi witwaraga (Escadron de la mort) ;

RUSANZE kuberekeye urupfu rwa Padiri NIYOMUGABO Joseph ubushinja-cyaha burega MISAGO, urukiko rwarashingiye ku mvugo ya GASASIRA Juvénal, imbere y'ubushinja-cyaha, NZAMWITA Céléstin, Soeur MUKAMURIGO Cassiene, Padiri MBONEYABO Ignace, uyu akaba yarihishanye na NIYOMUGABO mbere yuko yicwa bese bakaba bemeza ko abantu bo mu nkambi ya Cyanika bishwe kuwa 21/4/91 ;

RUSANZE tariki ya 21/4/94 nk'uko byemezwa na Padiri MBONEYABO hari impunzi nyinshi kuri Paroisse ya CYANIKA, ko mu gitondo birimo gufungura, baburiwe n'umujandarume atamenye izina na GASASIRA Juvénal wari umushoferi wa Centre de Santé, maze bajya kubahisha muri Pharmacie ya Centre de Santé bari kumwe na MUSONI Aloys, Faratri NTIMUGURA Marc, MBONUGABO Ignace, Athanasie, Bellancilla, RUGEMA, bemeza ko NIYOMUGABO yabashije guterefone MISAGO, amubwira ko bakiriho ko yagerageza kubatabara, MISAGO nawe iyo nkuru ayimenyesha abo bari kumwe avuga ngo Imana Imana ishimwe nk'uko byemezwa na Padiri GAKWISI J.Bosco na Soeur Cassienne MUKAMURIGO bari muri Evêché, bicwa tariki ya 24/4/94 ku manywa ubwo bari bavumbuwe n'abanyururu bavuye ku GIKONGORO baje gushyingura imirambo y'abishwe ku itariki ya 21/4/94, bababonye bakiyamira, ko rero batishwe n'abasirikare bari boherejwe na MISAGO amaze guterefone Capitaine SEBUHURA nk'uko bivugwa na Caporal NZAMWITA, nawe uvuga ko yabyumvanye abandi basirikare mu kigo Urukiko rukaba rutakwita ku mvugo ye inyuranye n'iy'abandi cyane cyane bari kumwe na NIYOMUGABO ;

RUSANZE mu iburanisha MISAGO nawe yiyemerera ko Padiri NIYOMUGABO yamuterefonnye amumenyesha ko bakiriho, iyo nkuru akayishimira ndetse akabimenyesha na bagenzi be b'abatutsi n'abahutu bari kumwe ku meza, we na bagenzi be ntibahita bafata icyemezo cyo kujya kumuvanyo kuko yatinyaga ko baba bamutsinda mu nzira, kuko hari amabariyeri menshi mu nzira, ndetse ko na Evêché iterwa kabiri yatabaje Perefe ntiyamutabara, Emma na Innocent bakabambura Raffin kuri bariyeri bakicwa, n'ubwicanyi mu nkambi ya MURAMBI n'i CYANIKA ibyo byose bituma bafata icyemezo cyo koherereza Juvénal GASASIRA amafaranga yo, kubatunga mu gihe bagishakisha ubundi buryo bwo (kubatabara) kubarwanaho ; MBONEYABO Ignace nawe akaba yemeza ko GASASIRA ariwe wabagemuriraga, kandi ko nuwo mugambi wo kuhabavana yawumenye aho NIYOMUGABO aterefonnye MISAGO.

RUSANZE kuba MISAGO ataratabaje Perefe BUCYIBARUTA cyangwa Commandant w'ingabo (Jandarumeri) ngo yohereze abasirikare bo kujya kubavana aho bari bihise ubushinja-cyaha ntibugaragaza ko kutabatabara yari afite umugambi n'ubushake by'uko bicwa, (intention criminelle) cyane ko MISAGO yemera ko Sous -Préfet NTEGEYINTWALI yamuterefonnye amubwira ko NIYOMUGABO yishwe, bakababara nyuma aho bamenyeye ko akiriho na bagenzi be bakishima, ko iyo agira umugambi mubi yari bubibwira NTEGEYINTWARI wari umwanzu we (wa NIYOMUGABO) nk'uko byemezwa na Padiri UWEMEYE Alphonse ; ndetse n'abandi bicanyi bariho icyo gihe muri ako karere, ( gutungirwa agatoki), ko ndetse atari bugeze iyo nkuru y'uko NIYOMUGABO akiriho kuri bagenzi be b'abatutsi n'abahutu, yishimye, ngo agerekeho no kubohereza amafaranga yo kubatunga, ndetse na MUSONI warokokeye aho w'umututsi bikiba bitari bushoboke, iyo MISAGO aba afite uwo mugambi mubisha wo kwicisha abatutsi, kuko nubwo baba baramwibeshyeho nk'umuhutu nk'uko ubushinja-cyaha bubivuga, MISAGO we atarayobewe ko ari umututsi ;

RUSANZE kuberekeye urupfu rw'abapadiri baguye muri Centre Christus bari baherekeje MISAGO aribo : Padiri KANYONI Boniface, NZARUBARA Alfred, GAKWAYA Straton na NIYIREMA J.M.Vianney n'abandi bahaguye, abaregera indishyi bakaba barega MISAGO kuba atarabatabaye kugeza bicwa kandi yarabimenye. Urukiko rugomba kugendera ku nyandiko ya Frère Victor Moine Trapiste de MOKOTO, RDC , wari hamwe n'abo bishwe, inyandiko yatanze n'abaregera indishyi aho avuga ati abatutsi bo kuri Centre Christus bamaze gupfa batefonye kuri Nonciature n'ibindi bigo by'abihaye Imana ngo babashyingure babasubiza ko nta bushobozi bwo gusohoka kuko abasirikare bari bagose amazu yabo hirya no hino, naho ko imvugo ya MUGUNGA Antoine yo kuwa 18/2/2000 rutayitaho kuko nawe avuga ko iby'urupfu rwabo yabibwiwe n'umuyobozi wo kuri Christus witwa Jean-Marie ;

RUSANZE muri iyo nyandiko ya Frère Victor Bordeau (du Monastère de Mokoto) yanditse taliki ya 16/4/94 mbere y'uko MISAGO akurikiranwa, igatangazwa mu Kinyamakuru cyitwa Renaître n° 09 cyo kuwa 15/5/94, akaba ariwe mugabo imvugo ye Urukiko rwagenderaho kuko yari kumwe nabo baguye muri Christus, akaba yemeza ko taliki ya 7/4/94, mu masaha atatu n'iminota cumi n'itanu (9h15) aribwo haje abasirikare bababwira kwinjira mu cyumba we n'abandi banyamahanga, abandi bagombaga kwicwa b'abanyarwanda b'abatutsi babatwara mu kindi cyumba babarasiramo ; ko ibyo babimenye ko bapfuye mu masaha icyenda ; iyo mvugo ye ikaba ihuye n'iya MISAGO wabwiye Urukiko ko bamenye iby'urupfu rw'abo bapadiri mu masaha kumi babimenyeshejwe na Nonciature ;

RUSANZE nta kimenyetso na kimwe cyagaragarijwe Urukiko ko mbere y'uko abo bapadiri 4 n'abandi bagenzi babo bicwa baba barabimenyesheje MISAGO nk'uko byemezwa na Frère Victor ko bakimara kubatwara mu cyumba babafutigiyemo, ibisasu byahise bivuga ariko bo bakomeza kuguma ku cyizere cy'uko bariho, ubwo bari bamaze gutuma umukozi waho mu kigo ngo abarebere (mu ma saa tanu) akabizaza ko urugi rw'icyumba rukinze ko amasasu yavugiye ku rundi ruhande rw'umuhanda bityo bakomeza kwizera ko abo bapadiri bakiri bazima kugeza ubwo mu masaa cyenda haje undi musilikare wari uzanye imfubyi 2 bari bamaze kwicira ababyeyi, akajyana na Padiri Christian bagasanga urugi rukinguye buhoro (entouverte), basanga n'imirambo gusa ;

RUSANZE iyo nyandiko igaragaza ko abo bapadiri bishwe n'abo basilikare mu ma saa tatu bakibatwara, MISAGO akamenyeshwa ko bafunzwe mu masaa yine nk'uko n'abo bazungu bari bagifite icyizere ko bafunzwe gusa, bityo akaba ataryozwa icyaha cyo kudatabara mu gihe yatabajwe bamaze gupfa kandi nawe n'aho abimenyeye agatabaza (Ambassade ya PAPA mu Rwanda) Nonciature, ikindi kandi n'imvugo ya MISAGO ikaba yakwitabwaho y'uko muri icyo gihe ubutegetsi bwategetse buri wese kuguma iwe (couvre feu), bikaba bitari bunamworohere gusohoka ngo abatabare bityo icyo yashoboye gukora kikaba ari ugutelefone Nonciature ayitabaza, ko atigeze aha aho muri archêvêché ya Kigali mbere ya 12/4/94, ibyo bikaba byemezwa na Soeur Frédéric ;

RUSANZE icyaha cyo kudatabara abari mu kaga k'urupfu nka : NIYOMUGABO, MURINZI, NYAMWASA, MUSONI, GAKWISI, RUDAKENGA, Fratri Protas n'abapadiri bandi baguye kuri Centre Christus, abana b'i Kibeho ndetse n'abandi baguye hirya no hino mu gihugu, MISAGO aregwa mu kirego abahagarariye abaregera indishyi bashyikirije Urukiko (muri Citation directe) bavugaga bati :

Attendu que le silence coupable de la hiérarchie catholique notamment de Monseigneur MISAGO Augustin a encouragé les génocidaires Rwandais dans leur macabre dessein atari ikimenyetso cy'icyaha cyo kudatabara abari mu kaga k'urupfu cyane cyane ko uregwa yagaragariye Urukiko amatangazo we na bagenzi be bagiye bashyira ahagaragara bamagana ubwicanyi bwakorerwaga mu Gihugu, banasaba ubutegetsi bwariho icyo gihe gushakira abaturage amahoro kandi ko n'ubusanzwe umutekano w'abaturage ushinze ubutegetsi bwa Leta aho kuba ubuyobozi bw'amadini bizwi ko budafite abashinze gucungira umutekano (ingabo) n'abantu n'ibintu bityo MISAGO akaba ataryozwa kuba atarafashe ingamba zo kulinda umutekano w'abantu bicwaga icyo gihe cyane cyane abo ku Gikongoro ;

RUSANZE ku cyaha cyo kurema umutwe w'abagizi ba nabi MISAGO aregwa afatanyije na BUCYIBARUTA, Major BIZIMANA gishingiye ku manama MISAGO yitabiriye we n'abandi bantu bingeri nyinshi, ubushinje-cyaha bukaba butarabashije kugaragaza ubwumvikane (entente) yo kurema udutsiko ndetse n'umugambi wo gutegeza ubwicanyi yayivugiyemo ku mugaragaro, bityo bukaba butamushinje icyaha cyo kurema umutwe bushingiye gusa ko kuba we n'abandi baritabiriye inama zitumiwe n'ubutegetsi bwa Leta ;

RUSANZE icyaha MISAGO aregwa icyaha cyo kuyogozwa igihugu yica, atsemba imbaga giteganywa n'ingingo ya 168 (CPLII) y'igitabo cy'amategeko ahana y'u Rwanda ari kimwe mu byaha bikorewe igihugu kandi bivutsa igihugu umudendeko bigamije guhilika inzego z'ubutegetsi (renverser les institutions étatiques) bityo rero kikaba atari icyaha cyaburanishwa n'Urugereko Rwihariye, ko ari icyaha kiri mu bubasha bw'izindi nkiko, kuko

ibyo byaha byo kwica no kuyogoza byakozwe icyo gihe bitali bigamije guhilika inzego z'ubutegetsi bw'icyo gihe ahubwo byakozwe bishyigikiwe n'ubwo butegetsi bwaliho ;

## 2. KU BW'INDISHYI

RUSANZE muri uru rubanza indishyi zisabwa n'abaregera indishyi ari miliyari 15 (15 Miliards) zikomoka ku bantu babo bapfuye ndetse no ku byangilitse, bakaba bazisaba MISAGO Augustin, Archidiocèse ya Kigali, Diocèse ya GIKONGORO na Leta y'u Rwanda, naho ubushinjacyaha bugasaba MISAGO Miliyari 1 (1 Milliard) y'amanyarwanda agahabwa abakorewe ibyaha bataramenyekana ;

RUSANZE indishyi MISAGO asabwa ataziryoza nk'uko byavuzwe muri za Rusanze zibanza ko mu byaha ashinjwa nta kimuhama, Urukiko rukaba ntaho rwashingira rumutegeka gutanga izi ndishyi we na Diocèse ya GIKONGORO ahagarariye ;

RUSANZE indishyi zisabwa Archidiocèse ya Kigali abazisaba bazishingira ku byaha Musenyeli NSENGIYUMVA Vincent wari Archevêque wa Kigali yakoze bikaba intandaro y'abishwe mw'itsembabwoko, Urukiko rukaba rutabona uburyo rwazigena ruziryoza Archevêché ya Kigali mu gihe rutaregewe ibyaha Munsenyeli Vincent NSENGIYUMVA yaba yarakoze, cyane cyane ko yanitabye Imana izo ndishyi zikaba zaregerwa izindi nkiko zibifitiye ububasha ;

RUSANZE Leta y'u Rwanda indishyi isabwa abaregera indishyi bashingira k'uburyozwacyaha n'imikorere mibi bya BUCYIBARUTA wari Préfet wa GIKONGORO, Commandant BIZIMANA wari umukuru w'ingabo ku ( Gikongoro ) n'abandi bategetsi ba Leta, Urukiko rukaba rutaziryoza Leta nk'uko rutaregewe ibyaha abo bakozi bayo bakoze ngo rubibahamye, bityo Uruhare n'uburyozwandishyi bugaragare ;

## KUBERA IYO MPAMVU

RWEMEYE kwakira ibirego rwashyikiliywe n'ubushinja-cyaha ndetse n'abaregera indishyi kuko byaje mu buryo bihuje n'amategeko ;

RWEMEJE ko ibyaha MISAGO ashinjwa bitamuhama ;

RUKIJIJE KO MISAGO ATSINZE;

RUTEGETSE ko MISAGO ahita afungurwa urubanza rukimara gusomwa .

RUTEGETSE ko amagarama y'urubanza ahwanye na 100.740FRW aherera kw'isanduku ya Leta ;

RUVUZE ko abaregera indishyi muri uru rubanza uko ari 546, batazihawe nk'uko byasobanuwe muri za Rusanze zibanza ;

RUVUZE ko kujurura ari iminsi 15 uhereye umunsi urubanza rusomeweho

RUVUZE ko rwatinze gucibwa kubera ko uru rubanza rwali rurerure cyane k'uburyo rutashoboye kubahiliza iminsi uniunani iteganyijwe n'itegeko ;

NI UKO RUKIJWE MU RUHAME RWA BENSHI NONE KUWA 15/06/2000

Juji PEREZIDA Juji

KAYITANA RUTAREMARA RUBERWA  
Dominique Savio S. Jariel Zacharie  
(Sé) (Sé) (Sé)

Mbyandukuye uko byanditswe none kuwa 23/6/2000  
Uniwanditsi, MUKAMAZERA MARIE Antoinette  
(Sé)