

GAFUKU, URUKIKO RWA MBERE RW'IREMEZO RWA GIKONGORO, URUGEREKO RWIHARIYE, IKIZA RY'URUBANZA RYO KUWA 13 GICURASI 1997

HAKIZIMANA Julien

Tribunal de Première Instance de Gikongoro, Chambre Spécialisée

Jugement du 13 mai 1997

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URUKIKO RWA MBERE RW'IREMEZO RWA GIKONGORO, URUGEREKO RWIHARIYE

IKIZA RY'URUBANZA RYO KUWA 13 GICURASI 1997

RM.P. N° 97.440/S2/HJD / HAV RP N° 0009/S1/Giro

URUKIKO RWA MBERE RW'IREMEZO RWA GIKONGORO URUGEREKO RWIHARIYE RURI KU GIKONGORO RUHABURANISHIRIZA MU RUHAME IMANZA Z'ISHINJA-CYAHA ZEREKERANYE N'IBYAHA BIGIZE ICYAHA CY'ITSEMBABWOKO N'ITSEMBETSEMBA CYANGWA IBYAHA BYIBASIYE INYOKO -MUNTU RWAKIJIJE URU RUBANZA MU RWEGO RWA MBERE MURI UBU BURYO BUKURIKIRA :

HABURANA :

UBUSHINJA-CYAHA

na

NTORANO, NIYOMBONA, NYIRANDIMURUGERO, MABERA, MBONINKIZA, NYIRAMBIBI, NYIRANTURO, MUKANSANGA, na BAZURERERE (baregera indishyi)

ABASHINJWA :

- HAKIZIMANA Julien : Mwene MUNYAGAHERA na NYIRABIKARI Stéphanie, yavukiye i Musenyi, muw'i1962, yashakanye na NTAWUZIYANDEMYE Concesse, bafitanye abana (umwana 1), umuhinzi utagira icyo atunze, nta kindi cyaha yakoze ngo akurikiramwe n'ubucamanza.

- ZIMULINDA Anastase : Mwene MUKEZANGANGO (d d d)na NYIRAKANO (d c d) yavutse muw'1970 I KIRWA, segiteri MUSENYI, Komini MUSEBEYA, Perefegitura Gikongoro, niho atuye, yashakanye na NYIRASHIRIMPAKA, bafite abana 3, umuhinzi utunze inka 1, nta kindi cyaha yakoze kizwi ngo akurikiranwe n'ubucamanza ;

- MIRASANO Simon: mwene BAZIGA NA NYIRANTURO Marie (dcd)w'i Musenyi, wavutse muw'1945, yashakanye na MUKANDANGA Vicencie, bafite abana 7, umuhinzi utagira icyo atunze, nta kindi cyaha kizwi yakoze ngo akurikiranwe n'ubucamanza.

- KANAMUGIRE Oswald : mwene KAMILINDI Evariste (dcd) na NYIRANGABE Perusi, yavutse muw'1965, i Musenyi, Muko, Gikongoro, yashakanye na umuhinzi utagize icyo atunze, nta kindi cyaha kizwi yakoze ngo akurikiranwe n'ubucamanza.

- GAFUKU Damien : mwene NKATANYI (dcd) na NYIRANSHUTI (dcd) yavutse muw'1950, i Kirwa, segiteri Musenyi, Komini Muko, Perefegitura Gikongoro, niho atuye, yashakanye na NYIRARUKWAVU, bafitanye abana 9, umuhinzi, nta kindi cyaha kizwi yakoze ngo akurikiranwe n'ubucamanza utunze ihene: umunyarwanda.

- SINUMVAYINO : Umwirondoro we ntuzwi neza (dcd).

- MBANGUKIRA Aloys : mwene MUHUMBUZA na NYIRABAJIJI, wavutse muw'19.., avukira I Nganzo, segiteri Musenyi-Muko-Gikongoro, niho atuye, yashakanye na YANKURIJE bafitanye abana bane, umuhinzi, ntacyo atunze kandi nta kindi cyaha kizwi yakoze ngo akurikiranwe n'ubucamanza.

- MURWANASHYAKA X : mwene MUHUMUZA na NYIRABAJIJI, wavutse muw'1960, avukira muri selire Nganzo, segiteri Musenyi, Komini Muko, Perefegitura Gikongoro, washakanye na MUKAMANA, nta mwana bafitanye, umuhinzi ntacyo atunze, kindi cyaha kizwi yigez akora ngo akurikiranwe n'ubucamanza.

IBYAHA BASHINJWA :

Kuba bari i Musenyi, segiteri Musenyi, Komini Muko, Perefegitura Gikongoro, muri Repubulika y'u Rwanda hagati hagati 'ukwezi kwa kane 1994 n'ukwezi kwa gatanu 1994 ari gatozi bafatanije cyangwa bamwe ari ibyitso by'abandi (art. 89,90 na 91 CPLI) bararemye umutwe ugamiye kugirira nabi abantu n'ibyabo.

Icyo cyaha giteganwa kandi gihanishwa ingingo ya 28 n'ya 282 yo mu gitabo cya kabili cy'amategeko ahana yo mu Rwanda.

Kuba bari aho hantu havuzwe haruguru mu gihe kimwe n'uburyo bumwenk'ibyavujzwe haruguru baragabye ib itero bigamiye kwica abantu (abatutsi) bakaba barishe abantu barimo : KARWERA Dativa, KAGAJU, MUSHIMIYIMANA, UWIFASHIJE, KAMPIRWA, NKEZABERA, MUSHIMIYIMANA Bonifrida, SEBUTIMBIRI, KANJIJIMA, KAMANYANA Cécile, NYIRANGIRUWONSANGA n'abandi

Icyo cyaha giteganwa kandi gihanishwa ingingo ya 612 yo mu gitabo cya kabili cy'amategeko ahana abakoze bene icyo cyaha mu Rwanda.

Kuba bari aho hantu havuzwe haruguru mu gihe kimwe n'uburyo bumwenk'ibyavujzwe haruguru, barishe abo bantu barimo KARWERA Dativa n'abandi bavuzwe haruguru baguye muri segiteri Musenyi, kuba barabishe babikoze mu rwego rusanze rw'umugambi wariho wo kwica abatutsi n'abataravugagarumwe n'ubutegetsi bwariho. Icyo cyaha giteganwa kandi gihanishwa hakurikijwe ITEGEKO-Ngenga n° 8/96 ryo kuwa 30/8/1996 rigena imitunganyirize y'ikurikirana ry'ibyaha bigize icyaha cy'itsemba-bwoko n'itsembatsemba cyangwa ibyaha byibasiye inyoko-muntu byakozwe kuva kuwa 01/10/1990;

Rumaze kubona ikirego rwashyikirijwe n'ubushinja-cyaha burega HAKIZIMANA Julien, ZIMULINDA Anastase, MIRASANO Simon, KANAMUGIRE Oswald, GAFUKU Damien,

MURWANASHYAKA Boniface, MBANGUKIRA Aloys na SINUMVAYINO wapfuye; ko baremye umutwe ugamiye kugirira nabi abantu, baragabye ibitero byari bigamiye kwica abantu babaziza ubwoko bwabo, bakaba barishe abo bantu mu mugambi rusange wariho wo kurimbura igice kimwe cyabaturage b'abatutsi n'abandi batavuga rumwe n'ubutegetsi bwariho icyo gihe ;

Rumaze kubona ko muri anketi zabanjirije uru rubanza HAKIZIMANA yireguye ku byaha ashinjwa avuga ko icyo yemera ngo ari uko yagiye mu gitero cyo kwa SEBUTIMBIRI, ngo banahakuye n'ikimasa kuba ahakana kandi bamushinja ko ariwe wishe uwo SEBUTIMBIRI n'uwitwa dativaakavuga ngo nta muntu yishe, ngo NTAGANDA ubimushinja niwe wabatwaye bajya kuzana icyo kimasa ;

Rumaze kubona ko ZIMULINDA Anastase nawe imbere y'umugenza-cyaha n'imbere y'umushinja-cyaha yireguye ahakana icyaha ashinjwa, akavuga ngo uwitwa NAMUHORANYE umushinja niwe wishe abo bantu barimo uwitwa Dativa kuko ari we wari responsbule wa selire Musenyi, ngo MUNYAWERA umushinja amuziza ko yaje kwaka mukuru we amafanga agasanga nta we uriyo, naho uwitwa NSABIMANA nawe umushinja-cyaha akavuga ngo yigeze kumuteza imbwa ye iramurya amucisha amafanga 1.500, bayamucira mu mirrryango ;

Ko KANAMUGIRE Oswald yireguye avuga ko atamenye uwishe SEBUTIMBIRI n'ubwo bari baturanye, yabazwa igituma ahakana ko atazi uwishe SEBUTIMBIRI kandi ari mu bashenye iwe akahakura inkwi, akavuga ngo inkwi koko barazihakuye kandi barazishyuye, akanemera ko iwe yahakuye amategura 62 ;

Rumaze kubona ko HAKIZIMANA yongeye kubazwa icyo ahinyuza imvugo z'abitwa BSABIMAA Aloys, MUNYAWERA Vénuste, MUTAGANDA Aloys na GATWA bamushinja ko yishe uwitwa KAGAJU amukuye kwa Mathias, akavuga ngo ibyo bavuga ni ibihimbano, ngo babivuga bashaka kwikuraho icyaha ;

Rumaze kubona ko ZIMULINDA Anastase yongeye kubazwa igituma ahakana ko atazi iby'urupfu rw'uwitwa NGAMIJE kandi abantu bavugako ari we ufite ibintu bye, akavu ngo kuba babivuga byaba ari urwango rwa GAFUKU kuko ariwe wazamuye umugore wa NGAMIJE amukuye aho yari yihishe akazamuka amukubita igihiri ngo namuhe amfanga, ngo umwicanyi azi ni uwo GAFUKU wazamutse amushyiraye ntibamenye iherezo rye ;

Rumaze kubona ko MIRASANO Simoni yireguye ahakana ibyaha ashinjwa, yabazwa igituma ahakana kandi abashinjwa na MUTAGANDA aloys uvuga ko yamwiciye umugore na barumuna be babili (2), akanabashinjwa na NTAGANDA Maritini, akavuga ngo NTAGANDA yari umuselire azerekane icyo yakoze abonye yica abo bantu naho uwitwa MUBERANZIZA Nicodème nawe umushinja akavuga ngo ni umwanzi we nntibasangiraga yamunyaze isamb u'uurutoki, NYIRANTURO nawe umushinja ngo ni nyirabukwe wa NTAGANDA, naho MBARUSHISONI nawe umushinja akavuga ngo ngo ni we se kandi nyina ni nyirasenge, ngo ntiyamubera umugabo kandi ari umwanzi kimwe n'abandi, ngo Konseye na Responsable bemeza ko yari mu bitero bari abategetsi basobanura icyo bakoze icyo gihe ;

Rumaze kubona ko GAFUKU Damiyani yireguye ahakana ngo abantu benshi babimushinja baraburanye aribo : ZIMULINDA, MUNYAWERA, ngo n'ibyo bamushinja ko yagabye igitero

kwa MUNYARIGOGA akahakura nyina na MUSIRIGI witwa KANJIJIMA yatsinze kwa MURWANA SHYAKA, arabihakana kuko abantu bo muri Selire Kirwa bamwanga ngo nta muntu yari kubona bafatanyaga, yongeraga kubazwa kwiregura ku byo kugaba igitero afatanije na SINUMVAYINO, igitero cyahitanye NYIRANGIRUWONSANGA, akavugaga ngo uwo SINUMVAYINO na NYIRANGIRUWONSANGA ntabwo, ku byo ashinjwaga na Gatwa by'uko yagabye igitero cyateye kwa Mathias MUNYANGANGO, ari kumwe na NSAB IMANA Evariste, SEBERA na PETERO NYILINDINDA bahatsinda uwitwaga KAGAJU n'umwana yari ahetse, akavugaga ngo nabyo arabihakana kuko n'ubwo Mathias atamuzi, ngo uretse kumva bamuvugaga ntaragera mu rugo rwe, ngo n'abo bavugaga ko bafatanije Gatwa n'umuhungu wa RWAHUNDE akaba na muramu wa MUNYAKABERA NAHO Nsabimana Evariste ngo bigeze gushyira kumutera kumwica, naho ibyo ashinjwaga na MUTAGANDA Aloys by'uko yishye KAMANYANA na Stefaniya MUSHASHI, akavugaga ngo uwo Stefaniya wabyawe na nyina muri batisimu kandi n'umugabo we barabanaga, ngo iby'urupfu rwaburaga kuri Responsable wa Selire Rukukumbo witwaga NTAGANDA, akavugaga ngo si we wamwishe, ngo yari yihishe, ngo yabibwije n'uko yahagiye kwaga uwo KANJIJIMA amafanga yari yamugurije ;

Rumaze kubona ko GAFUKU yanabajijwe kwiregura ku byo ashinjwaga by'uko yagabye igitero cyagiye gushyira KAMANYANA, icyo gitero kikaba cyari kigizwe na we, HAKIZIMANA, KABAYIZA, NDIKUBWIMANA na MUZUNGU, akavugaga ngo arabihakana kuko baburanye, ngo na KABAYIZA mukajuru we nawe baburanye naho MUZUNGU ntasobanukiye uwo ari we, ibyo kuba inama zarabereye ku kabare ke akavugaga ngo akabari yigeze kukagira koko ariko ngo ibyo gupima urwagwa si byo...ku byeekeye imvugo y'uwitwaga MUNYAWERA nawe washinjwe ubwicanyi, wemeje ko bajyanaga mu bitero, akavugaga ngo ibyo ni akagambane ko guhisha abo bajyanaga ;

Rumaze kubona imvugo y'umugabo wabajijwe witwaga KANDIMBIRA Donatila akavugaga ko abo bantu batuye iwabo I Musenyi mu ntamba abaza ngo uretse ko adakunze kumenya amazina yabo y'amapagani, ngo abo ari na GAFUKU, RUSAGARA, BIZIYEZU, REVERIYANI, NZIGIYE, MUNYANGABE, KAREMERA, na NAKABONYE, ngo abo nibwo yakunze kubona kuko nawe bakundaga kuza kumutera, ngo uwo yashoboye kumenya bishe ni umugore wa NYAMIJE waje kwihisha kwa MUNYARIGOGA bakahamuvana ngo uwahamuvanye ni GAFUKU wamujyanye bakaba bataramenye aho bamutsinze ; agakomeza avuye ku inama zakorerwaga ahitwaga mu Gasenye yari zikoreshejwe na Gafuku wabanzaga kuvuza ifirimbi bakabona guterana ;

Rumaze kubona imvugo y'uwitwaga SIBOBUGINGO Visenti wabajijwe akavugaga ngo KAMANYANA BAMUVANYE IWABO BAMUJYANA MU Burengo aho yaguye, ngo yajyanye na Gafuku amuvanye iwabo kwa MUNYARIGOGA, ngo uwo GAFUKU yari afite ubuhiri kandi igitero cyarimo NTAWUMENYA Sipiriyani, ZIMULINDA Anastase n'abandi benshi ntashoboye kumenya ;

Rumaze kubona imvugo y'uwitwaga MUBILIGI Firipo wabajijwe agavugaga ko umugore wa NGAMIJE witwaga KAMANYANA atabonye bamwica, ariko ariko ngo yari yahungiyeye ku muvundimwe wabo MUNYARIGOGA asanga nta muntu uhari, ngo yahageze ari ku manwa ari na nk'igihe cya sayine, ngo abana bamubonye barakomera noneho GAFUKU Damiani wari ufite akazi ko kuyobora ibitero aramukurikirana amusanga aho yahungiyeye amubona amushyiraye afite ubuhiri, ngo umuhungu wabo ZIMULINDA amubuza kurenga aho mu Gasenye, responsable Bubaya yasabye ko ntawe umutsindira umuntu muri Selire noneho

Gafuku aba ariwe umuzamukana wenyine amujyana ruguru iwabo aho yamwiciye, ngo yaje kumva ko hari n'undi witwa MODOKA wa NTORANO nawe wishwe bakavuga ko igitero cyamwishe cyari kiyobowe na GAFUKU ;

Rumaze kubona imvugo y'uwitwa NTAWUMENYA wabajijwe akavuga ko ngo bagiye kumva abana b'abashumba bakomera ngo babonye umuntu akaza kumenya ko ari KAMANYANA wari waje ahunga ahungira kwa MUNYARANGO ngo babonye ahakuwe na GAFUKU babonye amushoreye arikumwe na MUBIRIGI, SIBOBUGINGO, RUBYUKO na MASABANO, ngo baramuzanye bamugejeje ahiwa ku Gasenye Responsable MASABANO arababwira ngo ntashaka ko uwo muntuagwa muri Selire ye, ngo nibamusubize iwabo, ngo kuva ubwo GAFUKU niwe wamuzamukanye wenyine ;

Rumaze kubona imvugo ya MUNYANEZA Vénuste wabajijwe abishe uwitwa KARWERA akavuga ngo yishwe na ZIMULINDA Anastase afatanyije n'abahungu babili bene MUNYAGAHIRA ARIBO HAKIZIMANA Julien na NDIKUYIMANA Asieli, naho SEBUTIMBIRI akavuga ngo yishwe na Hakizimana na NDIKUYIMANA .

Rumaze kubona imvugo y'uwitwa NABIRA Saverina wavuze ko ashinja HAKIZIMANA ko yagabye igitero iwabo bagasahura bakanica, ngo yishe mukuru we KARWERA Dativa atwara n'amafranga, uko yabimenye ngo nawe bari kumwewe abanyuramo ariruka bafata uwo KAWERA , ngo HAKIZIYAREMWE yarikumwe na KABAYIZA, BYABAGAMBA, NDUWAYEZU, NDIKULYIMANA Asiel na KANAMUGIRE Oswald kandi ngo yamwiciye imihoro n'amafuni ;

Rumaze kubona imvugo y'uwitwa NDACOKOZA Venuste wabajijwe akavuga ko HAKIZIMANA ko yishe nyirabukwe KANJIJIMA, ngo yarahanyuze bagihari bamaze kubica, ngo babicishije ubuhiri, ubufuni n'imihoro bagendana ;

Rumaze kubona imvugo y'uwitwa NKERAMUGABA Fidèle wavuze ko ashinja HAKIZIMANA ko yamukuye iwe amukizwa n'uko agiye kwikorera amabati, nyuma ngo babasanze I Kaduha kubica arikumwe n'abantu benshi barimo uwitwa GAFUKU, mu bo yishe harimo umuhungu we MPINGANZIMA n'umusaza witwa NGAMIJE Claver, ngo bari bitwaje imihoro n'ubuhiri ;

Rumaze kubona imvugo ya NTAGANDA Maritini wavuze ko ashinja HAKIZIMANA Julien ko yagabye igitero akica SEBUTIMBIRI François, igitero cye gigatwara n'ihene za SEBUTIMBIRI enye n'ikimasa cy'uwo SEBUTIMBIRI yari yamusigiye umunsi apfa, ngo muri icyo gitero HAKIZIMANA yari kumwe na NDIKULYIMANA Asiel, KABAYIZA, KANAMUGIRE Oswald n'abandi atazi ; n'amafuni ;

Rumaze kubona imvugo y'uwitwa NYIRANZIZA Visensiya wavugaga ko arega Mirasano Simoni ko yamwiciye abantu batanu aribo : MUSHIMIYIMANA Bonifrida, NKEZABEA Evariste, KAMPIRWA Dafrose, UWIFASHIJE Odette na karamu ke kitwa Coleta, ngo abagabo afite babihanya ni MUTAGANDA Aloys, N. NTURO Julianne, RUBERABAHIZI Nicodème, MBARUSHISONI Asiel na NTAGANDA Martin ndetse ngo uwitwa KAMPRWA, MIRASANO yamutaye muri W.C ari muzima ;

Rumaze kubona imvugo y'uwitwa NTAGANDA Martin wavuze ko Mirasano Simoni yashenye amazu abiri y'abahungu ba NKEZABERA agatwara n'ingurube 2 kandi akaba yaragiye mu

bwicanyi, ngo yishe MUSHIMIYIMANA mwene NSANZURWIMO na muurumuna we UWIFASHIJE Odeta ;

Rumaze kubona imvugo ya N. NTURO Julienne wavuze ko ashinja MIRASANO Simoni ko yamwiciye abuzukuru batatu aribo : MUSHIMIYIMANA Bonifrida, UWIFASHIJE Odeta, na karumuna ka Koleta ngo yabishe afatanije na MURWANASHYAKA, ngo baje iwe bashoreye uwo Bonifrida naho Koreta amujyana wenyine ;

Rumaze kubona imvugo y'uwitwa MUTAGANDA Aloys wavuze ko ashinja MIRASANO ko yishe abantu atanu muri selire Rukukumbo, ngo abo bantu yishe ni MUSHIMIYIMANA Bonifrida, umugore we, Koleta mumuaw'uwo mugore NKEZABERA na MPITABAKANA, ngo ibyo bakoze n'abatujragera bose barabizi ;

Rumaze kubona imvugo ya MBARUSHISONI Asiel wavuze ko ashinja MIRASANO Simoni ko yakozwe ibara akica abantu batanu bo muri selire Rukukumbo barimo abuzukuru be aribo : MUSHIMIYIMANA, UWIFASHIJE na murumuna we witwa Koleta, abandi ngo ni base wabo aribo : NKEZABERA n'umugore we KAMPIRWA Dafrose ngo yabibwiwe n'uko uwo MIRASANO yabyigambaga mu kabari avuga umubare w'abantu bishe hamwe n'umugabo SINUMVAYINO, MBANGUKIRA na MURWANASHYAKA batuye muri selire Nganzo ;

Rumaze kubona imvugo ya NSABIMANA wavuze ko ZIMULINDA Anastase yamwiciye umugore KARWERA Dativa ari kumwe na HAKIZIMANA, KANAMUGIRE na KABAYIZA, ngo bamwishe mu kwezi kwa 6 bamwiciye mu rugo iwe, ngo bafashe impiri baramuhonda nyuma bafata icyuma bamusatura inda baramubaga kandi ngo babikoze bamaze kumukubita we yirutse ;

Rumaze kubona imvugo ya NAMUHORANYE wavuze ko HAKIZIMANA Julien yishe MUSHASHI Stefaniya, ngo yari afatanije na KABAYIZA ngo bari bafatanije na KABAYIZA ngo bari bafatanije n'abandi benshi kandi bishe n'abana babiri ba MUBIRIGI Laurent bari bihishe kwa RWAMBUTSA ngo hari n'uwitwa KANJIJIMA Venansiya wishwe na GAFUKU amukuye aho yari yihishe kwa MUNYARIGOGA, ngo hari n'uwitwa KANYABASHI Paulinni bishe bamukuye aho yari yihishe kwa HABİYAREMYE Cyprien, ngo hari na NYIRANGIRUWONSANGA Joséphine wishwe na MURWANASHYAKA wo muri Selire Nganzo ari kumwe na SINUMVAYINO, KAMANYANA wishwe na KABAYIZA na AKIZIYARENYE n'abandi benshi bamukuye aho yari yihishe mu gihuru, naho Dativa bahimbaga Modoka ngo yishwe nijoro ngo abo yumvise bavugwa ko bamwishe ni BYABAGAMBA, KABAYIZA, HAKIZIMANA na ZIMULINDA Anastase ;

Rumaze kubona imvugo ya GATWA wavuze ko azi urupfu rw'uwitwa KAGAJU ngo hari ku manywa mu masa yine haza igitero cy'abantu benshi kiyobowe na GAFUKU Damiyani kirimo n'uwitwa HAKIZIMANA, ngo icyo gitero cy'abantu benshi kiyobowe na GAFUKU Damiyani kirimo n'uwitwa HAKIZIMANA, ngo icyo gitero cyari cyitwaje amahiri, amacumu, imianga n'udufuni, ngo uwamukubise agafuni ni SEBERA naho uwajombye icumu ni NSABIMANA, ngo kugira ngo amenye ko umuntu we bamwishe n'uko bahuye bagenda bamwigambaho, ubundi ngo yabibwiwe na NYIRANGIRUWONSANGA bakubise yanze kumwerekana, ngo banamwicanye n'akana keyari ahetse ;

Rumaze kubona ko iburanisha ry'uru rubanza ryashyizwe kuwa 29/04/1997, kuri uwo muni ntirushobore kuburanishwa kubera ko Urukiko rwasanz hari imihango yerekeranye no

kwirega no kwemera icyaha itakorewe ababuranyi mbere y'uko idosiye yoherezwa Urukiko nk'uko biteganwa n'Itegeko-Ngenga N° 8/1996, rikimurirwa kuwa 6/5/1997 kugira ngo iyo mihango izabanze ikorwe, kuri iyo tariki rwimuriweho urubanza rukaba aribwo ruburanishwa abashinjwa bahari uretse SINUMVAYINO witabye imana, hari kandi n'abaregeye indishyi n'abagabo 3 GAFUKU yifuje ko babazwa ;

Rumaze kumva ko mbere yo kuburana HAKIZIMANA yabanje guhakana kuburana avuga arwaye ngo ngo urubanza rwimurirwa ku yindi tariki ;

Rumaze kumva ko HAKIZIMANA yabwiye Urukiko ko iyo ndwara mw'ijoro ryabanjirije iryabaye, ngo akaba yari ivuriye kuri gereza akandikwa kw'ifishi ku buryo nta kindi cyemezo yaibonera ;

Rumaze kubona ko rwagiye ko rwagiye mu bwiherero gusuzuma niba icyo cyifuzo gifite ishingiro, rwabaza kuri gereza rukoresheje "téléphone" ushinzwe ivuriro akavuga ko HAKIZIMANA yavuze ko arwaye ageze ku muryango wa gereza asohoka agiye kuburana ;

Rumaze kumva icyifuzo cy'umushinje-cyaha cy'uko Urukiko rwasuzumana ubwitonzi icyo cyifuzo kuko ari ugushaka gutinza urubanza ;

Rumaze kubona ko Urkiko rwafashe icyemezo cyo gukomeza buranisha kuko impamvu HAKIZIMANA avuga rwasanze zidafite ishingiro bwo umuganga ushinzwe kuvura abanyururu yahakanye ko ubwo burwayi atari asanzwe abuzi, ko atanigeze ahivuriza mbere y'uko abuvuga ;

Rumaze kumva HAKIZIMANA yiregura ahakana ibyaha ashinjwa, akavuga ngo ababimushinja barimo NTAGANDA uyu ngo ubwo avuga ko ariwe wasigaranye ibya SEBUTIMBIRI niwe wagombye kumubazwa, naho abamushinja KARWERA ngo baramubeshera kuko umugabo we avuga ko yapfuye mu kwezi kwa 5, ngo bikaba bigaragaza ko amubeshyera, ngo undi umushinje ni "Responsable" kubera ko ari ukwikuraho ibyaha yakoze agira ngo abihambire kuko batavugaga rumwe, ngo abandi nabo bagenda bavuguruzanya byo kubeshya gusa ;

Rumaze kumva HAKIZIMANA akomeza avuga ngo ibyo kugaba ibitero ni ukubeshya kuko atigeze ayobora na Selire kandi n'iyi atuyemo KIRWA ngo ntiyegeranye n'iyabo bantu bapfuye kandi nta n'abapfuye aho atuye, ngo abo bantu bamushinja hari abo bahuje urubibi, ngo na Responsable ubwe yari afite uburenganzira bwo kurinda abo bantu, ngo na KARWERA Responsable amushinja ni umugore wa mukuru we, ngo arumva ariwe wagize uruhare mu kwicisha abo bantu kandi ubutegetswe bakoreraga nibwo bwateye uwo mugambi wo kwicaabatutsi, ngo ikindi kigaragaza ko aribo baba barishe abo bantu, hakaba ntawari kwica mu muryango ngo abonwe na Responsable wenyine ;

Rumaze kumva HAKIZIMANA abazwa kuvuga nibura umuntu umwe azi waba warishe umwe mu bo bamushinja, akavuga ngo ntiyari ahari kandi ngo abo bantu bari mu muryango akaba atari kwicamo abantu ngo habure kugira umubona, yongera kubazwa icyo ahinyuzaga imvugi z'abantu benshi bamushinja akavuga ngo abantu imvugo zabo ziravuguruzanya, naho ibo kuba yarememye ko yari mu gitero cyagiye kwa SEBUTIMBIRI, akavuga ngo ntabwo yavuze, ngo uwabimushinje ni umusilikare wamukubitaga ari kumwe n'abandi benshi ;

Rumaze kumva HAKIZIMANA yongera kubazwa icyo ahinyuza imvugo y'uwitwa BUBAYA wamushinje ko yabye ibitero no mayandi maselire afatanyije na GAFUKU, uyu nawe akaba yaravuze ko yagiye mu bitero, kandi ko kwa RUBAYA yahakuye ihene 2, akavuga ngo yagambaniwe na Responsable Martini kuko kwa BUBAYA yavuze ko yabibwiwe atabibonye, naho ibya GAFUKU bashinjwa hamwe ngo ni inzangano zisanzwe, ngo baburanye na se kandi ngo barazirana, naho NTAGANDA Maritini ngo ubwe yivugiye ko yasigaranye ibyo kwa SEBUTIMBIRI, iby'abiciwe abantu nabo bamushinja hamwe na Konseye NGURUMBE n'undi witwa GATWA n'abandi bantu benshi bagera kuri 10 bamushinja kandi badafitanye amasano, akavuga ndetse ngo na NGUURUBE yavuze ko yabibwiwe n'abaseli ;

Rumaze kumva ZIMULINDA Anastase nawe yiregura ahakana ibyaha, akavuga ngo yumvise ibyo umushinje-cyaha avuga ari ibinyoma, kuko kuko abantu bavuga ko bafatanije ari abanzi, GAFUKU ava inda imwe na HAKIZIMANA na NDIKUBWIMANA kwa se wabo, ngo MIRASANO ni se wabo wa KNAMUGIRE uyu nawe akaba mubyara wa HAKIZIMANA, MIRASANO akaba nyirarume, rero ngo ntibari kujya inama nabo kandi ari abanzi be, ngo GAFUKU baburanye murw'Iremezoi Kaduha, naho MURWANASHYAKA na SINUMVAYINO ngo yabamenyeye muri gereza ntiyari abazi, NSABIMANA ngo yigeze kumuteza imbwa iramurya bamuca 5.000 FRW yo kumuvuza, NAMUHORANYE nawe ngo ni umwanzi we, ngo mukuru we wo kwa se wabwo yaburanye na nyina isambu, naho imvugo ya se wabo MUBIRIGI WAVUZE KO YAMUBUJIRE kujya mu biterobyari bikurikiranye KAMANYANA, akavuga ngo yabonye yahuye inkaga agira ngo ari kumwe na GAFUKU amubaza amubwira ngo nasubire inyuma, aniyama GAFUKU AMUBUZA GUTSINDA UMUNTU MURI Selire yabo, ngo GAFUKU yazamukanye uwo mugore niba yaramwishe ntabizi, naho MUNYAWRA Vénuste akavuga ngo aramushinja ko yishe MUKANDIMBIRA kubera urwango ;

Rumaze kumva ZIMULINDA abazwa ko ntabantu azi iwabo bapfuye bazize itsemba-bwoko n'itsembatsemba akavuga ngo ntawe azi kuko abo (.?)

Rumaze kumva MIRASANO yiregura ahakana ibyaha ashyingiye, akavuga ngo impamvu atabyemera n'uko abantu bamushinja bazi ko yari arwaye kandi bakaba basanzwe babikanya ubugeze kuko baburanye ndetse numutware w'umuryango bakaba bamurega bamubeshyera, ngo uretse NTAGANDA wabaye igikoreshe, ngo abandi bose ni umuryango bakaba biyita abacitse kw'icumu kubera urwango, yabazwa niba atemera ko abo bamushinja ko yishe batapfuye koko akavuga ngo ntabwo abizi, ngo barahunze kandi harimo n'abo bahunganye ;

Rumaze kumva MIRASANO abazwa kuvuga amazina y'abamushinja aribene wabo, akavuga ngo RUBERABAHIZI ni umuhungu wabo kandi yaburanye na se ariko aramurega amushinja abana be, MUTAGANDA ngo ni umwana wa mubyara we naho NGURUBE Patrice ngo ni seburukwa wa RUBERABAHIZI NYIRANZIZA ngo ni mushiki wabo mu muryango kandi atuye Kigali-Ngali akaba ari ho yari ari igihe cy'intambara ngo n'abo bana bamurega se yari atuye muri Ngenda muri selire Ntungamo ya Nyakayaga, yabazwa ko umugambi wo kwica abatutsi n'abandi batavugaga rumwe n'ubutegetsi atigeze awumukira, akavuga ngo ntawuzi ntiyanawubonye

Rumaze kubona ko MIRASANO yabajijwe kugaragaza ibimenyetso by'imanza avugaga yagiranye na benewabo ntagire na kimwe agaragaza ;

Rumaze kumva KANAMUGIRE nawe yiregujira ahakana ibyaha ashinjwa akavuga ngo nta cyaha yigeze akora, ngo abamushinja baramubeshyera kandi abo bamushinja baramubeshyera kandi abo bashinjwa hamwe ntibari gukorana umugambi kandi baraburanye, yabazwa icyo ahinyuza imvuga ya NABERA Severina umushinja ngo yishe KARWERA afatanije n'abandi batanashinjwa hamwe, akavuga go ntiyishe umuntu muri Segiteri ngo abonwe n'ujmuntu umwe naho iby'uko MUTAGANDA ahuza imvugo na NABERA na KABAYIZA bavuze ko bishe bakanasahura ihene 4, akavuga ngo izo hene bigeze kuziburana, naho ibyo yiyemereyeby'uko yavanye inkwi kwa SEBUTIMBIRI n'amategura 62, bityo ubwo yasenyeye akaba yanavugaga uwo basenyeye aho yari ari n'urupfu rwe akavuga ngo yasanze basenya naho iby'urupfu ngo ntaruzi, ngo n'ibyo byo gusenya barabirishye, naho SEBUTIMBIRI ngo ntazi aho aherereye, naho imvugo ya NDACOGORA wemeje ko yari mu gitero cyishe KANJIJIMA akavuga ngo aramubeshera, ngo na NAMUHORANYE umushinja ni ukumubeshera kuko mukuru we yaburanye na sewabo ;

Rumaze kumva GAFUKU yiregura nawe yiregujira ahakana ibyaha ashinjwa, akavuga ngo arabeshywe, ngo ibyokugaba ibitero ntiyigeze abikora kuko nta kazi yigeze agira muri Leta cyangwa ngo abe umuyobozi mu rwego rwa Selire , Segiteri cyangwa ngo abe n'umukuru w'umuryango, ngo no muri icyo minsi nibwo yari agifungurwa yari yarafunzwe n'urwango rw'abantu yari amaze gutsinda ngo yarekuwe mu kwezi kwa 3/94 ;

Rumaze kumva GAFUKU abazwa icyo ahinyuza imvugo z'abantu benshi bamushinja, akavuga ngo MUBIRIGI umushinja KAMANYANA ntiyamubera umugabo kuko urwo rubanza ari we rwaturukagaho, ZIMULINDA nawe ngo baraburanye yari amaze kumutsindira i Nyanza ni urwango rutuma amushinja, naho ngo igituma bamushinja KANJIJIMA, ngo MUGASA umushinja aya indimwe na BAZARAMBA baba bashakaga kumutsikamira ngo akomeze afungwe kugira ngo ahorere musanzire we, yabazwa niba nawe ari urwango rutuma ashinja ZIMULINDA inka akavuga ngo ni urwango rugaragara kuko ari we wabanje kumushinja we akaba ari byo aheraho ;

Rumaze kumva GAFUKU abazwa igituma avugaga ko atazi urupfu rw'umugabo wa KANJIJIMA kandi avugaga ko yari inshuti ye akavuga ngo ni byo koko nta bwoko aruzi, n'aho KANJIJIMA yari ari ntahazi, yabazwa igituma avugaga ko atazi aho uwo KANJIJIMA yari yihishe kandi NAMUHORANYE avugaga ko ariwe wamwishe amukuye kw'Amumunyarigoga, akavuga ngo yamwitiraniye na KAGAJU, ngo uwo yashyize ajya kumwaka amafuranga ye ni KAMANYANA, kuba yaravuze ko kwa NGAMIJE bahasahuye areba, akavuga ngo aya magambo ntazi igituma bayanditse ,

Rumaze kumva GAFUKU abazwa gusobanura uko byagendeye KAMANYANA amaze kumuha amafuranga kuko yemera ko yamujyanye amushyize ajya kuyamwaka, akavuga ngo baragiye ku mugore witwaga NYIRAMAHE amuha 200 F, uwo NYIRAMAHE yamubajije aho amujyanye kandi barimo gusanga cyane amubwira ko ari we wamubwiye ngo ahamugeze, ngo baherukana ubwo kandi ni KAMANYANA wagiye mbere ye amushyiraho n'uwo NYIRAMAHE, nyuma akivugururira ku mvugo y'uko ari KAMANYANA wari wamubwiye ngo amuhesha avugaga ngo Responsable wari uvuze ngo n'ubwo umuntu muri Selire noneho KAMANYANA avugaga ngo nibareke abanze amuhe amafuranga ye, yabazwa ukuntu yakaga amafuranga umuntu bashakaga kwica we atarimo, akavuga ngo ntiyari kumubwira kumuha ibye ngo yange, ku byerekeye noneho uwabazwa iby'urupfu rw'uwo KAMANYANA,

akavuga ngo NYIRAMAHE yasobanura abmwishe, ngo n'abavuga ko ari we wamutsineze hirya yo kwa NYIRAMAHE amaze kumutera icumu mu nda ibyara akvuga ngo ni ukumubeshyera ;

Rumaze kumva GAFUKU avuga ngo na Responsble umushinja ko yishe NYIRAMAHE ni ukumubeshyera kuko NDACOKORA waregeye umuntu we yavuze ko abamwishe yabiboneye kandi ngo ntiyamuvuzemo, ibyo noneho ahinyuza imvugo ya NAMUHORANYE uyikuzi n'iyi y'uho ari we wavanye KANJIJIMA kwa MUNYARIGOGA akavuga ngo arasaba Urukiko ko icyaha cyo kwica KANJIJIMA atakibarwaho, naho, naho icyo ahinyuza imvugo ya GATWA umushinja ko ari we wishe KAGAJU n'akana yari ahetse, akavuga ngo ibya KAGAJU yabisobanuye, yongera kubazwa icyo apfa na Konseye NGURUBE cyatuma imvugo ye itemerwaho ukuri, akavuga ngo ubwanganyi bwaturutse aho yahinduye inyandiko aho yari yaragiweho inzu ya sekuru, ubundi ngo akaba yaravugaga ko ambwicira amatora, ngo na none kandi aravugaga ko yayoboraga "ibitero bya Selire Musenyi na Birengo ababiyoboraga " muri ayo maselire bakaba barafaswe ntawe yamureze ;

Rumaze kumva ko MURWANASHYAKA nawe yireguye ahakana ibyaha , akaba yaravugaga ngo icyo gihe yari yaraturutse umushiki we I Musange bamurashye, ngo yamazeyo icyumweru nyuma ajyana umwana kwa muganga amaraye amaze Zagaruka nt amuntu ukirwana n'undi , yabazwa niba yemera ko habayeho umugambi wo kwica abatutsi n'abaandi batavugaga rumwe n'ubutegetsi kandi ko hari abantu babiguyemo, akavuga ko uwo mugambi wabayeho kandi bawuguyemo, ngo abo yamenye babiguyemo ni nka NKERAMUGABA, umugorewe n'umwana we, n'umwana we, yabazwa noneho icyo ahinyuza imvugo imvugo ya MUTAGANDA aloys umushinja ko yari mu gitero cyishe MUSHIMIYIMANA UWIFASHIJE, KOLETA na DAFROZA, akavuga ngo uwo MUTAGANDA aramubeshyera kuko s wabo KABAYABAYA yaburanye na se isambu mu rukiko rwa Kanto ya Mushubi, ku mvugo ya MBARUSONI nawe umushinja, akavuga ngo mukuru we yamushinje yasahuye ibuntu kwa NKERAMUGABA, ku mvugo z'abitwa NAMUHORANYE, NYIRANTURO na NSABIMANA nabo bamushinje akavuga ngo NAMUHORANYE ni kimwe na KABANYANA, NYIRANTURO ngo ni umwuzukuru we nta kuntu atamushinje, nawe NSABIMANA ngo aramubeshyera kubera ko bamwana wabo yaburanye na se, ngo abo bantu bose Urukiko rusanze ibyo abavuzeho atariko biri yaba atsinze ;

Rumaze kumva MBANGUKIRA nawe iregura ahakana ibyaha ashinjwa akavuga ngo ibyaha bamurega bamubeshyera kuko nta muntu yigeze agirira nabi ngo KAMPIRWA na MUSHIMIYIMANA ashinjwa ko yishe ngo yari abazi ariko ntibari baturanye ngo ibyabo ntiyabimenyaye, ngo n'abamushinje ko yab ishe aribo NAMUHORANYE na sewabo KABAYABAYA yaburanye na se isambu, naho MBARUSHISONI n'abamushinje ngo se yamushinje aburana na mwenyinyina isambu muri kanto ya Mushubi, naho NYIRANTURO ngo abo bose bamushinje ni abagabo babo ;

Rumaze kubona ibarwa yo kuwa 15/4/1997 GAFUKU yandikiye Perezida w'uho Rukiko asaba ko mw'iburana rye Urukiko rwazabaza abitwa NGURUBE Patrice wari Konseye wa Segiteri Musenyi, NAMUHORANYE Claver n'uwahoze ari Responsable wa Selire Rukukumbo witwa NTAGANDA Martini, ngo hakabazwa n'abaturanyi bazi ibye aribo : NYIRAMAHE, SEKABWA, RUKERIBUGA, na Madamu SEBUKURU ;

Rumaze kubona ko GAFUKU yifuza ko babazwa harimo ababajijwe aribo NGURUBE Patrice, NAMUHORANYE Claver, NTAGANDA Martini, abo bikaba bitakiri ngombwa kwongera

kubabaza, rugatumira ahubwo abitwa NYIRAMAHE, SEKABWA, RUKERIBUGA na MADAMU SEBUKURU muri abo batumiwe igihe cy'iburana bakitaba MUDAHINYUKA umuhungu wa NYIRAMAHE, RUKERIBUGA na NYIRANDUTIYE ariwe Madamu SABUKURU ;

Rumaze kumva imvugo y'umugabo MUDAHINYUKA wabajijwe n'Urukiko akavuga ko ibya GAFUKU abizi ngo na Segiteri yose irabizi, ngo igitero cyabamaze abantu niwe wari akiyoboye, ngo cyaje cyica kinasahura ndetse no NYIRAMAHE yavanye ihene 5, ngo n'umukecuru witwa KAMANYANA ni GAFUKU wamuzamukanye amuvanye amuvanye kwa MUNYARIGOGA ari kumwe n'ibitero bye yari ayoboye abivanye I Kirwa avuga ngo ajye kkumuha inka, ngo yamugejeje haruguru yo kwa NDORENABO aramuhamagara ngo azane inka z'uwo mugore atamwica, ngo NDORIMANA yazimwinye undi ubwo ahita amwica, ndetse ngo n'umukecuru KANJIJIMA igitero cya GAFUKU cyamuvanye aho yari yihishe kwa MWAMBUTSA kiramwica hamwe n'abana be 5 ;

Rumaze kumva imvugo ya RUKERIBUGA wabajijwe akavuga ko icyo azi kuri GAFUKU ari uko yagize mw'itsembabwoko n'itsembatsemba byabaye muri 1994, ngo hari umukecuru witwa KAMANYANA yavanye iwabo aramujyana ntiyamanya aho amujyanye kandi ngo uwo mukecuru yarapfuye ;

Rumaze kumva ko uwitwa NYIRANDUTIYE we yavuze ko ntabwo yamenye kuri GAFUKU, ngo mw'itsembatsemba ryabaye muri 1994, ngo yari arwaye kandi n'umugabo yapfuye muri iyo minsi ;

Rumaze kumva imvugo ya NTORANO Daniel waregeye indishyi, avuga ko abantu bashinjwa babamaze imiryango, amazu n'amatungo, ngo bamumaze abantu kandi abe bishwe ni MUKANJIJIMA wari muka sewabo, s KALIMUBASHI mukuru we NSENGIYUMVA Gérard, nyirasenge KAMANYANA Cécile n'abana be 2 aribo : MUSABYIMANA na NSABIMAN, ngo arifuza ko bamuha impozamalira bakariha n'umutungo w'ihene 10, amazu 6, inkoko 5 n'ibindi bintu bakuye mu nzu bihwaye na 1.000.000 F, ngo hari amazu 6 ahwaye na 10.000.000 F yari yubakishije amategura n'ubwo nta sima yari iriho, ngo ihene 10 bazimusubiza n'inkoko 5 ngo bamuha n'impozamalira ya 10.000.000 F kubera abantu be bamushizeho ;

Rumaze kumva NYIRANDIMURUGERO nawe waregeye indishyi avuga ko yabuze ihene 2, atamenye abazitwaye ngo abantu be ni umugabo we MUGENZI Aloys waguye muri Segiteri Muko, MUKANKUSI Budesiyana umugore we, NSENGIMANA Gérard umuhungu wabo, MUKARUGWIZA nawe w'umwana wa MUGENZI, ngo mu matungo harimo ingurube 2 n'inkwavu 6, inzugi 4 bakuye ku nzu kuko bayibatesheje batarayisenya, ngo ku byerekeye impozamalira uko ari 7 bamuha 70.000.000 F ngo ihene bamuha 10.000 F, ingurube bakamuha 60.000 F, inkwavu 4.200 F naho inzugi 4.000 F ;

Rumaze kumva imvugo ya NABERA Saverina nawe waregeye indishyi wavuze ngo abo bantu barabahemukiye babasenyera amazu, barabasahura banabicira abantu barimo : se NTORANO Samuel, nyina Gasangakwa Cécile, abavandimwe be NGANUWERA Siméon, KARWERA Dativa, MUGARURA Jbosco, MULINDAHABI Joseph, ZIMULLINDA Patrice, KANYUMBA Donata, MUKARUKEBA Mélanie ariwe mukase, mukuru we MUKANSANGA na NYIRABUJANGWE Laurence, ngo ku byerekeye impozamalira bamugenera 200.000.000 F kuri buri muntu, ku byerekeye amazu 5 bashenye ngo bamuha 1.000.000 FRs x 5 =

5.000.000 FRS, ku byerekeye umutungo agaciro ni 100.000 FRS, ku matungo ngo hari ikimasa gifite agaciro ka 10.000 F, inkwavu 5 zihwanye na 80.000 Frs kuko ziba zarorotse, ku ngurube nazo bamuha 80.000 F ;

Rumaze kubona ko abaregeye indishyi nta byemezo (attestation) bagaragarije Urukiko by'amasano bafitanye n'abapfuye rugomba gushingiraho ruzitanga ;

Rumaze kumva HAKIZIMANA yiregura ku ndishyi avuga ngo abamurega bararalira bakanavuga n'abantu ataregwa, ngo bakwiye gukurikirana ababishe, ku byerekeye ibyasahuwe muri Segiteri, ngo bari bihishe kandi nta bundi bigeze bamurega indishyi bakaba batanga ibimenyetso ngo natsindwa ashobora kuriha ;

Rumaze kumva ZIMULINDA Anastase yiregura ku ndishyi avuga ko ntazo ashobora gutanga kuko nta muntu yishe, MIRASANO Simoni nawe akazireguraho avuga ko ntazo ashobora gutanga batagaragaje ibimenyetso ngo barabimurega nonaha kandi ntaho yigeze abihisha muri Selire no muri segiteri ;

Rumaze kumva KANAMUGIRE Oswald yiregura avuga ko nta ndishyi ashobora gutanga kuko nta cyaha yakoreye abazimwaka, ngo ibyo yari yaratwaye yarabirishye, Gafuku Damiyani we akavuga ngo KALIMUBASHI bamushinja yishwe na GAFUKU na NTORANO si we wamuriha, ngo kandi buri muntu atsinzwe n'urubanza yajya ariha uwamureze mbere, ngo nka NABERA bavuga ibintu byabo byararishwe muri Selire kandi ntiyigeze aregwa mu babirishye nyamara yari ahari ;

Rumaze kumva MURWANASHYAKA avuga ngo nta ndishyi agomba gutanga kuko atigeze ajya muri Rukukumbo , MBANGUKIRA nawe akavuga ko ntazo agomba gutanga kubera ko nta bintu by'abo bantu yigeze asahura muri RUKUKUMBO .

Rumaze kubona ko Umushinja-cyaha yahawe ijamba agatanga umwanzuro umwanzuro wanditse ugashyirwa muri dosiye amaze gutanga n'ibisobanuro by'ibyo asabiye abashinjwa ;

Rumaze kumva HAKIZIMANA yongea ku rubanza avuga ngo iby'ubwicanyi bamushinja ni ubugambanyi bwakozwe na NTAGANDA Maritini, ikindi ngo abaregera indishyi ntibagombye kuba aribo bamushinja kandi hari abaturage barebaga uretse abo baregera indishyi ;

Rumaze kumva ZIMULINDA yongera ku rubanza avuga ngo Responsable wa Selire atuyemo yivugiye abavuye muri iyo Selire bagatera ahandi kandi ntamuvugamo, ngo na MUKANDIMBIRA wacitse kw'icumu yivugiye ko nta bwicanyi yigeze agira, ngo kuri we ntawundi wagombye gufatwaho ukuri kurusha uwacitse kw'icumu wiciwe agapfusha na benewabo, ngo na Konseye wivugiye ko yari arwe nta kuntu yaba yaramubonye adatuye aho hantu ;

Rumaze kumva MIRASANO yongera ku rubanza avuga ngo abantu aregwa harimo néab'I Kigali, ngo n'abamurega indishyi nta n'umwe urimo mubo aregwa ko yishe, KANAMUGIRE akwongeraho avuga ngo ubushinja-cyaha ntibukwiye gukurikirana ukuri kurega butagira ibimenyetso ;

Rumaze kumva GAFUKU Damiyani yongera ku rubanza avuga ngo nta bintu byabaye harimo n'ubugambanyi ngop aravuga ko imvugo y'abo bantu bavugaga ko yagabye ibitero ari impimbano, ngo MUDAHINYUKA na RUKELIBUGA n'ubwo ariwe wabatanze ntibavugishijez ukuri, MURWANASHYAKA akwongeraho avuga ngo abo bose bamushinja ni ababuranye na se, MBANGUKIRA nawe akavugaga ngo abamushinja ni ababuranye na se ;

Rumaze kumva NTORANO yongera ku rubanza avuga ngo n'abo batarafatwa bazabamufatire, NYIRANDIMUGERO akwongeraho avuga ngo nta n'umwe yabonye mu bamuseneyeye n'abamwiciye kuko yari yarahunze, NABERA akwongeraho avuga ngo abo bashijwe bose buri wese yari afite izina bamuhamagaraga ngo n'uwo mugore AIMULINDA yitakana MUKANDIMBIRA arahari, ngo yigize ruhara mu gufunguza uwwo bafungishije, ngo bitwaza ko ariwe utuye muri icyo Selire wenyine akaba kandi afitwe n'umuhutu ari nayo mpamvu bamwitakana bose ;

Rumaze kubona ko nta zindi ngingo zigomba gukurikiranwa muri uru rubanza uretse kuruka;

Rusanze abashinjwa muri uru rubanza aribo : HAKIZIMANA, ZIMULINDA, MIRASANO, KANAMUGIRE, GAFUKU, MURWANASHYAKA, MBANGIKIRA na SINUMVAYINO wapfuye bakurikiranweho :

- Kuba bararemye umutwe ugamije kugirira nabi abantu
- Kuba bagabye ibitero byari bigamije kwica abantu
- Kuba barishe abo bantu babikoze mu mugambi mubisha wariho wo kurimbura ubwoko bumwe bw'abatujyaga abwo bw'abatutsi n'abandi batavugaga rumwe n'ubutegetsi , ibyo byaha byose bashinjwa bibahama kuko :

Kuri HAKIZIMANA : n'ubwo yiregura mu rukiko ahakana, muri anketi yemeye ko yagiye mu gitero cyo kwa SEBUTIMBIRI anivugira ko bahakuye ikimasa, akanivugira ko yajyaga mu bitero uretse ko yahakanye ko nta bantu yishe ; nyamara ibyo kuba yarishe abantu abyemezwa n'abantu benshi bagera kuri cumi n'umwe aribo : NABERA Saverina, Ndacogora Vénuste, NKERAMUGABA Fidèle, NTAGANDA Martin, NAMUHORANYE Claver, NGURUBE Patrice, MUTAGANDA Aloys, BUBAYA Evariste, GATWA Augustin, MUNYAWERA Vénuste, na GAFUKU bashinjwa hamwe ;

Kuri KANAMUGIRE : abashinjwa na NABERA Saverina, NTAGANDA Martin, MUTAGANDA Aloys na NDACOGORA Vénuste, akaba yivugira ko yashyize inzu ya SEBUTIMBIRI agatwara inkwi n'amategura 62 nyamara ntabwo yarashoboye gusobanura aho SEBUTIMBIRI yari ari mu gihe bamusenyeraga kandi bizwi ko uwo SEBUTIMBIRI yishwe

Kuri MIRASANO : arashinjwa na NTAGANDA Martin, RUBERABAHIZI Nicodème, NYIRANTURO Julienne, NYIRANZIZA Vincentine, MUTAGANDA Aloys, NGURUBE Patrice, NAMUHORANYE Claver na MBARUSHISONI Assiel, akaba anivugira ko abashyize muri abo bamushinja ari abo mu muryango we ;

Kuri GAFUKU : abashinjwa na GATWA Augustin, RUTAGANDA Aloys, BUBAYA Evariste, NAMUHORANYE Claver, NGURUBE Patrice, MUKANDIMBIRA Donatille, SIBOBUGINGO Vincent, MUBILIGI Philippe, NTAWUMENYA Cyprien, MUNYAWERA Vénuste na ZIMULINDA Anastase na MBARUSHISONI bashinjwa hamwe, RUBERABAHIZI Nicodème, NKERAMUGABA

Nicodème, NKERAMUGABA Fidèle akanabishinjwa kandi n'abagabo yitangiye Urukiko rukabatumira aribo : MUDAHINYUKA na RUKFRIBUGA ;

KURI MBANGUKIRA : ashinjwa na MUTAGANDA Aloys na MBARUSHISONI Assiel ;

Kuri MURWANASHYAKA : ashinjwa na NSABIMANA Aloys, MUTAGANDA Aloys, MBARUSHISONI Assiel, NAMUHORAMYE Claver na NYIRANTURO Julienne ;

Rusanze icyaha cyo kurema umutwe ugamije kugirira nabi abantu kubahama kuko abashinjwa bose bemeza ko bari mu bitero byateraga hirya no hino bagenda bica, batwika amazu bakanasahura n'imitungo yabo ;

Rusanze icyaha cyo kwica aabantu babigambiriye nacyo kibahama kuko muri uwo mutwe bari bagize bagiye bica abantu benshi nk'uko babishinjwa n'abagabo bavuzwe haruguru, bamwe muri bo bakaba bashinjanywe ;

Rusanze icyo cyaha kandi cyo kwica abantu babigambiriye ari kimwe mu bikorwa bigize icyaha cya gatatu cy'itsamba-bwoko n'itsembatsemba kuko ibyo bakoze bari babikoze mu mugambi wariho wo kwica abantu kandi bakiyemerera ko abishwe muri icyo gihe ari bo koko,

Rusanze abashinjwa bahamwe n'icyaha cyo kuba ba ruharwa ari HAKIZIMANA na GAFUKU bayoboraga ibitero banamamara mu bwicanyi bwabaye mu masegiteri y'iwabo, kikanahama MIRASANO kubera ko yamamaye mu kwica abantu benshi barimo n'abuzukuru be nk'uko abashinjwa n'abantu bo mu muryango we, abo bose uko ari batatu ibyaha bibahama bikaba bibashyira mu rwego rwa mbere ;

Rusanze abandi bashinjwa hamwe n'abamaze kuvugwa ibyaha ibyaha bibahama bibashyira mu rwego rwa kabiri, abo baka ari : ZIMULLINDA anastase, KANAMUGIRE Oswald, MURWANASHYAKA na MBANGUKIRA ;

Rusanze imvugo z'abashinjwa zo kwihana ababashinje bose babita abanzi babo ngo bagiranye imanza, zitagomba kwemerwaho ukuri kuko uretse ko bose bazihurizaho bikagaragaza ko bazigiyemo hamwe bashakaga guhunga ibyaha bashinjwa, nta n'ibimenyetso by'izo manza bagaragarije Urukiko ;

Rusanze ibyaha abashinjwa bakurikiranyweho bibahama ku buryo bw'impurirane mboneza-mugambi, bakaba bagomba guhanishwa igihano cyatreganiliye icyaha kirushijeho ibindi gukomera ;

Rusanze SINUMVAYINO washinjwaga hamwe n'abamaze kuvugwa bose, atagishoboye gukurikiranwa kuko habaye ubuzime bw'ikulikirana cyaha byatewe n'urupfu rwe ;

Kubera izo mpamvu rubonye abashinjwa bahari uretse Sinumvayino wapfuye, hari n'umushinje-cyaha n'abaregera indishyi ;

RUSHINGIYE ku masezerano mpuzamahanga yo kuwa 9/12/1948 yerekeranye no kwirinda no guhana icyaha cya "GENOCIDE"

RUSHINGIYE ku itegeko-nshingiro cyane cyane kw'Itegeko- Ngenga rya Repubulika y'u Rwanda ryo kuwa 10/6/1991 nk'uko ryahinduwe kandi rikuzuzwa kugeza ubu, cyane cyane mu ngingo za 12, 33, 92, 93 na 94 ;

RUSHINGIYE ku Itegeko-ngenga n° 8/96 ryo kuwa 30/8/1996 rigena imitunganyilize y'ikulikirana ry'ibyaha bigize icyaha cy'itsembabwoko n'itsembatsemba cyangwa ibyaha byibasiye inyoko-muntu byakozwe kuva ku itariki ya 1 Ukwakira 1990, cyane cyane mu ngingo za 1, 2, 3, 14, 17a, na 18, 19, 20, 21, 29 na 30 ;

RUSHINGIYE Itegeko-Teka n° 09/80 ryo ryo kuwa 7/7/1980 rishinga imitunganyilize n'ububasha by'inkiko cyane cyane ku ngingo za 8 igika cya kabiri, 9, 12, 76, 104, 118, igika cya mbere, 129 igika cya mbere 199, 200, na 201,

RUSHINGIYE ku ngingo za 1, 6, 7, 8, 20, 25, 26, 27, 40, 48, 66, 67, 68, 69, 90, 92, 93, 281, 282, na 312 z'igitabo cya I n'icya II by'amategeko ahana ;

RUSHINGIYE ku Itegeko ryo kuwa 23/2/1963 rishinga imiburanishirize y'imanza zishinje ibyaha nk'uko ryahinduwe kugera ubu cyane cyane ku ngingo za 16, 17, 39, 58, 59, 61, 62, 63, 67, 71, 76, 83, 84, 90, 129, 138, 139 na 140 ;

RWEMEJE :

- Kwakira ibirego by'uru rubanza nk'uko rwabishyikirijwe n'umushinje-cyaha kuko byaje mu nzira zemewe n'amategeko, kandi ko bufite ishingiro ;
- Kwakira ibirego by'abaregera indishyi aribo NTORANO, NYIRANDIMURWANGO na NABERA kuko byaje mu nzira zemewe n'amategeko, ariko bidashobora gusuzumwa kuko abareze batagaragarije Urukiko ibyemezo by'amasano bafitanye n'abishwe kugira ngo bishingirweho mw'igena ry'izo ndishyi ;

RUKIJIJE ko HAKIZIMANA Julien, ZIMULINDA Anastase, MIRASANO Simon, KANAMUGIRE Oswald, GAFUKU Damien na MBANGUKIRA batsinzwe ;
RUHANISHIJE ZIMULINDA Anastase, KANAMUGIRE Oswald, MURWANASHYAKA NA MBANGUKIRA, igifungo cya burundu ;

RUTEGETSE ko HAKIZIMANA Julien, GAFUKU damien na MIRASANO Simon bamburwa burundu uburenganzira umuntu afite mu gihugu, naho ZIMULINDA anastase, KANAMUGIRE Oswald, MURWANASHYAKA na MBANGUKIRA bakamburwa burundu uburenganzira buvugwa mu ngingo ya 66 y'Igitabo cy'amategeko ahana, agace ka 2, 3 n'aka 5 ;

RUSHINGIYE ko abashinjwa bose ibyaha bihamye bazafatanyaga gutanga amagarama y'uru rubanza, uko ari 37.300 F, batatanyaga mu gihe gitegetswe umwe agafungwa amezi 3 y'ubugwatiramubiri ayo mafranga agakurwa mu byabo ku ngufu za Leta ;

RUTEGETSE ko uru rubanza rutandukanye n'urw'indishyi (disjonction de l'action civile) abaifuza bashobora kuzakurikirana nyuma kuko nta byemezo bashoboye kugaragariza Urukiko byerekana amasano bafitanye na banyakwigendera bituma bashobora guhabwa izo ndishyi ;

Igihe cyo kujurira ni iminsi 15 kuva urubanza rusomwa ;

NI UKO RUKIJWE KANDI RUSOMWE MU RUHAME KUWA 13/05/1997 MU RUKIKO RWA
MBERE RW'IREMEZO RWA GIKONGORO, URUGEREKO RWIHARIYE RURI KU GIKONGORO,
RUGIZWE NA NTABARA-NDUSHABANDI Innocent, PEREZIDA, SEFIGI P. Claver na
NDAHIGWA Félix ABAJUJI, KABALISA Anaclet, UMUSHINJA-CYAHA NA DUKUZUMUKIZA
Charles GEREFIYE .

ABACAMANZA

JUJI PEREZIDA JUJI GEREFIYE

SEFIGI P. Claver Ntabara-Ndushabandi I. Ndahigwa Félix Dukuzumukiza CH.
Sé/ Sé/ Sé/ Sé/