AMABWIRIZA N° 06/2005 YO KU WA 20/7/2005 Y'UMUNYAMABANGA NSHINGWABIKORWA W'URWEGO RW'IGIHUGU RUSHINZWE INKIKO GACACA AREBANA N'IKURWA MU NTEKO RY'INYANGAMUGAYO, ISESWA RY'INTEKO Y'URUKIKO GACACA N'ISIMBURWA RY'INYANGAMUGAYO.

UMUNYAMABANGA NSHINGWABIKORWA ;

Ashingiye ku ngingo za 14, 16 n'iya 50 z'Itegeko Ngenga n° 16/2004 ryo ku wa 19 Kamena 2004 rigena imiterere, ububasha n'imikorere by'Inkiko Gacaca zishinzwe gukurikirana no gucira imanza abakoze ibyaha bya Jenoside n'ibindi byaha byibasiye inyoko muntu byakozwe hagati y'itariki ya mbere Ukwakira 1990 n'iya 31 Ukuboza 1994 ;

Ashingiye na none ku ngingo ya 2 y'Itegeko n° 08/2004 ryo ku wa 28 Mata 2004 rishyiraho kandi rigena imiterere, inshingano n'imikorere by'Urwego rw'Igihugu rushinzwe gukurikirana, kugenzura no guhuza ibikorwa by'Inkiko Gacaca ;

ATANZE AMABWIRIZA AKURIKIRA:

UMUTWE WA I : IBYEREKEYE INGINGO RUSANGE

Ingingo ya mbere :

Aya mabwiriza agenga ikurwa mu Nteko ry'Inyangamugayo, iseswa ry'Inteko y'Urukiko Gacaca n'isimburwa ry'Inyangamugayo.

Ingingo ya 2 :
Aya mabwiriza areba Inkiko Gacaca zose.

Ingingo ya 3 :

Inyangamugayo ishobora gusimburwa mu Rukiko Gacaca kubera imwe mu mpamvu zikurikira :

1. Gushinjwa Jenoside ;
2. Kugaragaza ubushobozi buke ;
3. Gusiba inama z'inzego z'Inkiko Gacaca inshuro eshatu (3) zikurukirana kandi nta mpamvu zumvikana zatanzwe ;
4. Guhamwa n'icyaha gihanishwa igihano cy'igifungo kigeze ku mezi atandatu (6) nibura

1. Gukora akazi karebana n'umurimo wa politiki, uw'ubuyobozi mu butegetsi bwa Leta, uw'igisirikare, uw'igipolisi, uw'ubucamanza bw'umwuga cyangwa undi murimo wose wabangamira imigendekere myiza y'Urukiko Gacaca.
2. Kugira indwara ituma umuntu adashobora gukora imirimo y'Urukiko Gacaca ;
3. Kugaragaraho igikorwa icyo ari cyo cyose gituma umuntu atakwitwa "Inyangamugayo"
4. Kwegura ;
5. Kwirukanwa ;
6. Kwimuka ;
7. Gupfa.

UMUTWE WA II : IBYEREKEYE IKURWA MU NTEKO KW'INYANGAMUGAYO

Ingingo ya 4 :

Inyangamugayo ishaka kwegura mu Rukiko Gacaca yandikira Perezida w'Urukiko Gacaca bireba isobanura impamvu.

Perezida abimenyesha abagize Inteko n'abasimbura babo bakabitangaho ibitekerezo mbere yo kubishyikiriza Inama Rusange y'Urukiko Gacaca bireba ari nayo ifata icyemezo.

1. Semer la division ;

8. Gukora akazi karebana n'umurimo wa politiki, uw'ubuyobozi mu butegetsi bwa Leta, uw'igisirikare, uw'igipolisi, uw'ubucamanza bw'umwuga cyangwa undi murimo wose wabangamira imigendekere myiza y'Urukiko Gacaca.
9. Kugira indwara ituma umuntu adashobora gukora imirimo y'Urukiko Gacaca ;
10. Kugaragaraho igikorwa icyo ari cyo cyose gituma umuntu atakwitwa "Inyangamugayo"
11. Kwegura ;
12. Kwirukanwa ;
13. Kwimuka ;
14. Gupfa.

Ingingo ya 5 :
Inyangamugayo iri mu Nama mpuzabikorwa y'Urukiko Gacaca ishaka kwegura muri iyo Nama yandikira Inteko y'Urukiko Gacaca ikabifataho icyemezo.

Inyangamugayo yeguye mu Nama mpuzabikorwa ishobora gukomeza kuba Inyangamugayo isanzwe mu Rukiko Gacaca.

Ingingo ya 6 :
Inyangamugayo yasabye kwegura ntiyemerewe guhagarika imirimo itaramenyeshwa umwanzuro wafashwe.

Inyangamugayo yasabye kwegura ntiyemerewe guhagarika imirimo itaramenyeshwa umwanzuro wafashwe.

Ingingo ya 7 :
Urwego rw'Urukiko Gacaca rufite ububasha bwo gufata icyemezo ku cyifuzo cyo kwegura cy'Inyangamugayo rubikora mu gihe kitarenze iminsi cumi n'itanu uhereye ku munsi rwagerejweho icyo cyifuzo.

Iyo icyo gihe kirenze Inyangamugayo yasabye kwegura ifatwa nk'iyemerewe.

Ingingo ya 8 :
Inyangamugayo ishinjwe Jenoside ihita ihagarikwa mu mirimo y'Urukiko Gacaca.

Iyo Inyangamugayo yahagaritswe idashyizwe ku rutonde rw'abaregwa ishobora gusubizwa mu Nyangamugayo mu nzego z'Urukiko Gacaca iyo ibisabye.

UMUTWE WA III : IBYEREKEYE ISESWA RY'INTEKO Y'URUKIKO GACACA

Ingingo ya 9 :

Gusesa Inteko y'Urukiko Gacaca ni ugukura icyizere ku Nyangamugayo zose ziyigize hamwe n'abasimbura bazo.

Ingingo ya 10 :

Inteko y'Urukiko Gacaca ishobora guseswa igihe cyose igaragaweho imwe mu mpamvu zikurikira :

1. Gufata ibyemezo bishingiye ku marangamutima ;
2. Gucikamo ibice ;
3. Ubushobozi buke ;
4. Imyitwarire ibangamiye imirimo y'Inkiko Gacaca.

Ingingo ya 11 :

Icyemezo cyo gusesa Inteko y'Urukiko Gacaca gifatwa n'Inama Rusange y'Umurenge, ibyibwirije cyangwa ibisabwe n'Urwego rw'Igihugu rushinzwe Inkiko Gacaca.

Iyo hasheshwe Inteko y'Urukiko Gacaca rw'Akagari bimenyeshwa ubuyobozi bw'Akagari bireba kugira ngo hakorwe amatora y'izindi Nyangamugayo, ayoborwa n'Umuhuzabikorwa w'Akagari afatanyije n'Abagize Akanama gashinzwe Politiki n'Ubutegetsi mu Kagari (CPA).

Iyo hasheshwe Inteko y'Urukiko Gacaca rw'Umurenge cyangwa urw'Ubujurire, abasigaye mu Nama Rusange y'Umurenge bitoramo abagize Inteko nshya. Inama Rusange z'Inkiko Gacaca baturutsemo zigakora amatora yo kuzuza inzego.

UMUTWE WA IV : IBYEREKEYE ISIMBURWA RY'INYANGAMUGAYO

Ingingo ya 12 :

Inteko y'Urukiko Gacaca igomba guhora igizwe n'Inyangamugayo icyenda (9) n'abasimbura batanu (5). Iterana mu buryo bwemewe n'amategeko iyo hari nibura Inyangamugayo indwi (7) mu ziyigize.

Ingingo ya 13 :

Igihe Inyangamugayo ivuye mu Nteko y'Urukiko Gacaca kubera impamvu iyo ariyo yose ihita isimburwa n'umusimbura wagize amajwi menshi kurusha abandi.

Nyuma yo gusimbura Inyangamugayo yavuye mu Nteko hakorwa amatora yo kuzuza umubare w'abasimbura.

Ingingo ya 14 :

Amatora yo kuzuza umubare w'Inyangamugayo z' abasimbura cyangwa uw'abagize Inteko y'Urukiko Gacaca rw'Akagari akorwa n'Inama Rusange y'Urukiko Gacaca rw'Akagari akayoborwa na Perezida w'Urukiko Gacaca cyangwa n'abasimbura be.

UMUTWE WA V : IBYEREKEYE INGINGO ZISOZA

Ingingo ya 15 :

Aya mabwiriza atangira gukurikizwa umunsi yashyiriweho umukono n'Umunyamabanga Nshingwabikorwa w'Urwego rw'Igihugu rushinzwe Inkiko Gacaca.

Bikorewe i Kigali, ku wa 20 / 07 / 2005

MUKANTAGANZWA Domitilla

Umunyamabanga Nshingwabikorwa
w'Urwego rw'igihugu rushinzwe
Inkiko Gacaca.