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URWEGO RW'IGIHUGU RUSHINZWE INKIKO GACACA
B.P. 1874 Kigali

AMABWIRIZA N°05/2005 YO KU WA 15/3/2005 Y'UMUNYAMABANGA NSHINGWABIKORWA W'URWEGO RW'IGIHUGU RUSHINZWE INKIKO GACACA AREBANA NO KWAKIRA UBUHAMYA CYANGWA AMAKURU KU BYABAYE MURI JENOSIDE.

Umunyamabanga Nshingwabikorwa **,**

Amaze kubona ko abanyarwanda benshi barimo bagaragaza ubushake bwo guha Inkiko Gacaca ubuhamya n'amakuru ku byabaye muri jenoside ;

Ashingiye ku ngingo za 33, 34, 35, 39 n'iya 50 z'Itegeko Ngenga N°16/2004 ryo ku wa 19/6/2004 rigena imiterere, ububasha n'imikorere by'Inkiko Gacaca zishinzwe gukurikirana no gucira imanza abakoze ibyaha bya Jenoside n'ibindi byaha byibasiye inyokomuntu byakozwe hagati y'itariki ya mbere Ukwakira 1990 n'iya 31 Ukuboza 1994;

ATANZE AMABWIRIZA AKURIKIRA :

UMUTWE WA I : IBYEREKEYE INGINGO RUSANGE

Ingingo ya mbere

Aya mabwiriza agamije gusobanurira Inyangamugayo z'Inkiko Gacaca zose ibirebana no kwakira ubuhamya cyangwa amakuru mu gihe cy'ikusanyamakuru.

Ingingo ya 2

Gutanga ubuhamya ni ukugaragaza uko ibintu byagenze muri Jenoside bivugwa n'uwabigizemo uruhare, uwabibonye cyangwa uwahohotewe.

Ingingo ya 3

Gutanga amakuru ni ukugaragaza uko ibintu byagenze muri Jenoside bivugwa n'uwabibwiwe cyangwa uwabyiyumviye ariko utarashoboye kubyibonera n'amaso ye.

UMUTWE WA II : IBYEREKEYE GUTANGA UBUHAMYA CYANGWA AMAKURU

Ingingo ya 4

Utanga ubuhamya cyangwa amakuru ashobora kubisabwa n'Urukiko Gacaca rw'Akagari cyangwa akabyibwiriza ku bushake bwe. Iyo ari Urukiko Gacaca rumukeneye rumutumiza mu buryo busanzwe.

Ingingo ya 5

Iyo utanga ubuhamya cyangwa amakuru yatumijwe n'Urukiko Gacaca rw'Akagari, Inama Rusange yarwo niyo yonyine imwakira agasobanura mbere na mbere ibyo Inteko y'urukiko imubajije.

Nyuma yo gusobanurira Inteko, abitabiriye inama bashobora kugira ibyo bamusobanuza.

Ingingo ya 6

Iyo utanga ubuhamya cyangwa amakuru yabikoze ku bushake bwe kandi ubuhamya cyangwa amakuru afite akaba areba ifasi y'Urukiko Gacaca rw'Akagari rumwe, Inama Rusange yarwo ni yo iyakira.

Abitabiriye inama bashaka kugira ibyo bamusobanuza babikora arangije.

Ingingo ya 7

Iyo utanga ubuhamya cyangwa amakuru yabikoze ku bushake bwe kandi ubuhamya cyangwa amakuru afite bikaba bireba amafasi y'Inkiko Gacaca z'Utugari nyinshi mu murenge umwe, Inama Rusange y'umurenge niyo yakira ubwo buhamya cyangwa amakuru maze buri Nteko y'Urukiko Gacaca rw'Akagari ikandika ibyabereye mu ifasi yarwo.

Abitabiriye inama bashobora kugira ibindi bisobanuro bamusaba.

Ingingo ya 8

Iyo utanga ubuhamya cyangwa amakuru ku bushake bwe afite ubuhamya cyangwa amakuru areba imirenge myinshi, ayatanga muri buri murenge.

Icyo gihe amakuru yakirwa hubahirijwe ibiteganyijwe mu ngingo ya 6 cyangwa iya 7 z'aya mabwiriza, hamaze gusuzumwa ko ubuhamya cyangwa amakuru areba Urukiko Gacaca rw'Akagari rumwe cyangwa Inkiko Gacaca z'Utugari nyinshi mu murenge umwe.

Ingingo ya 9

Ntawemerewe gutanga ubuhamya cyangwa amakuru mu ruhame ku byerekeye ibyaha byo gusambanya ku gahato cyangwa kwangiza imyanya ndangagitsina.

Ufite ubwo buhamya cyangwa ayo makuru amenyesha abitabiriye inama ko azabibwira Ubugenzacyaha cyangwa Ubushinjacyaha.

Cyakora, iyo ushaka gutanga ubuhamya cyangwa amakuru ari “uwahohotewe”, ashobora gutoranya inyangamugayo yizeye akayishyikiriza ubuhamya cyangwa amakuru afite, nayo ikazayamugereza ku Bugenzacyaha cyangwa Ubushinjacyaha.

UMUTWE WA III : IMYIFATIRE Y’INYANGAMUGAYO Z’INKIKO GACACA

Ingingo ya 10

Inyangamugayo ziri mu gikorwa cyo kwakira ubuhamya cyangwa amakuru zigomba kuba zambaye umwambaro wabigenewe zisanzwe zambara mu gihe cy’imirimo y’Inkiko Gacaca.

Ingingo ya 11

Ugiye gutanga ubuhamya cyangwa amakuru wese abanza kurahira avuga ati : ***”Ntanze Imana ho Umuhamya ko ibyo ngiye kuvuga ari ukuri”.***

Nyuma yo gutanga ubuhamya cyangwa amakuru, uwabikoze agomba gusomerwa inyandikomvugo yabyo byarangira akayishyiraho umukono cyangwa igikumwe.

Iyo utanga ubuhamya cyangwa amakuru yashoboye kuyandika, ***umwimerere*** w’iyo nyandiko uhabwa urukiko ***mbere***.

Ingingo ya 12

Iyo mu buhamya cyangwa mu makuru atanzwe havuzwemo abantu bashobora kuboneka ako kanya mu bitabiriye inama bahabwa umwanya wo kugira icyo bavuga.

UMUTWE WA IV : INGINGO ZISOZA

Ingingo ya 13

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

Bikorewe i Kigali, ku wa 15/3/2005

MUKANTAGANZWA Domitilla

Umunyamabanga Nshingwabikorwa
w’Urwego rw’Igihugu rushinzwe
Inkiko Gacaca