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

AMABWIRIZA Nº14/2007 YO KU WA 30/03/2007 Y'UMUNYAMABANGA NSHINGWABIKORWA W'URWEGO RW'IGIHUGU RUSHINZWE INKIKO GACACA AREBANA NO KURIHA UMUTUNGO WONONWE MU GIHE CYA JENOSIDE N'IBINDI BYAHA BYIBASIYE INYOKOMUNTU BYAKOZWE HAGATI Y'ITARIKI YA MBERE UKWAKIRA 1990 N'IYA 31 UKUBOZA 1994

Umunyamabanga Nshingwabikorwa ;

Amaze kubona ibibazo bigaragara mu iburanisha n'irangiza ry'imanza zerekeye umutungo wononwe mu gihe cya jenoside n'ibindi byaha byibasiye inyokomuntu byakozwe hagati y'itariki ya mbere Ukwakira 1990 n'iya 31 Ukuboza 1994 ;

Ashingiye ku ngingo ya 49, iya 50 n'iya 95 z'Itegeko Ngenga n° 16/2004 ryo ku wa 19/06/2004 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 nk'uko ryahinduwe kandi ryujujwe kugeza ubu ;

ATANZE AMABWIRIZA AKURIKIRA :

Umutwe wa mbere : Ibyerekeye ubwumvikane ku irihwa ry'umutungo wononwe

Ingingo ya mbere :

Umutungo wononwe urihwa ku bwumvikane busesuye hagati y'uwawononnye na nyirawo.

Hagamijwe gushimangira ubumwe n'ubwiyunge bw'abaturage, abayobozi b'inzego z'ibanze bashishikariza abaturage kumvikana ku irihwa ry'umutungo wononwe no gushyikiriza ubwumvikane bwabo Urukiko Gacaca rw'Akagari kugira ngo rubwemeze.

Ingingo ya 2 :

Kugira ngo ubwumvikane ku irihwa ry'umutungo bugire agaciro mu rwego rw'amategeko, Urukiko Gacaca rw'Akagari rwuzuriza abantu bumvikanye icyemezo cyabugenewe cyitwa: "Inyandikomvugo y'ubwumvikane ku mutungo wangijwe cyangwa wasahuwe muri jenoside".

Abantu bumvikanye ku bwabo cyangwa bumvikanishijwe n'inzego z'ubuyobozi bashyikiriza ubwumvikane bwabo Urukiko Gacaca rw'Akagari kugira ngo rubwemeze.

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Umutwe wa mbere II: Ibyerekeye iburanisha ry'urubanza rw'umutungo wononwe

Ingingo ya 3 :

Iyo uwononnye umutungo na nyirawo bananiwe kumvikana ku irihwa ryawo biyambaza Urukiko Gacaca rw'Akagari rw'aho umutungo wononewe rukababuranisha.

Iburanisha ry'imanza z'umutungo rikorwa hakurikijwe ibiteganyijwe mu ngingo ya 68, iya 69 n'iya 70 z'Itegeko Ngenga n° 16/2004 ryo ku wa 19/06/2004 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 nk'uko ryahinduwe kandi ryujujwe kugeza ubu.

Ingingo ya 4 :

Mu guca urubanza rwerekeye umutungo wononwe, Urukiko Gacaca rushingiye ku bushobozi bw'uriha, rwemeza bumwe mu buryo bukurikira uwononnye umutungo azakoresha yishyura :

1. gusubiza ibyasahuwe iyo bishoboka ;
2. kuriha ibyononwe ;
3. gukora imirimo ifite agaciro gahwanye n'ibigomba kurihwa .

Iyo utegetswe kwishyura atubahirije uburyo n'igihe yahawe, irangizarubanza rikorwa ku ngufu za Leta.

Urubanza rwerekeye umutungo wononwe ntirujuririrwa.

Umutwe wa III : Ibyerekeye irangizwa ry'urubanza rwerekeye umutungo wononwe

Ingingo ya 5 :

Irangizwa ry'imanza ku byerekeye umutungo wononwe rikorwa n'Umunyamabanga Nshingwabikorwa w'Akagari, Umunyamabanga Nshingwabikorwa w'Umurenge cyangwa Umuhesha w'Inkiko w'umwuga hashingiwe ku rubanza rwaciwe n'Urukiko Gacaca akabikorera inyandikomvugo.

Umuhesha w'Inkiko w'umwuga warangije urubanza yishyurwa n'uwo bakoranye amasezerano.

Uwononewe umutungo cyangwa abazungura be ntibashobora kwirangiriza urubanza.

Ingingo ya 6 :

Hagamijwe gufasha kuzariha umutungo wononwe, Inkiko Gacaca zishobora gushingana umutungo w'umuntu ukurikiranyweho kuba yarononnye umutungo.

Igihe nyir'umutungo washinganywe yarishye ; byaba bikozwe ku bwumvikane bwemejwe n'Urukiko Gacaca rw'Akagari cyangwa binyuze mu rubanza rwarangijwe, ishingana rivanwaho.

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Ingingo ya 7 :

Mu irangiza ry'urubanza rw'umutungo rikozwe ku ngufu za Leta, imitungo ikurikira ntifatirwa ngo itezwe cyamunara :

a) 2/3 by'ibiribwa bitunze uwononnye umutungo n'umuryango we ;
b) 2/3 by'umushahara w' uwononnye umutungo ;
c) 1/3 cya pansiyo y'uwononnye umutungo ugeze mu zabukuru ;
d) 1/2 cya hegitari cy'ubutaka butunze uwononnye umutungo n'umuryango we ;
e) Inzu uwononnye umutungo n'umuryango batuyemo ;
f) Ibiryamirwa n'ibyambarwa by'uwononnye umutungo n'umuryango we ;
g) Ibikoresho by'uwononnye umutungo bimufasha mu murimo cyangwa mu mwuga umubeshejeho n'umuryango we.

Umutwe wa IV : Ibyerekeye ugomba kuriha umutungo wononwe

Ingingo ya 8 :

Umutungo wononwe wishyurwa n'uwawononnye.

Iyo uwangije umutungo yapfuye, umutungo we ukazungurwa, uwawuzunguye niwe wishyura ibyo nyakwigendera yononnye. Icyakora, ntashobora kwishyuzwa agaciro karenze ak'ibyo yazunguye.

Iyo uwononnye umutungo yapfuye nta mutungo asize, kuriha umutungo wononwe biba bidashoboka. Icyo gihe, Urukiko Gacaca rw'Akagari rukora inyandikomvugo ibyemeza igashyirwa muri dosiye y'uregwa kandi rukagenera kopi yayo Urwego rw'Igihugu rushinzwe Inkiko Gacaca n'Umunyamabanga Nshingwabikorwa w'Umurenge.

Ingingo ya 9 :

Igihe umutungo wononwe n'umwana ukirerwa n'ababyeyi be kandi utaragira umutungo we bwite, ibyo yangije byishyurwa n'ababyeyi be.

Uwononnye umutungo ari umwana, ubu akaba ashobora kuriha hakoreshejwe bumwe mu buryo buteganywa mu ngingo ya 4 y'aya mabwiriza, yiyishyurira ibyo yononnye.

Umutwe wa V : Ibyerekeye ugomba kurihwa umutungo wononwe

Ingingo ya 10 :

Umutungo wononwe wishyurwa nyirawo cyangwa abazungura be.

Iyo uwangirijwe umutungo adashoboye kumenyekana cyangwa adafite umuzungura, uwononnye umutungo yishyura agaciro kawo mu mafaranga, akayashyira kuri konti y'Umurenge umutungo wononewemo.

Icyemezo kigaragaza ko amafaranga yarishywe kuri iyo konti gihabwa Umunyamabanga Nshingwabikorwa w'uwo Murenge ; kopi yacyo igahabwa Umuhuzabikorwa w'Inkiko Gacaca mu Karere, nawe akacyoherereza Urwego rw'Igihugu rushinzwe Inkiko Gacaca.

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Umutwe wa VI : Ibyerekeye ingingo zisoza

Ingingo ya 11 :

Aya mabwiriza agenewe Inkiko Gacaca zose.

Ingingo ya 12 :

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

Bikorewe i Kigali, ku wa .....

MUKANTAGANZWA Domitilla

Umunyamabanga Nshingwabikorwa
w'Urwego rw'Igihugu rushinzwe
Inkiko Gacaca

Sé