UBUSHINJACYAHA v. HARINDINTWARI

[Rwanda URUKIKO RW’UBUJURIRE - RPAA 00406/2021/CA (Gakwaya, P.J.) 23 Nzeri 2022]

Amategeko agenga imanza z’inshinjabyaha – Isesezungura ry’ingingo z’itegeko - Isesengura ry’ingingo ya 49 n’iya 58 z’Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n’ibihano muri rusange, ryumvikanisha ko umucamanza mu bushishozi bwe asuzuma impamvu nyoroshyacyaha (circonstances atténuantes judiciaires ou causes judiciaires d’atténuation), akazisobanura, akemeza ko koko zoroshya uburemere bw’icyaha kandi ko zikwiye gushingirwaho, agatanga igihano kijyanye n’uburemere bw’icyaha ndetse n’ingaruka zacyo.

Incamake y’icyibazo: Urubanza rwatangiriye mu Rukiko Rwisumbuye rwa Muhanga, Ubushinjacyaha bukurikiranyeho Harindintwari Félix icyaha cy’ubwicanyi, busobanura ko yishe umuvandimwe we witwa Mudaheranwa François, biturutse ku kuba yari aje kumukiza n'umugore we witwa Mutuyemariya Epiphanie barimo batongana, yamusohoye mu nzu n’abana, Mudaheranwa François ahageze agerageje kumubaza impamvu abasohora mu nzu, undi amubwira ko nawe yamwica, bahita bafatana bashaka kurwana, abagore babo barabakiza, nyuma afata agafuni ashaka kugakubita Mudaheranwa François, ariruka aramuhunga, Harindintwari Félix amwirukaho amukubita ako gafuni ko mu gahanga inshuro ebyiri no mu mutwe, aramwica. Harindintwari Félix yaburanye yemera icyaha cyo kwica umuvandimwe we, ariko akavuga ko byamugwiririye, maze Urukiko rwemeza ko ahamwa n’icyaha cy’ubwicanyi, rumuhanisha igihano cy’igifungo cya burundu. Ajuririra Urukiko Rukuru, Urugereko rwa Nyanza, avuga ko nta mugambi yari afite wo kwica mukuru we, ko yamwishe bitewe n’umujinya no kuba nawe yari yamukubise inkoni amubuza guhohotera umugore we, bituma nawe amukubita agafuni aramwica, ariko ko ubusanzwe ntacyo bapfaga, ko ndetse yaburanye yemera icyaha ntiyigera arushya inzego z’ubutabera, asaba ko ibyo byose byashingirwaho akagabanyirizwa igihano. Urukiko Rukuru rwemeje ko ubujurire bwa bwe bufite ishingiro kuri bimwe, rwemeza ko imikirize y’urubanza yajuririye ihindutse gusa ku bijyanye n’ibihano, rumuhanisha igihano cy’igifungo cy’imyaka makumyabiri n’itanu (25).

Harindintwari Félix ntiyishimiye imikirize y’urubanza, ajuririra Urukiko rw’Ubujurire avuga ko asaba kongera kugabanyirizwa kuko yemeye icyaha kuva muntangiriro akaba anasaba ko igihano yahabwa yagusibikirwa cyangwa agahabwa imirimo nsimbura gifungo, kuko abana n’ubwandu bwa Sida. Mu iburanisha, Ubushinjacyaha bwavuze ko kuba Harindintwari Félix yemera ko yishe umuvandimwe we, ariko akavuga ko nta mugambi yari afite wo kumwica nta gaciro byahabwa, ko yabonye nyakwigendera atararyama, yinjira mu nzu ye akuramo agafuni k'isuka aza ashaka kukamukubita undi ariruka aramuhunga, amwirukaho amufatira mu gashyamba, amukubita ako gafuni mu gahanga no mu mutwe inshuro ebyiri, aramwica. Bukomeza buvuga ko kuba asaba kugabanyirizwa igihano, nta gaciro bikwiye guhabwa, kuko n’ubundi iyi mpamvu ariyo yashingiyeho ajuririra mu Rukiko Rukuru, Urugereko rwa Nyanza, kandi urwo Rukiko rukaba rwarahaye agaciro uko kwemera icyaha kwe, rumugabanyiriza igihano, ahabwa igihano gito giteganywa n’itegeko, ko rero kuba umucamanza ataragiye munsi yacyo, atari ikosa, kuko ibyakozwe bikurikije amategeko.

Incamake y’icyemezo: Isesengura ry’ingingo ya 49 n’iya 58 z’Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n’ibihano muri rusange, ryumvikanisha ko umucamanza mu bushishozi bwe asuzuma impamvu nyoroshyacyaha (circonstances atténuantes judiciaires ou causes judiciaires d’atténuation), akazisobanura, akemeza ko koko zoroshya uburemere bw’icyaha kandi ko zikwiye gushingirwaho, agatanga igihano kijyanye n’uburemere bw’icyaha ndetse n’ingaruka zacyo. Bityo Urukiko Rukuru rwaragombaga kugaragaza ko mu bushishozi bwarwo icyo gihano rumuhaye gikwiranye n’icyaha yahamijwe.

Ubujurire nta shingiro bufite.

Amategeko yakoreshejwe:
Itegeko nº 69/2019 ryo ku wa 8/11/2019 rihindura Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange, ingingo ya 1
Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange, ingingo ya 49 na 58

Nta manza zashingiwe ho.

Urubanza

IMITERERE Y'URUBANZA

[1] Urubanza rwatangiriye mu Rukiko Rwisumbuye rwa Muhanga, Ubushinjacyaha bukurikiranyeho Harindintwari Félix icyaha cy'ubwicanyi, busobanura ko ku wa 20/7/2019 saa yine z'ijoro (22h00') ari mu Karere ka Ruhango, Umurenge wa Kinihira, Akagali ka Rukina, Umudugudu wa Kabirizi, yishe umuvandimwe we witwa Mudaheranwa François, biturutse ku kuba yari aje kumukiza n'umugore we witwa Mutuyemariya Epiphanie barimo batongana, yamusohoye mu nzu n'abana, Mudaheranwa François ahageze agerageje kumubaza impamvu abasohora mu nzu, undi amubwira ko nawe yamwica, bahita bafatana bashaka kurwana, abagore babo barabakiza, maze umugore wa Mudaheranwa François ajya kuryama yibwira ko byarangiye, asiga umugabo we Mudaheranwa François hanze, nyuma yumva Harindintwari Félix ari gutera amabuye hejuru y'inzu, ndetse aza kujya mu nzu ye akuramo agafuni k'isuka, agaruka ashaka kugakubita Mudaheranwa François, uyu ariruka aramuhunga, Harindintwari Félix amwirukaho amufatira mu gashyamba, amukubita ako gafuni ko mu gahanga inshuro ebyiri no mu mutwe, aramwica. Harindintwari Félix yaburanye yemera icyaha cyo kwica umuvandimwe we, ariko akavuga ko byamugwiririye.

[2] Mu rubanza n° RP 00541/2019/TGI/MHG rwaciwe n'Urukiko Rwisumbuye rwa Muhanga ku wa 19/8/2019, rushingiye ku kwemera icyaha kwa Harindintwari Félix, ku mvugo z'abatangabuhamya, kuri raporo ya muganga wasuzumye umurambo wa nyakwigendera yakozwe n'ibitaro bya Gitwe yo ku wa 23/7/2019 igaragaza ko nyakwigendera yishwe akubiswe ikintu, no ku nyandiko mvugo ifatira agafuni Harindintwari Félix yakoresheje yica umuvandimwe we, kandi akaba yarayishyizeho umukono, rwemeje ko ahamwa n'icyaha cy'ubwicanyi, rumuhanisha igihano cy'igifungo cya burundu.

[3] Harindintwari Félix ntiyishimiye imikirize y'urubanza, ajuririra Urukiko Rukuru, Urugereko rwa Nyanza, avuga ko nta mugambi yari afite wo kwica mukuru we, ko yamwishe bitewe n'umujinya no kuba nawe yari yamukubise inkoni amubuza guhohotera umugore we, bituma nawe amukubita agafuni aramwica, ariko ko ubusanzwe ntacyo bapfaga, ko ndetse yaburanye yemera icyaha ntiyigera arushya inzego z'ubutabera, asaba ko ibyo byose byashingirwaho akagabanyirizwa igihano.

[4] Mu rubanza n° RPA 00825/2019/HC/NYZ rwaciwe n'Urukiko Rukuru, Urugereko rwa Nyanza ku wa 28/1/2021, rwemeje ko ubujurire bwa Harindintwari Félix bufite ishingiro kuri bimwe, rwemeza ko imikirize y'urubanza yajuririye ihindutse gusa ku bijyanye n'ibihano, rumuhanisha igihano cy'igifungo cy'imyaka makumyabiri n'itanu (25).

[5] Harindintwari Félix ntiyishimiye imikirize y'urubanza, ajuririra Urukiko rw'Ubujurire ku wa 11/2/2021, avuga ko asaba kongera kugabanyirizwa igihano kuko kuva mu ntangiriro kugeza ubu yemeye icyaha, ariko Urukiko Rukuru, Urugereko rwa Nyanza rukaba rutaramugabanyirije igihano ku

buryo buhagije, akaba anasaba ko igihano yahabwa yagusibikirwa cyangwa agahabwa imirimo nsimbura gifungo, kuko abana n'ubwandu bwa Sida.

[6] Urubanza rwaburanishijwe ku wa 8/9/2022, Harindintwari Félix yunganirwa na Me Cyiza Clément, Ubushinjacyaha buhagarariwe na Mukunzi Faustin, Umushinjacyaha ku rwego rw'Igihugu.

IKIBAZO KIGIZE URUBANZA N'ISESENGURA RYACYO

1. **Kumenya niba Harindintwari Félix yagabanyirizwa igihano, akagisubikirwa cyangwa agahabwa imirimo nsimburagifungo.**

[7] Harindintwari Félix avuga ko icyamuteye kujurira ari uko Urukiko Rukuru, Urugereko rwa Nyanza rutamugabanyirije igihano ku buryo buhagije, kandi mu mwanzuro yararugaragarije ko nyuma yo gukora icyaha ariwe wishyikirije Ubugenzacyaha (RIB), ndetse ko kuva kuri urwo rwego yemeraga icyaha kandi akakicuza, ko rero asaba uru Rukiko kubishingiraho rukongera kumugabanyiririza igihano, kukimusubikira cyangwa agahabwa imirimo nsimburagifungo kuko abana na virusi itera Sida, kugira ngo abashe kwivuza no kwita ku bana bato afite.

[8] Mu mwanzuro wakozwe na Me TugirumuremyiI Raphaël afatanyije na Me Cyiza Clément, bunganira Harindintwari Félix, bavuga ko hashingiwe ku ngingo ya 58 n'iya 59 z'Itegeko no 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange, basaba ko yakongera kugabanyirizwa igihano kuko yemeye icyaha, agisabira imbabazi kuva yafatwa kugeza ubu, kandi ukwemera icyaha kwe kukaba kudashidikanywaho, iyo ikaba ari imwe mu mpamvu nyoroshyacyaha ziteganywa n'amategeko, ndetse ibyo bikaba ari nako Urukiko rw'Ikirenga rwabibonye mu rubanza n° RS/INCONST/SPEC0003/2019/SC rwaciwe ku wa 4/12/2019, rwemeza ko isuzumwa ry'impamvu nyoroshyacyaha n'ibihano bigomba kubahiriza amahame agize ubutabera buboneye nk'uko ateganywa n'ingingo ya 49 y'Itegeko no 68/2018 ryo ku wa 30/8/2018 ryavuzwe haruguru, aho ivuga ko Umucamanza atanga igihano akurikije uburemere bw'icyaha, ingaruka icyaha cyateye, impamvu zatumye agikora, uko uwagikoze yari asanzwe yitwara, imibereho ye bwite n'uburyo icyaha cyakozwemo. Bityo ko, kubuza Urukiko kugabanya igihano iyo hari impamvu nyoroshyacyaha, binyuranyije n'ayo mahame bitewe n'uko kwemeza gusa igihano giteganywa n'itegeko byaba bigihinduye kuba ntayegayezwa, nyamara igihano ntayegayezwa kinyuranye n'ihame ryo guca urubanza rutabera, kuko kibuza uregwa uburenganzira bwo kukijuririra.

[9] Bakomeza bavuga ko mu gace ka 18 k'urwo rubanza, Urukiko rw'Ikirenga rwasanze ingingo ya 60 y'Itegeko ryavuzwe haruguru, ibuza Urukiko kujya munsi y'igihano cy'igifungo cy'imyaka makumyabiri (20) mu gihe hari impamvu nyoroshyacyaha, idakwiye gukoreshwa kuko inyuranye n'amahame y'ubutabera buboneye n'ubwigenge bw'umucamanza nk'uko biteganywa n'Itegeko Nshinga mu ngingo ya 29 n'iya 151,5o, ko kubera izo mpamvu basaba uru Rukiko ko Harindintwari Félix yagabanyirizwa igihano kikava ku gihano cy'igifungo cy'imyaka makumyabiri n'itanu (25), kikajya ku gihano cy'igifungo cy'imyaka icumi (10) cyangwa munsi yaho.

[10] Mu gihe cy'iburanisha, Me Cyiza Clément yongeyeho ko impamvu basaba ko yakongera kugabanyirizwa igihano, ari uko igihano yahawe n'inkiko zabanje, ntaho gihuriye n'icyaha yakoze kuko ari kirekire cyane, kandi ari ubwa mbere zari zimukurikiranye.

[11] Ubushinjacyaha buvuga ko kuba Harindintwari Félix yemera ko yishe umuvandimwe we, ariko akavuga ko nta mugambi yari afite wo kumwica nta gaciro byahabwa, ko yabonye nyakwigendera atararyama, yinjira mu nzu ye akuramo agafuni k'isuka aza ashaka kukamukubita undi ariruka aramuhunga, amwirukaho amufatira mu gashyamba, amukubita ako gafuni mu gahanga no mu mutwe inshuro ebyiri, aramwica. Bukomeza buvuga ko kuba asaba kugabanyirizwa igihano, nta gaciro bikwiye guhabwa, kuko n'ubundi iyi mpamvu ariyo yashingiyeho ajuririra mu Rukiko Rukuru,

Urugereko rwa Nyanza, kandi urwo Rukiko rukaba rwarahaye agaciro uko kwemera icyaha kwe, rumugabanyiriza igihano, ahabwa igihano gito giteganywa n'itegeko, ko rero kuba umucamanza ataragiye munsi yacyo, atari ikosa, kuko ibyakozwe bikurikije amategeko. Ku birebana n'isubikagihano Harindintwari Félix asaba kuko abana na virusi itera Sida, Ubushinjacyaha buvuga ko uretse no kuba nta bimenyetso abitangira, ko ariko hanashingiwe ku biteganywa n'ingingo ya 64 y'Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange, atabyemererwa kuko igihano yahawe kirengeje igifungo cy'imyaka itanu (5).

UKO URUKIKO RUBIBONA

[12] Ingingo ya 49 y'Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange, iteganya ko "Umucamanza atanga igihano akurikije uburemere bw'icyaha, ingaruka icyaha cyateye, impamvu zatumye agikora, uko uwagikoze yari asanzwe yitwara, imibereho ye bwite n'uburyo icyaha cyakozwemo''.

[13] Ingingo ya 58, igika cya mbere, y'iryo iteganya ko "Umucamanza ubwe ni we ugena niba impamvu nyoroshyacyaha zemezwa n'umucamanza zahabwa agaciro. Kwemeza impamvu nyoroshyacyaha bigomba gusobanurwa mu cyemezo cy'urukiko".

[14] Nk'uko bigaragara mu gace ka cyenda (9) k'urubanza rujuririrwa, Urukiko Rukuru, Urugereko rwa Nyanza, rwasobanuye ko kuba Harindintwari Félix yemera ko yishe umuvandimwe we, ndetse akaba aribwo bwa mbere aguye mu cyaha, byamubera impamvu nyoroshyacyaha akagabanyirizwa igihano, agahanishwa igifungo cy'imyaka makumyabiri n'itanu (25), hashingiwe ku ngingo ya 1 y'Itegeko nº 69/2019 ryo ku wa 8/11/2019 rihindura Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange, iteganya ko iyo hari impamvu nyoroshyacyaha, igihano gishobora kugabanywa, ko haseguriwe ibiteganywa mu ngingo ya 92 n'iya 133 z'iryo Tegeko, igihano cyo gufungwa burundu gishobora kugabanywa ariko ntikijye munsi y'imyaka makumyabiri n'itanu (25).

[15] Dosiye y'urubanza igaragaza inyandiko-mvugo y'ibazwa rya Harindintwari Félix mu Bugenzacyaha ku wa 24/7/20219, aho yamenyeshejwe icyaha cy'ubwicanyi akurikiranyweho, avuga ko acyemera, asobanura ko ubusanzwe ntacyo yapfaga na Mudaheranwa François (umuvandimwe we), ko ariko yatashye agatongana n'umugore we, uyu agasohoka akajya guhamagara uwo muvandimwe we, bakagarukana yitwaje ubuhiri, akabumukubita, bituma nawe arakara, amwirukaho amufatira nko muri metero 150, amukubita ifuni, aramwica.

[16] Dosiye igaragaza kandi inyandiko-mvugo y'ibazwa rya Mukeshimana Marthe (umugore wa nyakwigendera), aho mu Bugenzacyaha yabajijwe ku wa 23/7/2019, avuga ko Harindintwari Félix yari asanzwe afitanye amakimbirane na Mudaheranwa François, ashingiye ku masambu yasizwe na se, ko ndetse yajyaga yigamba ko azamwica. Ibi kandi abihurizaho n'undi mutangabuhamya Rwakayigamba Védaste, nawe wabajijwe mu Bugenzacyaha, avuga ko Harindintwari Félix yahoraga yigamba kuzica Mudaheranwa François umuvandimwe we bavukana kuri se gusa, ariko badahuje ba nyina, bakaba barapfaga amasambu yasizwe na se, ko ndetse hari n'ubundi yigeze kumukubita amukura amenyo, ubundi amuhanura hejuru y'inzu y'umuhungu we, none kuri iyi nshuro ya gatatu akaba ashyizwe amwishe.

[17] Hari inyandiko-mvugo y'ibazwa rya Mutuyemariya Epiphanie (umugore wa Harindintwari Félix), wabajijwe mu Bugenzacyaha ku wa 23/7/2019, asobanura uburyo Mudaheranwa François, we yita (Musemakweri François) yaje abatabaye, umugabo we Harindintwari Félix yababujije umutekano, yamusohoye mu nzu n'abana, barafatana bashaka kurwana, uwitwa Kubwimana arabakiza, Harindintwari Félix ajya mu rugo azana isuka, aza yirukankana nyakwigendera, bote (inkweto)

ziramutega yitura hasi, hafi y'urugo rwe mu gikombe, Harindintwari Félix arahamusanga amukubita isuka mu mutwe arawumena, ubwonko burasohoka. Avuga kandi ko atari ubwa mbere bari barwanye.

[18] Hari inyandikomvugo y'ibazwa rya Mukamugema Félicitée, mu Bugenzacyaha, uvuga ko Mudaheranwa François yumvise Harindintwari Félix atongana n'umugore we, aza atabaye, amubonye ahita amubwira ati "nari narakubuze", amukubita ifuni, Mudaheranwa François ariruka aramuhunga, amwirukaho, amusanga hepfo kure, ku gashyamba nko muri metero 500, ahantu hamanuka cyane, amuhondesha agafuni mu mutwe birarangira. Avuga ko kandi ko bari basanganywe amakimbirane ashingiye ku masambu.

[19] Muri dosiye kandi hari raporo ya muganga y'isuzumwa ry'umurambo wa Mudaheranwa François, igaragaza ko umutima wahagaze, umwuka ugaharagara, akaba yari anafite igikomere mu mutwe.

[20] Nk'uko bigaragara mu mwanzuro w'ubujurire bwa Harindintwari Félix, avuga ko atakambira uru Rukiko, arusaba kongera kumugabanyiriza igihano, kuko kuva mu ntangiriro yemeye icyaha, arakicuza, asaba gusubikirwa cyangwa agahabwa imirimo nsimburagusungo kuko abana na virusi itera Sida.

[21] Isesengura ry'ingingo ya 49 n'iya 58 z'Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange ryavuzwe haruguru, ryumvikanisha ko umucamanza mu bushishozi bwe asuzuma impamvu nyoroshyacyaha (circonstances atténuantes judiciaires ou causes judiciaires d'atténuation), akazisobanura, akemeza ko koko zoroshya uburemere bw'icyaha kandi ko zikwiye gushingirwaho. Iyo amaze kwemeza ko zashingirwaho atanga igihano kijyanye n'uburemere bw'icyaha ndetse n'ingaruka zacyo.

[22] Urukiko rw'Ubujurire, rushingiye ku bimaze kuvugwa haruguru, rurasanga nk'uko byasobanuwe, Urukiko rudategetswe kwemeza impamvu nyoroshyacyaha igihe cyose zigaragajwe, ngo rugabanyirize uregwa igihano, ahubwo ruzemeza mu bushishozi bwarwo, kandi rushobora kwanga kuzemeza nk'impamvu ngabanya gihano, rurebye imikorere y'icyaha uregwa akurikiranweho cyangwa uburyo cyakozwemo, ari nabyo Urukiko rubanza rwakoze.

[23] Ku bireba Harindintwari Félix, Urukiko Rukuru, Urugereko rwa Nyanza rushingiye ku kuba yemera icyaha kandi akaba ari ubwa mbere akurikiranywe, rwamugabanyirije igihano, kuva ku gifungo cya burundu yari yahanishijwe n'Urukiko Rwisumbuye rwa Muhanga, rumuhanisha igihano cy'igifungo cy'imyaka makumyabiri n'itanu (25), runashingiye ku kuba itegeko riteganya ko igihano cyo gufungwa burundu gishobora kugabanywa ariko ntikijye munsi y'imyaka makumyabiri n'itanu (25), bivuze ko urwo Rukiko rwahaye agaciro impamvu nyoroshyacyaha yarugaragarije, rusanga zigomba gushingirwaho akagabanyirizwa igihano, rukaba ariko rwaragombaga no kugaragaza ko mu bushishozi bwarwo icyo gihano rumuhaye gikwiranye n'icyaha yahamijwe.

[24] Hashingiwe ku byagaragajwe mu duce twabanjirije aka haruguru, Urukiko rw'Ubujurire rurasanga Harindintwari Félix yemera ko yishe Mudaheranwa François umuvandimwe we, amukubise isuka mu mutwe, akaba ndetse nk'uko bigaragara na mbere yaho mu bihe bitandukanye yarakunze kumvikana avuga ko azamwica, akaba kandi yaramukubise inshuro zitandukanye, ndetse umunsi amwica akaba yaragiye iwe kuzana isuka, undi abibonye aramuhunga, ariko Harindintwari Félix aramwirukankana, ayimukubita inshuro zirenze imwe mu mutwe (mu cyico), aramwica, ibi bikaba byumvikanisha umugambi yari asanganywe, ubugome yakoranye icyaha no kuba uwo munsi yari yamaramaje kumwica nk'uko yahoraga abivuga, hagendewe ku mvugo z'abantu batandukanye bagaragajwe haruguru, ibi rero bihujwe n'ingingo z'am ategeko nazo zavuzwe haruguru, uru Rukiko rusanga, yaragabanyirijwe igihano bihagije, kuko igihano yahawe gikwiranye n'imigendekere y'uburyo yakoze icyaha, kubera izo mpamvu akaba atagomba kongera kugabanyirizwa igihano.

[25] Ku bijyanye n'isubikagihano Harindintwari Félix asaba, uru Rukiko rurasanga atabihabwa, hashingiwe ku biteganywa n'ingingo ya 64 y'Itegeko nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange, iteganya ko isubikagihano ari icyemezo cy'urukiko gihagarika irangizarubanza, ku gihano itegeko riteganyiriza igifungo kitarengeje imyaka itanu (5), mu gihe igihano Harindintwari Félix yahanishijwe ari igifungo cy'imyaka makumyabiri n'itanu (25). Naho ku bijyanye no kuba yahabwa imirimo nsimburagifungo kuko abana n'agakoko gatera Sida, uretse no kuba nta kimenyetso abitangira, mu bihano biteganyirijwe icyaha yahamijwe cy'ubwicanyi, igihano cy'imirimo nsimburagifungo, ntigiteganyijwe.

[26] Kubera izo mpamvu, Urukiko rw'Ubujurire rurasanga, ubujurire bwa Harindintwari Félix nta shingiro bufite.

ICYEMEZO CY'URUKIKO

[27] Rwemeje ko ubujurire bwatanzwe na Harindintwari Félix nta shingiro bufite.

[28] Rwemeje ko urubanza n° RPA 00825/2019/HC/NYZ rwaciwe ku wa 28/1/2021 n'Urukiko Rukuru, Urugereko rwa Nyanza, rudahindutse.

[29] Rutegetse ko amagarama y'urubanza aherera ku Isanduku ya Leta.