UBUSHINJACYAHA v. NYIRISHEMA

[Rwanda URUKIKO RW’UBUJURIRE – RPAA 00408/2021/CA (Rukundakuvuga, P.J.) 20 Mutarama 2023]

Amategeko imanza nshinjabyaha – Igabanyagihano – Gusaba kongera kugabanyirizwa igihano – Mu rwego rw’ibirego nshinjabyaha iyo abaregwa nta kindi banenga urubanza rwajuririwe, uretse kuvuga gusa ko batagabanyirijwe bihagije, buri mucamanza ku rwego urwo arirwo rwose, yemerewe gutanga igihano mu bushishozi bwe kijyanye n’uburemere bw’icyaha ndetse n’ingaruka zacyo, ariko mu bujurire, Umucamanza agomba kuzirikana ko yemerewe gusa guhindura igihano cyatanzwe n’Umucamanza wo mu Rukiko rubanza, ari uko amaze kugaragaza ko Urukiko rubanza rwaba rwarakoresheje nabi itegeko cyangwa ubushishozi bwarwo mu gutanga icyo gihano.

Incamake y’ikibazo: Urubanza rwatangiriye mu Rukiko Rwisumbuye rwa Musanze, uregwa akurikiranywe ku cyaha cyo gutunda ibiyobyabwenge byo mu bwoko bw'urumogi. Ubushinjacyaha buvuga ko yafashwe avuye i Gisenyi ari mu modoka ya RITCO afite udupfunyika 152 tw’urumogi arujyanye i Kigali kurugurisha, ko ibyo byamenyekanye ubwo abashinzwe umutekano bari mu kazi, bahagaritse iyo modoka basaka abagenzi n’uregwa arimo basanga afite urumogi yaruhishe mu ibahasha mu myenda yari yambaye bahita bamufata bamushyikiriza Ubugenzacyaha. Urwo Rukiko rwaciye urubanza nuko rwemeza ko uregwa ahamwa n’icyaha cyo gutunda ibiyobyabwenge byo mu bwoko bw’urumogi agamije kubicuruza, ariko kuko yaburanye yemera icyaha, rumuhanisha igifungo cy’imyaka 25 n’ihazabu ya 20.000.000 Frw.

Uregwa ntiyishimiye imikirize y’urubanza, ajuririra mu Rukiko Rukuru, Urugereko rwa Musanze avuga ko yahawe igihano kirekire kandi yaremeye icyaha, akagisabira imbabazi; nuko asaba kugabanyirizwa igihano. Urwo Rukiko narwo rwaciye urubanza nuko rusanga igifungo cy’imyaka 25 n’ihazabu ya 20.000.000 Frw uregwa yahanishijwe aricyo gihano gito giteganyijwe n’amategeko ugereranyije n’icyaha yakoze cyo gutunda ibiyobyabwenge. Rushingiye kuri ibyo, rwemeza ko ibyo asaba byo kongera kugabanyirizwa igihano bitakongera kubaho.

Uregwa ntiyishimiye iyo mikirize y’urubanza, atanga ubujurire bwa kabiri mu Rukiko rw’Ubujurire anenga inkiko zabanje ko zamuhanishije igihano kirekire kandi yaraburanye yemera icyaha cyo gufatanwa urumogi mu nzego zose yaciyemo akaba atarigeze agora inzego z’ubutabera kandi akaba ari ubwa mbere akurikiranwe n’inkiko ndetse n’urumogi akaba yararufatanwe nta ngaruka rurateza kuko rwahise rufatirwa atararucuruza. Asaba rero ko impamvu nyoroshyacyaha yatanze zahabwa agaciro akagabanyirizwa igihano, akaba yahabwa n’isubikagihano akabasha kujya kwita ku babyeyi be bageze mu zabukuru.

Ubushinjacyaha bwo bwaburanye buvuga ko ibisabwa n’uregwa byo kugabanyirizwa igihano adakwiriye kubihabwa kuko igifungo cy’imyaka 25 n’ihazabu ya 20.000.000 Frw yahanishijwe n’Urukiko Rukuru, Urugereko rwa Musanze aricyo gito gishoboka, busaba ko aricyo cyagumaho, Urukiko rw’Ubujurire rukemeza ko imikirize y’urubanza rwajuririwe idahindutse.

Incamake y’icyemezo: 1. Mu rwego rw’ibirego nshinjabyaha iyo abaregwa nta kindi banenga urubanza rwajuririwe, uretse kuvuga gusa ko batagabanyirijwe bihagije, buri mucamanza ku rwego urwo arirwo rwose, yemerewe gutanga igihano mu bushishozi bwe kijyanye n’uburemere bw’icyaha ndetse n’ingaruka zacyo, ariko ko mu bujurire, Umucamanza agomba kuzirikana ko yemerewe gusa guhindura igihano cyatanzwe n’Umucamanza wo mu Rukiko rubanza, ari uko amaze kugaragaza ko Urukiko rubanza rwaba rwarakoresheje nabi itegeko cyangwa ubushishozi bwarwo mu gutanga icyo gihano.

Urubanza ruhindutse ku bijyanye n’igihano.

Amategeko yashingiweho:
Itegeko Nº 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n’ibihano muri rusange, ingingo ya 49.

Imanza zifashishijwe:
Ubushinjacyaha v. Nsabiamana alias Sankara, RPA 00060/2021/CA rwaciwe n’Urukiko rw’Ubujurire ku wa 04/04/2022.

Urubanza

I. IMITERERE Y’URUBANZA

[1] Urubanza rwatangiriye mu Rukiko Rwisumbuye rwa Musanze, Ubushinjacyahabukurikiranye kuri Nyirishema Fiston icyaha cyo gutunda ibiyobyabwenge byo mu bwoko bw'urumogi. Ubushinjacyaha buvuga ko ku wa 08/02/2020, mu masaha ya saa tatu z'ijoro, mu Mudugudu wa Bwuzure, Akagari ka Cyabararika, Umurenge wa MuhozaNyirishema Fiston yafashwe avuye i Gisenyi ari mu modoka ya RITCO afite udupfunyika 152 tw’urumogi arujyanye i Kigali kurugurisha. Buvuga kandi ko ibyo byabaye ubwo abashinzwe umutekano bari mu kazi, bahagaritse iyo modoka basaka abagenzi na Nyirishema Fiston arimo basanga yaruhishe mu ibahasha mu myenda yari yambaye bahita bamufata bamushyikiriza Ubugenzacyaha.

[2] Nyirishema Fiston yaburanye yemera icyaha anagisabira imbabazi, avuga ko yafatanywe urumogi rungana n’udupfunyika 152 yari avanye ku Gisenyi arujyanye i Kigali kurucuruza.

[3] Mu rubanza nº RP 00124/2020/TGI/MUS rwaciwe ku wa 05/03/2020, Urukiko Rwisumbuye rwa Musanze rwasanze hari ibimenyetso bifatika byerekana ko Nyirishema Fiston yakoze icyaha aregwa birimo:

a. Kuba yaraburanye acyemera agasobanura uko yagikoze;
b. Inyandiko mvugo y'ifatira igaragaza ko yafatanywe urumogi rungana n’udupfunyika 152 kandi akaba yarayishyizeho umukono;
c. Imvugo z’abatangabuhamya bemeza ko bari bahari ubwo NYIRISHEMA Fiston yafatanwaga urumogi.

Urukiko rushingiye kuri ibyo bimenyetso, rwemeje ko NYIRISHEMA Fiston ahamwa n’icyaha cyo gutunda ibiyobyabwenge byo mu bwoko bw’urumogi agamije kubicuruza, ariko kuko yaburanye yemera icyaha, rumuhanisha igifungo cy’imyaka 25 n’ihazabu ya 20.000.000 Frw.

[4] NYIRISHEMA Fiston ntiyishimiye imikirize y’urubanza, ajuririra mu Rukiko Rukuru, Urugereko rwa Musanze avuga ko yahawe igihano kirekire kandi yaremeye icyaha, akagisabira imbabazi; asaba kugabanyirizwa igihano.

[5] Mu rubanza nº RPA 00203/2020/HC/MUS rwaciwe ku wa 26/01/2021, Urukiko Rukuru, Urugereko rwa Musanze rwasanze hashingiwe ku biteganywa n'ingingo ya 263 y'Itegeko n° 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange, igifungo cy'imyaka 25 n'ihazabu ya 20.000.000 Frw NYIRISHEMA Fiston yahanishijwe aricyo gihano gito giteganyijwe n'amategeko ugereranyije n'icyaha yakoze cyo gutunda ibiyobyabwenge. Rushingiye kuri ibyo, rwemeza ko ibyo asaba byo kongera kugabanyirizwa igihano bitakongera kubaho, ko ubujurire bwa NYIRISHEMA Fiston nta shingiro bufite, ko nta gihindutse ku rubanza rwajuririwe, ko igifungo cy'imyaka 25 n'ihazabu ya 20.000.000 Frw yahanishijwe bigumyeho.

[6] NYIRISHEMA Fiston ntiyishimiye iyo mikirize y'urubanza, atanga ubujurire bwa kabiri mu Rukiko rw'Ubujurire anenga inkiko zabanje ko zamuhanishije igihano kirekire kandi yaraburanye yemera icyaha cyo gufatanwa urumogi mu nzego zose yaciyemo akaba atarigeze agora inzego z'ubutabera kandi akaba ari ubwa mbere akurikiranwe n'inkiko ndetse n'urumogi akaba yararufatanwe nta ngaruka rurateza kuko rwahise rufatirwa atararucuruza. Asaba rero ko impamvu nyoroshyacyaha yatanze zahabwa agaciro akagabanyirizwa igihano, akaba yahabwa n'isubikagihano akabasha kujya kwita ku babyeyi be bageze mu zabukuru.

[7] Uhagarariye Ubushinjacyaha avuga ko ibisabwa na NYIRISHEMA Fiston byo kugabanyirizwa igihano adakwiriye kubihabwa kuko igifungo cy'imyaka 25 n'ihazabu ya 20.000.000 Frw yahanishijwe n'Urukiko Rukuru, Urugereko rwa Musanze aricyo gito gishoboka, asaba ko aricyo cyagumaho, Urukiko rw'Ubujurire rukemeza ko imikirize y'urubanza rwajuririwe idahindutse.

[8] Urubanza rwaburanishijwe ku wa 06/01/2023, Urukiko ruhamagaye urubanza rusanga ababuranyi bose bitabye, NYIRISHEMA Fiston yunganiwe na Me FAIDA Jean Bosco, naho Ubushinjacyaha buhagarariwe na UWIZEYE Jean Marie, Umushinjacyaha ku rwego rw'igihugu. Mu gihe cy'iburanisha, NYIRISHEMA Fiston n'umwunganira baretse ingingo irebana no gusubika igihano basaba ko hasuzumwa ikibazo kirebana no kugabanyirizwa igihano gusa.

II. IKIBAZO KIGIZE URUBANZA N'ISESENGURA RYACYO

Kumenya niba Nirishema Fiston yakongera kugabanyirizwa igihano

[9] Nyirishema Fiston avuga ko inkiko zabanje zamuhanishije igihano kirekire kandi yaraburanye yemera icyaha mu nzego zose yaciyemo akaba atarigeze agora inzego z'ubutabera kandi akaba ari ubwa mbere akurikiranwe n'inkiko, asaba ko hashingirwa ku ngingo ya 71[1] y'Itegeko nº 027/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha, Urukiko rukita ku mibereho ye, ku kuba yarakoze icyaha akiri muto no kuba ari ubwa mbere akurikiranwe n'inkiko, rukamugabanyiriza igihano cy'igifungo cy'imyaka 25 yahawe.

[10] Me FAIDA Jean Bosco avuga ko kuba NYIRISHEMA Fiston yaremeye icyaha kuva yafatwa akaba atararuhije inzego z'ubutabera no kuba ari ubwa mbere akurikiranywe n'inkiko, yakongera kugabanyirizwa ibihano yahawe kuko biremereye, cyane ko nta mupaka uhari uzitira Urukiko kugena ibihano mu bwigenge no mu bwisanzure by'umucamanza. Asaba rero ko mu kumugenera igihano, Urukiko rw'Ubujurire

[1] Iyo ngingo iteganya ko: 1°«Umugenzacyaha cyangwa Umushinjacyaha ukurikiranye dosiye ntiyita ku mikorere y'icyaha gusa. Ashobora no gukurikirana ku mibereho y'ukekwaho icyaha mu buzima busanzwe abaza ukekwaho icyaha, ababyeyi be, abakoresha n'abandi bose bashobora kumufasha kumenya imyitwarire ye mu buzima busanzwe akayihuza n'icyaha cyakozwe».

rwashingira ku ngingo ya 58[2], 59[3], na 60[4] z'Itegeko n˚ 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange, NYIRISHEMA Fiston akagabanyirizwa igihano agahanishwa igifungo cy'imyaka 5.

[11] Uhagarariye Ubushinjacyaha avuga ko iyo NYIRISHEMA Fiston ataburana yemera icyaha ngo agisabire imbabazi yashoboraga guhabwa igihano cyo gufungwa burundu nk'uko biteganywa n'ingingo ya 263[5] y'Itegeko nº 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange, bityo ibyo asaba byo kugabanyirizwa igihano akaba adakwiriye kubihabwa kuko yabihawe kandi n'igifungo cy'imyaka 25 n'ihazabu ya 20.000.000 Frw yahanishijwe n'Urukiko Rukuru, Urugereko rwa Musanze akaba aricyo gito gishoboka. Asaba rero ko icyo gihano aricyo cyagumaho, Urukiko rw'Ubujurire rukemeza ko imikirize y'urubanza rwajuririwe idahindutse.

UKO URUKIKO RUBIBONA

[12] Hakurikijwe imiburanire y'impande zombi, urukiko rurasanga ibigomba gusuzumwa muri uru rubanza ari ukumenya niba umuntu wagabanyirijwe igihano ashobora kujurira asaba gusa ko cyongera kugabanywa no kumenya niba hari imbogamizi zihari zituma uregwa atagabanyirizwa igihano kugera munsi y'igihano gito giteganywa n'itegeko.

[13] Ikibazo cyo kongera kugabanyirizwa igihano mu gihe ariyo mpamvu y'ubujurire cyatanzweho umurongo mu rubanza N° RPA 00060/2021/CA rwaciwe n'Urukiko rw'Ubujurire ku wa 04/04/2022 haburana Ubushinjacyaha, NSABIMANA Callixte alias Sankara na bagenzi be. Muri urwo rubanza Urukiko rw'Ubujurire rwagaragaje ko mu rwego rw'ibirego nshinjabyaha iyo abaregwa nta kindi banenga urubanza rwajuririwe, uretse kuvuga gusa ko batagabanyirijwe bihagije, buri mucamanza ku rwego urwo arirwo rwose, yemerewe gutanga igihano mu bushishozi bwe kijyanye n'uburemere bw'icyaha ndetse n'ingaruka zacyo hakurikijwe ibiteganywa n'ingingo ya 49[6] y'Itegeko n˚ 68/2018 ryo ku wa 30/8/2018 riteganya ibyaha n'ibihano muri rusange, ariko ko mu bujurire, Umucamanza agomba kuzirikana ko yemerewe gusa guhindura igihano cyatanzwe n'Umucamanza wo mu Rukiko rubanza, ari uko amaze kugaragaza ko Urukiko rubanza rwaba rwarakoresheje nabi itegeko cyangwa ubushishozi bwarwo mu gutanga icyo gihano[7].

[14] Hakurikijwe ibi bisobanuro, uru Rukiko rurasuzuma mu bika bikurikiyeho, niba hari ukwibeshya kugaragarira buri wese kwabaye, cyangwa gukoresha nabi ubushishozi cyangwa itegeko mu kugena ibihano byahawe NYIRISHEMA Fiston kugaragara mu rubanza rujuririrwa.

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[2] Iyo ngingo iteganya ko: «Umucamanza ubwe ni we ugena niba impamvu nyoroshyacyaha zemezwa n'umucamanza zahabwa agaciro. Kwemeza impamvu nyoroshyacyaha bigomba gusobanurwa mu cyemezo cy'urukiko».

[3] Iyo ngingo iteganya ko: 1°«Umucamanza ashobora kugabanya ibihano nk'iyo: 1º ushinjwa, mbere yo gukurikiranwa, yemeye icyaha akagisabira imbabazi uwo yakoreye icyaha n'umuryango nyarwanda mu buryo budashidikanywa, akicuza kandi akishyura ibyo yangije nk'uko bari babimutegerejeho».

[4] Iyo ngingo iteganya ko: 2º igihano cy'igifungo kimara igihe kizwi cyangwa ihazabu bishobora kugabanywa ariko ntibijye munsi y'igihano gito ntarengwa giteganyirijwe icyaha cyakozwe.

[5] Iyo ngingo iteganya ko: Umuntu wese ukora, uhinga, uhindura, utunda, ubika, uha undi, ugurisha mu gihugu ibiyobyabwenge cyangwa urusobe rw'imiti ikoreshwa nka byo mu buryo bunyuranije n'amategeko, aba akoze icyaha. Iyo abihamijwe n'urukiko ahanishwa: 1 º igifungo cya burundu n'ihazabu y'amafaranga y'u Rwanda arenze miliyoni makumyabiri (20.000.000 FRW) ariko atarenze miliyoni mirongo itatu (30.000.000 FRW) ku byerekeye ibiyobyabwenge bihambaye;

[6] 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''

[7] Reba rubanza N° RPA 00060/2021/CA rwaciwe n'Urukiko rw'Ubujurire ku wa 04/04/2022 haburana Ubushinjacyaha, NSABIMANA Callixte alias Sankara na bagenzi be, igika cya 252-254

[15] Dosiye y'urubanza igaragaza ko NYIRISHEMA Fiston yakoze icyaha afite imyaka 19 kuko yavutse mu mwaka wa 2001 akora icyaha ku wa 08/02/2020. Akaba yaremeye icyaha cyo gutunda urumogi anagisabira imbabazi kuva agifatawa. Asobanura ko uko gutunda urumogi yari abikoze inshuro ya gatatu, ko yavaga i Kigali akajya Rubavu munsi y'umusigiti aho bita kuri mirongo ine uwitwa Hamuduni akamuha urumogi akongera akagaruka iwabo i Kabuga ari naho yarucururizaga. Igaragaza kandi ko NYIRISHEMA Fiston yakomeje kwemera icyaha haba mu Rukiko Rwisumbuye rwa Musanze ndetse no mu Rukiko Rukuru, Urugereko rwa Musanze. Uko kwemera kwe akaba ariko kwatumye agabanyirizwa igihano, agahanishwa n'Urukiko Rwisumbuye igihano cy'igifungo cy'imyaka 25 n'ihazabu ingana na 20.000.000 Frw ndetse kinashimangirwa n'Urukiko Rukuru.

[16] Nk'uko kandi bigaragara mu gika cya 7 n'icya 8 by'urubanza n° RPA 00203/2020/HC/MUS rwaciwe ku wa 26/01/2021 rujuririrwa, Urukiko Rukuru, Urugereko rwa Musanze rwemeje ko NYIRISHEMA Fiston atakongera kugabanyirizwa hashingiwe ku kuba ku rwego rwa mbere yaragabanyirijwe no kuba impamvu asaba kongera kugabanyirizwa arizo zashingiweho mbere nk'uko byemejwe mu manza RPA 0066/08/CS rwaciwe ku wa 06/02/2009 ubushinjacyaha buburana na KABAHIZI Jean ndetse no mu rubanza no RPA 0129/10/CS rwaciwe ku wa 07/03/2014 haburana ubushinjacyaha na Mpitabakana, mu rubanza no RPAA 0083/12/CS rwaciwe ku wa 23/10/2015, haburana ubushinjacyaha na NDUNGU Hasifa n'urubanza no RPA 0036/15/CS rwaciwe ku wa 17/06/2016, haburana Ubushinjacyaha na Muberuka Gracien.

[17] Uru Rukiko rwemeranya n'Urukiko Rukuru ku birebana no kuba uregwa wagabanyirijwe atakongera kugabanyirizwa hashingiwe ko yagabanyirijwe igihe urukiko rusanga igihano yahawe gikwiranye n'uburemere bw'icyaha yakoze. Ibyo akaba ari nabyo byemejwe mu manza zaciwe n'Urukiko rw'Ikirenga Urukiko Rukuru rwashingiyeho. Mu yandi magambo icyo izo manza zaciwe n'Urukiko rw'Ikirenga zasobanuye ni uko mu gihe urukiko rwajuririwe rusuzumye rugasanga rwemeranya n'urukiko rwaciye urubanza ku rwego rwa mbere ku gihano cyatanzwe hakurikijwe uburemere bw'icyaha cyahamijwe uregwa nta mpamvu yo kongera kukigabanya. Ibyo binavuze ko, nk'uko byasobanuwe haruguru, umucamanza wo mu Rukiko rwajuririwe yemerewe kongera kugabanya igihano cyari cyatanzwe n'Umucamanza wo mu Rukiko rubanza mu gihe asanze yarakoresheje nabi itegeko cyangwa ubushishozi bwe mu gutanga icyo gihano.

[18] Nk'uko bigaragara muri uru rubanza, Urukiko rw'Ubujurire rurasanga Urukiko Rukuru, rutarahaye agaciro gakwiye kuba NYIRISHEMA Fiston yaraburanye yemera icyaha mu buryo budashidikanywaho kuva agifatwa haba mu nzego z'iperereza ndetse no mu nkiko zibanza, kuba ari ubwa mbere yari akoze icyaha ndetse akaba yaragikoze afite imyaka 19 y'amavuko. Ibyo bigaragaza ko n'ubwo atari mu kigero cy'abana kuko yari arengeje imyaka 18, ariko nibwo yari akiva mu bwana, ari mu kigero kirangwa ahanini no gukubagana, kugerageza ibintu bitandukanye n'ubushishozi bucye mu byo bakora, bityo bikaba bigaragara ko ugereranyije uburyo icyaha cyakozwemo no kuba uregwa atararuhije ubutabera, igihano yahawe ari kirekire, kikaba gikwiye kongera kugabanywa kugira ngo uregwa ahanwe koko mu nyungu zo kurengera sosiyete no gukumira ibyaha bishya, ariko binahuzwe n'inyungu yo gusubiza mu buzima busanzwe uwakatiwe.

[19] Naho ibivugwa n'Ubushinjacyaha ko NYIRISHEMA Fiston adakwiriye kongera kugabanyirizwa igihano kuko igifungo cy'imyaka 25 n'ihazabu ya 20.000.000 Frw yahanishijwe n'Urukiko Rukuru, Urugereko rwa Musanze aricyo gito, bushaka kumvikanisha ko Urukiko rudashobora kujya munsi yacyo kuko aricyo gito giteganywa n'itegeko, uru Rukiko ruributsa ko ibyo byafashweho umurongo mu rubanza No RPAA 00032/2019/CA rwaciwe ku wa 28/02/2020 haburana Ubushinjacyaha na NZAFASHWANIMANA Jean de Dieu aho Urukiko rw'Ubujurire rwemeje ko umucamanza atagomba kugira ikimuzitira mu kugabanyiriza ushinjwa igihano ndetse no kugeza munsi y'igihano gito itegeko

riteganyiriza icyaha aburanisha kuko kubikora byaba ari ukubangamira ubwigenge bw'umucamanza mu kugena igihano gikwiranye n'uburemere bw'icyaha. Uwo murongo akaba ari nawo wafashwe n'uru Rukiko mu manza nyinshi zakurikiyeho, uruheruka muri zo rukaba ari urubanza N° RPAA 00319/2021/CA rwaciwe n'Urukiko rw'Ubujurire ku wa 25/11/2022 haburana Ubushinjacyaha na NDUWAYEZU Jean Baptiste[8]. Iki kibazo rero kikaba kidakwiye kongera kugibwaho impaka.

[20] Hashingiwe ku bisobanuro bimaze gutangwa, Urukiko rw'Ubujurire rurasanga NYIRISHEMA Fiston akwiye kongera kugabanyirizwa igihano yahawe, agahabwa igihano cy' igifungo cy'imyaka itanu (5) n'ihazabu ingana na Miliyoni imwe (1.000.000 Frw) kugira ngo asobanukirwe uburemere bw'icyaha yakoze ariko anahabwe amahirwe yo kwikosora no kuba yagira akamaro mu buzima busanzwe.

III. ICYEMEZO CY'URUKIKO

[21] Rwemeje ko ubujurire bwa NYIRISHEMA Fiston bufite ishingiro

[22] Rwemeje ko imikirize y'urubanza n˚ RPA 00203/2020/HC/MUS rwaciwe n'Urukiko Rukuru, Urugereko rwa Musanze ku wa 26/01/2021, ihindutse gusa ku birebana n'igihano NYIRISHEMA Fiston yari yahanishijwe mbere;

[23] Ruhanishije NYIRISHEMA Fiston igihano cy'igifungo cy'imyaka itanu (5 ans) n'ihazabu ingana na miliyoni imwe (1.000.000 Frw);

[24] Rutegetse ko amagarama y'urubanza aherera ku isanduku ya Leta.

[8] Reba igika cya 27 cy'urwo rubanza