HAGENGIMANA v. UWIHOREYE

[Rwanda URUKIKO RW'IKIRENGA – RCAA0006/13/CS (Hatangimbabazi, P.J., Mukamulisa na Hitiyaremye, J.) 10 Nyakanga 2015]

Amategeko agenga ububasha bw'Inkiko – Ikirego gisaba ko Urubanza rwaciwe n'Urukiko rwo mu mahanga rurangirizwa mu Rwanda – Kugira ngo hemezwe ko urubanza rwaciriwe mu mahanga rurangirizwa mu Rwanda harebwa ko rutanyuranyije n'amategeko rusange ndemyagihugu n'amahame ashingiweho n'amategeko y'u Rwanda, ko rwaciwe burundu hakurikijwe amategeko y'Igihugu rwaciriwemo, ko kopi yarwo yujuje ibyangombwa byose byemeza ko ari impamo, hakurikijwe ayo mategeko kandi ko uburenganzira bwo kwiregura bwubahirijwe – Itegeko Ngenga Nº51/2008 ryo ku wa 09/09/2008 rigena imiterere, imikorere n'ububasha bw'Inkiko nk'uko ryahinduwe kandi ryujujwe kugeza ubu, ingingo ya 91.

Amategeko agenga imiburanishirize y'imanza mbonezamubano – Inshingano yo gutanga ibimenyetso – Urega agomba kugaragaza ibimenyetso by'ibyo aregera. Iyo abibuze, uwarezwe aratsinda – Itegeko Nº21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo, ingingo ya 9.

Indishyi – Indishyi zo gushorwa mu manza – Indishyi zijyanye n'igihembo cy'Avoka n'ikurikiranarubanza – Umuburanyi utarishimiye imikirize y'urubanza rwaciwe afite uburenganganzira bwo kurujuririra bityo nta ndishyi zijyanye no gushorwa mu manza z'amaherere uzisaba yahabwa – Amafaranga y'ikurikiranarubanza n'igihembo cy'Avoka uyasaba arayakwiye kuko byumvikana ko hari ibyo yagombye gukora kubera ubujurire bwatanzwe n'uwajuriye, ndetse akaba yaragombye gushaka Avoka umuburanira mu bujurire – Itegeko Nº21/2012 ryo kuwa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, ingingo ya 162.

Incamake y'ikibazo: Uwihoreye yatanze ikirego mu Rukiko Rukuru i Kigali asaba ko rwemeza ko urubanza rw'ubutane rwaciwe n'Urukiko rwo muri Leta Zunze ubumwe za Amerika rurangirizwa mu Rwanda. Mu iburanisha ry'urubanza, Hagengimana yarugobotsemo ku bushake asaba ko ikirego cya Uwihoreye kitahabwa agaciro kubera ko Urukiko rwo muri Amerika rwaciye urubanza mu buryo bunyuranyije n'amategeko yo mu Rwanda kuko atahawe umwanya wo kwiregura, ko urubanza rwaciwe adahari kandi ko urubanza rurebana n'abana rwari urw'agateganyo kandi narwo akaba atararuhamagawemo.

Urukiko Rukuru rwaciye urubanza rwemeza ko ikirego cya Uwihoreye gifite ishingiro, rutegeka ko urubanza rwavuzwe rugomba kurangirizwa mu Rwanda, naho ukugoboka ku bushake kwa Hagengimana kukaba nta shingiro gufite, kubera ko Urubanza rusabirwa kurangirizwa mu Rwanda nta mategeko y'u Rwanda rutubahirije, ko rwaciwe burundu nk'uko inyito yarwo ibyerekana ku rupapuro rwa mbere ahanditse ko ari Final decree kandi iyo kopi ikaba yujuje ibyangombwa byemeza ko ari impamo nk'uko byemejwe n'Ambassade y'u Rwanda muri Amerika yateye Kashi yayo kuri iyo kopi, ndetse ikirego cyerekeye abana kikaba cyaraburanyweho mu rubanza rwiswe "Juvenile and Domestic relations".

Hagengimana yajuririye mu Rukiko rw'Ikirenga, avuga ko umucamanza wo mu Rukiko Rukuru yirengagije ko amategeko yakoreshejwe hatangwa ubutane anyuranye n'amategeko yo mu Rwanda, anafata ibintu uko bitari kandi yirengangiza ko Uwihoreye ariwe wagombaga gutanga ibimenyetso by'uko Hagengimana yahamagawe mu rubanza rujyanye n'iby'abana hamwe n'urw'ubutane rwaciriwe muri Amerika. Uwihoreye yisobanura ku bujurire avuga ko Hagengimana ntacyo anenga urubanza rwaciwe n'Urukiko Rukuru kubera ko nawe ubwe

yemera ko Urubanza rwaciriwe muri Amerika rwabaye itegeko, ko rero rugomba kurangizwa, ndetse ko ikigaragaza ko yemera ko rwabaye itegeko ari uko yahise ashaka undi mugore ashingiye kuri urwo rubanza rw'ubutane.

Uwihoreye yatanze ubujurire bwuririye ku bwa Hagengimana, asaba amafaranga yatakaje mu gukurikirana urubanza, igihembo cy'Avoka n'indishyi zo gushorwa mu manza. Hagengimana avuga ko indishyi zijyanye no gushorwa mu manza ku maherere nta shingiro zifite kubera ko nta bimenyetso uziregera abitangira naho ku bijyanye n'amafaranga y'ikurikiranarubanza n'igihembo cya Avoka, agasaba Urukiko kuzabisuzuma.

Incamake y'icyemezo: 1. Uwajuriye ntiyasaba ko urubanza rwaciriwe muri Amerika rutarangirizwa mu Rwanda ku mpamvu y'uko ataruhamagawemo ngo ahabwe umwanya wo kwisobanura mu gihe nta bimenyetso abitangira kandi ari we ubiburanisha.

2. Uregwa ntagenewe indishyi zijyanye no gushorwa mu manza z'amaherere, kuko uwajuriye utishimiye imikirize y'urubanza rwaciwe n'Urukiko Rukuru, afite uburenganganzira bwo kurujuririra.

3. Amafaranga y'ikurikiranarubanza n'igihembo cya Avoka Uregwa asaba arayakwiye kuko byumvikana ko hari ibyo yagombye gukora kubera ubujurire bwatanzwe n'uwajuriye, ndetse akaba yaragombye gushaka Avoka umuburanira mu bujurire, kubera iyo mpamvu uwajuriye akaba agomba kumuha 500.000Frw kuko ari mu rugero rukwiye.

Ubujurire nta shingiro bufite.
Ubujurire bwuririye ku bundi bufite ishingiro kuri bimwe.
Amagarama y'urubanza aherereye ku wajuriye.

Amategeko yashingiweho:
Itegeko Ngenga Nº51/2008 ryo ku wa 09/09/2008 rigena imiterere, imikorere n'ububasha bw'Inkiko nk'uko ryahinduwe kandi ryujujwe kugeza ubu, ingingo ya 91.
Itegeko N°21/2012 ryo kuwa 14/06/2012, rigena imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, ingingo ya 9 n'iya 162.

Nta manza zifashishijwe.

Urubanza

I. IMITERERE Y'URUBANZA

[1] Uwihoreye Dancille yashyingiranywe na Hagengimana Athanase babyarana abana 3. Kuwa 20/05/2011 Urukiko rwo muri Leta ya Virginia muri Amerika rwitwa Fairfax County Circuit Court rwaciye urubanza ku kirego cyatanzwe na Uwihoreye arega umugabo we Hagengimana asaba ubutane, rwemeza ko gifite ishingiro, kuko bigaragara ko abashakanye bamaze umwaka wose batabana kuko buri umwe aba ukwe, ko rero no kubunga bitagishobotse, rutegeka ko Hagengimana Athanase na Uwihoreye batandukana.

[2] Ku bijyanye n'ikibazo cy'imitungo n'uburyo izagabanywa, Urwo rukiko rwemeje ko inkiko zo mu Rwanda z'aho iyo mitungo iri arizo zizagena uko bizagenda.

[3] Nyuma y'urwo rubanza Uwihoreye yatanze ikirego mu Rukiko Rukuru i Kigali asaba ko rwemeza ko urubanza rw'ubutane rwaciwe n'Urukiko rwo muri Amerika rurangirizwa mu Rwanda.

[4] Mu iburanisha ry'urubanza mu Rukiko Rukuru, Hagengimana Athanase yagobotsemo ku bushake agamije kurengera inyungu ze muri urwo rubanza. Urwo Rukiko rwaciye urubanza rwemeza ko ikirego cya Uwihoreye gifite ishingiro, rutegeka ko urubanza rwavuzwe rugomba kurangirizwa mu Rwanda, naho ukugoboka ku bushake kwa Hagengimana kukaba nta shingiro gufite.

[5] Mu gufata icyemezo, Urukiko rwasobanuye ko ibijyanye no kugoboka ku bushake kwakozwe na Hagengimana ari uburenganzira bwe, ko ariko nta nyungu afite yo kubuza ko urubanza rurangirizwa mu Rwanda kuko Uwihoreye yatanze ikirego cy'ubutane muri Amerika akabuhabwa Hagengimana akamenyeshwa urubanza rwaciwe ariko ntagire icyo akora haba gusubirishamo urubanza cyangwa kurujuririra.

[6] Ku bijyanye n'impamvu Hagengimana yatangaga zatuma Urubanza rutarangirizwa mu Rwanda, harimo ko Urukiko rwo muri Amerika rwaciye urubanza mu buryo bunyuranyije n'amategeko yo mu Rwanda, Urukiko Rukuru rwasanze nta shingiro bifite, kubera ko atagaragaza amategeko yo muri Amerika umucamanza waho yakurikije anyuranyije n'ayo mu Rwanda ku birebana n'ubutane, ko ahubwo ubutane Urukiko rwatanze no mu Rwanda bwemewe kandi ko butabangamiye amahame ndemyagihugu y'u Rwanda.

[7] Rwasobanuye ko ku bijyanye n'umutungo, umucamanza yavuze ko bizakemurwa n'inkiko zo mu Rwanda, naho ku kibazo cy'abana avuga ko cyakemuwe mu rundi rubanza rwaciwe kuwa 03/03/2006 mu Rukiko rwitwa Fairfax County mu cyiswe "Juvenile and Domestic relations".

[8] Rwasanze kandi Hagengimana aba mu Busuwisi naho Uwihoreye akaba aba muri Amerika, ku buryo umucamanza wo muri Amerika yasanze Hagengimana yarataye umuryango we mu gihe kiri hejuru y'umwaka, ari nayo mpamvu yatanze ubutane, kandi n'amategeko y'u Rwanda akaba yemera ko hatangwa ubutane iyo umugabo yataye urugo mu gihe kirenga amezi 12 nibura.

[9] Urukiko rwasobanuye nanone ko urubanza rwaciriwe muri Amerika rwaciwe burundu nk'uko inyito yarwo ibyerekana ku rupapuro rwa mbere ahanditse ko ari Final decree kandi iyo kopi ikaba yujuje ibyangombwa byemeza ko ari impamo nk'uko byemejwe n'Ambassade y'u Rwanda muri Amerika yateye Kashi yayo kuri iyo kopi.

[10] Rwasobanuye ko kandi ibyo Hagengimana avuga ko atahawe umwanya wo kwiregura, ko kandi urubanza rwaciwe adahari, nta bimenyetso abitangira cyangwa ngo yerekane ko yarusubirishijemo cyangwa ngo arujuririre, bivuze ko amategeko yubahirijwe, ko rero rugomba kurangirizwa mu Rwanda kuko ingingo zirugize zitanyuranyije n'amategeko rusange ndemyagihugu y'u Rwanda.

[11] Hagengimana Athanase yajuririye mu Rukiko rw'Ikirenga, avuga ko umucamanza wo mu Rukiko Rukuru yirengagije ko amategeko yakoreshejwe hatangwa ubutane anyuranye n'amategeko yo mu Rwanda, anafata ibintu uko bitari kandi yirengangiza ko Uwihoreye ariwe wagombaga gutanga ibimenyetso by'uko Hagengimana yahamagawe mu rubanza rujyanye n'iby'abana hamwe n'urw'ubutane rwaciriwe muri Amerika.

[12] Me Sayinzoga Jean Pierre uburanira Uwihoreye Dancille avuga ko impamvu z'ubujurire za Hagengimana nta shingiro zifite, ko kandi na Uwihoreye atanze ubujurire bwuririye ku bwa Hagengimana, akaba asaba amafaranga yatakaje mu gukurikirana uru rubanza.

[13] Iburanisha ry'urubanza ryabereye mu ruhame kuwa 26/05/2015 Hagengimana aburanirwa na Me Bimenyimana Eric naho Uwihoreye Dancille aburanirwa na Me Sayinzoga Jean Pierre.

II. IBIBAZO BIRI MU RUBANZA N'ISESENGURWA RYABYO

Kumenya niba Urukiko Rukuru i Kigali rutaragombaga kwemeza ko urubanza Nº 2011-296 rwaciwe na "THE FAIRFAX COUNTY CIRCUIT COURT" yo muri Amerika muri Leta Virginia kuwa 20/05/2011 rurangirizwa mu Rwanda.

[14] Me Bimenyimana Eric uburanira Hagengimana Athanase avuga ko ababuranyi muri uru rubanza bafite ubwenegihugu bw'u Rwanda, kubera iyo mpamvu bakaba bagengwa n'amategeko y'u Rwanda, ko rero icyatumye Hagengimana ajurira, ari uko umucamanza wo mu Rukiko Rukuru yemeje ko urubanza rwaciriwe muri Amerika rurangirizwa mu Rwanda nyamara mu icibwa ryarwo amategeko yakoreshejwe anyuranye n'amategeko y'u Rwanda. Anavuga ko icyo Hagengimana agamije ari ukwerekana ko urubanza rutarangizwa ahubwo rwaguma uko rwaciwe.

[15] Asobanura kandi ko Urukiko rwo muri Amerika rwaciye urubanza rw'ubutane rwirengagije ingingo ya 10 y'Interuro y'ibanze n'Igitabo cya mbere y'Igitabo cy'urwunge rw'amategeko mbonezamubano (C.C L.1er) kubera ko rutigeze rukemura ikibazo cy'abana, kuko icyemezo cyafashwe mbere kuri icyo kibazo cyari icy'agateganyo, Hagengimana akaba ataranahamagawe muri urwo rubanza rwasuzumye ikibazo cy'abana ngo agire icyo abivugaho. Anavuga ko urwo Rukiko rwirengangije ingingo ya 9 y'Itegeko Nº27/2001 rirengera umwana aho ivuga ko icyemezo cyose kigomba gufatwa hitawe ku nyungu z'umwana.

[16] Akomeza avuga ko Hagengimana atigeze ahamagarwa mu rubanza rw'ubutane, ngo abashe kwiregura, ko rero ingingo ya 18(3º) y'Itegeko Nshinga n'iya 10 y'Itegeko Nº21/2012 ryo kuwa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi zitubahirijwe, agasanga Urukiko Rukuru rutaragombaga gusaba Hagengimana ibimenyetso by'uko uburenganzira bwe bwo kwiregura bwubahirijwe, ahubwo ko Uwihoreye watanze ikirego muri Amerika ariwe wagombaga kubibazwa kuko ariwe watwaye inyandiko ihamagara uwo arega, ko niba atarayimuhaye ariwe ugomba kubyirengera.

[17] Me Bimenyimana avuga ko indi nenge ari uko urubanza rw'ubutane rwaciwe hatabanje gukorwa umuhango wo kunga abashakaga gutana, agasanga ingingo ya 243 y'Interuro y'ibanze n'Igitabo cya mbere y'Igitabo cy'urwunge rw'amategeko mbonezamubano itarubahirijwe.

[18] Avuga nanone ko Urukiko Rukuru rwafashe ibintu uko bitari, kuko rwemeje ko ubutane bwatanzwe kubera ko Hagengimana yari amaze umwaka yarataye urugo nyamara bwaratanzwe hashingiwe ku mpamvu y'uko, mbere y'itangwa ry'ikirego gisaba ubutane, Hagengimana yari amaze umwaka atabana n'umugore. Yongeraho ko Urukiko rwo muri

Amerika rwanyuranyije n'amategeko y'u Rwanda kuko ateganya ko ubutane butangwa iyo umwe mu bashakanye ataye urugo mu gihe cy'imyaka 3.

[19] Me Sayinzoga Jean Pierre uburanira Uwihoreye Dancille asubiza ko impamvu ya mbere y'ubujurire bwa Hagengimana nta shingiro ifite kubera ko amategeko avuga ko yashingiweho kandi anyuranyije n'ay'u Rwanda atayagaragaza, ko ahubwo impamvu yatumye ubutane butangwa muri Amerika ijyanye no guta urugo mu gihe kingana n'umwaka, no mu Rwanda yemewe.

[20] Naho ku kibazo cy'abana, avuga ko cyakemuwe na FAIRFAX COUNTY COURT mu cyiswe "Juvenile and domestic relations" kuwa 3/03/2006, ko rero kuvuga ko urwo rubanza rujyanye n'abana rwari urw'agateganyo nta shingiro bifite. Anavuga ko n'ibyo Hagengimana avuga by'uko atigeze ahamagazwa ataribyo kubera ko yahamagawe ntiyitabe, urubanza rumaze no gucibwa ararumenyeshwa nyamara ntiyarusubirishamo cyangwa ngo arujuririre, ko rero ibyo atakoreye mu nkiko zo muri Amerika atajya kubikorera mu nkiko zo mu Rwanda.

[21] Me Sayinzoga akomeza avuga ko Hagengimana ntacyo anenga urubanza rwaciwe n'Urukiko Rukuru kubera ko nawe ubwe yemera ko Urubanza rwaciriwe muri Amerika rwabaye itegeko, ko rero rugomba kurangizwa, ndetse ko ikigaragaza ko yemera ko rwabaye itegeko ari uko yahise ashaka undi mugore ashingiye kuri urwo rubanza rw'ubutane, ibyo avuga ko urwo rubanza rutakurikije amategeko bikaba bidakwiye guhabwa agaciro.

[22] Ku bijyanye n'ibivugwa na Hagengimana ko atahamagawe mu rubanza rw'ubutane rwaciriwe muri Amerika, Me Sayinzoga asubiza ko nta shingiro bifite kuko ibimenyetso by'uko urubanza rwagenze bihari, ko Urukiko nirubisuzuma ruzabibona.

UKO URUKIKO RUBIBONA

[23] Ingingo ya 91, igika cya 2 y'Itegeko Ngenga Nº51/2008 ryo ku wa 09/09/2008 rigena imiterere, imikorere n'ububasha bw''Inkiko nk'uko ryahinduwe kandi ryujujwe kugeza ubu, iteganya ibisuzumwa n'Urukiko Rukuru kugira ngo rwemeze ko urubanza rwaciriwe mu mahanga rurangirizwa mu Rwanda rureba ibi bikurikira:

1° ko urubanza rwaciriwe mu mahanga rutanyuranyije n'amategeko rusange ndemyagihugu n'amahame ashingiweho n'amategeko y'u Rwanda;

2° ko rwaciwe burundu hakurikijwe amategeko y'Igihugu rwaciriwemo;

3° ko kopi yarwo yujuje ibyangombwa byose byemeza ko ari impamo, hakurikijwe ayo mategeko;

4° ko uburenganzira bwo kwiregura bwubahirijwe.

[24] Ingingo ya 9, igika cya mbere y'itegeko Nº21/2012 ryo ku wa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo ivuga ko urega agomba kugaragaza ibimenyetso by'ibyo aregera. Iyo abibuze, uwarezwe aratsinda.

[25] Urukiko rurasanga ibivugwa na Hagengimana Athanase ko impamvu urubanza rwaciriwe muri Amerika rutarangirizwa mu Rwanda ari uko ataruhamagawemo ngo ahabwe umwanya wo kwisobanura nta bimenyetso abitangira kandi ari we ubiburanisha, Urukiko rukaba rutabona aho rwahera rwemeza ko yavukijwe uburenganzira bwo kwiregura bushimangirwa n'ingingo ya 18 y'Itegeko Nshinga.

[26] Byongeye kandi, mu gihe Hagengimana adahakana ko yamenyeshejwe urwo rubanza ariko akaba ataragize icyo arunenga, cyane cyane ko mu miburanire ye avuga ahubwo ko icyo yifuza gusa ari uko urubanza rw'ubutane rwaguma uko rwaciwe, Urukiko rusanga imiburanire nk'iyo irimo ukwivuguruza, kuko rugumye uko ruri ntirurangizwe, ubutabera bwaba butuzuye.

[27] Hakurikijwe rero ibisobanuro byatanzwe haruguru, Urukiko rusanga ibivugwa na Hagengimana ko atahamagawe mu rubanza ku buryo byaba impamvu ituma urubanza rutarangirizwa mu Rwanda, nta gaciro byahabwa.

[28] Urukiko rusanga nanone izindi nenge Hagengimana atanga zijyanye n'uburyo urubanza rwaciwemo ntaho zihuriye n'ibivugwa mu ngingo ya 91, igika cya 2 y'Itegeko Ngenga Nº51/2008 ryo kuwa 09/09/2008 ryavuzwe. Byongeye kandi, muri izo nenge avuga, harimo izijyanye n'urubanza rwaciwe ku kibazo cy'abana nyamara rutandukanye n'urw'ubutane nk'uko Urukiko Rukuru rwabigaragaje; izo nenge zikaba zitakwitabwaho mu gihe igisuzumwa muri uru rubanza ari ukureba niba urubanza rw'ubutane rwaciriwe mu kindi gihugu rwarangirizwa mu Rwanda.

[29] Hashingiwe ku bisobanuro byose byatanzwe, Urukiko rurasanga nta cyari kubuza Urukiko Rukuru kwemeza ko urubanza rwaciriwe muri Amerika muri Leta Virginia na "THE FAIRFAX COUNTY CIRCUIT COURT" kuwa 20/05/2011 rurangirizwa mu Rwanda.

Ku bijyanye n'ubujurire bwa Uwihoreye Dancille bwuririye ku bwa Hagengimana Athanase.

[30] Me Sayinzoga uburanira Uwihoreye Dancille avuga ko uwo yunganira ashingiye ku ngingo ya 167 y'Itegeko ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi, yuririye ku bujurire bwa Hagengimana akaba hari ibyo amusaba kubera ko akomeje kumushora mu manza ku maherere, ko akwiye kumuha indishyi z'akababaro zingana na 5.000.000Frw, akanamuha 500.000Frw y'ikurikiranarubanza n'igihembo cya Avoka.

[31] Me Bimenyimana Eric uburanira Hagengimana avuga ko indishyi zijyanye no gushorwa mu manza ku maherere nta shingiro zifite kubera ko nta bimenyetso uziregera abitangira, naho ku bijyanye n'amafaranga y'ikurikiranarubanza n'igihembo cya Avoka, asaba Urukiko kuzabisuzuma.

UKO URUKIKO RUBIBONA

[32] Urukiko rusanga nta mpamvu Uwihoreye yegenerwa indishyi zijyanye no gushorwa mu manza z'amaherere, kuko niba Hagengimana atarishimiye imikirize y'urubanza rwaciwe n'Urukiko Rukuru, afite uburenganganzira bwo kurujuririra hashingiwe ku biteganywa n'ingingo ya 162 y'Itegeko Nº21/2012 ryo kuwa 14/06/2012 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi.

[33] Urukiko rusanga amafaranga y'ikurikiranarubanza n'igihembo cya Avoka Uwihoreye asaba ayakwiye kuko byumvikana ko hari ibyo yagombye gukora kubera ubujurire bwatanzwe na Hagengimana, ndetse akaba yaragombye gushaka Avoka umuburanira mu bujurire, kubera iyo mpamvu Hagengimana akaba agomba kumuha 500.000Frw kuko ari mu rugero rukwiye.

III. ICYEMEZO CY'URUKIKO

[34] Rwemeje ko ubujurire bwa Hagengimana Athanase nta shingiro bufite;

[35] Rwemeje ko ubujurire bwa Uwihoreye Dancille bwuririye ku bundi bufite ishingiro kuri bimwe;

[36] Rutegetse Hagengimana Athanase kwishyura Uwihoreye Dancille 500.000Frw y'ikurikiranarubanza n'igihembo cya Avoka;

[37] Ruvuze ko urubanza rwaciwe n'Urukiko Rukuru i Kigali rudahindutse usibye ku bijyanye n'amafaranga 500.000 y'ikurikiranarubanza n'igihembo cya Avoka Hagengimana ategetswe guha Uwihoreye;

[38] Rutegetse Hagengimana gutanga amagarama y'urubanza ahwanye na 100.000Frw.