REPUBULIKA Y'U RWANDA

URUKIKO RW'IKIRENGA

RAPORO Y'UMWAKA WA 2008

KIGALI, 2008

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IBISOBANURO BY'AMAGAMBO AHINNYE YAKORESHEJWE

Adm. : Adminstratif (Imanza z'Ubutegetsi)

Civ. : Civil (Imanza z'imbonezamubano)

CS : Cour Suprême (Urukiko rw'Ikirenga)

CM : Cour Militaire (Urukiko rwa Gisirikare)

HCM : Haute Cour Militaire (Urukiko Rukuru rwa Gisirikare)

HC : Haute Cour (Urukiko Rukuru)

HCC : Haute Cour de Commerce (Urukiko Rukuru rw'Ubucuruzi)

Gén. : Génocide (Imanza za jenoside)

J.O : Journal Officiel (Igazeti ya Leta)

Min. : Mineur (Imanza nshinjabyaha z'abana)

P. : Page (Urupapuro)

Pén. : Pénal (Imanza z'inshinjabyaha)

Soc. : Social (Imanza z'umurimo)

TB : Tribunal de Base (Urukiko rw'Ibanze)

TD : Tribunal de District (Urukiko rw'Akarere)

TC : Tribunal de Commerce (Urukiko rw'Ubucuruzi)

TGI : Tribunal de Grande Instance (Urukiko Rwisumbuye)

TP : Tribunal de Province (Urukiko rw'Intara)

IJAMBO RY'IBANZE

Imyaka ibaye itanu habaye ivugurura ry'inzego z'ubutabera, ryatangiye gushyirwa mu bikorwa mu mpera z'umwaka wa 2004, nyuma y'uko hashyizweho amategeko mashya agenga imikorere y'Inkiko, agendeye ku Itegeko Nshinga rishya. Intego nkuru y'iryo vugururwa ikaba yari iyo kubaka ubutabera buhamye, bw'umwuga, hagamijwe gutanga ubutabera bunoze bugira uruhare rugaragara mu kubaka Igihugu kigendera ku mategeko kandi himirijwe imbere iterambere ry'Igihugu. Nyuma y'aho inzego z'ubutabera zivugururiwe, Inkiko zatangiye gukora bihamye mu mwaka wa 2005.

Iryo vugurura ry'inzego z'ubutabera ariko ntiryarangiye muri uriya mwaka wa 2004, kuko hakomeje kugenda hashyirwaho amategeko agamije kunoza imikore y'inzego z'ubutabera. Ni muri urwo rwego, muri uyu mwaka wa 2008, hashyizweho Inkiko z'Ubucuruzi hagamijwe kurushaho kwihutisha imanza z'ubucuruzi kubera umwihariko zifite ushingiye ku isano yazo n'iterambere ry'ubukungu bushamikiye ku ishoramari. Indi mpinduka ikomeye yabaye muri uyu mwaka wa 2008 n'ishyirwaho ry'ihame ry'umucamanza umwe mu manza ziburanishwa mu rwego rw'ubujurire mu nkiko, uretse Urukiko rw'Ikirenga. Iyi nayo akaba ari intambwe yagezweho mu rwego rw'amategeko izafasha mu kwihutisha imanza.

Urukiko rw'Ikirenga kimwe n'inkiko rukuriye zihaye intego yo kuzuza inshingano zo gutanga ubutabera bunoze hagamijwe guteza Igihugu imbere no kugihesha isura nziza mu ruhando rw'amahanga. Ni muri urwo rwego buri gihe haba gukurikiranira hafi ibyagezweho (auto-évaluation), buri kwezi, buri gihembwe na buri mwaka. Uko kwigenzura hasuzumwa ibyakozwe hakurikijwe intego buri Rukiko rwihaye n'intego rusange y'urwego rw'ubucamanza, bituma haba gukosora ibitagenda no gushyira ingufu ku bigaragara ko bifite ibibazo by'umwihariko.

Nyuma y'iyi myaka ine, inkiko nshya zitangiye gukora ku buryo buhamye, akaba ari ngombwa gusubiza amaso inyuma no gusuzuma ko intego Inkiko zihaye zagezweho, ibyo bigafasha gutegura gahunda y'imyaka iri imbere, hashimangirwa ibyiza byagezweho, hakosorwa ibitaragenze neza kandi hatekerezwa n'ibindi bishya (innovation) bituma ubutabera burushaho kugira uruhare mu iterambere ry'Igihugu.

Uyu mwaka urangiye wa 2008, ingufu nyinshi zashyizwe mu kubaka ubucamanza bufite "ethics" bugenderaho na "discipline" iburanga. Indangagaciro (values) ubucamanza bwiyemeje

kugenderaho muri uyu mwaka ushize ni nazo buzakomeza kugenderaho mu bihe biri imbere kuko zigaragara nk'amahame ahoraho n'inkingi ntajegajezwa z'ubutabera nyabwo. Izo ndangagaciro ni izi zikurikira : kwihutisha imanza (speed), guca imanza z'indakemwa (quality), kugira abacamanza b'umwuga (professionalism), bagira ubupfura kandi b'inyangamugayo (discipline and integrity). Gushyira imbere no kwita kuri izi ndangagaciro nibyo bishobora gutuma haboneka umusaruro mwiza, hagatangwa ubutabera bwihuse kandi bunoze.

Ibyagezweho muri uyu mwaka wa 2008 nk'uko bikubiye muri iyi raporo biragaragaza ko benshi mu bacamanza, abanditsi n'abandi bakozi bunganira inkiko baharaniye kugendera kuri ziriya ndangagaciro nk'uko bari babisabwe mu mwiherero wabaye mu ntangiriro z' umwaka wa 2008.

Gushyira ahagaragara iyi raporo y'umwaka, si ukuzuza inshingano Urukiko rw'Ikirenga ruhabwa n'itegeko gusa, ahubwo nk'uko byamaze kuvugwa ni n'uburyo bwo kwigenzura. Ariko nanone kuba iyi raporo ishyirwa ahagaragara ni uburyo bwo kugaragariza abaturage ubutabera bukorera n'abakorana n'Inzego z'ubutabera, zaba izindi nzego za Leta, baba abaterankunga, iby'ingenzi Inkiko zagezeho. Iyi raporo yashingirwaho n'abo bose batanga inama zituma haba kunoza imikorere y'inzego z'ubutabera.

Intambwe Inkiko zigezeho ntiyari gushoboka hatabaye ubufatanye n'izindi nzego za Leta kimwe n'abaterankunga bashyigikira ibikorwa by'Inkiko mu ngeri zitandukanye. Abo bose twafatanya kwishimira ibyo twagezeho muri uyu mwaka wa 2008.

Kigali, 2008

CYANZAYIRE Aloysie
Perezida w'Urukiko rw'Ikirenga akaba na
Perezida w'Inama Nkuru y'Ubucamanza

IRIBURIRO

Ingingo ya 24 y'Itegeko Ngenga rigena imitunganyirize, imikorere n'ububasha by'Urukiko rw'Ikirenga iha Perezida w'Urukiko rw'Ikirenga inshingano yo gushyira ahagaragara raporo

y'ibikorwa by'umwaka ku mikorere rusange y'Urukiko rw'Ikirenga n'izindi Nkiko zose zo mu gihugu.

Akaba ari muri urwo rwego, buri mwaka Urukiko rw'Ikirenga rushyira ahagaragara raporo y'ibikorwa byagezweho n'Inkiko zisanzwe (Urukiko rw'Ikirenga, Urukiko Rukuru, Inkiko Zisumbuye n'Inkiko z'Ibanze) n'ibyakozwe n'Inkiko zihariye (Inkiko z'Ubucuruzi n'Inkiko za Gisirikare) hatabariwemo Inkiko Gacaca. Izi Nkiko Gacaca zo zikaba zifite umwihariko kuko raporo y'ibikorwa byazo itangazwa n'Urwego rw'Igihugu ruzikuriye. Inkiko z'Ubucuruzi zashyizweho muri uyu mwaka wa 2008 zikaba zaratangiye imirimo yo guca imanza mu kwezi kwa Gicurasi 2008.

Muri uyu mwaka wa 2008, Urwego rw'Ubucamanza rwari rwihaye intego yo gukomeza kwegereza abaturage ubutabera bamenyeshwa imikorere y'Inkiko n'amategeko agenga imikorere yazo n'iyo kurushaho kunoza imikorere y'inzego z'ubucamanza. Iyi raporo y'umwaka wa 2008 ikaba ishyira ahagaragara ibyagezweho kuri buri ntego yari iteganijwe.

Umusaruro w'Inkiko ugizwe ahanini n'imibare y'imanza zaciwe kuko aricyo gikorwa cy'ibanze cy'Inkiko. Mu rwego rwo kugaragaza intambwe igenda iterwa mu gukemura ibibazo Inkiko zihura nabyo, umusaruro wa buri Rukiko muri uyu mwaka ugenda ugereranywa n'uw'imyaka itatu ishize (kuva mu mwaka wa 2005) hagamije kumenya ibigomba gukosorwa, ibigomba gushyirwamo imbaraga n'ibyo kubumbatira nta gutezuka.

Ariko rero, Urukiko rw'Ikirenga rugira umwihariko ushingiye ku nshingano zarwo, umusaro warwo ukaba utagenzurirwa gusa mu mibare y'imanza zaciwe, ahubwo hitabwa no ku nshingano zikomeye uru Rukiko rufite zo gukuriranira hafi imikorere y'izindi Nkiko no gutanga umurongo zigenderaho. Iyi raporo ikaba igaragaza by'umwihariko amabwiriza anyuranye Urukiko rw'Ikirenga rwageneye izindi Nkiko mu rwego rwo gutanga umurongo zigenderaho. Igaragaza kandi bimwe mu bibazo byihariye byafashwemo ibyemezo bikaba itegeko cyane cyane ibirebana n'ingingo z'amategeko zavanyweho cyangwa zahinduwe n'ibyemezo by'Urukiko rw'Ikirenga kubera ko binyuranije n'Itegeko Nshinga.

Ku bijyanye n'imibare y'imanza, umwaka wa 2008 watangiye mu Nkiko zisanzwe zose habarurwa imanza 54.634. Kugeza mu mpera z'Ugushyingo 2008, imanza zari zimaze kwinjira

zari 40.048 hamaze gusohoka imanza 40.239[1], imanza zisigaye mu Nkiko akaba ari 53282. Ikibazo cy'ubwinshi bw'imanza z'ibirarane kikaba kikigaragaza mu Nkiko kandi kikaba giterwa n'imanza zikomeza kwinjira ku bwinshi.

Mu rwego rwo kurwanya imanza z'ibirarane hagamijwe gutanga ubutabera bwihuse, Urukiko rw'Ikirenga rwatangije umushinga ugamije gushaka ibisubizo by'icyo kibazo. Hashyizweho, mu kwezi kwa Nyakanga, abacamanza n'abanditsi bashinzwe by'umwihariko kuburanisha imanza z'ibirarane. Mu mezi atanu bamaze batangiye guca imanza bamaze guca no gusiba imanza zose hamwe 7.559.

Iyi raporo kandi iha umwanya w'umwihariko ibyakozwe n'Inkiko mu rwego rwo guca imanza zikemura bimwe mu bibazo by'ingutu Igihugu gifite : Ibyaha byo gupfobya jenoside n'ibyo bifitanye isano (guhohotera abatangabuhamya mu Nkiko Gacaca, guhohotera abacitse ku icumu…), ibyaha bibangamira ubukungu bw'Igihugu, ibyaha byo gusambanya ku ngufu abana n'abagore.

Uretse umusaruro w'imanza zaciwe, iyi raporo igaragaza n'amafaranga Inkiko zinjiza muri Leta ariko cyane cyane mu Turere zikoreramo. Iyi raporo ishyira ahagaragara uburyo Uturere turimo ibyicaro by'Inkiko twinjirijwe amafaranga n'izo Nkiko. Koko rero amafaranga y'u Rwanda 173.633.578 yinjijwe mu Turere tunyuranye Inkiko zikoreramo. Ingorane zikiriho zo kwinjiza amafaranga yose yategetswe n'Inkiko zafatiwe ingamba nk'uko iyi raporo ibigaragaza.

Zimwe mu nzitizi zituma umusaruro w'Inkiko utiyongera ku buryo bwifuzwa nazo iyi raporo izishyira ahagaragara. Umuvuduko ukabije w'imanza zinjira ni imwe muri izo nzitizi. Mu mwaka wa 2005 Inkiko zisanzwe zose zinjije imanza 36.653, mu mwaka wa 2006 hinjira imanza 28.365, mu mwaka wa 2007 hinjira 41.981 naho uyu mwaka wa 2008 hinjira imanza 40.048. Biragaragara ko umuvuduko w'imanza zinjira aho gutezuka ukomeza kwiyongera. Ikibazo cy'imanza z'imirima zitangirira mu Nkiko z'Ibanze iyi raporo iragisesengura mu rwego rwo gusaba izindi nzego bireba gufasha Inkiko kugikemura, kuko usanga kigira uruhare runini mu kongera umuvuduko w'imanza zinjira mu Nkiko.

Uburyo Inkiko zashyize mu bikorwa ingamba zemejwe zo kurwanya isubikwa ry'imanza n'ibyagezweho nabyo iyi raporo ntiyabisize inyuma.

[1] Umubare w'imanza zosohotse ugizwe n'umubare w'imanza zaciwe mu mizi n'izasibwe, hatabariwemo imanza ku birego byihutirwa n'ibindi byemezo.

Ibyo Inkiko zikora byose zibigeraho zifashijwe kandi zunganiwe n'izindi serivisi z'Urukiko rw'Ikirenga. Ibyo izo serivise zagezeho mu rwego rwo kunganira Inkiko nabyo birasesengurwa muri iyi raporo. Muri ibyo harimo ibyakozwe mu rwego rwo guteza imbere ICT mu Nkiko. Nyuma y'Urukiko rw'Ikirenga n'Urukiko Rukuru, uyu mwaka urangiye imiyoboro y'itumanaho (internal network) imaze gushyirwa mu Nkiko Zisumbuye 5 n'Ingereko 2 z'Urukiko Rukuru. Ubu buri mukozi w'Urukiko afite kandi akoresha « computer » mu kazi ke ka buri munsi.

Iyi raporo igizwe n'ibice bine by'ingenzi. Igice cya mbere kiragaragaza imiterere rusange y'ubutegetsi bw'ubucamanza, igice cya kabiri kigaragaza imihigo ngenderwaho y'Urwego rw'Ubucamanza mu mwaka wa 2008, igice cya gatatu cyo kiragaragaza ibyagezweho n'Urwego rw'Ubucamanza hakurikijwe intego nkuru rwari rwihaye muri uyu mwaka wa 2008 naho igice cya kane kigaragaza inzitizi n'ingamba zafashwe zo kuzikemura.

I. IMITERERE Y'URWEGO RW'UBUCAMANZA

Urwego rw'ubucamanza ni rumwe mu nzego eshatu z'ubutegetsi bwa Leta (Ubutegetsi Nshingamategeko, Ubutegetsi Nyubahirizategeko n'Ubutegetsi bw'Ubucamanza). Itegeko Nshinga rya Repubulika riha Ubutegetsi bw'Ubucamanza ubwigenge mu mikorere n'imicungire y'abakozi n'imari. Uru rwego rw'ubucamanza rukaba rugizwe n'Inama Nkuru y'Ubucamanza, Urukiko rw'Ikirenga n'izindi Nkiko.

I.1. Inama Nkuru y'Ubucamanza yaravuguruwe

Inama Nkuru y'ubucamanza ni rwo rwego rukuriye Urwego rw'Ubucamanza, niyo ifata ibyemezo bishyirwa mu bikorwa na Perezida wayo.

Muri uyu mwaka wa 2008, abagize Inama Nkuru y'Ubucamanza barongerewe hashyirwamo uhagarariye Urugaga rw'Abavoka, abahagarariye Inkiko z'Ubucuruzi n'uhagarariye Minisiteri y'Ubutabera. Umubare w'abayigize wavuye kuri 19 ushyirwa kuri 24. Ubu Inama Nkuru y'ubucamanza igizwe na Perezida na Visi Perezida b'Urukiko rw'Ikirenga, Perezida w'Urukiko Rukuru n'Urukiko Rukuru rw'Ubucuruzi, umucamanza wo mu Rukiko Rukuru n'uwo mu Rukiko Rukuru rw'Ubucuruzi batorwa na bagenzi babo, umucamanza wo mu Nkiko z'ubucuruzi, abacamanza bo mu Nkiko Zisumbuye n'abo mu Nkiko z'Ibanze batorwa na bagenzi babo, abayobozi babiri b'amashami y'amategeko muri Kaminuza no mu mashuri makuru, Avoka utorwa na bagenzi be bo mu Rugaga rw'Abavoka, uhagarariye Minisiteri y'Ubutabera ugenwa na Minisitiri ufite ubutabera mu nshingano ze, Perezida wa Komisiyo y'Igihugu y'Uburenganzira bwa muntu n'Umuvunyi Mukuru.

Inama Nkuru y'ubucamanza iyoborwa na Perezida w'Urukiko rw'Ikirenga ikagira Visi Perezida n'umwanditsi batorwa n'abayigize. Ifite kandi Ubunyamabanga buhoraho bushinzwe gutegura imirimo yose y'Inama y'Ubucamanza no gushyira mu bikorwa ibyemezo byayo.

Inshingano z'Inama Nkuru y'Ubucamanza ntizahindutse. Iyi nama ishinzwe :

- ♦ Kwiga no gutanga inama ku bibazo byerekeye imikorere y'ubutabera ;
- ♦ Gufata ibyemezo ku migendekere y'umwuga w'ubucamanza ;
- ♦ Gutanga inama ku mishinga imwe n'imwe y'amategeko

I.2. Urukiko rw'Ikirenga rukuriye izindi Nkiko

Urukiko rw'Ikirenga nirwo Rukuriye izindi Nkiko. Ni rumwe mu Gihugu cyose, icyicaro cyarwo kiri i Kigali.

Uretse imanza nshinjabyaha ziregwamo abayobozi b'Ikirenga b'Igihugu n'izindi manza zijyana n'inshingano zo kurinda iyubahirizwa ry'Itegeko nshinga na demokarasi mu bijyanye n'amatora ziburanishwa n'uru Rukiko mu rwego rwa mbere n'urwa nyuma, ubusanzwe uru Rukiko ruburanisha imanza rujuririrwa mu rwego rwa nyuma.

Kuva nyuma y'ivugururwa ry'inzego z'ubutabera ryabaye muri 2004, Urukiko rw'Ikirenga rwari rufite abacamanza14 habariwemo Perezida na Visi Perezida barwo. Uwo mubare

w'abacamanza wasigaye ari 12 muri uyu mwaka wa 2008 kubera ko hari abacamanza babiri (2) bagiye mu yindi mirimo.

Kimwe n'izindi Nkiko zose, Urukiko rw'Ikirenga rufite ubwanditsi buyoborwa n'Umwanditsi Mukuru bukagira n'abanditsi ba ngombwa.

Kugira ngo rushobore kugera ku nshingano zarwo zo kuyobora Inkiko rukuriye no kuzuza inshingano yarwo yo guca imanza, Itegeko Ngenga rigenga Urukiko rw'Ikirenga ryarushyiriyeho izindi nzego z'imirimo zirwunganira arizo :

- Ubugenzuzi Bukuru bw'Inkiko
- Ubunyamabanga Bukuru

I.2.1. Ubugenzuzi Bukuru bw'Inkiko bushamikiye ku biro bya Perezida w'Urukiko rw'Ikirenga

Ubugenzuzi Bukuru bw'Inkiko ni urwego rushamikiye ku Biro bya Perezida w'Urukiko rw'Ikirenga rufite inshingano z'ingenzi zikurikira :

- Kugenzura imikorere y'Inkiko muri rusange ;
- Kugenzura imyifatire y'abacamanza, iy'abanditsi b'Inkiko n'abandi bakozi;
- Kugenzura uburyo amategeko agenga Inkiko yubahirizwa;
- Kugenzura ko Inkiko zica imanza zikurikije amategeko;
- Gusuzuma ibyo abacamanza n'abandi bakozi b'Inkiko bakeneye guhugurwamo no kureba ko amahugurwa yageze ku ntego.

Ubusanzwe, Ubugenzuzi Bukuru bw'Inkiko bugizwe n'Umugenzuzi Mukuru w'Inkiko n'abagenzuzi batatu n'abandi bakozi ba ngombwa.

I.2.2. Ubunyamabanga Bukuru ni serivisi yunganira Urukiko rw'Ikirenga

Urwego rw'Ubunyamabanga Bukuru rwashyizweho mu Rukiko rw'Ikirenga nka serivise yunganira Urukiko rw'Ikirenga. Ruyoborwa n'Umunyamabanga Mukuru ari nawe ushinzwe guhuza imirimo yose yerekeye imari, ubuyobozi (administration) na tekiniki by'inzego z'Urukiko.

Umunyamabanga Mukuru afashwa n'abayobozi b'inzego z'imirimo n'abandi bakozi ba ngombwa. Mu rwego rwa « decentralization », Ubunyamabanga Bukuru bugira abakozi bakorera mu Nkiko zo hasi kuva ku Rukiko Rukuru kugeza mu Nkiko Zisumbuye.

Umunyamabanga Mukuru niwe ushinzwe gushyira mu bikorwa politiki y'Urukiko rw'Ikirenga kimwe n'imigambi na gahunda byarwo mu byerekeye imari, ubuyobozi (administration) na tekiniki.

I.3. Izindi Nkiko ziyoborwa n'Urukiko rw'Ikirenga

Hari Inkiko zisanzwe n'izihariye ziyoborwa n'Urukiko rw'Ikirenga

I.3.1. Inkiko zisanzwe

Inkiko zisanzwe ni : Urukiko Rukuru, Inkiko Zisumbuye n'Inkiko z'Ibanze.

I.3.1.1.Urukiko Rukuru rwahinduye inyito

Urukiko Rukuru rwashyizweho n'Itegeko Nshinga rya Repubulika y'u Rwanda ryo kuwa 4/6/2003 rwitwaga « Urukiko Rukuru rwa Repubulika ». Ivugururwa ry'Itegeko Nshinga ryabaye mu 2008 ryahinduye inyito y'urwo Rukiko rwitwa « Urukiko Rukuru ».
Urukiko Rukuru ni rumwe mu Gihugu cyose, rufite icyicaro i Kigali. Ariko rufite Ingereko enye : Urugereko rukorera i Musanze, Urugereko rukorera i Nyanza, Urugereko rukorera i Rusizi n'Urugereko rukorera i Rwamagana.

Urukiko ruyoborwa na Perezida yunganiwe na Visi Perezida, rukagira abacamanza 26. Abo bacamanza basaranganywa mu Ngereko zose z'urwo Rukiko kandi buri Rugereko rukayoborwa na Perezida warwo.

I.3.1.2. Inkiko Zisumbuye ni 12 mu Gihugu

Inkiko Zisumbuye ni 12 mu Gihugu cyose : Urukiko Rwisumbuye rwa Gasabo, urwa Gicumbi, urwa Karongi, urwa Huye, urwa Muhanga, urwa Musanze, urwa Ngoma, urwa Nyagatare, urwa Nyamagabe, urwa Nyarugenge, urwa Rubavu n'Urukiko Rwisumbuye rwa Rusizi.

Buri Rukiko Rwisumbuye rugizwe na Perezida na Visi Perezida n'abacamanza n'abanditsi ba ngombwa. Muri uyu mwaka wa 2008, abacamanza mu Nkiko Zisumbuye bari 92.

I.3.1.3. Inkiko z'Ibanze ni 60 mu Gihugu cyose

Inkiko z'Ibanze ni 60 mu Gihugu cyose. Buri Rukiko rugizwe na Perezida n'umucamanza umwe n'abanditsi babiri (2). Itegeko riteganya imanza zigomba kubanza kunyura mu bunzi mbere y'uko zishyikirizwa Inkiko z'Ibanze n'izindi ziburanishwa n'izi Nkiko zitabanje kunyura mu bunzi.

I.3.2. Inkiko zihariye ziyoborwa n'Urukiko rw'Ikirenga : Inkiko z'Ubucuruzi

Ivugururwa ry'Itegeko Nshinga ryo kuwa 13/08/2008 ryashyizeho Inkiko zihariye z'ubucuruzi. Inkiko z'ubucuruzi zigizwe n'Urukiko Rukuru rw'Ubucuruzi rufite icyicaro i Kigali (ubu rufite abacamanza 8 harimo Perezida na Visi Perezida) n'Inkiko eshatu z'ubucuruzi : Urukiko rw'Ubucuruzi rwa Huye (rufite abacamanza 5 harimo Perezida na Visi Perezida), Urukiko rw'Ubucuruzi rwa Musanze (rufite abacamanza 5 harimo Perezida na Visi Perezida) n'Urukiko rw'Ubucuruzi rwa Nyarugenge (rufite abacamanza 6 harimo Perezida na Visi Perezida). Perezida w'Urukiko Rukuru rw'Ubucuruzi n'uw'Urukiko rw'Ubucuruzi rwa Nyarugenge ni abacamanza bihariye batari abanyarwanda, bagengwa n'amasezerano.

II. INTEGO NGENDERWAHO Z'UMWAKA WA 2008

Intego ngenderwaho y'Urukiko rw'Ikirenga n'izindi Nkiko mu mwaka urangiye wa 2008 yari ishingiye ku ngingo ebyiri z'ingenzi:

- Kwegereza abaturage ubutabera;
- Kunoza imikorere y'inzego z'ubucamanza;

Mu ngamba zafashwe kugira ngo habe kugera ku ntego, Urukiko rw'Ikirenga rwateganije ibikorwa bikuru by'ingenzi kuri buri ngingo.

II.1. Kwegereza abaturage ubutabera

Kuri iyi ngingo hari hateganijwe gushyiraho uburyo bwo kumenyesha abaturage imikorere y'Inkiko ku buryo buhoraho no kumenyekanisha amategeko agenga imikorere y'Inkiko.

II.2. Kunoza imikorere y'Inzego z'Ubucamanza

Kuri iyi ngingo hari hateganijwe ibikorwa by'ingenzi bikurikira :

- Guca imanza z'indakemwa kandi mu buryo bwihuse;
- Guha Inkiko abakozi babishoboye kandi bakongererwa ubushobozi bahugurwa;

- Guha Inkiko uburyo bwo gukorera heza kandi hasukuye;
- Gukoresha ikoranabuhanga mu mikorere y'Inkiko;
- Kunoza imicungire y'amafaranga n'ibikoresho bihabwa Inkiko;
- Kugenzura imikorere y'Inkiko no kurwanya ruswa muri zo.

Iyi mihigo ngenderwaho n'ingamba zo kuyihigura byashyizwe mu bikorwa mu bufatanye n'ubwuzuzanye bw'abakozi b'Inkiko n'inzego zizunganira. Indorerwamo y'ibanze ibyagezweho bigaragariramo akaba ari imanza zicibwa n'Inkiko zinyuranye. Umusaruro w'Inkiko ukaba ariko utashoboka hatabaye ubuyobozi bwiza na serivisi zunganira izo Nkiko zidakoze neza inshingano zazo.

III. IBYAGEZWEHO N'INKIKO

Ibyo Inkiko na serivise zazo zinyuranye zagezeho nibyo bifasha mu kwerekana intambwe yatewe mu guhigura imihigo muri uyu mwaka wa 2008 mu rwego rwo kwegereza abaturage ubutabera no kunoza imikorere y'inzego z'ubucamanza.

III.1. Ibyagezweho mu rwego rwo kwegereza abaturage ubutabera

Mu rwego rwo kwegereza abaturage ubutabera hakozwe ibikorwa binyuranye byo kumenyesha abaturage amategeko n'imikorere y'Inkiko:

- Urukiko rw'Ikirenga rwakomeje gutambutsa ibiganiro bihoraho kuri radiyo;
- Urukiko rw'Ikirenga rufatanije na Minisiteri y'Ubutabera rwatanze ibiganiro kuri Radiyo na Televisiyo by'u Rwanda byerekeye ihohoterwa ryo mu ngo n'ibijyanye n'irangiza ry'imanza;
- Hateguwe akanyamakuru "Amakuru ku Bucamanza" kamenyekanisha amategeko n'ibikorwa by'Inkiko gasohoka buri mezi atatu;
- Abayobozi b'Inkiko z'Ibanze n'ab'Inkiko Zisumbuye mu mafasi yazo batanze ibiganiro bimenyesha abaturage amategeko anyuranye;

- Abayobozi b'Inkiko z'Ibanze bahuguye abunzi n'abayobozi b'Inzego z'Ibanze ku bijyane n'amategeko.

Nanone kandi, muri rwego rwo kwegereza abaturage ubutabera, ubwanditsi bw'Inkiko bwanogeje imikorere hakorwa ibikorwa bikurikira:

- Urukiko rw'Ikirenga rwatanze amabwiriza ajyanye n'iyoherezwa rya kopi z'imanza muri za gereza na sitasiyo za Polisi, hagamijwe kwirinda ko abamaze gufungurwa n'Inkiko bakomeza gufungwa muri Gereza cyangwa mu makasho ya Polisi;
- Udusanduku tw'ibitekerezo twakomeje gukoreshwa mu Nkiko zose;
- Inyandiko ziyobora abagana Inkiko zashyizweho mu Nkiko zose;
- Mu Nkiko zose hashyizweho ibitabo by'ibibazo by'abagana Urukiko bigaragaza ibibazo n'ibisubizo bihabwa;
- Urukiko rw'Ikirenga rwashyizeho umurongo wa telefoni abaturage bakoresha batishyura bakageza ku Bugenzuzi Bukuru bw'Inkiko ibibazo bafite mu Nkiko. Uwo murongo ni 3670;

III.2. Ibyagezweho mu rwego rwo kunoza imikorere y'Inzego z'Ubucamanza

Kugira ngo intego yo kunoza imikorere y'Inzego z'Ubucamanza irusheho kugerwaho, Inkiko na serivisi zazo zashyize imbaraga mu gikorwa cyo kwihutisha imanza kugira ngo zicibwe mu gihe kitarambiranye kandi hagabanywa imanza z'ibirarane. Inkiko na serivisi zizunganira zahawe abakozi babifitiye ubushobozi kandi bahabwa amahugurwa. Muri urwo rwego kandi Inkiko zubakiwe Ingoro z'ubutabera, zihabwa ibikoresho kandi n'ikoranabuhanga ryitabwaho. Imicungire myiza y'amafaranga yitaweho kandi n'Inkiko zikorerwa igenzura ry'imikorere yazo hagamijwe kurwanya ruswa.

III.2.1. Kuburanisha no guca imanza byakomeje kuba igikorwa cy'ibanze cy'Inkiko

Umurimo wo guca imanza ni cyo gikorwa cy'ibanze cy'Inkiko. Igipimo cy'umusaruro uva muri icyo gikorwa ukaba cyane cyane umubare w'imanza zaciwe na buri Rukiko. Uwo mubare ugereranywa n'umubare w'abacamanza buri Rukiko rufite, umwihariko w'imanza ziburanishwa muri urwo Rukiko n'umubare w'imanza rwinjiza kugira ngo habe kumenya ubwitange bwa buri mucamanza n'icyizere uwo musaruro utanga mu kugera ku ntego yo kwihutisha ubutabera.

Ikindi gishingirwaho mu gupima umusaruro, ariko kikirimo ingorane, ni urwego ubudakemwa bw'imanza zicibwa bugezeho. Uyu mwaka hafashwe ingamba zizatuma umwaka utaha iki gipimo gishobora gukoreshwa.

III.2.1.1. Urukiko rw'Ikirenga rwateye intambwe ishimishije mu kongera umusaruro

Umusaruro w'Urukiko rw'Ikirenga nk'Urukiko rukuriye izindi Nkiko ntureberwa mu mibare y'imanza zaciwe gusa, ahubwo hitabwa no ku byakozwe n'Uru rukiko rwuzuza inshingano rufite yo gutanga umurongo izindi Nkiko zigenderaho mu gukemura ibibazo by'amategeko byigaragaza cyane mu icibwa ry'imanza. Iyi nshingano Urukiko ruyuzuza mu buryo butandukanye harimo: guca imanza z'icyitegererezo cyane cyane ku bibazo byihariye by'amategeko byigaragaza mu Nkiko no gutanga amabwiriza anyuranye ku mikorere y'Inkiko. Ibyo gutanga amabwiriza bikorwa na Perezida w'Urukiko rw'Ikirenga ariko atabangamira ubwigenge bw'abacamanza mu gufata ibyemezo ku manza bashyikirizwa. Muri uru rwego kandi Urukiko rw'Ikireganga rutanga inama n'ibitekerezo ku mishinga y'amategeko.

A. Bimwe mu byakozwe n'Urukiko rw'Ikirenga mu gutanga umurongo ngenderwaho w'izindi Nkiko

(1) Amabwiriza anyuranye yagenewe Inkiko

- Amabwiriza ajyanye no kurwanya isubikwa ry'imanza mu Nkiko;
- Amabwiriza arebana n'ibishingirwaho n'Ubugenzuzi Bukuru bw'Inkiko mu gukora igenzura ry'ubudakemwa bw'imanza;
- Hateguwe inyandiko ijyanye n'imyandikire mishya y'imanza zisobanuye ku buryo buhagije ikazashyikirizwa Inkiko mu mwaka wa 2009;
- Urukiko rw'Ikirenga hamwe n'Urukiko Rukuru, mu mwiherero wahuje abacamanza b'izo Nkiko, zafashe imyanzuro icyemura ibibazo binyuranye by'amategeko byigaragaje mu Nkiko, iyo myanzuro izashyikirizwa Inkiko mu ntangiro y'umwaka wa 2009.

(2) Bimwe mu bibazo byihariye byafashweho ibyemezo biba itegeko

- Urukiko rw'Ikirenga rwemeje ko igika cya 2 cy'Ingingo ya 121 y'Itegeko ryerekeye imiburanishirize y'imanza z'inshinjabyaha kinyuranije n'Itegeko Nshinga maze rukivanaho (reba urubanza RS/Const.pén 001/07/CS rwaciwe kuwa 11/01/2008);

- Urukiko rw'Ikirenga rwemeje ko ingingo ya 354 y'Igitabo cy'amategeko ahana ibyaha mu Rwanda inyuranije n'Itegeko Nshinga ku byerekeye ibihano bihabwa abakoze icyaha cy'ubusambanyi maze rwemeza ko umugore n'umugabo bahamwe n'icyaha cy'ubusambanyi bagomba guhanishwa igihano kimwe cyari giteganirijwe umugabo (amezi 6, reba urubanza RS/Const/pén 0001/08/C.S rwaciwe n'Urukiko rw'Ikirenga kuwa 26/09/2008, J.O No 21 bis yo kuwa 01/11/2008, p. 123).

(3) Inama zatanzwe mu rwego rw'amategeko

Urukiko rw'Ikirenga rwasabwe kandi rutanga inama ku isobanurampamo ry'ingingo z'amategeko zirebana n'ikurwaho ry'igihano cyo kwicwa n'izirebana n'ibihano bishobora guhabwa uregwa wahamwe n'icyaha mu rubanza rwimuriwe mu Rwanda ruvuye mu Rukiko Mpuzamahanga rwashyiriweho u Rwanda n'izivuye mu bindi bihugu. Urukiko rw'Ikirenga rwagaragaje ko igihano cya burundu cy'umwihariko kidashobora gutangwa ku wahamijwe icyaha mu rubanza rwimuriwe mu Rwanda ruvuye mu Rukiko Mpuzamahanga rwashyiriweho u Rwanda cyangwa izivuye mu bindi bihugu.

B. Ibyakozwe hagamijwe kunoza ubudakemwa bw'Imanza zicibwa

(1) Gusohora ibyegeranyo by'imanza

Mu kinyejana tugezemo, nta murimo n'umwe ushobora gutezwa imbere abawushinzwe badakoze ubushakashatsi ku mpamvu zose zatuma urushaho gutunganywa neza. Niyo mpamvu, Urukiko rw'Ikirenga nk'Urwego rukuriye ubutegetsi bw'Ubucamanza rwihaye Inshingano yo gukora ubushakashatsi ku manza zose zicibwa kugira ngo hagaragazwe icyegeranyo cy'icyitegererezo cy'imanza z'indakemwa (recueil de Jurisprudence). Muri uyu mwaka wa 2008 hasohotse ibyegeranyo bibiri(2). Kuva mu mwaka wa 2005 kugeza ubu, hamaze gusohoka ibyegeranyo bine(4). Byose bishyikirizwa buri mucanza mu Nkiko zinyuranye.

Akamaro k'ubu bushakashatsi ntigashidikanywaho kuko ari uburyo bwiza buhugura abacamanza iyo bibaye ngombwa ko bitabaza ubuhanga bwa bagenzi babo mu mikirize y'imanza ziba zenda gusa cyangwa se zisa n'izo bahuye nazo.

N'ubwo umurimo wo gutunganya ibyegeranyo by'imanza zaciwe ukorwa, haracyari imbogamizi mu mitunganyirize yawo:

- Hakenewe amikoro ahagije (budget) yagenerwa ubushakashatsi;

- Nta bakozi bihariye bashinzwe uwo murimo bahari, umwanya umwe (1) ugenewe ushinzwe iyo mirimo wabuze abawujyamo kubera umushahara muto ugereranije n'imirimo igomba gukorwa;
- Akazi kamaze gukorwa karacyakeneye gusesengurwa mu buryo bwa gihanga mu mategeko (jurisprudence commentée);
- Hakenewe inzobere mu gusemura inyandiko kugira ngo ibikubiye muri ibyo byegeranyo byose bishobore gusomwa na benshi kuko kugeza ubu, ibyo byegeranyo byose byanditse mu Kinyarwanda.

(2) Guhuza imyandikire y'imanza

Imyandikire y'imanza muri iki gihe, uretse n'uko yari igiye itandukana bitewe n'inzego z'Inkiko, ndetse na "system" z'amategeko y'ibihugu abacamanza bagiye babamo, yari iteye ikibazo cy'uko izo manza zitumvwa n'ubonetse wese, baba ababuranyi urubanza ruba rereba mbere ya byose cyangwa abandi bantu bakenera izo manza zinyuranye.

Mu rwego rwo gukemura icyo kibazo hashyizweho komisiyo igizwe n'abantu banyuranye, ihabwa inshingano zo guhuza imyandikire y'izo manza. Iyo komisiyo yashinzwe kandi kuvugura no guhuza inyandiko zikoreshwa mu Nkiko. Imyanzuro yagezweho n'iyo komisiyo yerekeranye n'uburyo bumwe bwo kwandika imanza mu Nkiko zose z'Igihugu, yaganiriweho, itangwaho amahugurwa, ikaba izashyirwa mu bikorwa n'Inkiko zose mu mwaka wa 2009.

(3) Kugenzura ubudakemwa bw'imanza

Gutanga ubutabera bunoze ni imwe mu ntego Urukiko rw'Ikirenga rwihaye. Ubutabera bunoze busaba ko imanza zicibwa zikurikije amategeko, zigacibwa neza kandi mu buryo bwihuse. Gukurikirana no kugenzura ko imanza zicibwa neza bifasha kubaka ubutabera nyakuri muri rusange, kandi bigafasha abacamanza guharanira gukora neza no gutera imbere biyungura ubwenge mu kazi.

Kugenzura ubudakemwa bw'imanza ni inshingano Urukiko rw'Ikirenga ruhabwa n'itegeko, rukaba rugomba kuyuzuza binyuze mu rwego rw'Ubugenzuzi bw'Inkiko[2]. Ni muri urwo rwego Urukiko rw'Ikirenga rwateguye inyandiko ikubiyemo ingamba zo kugenzura ubudakemwa bw'imanza, iganirwaho kandi yemezwa n'abayobozi b'Inkiko. Iyo nyandiko ikaba ishyira ahagaragara

[2] Ingingo ya 38 y'Itegeko rigenga Urukiko rw'Ikirenga ivuga ko Urukiko rw'Ikirenga rushinzwe kugenzura buri gihe uburyo amategeko n'amabwiriza agenga Inkiko yubahirizwa, kandi rukareba ko Inkiko zica imanza zikurikije amategeko. Iryo genzurwa rikorwa n'Ubugenzuzi bukuru bw'Inkiko.

ibigomba gukorwa n'Inkiko ubwazo mu rwego rwo kugenzura ubudakemwa bw'imanza, ibigomba gukorwa n'Ubugenzuzi Bukuru bw'Inkiko n'uruhare rw'abashakashatsi.

C. Imanza zaciwe muri rusange n'Urukiko rw'Ikirenga

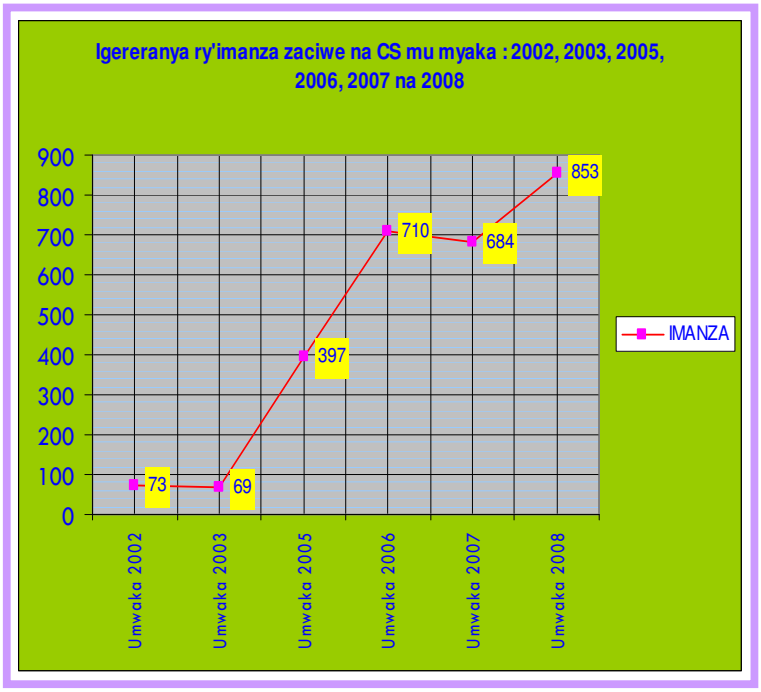
Uyu mwaka wa 2008, Urukiko rw'Ikirenga rwari rufite abacamanza 12 habariwemo na Perezida, rukaba rwaraciye imanza zose hamwe 296. Uyu mubare akaba ari uw'imanza zaciwe mu mizi hatabariwemo ibyemezo byafashwe mu ibanzirizasuzuma. Ibi byemezo byafashwe muri uyu mwaka ni *557* (harimo 365 zakiriwe na 192 zitakiriwe) bikaba biruta imanza zaciwe mu mizi. Imbonerahamwe iri ku mugereka wa mbere w'iyi raporo igaragaza imiterere y'imanza zaciwe n'Urukiko rw'Ikirenga.

Ikigaragazwa n'iyo mbonerahamwe ni uko imanza nyinshi z'imbonezamubano zajuririwe mu Rukiko rw'Ikirenga zitujuje ibisabwa n'amategeko kuko 71% y'imanza zakorewe ibanzirizasuzuma kandi zafatiwe ibyemezo zitakiriwe. Ibi byagombye kubera ababuranyi isomo bakamenya ko hari aho imanza zigomba kurangirira ntibumve ko bagomba guhora mu nkiko baburana.

Imanza nyinshi zijuririrwa mu Rukiko rw'Ikirenga ziba zirimo abavoka, ibi bikaba byagombye gutuma hataba imanza zijuririrwa zitujuje ibyangombwa bisabwa n'amategeko. Ariko usanga na bimwe mu birego bitakiriwe, ababuranyi bakomeza kuruhanya bakajuririra icyemezo cyafashwe mu ibanzirizasuzuma ku mpamvu y'uko amategeko abiteganya atyo. Nyamara usanga ubwo bujurire nabwo nta shingiro bufite kuko hafi 100% y'ibyemezo bifatwa byemeza ukutakira ibyo birego.

Imibare y'imanza zaciwe n'ibyemezo byafashwe n'Urukiko rw'Ikirenga biragaragaza ko muri uyu mwaka rwateye intambwe nziza ugereranije n'indi myaka. Iyo ntambwe yashoboraga kuba nziza kurushaho, iyo rutabura abacamanza babiri (2) ku mubare rwagombye kugira. Ikigaragara ariko ni uko mbere y'ivugururwa ry'ubutabera mu Rwanda, Urukiko rw'Ikirenga rwari rufite umubare w'abacamanza uruta uwo rufite ubu, ariko umusaruro w'uru Rukiko nyuma y'iryo vugururwa ukaba uruta uwa mbere y'ivugurura. Ishusho mbonerahamwe irabyerekana neza.

Imanza zaciwe mu mizi n'ibyemezo byafashwe mu manza zakorewe ibanzirizasuzuma mu myaka ishize (2002-2008)



Umubare w'imanza zaciwe n'ibindi byemezo byafashwe mu mwaka wa 2008 uri hejuru y'uw'imyaka yashize n'ubwo umubare w'abacamanza wagabanutse nk'uko iyi mbonerahamwe ibigaragaza:

Umwaka	Umubare w'abacamanza
2002	16
2003	19
2005	14
2006	14
2007	14
2008	12

Ariko rero, nk'uko biza kugaragazwa inyuma, uko mu Rukiko rw'Ikirenga hacibwa imanza nyinshi ni nako hinjira nyinshi.

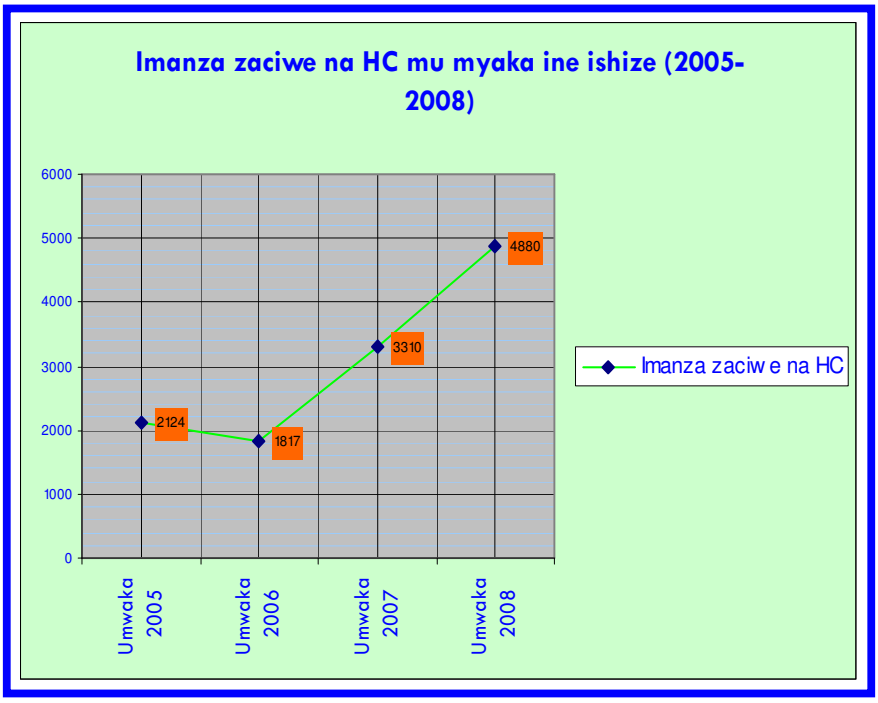
III.2.1.2. Imanza zaciwe n'Urukiko Rukuru zariyongereye muri rusange (hitawe ku Ngereko zose hamwe)

Urukiko Rukuru n'Ingereko zarwo uko ari enye, uyu mwaka rwari rufite abacamanza 25 harimo na Perezida na Visi Perezida barwo. Abo bacamanza basaranganijwe mu Ngereko z'uru Rukiko mu buryo bukurikira: HC Kigali : 9, HC Musanze: 5, Nyanza : 4, Rusizi : 4, Rwamagana : 3. Kuva muri Mutarama kugeza mu Ugushyingo 2008, abacamanza basanzwe b'Urukiko Rukuru baciye mu mizi imanza 2.389, bafata ibyemezo 195 kandi basiba imanza 183 zitakurikiranwe n'ababuranyi, imanza zose hamwe baciye n'ibyemezo bafashe akaba ari 2.767.

Kuva mu kwezi kwa Nyakanga 2008, Urukiko Rukuru rwahawe abacamanza b'igihe gito 9 baburanisha imanza z'ibirarane. Abo bacamanza b'imanza z'ibirarane, mu gihe cy'amezi atanu (5) baciye mu mizi imanza 620 basiba imanza 1.493 zitakurikiranwe n'ababuranyi. Bityo imanza zose n'ibyemezo byafashwe n'Urukiko Rukuru akaba ari 4.880. Imbonerahamwe iri ku mugereka wa kabiri (II) w'iyi raporo igaragaza imiterere y'imanza ziri mu Rukiko Rukuru n'Ingereko zarwo.

Isesengura ry'imibare y'imanza zaciwe rigaragaza ko uyu mwaka Urukiko Rukuru rwaciye imanza ziruta izaciwe mu myaka ine ishize nk'uko ishusho mbonerahamwe ikurikira ibigaragaza.

Imanza zaciwe n'Urukiko Rukuru mu myaka ine ishize (2005-2008)



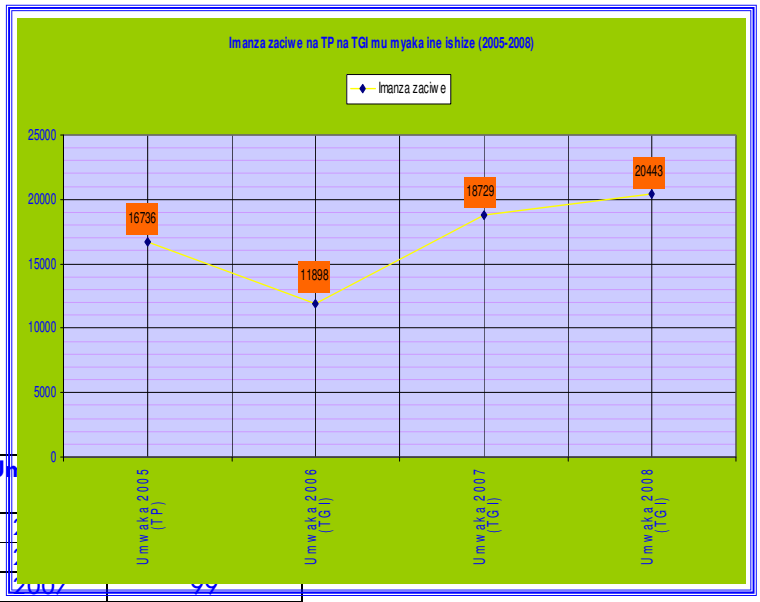
Nk'uko imibare ibyerekana, uyu mwaka umusaruro w'imanza zaciwe wiyongereyeho 47% ugereranije n'uw'umwaka ushize wa 2007. Ibi birerekana ko gahunda yo kuburanisha ibirararane, mu mezi atanu gusa ishyizwe mu bikorwa, yongereye umusaruro mu Rukiko Rukuru ku buryo bugaragara.

III.2.1.3. Umusaruro w'Inkiko Zisumbuye

Inkiko Zisumbuye uko ari 12 zifite abacamanza basanzwe bose hamwe 92. Aba bacamanza baciye mu mizi imanza 8.017, bafata ibyemezo 6.030 kandi basiba imanza 949 zitakurikiranywe n'ababuranyi.

Muri izo Nkiko kandi, mu kwezi kwa Nyakanga 2008 hashyizwemo abacamanza 30 bashinzwe kuburanisha imanza z'ibirarane. Aba bacamanza batangiye kuburanisha nyirizina mu kwezi kwa Kanama. Mu mezi atanu bamaze batangiye guca imanza (Kanama – Ukuboza 2008) bamaze guca imanza 2.924 no gusiba izindi 4.635 zitakurikiranywe n'ababuranyi. Bityo, imanza n'ibyemezo byafashwe n'Inkiko Zisumbuye akaba ari 20.443. Uyu musaruro ukaba uri hejuru

y'uwatanzwe n'izi Nkiko mu myaka itatu ishize nk'uko ishusho mbonerahamwe ikurikira ibigaragaza.



2008	92

Biragaragara ko muri rusange umusaruro w'Inkiko Zisumbuye uyu mwaka wiyongereyeho 9%. Umusaruro wagiye wiyongera kuva mu mwaka wa 2007 kandi umubare w'abacamanza waragabanijwe kuva mu 2006 nk'uko imbonerarahamwe ikurikira ibigaragaza:

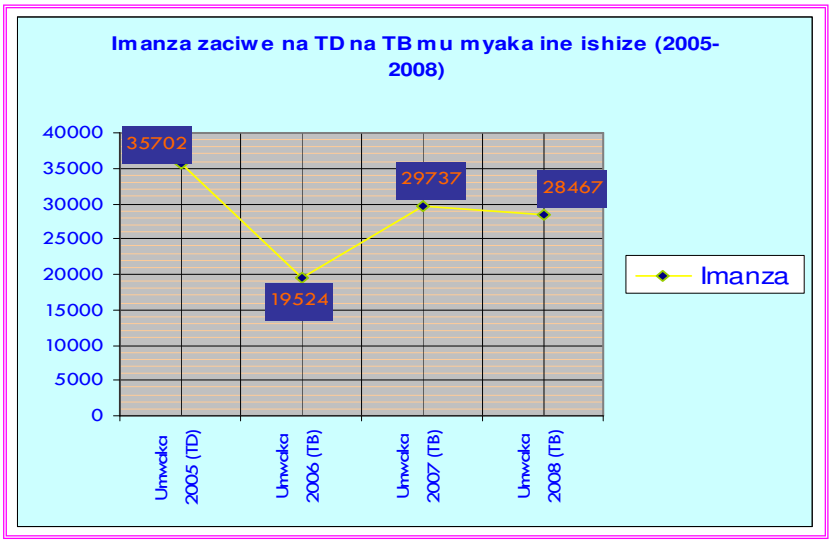
Twibutse ariko ko mu mwaka wa 2008 abacamanza 92 bongereweho abacamanza b'imanza z'ibirarane 30 bakaba barakoze amezi 5 mu mwaka wa 2008.

III.2.1.4. Umusaruro w'Inkiko z'Ibanze

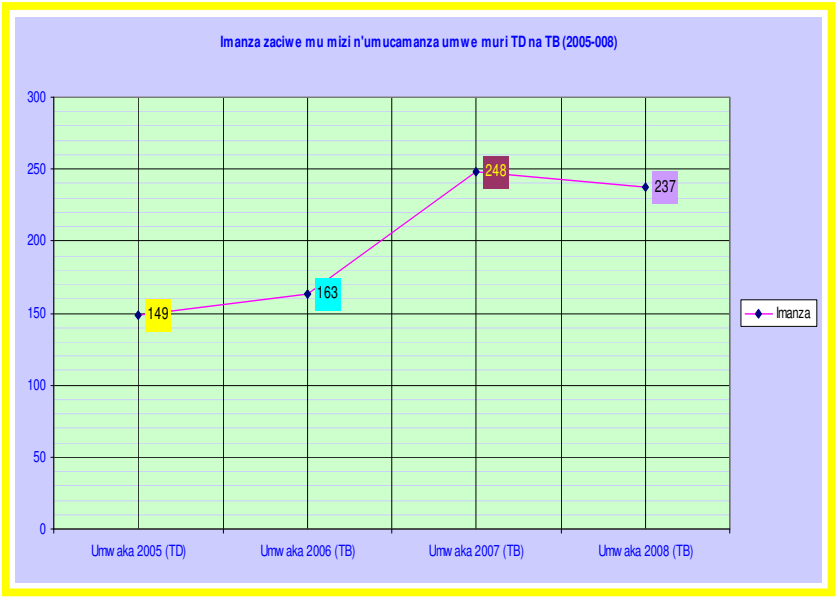
Inkiko z'ibanze uko ari 60 n'abacamanza bazo 120 zaciye mu mizi imanza 19.955, zifata ibyemezo 7.237 kandi zisiba imanza 1.275 zitakurikiranwe n'ababuranyi. Bityo imanza n'ibyemezo byafashwe kuva muri Mutarama kugeza mu Ugushyingo 2008 akaba ari 2.8467.

Muri Werurwe 2006, Inkiko z'Ibanze zasimbuye ibyari Inkiko z'Uturere. Mu gihe Inkiko z'Uturere, kuva mu mpera za 2004 zari 120 zibarirwa abacamanza 240 Inkiko z'Ibanze zagizwe 60 zifite abacamanza 120. Mu rwego rwo gusuzuma umusaruro n'inyungu yaba yaravuye muri iryo vugurura, hakorwa isesengura rigereranya umusaruro w'izo Nkiko mu gihe cy'imyaka ine ishize.

Imanza zaciwe na TD na TB mu myaka ine ishize (2005-2008)



Imanza zaciwe mu mizi n'umucamanza muri TD no muri TB mu myaka ine (2005-2008)



Biragaragara ko mu mwaka wa 2007 n'uwa 2008, umusaruro w'umucamanza mu Nkiko z'Ibanze wikubye hafi kabiri ugereranije n'umusaruro w'ibyahoze ari Inkiko z'Uturere. Ibi bikaba byerekana ko Intego y'ivugurura ry'izi Nkiko yagezweho ku ntambwe ishimishije. Bikaba kandi bigaragaza ko abacamanza bake bahawe ubushobozi n'imibereho yabo ikitabwaho kurushaho nabo barushaho gutanga umusaruro utubutse.

III.2.1.5. Gahunda yihariye yo gukemura ikibazo cy'ibirarane by'imanza

Mu rwego rwo gukemura ikibazo cy'imanza z'ibirarane, nk'uko byamaze kuvugwa, mu kwezi kwa Nyakanga 2008 hashyizweho abacamanza ndetse n'abanditsi bagengwa n'amasezerano bashinzwe kuburanisha imanza z'ibirarane mu Nkiko zimwe aho icyo kibazo cyari ingutu (uretse mu Rukiko rw'Ikirenga). Imanza z'ibirarane zashyizwe muri iyi gahunda yihariye zageraga kuri 54.441. Iyi mibare akaba ari iy'imanza z'ibirarane by'imanza zinjiye muri 2006 gusubiza hasi

zirebwa n'icyiciro cya mbere cy'iyi gahunda yo kurwanya ibirarane by'imanza. Bikaba biteganijwe ko iyi gahunda izamara imyaka itatu (2008-2010) buri mwaka hacibwa imanza 18.147. Mu mezi atanu ashize (Kanama – Ukuboza 2008) izo manza z'ibirarane zitangiye gucibwa n'abacamanza bihariye, hamaze gucibwa imanza 2.924 no gusibwa imanza 4.635 zose hamwe zikaba 7.559.

A. Ishyirwaho ry'abacamanza n'abanditsi bagengwa n'amasezerano

Imbonerahamwe ikurikira iragaragaza uko abacamanza bashinzwe imanza z'ibirarane bashyizwe mu Nkiko.

Urukiko	**Umubare w'abacamanza**	**Umubare w'abanditsi**	**Ikibivugwaho**
Urukiko Rukuru	9	9	Aba bari basanzwe ari abacamanza n'abanditsi mu Nkiko Zisumbuye bagengwa na sitati.
Inkiko Zisumbuye	30	33	Aba bari basanzwe ari abacamanza mu Nkiko z'Ibanze bagengwa na sitati ubu bakora by'igihe gito nk'abacamanza mu Nkiko Zisumbuye
Inkiko z'Ibanze	42	41	Aba nibo bafatwa nk'abagengwa n'amasezerano. Bashyiriweho gusimbura abazamuwe by'igihe gito kandi bo baburanisha imanza zisanzwe kimwe n'abandi bacamanza

B. Umusaruro w'abacamanza bashinzwe imanza z'ibibirane

Nk'uko byamaze kuvugwa, abacamanza baburanisha imanza z'ibirarane bashyizweho mu kwezi kwa Nyakanga 2008, batangira kuburanisha nyirizina mu kwezi kwa Kanama 2008. Mu Rukiko Rukuru n'Ingereko zarwo uko ari eshatu zahawe aba bacamanza, kugeza mu mpera z'Ukuboza 2008 (mu mezi atanu), bari bamaze guca imanza 619 no gusiba izitarakurikiranywe n'ababuranyi 1.493.

Mu Nkiko Zisumbuye, abacamanza b'imanza z'ibirarane baciye imanza 2.305, bakaba barasibye imanza zitakurikiranywe n'ababuranyi 3.142.

Imbonerahamwe iri ku mugereka wa kabiri (II) w'iyi raporo igaragaza mu buryo busesenguye imanza zaciwe n'abacamanza bashinzwe kuburanisha imanza z'ibirarane.

III.2.1.6. Imanza zimwe zitaweho by'umwihariko zihabwa ubwihutirwe

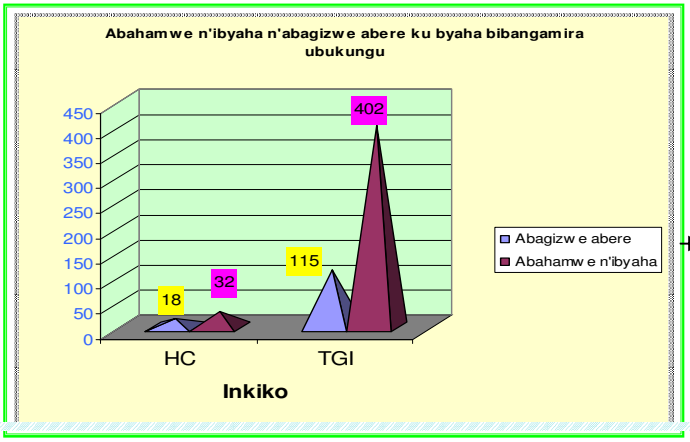
Kimwe no mu mwaka washize, uyu mwaka wa 2008 inkiko zisanzwe zahaye ubwihutirwe imanza zikemura ibibazo byihariye Igihugu gifite. Izo manza ni izirebana n'ibyaha bikurikira :

- Ibyaha bibangamira ubukungu bw'Igihugu (Ruswa, Kunyereza umutungo wa Leta, Gusenya ibikorwaremezo, Kwigana amafaranga, Iyezandonke, Gusahura umutungo w'amabanki n'ibindi) ;
- Gusambanya abana n'abagore ku ngufu;
- Guhohotera abacitse ku icumu n'abatangabuhamya, inyangamugayo z'Inkiko Gacaca, gupfobya jenoside, amacakubiri n'ivangura (byabumbiwe mu cyiswe « Icyaha cyo gupfobya jenoside n'ibyaha bifitanye isano ».

Inkiko zahawe amabwiriza yo kwihutisha izi manza no guhana by'intangarugero, hakurikijwe amategeko n'amahame ajyanye n'intego y'ibihano (fonctions de la peine), abo ibyo byaha byahamye.

Imbonerahamwe iri ku mugereka wa gatatu (III) w'iyi raporo igaragaza imiterere y'izo manza mu Nkiko. Amashusho mbonerahamwe akurikira yo agaragaza imibare y'ababuranishijwe ku byaha bibangamira ubukungu bw'Igihugu n'ibyo gusambanya abana n'abagore ku ngufu, abahamwe n'ibyaha n'abagizwe abere. Agaragaza kandi imanza zaciwe ku byaha byo gopfobya jenoside n'ibyaha bifitanye isano.

Abahamwe n'ibyaha n'abagizwe abere ku byaha bihungabanya ubukungu bw'Igihugu muri HC na TGI

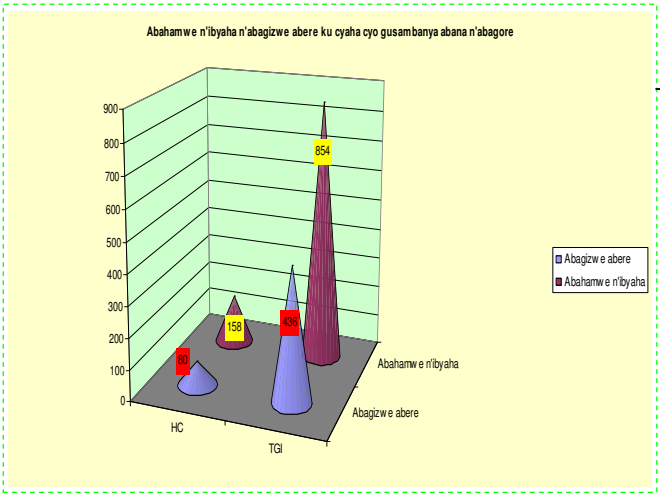


Iri gereranya ntiryakozwe ku Rukiko rw'Ikirenga kuko bene izi manza zinjirayo ari nke.

Urukiko	Abere	Abahamwe n'ibyaha	Bose

HC	18	32	50
TGI	115	402	517
Bose	133	434	567

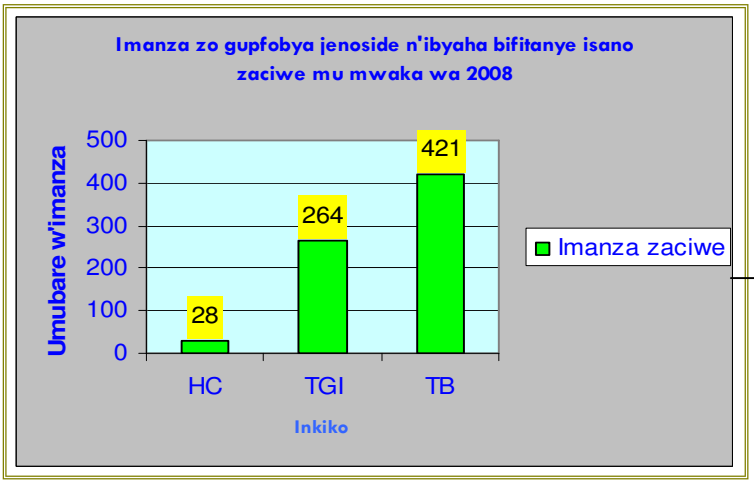
Abahamwe n'ibyaha n'abagizwe abere ku cyaha cyo gusambanya abana n'abagore muri HC na TGI



Urukiko	Abere	Abahanwe	Bose
HC	80	158	**238**
TGI	436	854	**1290**
Bose	**516**	**1012**	**1528**

Nanone, iyi shusho mbonerahamwe ntigaragaza imibare yo mu Rukiko rw'Ikirenga. Imbonerahamwe iri ku mugereka wa mbere w'iyi raporo iragaragaza ko Urukiko rw'Ikirenga rwaburanishije imanza 35, abashinjwaga bose bahamwe n'icyo cyaha.

Imanza zaciwe ku byaha byo gupfobya jenoside muri HC – TGI na TB



Umubare w'imanza zaciwe ujyana n'umubare w'imanza zinjiye muri buri Rukiko nk'uko iyi mbonerahamwe ibigaragaza.

Urukiko	Izinjiye	Imanza zaciwe
HC	40	28
TGI	348	264
TB	585	421
Igiteranyo	**973**	**713**

III.2.1.7. Imanza za jenoside zohererejwe Inkiko Gacaca

Muri uyu mwaka wa 2008 habaye igikorwa cyo gushyikiriza Inkiko Gacaca amadosiye y'imanza zari mu Nkiko zisanzwe hakurikijwe ububasha bushya bwahawe izo Nkiko Gacaca bwo kuburanisha bene izo manza. Dosiye 932 zamaze gushyikirizwa Urwego rw'Igihugu rushinzwe Inkiko Gacaca, izindi 160 zigomba koherezwa.

Imbonerahamwe iri ku mugereka wa kabiri (II) w'iyi raporo igaragaza uko inkiko zohereje amadosiye y'imanza za jenoside mu Nkiko Gacaca n'amadosiye azasigara mu Nkiko zisanzwe.

Biteganijwe ko nyuma y'igikorwa cyo kohereza aya madosiye, mu Nkiko zisanzwe hazasigara dosiye 14 gusa hakurikijwe ububasha bw'Inkiko zisanzwe kuri iki cyaha.

III.2.1.8. Umusaruro w'Inkiko zihariye

Mu nkiko zihariye (Inkiko z'ubucuruzi, Inkiko za Gisirikare n'Inkiko Gacaca) izo Urukiko rw'Ikirenga rutangira raporo ni Inkiko z'Ubucuruzi n'Inkiko za Gisirikare. Inkiko Gacaca zikaba zifite imitunganyirize yihariye itareba Urukiko rw'Ikirenga kandi n'imanza izo Nkiko zica ntizigera muri uru Rukiko.

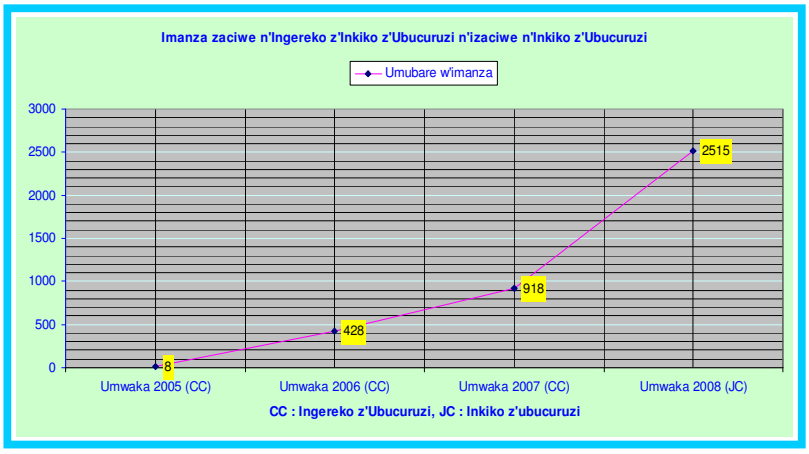
A. Umusaruro w'igihe gito Inkiko z'Ubucuruzi zimaze uratanga icyizere

Izi Nkiko zashyizweho mu ntangiriro z'uyu mwaka zitangira gukora akazi ko guca imanza mu kwezi kwa Gicurasi 2008. Ariko mu rwego rwo kubaka ubushobozi bw'abakozi b'izo Nkiko bamwe mu bacamanza b'Inkiko z'Ubucuruzi bahise boherezwa mu mahugurwa y'igihe kirekire. Hari kandi gahunda yo gukomeza kubaka ubushobozi bw'izi Nkiko zihabwa abacamanza b'inzobere bo mu bindi bihugu bunganira abacamanza bazo mu gihe abandi bakiri mu mahugurwa.

Muri ariya mezi 7 Inkiko z'Ubucuruzi zimaze zica imanza, Urukiko Rukuru rw'Ubucuruzi, rufite abacamanza 4 bari mu kazi (batagiye kwiga), rwaciye mu mizi imanza 138, rwumvikanisha ababuranyi mu manza 90 izindi manza 66 rurazisiba kubera ko ababuranyi batazikurikiranye. Imanza zose zasohotse muri uru Rukiko akaba ari 294. Naho Inkiko z'Ubucuruzi (hatarimo Urukiko Rukuru rw'Ubucuruzi) zaciye mu mizi imanza 838, zumvikanisha ababuranyi mu manza 793, izindi manza 590 zirasibwa kubera ko ababuranyi batazikurikiranye, bityo hasohoka imanza 2.221.
Imbonerahamwe iri ku mugereka wa kane (IV) w'iyi raporo iragaragaza imiterere y'imanza mu Nkiko z'Ubucuruzi nyuma y'amezi 7 zitangiye guca imanza.

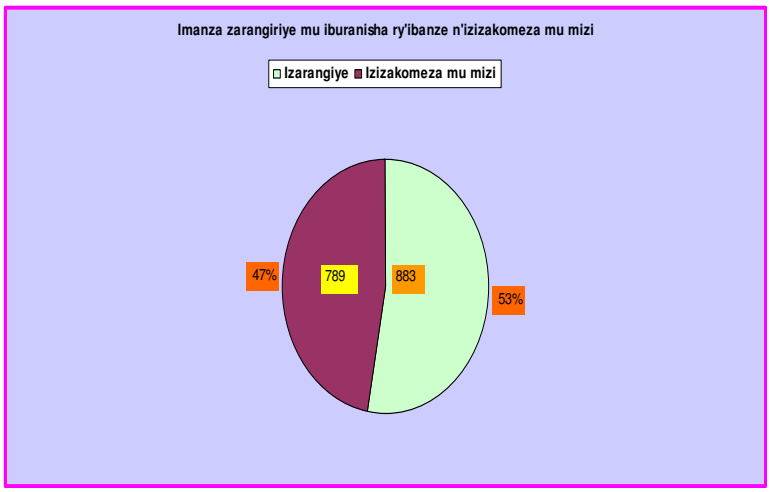
Ku manza 3.394 zashyikirijwe Inkiko z'Ubucuruzi (harimo n'Urukiko Rukuru rw'Ubucuruzi) zivuye mu Ngereko z'Ubucuruzi z'Inkiko Zisumbuye, hamwe n'imanza nshya 908 zinjiye, izi Nkiko z'ubucuruzi zashoboye guca imanza 2.515 (harimo izasibwe n'izarangiriye mu iburana ry'ibanze ababuranyi bakumvikana bataburanye urubanza mu mizi), hakaba hasigaye 1.787. Ni ukuvuga ko izi Nkiko zashoboye kuburanisha imanza zose nshya zinjiye, zinagabanyaho hafi ½ ku manza zari zifitwe n'Ingereko z'Ubucuruzi z'Inkiko Zisumbuye.

Mu mezi 7 Inkiko z'Ubucuruzi zakoze (harimo n'Urukiko Rukuru rw'Ubucuruzi), zaciye imanza ziruta izaciwe n'Ingereko z'Ubucuruzi mu gihe cy'imyaka itatu kuko haciwe imanza 2.515 mu mezi 7 mu gihe imanza 1.354 zaciwe mu myaka itatu n'Ingereko z'Ubucuruzi nk'uko ishusho mbonerahamwe ikurikira ibigaragaza:



Ikindi kigaragara ni uko hari inyungu ya "system" y'iburanisha ry'ibanze kuko hari imanza zitari nke zirangira mu bwumvikane bitabaye ngombwa ko urubanza ruburanwa mu mizi.

Ishusho mbonerahamwe ikurikira igaragaza umubare w'imanza zirangirira mu iburanisha ry'ibanze.



Imanza 1.672 zarasuzumwe kandi zifatirwa ibyemezo mu iburanisha ry'ibanze. Muri ibyo byemezo 883 byabaye ibyo kumvikanisha ababuranyi batagiye mu rubanza mu mizi, bikaba bingana na 53% y'ibyemezo byafashwe. Izo ababuranyi batashoboye kumvikana bakoherezwa kuburana imanza mu mu mizi ni 789 zingana na 47% y'ibyemezo byafatiwe mu iburanisha ry'ibanze.

Ibi bigaragaza ko iyi « system » y'iburanisha ribanza itagamije gusa gutegura urubanza ngo ruzihutishwe mu gihe cy'iburana mu mizi, ahubwo inafasha kurangiza ibibazo bigakemurwa bitabaye ngombwa ko urubanza rujya kuburanishwa mu mizi.

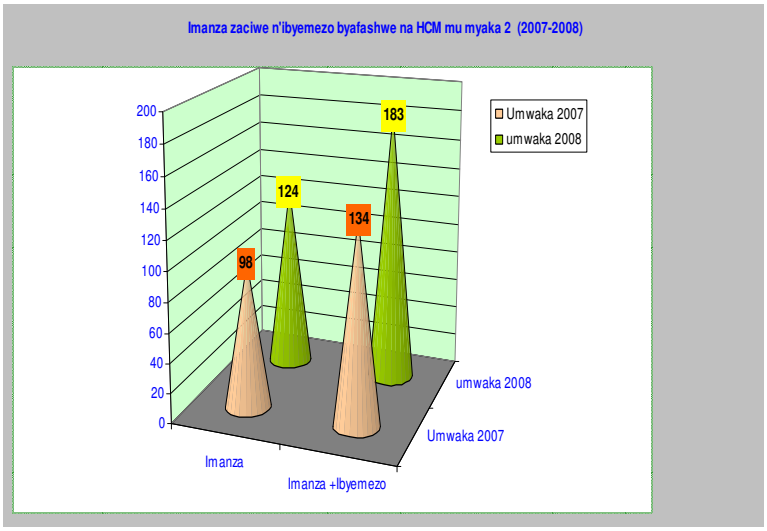
B. Imanza zaciwe n'Inkiko za gisirikare

Inkiko za Gisirikare ziburanisha gusa imanza nshinjabyaha ziregwamo abasirikare.

(1) Urukiko Rukuru rwa Gisirikare

Imbonerahamwe iri ku mugereka wa kane (IV) w'iyi raporo igaragaza imiterere y'imanza mu Rukiko Rukuru rwa Gisirikare (izinjiye, izaciwe n'izisigaye mu mpera z'umwaka wa 2008). Muri uyu mwaka wa 2008, Urukiko Rukuru rwa Gisirikare rwari rufite abacamanza bahoraho 10 n'abacamanza badahoraho 7, rukaba rwaraciye imanza 124 rufata n'ibyemezo 59. Uyu musaruro ukaba wariyongereye ugereranije n'uw'umwaka ushize wa 2007 nk'uko ishusho mbonerahamwe ikurikira ibigaragaza.

♦ Igereranya ry'imibare y'imanza zaciwe n'ibyemezo byafashwe n'Urukiko Rukuru rwa Gisirikare mu myaka ibiri ishize (2007-2008)

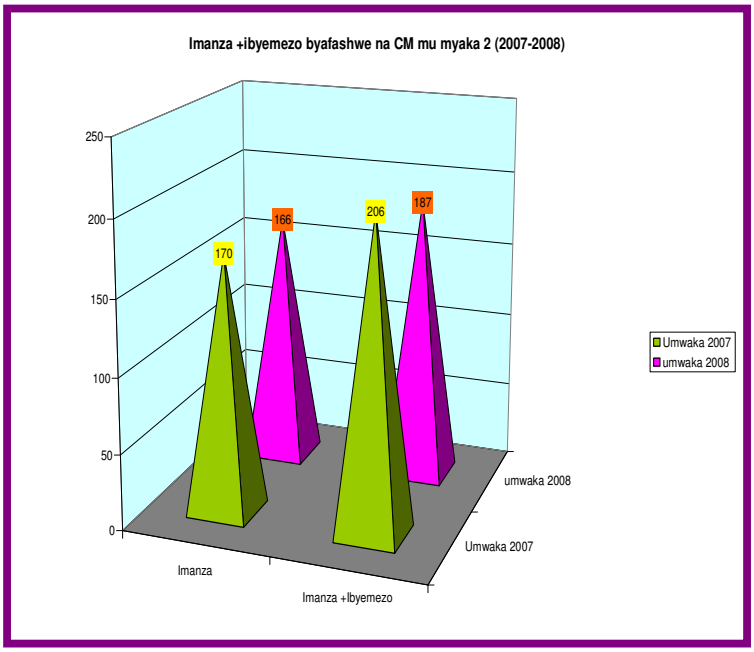


Urukiko Rukuru rwa Gisirikare rwo uyu mwaka wa 2008 rwateye intambwe kuko umusaruro wiyongereye ku buryo bukurikira :
Umusaruro w'imanza zaciwe mu mizi wiyongereyeho 27%, naho umusaruro rusange, hitawe ku manza zaciwe n'ibyemezo byafashwe , wiyongereyeho 37%.

(2) Urukiko rwa Gisirikare

Muri uyu mwaka wa 2008, Urukiko rwa Gisirikare rwari rufite abacamanza bahoraho 8 n'abacamanza badahoraho 7, rukaba rwaraciye imanza 166 (zaciwe mu mizi) zarimo abashinjwa 187, rufata n'ibyemezo 353 bijyanye n'ifungwa n'ifungurwa ry'agateganyo. Imbonerahamwe iri ku mugereka wa kane (IV) w'iyi raporo iragaragaza ku buryo busesenguye imanza zaciwe, ibyemezo byafashwe n'ibihano byatanzwe. Naho ishusho mbonerahamwe ikurikira iragaragaza igereranya ry'imibare y'imanza zaciwe n'Urukiko rwa Gisirikare mu mwaka wa 2007 n'uwa 2008.

Imibare y'imanza zaciwe n'ibyemezo byafashwe n'Urukiko rwa Gisirikare mu myaka ibiri ishize (2007-2008)



Uyu mwaka wa 2008 umusaruro w'Urukiko rwa Gisirikare, ku birebana n'imanza zaciwe mu mizi wagabanutseho 2% ugereranije n'imanza zaciwe mu mwaka wa 2007. Hitawe no ku byemezo byafashwe n'uru Rukiko mu manza zirebana n'ifungwa n'ifungurwa by'agateganyo, bigaragara ko nanone umusaruro aho kwiyongera wagabanutse ho 9% . Impamvu y'iri gabanuka akaba ari abacamanza 6 bavuye mu Rukiko bakaba batarasimburwa, ikindi akaba ari umubare munini w'abashinjwa badafunze bahamagarwa ntibaboneke.

III.2.1.9. Zimwe mu nzitizi zibangamira igikorwa cyo guca imanza

Zimwe mu nzitizi zibangamira igikorwa cyo guca imanza ni umubare munini w'imanza zinjira mu Nkiko. Kurwana n'ubwinshi bw'imanza, bituma izicibwa zitagira ubudakemwa buri ku rwego rushimishije. Ibi binatuma inkiko zikomeza guhura n'ikibazo cy'imanza z'ibirarane[3]. Impamvu zitera isubikwa ry'imanza mu Nkiko nayo ni imwe mu mpamvu izitira igikorwa cyo guca imanza mu bihe bitarambiranye.

A. Ikibazo cy'umuvuduko munini w'imanza zinjira mu Nkiko

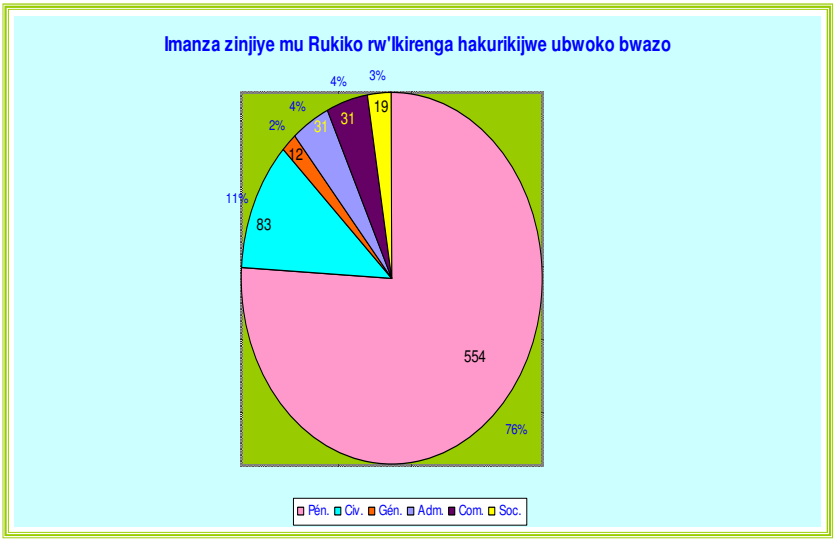
Isesengura ry'imibare y'imanza zinjiye mu Nkiko muri uyu mwaka wa 2008 rigaragaza ko imanza zigenda zirushaho kwinjira ku bwinshi mu Nkiko. Ingamba zo gukemura iki kibazo zikaba zitareba Inkiko ubwazo gusa ahubwo bireba n'izindi nzego.

(1) Imanza zinjira mu Rukiko rw'Ikirenga zikomeje kuba nyinshi

Amashusho mbonerahamwe akurikira agaragaza ko imanza zikomeje kwinjira ku bwinshi mu Rukiko rw'Ikirenga.

[3] Urubanza rwose rumaze amezi atandatu mu Rukiko rutaracibwa rufatwa nk'urubanza rw'ikirarane.

♦**Imanza zinjiye mu Rukiko rw'Ikirenga hakurikijwe ubwoko bwazo**

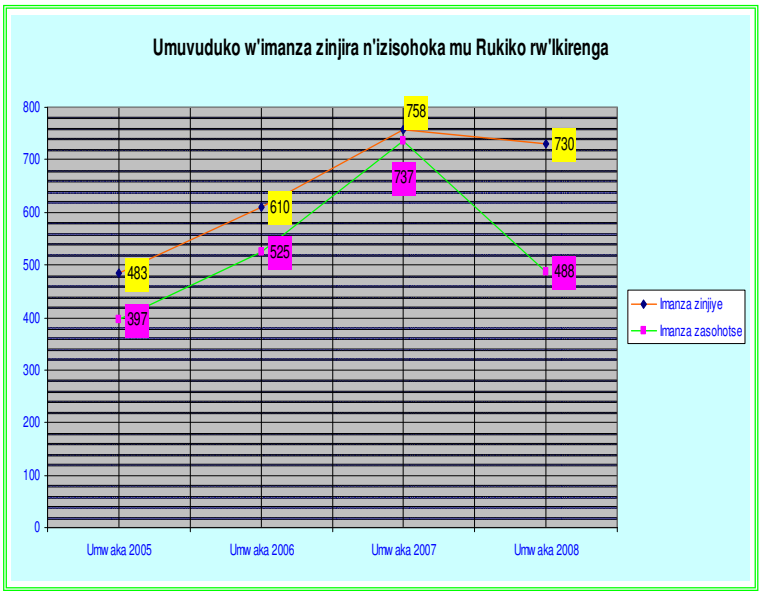


Nk'uko iyi shusho mbonerahamwe ibigaragaza 76% y'imanza zinjiye mu Rukiko rw'Ikirenga ni imanza nshinjabyaha.

Imanza zose hamwe zinjiye mu Rukiko rw'Ikirenga ni 730 mugihe imanza zasohotse, nk'uko byamaze kugaragazwa, ari 488 (imanza zaciwe n'ibirego bitakiriwe mu ibanzirizasuzuma).

Ishusho mbonerahamwe ikurikira iragaragaza ubusumbane buri hagati y'imanza zinjira n'izisohoka mu Rukiko rw'Ikirenga (imanza zisohoka habarirwamo izaciwe mu mizi, izasibwe n'izafashwemo ibyemezo byo kutazakira mu gihe cy'ibanzirizasuzuma).

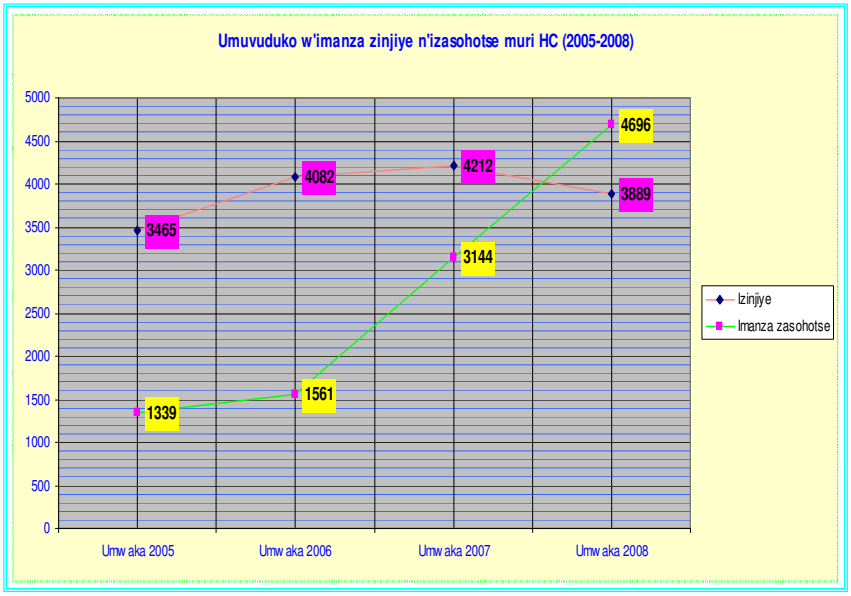
♦ **Igereranya ry'umuvuduko w'imanza zinjiye n'izasohotse mu Rukiko rw'Ikirenga mu myaka ine ishize (2005-2008)**



N'ubwo bigaragara ko uyu mwaka wa 2008 imanza zinjiye (730) zagabanutseho gato ugereranije n'izinjiye mu 2007, ikibazo cy'ubwinshi bw'imanza zinjira mu Rukiko kirakomeye. Mu rwego rwo kumenya niba umubare w'imanza zicibwa utuma hataba ibirarane mu Rukiko rw'Ikirenga haba kugereranya umuvuduko w'imanza

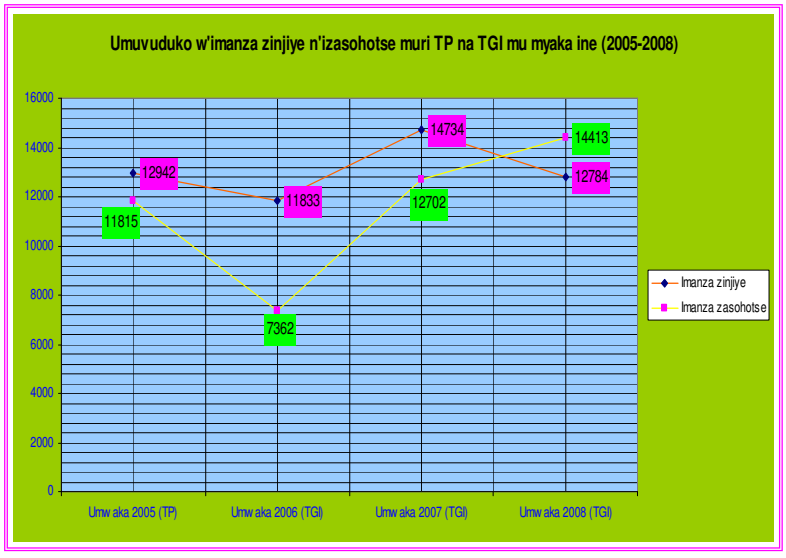
zinjira n'izicibwa. Iyi shusho mbonerahamwe iragaragaza uburemere bw'ikibazo cy'umubare munini w'imanza zinjira buri mwaka mu Rukiko usumba uw'imanza zisohoka (izicibwa mu mizi, izitakirwa n'izisibwa). Ibi bituma havuka umubare munini w'imanza z'ibirarane. Iki kibazo kandi Urukiko rw'Ikirenga rugisangiye n'izindi Nkiko.

(2) Umuvuduko w'imanza zinjiye n'izasohotse (izaciwe mu mizi n'izasibwe) mu Rukiko Rukuru mu myaka ine ishize (2005-2008)



Uyu mwaka wa 2008 habaye gutezuka gato k'umuvuduko w'imanza zinjira nk'uko iyi shusho ibigaraghaza. Abacamanza baburanisha imanza z'ibirarane bashyizwe mu Rukiko Rukuru batumye umubare w'imanza zisohoka uruta uw'izinjira.

(3) Umuvuduko w'imanza zinjiye n'izasohotse (izaciwe mu mizi n'izasibwe) muri za TGI mu myaka ine ishize (2005-2008)



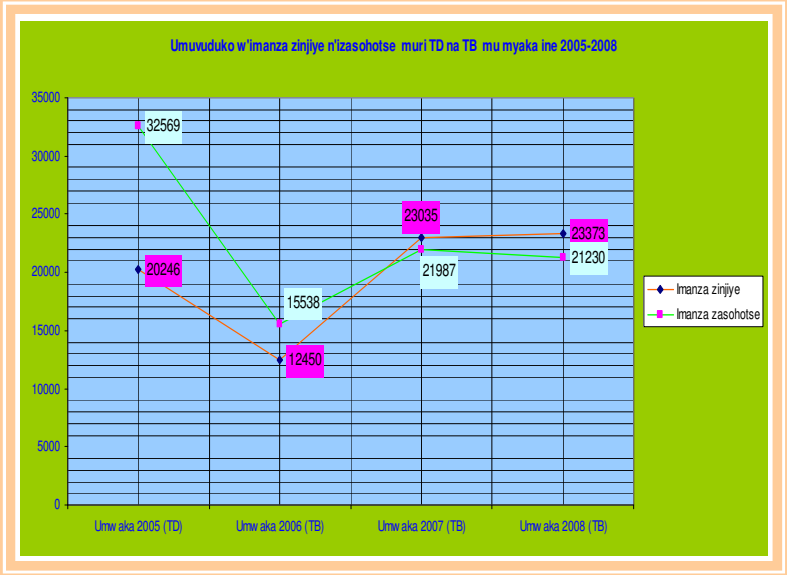
Iyi shusho mbonerahamwe igaragaza ko muri rusange imanza zinjiye mu Nkiko Zisumbuye zagabanutseho gato ugereranije n'izinjiye mu umwaka ushize.

Ukugabanuka kw'imanza zinjira guturuka ahanini ku manza z'ubucuruzi zitakinjira mu Nkiko Zisumbuye kuva aho hashyiriweho Inkiko zihariye z'ubucuruzi.

Ikindi kigaragara ni uko ukuzamuka k'umubare w'imanza zaciwe biterwa n'abacamanza baburanisha imanza z'ibirarane bashyizwe mu Nkiko Zisumbuye nk'uko byamaze gusobanurwa.

(4) Umuvuduko w'imanza zinjiye n'izasohotse mu Nkiko z'Ibanze mu myaka ine ishize (2005-2008)

Muri uyu mwaka wa 2008 mu Nkiko z'Ibanze hinjiye imanza 23.373. Imanza zinjiye zikaba zariyongereye ugereranije n'izinjiye mu myaka yashize. Ikibazo cy'ubwiyongere bw'imanza kigaragara neza hakozwe igereranya ry'imanza zinjiye mu myaka ine ishize nyuma y'ivugurura.

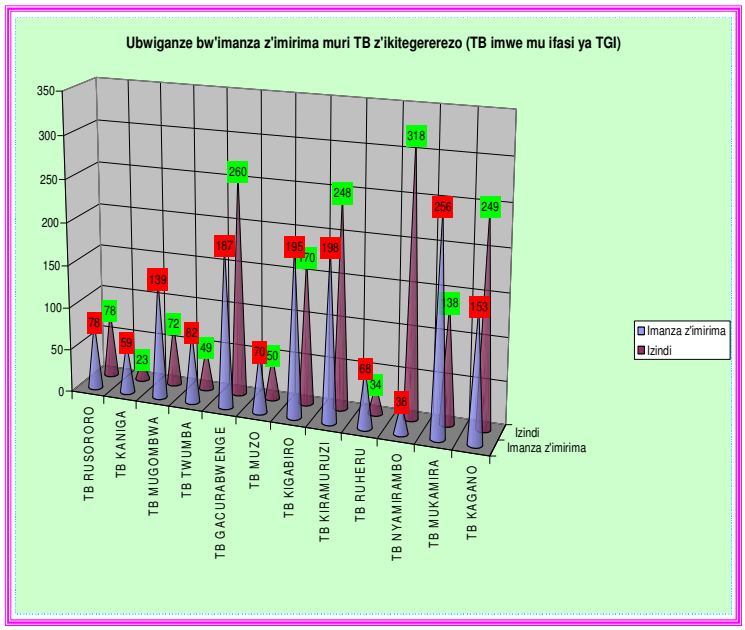


N'ubwo bigaragara ko ubusumbane bw'imanza zinjira n'izisohoka budakabije nk'uko biri mu Rukiko Rukuru no muri za TGI, ikigaragara ni uko muri iyi myaka ibiri ishize (2007-2008) imanza zinjiye ari nyinshi kuruta izasohotse kandi nazo zariyongereye.

(5) Uruhare rw'imanza z'imirima mu kibazo cy'ubwinshi bw'imanza zinjira mu Nkiko z'Ibanze

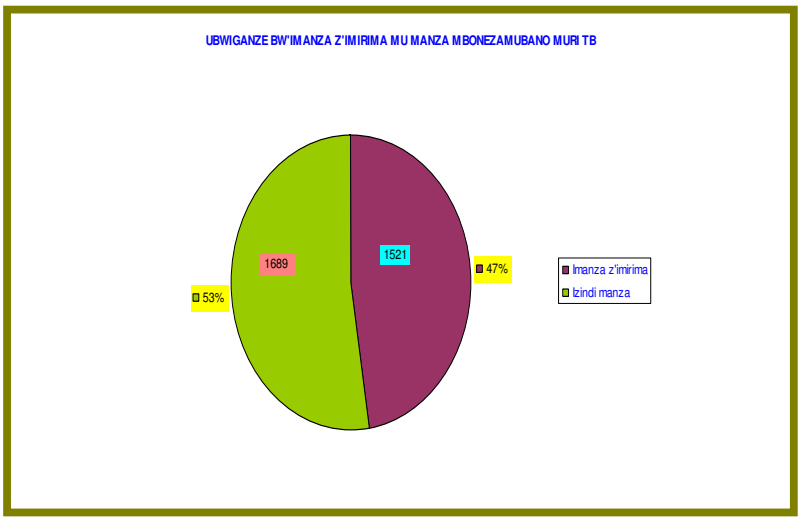
Byaragaragaye ko imanza z'imirima arizo zikunze kuba nyinshi mu manza mbonezamubano zinjira mu Nkiko z'Ibanze. Twibutse ko izi manza z'imirima zigira ingaruka ku bwinshi bw'imanza zinjira muri za TGI, kuko ariho zijuriririrwa.

Ishusho mbonerahamwe ikurikira iragaragaza ingano y'ubwiganze bw'imanza z'imirima mu manza mbonezamubano zinjira mu Nkiko z'Ibanze.



Izi Nkiko z'Ibanze uko ari 12 zatoranijwe mu Nkiko 60 hafatwa Urukiko rumwe mu ifasi ya buri TGI kugira ngo habe kugaragaza uko ikibazo kifashe mu mpande zinyuranye z'Igihugu. Isesengura ry'iyi shusho rigaragaza ko Urukiko rw'Ibanze rwa Mukamira (mu ifasi ya TGI Rubavu) ruza ku isonga mu kuba rwarinjije imanza nyinshi z'imirima (256) mu mwaka wa 2008, zikaba zihariye 64% y'imanza zose mbonezamubano zinjiye muri ruriya Rukiko. Izi Nkiko z'Ibanze zose uko ari 12 zafashwe nk'icyitegererezo zihurijwe hamwe

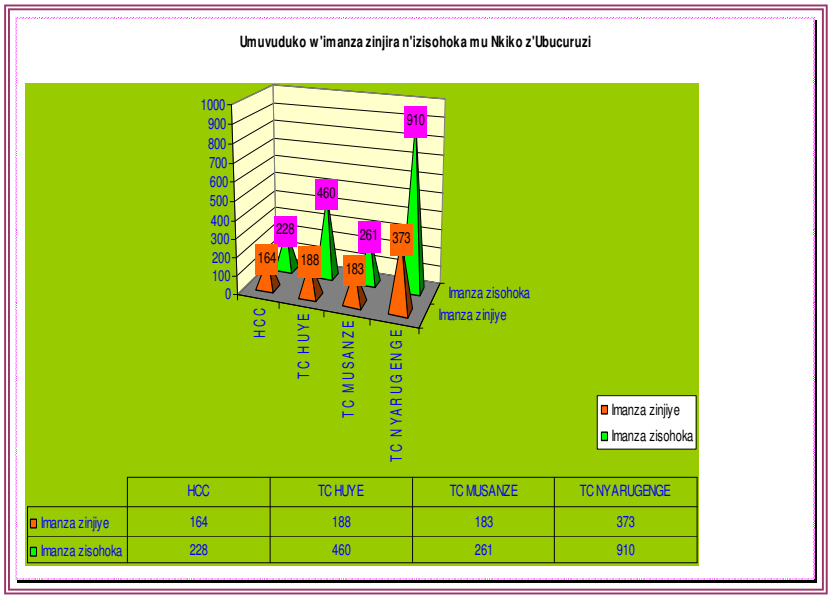
bigaragara ko imanza z'imirima ziharira 47% y'imanza zose mbonezambano zinjiye mu Nkiko z'Ibanze. Ishusho mbonerahamwe ikurikira ibyerekana neza :



Hakenewe ubufatanye n'izindi nzego kugira ngo iki kibazo cy'imanza z'imirima zinjira ku bwinshi mu Nkiko gikemuka.

(6) Imanza zinjira mu Nkiko z'Ubucuruzi

Amashusho mbonerahamwe akurikira agaragaza imanza zinjiye muri buri Rukiko rw'Ubucuruzi mu gihe cy'amezi atandatu kandi akagereranya umuvuduko w'imanza zinjira n'izisohoka.



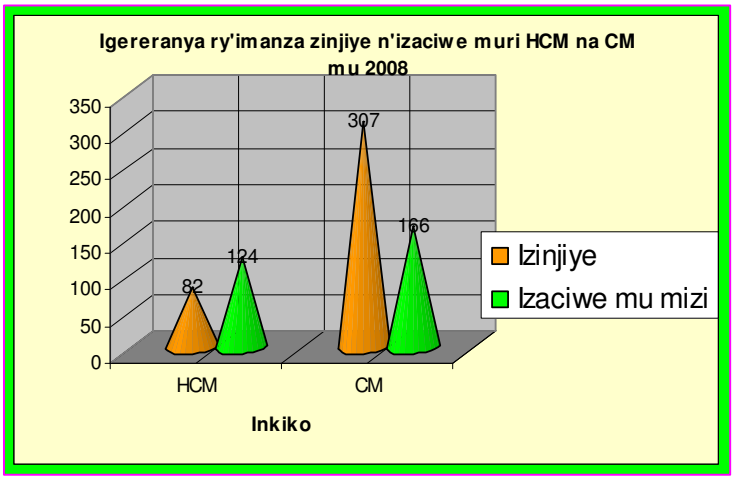
	HCC	TC HUYE	TC MUSANZE	TC NYARUGENGE
Imanza zinjiye	164	188	183	373
Imanza zisohoka	228	460	261	910

Mu mezi arindwi (7) Inkiko z'Ubucuruzi zimaze zikora, umubare w'imanza zinjiye uri hasi y'uw'imanza zasohotse. Bikomeje uko bimeze, byatuma ikibazo cy'ibirarane by'imanza byari mu Nkiko Zisumbuye (Ingereko zihariye z'ubucuruzi) gikemuka, ntihongere kuvuka ibindi.

(7) Imanza zinjira mu Nkiko za Gisirikare

Urukiko rwa Gisirikare nirwo rwinjije imanza nyinshi (307) naho Urukiko Rukuru rwa Gisirikare rwinjiza 82. Bikaba byumvikana kuko imanza nyinshi zigera mu Rukiko Rukuru rwa Gisirikare ari ubujurire ku manza zicibwa n'Urukiko rwa Gisirikare (reba imbonerahamwe iri ku mugereka).

Ishusho mbonerahamwe ikurikira igaragaza ubusumbane bw'umuvuduko w'imanza zinjiye n'izaciwe mu Nkiko za Gisirikare.



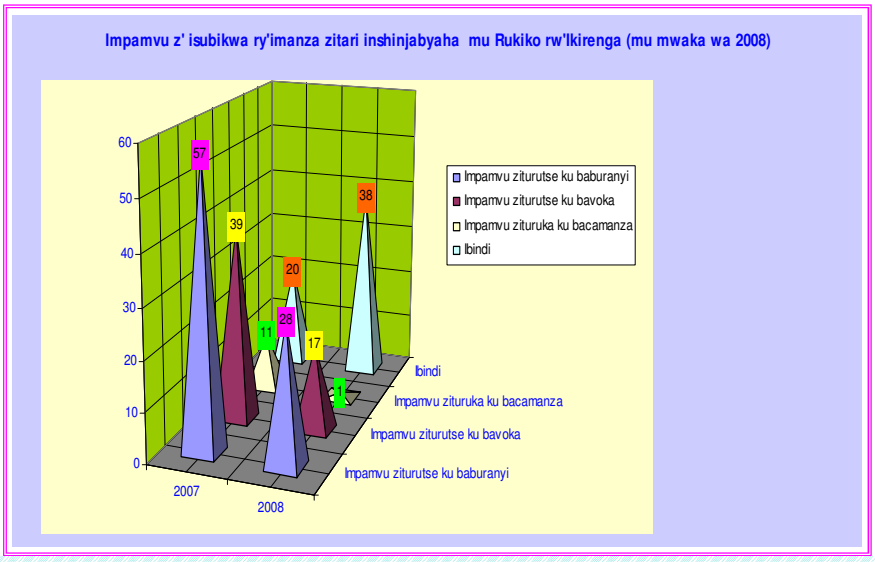
Ikibazo kirigaragaza mu Rukiko rwa Gisirikare aho imanza zinjira ziruta kure imanza zicibwa.

B. Ikibazo cy'isubikwa ry'imanza mu Nkiko

Ukurikije imibare y'imanza zagiye zisubikwa mu myaka ishize, usanga hari intambwe yatewe mu kugabanya isubikwa ry'imanza mu Nkiko. Ariko nanone inzira iracyari ndende kandi gukemura iki kibazo birasaba ko imyumvire n'imikorere y'ababuranyi n'ababunganira ihinduka. Ibyo byatuma nibura imanza zasubikwa gusa kubera impamvu zitunguranye kandi zikomeye.

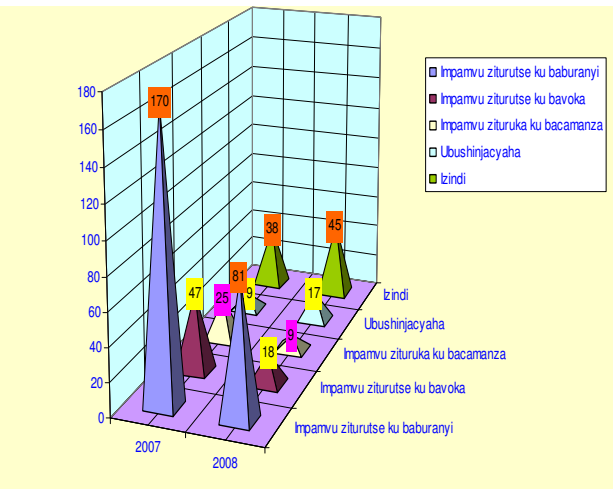
(1) Urukiko rw'Ikirenga rwarwanyije impamvu z'isubikwa ry'imanza

Mu gihe mu mwaka washize wa 2007 imanza zose hamwe zari zasubitswe kubera impamvu zinyuranye zari 427, uyu mwaka wa 2008 urangiye hasubitswe imanza 254 gusa mu manza zose z'inshinjabyaha cyangwa mbonezamubano. Imbonerahamwe iri ku mugereka wa mbere w'iyi raporo igaragaza ubwiganze bw'impamvu zitandukanye zateye isubikwa ry'imanza mu Rukiko rw'Ikirenga.



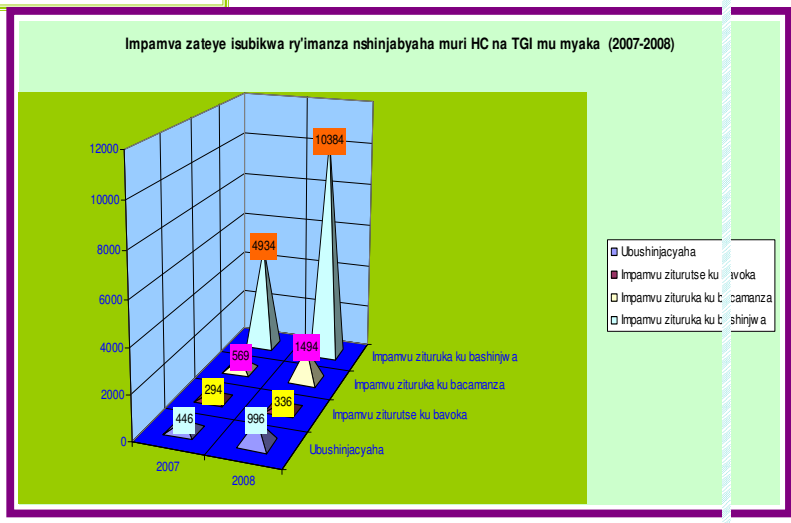
Iyi shusho mbonerahamwe iragaragaza ko muri uyu mwaka wa 2008 Urukiko rw'Ikirenga rwagerageje kurwanya isubikwa ry'imanza mbonezamubano ariko cyane cyane ku birebana

n'impamvu zaturukaga ku bacamanza (amahugurwa, ubutumwa, ibiruhuko…).



Mu manza nshinjabyaha naho, biragaragara ko Urukiko rw'Ikirenga rwarwanije impamvu z'isubikwa ry'imanza, uretse izituruka ku Bushinjacyaha ziyongereye aho kugabanuka kimwe n'impamvu zindi (harimo impamvu zitunguranye, ipereereza …).

(2) Ukwiyongera kw'isubikwa ry'imanza muri HC na TGI



Biragaragara ko uyu mwaka wa 2008, impamvu z'isubikwa ry'imanza ziyongereye kurusha umwaka wa 2007. Impamvu ziterwa n'abacamanza zo ziyongereye bikabije. Impamvu ikaba ari iyimurwa ry'abacamanza n'abayobozi b'Inkiko ryakozwe n'Inama Nkuru y'Ubucamanza muri Gicurasi 2008. Ariko mu Nkiko zose, bigaragara ko umubare munini w'imanza zisubikwa biturutse ku baburanyi. Nk'uko bigaragara mu ngamba zafashwe n'Urwego rw'Ubucamanza, iki kibazo cy'isubikwa ry'imanza nacyo cyafatiwe ingamba (reba ingingo ya VI.2.1.4.).

III.2.2. Urwego rw'Ubucamanza rwahawe abakozi bafite ubumenyi bw'ibanze kandi bongererwa ubushobozi bahugurwa

Abakozi bashyirwa mu myanya hakoreshejwe ipiganwa ku bujuje ibyangombwa bisabwa. Ari abasanzwe mu kazi kimwe n'abashya buri mwaka bategurirwa amahugurwa mu rwego rwo gukomeza kubaka ubushobozi bwabo.

III.2.2.1. Abakozi bashyizwe mu myanya hakurikijwe ubushobozi kandi ihame rya "gender" rirubahirizwa

Imbonerahamwe iri ku mugereka wa VI w'iyi raporo iragaragaza imitere y'abakozi b'Urwego rw'Ubucamanza muri rusange.

Ku mubare rusange w'abakozi b'Inkiko 637 wari uteganyijwe, abakozi 595 nibo dukesha ibyagezweho byose kuko aribo bari bahari mu mwaka wa 2008. Ugereranyije n'umwaka ushize, abakozi bari bateganyijwe uyu mwaka bariyongereye kuko hagiyeho Inkiko nshya z'Ubucuruzi[4].

Muri abo bakozi bose bangana na 93% y'abari bateganyijwe, 40% ni abagore naho abagabo ni 60%.

Ku bijyanye n'ubushobozi bwabo bakozi, 65% y'abakozi bose bafite impamyabushobozi ihanitse (Licence) mu bumenyi butandukanye.

By'umwihariko, mu Nkiko zose harimo n'iz'Ubucuruzi, abacamaza bose ni 271, muri bo 37% ni abagore naho 63% bakaba abagabo. Muri izi Nkiko zose, harimo n'Inkiko z'Ibanze, abacamanza bose (100%) bafite nibura impamyabushobozi ihanitse (Licence) mu by'amategeko.

III.2.2.2. Imyitwarire n'imikorere by'abakozi b'Inkiko byakomeje gukurikiranwa no kugenzurwa

Gukurikirana imyitwarire n'imikorere by'abakozi b'Inkiko bikorwa n'abayobozi b'Inkiko ariko by'umwihariko bikaba bikurikiranwa n'Urwego rw'Ubugenzuzi bw'Inkiko. Mu igenzurwa ry'imyitwarire n'imikorere by'abakozi b'Inkiko muri uyu mwaka wa 2008 hagaragaye amakosa ku bakozi bituma Inama Nkuru y'ubucamanza ibafatira ibihano. Hakozwe amaperereza ku bacamanza 10, abanditsi 6 n'umukozi umwe wunganira Urukiko (umunyabanga w'Urukiko) bavugwaho imyitwariye mibi harimo na ruswa. Ibyo byatumye abacamanza 4 n'abanditsi 6 bafatirwa igihano cyo kwirukanwa burundu mu kazi.

[4] Ku mubare w'abakozi 578 hiyongereyeho abakozi 59. Bose hamwe akaba ari 637. Umubare wazamuwe n'ishyirwaho ry'Inkiko z'Ubucuruzi.

III.2.2.3. Abakozi b'Inkiko bahawe amahugurwa atandukanye kandi bahabwa uburyo bwo gukomeza kwihugura

Kugira ngo umusaruro w'Inkiko ubashe kwiyongera mu bwinshi no mu bwiza, ni ngombwa ko abakozi bahugurwa mu bumenyi butandukanye, niyo mpamvu uyu mwaka turangije, abakozi bahawe amahugurwa anyuranye mu bumenyi ngiro (connaissance pratique) n'ubumenyi rusange (connaissance générale). Hashyizweho kandi amasomero afasha cyane cyane abakozi b'Urwego rw'Ubucamanza gukomeza gutyaza ubwenge bagendana n'ibihe.

A. Amahugurwa yahawe abakozi

Amwe mu mahugurwa y'ingenzi yatanzwe yibanze kuri ibi bikurikira:

- Amategeko mpuzamahanga mpanabyaha (Droit Pénal International);
- Amategeko y'ubucuruzi (les lois commerciales) ;
- Amahugurwa y'ibanze ku bacamanza n'abanditsi b'Inkiko (formation de base) ;
- Amategeko agenga inguzanyo (crédit bail) ;
- Amategeko ajyanye n'ibihangano (propriété intellectuelle);
- Kumva ababuranyi mbere yo kuburana n'imyandikire y'imanza (audience préliminaire et rédaction des jugements) ;
- Uburenganzira bwa muntu mu Nkiko (Human right and Administration of Justice) ;
- Amategeko ahana ibyaha bimunga ubukungu bw'igihugu (Droit sur les crimes économiques) ;
- Imiburanishirize y'imanza n'uburyo bwihariye ziburanishwamo (Pratique du siège+Procédure spéciale: habeas corpus, police d'audience, flagrant delit, sentencing etc);
- Gukora ubushakashatsi kuri "internet";
- Indimi (formation en langues) ;
- Gushyingura, gukoresha no kubika neza inyandiko (archivage et gestion des documents) ;
- Masters Program.

B. Inkiko zahawe amasomero

Kubaka ubushobozi bw'abacamanza, abanditsi n'abandi bakozi b'Inkiko hifashishijwe amasomero, byahawe umwanya ukomeye kugira ngo ibitekerezo by'ababahanga bikubiye mu bitabo bifashe guca imanza neza.

Muri uyu mwaka Inkiko zose zongerewe ibitabo mu masomero yazo. Ariko aho inkiko zegeranye zihurira ku isomero rimwe.

III.2.3. Inkiko zahawe uburyo bwo gukorera heza kandi hasukuye

Gukorera aheza kandi hasukuye bituma hatangwa umusaruro mwiza. Kugira ngo Inkiko zibashe kugera ku nshingano zazo, hari byinshi byitabwaho mu bijyanye no kuzibonera aho zikorera hatunganye.

Mu byitaweho cyane muri uyu mwaka turangije harimo: kubaka, gusukura no gusana ibikoresho by'inyubako z'ubucamanza. Ni muri urwo rwego hatashywe Ingoro y'Ubutabera y'Urukiko Rwisumbuye rwa Nyarugenge rwubatswe ku nkunga y'Abaholandi.

Zaba inyubako nshya, izisanzwe zubatswe, izasanwe n'izikeneye kuvugururwa, zose zifite aho gukorera hasukuye kandi hafite umuriro w'amashanyarazi. Ahatagera ayo mashanyarazi hashyizwe "generators" ndetse n'aho amashanyarazi agera hamwe na hamwe hamaze gushyirwa izo "generators" zikoreshwa mugihe umuriro wa ELECTROGAZ ubuze. Muri uyu mwaka dushoje "generators" 5 zoherejwe mu Nkiko ku nkunga y'umushinga w'Abaholandi.
Kugeza ubu, uretse aho "generators" zagize ibibazo zigapfa zikaba zitarakorwa, Inkiko zose zahawe umuriro w'amashanyarazi.

III.2.4. Itumanaho n'Ikoranabuhanga (ICT) bikomeje gusakazwa mu Nkiko

Imwe mu ntego nyamukuru Ubucamanza bw'Igihugu cyacu bwiyemeje kugeraho, ni uguteza imbere itumanaho n'ikoranabuhanga (ICT) mu Nkiko zose ziri hirya no hino mu gihugu. Mu gihe tugezemo, itumanaho n'ikoranabuhanga ni kimwe mu bikoresho bikomeye Inkiko zigomba kwifashisha mu koroshya, kunoza, kwihutisha akazi ndetse no kwegereza ubutabera ababukeneye.
Muri uyu mwaka urangiye wa 2008, ICT mu Nkiko yari igamije kubanza koroshya no kwihutisha imirimo y'Inkiko mbere yo kuba yakwegerezwa abagana Inkiko. Ni muri urwo rwego hateguwe gahunda (plan ya ICT) mu Nkiko itangira no gushyirwa mu bikorwa mu buryo bukurikira :

- Hatangiye gushakwa « logiciel » izafasha Inkiko mu gushyingura, gukoresha no gucunga amadosiye ajyanye n'imanza : « Electronic Record Management System » (ERMS) ;
- Hateganyijwe gahunda yo kuvugurura « logiciel » ya RDJ (Registre des Dossiers Judiciaires) isanzwe yifashishwa n'Inkiko mu micungire (management) y'imanza;

- Hatangiye gutegurwa imiyoboro y'itumanaho (internal network) mu Nkiko Zisumbuye n'Urukiko Rukuru. Inkiko Zisumbuye 5 n'Ingereko 2 z'Urukiko Rukuru zamaze kugezwamo iyo miyoboro;

- Hatangiye igikorwa cyo kuvugurura « Web Site » y'Urukiko rw'Ikirenga ;

- Ku bufatanye n'abaterankunga batandukanye, Inkiko zahawe mudasobwa (computers) 177 zishakirwa n'ibindi bikoresho by'ikoranabuhanga. Kugeza ubu, buri mukozi w'Urukiko afite « computer » yo mu biro imwe akoresha;
- Inkiko zose zahawe kandi zikoresha « modem » zituma zikoresha « Internet ».
- Hakozwe inyigo yo kugeza mu Nkiko z'Ubucuruzi « Court reporting system », ibikoresho byayo bikaba biri gushakwa ku bufatanye na ICF (Investment Climate Facility)

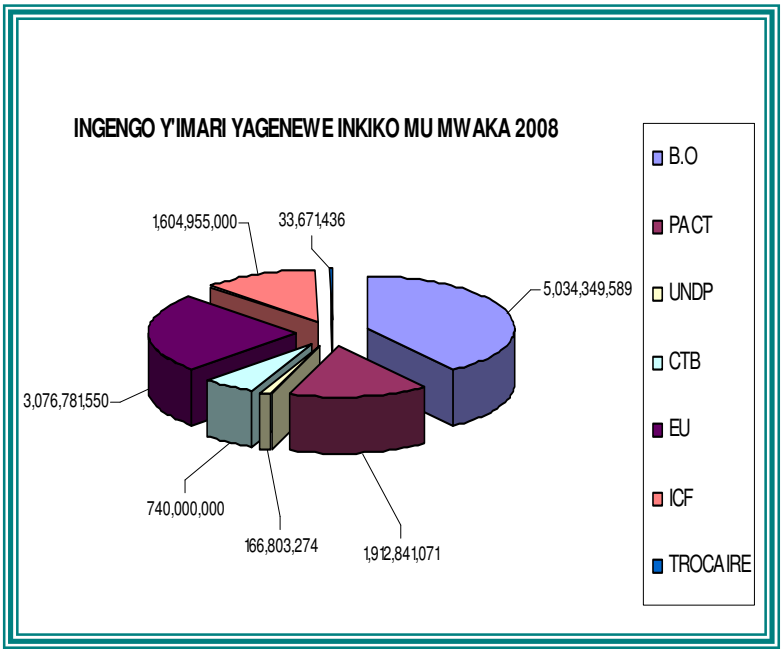
III.2.5. Imicungire y'amafaranga n'ibikoresho bihabwa Inkiko byitaweho

III.2.5.1. Uko ingengo y'imari yagenewe Inkiko mu mwaka wa 2008 yakoreshejwe

Muri uyu mwaka urangiye, amafaranga yakoreshejwe n'Inkiko mu bikorwa bitandukanye yaturutse mu ngengo y'imari ya Leta no mu baterankunga banyuranye. Amafaranga yari ateganyijwe yose hamwe mu mwaka wa 2008 yanganaga na **12.569.401.920 Frw** ayakoreshejwe akaba angana na **11,129,999,976 Frw** nk'uko biboneka mu mbonerahamwe ikurikira.

Aho amafaranga yaturutse	**Ayatanzwe (frw)**	**Ayakoreshejwe (frw)**	**Ijanisha**
B.O.	5,034,349,589	5,034,349,589	100 %
PACT	1,912,841,071	1,248,397,390	65 %
UNDP	166,803,274	164,201,622	98 %
CTB	740,000,000	724,000,000	98 %
EU	3,076,781,550	2,871,689,939	93 %
ICF	1,604,955,000	1,053,690,000	66 %
TROCAIRE	33,671,436	33,671,436	100 %
TOTAL	**12,569,401,920**	**11,129,999,976**	**89 %**

- **Ishusho y'Ingengo y'Imari yagenewe Inkiko mu mwaka wa 2008**

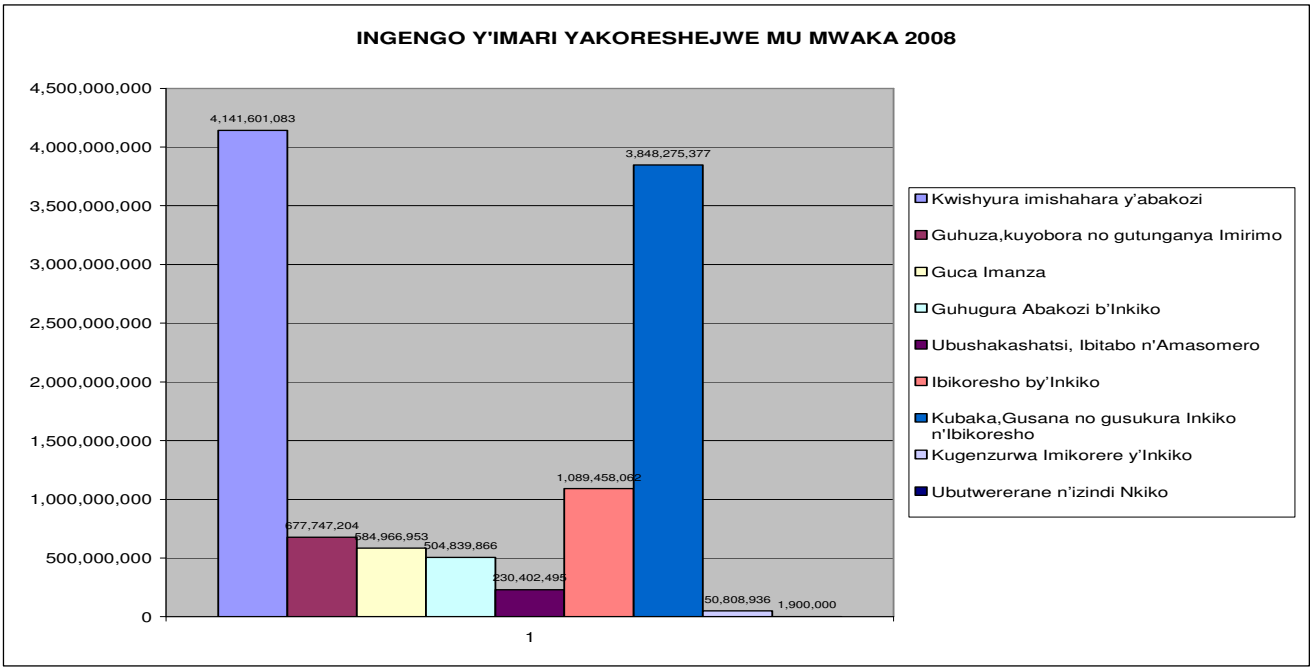


Nk'uko bigaragara muri iyi mbonerahamwe, amafaranga y'ingengo y'imari ya Leta (B.O) araruta ay'abaterankunga kuko habariwemo imishahara. Usibye Ingengo y'Imari ya Leta igaragara ko iruta izindi, E.U niyo muterankunga ukurikiraho mu gutanga inkunga itubutse. Umuterankunga uza ku mwanya wa gatatu ni PACT (Umushinga w'Abaholandi ufasha Inkiko), ku mwanya wa kane haza ICF, kumwanya wa gatanu haza CTB, ku mwanya wa gatandatu haza UNDP naho ku mwanya wa karindwi haza TROCAIRE.

- **Uko Ingengo y'imari yagenewe Inkiko yakoreshejwe mu mwaka wa 2008**

Ikoreshwa ry'Ingengo y'Imari yagenewe Inkiko mu mwaka wa 2008 ryibanze ku mirimo ikurikira: Kwishyura imishahara y'abakozi (Salaries) ; Guhuza, kuyobora no gutunganya Imirimo y'Inkiko (Management &Coordination of Court's Services), Guca Imanza (Case Judgement), guhugura abakozi b'Inkiko(Training of Judicial Personnel), ubushakashatsi, ibitabo n'Amasomero (Studies, Documentation and Research), ibikoresho by'Inkiko (Logistics Provision), kubaka, gusana no gusukura Inkiko n'ibikoresho (Construction, Rehabilitation and Maintenance of Administrative Buildings), kugenzura imikorere y'Inkiko (Inspection and Audit of Courts) n'ubutwererane n'izindi Nkiko (Membership subscriptions).

- **Ishusho y'Ingengo y'Imari yakoreshejwe n'Inkiko mu mwaka wa 2008**



Muri rusange, Ingengo y'imari yagenewe Inkiko yakoreshejwe kugeza kuri 89% (kuko hari ibikorwa byatangiye ariko bigikomeza nk'ubwubatsi).

III.2.5.2.Amafaranga Inkiko zinjije mu mirimo yazo

N'ubwo igikorwa cy'ibanze cy'Inkiko ari uguca imanza, uyu mwaka byagaragaye ko Inkiko zitakoresheje amafaranga ya Leta gusa, ahubwo nazo ni isoko y'umutungo kuri Leta n'Uturere izo Nkiko zifitemo ibyicaro.

A. Amafaranga Inkiko zinjije mu Turere

Uyu mwaka wa 2008, Inkiko z'Ibanze n'Inkiko Zisumbuye zashoboye kwinjiza no kohereza Uturere zifitemo ibyicaro amafaranga y'u Rwanda angana **173.633.578.** Aya mafaranga akomoka ku magarama n'amafaranga agurwa kopi z'imanza n'izindi nyandiko. Itegeko rikaba riteganya ko amafaranga yinjizwa muri ubwo buryo n'Inkiko z'Ibanze kimwe n'Inkiko Zisumbuye ashyikirizwa Uturere izo Nkiko zifitemo ibyicaro nk'uko biteganywa n'ingingo ya 355 y'Itegeko rigenga imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'ubutegetsi n'iz'umurimo.

Imbonerahamwe iri ku mugereka wa VII w'iyi raporo igaragaza umubare w'amafaranga yashyikirijwe buri Karere n'Urukiko ayo mafaranga yavuyemo.

B. Ikibazo cy'ikurikirana ry'amafaranga yategetswe n'Inkiko yinjira muri Leta

Hari amafaranga y'umusogongero wa Leta kimwe n'amagarama bitegekwa mu manza ariko kubera ko abanditsi b'inkiko batagikurikirana irangiza ry'imanza bikaba bitoroshye kumenya umubare nyakuri w'amafaranga yishyuwe. Ashobora kumenyekana ni amafaranga Inkiko zategetse.

Urugero, muri uyu mwaka wa 2008 Urukiko rw'Ikirenga rwashoboye kubarura amafaranga yategetswe kwishyurwa no gushyirwa mu Isanduku ya Leta angana n'amafaranga y'u Rwanda **21.935.661**. Aya mafaranga akaba agomba gukurikiranwa n'inzego za Leta zibishinzwe. N'izindi Nkiko zagiye zitegeka bene aya mafaranga ariko atarashoboye kubarurwa uyu mwaka. Ibi bikazitabwaho umwaka utaha kugira ngo inzego za Leta zibishinzwe zizashobore kuba zakurikirana iyishyurwa ryayo.

Hari kandi ikibazo cyo gutandukanya amafaranga ashyirwa kuri konti z'Inkiko zagenewe gushyirwaho amafaranga y'ingwate y'amagarama n'amafaranga agurwa kopi z'imanza n'izindi nyandiko ku buryo hatamenyekana neza amafaranga nyakuri agomba gushyirwa muri Leta cyangwa mu Karere n'agomba gusubizwa umuburanyi watanze ingwate y'amagarama.

Ikindi kigaragara ni uko ababuranyi batanze ingwate y'amagarama kandi bagomba kuyisubizwa iyo batsinze nabo badashishikarira kwihutira gusaba gusubizwa ayo mafaranga agakomeza kuba kuri Konti y'Urukiko.

IV. INZITIZI URWEGO RW'UBUCAMANZA RWAHUYE NAZO N'INGAMBA ZAFASHWE

VI.1. Inzitizi Urwego rw'Ubucamanza rwahuye nazo

Zimwe mu nzitizi Urwego rw'ubucamanza rwahuye nazo muri uyu mwaka wa 2008:

- **Umubare muke w'abashinjacyaha** utuma imanza nshinjabyaha zitaburanishwa mu buryo bwihuse. Umubare wabo wari usanzwe ari muto ugereranije n'abacamanza, ariko kuva aho mu Nkiko hashyiriweho abacamanza bagengwa n'amasezerano ikibazo cy'ubuke bw'abashinjacyaha cyarushijeho kugira ingaruka ku musaruro wari utegerejwe kuri zo. Iki kibazo kirushaho kwigaragaza kuva aho hashyiriweho "system" y'umucamanza umwe mu manza ziburanishwa no mu rwego rw'ubujurire;

- **Umubare muke w'abanditsi b'Inkiko** ugereranije n'akazi ko mu bwanditsi bw'Inkiko. Ikibazo cy'umubare muke w'abanditsi b'Inkiko nacyo cyarushijeho kwigaragaza kuva aho hashyiriweho « system » y'umucamanza umwe mu manza ziburanishwa haba mu rwego rwa mbere haba mu rwego rw'ubujurire. Hakaba hakenewe nibura ko umubare w'abanditsi ungana n'uwabacamanza muri buri Rukiko kugira ngo akazi karusheho gukorwa neza;

- **Ikibazo cy'uko hataraboneka uburyo buhamye bwo gukurikirana no kwinjiza muri Leta no mu Turere amafaranga acibwa ababuranyi mu manza** ku buryo hari amafaranga Inkiko zagombye kwinjiza ariko akaba atishyurwa;

- **Ikibazo cy'ubwinshi bw'imanza zikomeje kwinjira mu Nkiko.** Abanyarwanda bamwe baracyafite imyumvire y'uko kuburana no gutsinda uwo baburana ari ishema ubwaryo kabone n'iyo baba baburana ibidafite agaciro kandi bakumva ko ibibazo byose bigomba gukemurwa n'Inkiko. Kenshi kandi usanga ababuranyi batemera imikirize yimanza bakiyemeza kuzenguruka Inkiko batabanje no gushyira ku munzani ngo barebe inyungu babifitemo. Ubwinshi bw'imanza zinjira mu Nkiko butuma ubutabera budatangwa mu gihe giciriritse, bikabangamira icibwa ry'imanza z'ubudakemwa (quality) kubera kurwana n'ubwinshi, bibangamira kandi iterambere n'imibanire myiza y'abantu;

- **Ikibazo cy'imyitwarire y'ababuranyi n'ababunganira mu manza bituma ababuranyi bahimanira gutinza imanza.**

Ababuranyi ndetse na bamwe mu Bavoka bababuranira baracyumva ko kuba urubanza ruri mu Rukiko ari uburyo bakoresha bahima uwo baburana bashaka inzira zose zishoboka zo gutinza urubanza. Ubu raporo dufite zigaragaza 60% y'imanza zimurwa kubera guhimana kw'ababuranyi. Ingaruka z'iyi myitwarire ni uko imanza zinjira mu Nkiko ntizisohoke, hakavuka ibirarane, ubutabera ntibutangwe ku gihe, ibi bikaba byabangamira ishoramari mu Gihugu;

- **Ikibazo cy'umuco mubi wo gutanga ruswa no kuyakira, gukoresha ikimenyane n'icyenewabo n'ububasha umuntu afite bitararanduka mu bagana Inkiko, abazikoramo n'abakorana nazo**

N'ubwo mu Nkiko utsinzwe wese yumva ko hatanzwe ruswa, hakoreshejwe ikimenyane cyangwa icyenewabo kandi kenshi atari byo, uyu muco mubi uracyariho kuko hari abakozi b'inkiko n'abazigana bagikomeza gufatwa bakabikurikiranwaho. Kandi ruswa n'indi mikorere bifitanye isano bikunze gukorwa mu ibanga ry'abo bireba kubivumbura ntibyorohe. Ingaruka z'uyu muco mubi ni uko ushobora kumunga no gusenya inkingi zose Leta ishingiyeho, ubutabera by'umwihariko bugatakaza isura yabwo ntibube bugifitiwe icyizere;

- **Ikibazo cy'ubushobozi buke bw'abakozi**

Turacyafite abakozi bataragira inararibonye mu kazi k'ubucamanza kubera amateka mabi ya jenoside twanyuzemo. Abakozi bakiri bato, abasore n'inkumi bakirangiza amashuri bataragira inararibonye kandi bahamagariwe gufata ibyemezo biremereye bigira ingaruka ku buzima bw'abantu, ku bukungu bwabo n'ubw'Igihugu muri rusange nacyo ni ikibazo kitakwirengagizwa. Ikindi kandi mu gihe tugezemo n'icyo guhangana ku isoko mpuzamahanga ariko cyane cyane iry'Akarere muri iki gihe twinjira mu muryango w'Ibihugu by'Afurika y'Uburasirazuba ;

- **Ikibazo cy'amategeko atanoze n'ashaje agorana gushyira mu bikorwa**

Kuba hari amategeko menshi agomba gushyirwaho *no kuvugururwa* kandi yihutirwa, nta bakozi bahagije babifitemo ubumenyi, bituma amategeko asohoka atanoze, atuzuye cyangwa avuguruzanya, bikagora Inkiko kuyashyira mu bikorwa.

VI.2. INGAMBA ZAFASHWE

VI.2.1. Ingamba zihariye zafashwe mu gukemura inzitizi Urwego rw'Ubucamanza rwahuye nazo

VI.2.1. 1. Kongera umubare w'abashinjacyaha n'abanditsi

Gukemura ikibazo giterwa n'umubare muto w'abashinjacyaha n'abanditsi bisaba ubufatanye n'izindi nzego, Urukiko rw'Ikirenga rwagaragarije abo bireba icyo kibazo kandi kiraganirwaho kugira ngo kibashe gukemuka.

VI.2.1.2. Gukurikirana amafaranga yinjizwa n'Inkiko

♦ Mu mwaka wa 2009 abashinzwe ibaruramari mu Nkiko bazakurikirana by'umwihariko uburyo amafaranga y'amagarama n'agurwa kopi z'imanza n'izindi nyandiko z'Inkiko yinjira kuri konti z'Urukiko, uko atandukanywa, agomba gusubizwa abaturage n'agomba gushyirwa mu Isanduku ya Leta cyangwa mu Karere buri mpera z'umwaka. Ibi birasaba ko abashinzwe ibaruramari mu Nkiko bakorana n'abanditsi bazo.

♦ Umuburanyi utazajya akurikirana amafaranga y'ingwate y'amagarama agomba gusubizwa hagashira imyaka itanu (5) nk'uko amategeko abiteganya[5], ayo mafaranga agomba kuyaheba agashyirwa mu Isanduku ya Leta cyangwa mu Karere.

♦ Amafaranga y'umusogongero wa Leta kimwe n'amagarama bigomba kwishyurwa n'ababuranyi bigomba kuzajya bibarurwa n'abacungamari b'Inkiko bikamenyeshwa inzego zibishinzwe kugira ngo zikurikirane ayo mafaranga.

VI.2.1.3. Kugabanya umuvuduko w'imanza zinjira ari nyinshi mu Nkiko

Ingamba zigamije gukemura ikibazo cy'imanza zinjira ari nyinshi mu Nkiko ntizireba Urwego rw'Ubucamanza gusa ahubwo zirasaba ubufatanye bw'inzego kugira ngo ikibazo kibonerwe umuti. Muri izo ngamba harimo izi zikurikira :

♦ Kurushaho gukangurira abaturage kurangiza ibibazo mu bwumvikane bitabaye ngombwa kubijyana mu Nkiko. Ibi twabifashwamo cyane cyane n'Inzego z'Ibanze;

[5] Reba Itegeko Teka no 23/79 ryo kuwa 31/08/1979 rigenga imicungire y'imari ya Leta (comptabilité publique) ingingo ya 22 igika cyayo cya 2 (J.O. 1979 p.567). Iryo Tegeko Teka ryemejwe n'Itegeko no 01/82 ryo kuwa 26/01/1982 (J.O. 1982, p.227)

♦ Kurushaho gushyigikira no kunoza imikorere ya komite z'abunzi. Ibi twabifashwamo na Minisiteri y'Ubutegetsi bw'Igihugu n'iy'Ubutabera;

♦ Igikorwa cy'iyandikwa ry'amasambu gikwiye kwihutishwa kuko kizagabanya imanza z'imirima zinjira ku bwinshi mu Nkiko z'Ibanze. Raporo dufite z'umwaka ushize wa 2008 zerekana ko mu Nkiko z'Ibanze imanza z'imirima ari 47% y'imanza zose mbonezamubano. Iyandikwa ry'amasambu ni ikibazo kireba cyane serivise ishinzwe iyandikwa ry'ubutaka mu Gihugu;

♦ Gukangurira ababyeyi babyara abana batarashakanye mu buryo bwemewe n'amategeko kubandikisha nk'uko amategeko abiteganya kuko bizagabanya imanza z'abana bashaka ababyeyi (recherche de paternité) nazo zitari nke mu Nkiko cyane cyane iz'Ibanze. Ibi twabifashwamo n'Inzego z'Ibanze;

♦ Kuvugurura amategeko ku byerekeye imanza z'ubutane, nazo zitari nke mu Nkiko cyane cyane izo mu mijyi, ku buryo inzira iteganywa n'amategeko yo kubanza kunga ababurana ubutane yahabwa izindi nzego mbere yo kugeza ikirego mu Rukiko. Ibi byagabanya ibirego by'ubutane n'igihe urubanza rufata kugira ngo rucibwe rumaze kugera mu Rukiko. Ibi twabifashwamo na Minisiteri y'ubutabera;

♦ Kuvugura amategeko ku byerekeye imanza z'ubucuruzi kugira ngo:

- Ihame ry'umucamanza umwe mu manza ziburanishwa muri Rukiko Rukuru rw'Ubucuruzi rikurikizwe nko mu zindi Nkiko;
- Inzira yo kubanza gukemura impaka mu bwumvikane imbere y'abakemura mpaka ikaba yagirwa itegeko;

♦ Kugabanya imanza za Leta n'inzego zayo mu Nkiko bikwiye kwitabwaho by'umwihariko (mu mwaka wa 2008 hinjiye imanza z'ubutegetsi 239), kuko uretse no kugabanya imanza zinjira mu Nkiko (ku buryo buziguye n'ubutaziguye) haba no kugabanya igihombo biteza Leta. Ibi bikaba bisabako:

- Ibyemezo bifatwa n'abayobozi ku nzego zitandukanye bikwiye kuba bikurikije amategeko. Birasaba ko hatangwa amabwiriza abishimangira;
- Komisiyo yo kumvikanisha Leta n'abayirega ikwiye kongererwa ububasha bwo gukemura ibibazo Leta n'inzego zayo birimo mbere y'uko bishyikirizwa Inkiko;
- Abayobozi bafata ibyemezo birenganya abaturage bigashora Leta mu manza ntibakwiye gufatirwa ibihano byo mu rwego rw'akazi gusa, ahubwo Leta n'inzego

zayo bikwiye kubakurikiranaho ubwishyu bw'ibyo Leta yatakaje mu manza kubera amakosa yabo kuko amategeko abyemera (action récursoire). Ibi byose twabifashwamo na Minisiteri y'Ubutabera.

VI.2.1.4. Gukemura ikibazo cy'imyitwarire y'ababuranyi n'ababunganira mu manza bituma ababuranyi bahimanira gutinza imanza

Kuri iki kibazo Urukiko rw'Ikirenga rwahaye Inkiko zose amabwiriza agomba gukurikizwa mu kwirinda impamvu zose zitera isubikwa ry'imanza, igisigaye ni ugukurikirana ishyirwa mu bwikorwa ryayo ku buryo buhamye.

Ariko kuri iki kibazo naho hakwiye izindi ngamba harimo nko:

♦ Kuvugurura amategeko ku buryo hakumirwa impamvu zose zituma imanza zitinda. Ishyirwa mu bikorwa ryayo twabifashwamo na Minisiteri y'Ubutabera;

♦ Gushyiraho urwego rwakurikirana, rugahana abunganira abandi mu Nkiko bitwara nabi, bagira n'uruhare mu gufasha ababuranyi mu gutinza imanza. Ibi twabifashwamo n'Urugaga rw'Abavoka na Minisiteri y'Ubutabera.

VI.2.1.5. Gukemura ikibazo cya ruswa n'ibyaha bifitanye isano

Mu rwego rw'Ubucamanza hafashwe ingamba zikurikira:

♦ Gukomeza gahunda yo gushishikariza abakozi kurwanya ruswa n'ibyaha bifitanye isano ;

♦ Inkiko zahawe amabwiriza yo kwita by'umwihariko ku manza za ruswa n'ibindi byaha bimunga ubukungu, buri kwezi hagatagwa raporo y'ibyemezo byafashwe yafasha gusesengura ahari ibibazo;

♦ Ibyemezo by'imanza bizajya bisesengurwa nibiba ngombwa binengwe kandi bitangazwe. Uretse no gutuma abacamanza bafata ibyemezo bisobanuye neza, ibi bizagira uruhare mu gutuma icyemezo cyabogamye kubera ruswa gitahurwa;

♦ Ibyemezo byafatiwe abahamwe n'icyaha cya ruswa n'ibyaha bifitanye isano bigiye kujya bitangazwa. Ibi bizabera urugero ababa bagifite umutima wo kugendera mu nzira za ruswa.

N'ubwo ariko hafashwe izi ngamba mu rwego rw'ubutabera ni ngombwa ko n'izindi nzego zishyiraho akazo mu gufata ingamba zo kurwanya ruswa harimo:

♦ Kurushaho gukangurira abanyarwanda kurwanya ruswa n'ibyaha bifitanye isano nayo kandi abafashwe bose bagakurikiranwa;

♦ Abayobozi n'abandi bafite ububasha bakwiye kuba intangarugero mu kwirinda kwivanga mu mikorere y'Inkiko bakoresha igitinyiro cyangwa ububasha bafite;

♦ Hakwiye gushyirwaho uburyo buhamye kandi busobanutse bwo gushima abagira uruhare mu gutahura abatanze ruswa n'abayakiriye.

VI.2.1.6. Kongera ubushobozi bw'abakozi

Zimwe mu ngamba zafashwe n'Urwego rw'ubucamanza harimo:

♦ Guha abakozi b'Inkiko amahugurwa ahoraho ku mategeko atandukanye. Aha dufatanya n'Ishuri Rikuru ry'Igisha iby'amategeko ry'i Nyanza (ILPD);

♦ Gufasha abacamanza gukomeza amashuri biga icyiro cya gatatu cya Kaminuza (master). Abu hari abacamanza bamaze koherezwa muri Afurika y'epfo gukurikira ayo masomo;

♦ Gushishikariza abakozi kwihugura, basoma ibitabo bakora n'ubushakashatsi. Ubu twashyize amasomero mu Nkiko kandi ayo masomero akomeje guhabwa ibitabo bya ngombwa;

♦ Kwigisha no gutoza abakozi gukoresha ICT. Ubu gahunda ya ICT iragenda isakazwa mu Nkiko zose kandi abakozi bahuguriwe gukora ubushakashatsi bakoresheje "internet";

♦ Gutunganya gahunda yo kubika imanza zicibwa hakoreshejwe ikoranabuhanga (electronic archiving), no kuzishyira kuri "network", kugira ngo abacamanza bifuza kuzifashisha bazibone biboroheye;

♦ Gukangurira abakozi no kubaha uburyo bwo gukora barushanwa mu gutanga umusaruro (compétivité), abatanze umusaruro bakabishimirwa;

♦ Kugirana ubufatanye n'ibindi bihugu bigize Umuryango w'Afurika y'Iburasirazuba mu rwego rw'amahugurwa.

VI.2.1.7 . Kuvugurura amategeko atanoze n'ashaje agorana gushyira mu bikorwa

Ku kibazo cy'amategeko atanoze n'ashaje agora Inkiko kuyashyira mu bikorwa, umuti waba guha ingufu serivisi ishinzwe gutegura no kwandika amategeko, abakozi bayo bagahugurwa, bagahuza ibikorwa byose byo gutegura no kwandika amategeko. Ibi birareba cyane cyane Minisiteri ifite ubutabera mu nshingano zayo.

VI.2.2. Ingamba rusange

Mu mwaka utaha wa 2009, intego nyamukuru kandi y'ibanze izakomeza kuba iyo gutanga ubutabera bunoze kandi bwihuse hacibwa imanza nyinshi, z'indakemwa kandi ku buryo bwihuse, abagana Urukiko n'abakorana narwo bahabwa serivise nziza. Ibi bikaba bizagerwaho hibandwa cyane cyane ku bikorwa bikurikira :

♦ Kwita ku myitwarire n'imikorere y'abakozi b'Inkiko ndetse n'imibereho yabo, bafashwa kwiteza imbere, bituma barushaho gukunda umurimo no kuwitangira, birinda ruswa n'imyitwarire yose yatuma bayikekwaho ahubwo bagahesha ubutabera isura nziza ;

♦ Gushyira ingufu mu bushakashatsi n'isesengura ryimbye ry'ibikorwa bigerwaho n'Inkiko hagamijwe kurushaho gutanga umusaruro mwiza kandi ugira « impact » ku iterambere ry'Igihugu ;

♦ Gucunga neza umutungo n'ibikoresho by'Inkiko mu rwego rwo kwita ku mutungo wa rubanda no kwirinda ko akazi kadindizwa n'iyangirika ry'ibikoresho, ingengo y'imari igenerwa Inkiko igakoreshwa neza kandi ibikorwa by'imishinga izitera inkunga igakurikiranirwa hafi hagamijwe kugera kuri gahunda Inkiko zihaye ;

♦ Gukomeza igikorwa cyo kubakira Inkiko no kuzisana kandi zishakirwa ibikoresho ;

♦ Gukomeza gusakaza ikoranabuhanga mu Nkiko hagamijwe kwihutisha umurimo kandi ugakorwa neza ;

♦ Kunoza imikoranire n'izindi nzego hagamijwe ko Urwego rw'Ubucamanza rukorana neza kandi mu bwuzuzanye n'izindi nzego.

UMWANZURO

Kunoza imikorere y'Inzego z'Ubucamanza ni intego ihoraho, isaba ko buri munsi, buri kwezi na buri mwaka haba guharanira gutera intambwe ijya imbere.
Ibyagezweho n'Urwego rw'Ubucamanza muri uyu mwaka wa 2008, nk'uko iyi raporo ibimurika mu nshamake kandi yibanda ku by'ingenzi, birerekana ko ivugururwa ry'inzego z'ubucamanza ryatangiye mu mpera z'umwaka wa 2004 kandi rigikomeza rigenda rigera ku ntego nkuru yo gutanga ubutabera bunoze kandi bwihuse, ariko kwivugurura bikumvikana ko ari intego ihoraho.

Umubare w'Inkiko waragabanijwe, abakozi nabo baragabanijwe, ariko Inkiko zihabwa abakozi bafite ubumenyi bw'ibanze bwa ngombwa kandi bakomeza kugenda bahugurwa bituma batanga umusaruro mwinshi kandi urushaho kuba mwiza ugereranije n'uko ibintu byari bimeze mbere y'ivugururwa ryo mu mwaka wa 2004.

Intambwe ikoranabuhanga rimaze kugeraho mu Nkiko zose z'Igihugu yabaye umusemburo mwiza wo kwivugurura mu mikorere y'abakozi b'Inkiko bituma imanza zicibwa ari nyinshi kandi ku buryo bwihuse. Koko rero, ubu kwandika imanza ku mashini zisanzwe n'ibibazo by'urudaca byateraga, bimaze kwibagirana mu Nkiko kuko « computer » yamaze kuba igikoresho cya buri munsi cy'umukozi wese w'Urukiko. Ibi byatumye kandi ikoranabuhanga mu itumanaho rirushaho kugenda risakazwa mu Nkiko, bikaba byaragize uruhare runini mu kongera umusaruro akazi kihutishwa. Gukomeza gusakaza ikoranabuhanga mu Nkiko ni intego izakomeza kuko inzira ikiri ndende cyane cyane ko n' ikoranabuhanga ubwaryo ryivugurura umunsi ku wundi.

Ivugururwa ry'amategeko naryo ryakomeje gukorwa kandi rirushaho gutuma Inkiko zigera ku ntego no kuzuza inshingano zazo. Iryo vugurura niryo ryatumye hashyirwaho Inkiko z'Ubucuruzi. NK'uko iyi raporo ibigaragaza, umusaruro w'izo nkiko, mu mezi arindwi (7) zimaze zitangiye gukora, uruta kure umusaruro w'imyaka itatu w'Ingereko z'Ubucuruzi zahoze mu Nkiko Zisumbuye. Ishyirwaho ry'izi nkiko ryagize ingaruka nziza mu kugabanya imanza zinjira mu Nkiko zisanzwe kandi, hakurikijwe umusaruro zitanga, hari icyizere ko nta birarane bizaboneka muri izo Nkiko. Nk'uko iyi raporo ibigaragaza, ishyirwaho rya « system » y'iburanisha ry'ibanze (audience préliminaire) muri izi Nkiko z'Ubucuruzi ituma imanza zitari nke zirangira bitabaye ngombwa ko urubanza rubunanishwa mu mizi. Intego y'ishyirwaho ry'izo Nkiko, yo kwihutisha imanza hagamijwe guteza imbere ishoramari mu Gihugu, ikaba izagerwaho nta shiti.

Muri uyu mwaka wa 2008, ivugura ry'amategeko ryatumye bishoboka ko hashyirwaho abacamanza bagengwa na kontaro by'igihe gito. Amezi atanu gusa ashize abo bacamanza bashyizweho kandi batangiye gukora yatumye umusaruro w'Inkiko bashyizwemo n'uw'Inkiko zose muri rusange uzamuka ku buryo bugaragara kandi imanza z'ibirarane ziragabanuka.

Indi mpinduka mu mategeko yabaye muri uyu mwaka wa 2008 (mu mpera z'uyu mwaka) kandi yitezweho kuzongera umusaruro ni ishyirwaho ry'ihame ry'umucamanza umwe mu manza ziburanishwa haba mu rwego rwa mbere cyangwa mu rwego rw'ubujurure. Intego igamijwe ariko izagerwaho ari uko ingamba zo kongera umubare w'abashinjacyaha n'abanditsi b'Inkiko zishyizwe mu bikorwa.

Urwego rw'Ubucamanza rukaba ruzakomeza gutanga ibitekerezo aho biri ngombwa ko amategeko avugururwa kandi rugakomeza gushaka no guharanira ibyatuma ubutabera mu Rwanda burushaho gukora neza, havanwaho inzitizi kugira ngo ibikorwa byarwo birusheho kugira uruhare mu iterambere ry'Igihugu. Ni muri uru rwego biteganijwe ko mu mwaka utaha wa 2009 ingufu zizakomeza gushyirwa mu ntego yo gutanga ubutabera bunoze kandi bwihuse hacibwa imanza nyinshi, z'indakemwa kandi ku buryo bwihuse, abagana Urukiko n'abakorana narwo bahabwa serivise nziza.

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