MUKAMANZI v. KWITUNGA N'UNDI

[Rwanda URUKIKO RW'IKIRENGA – RCAA0019/14/CS (Nyirinkwaya, P.J., Kayitesi R. na Mukandamage, J.) 12 Gashyantare 2016]

Amategeko agenga ububasha bw'Inkiko – Ububasha bw'Urukiko rw'Ikirenga nk'Urukiko rw'ubujurire – Inzitizi y'iburabubasha – Gutsindwa ku rwego rwa mbere n'urwa kabiri ku mpamvu zimwe – Mu gihe Urukiko rw'Ikirenga rusanze uwajuriye yaratsinzwe ku rwego rwa mbere n'urwa kabiri ku mpamvu zimwe, ubujurire bwe ntibwakirwa ngo busuzumwe kuko buba butari mu bubasha bw'Urukiko rw'Ikirenga – Itegeko-Ngenga N°03/2012/OL ryo ku wa 13/06/2012 rigena imiterere, imikorere n'ububasha bw'Urukiko rw'Ikirenga, ingingo ya 28(2&5).

Incamake y'ikibazo: Uru rubanza rukomoka ku kirego Mukamanzi Laurence yarezemo umugabo we Kanyarwanda Cléophas na Kwitunga Tonny mu Rukiko Rwisumbuye rwa Rubavu, asaba iseswa ry'amasezerano y'ubugure bw'agateganyo bw'inzu iri mu kibanza N°48, Vol RT XXVII Folio 132 mu Mujyi wa Gisenyi, Akarere ka Rubavu, yakozwe hagati ya Kanyarwanda Cléophas na Kwitunga Tonny atabitangiye uburenganzira.

Urwo Rukiko rwaciye urubanza RC0369/011TGI/RBV tariki ya 03/08/2012, rwemeza ko ayo masezerano y'ubugure yakozwe na Nsanzumuhire Kayitare François, ashingiye ku butumwa yahawe na Kanyarwanda ataseswa bityo akaba agomba kubahirizwa n'abamutumye ndetse na Mukamanzi.

Mukamanzi yajuririye Urukiko Rukuru, Urugereko rwa Musanze, avuga ko Urukiko Rwisumbuye rwa Rubavu rwirengagije ko amategeko ateganya ko kugirango ubutaka bugurwe, uwo bashakanye n'abana bagomba kwemera mu nyandiko ubwo bugure kugirango bugire agaciro.

Urwo rukiko rwaciye urubanza RCA0154/12/HC/MUS tariki ya 06/12/2012, rusanga ubujurire bwa Mukamanzi nta shingiro bufite, rutegeka ko urubanza yajuririye rugumanye agaciro karwo, kandi ko nawe ari mu bagomba kubahiriza ibikubiye muri ayo mazeserano, rushingiye ku kuba Mukamanzi atarabashije kuvuguruza ibimenyetso byatanzwe na Kwitunga Tonny bigizwe n'inyandiko yo kuwa 29/9/2011 Mukamanzi yandikiye Nsanzimfura Kayitare François avuga ko amushyikirije inyandiko isesa ubutumwa bwerekeranye no gucunga umutungo ndetse n'ubwo kugurisha inzu y'i Gisenyi yanditswe na Kanyarwanda, akaba rero atari gusesa ubutumwa atagizemo uruhare kuko yasobanuye ko iseswa ry'ubutumwa ritewe no kuba batarahawe raporo y'imicungire y'umutungo wabo, akaba ataragombaga gusaba raporo y'ubutumwa atatanze.

Mukamanzi yajuririye Urukiko rw'Ikirenga avuga ko Urukiko rwirengagije ingingo yaburanishije igaragaza ko atigeze atanga ukwemera kwe mu buryo butaziguye haba mu butumwa Kanyarwanda yahaye Nsanzimfura cyangwa mu masezerano y'ubugure. Avuga kandi ko urukiko rwirengagije nta mpamvu rutanze urubanza yatanze rwaciwe n'Urukiko rw'Ikirenga ku kibazo nk'iki. Avuga ko ikindi anenga urubanza ari uko urukiko rwakoze isesengura ritari ryo ry'ingingo ya 37 y'Itegeko Ngenga N°08/2005 ryo kuwa 14/07/2005 rigena imikoreshereze y'ubutaka mu Rwanda.

Mbere yo kwinjira mu mizi y'urubanza, Me Serugo Jean Baptiste na Me Rukarishya Philémon bahagarariye uruhande ruregwa batanze inzitizi y'iburabubasha bw'Urukiko rw'Ikirenga, basobanura ko Mukamanzi yatanze ikirego mu Rukiko Rwisumbuye rwa Rubavu aratsindwa, ajurira mu Rukiko Rukuru, urugereko rwa Musanze nabwo aratsindwa,

bakaba basanga ubujurire bwe butari mu bubasha bw'uru rukiko kuko yatsinzwe mu nzego ebyiri ku mpamvu zimwe bityo bakavuga ko hashingiwe ku biteganywa n'ingingo ya 28, igika cya nyuma y'Itegeko Ngenga rigena imiterere, imikorere n'ububasha by'Urukiko rw'Ikirenga ubujurire bwe budakwiye kwakirwa.

Uwunganira Mukamanzi yiregura avuga ko impamvu zashingiweho n'Urukiko rubanza atari zo zashingiweho n'Urukiko rwajuririwe kubera ko mu rubanza RC0369/011/TGI/RBV urukiko rwavuze ko yatanze ubutumwa ariko nta kigaragaza ko yemeye ko umutungo ugurishwa naho mu rubanza RCA0154/12/HC/MUS Urukiko rwajuririwe nta cyo rwavuze ku ngingo ya 21 n'iya 22 z'Itegeko rigenga imicungire y'umutungo w'abashyingiranywe, ahubwo yavuze ku ngingo ya 37 y'Itegeko ry'ubutaka ryo mu mwaka wa 2005.

Incamake y'icyemezo: Kuba Inkiko zibanza zaranzuye ko amagambo akubiye mu nyandiko yo kuwa 29/09//2011 yakozwe na Mukamanzi ayandikira Nsanzimfura, aho avuga ko ashaka kumugezaho inyandiko isesa ubutumwa bwerekeranye no gucunga umutungo ndetse n'ubwo kugurisha inzu y'i Gisenyi kandi ko nk'umugore wa Kanyarwanda basangiye umutungo ashyigikiye iryo seswa ndetse akanamusaba no guhita amuha raporo y'imicungire y'umutungo, bigaragara ko Mukamanzi yagize uruhare mu butumwa bwo kugurisha inzu bwatanzwe n'umugabo we Kanyarwanda, Urukiko rw'Ikirenga rusanga Mukamanzi yatsinzwe ku rwego rwa mbere n'urwa kabiri ku mpamvu zimwe, bityo ubujurire bwe bukaba butagomba kwakirwa ngo busuzumwe kuko butari mu bubasha bw'Urukiko rw'Ikirenga.

Inzitizi ifite ishingiro.
Ubujurire ntibwakiriwe.
Amagarama aherereye ku wajuriye.

Amategeko yashingiweho:
Itegeko - Ngenga N°03/2012/OL ryo ku wa 13/06/2012 rigena imiterere, imikorere n'ububasha bw'Urukiko rw'Ikirenga, ingingo ya 28(2&5).

Nta manza zifashishijwe.

Urubanza

I. IMITERERE Y'URUBANZA

[1] Mukamanzi Laurence yareze umugabo we Kanyarwanda Cléophas na Kwitunga Tonny mu Rukiko Rwisumbuye rwa Rubavu, asaba iseswa ry'amasezerano y'ubugure bw'agateganyo bw'inzu iri mu kibanza N°48, Vol RT XXVII Folio 132 mu Mujyi wa Gisenyi, Akarere ka Rubavu, asangiye n'umugabo we, kuko yakozwe atabitangiye uburenganzira, asaba n'igihembo cya Avoka kingana na 3.000.000Frw.

[2] Urukiko rwaciye urubanza RC0369/011TGI/RBV tariki ya 03/08/2012, rwemeza ko ayo masezerano y'ubugure yakozwe na Nsanzumuhire Kayitare François, ashingiye ku butumwa yahawe na Kanyarwanda afite agaciro kandi agomba kubahirizwa n'abamutumye, ko ikibanza N°48 Vol RT XXVII, Folio 132, mu Mujyi wa Gisenyi kiyavugwamo ari icy'uwakiguze Kwitunga Tonny, iyubahirizwa ry'ayo masezerano rikaba rigomba gukomezwa na Kanyarwanda cyangwa n'uwo yatuma wundi, rutegeka ko icyo kibanza

kigomba kwandikwa kuwakiguze Kwitunga Tonny, Mukamanzi ategekwa gutanga amagarama y'urubanza, akanishyura igihembo cya Avoka kingana na 400.000Frw.

[3] Mukamanzi yajuririye Urukiko Rukuru, Urugereko rwa Musanze, avuga ko Urukiko Rwisumbuye rwa Rubavu rwirengagije ko amategeko ateganya ko kugirango ubutaka bugurwe, uwo bashakanye n'abana bagomba kwemera mu nyandiko ko ubwo bugure bubaho, ko kandi rwivuguruje aho rwavuze ko amasezerano y'ubugure bw'agateganyo afite agaciro ko agomba kwubahirizwa n'abatumwe bose, runavuga ko azubahirizwa na Kanyarwanda n'uwo yatumye.

[4] Urwo rukiko rwaciye urubanza RCA0154/12/HC/MUS tariki ya 06/12/2012, rusanga ubujurire bwa Mukamanzi nta shingiro bufite, rutegeka ko urubanza yajuririye rugumanye agaciro karwo, hakiyongeraho ko nawe ari mu bagomba kubahiriza ibikubiye mu mazeserano, rumutegeka kwishyura 300.000Frw y'igihembo cya Avoka na 50.000Frw y'ikurikiranarubanza n'amagarama y'urubanza.

[5] Mu gufata icyo cyemezo urukiko rwasobanuye ko Mukamanzi atabasha kuvuguruza ibimenyetso byatanzwe na Kwitunga Tonny bigizwe n'inyandiko yo kuwa 29/9/2011 ikubiyemo amagambo yandikiye Nsanzimfura Kayitare François avuga ko amushyikirije inyandiko isesa ubutumwa bwerekeranye no gucunga umutungo ndetse n'ubwo kugurisha inzu y'i Gisenyi yanditswe na Kanyarwanda.

[6] Urukiko rwasanze kandi Mukamanzi yarafatanyije n'umugabo we guha Nsanzimfura ubutumwa (mandat) bwo kugurisha inzu kuko inyandiko zo ku wa 29/09/2011 imwe yanditswe na Kanyarwanda, indi yanditswe na Mukamanzi, zigaragaza ko bafatanyije gusesa ubwo butumwa ku mpamvu z'uko batahawe raporo y'imicungire y'umutungo wabo, Mukamanzi akaba atari gusesa ubutumwa atagizemo uruhare kuko yasobanuye ko iseswa ry'ubutumwa ritewe no kuba batarahawe iyo raporo, akaba ataragombaga gusaba raporo y'ubutumwa atatanze.

[7] Urukiko rwasanze ibyemejwe n'Urukiko Rwisumbuye rwa Rubavu ko Mukamanzi yamenye akanemera ko Nsanzimfura ahabwa ubutumwa bwo kugurisha ikibanza N°48 Vol RT XX VII Folio 132 iri mu Mujyi wa Gisenyi bifite ishingiro, ko kandi inyandiko zo kuwa 29/09/2011 ari ibimenyetso bifatika bigomba gushingirwaho hemezwa ko inzu yagurishijwe Mukamanzi abizi kandi anabyemera.

[8] Ku birebana n'uko urukiko rwaciye urubanza mu rwego rwa mbere rwivuguruje, urukiko rwasanze umucamanza yarivuguruje aho yagaragaje ko hari ibimenyetso bigaraza ko Mukamanzi yagize uruhare mu butumwa bwahawe Nsanzimfura, mu cyemezo yafashe agaragaza ko ari Kanyarwanda wamutumye, anavuga ko Nsanzimfura yatumwe n'abantu benshi, yongera gutegeka ko ari Kanyarwanda uhawe inshingano yo kwubahiriza amasezerano cyangwa uwo yatuma wundi, atavuze Mukamanzi mu iyubahirizwa ry'amasezerano kandi nawe amureba, ruvuga ko Mukamanzi nawe afite inshingano yo kubahiriza amasezerano.

[9] Mukamanzi yajuririye Urukiko rw'Ikirenga avuga ko Urukiko rwirengagije ingingo yaburanishije igaragaza ko atigeze atanga ukwemera kwe mu buryo butaziguye haba mu butumwa Kanyarwanda yahaye Nsanzimfura cyangwa mu masezerano y'ubugure. Avuga kandi ko urukiko rwirengagije nta mpamvu rutanze urubanza yatanze rwaciwe n'Urukiko rw'Ikirenga ku kibazo nk'iki. Avuga ko ikindi anenga urubanza ari uko urukiko rwakoze

isesengura ritari ryo ry'ingingo ya 37 y'Itegeko Ngenga N°08/2005 ryo kuwa 14/07/2005 rigena imikoreshereze y'ubutaka mu Rwanda.

[10] Urubanza rwaburanishijwe mu ruhame tariki ya 05/01/2016, Mukamanzi Laurence ahagarariwe na Me Nkurunziza François Xavier, Kanyarwanda Cléophas ahagarariwe na Me Nizeyimana Boniface, naho Kwitunga Tonny ahagarariwe na Me Serugo Jean Baptiste afatanyije na Me Rukarishya Philémon.

II. IKIBAZO KIGIZE URUBANZA N'ISESENGURA RYACYO

Kumenya niba ubujurire bwatanzwe na Mukamanzi Laurence buri mu bubasha bw'Urukiko rw'Ikirenga.

[11] Mbere yo kwinjira mu mizi y'urubanza, Me Serugo Jean Baptiste na Me Rukarishya Philémon batanze inzitizi y'iburabubasha bw'Urukiko rw'Ikirenga, bavuga ko ishingiye ku biteganywa n'ingingo ya 28, igika cya nyuma y'Itegeko Ngenga rigena imiterere, imikorere n'ububasha by'Urukiko rw'Ikirenga. Basobanura ko Mukamanzi yatanze ikirego mu Rukiko Rwisumbuye rwa Rubavu aratsindwa, ajurira mu Rukiko Rukuru, urugereko rwa Musanze nabwo aratsindwa, bakaba basanga ubujurire bwe butari mu bubasha bw'uru rukiko kuko yatsinzwe mu nzego ebyiri ku mpamvu zimwe.

[12] Bakomeza bavuga ko mu rubanza RC0369/011/TGI/RBV rwaciwe n'Urukiko Rwisumbuye rwa Rubavu tariki ya 03/08/2012, hashingiwe ku nyandiko ebyiri zigaragaza neza ko Mukamanzi yari azi ubutumwa bwatanzwe n'umugabo we (urupapuro rwa 4- 6 igika cya 10), ko kandi yari yabwemeye, ko no mu rubanza RCA0154/12/HC/MUS rwaciwe n'Urukiko Rukuru, urugereko rwa Musanze tariki ya 06/12/2012, Mukamanzi Laurence nabwo yatsinzwe hashingiwe kuri izo nyandiko uretse ko habayeho ikosa ku itariki imwe yandikiweho, urwo rukiko rwemeza ko ibyemejwe n'umucamanza wa mbere bidahindutse, bivuze rero ko impamvu zashingiweho ari zimwe.

[13] Me Nkurunziza François Xavier uhagarariye Mukamanzi Laurence avuga ko impamvu zashingiweho n'umucamanza wa mbere atari zo zashingiweho n'umucamanza wa kabiri. Asobanura ko Mukamanzi yatanze ikirego ashingiye ku ngingo ya 21 n'iya 22 z'Itegeko ryerekeye imicungire y'umutungo w'abashyingiranywe ndetse n'iya 35 na 37 z'Itegeko ry'ubutaka ryo mu mwaka wa 2005, anashingira ku rubanza RCOM0001/07/CS rwaciwe n'Urukiko rw'Ikirenga tariki ya 24/07/2008, haburana Rwigema Joséphine na ECOBANK Rwanda, ko ku rupapuro rwa 4, igika cya 10 rw'urubanza RC0369/011TGI/RBV, umucamanza wa mbere yavuze ko Mukamanzi yatanze ubutumwa ariko ko nta kigaragaza ko yemeye ko umutungo ugurishwa.

[14] Akomeza avuga ko mu rubanza RCA0154/12/HC/MUS umucamanza wa kabiri nta cyo yavuze ku ngingo ya 21 n'iya 22 z'Itegeko rigenga imicungire y'umutungo w'abashyingiranywe, ko yavuze ku ngingo ya 37 y'Itegeko ry'ubutaka ryo mu mwaka wa 2005, avuga ko bitabuza umucamanza gushingira ku bindi bimenyetso, bivuze ko umutungo wa Kanyarwanda wose yatangiye uburenganzira bwo gucunga, yemeye ko ugurishwa, ko Mukamanzi Laurence atigeze yemera ko umutungo w'umuryango ugurishwa.

UKO URUKIKO RUBIBONA

[15] Ku byerekeye ububasha bw'Urukiko rw'Ikirenga ingingo ya 28 igika cya 2, n'icya 5 y'Itegeko-Ngenga N°03/2012/OL ryo ku wa 13/06/2012 rigena imiterere, imikorere n'ububasha bw'Urukiko rw'Ikirenga, iteganya ko Urukiko rw'ikirenga rufite ububasha bwo kuburanisha mu rwego rw'ubujurire imanza zaciwe ku rwego rwa kabiri n'Urukiko Rukuru, iyo zujuje ibiteganywa muri iyo ngingo. Icyakora, urubanza umuburanyi yatsinzwe ku rwego rwa mbere n'urwa kabiri ku mpamvu zimwe, ntirushobora kujuririrwa mu Rukiko rw'Ikirenga.

[16] Nk'uko byagaragajwe haruguru, imiterere y'uru rubanza igaragaza ko rwatangiriye mu Rukiko Rwisumbuye rwa Rubavu, rujuririrwa mu Rukiko Rukuru Urugereko rwa Musanze, Kwitunga Tonny atsindira ko hagumaho amasezero y'agateganyo y'ubugure bw'inzu iri mu kibanza N°48, Vol RT XX VII Forio 132 mu Mujyi wa Gisenyi, Akarere ka Rubavu, yabaye hagati ya Nsanzimfura Kayitare François na Kwitunga Tonny, maze inzu ikamwandikwaho. Ayo masezerano niyo yari yasabiwe guseswa mu kirego Mukamanzi Laurence yatanze avuga ko yasezeranye na Kanyarwanda bavanze umutungo, ko umugabo we yahaye ubutumwa Nsanzimfura bwamuhaga ububasha bwo kugurisha iyo nzu, akaba atarasinyeho, ibyo bikaba binyuranyije n'amategeko cyane cyane ingingo ya 35 y'Itegeko ry'ubutaka ryo mu mwaka wa 2005, n'ingingo ya 21 y'Itegeko ryerekeye imicungire y'umutungo w'abashakanye.

[17] Mu rubanza RC0369/011/TGI/RBV rwaciwe n'Urukiko Rwisumbuye rwa Rubavu tariki ya 03/08/2012, urukiko rwasanze amasezerano y'ubugure yabaye hagati ya Nsanzimfura Kayitare François na Kwitunga atagomba gufatwa nk'aho Mukamanzi Laurence atari ayazi kubera ko umwunganira ashingira gusa ku mategeko kandi ashaka kugaragaza ko Mukamanzi atasinye ku butumwa bwahawe Nsanzimfura bivuze ko atumvikanye n'umugabo we, kandi atari byo kuko n'ubwo Itegeko ribivuga ko bagirana ubwumvikane bwo gucunga umutungo, si ngombwa ko ubwo bwumvikane bugaragazwa no gusinya kuri "procuration", ahubwo ubwumvikane bugaragazwa n'ibindi bimenyetso nabyo byanditse cyangwa se ibindi kandi nabyo bishingiye ku mategeko.

[18] Muri ibyo bimenyetso, urukiko rwashingiye ku nyandiko yo kuwa 29/09//2011 yakozwe na Mukamanzi yandikira Nsanzimfura, ikubiyemo amagambo agaragaza ko ubutumwa we n'umugabo we bari barabutanze babuziranyeho kandi nawe abuzi azi n'icyakurikiyeho kuko mu gika cyayo cya mbere yavuze ko ashaka kumugezaho inyandiko isesa ubutumwa bwerekeranye no gucunga umutungo ndetse n'ubwo kugurisha inzu y'i Gisenyi, mu gika cya 2 amusaba ko akimara kubona iyo barwa, nk'umugore wa Kanyarwanda basangiye umutungo ashyigikiye iryo seswa kandi akamusaba no guhita amuha raporo y'imicungire.

[19] Ikindi kimenyetso cyashingiweho kigaragaza ko Mukamanzi yari azi ubutumwa, ni ibaruwa yanditswe na Kanyarwanda nayo yo kuwa 29/09/2011 aho avuga ko we n'umugore we bahaye Nsanzimfura ububasha bwo kubacungira umutungo (…).

[20] Urukiko rwasanze izo nyandiko zombi zigaragaza ko hari ikintu Mukamanzi na Kanyarwanda bashaka gukora ariko amategeko atemera: gusesa ubutumwa ntabwo byatewe n'uko bwakozwe Mukamanzi n'umugabo batabyumvikanyeho, ahubwo byatewe n'uko uwo batumye yabakoreye nabi, noneho inkurikizi yabyo iba kumwambura ubutumwa n'ibyo yakoze mbere y'uko babumwambura bifuza ko biseswa, ko ariko ibyo bitaryozwa Kwitunga hashingiwe ku biteganywa n'ingingo ya 531 kugeza ku ya 532 CCLIII.

[21] Urukiko rwasanze kandi kuba Mukamanzi adahakana ko ubwishyu bw'amafaranga y'ikiguzi cy'inzu ariyo yishyuye umwenda we n'umugabo we bari bafite muri BCR, nabyo bigaragaza ko yari azi ubutumwa bwatanzwe n'umugabo we.

[22] Urukiko rwanashingiye ku bimenyetso bicukumbuwe bigaragaza ko ikirego cya Mukamanzi nta shingiro gifite nko kuba Kanyarwanda watanze ubutumwa ari we watumye umugore we ngo aze amurege, kuba baburanirwa na ba Avoka bamwe, Kanyarwanda agafasha umugore we kubona ibimenyetso (urubanza RCA0247/11/TGI/MHG rwari rutegerejwe rwemeza ko habaye ubushyingiranwe hagati yabo), kuba baburanisha ingingo zimwe, bigaragaza ko inyungu bafite ari zimwe.

[23] Mu rubanza RCA0154/12/HC/MUS rwaciwe n'Urukiko Rukuru, urugereko rwa Musanze tariki ya 06/12/2012, bigaragaza ko narwo rwasanze Mukamanzi yarafatanyije n'umugabo we Kanyarwanda guha Nsanzimfura Kayitare François ubutumwa bwo kugurisha inzu, kubera ko inyandiko zo kuwa 29/09/2011 imwe yanditswe na Kanyarwanda indi yanditswe na Mukamanzi zigaragaza ko bafatanyije gusesa ubwo butumwa ku mpamvu z'uko batahawe raporo, rusanga Mukamanzi atari gusesa ubutumwa atagizemo uruhare cyane cyane ko yanasobanuye ko iseswa ry'ubwo butumwa ritewe no kuba batarahawe raporo, Mukamanzi akaba rero ataragombaga no gusaba raporo y'ubutumwa atatanze.

[24] Urukiko rwasanze kandi ibiteganywa n'ingingo ya 37 y'Itegeko Ngenga N°08/2005 ryo kuwa 14/07/2005 rigena imikoreshereze y'ubutaka mu Rwanda yirengagijwe iteganya ko: "kwemerwa kuvugwa mu ngingo ya 35 y'Itegeko Ngenga kugaragazwa n'inyandiko yashyizweho umukono w'abarebwa n'icyo kibazo cyangwa bateyeho igikumwe, bikorewe imbere y'umwanditsi w'irangamimerere cyangwa imbere y'umukuru w'ibiro by'ubutaka akanabyandika mu bitabo", bitabuza umucamanza kuba yakwifashisha ibindi bimenyetso bishobora kugaragaza ko abagize umuryango bemeye gutanga uburenganzira bwo kugurisha ubutaka, ari nayo mpamvu inyandiko zo ku wa 29/09/2011 ari ibimenyetso bifatika kandi bigomba gushingirwaho hemezwa ko inzu yagurishijwe Mukamanzi abizi kandi anabyemera.

[25] Urukiko rwanakosoye ikibazo cyo kwivuguruza cyari mu rubanza rwa mbere ku byerekeye abagomba kubahiriza amasezerano, ruvuga ko na Mukamanzi agomba kuyubahiriza, rwanzura rushimangira ko ibyemejwe n'Urukiko Rwisumbuye rwa Rubavu bigumanye agaciro.

[26] Urukiko rusanga rero inkiko zombi zabanje zarasanze hari ibimenyetso byemewe n'amategeko zibishingiraho zigaragaza ko Mukamanzi yagize uruhare mu butumwa bwatanzwe n'umugabo we Kanyarwanda bwo kugurisha inzu, ko rero amasezerano y'ubugure bw'agateganyo yabaye hagati ya Nsanzumuhire Kayitare François watumwe na Kwitunga Tonny yaregeye atagomba guseswa, ahubwo nawe agomba kuyubahiriza.

[27] Hashingiwe ku ngingo ya 28 igika cya 2 n'icya 5 y'Itegeko-Ngenga N°03/2012/OL ryo ku wa 13/06/2012 ryavuzwe haruguru no ku bimaze kuvugwa haruguru, urukiko rurasanga Mukamanzi Laurence yaratsinzwe ku rwego rwa mbere n'urwa kabiri ku mpamvu zimwe, bityo ubujurire bwe ntibugomba kwakirwa ngo busuzumwe kuko butari mu bubasha bw'Urukiko rw'Ikirenga.

III. ICYEMEZO CY'URUKIKO

[28] Rwemeje ko inzitizi y'iburabubasha bw'Urukiko rw'Ikirenga yatanzwe na Kwitunga Tonny ifite ishingiro.

[29] Rwemeje ko ubujurire bwa Mukamanzi Laurence butari mu bubasha bw'Urukiko rw'Ikirenga.

[30] Rutegetse Mukamanzi Laurence kwishyura 100.000Frw y'amagarama y'urubanza.