Ibitegerejwe ku rubanza rwa Félicien Kabuga

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Ku itariki ya 16 Gicurasi 2020, Félicien Kabuga, umwe mu bantu ba nyuma bakomeye bakekwaho kuba barakoze icyaha cya jenoside umaze imyaka irenga makumyabiri ashakishwa n'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda (TPIR), noneho uru rukiko rumaze gufunga, akurikiranwa n'Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha (MICT), yafatiwe mu Bufaransa, mu nkengero z'i Paris, aho yari amaze imyaka irenga icumi atuye, agendera kw'izina ritari irye. TPIR imushinja ibyaha bikomeye cyane bya jenoside yakoze nka perezida wa Komite yashinze radiyo RTLM (*Radiotélévision Libre des Mille Collines*) guhera muri Mata 1993 n'ibyo yakoze nka perezida wa Komite y'agateganyo y'Ikigega cyo kurengera igihugu kuva gishingwa muri Mata 1994.

Ifatwa rye ni intangiriro y'urubanza ruzamara igihe kirekire. Nubwo uregwa ari umukambwe ugeze mu zabukuru (afite imyaka 85), kwitaba urukiko bwa mbere ngo aburane mu mizi ntibizaba mbere y'ibyumweru byinshi kandi urubanza rwe ntiruzasomwa mbere nibura y'imyaka itatu. Uretse kuba hitezwe cyane ko urukiko rushobora kuzamuhamya icyaha, hari impamvu nyinshi zigaragaza ko ntawakwizera ko hazashyirwa ahagaragara ibimenyetso byerekana ukuri ku byabaye kubera ko abantu bo mu nzego za politiki n'iz'ubucamanza ndetse n'iz'ubukungu, bari mu gihugu imbere cyangwa b'abanyamahanga, bivanze muri uru rubanza.

MICT, kimwe n'u Rwanda, byashyizeho inzego zitwara amafaranga menshi kandi zitwara nk'abakeba ariko zitagira imanza zisuzuma. Guhera muri Kamena 2018, ubutegetsi bwa Kigali bwashyizeho urwego rushinzwe imirimo y'ubutabera yerekeye imanza zishobora kuzaburaninshizwa mu Rwanda. Urwo rwego rwashyizweho kugira ngo ubutegetsi bw'u Rwanda bwerekane ko bwacutse, butagikeneye inzego z'ubutabera bwasigiwe n'umuryango w'Abibumbye binyuze muri TPIR. Icyo gihe, u Rwanda rwatangije Urugereko rudasanzwe rushinzwe kuburanisha imanza zoherejwe mu Rwanda na TPIR/MICT cyangwa n'ibindi bihugu, urwo Rugereko rukaba rukorera mu nyubako y'ubutabera iri i Nyanza, yubatswe ku bufatanye bw'igihugu cy'u Buholandi.

Muri iri hangana ryavutse buri gice gishaka kwerekana ko ari cyo gifite uburenganzira kurusha ikindi, MICT ikomeza gukora imirimo yayo mu rwego rwemewe n'amategeko, nubwo u Rwanda rugerageza kuyereka ko rwishoboye rutayikeneye. Ni muri urwo rwego, ku itariki ya 20 Mata 2020, Kigali yakoze ibishoboka byose maze Inama Rusange y'Umuryango w'Abibumye ifata umwanzuro uvuga ko inkiko zarwo zifite ububasha bwo kuburanisha imanza zose. Mbere yo gufatwa, icyo cyemezo cyakuruye impaka zikaze, ku buryo Icyemezo 74/273 kidakomoza nkana kuri MICT kandi ari yo ifite ububasha busumbye ubw'inkiko z'ibindi bihugu byose bwo gucira imanza abantu bakomeye bakekwaho kuba barakoze icyaha cya jenoside.

Nubwo hari ipiganwa hagati y'inzego z'ubutabera, ifatwa rya F. Kabuga n'amaburanisha azakurikiraho azaba mu buryo budatunguranye. Kuba yaburanishirizwa mu Bufaransa, nk'uko abamwunganira babisabye, byahise byangwa. Kimwe n'ubusabe bwa Porokireri wa MICT,

Serge Brammertz, wifuje ko uregwa yakoherezwa by'agateganyo i La Haye kubera ubuzima bwe butameze neza ndetse n'icyorezo cya koronavirusi. Yavugaga ko ibyo byombi ari imbogamizi ku cyemezo cyo kumwohereza Arusha.

Ku itariki ya 23 Gicurasi, nyuma yuko *Ibuka* isabye u Bufaransa na MICT kohereza Félicien Kabuga mu Rwanda, umuvugizi w'Ubushinjacyaha Bukuru, Faustin Nkusi, yatangaje ko namara kugera Arusha, MICT ishobora kuzamwohereza mu Rwanda nkuko TPIR yabikoze ku zindi manza zabaye mbere.

Ku itariki ya 28 Gicurasi, umucamanza wa MICT, William Sekule, yemeje ko azoherezwa Arusha, bityo ahagarika, mu gihe gito, impaka kuri iyo ngingo. Ku itariki ya 30 Gicurasi, icyo cyemezo cye cyashyigikiwe n'« abashinjacyaha b'ab'Abanyarwanda ». Bamaze kubona ko icyifuzo cyabo cyo kumuburanishiriza mu Rwanda kidashoboka aho urubanza rugeze, *« bavuze ko bemera icyemezo cyo kuburanishiriza Kabuga Arusha* » kandi ko bazakorana « *umurava n'abashinjacyaha babagezaho ibimenyetso bikenewe* ».

Ku itariki ya 3 Kamena, urukiko rw'ubujurire rw'i Paris rwashimangiye icyemezo cyafashwe cyo kumwohereza. Ariko icyo cyemezo ntikizajya mu bikorwa mbere y'itariki ya 2 Nzeri, biramutse byihuse, itariki ababuranyi bombi bazatanga imyanzuro yabo imbere y'urukiko rusesa imanza rwagejejweho ikirego n'abunganira Félicien Kabuga.

Uko ibintu bizakurikirana mu rwego rw'amategeko biruzuye : kubera ko ifatwa rye ari ikintu gikomeye, nta muntu numwe wateranye amagambo avuga ko afite ububasha bwo kumuburanisha busumbye ubw'abandi kugira ngo bidahungabanya icyemezo cy'inkiko z'u Bufaransa, bityo bigatinza iburanisha, nubwo buri wese yashoboraga kuvuga ko yagize uruhare mw'ifatwa rye.

Porokireri wa MICT, Serge Brammertz, yashoboraga kuvuga ko yageze ku bintu byiza cyane mbere yuko yongererwa gukomeza imirimo ye, bityo bikamwongerera amahirwe ku mwanya yiyamamarijeho wo kuba Porokireri w'Urukiko Mpanabyaha Mpuzamahanga. U Bufaransa bwashoboye kwivanaho umutwaro wo kuburanisha urwo rubanza nta muntu ubunenze ko bwacumbikiye uwo mushyitsi wakoreshaga izina ritari irye. Ubutegetsi bw'u Bufaransa bwohereje gukorera i Kigali Porokireri wungirije wo mw'Ishami ryihariye rishinzwe kurwanya ibyaha by'itsembatsemba ryo mu Rukiko rukuru rw'i Paris, aho azakurikirana, nk'umukozi wa MICT, imirimo y'iperereza kuri Félicien Kabuga. Ku ruhande rwayo, Tanzaniya yishimiye ko Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha rukomeza imirimo yarwo Arusha. Ku birebana n'abategetsi b'u Rwanda, bongeye kubona amahirwe yo gushyira mu bikorwa ingamba zabo zo gukurikira buri kantu kose nk'uko babikoraga igihe TPIR yakoraga imirimo yayo ; bityo bazagira ijambo rikomeye ku nzego zose zerekeye itegura ry'urubanza n'ibizaruvamo.

Ibyo u Rwanda rwifuza

Nkuko rubigenza ku manza zose zerekeye abenegehigu barwo batuye mu mahanga, abategetsi b'u Rwanda bakoresheje ibinyamakuru bya Leta ndetse n'abamotsi babo basanzwe kugira ngo batangaze intego zabo.

Ibyo bibukije n'ingufu mu buryo butunguranye ni ukubahiriza « ibyagezweho » na TPIR. Ni muri urwo rwego ikinyamakuru le *New Times* cyatangaje igitekerezo kigaruka ku ihame ryerekekeye ibintu bitagomba kugirwaho impaka byemejwe n'Urugereko rw'ubujurire rwa TPIR, mu mwaka wa 2006, ko « jenoside yakorewe Abatutsi » ari igikorwa kizwi n'abantu bose, gifite ingufu z'icyaburanishijwe burundu kandi kigomba kubahirizwa na bose (*erga omnes*).

Icyo ubutegetsi bw'i Kigali bwifuza, ni ukobona izindi manza zuzuza kandi zagura ibyabaye byemejwe n'abacamanza ba TPIR. Bityo, ubutegetsi bw'u Rwanda bwifuza ko urubanza rwa

Kabuga Arusha rwahinduka iburanisha rya nyuma rikosora ibitaragezweho, nko kugaragaza ko habayeho « ubwumvikane » no kwemeza ingingo buhora bwifuza ariko itaremejwe mu rwego rw'amategeko ko habayeho « gutegura jenoside y'Abatutsi imyaka myinshi mbere yuko iba ». Kuba iyo ngingo itaremejwe, byatumye kuva imyaka irenze icumi abategetsi b'u Rwanda bahora bibasira bikomeye by'umwihariko abacamanza ba TPIR, ndetse no muri rusange, bibasira Urukiko Mpanabyaha Mpuzamahanga Rwashuiriweho u Rwanda, barega kujenjeka cyangwa gushyigikira « abahakana jenoside ».

Uru rubanza rushobora gutuma icyari gitegerejwe kigerwaho kubera ubukangurambaga bwabaye bwo kwibasira Abatutsi bwakozwe n'abayobozi ba radiyo RTLM n'igurwa ry'imipanga ryaba ryarabaye bateganya icyo izakoreshwa. Ariko kugira ngo ibyo bizagerweho, ibyo bikorwa bigomba kwemerwa « nk'ibintu bizwi na bose », bityo bigahinduka ukuri kuzwi n'isi yose. Ibyo bizasaba nanone ko MICT yemera kwifashisha ibimenyetso nk'ibyo nubwo bihabanye n'ububasha bwayo bushingiye ku gihe icyaha cyakorewe (*ratione temporis ;* mu nyandiko, ubwo bubasha bushingiye ku gihe icyaha cyakorewe ntibwemerera MICT gukurikirana ibikorwa byabaye mbere y'itariki ya mbere Mutarama 1994.

Mu buryo bwaguye, ibyaha birindwi TPIR ishinja uregwa (jenoside, ubufatanyacyaha muri jenoside, guhamagarira abantu mu buryo butaziguye kandi mu ruhame gukora jenoside, ubwinjiracyaha bwa jenoside, ubwumvikane bugamije gukora jenoside, gutoteza no gutsembatsemba) bituma hashobora gutangwa ubuhamya n'ibimenyetso bivuga ku bandi bantu. Ibyo byatuma urutonde, hahamagajwe abatangabuhamya bateguwe n'u Rwanda, rw'ibyabaye bikomeye byemejwe n'urukiko mpuzamahanga byiyongera ; bityo bigashyigikira uko u Rwanda rwanditse amateka y'amahano yagwiriye icyo gihugu, kandi rukaboneraho umwanya wo kumvikanisha, mu rwego rwo kurwanya ihakana n'ipfobya rya jenoside, ko ruharanira gukwiza ku isi yose amateka rwiyandikiye.

Byongeye kandi, uru rubanza rushobora guha umwanya abategetsi b'u Rwanda kwibutsa ibyo bahora bavuga, ko ibihugu bifite inshingano zo kuburanisha abakoze ibyaha kandi ko Umuryango w'Abibumbye ukwiye gushyiraho ikigega mpuzamahanga gishinzwe guha indishyi z'akababaro abahohotewe n'abarokotse « jenoside yakorewe Abatutsi, nk'uko bishimangirwa mu nyandiko yasohotse muri *New Times*. Icyo kigega cyashyirwamo amafaranga n'ibihugu byose « byagize uruhare » mu buryo butaziguye cyangwa buziguye mu ikorwa rya jenoside.

« Ni yo ntambara abacitse ku icumu bagiye kurwana mu minsi iri imbere » nkuko ikinyamakuru *New Times* kibyemeza mu gusoza inyandiko yacyo. Itorwa, bitaruhanije ry'umwanzuro wo ku wa 20 Mata 2020 wafatiwe mu Nteko Rusange y'Umuryango w'Abibumbye, rituma umuntu atekereza ko bashobora kuzabitangira mu kwezi kwa Mata 2021. Icyizere gicubya muri iki gihe ubukana bugaragazwa mu mayeri n'abategetsi b'u Rwanda kuva bakimara kumva icyemezo cyo kohereza Félicien Kabuga kuburanira imbere y'u Rwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha, icyemezo cya ngombwa urebye aho imirimo y'iburanisha igeze.

Ingorane ubushinjacyaha buzahura nazo

Biroroshye kurondora ingingo z'ingenzi zizagaragara mu bitegerejwe kimwe no mu ngorane muri uru rubanza.

Icya mbere kijyanye n'imyaka makumyabiri n'itandatu uregwa amaze yihishe, uko yagiye abigenza bikwiye kandi bizasabwa gushyirwa ahagaragara n'uburyo bwose bwakoreshejwe ngo bishoboke. Icyi ngenzi muri ibyo, ikibazo cya za pasiporo zakoreshejwe na za konti mu ma banki, ni ikibazo kigiteye urujijo.

Ku Banyarwanda bakurikiranwe n'ubutabera cyangwa se abumva bashobora kuzakurikiranwa, guhitamo ibihugu bibakira, biterwa n'icyizere cy'umutekano ibyo bihugu

bishobora kubaha cyangwa se inyungu z'amafaranga bishobora kuvanamo no kwizera ko bashobora gushyigikirwa n'abanyagihugu.

Aha ni ho usanga umubare w'ibihugu byinshi cyangwa w'ibikomerezwa byo mu migabane itanu y'isi byamaganiye kure igitero cyo ku ya mbere Ukwakira 1990 cyagabwe ku Rwanda n'ingabo z'Inkotanyi zigashora igihugu cyose mu ntambara.

Ibyo bihugu ni byo kandi byagaragaje, ku itariki ya 6 Mata 1994, nyuma y'ihanurwa ry'indege ya Perezida ryasize iheruheru ubutegetsi bukuru bw'igihugu n'ubw'ingabo, ko bitegereje kubona amasezerano y'amahoro yari amaze gusinywa n'impande zombi zishyamiranye, ajya mu bikorwa kimwe n'ishyirwaho z'inzego za politiki z'inzibacyuho, mu minsi itatu yakurikiraga ihanurwa ry'indege ya Perezida.

Ibyo bihugu nanone, nyuma y'ugutsinda kw'inyeshyamba zashyizeho ubutegetsi bw'igitugu, byafashije ibihumbi n'ibihumbagiza by'Abanyarwanda basohotse mu gihugu bameneshejwe, bahunga ubwicanyi bushingiye ku kwihorera ; bahunze kandi igihugu kitari kigifite ubutegetsi bushingiye ku mategeko, n'ubwikubire bw'ubutegetsi bwari mu maboko y'abatsinze bonyine ndetse no kwigarurira imitungo yose. Izo mpunzi zashoboye kwiyambaza ubutegetsi bw'ibihugu n'abategetsi babyo, bari bagikomeye ku « Rwanda rwo hambere ».

Nyamara ukujegajega kwa za Leta zimwe na zimwe, guhindura abategetsi mu nzego za politiki, ugukendera kw'abahoze bakina politiki mu myaka ya 1990, ingufu zashyizwe mu rwego rw'ububanyi n'amahanga, muri politiki ndetse no mu bya gisirikari byakozwe n'abategetsi bashya b'u Rwanda kimwe n'ubufasha bahawe n'urwego rwa *Interpol*, ibyo byose byageze aho bibogamira impunzi zahungiye mu bihugu bitaratera imbere mu majyambere, cyane cyane ibyo muri Afurika. Akazi ko kurwanya umuco udahana kakozwe n'Urukiko Mpuzamahanga Mpanabyaha Rwashyiriweho u Rwanda ndetse n'inzego z'ubutabera z'ibihugu runaka, byaciye intege buhoro buhoro cyangwa bihashya burundu, abari bagize amatsinda aharanira ikiremwamuntu mu mpunzi.

Bityo guhitamo kujya gutura mu Burayi, by'umwihariko mu Bufransa hakoreshejwe izina ry'irihimbano, byarashobotse bitaruhanije kandi byaramufashije mu rwego rw'amafranga yari amaze kuba make. Mu gusoza kuri iyi ngingo, gucika ubutabera n'urugendo rwa nyuma rwo kwihisha igihe kirekire bya Félicien Kabuga byashobotse kubera ko yavuganaga gusa n'abantu bo mu muryango we bwite.

Bizarushya kuvumbura inzira yanyuzemo zose no kumenya abantu baziranye nawe kuva kera babigizemo uruhare mu bihugu byinshi binyuranye, urugero nko kumenya inzego z'imirimo n'abantu barinze Kabuga, cyangwa bakingiye ikibaba uko gutoroka no kwihisha. Abo si bo bazajya mu gikorwa, babyibwirije, cyo kugaragaza ukuri n'ubutabera.

Kuva ku birego kugera ku bimenyetso

Mu itangazamakuru, ibihavugwa n'ibihatangazwa, usangamo ibitekerezo bimwe nk'ibyo mu wa 1999 igihe Porokireri Carla del Ponte ashyira ahagaragara inyandiko y'ibirego. Usangamo ibisobanuro bimwe ko uregwa yari umutumizi w'imipanga mu mahanga, ko iyo mipanga yakoreshejwe n'abakoze jonoside, ko yari "umuntu ukize kurusha abandi mu gihugu", ko yari afite icyo apfana n'umuryango wa Perezida wa Republika, imirimo yari ashinzwe mu buyobozi bwa RTLM, gutanga inkunga y'amafaranga mu gutunganya imikorere y'inzego z'insoresore zitwara gisirikare no muri gahunda yo kwirwanaho kw'abaturage. Kuri izi ngingo ebyiri za nyuma, habayeho imanza nyinshyi zaciwe kandi zagaragaje imyanzuro ihagije yumvikana; ariko ku bindi aregwa, haracyari akazi k'ubushakashatsi bwimbitse nko gusobanura ingingo yerekeye " gutanga inkunga y'amafaranga mu ikorwa rya jenoside".

Kuva mu wa 1995, Porokireri w'Urukiko Mpuzamahanga Mpanabyaha Rwashyiriweho u Rwanda yakoze amaperereza atandukanye ku birebana n'amafaranga agamije kumenya uruhare

rwa Minisitiri w'imari (Emmanuel Ndindabahizi) na Minisitiri w'Imigambi ya Leta (Augustin Ngirabatware), urwa Félicien Kabuga, sebukwe w'uyu Ngirabatware no ku bandi bantu. Ibiro bya Porokireri byavugaga ko « umugambi wo gukora jenoside » wagombaga kuba uherekejwe ukanarangwa n'ibyemezo bigaragara mu rwego rw'ubukungu. Mu bimenyetso yashakaga gutanga harimo ibikubiye mu cyiswe raporo Galand-Chossudovsky ivuga ko « gucura umugambi wa jenosidi » byashobotse kubera ko F. Kabuga yatumije mu mahanga umubare uhanitse kandi udasanzwe w'imipanga. Mu gihe gito cyane, ubushakashatsi bwa TPIR bwasanze nta bimenyetso bifatika kuri iyo ngingo. Ku rundi ruhande, inyandiko zavuye mw'ishami ry'ishyinguranyandiko zo muri za minisiteri zibishinzwe nk'izarebwaga n'amafaranga akoreshwa mu bya gisirikari ntizagaragaje isano n'ikorwa rya jenoside. Ingingo yerekeye uruhare rw'imipanga basanze idafatika (reba inyandiko ya R.Tissot). Porokireri yasanze bizamugora cyane kugaragaza uburyozwacyaha butaziguye bw'uregwa ku giti cye no kwemeza ko iyo mipanga yari yatumijwe hagambiriwe kwica abantu. Ubwinshi bw'inyandiko mbonezamibare n'icungamari zagombaga gusuzumwa, igiciro gihanitse cyo guhemba abazakora ako kazi, kuba byaramunaniye kwerekana ko habayeho igitekerezo cyo gukora jenoside, ibyo byose byatumye Porokireri azibukira igingo yuko habayeho igikorwa cyo gukusanya amafaranga "mbere" yuko jenoside iba.

Mu mwaka wa 1999, amaze kubona ko iyo ngingo imunaniye, Porokireri yerekeje ubushakashatsi bwe ku birebana n'ipererezа rijyanye n'ikoreshwa ry'amafaranga mu gusuzuma inyandiko mpuzamibare n'izerekeye icungamari n'imitegekere y'abakozi bo mu bigo bya Leta n'ibyikorera ku giti cyabyo. Iryo cukumbura ryashoboye kwerekana uburyo amafaranga yakusanyagwa kandi rigaragaza inzego zafashije mu gushyiraho no gutoza urubyiruko rwa MRND n'urw'ayandi mashyaka ya politiki. Iryo cukumbura ryashyize kandi ahagaragara uburyo imitungo y'ibigo bya Leta yakoreshejwe mu ntambara ishyamiranya abanyagihugu n'ubwo ibyinshi byagiye bikorwa n'amafaranga aherekanijwe mu ntoki; bityo nta bimenyetso bifatika kuri iryo cicikana ry'amafaranga.

Mu mwaka wa 2001, amaperereza yateye indi ntera kubera ko Minisitri w'Ubucamanza, Jean de Dieu Mucyo, yasabiye abakora amaperereza uburenganzira bwo gusuzuma imikorere ya za banki zo mu Rwanda no gusuzuma konti z'abantu ku giti cyabo n'iz'inzego bakekwagaho kuba baranyereje imitungo mu buryo rusange y'amasosiyete ya Leta n'aya za minisiteri ku nyungu za politiki. Hanyerejwe imitungo y 'amasosiyeti ya Leta no mu ngengo y'imali ya za ministeri zikomeye. Hifashishijwe inyandiko zifatika, umurimo wo kujonjora, wo gukusanya amakuru no kunononsora iyigwa ryayo, werekanye imiyoboro yo kunyereza bikabije amafranga yagenewe imishinga y'amajyambere, ayo mu bigo bya Leta no muri za minisiteri. Iryo nyereza rikaba ryarakozwe mu nyungu zihariye bwite z'abantu ku giti cyabo, gushaka abo bakorana cyangwa ababayoboka, gushinga amasosiyeti ya nyirarureshwa yifashishijwe mu gusohora amafaranga mu gihugu rwihishwa cyangwa gusohora "amafranga y'abantu ku giti cyabo" bayajyana mu mahanga bamaze kubona ko gutsindwa kwegereje.

Ibimenyetso simusiga byatanzwe mu manza zikomeye, haba imbere y'Urukiko Mpuzamahanga Mpanabyaha Rwashyiriweho u Rwanda ndetse n'imbere y'izindi nkiko z'amahanga. Kubera umuco wo kudahana warangwaga muri izo nzego, kohereza amafaranga hanze byakorwaga ku buryo butaziguye yerekeza kuri za konti nyirizina y'ibikomerezwa. Ibyo byateye inkeke ikomeye cyane mu bantu batandukanye. Batangiye gutinya ko amaperereza yerekeranye na jenoside ashobora gushyira ahagaragara uburyo bwakoreshwaga kera cyangwa bukoreshwa muri iki gihe bwo kunyereza umutungo w'igihugu cyangwa uw'amasosiyete yigenga, bawikubira ku nyungu zabo cyangwa iza politiki.

Muri Gicurasi 2001, ibiro bya Porokireri byageragеje kwagura ubushakashatsi bwabwo kugira ngo bushyiremo abari mu bushorishori bw'ubutegetsi. Hemejwe gahunda y'akazi kajyanye n'ubwo bushakashatsi yohererezwa Minisitiri w'Ubucamanza iherekejwe n'umugereka w'urutonde rw'amazina y'abantu ku giti cyabo n'ay'ibigo bitandukanye. Ubwo

busabe bwarimo kandi amafaranga yoherejwe n'abategetsi ba Leta nshya bigabije za konti n'imitungo y'abari bagize Leta yavuyeho bitabye Imana, abakurikiranyweho ibyaha cyangwa abo ubutegetsi bushya bwagize "ingaruzwamuheto".

Nyamara uwo munsi nyirizina w'ubwo busabe, igikuba cyaracitse mu mabanki, cyane cyane ayo mu Bubiligi, yihutiye gutangariza hamwe ko adashyigikiye icyo cyemezo maze abimenyesha ubutegetsi bw'ikirenga bw'u Rwanda. Ayo mapererezа yatewe utwatsi havugwa ko yabangamira «inzira y'ubwiyunge bw'igihugu» no «kubaka igihugu» kubera ko ashobora gutera ubwoba abashoramari bakora imirimo yo gutumiza no kohereza ibintu mu mahanga, kandi bo batarebwaga n'iryo perereza.

Bizagenda bite mu mezi ari imbere, igihe abashinzwe iperereza bo mu biro bya Porokireri bazasaba ibimenyetso nk'ibyo bifatika mu Rwanda, mu Bubiligi, mu Busuwisi, mu Bufransa cyangwa n'ahandi? Ese umuntu yakwizera ko izo nyandiko mbikamateka zaba zarabitswe neza?

Ukwizerwa kw'abatangabuhamya

Ikibazo cya gatatu kerekeye ukwizerwa kw'abatangabuhamya. Kuri iyi ngingo ntawabura gutangazwa n'ubuhanga abigisha b'abanyarwanda babyitwaramo. Bazi gukoresha amahugurwa yimbitse y'abatangabuhamya batoranijwe, bagenewe gucura ibimenyetso ku buryo bigorana kubivuguruza kubera ko abategetsi ari bo bonyine bafite uburenganzira bwo kugera ahantu hose no guhura n'abahatuye.

Nkuko byagaragaye mu manza nyinshi, u Rwanda ntirwigeze rwemera kuzibukira ingeso yo gukoresha abatangabuhamya bashinja ibinyoma, cyangwa bacura ibimenyetso by'amariganya. Nk'urugero, umuntu yakwibaza niba Ubushinjacyaha Bukuru buzatinyuka gutanga nk'umutangabuhamya, uwahoze ari umunyamakuru kuri radiyo RTLM, Valérie Bemeriki? Nyuma y'aho bamukatiye igihano cyo gufungwa burundu mu Rwanda, yahindutse umutangabuhamya wa hato na hato w'abategetsi mu manza nyinshyi, nubwo mu rubanza rwiswe urw'abanyamakuru, Ingereko zombi za TPIR zanze ubuhamya bwe bwose uko bwakabaye. Abacamanza banzuye ko "basanze ibyo yavugaga biteye agahinda". Ibyo ntibyabujije ariko Umushinjacyaha Théogène Rwabahizi ukora mu ishami ry'u Rwanda rishinzwe gukurikirana abakoze jenoside bahunze ubutabera bari mu mahanga, gufatanya na we kwandika, ku itariki ya 6 Kanama 2016, ubuhamya burebure bwari bwometse ku nyandiko isaba gufata Enoch Ruhigira, wahoze ari Umuyobozi w'Ibiro bya Perezida Juvénal Habyarimana. Muri ubwo buhamya, avuga ko ku itariki ya « 9 cyangwa ya 10 Mata », ubwo yari asohotse mu biro by'umuyobozi wa radiyo RTLM, Bwana Ruhigira ngo yaba yarasabye abasirikari babiri kurasa ako kanya, abasore babiri bihitiraga, yitaga Abatutsi. Nyamara Enoch Ruhigira icyo gihe yari yarahungiye, kuva ku itariki ya 7 Mata, kwa Ambasaderi w'Ububiligi aho yavanywe yerekeza mu Burayi ku itariki ya 12. Iyo dosiye yari irimo kandi inyandikomvugo z'ubuhamya bw'abatangabuhamya bemeza ko babonye uregwa (Enoch Ruhigira) mu manama y'abaturage y'ubukangurambaga muri ariya mezi atatu ya jenoside.

Kuri izo mpungenge, hari ikindi kibazo cy'abatangabuhamya benshi bamaze kwitaba Imana, kubera igihe kininigishize, no kuba inyandikombikamateka zikomeye zishobora kuba zaraciwe (cyane cyane inyandiko za banki), imwe mu nguni zikomeye zubakiyeho urubanza rwa Félicien Kabuga izaba ukwizerwa kw'abatangabuhamya n'agaciro k'ibimeyetso bizashyikirizwa abacamanza.

Nkuko Damien Vandermeersch yabisobanue mu nama mpuzamahanga yabaye mu wa 2009 yigaga ibyagezweho n'Urukiko Mpanabyaha Mpuzamahanga Rwashyiriweho u Rwanda, ikibazo gikunda kubazwa ingereko za TPIR giteye gitya *: « Byagenda bite kugira ngo igihe*

hakorwa iperereza birusheho gukorwa mu buryo buhesha amategeko agaciro kandi burusheho kugibwaho impaka n'impande zombi kandi mu buryo bugaragara mu mucyo ? Uwo mucamanza w'Umubiligi yatanze inama agira ati *: « igenzura ryimbitse ku mushinjacyaha » ku* maperereza akora no kwemera ko ayo maperereza agibwaho impaka byatuma ubwunganizi bw'uregwa bumenya uko dosiye iteye mu gihe amaperereza arimo gukorwa.

Ababuranyi bombi babigiramo inyungu kandi byatuma uru rubanza rugaragaza ukuri ku bibazo by'ingenzi bitarabonerwa igisubizo ku birebana n'abagize uruhare mu byabaye n'uko ibyo bikorwa bateje, cyangwa bashyigikiye, byagiye bikurikirana. Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha ni rwo rugomba kubishyira mu bikorwa mu izina rya TPIR rwasimbuye.

Ariko se, iyo nshingano n'imirimo iteganijwe kugira ngo igerweho, tutirengagije n'ubuzeduke buzwi ku rukiko mpuzamahanga, bizagera ku cyo Abanyarwanda barutegerejeho ?

Ukuri kuzuye cyangwa kwandika bundi bushya amateka

Ibi bibaye mu gihe imibanire ya TPIR n'ubutegetsi bwa Kigali irangwa rw'ubwunvikane buke bukabije bwagiye bukurikirana, bibaye kandi mu gihe umugabane w'Afurika ukemanga ukwizerwa k'ubutabera mpuzamahanga, bityo akaba ari ikigeragezo gikomeye kuri MICT.

Ku bantu bifuza kumenya ibyabaye mu Rwanda, mu gihe hagiye kuba urubanza nk'uru rw'abantu bavugaga rikijyana mu nzego za politiki n'iz'ubukungu, ntibyakumvikana ko ibintu byinshyi byo mu rwego rwafataga ibyemezo, urushinzwe ubutegetsi bw'igihugu, imiyoborere y'intambara na jenoside, ni ukuvuga inshingano za buri wese, ko ibyo byose bidashyirwa ahagaragara hashingiwe ku makuru n'ibikorwa bigiweho impaka mu buryo bunyomozanya.

Ku Rwanda igiharanirwa ni uko hakwemerwa mu rwego rw'amategeko ko habayeho *«itegurwa rya jenosidi yakorewe Abatutsi imyaka myinshi mbere yuko iba »,* icyemezo kitigeze gifatwa n'urugereko na rumwe rwa TPIR. Naho igitekerezo « cy'umugambi wa jenoside » (Agathe Kanziga, umupfakazi wa Perezida Juvénal Habyarimana, Protais Zigiranyirazo, muzasa we, Félicien Kabuga, ubarirwa mu muryango wa Perezida, Koloneli Théoneste Bagosora, etc.) icyo gitekerezo cyashyigikiwe n'abashinjacyaha ba mbere ba TPIR nticyarenze umutaru kubera kubura ibimenyetso bihagije nubwo u Rwanda rutahwemye gukomeza gusunikiriza icyo kirego. Ugutsindwa k'u Rwanda kuri iyo ngingo kwashimangiwe n'abacamanza mu rubanza rwa Bagosora kubera ko batigeze bemeza ko habayeho « ubwunvikane », bongera kubyemeza mu rubanza rw'ubujurire rwa Zigiranyirazo bavuga ko ari umwere. Naho ku byerekeye Agathe Kanziga, ntabwo TPIR yigeze imukurikirana, bityo mu mwaka wa 2001, Félicien Kabuga yabaye umuntu w'ibanze Porokireri ashakisha.

Nubwo kumuhamya icyaha ku kirego « cy'ubwumvikane » kubera uruhare rwe kuri radiyo RTLM biri kure nk'ukwezi hashingiwe ku bukemuramanza bwo mu rubanza rwiswe urubanza rw'itangazamakuru (*procès des Médias*), uru rubanza rushobora gutuma hatekerezwa gutangiza urubanza rw'abegereye umuryango wa Perezida (bita Akazu). Ibyo byaba bishimangiye icyemezo cyahamije icyaha Augustin Ngirabatware, umukwe we, intiti n'umujyanama w'umuryango wa Perezida. Nyuma yuko Agathe Kanziga agiriye mu Bufaransa, ku itariki ya 9 Mata 1994, abagize umuryango wa Perezida batajyanwe hanze y'igihugu, bagiye ku Gisenyi ku itariki ya 11 Mata, aho basanzwe n'abandi bantu nka Félicien Kabuga. Bacumbitse mw'ihoteri yitwa Méridien Izuba, aho bahuriraga n'abayobozi bakuru bo mu rwego rwa politiki n'urwa gisirikare bafitanye isano n'Akazu. Dushingiye ku makuru dufite, aho yari mu buhungiro i Paris mu Bufaransa, Agathe Kanziga yavuganaga n'abari bashyize icyicaro gikuru cyabo kuri Méridien maze abahuza n'abakuru b'ibihugu benshi bo muri Afurika bashyigikiye umurongo w'ububanyi n'amahanga wa Leta y'inzibacyuho.

Ku itariki ya 3 Nyakanga 2020, Urukiko rw'Ubujurire rw'i Paris, rwemeje ko ibikomerezwa byo muri FPR bidahamwa n'icyaha, kubera ko nta bimenyetso bifatika byatanzwe, mu rubanza baregwaga kuba barahanuye indege ya Perezida ku itariki ya 6 Mata 1994. Ku bategetsi b'u Rwanda, icyo cyemezo ko icyaha kitabahama gishatse kuvuga ko abatungwa agatoki ari abahezanguni b'Abahutu batashakaga amasezerano y'amahoro y'Arusha, bakaba baranateguye jenoside kuva intambara itangiye. Agathe Kanziga akaba abarirwa ku isonga ry'abo bahezanguni. Ngo yaba yarategetse abagize umutwe w'abasirikari barinda Perezida kwishora mu buhotozi n'ubwicanyi bwabaye mu ijoro ryo ku itariki ya 6 n'iya 7 Mata 1994, kimwe nuko yaba yarategetse Interahamwe z'i Kigali kwishora mu bwicanyi bwahitanye imbaga y'abantu. Ngo akaba yarashyize Bagosora ku isonga ryo gushyiraho guverninema y'Abatabazi.

Uko ikizava mu rubanza kizaba kimeze kose, urubanza rwa Kabuga rushobora kuzaha umwanya ubutegetsi bw'i Kigali uburyo bwo kongera gukwiza hose ko Agathe Habyarimana yazaburanishirizwa mu Rwanda. Urwo rubanza ruramutse rubaye uko babyifuza byaba bihaye abategetsi b'u Rwanda intsinzi mu rwego rwa politiki kandi byaba bibaye ikimenyetso cy'uko abategetsi b'u Rwanda begukanye intsinzi mu miburanishirize y'imanza ndetse no mu rwego rwa politiki, ibyo bakaba barananiwe kubigeraho kugeza magingo aya.

Bitwaje izi manza, ikihutirwa ku Rwanda ni ukunoza inyandiko yuko babona amahano yabaye mu Rwanda, yahindutse amateka y'igihugu ku byerekeye intambara na jenoside, ayo mateka mashya agakingirwa ikibaba n'amategeko yafashwe mu rwego rwo kurwanya ihakana n'ipfobya bya jenoside.

Cyakora kuburanishiriza Agathe Kanziga mu Rwanda ntibyoroshye nk'uko Perezida w'u Rwanda yagiye abitanganza mu biganiro yagiranye n'abanyamakuru. Ku itariki ya mbere Mata 2019, ubwo yasubizaga ikinyamakuru *Jeune Afrique*. Ikibazo : *«* **Mwaba mukeka ko umunsi umwe bazabemerera kumwohereza mu Rwanda ?** Igisubizo **:«** Ntabwo mbizi. Ariko niba icyo dusaba tudashobora kugihabwa bitewe n'impanvu iyi cyangwa iriya yaba ishingirwaho, kuki uriya mugore atigeze na rimwe ashakishwa na TPIR cyangwa ubutabera bw'Ubufaransa ? Kuki atigeze akorerwaho iperereza mu gihugu yahungiyemo ? Ibintu birivugira ubwabyo … ».

Ni byo koko Agathe Kanziga ntabwo yigeze akurikiranwa na TPIR. Byari gushoboka bite ko abashinjacyaha bakurikirana umupfakazi wa Perezida Juvénal Habyarimana mu gihe bari bamaze kwanga kwakira ikirego cyo guhanura indege, hanyuma bakemera ko FPR itazigera ikurikirwanwa na rimwe imbere y'ubutabera, ubwo bahagarikaga « amaperereza yihariye » yerekeranye n'ibyaha FPR yakoze ?

Mu kindi kiganiro yagiranye n'ikinyamakuru *Jeune Afrique* ku itariki ya 2 Nyakaga 2020, Paul Kagame yavuze ko atemera na gato ko habaho kongera gutangira dosiye y'ihanurwa ry'indege mu rwego rw'ubujurire bwashyikirijwe Urukiko Rusesa Imanza mu Bufaransa. Kuri we, kumenya abahanuye indege ntabwo ari ngombwa. Amateka aboneye y'igihugu ntiyandikwa hifashishijwe ibimenyetso, ahubwo ashingira ku busumbane bw'imbaraga hagati y'abahanganye.

Ku ruhande rumwe, ubutegetsi bw'u Rwanda buhirimbanira kwanduza no kwandagaza isura y'umuryango w'uwahoze ari umukuru w'igihugu, ku rundi ruhande, bugatera hejuru buvuga ko hakwiye kubaho urubanza rutabogamye. Urubanza nk'urwo ruramutse rubaye rwatuma habaho impaka zivuguruzanya ku ihanurwa ry'indege ryabaye ku itariki ya 6 Mata 1994, abashyigikiye icyo gikorwa mu rwego mpuzamahanga, ibyaha by'intambara n'iby'ibasiye inyokomuntu byakozwe na FPR mu nzira yo gufata ubutegetsi ikoresheje intwaro.

Ntawamenya uko ibintu bizagenda Arusha

Mu gihe kwizera ko hazaboneka amakuru ajyanye n'uburyo F. Kabuga yashyigikiwe mu kwihisha no gutoroka bigerwa ku mashyi, no mu gihe abatangabuhamya bigishwa kuzahimbira uregwa bikomeje kwera no guhabwa intebe mu Rwanda, birashoboka ko u Rwanda rwasaba Urwego Mpuzamahanga Rwashyiriweho Gukora Imirimo y'Insigarira y'Inkiko Mpanabyaha

kwikuraho dosiye ya F. Kabuga rukayiha ubucamanza bwo mu Rwanda, nyuma y'uko hazaba hamaze kwemezwa burundu n'ubutabera bw'Ubufaransa ko uregwa yashyikirizwa MICT.

Mu cyemezo cyafashwe ku itariki ya 28 Gicurasi 2020 cyanga ko Kabuga yaba ajyanwe i La Haye, umucamanza Sekule yavuze ko hategerezwa ivanwaho ry'imbogamizi zitewe n'icyorezo cya koronavirusi mbere yo gutegura urugendo rwo komwohereza muri Tanzaniya, hanyuma akomeza asobanura neza ko *« niba kumwohereza ku ishami rya MICT riri Arusha bidashobotse mu gihe gikwiye, hashakishwa ubundi buryo bukwiriye »*.

Kugeza uyu munsi, haracyari ibintu bidasobanutse byerekeye kumwohereza Arusha : ubuzima bw'uregwa, inzego zikwiriye zivura koronavirusi, gushaka abakozi bashya, gutegura imirimo y'iburanisha, abatangabuhamya, n'ibindi n'ibindi.

Mu gihe ibintu bimeze bityo, byashoboka bite ko hatatekerezwa ko u Rwanda rushobora kuba « *ubundi buryo bukwiye* » Tuributsa kandi ko Inteko Rusange y'Umuryango w'Abibumbye yasabye « *ibihugu byose gufatanya na Guverinema y'u Rwanda gukora amaperereza ku byabaye, guta muri yombi, gukurikirana cyangwa kohereza mu Rwanda abantu bose bakekwaho kuba barakoze jenoside bahunze bari mu mahanga batarafatwa* ». Ikindi ni uko u Rwanda rwashyizeho Urukiko rukuru rushinzwe imanza nk'izo ; kandi ko bizwi ku isi yose ko u Rwanda rufite imicungire itagira amakemwa yo kwirinda icyorezo cya koronavirusi ; byongeye kandi u Rwanda ni cyo gihugu cyonyine muri Afurika cyemewe n'Umuryango w'Ubumwe bw'Uburayi gusubizaho ingendo z'indege.

Ibyo bizashyigikira imvugo ya Ibuka, ishyirahamwe ry'abacitse ku icumu, ivuga ko : *« Aramutse yoherejwe mu Rwanda, nk'urugero, hazakwigwa ikibazo cyo kuriha ibyangijwe »*, ibi byavuzwe na Perezida wayo, Jean-Pierre Dusingizemungu wibukije ko kugeza ubu « *ubucamanza mpuzamahanga butigeze buteganya ikibazo cyo kwishyura ibyangijwe* ».

Arusha, La Haye, Kigali ? Ikibazo kiracyari cyose ariko uko igisubizo kizaba kiri kose, ntabwo kizashyira iherezo ku ipiganwa hagati ya MICT n'u Rwanda. Cyakora ikindi gitekerezo gishobora kuzamo kigatembagaza ibindi byose : ni ukwemera icyaha. Iburanisha nk'iryo ryakwemezwa n'abacamanza nyuma yo kumva uregwa mu buryo busesuye, bikamusaba kuvuga ukuri ku bikorwa byemejwe ko byabaye. Ibyo biramutse byemewe na Porokireri Serge Brammertz, byatanga imiburanishirize yoroshye kandi ikizavamo kikaba kizwi.