URUKIKO RUKURU URUGEREKO RWIHARIYE RUBURANISHA IBYAHA BYO MU RWEGO MPUZAMAHANGA N'IBYAHA BIRENGA IMBIBI RURI I NYANZA RUKIJIJE KU RWEGO RWA MBERE URUBANZA RP 00052/2019/HC/HCCIC MU BURYO BUKURIKIRA:

HABURANA:

UBUSHINJACYAHA.

na

ABAREGWA :

1. NYIRANSABIMANA Odette mwene Kayenge Ezera na Cyurinyana Elina wavutse mu 1966 mu mudugudu wa Gisenyi, akagali ka Nyamatsinda Umurenge wa Kirimbi mu ntara y'uburengerazuba, akaba ari naho abarizwa. Akurikiranywe adafunzwe akaba abarizwa kuri telephone 0782250333 ya Mudaheranwa Emmanuel umugabo we.

2. UNKUNDIYE VERENA mwene Ngirabatware Pascal na Ayinkamiye Xavera wavutse mu 1968 mu mudugudu wa Rubingo akagali ka Gitwe Umurenge wa Kirimbi akarere ka Nyamasheke, Intara y'Uburengerazuba, akaba ari naho abarizwa. Akurikiranywe adafunze akaba abarizwa kuri telephone 0787635623 ya Mashohero Jean umugabo we.

3. UWAYISENGA DANY mwene Mudaheranwa Emmanuel na Nyiransabimana Odeta wavutse mu mwaka wa 1988 mu mudugudu wa Gisenyi, akagali ka Nyamatsinda Umurenge wa Kirimbi mu ntara yúburengerazuba, akaba ari naho abarizwa. Abarizwa muri Uganda akoresha telephone 0785654844.

4. TIBEINGANA Norman mwene Mugabigwe Benon na Narama Patience wavutse mu 1993 muri Uganda muri district ya Ndorwa muri Segiteli Kabare mu mugi Katuna ukoresha telephone +2560783787468 na +2560704329592.

IBYAHA BAREGWA:

- **Kuri NYIRANSABIMANA Odeta na UNKUNDIYE Verena.**

  Ubufatanyacyaha ku bwinjiracyaha bw'icyaha cyo gucuruza abantu, icyaha giteganywa n'ingingo ya 3, 40 (e), ingingo ya 6 (a) kigahanishwa ingingo ya 18 z'itegeko N° 51/2018 ryo kuwa 13/08/2018 ryerekeye gukumira, kurwanya no guhana icuruzwa ry'abantu.

- **Kuri UWAYISENGA Dany**

  Ubwinjiracyaha ku gucuruza abantu, icyaha giteganywa n'ingingo ya 3, 4° (e), 6 (a) kigahanishwa ingingo ya 18 z'itegeko N° 51/2018 ryo kuwa 13/08/2018 ryerekeye gukumira, kurwanya no guhana icuruzwa ry'abantu.

- **Kuri TIBEINGANA Norman**

  Ubwinjiracyaha ku kuzimanganya ibimenyetso, icyaha giteganywa n''ingingo ya 21 n'iya 245 z'itegeko n° 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange.

I. IMITERERE Y'URUBANZA

[1]. Ku itariki ya 18/09/2019 umukobwa witwa NYANDWI Florence wavutse muri 2003, ari i Rusizi, abiziranyeho Unkundiye Vérèna, nyina, na Nyiransabimana Odette, mubyara wa nyina, yateze imodoka ya sosiyeti itwara abagenzi yitwa UGUSENGA yerekezaga i Kigali, ageze Nyabugogo nka saa tanu n'igice za mu gitondo, ahasanga Uwayisenga Dany uvuka na we mu Karere ka Nyamasheke ari kumwe n'umugande utwaye imodoka ifite Plaque IPSM UAZ 019J amutegereje, bamushyiramo berekeza iya Gatuna ku mupaka w'u Rwanda na Uganda. Bahageze Uwayisenga Dany yagiriye uwo mwana inama yo kwambuka yinjira muri Uganda aciye mu nzira itemewe ariko abashinzwe umutekano bamugarura atarabasha kwambuka baramugarura, Uwayisenga

Dany n'uwo bari kumwe mu modoka babibonye bahita bafunga imodoka barabura, nyuma haza umugande witwa Tibeingana Norman afite kontaki ya ya modoka aje gutwara ya modoka, arafatwa nimodoka irafatirwa. Nyandwi Florence yaje gusubizwa ababyeyi be.

[2]. Iperereza ryaratangiye rimaze gusozwa Ubushinjacyaha burega NYIRANSABIMANA ODETTE, UNKUNDIYE VERENA na UWAYISENGA DANY ubwinjiracyaha mu cyaha cyo gucuruza abantu bushingiye ku ngingo ya 3, 4° (e) n'iya 6° (a) y'itegeko n° 51/2018 ryo kuwa 13/08/2018 ryerekeye gukumira, kurwanya no guhana icuruzwa ry'abantu no gushakira inyungu mu bandi; TIBEINGANA Norman we akurikiranwa ku bwinjiracyaha mu kuzimanganya ibimenyetso hashingiwe ku ngingo ya 21 n'iya 245 z'itegeko n° 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange.

[3]. UWAYISENGA DANY na TIBEINGANA Norman bahamagajwe nk'abatagira aho babarizwa hazwi ntibitabira iburanisha, baburanishwa badahari naho NYIRANSABIMANA ODETTE n'UNKUNDIYE VERENA baburana bavuga ko bari bohereje umwana ku busabe bwa UWAYISENGA Dany, umuhungu wa NYIRANSABIMANA Odette, wari ukeneye umwana wo kubanisha abandi bana bato mu gihe umugore we yari yagiye kwa muganga kubyara, ko kandi yari kugaruka uwo mubyeyi amaze kuva kwa muganga. Bakavuga ko rero batajya mu byo gucuruza umwana wabo.

[4]. Muri uru rubanza icyasumwe akaba ari ukumenya niba imigirire ya NYIRANSABIMANA ODETTE, UNKUNDIYE VERENA na UWAYISENGA Dany igize ubwinjiracyaha mu cyaha cyo gucuruza abantu no kumenya niba imyitwarire ya TIBEINGAN Norman igize ubwinjiracyaha mu guhisha ibimenyetso n'ibijyanye n'ibihano abaregwa baramutse bahamwe n'icyaha ndetse n'ibijyanye n'icyerekezo cy'imodoka yafatiriwe.

<u>II. ISESENGURA RY'IBIBAZO BIGIZE URUBANZA</u>

Ku bijyanye no kumenya niba imigirire ya NYIRANSABIMANA ODETTE, UNKUNDIYE VERENA na UWAYISENGA Dany igize ubwinjiracyaha mu cyaha cyo gucuruza abantu

[5]. Ubushinjacyaha, mu myanzuro no mu miburanire byabwo, buvuga Nyiransabimana Odette na Unkundiye Verene bahuriye mu bukwe baganira ukuntu bazohereza Nyandwi Florence muri Uganda, Dany Uwayisenga ava muri Uganda aza mu Rwanda afite umugambi wo kujyana Nyandwi Florence, bigaragaza ko bari bafite umugambi wo kujya kumucuruza muri Uganda aho yari kujya gukoreshwa imirimo ivunanye itemewe n'amategeko ibangamira ubuzima bwe, bazi neza ko yiga kandi nta gihe kizwi yari kumarayo ngo azagaruke mu Rwanda. UWAYISENGA Dany akaba yarashutse uwo mwana ngo anyure inyuma y'umupaka kuko nta byangombwa byambutsa uwo mwana yari yamushakiye kugira ngo hatazemenyekana uburyo uwo mwana yavuye mu gihugu igihe byaba bibaye ngombwa ko ashakwa akagarurwa mu gihugu.

[6]. Ku kijyanye n'ibimenyetso, Ubushinjacyaha buvuga ko Nyiransabimana Odette akaba umubyeyi wa Uwayisenga Dany uba muri Uganda, yemeza ko yahuriye mu bukwe na mubyara we Unkundiye Verene ari kumwe na Nyandwi Florence akamusaba kuzamumuha akamwoherereza umuhungu we Uwayisenga Dany uba muri Uganda kubera ko umugore we yari agiye kubyara akaba yari akeneye uwo kumusigarira ku rugo yamara kubyara akagaruka gukomeza amasomo. Yemera ko ari we wahaye itike y'amafaranga 5.000 Nyandwi Florence ndetse umugabo we ajya kumutegera imodoka yamujyanye I Kigali aho yari guhurira na Uwayisenga Dany bakajyana muri Uganda.

[7]. Bukomeza buvuga ko Unkundiye Verene, umubyeyi wa Nyandwi Florence, yemeza ko yumvikanye na Nyiransabimana Odette kumuha Nyandwi Florence akajya gusigara ku rugo rwa Uwayisenga Dany uba muri Uganda, umugore yamara kubyara akazagaruka mu rugo gukomeza amasomo. Yemeza ko itike yamujyanye yatanzwe na Nyiransabimana Odette kandi ko yabihishe umugabo we ahubwo akamubwira ko umukobwa we aba kwa nyina wo muri batisimu. Ubushinjacyaha bugasanga uku guhisha umugabo we aho umwana ari bizwi na Nyiransabimana Odett na Unkundiye Vérèna ari ukugira ngo umugambi wabo utamenyekana vuba.

[8]. Bukomeza buvuga ko umutangabuhamya Ishimwe Diane ukora mu kabare kari ku mupaka I Gatuna yasobanuye ko ku italiki ya 18/09/2019 mu mugoroba, umukobwa Nyandwi Florence yageze aho akorera ari n'abasore babiri bafata

icyo kunywa ariko bakajya basohoka bareba hanze naho Nyandwi Florence yicaye hafi ya comptoir bigera nubwo abo basore bahamusize; noneho aho bagarukiye kugaruka Nyandwi Florence akaza kugenda bwije mu ma saa mbili z'ijoro. Bityi, uku kuba baragiye bitinza bagira ngo bwire dore ko bavuye muri *Gare ya Nyabugogo* mu ma saa tanu z'amanywa, akaba ari uko bashakaga ko abashinzwe umutekano ku mupaka batabibona bityo babone uko yambutsa uwo mwana nta nkomyi.

[9]. Ibindi bimenyetso Ubushinjacyha bushingiraho bigizwe n'imvugo z'umukozi wa RIB Nkurunziza Fred ku mupaka wa Gatuna, yasobanuye uko kuwa wa 18/09/2018, babonye abantu bari kumwe n'umwana w'umukobwa bagira amakenga kugira ngo barebe aho bamwerekeza, uwo mwana agerageje gufata inzira yerekeza muri Uganda adaciye ku mupaka, bamukurikira bamubaza aho agiye, araceceka, baramugarura; ari na bwo yasobanuye neza aho yari agiye n'abo bari kumwe, ariko babashatse barababura.

[10]. Ubushinjacyaha bunashingira ku kuba Nyandwi Florence wari ujyanywe muri Uganda yarasobanuye ko igitekerezo cyo kumujyana muri Uganda yakigejejweho na Nyiransabimana Odette, mubyara wa nyina, ubwo mu kwezi kwa karindwi 2019 bahuriraga mu bukwe akamusaba kuzajya gusigara ku rugo rw'umuhungu we uba muri Uganda umugore yamara kubyara akazagaruka nyuma y'iminsi itatu. Asobanura ko ku italiki ya 18/09/2019 yateze imodoka imujyana I Kigali aho yasanze Uwayisenga Gadi n'umugande bari kumwe bamutegereje bajyana mu modoka bageze i Gatuna barahagarara bamwereka aho ari buce atanyuze ku mupaka kuko nta byangombwa yari afite, ahanyuze abari ku mupaka baramugarura asanga Uwayisenga Dany n'uwo bari kumwe bagiye, arara aho.

[11]. Ubushinjacyaha buvuga ko ubwinjiracyaha bwo gucuruza abantu Nyiransabimana Odeta, Unkundiye Verena na Uwayisenga Dany bakoze bihura n'amasezerano arwanya kandi akumira icuruzwa ry'abantu cyane cyane abana n'abagore yasobanuye ko gucuruza abantu bisobanurakubashaka, kubatwara, kubakira, hakoreshejwe amayeri, ingufu, kubabeshya, kubizeza ibitangaza, babafatiranyije n'intege nke zabo babaha amafaranga cyangwa ibindi bintu bituma bemera kujyanwa, hagamijwe kubanyunyuza imitsi bababonamo inyungu. Kubanyunyuza imitsi bivuga

kubashora mu busambanyi, kubakoresha imirimo ivunanye, ubucakara, ubuja cyangwa kubakuramo ibice by'umubiri[1].

[12]. NYIRANSABIMANA Odette yireguye avuga ko UNKUNDIYE ari mubyara we, NYANDWI akaba umwana wa UNKUNDIYE; ko rero yamusabye kubera ko umukazana we yari ku nda, amusaba umwana kugira ngo ajye kumufasha abyaye, ko rero Dany ava Uganda n'umwana aturuka Nyamasheke bahurira Nyabugogo aramujyana.

[13]. UNKUNDIYE Verena yireguye avuga ko yahuriye na Nyiransabimana mu bukwe amaze iminsi apfushije umwana mukuru amubwira ko Dany yamuhamagaye ngo amwoherereze umwana uzasigarana abana umugore agiye kubyara, ari bwo, yamuhaye NYANDWI, Unkundiye aramutegera, DANY na we ava muri UGANDA aza Nyabugogo gufata Florence, aramufata, bageze Gatuna baramufata aragaruka. Kuba yaramwohereje umugabo atabizi bikaba byaratewe n'uko afite abagore babari kandi akaba yari amaze iminsi 3 atagera mu rugo. Akabasabaurukiko guca inkoni izamba kuko atagurisha umwana we.

Uko urukiko rubibona

[1]. Ingingo ya 3, (6°) (a) y'itegeko n° 51/2018 ryo kuwa 13/08/2018 ryerekeye gukumira, kurwanya no guhana icuruzwa ry'abantu no gushakira inyungu mu bandi iteganya ko icuruzwa ry'abantu ari igikorwa cyose gikozwe n'umuntu, hagamijwe gushaka inyungu, uha cyangwa ushakira undi akazi, utwara, wimura, uhisha cyangwa wakira undi muntu; hakoreshejwe ibikangisho, imbaraga cyangwa ubundi buryo bwose bw'agahato, ishimuta, uburiganya, ubushukanyi, kumubonerana kubera ububasha umufiteho cyangwa kubera ko ari umunyantege nke, gutanga cyangwa kwakira ubwishyu cyangwa inyungu kugira ngo umuntu ufite ububasha ku wundi muntu yemere. Naho iya 3 (4°) (e) yaryo iteganya ko mu bikorwa binyuranye bifatwa nko

[1] Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs. Ibi bisobanura

"gushakira inyungu mu wundi" harimo no "gukoresha umwana cyangwa kumutanga ngo akoreshwe imirimo inyuranyije n'amategeko". Naho ingingo ya 21 y'itegeko n° 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange iteganya ko ubwinjiracyaha buhanirwa iyo umugambi wo gukora icyaha wagaragajwe n'igikorwa kimwe cyangwa byinshi biboneka, bidashidikanywa by'intangiriro y'icyaha biganisha ku ikorwa ryacyo, nyuma bigahagarikwa, bikabuzwa kugera ku cyifuzo cyangwa bikazitirwa n'impamvu zidakomoka ku bushake bwa nyir'ugukora icyaha.

[2]. Urukiko rusanga ikitagibwaho impaka ari ubufatanye bwa NYIRANSABIMANA ODETTE, UNKUNDIYE VERENA na UWAYISENGA Dany mu gushaka kohereza NYANDWI Florence muri Uganda, kumuvana Rusizi no kumugeza i Gatuna. NYIRANSABIMANA ODETTE, UNKUNDIYE VERENA bakoze ku buryo bumvisha umwana ko agomba kujya kwa Dany muri Uganda banamutegera imodoka imuvana iwabo ikamugeza i Nyabugogo, UWAYISENGA DANY aramukomezanya n'i Gatuna ku mupaka w'u Rwanda na Uganda. Ikindi nanone NYIRANSABIMANA ODETTE na UNKUNDIYE VERENA bahuriza ku kuba umwana yari agiye kumara igihe kingana n'icyo umugore wa UWAYISENGA Dany yari kumara mu bitaro by'abyeyi, kingana n'iminsi itatu, ubundi umwana kagaruk amu rugo agasubira mu buzima yari asanzwemo nk'uko na NYANDWI Florence yabihamije.

[3]. Rusanga hejuru y'ibi aba babyeyi bombi bavuga ndetse na NYANDWI Florence akaba avuga ko ari byo bari bamubwiye nta kindi Ubushinjacyaha bugaragaza kigana umugambi mubisha wo kumubyazamo inyungu zitemewe, uretse kuvuga gusa ko umwana yari umunyeshuri. Rusanga rero nta kintu na gito gihari cyerekana ko ibyo NYIRANSABIMANA ODETTE na UNKUNDIYE VERENA bavuga atari byo, ni ukuvuga kohereza umwana ngo asigarane n'abandi mu gihe cy'iminsi itatu nyina yagiye kubyara, kandi ibi nta kubyazwa inyungu birimo kuko umwana w'imyaka 16 y'amavuko afite icyo yamarira barumuna we kandi bitabangamiye uburenganzira bwe nk'umwana.

[4]. Rusanga ahubwo imyitwarire igize igikorwa kibujijwe gihanwa nk'icyaha UWAYISENGA Dany yagiriye ku mupaka w'u Rwanda na Uganda, i Gatuna, ubwo yageragezaga kwambutsa NYANDWI Florence amunyujije inzira zitemewe kubera ko atari afite ibyangombwa by'inzira bimwemerera

kunyura kuri gasutamo n'ubwo bitamuhiriye kuko abashinzwe abinjira n'abasohoka bagaruye uwo mwana. Bityo akaba yaragerageje gukora icyaha gihanwa n'ingingo ya 44 y'itegeko n° 57/2018 ryo ku wa 13/08/2018 ryerekeye abinjiran'abasohoka mu Rwanda iteganya ko umuntu wese wambutsa aca ahantu hatemewe n'amategeko aba akoze icyah. Bityo, UWAYISENGA Dany akaba yarakoze ubwinjiracyaha bwo kwambutsa umuntu amucishije ahantu hatemewe n'amategeko ariko ntabigereho ku mpamvu zitamuturutseho nk'uko bihamywa n'abakozi ba gasutamo ku mupaka wa Gatuna, bihura n'ibiteganywa n'ingingo ya 21 iteganya ko haba hari ubwinjiracyaha buhanirwa iyo umugambi wo gukora icyaha wagaragajwe n'igikorwa kimwe cyangwa byinshi biboneka, bidashidikanywa by'intangiriro y'icyaha biganisha ku ikorwa ryacyo, nyuma bigahagarikwa, bikabuzwa kugera ku cyifuzo cyangwa bikazitirwa n'impamvu zidakomoka ku bushake bwa nyir'ugukora icyaha.

[5]. Rusanga rero NYIRANSABIMANA ODETTE na UNKUNDIYE VERENA badahamwa n'ubwinjiracyaha mu cyaha cyo gucuruza abantu, naho Uwayisenga Dany ahamwa n'ubwinjiracyaha bw'icyaha cyo kwambutsa umuntu amucishije ahantu hatemewe n'amategeko.

Ku bijyanye n'ibihano

[6]. Rusanga nk'uko ingingo ya 44 y'itegeko n° 57/2018 ryo ku wa 13/08/2018 ryerekeye abinjira n'abasohoka mu Rwanda iteganya ko Iyo abihamijwe n'urukiko ahanishwa igifungo kitari munsi y'iminsi mirongo itatu (30) ariko kitarenza amezi atandatu (6), cyangwa ihazabu itari munsi y'ibihumbi magana atanu (FRW 500.000) ariko atarenga miliyoni imwe (FRW 1.000.000) y'amafaranga y'u Rwanda cyangwa ibyo bihano byombi, UWAYISENGA Dany akwiye guhanishwa igifungo cy'ihazabu ya miliyoni y'amafaranga y'u Rwanda (1.000.000 FRW).

***Ku bijyanye no kumenya niba imyitwarire ya TIBEINGAN Norman igize ubwinjiracyaha mu guhisha ibimenyetso* by'icyaha**

[7]. Ubushinjacyaha buvuga ko Tibeingana Norman ava muri Uganda akaza mu Rwanda yari afite umugambi wo gusibanganya ibimenyetso by'icyaha cyo

gucuruza abantu, akaba yarashatse gucikisha imodoka azi neza ko yari yifashishijwe mu gukora icyaha cyo kujya gucuruza uwo mwana.

[8]. Busobanara ko Tibeingana Norman asobanura ko kuwa 18/09/2019 ubwo yari muri Uganda aho asanzwe atwara *taxi*, haje umuntu amusaba kuza kumutwarira imodoka yari asize ku mupaka ku Ruhande rw'u Rwanda ngo kuko we yari ananiwe bumvikana kumuha amashiringi ya Uganda imitwaro itatu. Asobanura ko yaje agafungura imodoka yari iparitse arayatsa ari na bwo Munezero Clément yaje akamusaba ko yamugeza imbere kuri *douane*. Yemeza ko bakimara kuyatsa igihe bari bagiye kugenda abapolisi baje bakababuza kuhava bagahita bafatwa batyo batazi icyo bafatiwe. Bityo, imyitwarire ye ikaba igize ubwinjiracyaha bw'icyaha cyo guhisha ibimenyetso by'icyaha.

[9]. TIBEINGANA Norman ntiyitabye urukiko ngo yiregure.

Uko urukiko rubibona

[10]. Ingingo ya 2 y'itegeko n° 15/2004 ryo ku wa 12/06/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo isobanura ko ikimenyetso cyo mu rubanza ari uburyo bukoreshwa kugira ngo ukuri kw' ibyabaye kugaragare. Iya 119 igateganya ko mu manza nshinjabyaha, ibimenyetso bishingira ku mpamvu zose z'ibyabaye n'ibyemejwe n'amategeko, ababuranyi bapfa kuba barahawe uburyo bwo kuhaba ngo banyomozanye kandi urukiko rukaba ku buryo butavuguruzwa ko ibimenyetso byose birega cyangwa biregura ari byo kandi ko bishobora kwemerwa.

[11]. Urukiko rusanga uretse ibyo TIBEINGANA yavuze amaze gufatwa kandi bitagaragaramo ko yari azi ko iyo modoka asabwe kuza gufata ifite ikibazo cyo kuba yakoreshejwe icyaha nta kindi perereza ryagezeho cyemeza ko yari yari aje gufata iyo modoka mu rwego rwo gusibanganya ibimenyetso: yasobanuriye umugenzacyaha uburyo uwamubwiye ko yitwa Dany yamusabye kujya kumuzanira imodoka iri mu Rwanda kubera ko yayihasize kubera umunaniro, we kamubaza niba nta kibazo iyo modoka ifite, Dany akamubwira ko nta cyo akamuha imfunguzo zayo ndetse akamubwira ko

ibyangombwa by'imodoka birimo, bakumvikana ko amuha imitwaro itatu y'amashiringi undi akaza anyuze mu nzira zemewe agafatwa akinjira muri iyo modoka. Yanasobanuye uburyo yavuganye na Dany ari kumwe n'abapolisi bari bamufashe, amubeshya ko imodoka yanze kwaka kugira ngo agaruke mu Rwanda inzego z'umutekano zimufate ariko bikarangira Dany avanyeho telefoni. Bityo ubwinjiracyaha akurikiranyweho kikaba kitamuhama kuko nta kimenyetso gihamya nta shiti ko yari aje afite umugambi wo gusibanganya ibimenyetso by'icyaha cya Dany ahokuba gukorera amashiringi nk'umushoferi ukora akazi ko gutwara imodoka.

Ku bijyanye n'icyerekezo cy'imodoka yafatiriwe

[12]. Ubushinjacyaha bwasabye ko urukiko rwagena icyerekezo cy'imodoka ifite plaque IPSM UAZ 019J yafatiriwe.

[13]. Urukiko rubona ingingo ya 37 y'itegeko n° 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange iteganya ko igihe hakozwe icyaha cy'ubugome cyangwa icyaha gikomeye, kunyagwa kw'ibintu bigize icyaha, ibyagikoreshejwe, ibyagenewe kugikora cyangwa ibyagikomotseho, cyangwa igihembo kijyanye no gukora icyaha byemezwa mu icibwa ry'urubanza, bikongerwa ku gihano cy'iremezo, iyo ibyo bintu ari iby'uwakatiwe. Iyo atari iby'uwakatiwe cyangwa iyo icyaha cyakozwe ari icyoroheje, ubunyagwe bwemezwa gusa mu bihe biteganywa n'amategeko.

[14]. Urukiko rusanga imodoka yakoreshejwe na UWAYISENGA Dany mu kugeza NYANDWI Florence hafi y'aho yagombaga kwambukirizwa muri Uganda mu buryo bunyuranyije n'amategeko, icyaha gikomeye, nta cyemezo cya nyirayo ubushinjacyaha bwagaragaje. Bityo kuba iyi modoka itaragara ko ari iy'uwakozeicyaha kandi itegeko rikaba ridateganya ko iyo icyakoreshejwe icyaha cyo kwambutsa umuntu umupaka ahatemewe kinyagwa n'iyo cyaba atari icy'uwahamwe n'icyaha, itagomba kunyagwa, ko ahubwo igomba gusubizwa nyirayo.

III. ICYEMEZO CY'URUKIKO

URUKIKO,

[15]. Rwemeje ko NYIRANSABIMANA ODETTE, UNKUNDIYE VERENA na TIBEINGANA Norman badahamwa n'icyaha.

[16]. RWEMEJE ko UWAYISENGA DANY ahamwa n'ubwinjiracyaha mu cyaha cyo kwambutsa umuntu aca ahantu hatemewe n'amategeko.

[17]. RUHANISHIJE UWAYISENGA Dany ihazabu y'amafaranga y'u Rwanda miliyoni imwe (1.000.000 FRW).

[18]. RWEMEJE ko imodoka TOYOTA IPSM ifite nomero y' icyapa kiyiranga (number plate) UAZ 019J itanyanzwe, ko igomba gusubizwa nyirayo.

[19]. RUTEGETSE ko amagarama y'urukiko ahererera ku Isanduku ya Leta.

NI UKO RUKIJIJWE KANDI RUSOMEWE MU RUHAME NONE KU WA 26/05/2021.

UMUCAMANZA	**UMWANDITSI**
SE/	**SE/**
NSANZIMANA Fidèle	**NYAMUTAMA Hypax**