REPUBULIKA Y'U RWANDA

MINISITERI Y'UBUTABERA

UMWANZURO W'ABUNZI B'AKAGARI

Intara: MVK	Akarere: GASABO	Umurenge: GISOZI	Akagari: KUHANGO

Nimero y'ikibazo: 673

Itariki ikibazo cyandikiwe mu gitabo cy'ibibazo: 10/03/2021

Itariki ikibazo cyakemuriweho: 05/04/2021

Ingingo [illegible] (niba [illegible]): ______________________

1. Umwirondoro w'abafitanye ikibazo

1.1 Uwagejeje cyangwa abagejeje ikibazo ku Bunzi

Amazina	Mwene (ababyeyi bombi)	Igihe yavukiye	Aho atuye/abarizwa	Niba ahagarariwe andika amazina y'umuhagarariye n'impamvu
Nkurunziza Théoneste	Habimana François na Kanziga Asterie	1975	Umudugudu: Nyarugari Akagari: Kabuye Umurenge: Jabana	
			Umudugudu: ______ Akagari: ______ Umurenge: ______	
			Umudugudu: ______ Akagari: ______ Umurenge: ______	
			Umudugudu: ______ Akagari: ______ Umurenge: ______	

Imikono y'Abunzi bafashe icyemezo:

1. Kabayanga [illegible]
2. Muritiko [illegible]
3. Mukantabana [illegible]

Imikono y'abafitanye ikibazo:

1. Nkurunziza Théoneste
2. Nsengiyumva Jean Claude
3.
4.
5.

			Umudugudu....... Akagari :.......... Umurenge:..............	
			No y'indangamuntu 1197580027044016	

1.2. Uwihobanura cyangwa ubisobanura mu buryo

Amazina	Amazina y'ababyeyi	Igihe yavukiye	Aho atuye	Niba atagaragaza andika amazina y'umuhagarariye n'impamvu
Nzeyimana Jean de Dieu	Ziyabonye Mukagatare	1976	Umudugudu Nyuzi Akagari Rubango Umurenge Busasamana	
			Umudugudu.......... Akagari :.......... Umurenge..........	
			Umudugudu.......... Akagari :.......... Umurenge..........	
			Umudugudu.......... Akagari :.......... Umurenge..........	
			Umudugudu.......... Akagari :.......... Umurenge..........	
			Umudugudu.......... Akagari :.......... Umurenge.......... No y'indangamuntu...... 1196580007580234	

1.3. Abandi bantu bafite inyungu mu kibazo

Amazina	Uwazanywe n'uwagejeje ikibazo mu Bunzi, n'agomba kwisobanura cyangwa uwitanze	Inyungu afite mu kibazo

2. Incamake y'ikibazo

Inteko y'abunzi imaze kubona Nzeyimana......

Imikono y'Abunzi bakiriye ikibazo

Kazungu [illegible]
2. Uwizeye [illegible]
3. Mukamana [illegible] Clarisse

Imikono y'ababuranyi

1. Nzeyimana Léonard
2. Nzeyimana Jean de Dieu
3.
4.
5. Ntirenganya [illegible]

Niconeste itanga ikibazo cye avuga ko Ntengumukiza Jean de Dieu yamurengereye akabaandura imbago ze (bornes) izindi akazubaka nono ntaba [illegible] ko iyarandurwe [illegible] aho yari iteye, ico yibajije [illegible] noze, agaturaho ibyo yubakeho.

3. Ingingo zigaragazwa n'abafitanye ikibazo

3.1. Ingingo z'uwagejeje cyangwa abagejeje ikibazo ku Bunzi

Inteko y'abunzi imaze kubona Nkurunziza Niconeste akomeza gusobanura ikibazo cye avugako Ntengumukiza Jean de Dieu yarandurye borne 3 izindi 3 azubakiraho atabimumenyesheje kandi Nkurunziza ateza ico bornes yari kubwe na Ntengumukiza Jean de Dieu, agumya gutangazwa nuko abantu bampamagaye, bambwirako yandengereye, bumbajije impamvu ansubiza avuga ko ari abakozi babikoze aziko agiye kubikosora; aiko na nubu ataba [illegible] arabikoraho, ntaba mabo ko Ntengumukiza yakurahoimyubakoze kuri bornes zanjye kandi nizo yarandurye, akongera kuzisubizaho.

3.2. Ingingo z'uwisobanura cyangwa abisobanura ku Bunzi

Inteko y'abunzi imaze kubona Ntengumukiza Jean de Dieu asabwa kwisobanura muri iki kibazo, avugako izo bornes zarandurwe n'izubakiweho ari abafundi babikoze,

Imikono y'Abunzi bunga [illegible]

1. Hakizimana [illegible] Dieudonné
2. Uwiringiyimana [illegible]
3. Mukantabana Evaste

Imikono y'abafitanye ikibazo

1. Nkurunziza Niconeste
2. Ntengumukiza Jean de Dieu
3.
4.
5. [illegible]

[illegible] /2021

atiko ko agize kubikosora akabikuraho
kandi n'iyakandiwe igasubizwa aho yari
iri.

4. Ibimenyetso n'abatangabuhamya

4.1.a. Inyandiko n'ibindi bimenyetso byagaragajwe n'uwagize/abagize ikibazo ku butaka

[illegible] Théoneste yagaragarije intoki yabuzi
fiche cadastrale yabaruwe n'ikigo gishinzwe gupima
no gutera borne yatewe in 2021
[illegible] bwoze bagize bandikisha amasambu bakamubwa
[illegible] yanditse nyuma yo kugura [illegible]
Ntabo y'ubugure

4.1.b. Abatangabuhamya batanzwe n'uwagize/abagize ikibazo ku butaka

- Uwiragiye Chadrak niwe waranze ubwo butaka akaba n'umuhamya kubugure
- Abakozi bakampani baje gutera bornes
Uwihanganye Philbert
Ntaganzwa Emmanuel
Mutangabire Maria

[illegible]
1. Kazungu [illegible] Donné
2. Uwihi [illegible]
3. Mukantabana [illegible] Euraste

[illegible]
1. [illegible] Théoneste
2. Ntaganzwa [illegible] de Dieu
3.
4.
5.

[illegible] 25/10/2021

Icyitonderwa : Andika amazina ya buri mutangabuhamya n'incamake y'amakuru yatanze

Kaliza Vincent avuguishije abavo kutaka avuga ko Ntangumukiza Jean de Dieu yarezwe urubibi rwe.

4.2.a. Inyandiko n'ibindi bimenyetso byagaragajwe n'uwisobanura/abisobanura ku Rusi

Ntangumukiza Jean de Dieu yerekanye amasezerano y'ubugure

4.2.b. Abatangabuhamya batanzwe n'uwisobanura/abisobanura ku Rusi

Icyitonderwa : Andika amazina ya buri mutangabuhamya n'incamake y'amakuru yatanze

Imikono y'abunzi bakurikiranye ikibazo:

Kazungu [illegible]

Uwitije [illegible]

Mukantabana [illegible]

Imikono y'abafitanye ikibazo:

1. [illegible]
2. Ntangumukiza Jean de Dieu
3.
4.
5. [illegible]

5/01/2021

Sibomana Abdu umwimbungu wa Kaliba Vincent na Habiyaremye Aloys bose bavuga ko Nsengumukiza Jean de Dieu atanyereje Mukanziza Theoneste.

4.3. Ibimenyetso Abunzi bishingiyeho ([illegible] Inteko y'Abunzi [illegible], amakuru yavanywe ku [illegible])

Inteko y'abunzi yigereye aho (ikibuvamwa) ikibazo gikereye, yibariza amakuru abaturanyi baki bakari, kandi bitonera neza ko borne imwe yarandumwe, izindi zibakiweho

[illegible]

1. Kazungu [illegible]
2. Akujije [illegible]
3. Mukantabana [illegible]

[illegible]

1. Nsengumukiza Theoneste
2. Nsengumukiza Jean de Dieu
3.
4.
5.

[illegible]

Icyitonderwa : Andika amazina ya buri mutangabuhamya n'inshamake y'ubuhamya yatanze. Niba habayeho kujya aho icyo kibazo gishingiyeho kiri, andika amakuru y'ingenzi n'aho akomoka

5. Ingingo abafitanye ikibazo bumvikanyeho n'izo batumvikanyeho

5.1. Ingingo abafitanye ikibazo bumvikanyeho

Ntazo bumvikanyeho

5.2. Ingingo abafitanye ikibazo batumvikanyeho

Imikono y'Abunzi bakemuye ikibazo:

Kazungu [illegible]

2. Uwitije [illegible]

3. Mukantabana [illegible]

Imikono y'abafitanye ikibazo:

1. Nizeyimana [illegible]

2. Nsengiyumva [illegible]

3.

4. [illegible]

5.

[illegible]/04/2021

ubwo abitereye, akanigomeseza ubwe imbere y'inteko y'umudugudu nwa atoza ko azabikora mubwo ayiga ko kyatozwe n'abafundi bamurubakishaga.

Bityo inteko y'abunzi yemejako Ntangumuliza Jean de Dieu agomba kuzana abahinzwa guteza barnes bakongera gusubiza iyarandura rafoyazi ni kandi ko yabakiye hejuru atabikurako akabyegeza imbere ya barne bigakorwa bitarenze igihe cy'ibyumweru bibiri (2 semaines) atimara gusomerwa uyu mwanzuro ni ukuvuga kuva le 05/04/2021 kugeza le 19/04/2021 ntayandi mananiza abayeho.

7. Niba umwe mu bagize inteko atumvikanye n'abandi ku cyemezo cyafashwe andika ingingo [illegible]

Imikono y'Abunzi [illegible]

1. Kazungu [illegible]
2. Uwitije [illegible]
3. Mukantaba [illegible] Ernesta

Imikono y'abunzi [illegible]

1. [illegible]
2. [illegible] de Dieu
3. [illegible]
4. [illegible]
5. [illegible] Musinga

[illegible]/04/2021

8. Gusinya icyemezo

8.1. Abafatanya ikibazo

Amazina y'uwagejeje cyangwa abagejeje ikibazo ku Rwego	Itariki, n'umukono cyangwa igikumwe
Nkurunziza Théoneste	05/04/2021 [signature]
Amazina y'uwaburanywe cyangwa ababuranywe ku kibazo mu Rwego	**Itariki n'umukono cyangwa igikumwe**
Nsengumukiza Jean de Dieu	05/04/2021 [signature]

8.2 Amazina y'Abunzi batatu bagize inteko yakemuye ikibazo (umukono cyangwa igikumwe)

1. Kazungu Dieudonné [signature]
2. Uwihoye [illegible] [signature]
3. Mukantabana Evaste [signature]

Amazina n'umukono by'umwanditsi w'inteko yakemuye ikibazo: Mukantabana Evaste

Itariki na Kashe: 05/04/2021 [signature]

9. Itariki, amazina n'umukono by'uhawe umwanzuro w'Abunzi

Njewe Nkurunziza Théoneste mbonye umwanzuro w'ubwumvikane kuri uyu wa 5/4/2021

[signature]

Imikono y'Abunzi batatu bagize inteko yakemuye ikibazo:

Kazungu Dieudonné [signature]
Uwihoye [illegible]
Mukantabana Evaste [signature]

Imikono y'abafatanya ikibazo:

1. Nkurunziza Théoneste [signature]
2. Nsengumukiza Jean de Dieu
3.
4.
5.

[illegible] 05/04/2021

Icyitonderwa:

1. Igihe ikibazo cyasuzumwe kigafatirwa umwanzuro n'Abunzi umwe mu bafitanye ikibazo adahari, ashobora gusaba GUSUBIRAMO w'ikibazo y'Abunzi [illegible] mu gihe kitarenze iminsi 15, uhereye igihe umwanzuro [illegible] umwanzuro wafashwe.

2. Umwe mu bafitanye ikibazo utishimiye umwanzuro wafashwe na Komite y'Abunzi ku rwego rw'Akagari, afite igihe kitarenga iminsi 30 uhereye igihe yashyikirijwe umwanzuro w'inyandiko [illegible] kugira ngo abe YAJURIRA Komite y'Abunzi ku rwego rw'Umurenge. Kujuririra umwanzuro wafashwe n'Abunzi ku rwego rw'Akagari ntibitangirwa igarama.

3. Umuntu wese ubona cyangwa ngo aregwa mu kibazo cyasuzumwe na Komite y'Abunzi ariko agifitemo inyungu, ashobora GUTAMBAMIRA umwanzuro wafashwe [illegible] mu [illegible] rw'icyo kibazo. Gutambamira umwanzuro bikorwa mu gihe kitarenze iminsi cumi (10) uhereye igihe [illegible].

4. Igihe nta n'umwe mu bafitanye ikibazo ujuriye mu gihe cy'iminsi 30, umwanzuro w'Abunzi ushyirwa mu bikorwa ku bwumvikane, [illegible] Perezida w'Urukiko rw'Ibanze [illegible] umwanzuro [illegible] y'Umunyamabanga Nshingwabikorwa w'Umurenge [illegible] inyandiko [illegible] Komite y'Abunzi kandi ko utagishobora kujuririrwa.

5. Igihe ikibaye ngombwa Abunzi bashobora gukosora cyangwa gusobanura umwanzuro. Ikibazo gishobora [illegible] Komite y'Abunzi [illegible] Umunyamabanga Nshingwabikorwa w'umurenge [illegible] ikibazo. Umwanzuro [illegible] cyangwa gusobanurwa kandi ntujuririrwa.

Imikono y'Abunzi bakemuye ikibazo [illegible]

Kazungu [illegible]

Uwiringiye [illegible]

Mukantabana [illegible]

Imikono y'abafitanye ikibazo

1. Nzi[illegible]
2. Nsa[illegible] [illegible]onese
3. [illegible]ida Biea
4.
5. [illegible]nya

[illegible]/04/2021

URUKIKO RW'IBANZE RWA GASABO RURI KU CYICARO CYARWO RUHABURANISHA IMANZA NSHINJABYAHA, RUCIYE MURUHAME URUBANZA RP01356/2022/TB/GSBO, KU RWEGO RWA MBERE NONE KUWA 10/10/2023 MU BURYO BUKURIKIRA;

HABURANA:

UREGA: Ubushinjacyaha ku rwego rw'Ibanze rwa Gasabo buhagarariwe na UWIZEYIMANA Dative.

UREGWA:

NSENGUMUKIZA Jean de Dieu mwene Sirabajije Themistocles na Mukagatare ODETTE utuye mu Mudugudu wa Ntora, Akagari ka Ruhango, Umurenge wa Gisozi, Akarere ka Gasabo, Intara y'Umujyi wa Kigali, ubarizwa kuri TEL +250784333091 e-mail wunganirwa na AEQUITAS LAW CHAMBERS LTD

ICYAHA AREGWA: Gukuraho, kwimura imbibi cyangwa kuzonona, icyaha giteganywa kandi kigahanishwa n'ingingo ya 189 ***y'itegeko n0 68/2018 ryo kuwa 30/08/2018 riteganya ibyaha n'ibihano muri rusange).***

UREGERA INDISHYI:

NKURUNZIZA Theoneste mwene HABIMANA François na KANZIGA Astherie, utuye Nyagasozi,Kabuye Umurenge wa Jabana, akarere ka Gasabo, umujyi wa Kigali. wunganirwe na Me SAYINZOGA Jean Pierre.

I. IMITERERE Y'URUBANZA

1. Ubushinjacyaha busabira NSENGUMUKIZA Jean de Dieu igihano cyo kwishyura ihazabu y'amafaranga y'u Rwanda ibihumbi Magana atanu 500.00frws, bugasobanura ko bumukurikiranyeho icyaha cyo **Gukuraho, kwimura imbibi cyangwa kuzonona** yakoze ubwo yateng[...] NKURUNZIZA Theoneste yimuye imbibi (bornes) zabagabanya[...] uruzitiro.

2. Ubushinjacyaha busobanura ko ku wa 02/11/2020 aribwo NSENGUMUKIZA Jean de Dieu yatangiye kubaka urukiro maze arandura bornes zari zishinze hagati y'ibibanza NKURUNZIZA Theoneste na NSENGUMUKIZA, akaba yarabyemeraga avuga ko zaranduwe n'abafundi akemera no kubikosora nkuko bigaragazwa n'ubutumwa bwa whatsapp bandikiranye kuko icyo gihe NKURUNZIZA yarari hanze y'igihugu, nyuma yo kwemera ko byakozwe n'abafundi bamwubakiraga.
3. NSENGUMUKIZA Jean de Dieu yunganiwe na AEQUITAS LAW CHAMBERS LTD ahakana icyaha ariko akavuga ko atahakana ko borne atazibonye, ariko ko iyo yabonye ari imwe yari iri imbere y'irembo rye, indi akaba ari iyariri mu gikari cye munsi ya toilette ariko akavuga ko yaranduwe na HISHAMUNDA hinsura umuyoboro w'amazi.
4. NSENGUMUKIZA Jean de Dieu akomeza avuga ko Borne zashinzwe yabonye ari ebyiri, iyariri ku irembo n'iyariri munsi ya toilette yaranduwe na HISHAMUNDA Jean Nepo, avuga ko ibyo yemereye kuri whatsup ari uko icyo gihe yacishaga make kugirango NKURUNZIZA Theoneste atazamura ikirego kuko yubakaga ntacyangombwa afite, avuga ko ayo ma borne ntayigeze agaragara ariko ko bishoboka ko hari izo umufundi yubakiyeho ariko kandi ko azitera batari kumwe, akavuga ko ahamya ko yaziteye mu kibanza kitari icye, ko niba zinarimo yaziteye mukibanza cye.
5. Ubushinjacyaha buvuga ko hari abatangabuhamya bemeza ko NSENGUMUKIZA Jean de Dieu yaranduye bornes za NKURUNZIZA Theoneste izindi akazubakiraho, kandi nawe akaba yarabyemereye mu nzego z'ibanze akemera ko agiye no kubikosora, hakaba hari n'umwanzuro w'abunzi nyuma yo kujya kukiburanwa wemeje ko NSENGUMUKIZA Jean de Dieu agomba gusubizaho borne yaranduye, izo yubakiyeho agakuraho urugo rwe akogiza imbere ya borne, akaba atarawujurriye.
6. NKURUNZIZA Theoneste nyitabiriye iburanisha rya nyuma ariko ayabanje yose yarahari kandi yarireguye yunganiwe na Me SAYINZOGA Jean Pierre, urukiko rwasanze yaburanishwa adahari kuko urubanza yararuzi kandi nta mpamvu yagaragaje yatumye atitabira iburanisha.
7. NKURUNZIZA Theoneste yunganiwe na Me SAYINZOGA Jean Pierre [illegible] indishyi z'akababaro za miliyoni eshanu (5.000.000frw) avuga ko ibikorwa NSENGUMUKIZA Jean de Dieu yakoze byo [illegible]

gukoresha ubutaka bwe kuko yarugiye ku twubakaho apartment ariko kuko yamurengereye akaba atarabikoze kandi borne yaranduye izindi akazubakiraho zaratewe bari kumwe, avuga ko ibyo byose NSENGUMUKIZA Jean de Dieu yabikoraga kuko atarahari nyuma yo guhamagarwa n'abaturanyi babimubwiye hatangira amakimbirane, NKURUNZIZA Theoneste avuga ko yarafite icyangombwa cyo kubaka igikaba cyarapfuye ubusa, avuga kandi ko asaba igihembo cya Avoka cya 500.000frw kuko byatumye ashaka umwunganizi, amafaranga y'ikurikiranarubanza ibihumbi 200.000frw, akavuga ko yasiragiye kenshi mu nzego z'ibanze ariko ibyo bemeranyijwe ntabishyire mu bikorwa nubu akaba agisiragira asaba ko yanategekwa no kumusubiza igarama yatanze arega.

Ibibazo bigomba gusuzumwa n'urukiko:

Kumenya niba imvugo za NSENGUMUKIZA Jean de Dieu, imvugo z'abatangabuhamya n'umwanzuro w'abunzi byaba ibimenyetso bihamya NSENGUMUKIZA Jean de Dieu icyaha akurikiranweho.

Kumenya ibihano NSENGUMUKIZA Jean de Dieu yahabwa mu gihe yahamwa n'icyaha.

Kumenya niba hari indishyi zatangwa muri uru rubanza.

II.ISESENGURA RY'IBIBAZO BIGIZE URUBANZA

- ***kumenya niba imvugo za NSENGUMUKIZA Jean de Dieu, imvugo z'abatangabuhamya n'umwanzuro w'abunzi byaba ibimenyetso bihamya NSENGUMUKIZA Jean de Dieu icyaha akurikiranweho.***

8. Ingingo ya 110 (al.1) y'itegeko n°15/2004 ryo kuwa 12/6/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo iteganya ko "***Ukwiyemerera mu rubanza ni amagambo umuburanyi cyangwa umuhagarariye avugira mu rukiko agira ibyo yemera. Ayo magambo atsindisha uwayavuze.*** Iyi ngingo yumvikanisha ko umuntu uburana agira ibyo yemera mu byo ashinjwa,ukwemera icyaha kwe kumutsindisha.

9. Ingingo ya 2, 3 na 4 z'itegeko n° 15/2004 ryo ku wa 12/06/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo, zivuga ko "***Ikimenyetso cyo mu rubanza ni uburyo bukoreshwa kugira ngo ukuri ku' ibyabaye kugaragare; Buri muburanyi agomba kugaragaza ukuri kw'ibyo aburana; Umucamanza ashobora nyamara gutegeka umuburanyi wese gutanga gihamya y'ibimenyetso afite; Urukiko ruca urubanza rwaregewe hakurikijwe ibimenyetso bihuje na kamere y'ikiburanwa.***

10. Ingingo ya 65 y'itegeko n°15/2004 ryo kuwa 12/6/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo iteganya ko "***Urukiko ni rwo rwonyine rupima ko imikirize y'abatangabuhamya ihuye n'ikiburanwa, ifite ingingo zikiranuye kandi ikaba ikwiye kwemerwa cyangwa guhakanwa. Ntirwitsitsa ku mubare w'abatangabuhamya. Rwita cyane cyane ku bumenyi bwabo bw'ibyabaye, no ku buryo babivuga uko byagenze nta cyo bihimbira.***" Ingingo yumvikanisha ko hatagombera umubare mwinshi w'abatangabuhamya ngo ubuhamya batanze bwemerwe cyangwa ntibwemerwe ahubwo hitabwa ku bumenyi bwabo no kuburyo batanga ubuhamya ntacyo bihimbira.

11. NSENGUMUKIZA Jean de Dieu mu bugenzacyaha yiyemereye ko bornes zaranduwe n'abafundi bamwubakiraga, yiyemereye ko agiye kubabwira bagatera ikamba bagabuza borne yo kwirembo niyo ku muhanda ndetse niyo ku ivoka, yongeye kubwira urukiko ko hari borne abafundi bimuye iteganye n'izindi, ubundi ko izo zindi zivugwa ko yubakiyeho ntazo azi kuko ziterwa atari ahari atamenye n'uburyo zatewe kuko zatewe adahari akavuga ko zatewe mu kibanza cye.

12. Umutangabuhamya KALISA Vincent wagurishije ubwo butaka avuga ko NSENGUMUKIZA Jean de Dieu yarenze urubibi rwe, nabo Jean Marie Vianney HABIYAREMYE nawe akemeza ko ikibazo cyabaye borne ariko ko akurikije igishushanyo bakoze bagurisha NSENGUMUKIZA Jean de Dieu, asanga ubutaka bwe yarabumaze yo.

UKO URUKIKO RUBIBONA

13. Ingingo ya 119 y'itegeko n°15/2004 ryo kuwa 12/6/2004 ryerekeye ibimenyetso mu manza n'itangwa ryabyo iteganya ko "***Mu manza nshinjabyaha, ibimenyetso bishingira ku mpamvu zose z'ibyabaye n'ibyemejwe n'amategeko, ababuranyi bapfa kuba barahawe uburyo bwo kuhaba ngo banyomozanye. Urukiko ruhamya ku buryo butavuguruzwa ko ibimenyetso byose birega cyangwa biregura ari byo kandi ko bishobora kwemerwa.***"

14. Urubanza rwasubitswe kenshi hasabwa ko ababuranyi bagerageza gukemura ikibazo bafitanye ku neza, ndetse n'umwunganizi wa NSENGUMUKIZA Jean de Dieu yarabyifuzaga, ariko nkuko byagaragajwe ababuranyi bemera ko kumvikana byananiranye na nyuma yo guhurira ku kiburanwa hari abagurishije ubutaka n'ababuguze ndetse n'abatechnicien bagombaga gupima ubutaka ikibazo kigakosorwa.

15. Urukiko rurasanga hari inyandiko yo ku wa 7/5/2022, yemeza ko NSENGUMUKIZA Jean de Dieu na NKURUNZIZA Theoneste bafitanye amakimbirane ashingiye ku mbibi, rusanga kandi inyandiko yo ku wa 11/3/2021 nayo yemeza ko hari ikibazo cya bornes hagati ya NSENGUMUKIZA Jean de Dieu na NKURUNZIZA Theoneste, rusanga kandi hari Umwanzuro w'abunzi wo ku wa 05/04/2021 wategekaga ko NSENGUMUKIZA Jean de Dieu azana abashinzwe gutera borne bagasubizaho iya randuwe igasubizwa aho yariri, nyuma yo kwemera ko iyo borne yaranduwe n'abafundi bamwubakiraga, akavuga ko izindi bashobora kuba barazubakiyeho, uwo mwanzuro ukaba warategetse kandi ko NSENGUMUKIZA Jean de Dieu akura ibikorwa bye kuri bornes yubakiyeho akabyigiza imbere ya bornes ntayandi mananiza, Urukiko rukaba rusanga

NSENGUMUKIZA Jean de Dieu ntabyo yakoze, akaba yarajuririye uwo mwanzuro w'abunzi ariko ubujurire bwe ntibwakirwa.

16. Urukiko na none rusanga ubwo NSENGUMUKIZA Jean de Dieu na NKURUNZIZA Theoneste baganiraga kuri whatsup, NSENGUMUKIZA Jean de Dieu yaremeye ko hari borne yo ku irembo yaranduwe iteganye niyo ku muhanda, yemera ko agiye kubwira abafundi bagatera ikamba bakabikosora ariko akaba atarabikosoye, akavuga izo bornes atazizi ngo kuko zatewe adahari, urukiko rusanga yaravuze ko ibyo yemeye ko yacishaga make kuko yubakaga nta cyangombwa afite. Urukiko rusanga mu iburanisha NSENGUMUKIZA Jean de Dieu yaremeye ko ubwo butumwa bwaba ikimenyetso cyashingirwaho n'urukiko.

17. Ingingo ya 2 y'itegeko no 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange ivuga ko ***icyaha ari igikorwa kibujijwe n'itegeko cyangwa kwanga gukora igitegetswe ku buryo bihungabanya umutekano mu bantu kandi hari itegeko ribiteganyiriza igihano***"

18. Urukiko rushingiye kuri raporo z'inzego z'ibanze zitandukanye zemeza ko NSENGUMUKIZA Jean de Dieu na NKURUNZIZA Theoneste bafitanye ikibazo cya bornes, NSENGUMUKIZA Jean de Dieu akemera ko zaranduwe n'abafundi bamwubakiraga kandi akemera ko agiye kubikosora ariko akaba atarabikosoye, rugasanga kandi hari n'umwanzuro w'abunzi wategekaga NSENGUMUKIZA Jean de Dieu gushaka abahishinzwe bagasubizaho bornes yatranduwe ndetse agakuraho n'ibyo yubatse hejuru ya bornes akabyigiza imbere, rushingiye kandi ko hari abatangabuhamya bemeza ko NSENGUMUKIZA Jean de Dieu yarengereye akarenga imbibi, abamugurishije bakaba badahuza imbi z'aho bamugurishije, kuko bamwe bemeza ko yaharenze abandi bakabihakana, rusanga ibikorwa yakoze bigize icyaha nkuko nawe yiyemereye ko borne yazibonye kandi ko zaranduwe n'abafundi bamwubakiraga.

19. **Bernard Bouloc na Haritini Matsopoulou** avuga ko byitwa icyaha iyo byujuje ibintu bitatu aribyo igikorwa kigize icyaha, itegeko riteganya

icyo gikorwa rikanagena ibihano, bamwe n'ubushake bwo gukora icyaha1.

20. Urukiko rushingiye ku bivugwa mu ngingo z'amategeko zagaragajwe hejuru, ibivugwa mu nyandiko z'abahanga, ibimenyetso byagaragajwe bitandukanye, rugashingira kandi ku mvugo z'abatangabuhamya ndetse n'imvugo z'uregwa NSENGUMUKIZA Jean de Dieu n'umwunganizi we, rusanga ibikorwa NSENGUMUKIZA Jean de Dieu yakoze biteganywa n'ingingo ya 189 y'itegeko no 68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange bigize icyaha cyo **Gukuraho, kwimura imbibi cyangwa kuzonona** kuko NSENGUMUKIZA Jean de Dieu nubwo avuga ko borne zakuweho n'abafundi bamwubakiraga, urukiko rusanga batari kubaka aho batabwiwe, NSENGUMUKIZA Jean de Dieu akaba ahamwa n'icyaha cyo Gukuraho, kwimura imbibi cyangwa kuzonona.

21. Urukiko rushingiye ko rusanga NKURUNZIZA Theoneste afite uruhushya rwo kubaka ndetse na fiche cadastrale, rusanga umujyi wa Kigali utari kukimuha hatabanje gufatwa ibipimo by'ikibanza kigiye gushyirwaho inyubako kandi igeretse, rusanga kandi atari kubona fiche cadastral hatabanje guterwa borne.

22. Urukiko rukaba rusanga NSENGUMUKIZA Jean de Dieu agomba gukura ibikorwa bye mu kibanza cy'ahandi, kugirango borne zisubizwe aho zari ziteye nkuko byari byemejwe mu mwanzuro w'abynzi wo ku wa 5/4/2021.

> ***Kumenya ibihano NSENGUMUKIZA Jean de Dieu yahanishwa mugihe yahamwa n'icyaha.***

23. Ubushinjacyaha busaba ko mu gihe NSENGUMUKIZA Jean de Dieu yahamwa n'icyaha akurikiranweho, yahanishwa igihano cyo gutanga ihazabu y'amafaranga y'u Rwanda ibihumbi (500.000Frw).

24. NSENGUMUKIZA Jean de Dieu avuga ko nta cyaha yakoze kuko izo bornes aregwa zatewe mu kibanza cye kandi zigaterwa adahari.

25. Ingingo ya 189 y'itegeko no 68/2018 ryo ku wa 30/08/2018 iteganya ko "***Umuntu wese, atabifitiye uburenganzira, ukuraho, wimura cyangwa wonona, ku bw'inabi, imbibi cyangwa ibiti byatewe cyangwa byemeweho kuba imbago, aba akoze icyaha. Iyo abihamijwe n'urukiko, ahanishwa ihazabu y'amafaranga y'u Rwanda atari munsi y'ibihumbi mirongo itanu (50.000 FRW) ariko atarenze ibihumbi magana atanu (500.000 FRW) cyangwa imirimo y'inyungu rusange mu gihe kitari munsi y'iminsi cumi n'itanu (15) ariko kitarenze iminsi mirongo itatu (30).***"

26. Urukiko rushingiye ko rwasanze NSENGUMUKIZA Jean de Dieu ahamwa n'icyaha akurikiranweho, rusanga agomba kugabanirwa akaba ahanishijwe igihano cyo gutanga ihazabu y'ibihumbi Magana atanu(500.000frw).

Kumenya niba hari indishyi zatangwa muri uru rubanza.

27. NKURUNZIZA Theoneste n'umwunganizi we Me SAYINZOGA Jean Pierre ntibitabye urukiko, ariko amaburanisha yabanje bakaba bari bahari kandi barasobanuye ikirego cy'indishyi batanze, bakaba baregeye indishyi z'akababaro za miliyoni eshanu (5.000.000frw) avuga ko ibikorwa NSENGUMUKIZA Jean de Dieu yakoze bya mubabaje bikamubuza gukoresha ubutaka bwe kuko yaregiye ko bwubakaho apartment ariko kuko yamurengereye byatumye adindira kuko byakuruye amakimbirane n'imanza zitarangira, NKURUNZIZA Theoneste avuga ko yarafite icyangombwa cyo kubaka kikaba cyarapfuye ubusa, avuga kandi ko asaba igihembo cya Avoka cya 500.000frw kuko byatumye ashaka umwunganizi mu mategeko, asaba n'amafaranga y'ikurikiranarubanza ibihumbi 200.000frw, kuko yasiragiye kenshi mu nzego z'ibanze ariko ibyo bemeranyijwe ntabishyire mu bikorwa nubu akaba agisiragira asaba ko yanategekwa no kumusubiza igarama yatanze arega.

28. NSENGUMUKIZA Jean de Dieu avuga ko asanga izo ndishyi ntashingiro zifite ngo kuko NKURUNZIZA Theoneste yamaze ko bakemura ikibazo ku bwumvikane.

29. Ingingo ya 10 na 11 z'itegeko N° 027/2019 ryo ku wa 19/09/2019, ryerekeye imiburanishirize y'imanza z'inshinjabyaha, zivuga ko ***"Ikirego cy'indishyi gishobora gutangwa n'uwangirijwe n'icyaha wese. Ashobora kuba ari umuntu ku giti cye cyangwa ikigo gifite ubuzima gatozi, cyaba icya Leta cyangwa icy'abikorera cyangwa undi muntu ubyemererwa n'amategeko."*** na ho 11 ikavuga ko ***"Indishyi zishobora kuregwa uwakoze icyaha, uwo bafatanyije gukora icyaha, icyitso cye kimwe n'utegetswe kuriha indishyi. Indishyi zishobora kandi gusabwa abazungura b'uwakoze icyaha."***

30. Ingingo ya 111 y'itegeko No 22/2018 ryo ku wa 29/04/2018 Itegeko ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsi ivuga ko ***"Ikirego cy'amafaranga y'ikurikiranarubanza ni ikirego gishamikira ku kirego cy'iremezo kigamije kwishyuza ibyakoreshejwe mu rubanza. Ikirego cy'amafaranga y'ikurikiranarubanza kiburanishirizwa rimwe n'ikirego cy'iremezo. Gishobora kandi kwakirwa kikanaburanishwa n'iyo ikirego cy'iremezo cyaba kitakiriwe."***

31. Urukiko rushingiye ku ngingo zimaze kuvugwa hejuru, rushingiye ko rwasanze NSENGUMUKIZA Jean de Dieu ahamwa n'icyaha akurikiranweho, kuko yagiye yemera kandi ategekwa gusubizaho bornes zaranduwe n'abakozi be ariko ntabikore, rugasanga kandi NKURUNZIZA Theoneste yarafite icyangombwa cyo kubaka kikaba cyarapfuye ubusa kuko cyarangiye kandi atagikoresheje, rusanga ikirego cye cy'indishyi gifite ishingiro.

32. Urukiko rushingiye ko rwasanze indishyi zasabwe na NKURUNZIZA Theoneste ari umurengera, rusanga yahabwa indishyi zibazwe mu bushishozi bw'urukiko, rusanga ariko kuko atari kubona uruhushya rwo kubaka adatanze amafaranga yo kurusaba, kandi akaba yarabanje kunyura mu nzego z'ibanze no mu bunzi ngo arebe ko ikibazo afitanye na NSENGUMUKIZA Jean de Dieu cyakemuka ku neza ariko ntabyemere kandi yemera ko bornes aregwa zaranduwe n'abafundi bamwubakiraga, rusanga kuba yari yemeye ko azabikemura akanabitegekwa n'umwanzuro w'abunzi ariko ntabikore byatumye NKURUNZIZA Theoneste hari ibyo atakaza kubera ko yarambuye ... n'inzego zitandukanye nao ... NSENGUMUKIZA

Jean de Dieu akaba agomba kubimuhera indishyi kuko ariwe wakuruye amakimbirane, akaba agomba guha NKURUNZIZA Theoneste miliyoni ebyiri (2.000.000frw) zikubiyemo indishyi z'akababaro n'indishyi z'ikurikiranarubanza n'igihembo cya avoka n'igarama.

III. ICYEMEZO CY'URUKIKO

33. **RWEMEJE** ko ikirego cy'ubushinjacyaha gifite ishingiro.

34. **RWEMEJE** ko NSENGUMUKIZA Jean de Dieu ahamwa n'icyaha akurikiranweho.

35. **RWEMEJE** ko ikirego cy'indishyi cya NKURUNZIZA Theoneste gifite ishingiro.

36. **RUHANISHIJE** NSENGUMUKIZA Jean de Dieu igihano cyo gutanga ihazabu y'ibihumbi Magana atanu(500.000frw).

37. **RUTEGETSE** ko NSENGUMUKIZA Jean de Dieu akura ibikorwa bye mu kibanza cya NKURUNZIZA Theoneste kugirango hasubizweho bornes zahahoze.

38. **RUTEGETSE** NSENGUMUKIZA Jean de Dieu guha NKURUNZIZA Theoneste indishyi zingana na miliyoni ebyiri (2.000.000frw) zikubiyemo indishyi zose yasabaga, ikurikiranarubanza, igihembo cya avoka n'igarama.

NI UKO RUKIJIJWE KANDI RUSOMEWE MU RUHAMWE NONE KUWA 10/10/2023.

UMUCAMANZA	**UMWANDITSI**
KAREKEZI Vestine	**UWANYIRIGIRA Angelique**
(Sé)	**(Sé)**

BN: 8810129 7-7-710
Delivered on 12th oct 2023.
Greffier TB Gasabo
NYIRANGA [illegible]

URUKIKO RWISUMBUYE RWA GASABO, RURI KU KICYARO CYARWO, RUHABURANISHIRIZA IMANZA Z'INSHINJABYAHA KU RWEGO RW'UBUJURIRE, RUKIJIJE URUBANZA RPA 00422/2023/TGI/GSBO, MU RUHAME, MU BURYO BUKURIKIRA:

HABURANA:

UREGA: UBUSHINJACYAHA KU RWEGO RWISUMBUYE RWA GASABO.

UREGWA (WAJURIYE): NSENGUMUKIZA Jean de Dieu, mwene Sinabajije Themistocles na Mukagatare Odette, utuye mu Mudugudu wa Ntora, Akagari ka Ruhanga, Umurenge wa Gisozi, Akarere ka Gasabo, Umujyi wa Kigali, ubarizwa kuri Tel +250784333681.

ICYAHA ASHINJWA: Gukuraho, kwimura imbibi cyangwa kuzonona, icyaha giteganywa kandi kigahanishwa ingingo ya 182 y'itegeko nº 68/2018 ryo kuwa 30/08/2018 riteganya ibyaha n'ibihano muri rusange nkuko ryahinduwe kugeza ubu. (Kujuririra urubanza RP 01356/2022/TB/GSBO, rwaciwe ku wa 10/10/2023)

UREGERA INDISHYI: NKURUNZIZA Theoneste, mwene HABIMANA François na KANZIGA Asthérie, utuye mu Mudugudu wa Nyagasozi, Akagari ka Kabuye, Umurenge wa Jabana, Akarere ka Gasabo, Umujyi wa Kigali.

I. IMITERERE Y'URUBANZA

[1] Uru rubanza rwatangiriye mu Rukiko rw'Ibanze rwa Gasabo, ubushinjacyaha burega NSENGUMUKIZA Jean de Dieu, gukuraho, kwimura imbibi cyangwa kuzonona, buvuga ko ku wa 02/11/2020, yatangiye kubaka igipangu maze arandura imbibi (bornes) zari zishinze hagati y'ikibanza cye n'icy'uwitwa NKURUNZIZA Theoneste, akaba yarabyemeraga ariko akavuga ko zarandowe n'abafundi, akemera no kubikosora nkuko bigaragazwa n'ubutumwa bwa whatsapp bandikiranye kuko icyo gihe NKURUNZIZA yari hanze y'igihugu. Ubushinjacyaha bushingiye kukuba mu Bugenzacyaha yaremereye ko imbibi (bornes) zarandowe n'abafundi bamwubakiraga kandi ko agiye kubabwira

bagatera ikamba bagahuza bome yo ku irembo n'iyo ku muhanda ndetse n'iyo kuri avoka, ko hari bome abakundi bimuye iteganye n'iyindi naho izindi zivugwa ko yubatsiyeho mazo azi kubera ko zitewe atari ahari atamenya n'ukuryo zatewe kandi ko zatewe mu kibanza nye.

[2] Kuba umutangabuhamya KALISA Vincent wagurishije ubwo butaka avuga ko NSENGUMUKIZA Jean de Dieu yarenze urubibi nwe naho Jean Marie Vianney HABIYAREMYE nawe akemeza ko ikibazo cyabaye bome ariko ko akurikije igishushanyo bakoze bagurisha avuga NSENGUMUKIZA Jean de Dieu, yaramazeho ubutaka bwe, kuba hari umwanzuro w'abunzi nyuma yo kuye bakiburanwa wemeje ko NSENGUMUKIZA Jean de Dieu agomba gusubizaho bome yarenduye, ko yubatsiyeho agakuraho urugo rwe akigiza imbere ya bome, akabo atarawapimye. Bumusabira igihano cyo kwishyura ihazabu y'amafaranga y'u Rwanda, ibihumbi magana atanu 500,000frw.

[3] NSENGUMUKIZA Jean de Dieu yaburanye ahakana icyaha, ariko avuga ko yabonye bomes ebyiri, imwe yari imbere y'irembo rye n'indi yari ahandi kandi yo zakitse yarandurwe na HISHAMUNDA Jean Nepo, bimura umuntu wundi byo yamenye kuri whatsup ari uko icyo gihe yacishago make NKURUNZIZA Theoneste atazamura inkingo kuko yubakaga ntacyangombwa afite, avuga ko iyo ma bome akigeze aparagara ariko ko bishoboka ko hari uwo umufundi yubatsiyeho ariko kandi ko aziters batari kumwe, kandi ahamya ko yubatse mu kibanza kibari iye, ko nta zirakinso yazitseye mukibanza cye.

[4] NKURUNZIZA Theoneste yaregeye indishyi yasaba ubushinjacyaha asaba indishyi z'akababaro za miliyoni eshanu (5.000.000frw) ashingiye kukuba yarababajwe n'ibikorwa NSENGUMUKIZA Jean de Dieu yamukoreye byo kumufuza gukoresha ubutaka bwe icyo yari akeneye kubukoresha kuko yari agiye ku bwubakaho apartment ariko kuko yamurengereye akabo atarabikuze kandi bome yarandugye izindi akazubakiraho zarazitewe bari kumwe, icyangombwa cyo kubaka yari afite kikaba cyarapfuye ubusa, agasaba n'igihembo cya Avoka cya 500.000frw kuko byatumye ashaka umwunganizi, amafaranga y'ikurikiranarubanza ibihumbi 200.000frw no gusubizwa igarama yatanze ange.

[5] Urubanza RP 01356/2022/TB/GSBO, rwaciwe ku wa 10/10/2023, rwemeza ko ikirego cy'ubushinjacyaha gifite ishingiro, rwemeza ko NSENGUMUKIZA Jean de Dieu ahamwa n'icyaha akurikiranweho, rwemeza ko ikirego cy'indishyi cya NKURUNZIZA Theoneste gifite ishingiro, ruhanisha NSENGUMUKIZA Jean de Dieu igihano cyo gutanga ihazabu y'ibihumbi magana atanu (500.000frw), rutegeka ko NSENGUMUKIZA Jean de Dieu akura ibikorwa bye mu kibanza cya NKURUNZIZA Theoneste kugira ngo hasubizweho imbago zahahoze, rutegeka NSENGUMUKIZA Jean de Dieu guha NKURUNZIZA Theoneste indishyi zingana na miliyoni ebyiri (2.000.000frw) zikubiyemo indishyi zose yasabaga, ikurikiranarubanza, igihembo cya avoka n'igarama.

[6] NSENGUMUKIZA Jean de Dieu yajuriye mu Rukiko Rwisumbuye rwa Gasabo, avuga ko yahamijwe icyaha kandi nta bimenyetso bifatika bikomuhamya ndetse asanga ibikorwa ashinjwa bitanagize icyaha, ahubwo ari ikibazo cyagombye gukemukira hagati yabo kuko ari imbonezamubano, asaba kurenganurwa.

[7] Uhagarariye ubushinjacyaha avuga ko ubujurire bwe nta shingiro bufite, kuko ibigize icyaha cyo gukuraho, kwimura imbibi cyangwa kuzonona [illegible] hari kandi ko hari ibimenyetso bibyemeza, asaba ko urubanza rwajuriwe rukwiye [illegible].

[8] Urubanza rwaburanishijwe mu ruhame ku wa 18/09/2024, NSENGUMUKIZA Jean de Dieu yunganiwe na Me MFASHINGABO Aimable, NKURUNZIZA Theoneste uregera indishyi yunganiwe na Me SAYINZOGA Jean Pierre naho ubushinjacyaha buhagarariwe n'umushinjacyaha UWAKOZE Joseph.

Muri uru rubanza hakaba hakwiye gusuzumwa ibibazo bikurikira:

-Kumenya niba ibimenyetso byatanzwe n'ubushinjacyaha bihamya NSENGUMUKIZA Jean de Dieu, icyaha cyo gukuraho, kwimura imbibi cyangwa kuzonona nkuko byemejwe n'urukiko rw'ibanze cyangwa se niba yagirwa umwere kuko ibikorwa yakoze bitagize icyaha nkuko abivuga no kumenya niba akwiye kugabanyirizwa igihano yahawe ku rwego rwa mbere.

-Kumenya niba indishyi zagenwe mu rubanza rujuririwa zikwiye.

II. ISESENGURA RY'IBIBAZO BIGIZE URUBANZA.

a. Ku byerekeranye no kumenya niba ibimenyetso byatanzwe n'Ubushinjacyaha, bihamya NSENGUMUKIZA Jean de Dieu, icyaha cyo gukuraho, kwimura imbibi cyangwa kuzonona nkuko byemejwe n'urukiko rw'ibanze cyangwa se niba yagirwa umwere kuko ibikorwa yakoze bitagize icyaha nkuko abivuga no kumenya niba akwiye kugabanyirizwa igihano yahawe ku rwego rwa mbere.

[9] NSENGUMUKIZA Jean de Dieu n'umwunganizi we, bavuga ko urukiko rwirengagije ibisobanuro bya NSENGUMUKIZA Jean de Dieu aho basobanuye ko imbago zitarandurwa, ahubwo abakozi bamwubakiraga bazibonye ubwo bacukuraga ndetse anabimenyesha NKURUNZIZA Theoneste, ko niba nta kibazo bazisubizamo maze arabyanga, bigaragaza ko nta mugambi wo kuzirandura yari afite, bakomeza bavuga ko mu gika cya 15 ku rupapuro rwa 5, urukiko rwavuze ko ikibazo ari amakimbirane y'abaturanyi kubijyanye n'ubuzungere bw'imbibi nkuko biteganywa n'ingingo ya 73 y'itegeko ry'ubutaka, basanga umucamanza yarabonye ko amakimbirane y'ubutaka n'icyaha, akomeza ko ahamwa n'icyaha kandi atarakoze, bavuga ko urukiko rw'ibanze rwasabwe kugira ngo ikibazo gikemuke hashyirweho itsinda ry'abahanga bashinzwe ubutaka ndetse byaje no kwemezwa ko bazakora ku wa 18/07/2023, ariko batunguwe nuko nta raporo igaragaje ngo ishingirweho. So basanga nta cyaha cyabayeho ahubwo ari amakimbirane ashingiye ku butaka.

[10] Umushinjacyaha avuga ko NSENGUMUKIZA Jean de Dieu yakoze icyaha nkuko umucamanza yabigaragaje mu gika cya 11 cy'urubanza ajuririra kuko yemeye ko haboye amakosa yuko abafundi barandura imbibi ku bushake bamo bubaka, yanga kuzisubizaho ku bushake, akomeza avuga ko binagaragajwe ko mu gika cya 12 abatangabuhamya bamushinja bavuga ko yabikoze ndetse hakaba hari na raporo y'inzego z'ibanze zimushinja ko yasabwe gusubizaho imbago akabyanga, ikibazo kikagera mu Bunzi nabo bakabimutegeka, ariko akabyanga bigaragaza ko nta bushake yagaragaje bwo gukemura ikibazo mu bwumvikane kandi ariya bimwe zishyirwaho na Leta, ariyo mpamvu yarezwe icyaha, icyemezo cyafashwe kikaba gikwiye kugumishwaho.

[11] NKURUNZIZA Theoneste n'umwunganizi we bavuga ko bashingiye ku ngingo ya 183 CPP, basanga nta nenge bagaragaza ziqize urubanza bajuririra ndetse nta n'ibimenyetso bagaragaza byerekana kubeshya Kumucamanza mu rubanza, anyo mpamvu basanga urubanza rwaciwe n'urukiko rw'Ibanze nta nenge rufite zatuma ruhinduka cyane ko bo bagaragaje ibimenyetso bitandukanye birimo ubutumwa bugufi bagiye bandikirana bugaragaza kwiyemera ko yaranduye izo mbibi naho kuvuga ko ari amakimbirane asanzwe atariyo kuko umucamanza yasobanuye icyo amategeko ateganya kurandura imbibi zatewe na Leta, agaragaza ko ari icyaha kandi ko hari ibimenyetso bimuhamya icyaha.

UKO URUKIKO RUBIBONA:

> ***Ku bijyanye no kumenya niba ibimenyetso byatanzwe n'Ubushinjacyaha bihamya NSENGUMUKIZA Jean de Dieu, icyaha cyo gukuraho, kwimura imbibi cyangwa kuzonona nkuko byemejwe n'urukiko rw'Ibanze cyangwa se niba yagirwa umwere kuko ibikorwa yakoze bitagize icyaha nkuko abivuga.***

[12] Ingingo ya 189 y'itegeko N°68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange nkuko ryahinduwe kugeza ubu, iteganya ko umuntu wese [illegible] uburenganzira, ukuraho, wimura cyangwa wonona, ku buryo [illegible] ibiti byatewe cyangwa byemewe kuba imbago, aba akoze icyaha [illegible] yo igasobanura ko umushinjacyaha ari uwatabanyije ku buryo butaziguye n'ukekwa icyaha.

[13] Ingingo ya 107 y'itegeko nº 027/2019 ryo ku 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha nkuko ryahinduwe kugeza ubu, iteganya ko ***Ubushinjacyaha, uwakorewe icyaha cyangwa se abamufiteho uburenganzira iyo baregeye indishyi z'akababaro cyangwa biregeye umuburanyi, aribo bagomba gutanga ibimenyetso byemeza icyaha, [...].***

[14] Izi ngingo zitavuzwe haruguru zumvikanisha ko kugira ngo umuntu ahamwe n'icyaha cyo gukuraho, kwimura cyangwa konona imbibi, ari uko ku bw'inabi yimuye, akuyeho cyangwa yononye imbibi cyangwa ibiti byatewe cyangwa byemewe kuba imbago, ashobora kandi no guhamwa nacyo iyo yafatanyije ku buryo butaziguye n'uwakoze icyaha,

[illegible]

ubushinjacyaha n'uwakorewe icyaha bakoze bafite ishingiro zo gutanga ibimenyetso byemeza icyaha.

[15] Urukiko rurasanga mu guhamya NSENGUMUKIZA Jean de Dieu icyaha ku rwego rwa mbere, urukiko rwarashingiye ku kuba hari inyandiko yo ku wa 7/5/2022, yemeza ko NSENGUMUKIZA Jean de Dieu na NKURUNZIZA Theoneste bafitanye amakimbirane ashingiye ku mbibi, inyandiko yo ku wa 11/3/2021 nayo yemeza ko hari ikibazo cya bornes hagati ya NSENGUMUKIZA Jean de Dieu na NKURUNZIZA Theoneste, kuba hari umwanzuro w'abunzi wo ku wa 05/04/2021 wategekaga ko NSENGUMUKIZA Jean de Dieu azana abashinzwe gutera bornes bagasubizaho iyaranduwe igasubizwa aho yari, nyuma yo kwemera ko iyo borne yaranduwe n'abandi batamuzi. Kuba NSENGUMUKIZA Jean de Dieu na NKURUNZIZA Theoneste baraganiriye kuri whatsapp, akemera ko hari borne yo ku rembo itagaragara ku ruhande yaranduwe, ko agiye kubwira abandi bagatera ikamba bakayisubizaho ariko akaba atarabikoreye. Kuba hari raporo z'inzego z'ibanze zitandukanye zemeza ko NSENGUMUKIZA Jean de Dieu na NKURUNZIZA Theoneste bafitanye ikibazo cya bornes no kuba hari abatangabuhamya bemeza ko NSENGUMUKIZA Jean de Dieu yarenganye akaranga imbibi.

[16] Urukiko rurasanga imyiregurire ya NSENGUMUKIZA Jean de Dieu yo guhakana icyaha anyo akomeje no kuri uru rwego, igaragaza ko nta [illegible] bimuhamya icyaha, ariko nyamara akarengagiza ko ubwe yiyemereye ko imbibi [illegible] zarandutse kandi zikarandurwa n'abandi yatinyanyaho, anafite [illegible] kubagenzura, akanabahemba ndetse akanesezwa [illegible] akanabyiyemerera nkuko bigaragara mu butumwa bwa whatsapp [illegible] NKURUNZIZA Theoneste, ariko ntabikora, bikaba bigaragaza ko yafatanyije n'abandi be ku buryo butaziguye mu gukora icyaha, uruhare rwe rukaba ari aho rugaragarira kuko abandi ubwabo batari gutinyuka kurandura imbibi batabitumwe n'uwabahaye akazi.

[17] Hashingiwe ku ngingo z'amategeko zasobanuwe hejuru, urukiko rurasanga igikorwa NSENGUMUKIZA Jean de Dieu yakoze cyo kwemeza abandi be aho bakora maze bakarandura imbibi mu kibanza cya NKURUNZIZA Theoneste akanabibahembera, yanasabwa kuzisubizaho ntabikore, kigize ubufatanyacyaha ku buryo butaziguye mu cyaha cyo gukuraho, kwimura imbibi cyangwa kuzonona cyakozwe n'abandi be, bityo

ibimenyetso byashingiweho mu rubanza rujuririrwa bikaba bidaha kandi bimuhamya icyo cyaha, akaba akwiye guhamwa nacyo, ubujurire bwe bukaba nta shingiro bukwiye guhabwa.

> ➢ ***Ku bijyanye no kumenya niba igihano yahawe ariryo gikwiye.***

[18] Urukiko rurasanga kuba NSENGUMUKIZA Jean de Dieu ahamwa n'icyaha, akwiye guhanirwa kandi igihano yahawe ku rwego rwa mbere, cyo gutanga ihazabu y'amafaranga y'u Rwanda, ibihumbi magana atanu (500 000 Frw), kikaba ariryo kiri mu gaciro kuko gishingiye ku itegeko kandi nta mpamvu nyoroshyacyaha zagaragaye mu rubanza zatuma agabanyirizwa igihano kuko akomeje imiburanire yo guhakana icyaha.

b. Ku bijyanye n'indishyi zisabwa muri uru rubanza.

[19] NSENGUMUKIZA Jean de Dieu n'umwunganizi we, bavuga ku ndishyi zagenewe NKURUNZIZA Theoneste nta shingiro zifite kuko nta bimenyetso bigaragaza ishingiro ry'ikibazo yatewe n'icyaha ndetse kubijyanye n'igihembo cy'Avoka, bavuga ko mu kugena igihembo cy'Avoka hashingirwa ku ngingo ya 34 y'amabwiriza agenga ibihembo by'Avoka kuko umucamanza atagaragaje icyo yashingiyeho agena igihembo cyo ku rwego rwo hejuru.

[20] NKURUNZIZA Theoneste n'umwunganizi we, bavuga ko [illegible] ngingo ya 152 CPCCSA, basaba ubujurire bwuririye kubundi [illegible] tegeka NSENGUMUKIZA Jean de Dieu kumwishyura indishyi zigizwe n'amafaranga [illegible] na 500 000 Frw y'igihembo cy'avoka n'ikurikiranarubanza rya 200 000 Frw.

UKO URUKIKO RUBIBONA:

[21] Ingingo ya 115 y'itegeko Nº 027/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha nk'uko ryahinduwe kugeza ubu, iteganya ko ***Uwangirijwe n'icyaha ashobora kuregera urukiko rubifitiye ububasha kugira ngo arihwe ibye byononekaye, kuva igihe urukiko rushyikirijwe ikirego nshinjabyaha kugeza igihe iburanisha rirangiriye ku rwego rwa mbere, ….***

[22] Urukiko rurasanga kuba NSENGUMUKIZA Jean de Dieu atsinzwe, akwiye kuryozwa indishyi zikomoka ku cyaha yakoze zimuhama kandi n'indishyi yaciwe ku rwego rwa mbere uko ari amafaranga y'u Rwanda, miliyoni ebyiri (2.000.000 Frw) zikubiyemo indishyi zose yasabaga, ikurikiranarubanza, igihembo cya avoka n'igarura, zikaba ari mu gaciro, akaba naho akwiye kuzitanga uko zakabaye ndetse hakanyongerwaho igihembo cy'Avoka cya kuri uru rwego kingana n'amafaranga y'u Rwanda, ibihumbi magana abiri na mirongo itanu (250.000 Frw), yose hamwe akaba ari amafaranga y'u Rwanda, miliyoni ebyiri n'ibihumbi magana abiri na mirongo itanu (2.250.000 Frw) naho ay'ikurikiranarubanza yo kuri uru rwego, yo akaba adakwiye kuyagenerwa kuko ayo yagenewe ku rwego rwa mbere ahagije, akanakuraho ibikorwa yashyize mu kibanza cya NKURUNZIZA Theoneste kugira ngo hasubizweho imbibi (bornes) zahahoze nkuko byemejwe mu rubanza rujuririrwa kuko yabishyizeho kubw'inabi (de mauvaise foi).

III. ICYEMEZO CY'URUKIKO.

[23] **Rwemeje** ko ubujurire bwa NSENGUMUKIZA Jean de Dieu nta shingiro bufite mu ngingo zabwo zose.

[24] **Rwemeje** ko ikirego kigamije kwiregura cyatanzwe na NKURUNZIZA Theoneste gifite ishingiro kuri bimwe.

[25] **Rwemeje** ko urubanza RP 01356/2022/TB/GSBO, rwaciwe ku wa [illegible]/2023, rudahindutse mu ngingo zarwo zose, uretse igihembo cy'Avoka cya kuri uru rwego cyiyongereyeho.

[26] **Rwemeje** ko NSENGUMUKIZA Jean de Dieu, ahamwa n'icyaha cyo gukuraho, kwimura imbibi cyangwa kuzonona.

[27] **Rwemeje** ko igihano cyo gutanga ihazabu y'amafaranga y'u Rwanda, ibihumbi magana atanu (500.000 Frw), NSENGUMUKIZA Jean de Dieu yahawe ku rwego rwa mbere gihamyeho.

[28] Rwemeje ko NSENGUMUKIZA Jean de Dieu akwiye guha NKURUNZIZA Theoneste, indishyi zingana na miliyoni ebyiri (2.000.000 Frw) zikubiyemo indishyi zose yasabiye, ikurikiranarubanza, igihembo cya Avoka n'igarama n'igihembo cy'Avoka cyo kuri uru rwego kingana n'amafaranga y'u Rwanda, ibihumbi magana abiri na mirongo itanu (250.000 Frw), yose hamwe akaba ari amafaranga y'u Rwanda, miliyoni ebyiri n'ibihumbi magana abiri na mirongo itanu (2.250.000 Frw).

[29] Rutegetse NSENGUMUKIZA Jean de Dieu gutanga amafaranga yose hamwe aciwe uko ari amafaranga y'u Rwanda: miliyoni ebyiri n'ibihumbi magana abiri na mirongo itanu (2.250.000 Frw), akayatanga ku neza mu gihe kingana n'ukwezi kumwe (1) kuva aho uru rubanza rubaye ndakuka, akayavanwa mu mutungo we ku ngufu za Leta.

[30] Rutegetse NSENGUMUKIZA Jean de Dieu gukura ibikorwa bye mu kibanza cya NKURUNZIZA Theoneste kugira ngo hasubizwe imbago zahahoze.

[31] Rutegetse ko ingwate y'amagarama y'urubanza yatanzwe kuri uru rwego iheze mu isanduku ya Leta.

NI UKO RUKIJIJWE KANDI RUSOMEWE MU RUHAME NONE KU WA 17/10/2024

Sé/	**Sé/**
RUGANZU R. Obed	**UWIZEYIMANA Flora**
Umucamanza	**Umwanditsi**

Copie certifiée conforme à l'original [illegible] par le Greffier [illegible] Le 22/11/2023

REPUBULIKA Y' URWANDA
MINISITERI Y'UBUTABERA
URWEGO RW'IGIHUGU RUSHINZWE UBUGENZACYAHA

DOSIYE N° CMP ..../FH/RIB HQ/KIGA/GASA/2025

Dosiye yohererejwe Ubushinjacyaha bwo ku rwego rwisumbuye GASABO Tariki ya 12 Ukwezi kwa Werurwe, Umwaka wa 2025. Ihawe nimero : ....

INYANDIKOMVUGO Y'IMENYESHA

Umwaka wa 2025 Itariki ya 12 Ukwezi kwa Werurwe, Twebwe, **Faustin MUGWANEZA** umugenzacyaha wo kuri Sitasiyo y'urwego rw'Ubugenzacyaha rwa Anti-forgery Unit; Dushingiye ku ngingo za 9 na 10 z'itegeko no 12/2017 ryo kuwa 07/04/2017 rishyiraho Urwego rw'Igihugu Rushinzwe Ubugenzacyaha, Dushingiye ku ngingo ya 21 na 22 y'itegeko N° 027/2019 ryo kuwa 19/09/2019; ryerekeye imiburanishirize y'imanza nshinjabyaha, dushyikirije Ubushinjacyaha bwo ku rwego rw'isumbuye GASABO II.

I. UMWIRONDORO W'UREGA

NSENGUMUKIZA Jean de Dieu Mwene SINABAJIJE Themistodes na MUKAGATARE Odette wavutse 06/06/1986, avukira mu mujyi wa Kigali, akarere ka Gasabo, umurenge wa Kinyinya, Akagari ka Gacuriro, umudugudu wa Kabuhunde II., Atuye mu mujyi wa Kigali, akarere ka Gasabo, Umurenge wa Gisozi, akagari ka Ruhango, umudugudu wa Ntara, akoresha Tel 0784333691 na ID1197680007515234.

II. UMWIRONDORO W'UREGWA

NYIRABIGEGA Clementine Mwene Karubera Leoncle na Kanamugire Donathi, wavutse tariki 21/04/1985 avukira mu ntara y'amajyepfo, akarere ka Huye, umurenge wa TUMBA, Akagari ka MPARE, Umudugudu wa Agasharu, atuye mu mujyi wa Kigali, akarere ka Gasabo, umurenge wa Jabana, akagari ka Kabuye, umudugudu wa Nyagasozi, akoresha Tel 0788566674 na ID1198570047375083, **akurikiranwe ari hanze (L).**

NKURUNZIZA Theoneste Mwene Habimana Francois na Kanziga Asterie, wavutse tariki ya 08/08/1975 avukira Huye/Rwanda, Atuye mu mujyi wa Kigali, akarere ka Gasabo, umurenge wa Jabana, akagari ka Kabuye, Umudugudu wa Nyagasozi, akoresha Tel 0788487155 na ID 1197580027049016, **Akurikiranwe nk'uwatorotse ubutabera(In search).**

Benimana Sadate Mwene Karamage na Mukandori, wavutse tariki ya 27/12/1979 avukira mu ntara y'amajyaruguru, akarere ka Gicumbi, umurenge wa Cyumba, akagari ka Rwankonjo, Umudugudu wa Keyebe, atuye Umujyi wa Kigali, akarere ka Gasabo, Umurenge wa Gatsata, akagari ka Karuruma, Umudugudu wa Nyagasozi, akoresha Tel 0788485637 na ID1197980092721120, **Akurikiranwe ari hanze(L).**

III.UMWIRONDORO W'ABATANGABUHAMYA

UWAMAHORO Jeannette Mwene Kalisa Vincent na Mukadisi Apolinariya wavutse tariki ya 01/01/1987 avukira mu mujyi wa Kigali, Akarere ka Gasabo, Umurenge wa Gisozi, akagari ka Ruhango, Umurenge wa Ntora, atuye mu karere ka Bugesera, Umurenge wa Nyamata, Akagari ka Murama, Umudugudu wa Kiyovu, akoresha Tel 0783037472 na ID1198770006719095 na Tel 0783037472.

SIBOMANA Abdou Mwene Kalisa Vincent na Mukadisi Apolinarya wavutse tariki ya 01/01/1989 avukira mu mujyi wa Kigali, akarere ka Gasabo, Umurenge Gisozi, Akagari ka Ruhango, Umudugudu wa Ntora, atuye mu Karere ka Kicukiro, Umurenge wa Gahanga, akagari ka Kagaza, Umudugudu wa Nyagafunzo, akoresha Tel 0790051269 na ID 1198980005818024.

IV. ICYAHA AREGWA N'INGINGO Z'AMATEGEKO ABITEGANYA

Guhimba,Guhindura inyandiko cyangwa gukoresha inyandikompimbano, icyaha giteganywa kandi kigahanwa n'ingingo ya 276 igika cya 02 cy'itegeko no 68/2018 ryo kuwa 30/08/2018 itegeko riteganya ibyaha n'ibihano muri rusange.

V. ITARIKI N'AHO ICYAHA CYAKOREWE

Itariki	Igihugu	Intara	Akarere	Umurenge	Akagari	Village
10/03/2020	Rwanda	Umujyi wa Kigali	GASABO	Gisozi	Ruhango	-

VI. IBYAFATIRIWE

Ntawe

VII. IMIKORERE Y'ICYAHA N'IBIKORWA BIGIZE ICYAHA

- Uwitwa Kalisa Vincent n'umudamu we Mukadisi Apolinarya bari afite isambu yubatsemo amazu abiri iherereye mu karere ka Gasabo, Umurenge wa Gisozi, akagari ka Ruhango, umudugudu wa Ntora, nyuma Mukadisi Apolinarya yaje gupfa, maze Kalisa Vincent ashaka undi mugore witwa Nyirabasindi Therese barasezerana muburyo bwemewe n'amategeko, Kalisa Vincent amaze gushaka undi mugore yafashe isambu bwavuze hejuru ayigabanyamo kabiri, igikande kimwe kirimo inzu imwe cyahawe UPI 1/02/04/02/1095 agiha abana be batandatu bavuka K'umugore wambere, ikindi gice gisigaye cyahawe UPI 1/02/04/02/1094 nacyo kirimo inzu aba aricyo asigarana hamwe n'umugore we wa kabiri.

- Mu mwaka wa 2016, abo bana batandatu babyumvikanyeho bagurishije umugabane wabo ugizwe ninzu ibaruye kuri UPI 1/02/04/02/1095 bawugurisha Nsengumukiza Jean de Dieu. Tariki ya 10/12/2019 Kalisa Vincent n'umugore we Nyirabasindi Therese nabo bagurishije igice cy'ubutaka twabo bari barasigaranye kibaruye kuri UPI 1/02/04/02/1094 bakigurisha uwitwa Nkurunziza Theoneste na Nyirabigega Clementine.

- Nkurunziza Theoneste mugihe yashakaga kubaka ikibanza yari amaze kugura yashatse umutekinisiye(surveyor) ngo amukorere fiche cadestral, ashaka umutekinisiye(surveyor) witwa Benimana Sadate, maze Tariki ya 10/03/2020 akora fiche cadestral irimo amakuru atavugisha ukuri hashingiweko mugukora iyo fiche cadestral yataye borne zothera no mubutaka bwa Nsengumukiza Jean de Dieu nkuko igishushanyo yakoze kibigaragaza(fiche cadestral), aho bigaragarako kuricyo gishushanyo Borne No 2,3,4 zatewe mubutaka bwa Nsengumukiza Jean de Dieu. Nkurunziza Theoneste ashingiye kuricyo gushushanyo kigaragaza ubuso bunini ugereranyije n'ubwo yari yaraguze na Kalisa Vincent yabishingiyeho atanga ikirego mu rukiko agamije

kwigarurira muburyo bw'uburiganya ubwo butaka burengaho.

- Iperereza ryagaragajeko ingano y'ubutaka (kuri terrain), Nkurunziza Theoneste n'umugore we bagurishijwe na Kalisa Vincent butandukanye n'ingano y'ubutaka yagaragajwe n'umutekinisiye wakoze fiche cadestral kuko umutekinisiye atera borne yashingiye kuri nimero y'ikiyangombwa cy'ubutaka(UPI), aho byagaragayeko mugihe cy'ibarura ry'ubutaka habayeho kwibeshya k'ubuso abo bireba nabo barabyihorera ntibakosoza ubwo buso cyaneko bari n'abavandimwe babona ntakibazo kirimo. Uregwa nyuma yo kubonako umutekinisiye agaragaje ubutaka bunini ugereranyije nubwo yaguze yabishingiyeho atangira imanza zigamije kwigarurira ubwo butaka burengaho bwagaragajwe n'umutekinisiye(surveyor) kandi nawe abizinezako ubwo butaka atari ubwe.

VIII. IBIKORWA BIGIZE ICYAHA

Igikorwa cyakozwe (Element material)

Kuba hari inyandiko yitwa"**Parcel Cadestral Plan**" yakozwe kuwa 10/03/2020 ikubiyemo amakuru atavugisha ukuri, iyo raporo ikaba yarakoreshejwe na Nkurunziza Theoneste murubanza rufite No RPA 00422/2023/TGI/GSBO.

Kuba Benimana Sadate ariwe wakoze inyandiko yitwa"Parcel Cadestral Plan" yo kuwa 10/03/2020 ikubiyemo amakuru atavugisha ukuri.

Ubushake bwo gukora icyaha (Element moral)

Abaregwa bazinezako raporo yitwa"**Parcel Cadestral Plan**"yakozwe kuwa 10/03/2020 ikubiyemo amakuru atavugisha ukuri, babirengaho bayikoresha murubanza No RPA 00422/2023/TGI/GSBO bagamije kuriganya cyangwa kwihesha ubutaka butari ubwabo.

Kuba Benimana Sadate nk'umutekinisiye wakoze fiche cadastral(surveyor) yaratiye borne mubutaka bwabandi yirengagijeko impande zombi zitemeranya kubijyanye n'imbibi ariko akabirengaho agatera borne ashingiye gusa kumakuru y'uwamuhaye akazi.

Impamvu zishingiye ku mategeko (Element legal)

Guhimba, Guhindura inyandiko cyangwa gukoresha inyandikompimbano, icyaha giteganywa kandi kigahanwa n'ingingo ya 276, igika cya 02 cy'itegeko no 68/2018 ryo kuwa 30/08/2018 itegeko riteganya ibyaha n'ibihano muri rusange.

9. IBIMENYETSO BIGARAGAZA IMIKORERE Y'ICYAHA NDETSE N' URUHARE RW'UREGWA.

<u>NKURUNZIZA Theoneste na NYIRABIGEGA Clementine</u>

Inyandikomvugo y'uregwa Nyirabigega Clementine wiyemereyeko ingano y'ubutaka baguze na Kalisa Vincent itandukanye n'ingano y'ubutaka bwagaragajwe numutekinisiye wakoze Fiche cadastral.

Parcel Cadestral plan yakozwe na Surveyor Benimana Sadate tariki ya 10/03/2020, aho iyo raporo igaragaza ingano y'ubutaka itandukanye n'ubutaka bwaguzwe n'abaregwa.

Inyandikomvugo y'umutangabuhamya Sibomana Abdou, umwe mubana batandatu baguriahije ubutaka cyangwa inzu Nsengumukiza Jean de Dieu , akaba asobanurako ntakibazo bigeze bagirana na papa

wabo Kalisa Vincent giftanye isano n'imbibi, ahubwo ikibazo impande zombi zipfa gikomoka kukuba mugihe cy'ibarura ry'ubutaka, abatekinisiye bapimye ubutaka bwagurishijwe Kalisa Vincent baribeshye kubijyanye n'ubuso, nero umuntu waguriye ubutaka Kalisa Vincent akaba ashaka kungukira muriyo makosa yabaye, aburana ubwo butaka burengaho agamije kubwigarurira kandi nawe abizi nezako butari mubutaka yaguze na Kalisa Vincent.

PV de constat, aho Sibomana Abdou nyuma yo kugera kuri terrain yagaragajeko borne No 2,3,4 zashinzwe mubutaka bwa Nsengumukiza Jean de Dieu.

Amasezerano y'ubugure bw'ubutaka aho bigaragarako mugihe urega yaguraga ubutaka atuyemo, hakozwe igishushanyo kigaragaza ubutaka aguze, iyo usuzumye icyo gishushanyo kigaragaza ingano y'ubutaka yaguze, wagihuza na borne zatewe n'umutekinisiye(surveyor) w'uregwa, usanga Borne No 2,3,4 zarashinzwe mubutaka bw'urega.

BENIMANA Sadate

Parcel Cadestral plan yakozwe na Surveyor Benimana Sadate tariki ya 10/03/2020, aho iyo raporo igaragaza ingano y'ubutaka itandukanye n'ubutaka bwaguzwe n'abaregwa.

PV de constat, aho Sibomana Abdou(uhagarariye abagurishije urega) nyuma yo kugera ku kiburanwa yagaragajeko borne No 2,3,4 zashinzwe mubutaka bwa Nsengumukiza Jean de Dieu.

10. UMWANZURO W'UMUGENZACYAHA

Mwiperereza twagere aho ikiburanwa kiri, tuhagera turikumwe na SIBOMANA Abdou uhagarariye abana bagurishije ubutaka Nsengumukiza Jean de Dieu ndetse hari uwitwa Nyirabasindi Therese wari uhagarariye abagurishije Nkurunziza Theoneste kugirango badufashe kumenya ukuri, Tumaze kugera ku kiburanwa twasabye urega kugaragaza amasezerano y'ubugure yakozwe mugihe yaguraga uwo mutungo, mugusuzuma igishushanyo kigaragaza ingano y'ubutaka yaguze, tukabihuza n'ibyari kuri terrain twasanze Borne No 2,3,4 ziteye mubutaka bwa Nsengumukiza Jean de Dieu ndetse na Sibomana Abdou yemezako koko izo borne zatewe mubutaka bagurishije Nsengumukiza Jean de Dieu.

Nanone turi kuri Terrain, twabajije Nyirabasindi Therese niba hari amasezerano y'ubugure yakozwe agaragaramo igishushanyo kigaragaza ingano y'ubutaka bagurishije Nkurunziza Theoneste kugirango bidufashe kubihuza n'ibigaragara kuri Terrain, agaragazako ayo masezerano ntayigeze akorwa, Ibi byatumye bigorana kumenya ingano y'ubutaka nyakuri bwaguzwe na Nkurunziza Theoneste. Nyirabasindi Therese abajijwe kugaragaza kuri terrain ingano y'ubutaka bagurishije uregwa yagaragaje imbibi zigaragazwa na Borne zatewe na surveyor Benimana Sadate ariko izo mbibi ntiyazemeranyaho na Sibomana Abdou uhagarariye abagurishije ubutaka Nsengumukiza Jean de Dieu.

Iperereza ryagaragajeko ingano y'ubutaka (kuri terrain), Nkurunziza Theoneste n'umugore we bagurishijwe na Kalisa Vincent butandukanye n'ingano y'ubutaka yagaragajwe n'umutekinisiye wakoze fiche cadestral kuko umutekinisiye atera borne yashingiye kuri nimero y'icyangombwa cy'ubutaka(UPI), aho byagaragayeko mugihe cy'ibarura ry'ubutaka habayeho kwibeshya k'ubuso abo bireba nabo barabyihorera ntibakosoza ubuso cyaneko bari n'abavandimwe babona ntakibazo kirimo. Uregwa nyuma yo kubonako umutekinisiye agaragaje ubutaka bunini ugereranyije nubwo yaguze yabishingiyeho atangira imanza zigamije kwigarurira ubwo butaka burengaho bwagaragajwe n'umutekinisiye(surveyor) kandi nawe abiziнezako ubwo butaka atari ubwe.

Ntitwabashije kubaza Nkurunziza Theoneste kugirango yisobanure kubyo aregwa, umudamu we yagaragajeko adahari kubera impamvu z'akazi kuko akorera hanze y'igihugu muri Mali.

Bwana/Madamu Mushinjacyaha, tubohereje iyi dosiye ngo muyifatire umwanzuro uyikwiye.

11. Ibigize Dossier

1. Inyandikomvugo y'imyemyesha
2. Inyandiko itanga ikirego yatanzwe na Nsengumukiza Jean de Dieu
3. Inyandikomvugo y'urega Nsengumukiza Jean de Dieu
4. Inyandikomvugo y'uregwa Nyirabigega Clementine
5. Inyandikomvugo y'umutangabuhamya Sibomana Abdou
6. Inyandikomvugo y'umutangabuhamya Uwamahoro Jeannette
7. Inyandikomvugo ya Berimana Sadate
8. Urubanza RPA00422/2023/TGI/GSBO
9. Fiche cadastral yo kuwa 10/03/2020
10. PV de constat

Ndahiye ko iyi nyandikomvugo imenyesha ari ukuri.

UMUGENZACYAHA

MUGWANEZA Faustin
0781220428

AKARERE: GASABO -1- NTORA LE 03/01/2017
UMURENGE: GISOZI
AKAGALI: RUHANGO
UMUDUGUDU: NTORA

AMASEZERANO Y'UBUGURE BW'UBUTAKA N'INZU.

AYO MASEZERANO ATEYE ATYA:

INGINGO 1: Njyewe KALISA Vincent ufite I.D 1195380000[illegible]00088 ngurishije inzu yanjye ifite n° 1035, iherereye mu Mudugudu wa NTORA, Akagali ka RUHANGO, Umurenge wa GISOZI, Akarere ka GASABO, Umujyi wa KIGALI.

INGINGO 2: Iyo nzu iguzwe na NSENGUMUKIZA Jean de Dieu ufite I.D: 1197680007515148 na NAYIREBWA ROZA ufite I.D: 1157970127843084 ubye mu Mudugudu wa MAREMBO, Akagali ka MUSEZERO, Akarere ka GASABO, Umurenge wa GISOZI, Umujyi wa KIGALI.

INGINGO 3: Iyo nzu ifite ubuso bwa m² 223 hakaba haguzwe amafaranga miliyoni esheshatu z'Amanyarwanda (6.000.000 frw), akaba yishyuwe cash.

INGINGO 4: Ibyo babyumvikanyeho byo bombi nanjye n'uguriye.

INGINGO 5: ABAGABO:
- BAMPIRE Bénitier
- HABIJAREMYE Vianney
- IZAKAREMYE Emmanuel
- NIYONZIMA Fidèle
- UWAMAHORO Jeannette

- RUGWIRO Théobald
- SIBOMANA Absolom
- NYIRABASINDI Thérèse
- NTEGERETSIMANA Claude
- BIZIMANA NYILINKWAYA Cyrilius [illegible] 05/04/2017

NSHUSHO Y'IKIBANZA

UGURA: NSENGUMUKIZA Jean de Dieu.
1197680007515148
na
KASIRGBWA Rosa
I.D: 1197970127843084

UGURISHIJE:
KALISA Vincent ufite: I.D
1195380009000088

ICYITONDERWA:

Bikorewe mu maso ya komite nyobozi y' umudugudu aribo:

- Umukuru w'umudugudu NDAHIMANA Jean Bosco
- SINDIKUBWABO Elie
- MUKANDAKA Oliva

N.B: Kalisa Vincent akaba adafite umugore akaba ari ya kwigurira kugiraho atange ingo yagurishije ubaruga kuffashiji ibaruwa bubiza ya 09/04/2017.
Akaba ayemeriwa.

IMBAGO YA 1
ICYO CYIMENYETSO KIRI
MU KAZEGA NI IGISHYITSI

IMBAGO YA 1 NA IYA 2 bikoze
Umurongo ugororotse (ligne droite)

SMP Properties

Tel: 0788669130

Email: muhireserge@gmail.com

Property Development • Property valuation

MUHIRE SERGE PACIFIQUE
Certified Valuer
RC/IRPV/162/2018
Tel: 0788669130
E-mail: muhireserge@gmail.com
09th June 2025

RWANDA INVESTIGATION BUREAU

Re: <u>Submission of Property Valuation Report</u>

Reference is made to the local purchase order with reference number (REF360/RIB/TS/DG-AF/GB/25) dated on 30th MAY 2025 addressed to SMP PROPERTIES requesting us to carry out cadastral deed plans of different residential properties.

S/N	Type of Property (item)
1	Preparation of cadastral deed plan of Residential property located in UPI: 1/02/04/02/1094 in GISOZI Sector, Gasabo District, Kigali City belonging to **NKURUNZIZA THEONESTE AND NYIRABIGEGA CLEMANTINE.**
2	Preparation of cadastral deed plan of Residential property located in UPI: 1/02/04/02/1095 in GISOZI Sector, Gasabo District, Kigali City belonging to **KAYIREBWA ROSE AND NSENGUMUKIZA JEAN DE DIEU.**

We went ahead to visit, inspect and appraise. At time of inspection of the subject properties were inspected to assess its value.

We are pleased to submit to you the appraisal report, which describes the approach to value used and contains all pertinent data gathered during the inspection of the subject property.

The value opinion reported below is qualified by certain assumptions, executive summary, definitions, limiting conditions and certifications.

Respectfully,

MUHIRE Serge Pacifique

Certified Valuer

Certificate N°: RC/IRPV/162/2018

NLA

Deed Plan

Parcel Owner(s)	[illegible]
UPI	[illegible]
Planned Land Use Zoning	[illegible]
Plot developed Yes or No?	[illegible]

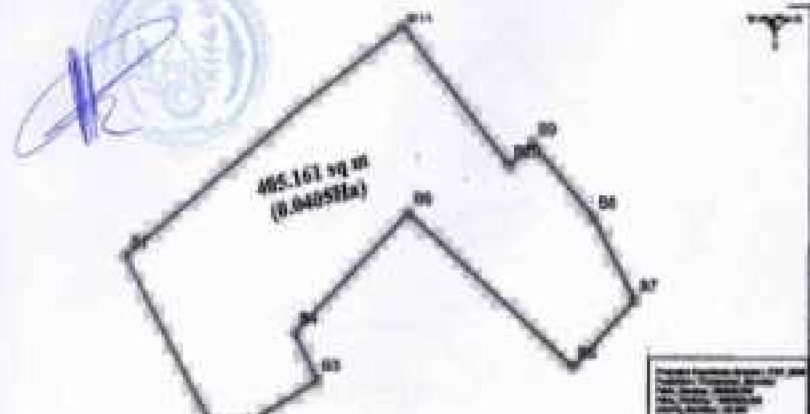
Parcel Location	
District	[illegible]
Sector	[illegible]
Cell	[illegible]
Village	[illegible]

Deed Plan No.	8	Area	405.161 sq m	Surveyed date	[illegible]

Plot No.		Condominium Survey	Unit No.			Common Elements Area(Sqm)	
Floor No.			Unit Area(Sqm)			Total Building Area	
Floor Area			Unit Area Ratio(%)				
Total Floor Area (Sqm)							

Boundary Details

Beacon	Easting(m)	Northing(m)	From	To	Bearing	Dist(m)
B1	506361.72	4787896.61	B1	B2	226° 39' 34"	18.81
B2	506347.39	4787882.94	B2	B3	147° 31' 35"	2.38
B3	506348.67	4787880.93	B3	B4	082° 53' 46"	1.27
B4	506349.93	4787881.09	B4	B5	094° 05' 33"	7.84
B5	506357.75	4787880.55	B5	B6	141° 15' 56"	4.25
B6	506360.41	4787877.21	B6	B7	036° 20' 37"	16.26
B7	506373.94	4787886.23	B7	B1	310° 22' 54"	16.04



Scale 1:400 0 1.753.5 7 10.5 14 Meters

Prepared by [illegible]	Names,Signature	Verified by:	CSO/OZS and Land Surveyor

REPUBLIC OF RWANDA

National Land Authority
P.O.Box [illegible] Kigali, Rwanda
Web: www.lands.rw, Email: [illegible]

RWANDA ORGANIZATION OF LAND SURVEYORS

Honesty·Consistency·Accuracy
Phone: [illegible]
Web: www.rols.rw, Email: [illegible]

PROFESSIONAL CERTIFICATE

Pursuant to Presidential Order N° 030/01 of 06/05/2022, as published in the official Gazette N° 19 Bis of 09/05/2022, establishing National Land Authority and determining its mission, organization and functioning, especially in chapter II, Article 7 related to the mandate of the authority, on points 1°,2°,4°,7°,8°,11°,12°,13°;

Reference is also made to the letter of 28/06/2020, Ref.2149/16/03/SBG/BLMUA, endorsing Rwanda Organization of Land Surveyors as an agreed professional organization partner in performing surveying services and promoting surveying profession in Rwanda with respect to regulations and standards.

This is to certify that **NSENGIYAREMYE John** is registered as **Technician Surveyor** under the code **TS00111** on **1st January 2025** and valid until **31st December 2025**.

NISHIMWE Marie Grâce
Director General/Chief Register of Land Titles
National Land Authority

Eng. GASIRABO Athanase
Chairperson
Rwanda Organization of Land Surveyors

REPUBLIC OF RWANDA

OFFICE OF THE REGISTRAR OF LAND TITTLES
KIGALI CITY
Parcel Cadastral Plan

UPI: [illegible] Owner: [illegible] Landuse: Residential

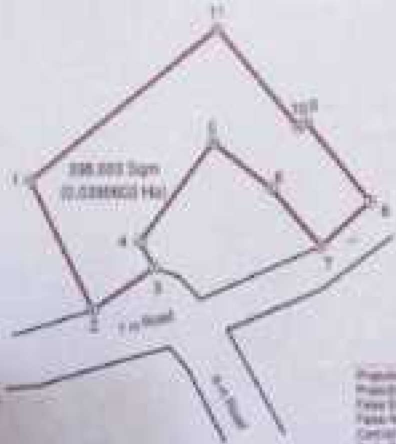
District: Gasabo Sector: [illegible] Cell: [illegible]

Area: 398.603 Sqm Plan: As Per Abbuttals Survey Date: [illegible]

Plan No:

Boundary Details

1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
3	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
6	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
7	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
8	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
9	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
10	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
11	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]



Projected Coordinate System: [illegible]
Projection: Transverse_Mercator
False Easting: [illegible]
False Northing: [illegible]
Central Meridian: [illegible]
Scale Factor: [illegible]
Latitude_of_Origin: [illegible]
Linear Unit: Meter

Scale : 1: 200 — 0 3 6 9 12 15 Meters

Surveyed by:
Name:
Signature:
Date & stamp:

OFFICIAL STAMP

Approved by: District
Name:
Post:
Date & signature

NSENGUMUKIZA Jean de Dieu
UMUDUGUDU WA NTORA
AKAGARI KA RUHANGO
UMURENGE WA GISOZI
AKARERE KA GASABO
TEL:[illegible]

Reçu le 30/04/2021

Kigali, ku wa 30 Mata 2021

Kuri Bwana Perezida w'Inteko y'Abunzi mu murenge wa GISOZI

Impamvu: Kujuririra icyemezo cy'abunzi, ikibazo n°173

Bwana Perezida w'Inteko y'Abunzi,

Mbandikiye iyi baruwa, ngira ngo mbasabe kujuririra icyemezo cy'abunzi, ikibazo n°173 cyafatiwe mu Kagari ka Ruhango, ku wa 05/04/2021.

Bwana Perezida w'Inteko y'Abunzi, nkaba mbasaba ko mwasubiramo urwo rubanza kuko umwanzuro wafashwe mu rubanza ndegwamo na NKURUNZIZA Theoneste ku kibazo cyabereye mu mudugudu wa NTORA, ntabyemera, kuko ibyanditswe mu mwanzuro w'urubanza ndetse n'ibyemezo byafashwe bitandukanye kure n'ibyavugiwe aho kibazo kiri, ndetse n'ibimenyetso twagombaga kunderengura bikaba bitarifashweho nk'uko mbibagaragariza ku mugereka w'iyi baruwa. Ku mugereka w'iyi baruwa kandi, murasangamo ku by'umwihariko umwimerere w'imyanzuro y'urubanza.

Mu gihe ngitegereje igisubizo cyanyu, mbaye mbashimiye, Bwana Perezida w'Inteko y'Abunzi mu murenge wa Gisozi, uburyo mudahwema kudufasha mu buzima bwacu.

NSENGUMUKIZA Jean de Dieu

[illegible]

REPUBULIKA Y'U RWANDA

MINISITERI Y'UBUTABERA

INYANDIKO ITUMIZA ABAFITANYE IKIBAZO MU KAGARI / MU MURENGE KU NSHURO YA ______

Madamu, Madamazela, Bwana [illegible] mwene [illegible] na [illegible] utuye mu Mudugudu wa [illegible], Akagari ka [illegible] Umurenge wa [illegible] usabwe kwitaba Komite y'Abunzi y'Akagari/Umurenge wa [illegible] iteranira [illegible] ku wa [illegible] ku itariki ya [illegible] saa [illegible] kubera ikibazo nomero 45 ufitanye na [illegible] utuye mu Mudugudu wa [illegible] Akagari ka [illegible] Umurenge wa [illegible] gishingiye ku [illegible]

kugira ngo Abunzi babumvikanishe.

(1)	Usabwe uri kumwe n'abatangabuhamya n'abandi bose bafite ibyangombwa ku kibazo cyangwa bafite amakuru ya ngombwa, witwaje n'inyandiko z'indi zimenyetso bijyanye n'ikibazo.
(2)	Usabwe kwitaba witwaje uru rupapuro rugutumiza.
(3)	Iyo utitabye ntutange impamvu yumvikana yatumye utitabira, ku butumire bwa kabiri, Abunzi bafata umwanzuro udahari.

Itariki, amazina n'umukono bya Perezida cyangwa Visi Perezida wa Komite y'Abunzi na kashe

[illegible]

Itariki n'umukono by'uhamagajwe yemeza ko yakiriye ubu butumire

Itariki, amazina n'umukono by'umuyobozi watanze ubu butumire na kashe

[illegible]

Itariki, amazina n'umukono by'umenyeshejwe (Uwatanze ikibazo)

Icyitonderwa:

- Uhamagajwe ahabwa nibura iminsi irindwi (7) mbere yo kwitaba Komite y'Abunzi ibarwa uhereye ku munsi yagerejweho urupapuro rumuhamagaza.
- Urupapuro rutumiza urugwa rugezwa ku biro by'Akagari cyangwa iby'Umurenge urugwa atuyemo cyangwa mu bunyamabanga bw'ikigo akoreramo iyo ari umukozi.

INYANDIKOMVUGO YO KURANGIZA URUBANZA

None kuwa 13 ukwa kwa 2 Umwaka 2025

Njyewe Me UMULISA Josephine umuhesha w'inkiko w'umwuga [illegible] [illegible] [illegible] N° 22/2018 yo kuwa 29/04/2018 [illegible] [illegible] [illegible] [illegible] [illegible], [illegible], [illegible] [illegible] [illegible] [illegible] [illegible]; 12/2013 [illegible] [illegible] [illegible] [illegible] 49 [illegible] 49 [illegible] [illegible] [illegible] [illegible]; [illegible] 22/03/2013 [illegible] [illegible] [illegible] [illegible];

[illegible] [illegible] RP0135/2022/TB/[illegible] [illegible] 10/10/2023 na RPA 00422/2023/TGI/[illegible] [illegible] 17/10/2024 [illegible] [illegible] NKURUNZIZA [illegible] [illegible] [illegible] [illegible] [illegible] Jean de Dieu [illegible] [illegible] [illegible] [illegible].

[illegible] [illegible] 37 [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] NKURUNZIZA [illegible] Jean de Dieu [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

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[illegible] [illegible] [illegible] [illegible] [illegible]: (0788[illegible])

1. NYIRAHABIMANA [illegible] ([illegible] [illegible] [illegible])
2. INZEGO Z'UMUTEKANO (Police) (0782016249)
3. GATANAZI KAMARI Innocent ([illegible]) (0782485677)
4. [illegible] [illegible] ([illegible])
5. MUTESAYIRE Francoise ([illegible] [illegible] [illegible] [illegible] Jean de Dieu [illegible] [illegible] [illegible] [illegible]) [illegible] [illegible] [illegible]

NB: [illegible] [illegible] Jean de Dieu [illegible] phone n°: 078[illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible].

Me UMULISA Josephine (Umuhesha w'inkiko)