



**IMIRONGO NGENDERWAHO MU GUTANGA  
UBUFASHA MU BY'AMATEGEKO KU BIBAZO  
MBONEZAMUBANO N'UMURYANGO,  
IMANZA Z'INSHINJABYAHA N'  
IHOHOTERWA RISHINGIYE KU GITSINA**

Byateguwe n' Ihuriro ry'Imiryango itanga ubufasha mu by'Amategeko ifatanyije n'imwe mu miryango irigize HAGURUKA n'Urugaga rw'Abavoka ku nkunga ya USAID.



## **Ijambo ry'ibanze**

Ubutabera mu Rwanda ni imwe mu nkingi zubakiyeho intego yo kugira igihugu kigendera ku mategeko, kandi ni ishingiro ry'iterambere ry'igihugu. Hamwe n'ibyo, Ubutegetsi bw'Ubucamanza ni umurinzi w'uburenganzira n'ubwisanzure bwa muntu. Iyi nshingano igerwaho binyuze mu gushyiraho amategeko anoze agenga imiburanishize y'imanza, akena ibihano n'uburyo bwo gukemura amakimbirane y'uburyo bunyuranye yavuka muri sosiyete nyarwanda. Binyuzwa kandi mu gushyiraho no gukoresha inzego zishinzwe gutanga ubutabera nyirizina n'izitanga ubundi bufasha mu by'amategeko.

Uko ubutabera bugenda burushaho kwegerezwa abaturage, ni nako harushaho kongerwa ubushobozi bw'abakora mu rwego rw'ubutabera n'abatanga ubufasha mu by'amategeko, cyane cyane igihe hari amategeko mashya cyangwa ayavuguruwe. Ibi bigamije gutuma ubutabera n'ubufasha mu by'amategeko butangwa ku nzego zose buba bushingiye ku mategeko, butangwa ku buryo bworoshye kandi bufasha abagenerwabikorwa kurushaho gusobanukirwa n'ibiteganywa n'amategeko mu byerekeye uburenganzira n'inshingano byabo.

Iyi nyandiko ikubiyemo imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko igamije kongera ubumenyi n'ubushobozi bw'abatanga ubufasha mu by'amategeko. Yateguwe hibandwa ku bibazo mbonezamubano bikunze kugaragara muri sosiyete nyarwanda, imanza z'inshinjabyaha n'ihohoterwa rishingiye ku gitsina.

Turifuza ko iyi nyandiko yafasha abantu n'inzego batanga ubufasha mu by'amategeko gutanga serivisi zinoze, mu nyungu z'Abanyarwanda bakenera bufasha mu by'amategeko. Turakangurira kandi abazayikoresha kuyifata nk'igikoresho cyateguriwe kubunganira mu mikorere yabo ya buri muni, hagamijwe kugera ku butabera buhamye kuri bose.

Turashishikariza kandi abaturage, aribo bagenerwabikorwa, mu byiciro binyuranye, kurushaho kwitabira serivisi z'abatanga ubufasha mu by'amategeko kugira ngo bibarinde guta igihe cyangwa kutamenya uburenganzira n'inshingano zabo. Ibi bizatuma, urwego rw'ubutabera rugera ku ntego ruhabwa n'amategeko.



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## **Ibisobanuro by'amagambo**

GBV	: Ihohoterwa rishingiye ku gitsina ( <i>Gender-Based Violence</i> )
IECMS	: Sisitemu koranabuhanga ikomatanye y'micungire y'imanza ( <i>Integrated Electronic Case Management System</i> )
NPPA	: Urwego rw'igihugu rushinzwe Ubushinjacyaha ( <i>National Public Prosecution Authority</i> )
RIB	: Urwego rw'igihugu rushinzwe Ubugenzacyaha ( <i>Rwanda Investigation Bureau</i> )



## Iriburiro

U Rwanda ni igihugu kigendera ku mategeko bishingiye cyane cyane ku iyubahirizwa ry'uburenganzira bwa muntu. Ibicishije muri gahunda yayo y'Icyerekezo 2020, Leta y'u Rwanda yiyemeje gukomeza kurengera uburenganzira bwa muntu bw'abaturarwanda nk'imwe mu nkingi z'imiyoborere myiza. Hari byinshi byiza byagezweho mu kubahiriza uburenganzira bwa muntu mu Rwanda biciye mu gufasha abaturage kugera ku butabera.

Serivisi z'ubufasha mu by'amategeko ku bantu bakennye ndetse n'abatishoboye zitangwa n'inzego zitandukanye zaba iza Leta cyangwa se iz'imiryango itagamiye kuri Leta, bagahabwa serivisi zirimo kuburanirwa mu nkiko, kugirwa inama ku bibazo by'amategeko, gukorerwa ubuvugizi, ubwunzi, n'ibindi.

Mu rwego rwo gufasha inzego zitandukanye zitanga ubufasha mu by'amategeko kunoza serivisi batanga, hateguwe imirongo ngenderwaho ifasha mu kuyobora utanga ubufasha mu by'amategeko/umunyamategeko/umufasha mu by'amategeko/avoka wakiriye umugenerwabikorwa mu gutanga serivisi nziza z'ubufasha mu by'amategeko. Iyi nyandiko iribanda ku ngeri eshatu (3), arizo ibibazo mbonezamubano n'umuryango, imanza z'inshinjabyaha n'ihohoterwa rishingiye ku gitsina.

Iyo bavuze "mbonezamubano" humvikana ikibazo kiri hagati y'abantu babiri, cyaba icyo abantu babiri bafitanye ubwabo cyangwa se icyo umuntu muzima afitanye n'ikigo cyangwa umuryango bifite ubuzima gatozi, kitarebana n'ihungabanwa ry'umudendezo rusange.

Ibibazo mbonezamubano bitandukanye n'ibyaha, kuko byo bikurikiranwa n'Ubugenzacyaha kandi biregerwa inkiko n'Ubushinjacyaha. Ibyaha biyanye n'ibirego bibangamira ubwisanzure ku burenganzira mbonezamubano, imibereho y'abantu n'umuryango ndetse n'imibanire y'abantu hagati yabo. Ikindi kandi, mu manza mbonezamubano, ikiburanwa kigenwa n'ibisabwa na buri muburanyi, kikagaragarira mu myanzuro iregera urukiko n'imyanzuro yo kwiregura.

Ibirego mbonezamubano byakirwa mu rukiko iyo urega afite ububasha, inyungu n'ubushobozi byo kurega, keretse iyo itegeko ribigena ukundi. Aha, urega ashobora gutanga ikirego, guhagarika ikirego igihe cyose urubanza rutarasomwa cyangwa ngo kizime ku bw'itegeko, no kumvikana n'uwo baburana igihe cyose urubanza rutarasomwa. Ku rundi ruhande, uregwa ashobora kwemera ikirego cyangwa gusaba kumvikana n'uwo baburana mu gihe cyose urubanza rutarasomwa. Imanza mbonezamubano zishobora kandi kujyana n'ibirego by'indishyi bisaba gusubiza mu mwanya ibyangijwe n'icyaha, ibyo umuburanyi yatakaje akurikirana urubanza, cyangwa indishyi z'akababaro katewe n'imiterere y'icyaha.

Ikirego cyose mbonezamubano cyakirwa kibanje kubahiriza imihango yagenwe n'itegeko, harimo gutanga igarama igenwa n'Iteka rya Minisitiri ufite ubutabera mu nshingano cyangwa se, igihe urega adafite ubushobozi, abanje kugaragaza icyemezo gitanzwe n'inzego z'ubutegetsi zibishinzwe z'aho atuye kugira ngo arisonerwe. Asonerwa no gucibwa amagarama iyo atsinzwe urubanza.

Imanza z'inshinjabyaha zirebana n'ibyaha, abakoze ibyaha n'uburyo ibyaha bikurikiranwa. Aha, icyaha cyumvikana nk'igikorwa kibujijwe n'itegeko cyangwa kwanga gukora igitegetswe ku buryo bihungabanya umutekano mu bantu kandi hari itegeko ribiteganyiriza igihano. Bityo, umuntu ufatwa nk'wakoze icyaha niuwakoze igikorwa gihanwa n'itegeko cyangwa uwanze gukora igikorwa gitegetswe n'itegeko. Uri cyo gihe, akurikiranwa n'inzego zibifitiye ububasha.

Hakurikijwe uburemere bwabyo, ibyaha birasumbana haherewe ku byaha by'ubugome aribyo itegeko rihanisha igihano cy'iremezo cy'igifungo kirenze imyaka itanu (5) cyangwa igifungo cya burundu; ibyaha bikomeye bihanishwa igihano cy'iremezo cy'igifungo kitari muni y'amezi atandatu (6) ariko kitarenze imyaka itanu (5); n'ibyaha byoroheje byo bihanisha gusa igihano cy'iremezo cy'igifungo kitageze ku mezi atandatu (6), icy'ihazabu cyangwa igihano cy'imirimo y'inyungu rusange.

Ibikorwa by'inzego zikurikirana ibyaha bikubiyemo ibikorwa by'Ubugenzacyaha birebana n'iperereza bigamije gushakisha ibyaha, gukusanya ibimenyetso byaba ibishinja cyangwa ibishinjura kimwe n'igikorwa kigamije gusuzuma niba ushinjwa agomba gukurikiranwa cyangwa kudakurikiranwa. Ibikorwa cy'ikurikiranacyaha bikurikiranwa n'Ubushinjacyaha kandi bigamije kuregera urukiko, guhamagaza ababuranyi no kwitaba urukiko, gutegura iburanisha ry'urubanza, kuburana kimwe no kwiambaza inzira z'ubujurire; byose mu ntego nkuru yo guhana umuntu wakoze icyaha. Ikirego gishobora kandi no gukurikiranwa n'uwangirijwe, atanze ikirego imbere y'urukiko atisunze Ubushinjacyaha. Inkiko zifite ububasha bwo kuburanisha imanza z'inshinjabyaha nizo ziburanisha imanza z'inshinjabyaha zaregewe.

Imanza z'inshinjabyaha kandi zishobora kujyana n'ibirego by'indishyi bitangwa n'uwangirijwe n'icyaha wese, hagamijwe kwishyura ibyangijwe n'icyaha. Indishyi zishobora kuregwa no gusabwa uwakoze icyaha, umufatanyacyaha, icyitso cye, utegetswe kuriha indishyi, cyangwa abazungura b'uwakoze icyaha.

Ihohoterwa rishingiye ku gitsina (GBV mu magambo ahinnye y'Icyongereza) ni ikibazo kirebana no kurinda, ubuzima n'uburenganzira bwa muntu gishobora kugira ingaruka nini ku bakorewe ihohoterwa by'umwihariko, ku miryango no ku baturage muri rusange. Mu mategeko y'u Rwanda, ihohoterwa rishingiye ku gitsina ni igikorwa icyo ari cyo cyose gikorera umuntu haba ku mubiri, mu mitekerereze, ku myanya ndangagitsina no ku mutungo, kubera ko ari uw'igitsina gore cyangwa uw'igitsina gabo. Icyo gikorwa kimuvutsa uburenganzira bwe kandi kikamugiraho ingaruka mbi. Iryo hohoterwa rishobora gukorera mu ngo cyangwa hanze y'urugo.

Kuri buri ngeri mu zivuzwe hejuru, iyi nyandiko igaragaza imirongo ngederwaho (*standards*) n'ibikorwa by'utanga serivisi z'ubufasha mu by'amategeko, ku mugenerwabikorwa, kuri buri rwego rw'ikibazo cyangwa urubanza. Igaragaza kandi uburyo bwo gukoresha ibipimo mu kugenzura ko ubufasha mu by'amategeko bwatanze neza, ndetse n'umusaruro.

**IGICE CYA MBERE: IMIRONGO NGENDERWAHO MU GUTANGA  
UBUFASHA MU BY'AMATEGEKO KU BIBAZO  
MBONEZAMUBANO N'UMURYANGO**

Byateguwe n'Ihuriro ry'Imiryango itanga ubufasha mu by'Amategeko ifatanyije n'imwe mu miryango irigize HAGURUKA n'Urugaga rw'Abavoka ku nkunga ya USAID.

**Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku  
bibazo mbonezamubano n'umuryango**

Iyi mirongo ngenderwaho yateguwe hagamijwe kuyobora abatanga ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango, cyane cyane ibijyanye n'ubutaka, gushakisha umubyeyi, indezo, ubutane n'izungura. Ikindi kigamijwe ni ukunoza uburyo serivisi z'ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango zitangwa, kumenyesha intambwe zikurikizwa mu gutanga serivisi, no kwegereza abatanga ubufasha mu by'amategeko inyandiko ikoze mu buryo bworoshye gusoma ibafasha kumenya ibisabwa by'ingenzi ku kibazo runaka bashyikirijwe n'usaba ubufasha mu by'amategeko.

Iyi mirongo ngenderwaho kandi ifasha mu kugenzura ireme rya serivisi z'ubufasha mu by'amategeko zitangwa n'inzego zitandukanye.

## **Umutwe wa mbere: Imirongo ngenderwaho rusange ihuriweho mu gutanga ubufasha muby'amategeko ku bibazo mbonezamubano n'umuryango**

Mu gutegura iyi mirongo ngenderwaho mu gutanga serivisi z'ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango, hari ibikorwa bimwe bigaragara ko bihuriweho n'ibibazo byose byaba iby'ubutane, indezo, ubutaka gushakisha umubyeyi cyangwa izungu. Ibi nibyo bayahurijwe hamwe muri uyu mutwe byitwa imirongo rusange ngenderwaho ihuriweho mu gutanga ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango.

### **I.1 Inshingano rusange z'utanga ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango**

Iyi mirongo ngenderwaho ihuriweho mu gutanga serivisi z'ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango igaragaza inshingano z'utanga ubufasha mu by'amategeko kugira ngo atange serivisi ziboneye ku mugenerwabikorwa.

#### **(i). Kwakira neza umugenerwabikorwa**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa agomba:

- Kwakirira umugenerwabikorwa ahantu haboneye hatuma ashobora kwisanzura;
- Kwibwira umugenerwabikorwa;
- Kugaragaza imyitwarire ya kinyamwuga;
- Gufata umwirondoro w'umugenerwabikorwa;
- Guteka amatwi no guha agaciro ikibazo cy'umugenerwabikorwa;
- Gusobanukirwa neza ikibazo cy'umugenerwabikorwa;

- Kugenzura niba nta rundi rwego umugenerwabikorwa yajyanyemo ikibazo cyangwa niba nta wundi avoka afite yishakiye;
- Gufasha umugenerwabikorwa kumenya neza ikibazo cye hakurikijwe amategeko;
- Gusaba umugenerwabikorwa ibimenyetso by'ibyo avuga (aregera cyangwa yireguraho);
- Kwizeza umugenerwabikorwa kubika ibanga ry'ibyo baganiriyeho;
- Gusaba no kugenzura icyemezo cy'uko umugenerwabikorwa atishoboye;
- Kwemeranya n'umugenerwabikorwa ko azamwunganira (niba azunganirwa).

**(ii). Kugerageza gukemura ikibazo hakoreshejwe ubuhuza bwunzi**

Utanga ubufasha mu by'amategeko ugiye guhuza abafitanye ikibazo agomba:

- Gutumira ufutanye ikibazo n'umugenerwabikorwa;
- Kubonekera ku gihe no gutegura ahabera ubwumvikane;
- Kwibwira abafitanye ikibazo bitabiriye ubuhuza bwunzi no kubabwira ibyiza byo kumvikana;
- Kubaza abafitanye ikibazo niba bemera kungwa;
- Gushyiraho, afatanyije n'abafitanye ikibazo, umurongo ngenderwaho muri icyo gikorwa;
- Guha umwanya buri wese mu bafitanye ikibazo wo gusobanura ikibazo cye no kumutega amatwi;
- Gufata icyemezo cyo kumva buri wese, umwe umwe, mu muhezo (igihe ari ngombwa);
- Kudatwarwa n'amarangamutima mu gihe cy'ubuhuza bwunzi;
- Kubafasha kugera ku gisubizo kirambye kandi kinyuze buri wese mu bafitanye ikibazo;
- Kwirinda gufata icyemezo mu mwanya w'abafitanye ikibazo;
- Gutegura inyandiko y'ubwumvikane (iyo abafitanye ikibazo bumvikanye);
- Kugaragaza ingingo abafitanye ikibazo bumvikanyeho n'izo batumvikanyeho iyo zihari;
- Gufasha abafitanye ikibazo bamaze kumvikana gushyira umukono ku nyandiko y'ubwumvikane bwabo;
- Gufasha abafitanye ikibazo bamaze kumvikana gushyira mu bikorwa imyanzuro y'ibyo bumvikanye.

**(iii). Gutegura imyanzuro y'ikirego**

Utanga ubufasha mu by'amategeko ugiye gutegura imyanzuro yo gutanga ikirego cyangwa imyanzuro yo kwiregura agomba:

- Kumenya gutegura umwanzuro n'ibice by'ingenzi biwugize, aribyo:
  - a) Umwirondoro wuzuye w'ababuranyi;
  - b) Ikiregerwa cyanditse ku buryo busobanutse;
  - c) Urukiko ruregerwa;
  - d) Incamake y'ikibazo;
  - e) Ibibazo cyangwa ikibazo urukiko rugomba gusuzuma n'ishingiro ryabyo;
  - f) Ibimenyetso bishingirwaho;

- g) Amategako ashingirwaho no kuyahuza n'ikibazo, inyandiko z'abahanga ndetse n'ianza zisa n'ikibazo;
- h) Igisabwa Urukiko.

- Kumenyeshya uregwa umwanzuro hakurikijwe uburyo bwateganyijwe
- Kumenya no gutegura umwanzuro wo kwiregura (iyo bibaye ngombwa), harimo:
  - a) Gusuzuma niba hari umwanzuro w'ikirego ndetse n'ibimenyetso biwuherekeje;
  - b) Kwihuza na sisitemu koranabuhanga ikomatanyije y'imirungire y'ianza (IECMS) no gushyiriza/kwiregura muri sisitemu IECMS kuri buri ngingo y'ikirego;
  - c) Gusuzuma no kureba niba nta ngoboka zizaba muri sisitemu IECMS;
  - d) Gushakisha ibimenyetso no kubishyira muri sisitemu IECMS.

#### **(iv). Gutanga ikirego cyangwa kwiregura muri sisitemu IECMS**

Utanga ubufasha mu by'amategako ugiye gutanga ikirego cyangwa kwiregura muri sisitemu agomba:

- Kumenya imikorere ya sisitemu koranabuhanga ikomatanyije y'imirungire y'ianza (IECMS);
- Kugira muri sisitemu koranabuhanga ikomatanyije y'imirungire y'ianza (IECMS) aderesi (user account) ye n'iy'umugenerwabikorwa;
- Kumenya uko buzura ibisabwa byose muri sisitemu koranabuhanga ikomatanyije y'imirungire y'ianza (IECMS);
- Kumenya uko amakuru anyuzwa muri sisitemu IECMS n'uburyo ukurikirana ikirego cye asubiza ibyasabwe n'Urukiko.

#### **(v). Kwitabira iburanisha**

Utanga ubufasha mu by'amategako mu gihe cyo kwitabira imihango ibanziriza iburanisha agomba:

- Kwitabira inama ntegururubanza cyangwa umuhango wo kunga abafitanye ikibazo, harimo:
  - a) Kubahiriza itariki n'isaha by'inama ntegururubanza yagenwe n'Urukiko;
  - b) Kureba muri sisitemu IECMS niba ibyo urukiko rwasabye byarubahirijwe;
  - c) Gutegura umugenerwabikorwa mbere y'inama ntegururubanza cyangwa umuhango wo kunga abafitanye ikibazo;
  - d) Kugaragaza ibyo we n'uwo yunganira bashobora kumvikanaho n'uwo bafitanye ikibazo;
  - e) Kugaragaza ibyo yifuza ko Urukiko rusuzuma.
- Kwitabira iburanisha mu mizi, harimo:
  - a) Gutegura neza urubanza no kwiyibutsa imiterere ya dosiye;
  - b) Kubahiriza itariki n'isaha by'iburanisha;
  - c) Kugira inama umugenerwabikorwa ku buryo azitwara mu rukiko (amutegura ku byo azavugaga);
  - d) Gutegura abatangabuhamya (iyo bahari) no kubagira inama y'uko bitwara mu rukiko;

- e) Kumenyesha urukiko ko afite abatangabuhamyi igihe dosiye ihamagajwe no gusaba ko bahezwa mbere y'iburanisha;
  - f) Kuburana agaragariza urukiko ingingo ndetse n'ibimenyetso bishyigikira ikirego yatanze.
- Kwitabira isomwa ry'urubanza (iyo bibaye ngombwa), harimo:
    - a) Kwitabira isomwa ry'urubanza kugira ngo amenye icyemezo cy'Urukiko;
    - b) Gushishikariza umugenerwabikorwa kwitabira isomwa ry'urubanza;
    - c) Kubahiriza itariki n' isaha byagenewe isomwa ry'urubanza;
    - d) Kureba icyemezo cy'urukiko muri sisitemu IECMS;
    - e) Gushaka kopi y'urubanza nyuma y'isomwa ryarwo.

**(vi). Gutegura no kwiambaza inzira z'ubujurire**

Utanga ubufasha mu by'amategeko uri gutegura uko yakwiambaza inzira z'ubujurire agomba:

- Gusobanukirwa n'inzira z'ubujurire ziteganyijwe n'amategeko;
- Gusuzuma inzira y'ubujurire iri bukoreshwe n'ibihe biteganywa n'amategeko;
- Gusuzuma neza icyemezo cyafashwe n'Urukiko no kugisobanurira umugenerwabikorwa kugira ngo bategure ikirego cy'ubujurire (niba ari ngombwa);
- Kugenzura niba bemerewe gutanga ubujurire ndetse niba ibihe biteganywa n'amategeko byo kubutanga bitarangiye;
- Kugenzura niba umugenerwabikorwa afite icyemezo cy'uko atishoboye kigifite igihe cyo gukoreshwa;
- Kumenya urukiko rufite ububasha bwo kwakira ikirego cy'ubujurire;
- Gutegura neza umwanzuro no kugaragaza impamvu z'ubujurire;
- Kumenyesha umwanzuro uregwa hakurikijwe uburyo bwateganyijwe;
- Gushishikariza umugenerwabikorwa kwakira ibyavuye mu myanzuro y'Urukiko (iyo byacye mu mucyo);
- Kwiregura ku bujurire yagejejweho.

**(vii). Gupfundikira dosiye no kuyibika neza**

Utanga ubufasha mu by'amategeko nyuma y'ipfundikirwa rya dosiye agomba:

- Kwegeranya inyandiko zose zirebana na dosiye no kuzishyikiriza urwego rwamuhaye dosiye;
- Kugenera kopi ya dosiye umugenerwabikorwa igihe ipfundikiwe (iyo ari ngombwa).

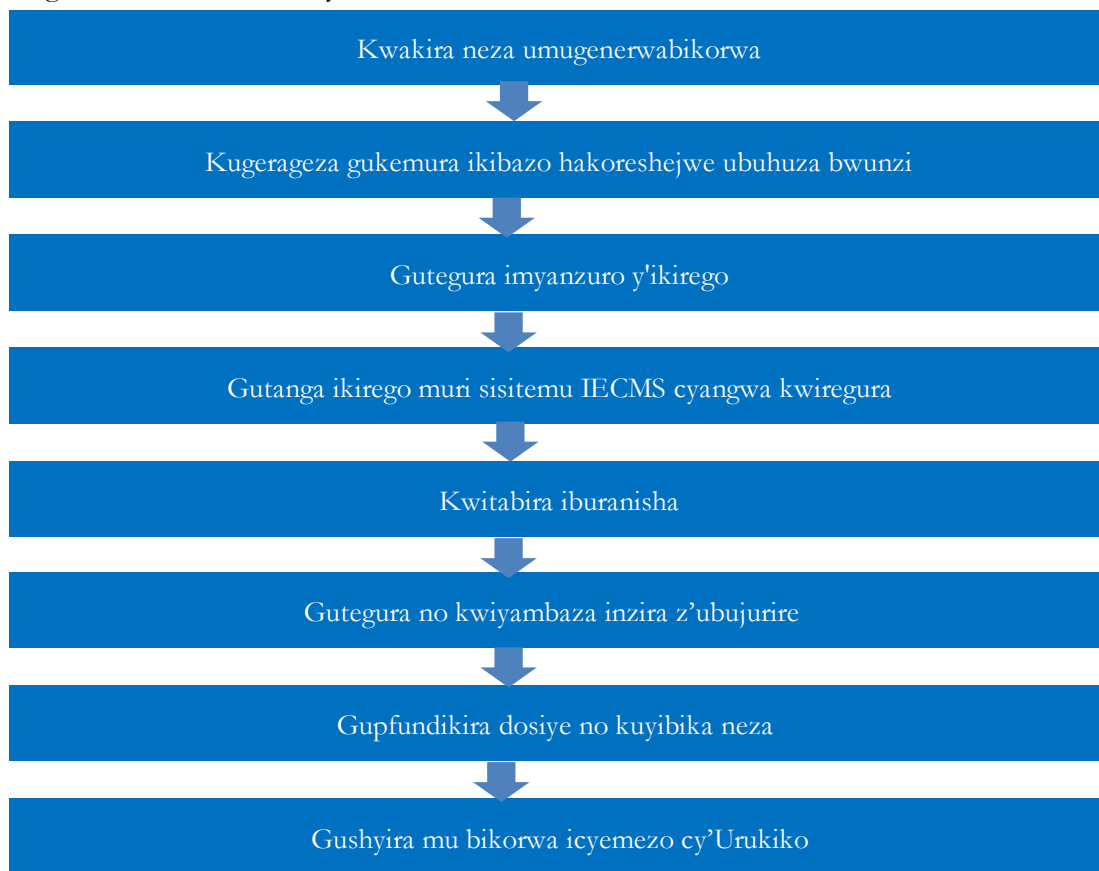
**(viii). Gushyira mu bikorwa icyemezo cy'Urukiko**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'ushaka ko icyemezo cy'urukiko gishyirwa mu bikorwa agomba:

- Kugenzura niba icyemezo cy'urukiko gisabirwa kurangizwa giteyeho kashe mpuruza no kuyobora umugenerwabikorwa uburyo yayitereshaho igihe ari ngombwa;
- Kugenzura ibyategetswe mu cyemezo cy'Urukiko no kubisobanurira umugenerwabikorwa;
- Gusobanurira umugenerwabikorwa ububasha/uburenganzira afite bwo gusaba ko urubanza rurangizwa ku ngufu za Leta;
- Kuyobora umugenerwabikorwa ku Muhesha w'inkiko utari uw'umwuga ufite ububasha bwo kurangiza urubanza rwe;
- Gusobanurira umugenerwabikorwa ko afite uburenganzira bwo guhabwa kopi y'inyandiko mvugo y'irangizarubanza rwe.

#### ❖ **Uko ibikorwa by'utanga ubufasha mu by'amategeko bikurikirana**

Ibikorwa by'utanga serivisi z'ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango, muri rusange, bikurikirana ku buryo bukurikirana:



## **1.2 Imbonerahamwe y'ibipimo rusange ngenderwaho bigenzura imitangirwe ya serivisi z'ubufasha mu by'amategeko ku bibazo mbonezamubano**



Ibipimo (*indicators*) bikoresheya n'umugenzuzi cyangwa umukozi ushinze gukurikirana imikorere y'abunganizi mu nkiko n'abandi bakorana nabo. Ugenzura ibi bipimo yifashisha dosiye uwo agenzura yaburanye cyangwa yatanzeho ubundi bufasha, akifashisha n'amakuru avana mu ikurikiranarubanza (gusura aho baburana). Yifashisha kandi amafishi agenewe ikurikiranarubanza yuzuzwa kuri buri rubanza.

Amanota atangwa kuri buri gipimo ari mu byiciro bine: 25%, 50%, 75% na 100%. Kugira ngo ayo manota agire aho ashingira, usuzuma abarura ibibazo byose ugenzurwa yatanzeho ubufasha, bityo akabona impuzandengo igaragaza uko yubahirije igipimo runaka.

Ibipimo bigabanyijemo ibice bibiri, aribyo:

- 1) Ibipimo bigenzura imikorere y'umufasha mu by'amategeko (*indicator on individual lawyer/legal officer/paralegal*);
- 2) Ibipimo bigenzura umuryango cyangwa ikigo gitanga ubufasha mu by'amategeko (*institutional performance indicators*).

**(i). Ibipimo bigenzura imikorere y'umufasha mu by'amategeko**

Amazina y'usuzumwa <sup>1</sup> : (Me /Mr./Mrs.): .....		Amanota (.../100) <sup>2</sup>			
.....					
#	Igipimo ( <i>indicator</i> )	25%	25-50%	50-75%	75-100%
1	# abagenerwabikorwa banyuzwe n'uko bakiriwe (communication, kwakirwa neza, etc)				
2	# w'inama yatanze zijyanye n'ibibazo yagejejweho				
3	Yakoze ibishoboka ngo ikibazo gikemurwe mu bwumvikane (aho bishoboka)				
4	# ibibazo yakusanyirije ibimenyetso bishoboka				
5	# ibirego yateguriye imyanzuro kandi agatanga ikirego muri sisitemu IECMS nk'uko biteganywa n'amategeko				
6	# inshuro/imanza yitabiriyemo imihango y'iburanisha adasiba				
7	# inshuro/imanza yitabiriyemo imihango y'iburanisha adakererewe				
#	Igipimo ( <i>indicator</i> )	25%	25-50%	50-75%	75-100%
8	# raporo yatanze zirimo amakuru yose kandi akazitanga ku gihe				

<sup>1</sup>Ibi bipimo bikoresheya mu isuzuma ry'utanga ubufasha mu by'amategeko mu gihe runaka. Niyo mpamvu buri wese akwiye kugira ifishi ye bwite.

<sup>2</sup> Nk'uko byagaragajwe mu ntangiriro, ni ngombwa ko amanota atangwa hashingiwe ku mubare nyawo w'ibibazo ugenzurwa yakiriye (*actual number of cases handled*).

9	# imanza yaburanye kandi agatanga inama ku irangizwa ryazo				
<b>Igiteranyo</b>					

(ii). Ibipimo bigenzura umuryango cyangwa ikigo gitanga ubufasha mu by'amategeko

Amazina y'usuzumwa: (Umuryango/Ikigo): .....		Amanota (...../100)
.....		
#	Igipimo ( <i>indicator</i> )	Ikigereranyo <sup>3</sup> (%)
1	% abagenerwabikorwa banyuzwe n'uko bakiriwe	
2	% ibibazo byatanzweho imana ugeranyije n'ibyahawe izindi serivisi	
3	% ibibazo byakemuwe ku bwumvikane bitageze mu nkiko	
4	% ibirego bitakiriwe kuko bitari biteguye neza	
5	% ibirego byakorewe imyanzuro kandi bigatangirwa ibirego nk'uko amategeko abiteganyaga	
6	% imanza zasubitswe kubera gusiba kw'abanyamategeko	
7	% imanza zasubitswe kubera gukererwa kw'abanyamategeko	
8	% imanza zapfundikiwe kandi zigatangwaho ubufasha/inama zijyanye n'irangizwa ryazo	

## Umutwe wa 2 : Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku bibazo bijyanye n'izungura

Iyi mirongo ngenderwaho yateguwe kugira ngo ifashe utanga ubufasha mu by'amategeko wagejejweho ikibazo cyijyanye n'izungura. Igaragaza intambwe utanga ubufasha mu by'amategeko ku bibazo by'izungura yibandaho kugira ngo atange inama nziza ku kibazo cy'umugenerwabikorwa yakiriye.

<sup>3</sup>Iki kigereranyo gishingira ku igereranya ry'umubare w'ibibazo byose byakiriwe n'uko ibi bipimo byubahirijwe.

## 2.1 Ikibazo cyo gusaba kuzungura

Utanga ubufasha mu by'amategeko wakiriye ikibazo kijyanye no gusaba kuzungura agomba:

**(i). Kugenzura niba hari icyemezo cyagwa urubanza rwemeza ko umuntu uzungurwa yapfuye, harimo:**

- Kubaza umugenerwabikorwa aho uzungurwa yari atuye cyangwa acumbitse kugira ngo bimufashe kumenya Urukiko cyangwa Komite y'Abunzi bifite ububasha bwo gusuzuma icyo kibazo;
- Kubaza umugenerwabikorwa igihe uzungurwa yafiriye kugira ngo bimufashe kumenya itegeko ashingiraho amugira inama cyangwa akora imyanzuro.

**(ii). Gushaka amakuru ku isano umugenerwabikorwa afitanye n'uzungurwa, harimo:**

- Kumenya niba umugenerwabikorwa afitanye n'uwapfuye isano ishingiyeye ku ishyingirwa cyangwa ku buvandimwe;
- Kubaza umugenerwabikorwa niba afite inyadiko itangwa n'inzego bwite za Leta cyangwa kopi y'urubanza igaragaza isano afitanye n'uwo ashaka kuzungura;
- Kumenya niba umugenerwabikorwa ariwe muzungura wenyine cyangwa niba hari abandi bazungura bahuriye ku mutungo uzungurwa;
- Kumenya niba umugenerwabikorwa yihagarariye ubwe cyangwa niba ahagarariye umubyeyi wapfuye mbere y'uzungurwa;
- Kugenzura niba ushaka kuzungura atarambuwe uburengazira bwo kuzungura nk'uko amategeko abiteganyaho<sup>4</sup>.

**(iii). Kubaza umugenerwabikorwa niba uzungurwa yari yarashyinyiwe mu buryo bwemewe n'amategeko, harimo:**

- Kubaza umugenerwabikorwa uburyo bw'imicungire y'umutungo w'abashyinyiranywe uzungurwa yari yarasezeranyeye;
- Kubaza umugenerwabikorwa niba uwapfuye yarasize uwapfakaye;
- Kubaza umugenerwabikorwa niba uwapfakaye yarongeye gushyinyirwa.

**(iv). Kumenya umutungo uzungurwa, ubwoko bwawo, ingano yawo naho uherereye, harimo:**

- Kumenya aho umutungo utimukanwa uzungurwa uherereye kugira ngo bimufashe kumenya Urukiko cyangwa Komisiye y'Abunzi bifite ububasha kuri icyo kibazo;
- Kugenzura niba umutungo uzungurwa ari uw'uwapfuye (ibyemezo byawo bimwanditseho);

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<sup>4</sup>Mu kugenzura niba usaba kuzungura atarambuwe uburenganzira bwo kuzungura, utanga ubufasha mu by'amategeko yamubaza niba nta cyemezo cy'Urukiko cyamwambuye uburenganzira bwo kuzungura cyangwa yaba atizewe ibyo amubwira akamutuma icyemezo cy'uko atakatiwe n'inkiko.

- Kugenzura niba umutungo w’uwapfuye nta nenge ufite (nk’imyenda iwushingiyeho);
- Kumenya agaciro/ingano by’umutungo uzungurwa kugira ngo amenye urwego rufite ububasha bwo kwakira no gusuzuma ikirego/ikibazo.

**(v). Gushaka amakuru ajyanye no kumenya niba umugenerwabikorwa yarabanje kugeza ikibazo cye ku Nama y’umuryango cyangwa izindi nzego, harimo:**

- Kumenya niba mu muryango w’umugenerwabikorwa barashyizeho Inama y’umuryango;
- Kumenya ibyemezo Inama y’umuryango yafashe kuri icyo kibazo (niba yaragisuzumye);
- Kubaza umugenerwabikorwa niba yarigeze yiyambaza izindi nzego zitandukanye nk’inzego z’ibanze cyangwa Komite y’Abunzi (..) n’ibyemezo izo ngezo zafatiye ikibazo;
- Kubaza umugenerwabikorwa niba ikibazo cye kiri ku rwego rwa mbere cyangwa urw’ubujurire.

**(vi). Gukorera umugenerwabikorwa imyanzuro no kumufasha gutanga mu rukiko ikirego gisaba kuzungura (iyo ari ngombwa).**

## **2.2 Ikibazo cyo gusaba ko irage ryakozwe rishyirwa mu bikorwa**

Utanga ubufasha mu by’amategeko wakiriye ikibazo kijyanye no gusaba ko irage ryakozwe rishyirwa mu bikorwa agomba:

- (i). Kubaza umugenerwabikorwa niba uzungurwa yarasize irage n’uburyo ryakozwemo;
- (ii). Kumenya niba irage ryarakozwe mu buryo bw’inyandiko mpamo cyangwa mu buryo bw’inyandiko bwite;
- (iii). Kumenya aho irage ribitse no kurisoma;
- (iv). Kumenya niba irage ryarakozwe hakurikijwe iby’ibanze bisabwa n’amategeko;
- (v). Kumenya niba uzungurwa yari yarashyingingiye mu buryo bukurikije amategeko n’uburyo bw’icungamutungo yari yarahisemo;
- (vi). Kumenya niba irage ryarateganyije ushinze kwegeranya umutungo uzungurwa;
- (vii). Kumenya niba irage ritaravugururwa cyangwa ritaravanyweho;
- (viii). Kumenya aho umutungo uzungurwa uhererereye, ingano yawo n’uwucunga muri icyo gihe utaragabanwa;
- (ix). Kubaza umugenerwabikorwa niba ikibazo cye kiri ku rwego rwa mbere cyangwa urw’ubujurire;
- (x). Gufasha umugenerwabikorwa gusaba itangazwa ry’irage n’iyubahirizwa ry’ibirikubiyemo;
- (xi). Gufasha umugenerwabikorwa gusaba Urukiko ivanwaho ry’irage mu gihe ryakozwe ku buryo butubahirije ibiteganywa n’amategeko.

## 2.3 Ikibazo kijyanye no kwambura cyangwa kwamburwa uburenganzira bwo kuzungura

Utanga ubufasha mu by'amategeko wakiriye ikibazo kijyanye no kwambura cyangwa kwamburwa uburenganzira bwo kuzungura agomba:

- (i). Kugenzura niba umugenerwabikorwa yarakatiwe n'inkiko kubera kimwe mu byaha bikurikira:
  - kwica abishaka cyangwa kugambirira kwica uzungurwa;
  - kubeshyera cyangwa gutanga ku uzungurwa ubuhamya bw'ibinyoma bwashoboraga gutuma akatirwa n'inkiko igifungo nibura cy'amezi atandatu (6);
  - guta nkana umwana we uzungurwa cyagwa kumugirira igikorwa cy'urukozasoni cyangwa kwangiza imyanya ndangagitsina, kumusambanya cyangwa kumushora mu busambanyi;
- (ii). Kugenzura niba umugenerwabikorwa yarakoze kimwe mu bikorwa bukurikira:
  - gucana umubano wa kibyezi n'uwapfuye igihe yari akiriho;
  - kwirengagiza, abigambiriyeye kandi yari ashoboye, kwita ku uzungurwa mu gihe yari abikeneye;
  - gushaka kwiharira igice cyangwa ibizungurwa byose yitwaje ubushobozi buke bwo mu mutwe cyangwa ku mubiri bw'uzungurwa;
  - kwangiza nkana, gucagagura cyangwa kwangiza irage rya nyuma ry'uwapfuye atabimwemerereye;
- (iii). Kugenzura niba hari icyemezo cy'Urukiko kibuza umugenerwabikorwa kuzungura;
- (iv). Gusuzuma niba hari inzira z'ubujurire zishobora kwitabazwa niba hari icyemezo cy'Urukiko/Komiyi y'Abunzi cyafashwe mbere;
- (v). Gukorera umugenerwabikorwa imyanzuro no kumufasha gutanga ikirego mu gihe hari inzira z'urubanza zigishoboka ku rwego rwa mbere cyagwa urwego rw'ubujurire (niba ari ngombwa).

## 2.4 Ikibazo gisaba kugaruza ibyarenze mu gihe cy'itangwa ry'impano

Utanga ubufasha mu by'amategeko wakiriye ikibazo gisaba kugaruza ibyarenze mu gihe cy'itangwa ry'impano agomba:

- (i). Kugenzura niba umugenerwabikorwa abarizwa mu bazungura bazigamirwa;
- (ii). Kugenzura niba impano isabwa kugaruzwa mu mutungo w'uwapfuye itaratanze mbere y'imyaka itatu (3) ibanziriza umunsi izungura ryatangiriyeho;
- (iii). Kumenya ingano y'ibizungurwa;
- (iv). Kumenya umugabane w'ibishobora gutangwa: hatangwa kimwe cya gatanu (1/5) cy'umutungo w'utanga iyo afite abana na kimwe cya gatatu (1/3) cy'umutungo w'utanga iyo nta bana afite;
- (v). Gukorera umugenerwabikorwa umwanzuro ugaragaza ko, mu gihe cy'imyaka itatu (3) ibanziriza umunsi izungura ryatangiriyeho, uwapfuye yakoze impano zirengeje igice cy'ibyo yagombaga gutanga;
- (vi). Gufasha umugenerwabikorwa gutanga ikirego gisaba kugaruza ibyarenze mu gihe cy'itangwa ry'impano.

## **2.5 Ikibazo kijyanye n’uko igabanwa ry’ibizungurwa ryakozwe nabi**

Utanga ubufasha mu by’amategeko wakiriye ikibazo kijyanye n’uko igabanwa ry’ibizungurwa ryakozwe nabi agomba:

- (i). Kugenzura niba izungura ryarakozwe ku buryo bw’irage cyangwa nta rage;
- (ii). Kumenya ubwoko bw’imicungire y’umutungo w’abashyingiranywe uwapfuye yari yarahisemo;
- (iii). Kumenya ingano n’ubwoko bw’ibyzunguwe;
- (iv). Kumenya ubwoko bw’umutungo uzungurwa (niba ari ubutaka akamenya icyagenewe kubukorerwaho);
- (v). Kumenya niba ubutaka buzungurwa bugabanyijwe buri muzungura yabona igice cy’ubutaka kitari muni ya hegitari imwe (1) niba ari ubutaka bwagenewe ubuhinzi;
- (vi). Gukora umwanzuro ugaragaza uburyo igabana ry’umutungo uzungurwa ryakozwe nabi ugaherekezwa n’ibimenyetso byerekana ingano y’uwo mutungo na raporo y’igabana;
- (vii). Kumemya Urukiko/Komite y’Abunzi rwashyikirizwa ikibazo;
- (viii). Gufasha umugenerwabikorwa kuregera Urukiko asaba ko igabana ryakozwe nabi riteshwa agaciro hagakorwa irindi hakurikijwe itegeko rigenga izungura mu Rwanda.

## **2.6 Ikibazo gisaba kugira uburenganzira ku mutungo w’uwapfuye babanaga mu buryo butemewe n’amategeko**

Utanga ubufasha mu by’amategeko wakiriye ikibazo kijyanye no gusaba kugira uburenganzira ku mutungo w’uwapfuye babanaga mu buryo butemewe n’amategeko agomba:

- (i). Kugenzura niba umugenerwabikorwa yarabanaga n’uwapfuye nk’umugore n’umugabo<sup>5</sup> ;
- (ii). Gusaba umugenerwabikorwa kwerekana imitungo yari afitanye kandi yahahanye n’uwapfuye;
- (iii). Gusaba umugenerwabikorwa ibimenyetso byerekana ko umutungo avuga ko afitanye n’uwapfuye bafatanyije kuwushaka;
- (iv). Gukorera umugenerwabikorwa umwanzuro ugaragaza uburenganzira afite ku mutungo yahahanye n’uwo babanaga nk’umugore n’umugabo wapfuye hamwe n’ingano y’uwo mutungo;
- (v). Gufasha umugenerwabikorwa gutanga ikirego gisaba Urukiko kwemeza ko afite uburenganzira ku mutungo yashakanye n’uwapfuye babanaga nk’umugore n’umugabo no kugena uruhare rwe kuri uwo mutungo.

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<sup>5</sup> Ibi abigenzura ashingiye ku makuru cyagwa inyangirakose itanzwe n’inzego z’ibanze cyangwa abatangabuhamya.

### **Umutwe wa 3: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku bibazo bishingiye ku butaka no ku kwimurwa ku mpamvu z'inyungu rusange**

Iyi mirongo ngenderwaho yateguwe kugira ngo ifashe utanga ubufasha mu by'amategeko wakiriye ikibazo kijyanye n'ubutaka cyangwa ikibazo kijyanye no kwimurwa ku mpamvu z'inyungu rusange.

Igamiye kuyobora ugiye gutanga inama ku bibazo yagejejweho n'umugenerwabikorwa.

### **Icyiciro cya mbere: Gutanga ubufasha mu by'amategeko ku bibazo rusange by'ubutaka**

#### **3.1 Ikibazo kirebana n'ubutaka muri rusange**

Utanga ubufasha mu by'amategeko ugiye gutanga ubufasha mu by'amategeko ku kibazo kirebana n'ubutaka muri rusange agomba:

- (i). Gusobanukirwa amateka arebana n'uburyo Abanyarwanda bagiye batunga ubutaka mu Rwanda;
- (ii). Kumenya no kugaragaza itsinda ry'ubutaka, ubutaka bufite ikibazo buherereyemo;
- (iii). Kumenya uburenganzira umuntu agira ku butaka iyo abutunze mu buryo bwemewe n'amategeko ndetse n'inshingano aba agomba kubahiriza harimo:
  - inshingano yo kwandikisha ubutaka;
  - inshingano yo kubungabunga no gukoresha neza ubutaka hakurikijwe ibyo bwagenewe;
  - inshingano yo guha abaturanyi inzira iyo nta handi bafite ho kunyura;
- (iv). Kumenya amabwiriza arebana n'imikoresheje y'ubutaka akurikizwa harimo nk'ayerekeye:
  - kuburinda isuri;
  - kubuhinga, iyo bugenewe guhingwa, kugeza byibura kuri ½;
  - kuba buteyeho ubwatsi kuri ½ ku butaka bw'ubworozi;
  - ko ubutaka bugenewe ubwubatsi bugomba kuba bwakoreshejwe icyo bwagenewe mu gihe cyumvikanyweho n'urwego rubifitiye ububasha;
- (v). Kumenya inkomoko y'ubutaka bufite ikibazo ndetse n'aho umugenerwabikorwa akura uburenganzira kuri ubwo butaka;
- (vi). Gusobanukirwa n'inkomoko muzi y'ikibazo cy'umugenerwabikorwa;
- (vii). Kugenzura niba ubutaka bwanditse hakaba hari n'ibyangombwa byabwo;
- (viii). Gusuzuma amakuru yatanze n'umugenerwabikorwa ku birebana n'ubutaka, hakoreshejwe uburyo bwashyizweho bwo kumenya amakuru arebana n'ubutaka (murandasi cyangwa telefoni ngendanwa);
- (ix). Kugenzura niba hatarabayeho ubuzime bwo gukurikirana uburenganzira ku butaka;

- (x). Kumenya uko ihererekanya ry'uburenganzira ku butaka rikorwa n'inyandiko (*forms*) zikoreshwa;
- (xi). Kugenzura ko hujujwe ibisabwa abakora ihererekanya ry'ubutaka nko:
  - kwishyura amahoro yagenwe mu gihe cy'hererekanya;
  - kubanza gusaba abanditse bose ku mpapuro mpamo z'ubutaka kwemeza ko ihererekanya baryemera hakanuzuzwa ifishi yabugenewe;
  - kwemeza ihererekanya kw'abanditse bose ku mpapuro mpamo z'ubutaka bikorewe imbere ya noteri ushinze ubutaka; no
  - kuzaza ifishi yabigenewe iri mu biro by'ubutaka irebana n'ubwoko bw'hererekanya umugenerwabikorwa asaba gukora.

### **3.2 Ikibazo gishingiye ku mbibi/imbago**

Utanga ubufasha mu by'amategeko wakiriye ikibazo gishingiye ku mbibi/imbago agomba:

- (i). Gusuzuma ibyangombwa by'ubutaka no kumenya ibipimo byabwo hifashishijwe ibipimo by'inzobere;
- (ii). Kubaza umugenerwabikorwa niba hari urwego urwo arirwo rwose yigeze yitabaza ngo rukemure ikibazo cye;
- (iii). Gusuzuma inyandiko zose zirebana n'ikibazo umugenerwabikorwa yazanye;
- (iv). Kugira umugenerwabikorwa inama yo kuyoboka inzira yo kumvikana n'uwo bafitanye ikibazo (mu gihe bishoboka);
- (v). Gusuzuma Komite y'Abunzi ifite ububasha bwo gukemura ikibazo yashyikirijwe gishingiye ku kurenga imbibi/imbago;
- (vi). Kugira inama umugenerwabikorwa ku buryo azageza ikibazo cye muri Komite y'Abunzi n'uko azitwara agisobanura.

### **3.3 Ikibazo gishingiye ku izungura cyangwa impano ku butaka**

Utanga ubufasha mu by'amategeko ushyikirijwe ikibazo gishingiye ku izungura cyangwa impano ku butaka, agomba:

- (i). Gushaka amakuru yose asobanura umuzi w'ikibazo;
- (ii). Kumenya amasano y'umugenerwabikorwa n'abafite aho bahuriye n'ikibazo afite;
- (iii). Kugenzura uko izungura ryakozwe (niba ryarabayeho) niba ari izungura ryakurikije irage cyangwa izungura ryakurikije itegeko;
- (iv). Kugenzura igihe uzungurwa yapfiriye;
- (v). Gusuzuma uko impano yatanze, niba yarubahirije ibyo amategeko ateganyaga;



- (vi). Kugenzura niba uwatanze impano akiriho;
- (vii). Gusuzuma inyandiko iyo ariyo yose irebana n'ubwo butaka igihe ihari;
- (viii). Kumenya urwego rufite ububasha bwo gukemura ikibazo igihe impande zombi zitumvikanye;
- (ix). Gufasha umugenerwabikorwa kugeza ikibazo cye ku rwego rubifitiye ububasha;
- (x). Kutegura umwanzuro wo gutanga ikirego.

### **3.4 Ikibazo kijyanye n'igurisha ry'ubutaka ryakozwe n'utari nyirabwo**

Utanga ubufasha mu by'amategeko ushyikirijwe ikibazo kijyanye n'igurisha ry'ubutaka ryakozwe n'utari nyirabwo agomba:

- (i). Gusuzuma inkomoko y'ubwo butaka bwagurishijwe n'ibyangombwa byabwo;
- (ii). Gusuzuma amasezerano yakozwe mu igurishwa ry'ubutaka no kubihuza n'izindi nyandiko zose zirebana n'ubutaka bwagurishijwe;
- (iii). Gufasha umugenerwabikorwa kugeza ikibazo cye kuri Komite y'Abunzi cyangwa mu Rukiko rw'Ibanze rwo mu ifasi y'aho ubwo butaka buherereye asaba gutesha agaciro ayo masezerano y'ubugure.

### **3.5 Ikibazo kijyanye n'icyemezo cy'iyandikisha ry'ubutaka cyatakaye cyangwa cyangiritse**

Utanga ubufasha mu by'amategeko ushyikirijwe ikibazo kijyanye n'icyemezo cy'iyandikisha ry'ubutaka cyatakaye cyangwa cyangiritse agomba:

- (i). Kumenyesha umugenerwabikorwa ko inyandiko isaba guhabwa ikindi cyangombwa cyatakaye igomba kuba iherekejwe n'inyandiko ziteganwa n'amabwiriza abigenga arizo:
  - inyandiko y'indahiro (affidavit) yakorewe imbere ya Noteri w'ubutaka bw'aho ubutaka buherereye yemeza ko icyangombwa cyatakaye cyangwa cyangiritse;
  - fotokopi y'ibiranga nyir'ubutaka;
  - itangazo ryo kukirangisha kuri imwe mu maradiyo yumvwa cyane mu Rwanda cyangwa muri kimwe mu binyamakuru bisomwa cyane mu Rwanda iyo cyatakaye kandi hakaba hashize nibura ibyumweru bibiri umugenerwa bikorwa aritanze;
- (ii). Kumenya ko inyandiko isaba guhabwa ikindi cyangombwa cyangiritse igomba kuba iherekejwe n'ibyangombwa biteganyijwe n'amategeko. Agomba kugenzura ko afite:
  - umwimerere w'icyemezo cy'iyandikisha ry'ubutaka cyangiritse;
  - fotokopi y'ibiranga nyir'ubutaka;
  - inyandiko ihamya ko cyangiritse (affidavit) yakorewe imbere ya Noteri w'ubutaka w'aho ubutaka buherereye igihe icyemezo cy'iyandikisha cyangiritse ku buryo nta gishobora kugaragazwa;
- (iii). Kumenya urwego rushinzwe gutanga icyemezo gisimbura icyangiritse/icyatakaye;

- (iv). Kuyobora umugenerwabikorwa aho asaba ikindi cyemezo cy'ubutaka gisimbura icyatakaye/icyangiritse.

### **3.6 Ikibazo kirebana no kugabanyamo ibice ikibanza/isambu no gukosora imbibi cyangwa ubuso**

Utanga ubufasha mu by'amategako ushyikirijwe ikibazo kirebana no kugabanyamo ibice ikibanza/isambu no gukosora imbibi cyangwa ubuso agomba:

- (i). Gusuzuma ibyangombwa by'ubutaka bisabirwa kugabanywamo ibice harimo:
  - amasezerano y'ubukode bw'ubutaka;
  - ifishi y'ipimo by'ubutaka (*Fiche Cadastrale*) yemejwe n'umukozi w'Akarere ubifitiye ububasha kuri buri gice cy'ubutaka busabirwa kugabanyamo ibice;
  - raporo y'ipimwa ry'ubutaka yashyizweho umukono na nyir'ubutaka, abo bahana imbibi n'umukozi wapimye ubutaka;
- (ii). Gushaka amakuru ajyanye n'icyo ubutaka busabirwa gucibwamo ibice bwagenewe gukorerwaho;
- (iii). Gusuzuma uko ikibazo giteye no kugenzura ko ibisabwa byose byubahirijwe;
- (iv). Kumenya urwego rufite ububasha bwo gukemura icyo ikibazo no kuyoborayo umugenerwabikorwa.

### **3.7 Ikibazo kirebana n'iherekanya ry'uburenganzira ku butaka**

Utanga ubufasha mu by'amategako ushyikirijwe ikibazo kirebana n'iherekanya ry'uburenganzira ku butaka agomba:

- (i). Gusuzuma ibyangombwa umugenerwabikorwa wifuza guhererekanya ubutaka asabwa igihe iherekanya ry'uburenganzira ku butaka rikozwe ku bwumvikane nko ku bugure aribyo ibi bikurikira:
  - fotokopi y'ibiranga uwaguze/abaguze;
  - amasezerano y'iherekanya ry'uburenganzira ku butaka yakorewe imbere ya Noteri mu by'ubutaka ariho imikono y'impande zombi;
  - ibyangombwa by'ubutaka bwagurishijwe;
  - inyandiko y'ubwumvikane yakorewe imbere ya Noteri igaragaza imigabane buri muntu afite mu gihe mu bagomba kwandikwa ku butaka harimo abanyamahanga bafatanyije ubutaka n'Abanyarwanda cyangwa iyo ari isosiyete y'ubucuruzi, umuryango cyangwa ishyirahamwe bifite ubuzima gatozi abanyamahanga bafitemo imigabane;
- (ii). Gusuzuma ibyangombwa umugenerwabikorwa wifuza guhererekanya ubutaka asabwa igihe bikozwe bishingiye ku cyemezo cy'Urukiko aribyo ibi bikurikira:
  - fotokopi y'ibiranga usaba/abasaba iherekanya;

- icyemezo cy'Urukiko gitegeka ihererekanya n'inyandikomvugo y'irangizarubanza igaragaza nimeru y'ubutaka (Iyo ibipimo by'ubutaka bitazwi : Ifishi y'ibipimo by'ubutaka (Fiche Cadastrale) yemejwe n'umukozi w'ikigo gishinzwe gupima ubutaka n'inyandiko yakozwe n'Umuhesha w'inkiko yemeza ko ibipimo by'ubutaka byafashwe nk'uko urubanza rwarangijwe);
  - icyemezo cyo kuba warashyingiwe/cy'uko uri ingaragu cy'usaba ihererekanya;
  - ibyangombwa by'ubutaka burebwa n'iherekanya (Iyo uwanditse ku butaka bwavuzwe mu rubanza yanze kugarura ibyangombwa by'ubutaka, Umuhesha w'inkiko abigaragaza mu nyandiko mvugo y'irangizarubanza akanamwandikira abimusaba ku gahato);
  - inyandiko y'ubwumvikane yakorewe imbere ya Noteri igaragaza imigabane buri muntu afite mu gihe mu bagomba kwandikwa ku butaka harimo abanyamahanga bafatanyije ubutaka n'Abanyarwanda cyangwa iyo ari isisiyete y'ubucuruzi, umuryango cyangwa ishyirahamwe bifite ubuzima gatozi abanyamahanga bafitemo imigabane;
- (iii). Gusuzuma ibyangombwa umugenerwabikorwa wifuza guhererekanya ubutaka asabwa igihe bikozwe bishingiye ku bugure muri cyamunara aribyo:
- fotokopi y'ibiranga uwaguze/abaguze muri cyamunara;
  - inyandikompesha, inyandikomvaho y'igurisha mu cyamunara na raporo isoza cyamunara;
  - icyemezo cyo gushyingirwa/cy'uko uri ingaragu cy'uwaguze;
  - ibyangombwa by'ubutaka bwatejwe cyamunara (Iyo uwaterejwe cyamunara atagize ubushake bwo kubisubiza umuhesha w'inkiko abigaragaza mu nyandiko mvugo ya cyamunara);
  - inyandiko y'ubwumvikane yakorewe imbere ya Noteri igaragaza imigabane buri muntu afite mu gihe mu bagomba kwandikwa ku butaka harimo abanyamahanga bafatanyije ubutaka n'Abanyarwanda cyangwa iyo ari isisiyete y'ubucuruzi, umuryango cyangwa ishyirahamwe bifite ubuzima gatozi abanyamahanga bafitemo imigabane;
- (iv). Gusuzuma ibyangombwa umugenerwabikorwa wifuza guhererekanya ubutaka asabwa igihe bikozwe bishingiye ku izungura, aribyo:
- fotokopi y'ibiranga umuzungura/abazungura;
  - icyemezo cyo kuba yarashyingiwe/cy'uko uri ingaragu;
  - inyandiko y'umurage yakorewe imbere ya Noteri (*Authentic Will*)/ icyemezo gihamya abazungura, mu gihe nta makimbirane, gitangwa n'Umwanditsi w'irangamimerere cyangwa icyemezo cy'Urukiko cyemeza abazungura n'uburenganzira bafite ku butaka (giherekejwe n'inyandiko mvugo y'irangizarubanza) mu gihe hari amakimbirane;
  - ibyangombwa by'ubutaka busabirwa izungura;
- (v). Gusuzuma ibyangombwa umugenerwabikorwa wifuza guhererekanya ubutaka asabwa igihe bikozwe bishingiye ku mpano hagati y'abazima cyangwa ku ndagano aribyo:
- fotokopi y'ibiranga uwatanze ubutaka;
  - icyemezo cyo kuba yarashyingiwe/cy'uko uri ingaragu cy'uwahawe impano;
  - amasezerano y'impano hagati y'abazima yakorewe imbere ya Noteri yashyizweho umukono n'uwatanze n'uwahawe /indagano yakorewe imbere ya Noteri yashyizweho

- umukono n'uwatanze/ icyemezo cy'uko uwatanze yitabye Imana (mu gihe impano yatanze mu buryo bw'indagano);
- (vi). Gufasha umugenerwabikorwa kuzuza dosiye isabwa no kuyishyikiriza urwego rubifitiye ububasha.

### **3.8 Ikibazo cy'uwambuwe ubutaka bwe ku bw'akarengane bikoze n'abahagarariye inzego za Leta cyangwa abakozi bashinzwe impapuro mpamo z'ubutaka**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'umugenerwabikorwa wambuwe ubutaka bwe ku bw'akarengane bikoze n'abahagarariye inzego za Leta cyangwa abakozi bashinzwe impapuro mpamo z'ubutaka agomba:

- (i). Gusuzuma ibyangombwa byerekana ko ubwo butaka ari ubw'umugenerwabikorwa;
- (ii). Kugenzura niba icyo cyemezo cyarafashwe mu buryo bweruye cyangwa buteruye kandi cyigafatwa n'umuyobozi;
- (iii). Kugenzura niba umuyobozi wafashe icyo cyemezo yari abifitiye ububasha;
- (iv). Gufasha umugenerwabikowa gutakambira umuyobozi wo ku rwego rwisumbuye ku rwafashe icyemezo asaba ko gikurwaho (niba bitarakozwe);
- (v). Gutangira ikirego umugenerwabikorwa mu gihe kitarenze amezi atandatu (6) gitangira kubarwa kuva ku munsu yaboneyeho igisubizo ko atishimiye ugutakambira icyemezo cy'ubuyobozi. Ikirego kigomba kuba giherekewe na fotokopi y'icyemezo cy'ubuyobozi kinengwa (iyoyanditse) n'inyandiko igaragaza ugutakamba kwakorewe umuyobozi wo ku rwego rwisumbuye ku rwafashe icyemezo.

### **Icyiciro cya 2: Gutanga ubufasha mu by'amategeko ku kibazo cy'ubutaka gishingiye ku kwimurwa ku mpamvu z'inyungu rusange**

### **3.9 Ikibazo cy'umugenerwabikorwa ukeneye kumenya amakuru ku iyimurwa ku mpamvu z'inyungu rusange**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'umugenerwabikorwa ukeneye kumenya amakuru ku iyimurwa ku mpamvu z'inyungu rusange agomba:

- (i). Kumenya amakuru ku rutonde rw'ibikorwa by'inyungu rusange biteganywa n'amategeko, no gusuzuma niba igikorwa kigiye kubera ku butaka bw'umugenerwabikorwa ari icy'inyungu rusange;

- (ii). Kumenya imihango ikurikizwa mu gihe cy'iyimurwa ku mpamvu z'inyungu rusange no kubisobanurira umugenerwabikorwa;
- (iii). Kumenyesha umugenerwabikorwa uruhare rwe mu iyimurwa ku mpamvu z'inyungu rusange ndetse n'uburenganzira afite;
- (iv). Kumenya no gushakisha amakuru ku butaka bugiye gukorerwaho iyimurwa ku mpamvu z'inyungu rusange;
- (v). Gusobanurira umugenerwabikorwa uburyo n'inzira iyimurwa ku mpamvu z'inyungu rusange bikorwamo;
- (vi). Gusobanurira umugenerwabikorwa uburenganzira buteganywa n'itegeko uwimurwa ku mpamvu z'inyungu rusange afite.

### **3.10 Ikibazo cy'umugenerwabikorwa wimurwa/wimuwe utishimiye iyimurwa ku mpamvu z'inyungu rusange akaba ashaka gutakamba**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa wimurwa/wimuwe utishimiye iyimurwa ku mpamvu z'inyungu rusange akaba ashaka gutakamba agomba:

- (i). Kugenzura ibyo umugenerwabikorwa atishimiye mu gihe cyo kwimurwa no gusuzuma ibyirengagijwe hashingiwe ku mategeko;
- (ii). Gusobanurira umugenerwabikorwa uburenganzira bwe bwo gutakambira urwego rwakoze iyimurwa ku mpamvu z'inyungu rusange;
- (iii). Kugira umugenerwabikorwa inama yo gukoresha irindi genagaciro (*contre-expertise*) niba icyo atishimiye ari igenagaciro;
- (iv). Gufasha umugenerwabikorwa gutakambira mu nyandiko urwego rwisumbuyeho ku rwafashe icyemezo atishimiye no mu gihe cyateganyijwe n'amategeko.

### **3.11 Ikibazo kijyanye no gutangira ikirego umugenerwabikorwa utahawe igisubizo cyangwa usubijwe ibitamunyuze mu gihe cyo gutakamba**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa utahawe igisubizo cyangwa wasubijwe ibitamunyuze mu gihe cyo gutakamba akaba akeneye gutegurirwa ikirego, agomba:

- (i). Gusuzuma raporo y'igenagaciro (*contre-expertise*) ryakoreshejwe n'umugenerwabikorwa;
- (ii). Gusuzuma igisubizo cyatanze n'urwego umugenerwabikorwa yatakambiyeywe;
- (iii). Kwegeranya ibigize dosiye irebana no kutishimira igenagaciro ryahawe umutungo w'umugenerwabikorwa wimurwa birimo inyandiko zakoreshejwe mu gutakamba, ibyemezo by'imitungo, n'ibindi;
- (iv). Gutegura ikirego no kuregera Urukiko Rwisumbuye mu rugereko ruburanisha imanza z'ubutegetsi rw'aho umutungo wimurwamo umugenerwabikorwa uherereye atarengeje iminsi

cumi n'itanu (15) kuva igihe umugenerwabikorwa yaboneye raporo atishimiye, asabira umugenerwabikorwa gukorerwa igenagaciro riboneye kugira ngo ahabwe indishyi ikwiye.

## **Umutwe wa 4: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku bibazo by'ubutane**

Iyi mirongo ngenderwaho yateguwe kugira ngo ifashe utanga ubufasha mu by'amategeko wakiriye ikibazo mbonezamubano kirebana n'ubutane. Iyobora utanga ubufasha mu by'amategeko wakiriye ikibazo kirebana n'ubutane guha umugenerwabikorwa inama ziboneye.

### **4.1 Kwakira neza no gufasha uzanye ikibazo cy'ubutane**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa uzanye ikibazo cy'ubutane agomba:

- (i). Gusuzuma icyemezo cy'uko habayeho ugushyingiranywa kwemewe n'amategeko;
- (ii). Gusuzuma ibyemezo by'amavuko by'abana bakomoka ku bashyingiranywe byemewe n'amategeko (niba bahari);
- (iii). Gusuzuma ibyemezo by'umutungo abashyingiranywe byemewe n'amategeko bafite cyangwa umwenda bafashe babyumvikanyeho;
- (iv). Gusobanurira umugenerwabikorwa uburyo bukurikizwa mu gusaba ubutane;
- (v). Gutegura umugenerwabikorwa no kumuherekeza mu gihe cy'inama y'ubwunzi ikorwa na Perezida w'Urukiko mu gihe hasabwe ubutane (incuro ebyiri mu gihe cy'amezi atatu (3)).

### **4.2 Ikibazo cy'ubutane bushingiye ku mpamvu z'ubusambanyi**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'umugenerwabikorwa usaba ubutane bushingiye ku mpamvu y'ubusambanyi agomba:

- (i). Gusaba gushyikirizwa ikimenyetso icyo ariyo cyose kigaragaza ko uwashakanye n'umugenerwabikorwa akora ubusambanyi;
- (ii). Gusuzuma niba hari ibikorwa by'uwashakanye n'umugenerwabikorwa usaba ubutane bihamya ko asambana (nko kugenera ibimutunga umwana wavutse nyuma yo gushyingirwa, gutanga ibitunga uwo basambana, n'ibindi...);
- (iii). Gusaba umugenerwabikorwa kumugezaho ubuhamya bw'inzego z'ibanze cyangwa ubw'abaturanyi babo buhamya ibikorwa by'ubusambanyi by'uwo bashakanye cyangwa icyemezo cy'Urukiko rwahamije mugenzi we icyaha cy'ubusambanyi, no gusesengura ibyo

bimenyetso;

- (iv). Gufasha umugenerwabikorwa kuzuza ibisabwa muri dosiye isaba ubutane no kumufasha gutanga ikirego cy'ubutane bushingiye ku mpamvu y'ubusambanyi.

### **4.3 Ikibazo cy'ubutane bushingiye ku gihano cy'icyaha gisebeje**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'ubutane ku mpamvu z'igihano cy'icyaha gisebeje agomba:

- (i). Gusaba umugenerwabikorwa kumushyikiriza kopi y'urubanza rwahanishije uwo bashyingiranywe igihano kubera icyaha gisebeje;
- (ii). Gufasha umugenerwabikorwa kwegeranya ibimenyetso no gutegura dosiye isaba ubutane;
- (iii). Gufasha umugenerwabikorwa gutanga ikirego cy'ubutane bushingiye ku gihano cy'icyaha gisebeje.

### **4.4 Ikibazo cy'ubutane ku mpamvu zo guta urugo**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'ubutane bushingiye ku guta urugo agomba:

- (i). Gusaba umugenerwabikorwa kumugaragariza urubanza rwahamije uwo bashyingiranywe ko yataye urugo mu gihe cy'amezi cumi n'abiri (12) akurikiranye;
- (ii). Gusaba umugenerwabikorwa gushaka ubuhamya bw'inzego z'ibanze, abaturanyi, inshuti n'abatangabuhamya bo mu miryango yabo bemeza ko mugenzi we yataye urugo mu gihe cy'amezi cumi n'abiri (12) akurikiranye;
- (iii). Gufasha umugenerwabikorwa kwegeranya ibigize dosiye no gutanga ikirego cy'ubutane bushingiye ku mpamvu zo guta urugo.

### **4.5 Ikibazo cy'ubutane bushingiye ku kudatanga ibitunga urugo**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'ubutane bushingiye ku kudatanga ibitunga urugo agomba:

- (i). Gusaba umugenerwabikorwa gushaka ibimenyetso bigaragaza ubushobozi bwa mugenzi we bwamufasha kugira uruhare mu gutunga urugo;
- (ii). Gusaba umugenerwabikorwa kwegeranya ibimenyetso byerekana ko ariwe utunga urugo wenyine (nko kwishyura inzu, amashuri, kwivuza n'ibindi);
- (iii). Gusaba umugenerwabikorwa icyemezo cy'inzego z'ibanze cyangwa izindi nzego zategutse uwo bashyingiranywe gutanga ibitunga urugo ntabikore (niba gihari);
- (iv). Gufasha umugenerwabikorwa kwegeranya ibigize dosiye no gutanga ikirego cy'ubutane bushingiye ku mpamvu zo kudatanga ibitunga urugo.

#### **4.6 Ikibazo cy'ubutane bushingiye ku guhozwa ku nkeke**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'ubutane bushingiye ku guhozwa ku nkeke agomba:

- (i). Gusaba umugenerwabikorwa kumushyikiriza inyandiko y'inzego z'ibanze ihamya ko bazi icyo kibazo cyo guhozwa ku nkeke;
- (ii). Gusaba umugenerwabikorwa kumugezaho ubuhamya bw'abandi bantu bazi icyo kibazo cyo guhozwa ku nkeke byaba ngombwa n'abo babana mu rugo;
- (iii). Gusaba umugenerwabikorwa kumushyikiriza icyemezo cy'Urukiko cyahaniye mugenzi we kumuhoza ku nkeke (niba gihari);
- (iv). Gufasha umugenerwabikorwa kwegeranya ibigize dosiye no gutanga ikirego cy'ubutane bushingiye ku mpamvu zo guhozwa ku nkeke.

#### **4.7 Ikibazo cy'ubutane bushingiye ku ihohoterwa rishingiye ku gitsina**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'ubutane bushingiye ku ihohoterwa rishingiye ku gitsina agomba:

- (i). Gusaba umugenerwabikorwa kumushyikiriza inyandiko y'inzego z'ibanze igaragaza amakuru zifite kuri icyo kibazo cy'ihohoterwa rishingiye ku gitsina;
- (ii). Gusaba kugaragarizwa icyangombwa cy'umutungo umugenerwabikorwa ahuriyeho n'uwo bashyingiranywe niba ari uwo mutungo ihohoterwa rishingiyeho;
- (iii). Gusaba umugenerwabikorwa kumugezaho impapuro zo kwa muganga niba ibimenyetso by'ihohoterwa byaragaragaye ku mubiri, n'izindi nyandiko zava mu nzego z'umutukano zagejejweho iryo hohoterwa;
- (iv). Gusaba umugenerwabikorwa kumushyikiriza icyemezo cy' Urukiko rwahamije mugenzi we kumuhohotera;
- (v). Gufasha umugenerwabikorwa kwegeranya ibigize dosiye no gutanga ikirego cy'ubutane bushingiye ku ihohoterwa rishingiye ku gitsina.

#### **4.8 Ikibazo cy'ubutane bushingiye ku kumara imyaka ibiri (2) batabana ku bushake**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'ubutane bushingiye ku kumara imyaka ibiri (2) abashyingiranywe batabana ku bushake agomba:

- (i). Gusaba umugenerwabikorwa kumushyikiriza ubuhamya bw'inzego z'ibanze buhamya ko imyaka ibiri (2) ishize batabana ku bushake n'uwo bashyingiranywe;
- (ii). Gusaba umugenerwabikorwa kugaragaza gihamya ko mugenzi we yemera ko amaze imyaka ibiri (2) batabana ku bushake;



- (iii). Gusaba umugenerwabikorwa kumugezaho kopi y'urubanza rwategetse ubutane bw'agateganyo imyaka ibiri (2) ikaba ishize, cyangwa yararangiye;
- (iv). Gufasha umugenerwabikorwa kwegeranya ibigize dosiye no gutanga ikirego cy'ubutane bushingiye ku kumara imyaka ibiri (2) abashyingiranywe batabana ku bushake bwabo.

#### **4.9 Ikibazo cy'ubutane bushingiye ko umugenerwabikorwa atabanye n'uwo bashyingiranywe mu gihe kirenze amezi cumi n'abiri (12) uhereye igihe bashyingiriwe nta mpamvu zifite ishingiro**

Utanga ubufasha mu by'amategako wakiriye ikibazo cy'ubutane bushingiye ko umugenerwabikorwa atabanye n'uwo bashyingiranywe mu gihe kirenze amezi cumi n'abiri (12) uhereye igihe bashyingiriwe nta mpamvu zifite ishingiro agomba:

- (i). Gusaba umugenerwabikorwa kumushyikiriza ubuhamya bw'inzego z'ibanze bwerekana ko amezi cumi nabiri (12) ashize uhereye igihe bashyingiriwe batabana nta mpamvu ifite ishingiro;
- (ii). Gusaba umugenerwabikorwa kumugezaho ubuhamya bw'abo mu miryango yombi, cyangwa inshuti, n'abaturanyi bwemeza ko batabanye muri icyo gihe nta mpamvu;
- (iii). Gufasha umugenerwabikorwa kwegeranya ibigize dosiye no gutanga ikirego cy'ubutane bushingiye ku mpamvu zo kutabana n'uwo bashyingiranywe mu gihe kirenze amezi cumi n'abiri (12) uhereye igihe bashyingiriwe nta mpamvu zifite ishingiro.

#### **4.10 Ikibazo cy'ubutane bwumvikanyweho**

Utanga ubufasha mu by'amategako wakiriye ikibazo cy'ubutane bwumvikanyweho agomba:

- (i). Gusobanurira umugenerwabikorwa ko ubutane bwumvikanyweho bwemerwa gusa iyo abiyemeje gutana bamaze imyaka ibiri (2) bashyingiranywe;
- (ii). Gufasha umugenerwabikorwa gutegura umushinga w'ubwumvikane na mugenzi we mu bijyane n'abana babyaranye, umutungo wabo n'uko bazabaho mu gihe cy'urubanza;
- (iii). Gufasha umugenerwabikorwa gutegura urutonde rw'imitungo batunze, iyimukanwa n'itimukanwa;
- (iv). Gufasha umugenerwabikorwa gutegura ubwumvikane bw'uko bazagabana umutungo wabo bakurikije uburyo bw'icumngamutungo basezeranye;
- (v). Gufasha umugenerwabikorwa gutegura no kugaragaza ubwumvikane bwabo bombi ku birebana n'uzarera abana;
- (vi). Gusaba umugenerwabikorwa gutegura no kugaragaza uruhare rwa buri wese mu bagiye gutana ku byerekeye kwita ku bana;
- (vii). Gusaba umugenerwabikorwa kugaragaza icyo yumvikanye n'uwo bashyingiranywe ku hantu buri wese azaba mu gihe cy'urubanza rwo gutana;

- (viii). Gusaba umugenerwabikorwa kumwereka ibyo bumvikanye kubyo umwe azaha undi ngo bimutunge mu gihe cy'urubanza rwo gutana (kugira ngo bitunge udafite ibindi bintu byamufasha);
- (ix). Gufasha umugenerwabikorwa n'uwo bashyingiranywe gutunganya inyandiko y'ibyo bumvikanyeho bakayishyiraho umukono;
- (x). Kumenya ko ikibazo cy'ubutane bwumvikanyweho gitangwa mu buryo busanzwe bw'imbonezamubano;
- (xi). Kumenyesha abo atangiye ikirego ko abashyingiranywe bifuza ubutane bwumvikanyweho bitaba urukiko ku giti cyabo;
- (xii). Kumenyesha abo yatangiye ikirego cy'ubutane bwumvikanyweho ko iyo abashyingiranywe bifuza ubutane bwumvikanyweho batabihawe bagomba kujurira bombi kugira ngo ubujurire bwabo bwakirwe.

#### **4.1.1 Ikibazo cy'ubutane bw'agateganyo**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa uzanye ikibazo cyo gusaba ubutane bw'agateganyo agomba:

- (i). Kumenyesha umugenerwabikorwa ko impamvu z'ubutane bw'agateganyo ari zimwe n'iz'ubutane bwa burundu ;
- (ii). Kumenyesha umugenerwabikorwa ko afite uburenganzira bwo gusaba ibimutunga cyangwa ibitunga abana mu gihe atandukanye by'agateganyo n'uwo bashyingiranywe kandi akaba abikeneye ;
- (iii). Kumenyesha umugenerwabikorwa ko hashobora gutangwa icyarimwe ikirego gisaba ubutane bw'agateganyo kikajyana n'ikirego gisaba ubutane bwa burundu ;
- (iv). Kubafasha gutegura umwanzuro no kubatangira ikirego cy'ubutane bw'agateganyo.

#### **4.1.2 Ikibazo cy'ubutane ku washakanye n'umunyamahanga**

Utanga ubufasha mu by'amategeko wakiriye ufite ikibazo cyo gutandukana n'umunyamahanga agomba:

- (i). Kumenya ko itegeko rikoresha mu gihe cyo gutandukanya umugenerwabikorwa n'umunyamahanga ari rimwe n'irikoresha mu gihe cy'ishyingirwa cyabo ;
- (ii). Gusobanukirwa amategeko mbonezamubano y'igihugu umunyamahanga akomokamo ;
- (iii). Kugenzura niba impamvu z'ubutane basaba ziteganyijwe n'itegeko rikoresha ;
- (iv). Gusaba umugenerwabikorwa inyandiko z'ishyingirwa ryemewe n'amategeko ;
- (v). Gukurikiza ibyo amategeko ateganya mu gutegura ikirego gisaba ubutane ;
- (vi). Gufasha umugenerwabikorwa kwegeranya dosiye no gushyikiriza ikirego cye urukiko rubifitiye ububasha.

#### **4.13 Ikibazo cy’ushaka kumenya uko urubanza rw’ubutane rukoresheya nyuma y’uko rwabaye burundu**

Utanga ubufasha mu by’amategako wakiriye umugenerwabikorwa wifuza kumenya uburyo azakoresheya urubanza rw’ubutane rwa burundu agomba:

- (i). Kumenyesha umugenerwabikorwa ko agomba gushyikiriza kopi n’urubanza rwa burundu Umwanditsi w’irangamirere w’aho bashyingirwe n’uw’aho batuye kugira ngo bandukurwe mu bitabo by’irangamirere mu gihe cy’amezi abiri (2) urubanza rubaye itegeko ;
- (ii). Gufasha umugenerwabikorwa ubyifuza gusaba Perezida w’urukiko gutangaza inyandiko ihinnye y’icyemezo gitandukanya abashyingiranywe mu Igazeti ya Leta ya Repubulika y’u Rwanda cyangwa ikindi kinyamakuru gisomwa cyane, iyo bakeneye ko bitangazwa ;
- (iii). Kumenyesha umugenerwabikorwa ko urubanza rutangira gukurikizwa hagati ye na mugenzi we guhera itariki batangiyeho ikirego cy’ubutane mu rukiko, naho ku bandi bantu rutangira gukurikizwa ku munsu rwabereyeho ndakuka.

### **Umutwe wa 5: Imirongo ngenderwaho mu gutanga ubufasha mu by’amategako ku kibazo birebana no gushakisha umubyeyi w’umwana**

Iyi mirongo ngenderwaho yateguwe kugira ngo ifashe abatanga ubufasha mu by’amategako bakiriye ibibazo bijyanye no gushakisha umubyeyi w’umwana, mu rwego rwo kubafasha gutanga inama ziboneye ku bagenerwabikorwa bakiriye.

#### **5.1 Ikibazo kijyanye no gushakisha se w’umwana**

Utanga ubufasha mu by’amategako ku kibazo kijyanye no gushakisha se w’umwana agomba:

- (i). Kumenya no kugenzura impamvu za ngombwa zishingirwaho kugira ngo ikirego cyemerwe mu Rukiko, arizo:
  - a) Impamvu ishingiyeye ku ivuka ry’umwana riri hagati y’iminsi ijana na mirongo inani (180) na magana atatu (300), ikubiyemo:
    - Kugenzura ko hari ikimenyetso gihamya ko nyina w’umwana yateruwe mu gihe cyavuzwe haruguru bikozwe n’ukekwaho kuba se w’umwana;
    - Kugenzura ko hari ikimenyetso gihamya ko nyina w’umwana yahamishijwe ahantu afungiyeye mu gihe cyavuzwe haruguru bikozwe n’ukekwaho kuba se w’umwana;
    - Kugenzura ko hari ikimenyetso gihamya ko nyina w’umwana yasambanijwe mu gihe cyavuzwe haruguru bikozwe n’ukekwaho kuba se w’umwana.

- b) Impamvu ishingiye ko nyina w’umwana yasambanijwe hakoreshejwe uburiganya, igitugu cyangwa yasezeranijwe kuzashyingiranwa, ikubiyemo:
  - Kugenzura ko hari ikimenyetso gihamya ko nyina w’umwana yasambanijwe hakoreshejwe uburiganya cyangwa igitugu n’ukekwaho kuba se w’umwana;
  - Kugenzura ko hari ikimenyetso gihamya ko nyina w’umwana yasezeranijwe kuzashyingiranwa n’ukekwaho kuba se w’umwana.
- c) Impamvu ishingiye ku nyandiko cyangwa imvugo idashidikanywaho ko uwo yita se amwemera nk’umwana we, ikubiyemo:
  - Kugenzura niba inyandiko yemera umwana yakozwe n’uwo yita se (niba ihari);
  - Kumenya no kugenzura niba hari ibimenyetso bigaragaza ko uwo bita se w’umwana yigeze avuga ko uwo mwana ari uwe.
- d) Impamvu ishingiye ku kuba nyina w’umwana yarabanye n’umugabo batarashyingiranywe, ikubiyemo:
  - Kugenzura niba hari ikimenyetso gihamya ko nyina w’umwana n’ukekwaho kuba se w’umwana bigeze kubana mu nzu imwe nk’umugore n’umugabo;
  - Kugenzura ubuhamya/inyandiko zo mu buyobozi bw’inzego z’ibanze zigaragaza ko abo bantu bigeze kubana;
  - Kugenzura niba nta batangabuhamya bazi iyo mibanire.
- e) Impamvu ishingiye ku kuba ukekwa kuba se w’umwana asanzwe amufata nk’umwana we ku buryo buzwi na bose, harimo:
  - Kugenzura niba hari ikimenyetso gihamya ibikorwa ukekwa kuba se w’umwana yagiye amukorera nk’umubyeyi we (nko kumuha indezo, kumugurira ubwishingizi bw’indwara, kumwishyurira amfaranga y’ishuri, n’ibindi).
- (ii). Gufasha umugenerwabikorwa kwegeranya ibimenyetso byose bikenewe;
- (iii). Kugenzura niba umugenerwabikorwa afite ububasha n’ubushobozi bwo gutanga ikirego;
- (iv). Kugenzura niba utanga ikirego afite icyemezo cy’uko atishoboye;
- (v). Gufasha umugenerwabikorwa gutanga ikirego mu rukiko rubifitiye ububasha.

## 5.2 Ikibazo kijyanye no gushakisha nyina w’umwana

Utanga ubufasha mu by’amategako ku kibazo kijyanye no gushakisha nyina w’umwana agomba:

- (i). Kumenya impamvu za ngombwa zishingirwaho kugira ngo ikirego cyemerwe mu rukiko, harimo:

- a) Impamvu ishingiyeye ku kuba umugore asanzwe afata umwana nk'uwe ku buryo buzwi na bese, ikubiyemo:
- Kugenzura niba hari ikimenyetso gihamya ibikorwa ukekwa kuba nyina w'umwana yagiye amukorera nk'umubyeyi we (nko kumwonsa; kuba yari atwite mu gihe uwo mwana yavukaga, kumuha indezo, kumugurira ubwishingizi bw'indwara, kumwishyurira amfaranga y'ishuli, kumurera, abatangabuhamya, n'ibindi) ;
  - Kugenzura niba umugenerwabikorwa afite inyungu, ububasha n'ubushobozi bwo gutanga ikirego;
  - Gufasha umugenerwabikorwa kwegeranya ibimenyetso bizifashishwa mu gutanga ikirego;
  - Gufasha umugenerwabikorwa gutegura imyanzuro no gutanga ikirego (iyo bibaye ngombwa) mu Rukiko rubifitiye ububasha.
- b) Impamvu ishingiyeye ku ivuka ry'umwana rifite aho rihuriye no kubyara k'uregwa, ikubiyemo:
- Kugenzura igihe umwana yavukiye n'igihe ukekwa kuba nyina yaba yarabyariye;
  - Gushakisha ibimenyetso bishingiyeye ku ifishi yo kwa muganga y'aho umwana yavukiye cyangwa izindi nyandiko zagaragaza igihe umwana yavukiye.

- (ii). Gufasha umugenerwabikorwa kwegeranya ibimenyetso byose bikenewe;
- (iii). Kugenzura niba umugenerwabikorwa afite ububasha n'ubushobozi bwo gutanga ikirego;
- (iv). Kugenzura niba utanga ikirego afite icyemezo cy'uko atishoboye;
- (v). Gufasha umugenerwabikorwa gutanga ikirego mu Rukiko rubifitiye ububasha.

### **5.3 Ikibazo kijyanye no gushakisha umubyeyi w'umwana (se cyangwa nyina), umwana afite imyaka y'ubukure**

Utanga ubufasha mu by'amategako ku kibazo cyo gushakisha umubyeyi w'umwana ufite imyaka y'ubukure agomba:

- (i). Kugenzura ububasha, ubushobozi n'inyungu by' umwana ushakisha umubyeyi;
- (ii). Kumenya ko ukekwa kuba umubyeyi w'umwana akiriho cyangwa yapfuye;
- (iii). Kugenzura inyandiko z'amavuko z'umwana;
- (iv). Kureba ko hatabayeho ubuzime bwo gutanga ikirego;
- (v). Kumenya no kwegeranya ibimenyetso bihamya impamvu ishingirwaho ikirego;
- (vi). Kugenzura niba umugenerwabikorwa afite icyemezo cy'uko atishoboye;
- (vii). Gufasha umugenerwabikorwa gutegura umwanzuro no gutanga ikirego.

### **5.4 Ikibazo kijyanye no gushakisha umubyeyi w'umwana (se cyangwa nyina) hifashishijwe ibizamini bya ADN/DNA**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cyo gushakisha umubyeyi w'umwana hifashishijwe ibizamini bya *ADN/DNA* agomba:

- (i). Kugenzura ububasha, ubushobozi n'inyungu by'umwana cyangwa umuhagarariye;
- (ii). Kugenzura niba umugenerwabikorwa afite icyemezo cy'uko atishoboye;
- (iii). Kumenya uko ikimenyetso cya *ADN/DNA* gikoreshwa;
- (iv). Kugenzura inyandiko z'amavuko z'umwana;
- (v). Gutegura umwanzuro no gufasha umugenerwabikorwa gutanga ikirego.

## **Umutwe wa 6: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku bibazo bijyanye no kuregera indezo**

Iyi mirongo ngenderwaho yateguriwe abatanga ubufasha mu by'amategeko bakira abagenerwabikorwa bafite ibibazo mbonezamubano cyane cyane ibirebana no gusaba indezo, kugira ngo ibafashe kumenya ibisabwa byose mu gihe cyo kugira inama no gufasha abagenerwabikorwa.

### **6.1 Ikibazo cy'indezo mu gihe umwana avuka ku babyeyi bashyingiraywe mu buryo bwemewe n'amategeko, mu gihe umwana yemewe mu buryo bwemewe n'amategeko n'uwo akomokaho no mu gihe ababyeyi b'umwana batandukanye mu buryo bukurikije amategeko**

Utanga ubufasha mu by'amategeko wakiriye ikibazo cy'indezo agomba:

- (i). Gusuzuma ko ugeza ikibazo kuri Komite y'Abunzi afite ububasha, inyungu n'ubushobozi;
- (ii). Kugenzura ifasi ya Komite y'Abunzi ifite ububasha bwo gusuzuma icyo kibazo;
- (iii). Gusaba umugenerwabikorwa usaba indezo inyandiko zemeza ko umubyeyi usabwa indezo yemera umwana cyangwa kopi y'urubanza rwemeza umubyeyi nk'uwo akomokaho;
- (iv). Gusaba ushaka gutanga ikibazo inyandiko z'amavuko z'umwana usabirwa indezo;
- (v). Gufasha ugiye gutanga ikibazo kumenya ingano y'indezo asaba hashingiwe ku bushobozi bw'usabwa indezo;
- (vi). Gufasha ugiye gutanga ikibazo kwegeranya ibimenyetso by'uko usabwa indezo atayitanga (ikayi y'umuryango, abatangabuhamya,...);
- (vii). Gufasha utanga ikibazo gutegura inyandiko zisobanura ikibazo cye azashyikiriza Komite y'Abunzi,
- (viii). Gusobanurira ugiye gutanga ikibazo muri Komite y'Abunzi uko azitwara asobanura ikibazo cye;
- (ix). Gutegura abatangabuhamya (niba bahari) bazatanga ubuhamya imbere ya Komite y'Abunzi.

### **6.2 Ikibazo cy'indezo mu gihe cyo gutana by'agateganyo kw'abashyingiranywe**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa ufite ikibazo kijyanye n'idezo mu gihe abashyingiranywe batandukanye by'agateganyo agomba:

- (i). Gusuzuma ko umugenerwabikorwa afite ububasha, inyungu n'ubushobozi byo gutanga ikirego/ikibazo;
- (ii). Kugenzura kopi y'urubanza rutegeka ubutane bw'agateganyo bw'abashyingiranywe;
- (iii). Kugenzura ibimenyetso bigaragaza ko indezo idatangwa n'ubushobozi nyuma yo gutana by'agateganyo;
- (iv). Gusaba umugenerwabikorwa gushaka inyandiko z'ivuka z'abana basabirwa indezo;
- (v). Gufasha umugenerwabikorwa kubona gihamya y'ubushobozi bw'uwakwa indezo;
- (vi). Gusuzuma urwego rufite ububasha bwo gusuzuma ikibazo/ikirego;
- (vii). Gukorera umugenerwabikorwa umwanzuro/inbandiko bisobanura neza ikibazo;
- (viii). Kugenzura niba umugenerwabikorwa afite icyemezo cy'uko atishoboye (niba ari ngombwa).

### **6.3 Ikibazo cyo gusaba uwo bashyingiranywe ibimutunga mu gihe cyo gutana by'agateganyo**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa ufite ikibazo cyo gusaba uwo bashyingiranywe ibimutunga agomba:

- (i). Gusuzuma ko umugenerwabikorwa afite ububasha, inyungu n'ubushobozi bwo gutanga ikirego/ikibazo;
- (ii). Kugenzura no kumenya urugero/ingano by' ibimutunga usaba akeneye;
- (iii). Kugenzura no kumenya ubushobozi bw'usabwa gutanga ibitunga uwo bashyingiranywe;
- (iv). Gufasha umugenerwabikorwa kumenya ingano y'ibimutunga asaba hashingiwe kubyo akeneye no ku bushobozi bw'usabwa gutanga ibitunga uwo bashyingiranywe;
- (v). Gusuzuma kopi y'urubanza rwemerera abashyingiranywe gutana by'agateganyo;
- (vi). Gusuzuma urwego rufite ububasha bwo kwakira ikirego/ikibazo;
- (vii). Gutegura umwanzuro/inbandiko bifasha gutanga ikirego/ikibazo;
- (viii). Kugenzura niba umugenerwabikorwa afite icyemezo cy'uko atishoboye (aho biri ngombwa).

### **6.4 Ikibazo kijyanye no gusaba ihindurwa ry'ingano y'indezo**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa ufite ikibazo kijyanye no gusaba ihindurwa ry'ingano y'indezo agomba:

- (i). Gusuzuma ko umugenerwabikorwa afite ububasha, inyungu n'ubushobozi byo gutanga ikirego/ikibazo;
- (ii). Kugenzura kopi y'urubanza rutegeka indezo isabirwa kongerwa/kugabanywa;

- (iii). Kugenzura no gusuzuma ibimenyetso bigaragaza izamuka/imanuka ry'ubushobozi bw'uwategetswe gutanga indezo;
- (iv). Kumenya no gusuzuma urwego rufite ububasha bwo kwakira ikirego/ikibazo;
- (v). Kugenzura niba umugenerwabikorwa afite icyemezo cy'uko atishoboye;
- (vi). Gutegura umwanzuro usobanura neza ikibazo ndetse n'ibimenyetso;
- (vii). Kugenzura niba umugenerwabikorwa afite icyemezo cy'uko atishoboye (aho biri ngombwa).

## **6.5 Ikibazo cy'umugenerwabikorwa usaba ibimutunga umwana we**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa ushaka gusaba ibimutunga umwana we agomba:

- (i). Gusuzuma ko umugenerwabikorwa afite ububasha, inyungu n'ubushobozi byo gutanga ikirego/ikibazo;
- (ii). Gusuzuma urwego rufite ububasha bwo gusuzuma icyo kibazo;
- (iii). Kugenzura ko umugenerwabikorwa akeneye guhabwa ibimutunga;
- (iv). Kugenzura ibimenyetso bigaragaza ubushobozi bw'usabwa gutanga ibitunga umubyeyi we;
- (v). Kugenzura isano iri hagati y'umugenerwabikorwa n'usabwa gutanga ibitunga umubyeyi we;
- (vi). Gutegura inyandiko zisobanura ikibazo/ikirego zizashyikirizwa urwego rubifitiye ububasha;
- (vii). Gusobanurira umugenerwabikorwa uko azitwara asobanura ikibazo cye;
- (viii). Gufasha umugenerwabikorwa kumenya ingano y'ibimutunga asaba hashingiwe ku busobozi bw'usabwa gutanga ibimutunga.

## **6.6 Ikibazo cy'uwanze gushyira mu bikorwa icyemezo gitegeka gutanga indezo/ibitunga umuntu**

Utanga ubufasha mu by'amategeko wakiriye umugenerwabikorwa ufite ikibazo kijyanye no kudahabwa indezo/ibitunga yemerewe agomba:

- (i). Gusaba umugenerwabikorwa kopi y'urubanza/icyemezo cya Komite y'Abunzi bitegeka kwishyura indezo biteyeho kashe mpuruza;
- (ii). Gusobanurira umugenerwabikorwa uburyo irangizwa ry'ibyemezo by'Inkiko/Komite y'Abunzi bikorwa;
- (iii). Gusobanurira umugenerwabikorwa imikorere y'Abahesha b'Inkiko b'umwuga n'abahesha b'Inkiko batari ab'umwuga;
- (iv). Kwereka umugenerwabikorwa inyandiko ashakiriza Umuhesha w'inkiko kugira ngo urubanza rwe rurangizwe;
- (v). Gukurikirana imirimo y'Umuhesha w'inkiko mu gufasha umugenerwabikorwa kubona indezo yatsindiye;



- (vi). Kumenyesha umugenerwabikorwa ko kutarangiza ibyemezo by'inkiko ndetse n'ibyemezo bisaba gutanga indezo by'umwihariko ari icyaha gihanwa n'amategeko, ashobora kurega uwategetswe gutanga indezo/ibitunga nk'umuntu winangiye.

## **Umwanzuro**

Iyi mrongo ngenderwaho ku bufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango, mu gihe yubahirijwe neza n'abatanga serivisi z'ubufasha mu by'amategeko ndetse n'abagenerwabikorwa bakira, nta gushidikanya ko ari inzira iganisha ku butabera nyabwo mu bibazo mbonezamubano n'umuryango, ibijyanye n'ubutaka, gushakisha umubyeyi, indezo, ubutane n'izungura.

Ni ngombwa rero, kuri buri muntu cyangwa urwego batanga serivisi z'ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango, kwitwararika buri gikorwa gisabwa muri buri murongo ngenderwaho. Imirongo ngenderwaho n'ibikorwa biyikubiyemo, byose hamwe, bikoreshwa mu buryo bukomatanyije, ni ukuvuga ko nta na kimwe muri byo gikwiye guhabwa agaciro gato cyangwa se ngo ikindi gifatwe ku rwego ruhanitse cyane kurusha ibindi.

**IGICE CYA 2: IMIRONGO NGENDERWAHO MU GUTANGA  
UBUFASHA MU BY'AMATEGEKO MU MANZA Z'INSHINJABYAHA**

## **Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mu manza z'inshinjabyaha**

Mu gutegura imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mu manza z'inshinjabyaha hifashishijwe amategeko atandukanye yavuzwe haruguru mu iriburiro. Ariko na none, uburyo ubwo bufasha butangwa mu buryo bufatika (*practices*) bwa buri muni nabwo bwabaye ingirakamaro.

Iri sesengura riribanda ku nshingano z'utanga ubufasha mu by'amategeko, inzira akurikiza mu gutanga ubwo bufasha (*process*), intego cyangwa ikigenderewe (*outcomes*) ndetse n'uburyo bwo gupima niba ubwo bufasha bwatanze neza (*indicators*) kugira ngo umugenerwabikorwa abe anyuzwe kandi n'inyungu ze zibe zabungabunzwe nk'uko abyifuza.

Ikindi ni uko ubufasha mu by'amategeko butandukana bitewe n'ibikorwa bigize icyaha ubwacyo, aho urubanza rw'inshinjabyaha rugeze, ukurikiranyweho icyaha cyangwa uwagikorewe, cyangwa imyaka y'amavuko.

### **Interuro ya mbere: Imirongo ngenderwaho y'ibanze**

Iyi nteruro iributsa amwe mu mahame agenga kunganira abatishoboye n'ibisabwa utanga ubufasha mu by'amategeko mu manza z'inshinjabyaha.

### **Umutwe wa mbere: Iby'ibanze mu gutanga ubufasha mu by'amategeko mu manza z'inshinjabyaha**

#### **I.1 Amwe mu mahame agenga ubwunganizi mu manza z'inshinjabyaha**

Serivisi z'utanga ubufasha mu by'amategeko mu kunganira abatishoboye ni ikimenyetso ko amategeko agenga imanza z'inshinjabyaha ashingiye ku ihame ro kubahiriza amategeko (*rule of law*). Ubu bufasha ni inshingiro ryo kugira no kubaha uburenganzira bwa muntu, harimo n'ubwo kugira urubanza ruboneye (*fair trial*) mu manza z'inshinjabyaha.

Amwe mu mahame azwi cyane agenga ubwunganizi mu manza nshinjabyaha ni aya akurikira:

- (i). Uburenganzira bwo guhabwa ubufasha mu by'amategeko (*Right to legal aid*);
- (ii). Ubufasha mu by'amategeko ku bakekwaho ibyaha (*Legal aid for persons suspected of or charged with a criminal offence*);
- (iii). Ubufasha mu by'amategeko ku wakorewe icyaha (*Legal aid for victim of crime*);

- (iv). Ubufasha mu by'amategeko bwihuse kandi bwuzuye (*Prompt and effective provision of legal aid*);
- (v). Kutavangura (*Non-discrimination*);
- (vi). Ukutabera mu bufasha mu by'amategeko (*Equity in access to legal aid*);
- (vii). Ubufasha mu by'amategeko mu nyungu z'umwana (*Legal aid in the best interests of the child*);
- (viii). Ubwigenge no kurinda utanga ubufasha mu by'amategeko (*Independence and protection of legal aid provider*);
- (ix). Ubushobozi cyangwa ubumenyi buhagije by'utanga ubufasha mu by'amategeko (*Competence and accountability of legal aid provider*).

## **I.2 Ibigenderwaho (guidelines) mu gutanga ubufasha mu by'amategeko mu manza nshinjabyaha**

Bimwe mu bigenderwaho (*guidelines*) mu gutanga ubufasha mu by'amategeko mu manza z'inshinjabyaha ni ibi bikurikira:

- (i). Itangwa ry'ubufasha mu by'amategeko (*Provision of legal aid*);
- (ii). Uburenganzira bwo kumenyeshwa iby'ubufasha mu by'amategeko (*Right to be informed on legal aid*);
- (iii). Ubundi burenganzira bw'abantu bafashwe, bafunzwe, bakekwaho cyangwa baregwa ibyaha (*Other rights of persons detained, arrested, suspected or accused of, or charged with a criminal offence*);
- (iv). Ubufasha mu by'amategeko mbere y'urubanza mu mizi (*Legal aid at the pretrial stage*);
- (v). Ubufasha mu by'amategeko mu rukiko (*Legal aid during court proceedings*);
- (vi). Ubufasha mu by'amategeko nyuma y'iburanisha mu rukiko (*Legal aid at the post-trial stage*);
- (vii). Ubufasha mu by'amategeko ku wahohotewe (*Legal aid for victim*);
- (viii). Uburenganzira bwihariye bw'abana (*Special measures for children*);
- (ix). Igenzura ry'abafasha mu by'amategeko (*Regulation and oversight of legal aid providers*);
- (x). Ubufatanye bw'utanga ubufasha mu by'amategeko na Leta, imiryango idashingiye kuri Leta na za kaminuza (*Partnerships with State, non-State legal aid service providers and universities*);
- (xi). Ubushakashatsi n'amakuru (*Research and data*).

## **I.3 Inshingano z'utanga ubufasha mu by'amategeko ku batishoboye mu manza z'inshinjabyaha**

Zimwe mu inshingano z'ibanze utanga ubufasha mu by'amategeko afite mu gihe yunganira abatishoboye mu manza z'inshinjabyaha ni izi zikurikira:

- (i). Inshingano yo kubaburanira;
- (ii). Inshingano yo kwakira abatishoboye bafashwa;
- (iii). Inshingano yo kugira ibanga ry'akazi ku butumwa n'amakuru hagati ye n'abo yunganira;

- (iv). Inshingano yo kwirinda inyungu zihabanye;
- (v). Inshingano yo kugira ubushishozi;
- (vi). Inshingano yo kuvugisha ukuri;
- (vii). Inshingano yo kuba indakemwa;
- (viii). Inshingano yo kwiubaha;
- (ix). Inshingano yo gukora kivandimwe;
- (x). Inshingano yo kugira ibanga y'akazi;
- (xi). Inshingano yo gukurikira amahugurwa ahoraho;
- (xii). Inshingano yo gutanga amakuru;
- (xiii). Inshingano yo kugira ubwigenge;
- (xiv). Inshingano yo kwifata;
- (xv). Inshingano yo kunganira abatishoboye;
- (xvi). Inshingano yo kugira uruhare mu itangwa riboneye ry'ubutabera;
- (xvii). Inshingano yo guha icyubahiro umwuga, amabwiriza n'abayobozi.

➤ **Imbonerahamwe y'imirongo ngenderwaho (standards), ibipimo (indicators) n'amanota (scorecard) mu manza z'inshinjabyaha**

Imirongo ngenderwaho (*standards*) utanga ubufasha mu by'amategeko mu manza z'inshinjabyaha ni cumi n'ine (14), ifite ibipimo (*indicators*) mirongo itandatu na bibiri (62). Hakurikijwe umubare w'ibipimo no kuba amanota ya buri gipimo ari hagati ya zeru n'ane (0-4), ibipimo byose hamwe bifite amanota (*scorecard*) ari hagati ya zeru na magana abiri mirongo inani n'umunani (0-288). Inota ribi kurusha ayandi yose ni zeru (0), naho inota ryiza kurusha ayandi yose ni magana abiri mirongo inani n'umunani (288).

Umurongo ngenderwaho ( <i>standard</i> )	# ibipimo	Amanota
<b>Umurongo ngenderwaho wa mbere:</b> Ukekwa icyaha yunganiwe neza mu bugenzacyaha ( <i>pre-trial phase</i> )	3	0-12
<b>Umurongo ngenderwaho wa 2:</b> Ukurikiranyweho icyaha yunganiwe neza mu bugenzacyaha ( <i>pre-trial phase</i> )	3	0-12
<b>Umurongo ngenderwaho wa 3:</b> Ukurikiranyweho icyaha yunganiwe neza mu gihe cy'iburanisha ( <i>pre-trial phase</i> )	4	0-16
<b>Umurongo ngenderwaho wa 4:</b> Ukurikiranyweho icyaha yunganiwe neza mu bujurire ( <i>pre-trial phase</i> )	4	0-16
<b>Umurongo ngenderwaho wa 5:</b> Ushinjwa yunganiwe neza mu Rukiko ( <i>trial phase</i> )	6	0-24
<b>Umurongo ngenderwaho wa 6:</b> Ushinjwa yunganiwe neza mu bujurire ( <i>trial phase</i> )	7	0-28
<b>Umurongo ngenderwaho wa 7:</b> Umwana ukekwa icyaha yunganiwe neza mu bugenzacyaha ( <i>pre-trial phase</i> )	5	0-20

Umurongo ngenderwaho ( <i>standard</i> )	# ibipimo	Amanota
<b>Umurongo ngenderwaho wa 8:</b> Umwana ukurikiranyweho icyaha yunganiwe neza mu bushinjacyaha ( <i>pre-trial phase</i> )	5	0-20
<b>Umurongo ngenderwaho wa 9:</b> Umwana ukurikiranyweho icyaha yunganiwe neza mu gihe cy'iburanisha ( <i>pre-trial phase</i> )	4	0-16
<b>Umurongo ngenderwaho wa 10:</b> Umwana ukurikiranyweho icyaha yunganiwe neza mu bujuri ( <i>pre-trial phase</i> )	4	0-16
<b>Umurongo ngenderwaho wa 11:</b> Umwana ushinjwa yunganiwe neza mu rukiko ( <i>trial phase</i> )	7	0-28
<b>Umurongo ngenderwaho wa 12:</b> Umwana ushinjwa yunganiwe neza mu bujuri ( <i>trial phase</i> )	8	0-32
<b>Umurongo ngenderwaho wa 13:</b> Uwakorewe icyaha yunganiwe neza mbere y'urubanza mu mizi ( <i>pre-trial phase</i> )	3	0-12
<b>Umurongo ngenderwaho wa 14:</b> Uwakorewe icyaha yunganiwe neza mu rubanza mu mizi ( <i>trial phase</i> )	9	0-36
<b>Igiteranyo</b>	<b>72</b>	<b>0-288</b>

## **Interuro ya 2: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategako ku batishoboye mu manza z'inshinjabyaha muri rusange**

### **Umutwe wa mbere: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategako ku batishoboye mu manza zirebana n'ifungwa n'ifungurwa ry'agateganyo (*pre-trial phase*)**

Iyi mirongo ngenderwaho yateguwe kugira ngo ifashe utanga ubufasha mu by'amategako mu gihe cy'iperereza ry'ubugenzacyaha, ikurikiranacyaha ry'ubushinjacyaha, n'iburanisha rijyanye n'ifungwa n'ifungurwa ry'agateganyo. Igaragaza kandi ibikorwa by'utanga ubufasha mu by'amategako, uko bikurikirana n'ibipimo bigaragaza uko ubufasha bwageze ku ntego.

### **Icyiciro cya mbere: Mu gihe cy'iperereza ry'ubugenzacyaha**

#### **I.1 Imirongo ngenderwaho mu gutanga ubufasha mu by'amategako mu gihe cy'iperereza ry'ubugenzacyaha**

Utanga ubufasha mu by'amategako mu gihe cy'iperereza ry'ubugenzacyaha agomba:

**(i). Gusura no kuvugana mu ibanga n’ukurikiranyweho icyaha, harimo:**

- Gusura ukekwahe icyaha mu gihe yafashwe n’ubugenzacyaha. Ni byiza ko uwunganira utishoboye agomba kuba yabonye n’utishoboye ashaka kunganira mbere kandi bakabonana mu buryo buhagije kugira ngo baganire ku bijyanye n’ikibazo amwunganiraho.
- Kunganira n’ ukekwahe icyaha ku bikorwa akurikiranyweho n’inyito yabyo mu mategeko mpanabyaha. Kuri iyi ngingo ni byiza ko uhabwa ubufasha mu by’amategeko agomba kuba yabwiwe n’umwunganizi we inyito y’icyaha akekwahe ndetse n’igihano amategeko agiteganyiriza.
- Kugira ukekwahe icyaha inama yo kutabazwa atari kumwe n’umwunganira.

**(ii). Kugira inama uhabwa ubufasha ku myiregurire ye mu gihe cy’ibazwa, harimo:**

- Kugira ukekwahe icyaha inama y’uburyo yiregura ku byo akekwahe n’ibimenyetso atanga. Utanga ubufasha mu by’amategeko aba azi icyo uwo yunganira aregwa n’impamvu zikomeye abazwahe ndetse n’uburyo yazisobanuraho niba zirimo cyangwa zitariho.
- Kumugira inama ku byo asaba ubugenzacyaha, harimo n’uko iperereza rikomeza adafunzwe;
- Kuba yamugira inama yo gushakisha ubwoko bw’ibimenyetso byamufasha cyangwa gusaba kumenya abatangabuhamya babazwa mu kugaragaza ukuri ku byo akurikiranyweho;
- Kwibutsa ihame ko ukekwahe icyaha akurikiranwa adafunze.

**(iii). Kunganira ukekwahe icyaha mu gihe cy’ibazwa, harimo:**

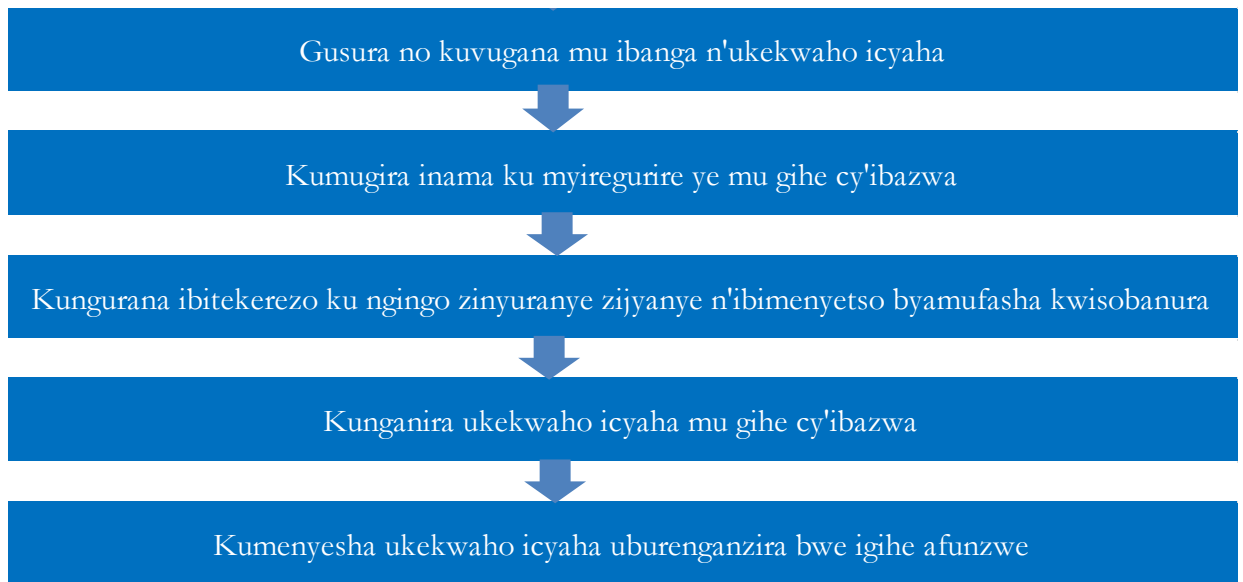
- Gusobanurira ubugenzacyaha niba ibikorwa bivugwa bigize icyaha mu mategeko;
- Kureba niba ikirego cy’ukurikiranyweho kitarazimye cyangwa ngo gisaze;
- Gusaba ko iperereza rikomeza ukurikiranyweho icyaha adafunzwe;
- Kugaragaza ko impamvu zikomeye ubushinjacyaha bushingiraho zidakomeye kandi zidahagije cyangwa zidahari nabusa. Ku byaha bito, kuba yasaba ko iperereza rirekwa (*closing the case file*) kubera ko kamere y’icyaha ukekwahe akurikiranyweho yatuma asaba gutanga ihazabu nta rubanza;
- Gusaba ko habaho ibipimo bijyanye n’indwara zo mu mutwe (*medical examination*) ku byaha bimwe na bimwe bisa n’aho bidasanzwe (*infanticide, parricide, rape, etc*).

**(iv). Kumenyesha ukekwahe icyaha uburenganzira bwe mu gihe afunzwe, harimo:**

- Kugira ukekwahe icyaha ufunzwe inama ku burenganzira bwe;
- Kumusobanurira neza ibikorwa harimo gukomeza gusaba ko iperereza rikomeza adafunzwe;
- Gusuzuma niba urupapuro rumufunze (*PVA*) rwaratanzwe kandi rwujuje ibisabwa;
- Kureba ko ukekwahe icyaha afunzwe bikurikije amategeko;
- Kumenyesha abo mu muryango w’ ukekwahe icyaha ufunzwe cyangwa undi wese yifuza;
- Ku byaha bito, kuba yasaba ko iperereza rirekwa kubera ko nta bimenyetso bishinje ufunzwe bihagije bihari cyangwa kamere y’icyaha akurikiranyweho yatuma asaba gutanga ihazabu nta rubanza.

❖ **Uko ibikorwa by'utanga ubufasha mu by'amategeko mu gihe cy'iperereza ry'ubugenzacyaha bikurikirana**

Ibikorwa by'utanga serivisi z'ubufasha mu by'amategeko mu gihe cy'iperereza ry'ubugenzacyaha bikurikirana ku buryo bukurikira:



**Icyiciro cya 2: Mu gihe cy'ikurikiranacyaha cyangwa iperereza ry'ubushinjacyaha**

**I.2 Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mu gihe cy'ikurikiranacyaha cyangwa ishakishwa ry'ibimenyetso ku rwego w'ubushinjacyaha**

Utanga ubufasha mu by'amategeko mu gihe cy'ikurikiranacyaha ry'ubushinjacyaha agomba:

- (i). **Gusura no kuvugana mu ibanga n'ukurikiranyweho icyaha, harimo:**
  - Gusura ukurikiranyweho icyaha mu gihe afunzwe n'Urwandiko rw'Umushinjacyaha rufunga by'agateganyo ;
  - Kunganira n'ukurikiranyweho icyaha ku bikorwa akurikiranyweho n'inyito yabyo mu mategeko mpanabyaha;
  - Kumugira inama yo kutabazwa atari kumwe n'umwunganira.



**(ii). Kumenya ibikubiye muri dosiye**

Utanga ubufasha mu by'amategeko agomba kumenya ibikubiye muri dosiye no kuvugana n'uwo yunganira. Ntabwo ari byiza ko utanga ubufasha mu by'amategeko yajya kunganira umuntu utishoboye imbere y'Umushinjacyaha, atarabona inyandiko mvugo zivugwa muri dosiye zigizwe n'ibimenyetso bitandukanye. Icyo gihe, nibwo amenya agaciro ka buri kimenyetso n'icyo uwo yunganira yakivuzeho ndetse n'imvugo zirimo zimurengera cyangwa zamufasha.

**(iii). Kugira ukurikiranyweho icyaha inama ku myiregurire ye mu gihe cy'ibazwa, harimo:**

- Kugira ukurikiranyweho icyaha inama y'uburyo yiregura ku byo akurikiranyweho n'ibimenyetso atanga;
- Kumugira inama ku byo asaba ubushinjacyaha, harimo n'uko iperereza rikomeza adafunzwe;
- Kwibutsa ko ari ihame ko ukurikiranyweho icyaha akurikiranwa adafunzwe;
- Ku byaha bito, kuba yasaba ko iperereza rirekwa (*closing the case file*) kubera ko kamere y'icyaha uwo yunganira akurikiranweho yatuma asaba gutanga ihazabu nta rubanza.

**(iv). Kunganira ukurikiranyweho icyaha mu gihe cy'ibazwa, harimo:**

- Gusaba irekurwa ry'agateganyo ry'ukurikiranyweho icyaha;
- Kureba niba ikirego cy'ukurikiranacyaha kitarazimye cyangwa ngo gisaze;
- Gusuzuma ko igihe cy'ifatwa ry'umugenzacyaha n'ifungwa ry'agateganyo ry'umushinjacyaha cyubahirijwe;
- Gusobanurira ubushinjacyaha niba ibikorwa bivugwa bigize icyaha mu mategeko;
- Gusuzuma kamere y'ibimenyetso ku byaha bimwe na bimwe ukurikiranyweho icyaha ashinjwa;
- Kugaragaza ko hari ibimenyetso bimwe byabonywe mu buryo budakurikije amategeko, bityo ko bidakwiye gushingirwaho (*Exclusion of evidence*);
- Gusaba ivuguruzanya ry'abatangabuhabya n'abashinjwa;
- Gusuzuma ko ibisabwa kugira ngo ukurikiranyweho icyaha ashobore gufungwa by'agateganyo byuzuye;
- Gusaba ko iperereza rikomeza ukurikiranyweho icyaha adafunzwe;
- Gusaba ko ubushinjacyaha butegeka umuntu ibyo agomba kubahiriza iyo akurikiranyweho icyaha gikomeye cyangwa icyaha cy'ubugome;
- Gusaba ko habaho ibipimo bijyanye n'indwara zo mu mutwe (*medical examination*) ku byaha bimwe na bimwe bisa n'aho bidasanzwe (*infanticide, parricide, rape, etc.*).

**(v). Kumenyesha ukurikiranyweho icyaha uburenganzira bwe mu gihe afunzwe**

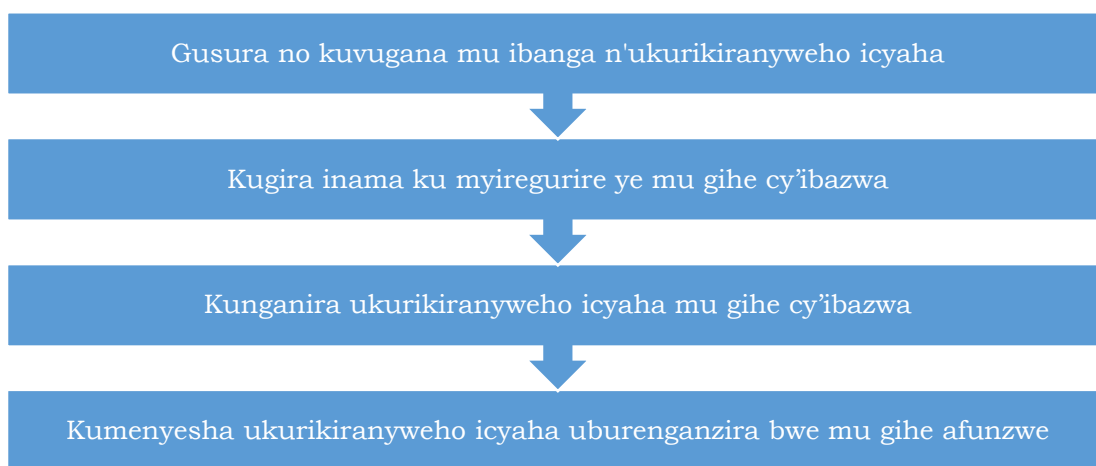
Mu gihe ubushinjacyaha bufunze ukurikiranyweho icyaha, utanga ubufasha mu by'amategeko agomba:

- Kumugira inama ku burenganzira bwe;
- Kumusobanurira neza ibikurikiraho harimo gukomeza gusaba ko akurikiranwa adafunze;
- Kumenyesha abo mu muryango we cyangwa undi wese yifuza;

- Ibi byose ntibivanaho ko akomeza kumusura ndetse no gukomeza gusaba ko iperereza ryakwihutishwa maze dosiye ye ikoherezwa mu rukiko vuba maze akabona ubutabera mugihe cya vuba.

❖ **Uko ibikorwa by'utanga ubufasha mu by'amategako mu gihe cy'ikurikiranacyaha cyangwa iperereza rikorwa ku rwego rw'ubushinjacyaha bikurikirana**

Ibikorwa by'utanga serivisi z'ubufasha mu by'amategako mu gihe cy'iperereza ry'ikurikiranacyaha cyangwa iperereza rikorwa ku rwego rw'ubushinjacyaha bikurikirana ku buryo bukurikira:



**Icyiciro cya 3: Mu gihe cy'iburanisha ku bijyanye n'ifungwa n'ifungurwa ry'agateganyo**

**I.3 Imirongo ngenderwaho mu gutanga ubufasha mu by'amategako mu gihe cy'iburanisha ku bijyanye n'ifungwa ry'agateganyo**

Utanga ubufasha mu by'amategako mu gihe cy'iburanisha ku bijyanye n'ifungwa ry'agateganyo agomba:

**(i). Gusura no kuvugana mu ibanga n'ukurikiranyweho icyaha, harimo:**

- Gusura no kuvugana n'ukurikiranyweho icyaha mu gihe afunzwe n'ubushinjacyaha;
- Kunganira n'ukurikiranyweho icyaha ku bikorwa akurikiranyweho n'inyito yabyo mu mategeko mpanabyaha;
- Kumugira inama yo kutaburana atari kumwe n'umwunganira.

**(ii). Kumenya ibikubiye muri dosiye, harimo:**

- Kumenya ibikubiye muri dosiye no kuvugana n'uko yunganira;
- Kumenyesha uwo yunganira ibikubiye muri dosiye no kubiganiraho.

**(iii). Kugira ukurikiranyweho icyaha inama ku myiregurire ye mu gihe cy'iburanisha, harimo:**

- Kugira ukurikiranyweho icyaha inama y'uburyo yiregura ku byo akurikiranyweho n'ibimenyetso atanga;
- Kumugira inama ku byo asaba umucamanza, harimo ko yakurikiranwa adafunzwe, yakubahiriza ibyo umucamanza yamutegeka cyangwa gutanga ingwate;
- Kwibutsa ihame ko ukurikiranyweho icyaha akurikiranwa adafunzwe.

**(iv). Kunganira ukurikiranyweho icyaha mu gihe cy'iburanisha ry'urubanza ku bijyanye n'ifungwa n'ifungurwa by'agateganyo, harimo:**

- Gusaba ko ukurikiranyweho icyaha arekurwa by'agateganyo mu rwego rwo kubahiriza ihame ko umuntu akurikiranwaho icyaha adafunzwe;
- Gusuzuma ko igihe icyemezo cyo gufata no gufunga by'agateganyo kimara cyubahirijwe;
- Gusobanurira umucamanza niba ibikorwa bivugwa ko bigize icyaha biri mu mategeko;
- Gusuzuma ko ibisabwa kugira ngo ukurikiranyweho icyaha ashobore gufungwa by'agateganyo byuzuye;
- Gusaba ko umucamanza ateguka umuntu ibyo agomba kubahiriza icyo akurikiranyweho icyaha gikomeye cyangwa icyaha cy'ubugome;
- Gusuzuma niba urwandiko rufunga by'agateganyo rwarakozwe mu buryo bukurikije amategeko;
- Gukora imyanzuro isobanura ko impamvu zituma uwo yunganira akekweho icyaha zidahari cyangwa zidahagije; bityo ko yarekurwa by'agateganyo.

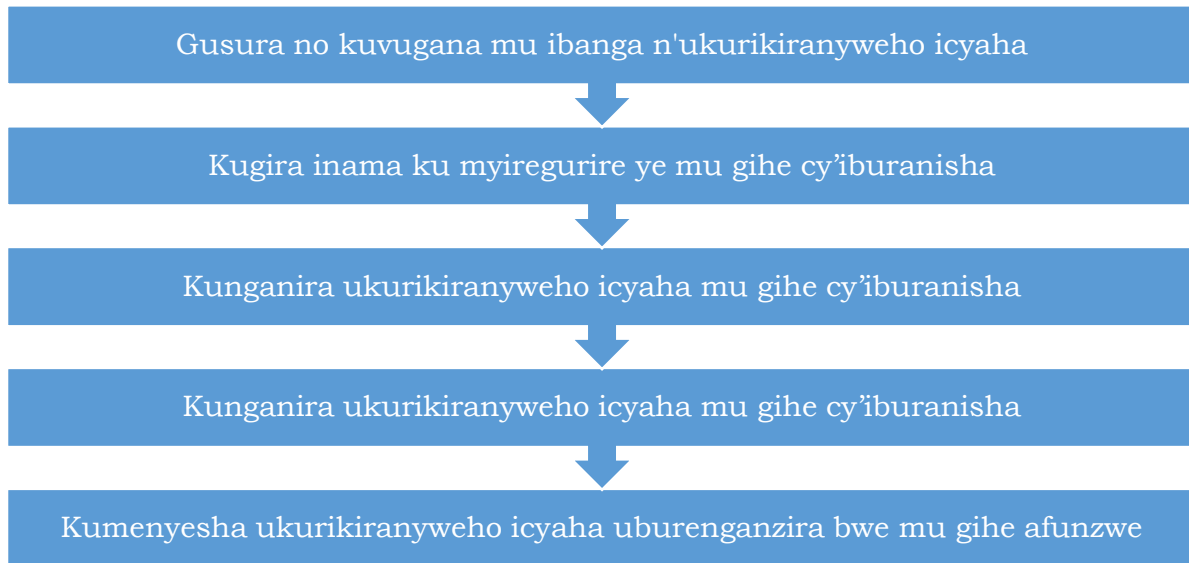
**(v). Kumenyesha ukurikiranyweho icyaha uburenganzira bwe mu gihe afunzwe, harimo:**

Mu gihe Ubushinjacyaha bufunze by'agateganyo ukurikiranyweho icyaha, utanga ubufasha mu by'amategeko agomba:

- Kumugira inama ku burenganzira bwe;
- Kumusobanurira neza ibikurikiraho harimo gukomeza gusaba ko akurikiranwa adafunzwe;
- Kumenyesha abo mu muryango w'ukurikiranyweho icyaha cyangwa undi wese yifuza.

**❖ Uko ibikorwa by'utanga ubufasha mu by'amategeko mu gihe cy'iburanisha ku bijyanye n'ifungwa ry'agateganyo bikurikirana**

Ibikorwa by'utanga serivisi z'ubufasha mu by'amategeko mu gihe cy'iburanisha ku bijyanye n'ifungwa ry'agateganyo bikurikirana ku buryo bukurikira:



#### **Icyiciro cya 4: Nyuma y'ifatwa ry'icyemezo ku ifungwa n'ifungurwa by'agateganyo**

##### **I.4 Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko nyuma y'ifatwa ry'icyemezo ku ifungwa n'ifungurwa by'agateganyo**

Utanga ubufasha mu by'amategeko nyuma y'ifatwa ry'icyemezo ku ifungwa n'ifungurwa by'agateganyo agomba:

**(i). Kumenya icyemezo cyafashwe n'ibigikubiyemo**

Utanga ubufasha mu by'amategeko agomba kumenya niba hafashwe icyemezo gifunga cyangwa gifungura by'agateganyo ukurikiranyweho icyaha. Ashobora kumenya ibijyanye n'icyo cyemezo igihe yagiye gusomerwa, umunsi w'isomwa ry'icyemezo aho iburanisha ryabereye cyangwa akabirebera muri sisitemu IECMS.

**(ii). Gusura no kuvugana mu ibanga n'ukurikiranyweho icyaha**

Gusura no kuvugana n'ukurikiranyweho icyaha nyuma y'ifatwa ry'icyemezo ku ifungwa n'ifungurwa by'agateganyo.

**(iii). Kumugira inama bitewe n'icyemezo cyafashwe**

Bitewe n'icyemezo cyafashwe n'umucamanza, utanga ubufasha mu by'amategeko agira inama ukurikiranyweho icyaha (kujurira cyangwa kutajurira).

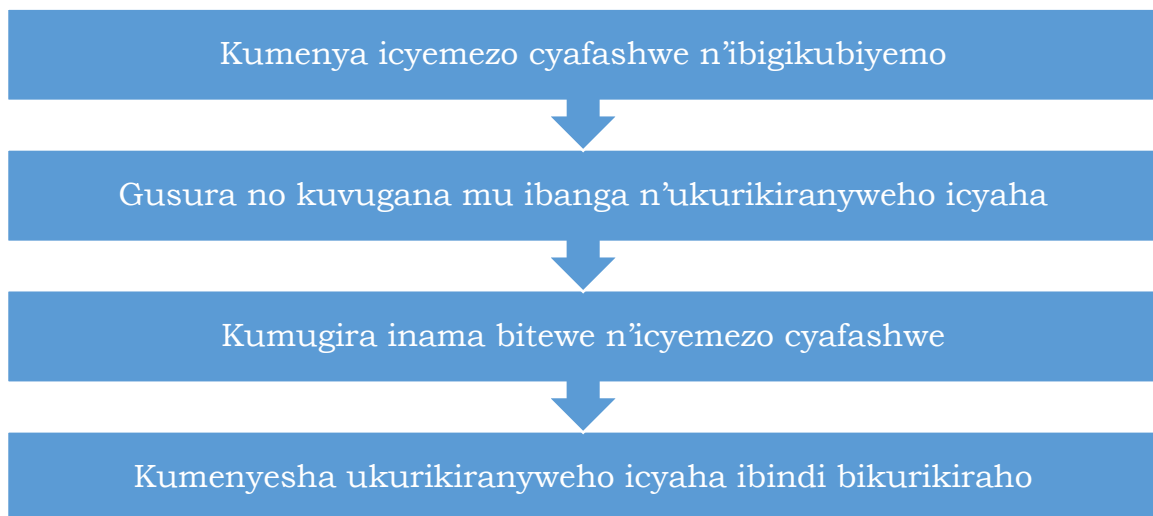
**(iv). Kumenyesha ukurikiranyweho icyaha ibindi bikurikiraho**

Utanga ubufasha mu by'amategeko agomba kumenyesha no gusobanurira neza ukurikiranyweho icyaha ibikurikiraho. Ku bijyanye n'intambwe zikurikira, umuntu yatanga ingero zikurikira:

- kwemeranywa kutajurira;
- kujurira;
- gutegereza kuzabiburana mu gihe cyo kwongeresha igihe cya cyemezo gifunga by'agateganyo (*extension of provisional detention*).

**❖ Uko ibikorwa by'utanga ubufasha mu by'amategeko nyuma y'ifatwa ry'icyemezo ku bijyanye n'ifungwa ry'agateganyo bikurikirana**

Ibikorwa by'utanga serivisi z'ubufasha mu by'amategeko nyuma y'ifatwa ry'icyemezo ku bijyanye n'ifungwa ry'agateganyo bikurikirana ku buryo bukurikira:



**Icyiciro cya 5: Mu gihe cy'iburanisha ku bijyanye n'ifungwa ry'agateganyo mu bujurire**

**1.5 Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mu bujurire**

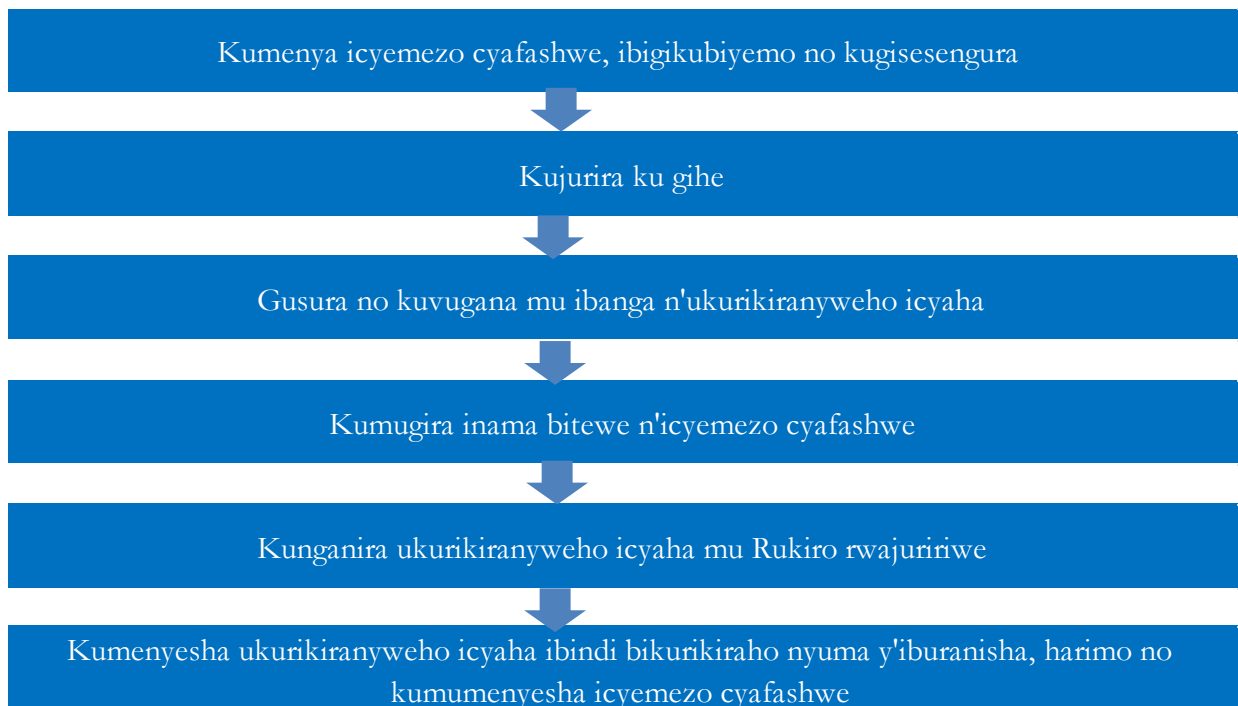
Utanga ubufasha mu by'amategeko mu bujurire akora ibisa n'ibiri mu ngingo yo hejuru irebana n'igihe cy'iburanisha ku ifungwa n'ifungurwa by'agateganyo hiyongereye ibi bikurikira:

- (i). Kumenya no kubona icyemezo cyafashwe;

- (ii). Gusuzuma ko ibyo ukurikiranyweho icyaha yasabye umucamanza wa mbere byahawe agaciro;
- (iii). Gusuzuma ko icyemezo cy'umucamanza gisobanura impamvu zishingiye ku miterere y'icyaha no ku mategeko, kandi kigaragaza by'umwihariko impamvu zikomeye zituma akekwa icyaha;
- (iv). Gusuzuma ko ifungwa ryubahirije amategeko n'igihe icyemezo cyo gufungwa by'agateganyo kimara cyubahirijwe;
- (v). Kujurira ku gihe;
- (vi). Kugira inama ukurikiranyweho icyaha;
- (vii). Kunganira ukurikiranyweho icyaha mu rukiko rwajuririwe;
- (viii). Kumenyesha ukurikiranyweho icyaha ibikurikiraho nyuma y'iburanisha mu rwego rw'ubujurire.




**❖ Uko ibikorwa by'utanga ubufasha mu by'amategeko mu gihe cy'iburanisha mu bujurire bikurikirana**

Ibikorwa by'utanga serivisi z'ubufasha mu by'amategeko mu gihe cy'iburanisha mu bujurire bikurikirana ku buryo bukurikira:






- Imbonerahamwe y'imirongo ngenderwaho (standards), igipimo (indicators)<sup>6</sup> n'amanota (scorecard) mu manza zirebena n'ifungwa n'ifungurwa ry'agateganyo (pre-trial phase)

**Umurongo ngenderwaho (standard) wa mbere: Ukekwa icyaha yunganiwe neza mu bugenzacyaha**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.1: # abunganiwe mu bugenzacyaha ugereranyije n'abasabye		0-4 <sup>7</sup>
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.2: # abunganiwe ubugenzacyaha bwemeje gukurikiranwa badafunzwe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.3: # abunganiwe banyuzwe/bishimiye uburyo bunganiwe mu bugenzacyaha		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-12</b>

**Umurongo ngenderwaho (standard) wa 2: Ukurikiranyweho icyaha yunganiwe neza mu bushinjacyaha**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.1: # abunganiwe mu bushinjacyaha ugereranyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.2: # abunganiwe batafunzwe/barekuwe mu bushinjacyaha		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.3: # abunganiwe banyuzwe/bishimiye uburyo bunganiwe mu bushinjacyaha		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-12</b>

<sup>6</sup>Buri gipimo (*indicator*) cyagenewe amanota ari hagati ya 0 na 4 (bingana no hagati ya 0% na 100%), aho 0 ariryo nota ribi kurusha andi mu gihe 4 ariryo nota ryiza kurusha andi

<sup>7</sup> 0% = 0,

Hagati ya 1 na 12.5% = 0.5

Hagati ya 12.6 na 25% = 1

Hagati ya 25.1 na 37.5% = 1.5

Hagati ya 37.6 na 50% = 2





Hagati ya 50.1 na 62.5% = 2.5

Hagati ya 62.6 na 75% = 3





Hagati ya 75.1 na 87.5% = 3.5

Hagati ya 87.6 na 100% = 4

**Umurongo ngenderwaho (standard) wa 3: Ukurikiranyweho icyaha yunganiwe neza mu gihe cy'iburanisha ku ifungwa n'ifungurwa ry'agateganyo**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 3.1: # abunganiwe mu rukiko ugereranyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
Igipimo 3.2: # abunganiwe barekuwe by'agateganyo n'urukiko		0-4
	0% 25% 50% 75% 100%	
Igipimo 3.3: # abagore batwite cyangwa bafite abana bato bafunzwe		0-4
	0% 25% 50% 75% 100%	
Igipimo 3.4: # abunganiwe banyuzwe/bishimiye uburyo bunganiwe mu Rukiko mu iburanisha ry'ifungwa n'ifungurwa ry'agateganyo		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-16</b>

**Umurongo ngenderwaho (standard) wa 4: Ukurikiranyweho icyaha yunganiwe neza mu bujirire ku ifungwa n'ifungurwa ry'agateganyo**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 4.1: # abunganiwe mu bujirire ugereranyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
Igipimo 4.2: # abunganiwe barekuwe by'agateganyo n'urukiko mu bujirire		0-4
	0% 25% 50% 75% 100%	
Igipimo 4.3: # abagore batwite cyangwa bafite abana bato bafunzwe		0-4
	0% 25% 50% 75% 100%	
Igipimo 4.4: # abunganiwe banyuzwe/bishimiye uburyo bunganiwe mu bujirire mu iburanisha ry'ifungwa n'ifungurwa ry'agateganyo		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-16</b>
<b>Igiteranyo rusange</b>		<b>0-56</b>



## **Umutwe wa 2 : Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku batishoboye mu gihe urukiko rushyikirijwe ikirego cyo kuburanisha urubanza mu mizi**

Uyu mutwe ukubiyemo imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mu gihe urukiko ruburanisha urubanza mu mizi.

Utanga ubufasha mu by'amategeko mu gihe urukiko rushyikirijwe ikirego cyo kuburanisha mu mizi agomba:

### **(i). Gusura no kuvugana mu ibanga n'ushinjwa, harimo:**

- Gusura ushinjwa yaba afunzwe cyangwa adafunzwe by'agateganyo;
- Kuganira n'ushinjwa ku bikorwa akurikiranyweho n'inyito yabyo mu mategeko mpanabyaha;
- Kumugira inama yo kutaburana atari kumwe n'umwunganira.

### **(ii). Kumenya ibikubiye muri dosiye:**

Kumenya ibikubiye muri dosiye no kuvugana n'uwo yunganira.

### **(iii). Kugira inama ku myiregurire ye mu gihe cy'iburanisha, harimo:**

- Kugira ushinjwa inama y'uburyo yiregura ku byo akurikiranyweho n'ibimenyetso atanga;
- Kumugira inama ku byo asaba Urukiko, harimo no kugirwa umwere.

### **(iv). Kunganira ukurikiranyweho icyaha mu gihe cy'iburanisha, harimo:**

- Gukora imyanzuro isobanura ko ikirego cy'ubushinjacyaha uwo yunganira akekwahe kidafatika, kitakwagirwa cyangwa ibimenyetso bidahagije ko yagihanirwa;
- Gutanga inzitizi yo kutakira ikirego ku mpamvu ziteganywa n'amategeko;
- Gutanga inzitizi zishingiye ku busaze bw'icyaha igihe ari ngombwa;
- Gusesengura ko ibikorwa bivugwa bigize icyaha;
- Gusesengura ko ibigize icyaha byose byuzuye;
- Gusaba ko ibimenyetso byabonywe mu buryo budakurikije amategeko byavanwa muri dosiye;
- Gusaba ko abatangabuhamya bashinjura bumvwa n'urukiko;
- Gusaba ko abatangabuhamya bashinja cyangwa bashinjura babazwa n'umucamanza cyangwa, ababuranyi babazanya ubwabo cyangwa bakabaza abatangabuhamya ku buryo butaziguye, ibinengwa ku buhamya bwatanze bikavugwa, Urukiko rukabifataho icyemezo (*Cross examination*) ;
- Gusaba ko uregwa yagabanyirizwa ibihano mu gihe hari impamvu nyoroshyacyaha;
- Gusaba isubikagihano mu gihe ari ngombwa;
- Gusaba ko yagira icyo avuga ku gihano uwo yunganira yasabiwe;

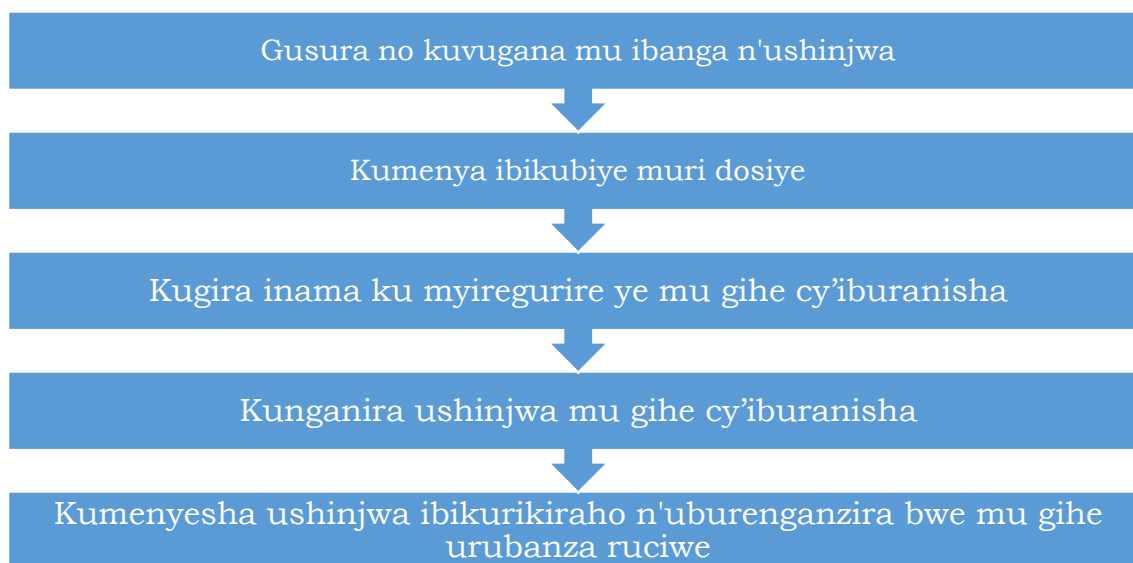
- Gusaba ko ushinjwa agirwa umwere.

**(v). Kumenyesha ushinjwa ibikurikiraho n'uburenganzira bwe mu gihe urubanza ruciwe**  
Nyuma y'iburanisha, utanga ubufasha mu by'amategeko agomba kumenyesha uwo yunganira ibikurikiraho, harimo:

- Itariki yo gusoma urubanza;
- icyemezo gishobora gufatwa n'umucamanza;
- Inzira zishoboka mu gihe atishimiye icyemezo.

❖ **Uko ibikorwa by'utanga ubufasha mu by'amategeko mu gihe urukiko ruburanisha urubanza mu mizi bikurikirana**

Ibikorwa by'utanga serivisi z'ubufasha mu by'amategeko mu gihe urukiko ruburanisha urubanza mu mizi bikurikirana ku buryo bukurikira:



**Umutwe wa 3: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku batishoboye mu gihe cy'ubujurire n'izindi nzira**

Uyu mutwe ukubiyemo imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mu gihe cy'ubujurire.

Uretse ibivugwa mu ngingo yerekeranye no kuburanisha urubanza mu mizi ibanziriza iyi, mu gihe cy'ubujurire, utanga ubufasha mu by'amategeko agomba:

- (i). Kumenya no kumenyesha ushinjwa icyemezo cyafashwe n'Urukiko;
- (ii). Kumenyesha ushinjwa inzira z'ubujurire afite mu gihe atishimiye icyemezo;
- (iii). Kujurira ku gihe bibaye ngombwa ;
- (iv). Kunganira ushinjwa mu Rukiko ku rwego rw'ubujurire.


❖ **Uko ibikorwa by'utanga ubufasha mu by'amategako mu gihe cy'ubujurire**


Ibikorwa by'utanga serivisi z'ubufasha mu by'amategako mu gihe cy'ubujurire bikurikirana ku buryo bukurikira:





- **Imbonerahamwe y'imirongo ngenderwaho (standards), igipimo (indicators) n'amanota (scorecard) mu gihe Urukiko ruburanisha urubanza mu mizi (trial phase)**


**Umurongo ngenderwaho (standard) wa mbere: Ushinjwa yunganiwe neza mu rukiko**


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.1: # abunganiwe mu rukiko ugereganyije n'abasabye		0-4
	0% 25% 50% 75% 100%	

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.2: # abunganiwe mu rukiko babonanye nibura incuro imwe n'abavoka mbere y'iburanisha ry'urubanza		0-4
	0% 25% 50% 75% 100%	

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.3: # abunganiwe bagizwe abere n'urukiko		0-4
	0% 25% 50% 75% 100%	


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.4: # abunganiwe bagizwe abere n'urukiko bari bafunzwe barekuwe/bafunguwe		0-4
	0% 25% 50% 75% 100%	


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.5: # abagore batwite cyangwa bafite abana bato bakatiwe igihano cy'igifungo		0-4
	0% 25% 50% 75% 100%	


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.6: # abunganiwe banyuzwe/bishimiye uburyo bunganiwe mu iburanisha ry'urukiko		0-4
	0% 25% 50% 75% 100%	

<b>Igiteranyo</b>	<b>0-24</b>
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## Umurongo ngenderwaho (standard) wa 2: Ushinjwa yunganiwe neza mu bujurire

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.1: # abunganiwe mu rwego rwa mbere babonanye n'ababunganira urubanza rumaze gusomwa kugira ngo bafate icyemezo kijyanye no kujurira		0-4
	0% 25% 50% 75% 100%	

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.2: # abunganiwe mu bujurire ugereganyije n'abasabye		0-4
	0% 25% 50% 75% 100%	

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.3: # abunganiwe mu bujurire babonanye nibura incuro imwe n'abavoka mbere y'iburanisha ry'urubanza mu bujurire		0-4
	0% 25% 50% 75% 100%	

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
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<b>Igipimo 2.4:</b> # abunganiwe bagizwe abere mu bujuri		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.5:</b> # abunganiwe bagizwe abere n'Urukiko bari bafunzwe barekuwe/bafunguwe		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.6:</b> # abagore batwite cyangwa bafite abana bato bakatiwe igihano cy'igifungo		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.7:</b> # abunganiwe banyuzwe/bishimiye uburyo bunganiwe mu bujuri		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-28</b>
<b>Igiteranyo rusange</b>		<b>0-52</b>

### Interuro ya 3: imirongo ngenderwaho mu gutanga ubufasha mu by'amategako ku bana mu manza z'inshinjabyaha

#### Umutwe wa mbere: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategako ku bana mu gihe cy'ifungwa ry'agateganyo

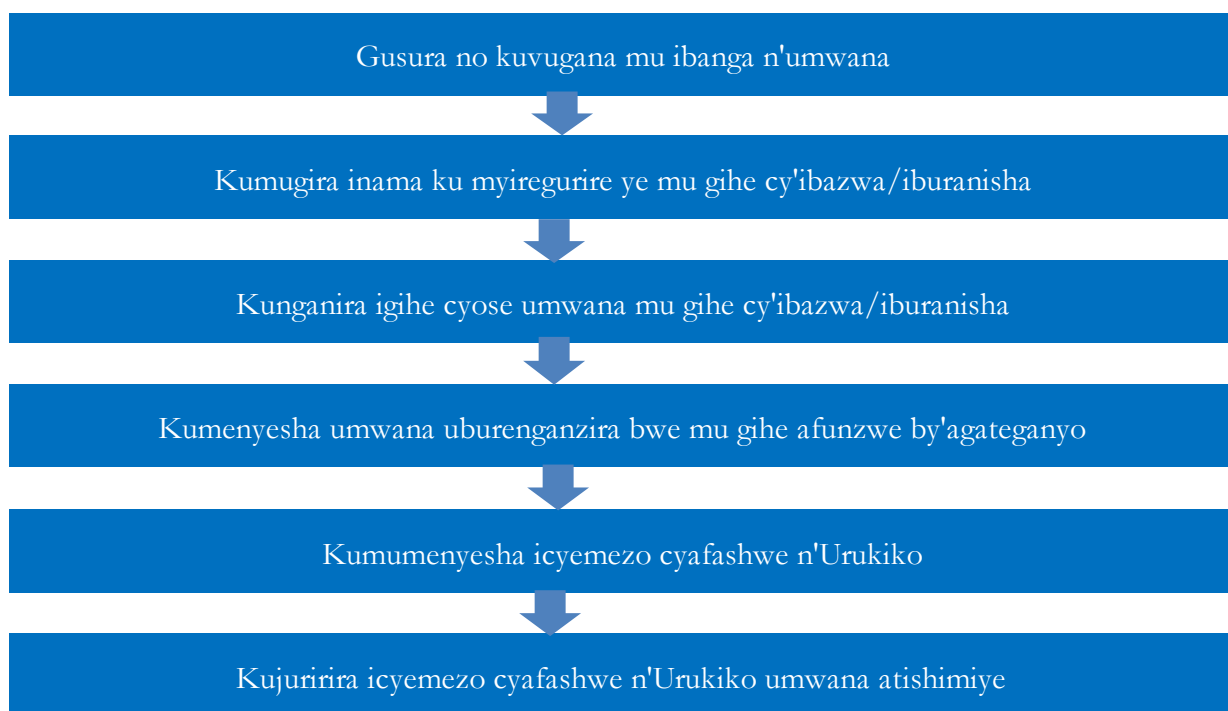
Uretse ibyavuzwe hejuru ku mirongo ngenderwaho mu gutanga ubufasha mu by'amategako ku batishoboye muri rusange, utanga ubufasha mu by'amategako ku mwana agomba kwibutsa ko umwana afite uburenganzira bwo kunganirwa mu buryo bukurikira:

- Umwana ushinjwa agomba kugira umwunganira guhera mu bugenzacyaha kugeza mu rukiko;
- Iyo umwana adashoboye kwihitiramo umwunganira cyangwa se ngo abamuhagarariye bamumuhitiremo, ubugenzacyaha cyangwa ubushinjacyaha busaba Umukuru w'Urugaga rw'Abavoka kumushyiraho;
- Iyo ubushinjacyaha butabikoze, umucamanza asaba Umukuru w'Urugaga rw'Abavoka kugena uwunganira umwana;
- Uretse impamvu y'insubiracyaha, umwana ugikorera iperereza, ibyaha yaba akurikiranyweho ibyo ari byo byose, ntashobora gufatwa;
- Umwana ashobora gusa gufungwa by'agateganyo iyo icyaha akurikiranyweho gihanishwa igihano cy'igifungo kirenze imyaka itanu (5);

- (vi). Igihe cy'igifungo cy'agateganyo cy'umwana ntikigomba kurenza iminsi cumi n'itanu (15) kandi icyemezo cy'umucamanza kimufunga by'agateganyo ntigishobora kongerwa;
- (vii). Ashingiye ku mpamvu zitangwa n'umushinjacyaha, umucamanza asanze ari ngombwa gukomeza gufunga umwana by'agateganyo mu gihe kirenze igiteganywa mu gika kibanziriza iki, gufungwa by'agateganyo bisimbuzwa icyemezo cyo kugenzurira umwana hafi, haba mu muryango we cyangwa se aho yabaga;
- (viii). Umugenzacyaha afite ububasha bwo gusaba ko haba ubwumvikane hagati y'umwana, umubyeyi cyangwa umurera n'uwakorewe icyaha bikemezwa n'umushinjacyaha, iyo icyo cyaha gihanishwa igifungo kitarengeje imyaka itanu (5).



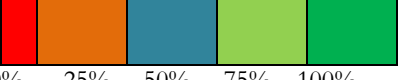
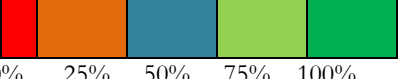
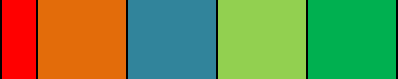
❖ **Uko ibikorwa by'utanga ubufasha mu by'amategako ku mwana mu gihe cy'iperereza ry'ubugenzacyaha, mu bushinjacyaha no mu gihe cy'iburanisha ku ifungwa ry'agateganyo bikurikirana**

Ibikorwa by'utanga serivisi z'ubufasha mu by'amategako ku mwana mu gihe cy'iperereza ry'ubugenzacyaha, mu bushinjacyaha no mu gihe cy'iburanisha ku ifungwa ry'agateganyo bikurikirana ku buryo bukurikira:



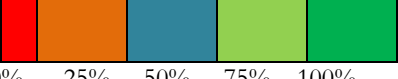
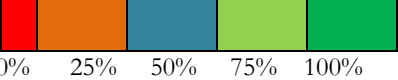
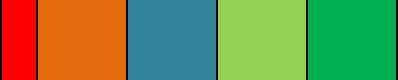


- **Imbonerahamwe y'imirongo ngenderwaho (standards), igipimo (indicators) n'amanota (scorecard) mu manza zirebena n'ifungwa n'ifungurwa ry'agateganyo ry'abana (pre-trial phase)**





**Umurongo ngenderwaho (standard) wa mbere: Umwana ukekwa icyaha yunganiwe neza mu bugenzacyaha**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.1: # abana bunganiwe mu bugenzacyaha ugereranyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.2: # abana ababyeyi babo bamenyeshejwe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.3: # abana bakorewe iperereza ku burere n'imitwarire yabo		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.4: # abana bunganiwe ubugenzacyaha bukurikirana badafunzwe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.5: # abana bunganiwe banyuzwe/bishimiye uburyo bunganiwe mu bugenzacyaha		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-20</b>





**Umurongo ngenderwaho (standard) wa 2: Umwana ukurikiranyweho icyaha yunganiwe neza mu bushinjacyaha**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.1: # abana bunganiwe mu bushinjacyaha ugereranyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.2: # abana ababyeyi babo bamenyeshejwe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.3: # abana bakorewe iperereza ku burere n'imitwarire yabo		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.4: # abana bunganiwe ubushinjacyaha bwemeje ko bakurikiranwa badafunzwe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.5: # abana bunganiwe banyuzwe/bishimiye uburyo bunganiwe mu bushinjacyaha		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-20</b>

**Umurongo ngenderwaho (standard) wa 3: Umwana ukurikiranyweho icyaha yunganiwe neza mu gihe cy'iburanisha ku ifungwa n'ifungurwa ry'agateganyo**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 3.1:</b> # abana bunganiwe mu rukiko mu rubanza rw'ifungwa n'ifungurwa ry'agateganyo ugereganyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 3.2:</b> # abana bunganiwe babonanye nibura incuro imwe n'abavoka mbere y'iburanisha		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 3.3:</b> # abana bunganiwe urukiko rwemeje ko bakurikiranwa badafunzwe by'agateganyo		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 3.4:</b> # abana bunganiwe banyuzwe/bishimiye uburyo bunganiwe mu iburanisha ry'urubanza rw'ifungwa n'ifungurwa ry'agateganyo		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-16</b>

**Umurongo ngenderwaho (standard) wa 4: Umwana ukurikiranyweho icyaha yunganiwe neza mu bujurire bujyanye n'ifungwa n'ifungurwa ry'agateganyo**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 4.1:</b> # abana bunganiwe mu bujurire bw'urubanza rw'ifungwa n'ifungurwa ry'agateganyo ugereganyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 4.2:</b> # abana bunganiwe mu bujurire babonanye nibura incuro imwe n'abavoka mbere y'iburanisha ry'urubanza		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 4.3:</b> # abana bunganiwe mu bujurire urukiko rwemeje ko bakurikiranywa badafunzwe by'agateganyo		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 4.4:</b> # abana bunganiwe banyuzwe/bishimiye uburyo bunganiwe mu bujurire mu iburanisha ry'urubanza rw'ifungwa n'ifungurwa ry'agateganyo		0-4
	0% 25% 50% 75% 100%	



Igiteranyo	0-16
Igiteranyo rusange	0-72

## **Umutwe wa 2: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku bana mu gihe urukiko rushyikirijwe ikirego cyo kuburanisha urubanza mu mizi**

### **2.1 Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mu gihe cy'iburanisha ry'urubanza mu mizi**

Uretse ibyavuzwe hejuru ku mirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku batishoboye muri rusange, utanga ubufasha mu by'amategeko ku mwana agomba kwita kuri ibi bukurira:

- (i). Ikurikiranacyaha iryo ari ryo ryose rireba umwana rigomba kwita ku mibereho myiza ye kandi icyemezo cy'umucamanza kigomba buri gihe kuzirikana imiterere y'umwana;
- (ii). Mu gihe ari icyemezo gihana, umucamanza waregewe umwana agomba kugaragaza mu rubanza ingingo zerekeye imiterere n'imibereho by'umwana yashingiyeho mu gutanga igihano ;
- (iii). Kutagaragaza ingingo zerekeye imiterere y'umwana mu rubanza rutanga igihano ni impamvu ishobora gusubirishamo urubanza ;
- (iv). Imibereho bwite y'umwana ukurikiranywe mu butabera cyangwa wakorewe icyaha igomba kubahwa, kurindwa no kurengerwa mu nzego zose z'imikurikiranire y'icyaha ;
- (v). Umwana udafite umwishingizi, Leta niyo imushakira umwunganira mu gihe aburana mu nkiko ;
- (vi). Urubanza rw'umwana ruburanishwa mu muhezo n'urukiko rubifitiye ububasha;
- (vii). Umwirondoro w'umwana ukurikiranyweho cyangwa wakorewe icyaha nta na rimwe ugomba gutangarizwa rubanda cyangwa itangazamakuru.

### **2.2 Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku mwana mu gihe cy'ubujurire n'izindi nzira**

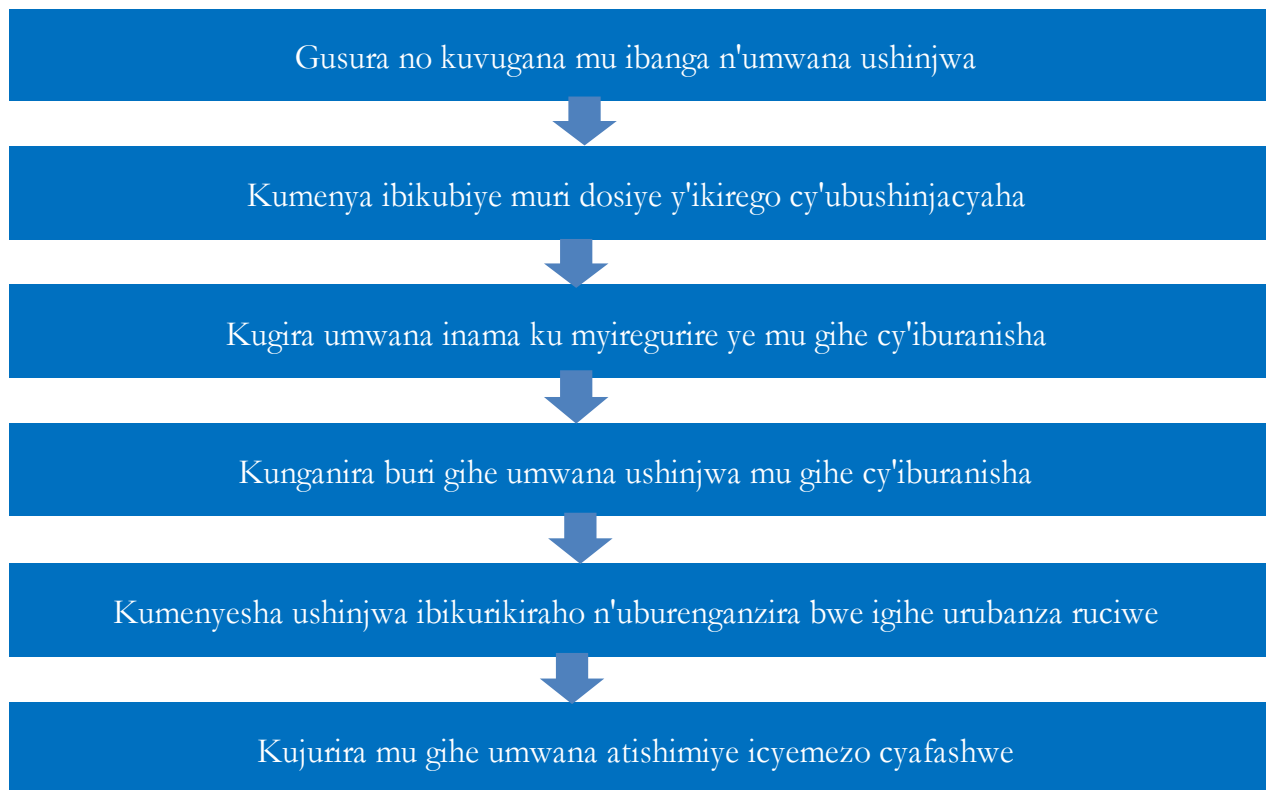
Utanga ubufasha mu by'amategeko ku mwana mu gihe cy'ubujurire agomba kumenyesha umwana yunganira ibi bukurira :

- (i). Inzira z'ubujurire (*appeal procedures*) zindi zishoboka ;

- (ii). Mu gihe yakatiwe burundu, impamvu zihagarika irangiza ry'igihano, harimo imbabazi zitangwa na Perezida wa Repubulika n'ifungurwa ry'agateganyo ry'uwakatiwe.

❖ **Uko ibikorwa by'utanga ubufasha mu by'amategako mu gihe urukiko ruburanisha mu mizi urubanza rw'umwana bikurikirana**




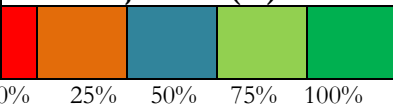


Ibikorwa by'utanga serivisi z'ubufasha mu by'amategako ku mwana mu gihe urukiko ruburanisha mu mizi urubanza bikurikirana ku buryo bukurikira:




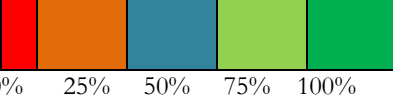
- **Imbonerahamwe y'imirongo ngenderwaho (standards), igipimo (indicators) n'amanota (scorecard) mu gihe Urukiko ruburanisha mu mizi urubanza rw'umwana (trial phase)**



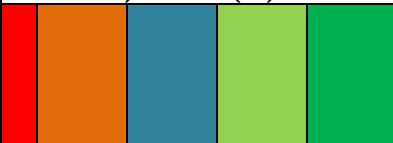
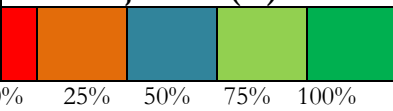


**Umurongo ngenderwaho (standard) wa mbere: Umwana ushinjwa yunganiwe neza mu rukiko**

Igipimo ( <i>indicator</i> )	Ijanisha (%)					Amanota ( <i>scorecard</i> )
Igipimo 1.1: # abana bunganiwe mu Rukiko ugereganyije n'abasabye						0-4

	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 1.2:</b> # abana bunganiwe babonanye nibura incuro imwe n'abavoka mbere y'iburanisha ry'urubanza		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 1.3:</b> # imanza abavoka basabye ko abahanga ( <i>Psychologist and Sociologist</i> ) babazwa mu Rukiko mu nyungu z'umwana		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 1.4:</b> # imanza urugereko ruburanisha abana rwemeza ibikorwa birinda umwana, ibimufasha, ibyo kumugenzura n'ibyo kumurera rubona bikwiye		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 1.5:</b> # abana bunganiwe bagizwe abere n'Urukiko		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 1.6:</b> # abana bunganiwe bagizwe abere n'Urukiko bari bafunzwe barekuwe/bafunguwe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 1.7:</b> # abana bunganiwe banyuzwe/bishimiye uburyo bunganiwe mu iburanisha ry'urubanza mu Rukiko		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-28</b>

## Umurongo ngenderwaho (standard) wa 2: Umwana ushinjwa yunganiwe neza mu bujurire

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 1.1:</b> # abana bashinjwa bunganiwe mu rwego rwa mbere babonanye n'ababunganira urubanza rumaze gusomwa kugira ngo bafate icyemezo kijyanye no kujurira		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 2.2:</b> # abana bunganiwe mu bujurire ugereganyije n'abasabye		0-4
	0% 25% 50% 75% 100%	

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 2.3:</b> # abana bunganiwe mu bujirire babonanye n'abavoka mbere y'iburanisha ry'urubanza nibura incuro imwe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 2.4:</b> # imanza abavoka basabye ko abahanga ( <i>Psychologist and Sociologist</i> ) babazwa mu Rukiko mu nyungu z'umwana ku rwego rw'ubujirire		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 2.5:</b> # imanza urugereko ruburanisha abana rwemeza ibikorwa birinda umwana, ibimufasha, ibyo kumugenzura n'ibyo kumurera rubona bikwiye		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 2.6:</b> # abana bunganiwe bagizwe abere n'Urukiko mu bujirire		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 2.7:</b> # abana bunganiwe bagizwe abere n'Urukiko bari bafunzwe barekuwe/bafunguwe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
<b>Igipimo 2.8:</b> # abana bunganiwe banyuzwe/bishimiye uburyo bunganiwe mu iburanisha ry'urubanza mu bujirire		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-32</b>
<b>Igiteranyo rusange</b>		<b>0-60</b>

#### Interuro ya 4: Imirongo ngenderwaho mu gutanga ubufasha mu by'amategako ku wakorewe icyaha n'uregera indishyi mu manza z'inshinjabyaha

##### I.I Uburenganzira bw'uwakorewe icyaha mu ibazwa

Utanga ubufasha mu by'amategako mu gihe yunganira uwakorewe icyaha mbere y'iburanisha ry'urubanza mu mizi (*pre-trial phase*) agomba:

- (i). Gukora ibishoboka kugira ngo arinde uwakorewe icyaha ibyahungabanya imibereho ye bwite, mu gihe cy'ibazwa ;
- (ii). Kubazwa ari kumwe n'umuntu yizeye kandi yihitiyemo;
- (iii). Kumenyeshwa uburenganzira bwo kutagira icyo atangaza;
- (iv). Kumenyeshwa uburenganzira bwo kumenyeshwa ibyo amategeko amuteganyiriza;
- (v). Kumenyeshwa uburenganzira bwo kutanyomozanya n'uwamukoreye icyaha igihe uwagikorewe ari umwana utarageza ku myaka cumi n'umunani (18);
- (vi). Kumenyeshwa uburenganzira bwo kurindirwa ubuzima mu gihe yagaragaje impungenge cyangwa inzego zibishinzwe ubwazo zabonye ko ashobora kugira umutekano muke.

## **I.2 Uburenganzira bwo gutanga ikirego cy'inshinjabyaha atizunze ubushinjacyaha**

Amategeko y'u Rwanda aha uwakorewe icyaha umwanya uhagije kandi mwiza wo kugira ngo asabe kurenganurwa, bityo abone no kuba yagira icyo asaba kijyanye n'indishyi.

Uwakorewe icyaha agira uburenganzira bwo kuba yatanga ikirego cy'inshinjabyaha mu gihe giteganywa n'amategeko (*private prosecution*). Ibi bituma yabasha gusaba ko ukekwa ko yamukoreye icyaha yakibazwa bityo akabona n'umwanya wo gusaba indishyi.

Muri uru rwego, utanga ubufasha mu by'amategeko wunganira utishoboye wakorewe icyaha agomba:

- (i). Gushakisha ibimenyetso byatuma uwo yunganira atsinda urubanza ;
- (ii). Gutanga ikirego cy'inshinjabyaha atisunze ubushinjacyaha ;
- (iii). Kuburanira uwakorewe icyaha utishoboye mu buryo butuma agira amahirwe yo kubona indishyi.

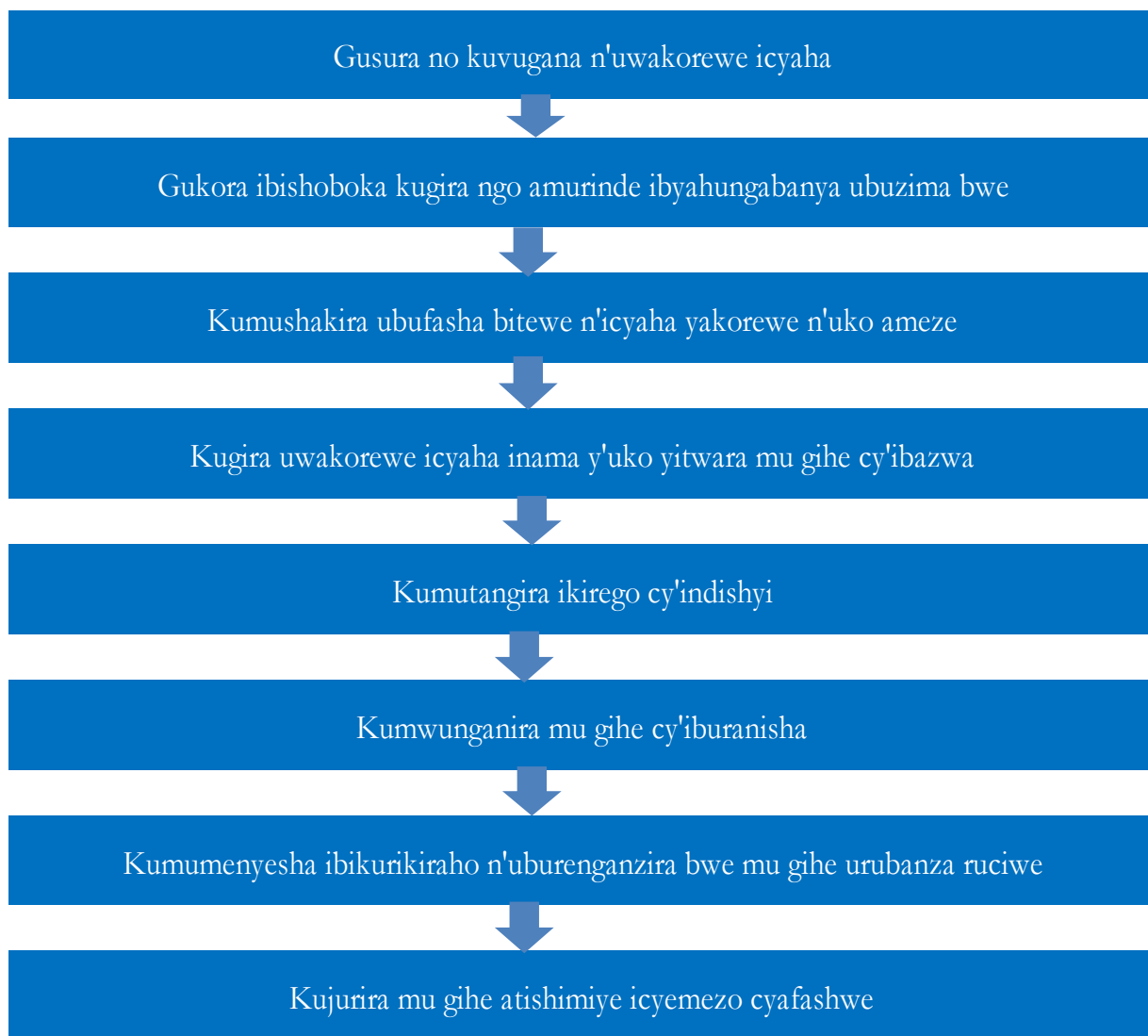
## **I.3 Kuregera indishyi mu rukiko**

Utanga ubufasha mu by'amategeko ashinzwe kumenyesha no kugira inama uwakorewe icyaha ko afite uburenganzira bwo kuregera indishyi mu rukiko mu buryo bukurikira:

- (i). Mu rubanza nshinjabyaha yisunze ikirego cy'ubushinjacyaha; cyangwa
- (ii). Mu rukiko ruburanisha imanza z'imbonezamubano.

### **❖ Uko ibikorwa by'utanga ubufasha mu by'amategeko mu gihe cy'ibazwa ry'uwakorewe icyaha no mu gihe cyo kuregera indishyi bikurikirana**



Ibikorwa by'utanga serivisi z'ubufasha mu by'amategeko mu gihe cy'ibazwa ry'uwakorewe icyaha no mu gihe cyo kuregera indishyi bikurikirana ku buryo bukurikira:




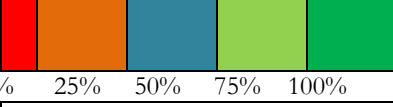
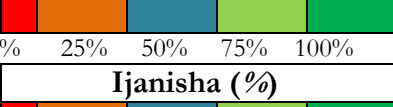
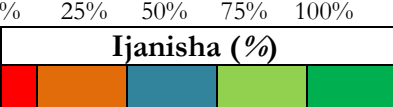
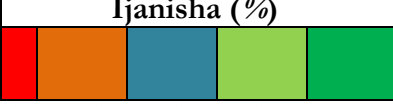

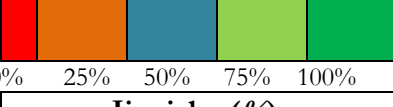

- Imbonerahamwe y'imirongo ngenderwaho (*standards*), igipimo (*indicators*) n'amanota (*scorecard*) mu mu gihe cy'ibazwa ry'uwakorewe icyaha no mu gihe cyo kuregera indishyi

**Umurongo ngenderwaho (standard) wa mbere: Uwakorewe icyaha yunganiwe neza mbere y'urubanza mu mizi**

Igipimo ( <i>indicator</i> )	Ijanisha (%)					Amanota ( <i>scorecard</i> )
Igipimo 1.1: # abakorewe icyaha bunganiwe mu ibazwa ryabo mu bugenzacyaha no mu bushinjacyaha ugereganyije n'abasabye	0%	25%	50%	75%	100%	0-4
Igipimo ( <i>indicator</i> )	Ijanisha (%)					Amanota ( <i>scorecard</i> )

<b>Igipimo 1.2:</b> # abakorewe icyaha babonanye nibura incuro imwe n'abavoka mbere y'ibazwa ryabo		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 1.3:</b> # abakorewe icyaha bunganiwe banyuzwe/bishimiye uburyo bunganiwe mu bugenazacyaha no mu bushinjacyaha		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-12</b>

**Umurongo ngenderwaho (standard) wa 2: Uwakorewe icyaha yunganiwe neza mu rubanza mu mizi**

<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.1:</b> # abakorewe icyaha batangiye ibirego by'indishyi ( <i>trial phase</i> ) ugereranyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.2:</b> # abakorewe icyaha bunganiwe mu rukiko ugereranyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.3:</b> # abakorewe icyaha bagenewe indishyi n'urukiko		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.4:</b> # abakorewe icyaha bamenyeshejwe icyemezo cy'urukiko		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.5:</b> # ibyemezo by'inkiko birebana n'indishyi byajuririwe		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.6:</b> # abakorewe icyaha bunganiwe mu bujire ugereranyije n'abasabye		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.7:</b> # abakorewe icyaha bamenyeshejwe icyemezo cy'urukiko cyafashwe mu bujire		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
<b>Igipimo 2.8:</b> # imanza zigana indishyi ku bakorewe icyaha zarangijwe		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>

<b>Igipimo 2.9:</b> # abakorewe icyaha bunganiwe banyuzwe/bishimiye uburyo bunganiwe						0-4
	0%	25%	50%	75%	100%	
<b>Igiteranyo</b>	<b>0-36</b>					
<b>Igiteranyo rusange</b>	<b>0-48</b>					

## Umwanzuro

Amahame agenga abatanga ubufasha mu by'amategeko mu kazi kabo ka buri muni ndetse n'inshingano zabo za buri muni n'ingirakamaro kugira ngo utishoboye abone ubutabera buboneye mu manza z'inshinjabyaha.

Iki gice cyagaragaje nibura ibyo utanga ubufasha mu by'amategeko agomba gukora cyane cyane mu gihe yunganira yaba uwakorewe icyaha cyangwa ukekwe icyaha mu manza z'inshinjabyaha. Hagaragajwe kandi ibipimo (*indicators*) byakwifashishwa mu gusuzuma serivisi utanga ubufasha mu by'amategeko yatanze ku mugenerwabikorwa ndetse n'uburyo bibarirwa amanota. Ibyo bipimo bireba cyane imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mbere y'urubanza (*pre-trial phase*), igihe cy'iburanisha (*trial phase*) na nyuma y'urubanza (*post trial phase*).



**IGICE CYA 3: IMIRONGO NGENDERWAHO MU GUTANGA  
UBUFASHA MU BY'AMATEGEKO KU IHOHOTERWA RISHINGIYE  
KU GITSINA**

## **Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina**

Imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina igaragaza ibigomba gukorwa mu gukumira no guha serivisi zitandukanye abakorewe ihohoterwa rishingiye ku gitsina. Iyi mirongo ngenderwaho igaragaza kandi inshingano n'ibigomba gukurikizwa kugira ngo abatanga ubufasha mu by'amategeko bashobore kubikora neza. Ibipimo (*indicators*) bitangwa muri iki gice ni ibimenyetso bigaragaza uko abatanga ubufasha mu by'amategeko bakoze ibyo bashinzwe n'uko bareba niba ibisabwa byagezweho. Ibi bipimo ni ingero zishobora guhinduka bitewe n'ikibazo gikurikiranwa.

Ikindi ni uko abafatanyabikorwa bagomba gufatanya kugira ngo abakorewe ihohoterwa rishingiye ku gitsina bashobore guhabwa serivisi nziza. Iki gice kigaragaza ko ubwuzuzanye bw'inzego za Leta zitandukanye, imiryango itagamiye kuri Leta ibinyujije mu batanga ubufasha bayo n'Urugaga rw'Abavoka rubinyujije mu bavoka; ari ingirakamaro. Kubera iyo mpamvu, iki gice kiribanda ku mirongo ngenderwaho y'umuryango utanga ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina n'imirongo ngenderwaho y'umwavoka utanga ubufasha bwo kunganira mu nzego z'ubutabera uwakorewe ihohoterwa rishingiye ku gitsina.

## **Umutwe wa mbere: Iby'ibanze ku gutanga ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina**

Mbere yo kuvuga birambuye ku bufasha mu by'amategeko buhabwa abakorewe ihohoterwa rishingiye ku gitsina, ni ngombwa kubanza kwibutsa amwe mu mahame n'imirongo ngenderwaho mu gutanga ubufasha mu by'amategeko mu manza z'inshinjabyaha.

### **I.1 Amahame y'ubufasha mu by'amategeko mu manza z'inshinjabyaha**

Nk'uko icyemezo cy'Inama Rusange y'Umuryango w'Abibumbye yo ku wa 20 Ukuboza 2012 ribivuga<sup>8</sup>, ubufasha mu by'amategeko ni ingenzi mu manza z'inshinjabyaha zitabogamye kandi zikozwe neza zishingiye ku ihame ryo kubaha no kugendera ku mategeko. Ubufasha mu by'amategeko ni inkingi mu guharanira no gushyira mu bikorwa uburenganzira, harimo n'ubw'urubanza ruboneye. Nk'uko biteganywa n'ingingo ya 11, igika cya mbere by'Itangazo Mpuzamahanga ryerekeye Uburenganzira bwa Muntu, ubufasha mu by'amategeko ni ngombwa mu guharanira ubwo burenganzira kandi ni ingirakamaro mu gutanga icyizere cy'ubutabera nshinjabyaha kuri rubanda.

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<sup>8</sup>United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (2012)

Aya ni amwe mu mahame agenga ubufasha mu by'amategeko mu manza z'inshinjabyaha:

- (i). Uburenganzira ku bufasha mu by'amategeko;
- (ii). Ubufasha mu by'amategeko ku bakekwaho cyangwa abakurikiranyweho icyaha;
- (iii). Ubufasha mu by'amategeko ku bakorewe ihohoterwa;
- (iv). Ubufasha mu by'amategeko bwihuse kandi bw'ingirakamaro;
- (v). Uburenganzira bwo kumenyeshwa;
- (vi). Kutavangura;
- (vii). Kureshya mu guhabwa ubufasha mu by'amategeko (*Equity in access to legal aid*);
- (viii). Ubwingenge no kurinda abatanga ubufasha mu by'amategeko;
- (ix). Ubumenyi no kugenzura abatanga ubufasha mu by'amategeko.

## **I.2 Imirongo ngenderwaho rusange mu guhabwa ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina**

N'ubwo imirongo ngenderwaho myinshi irebana n'uburenganzira bw'abantu bafunzwe, bafashwe, abakekwaho cyangwa baregwa icyaha; nko guhabwa ubufasha mu by'amategeko, kumenyeshwa ubwo burenganzira, kunganirwa mu bugenzacyaha, ubushinjacyaha cyangwa mu nkiko; iyi mirongo ngenderwaho ikurikira irebana n'ubufasha mu by'amategeko ku bijyanye n'ihohoterwa rishingiye ku gitsina.

Iyo ni iyi ikurikira:

### **(i). Ubufasha mu by'amategeko ku bakorewe ihohoterwa**

Ibihugu bigomba gufata ibyemezo bikwiriye kugira ngo byemeze ko:

- Inama n'ubufasha bukwiriye byahawe abakorewe ihohoterwa rishingiye ku gitsina mu miburanishirize y'imanza z'inshinjabyaha, mu buryo bukumira ko uwakorewe ihohoterwa atongera guhohoterwa;
- Abakorewe ihohoterwa rishingiye ku gitsina bahabwa ubufasha mu by'amategeko kuri buri gikorwa cyose kibareba mu manza z'inshinjabyaha, harimo no gutanga ikirego kirebana n'indishyi mu buryo bukurikije amategeko;
- Abakorewe ihohoterwa rishingiye ku gitsina bamenyeshwa vuba n'abagenzacyaha cyangwa abandi babishinzwe uburenganzira bwo kunganirwa mu mategeko, ubufasha no kurindwa, n'uburyo babona ubwo burenganzira;
- Ibitekerezo n'ibibazo byabo bitanzwe kandi bihawe agaciro mu nzego z'ubutabera;
- Inzego zitanga ubufasha ku bakorewe ihohoterwa rishingiye ku gitsina n'imiryango itegamiye kuri Leta ishobora gutanga ubufasha mu by'amategeko ku bakorewe ihohoterwa;
- Uburyo bw'imikoranire y'inzego zishinzwe gutanga ubufasha mu by'amategeko bwashyizweho kugira ngo habeho imyumvire imwe ku bakorewe ihohoterwa n'isesengura ku bibazo byabo birebana n'amategeko, imitekerereze no ku mubiri.

**(ii). Ishyirwa mu bikorwa ry'uburenganzira bw'umugore mu guhabwa ubufasha mu by'amategeko**

Ibihugu bigomba gufata ibyemezo kugira ngo umugore ashobore guhabwa ubufasha mu by'amategeko, harimo kumugira inama no kumufasha mu nkiko mu manza zose umugore yahohotewemo kugira ngo ahabwe ubutabera kandi bimurinde kongera guhohoterwa.

**(iii). Abafasha mu by'amategeko (*Paralegals*)**

Ibihugu, bishingiye ku mategeko yabyo, bigomba kwemeza ishingiro n'akamaro k'abafasha mu by'amategeko aho ubufasha bw'abavoka budahagije.

**(iv). Ishyirwaho ry'amategeko n'igenzura ry'abatanga ubufasha mu by'amategeko**

Ibihugu, bifatanyije n'ingaga z'abikorera, bishingiye ku mategeko yabyo, bigomba kureba ko abatanga ubufasha mu by'amategeko bakurikiza amategeko agenga imyitwarire kandi akubiyemo ibihano ku makosa yakorwa nabo.

**(v). Ubufatanyabikorwa n'imiryango itegamiye kuri Leta itanga ubufasha mu by'amategeko na za kaminuza**

Mu gihe bishoboka, ibihugu bigomba gufatanya n'imiryango itegamiye kuri Leta itanga ubufasha mu by'amategeko. Kubera iyo mpamvu, bimaze kungurana ibitekerezo n'iyi miryango n'inzego z'ubutabera, ibihugu bigomba:

- Kwemeza uruhare rwakorwa n'imiryango itegamiye kuri Leta mu gutanga ubufasha mu by'amategeko ku baturage;
- Gushyiraho imirongo ngenderwaho cyangwa amahame shingiro mu bufasha mu by'amategeko na gahunda y'amahugurwa ku miryango itegamiye kuri Leta itanga ubufasha mu by'amategeko;
- Kwagura abatanga ubufasha mu by'amategeko hemezwa uburyo bwagutse harimo nko gushyiraho ibigo bitanga ubufasha mu by'amategeko bikoreramo abavoka n'abandi bafasha mu by'amategeko no gusinyana amasezerano n'urugaga rw'abavoka, kaminuza, n'indi miryango itanga ubufasha mu by'amategeko.

**Umutwe wa 2: Imirongo ngenderwaho y'umuryango utanga ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina**

Ni ingenzi ku miryango cyangwa inzego zitanga ubufasha mu by'amategeko gukora ibishoboka kugira ngo abakorewe ihohoterwa rishingiye ku gitsina bahabwe ubufasha mu by'umutekano, ubuvuzi, ingaruka zo mu mitekerezwe, kurindwa no mu mategeko. Iyi miryango cyangwa inzego igomba guhuza abakorewe ihohoterwa n'inzego zitandukanye zabaha ubufasha ku gihe no mu mutuzo, n'izishinzwe gukumira no kurwanya ihohoterwa rishingiye ku gitsina.

Hari abafatanyabikorwa batandukanye batanga serivisi ku bakorewe ihohoterwa rishingiye ku gitsina. Mu byo bakora harimo kubaha ubufasha mu rwego rw'ubuvuzi, urwego rw'ubujyanama

n’urw’isanamitima, urwego rw’ubwunganizi mu mategeko, urwego rwo kubarengera n’urwego rw’imibereho myiza n’umutungo.

Kubera iyo mpamvu, abakozi b’iyo miryango cyangwa inzego bagomba gukurikirana ibibazo by’abakorewe ihohoterwa bakurikiza inzira zibahuza n’inzego zitandukanye zibaha ubwo bufasha. Ibyo bakora bigomba kwandikwa, kubikwa neza no gukurikiranwa kugira ngo harebwe ko buzuzwa imirongo ngenderwaho (*standards*) mu gutanga ubufasha mu by’amategeko ku bijyanye n’ihohoterwa rishingiye ku gitsina.

## **2.1 Umurongo ngenderwaho wa mbere: Uwakorewe ihohoterwa rishingiye ku gitsina yakiriwe neza**

### **(i). Uwakorewe ihohoterwa yakiriwe kandi aganirizwa mu buryo bukwiye**

Ibi bipima niba, nyuma yo gukorerwa icyaha cy’ihohoterwa rishingiye ku gitsina, uwakorewe ihohoterwa akagana umuryango utanga ubufasha mu by’amategeko, hariho uburyo bunoze kandi bwiza bwo kumwakira no kumuganiriza.

Muri icyo gihe, uwakorewe ihohoterwa aba afite umutekano muke, aterwa ubwoba, atinya kandi ashobora kongera guhohoterwa. Aba rero akeneye ubufasha n’icyubahiro ako kanya kubera ko gutinda bishobora kumuviramo akandi kababaro.

### **(ii). Uwakorewe ihohoterwa yaganirijwe mu ibanga**

Abakozi batanga ubufasha mu by’amategeko bagomba kumenya ko baganira n’uwakorewe ihohoterwa rishingiye ku gitsina mu ibanga, kandi ko ayo makuru atanze akabikwa mu ibanga. Bafite inshingano yo kubika amabanga bahabwa n’abakorewe ihohoterwa rishingiye ku gitsina. Abaganga n’abahanga mu by’imitekerereze (*Psychologists*) bashobora gutanga ubuhamya mu rukiko babikoze mu nyandiko cyangwa bitabye urukiko.

### **(iii). Ibyavuzwe n’uwakorewe ihohoterwa byanditswe kandi bibikwa neza**

Amakuru yose ava mu buvuzi, mu bahanga mu by’imytwarire no mu nama ku mategeko agomba kubikwa no gutangirwa raporo. Iyi ni inshingano y’akazi yo kubika amakuru yose kuko aba ari ibimenyetso by’uwakorewe ihohoterwa rishingiye ku gitsina. Amakuru yabitswe agomba kuba ahuye n’ibyavuzwe n’ibyabonywe n’abahanga. Ibyo bimenyetso byose bishobora gukoreshwa mu rukiko nk’ibimenyetso kuko bifasha urukiko mu gufata icyemezo.

### **(iv). Abatanga ubufasha mu by’amategeko bafite ubumenyi buhagije**

Mu biganiriro bya mbere, umukozi ubishinzwe agomba kuganiriza neza uwakorewe ihohoterwa rishingiye ku gitsina kandi mu buryo bukwiye, bitewe n’uko ameze. Agomba kandi kumumenyesha uko ibikorwa bigenda bikurikirana ku kibazo cye n’ibibazo by’amategeko bikirimo. Bityo rero, uwakorewe ihohoterwa rishingiye ku gitsina agomba guherekezwa mu zindi nzego zitanga ubufasha

kugira ngo ahabwe ubufasha mu by'ubuvuzi, ingaruka mu mitekerereze n'inama mu by'amategeko. Itangwa ry'ubu bufasha riri muri “*One-Stop Centre*” kugira ngo hatangwe ubufasha bwuzuye, buvuye mu nzego zitandukanye, burimo guhuza ibikorwa kandi burambye nk'igisubizo ku ihohoterwa rishingiye ku gitsina.

Kugira ngo iyi ntambwe ya mbere igende neza, bisaba ko abakozi batanga ubufasha mu by'amategeko baba bafite ubumenyi buhagije, basobanukiwe n'uburinganire, bahabwa amahugurwa ahoraho kandi bubahiriza imirongo ngenderwaho n'amategeko ngengamyitwarire.

## **2.2 Umurongo ngenderwaho wa 2: Uwakorewe ihohoterwa rishingiye ku gitsina yahawe ubuvuzi bukwiye**

### **(i). Uwakorewe ihohoterwa rishingiye ku gitsina yagejwe byihuta kwa muganga**

Mu gihe ihohoterwa rishingiye ku gitsina ryagize ingaruka ku mubiri, ku gitsina cyangwa rigakomeretsa umutima; ubuvuzi niryo tangiriro rya serivisi zitangwa. Kubera ko aribwo butangirirwaho, abavuzi bafite uruhare rukomeye mu kumenya ibibazo uwakorewe ihohoterwa rishingiye ku gitsina afite, uburyo bwakoreshwa mu gukumira ingaruka zikomoka kuri iryo hohoterwa no kohereza uwarikorewe ku zindi nzego zatanga ubufasha iyo bikenewe.

### **(ii). Uwakorewe ihohoterwa rishingiye ku gitsina yapimwe neza**

Uwakorewe ihohoterwa rishingiye ku gitsina agomba gupimwa n'abaganga babifitiye ubumenyi buhagije, hagapimwa indwara zose zishobora kuba zikomoka ku ihohoterwa yakorewe kugira ngo hamenyekane izaba zatewe n'iryo hohoterwa.

### **(iii). Uwakorewe ihohoterwa rishingiye ku gitsina yavuwe neza**

Uwakorewe ihohoterwa rishingiye ku gitsina akeneye ubuvuzi kugira ngo avurwe kandi ahabwe n'imiti ifasha gukumira cyangwa gikiza indwara zikomoka kuri iryo hohoterwa. Guhabwa ubuvuzi bwiza kandi mu ibanga ni ngombwa, kandi ni kimwe mu bigize serivisi zinyuranye zihabwa uwakorewe ihohoterwa rishingiye ku gitsina.

Kugira ngo ashobore gukira no gutera intambwe agana ubutabera, uwakorewe ihohoterwa rishingiye ku gitsina akeneye kuvurwa.

### **(iv). Uwakorewe ihohoterwa rishingiye ku gitsina yakiriwe n'amavuriro yujuje ibisabwa**

Uwakorewe ihohoterwa rishingiye ku gitsina agomba kwakirwa n'amavuriro afite ibisabwa byose kugira ngo yitabweho mu buryo bukwiye. Ubuvuzi bugomba gutangwa mu ibanga kandi hatarimo kuvangura uko ari ko kose gushingiye ku gitsina, imyaka cyangwa ikindi icyo ari cyo cyose. Abakozi b'umuryango cyangwa urwego rutanga ubufasha mu by'amategeko bagomba kuba bafite ubushobozi bwo gutanga umurongo no guherekeza uwakorewe ihohoterwa rishingiye ku gitsina kugira ngo ahabwe ubuvuzi akeneye.

### **2.3 Umurongo ngenderwaho wa 3: Uwakorewe ihohoterwa rishingiye ku gitsina yahawe ubufasha bukwiye ku ihungabana yahuye naryo**

Aha, hapimwa niba uwakorewe ihohoterwa rikomeretsa umutima yakorewe isanamitima rikwiye. Ibi bikurikira bigomba kwitabwaho:

**(i). Abatanga ubufasha mu by'amategeko bagomba kumenya gusuzuma ko uwakorewe ihohoterwa rishingiye ku gitsina akeneye guhumurizwa kubera ihungabana**

Abakozi b'imiryango cyangwa inzego zitanga ubufasha mu by'amategeko bagomba kuba bafite ubushobozi bwo kumenya ko uwakorewe ihohoterwa rishingiye ku gitsina akeneye guhumurizwa kubera ihungabana yahuye naryo. Bityo rero, batanga inama zo kumwohereza no kumuherekeza mu bigo cyangwa ku bahanga bashobora kumufasha.

**(ii). Uwakorewe ihohoterwa rishingiye ku gitsina wahungabanye yahawe isanamitima rikwiye n'ibigo cyangwa abahanga bujuje ibisabwa**

Birazwi ko ihohoterwa rishingiye ku gitsina ritagira ingaruka ku mubiri gusa, ariko rishobora kugira ingaruka zitandukanye rikaba rishobora gutera ihubangana. Uwakorewe ihohoterwa agomba rero kwakirwa n'inzego, ibigo cyangwa abahanga babishinzwe kugira ngo yitabweho.

Ubuvuzi bw'ihungabana bugamiye kurinda, gukumira no kuvura ingaruka zaryo ku wakorewe ihohoterwa rishingiye ku gitsina. Abavuzi bagomba kuba bafite ubumenyi bw'uko abakorewe ihohoterwa rishingiye ku gitsina bagaragaza iryo hungabana n'uko babaganiriza ku ihohoterwa bahuye naryo mu buryo butarushaho kubahungabanya.

### **2.4 Umurongo ngenderwaho wa 4: Uwakorewe ihohoterwa rishingiye ku gitsina yarindiwe neza umutekano**

**(i). Utanga ubufasha mu by'amategeko agomba kumenya gusesengura iby'umutekano w'uwakorewe ihohoterwa rishingiye ku gitsina**

Utanga ubufasha mu by'amategeko agomba kumenya ko umutekano w'uwakorewe ihohoterwa rishingiye ku gitsina ushobora kuba mubi mu gihe hadafashwe ingamba zikwiye. Abatanga ubufasha mu by'amategeko bagomba kuba bafite ubushobozi bwo gusesengura no gukora ubuvugizi kugira ngo umutekano w'uwakorewe ihohoterwa urindwe.

**(ii). Utanga ubufasha mu by'amategeko agomba gukorana neza n'inzego z'umutekano**

Ingamba z'umutekano ni ingenzi cyane mu gukumira ihohoterwa rishingiye ku gitsina no kurinda uwakorewe ihohoterwa. Imiryango cyangwa inzego zitanga ubufasha mu by'amategeko igomba gukorana no gukora ubuvugizi ku bashinzwe umutekano mu gushyiraho ingamba zo kugabanya ingaruka zikomoka ku ihohoterwa rishingiye ku gitsina. Iyo inzego z'umutekano zidahagije mu kurinda

uwakorewe ihohoterwa rishingiye ku gitsina, hashobora kwifashishwa abaturage. Iyo bibaye ngombwa, uwakorewe ihohoterwa ashobora guhambwa icumbi rifite umutekano.

## **2.5 Umurongo ngenderwaho wa 5: Uwakorewe ihohoterwa rishingiye ku gitsina mu by'umutungo yahawe ubufasha bukwiye**

### **(i). Inyito y'ikibazo ihohoterwa rishingiye ku gitsina mu by'umutungo irazwi**

Kwima abagore amahirwe no kubaheza mu by'umutungo bibangamira umutekano wabo, ubuzima bwabo cyangwa imibereho myiza yabo. Utanga ubufasha mu by'amategeko agomba kumenya inyito y'ikibazo mu mategeko uwakorewe ihohoterwa rishingiye ku gitsina mu by'umutungo afite.

Ihohoterwa mu by'umutungo ni igikorwa cyo kuvutsa umuntu uburenganzira ubu n'ubu bwaba ubwo ku mutungo, ubwo kuzungura, ubwo kubona cyangwa gukora akazi cyangwa se kumwima ikindi kintu icyo ari cyo cyose kimufitiye akamaro mu by'umutungo.

### **(ii). Uwakorewe ihohoterwa rishingiye ku gitsina mu by'umutungo yagiriwe inama nziza**

Uwakorewe ihohoterwa rishingiye ku gitsina mu by'umutungo agomba kwakirwa neza, kumvwa, kuganirizwa no kugirwa inama n'abatanga ubufasha mu by'amategeko ku buryo ikibazo afite cyakemuka. Bitewe n'imiterere y'ikibazo bashyikirijwe, abatanga ubufasha mu by'amategeko bagomba kugira inama, guherekeza cyangwa kohereza uwakorewe ihohoterwa mu by'umutungo ku nzego zishinzwe kubikemura, zaba izo mu b'ubuyobozi busanzwe cyangwa izo mu butabera.

## **2.6 Umurongo ngenderwaho wa 6: Uwakorewe ihohoterwa rishingiye ku gitsina yahawe ubufasha bukwiye mu butabera n'ubufasha mu by'amategeko**

Guhabwa ubutabera ni imwe mu ntabwe z'ingenzi zifasha uwakorewe ihohoterwa rishingiye ku gitsina gukira ingaruka z'ihohoterwa yahuye naryo. Serivisi mu by'amategeko ni imwe mu bisubizo bitandukanye bifasha uwakorewe ihohoterwa kugira ngo abone umutekano. Mu rwego rwo kugira ngo agere ku burenganzira bwe, ubufasha mu by'amategeko bugira uruhare runini mu kurwanya umuco wo kudahana no gukomeza umuco wo kubazwa inshingano.

Inzego z'ubutabera zirinda uburenganzira bw'uwakorewe ihohoterwa rishingiye ku gitsina zikanamufasha guhabwa ubutabera bushingiye ku mahame y'igihugu na mpuzamahanga. Uwakorewe ihohoterwa rishingiye ku gitsina agomba guhabwa ku buntu umwavoka umwunganira mu nzego zose z'ubutabera. Agomba no guherekezwa n'umwavoka mu rubanza kugira ngo amugire inama ndetse akorane n'Urwego rw'Igihugu rushinzwe Ubugenzacyaha (RIB), Ubushinjacyaha (NPPA) n'Urukiko.

### **(i). Ikirego cy'uwakorewe ihohoterwa rishingiye ku gitsina cyashyikirijwe ubugenzacyaha**

Niba igikorwa cy'ihohoterwa rishingiye ku gitsina cyakozwe ari icyaha, ikirego kigomba gushyikirizwa ubugenzacyaha kugira ngo butangire iperereza.



Utanga ubufasha mu by'amategeko agomba kumenyesha uwakorewe ihohoterwa rishingiye ku gitsina ibi bikurikira:

- Uburyo ikirego gitangwa n'ibazwa rye;
- Uko iperereza rikorwa n'ikusanya ry'ibimenyetso;
- Uruhare rwe mu iperereza kugira ngo dosiye izaregerwe urukiko;
- icyakorwa mu gihe dosiye ishyinguye burundu;
- Uko ibikorwa bya dosiye bikurikirana kugeza iregwe urukiko.

**(ii). Ikirego cy'uwakorewe ihohoterwa rishingiye ku gitsina cyakurikiranwe neza mu nzego z'ubutabera (mu bushinjacyaha no mu rukiko)**

Umuryango cyangwa urwego rutanga ubufasha mu by'amategeko bagomba gukurikirana aho iperereza rigeze, iyoherezwa rya dosiye mu bushinjacyaha ndetse no mu rukiko.

Nyuma y'uko dosiye iregwe urukiko, umuryango cyangwa urwego rutanga ubufasha mu by'amategeko ugomba gukurikirana:

- Itegurwa rya gahunda y'iburanisha;
- Iburanisha ry'urubanza;
- Icibwa ry'urubanza;
- icyemezo cyafashwe ku birebana n'indishyi;
- Ubujurire bw'icyemezo cyafashwe mu gihe uwahohotewe atacyishimiye;
- Irangizwa ry'urubanza ku ndishyi zagenwe n'urukiko.

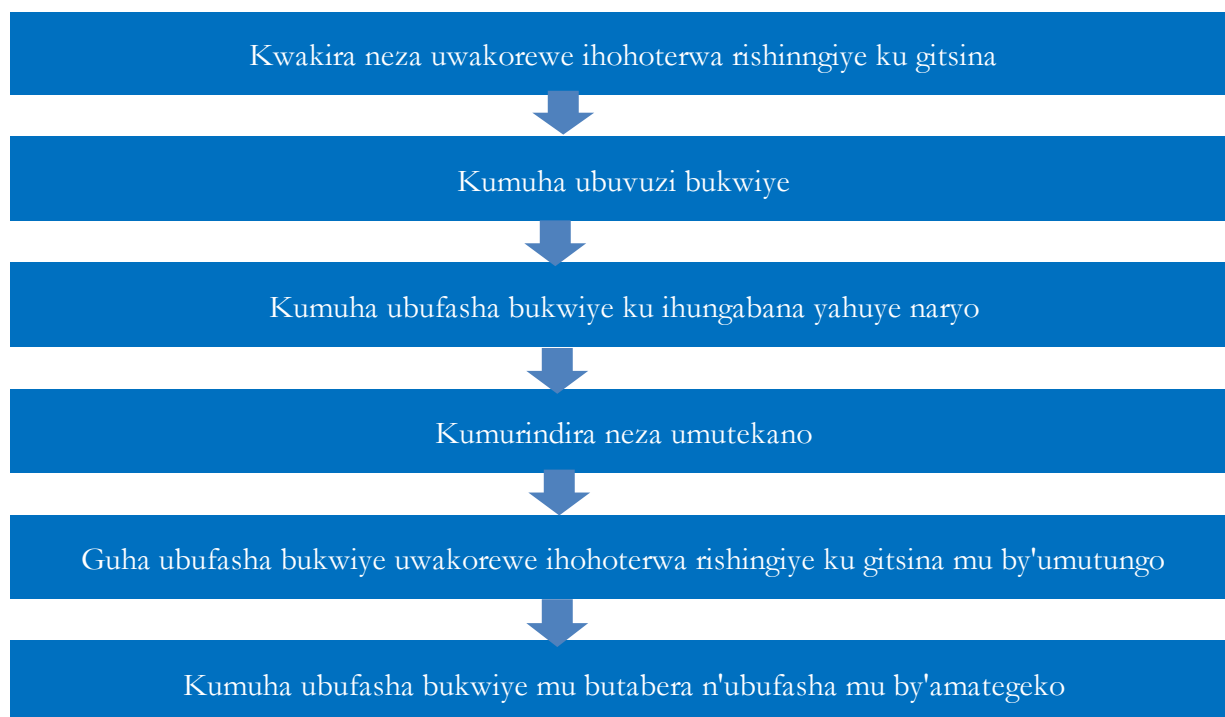
**(iii). Abavoka bahawe kunganira uwakorewe ihohoterwa rishingiye ku gitsina bakurikiranwa mu buryo bukwiye**

Akenshi usanga uregwa afite umwunganira mu nzego z'ubutabera ariko uwakorewe ihohoterwa rishingiye ku gitsina atamufite. Kugira ngo habeho kureshya kw'ababuranyi, umuryango utanga ubufasha mu by'amategeko ugomba guha hakiri kare uwakorewe ihohoterwa rishingiye ku gitsina umwavoka kugira ngo akurikirane neza ikibazo cye mu nzego z'ubutabera.

Abavoka bahawe kunganira uwakorewe ihohoterwa rishingiye ku gitsina bagomba gukurikiranwa no kugenzurwa n'umuryango utanga ubufasha mu by'amategeko mu rwego rwo kumenya ko bakora neza inshingano zabo. Bagomba kandi gutanga raporo y'imigendekere y'urubanza aho rugeze hose.

**❖ Uko ibikorwa by'umuryango utanga ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina bikurikirana**

Ibikorwa by'umuryango utanga serivisi z'ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina bikurikirana ku buryo bukurikira:



- **Imbonerahamwe y'imirongo ngenderwaho (standards), igipimo (indicators) n'amanota (scorecard)**<sup>9</sup> ku murungo utanga ubufasha mu by'amategako ku ihohoterwa rishingiye ku gitsina

### **Umurongo ngenderwaho (standard) wa mbere: Uwakorewe ihohoterwa rishingiye ku gitsina yakiriwe neza**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.1: # abahawe ubufasha ugereranyije n'abasabye	 0% 25% 50% 75% 100%	0-4

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.2: # abasambanyijwe ku gahato bakiriwe bitarenze amasaha 24	 0% 25% 50% 75% 100%	0-4

<sup>9</sup> 0% = 0

Hagati ya 1% na 12.5% = 0.5

Hagati ya 12.6% na 25% = 1

Hagati ya 25.1% na 37.5% = 1.5


Hagati ya 37.6% na 50% = 2

Hagati ya 50.1% na 62.5% = 2.5


Hagati ya 62.6% na 75% = 3

Hagati ya 75.1% na 87.5% = 3.5

Hagati ya 87.6% na 100% = 4

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.3: # abakorewe ihohoterwa boherejwe mu zindi nzego		0-4


0% 25% 50% 75% 100%

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.4: # abakorewe ihohoterwa banyuzwe/bishimiye n'ubufasha bahawe ubwo bakirwaga		0-4


0% 25% 50% 75% 100%

<b>Igiteranyo</b>	<b>0-16</b>
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### **Umurongo ngenderwaho (standard) wa 2: Uwakorewe ihohoterwa rishingiye ku gitsina yahawe ubuvuzi bukwiye**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.1: # abakorewe ihohoterwa boherejwe mu buvuzi ugereranyije n'abakiriwe bose		0-4

0% 25% 50% 75% 100%

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.2: # Ibigo by'ubuvuzi bifasha abakorewe ihohoterwa bifite ibiasabwa byuzuye		0-4


0% 25% 50% 75% 100%

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.3: # abakorewe ihohoterwa banyuzwe/bishimiye n'ubufasha bahawe mu buvuzi		0-4


0% 25% 50% 75% 100%

<b>Igiteranyo</b>	<b>0-12</b>
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### **Umurongo ngenderwaho (standard) wa 3: Uwakorewe ihohoterwa bishingiye ku gitsina yahawe ubufasha bunoze mu by'ihungabana**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 3.1: # abakorewe ihohoterwa bahawe ubufasha bw'isanamitima ugereranyije n'abakiriwe bose		0-4

0% 25% 50% 75% 100%

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 3.2: # ibigo bitanga ubufasha bw'isanamitima byujuje ibisabwa		0-4


0% 25% 50% 75% 100%


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 3.3: # abakorewe ihohoterwa banyuzwe/bishimiye ubufasha bw'isanamitima bahawe		0-4


0% 25% 50% 75% 100%

Igiteranyo	0-12
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**Umurongo ngenderwaho (standard) wa 4: Uwakorewe ihohoterwa bishingiye ku gitsina yarindiwe neza umutekano**


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 4.1: # abakorewe ihohoterwa bahawe ubufasha bwo kurindirwa umutekano ( <i>safe houses</i> ) ugereranyije n'abakiriwe bose		0-4
0% 25% 50% 75% 100%		


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 4.2: # abakorewe ihohoterwa bacumbikiwe mu mazu yujuje ibisabwa ugereranyije n'abakiriwe bose		0-4
0% 25% 50% 75% 100%		


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 4.3: # abakorewe ihohoterwa banyuzwe/bishimiye ubufasha bw'umutekano bahawe		0-4
0% 25% 50% 75% 100%		

Igiteranyo	0-12
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**Umurongo ngenderwaho (standard) wa 5: Uwakorewe ihohoterwa rishingiye ku gitsina mu by'umutungo yahawe ubufasha bukwiye**


Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 5.1: # abakorewe ihohoterwa mu by'umutungo bahawe ubufasha bushingiye ugereranyije n'abakiriwe bose		0-4
0% 25% 50% 75% 100%		





Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 5.2: # abakorewe ihohoterwa mu by'umutungo bakemuriwe ibibazo byabo bidaciye mu butabera ugereranyije n'abakiriwe		0-4
0% 25% 50% 75% 100%		

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 5.3: # abakorewe ihohoterwa banyuzwe/bishimiye ubufasha mu by'umutungo bahawe		0-4
0% 25% 50% 75% 100%		

Igiteranyo	0-12
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**Umurongo ngenderwaho (standard) wa 6: Uwakorewe ihohoterwa rishingiye ku gitsina yahawe ubufasha bunoze mu butabera n'ubufasha mu by'amategako**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 6.1: # abakorewe ihohoterwa bahawe ubufasha bwo gutanga ibirego mu		0-4

bugenzacyaha/ubushinjacyaha ugereranyije n'abakiriwe		
	0% 25% 50% 75% 100%	
<b>Igipimo (<i>indicator</i>)</b>	<b>Ijanisha (%)</b>	<b>Amanota (<i>scorecard</i>)</b>
Igipimo 6.2: # abakorewe ihohoterwa bahawe ubufasha bwo gutanga ibirego mu nkiko ugereranyije n'abakiriwe		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (<i>indicator</i>)</b>	<b>Ijanisha (%)</b>	<b>Amanota (<i>scorecard</i>)</b>
Igipimo 6.3: # abakorewe ihohoterwa bahawe abavoka babafasha mu by'amategeko ugereranyije n'abakiriwe		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (<i>indicator</i>)</b>	<b>Ijanisha (%)</b>	<b>Amanota (<i>scorecard</i>)</b>
Igipimo 6.4: # abakorewe ihohoterwa banyuzwe/bishimiye ubufasha mu by'amategeko bahawe		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-16</b>
<b>Igiteranyo rusange</b>		<b>0-80</b>

**Icyitonderwa cya mbere:** Imirongo ngenderwaho (*standards*) umuryango utanga ubufasha mu by'amategeko ku ihohoterwa rishingiye ku gitsina ni itandatu (6) yose hamwe ifite ibipimo (*indicators*) makumyabiri (20). Hakurikijwe umubare w'ibipimo no kuba amanota ya buri gipimo ari hagati ya zero (0) n'ane (4), ibipimo byose hamwe bifite amanota (*scorecard*) ari hagati ya zero (0), inota ribi kurusha ayandi yose na mirongo inani (80), inota ryiza kurusha ayandi yose.

### **Umutwe wa 3: Imirongo ngenderwaho y'umwavoka utanga ubufasha bwo kunganira mu nzego z'ubutabera uwakorewe ihohoterwa rishingiye ku gitsina**

Imwe mu ngingo zigaragaza ko abakorewe ihohoterwa rishingiye ku gitsina bahabwa ubufasha mu by'amategeko ku gihe kandi mu buryo bunoze mu nzego zitandukanye, ni uko baba bafite abavoka babunganira. Abavoka batanga ubufasha basuzuma ko abakorewe ihohoterwa rishingiye ku gitsina bahawe ubuvuzi, barindiwe umutekano kandi ko bakorewe isanamitima.

Ubufasha abavoka batanga bugaragara mbere y'urubanza mu nkiko, igihe cy'urubanza mu nkiko ndetse na nyuma yarwo. Uyu mutwe urebana n'inshingano z'umwavoka ndetse n'ibyo asabwa, igipimo cyabyo n'amanota yatangwa mu kureba ko byakozwe neza.

## **Icyiciro cya mbere: Imirongo ngenderwaho y’umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina mbere yo kuregera urukiko**

Mbere yo kuregera urukiko (*pre-trial phase*), ubugenzacyaha n’ubushinjacyaha babanza gukora iperereza kugira ngo bakusanye ibimenyetso bituma barega mu Rukiko ukurikiranyweho gukora ihohoterwa rishingiye ku gitsina. Kumenya ukuri ku byabaye nicyo kigenderewe mu manza nshinjabyaha kandi biterwa n’uko iperereza ryakozwe neza cyangwa nabi.

Uruhare rw’umwavoka ni ugufasha ubugenzacyaha n’ubushinjacyaha mu nshingano yabo yo gukusanya ibimenyetso bizifashishwa mu rubanza mu mizi. Kubera iyo mpamvu, imirongo ngenderwaho y’umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina ni iyi ikurikira:

### **3.1 Umurongo ngenderwaho wa mbere: uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu bugenzacyaha no mu bushinjacyaha**

Aha hapimwa uruhare uwakorewe ihohoterwa rishingiye ku gitsina afite mu gihe abakekwaho gukora icyaha bakurikiranwa n’ubugenzacyaha n’ubushinjacyaha. Hitabwa kuri ibi bikurikira:

#### **(i). Ikirego cy’uwakorewe ihohoterwa cyateguwe neza**

Guhura no kwakira uwakorewe ihohoterwa rishingiye ku gitsina ni igikorwa gitegurwa neza kandi kigomba gukorwa neza kugira ngo agirire umwavoka icyizere. Ibi ni bimwe bifasha umwavoka kuzamura icyizere cy’uwakorewe ihohoterwa mu gihe bahuye bwa mbere:

- Gutegura neza uwo mubonano wa mbere bitewe n’imiterere y’ikibazo;
- Kumenya uwakorewe ihohoterwa uwo ari we no kumenya ibibazo afite;
- Kugaragara neza bya kimwuga;
- Gucunga neza ibyifuzo by’uwakorewe ihohoterwa no kugaragaza neza imbibi z’iby umwavoka ashinzwe;
- Kumugira inama no kumuha ibisobanuro ku gihe, bikwiriye kandi bihagije bituma uwakorewe ihohoterwa afata icyemezo azi neza;
- Gutegura gahunda igaragaza uko ibikorwa bikurikirana haba ibyakozwe n’ibikurikiraho.

Ibi rero bisaba ubumenyi mu kunganira n’uwakorewe ihohoterwa rishingiye ku gitsina no mu mikoranire y’umwavoka n’uwo yunganira. Kumugira inama itariyo biganisha ku gutakaza icyizere.

Ahereye ku biganiriro bagiranye, umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa agomba gusesengura ikibazo agafata ibyemezo, harimo:

- Kohereza uwakorewe ihohoterwa aho arindirwa umutekano we (*safe house*);

- Gufata ingamba kugira ngo avurwe kandi ahabwe isanamitima n’ababishinzwe;
- Gutegura raporo igaragaza ibyo yabonye, ingamba zafashwe, ibimenyetso byakusanyijwe cyangwa bigomba gukusanywa kugira ngo bitangwe hamwe n’ikirego mu rwego rw’ubugenzacyaha.

**(ii). Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu gihe cy’ibazwa rye**  
Umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina afite inshingano nyinshi ariko cyane cyane ebyeri (2) mu gihe cy’iperereza, arizo kumwunganira mu ikusanya ry’ibimenyetso no guharanira ko uburenganzira bwe budahungabanywa n’abakozi bo mu nzego z’iperereza. Amategako ateganya bumwe mu burenganzira bw’uwakorewe icyaha mu ibazwa.

Mu rwego rwo kwirinda ibyahungabanya imibereho ye bwite, mu gihe cy’ibazwa ry’uwakorewe ihohoterwa rishingiye ku gitsina, hagomba kwitabwa cyane cyane kuri ibi bikurikira:

- Kubazwa ari kumwe n’umuntu yizeye kandi yihitiyemo;
- Kumenyeshwa uburenganzira bwo kutagira icyo atangaza;
- Uburenganzira bwo kumenyeshwa ibyo amategako amuteganyiriza;
- Uburenganzira bwo kutanyomozanya n’uwamukoreye icyaha igihe uwahohotewe ari umwana utarageza ku myaka cumi n’umunani (18);
- Uburenganzira bwo kurindirwa umutekano mu gihe yagaragaje impungenge cyangwa inzego zibishinzwe ubwazo zabonye ko ashobora kugira umutekano muke.

Ukurikije ibyo amategako ateganya, ubushinjacyaha, uwakorewe icyaha cyangwa se abamufiteho uburenganzira iyo baregeye indishyi z’akababaro cyangwa biregeye umuburanyi, ni bo bagomba gutanga ibimenyetso byemeza icyaha. Ibimenyetso bitanzwe ni byo bishingirwaho mu gufata, gufunga no gukurikirana ukekwa icyaha cy’ihohoterwa rishingiye ku gitsina. Niyo mpamvu umwavoka agomba kugira inama no kunganira uwakorewe ihohoterwa mu bugenzacyaha no mu bushinjacyaha, akanagaragaza ko azatanga ikirego cy’indishyi kubera icyaha uwo yunganira yakorewe.

### **(iii). Uwakorewe ihohoterwa agomba kumenyeshwa uko dosiye ye igenda**

Uwakorewe ihohoterwa agomba kumenyeshwa uko dosiye ye igenda itera imbere harimo kumubwira inzego izanyuramo zose kugira ngo ikibazo cye gikemuke.

## **3.2 Umurongo ngenderwaho wa 2: Uwakorewe ihohoterwa yahawe ubufasha bukwiye n’izindi nzego zitanga ubufasha ku bakorewe ihohoterwa rishingiye ku gitsina**

### **(i). Uwakorewe ihohoterwa yoherejwe mu zindi nzego zitanga ubufasha**

Nk’uko byavuzwe ku miryango cyangwa inzego bitanga ubufasha mu by’amategako, umwavoka agomba gufasha uwakorewe ihohoterwa rishingiye ku gitsina kugira ngo ashobore kugana izindi nzego

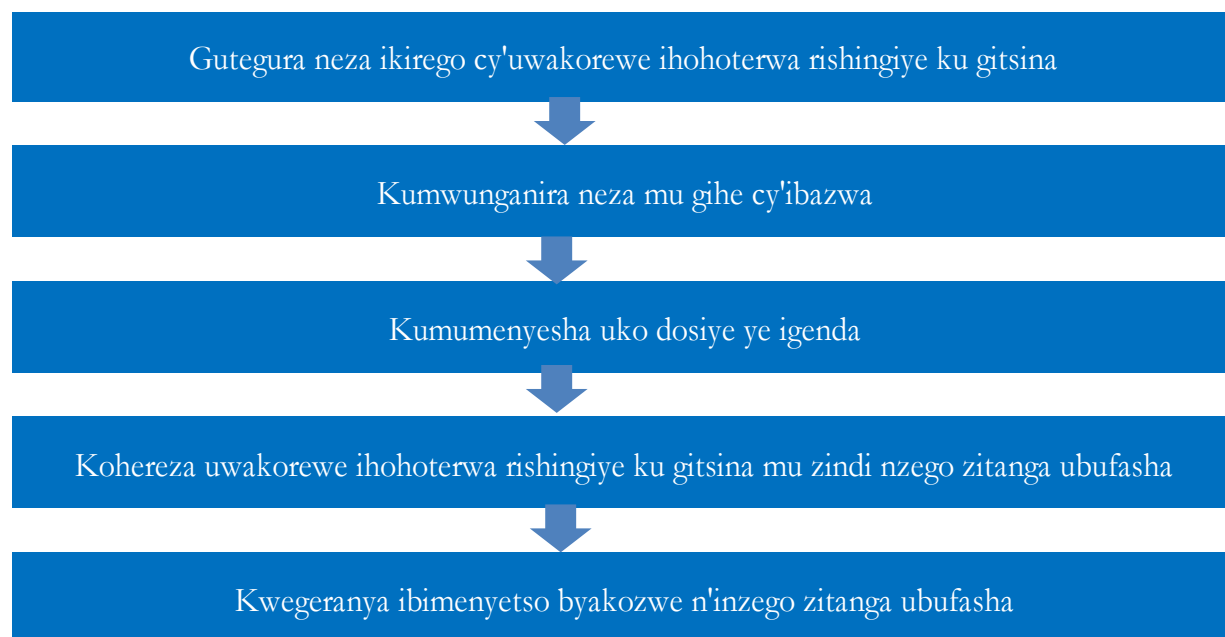
zitanga ubufasha mu buvuzi, mu ihungabana n'umutekano. Ibi bigamije kugira ngo yitabweho ariko kandi hakusanywe ibimenyetso ku ihohoterwa yakorewe bizifashishwa mu gihe cy'iperereza no mu gihe cyo guca urubanza.

**(ii). Ibimenyetso byakozwe n'inzego zitanga ubufasha byegeranyijwe n'umwavoka**

Umwavoka agomba gukurikirana ubufasha uwakorewe ihohoterwa ahabwa muri izo nzego. Agomba no kuba azi neza ko ibimenyetso byavuye muri izo nzego byashyizwe muri dosiye kugira ngo bizakoreshe mu rukiko.

**❖ Uko ibikorwa by'umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina mbere yo kuregera urukiko bikurikirana**

Ibikorwa by'umwavoka utanga serivisi z'ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina mbere yo kuregera urukiko bikurikirana ku buryo bukurikira:



➤ **Imbonerahamwe y'imirongo ngenderwaho (standards), ibipimo (indicators) n'amanota (scorecard) mbere yo kuregera urukiko (pre-trial phase)**

**Umurongo ngenderwaho (standard) wa mbere: Uwahohotewe yunganiwe neza mu bugenzacyaha no mu bushinjacyaha**




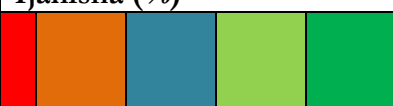
Igipimo (indicator)	Ijanisha (%)	Amanota (scorecard)
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Igipimo 1.1: # abakorewe ihohoterwa bahuye n'abavoka babo nibura rimwe mbere yo gutanga ikirego cyabo mu bugenzacyaha ugereranyije n'abakiriwe		0-4
0% 25% 50% 75% 100%		
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.2: # abakorewe ihohoterwa ryo gufatwa ku ngufu bakiriwe bitarenze amasaha 24		0-4
0% 25% 50% 75% 100%		
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.3: # abakorewe ihohoterwa bunganiwe n'abavoka mu gutanga ikirego cyabo mu bugenzacyaha/ubushinjacyaha ugereranyije n'abakiriwe		0-4
0% 25% 50% 75% 100%		
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.4: # abakorewe ihohoterwa bunganiwe n'abavoka mu ibazwa ryabo mu bugenzacyaha/ubushinjacyaha ugereranyije n'abakiriwe		0-4
0% 25% 50% 75% 100%		
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.5: # amadosiye umwavoka yasabye ko umutangabuhamya/umuhanga umwe nibura abazwa ugereranyije n'amadosiye yose yakiriwe		0-4
0% 25% 50% 75% 100%		
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.6: # amadosiye yaregewe inkiko ugereranyije n'amadosiye yose yakiriwe		0-4
0% 25% 50% 75% 100%		
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.7: # amadosiye yashyinguwe n'ubushinjacyaha ugereranyije n'amadosiye yose yakiriwe		0-4
0% 25% 50% 75% 100%		
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.8: # abakorewe ihohoterwa banyuzwe/bishimiye ubufasha mu by'amategeko bahawe mu bugenzacyaha/ubushinjacyaha		0-4
0% 25% 50% 75% 100%		
<b>Igiteranyo</b>	<b>0-32</b>	

**Umurongo ngenderwaho wa 2: Uwakorewe ihohoterwa yahawe ubufasha bukwiye n'izindi nzego zitanga ubufasha ku bakorewe ihohoterwa rishingiye ku gitsina**

<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
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Igipimo 2.1: # abakorewe ihohoterwa boherejwe mu buvuzi ugereranyije n'abakiriwe		0-4
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 2.2: # abakorewe ihohoterwa boherejwe mu bufasha bw'isanamitima ugereranyije n'abakiriwe		0-4
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 2.3: # abakorewe ihohoterwa umwavoka yasabye ko bacumbikirwa mu mazu y'umutekano ( <i>safe houses</i> ) ugereranyije n'abakiriwe		0-4
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 2.4: # abakorewe ihohoterwa banyuzwe/bishimiye ubufasha mu buvuzi, isanamitima n'umutekano bahawe ugereranyije n'aboherejweyo		0-4
<b>Igiteranyo</b>		<b>0-16</b>
<b>Igiteranyo rusange</b>		<b>0-48</b>

**Icyitonderwa cya 2:** Imirongo ngenderwaho (*standards*) umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsinambere yo kuregera urukiko (*pre-trial phase*) ni ibiri (2), yose hamwe ifite ibipimo (*indicators*) cumi na kimwe (11). Hakurikijwe umubare w'ibipimo no kuba amanota ya buri gipimo ari hagati ya zeru (0) n'ane (4), ibipimo byose hamwe bifite amanota (*scorecard*) ari hagati ya zeru (0), inota ribi kurusha ayandi yose na mirongo ine n'umunani (48), inota ryiza kurusha ayandi yose.

## **Icyiciro cya 2: Imirongo ngenderwaho y'umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina mu gutanga ikirego cy'indishyi mu rukiko**

Aha hapimwa niba ikirego cy'indishyi cyaratanzwe neza n'umwavoka mu rukiko kugira ngo uwakorewe ihohoterwa ahabwe indishyi z'akababaro n'urukiko ruburanisha ukekwa kuba yarakoze icyaha.

Imirongo ngenderwaho ikurikira niyo isabwa umwavoka wunganira uwakorewe ihohoterwa rishingiye ku gitsina kugira ngo agenerwe indishyi zikomoka ku cyaha yakorewe:

### **3.3 Umurongo ngenderwaho wa 3: Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu kirego cyo kuregera indishyi mu rubanza rw'inshinjabyaha utisunze ubushinjacyaha**

#### **(i). Ikirego cyo kuregera indishyi mu rubanza rw'inshinjabyaha utisunze ubushinjacyaha cyatanzwe neza**

Kuregera urukiko utisunze Ubushinjacyaha bikorwa ari uko dosiye y'inshinjabyaha yashyinguwe burundu cyangwa se kubera ko hashize igihe cy'amezi atandatu (6) ku byaha byoroheje n'umwaka umwe (1) ku byaha bikomeye n'ibyaha by'ubugome; Ubushinjacyaha buregewe ntibugire icyo bukora kuri dosiye. Ibihe bivugwa bitangira kubarwa guhera igihe icyo kirego cyagereye mu bushinjacyaha, cyangwa kuva igihe dosiye yagereye mu bushinjacyaha ivuye mu bugenzacyaha. Urukiko rwaregwe rubimenyesha ubushinjacyaha butegatswe kuza muri urwo rubanza.

Kuregera indishyi utisunze ubushinjacyaha ni ikirego uwangirijwe n'icyaha atanga mu Rukiko ruburanisha imanza z'inshinjabyaha agamije ko uwakoze icyaha, uwo bafatanyije cyangwa icyitso cye bahanwa kandi bagategekwa no kwishyura indishyi zihwanye n'ibyo bangije.

Mu gihe ubushinjacyaha bushyunguye dosiye y'ukurikiranyweho icyaha cy'ihohoterwa rishingiye ku gitsina, uwakorewe icyaha agomba kumenyeshwa n'umwavoka icyemezo cyafatiwe dosiye ye n'uburenganzira bimuhesha bwo gutanga ikirego mu rukiko. Umwavoka wunganira abakorewe ihohoterwa agomba gufatanya n'uwo yunganira kugira ngo iki kirego gitegurwe neza kandi gishyikirizwe urukiko rubifitiye ububasha. Bagomba kugaragaza mu kirego ibikorwa ushinjwa akurikiranyweho kugira ngo azashobore gutegura neza kandi vuba urubanza rwe.

#### **(ii). Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu rukiko**

Uretse gutegura ikirego, umwavoka agomba kunganira mu rukiko uwakorewe ihohoterwa rishingiye ku gitsinakugira ngo icyaha gihame ukurikiranywe kandi agihanirwe. Agomba kandi no kumwunganira kugira ngo ahabwe indishyi zikomoka ku cyaha yakorewe.

### **3.4 Umurongo ngenderwaho wa 4: Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu kirego cy'indishyi cyatanzwe mu rukiko**

#### **(i). Ikirego cy'indishyi cyatanzwe neza**

Uwangirijwe n'icyaha cy'ihohoterwa rishingiye ku gitsina ashobora kuregera urukiko rubifitiye ububasha kugira ngo arihwe ibye byononekaye, kuva igihe urukiko rushyikirijwe ikirego cy'inshinjabyaha kugeza igihe iburanisha rirangiriye, abikoreye mu bwanditsi bw'urukiko cyangwa mu iburanisha kandi akabihirwa icyemezo. Kubera ikoranabuhanga, abikorera muri sisitemu IECMS.

Uwangirijwe n'icyaha cy'ihohoterwa rishingiye ku gitsina wifuza kuregera indishyi ashobora guhitamo kuregera urukiko ruburanisha imanza z'inshinjabyaha cyangwa urukiko ruburanisha imanza z'imbonezamubano.

Icyakora, iyo yahisemo urukiko aregera, yaba urw'inshinjabyaha cyangwa urw'imbonezamubano, ntashobora guhindukira ngo atange na none ikirego cye mu rundi rukiko ku kirego kimwe.

Ikirego cy'indishyi zikomoka ku cyaha gisaza nyuma y'imyaka itanu (5) uhereye igihe icyaha cyakorewe. Icyakora, iyo igihe cy'ubusaze bw'ikirego cy'indishyi kigeze mbere y'ubusaze bw'ikirego cy'ikurikiranacyaha, ikirego cy'indishyi gisazira hamwe n'ikirego cy'ikurikiranacyaha.

#### **(ii). Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu rukiko**

Umwavoka agomba gusaba ko urukiko rugena indishyi zihabwa uwakorewe ihohoterwa rishingiye ku gitsina cyangwa abazungura be iyo atakiriho.

Indishyi zishobora kuregwa uwakoze icyaha, uwo bafatanyije gukora icyaha, icyitso cye kimwe n'utegetswe kuriha indishyi. Indishyi zishobora kandi gusabwa abazungura b'uwo uwakoze icyaha.

Umwavoka wunganira uwakorewe ihohoterwa rishingiye ku gitsina agomba:

- Gukusanya amakuru n'umwirondoro by'abakorewe ihohoterwa rishingiye ku gitsina;
- Gutegura no kohereza imyanzuro isaba indishyi mu izina no mu nyungu z'uwo uwakorewe ihohoterwa rishingiye ku gitsina;
- Kureba ko ingwate y'amagarama yishyuye;
- Gukurikirana itariki y'iburanisha;
- Gusaba ko urubanza ruburanishwa mu mwiherero;
- Gukusanya no gutanga ibimenyetso bishinje uregwa, harimo no kubaza abatangabuhamya (niba bahari) n'abahanga nk'abaganga n'abandi kugira ngo ukuri kugaragare kandi ahanwe;
- Gukora ibishoboka kugira ngo uwakorewe ihohoterwa rishingiye ku gitsina atabonana mu rubanza n'uwo arega;
- Gusaba ko uwakorewe ihohoterwa rishingiye ku gitsina agenerwa indishyi zikwiriye.

### **3.5 Umurongo ngenderwaho wa 5: Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu bujurire**

Mu gihe atishimiye imikirize y'urubanza, uwakorewe ihohoterwa rishingiye ku gitsina waregeye kurihwa cyangwa uwaregeye indishyi afite uburenganzira bwo kujurira. Uregera indishyi ajuririra urubanza rwaciye ku byerekeranye n'indishyi gusa. Ubujurire bushobora gutangwa n'umwunganira cyangwa umuhagarariye bemewe n'amategeko.

Kujurira bigomba gukorwa mu gihe kitarenze ukwezi kumwe (1) uhareye ku itariki urubanza rwaciriweho ku muburanyi wari uhari cyangwa ahagarariye igihe urubanza rwacibwaga.

Umuntu ashobora kujurira, abyanditse ku imenyeshya ry'urubanza akabivuga mu bwanditsi bw'urukiko rwacye urubanza, cyangwa mu bwanditsi bw'urukiko rugomba kuburanisha urubanza rw'ubujirire, cyangwa akandikira Perezida wa rumwe muri izo nkiko zombi ibaruwa imumenyeshya ko ajuriye. Kubera ikoranabuhanga, kujurira bikorwa muri sisitemu IECMS.

Mu bujirire, umwavoka akora nk'ibyo yakozwe mu rwego rwa mbere, harimo gusaba indishyi no kunganira uwakorewe ihohoterwa rishingiye ku gitsina.

❖ **Uko ibikorwa by'umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina mu gutanga ikirego cy'indishyi mu rukiko bikurikirana**


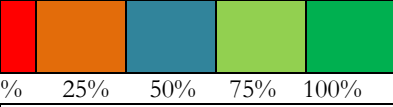
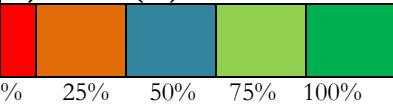

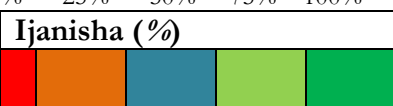
Ibikorwa by'umwavoka utanga serivisi z'ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina mu gutanga ikirego cy'indishyi mu Rukiko bikurikirana ku buryo bukurikirana:





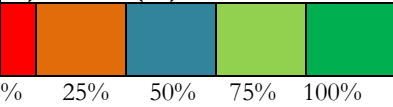

➤ **Imbonerahamwe y'imirongo ngenderwaho (standards), ibipimo (indicators) n'amanota (scorecard) mu gihe cy'iburanisha mu rukiko**


**Umurongo ngenderwaho (standard) wambere: Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu kirego cyo kuregera indishyi mu rubanza rw'inshinjabyaha utisunze ubushinjacyaha**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
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Igipimo 1.1: # ibirego byatanzwe n'umwavoka hatisunzwe ubushinjacyaha ugereranyije n'ibirego byose		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.2: # abaregwa bahamijwe icyaha ugereranyije n'abarezwe bese muri ibi birego		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.3: # amadosiye yatanzwemo indishyi ugereranyije n'amadosiye yose		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.4: # imanza zarangijwe ku ndishyi ugereranyije n'amadosiye yose yatanzwemo indishyi		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 1.5: # abakorewe ihohoterwa banyuzwe/bishimiye ubufasha mu ibirego byatanzwe hatisunzwe ubushinjacyaha		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-20</b>

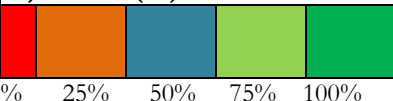
**Umurongo ngenderwaho (standard) wa 2: Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu kirego cy'indishyi cyatanzwe mu rukiko mu rwego rwa mbere**


<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 2.1: # ibirego bisaba indishyi byatanzwe mu Rukiko ku bufasha bw'umwavoka ugereranyije n'ibirego byose		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 2.2: # imanza umwavoka yasabye ko abatangabuhamya/abahanga batanga ubuhamya mu rukiko		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 2.3: # imanza zatanzwemo indishyi ugereranyije n'amadosiye yose		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>
Igipimo 2.4: # imanza zarangijwe ku ndishyi ugereranyije n'amadosiye yose yatanzwemo indishyi		0-4
	0% 25% 50% 75% 100%	
<b>Igipimo (indicator)</b>	<b>Ijanisha (%)</b>	<b>Amanota (scorecard)</b>

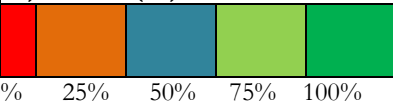
Igipimo 2.5: # abakorewe ihohoterwa banyuzwe/bishimiye uburyo bunganiwe mu birego by'indishyi byatanze		0-4
0% 25% 50% 75% 100%		


<b>Igiteranyo</b>	<b>0-20</b>
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**Umurongo ngenderwaho (standard) wa 3: Uwakorewe ihohoterwa rishingiye ku gitsina yunganiwe neza mu kirego cy'indishyi cyatanze mu bujirire**

Igipimo (indicator)	Ijanisha (%)	Amanota (scorecard)
Igipimo 3.1: # amadosiye yajuririwe ku gihe ugereranyije n'ibirego byose		0-4
0% 25% 50% 75% 100%		

Igipimo (indicator)	Ijanisha (%)	Amanota (scorecard)
Igipimo 3.2: # imanza umwavoka yasabye ko abatangabuhamya/abahanga batanga ubuhamya mu bujirire		0-4
0% 25% 50% 75% 100%		

Igipimo (indicator)	Ijanisha (%)	Amanota (scorecard)
Igipimo 3.3: # imanza inkiko zategetsemo indishyi mu bujirire		0-4
0% 25% 50% 75% 100%		

Igipimo (indicator)	Ijanisha (%)	Amanota (scorecard)
Igipimo 3.4: # imanza zarangijwe ku ndishyi ugereranyije n'imanza zose zatanzwemo indishyi		0-4
0% 25% 50% 75% 100%		

Igipimo (indicator)	Ijanisha (%)	Amanota (scorecard)
Igipimo 3.5: # abakorewe ihohoterwa banyuzwe/bishimiye uburyo bunganiwe mu bujirire		0-4
0% 25% 50% 75% 100%		

<b>Igiteranyo</b>	<b>0-20</b>
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<b>Igiteranyo rusange</b>	<b>0-60</b>
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**Icyitonderwa cya 3:** Imirongo ngenderwaho (standards) umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsinamu gihe cy'iburanisha mu rukiko ni itatu (3), yose hamwe ifite ibipimo (indicators) cumi na bitanu (15). Hakurikijwe umubare w'ibipimo no kuba amanota ya buri gipimo ari hagati ya zero (0) n'ane (4), ibipimo byose hamwe bifite amanota (scorecard) ari hagati ya zero (0), inota ribi kurusha ayandi yose na mirongo itandatu (60), inota ryiza kurusha ayandi yose.

### **Icyiciro cya 3: Imirongo ngenderwaho y’umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina nyuma y’icibwa ry’urubanza**

Nyuma y’icibwa ry’urubanza, umwavoka asabwa gukurikirana irangiza ryarwo no kumugira inama ku buzima n’umutekano bye.

#### **3.6 Umurongo ngenderwaho wa 6: Irangiza ry’urubanza ku ndishyi ryakozwe neza**

Aha hapimwa irangiza ry’urubanza rikozwe neza kandi ku gihe ku bijyanye n’indishyi zagenewe uwakorewe ihohoterwa rishingiye ku gitsina.

##### **(i). Uwakorewe ihohoterwa rishingiye ku gitsina yahujwe n’umuhesha w’inkiko**

Umwe mu bashinzwe gukurikirana irangizwa ry’imanza ni uwatsindiye indishyi, ku byerekeye indishyi yatsindiye.

Umwavoka agomba kumenyesha uwakorewe ihohoterwa rishingiye ku gitsina wagenewe indishyi n’Urukikoibisabwa kugira ngo urubanza rwe rushobore kurangizwa harimo kureba ko urubanza rwabaye itegeko, kubona kopi y’urubanza, no gutezaho inyandikompuruza.

Umwavoka agomba guhuza uwakorewe ihohoterwa rishingiye ku gitsina wagenewe indishyi n’Urukiko n’umuhesha w’inkiko kugira ngo icyemezo cy’Urukiko gishyirwe mu bikorwa.

##### **(ii). Umuhesha w’inkiko yarangije urubanza**

Irangizwa ry’imanza rikorwa n’aba bakurikira:

- Abahesha b’inkiko b’umwuga;
- Abahesha b’inkiko batari ab’umwuga bavugwa mu itegeko rigenga umurimo w’abahesha b’inkiko.

Mu mirimo iri mu bubasha bw’umuhesha w’inkiko, harimo kurangiza ibyemezo by’inkiko. Bityo rere, umuhesha w’inkiko w’umwuga afite ububasha bwo kurangiza imanza zageneye indishyi uwakorewe ihohoterwa rishingiye ku gitsina.

Hakurikijwe ububasha bushingiye ku ifasi no ku mirimo yabo, abahesha b’inkiko batari ab’umwuga bashobora gufasha uwakorewe ihohoterwa rishingiye ku gitsina ushaka kurangiza urubanza rwe. Muri bo harimo:

- Umunyamabanga Nshingwabikorwa w’Akarere;



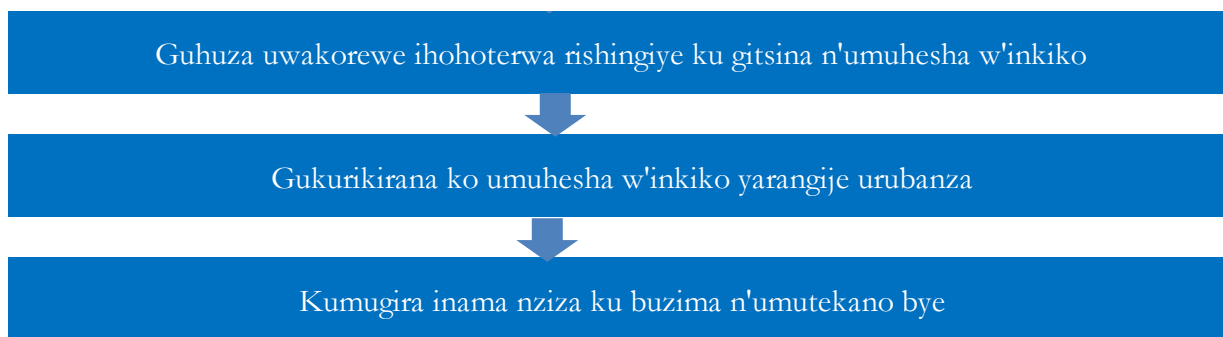
- Umunyamabanga Nshingwabikorwa w'Umurenge;
- Abungirije abayobozi b'Ibiro by'Ubutabera bishinzwe kugira inama abaturage.

### 3.7 Umurongo ngenderwaho wa 7: Uwakorewe ihohoterwa rishingiye ku gitsina yagiriwe inama nziza ku buzima n'umutekano bye

Nyuma y'iburanisha ndetse na nyuma yo kurangiza urubanza, uwakorewe ihohoterwa rishingiye ku gitsina aba akeneye ubufasha ku buzima no ku mutekano bye. Kubera iyo mpamvu, umwavoka agomba kumumenyesha uburyo ubuzima n'umutekano bye byabungwabungwa kugira ngo atongera guhohoterwa.

#### ❖ Uko ibikorwa by'umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina nyuma y'icibwa ry'urubanza bikurikirana


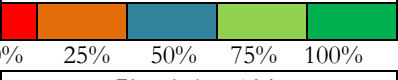

Ibikorwa by'umwavoka utanga serivisi z'ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsina nyuma y'icibwa ry'urubanza bikurikirana ku buryo bukurikira:





#### ➤ Imbonerahamwe y'imirongo ngenderwaho (standards), ibipimo (indicators) n'amanota (scorecard) nyuma y'icibwa ry'urubanza

**Umurongo ngenderwaho (standard) wa mbere: Irangiza ry'urubanza ku ndishyi ryakozwe neza**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.1: # abatsindiye indishyi bamenyeshejwe uburenganzira bwo kurangiza urubanza	 0% 25% 50% 75% 100%	0-4
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.2: # imanza kopi y'urubanza yabonetse	 0% 25% 50% 75% 100%	0-4

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.3: # abatsindiye indishyi bahuje n'umuhesha w'inkiko		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.4: # abatsindiye indishyi bazihawe		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 1.5: # abakorewe ihohoterwa bagenewe indishyi banyuzwe/bishimiye ubufasha bahawe mu irangiza ry'ianza		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-20</b>

**Umurongo ngenderwaho (standard) wa 2: Uwakorewe ihohoterwa rishingiye ku gitsina yagiriwe inama nziza ku buzima n'umutekano bye**

Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.1: # abakorewe ihohoterwa bamenyeshejwe uburenganzira bwabo nyuma y'urubanza		0-4
	0% 25% 50% 75% 100%	
Igipimo ( <i>indicator</i> )	Ijanisha (%)	Amanota ( <i>scorecard</i> )
Igipimo 2.2: # abakorewe ihohoterwa banyuzwe/bishimiye imenyeshesha ry'uburenganzira bwabo nyuma y'urubanza		0-4
	0% 25% 50% 75% 100%	
<b>Igiteranyo</b>		<b>0-8</b>
<b>Igiteranyo rusange</b>		<b>0-28</b>

**Icyitonderwa cya 4:** Imirongo ngenderwaho (*standards*) umwavoka utanga ubufasha bwo kunganira uwakorewe ihohoterwa rishingiye ku gitsinanyuma y'icibwa ry'urubanzani ibiri (2), yose hamwe ifite ibipimo (*indicators*) bindwi (7). Hakurikijwe umubare w'ibipimo no kuba amanota ya buri gipimo ari hagati ya zeru (0) n'ane (4), ibipimo byose hamwe bifite amanota (*scorecard*) ari hagati ya zeru (0), inota ribi kurusha ayandi yose na makumyabiri n'umunani (28), inota ryiza kurusha ayandi yose.

## Umwanzuro

Imirongo ngenderwaho igomba gukurikizwa n'imiryango cyangwa inzego n'umwavoka batanga ubufasha mu by'amategeko ku bijyanye n'ihohoterwa rishingiye ku gitsina irebana no kwakira neza uwakorewe ihohoterwa, kumenya ko yahawe ubuvuzi, guhumurizwa ku ihungabana, kurindirwa umutekano, no guhabwa ubundi bufasha mu butabera n'amategeko.

Iyi mirongo ngenderwaho irebana kandi no kwemeza ko uwakorewe ihohoterwa rishingye ku gitsina yunganiwe mu nzira zose zo gutanga ikirego, iz'iburanisha rya mbere, iz'ubujurire, izirebana no kuregera indishyi, n'iz'irangizarubanza, hatirengagijwe ubujyanama ku buzima n'umutekano bye mu gihe gikurikira icibwa n'irangizwa ry'urubanza.

## **Inyandiko fatizo n'izifashishijwe**

Itegeko Nshinga rya Repubulika y'u Rwanda ryo mu 2003 ryavuguruwe mu 2015

Itegeko n° 59/2008 ryo ku wa 10/09/2008 rikumira kandi rihana ihohoterwa iryo ari ryo ryose rishingiye ku gitsina

Itegeko N° 30/2013 ryo kuwa 24/5/2013 ryerekeye imiburanishirize y'imanza z'inshinjabyaha

Itegeko n° 32/2016 ryo ku wa 28/08/2016 rigenga abantu n'umuryango

Itegeko No 22/2018 ryo ku wa 29/04/2018 ryerekeye imiburanishirize y'imanza z'imbonezamubano, iz'ubucuruzi, iz'umurimo n'iz'ubutegetsu

Itegeko N°68/2018 ryo ku wa 30/08/2018 riteganya ibyaha n'ibihano muri rusange

Itegeko n° 71/2018 ryo ku wa 31/08/2018 ryerekeye kurengera umwana

## Umugereka

Nyuma yo gutanga ibisobanuro birambuye mu mirongo ngenderwaho mu gutanga ubufasha mu by'amategeko ku bibazo mbonezamubano n'umuryango, imanza z'inshinyabwaho n'ihohoterwa rishingiye ku gitsina, hanateganyijwe izindi nyandiko zihinye zafasha abatanga ubufasha mu by'amategeko kurushaho kunoza no gukurikirana imirimo bakora.

Ni muri urwo rwego hashyizweho amafishi anyuranye (*forms*) zakwifashishwa kugira ngo, kuri buri rwego, hagire amakuru atangwa ajyanye n'inshingano z'utanga ubufasha mu by'amategeko, uburyo yabikoze, uburenganzirwa bw'uwo y'unganira ndetse n'aho urubanza rwaba rugeze.

Igihe utanga ubufasha mu by'amategeko cyangwa avoka asimburanye n'undi ndetse n'igihe hakorwa igenzura, bigafasha mu kubona amakuru. Ibi bituma kandi hanozwa ubufasha mu by'amategeko ndetse uburenganzira bwa buri mugenerwabikorwa bukarushaho kurengerwa ku nzego zose zijyanye n'ikibazo mbonezamubano cyangwa urubanza.

<b>IFISHI YUZUZWA MU KWAKIRA UMUGENERWABIKORWA</b>
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No y'idosiye: \_\_\_\_\_ Itariki: \_\_\_\_\_ Isaha ikiganiro gitangiriyeho: \_\_\_\_\_

<b>I. UMWIRONDO RO W'UHABWA UBUFASHA</b>	
Amazina	
Amazina ya se	
Amazina ya nyina	
Itariki y'amavuko	
Igitsina	<input type="checkbox"/> Gore <input type="checkbox"/> Gabo
Irangamimerere	<input type="checkbox"/> Ingaragu <input type="checkbox"/> Yarashatse  <input type="checkbox"/> Yarapfakaye <input type="checkbox"/> Yatandukanye n'uwo bashyingiranywe
Ubwenegihugu:	
No y'indangamuntu/ikindi cyangombwa	
Aho abarizwa (Umudugudu, Akagari, Umurenge, Akarere)	
Amashuri yize	<input type="checkbox"/> Abanza <input type="checkbox"/> Ayisumbuye <input type="checkbox"/> Kaminuza <input type="checkbox"/> Ayandi (sobanura):
Akazi akora	
No ya telefoni	
Umwihariko w'usaba ubufasha (ubupfubyi, ubumuga, ibindi)	
Icyiciro cy'ubudehe arimo:	
Icyemezo cy'uko atishoboye	
Agaragaza ihungabana ?	<input type="checkbox"/> Yego (sobanura) <input type="checkbox"/> Oya
Umuhagarariye (niba ari ngombwa)	
<b>2. UKO USABA YAMENYE IKIGO/ UMURYANGO UTANGA UBUFASHA</b>	
<input type="checkbox"/> Yarabibwiwe <input type="checkbox"/> Radio <input type="checkbox"/> TV <input type="checkbox"/> Umuryango/ikigo baradusuye mu Mudugudu/Akagari/Umurenge <input type="checkbox"/> Interineti <input type="checkbox"/> Ubundi buryo (sobanura):	
<b>3. UMWIRONDO RO W'UWO BAFITANYE IKIBAZO</b>	
Amazina :	
Igitsina :	
Aho abarizwa :	
Akazi akora	
Isano bafitanye	

No ya telefoni:	
<b>4. UKO IKIBAZO GITEYE</b> (ukomereze ku rundi rupapuro niba ari ngombwa)	
<b>5. UBWOKO BW'IKIBAZO</b>	
<input type="checkbox"/> Inshinjabyaha <input type="checkbox"/> Imbonezamubano <input type="checkbox"/> Ubucuruzi <input type="checkbox"/> Ubutegetsu <input type="checkbox"/> Umurimo	
<input type="checkbox"/> Ibindi.....	
<b>Inshinjabyaha :</b> Ubujura <input type="checkbox"/> Gukubita cyangwa gukomeretsa umuntu <input type="checkbox"/> Inyandiko mpimbano <input type="checkbox"/> Gusambanya umwana <input type="checkbox"/> GBV <input type="checkbox"/> Gukoresha undi imibonano mpuzabitsina ku gahato <input type="checkbox"/> Ubushoreke <input type="checkbox"/> Ibindi <input type="checkbox"/>	
<b>Imbonezamubano :</b> Ubutaka <input type="checkbox"/> Umuryango <input type="checkbox"/> Izungura <input type="checkbox"/> Ubutane <input type="checkbox"/> Gushakisha umubyeyi <input type="checkbox"/> Indezo <input type="checkbox"/> Ibindi <input type="checkbox"/>	
<b>Ibyerekeye ubucuruzi/umurimo/ubutegetsu:</b> Sobanura.....	
<b>6. URUHANDE USABA UBUFASHA AHEREREYEMO MU RUBANZA</b> ( <i>type of lega laid seeker</i> )	
<input type="checkbox"/> Urega <input type="checkbox"/> Uregwa <input type="checkbox"/> Uregera indishyi <input type="checkbox"/> Ukurikiranyweho icyaha	
<input type="checkbox"/> Uwakorewe icyaha/uwahohotewe <input type="checkbox"/> Ikindi.....	
<b>7. IBYEMEZO BYAFASHWE MBERE/BYAKOZWE N'UFASHWA MU BY'AMATEGEKO</b>	
Ni ibihe bintu ufashwa mu by'amategeko yakoze mu rwego rwo gukurikirana ikibazo ?	
Hari abandi bafasha mu by'amategeko yifashishije? Yego <input type="checkbox"/> Oya <input type="checkbox"/> Niba ari yego ni abahe? ..... Ikibazo cyashyikirijwe: Abayobozi <input type="checkbox"/> Komite y'abunzi <input type="checkbox"/> Inkiko <input type="checkbox"/> Nta na kimwe <input type="checkbox"/> Ahandi..... Uko dosiye ihagaze: Yaranditswe <input type="checkbox"/> Irakigwaho <input type="checkbox"/> Yagejejwe mu bujurire <input type="checkbox"/> No ya Dosiye:..... Urukiko:.....	
<b>8. IKIBAZO CY'AMATEGEKO KIRIMO</b>	
<b>9. INAMA AGIRIWE</b>	
<input type="checkbox"/> Kunga/Kwiyunga <input type="checkbox"/> Koherezwa ahandi/mu zindi nzego	

- ☐ Kugeza ikibazo cye mu butabera  
☐ Iyindi

**Sobanura inama**

**agiriwe:**.....  
 .....  
 .....

Inama agiriwe arayemeye : Yego☐ Oya☐

**10.GUTANGA UBUBASHA BWO GUKURIKIRANA IKIBAZO KU MURYANGO/URWEGO/URUGAGA**

a. Uremera ko Umuryango ..... utanga ubufasha mu by'amategeko ukurikirana ikibazo cyawe ?

☐ Yego ☐ Oya

b. Uremera guha umuryango ..... utanga ubufasha mu by'amategeko amakuru ajyanye n'ikibazo cyawe?

☐ Yego ☐ Oya

**11.UBUFASHA AHawe**

- ☐ Akorewe imbanzirizamushinga wo kwiyinga  
☐ Yandikiwe ibaruwa  
☐ Akorewe umwanzuro  
☐ Azakorerwa ubuvugizi  
☐ Asabiwe avoka  
☐ Ubundi bufasha:

**Sobanura ubufasha ahawe:**

**12. UKO IKIBAZO GIKURIKIRANWA**

Itariki y'igikorwa	Icyakozwe n'icyagezweho	Imbogamizi	Igikorwa gikurikiraho



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### 13. GUPFUNDIKIRA/KURANGIZA IKIBAZO

a. Impamvu y'ipfundikirwa/irangizwa ry'ikibazo

Ikibazo/urubanza rwarangiye ☐ Yatanze amakuru atariyo ☐ Kwimana amakuru ☐  
Kutubahiriza gahunda yahanye n'avoka/umuryango/urwego/ikigo ☐ Ibindi ☐

b. Incamake y'umwanzuro wa nyuma ku kibazo/icyemezo cy'urukiko

c. Ikigaragaza ko ikibazo/urubanza rwarangiye

Kopi y'urubanza ☐ Umwanzuro wa Komite y'Abunzi ☐ Inyandiko igaragaza ko biyunze ☐  
Ibindi ☐

d. Uhabwa ubufasha yamenyeshejwe ikizakurikiraho?

### 14. IBYEREKEYE UMUFASHA MU BY'AMATEGEKO/UMUNYAMATEGEKO

Jyewe, uvugwa hasi, niyemeje gukomeza kubika amabanga yose yerekeye amakuru nahawe

**Amazina y'utanga ubufasha mu by'amategeko.....**

Itariki..... Isaha ikiganiro kirangiriyeho:.....

Umukono:.....

No ya telefoni:.....

**IKIRANGO  
CY'IKIGO/UMURYANGO  
UTANGA UBUFASHA MU  
BY'AMATEGEKO**

**IZINA RY'IKIGO/UMURYANGO UTANGA UBUFASHA MU  
BY'AMATEGEKO**

**URUPAPURO RW'UFASHWA MU BY'AMATEGEKO RUJYANYE NO  
KWIMURA IKIBAZO**

Itariki yo kwimuriraho ikibazo : .....

N° y'idosiye

: .....

**1. IBYO UMUNTU AKENERA KUMENYA**

Urwego ufashwa mu by'amategeko yoherejwemo :

.....

Amazina y'ufashwa mu by'amategeko :

.....

Inimero y'indangamuntu :

.....

Aho atuye ubu (Akarere, Umurenge, Akagari, Umudugudu) :

.....

Umuhagarariye (niba ari ngombwa)

.....

**2. UBWOKO BW'IKIBAZO**

Mpanabyaha ☐ Mbenezamubano ☐ Ubucuruzi ☐ Ubutegetsi ☐ Umurimo ☐

Mbenezamubano : Ubutaka ☐ Umuryango ☐ Izungura ☐ Ubwishingizi ☐ Ibindi ☐ .....

Mpanabyaha : Ubujura ☐ Ihohotera rishingiye ku gitsina ☐ Ubushotoranyi ☐ Ibyaha bya jenocide ☐

Ibindi ☐ .....

Ibyerekeye ubutegetsi / Ubucuruzi (sobanura)

.....

**3. IMPAMVU ZO KWIMURA IKIBAZO**

☐ Ntigihuye n'ubushobozi bw' ikigo/umuryango

☐ Ntigihuye n'inshingano z' ikigo/umuryango

☐ Cyoherejwe umwavoka cyangwa umudefanseri

☐ Ikigo/umuryango nta bushobozi gifite ubu

☐ Hasanzweho amasezerano yo guhererekanya ibibazo hagati y'ibigo/imiryango

☐ Ibindi (sobanura) :

.....

.....

**4. IBYEREKEYE UMUFASHA MU BY'AMATEGEKO / UMUNYAMATEGEKO**

Amazina y'umufasha mu by'amategeko / Umunyamategeko : .....

Aho abarizwa : ..... Telefoni : .....

Umukono : .....

Izina n'umukono by'umuyobozi (niba ari ngombwa):

.....

## IFISHI IGARAGAZA UKO UWAHawe UBUFASHA MU BY'AMATEGEKO YANYUZWE N'UBUFASHA YAHawe

Itariki: \_\_\_\_\_

<b>1. UMWIRONDO W'UWAHawe UBUFASHA</b>	
Amazina y'uwahawe ubufasha (niba abishaka)	
Itariki y'amavuko	
Igitsina	<input type="checkbox"/> Gabo <span style="margin-left: 150px;"><input type="checkbox"/> Gore</span>
Irangamimerere	<input type="checkbox"/> Ingaragu <span style="margin-left: 150px;"><input type="checkbox"/> Yarashatse</span> <input type="checkbox"/> Yatandukanye n'uwo bashyingiranywe <input type="checkbox"/> Yarapfakaye
Ubwenegihugu	
Aho abarizwa (Umudugudu, Akagari, Umurenge, Akarere)	
No ya telefoni (niba ayifite)	
<b>2. AMAKURU AJYANYE N'IKIBAZO/URUBANZA YARI AFITE</b>	
Ubufasha yahawe	
Amazina y'uwatanze ubufasha	
<b>3. UKO UMUGENERWABIKORWA YANYUZWE N'UBUFASHA YAHawe</b>	
<input type="checkbox"/> Ntabwo nanyunzwe na mba <input type="checkbox"/> Nanyuzwe buke <input type="checkbox"/> Nanyuzwe cyane <b><u>Sobanura:</u></b> ..... ..... .....	
<b>4. IKINDI WUMVA WAKONGERAHO</b>	
..... ..... .....	

Umukono w'uwahawe ubufasha mu by'amategeko

\_\_\_\_\_