The Legal Aid Forum

INYANDIKO IKUBIYEMO IBISOBANURO KU MATEGEKO AKUMIRA AKANAHANA IHOHOTERWA RISHINGIYE KU GITSINA MU RWANDA

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IRIBURIRO

Aka gatabo kagenewe abantu bose bifuza kugira ubumenyi ku bijyanye n'ihohotera rishingiye ku gitsina, uburenganzira bw'uwahohotewe ndetse n'uburyo yabugeraho. Aka gatabo kandi gafasha kumenya icyo ihohotera rishingiye ku gitsina ari cyo n'uburyo wakwirinda kandi ugakumira ku ihohotera rishingiye ku gitsina. Wakorewe ihohoterwa, aka gatabo kaguha amakuru ku bijyanye n'uburenganzira n'uburyo bwo kubugeraho. Hagaragaramo kandi amakuru ku bijyanye n'ibikorerwa uwahohotewe ndetse n'aho yabisanga.

Aka gatabo kazagufasha kandi kumenya uburenganzira bwawe no kwirinda ihohoterwa rishingiye ku gitsina.

Aka gatabo kakaba kagizwe n'uduce 6. Ubaye uri umukangurambaga mu baturage, aka gatabo kagufasha gutanga ikiganiro ku ihohoterwa rishingiye ku gitsina no gukorera ubuvugizi abahohotewe kugera ku butabera no kwivuza.

Aka gatabo kateguwe hifashishijwe Itegeko No 59/2008 rikumira kandi rihana ihohoterwa iryo ari ryo ryose rishingiye ku gitsina, itegeko n° 01/2012/OL ryo kuwa 02/05/2012 rishyiraho igitabo cy'amategeko ahana ibyaha mu Rwanda ndetse n'imfashanyigisho ku ihohoterwa rishingiye ku gitsina yakozwe na Minisiteri y'uburinganire n'iterambere ry'umurango.

UBUSOBANURO N'IBIHANO BY'IBIKORWA BY' IHOHOTERA RISHINGIYE KU GITSINA

I.1 Ihohoterwa rishingiye ku gitsina rikorerwa abashyingiranywe

I.1.1 Ihohoterwa rishingiye ku gitsina

Ihohoterwa rishingiye ku gitsina ni igikorwa icyo ari cyo cyose gikorerwa umuntu haba ku mubiri, mu mitekerereze, ku myanya ndangagitsina no ku mutungo, kubera ko ari uw'igitsinagore cyangwa uw'igitsinagabo. Icyo gikorwa kimuvutsa uburenganzira bwe kandi kikamugiraho ingaruka mbi. Iryo hohoterwa rishobora gukorerwa mu ngo cyangwa hanze yazo.

I.1.2 Ubushyingiranywe

Ubushyingiranywe ni amasezerano yo kubana hagati y'umugore n'umugabo akozwe mu buryo bwemewe n'amategeko. Ukoze andi masezerano ya kabiri aya mbere atarasheswe aba akoze ibyitwa ''*Ubuharike*'' kandi bihanwa n'amategeko.

I.1.3 Ubuharike

Ubuharike ni ukugira amasezerano ya kabiri (2) y'ubushyingiranywe aya mbere agifite agaciro. Mu ngingo ya 246 y'igitabo cy'amategeko ahana ibyaha mu Rwanda ateganya igihano cy'umuntu ushyingirwa bwa kabiri hatabanje guseswa isezerano ry'ubushyingiranywe rya mbere uhanishwa igifungo kuva ku mezi atandatu (6) kugeza ku myaka ibiri (2) n'ihazabu y'amafaranga y'uRwanda kuva ku bihumbi ijana (100.000) kugeza ku bihumbi Magana atanu (500.000) cyangwa kimwe gusa muri ibyo bihano.

Amategeko kandi ahana uwemera gushyingiranwa n'undi aziko asanganywe isezerano ry'ubushyingiranywe cyangwa undi wese uri mu muhango w'ubushyingiranywe agahisha amakuru y'ubushyingiranywe bwa mbere butasheshwe, ahanishwa ibihano byavuzwe haruguru.

Itegeko kandi rihana umuntu wese ugize uruhare mu gikorwa cy'ubuharike abigambiriye atanga ibyangombwa cyangwa yakira amasezerano y'ubushyingiranywe azi neza ko hari andi, ahanishwa igifungo kuva ku myaka ibiri (2) kugeza ku myaka itanu (5).

I.1.4 Ubushoreke

Ubushoreke n'imibanire nk'umugabo n'umugore ku buryo buhoraho, ku bantu batashyingiranywe, umwe muri bo afite uwo bashyingiranywe.

Birabujijwe kandi kubuza umudendezo umwe mu bashyingiranywe, hakorwa ubushoreke, ubuharike, ubushoreke cyangwa ubusambanyi.

Kuva ku ngingo ya 247 kugeza ku ya 249 y'igitabo cy'amategeko ahana ibyaha mu Rwanda biteganyijwe ko umuntu wese uhamwe n'icyaha cy'ubushoreke n'uwemeye kuba inshoreke, ahanishwa igifungo kuva ku mezi atandatu (6) kugeza ku myaka ibiri (2) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi ijana (100.000) kugeza ku bihumbi magana abiri (200.000).

Gukurikirana icyaha cy'ubusambanyi n'icy'ubushoreke ntibishobora kuba hatareze uwahemukiwe mu bashyingiranywe kuburyo bwemewe n'amategeko. Muri icyo gihe, hakurikiranwa uwarezwe n'uwakoranye icyaha na we.

Uwahemukiwe ni ukuvuga uwakorewe icyaha ashobora gusaba guhagarika ikurikirana ry'urubanza, aho rwaba rugeze hose, iyo yisubiyeho akareka ikirego cye. Uwahemukiwe ashobora kandi gusaba guhagarika irangiza ry'urubanza rwabaye ndakuka mu nyungu z'umuryango. Iryo hagarika ry'ikurikirana ry'urubanza cyangwa ry'irangiza ryarwo bireba n'uwakoranye icyaha n'uregwa ni ukuvuga inshoreke.

I.1.5 Ubusambanyi

Ubusambanyi n'imibonano mpuzabitsina ikozwe n'uwashyingiwe akayikorana n'uwo batashyingiranywe.

Ingingo ya 245 y'igitabo cy'amategeko ahana ibyaha mu Rwanda iteganya ko umuntu wese uhamwe n'icyaha cy'ubusambanyi, ahanishwa igifungo kuva ku mezi atandatu (6) kugeza ku mwaka umwe (1). Ibihano biteganyijwe mu gika cya mbere cy'iyi ngingo ni na byo bihanishwa uwo basambanye.

Gukurikirana icyaha cy'ubusambanyi nabyo ntibishobora kuba hatareze uwahemukiwe mu bashyingiranywe. Uwahemukiwe ashobora guhagarika ikurikirana ry'urubanza, aho rwaba rugeze hose, iyo yisubiyeho akareka ikirego cye. Ashobora kandi guhagarika irangiza ry'urubanza. Iryo hagarika ry'ikurikirana ry'urubanza cyangwa irangizwa ryarwo bireba abakoranye na we icyo cyaha ni ukuvuga uwo basambanye.

I.1.6 Gufata ku ngufu

Gukoresha imibonano mpuzabitsina ku gahato ni ugukoresha undi muntu imibonano mpuzabitsina nta bwumvikane bubayeho, hakoreshejwe imbaraga, iterabwoba cyangwa uburiganya.

Umuntu wese ukoresha imibonano mpuzabitsina ku gahato ahanishwa igifungo kirenze imyaka itanu (5) kugeza ku myaka irindwi (7). Iyo gufata ku ngufu byakozwe ku muntu ugeze mu zabukuru, ufite ubumuga cyangwa w'umurwayi, igihano kiba igifungo kuva ku myaka irindwi

(7) kugeza ku myaka icumi(10) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi magana atanu (500.000) kugeza kuri miliyoni imwe (1.000.000).

Iyo gufata ku ngufu byateye uwabikorewe uburwayi budakira, uwabikoze ahanishwa igifungo kuva ku myaka icumi (10) kugezaku myaka cumi n'itanu (15). Iyo gufata ku ngufu byateye uwabikorewe urupfu, uwabikoze ahanishwa igifungo cya burundu.

I.1.7 Igisobanuro cyo gusambanya umwana

Nk'uko biteganywa n'ingingo ya 190 y'igitabo cy'amategeko ahana ibyaha mu Rwanda, gusambanya umwana ni imibonano mpuzabitsina yose cyangwa ishingiye ku bitsina ikorewe umwana uko yaba ikozwe kose n'icyaba cyakoreshejwe cyose.

Ingingo ya 191 yo y'igitabo cy'amategeko ahana ibyaha mu Rwanda ihana umuntu wese usambanyije umwana, ahanishwa igifungo cya burundu y'umwihariko. Gusambanya umwana bikozwe n'umufiteho ububasha. Iyo icyaha cyo gusambanya umwana cyakozwe n'umubyeyi we cyangwa ushinzwe kumurera, uhagarariye ubutegetsi,uhagarariye idini, ushinzwe umutekano,ukora umwuga w'ubuvuzi, ukora umwuga w'uburezi, uwitoza umwuga n'abandi bose bishingikirije umwuga bakora cyangwa ububasha bafite ku mwana, uwagikoze ahanishwa igifungo cya burundu cy'umwihariko n'ihazabu y'amafaranga y'uRwanda kuva ku bihumbi ijana (100.000)kugeza ku bihumbi magana atanu (500.000).

I.1.8 Gukoresha imibonano mpuzabitsina ku gahato uwo bashyingiranywe

Gukoresha imibonano mpuzabitsina ku gahato uwo bashyingiranywe n' igikorwa cyose kigamije imibonano mpuzabitsina gikozwe n'umwe mu bashyingiranywe nta bwumvikane bubayeho, hakoreshejwe ingufu, iterabwoba, uburiganya n'ibindi.

Umuntu wese ukoresha imibonano mpuzabitsina ku gahato uwo bashyingiranywe, ahanishwa igifungo kuvaku mezi abiri (2) ariko kitageze ku mezi atandatu (6) n'ihazabu y'amafaranga y'uRwanda kuva ku bihumbi ijana (100.000) kugeza ku bihumbi magana atatu (300.000) cyangwa kimwe gusa muri ibyo bihano nk'uko bitegaywa n'ingingo ya 199 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

Iyo icyo cyaha cyateye uburwayi busanzwe uwagikorewe, uwagikoze ahanishwa igifungo kuva ku mezi atandatu (6) kugeza ku myaka ibiri (2). Naho iyo icyo cyaha cyateye uwagikorewe

uburwayi budakira, uwagikoze ahanishwa igifungo kirenze imyaka itanu (5) kugeza ku myaka icumi (10). Iyo icyo cyaha cyateye uwagikorewe urupfu, uwagikoze ahanishwa igifungo cya burundu.

Gukurikirana icyaha cyo gukoresha imibonano mpuzabitsina ku gahato ntibishobora kandi kuba hatareze uwahemukiwe mu bashyingiranywe. Uwahemukiwe ashobora gusaba guhagarika ikurikirana ry'urubanza, aho rwaba rugezehose, iyo yisubiyeho akareka ikirego cye. Uwahemukiwe ashobora kandi gusabaguhagarika irangiza ry'urubanza rwaciwe kunyungu z'umuryango.

I.1. 9 Ibikorwa by'urukozasoni

Ingingo ya 182 y'igitabo cy'amategeko ahana ibyaha mu Rwanda isobanura ko ibikorwa by'urukozasoni ari ibikorwa bibangamira umuco bishingiye ku gitsina, bikorewe umuntu uwo ari we wese. Ni ibikorwa kandi cyangwa imyitwarire itandukanye n'imyitwarire myiza n'imyifatire mbonezabupfura bitesha umuntu agaciro kandi bikamubangamira mu muco.

Naho ingingo ya 183 y'igitabo cy'amategeko ahana ibyaha mu Rwanda ihana icyaha cy'urukozasoni cyakozwe ku mwana cyangwa cyagambiriwe ku mwana ariko kitashoboye gusozwa gihanishwa igifungo kuva ku myaka ibiri (2) kugeza ku myaka itanu (5) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi ijana (100.000) kugeza ku bihumbi magana abiri (200.000).

Ingingo ya 184 yo igahana umuntu wese ukoze icyaha cy'urukozasoni ku ngufu, amayeri cyangwa ibikangisho bigiriwe umuntu ufite nibura imyaka cumi n'umunani (18) y'amavuko, ahanishwa igifungo kuva ku mezi atandatu (6) kugeza ku myaka ibiri (2).

Iyo icyo cyaha cyateye uburwayi uwagikorewe, uwagikoze ahanishwa igifungo kuva ku myaka ibiri (2) kugeza ku myaka itanu (5). Iyo icyo cyaha cyateye uwagikorewe uburwayi budakira, uwagikoze ahanishwa igifungo kuva ku myaka icumi (10) kugeza ku myaka cumi n'itanu (15). Iyo icyo cyaha cyateye uwagikorewe urupfu, uwagikoze ahanishwa igifungo cya burundu.

I.1.10 Guhoza uwo bashyIngiranwe ku nkeke

Guhoza umuntu ku nkeke ni uguhora ukorera umuntu ibikorwa bimubuza amahoro nko kumutoteza, kumucyurira, kumucunaguza, kumugaya, kumutuka n'ibindi. Umuntu wese ugaragaweho igikorwa cyo guhoza ku nkeke uwo bashyingiranywe nko kumutuka, kumukubita, kumukomeretsa, kumuvunisha, kumubuza uburenganzira ku mutungo n'ikindi gikorwa icyo ari cyo cyose kimubuza kubaho mu mudendezo,ahanishwa igifungo kuva ku mezi atatu (3) ariko kitageze ku mezi atandatu (6). Ibyo bikaba bitegaywa mu ngingo ya 240 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

I.1.11 Guta urugo

Umwe mu bashyingiranywe uta urugo rwe mu gihe kirenze ukwezi kumwe nta mpamvu zikomeye kandi akihunza ibyo ategetswe byose cyangwa bimwe, bishingiye ku bubasha bwa kibyeyi cyangwa ku bwishingizi bw'uburere bwemewe n'itegeko, ahanishwa igifungo kuva ku mezi atatu (3) ariko kitageze ku mezi atandatu (6) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi magana abiri (200.000) kugeza kuri miliyoni eshatu (3.000.000) cyangwa kimwe gusa muri ibyo bihano mu ngingo ya 243 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

Ni na byo bihano bihabwa umugabo utaye umugore we ku bushake, nta mpamvu ikomeye, mu gihe kirenze iminsi cumi n'itanu (15) azi ko atwite.

Ibihe bivugwa hejuru mu gika kibanziriza iki birorera kubarwa iyo nyir'ubwite ni ukuvuga uwataye urugo abiciyemo, akagaruka mu rugo rwe.

Icyakora, bisabwe n'uwakorewe icyaha, ikurikiranacyaha cyangwa irangizarubanza bishobora guhagarikwa ku nyunguz'umuryango n'icyemezo cy'ubushinjacyaha ku birebana n'ikurikiranacyaha cyangwa se n'urukiko mu gihe urubanza rwaciwe.

I.1.12 Gukoresha umutungo w'urugo bidaturutse ku bwumvikane bw'uwo bashyingiranywe

Mu ngingo ya 241 y'igitabo cy'amategeko ahana ibyaha mu Rwanda iteganya ko umuntu wese utanga, ugurisha, ugwatiriza cyangwa ukoresha umutungo w'urugo atabyumvikanyeho n'uwo bashyingiranywe, ahanishwa igifungo kuva ku mezi atatu (3) ariko kitageze ku mezi atandatu (6).

Uwakira umutungo azi neza ko bidaturutse ku bushake bw'abashyingiranywe, ahanishwa igifungo kuva ku mezi abiri (2) ariko kitageze ku mezi atandatu (6) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi magana atanu (500.000) kugeza kuri miliyoni imwe (1.000.000) cyangwa kimwe gusa muri ibyo bihano kandi agasubiza uwo mutungo cyangwa amafaranga ahwanye n'agaciro kawo.

Naho umuntu wese ugira uruhare mu gukoresha umutungo w'urugo bidaturutse ku bwumvikane bw'abashingiranwe, ahanishwa igifungo kuva ku mezi atandatu (6) kugeza ku mwaka umwe (1) n'ihazabu y'amafaranga y'Urwanda kuva kuri miliyoni imwe (1.000.000)k ugeza kuri miliyoni eshanu(5.000.000) cyangwa kimwe gusa muri ibyo bihano.). Icyi cyaha gikurikiranwa gusa iyo kiregewe n'umwe mu bashyingiranwe.

I.1.13 Kubuza ubwisanzure mu kuboneza urubyaro

Umuntu wese witwaza ubushyingirane, agahohotera uwo bashyingiranywe cyangwa akamuhoza ku nkeke kubera icyemezo yafashe ku birebana no kuboneza urubyaro, ahanishwa igifungo kuva ku mezi abiri (2) ariko kitageze ku mezi atandatu (6) nk'uko bitegaywa n'ingingo ya 239 y'igitabo cy'amategeko ahana ibyaha mu Rwanda. Icyi cyaha gikurikiranwa gusa iyo kiregewe n'umwe mu bashyingiranwe. Ibyo bikaba bitegaywa n'ingingo ya 239 y'itegeko rihana ibyaha mu Rwanda.

I.1.14 Kwanga gutanga ibitunga uwo bashyingiranywe, abamukomokaho cyangwa abo akomokaho

Umuntu wese waciriwe n'Urukiko urubanza rwabaye ndakuka rwo gutanga ibitunga uwo bashyingiranywe, abamukomokaho nk'abana be cyangwa abo akomokaho nk'ababyeyi be, akamara igihe kirenze amezi abiri (2) abishaka adatanze ibyo yategetswe, nk'uko bitegeywa n' ingingo ya 238 y'itegeko rihana ibyaha mu Rwanda, ahanishwa igifungo kuva kumezi atandatu (6) kugeza ku mwaka umwe (1) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi mirongo itanu (50.000) kugeza kuri miliyoni ebyiri (2.000.000) cyangwa kimwe gusa muri ibyo bihano.

I.1.15 Kwica uwo bashyingiranywe

Kwica uwo bashyingiranywe ni ubwicanyi umwe mu bashyingiranywe akorera undi.Kwica uwo bashyingiranywe bihanishwa igifungo cya burundu nk'uko bitegaywa n'ingingo ya 142 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

II. Ibindi bikorwa by'ihohotera rishingiye ku gitsina n'uko bihanwa n'amategeko

II.1.1 Ibihano ku cyaha cy'ihohoterwa rishingiye ku gitsina rikoresheje imiti, ibiyobyabwenge, amashusho, ibimenyetso, imvugo cyangwa inyandiko

Umuntu wese ukoresha imiti, ibiyobyabwenge, amashusho, ibimenyetso, imvugo cyangwa inyandiko, agamije gukora ihohoterwa rishingiye ku gitsina, ahanishwa igifungo kuva ku mezi atandatu (6) kugezaku myaka ibiri (2) n'ihazabu y'amafaranga y' u Rwanda kuva ku bihumbi magana atanu (500.000) kugeza kuri miliyoni ebyiri (2.000.000) cyangwa kimwe gusa muri ibyo bihano mu ngingo ya 202 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

II.1.2 Guhoza uwo ukuriye ku nkeke ugamije gukorana na we imibonano mpuzabitsina

Umukoresha cyangwa undi wese witwaza imirimo ashinzwe agahoza uwo akuriye mukazi ku nkeke akoresheje amabwiriza,ibikangisho cyangwa iterabwoba agamije kwishimisha bishingiye ku gitsina,ahanishwa igifungo kuva ku mezi atandatu (6) kugeza ku myaka ibiri (2) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi ijana (100.000) kugeza ku bihumbi Magana abiri (200.000) mu ngingo ya 203 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

II.1.3 Kutita ku mwana hashingiwe ku gitsina

Umuntu wese utita ku mwana yabyaye kubera ko ari umuhungu cyangwa umukobwa, akamutoteza cyangwa agatoteza uwo bamubyaranye, ahanishwa igifungo kuva ku mezi atatu (3) ariko kitageze kumezi atandatu (6) n'ihazabu y'amafaranga kuva ku bihumbi magana atatu (300.000) kugeza kuri miliyoni imwe (1.000.000). Umuntu wese utita ku mwana ashinzwe kurera ashingiye ku gitsina, ahanishwa ibihano bivugwa mu gika cya mbere cy'iyi ngingo. Ibyo bikaa biteganijwe mu ngingo ya 228 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

II.1.4 Kwanga gutabara uwahohotewe cyangwa kwanga gutanga ubuhamya ku ihohoterwa

Umuntu wese wanga gutabara cyangwa gutabariza uwakorewe ihohoterwa rishingiyeku gitsina, uwanze gutanga ubuhamya ku ihohoterwa ryakozwe, ahanishwa igifungokuva ku mezi atatu (3) ariko kitageze kumezi atandatu (6) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi ijana (100.000) kugeza ku bihumbi magana atatu (300.000) nk'uko bitegaywa n'ingingo ya 216 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

II.1.5 Gutwara cyangwa gufungirana umuntu hagamijwe kubanana we nk'umugabo n'umugore

Gutwara cyangwa gufungirana umuntu hagamijwe kubana nawe nk'umugabo n'umugore, bihanishwa igifungo kuva ku mwaka umwe (1) kugeza ku myaka itatu (3) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi mirongo itanu (50.000) kugeza ku bihumbi magana abiri (200.000) mu ngingo ya 274 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

II.1.6 Guhatira undi gushyingiranwa n'uwo adashaka cyangwa kumubuza gushyingiranwa n'uwo ashaka

Ingingo ya 275 y'igitabo cy'amategeko ahana ibyaha mu Rwanda iteganya ko umuntu wese uhatira undi gushyingiranwa n'uwo adashaka cyangwa akamubuza gushyingiranywa n'uwo ashaka akoreshejeuburyo ubwo ari bwo bwose ahanishwa igifungo kuva ku kwezi kumwe (1) kugezaku mezi atanu (5) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi ijana (100.000) kugeza ku bihumbi magana atanu (500.000) cyangwa kimwe gusa muri ibyobihano .

II.1.7 Igihano ku cyaha cyo gusebya cyangwa gutoteza undi kubera ko ari umugore cyangwa umugabo hagamijwe kumutesha agaciro cyangwa kugatesha umurimo we

Umuntu wese usebya cyangwa utoteza undi kubera ko ari umugore cyangwa umugabo, hagamijwe kumutesha agaciro cyangwa kugatesha umurimo we, ahanishwa igifungo kuva ku mezi abiri (2) ariko kitageze ku mezi atandatu (6) n'ihazabu y'amafaranga y'uRwanda kuva ku bihumbi magana abiri (200.000) kugeza ku bihumbi magana atanu (500.000) cyangwa kimwe gusa muri ibyo bihano mu ngingo ya 276 y'igitabo cy'amategeko ahana ibyaha mu Rwanda.

II.1.8 Kwigarurira umuntu hagamijwe kwishimisha

Kwigarurira umuntu hagamijwe kwishimisha ni ibikorwa umuntu akorera undi agamije kwishimisha bishingiye ku gitsina, yitwaje igitsure, ububasha, umutungo cyangwa ubundi buryo ubwo ari bwo bwose. Ibyo bikorwa bishobora kuba bigamije gukora imibonano mpuzabitsina, gukorakora, kwambika ubusa, gufata amafoto, kwerekana umuntu yambaye ubusa cyangwa kumukinisha imibonano mpuzabitsina, gukoresha igitsina ku yindi myanya y'umubiri n'ibindi.

II.1.9 Umuntu ugeze mu zabukuru

Umuntu wese urengeje imyaka mirongo itandatu n'itanu (65) y'amavuko afatwa nk'umuntu ugeze mu zabukuru kandi w'umunyantege nke. Ingingo ya 236 y'igitabo cy'amategeko ahana ibyaha mu Rwanda ateganya ko umuntu wese utoteza umuntu ugeze mu zabukuru agamije inyungu ze bwite cyangwa z'undi, ahanishwa igifungo kuva ku mezi atandatu (6) kugeza ku myaka ibiri (2) n'ihazabu y'amafaranga y'u Rwanda kuva ku bihumbi magana abiri (200.000) kugeza kuri miliyoni eshatu (3.000.000) cyangwa kimwe gusa muri ibyo bihano.

III. Zimwe mu mpamvu zitandukanye zitera ihohoterwa rishingiye ku gitsina

Bimwe mu bintu bitera ihohotera rishingiye ku gitsina ni ibi bikurikira:

- Ubukene : Gutinya gutakaza amaramuko, kugeza uhohoterwa yicwa.
- Ubujiji : kutamenya uburenganzira bubarinda ihohoterwa, guceceka ihohoterwa ku barikorerwa, ku baturanyi barirebera, kuba bifatwa nk'ibisanzwe
- Umuco: Ngo niko zubakwa (20% b'abagore bahohoterwa n'abagabo babo)
- Guhohoterwa akumva ari ibisanzwe,
- Ubugome kamere (Ukora ihohoterwa aba afite ubugome muri we),
- Ukwikuza no gushaka igitinyiro yitwaza imbaraga afite cyangwa umwanya (ngo ugutegeka agukubita aryamye)
- Ubusumbane mu mibanire y'umugore n'umugabo, umuhungu n'umukobwa
- Amategeko: Icyaha cy'ihohoterwa nticyari cyarahawe uburemere mu mategeko mpanabyaha
- Uburere bubi
- Igitugu
- Ukwikunda
- Ubugugu
- Ishyari
- Inda nini n'ubusambo
- Ubusinzi
- Ubusambanyi
- Ubuharike n'ubushoreke

- Uburakari
- Amabwire
- Kudahuza idini cyangwa imitekerereze
- Imyumvire mike ku buringanire …

I.V Aho ihohoterwa riboneka cyangwa ribera

- Mu ngo : usanga ihohoterwa ryinshi rikorerwa mu ngo.Mu muryango mugari
- Mu kazi
- Mu mashuri
- Mu madini,…

V. Uburenganzira bw'uwahohotewe

- Kubazwa ibyerekeranye n'urubanza rwe n'umuntu yizeye;
- Kumenyeshwa uburenganzira yemererwa n'amategeko;
- Gucungirwa umutekano igihe bibaye ngombwa;
- Gusaba bibaye ngombwa ko urubanza rubera mu muhezo;
- Kuregera urukiko atisunze Ubushinjacyaha igihe dosiye yashyinguwe
- Kumenyeshwa iyo uwamukoreye icyaha arekuwe by'agategenyo;
- atorotse cyangwa agizwe umwere;
- Kugira uburenganzira bwo kuba yatanga ikirego cy'indishyi.

V.1 Ibyerekeye no kuregera indishyi z'akababaro

Ukorewe icyaha cy'Ihohoterwa rishingiye ku gitsina n'undi wese cyagizeho ingaruka afite uburenganzira bwo kuregera indishyi.Icyo kirego cy'indishyi kiba kigamije kuryoza ibyangiritse biturutse kuri icyo cyaha.

Indishyi zishobora kuregwa abakoze icyaha, abafatanyije icyaha, ibyitso byabo kimwe n'abategetswe kuriha indishyi. Zishobora kandi gusabwa abashinzwe kuzungura uwakoze icyaha.

Iyo ikirego cy'indishyi cyatanzwe mu rukiko ruburanisha imanza z'inshinjabyaha, ibijyanye n'indishyi rubiburanisha hakurikijwe amategeko agenga imiburanishirize y'imanza z'imbonezamubano n'ubutegetsi.

Iyo ikirego cy'indishyi gitanzwe imbere y'urukiko ruburanisha imanza z'inshinjabyaha, rushobora, rubyibwirije cyangwa se rubisabwe n'umwe mu baburanyi, gutandukanya ikirego cy'indishyi n'icy'inshinjabyaha mu gihe ikirego cy'indishyi gishobora kubangamira cyangwa gutinza iburanisha ry'ikirego cy'inshinjabyaha.

Urubanza rw'indishyi ruba ruhagaze kuburanishwa mu gihe cyose urubanza rw'inshinjabyaha ruba rutaracibwa burundu, iyo ikirego cy'inshinjacyaha cyatanzwe mbere cyangwa mu gihe cy'iburanisha ry'ikirego cy'indishyi.

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

Ikirego cy'indishyi ntigishobora gutangwa imbere y'Urukiko ruburanisha imanza z'inshinjabyaha iyo ikirego cy'ikurikiranacyaha cyashaje.

Ariko, iyo Urukiko ruburanisha imanza z'inshinjabyaha rwaregewe n'ikirego cy'indishyi, rushobora gukomeza kukiburanisha mu gihe ikirego cy'ikurikiranacyaha cyasaziye mu rukiko ushinjwa yarapfuye cyangwa harabayeho imbabazi z'itegeko.

Icyitonderwa: Iyo umuntu aretse ikirego cy'indishyi ntibihagarika ikurikiranacyaha.

V.2 Ishyingiranwa n'igabana ry'umutungo w'ababanaga nk'umugore n'umugabo ku buryo butemwe n'amategeko bigenda bite ?

Kuri iki kibazo cy'abantu babana mu buryo butemewe n'amategeko ariko muri bo hakagira umwe ushyingiranwa n'undi mu buryo buteganywa n'amategeko, bashyingirwa hakurikije ihame ry'ubushyingiranywe bw'umugabo umwe n'umugore umwe.

Amategeko ateganya ko icyo gihe mbere y'uko ishyingirwa ribaho uwabanaga n'abagore cyangwa n'abagabo benshi, abanza kugabana ku buryo bungana na buri wese mu bo babanaga, umutungo bari bafitanye cyangwa bahahanye mbere y'uko ashyingirwa kandi iryo gabana ry'umutungo rigakorwa ku buryo ritavutsa abana babyaranye uburenganzira bahabwa n'amategeko.

Mbere y'uko iri tegeko risokoka abagore cyangwa abagabo babanaga batarashyingiranywe iyo batandukanaga bagendaga uko baje nta kintu bagenewe ku mutungo bar ibafitanye wasangaga bahora basaba ko bagira uburenganzira ku mitungo y'abo babanaga mu gihe umwe mur ibo ashatse cyangwa se ashyingiranywe n'undi muntu, yaba uwo babanaga cyangwa se undi yihitiyemo, amategeko twagenderagaho ntacyo yabageneraga na kimwe uretse kuba basubizwa umutungo bashyize hamwe kandi nawo bafitiye ibimenyetso, byaba atari ibyo ntibagire icyo bahabwa.

VI. INZEGO ZIFASHISHWA IGIHE HABAYEHO IHOHOTERWA RISHINGIYE KU GITSINA

Hari inzego zitandukanye mu rwego rwo kwita ku bahohotewe zitanga zitanga ubufasha burimo kubarindira umutekano, kubavuza, kubaha ubujyanama no kubafasha guteza imbere imibereho yabo,bakanunganirwa mu mategeko. Izo nzego zikaba ari izi zikurikira:

- Ibitaro n'amavuriro;
- Inzego z'ubuyobozi uhereye ku z'ibanze na Polisi y'igihugu;
- Inzego z'ubutabera nk'Inkiko n'Urwego rw'Ubushinjacyaha;
- Inzego zikorera mu baturage nk'iz'imiryango itegamiye kuri Leta;
- Imiryango y'abahohotewe.

Abayobozi batandukanye, baturage n"imiryango y"abahohotewe bafiteinshingano zikomeye zo kwita kuyobora no kubaha ubufasha babakeneyeho. Kuikubitiro muri ubwo bufasha ni ukubageza kwa muganga, noneho izindi nzegozigakora ubufasha bukurikiyeho

VI. 1 Inzego zishinzwe umutekano na Polisi y'igihugu

Izi nzego zikora iperereza guta muri yombi ukekwaho icyaha,kugeza dosiye mu Rukiko. Izo nzego kandi zitanga ubufasha n' ubujyanama ku batangabuhamya, kubungabunga umutekano w'abahohotewe.

VI.2 Ibitaro, amavuriro n' ibigo nderabuzima

Izi nzego zo zishinzwe kumenya neza uko ihohoterwa ryagenze; gukora ibizamini birambuye ku ihohoterwa,ibimenyetso byose byaryo bigakusanywa bigashyikirizwa ubushinjacyaha (byaba na ngombwa hagakorwa ibizamini ku bafashwe ku ngufu. Izi nzego kandi ninazo zishinzwe kuvura ibikomere n'imvune zose, gusuzuma niba nta gusama kwabayeho (byibuze mu masaha), kuvura indwara zandurira mu mibonanompuzabitsina, kuyobora no gukurikiranira hafi uwahohotewe.

VI.3 Inzego z'ubuyobozi n'imiryango itegamiye kuri Leta

Gutega amatwi uwahohotewe no kumuyobora mu nzego zamufasha nko kwivuza, guha uwahohotewe ubujyanama bumugarura mu buzima busanzwe no guhabwa ubwunganizi mu Nkiko.

VI.4 Inzego z'ubutabera

Iyo bavuze inzego z'ubutabera ni ukuvuga Urwego rw'Ubushinjacyaha n'Inkiko. Izi nzego rero zikaba zishinja icyaha zinakurikiza amategeko uwakoze icyaha akabiryozwa, zinatanga kandi ubufasha mu by'amategeko (harimo n'ubwunganizi mu rubanza ku bufatanye n'Urugaga rw'Abavoka mu Rwabda) no guha indishyi z'akababaro uwahohotewe.

VI.5 Ingo n'abaturage

Gutega amatwi no guhumuriza uwahohotewe, gufasha uwahohotewe ntahishire ibyamubayeho kugirango ahabwe ubutabera n'indishyi z'akababaro, kumuba hafi no kumuyobora, kwifatanya nawe no kumuha ubujyanama no kumubikira ibanga. Aha twakwibutsa ko uhishira ihohoterwa rishingiye ku gitsina nawe amategeko amuhana.