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Sentare mpanavyaha mpuzamakungu mu ncamake

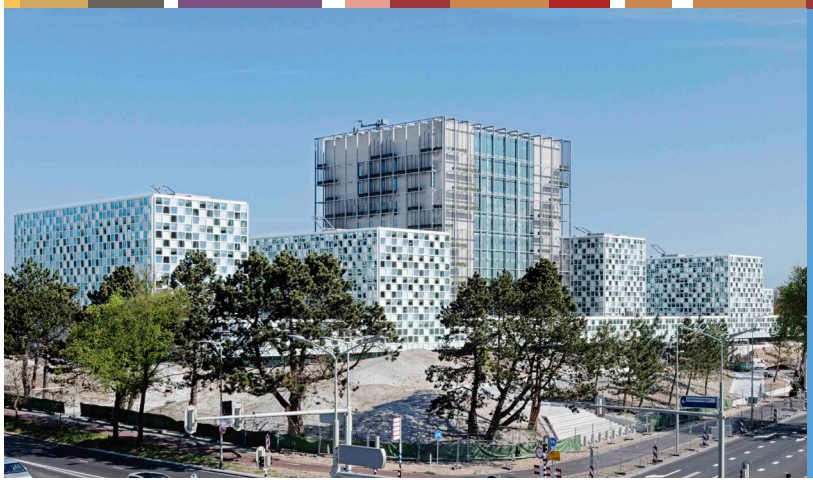

Photo: Simon Bosch

Sentare mpanavyaha mpuzamakungu (CPI), itegekanijwe n'Amasezerano y'i Roma, n'urwego rwambere mpuzamakungu ntayegayezwa rwashinzwe n'Amasezerano mpuzamakungu kugira rufashe guhagarika ukudahanwa kw'abakoze ivyaha bihambaye cane bihungabanya amakungu. Sentare mpanavyaha mpuzamakungu n'Ishirahamwe mpuzamakungu ryigenga, ritari mw'ishirahamwe mpuzamakungu yo kw'isi yose (ONU). Icicaro cayo kiri La Haye, mu Buholande. Naho ikoresha amafranga ahanini yatanzwe n'ibihugu vyemeje amasezerano y'i Roma, Sentare mpanavyaha mpuzamakungu iranaronka intererano y'ama leta, amashirahamwe mpuzamakungu, abantu, amashirahamwe n'ibindi bisata.

Amakungu yari yarifuje igihe kirekire ishingwa rya Sentare mpuzamakunga yigenga, arahava yumvikana mu kinjana ca mirongibiri (XX) ingene yotomora icaha c'ihonyabwoko,ivyaha vy'agahomera bunwa n'ivyaha vyo mu ngwano.

Sentare za Nurenberg na Tokyo zaraciriye imanza abakoze ivyaha vyo mu ngwano, ivyaha bihungabanya amahoro n'ivyaha vy'agahomerabunwa vyakozwe mu ngwano y'isi yose ya kabiri. Mu myaka ya 1990, ingwano y'ugushamirana iheze, harabaye umwumvikano wamakungu, harashingwa ama sentare mpanavyaha mpuzamakungu azoraba ivyabaye mu gihugu cahora citwa Yougoslavie no mu Rwanda munzira y'ukwiyamiriza ukudahanwa. Kubera yuko izo sentare zashinzwe ngo zihweze ivyaha vyakozwe mu ntambara z'ico gihe gusa, vyahavuye biba ngombwa ko Sentare mpanavyaha yigenga kandi ntayegayezwa ishingwa.

Kw'igenekerzo rya 17 Mukakaro 1998, amakungu yaragize intambwe ihambaye cane aho ibihugu 120 vyemeza Amasezerano y'i Roma, ashira ho Sentare mpanavyaha mpuzamakunga yigenga. Ayo masezerano yatanguye gukurikizwa kw'igenekerezo rya mbere Mukakaro 2002, amaze kwemezwa n'ibihugo 60.

Ububasha

Sentare mpanavyaha mpuzamakunga ifise ububasha bw'ukwihweza ivyaha bikomeye cane bibabaza amakungu yose, ivyo bikaba ari icaha c'ihonyabwoko, ivyaha vy'agahomerabunwa n'ivyaha vyo mungwano vyakozwe inyuma y'igenekerezo rya mbere Mukakaro 2002.

Amasezerano y'i Roma n'ayandi mategeko nkayo biratomora neza kimwe kimwe cose mur'ivyo vyaha. Sentare mpanavyaha mpuzamakunga irafise n'ububasha bw'ukwihweza icaha c'agasomborotso iyo ivyangombwa vyose vyashinzwe mu Nama y'ugusubiramwo Amasezerano y'i Roma yabereye i Kampala (mu Buganda) muri 2010 bikwiye. Sentare mpanavyaha mpuzamakunga ifise ububasha bw'ukwihweza ivyo vyaha vyiyamirizwa kw'isi yose iyo vyakorewe mu gihugu cemeje kikanashirako umukono amasezerano y'i Roma canke vyakozwe n'umunyagihugu waco. Ariko ivyo vyangombwa ntibisabwa iyo Umushikirizamanza yarungikiwe urubanza n'Inama ijejwe umutekano y'Ishirahamwe mpuzamakunge y'isi yose ; ingingo zayo zibwirizwa kwubahirizwa n'ibihugu vyose bihurikiye mw'ishirahamwe mpuzamakungu y'isi yose, canke iyo igihugu catangaje ko cemeye ububasha bwa Sentare mpanavyaha mpuzamakungu.

Sentare mpanavyaha mpuzamakungu ntigamije gusubirira inzego z'igihugu zijejwe guhana ivyaha; ishaka ahubwo kuzunganira. Ntishobora gukurikirana n'ugucira urubanza abantu atari uko inzego z'igihugu zibijejwe zitatanguye urubanza canke ngo zibe zemeje ubushake bw'ukubikora ariko mu vyukuri zidashaka canke zidashobora gukurikirana neza ivyaha. Iyo ngingo ngenderwako niy'ukwuzuzanya. Har'uburyo butatu bw'ingene Ibiro vy'umushikirizamanza atangura amatohoza canke akurikirana abakoze ivyaha :

- Ibihugu vyemeje bikanashirako umukono amasezerano y'i Roma bishobora gutura ibigoranye Ibiro vy'Umushikirazamanza;
- Inama ijejwe umutekano w'Ishirahamwe mpuzamakungu y'isi yose ishobora gusaba Ibiro gutangura amatohoza;
- Ibiro vy'Umushikirazamanza bishobora kwituma gutangura amatohoza vyisunze amakuru yavuye ahandu hukwizerwa. Muri ico gihe, ibiro vy'Umushikirizamanza bibwirizwa kubanza gusaba uruhusha Igisata kijejwe amatohoza ntangamarara, kigizwe n'abacamanza batatu bigenga.

Nta budahangarwa bubaho

Ukuba umukuru w'igihugu, ukuba muri Leta canke mu Nama nshingamategeko, kub'umuntu yatowe canke umukozi wa Leta ntibibuza namba gukurikiranwa canke kwagira icaha.

Abategetsi n'intwazangabo mu gisirikare barashobora kwagira ivyaha vyakozwe n'abantu bakurira , bagaba akaba aribo babaha amategeko. Ariko, Sentare mpanavyaha mpuzamakunga ntishobora gukurikirana abantu batari bwashikane imyaka 18 igihe icaha kivugwa coba carakozwe.

Uburenganzira bw'abakorewe n'abagirizwa ivyaha

Hakurikijwe amategeko agenga Sentare mpanavyaha mpuzamakungu, abakorewe ivyaha barashobora kurungikira Ibiro vy'Umushikirizamanza amakuru yerekeye ivyaha Sentare ifitiye ububasha. Kuva ubutungane mpanavyaha mpuzamakungu bubaho, abakorewe ivyaha barafise uburenganzira bw'ugukurikira urabanza n'ugusaba indishi. N'ukuvuga ko, bashobora kurenguka iyo Sentare ishashe kuva mu ntango gushika urubanza ruhere kugira basure kandi bavuge uko babona ibintu n'ibibabangamiye. Muri iyo ntumbero, bararonka uwubaserukira mu kuburana n'imfashanyo yoba ikenewe.

Ibiro vy'iyandikiro ry'imanza birafasha abakorewe ivyaha n'amasura kugira uburenganzira bwabo bwubahirizwe, bikabashigikira mu gihe c'iburanishwa ry'imanza, kandi, iyo bikenewe, bikabakingira. Sentare mpanavyaha mpuzamakungu ishobora gucira abakorewe ivyaha indishi z'ubwoko butandukanye , nk'ugusubiza abantu ivyabo, ugusubizwa agateka n'indishi y'amafranga. Ibihugu vyemeje Amasezerano y'i Roma vyarashinze ikigega c'ugutunganiriza abakorewe ivyaha biri mu bubasha bwa Sentare mpanavyaha mpuzamakungu, hamwe n'imiryango yabo, kikabaha indishi ishobotse naho uwagiriye icaha ata tunga rikwiye yoba afise ngo arihe iyo ndishi. Ugukingira uburenganzira bw'uwagirizwa icaha ni ngombwa kugira urubanza ruburanishwe ata karenganyo kandi rucike nkuko bikwiye.

Ibiro vy'iyandikiro ry'imanza , bijejwe ivyerekeye abagirizwa ivyaha, yarateguye urutonde rw'abashingwamanza kugira ngo, nkuko amategeko agenga iburanishwa ry'imanza n'ivyemezo abishinga , abashingwamanza baburana imbere ya Sentare babifitiye ubushobozi kandi bubaha ametegeko agenga umwuga wabo mu gihe cose c'iburanishwa ry'urubanza. Sentare mpanavyaha mpuzamakunga iraha ibikoresho bikenewe abashingwamanza kandi biramutse bikenewe irabafashisha amafranga.

Inzego za Sentare

Ubuyobozi bwa Sentare

Ubuyobozi bwa Sentare bugizwe n'Umukuru wa Sentare n'ivyegera vyiwe bibiri, batowe mu bacamaza 18 ba Sentare. Ubwo buyobozi bushinzwe gutunganya neza ingene Sentare ikora; ariko sibwo bujejwe Ibiro vy'umushikirizamanza. Kandi ubwo buyobozi burumvikana n'Ibiro vy'Umushikirizamanza mungene bakora, bakanaj'inama ku bibazo vyose bahuriza ko inyungu.

Muvyo Ubuyobozi bwa Sentare bujejwe hari mwo n'amabanga yerekeye ivy'imanza hamwe n'imigenderanire n'abanywanyi bo hanze.

Ibisata

Ibisata bitatu vya Sentare, birimwo Igisata c'intango, igisata ca Sentare yambere, n'igisata gisubiramwo imanza , bigizwe n'abacamanza 18.

Abo bacamanza bafise icubahiro cinshi n'ubugororotsi ntangere; batorwa n'Inama y'ibihugu vyemeye bikanashirako umukono Amasezerano y'i Roma mu bantu basavye gutorwa bava kw'isi yose hisunzwe ubumenyi bwabo bw'amategeko n'ivy'imanza mpanavyaha canke mu bindi bice bibereye vy'amategeko mpuzamakungu, nk'amategeko mpuzamakungu araba ukwitaho ikiremwamuntu n'agateka ka zinamuntu. Abacamanza bihwabira guca imanza ata karenganyo kandi mu muryo bubereye.

Ibiro vy'Umushikirizamanza

Ibiro vy'Umushikirizamanza bitwarwa n'Umushikirizamanza, afashijwe n'icegera ciwe; bompi batorwa n'Inama y'ibihugu vyemeye Amasezerano y'i Roma. Ibiro vy'Umushikirizamanza bishinzwe kwakira n'ukwihweza amakuru n'inyandiko barungikiwe kugira ngo bamenye ko hariho ifatiro ryumvikana ry'ugutangura n'ukugira amatohoza ku vyaha vy'ihonyabwoko, ivyaha vy'agahomerabunwa n'ivyaha vy'ingwano n'ugukurikirana abakoze ivyo vyaha. Ibiro vy'Umushikirizamanza ni urwego rwigenga rudatwagwa na Sentare.

Ibiro vy'Umwanditsi w'imanza

Ibiro vy'Umwanditsi w'imanza, urwego ataho ruhengamiye, rutwarwa n'Umwanditsi w'imanza, rujejwe cane cane gushigikira abacamanza n'Ibiro vy'Umushikirizamanza mukubaha uburyo bakeneye kugira bashobore kurangura amabanga yabo. Ibiro vy'Umwanditsi w'imanza birafasha mu kazi ka Sentare bikanatunganya uburyo bw'ugukingira ivyabona, gufasha abakurikiranwa n'ugukora ibikorwa vy'ugusigura n'ukumenyekanisha Sentare. Ibiro vy'Umwanditsi w'imanza bijejwe gutunganya ingene Sentare ikora, ivyerekey'umutekano, ukumenyesha amakuru, kubika impapuro, guhindura mu ndimi zindi ivyanditse canke ibivuzwe, gufasha abashingwamanza, gufasha abakorewe ivyaha kugira bashobore gukurikirana imanza bongere basabe indishi.

Inama y'ibihugu vyemeje Amasezerano y'i Roma

Inama y'ibihugu vyemeje bikanashirako umukono Amasezerano y'i Roma ishinzwe kucungera ingene Sentare ikora n'ugushinga amategeko ayigenga. Iyi nama ihuza abaserukira ibihugu vyemeje bikanashirako umukono Amasezerano y'i Roma canke vyahavuye biyinjira mwo. Inama y'ibihugu vyemeje Amasezerano y'i Roma irongowe n'umurwi ugizwe n'umukuru wawo, ivyegera bibiri n'abandi 18 batowe mu ntumbero y'ugushiramwo abaserukira ibice vyose vy'isi n'imirwi mikuru mikuru y'amategeko.

Iyo Nama ifise ibiro ntayegayezwa bikorera ku cicaro ca Sentare mpanavyaha mpuzamakungu i La Haye. Yihweza ibibazo vyerekeye amategeko ngenderwa ko, amafranga ategekanijwe gukoreshwa, ugutora abacamanza, umushikirizamanza n'ivyegera vyiwe.

www.icc-cpi.int | Uru rwandiko ntirwemejwe, n'urwukumenyesh'amakuru. Sentare mpanavyaha mpuzamakungu: Oude Waalsdorperweg 10 ; 2597 AK, La Haye (Pays-Bas). Adresse postale: Boîte postale 19519; 2500 CM, La Haye (Pays-Bas). Tél. + 31 (0)70 515 8515; Télécopie +31 (0)70 515 8555. Chaîne sur YouTube: www.youtube.com/IntlCriminalCourt; Twitter: www.twitter.com/IntlCrimCourt; Flickr: www.flickr.com/photos/icc-cpi