REPUBULIKA Y'U RWANDA

INTEKO ISHINGA AMATEGEKO
SENA

IMITERERE Y'IHAKANA N'IPFOBYA BYA JENOSIDE YAKOREWE ABATUTSI BIBERA MU MAHANGA N'INGAMBA ZO KUBIRWANYA

Kigali, 2019

IJAMBO RY'IBANZE

Gukora ubushakashatsi ni bumwe mu buryo Sena ikoresha mu kurangiza inshingano yayo y'umwihariko yo kugenzura ishyirwa mu bikorwa ry'amahame remezo Leta y'u Rwanda igenderaho. Muri ayo mahame remezo harimo iryo gukumira no guhana icyaha cya jenoside, kurwanya ihakana n'ipfobya bya jenoside no kurandura burundu ingengabitekerezo ya jenoside n'ibyo igaragariramo byose. Ni muri urwo rwego Sena yakoze ubushakashatsi ku miterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga n'ingamba zo kubirwanya.

Nubwo ingengabitekerezo ya jenoside n'ibyaha bifitanye isano na yo bigenda bigabanuka imbere mu gihugu, mu mahanga haracyagaragara umubare munini w'abahakana bakanapfobya Jenoside yakorewe Abatutsi. Ubu bushakashatsi bwerekana uko ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga biteye, bugatanga n'imirongo migari ku ngamba zo kubirwanya.

Abahakana Jenoside yakorewe Abatutsi, babanza kwemeza ko icyaha cyakozwe atari jenoside, ko ahubwo ari ingaruka y'intambara hagati y'amoko.
Ubu buryo bw'imitekerereze bwerekana ko Jenoside yatewe n'urwango karande rwahoze hagati y'Abahutu n'Abatutsi. Nyamara, abahakana birengagiza nkana ko Jenoside yateguwe ishingiye ku mugambi wo kurimbura Abatutsi.

Muri uyu murongo w'ibitekerezo na none, bagaragaza ko Jenoside yatewe n'uburakari bwa rubanda nyuma y'ihanurwa ry'indege y'uwari Perezida w'u Rwanda Juvénal Habyarimana, ko nta mugambi wa Jenoside wigeze ubaho. Ubundi buryo bukoreshwa n'abahakana Jenoside yakorewe Abatutsi ni ukwemeza ko habaye Jenoside ebyiri mu Rwanda.

Abandi bahindura nkana inyito ya Jenoside yakorewe Abatutsi, bagakoresha andi magambo, cyane cyane kuvuga ko habaye Jenoside y'Abanyarwanda. Abahakana amateka ya Jenoside yakorewe Abatutsi banerekana ko ubwiyunge hagati y'Abanyarwanda budashoboka.

Muri iyi minsi kandi, abahakana Jenoside yakorewe Abatutsi banarwanya impinduka nziza zibera mu Rwanda, cyane cyane imiyoborere myiza ishingiye ku muturage n'iterambere rya bose, ubutabera bwunga, ubumwe n'ubwiyunge by'Abanyarwanda, n'ibindi byose bihindura imitekerereze yariho mbere y'umwaka wa 1994. Abahakana bakanapfobya Jenoside yakorewe Abatutsi,

bashyira imbere amateka ya kera, bakarwanya igitekerezo icyo ari cyo cyose kivanaho cyangwa kivuguruza politiki y'amacakubiri babagamo kuva kera.
Nk'uko bigaragara mu mutwe wa mbere, agace ka 1.5, muri ubu bushakashatsi hifashishijwe inyandiko zinyuranye zanditswe ku ihakana n'ipfobya bya Jenoside yakorewe Abatutsi. Ni muri urwo rwego, Sena iboneyeho umwanya wo kugaragaza agaciro izo nyandiko zifite mu gusobanura ikibazo cy'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga.

Ikindi ni uko ubu bushakashatsi bwagombaga gushingira ku nyandiko zasohotse kugera muri 2017, nyamara abahakana ntibahwema gusohora izindi nyandiko n'ibitabo bikomeza umurongo wo guhakana Jenoside yakorewe Abatutsi.

Ni muri urwo rwego, igihe ubu bushakashatsi bwanonosorwaga, hasohotse ibitabo bibiri mu mwaka wa 2018 biri mu murongo w'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi. Icya mbere cyitwa *In Praise of Blood* cyanditswe n'umunyamakuru w'Umunyakanada Judi Rever usanzwe uhakana Jenoside yakorewe Abatutsi[1.] Ikindi cyitwa *Rwanda: vingt années de mensonges* cyanditswe n'Umufaransa Hervé Cheuzeville. Ibi bitabo byombi byanditswe n'abahakana Jenoside yakorewe Abatutsi, bagafata ibyanditswe na Filip Reyntjens, Pierre Pean na Charles Onana bakongera kubyandika nkaho ari bishya, bikaza bihangana n'igitabo kivuga ku ruhare rw'Ubufaransa muri Jenoside yakorewe Abatutsi: *Rwanda-France, la fin du silence: Témoignage d'un officier français*, cyanditswe na Guillaume Ancel, na cyo cyasohotse mu mwaka wa 2018 [2].

Ibi biragaragaza imbaraga abahaka bakanapfobya Jenoside yakorewe Abatutsi bakoresha mu gukwirakwiza ibitekerezo bigamije kurwanya ukuri kubyaye muri Jenoside yakorewe Abatutsi, bakoresheje inyandiko.

Ni ngombwa ko Sena nk'urwego rufite inshingano yo kwita ku ihame remezo ryo gukumira no guhana icyaha cya Jenoside, kurwanya ihakana n'ipfobya bya

[1] Voir la critique de J.F Dupaquier, Genocide des Tutsi du Rwanda: le négationnisme comme Bestseller, 2018 publié dans Afrikarabia.com.
[2] Hari n'ibindi bitabo byanditswe n'Abafaransa bisobanura amateka ya Jenoside yakorewe Abatutsi, ndetse bakagaragaza uruhare rw'Igihugu cyabo muri Jenoside ndetse banagaragaza ko hari ibimenyetso Ubufaransa bwirengagije byateguraga Jenoside. Jean Varret, General j'en ai pris pour mon grade, Ed. Sydney Laurent 2018; Stephane Audouin Rouzeau, Une initiation. Rwanda 1994-2016, Paris Seuil 2017. Florent Piton, Le genocide des Tutsi du Rwanda, Paris, La Decouverte, 2018.

Jenoside no kurandura burundu ingengabitekerezo ya Jenoside n’ibyo igaragariramo byose, ikwiye gushyiraho uburyo buhoraho bwo gukurikirana icyo kibazo ifatanyije n’izindi nzego zifite aho zihuriye no kurwanya Jenoside. Bumwe muri ubwo buryo ni ugukora ubushakashatsi no kubumenyekanisha.

Sena irashimira inzobere zinyuranye zafashe umwanya wazo mu gutanga ibitekerezo kuri ubu bushakashatsi kugeza igihe burangiriye. By’umwihariko, irashimira Dr. Bideri Diogène, Prof. Nkusi Laurent, Dr. Ndushabandi Eric na Dr.Usengumukiza Félicien.

Sena irashima kandi Bwana Habarurema Anicet wasomye akanakosora ubu bushakashatsi, n’abakozi ba Sena babugizemo uruhare.

Perezida wa Sena
Makuza Bernard

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AMAGAMBO AHINNYE

AAARGH : Association des Anciens Amateurs de Récits de Guerre et d'Holocauste

AFP	: Agence France - Presse
APCR	: Association pour la Promotion Culturelle Rwandaise
APR	: Armée Patriotique Rwandaise
BIM	: Bureau d'Information Missionnaire
CARP	: Collective Rwandan Association in the Netherlands
CDR	: Coalition pour la Défense de la République
CRF	: Communauté Rwandaise de France
CLIIR	: Centre de Lutte contre l'Impunité et l'Injustice au Rwanda
CNED	: Centre National d'Enseignement à Distance
CEDH	: Cour Européenne de Droits de l'Homme
CNLG	: Commission Nationale de Lutte contre le Génocide
COSAR	: Collectif du 6 Avril 1994 Rwanda
COVIGLA	: Collectif des victimes des crimes de masse dans la région des Grands Lacs
CPI	: Cour Pénale Internationale
CRAD	: Comité Rwandais d'Action pour la Démocratie
DVA	: Duurzaam Voor Africa
FARG	: Fonds de Soutien et d'Assistance aux Rescapés les plus Nécessiteux du Génocide perpétré contre les Tutsi
FCLR	: Front Commun pour la Libération du Rwanda
FDLR	: Forces Démocratiques de Libération du Rwanda
FDU	: Forces Démocratiques Unifiées
FPR/RPF	: Front Patriotique Rwandais/Rwandese Patriotic Front
GFTU	: Genocide Fugitives Tracking Unit
HRW	: Human Rights Watch
ICTR	: International Criminal Tribunal for Rwanda
IDC	: Internationale Démocrate Chrétienne
MDR	: Mouvement Démocratique Républicain
MRND	: Mouvement Révolutionnaire National pour le Développement
ONU	: Organisation des Nations Unies
OXFAM	: Oxford Committee for Famine Relief
PARMEHUTU	: Parti pour l'Emancipation Hutu
PL	: Parti Libéral
PDR	: Parti pour la Démocratie au Rwanda

RDC	: République Démocratique du Congo
RDI	: Rwandan Dream Initiative
RDR	: Rassemblement pour le Retour des Réfugiés et la Démocratie au Rwanda
RDRC	: Rwanda Demobilisation and Reintegration Commission
RFI	: Radio France Internationale
RIFDP	: Réseau International des Femmes pour la Démocratie et la Paix
RNC	: Rwandan National Congress
RSF	: Reporters Sans Frontières
RTLM	: Radio Télévision Libre des Mille Collines
RUD	: Ralliement pour l'Unité et la Démocratie au Rwanda
SOCIRWA	: La Société Civile des Rwandais Réfugiés en RD Congo
SOS	: Save Our Souls
SS	: Schutzstaffel (German for "Protective Echelon")
TPIR	: Tribunal Pénal International pour le Rwanda
TUR	: Trait d'Union Rwanda
UN	: United Nations
USA	: United States of America
VOA	: Voice Of America

INCAMAKE

Ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, ni imwe mu ngaruka za Jenoside u Rwanda rugomba guhangana na yo, hakoreshejwe uburyo bwose harimo no gukurikirana mu nkiko zo mu Rwanda n'izo mu mahanga abarangwa n'iyo myifatire.

Guhakana Jenoside ni kimwe mu bikorwa biyitegura bikanayiherekeza. Abahakana Jenoside baba bifuza ko ukuri ku mitegurire n'imigendekere yayo kutamenyekana, ahubwo bagakwirakwiza ibinyoma bagamije guhisha uruhare rwabo muri Jenoside.

Muri iyi minsi, ihakana n'ipfobya bya Jenoside yakorewe Abatutsi byafashe indi sura, kandi nk'uko ubushakashatsi bunyuranye bugenda bubyerekana, ikigamijwe si uguhakana no gupfobya Jenoside yakorewe Abatutsi gusa, ahubwo hari n'umugambi wo gusenya ibyo Leta y'Ubumwe bw'Abanyarwanda yagezeho no gutesha agaciro icyizere amahanga afitiye u Rwanda n'ubuyobozi bwarwo.

Leta y'u Rwanda yiyemeje kurwanya ihakana n'ipfobya bya Jenoside yakorewe Abatutsi nk'imyitwarire ibangamiye imibereho myiza y'Abanyarwanda, ubumwe n'ubwiyunge Igihugu kimaze kugeraho. Nk'uko biteganywa n'Itegeko Nshinga rya Repubulika y'u Rwanda ryo mu 2003 ryavuguruwe mu 2015, ingingo ya 10, bimwe mu bigize ihame rya mbere mu mahame remezo Leta y'u Rwanda igenderaho, ni ukurwanya ihakana n'ipfobya bya Jenoside no kurandura burundu ingengabitekerezo ya Jenoside n'ibyo igaragariramo byose.

Kugira ngo Jenoside ishoboke, irategurwa kandi igashyigikirwa na Leta. Leta igira umugambi n'ubushake bisesuye byo kurimbura igice kimwe cy'abaturage bayo kandi ikabishyira mu bikorwa. Uwicwa azira ko ari umwe mu bagize igice cy'abo baturage bagomba kurimburwa.

Jenoside igira umurongo mugari igenderaho. Ni wo uhuza abasangiye icyerekezo kimwe cyo gukora Jenoside. Uwo murongo mugari ni wo bita ingengabitekerezo ya Jenoside. Ingengabitekerezo ya Jenoside ijyana n'icengezamatwara, igasakazwa mu bantu benshi, ikagira ingufu maze abantu bakayigenderaho

bakemera gukora Jenoside.

Jenoside yose igira uko itegurwa, ntabwo ipfa kuba. Ibyo bita uburakari bw'abaturage biba bifite ibyabibanjirije, byigishijwe kandi byateguwe neza. Kwerekana umugambi wa Jenoside ni ngombwa kuko abayihakana ari cyo bagenderaho: niba nta mugambi, nta Jenoside, nta n'uwayikoze.

Umugambi wa Jenoside ni inzira ndende ifata igihe nk'uko byagaragaye mu mateka y'u Rwanda, guhera mu gihe cy'abakoloni hashyirwaho indangamuntu irimo amoko n'amategeko asumbanya Abanyarwanda. Uwo mugambi wa Jenoside wakomereje mu nyandiko z'abanyapolitiki guhera mu mwaka wa 1957 hajyaho « Manifeste y'Abahutu », ndetse n'« Amategeko 10 y'Abahutu » yanditswe na Joseph Gitera, yakwirakwizaga urwango, impinduramatwara ishingiye ku ivangura, gusahura, kwica no kwangaza Abatutsi ndetse n'abataravugaga rumwe na PARMEHUTU, iyo politiki ikaba yarashyizwe mu bikorwa na Repubulika ya mbere (1962-1973) yari iyobowe na Perezida Kayibanda Grégoire, hamwe n'iyayikurikiye (1973-1994) yari iyobowe na Perezida Habyarimana Juvénal.

Ubwicanyi bwibasiye Abatutsi bwarakomeje bufata intera ya Jenoside, cyane cyane mu mwaka wa 1963, ubwo muri Perefegitura ya Gikongoro hicwaga Abatutsi hagati y'ibihumbi umunani na cumi na bibiri (8.000 - 12.000). Ibi byagaragariye amahanga nka Jenoside nk'uko byasohotse mu kinyamakuru "Le Monde" cyo ku wa 4 Gashyantare 1964 ndetse binavugwa kuri "Radio Vatican".

Perezida Kayibanda Grégoire yavuze kenshi mu mbwirwaruhame ze, nk' iyo mu mwaka wa 1963, ko Jenoside ishobora kuzaba, igakorerwa Abatutsi.

Ihakana n'ipfobya bya Jenoside yakorewe Abatutsi byatangiranye n'abateguraga kuzayikora, ndetse biza kuba n'iby'amahanga, aho bamwe mu bashakashatsi n'abanyapolitiki bashyigikiye ku mugaragaro iryo hakana. Mu buryo busesenguye, abashakashatsi berekanye ko abahakana Jenoside yakorewe Abatutsi babikora bakoresheje bumwe mu buryo bukurikira:

- kwemeza ko Jenoside itari Jenoside, ko ahubwo ari intambara hagati y'amoko, yatewe n'uburakari bwumvikana bwo kuba igihugu cyari mu

ntambara kandi ko ibyabaye byatewe n'urwango karande rwahoze hagati y'Abahutu n'Abatutsi;

- kwemeza ko habaye Jenoside ebyiri, ikigamijwe ari ukwerekana ko ku mpande zombi habayeho umugambi wo kumarana kandi ko imibare igomba gusubirwamo, hagaragazwa ko imibare y'abapfuye ingana cyangwa se abenshi babarirwa mu bayiteguye bakanayikora;
- guhindura nkana inyito y'icyaha cyakozwe, Jenoside yakorewe Abatutsi bakayita Jenoside y'Abanyarwanda, hagamijwe kwerekana ko nta wari ugambiriwe kwicwa, ahubwo ko Abanyarwanda bishe abandi. Aha ni ho abahakana berekana ko ubumwe n'ubwiyunge hagati y'Abahutu n'Abatutsi bigomba kubanzirizwa no gusabana imbabazi ndetse n'ubutabera ku mpande zombi;
- kwanga kwemera impinduka zigenda zibera mu gihugu nyuma ya Jenoside, bikagaragarira mu nyandiko zitandukanye zandikirwa i Burayi, muri Amerika ya ruguru n'ahandi. Aba batsimbarara ku mateka ya kera, banga igitekerezo cyangwa politiki iyo ari yo yose yaba ivanaho cyangwa ivugurura politiki y'amacakubiri babayemo kuva kera.

Nk'uko gukora ubushakashatsi ku bibazo bitandukanye by'Igihugu ari bumwe mu buryo Sena yifashisha mu kurangiza inshingano zayo, ubu bushakashatsi buje busubiza ibibazo by'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga. Ubu bushakashatsi buribanda gusa ku nyandiko zakusanyijwe na Komisiyo ya Sena y'Ububanyi n'Amahanga, Ubutwererane n'Umutekano babifashijwemo n'inzobere zinyuranye.

Ubu bushakashatsi butangira busobanura impamvu byabaye ngombwa ko bubaho, bukagaragaza intego zabwo, imbago z'aho buhera n'aho bugarukira haba ku birebana n'igihe (1994-2017) cyangwa aho ibyakozweho ubushakashatsi bibera, ariho mu mahanga.

Ubushakashatsi bwerekana ko bugamije gusesengura byimbitse ikibazo cy'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga, kuko ari imwe mu ngaruka za Jenoside Igihugu gifite kandi kigomba kubonera umuti, cyane cyane ko ari n'inzitizi ikomeye ku bumwe n'ubwiyunge n'imibereho myiza y'Abanyarwanda Igihugu kimaze kugeraho.

Nyuma yo gusobanura mu buryo burambuye ibitekerezo ngenga ubushakashatsi bwashingiyeho ndetse n'uburyo bwakoreshejwe mu gusesengura ikibazo cy'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga, ubushakashatsi bwibanda ku kugaragaza imiterere inyuranye y'icyo kibazo, aho bwerekana ko iyo miterere yigaragaza mu buryo bunyuranye, bumwe bukaba bumeze nk'ubwagiye bukoreshwa mu guhakana no gupfobya Jenoside yakorewe Abayahudi, ubundi bukaba ari umwihariko ku bireba Jenoside yakorewe Abatutsi. Muri rusange abahakana bakanapfobya Jenoside yakorewe Abatutsi bari mu mahanga, ubushakashatsi bubashyira mu byiciro bibiri, ari byo abahakana bakamaramaza n'abaterura ngo bahakane, ahubwo bakayishakira ibisobanuro, bagamije guhisha ukuri kuri Jenoside cyangwa guhisha uruhare bayigizemo.

Ubushakashatsi bukomeza bwibanda ku miyoboro inyuzwamo ibitekerezo cyangwa ibikorwa by'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga, aho bwerekana uruhare rukomeye rw'itangazamakuru, ibiganiro mbwirwaruhame n'imyigaragambyo,imiryango mpuzamahanga n'amadini,ubutabera mpuzamahanga n'ubw'ibihugu, abanyapolitiki n'imitwe ya politiki ndetse na Leta zimwe na zimwe.
Kimwe mu bice by'ingenzi by'ubu bushakashatsi, ni aho bugaragaza mu buryo burambuye ingamba zakoreshwa mu guhangana n'ikibazo cy'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi. Muri zo harimo ubutabera bujyanye no kubahiriza amategeko mpuzamahanga ahana icyaha cya Jenoside cyangwa gushyiraho amategeko mpuzamahanga n'ay'ibihugu ahana icyaha cyo guhakana no gupfobya Jenoside, kimwe no gukangurira abanyarwanda baba mu mahanga n'abanyamahanga ubwabo, gushyigikira ingamba zinyuranye zijyanye no kurwanya ihakana n'ipfobya bya Jenoside yakorewe Abatutsi.

Hari kandi n'ingamba zo guteza imbere ubushakashatsi kuri Jenoside, ingengabitekerezo yayo, hamwe n'ihakana n'ipfobya byayo, ibi bigakorwa aho bigaragara hose kandi buri gihe, haba mu Rwanda cyangwa mu mahanga. Ibi kandi bikunganirwa no gukoresha kenshi ibiganiro mbwirwaruhame no gushyiraho amahuriro anyuranye agamije guhangana n'ikibazo cy'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga.

Izindi ngamba ubushakashatsi bwagaragaje zerekeye kurushaho gukoresha itangazamakuru mu kurwanya abahakana bakanapfobya Jenoside yakorewe Abatutsi, bibera mu mahanga. Uru rugamba kandi ubushakashatsi busanga imiryango itari iya Leta n'amadini bikorera mu Rwanda bikwiye kurwinjiramo, bityo bakaba bashishikarizwa kugira uruhare rugaragara mu kurwanya abahakana bakanapfobya Jenoside yakorewe Abatutsi, babinyujije mu bafatanyabikorwa babo baba mu mahanga.

Ubushakashatsi busoza bugaragaza inyandiko nyinshi zinyuranye bwifashishije mu gusesengura ikibazo cy'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga, ari nako bushishikariza abandi bashakashatsi gukomeza gucukumbura icyo kibazo kuko ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bihora bihindura isura kandi bishobora kuba byarakomeje na nyuma y'imbago y'igihe ubu bushakashatsi bwari bwihaye.

INTANGIRIRO

Ubushakashatsi bumaze gukorwa kugeza ubu ku ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, bwibanze cyane cyane ku miterere y'ihakana n'ipfobya bibera imbere mu gihugu, bunasesengura uburyo ingengabitekerezo ya Jenoside ishingiye kuri politiki y'ivangura n'itoteza yakwirakwijwe, uko yashyizwe mu bikorwa na Repubulika ya mbere n'iya kabiri.

Nubwo ubwo bushakashatsi ndetse n'izindi nyandiko ku miterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi ari nyinshi, usanga hari ibindi bibazo bikenewe gukorerwa isesengurwa nk'imiterere y'ihakana n'ipfobya bikorerwa mu mahanga. Iki kibazo ni ngombwa kukigarukaho kuko umunsi ku wundi ari ko cyigaragaza mu bantu banyuranye n'ahantu hanyuranye. Abantu benshi ndetse n'inzego za Leta bifuje ko imiterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga yamenyekana, bityo n'ingamba zo kuyirwanya zikaboneka. Ubu bushakashatsi buje bukurikira ubundi Sena yakoze, harimo ubushakashatsi ku ngengabitekerezo ya Jenoside mu Rwanda n'ingamba zo kuyirandura.

Ntabwo wavuga imiterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga, utabanje kwerekana amateka y'u Rwanda muri rusange, n'uburyo ingengabitekerezo ya Jenoside yinjiye muri politiki y'u Rwanda. Ni ngombwa kugaragaza uko abantu babanaga mbere y'ubukoloni, ko Abanyarwanda barangwaga n'ubumwe bwubakiye ku ngoma ya cyami buri Munyarwanda wese yibonagamo kandi akanayiyoboka. Abanyarwanda bari bakomeye ku bunyarwanda bwabo, ndetse bagaharanira kwagura u Rwanda, bakarukunda bakanarukorera. Ubwo bumwe bwarangwaga kandi no kugira icyerekezo kimwe, imyemerere imwe ndetse no gusangira indangagaciro z'ubupfura, umurava no kubaha ubuyobozi.

Ubwo bumwe bwaje gusenywa n'umwaduko w'abazungu igihe cy'ubukoloni. Abakoloni bageze mu Rwanda, batangajwe no kubona ubwoko bw'abantu bagize igihugu kimwe bugizwe n'ibyiciro bitatu by'Abanyarwanda, buri wese afite umurimo akora kandi bose bayobotse ubutegetsi bwari bwubatse kuva ku nzego zo hasi kugeza ku Mwami.

Kugira ngo ibyo bishoboke, abakoloni bafatanyije n'abavugabutumwa b'abera, bagiye biyegereza Abanyarwanda babareshyeshya utuntu babahaga

nk'imyambaro, amasaro n'ibindi. Bamaze kubiyegereza, bashyize imbaraga mu gusenya ubumwe bw'Abanyarwanda. Ibyo bigaragarira mu mpinduka ziswe iza Mortehan mu mwaka wa 1926, zasenye inzego z'ubuyobozi zariho.

Abakoloni n'abamisiyoneri basanze Abanyarwanda basangiye igihugu, ururimi, umuco n'ubuyobozi bitandukanye n'ahandi, bakoze ibishoboka kugira ngo basenye ubwo bumwe bw'Abanyarwanda. Mu nyigisho batanze, beretse Abanyarwanda ko bamwe muri bo, (abitwaga Abatutsi) baturutse muri Ethiopia, naho abandi (abitwaga Abahutu), ko baturutse mu gice cya ruguru cy'akarere ka Afurika yo hagati, muri za Tchad. Babonye ikindi gice cy'abitwaga Abatwa, babita abasangwabutaka, bakavuga ko ari bo batemye ishyamba bagatura u Rwanda bwa mbere.

Iyi ngengabitekerezo ishingiye ku gusobanura ukundi inkomoko y'Abanyarwanda, yaje kwigishwa mu mashuri igihe kirekire, ndetse bishingirwaho mu gusumbanya abantu mu nzego zose z'ubuyobozi. Abatutsi baje kwigishwa ko baruta abandi Banyarwanda, baharirwa kuyobora, Abahutu n'Abatwa bigishwa ko batashobora kuyobora. Ahagana mu mwaka wa 1957, abakoloni na bamwe mu bamisiyoneri b'abazungu bahinduye imikorere, bigisha Abahutu ko ari bo benshi, ko batagomba kwemera kuyoborwa n'Abatutsi kandi ari bo bake mu gihugu. Izo mpinduka mu myumvire ndetse no mu buyobozi zaje guteza impagarara mu gihugu, Umwami arirukanwa. Abatutsi batangira kwicwa, birukanwa mu gihugu, mu nkubiri yiswe *révolution* y'Abahutu ishyigikiwe n'abakoloni na bamwe mu bamisiyoneri b'abazungu.

Kuva mu mwaka wa 1959 kugeza mu wa 1962 igihe cy'ubwigenge, u Rwanda rwahinduye isura, Abatutsi n'abandi bari barahejwe na PARMEHUTU bagiriwe nabi, baricwa, abandi barahunga. Ingengabitekerezo yo kurwanya Umututsi aho ari hose yashinze imizi, iza no kugirwa gahunda ikomeye muri Repubulika ya mbere yayobowe na Perezida Kayibanda Grégoire (1962-1973), ndetse no mu ya kabiri yayobowe na Perezida Habyarimana Juvénal (1973-1994). Irondakoko n'irondakarere byahawe intebe, ubuzima bw'igihugu bwubakira ku ngengabitekerezo z'amacakubiri akomeye yashyizwe mu mategeko, mu buyobozi ndetse no mu burezi, ku buryo byaje kuranga ubuzima bwose bw'Abanyarwanda.

Mu gihe cya Repubulika ya kabiri, gushyamiranya Abahutu n'Abatutsi byaje kuvamo ubwicanyi bwibasiye Abatutsi. Icyabaga cyose mu bihe bya politiki

bikomeye, ni Umututsi wagombaga kwicwa nka nyirabayazana w'ibibazo by'igihugu. Abaturage bigishijwe ko Umututsi ari mubi, ari nyakamwe, yaje ateye igihugu, ndetse ko ari we wateje amapfa n'ibyago igihugu, ko agomba gusubizwa aho yavuye ndetse byaba ngombwa akicwa burundu. Ibi byaje kubakirwaho ingengabitekerezo yo kurimbura, biza kuvamo ingengabitekerezo ya Jenoside yubakiweho mu kogeza no gushyira mu bikorwa Jenoside yakorewe Abatutsi mu mwaka wa 1994. Usibye no kuba ababikoraga batyo batarahanwaga, baranabishimirwaga, ndetse bakagororerwa imirimo ikomeye mu nzego za Leta. Abahunze igihugu kuva mu mwaka wa 1959 bagerageje gusaba gutaha, aho kubyemererwa, ahubwo Abatutsi basigaye mu gihugu bagatotezwa, bakicwa cyangwa bakameneshwa.

Nyuma y'uko hageragejwe uburyo bwose bw'imishyikirano kugira ngo ikibazo cy'impunzi gikemuke, Leta ya Perezida Habyarimana Juvénal ikanangira ivuga ko igihugu ari gito, ndetse "gisendereye nk'ikirahuri cyuzuye amazi" (Courrier ACP-CEE n^{o} 72. Mars-Avril 1982), Abanyarwanda biganjemo impunzi zo mu myaka ya 1959, 1963 na 1973 bibumbiye mu Muryango FPR/RPF-Inkotanyi hamwe n'Ingabo zawo, bafashe umwanzuro wo kubohora igihugu, cyari cyarokamwe n'ingoma y'igitugu, irondakoko, irondakarere, ubukene n'ubwicanyi bw'indengakamere. Guhera ubwo, ubutegetsi bwa Perezida Habyarimana Juvénal, bushimangira ingengabitekerezo ya Jenoside, ndetse hanozwa umugambi wo kurimbura Abatutsi, urigishwa, ushyirwa muri gahunda ndetse ushyirwa mu bikorwa kuva muri Mata 1994. Ishyirwa mu bikorwa rya Jenoside yakorewe Abatutsi ryabanjirijwe n'igeragezwa ku Batutsi bari batuye muri Komine Kibirira, hamwe n'andi makomini ya Perefegitura ya Gisenyi n'iya Ruhengeri, no mu Bugesera guhera mu Ukwakira 1990. Ubwo bwicanyi bwakomereje ku bwo mu mwaka wa 1963 n'ubundi bwakurikiyeho mu mwaka wa 1973. Ibi byerekana ko Jenoside yateguwe, politiki y'ivangura irigishwa, kwica Umututsi bigafatwa nk'igikorwa cyo gushimwa, kuko abarushaga abandi kwica no gutoteza Abatutsi bahabwaga imyanya mu butegetsi.

Jenoside yahagaritswe muri Nyakanga 1994 na FPR/RPF-Inkotanyi. Nyuma, habaye urugamba rukomeye rwo kongera kubaka Igihugu no kubanisha Abanyarwanda. Twibutse ko icyo gihe cyaranzwe n'igihugu cyasenyutse mu nzego zose z'ubuyobozi no mu bukungu nyirizina. Nyuma ya miliyoni irenga y'Abatutsi bishwe, hari n'izindi miliyoni zikabakaba enye z'Abanyarwanda bahunze igihugu, bafashweho ingwate n'ingoma y'abicanyi n'abahoze ari

abasirikare ku butegetsi bwa Perezida Habyarimana Juvénal, bahungira mu bihugu bihana imbibi n'u Rwanda, cyane cyane mu cyahoze ari Zayire (Repubulika iharanira Demokarasi ya Congo muri iki gihe: DRC), mu Burundi no muri Tanzaniya. Muri uru rujya n'uruza rw'abaturage b'u Rwanda, hari kandi n'indi mbaga y'Abanyarwanda yari yarahunze kera yagarutse mu gihugu icyuwe na FPR/RPF-Inkotanyi.

Nyuma y'ihagarikwa rya Jenoside yakorewe Abatutsi, Leta y'u Rwanda, iyobowe n'Umuryango FPR/RPF-Inkotanyi, ufatanyije n'imitwe ya politiki itarijanditse muri Jenoside n'ibindi byiciro by'Abanyarwanda, watanze icyerekezo gishya ugarura umutekano no kubungabunga ubusugire bw'igihugu, wongera kubaka ubumwe bw'Abanyarwanda, gushyingura mu cyubahiro abazize Jenoside, gusana ibyangiritse no kongera kubaka inzego za Leta. Gahunda yo kwiyubaka yashingiye ku mahame y'igihugu kigendera ku mategeko, ku bumwe n'ubwiyunge by'Abanyarwanda, gucyura impunzi, kubaka inzego za Leta, byose binyuze mu biganiro bihuriwemo n'ibyiciro bitanduaknye by'Abanyarwanda bashyize imbere kubaka Igihugu.

Kuva mu mwaka wa 1995, Leta y'abakoze Jenoside yamenyekanye ku izina rya Guverinoma y'Abatabazi, yakomeje gukorera mu nkambi z'impunzi zo muri Zayire, hafi y'umupaka w'u Rwanda. Hagati y'umwaka wa 1995 n'umwaka wa 2001, abicanyi ntibahwemye kugaba ibitero ku Rwanda (intambara y'abacengezi), byahitanye Abanyarwanda benshi; bigaragara ko umugambi wabo wo kwica bawukomeje, kugeza bahagaritswe n'Ingabo z'Igihugu.

Mu mwaka wa 2003, Igihugu kimaze gutekana, hakozwe *referandumu* yavuyemo Itegeko Nshinga rya mbere ryatowe n'abaturage[3] nyuma ya Jenoside yakorewe Abatutsi mu mwaka wa 1994. Muri iryo Tegeko Nshinga, hagaragaramo ihame ryo kubungabunga ubumwe bw'Abanyarwanda, isangira ry'ubutegetsi ndetse no gutandukanya inshingano n'ububasha bw'ubutegetsi butatu bwa politiki ari bwo, Ubutegetsi Nyubahirizategeko, Ubutegetsi Nshingamategeko ndetse n'Ubutegetsi bw'Ubucamanza.

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[3] Mbere y'iyi referendum, u Rwanda rwakoreshaga Itegeko Shingiro ryari rigizwe n'Amasezerano y'Amahoro y'Arusha yo kuwa 4 Kanama 1993, Itegeko Nshinga rya Repubulika y'u Rwanda ryo mu mwaka wa 1991 n'Itangazo rya FPR-Inkotanyi ryo ku wa 17 Nyakanga 1994 rishyiraho inzego z'ubutegetsi. Mbere y'umwaka wa 1991 habayeho Itegeko Nshinga ryo mu mwaka wa 1978 n'iryo mu mwaka wa 1962.

Ubutegetsi Nshingamategeko, ari bwo Inteko Ishinga Amategeko, bugizwe n'Imitwe ibiri, Umutwe w'Abadepite na Sena. Sena yahawe inshingano y'umwihariko yo kugenzura ishyirwa mu bikorwa ry'amahame remezo Leta y'u Rwanda igenderaho, ubu akaba agaragara mu ngingo ya 10 y'Itegeko Nshinga rya Repubulika y'u Rwanda ryo mu 2003 ryavuguruwe mu 2015. Muri ayo mahame remezo, harimo ihame remezo ryo gukumira no guhana icyaha cya Jenoside, kurwanya ihakana n'ipfobya bya Jenoside no kurandura burundu ingengabitekerezo ya Jenoside n'ibyo igaragariramo byose.

Mu mwaka wa 2004, Komisiyo yihariye y'Inteko Ishinga Amategeko yakoze ubushakashatsi ku bwicanyi bwakorewe abacitse ku icumu rya Jenoside yakorewe Abatutsi mu myaka iri hagati ya 1995 na 2003. Komisiyo yagaragaje neza ko ingengabitekerezo ya Jenoside ikiri nyinshi mu Banyarwanda bari mu gihugu, ndetse abari hanze bagatizwa umurindi n'abanyamahanga. Ibi byahangayikishije abagize Inteko Ishinga Amategeko, Imitwe yombi, bifuza gusobanukirwa kurushaho n'iyo ngengabitekerezo ya Jenoside ikomeje koreka imbaga no gufata ingamba zo kuyirwanya.

Ni muri urwo rwego mu mwaka wa 2006, Sena yakoze ubushakashatsi ku ngengabitekerezo ya Jenoside, uko yigaragaza ndetse n'ingamba zo kuyirandura**.** Ubu bushakashatsi bwibanze ku Banyarwanda bari mu gihugu, ariko bunagaragaza imwe mu miterere n'imiyoboro yayo iba hanze y'igihugu, igira n'ingaruka ku myumvire y'Abanyarwanda muri rusange.

Kuva Jenoside yakorewe Abatutsi ihagaritswe, ibikorwa byo kuyihakana no kuyipfobya bibera mu mahanga bigenda byiyongera kandi bikarushaho kugaragara. Mu rwego rwo kurwanya ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, ni ngombwa ko hakorwa ubushakashatsi bugaragaza ikibazo cyayo mu mizi n'ingamba zo kugikemura burundu. Kugira ngo ibyo bigerweho, Sena yiyemeje gukora ubushakashatsi bwimbitse kuri iki kibazo.

Kugira ngo imiterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga bigaragazwe, hifashishijwe uburyo bw'isesenguranyandiko (desk research). Muri urwo rwego, hifashishijwe inyandiko zinyuranye, izatangajwe n'izitaratangajwe, izakozwe n'abantu ku giti cyabo n'izakozwe n'amashyirahamwe ahakana akanapfobya Jenoside yakorewe Abatutsi.

Nk'uko bigaragara muri iyi nyandiko, ihakana n'ipfobya bya Jenoside bitangira Jenoside itaraba, bigakomeza igihe cya Jenoside, ariko cyane cyane nyuma yayo, bigamije kugaragaza ko nta mugambi wo kurimbura wigeze ubaho, ndetse hagakurikiraho gusibanganya ibimenyetso ibyo ari byo byose byashinja abateguye uwo mugambi ndetse bagahakana amateka ya Jenoside, bigakurikirwa no kwibasira abarokotse iyo Jenoside.

Kuva mu mwaka wa 1994, nyuma ya Jenoside yakorewe Abatutsi, iki kibazo cyagiye cyigaragaza mu Rwanda, ariko cyane cyane mu mahanga. Ibi bikorwa n'abantu ku giti cyabo, imiryango itari iya Leta, iyegamiye kuri Leta ndetse na Leta ubwazo. Binyuzwa kandi mu magambo y'abantu ku giti cyabo, mu biganiro mpaka bibera hirya no hino, mu nyandiko z'ubushakashatsi ndetse no mu itangazamakuru.

Nk'uko gukora ubushakashatsi ku bibazo bitandukanye by'Igihugu biri mu buryo Sena yifashisha mu kurangiza inshingano zayo, ubu bushakashatsi buje busesengura ibibazo by'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, bikorerwa mu mahanga. Ubu bushakashatsi buribanda ku gusesengura inyandiko, amakuru, ibiganiro mbwirwaruhame n'inama bivuga kuri Jenoside yakorewe Abatutsi.

Ubu bushakashatsi bugizwe n'imitwe itanu yuzuzanya mu kwerekana ishusho y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga.

Umutwe wa mbere ukubiyemo inkomoko n'impamvu by'ubu bushakashatsi, intego, imbago ndetse n'uburyo bwakoreshejwe.
Umutwe wa kabiri ukubiyemo isesengura ry'inyito z'amagambo yakoreshejwe mu bushakashatsi, akanasobanurwa mu murongo ujyanye n'ubumenyi mu bya Jenoside.

Mu mutwe wa gatatu hakubiyemo imiterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga, isesengura ry'inyandiko n'amakuru ku biganiro mbwirwaruhame cyangwa inama.

Umutwe wa kane usesengura imiyoboro y’ingengabitekerezo y’ihakana n’ipfobya bya Jenoside yakorewe Abatutsi.

Mu mutwe wa gatanu ari na wo wa nyuma, hakubiyemo ingamba n’uburyo abantu n’inzego zitandukanye bakoresha mu gukumira no kurandura ingengabitekerezo y’ihakana n’ipfobya bya Jenoside yakorewe Abatutsi.

UMUTWE WA MBERE: INKOMOKO, IMPAMVU, INTEGO, IMBAGO N'UBURYO BWAKORESHEJWE

Umutwe wa mbere ugaragaza inkomoko, impamvu, intego n'imbago by'ubu bushakashatsi bugamije kwerekana imiterere n'imiyoboro y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga, bukaba busesengura ibyabaye mu myaka iri hagati ya 1994 na 2017. Mu gihe ubushakashatsi bwakorwaga, hari ibikorwa birimo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bishobora kuba byarabayeho, ibyo bikaba bitagaragara muri ubu bushakashatsi.

1.1. Inkomoko y'ubushakashatsi

Mu mateka y'isi, habayeho ibikorwa byinshi bibi byibasiye inyokomuntu harimo Jenoside zabaye mu kinyejana cya 20. Mu ntambara ya 2 y'Isi (1939 - 1945), Jenoside y'Abayahudi yahitanye ubuzima bw'abantu bagera kuri miliyoni esheshatu , bicishijwe inzara muri za *ghetto* (agace babaga baciriwemo bagahabwa akato), abandi bagafungirwa mu nzu cyangwa imodoka zashyizwemo ibyuka byica, bakicwa nayo, cyangwa bagatwikwa. Abayahudi bishwe n'Abanazi icyo gihe bangana na 2/3 by'Abahayudi bose bari batuye mu Burayi mu ntambara ya 2 y'Isi.

Mu Rwanda, Jenoside yakorewe Abatutsi mu 1994 yatwaye ubuzima bw'Abatutsi barenga miliyoni mu gihe cy'iminsi 100 gusa. Ni imwe muri Jenoside zabaye mu kinyejana cya makumyabiri, kandi yemerwa n'Umuryango w'Abibumbye (ONU) ku itariki ya 8 Ugushyingo 1994 mu mwanzuro wa 955 w'Akanama kawo Gashinzwe Amahoro n'Umutekano[4]. Muri uwo mwanzuro kandi hashyizweho n'Urukiko mpuzamahanga mpanabyaha rushinzwe kuburanisha abakoze ibyaha bya Jenoside mu Rwanda, rushyirwa Arusha muri Tanzaniya.

Leta yakoze Jenoside n'ingabo zari iz'u Rwanda, abasivile bamwe hamwe n'imitwe y'interahamwe bakoze Jenoside bahungiye muri Zayire. Mu gihe FPR/RPF-Inkotanyi yakurikiranaga abo bicanyi, icyiswe Zone Turquoise (mu zari Perefegitura ya Cyangugu, Gikongoro na Kibuye) cyabaye umuhora

[4] Raporo ya Roger Degni-Sègui yakozwe mu mwaka wa 1994.

wafashije abicanyi guhungira muri Zayire nta nkomyi. Bagezeyo, bakomeje imigambi mibi yo kurimbura Abatutsi, bakomeza kwigisha ingengabitekerezo ya Jenoside, banagerageza kurema imitwe y'iterabwoba ikora ibikorwa by'ubwicanyi, yagiye ihindura amazina uko ibihe byagiye bisimburana. Izina riheruka mu gihe ubu bushakashatsi bwakorwaga ni FDLR. Akanama Gashinzwe Amahoro n'Umutekano k'Umuryango w'Abibumbye, mu mwanzuro wako wa 2150, kemeje ko FDLR ifatwa nk'umwe mu mitwe y'iterabwoba ikorera muri Repubulika Iharanira Demokarasi ya Congo, bityo abayobozi bawo bakaba bagomba kurwanywa no gushyikirizwa inkiko bagahanwa (UN Security Council Resolution 2150, wemejwe mu mwaka wa 2014).

Bamwe mu Banyarwanda bagize uruhare muri Jenoside yakorewe Abatutsi, bagiye bahungira mu bihugu binyuranye cyane cyane ibihana imbibi n'u Rwanda. Ku mugabane w'Afurika, cyane cyane ibihugu bituranye n'u Rwanda ni byo byakiriye impunzi nyinshi, ari byo Zayire, Burundi na Tanzaniya. Hari n'abahungiye mu bindi bihugu bya kure nk'Ububiligi n'Ubufaransa ku mugabane w'Uburayi, Canada na Leta Zunze Ubumwe z'Amerika ku mugabane wa Amerika.

Jenoside yakorewe Abatutsi yahagaritswe n'ingabo za FPR/RPF-Inkotanyi mu kwezi kwa Nyakanga 1994. Guhera icyo gihe u Rwanda rwatangiye urugamba rwo kwiyubaka, no guhangana n'ingaruka za Jenoside. Ku itariki ya 19 Nyakanga 1994 hagiyeho Guverinoma y'Ubumwe iyoborwa na Perezida Pasteur Bizimungu kugera mu mwaka wa 2000 (23/3/2000). Guhera mu wa 2000, Igihugu cyayobowe na Perezida wa Repubulika Paul Kagame kugeza ubu.

Bimwe mu bikorwa binini byagezweho, harimo gushyiraho Komisiyo y'Igihugu y'Ubumwe n'Ubwiyunge (NURC) yashyizweho mu mwaka wa 1999, Komisiyo y'Igihugu yo gusezerera no gusubiza mu buzima busanzwe abari Abasirikare (RDRC) yashyizweho mu 1997, Ikigega cya Leta cyo gushyigikira no gutera inkunga abatishoboye barokotse Jenoside yakorewe Abatutsi cyashyizweho mu 1998, Inkiko Gacaca zashyizweho mu mwaka wa 2001, Komisiyo y'Igihugu y'Uburenganzira bwa Muntu (NCHR) yashyizweho mu 1999; Komisiyo y'Igihugu yo kurwanya Jenoside (CNLG) yashyizweho mu 2007, n'andi mavugurura y'inzego za Leta.

Inteko Ishinga Amategeko y'Inzibacyuho, mu Nteko Rusange yayo yo ku wa 27 Ukuboza 2002, yashyizeho Komisiyo y'igenzura ishinzwe gusuzuma ibibazo byagaragaye mu ishyaka MDR. Ubuhamya bw'abantu hamwe na raporo z'inzego z'umutekano byagaragaje ko bamwe mu barwanashyaka ba MDR, bakoresheje inama hirya no hino mu gihugu, batanga inyigisho z'amacakubiri zijyanye n'ingengabitekerezo ya Jenoside. Raporo yagaragaje ko amatwara y'ishyaka MDR yari abangamiye gahunda za Leta z'ubumwe n'ubwiyunge n'ishyirwa mu bikorwa ry'Inkiko Gacaca. Hagaragajwe kandi ko iryo shyaka ryari rishingiye ku bwoko kandi rifite amahame shingiro arimo ivangura no gucamo ibice Abanyarwanda, ari na byo byabaye impamvu yo guseswa kw'iryo shyaka no kutemererwa gukorera mu gihugu gishaka ubumwe bw'Abanyarwanda. Mu isesengura ry'amakuru kandi, basanze imikorere y'iryo shyaka yari ifite abafatanyabikorwa b'Abanyarwanda baba mu bihugu by'amahanga, cyane cyane Repubulika iharanira Demokrasi ya Congo n'Ububiligi[5]

Mu mwaka wa 2003, hashyizweho binyuze muri referandumu Itegeko Nshinga rya Repubulika y'u Rwanda, ryabaye umusingi w'ibikorwa byose byo kubaka igihugu mu nzego zose. Muri iri Tegeko Nshinga ryavuguruwe mu 2015, Sena ifite inshingano y'umwihariko yo kugenzura ishyirwa mu bikorwa ry'amahame remezo avugwa mu ngingo ya 10 Igihugu cyiyemeje kugenderaho. Muri yo, harimo irijyanye no gukumira no guhana icyaha cya Jenoside, kurwanya ihakana n'ipfobya bya Jenoside no kurandura burundu ingengabitekerezo ya Jenoside n'ibyo igaragariramo byose.

Mu kugenzura ishyirwa mu bikorwa ry'amahame remezo, Sena ibikora binyuze mu bushakashatsi, kugenzura ibikorwa bya Guverinoma, gutanga ibiganiro n'ibindi. Ni muri urwo rwego hakozwe ubu bushakashatsi.

Mu mwaka wa 2004, Inteko Ishinga Amategeko, Umutwe w'Abadepite, yakoze ubushakashatsi ku kibazo cy'ubwicanyi bwabereye muri Perefegitura ya Gikongoro, ingengabitekerezo ya Jenoside n'abayihembera mu Rwanda hose.

[5] Inteko Ishinga Amategeko , Umutwe w'Abadepite , 2003

Muri iyo raporo, ubushakashatsi bwerekanye ko ubwicanyi bwakorerwaga cyane cyane abacitse ku icumu rya Jenoside yakorewe Abatutsi mu 1994 bufitanye isano n'ingengabitekerezo ya Jenoside, bwabaye cyane cyane muri perefegitura za Gikongoro, Cyangugu, Butare, Kigali Ngari, Kibungo na Kibuye. Aho bwabereye byagaragaye ko byatekerejwe, bigategurwa, hakanateganywa n'uburyo bwo kubisobanura babihakana. Ahenshi byagiye bikorwa n'udutsiko dushyize hamwe, bikoranwa ubugome kandi bibanzirizwa n'amagambo akomeretsa y'iterabwoba mu buryo bwibutsa ubwicanyi bwakozwe muri Jenoside. Ingamba zatanzwe muri iyo raporo zireba inzego zitandukanye mu gukumira no kurwanya iyo ngengabitekerezo ya Jenoside (Inteko Ishinga Amategeko, Umutwe w'Abadepite, 2004).

Na none mu mwaka wa 2006, Sena yakoze ubushakashatsi ku ngengabitekerezo ya Jenoside mu Rwanda, ibyo igaragariramo byose n'ingamba zo kubirwanya. Ubu bushakashatsi bwagaragaje byinshi kuri Jenoside n'ingengabitekerezo yayo, uburyo ikwirakwizwa na zimwe mu ngamba zo kuyikumira. Muri zo, harimo kwigisha amateka y'u Rwanda mu mashuri, kurinda umutekano, kuzamura indangagaciro z'ubumuntu, gushyiraho politiki yo kwibuka, guhangana n'ingaruka za Jenoside, cyane cyane hatangwa indishyi ku bakorewe Jenoside n'ibindi (Parlement, Sénat, 2006). Ubu bushakashatsi bwakurikiwe n'ubundi bwakozwe n'Umutwe w'Abadepite mu mwaka wa 2007 bwakozwe na Komisiyo idasanzwe yashinzwe gucukumbura ikibazo cy'ingengabitekerezo ya Jenoside mu bigo by'amashuri (Inteko Ishinga Amategeko, Umutwe w'Abadepite, 2007).

Mu bijyanye n'ubutabera, mu mwaka wa 1996, hinjijwe mu mategeko y'u Rwanda itegeko n° 08/96 ryo ku wa 30 Kanama 1996 ryerekeye imitunganyirize y'ikurikirana ry'ibyaha bigize icyaha cy'itsembabwoko n'itsembatsemba cyangwa ibyaha byibasiye inyokomuntu byakozwe kuva ku itariki ya mbere Ukwakira 1990; ryakurikiwe n'Itegeko Ngenga n° 01/2012/OL ryo ku wa 02/05/2012 rishyiraho igitabo cy'amategeko ahana, cyane cyane mu ngingo zaryo iya 116, iya 117, iya 118, iya 119 n'iya 135. Mu mwaka wa 2008, hagiyeho Itegeko n° 18/2008 ryo ku wa 23/07/2008 rihana icyaha cy'ingengabitekerezo ya Jenoside, mu mwaka wa 2013 riravugururwa, hajyaho itegeko N° 84/2013 ryo ku wa 11/09/2013 ryerekeye icyaha cy'ingengabitekerezo ya Jenoside n'ibindi byaha bifitanye isano na yo.

Mu bijyanye n'ubumenyi ku bya Jenoside, aho Jenoside yabaye hose, guhakana no gupfobya ni igice kimwe mu bigize itegurwa n'ishyirwa mu bikorwa ryayo, akaba ari imwe mu ngaruka zayo ubu u Rwanda ruhanganye na yo.

Nk'uko byagaragaye mu mwaka wa 2014, mu gihe cyo kwibuka ku nshuro ya 20 Jenoside yakorewe Abatutsi, ni ho ingengabitekerezo y'ihakana n'ipfobya yakajije umurego mu Rwanda no mu mahanga. Muri icyo gihe, guhakana no gupfobya byaranzwe n'ibikorwa byo guharabika ubuyobozi bw'Igihugu. Hamwe na hamwe hagiye haburizwamo ibikorwa byo kwibuka ku nshuro ya 20 Jenoside yakorewe Abatutsi, nko mu Bufaransa no mu Bubiligi. Hari n'aho batanze imidari y'ishimwe ku banditsi n'abandi bantu bahakana bakanapfobya Jenoside yakorewe Abatutsi, ahandi berekana filimi zirimo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi kuri televiziyo zikorera mu bihugu byabo, n'ibindi.

Ibi byose byatumye Sena ifata icyemezo cyo gukora ubushakashatsi bwimbitse kugira ngo igaragaze imiterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi igihugu gihanganye na byo, imiyoboro bikunze gukorerwamo kandi hanagaragazwe ingamba zafasha u Rwanda guhangana n'icyo kibazo.

1.2. Impamvu z'ubushakashatsi

Muri iki gihe, Leta y'u Rwanda ihanganye n'ikibazo cy'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga, nk'imwe mu nzitizi ku bumwe n'ubwiyunge n'imibereho myiza y'Abanyarwanda Igihugu kimaze kugeraho. Byongeye kandi ihakana n'ipfobya bya Jenoside yakorewe Abatutsi ni imwe mu ngaruka za Jenoside igihugu gifite kandi kigomba kubonera umuti hakoreshejwe uburyo bwose. Bumwe muri bwo, ni ukumenya imiterere yabyo, uburyo byigaragazamo, n'uburyo bwo kubirwanya.

Ibibazo ubushakashatsi bwagendeyeho ni ibi bikurikira :

1. Ihakana n'ipfobya bya Jenoside ni iki? Byigaragaza bite?

2. Ihakana n’ipfobya bya Jenoside yakorewe Abatutsi byigaragaza bite?
3. Ni iyihe miyoboro ikoreshwa mu gukwirakwiza ihakana n’ipfobya bya Jenoside yakorewe Abatutsi?
4. Ni izihe ngamba zafasha u Rwanda mu gukumira ihakana n’ipfobya bya Jenoside yakorewe Abatutsi?

Gusobanura ihakana n’ipfobya bya Jenoside muri rusange byerekanye imiterere yabyo ku buryo burambuye, bituma hasobanurwa by’umwihariko uko byigaragaza ku bijyanye na Jenoside yakorewe Abatutsi. Ku rundi ruhande, isesengura ry’amakuru kuri buri ngingo, ni ryo ryamurikiye Sena mu kugena ingamba zo gukumira no kurwanya ingengabitekerezo y’ihakana n’ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga.

1.3. Intego z’ubushakashatsi

Muri rusange, ubu bushakashatsi bugamije kugaragaza imiterere n’imiyoboro y’ihakana n’ipfobya bya Jenoside yakorewe Abatutsi bikorerwa mu mahanga n’ingamba zo kubirwanya.

By’umwihariko, uhereye ku bikorwa n’imyitwarire ihakana n’ipfobya bya Jenoside bigaragariramo, ubushakashatsi bufite intego zihariye zikurikira:

1. Gusobanura ihakana n’ipfobya bya Jenoside icyo ari cyo, mu rwego rw’ubuhanga no mu rwego rw’amategeko;
2. Kugaragaza imiterere y’ihakana n’ipfobya bya Jenoside yakorewe Abatutsi;
3. Kwerekana no gusesengura uburyo bukoreshwa mu ikwirakwizwa ry’ihakana n’ipfobya bya Jenoside yakorewe Abatutsi mu bihugu by’amahanga;
4. Kugaragaza ingamba n’uburyo zakoreshwa kugira ngo u Rwanda ruhangane n’icyo kibazo.

1.4. Imbago z’ubushakashatsi

Kwandika ku mateka y'u Rwanda muri rusange no kwandika ku mateka ya Jenoside cyangwa se ku ngengabitekerezo ya Jenoside yo guhakana no gupfobya Jenoside biragoye, kuko abanditsi ba mbere b'Abamisiyoneri n'Abakoloni batandukanye bagiye bagoreka amateka. Hari n'abandi bakomereje muri uwo murongo mu kwandika amateka atandukanya Abanyarwanda yagejeje u Rwanda kuri Jenoside yakorewe Abatutsi mu mwaka wa 1994. Abanditsi batandukanye bagiye bandika ayo mateka bavuguruzanya bishingiye ku ngengabitekerezo ya gikoloni. Kubera izo mpamvu, ubundi bushakashatsi bwose bwandikwa nyuma bugorwa no guhitamo inyandiko zakoreshwa.

Ubu bushakashatsi bwibanze ku miterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga. Nk'uko bigaragazwa n'ubushakashatsi bw'impuguke zanditse ibitabo binyuranye nka Totten & Parsons, 2009, Bruneteau, 2004; Kotek & Rigoulot, 2000; Ternon, 1995, ihakana n'ipfobya bya Jenoside bitangirana n'itegurwa rya Jenoside ubwayo, bigakomeza mu gihe cya Jenoside ndetse na nyuma yayo.

Kwemeza imbago z'igihe ubushakashatsi burangirira byaragoranye kuko ikibazo cyizweho cyo kidahagarara. Ariko isesengura ry'ubu bushakashatsi ryibanda ku gihe gitangira mu mwaka wa 1994 kikageza mu wa 2017. Ubundi bushakashatsi buzakomeza kureba ibigenda byandikwa cyangwa bivugwa bigaragaramo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi.

Isesengura kandi ryashingiye ku bikorwa byabereye mu bihugu by'amahanga hamwe n'inyandiko zimwe na zimwe zatangajwe zigaragaramo ihakana n'ipfobya bikorwa n'abanditsi ubwabo. Ubu bushakashatsi bushingiye ku isesengura ry'ibitekerezo n'inyandiko ku bumenyi mu bya Jenoside.

Ubushakashatsi bwahuye kandi n'inzitizi ijyanye n'icyizere gihabwa ibyandikwa ku mbuga nkoranyambaga (*crédibilité de sources/Credibility of sources).* Akenshi biba bidakubiye mu bitabo byemewe mu rwego mpuzamahanga, kubishingiraho no kubona "references" zabyo biragoye. Igihe ubu bushakashatsi bushyiriwe ahagaragara usanga rimwe na rimwe inyandiko zashingiweho zaravanywe ku mbuga cyangwa uwazanditse yarahinduye imyumvire n'umwanya yarimo igihe yabyandikaga. Ariko ahanini, muri ubu

bushakashatsi hakoreshejwe ibitabo n'inyandiko zemewe mu rwego rw'ubuhanga zigaragaramo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi.

Mu guhitamo amagambo n'ibisobanuro byayo, kenshi icyagoranye ni uguhitamo abanditsi n'uburyo bayasobanura kandi barayakoresheje mu buryo rusange cyangwa basobanura ubwicanyi na Jenoside byagiye biba ahantu hatandukanye, bityo bikagorana kubihuza na Jenoside yakorewe Abatutsi.
Ikindi cyagoranye muri ubu bushakashatsi ni ugutandukanya ibitekerezo by'abantu ku giti cyabo n'ibigo bitandukanye bakoreramo, cyangwa se gutandukanya ibitekerezo by'umuntu ku giti cye n'imikorere n'imyumvire y'inzego za Leta cyangwa akorera imiryango n'amashyirahamwe bitari ibya Leta.

Indi ngorane ni ukuvuga ku ngengabitekerezo yo guhakana no gupfobya bigaragara mu bitekerezo by'abantu bari mu nzego za Leta kandi izo Leta zikorana n'u Rwanda mu rwego rwa dipolomasi, hirindwa guhutaza umubano mwiza ibyo bihugu bifitanye n'u Rwanda.

1.5. Uburyo bwakoreshejwe

Hari uburyo bwinshi bwo gukora ubushakashatsi harimo isesenguranyandiko, kugirana ikiganiro n'abantu banyuranye, gukoresha ibibazo (Questionnaires) no kujya aho ibikorwa bibera. Sena yahisemo uburyo bw'isesenguranyandiko. Ubundi bushakashatsi bushobora kuzakoresha uburyo bwo gusura aho ibikorwa by'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi mu 1994 bibera mu mahanga ndetse no kwifashisha ambasade z'u Rwanda.

Ubu bushakashatsi bwakozwe bushingiye cyane cyane ku nyandiko zitandukanye zerekanywe zikanasesengurwa hakurikijwe uwazanditse uwo ari we n'umurongo w'ibitekerezo (thematic analysis/Analyse thématique). Hasesenguwe kandi ibiganiro bitandukanye byanyuze mu miyoboro itandukanye y'itangazamakuru n'itumanaho. Ibyo byakozwe ahanini bishingiye ku magambo y'ingenzi akubiye mu bushakashatsi ndetse n'ibitekerezo ngenga (theories/théories) bijyanye n'ayo magambo. Muri ubu bushakashatsi, hasobanuwe inyito zifashishijwe cyane cyane izo ubushakashatsi bwubakiyeho. Iz'ingenzi zasobanuwe ni Jenoside, icyaha cya Jenoside, ihakana n'ipfobya bya

Jenoside, ingengabitekerezo y'ihakana n'ipfobya, uburyo bwo guhakana no gupfobya Jenoside.

Ubu bushakashatsi bushingiye ku isesenguranyandiko *(*literature review/ analyse documentaire). Nyuma y'ibisobanuro by'amagambo yakoreshejwe n'inzobere mu byo kurwanya Jenoside, no guhitamo ibitekerezo ngenga byubakiweho ubu bushakashatsi, hifashishijwe uburyo bw'isesengura ryimbitse buzwi mu magambo y'Icyongereza nka "content analysis". Guhera mu mwaka wa 2000 isesenguranyandiko mu bushakashatsi ryafashe impu ebyiri. Rifatwa nka bumwe mu buryo butanga amakuru (source of information) kandi rikaba n'inzira cyangwa uburyo bwo gusesengura (approach) ugendeye ku nsanganyamatsiko zikubiye mu makuru y'ubushakashatsi. Isesengura nk'iri rikoreshwa cyane, iyo ubushakashatsi bugamije kwerekana no gusobanura imiterere y'ikintu runaka.

Ubu bushakashatsi bushingiye ku isesenguranyandiko rifite imirongo ngenderwaho yo mu bumenyi bujyanye na Jenoside, ingengabitekerezo yayo n'ihakana n'ipfobya byayo bikorerwa mu mahanga. Kugira ngo bigerweho, hasesenguwe amakuru yo mu bitabo n'izindi nyandiko cyangwa amakuru n'ibiganiro byumvikaniye kuri radiyo na televiziyo byo mu mahanga (Hsieh & Shannon, 2005). Na none uhereye ku bisobanuro by'inzobere Mayring, muri ubu buryo bwo gukora ubushakashatsi, ukora ubushakashatsi asesengura inyandiko, asobanura neza akanategura amabwiriza akurikizwa kugera isesengura rirangiye (Mayring, 2000). Zimwe muri izo nyandiko ni ibitabo by'abashakashatsi, inyandiko zinyuranye, raporo z'inama, amatangazo, ibinyamakuru, ibiganiro mbwirwaruhame. Hasesenguwe kandi ibikorwa bimwe bibera mu mahanga bijyanye no kubangamira kwibuka Jenoside yakorewe Abatutsi mu bihugu byo hanze.

Ibindi byifashishijwe mu isesengura, ni amategeko mpuzamahanga hamwe n'ay'u Rwanda ahana icyaha cya Jenoside, ihakana n'ipfobya byayo, imyanzuro y'Akanama k'Umuryango w'Abibumbye Gashinzwe Amahoro n'Umutekano ku bijyanye no guhana no gukumira icyaha cya Jenoside n'ibindi byaha byibasira inyokomuntu, amasezerano y'imiryango mpuzamahanga n'ay'Urukiko Mpuzamahanga Mpanabyaha rwashyiriweho u Rwanda.

Ubushakashatsi kandi bwifashishije amategeko yo mu bindi bihugu[6] cyane cyane ibyo mu Burayi ahana ihakana n'ipfobya bya Jenoside yakorewe Abayahudi, n'imanza zabaye mu bihugu by'i Burayi ku ihakana n'ipfobya by'iyo Jenoside.

Muri make, ibitekerezo ngenga bitandukanye byagiye bishingirwaho mu gusesengura ihakana n'ipfobya bya Jenoside byagaragajwe mu mutwe wa kabiri, ni nabyo byashingiweho ahanini mu kugaragaza by'umwihariko imiterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, nk'uko bisobanurwa mu buryo burambuye mu mutwe wa gatatu.

[6] Denial of Holocaust (Prohibition) Law, 5746-1986 (Israël) ; La loi du 23 mars 1995 tendant à réprimer la négation, la minimisation, la justification ou l'approbation du génocide commis par le régime national socialiste allemand pendant la seconde guerre mondiale (Belgique) ; Law No 90-615 to repress acts of racism, anti-semitism and xenophobia (1990) (France) ; Criminal Code, Act of 19 July 1997 (Luxembourg).

UMUTWE WA KABIRI: IBITEKEREZO NGENGA

Muri uyu mutwe, hagaragaramo isesengura ry'inyito z'amagambo yakoreshejwe mu bushakashatsi, akanasobanurwa mu murongo ujyanye n'ubumenyi mu bya Jenoside. Aha herekanwe kandi ibitekerezo by'inzobere byakoreshejwe mu gusobanura no gusesengura amakuru yakoreshejwe muri ubu bushakashatsi. Ubu bushakashatsi bwagendeye ku mirongo migari yo mu bumenyi mu bya Jenoside no kuyikumira yatanzwe n'inzobere nka Raphael Lemkin, Gregory Stanton, Samuel Totten,Yves Ternon, Jean Pierre Chrétien.

Ukurikije ubumenyi bw'inzobere zinyuranye mu bya Jenoside, amagambo y'ingenzi ubushakashatsi bwubakiyeho ni aya akurikira: Jenoside, ingengabitekerezo ya Jenoside, ihakana n'ipfobya bya Jenoside yakorewe Abatutsi.

2.1. Jenoside

Mu gusobanukirwa n'iri jambo rifite amateka atari maremare cyane, hashingiwe ku bitekerezo by'abanditsi barikoresheje bwa mbere no ku mwanzuro w'Umuryango w'Abibumbye (ONU) usobanura icyo Jenoside bivuze. Uyu mwanzuro wasobanuye icyaha cya Jenoside ndetse n'aho itandukanira n'ibindi byaha byibasira inyokomuntu.

2.1.1. Jenoside ni iki?

Mu gusobanura ijambo "Jenoside" turashingira ku bitekerezo by'umunyamategeko Raphaël Lemkin, nk'uko bisubirwamo na Yves Ternon (Ternon, 1995, p. 17), wahimbye ijambo "Jenoside" mu mwaka wa 1943, rikaza gukoreshwa ubwa mbere mu Rukiko mpanabyaha rwa Nuremberg ndetse rikanakoreshwa n'Umuryango w'Abibumbye mu mwaka wa 1948. Lemkin yarisobanuye bwa mbere ashingiye ku ijambo ry'ikigereki *genos* rivuga *ubwoko cyangwa inkomoko,* hamwe n'iry'ikilatini *caedĕre* risobanura kwica. Lemkin, ahanga iri jambo, yerekanye itandukaniro riri hagati ya Jenoside n'ibindi byaha ndengakamere byibasira inyokomuntu *Crimes contre l'humanité*/*Crimes against*

humanity. Mu rurimi rw'icyongereza[7], Lemkin asobanura ko ijambo "Jenoside" ritabagaho mbere ya 1944. Ni ijambo ryihariye risobanuye ibyaha by'ihohoterwa bikorwa bigambiriwe, mu kurimbura itsinda ry'abantu runaka. Ni byo Umuryango w'Abibumbye (ONU) wahereyeho ukora itangazo ryo kurengera ikiremwamuntu ku isi hose mu mwaka wa 1948.

Amasezerano Mpuzamahanga yerekeye gukumira no guhana icyaha cya Jenoside (*UN) Convention on the Prevention and Punishment of the Crime of Genocide (UNCG)* yemejwe n'Umuryango w'Abibumbye (ONU) tariki ya 9/12/1948, ashyirwa mu bikorwa tariki ya 12/1/1951, amaze kwemezwa n'ibihugu byose bigize uwo Muryango, yasobanuye mu magambo yumvikanyweho icyo Jenoside ari cyo. Yagize ati «Muri aya masezerano, Jenoside bivuga kimwe muri ibi bikorwa bikurikira bikoranywe umugambi wo kurimbura bose cyangwa igice cy'abantu bahuriye ku bwenegihugu (national), ubwoko (ethnical), ibara ry'uruhu (racial), idini. Ibyo bikorwa ni ibi:

1° Kwica abantu b'itsinda rimwe;
2° Gukomeretsa bikabije imibiri cyangwa ibitekerezo by'abantu b'itsinda rimwe;
3° Gushyira abantu b'itsinda rimwe mu buzima bubi ubigendereye, ugamije ko barimbuka bose cyangwa igice cyabo;
4° Gushyiraho uburyo bubuza iryo tsinda kubyara;
5° Kwambura iri tsinda abana babo bagahabwa irindi ridafite aho bahuriye.

Jenoside zose zemejwe n'Umuryango w'Abibumbye kugeza ubu, zashobotse zitekerejwe kandi zikozwe na Leta. Kugira ngo Jenoside ishoboke igomba kuba ishyigikiwe na Leta. Leta igira umugambi n'ubushake bisesuye byo kurimbura icyo gice cy'abaturage bayo kandi koko ikabishyira mu bikorwa. Leta itegura Jenoside, ibikorera gahunda kandi ikayigeraho. Uwicwa ntazira icyo yakoze, azira gusa ko ari umwe mu bagize igice cy'abo baturage bagomba icyo yakoze, azira gusa ko ari umwe mu bagize igice cy'abo baturage bagomba kurimburwa.

[7] The term "genocide" did not exist before 1944. It is a very specific term, referring to violent crimes committed against groups with the intent to destroy the existence of the group. Human rights, as laid out in the US Bill of Rights or the 1948 United Nations Universal Declaration of Human Rights, concern the rights of individuals.

Jenoside igira umurongo mugari igenderaho. Ni wo uhuza abasangiye icyerekezo kimwe cyo gukora Jenoside. Uwo murongo mugari ni wo bita ingengabitekerezo ya Jenoside. Ingengabitekerezo ya Jenoside ikorerwa icengezamatwara igasakara mu bantu benshi, ikagira ingufu, maze abantu bakayigenderaho bakemera gukora Jenoside. Jenoside yose, irategurwa, ikagira gahunda. Ibyo bita uburakari bw'abaturage biba bifite ibyabibanjirije, byigishijwe, byateguwe neza, akaba ari byo bifashisha mu gukora Jenoside.

Ibindi biranga Jenoside, harimo kuba iba akenshi mu bihe by'ubuyobozi bubi, ubukene bukabije n'urwikekwe rumara igihe kirekire, bigakomera igihe abenegihugu baciwemo ibice bishobora no guteza intambara. Muri ibyo bice bibiri, habamo ugomba kwicwa ufatwa nka nyirabayazana w'ibyago n'urugomo bimukorerwaho. Iyo ngengabitekerezo yo kwirukana, kwica, kurimbura, yubakwa kandi ikigishwa igihe kirekire, kugeza ubwo uwo mugambi ushyiriwe mu bikorwa.

2.1.2. Icyaha cya Jenoside

Amasezerano Mpuzamahanga yerekeye gukumira no guhana icyaha cya Jenoside (*UN Convention on the Prevention and Punishment of the Crime of Genocide)* yo kuwa 9 Ukuboza 1948 yatanze igisobanuro cy'icyaha cya Jenoside[8]. Ugenekereje mu Kinyarwanda, icyaha cya Jenoside bivuga kimwe muri ibi bikorwa bikurikira mu gihe bikoranywe umugambi wo kurimbura bose cyangwa igice cy'abantu bahuriye ku bwenegihugu, ubwoko, ibara ry'uruhu cyangwa idini:

- kwica abo bantu;
- kubatera ubumuga bw'umubiri cyangwa bwo mu mutwe;

[8] UN Convention on the Prevention and Punishment of the Crime of Genocide, Art. 2: Genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:a) Killing members of the group; b) Causing serious bodily or mental harm to members of the group; c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d) Imposing measures intended to prevent births within the group;e) Forcibly transferring children of the group to another group.

- kubashyira, ubigambiriye, mu mibereho ishobora gutuma barimbuka bose cyangwa harimbuka igice cyabo;
- gufata ibyemezo bibabuza kubyara;
- kubambura ku ngufu urubyaro rwabo ukaruha abandi bantu badahuje.

Guhera icyo gihe, ibihugu byashyize umukono kuri ayo Masezerano, bifite inshingano zo gushyiraho amategeko ahana icyaha cya Jenoside mu mategeko bigenderaho.

Ibi bitekerezo by'ibanze bisobanura ijambo "Jenoside", impamvu n'imiterere yayo, byabaye imbarutso z'inyandiko nyinshi z'ubuhanga zibanze kuri Jenoside n'uburyo ishyirwa mu bikorwa. Ukurikije ibyanditswe n'inzobere Gregory Stanton, Jenoside iba mu byiciro icumi (10). Icyiciro cya nyuma cya Jenoside ni ihakana ryayo.

2.1.3. Jenoside itandukanye n'intambara

Intego yabyo si imwe. Intambara iba igamije gutsinda maze abatsinzwe bakayoboka abatsinze. Jenoside ntiba igamije gutsinda ngo abatsinzwe bayoboke ababatsinze, ahubwo iba igamije kurimbura abo yibasiye ntihagire n'umwe usigara.

Intambara igira amategeko ayigenga, utayubahirije akaba yabihanirwa. Ushyize intwaro hasi agasaba imbabazi arazihabwa, ntiyicwa. Nta mategeko agenga Jenoside, abayikora ntakibakoma imbere, nta nubwo batanga imbabazi.

Intambara igira imfungwa z'intambara, Jenoside iba igamije kumaraho itsinda runaka, ntigira imfungwa. Intambara ikorwa n'ingabo z'abasirikare, ntihajyamo abaturage basanzwe. Jenoside yo si ko bigenda, kuko nko mu Rwanda yakozwe n'abasirikare ndetse n'abaturage basanzwe batagira ingano.

Mu ntambara, nubwo hari abahitanwa na yo, birabujijwe kwibasira abaturage muri rusange, by'umwihariko abana, abagore, abasaza, abarwayi, abafite ubumuga n'umwe mu barwana umanitse amaboko. Jenoside yibasira abagize itsinda runaka igamije kubamaraho bose, ntawe isize inyuma. Intambara igira ingaruka mbi n'inziza, naho Jenoside ingaruka zayo zose ni mbi (Yves Ternon, 2007, p. 90).

Raphael Lemkin ahimba iri jambo “Jenoside” yashakaga kwerekana itandukaniro riri hagati y’icyaha cya Jenoside n’ibindi byaha ndengakamere byibasira inyokomuntu .

Nubwo ijambo “icyaha cyibasira inyokomuntu” ryakoreshejwe mu mwaka wa 1915 hasobanurwa ubwicanyi bwakorewe abanyarumeniya, ibi byaha byasobanuwe neza mu mwaka wa 1945 mu cyo bise “Charte du Tribunal militaire international de Nuremberg”[9] (Association des Anciens Amateurs de Récits de Guerre et d'Holocauste: AAARGH, 2006). Mu buryo iri jambo risobanurwa, birumvikana ko ibi byaha bikorwa mu bihe by’intambara[10] (Nations Unies, 2009). Iyi ngingo yaje gusubirwamo igihe hasobanurwaga imiterere n’imikorere by’Urukiko Mpuzamahanga Mpanabyaha rwashyiriweho u Rwanda (TPIR), mu ngingo ya gatatu, ndetse no muri Sitati ya Roma, hongerwamo ko ibyaha byibasiye inyokomuntu bishobora gukorwa mu gihe cy’intambara cyangwa mu bihe by’amahoro.

Muri Sitati za TPIR n’iz’Urukiko Mpuzamahanga Mpanabyaha bongeyemo indi ngingo nshya ivuga ko kugira ngo ibyo byaha byitwe koko ibyaha byibasiye inyokomuntu, bigomba kuba byakozwe mu buryo rusange kandi bukurikije umurongo wateguwe. Ibi bituma hakurwamo ibindi byaha byose byakorwa ku buryo budateguwe kandi bitakozwe mu buryo bwa rusange[11].

2.1.4. Jenoside itandukanye n’ibindi byaha by’ubwicanyi

Habaho ubwicanyi butandukanye: hari ububa bugamije kwihorera, ubugamije guhana, hari ubuterwa n’uburakari busanzwe, urugomo n’ibindi. Ubwicanyi nk’ubwo ntibukorerwa gahunda na Leta ngo butegurwe ishishikarize igice kimwe cy’abaturage bayo kuzakorera ubwo bwicanyi ikindi gice cy’abaturage bayo. By’umwihariko, ubwicanyi busanzwe ntibuba bugamije kurimbura igice

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[9] Charte du Tribunal militaire international de Nüremberg (art. 6(c)).

[10] Statut du Tribunal Pénal International pour l’ex-Yougoslavie (article 5),

[11] Article 5 du Statut du Tribunal Pénal International pour l’Ex-Yougoslavie, 25 mai 1993
Article 3 du Statut du Tribunal pénal international pour le Rwanda, 8 novembre 1994
Convention sur l’imprescribilité des crimes de guerre et des crimes contre l’humanité, 26 novembre 1968

cy'abaturage bo mu bundi bwoko. Jenoside yo ni cyo iba igamije: kurimbura abari mu bundi bwoko bwibasiwe na Leta.

Jenoside itandukanye n'ibindi byaha by'ubugome nk'ibyaha byo mu ntambara n'ibindi byaha byibasira inyokomuntu, kuko byo biba bikomoka kuri iyo ntambara, mu gihe abicwa muri Jenoside bo baba bazira uko baremwe gusa. Jenoside iteka ishingira ku ivangura ritegurwa rikanashyirwa mu nzego, rigahabwa intebe, rikagirwa umurongo ngenderwaho w'Igihugu.

2.1.5. Umuryango Mpuzamahanga waje kwemeza Jenoside yakorewe Abatutsi

Mu gihe Jenoside yakorewe Abatutsi yakorwaga, amahanga n'Imiryango Mpuzamahanga batinze kwemeza ko mu Rwanda hari gukorwa Jenoside, nyamara byarabaye ku mugaragaro n'intumwa zayo zihari zibirebera. Byatewe n'impamvu zinyuranye, ariko cyane cyane ni ipfunwe bari bafite ryatewe n'uko batatabaye kandi bari babifitiye ubushobozi.

Mu kwezi kwa Gicurasi 1994, Umuryango FPR/RPF-Inkotanyi wandikiye ibaruwa Akanama Gashinzwe Umutekano mu Muryango w'Abibumbye (UN Security Council) usaba ko hashyirwaho Urukiko Mpuzamahanga Mpanabyaha rushinzwe kuburanisha abateguye n'abashyize mu bikorwa Jenoside yakorewe Abatutsi.

Na none, ku itariki ya 25 Gicurasi 1994, ni bwo Komisiyo Ishinzwe Uburenganzira bwa Muntu muri ONU yemeje ko mu Rwanda harimo gukorwa Jenoside, yohereza intumwa yayo Bwana René Degni-Segui mu Rwanda kubikoraho iperereza.

Ku itariki ya 08 Ugushyingo 1994, nibwo Akanama k'Umuryango w'Abibumbye (ONU) Gashinzwe Amahoro n'Umutekano ku Isi, kemeje Umwanzuro n° 955 ushyiraho Urukiko Mpuzamahanga rushinzwe gukurikirana no guhana icyaha cya Jenoside n'ibindi byaha byibasiye inyokomuntu byakorewe mu Rwanda hagati y'itariki ya mbere Mutarama l994 kugeza ku ya 31 Ukuboza 1994. Jenoside yakorewe Abatutsi mu Rwanda yemewe mu buryo budasubirwaho n'uyu Mwanzuro n°955 w'Akanama Gashinzwe Amahoro n'Umutekano ku Isi, ari nabwo hashyizweho Urukiko Mpuzamahanga

Mpanabyaha i Arusha. Ni n'uwo Mwanzuro ushingirwaho mu gusobanura no guhana icyaha cy'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi mu Rwanda.

Uru Rukiko, nubwo hari abo rwagize abere cyangwa rukabagabanyiriza ibihano, rwagize uruhare mu guhana bamwe mu bateguye bakanakora Jenoside, runashimangira ko mu Rwanda habaye Jenoside yakorewe Abatutsi, ko kandi iryo ari ihame ndakuka ritagomba kugibwaho impaka izo ari zo zose.

Igice gikurikira gishingiye ku bitekerezo by'abanditsi batandukanye basobanuye ibyiciro cyangwa se intambwe zikurikizwa mu gutegura umugambi wa Jenoside. Jenoside ikorwa ite? Ikorwa na nde? Yibasira bande?

2.1.6. Ibyiciro (steps/étapes) bya Jenoside

Umwe mu banditsi bazwi cyane kuri iki kibazo ni Gregory Stanton wasobanuye byimbitse uko Jenoside itegurwa igashyirwa mu bikorwa, ariko cyane cyane n'uko abayikora bashyiraho umugambi wo kuyihakana igitegurwa, mu gihe ikorwa ndetse na nyuma yo gusoza uwo mugambi. Uyu mwanditsi yaje kugaragaza uko ibi byiciro bigaragara mu nzira itegura ikanashyira mu bikorwa Jenoside yakorewe Abatutsi mu Rwanda. Yabanje kwerekana ko ari umunani (8) nyuma abigira icumi (10).

1. **Kuvangura abantu no kubaremamo gatanya *(Classification)***

Mbere ya byose, abategura Jenoside batandukanya abaturage, bakabacamo íbice bibiri («Twebwe» na «Bo») bagendeye ku bwenegihugu, ubwoko, inkomoko cyangwa imyemerere.

Muri iki cyiciro cya mbere, abantu bacibwamo ibice ndetse hakabaho guhanganisha abantu bamwe ku bandi. Ingero ni nk'Abayahudi n'Abanazi. Mu Rwanda, ni abiswe "Abahutu n'Abatutsi", hashingiwe mu gupima amazuru, amaso, umubare w'inka, imirimo bakora, bandika Hutu/Tutsi na Twa mu ndangamuntu, bishingirwaho mu kubacamo ibice. Muri iki gikorwa, abategura Jenoside bagerageza guhanganisha abaturage hakurikijwe ibice babashyizemo kandi bakagira abo bashyigikira kurusha abandi, buhoro buhoro bikagenda

bishimangira urwangano hagati yabo. Ariko mu by'ukuri bo baba bazi impamvu yabyo n'icyo bashaka kuzageraho. Mu nyandiko Gregory Stanton yanditse mu mwaka wa 2002, agaragaza uko ibi byagaragaye mu mateka ya Jenoside yakorewe Abatutsi mu mwaka wa 1994.

2. Kubaha ibibaranga *(Symbolization)*

Nyuma yo gucamo abaturage íbice, buri tsinda rihabwa izina ryihariye, rikagenderwaho batandukanywe n'abandi badahuje itsinda. Aha ni ho mu Rwanda Abanyarwanda bagabanyijwemo Abahutu n'Abatutsi. Mu Budage bashingiye ku Banazi n'Abayahudi. Ibi birango bahabwa, bishimangirwa n'inyigisho z'urwango zirushaho gutandukanya amatsinda yombi, kugeza ubwo itsinda ryibasiwe rifatwa nk'umwanzi mu muryango ribarizwamo.

Abantu bagiye bahabwa amazina yihariye, hashyirwaho n'ibimenyetso bigaragaza buri wese aho atandukaniye n'undi. Abanazi bategetse Abayahudi kujya bagendana akamenyetso k'inyenyeri y'umuhondo. Mu Rwanda Abatutsi nta kimenyetso cyihariye bagendanaga, uretse indangamuntu yanditsemo ubwoko yatumaga bamenyekana. Hejuru y'ibyo, Abatutsi bitwaga ba mazuru, ba runyunyusi, bakavuga ko barangwa n'ubugome, uburyarya kandi ko bakunda ubuhake n'ibindi.

3. Ivangura (Discrimination)

Muri iki cyiciro, itsinda ryibasiwe ryamburwa uburenganzira bumwe bw'ibanze mu bihugu ribamo. Nko mu Rwanda, habayeho politiki y'iringaniza yatumye Abatutsi batiga cyangwa ngo bajye mu mirimo ya Leta ari benshi (Mugesera A, Mata , 2014). Guhabwa amategeko aho uri hose no kwamburwa uburenganzira. Hari ibipimo ntarengwa (10%). Abagiyemo kandi nabwo babaga ari abantu badafitiwe icyizere, hakaba amabanga batamenyeshwa. Impamvu zidasobanutse zatumaga birukanwa mu mashuri cyangwa mu kazi. Mu gisirikare ho bari bacye cyane, hitwajwe ko baba badafite ingufu zihagije ngo bajye mu ngabo z'igihugu.

4. Kubambura ubumuntu (Déshumanisation/ Dehumanization)

Igice kimwe gihimba ikindi amazina acyambura ubumuntu. Muri rusange abagize icyo gice cyamburwa ubumuntu babita amazina nk'inzoka, inyenzi, imirizo. Icyo gihe kubica biroroha bigatinyura abicanyi. Gukwiza urwango rwambura ubumuntu binyuzwa mu itangazamakuru n'icengezamatwara ry'urwango.

Aha niho mu Rwanda Abatutsi batangiye kwitwa *inyenzi, inzoka, icyorezo (iki cyorezo nikitavurwa vuba kirarimbura abahutu bose).* Abayahudi babambuwe ubumuntu, bagafatwa nk'amatungo. Iyo babatwaraga mu bigo bafungirwagamo, babatwaraga mu modoka zigenewe gutwara amatungo, bakabashumika kandi bakabashyiramo ari benshi. Iyo bageragayo bafatwaga nabi bakanakoreshwa imirimo ikomeye kandi ku buntu.

5. Gushyiraho gahunda (Organisation/ Organization)

Buri Jenoside igira gahunda kandi ikorwa na Leta, ikanakoresha imitwe yitwara gisirikare kugira ngo uruhare rwayo rutagaragara. Ingero ni nka SS[12] mu Budage, Interahamwe, Impuzamugambi na « Hutu Power » mu Rwanda. Rimwe na rimwe bikorwa bidashingiye ku mategeko yanditse. Iyo mitwe ihabwa imyitozo ya gisirikare na Leta, igahabwa n'intwaro. Ubuhanga buhari bwose burakoreshwa. Ku rwego rukurikiraho, abategura Jenoside batangira kwibasira abatagira aho babogamiye, batabyumva kimwe nabo, kugira ngo batazababuza gushyira mu bikorwa umugambi wo kurimbura, ari wo wa Jenoside.

6. Guhanganisha abagomba kwicwa n'abazabica (Polarisation/ Polarization)

Nyuma yo gutandukanya amatsinda no kuyaha amazina yihariye kuri buri tsinda, itsinda ryibasiwe ryamburwa ubumuntu n'uburenganzira bw'ibanze ku buryo bugaragara, abarigize bakagereranywa n'ibikoko. Habaho guhanganisha ibice by'abantu. Ibi bishingira ku mvugo n'ingengabitekerezo ivuga ngo "utari kumwe natwe araturwanya", bigakurikizwa, bikanasakazwa mu bagomba

[12] SS (Schutzstaffel) : Wari umutwe wihariye wa gisirikare warindaga Hitler mu Budage wagize uruhare mu guhiga no guhohotera Abayahudi.

gushyira mu bikorwa uwo mugambi. Iki gice kigaragazwa n'uko amatsinda ahanganye adashobora kubana na gato. Mu Rwanda, habayeho gusobanura umwanzi uwo ari we, ko ari Umututsi w'imbere mu gihugu cyangwa uwo hanze yacyo.

Kuri uru rwego, abategura Jenoside barangwa n'ibikorwa bitandukanye bitegura ishyirwa mu bikorwa ryayo. Hategurwa hakanigishwa abazayikora, hagashakwa ibikoresho bizifashishwa n'ibindi. Ni muri uru rwego mu Rwanda hashyizweho imitwe y'Interahamwe, Impuzamugambi n'iyindi, bakigishwa kwikiza umwanzi igahabwa ibikoresho bitandukanye bizifashishwa (imipanga, amahiri ...).

7. Imyiteguro ya nyuma (Préparation/Preparation*)*

Kuri uru rwego, abagomba kwicwa bagira ibibazo cyane, hakabaho igeragezwa n'ibitero bya Jenoside hakorwa ubwicanyi bubibasira bitavugwa. Ubwo bwicanyi bushyigikirwa n'ubutegetsi ndetse n'ababukora ntibahanwa. Iki cyiciro kirangwa no gukora igenamigambi ryo gushyira mu bikorwa wa mugambi nyamukuru. Hakorwa urutonde rw'abagomba kwicwa, hatangwa amabwiriza yo kudashakana, kudahahirana, kwikiza abashobora kubangamira uwo mugambi.

Nk'uko Stanton abyerekana, mu Rwanda naho ubwicanyi bwatangiye mbere ya 1994. Atanga imibare y'abantu bishwe mu mwaka wa 1990, 1991, 1992 , mu bice bimwe by'Igihugu harimo Kinigi, Bigogwe, Bugesera ndetse no muri Kigali.

8. Gutoteza bikomeye (Persécution/ Persecution)

Iki cyiciro kirangwa n'ibikorwa byo gushishikariza imitwe y'abicanyi ibikorwa by'ubugome bikorerwa itsinda rigomba kwicwa. Ubwicanyi butangira buhoro buhoro, bukagaragara nk'itsemba. Ubu bwicanyi ntibukwira hose, bukorwa kuri iryo tsinda ryibasiwe mu gace kamwe nk'igerageza. Ababukoze ntabwo bahanwa kandi igatanga impamvu zateye ubwo bwicanyi. Bikorwa cyane cyane n'ingabo zifatanyije n'imitwe y'abicanyi ku buryo bweruye cyangwa buhishe.

9. Kurimbura (Extermination)

Gushyira mu bikorwa umugambi wateguwe birangwa no kurimbura itsinda ryibasiwe. Habaho gutegeka buri wese kugendana bya bimenyetso byashyizweho no kwegeranya abagomba kwicwa cyangwa kubakura mu byabo.

Mu Rwanda, abantu babwirwaga kugendana indangamuntu, kandi byavugiwe ku maradiyo ashishikariza urwango nka radiyo RTLM, urutonde rw'ibyitso rurakorwa, imitwe y'abicanyi yari yaratojwe kandi imarwa ubwoba. Kuri iki cyiciro, hakorwa ubwicanyi burimbura abantu bose bo mu cyiciro cy'abiswe abanzi.

10. Guhakana no gupfobya Jenoside (Déni/Denial; Révisionisme/ Revisionism)

Nk'uko byasobanuwe mu byiciro bibanza, nyuma yo gukora urutonde rw'abagomba kwicwa, hakurikiraho kubica hagamijwe kubarimbura. Nyuma yo gushyira mu bikorwa Jenoside, iteka abayikoze ntibaba bemera ibyaha bakoze. Barangwa no guhakana ibyabaye, bakanagerageza guhisha ukuri. Bumwe mu buryo bakoresha ni ukwibasira abarokotse Jenoside kimwe n'abatangabuhamya no gukora ibindi bintu byose byatuma ukuri kumenyekana. Baba bagamije gusibanganya ibimenyetso bituma umugambi wabo bimenyekana n'uburyo wateguwe.

Abahakana Jenoside babikora igihe cyose kuva mu itegura ryayo kugeza ikozwe ndetse na nyuma yayo. Baba bagamije guhisha icyaha, bajijisha abadasobanukiwe neza n'imiterere ya Jenoside yakozwe. Abakoze Jenoside, basibanganya ibimenyetso, bagatera ubwoba ababibonye. Muri byo, hari nko gutwika imibiri y'abishwe, kuyijugunya mu byobo. Bahakana ko bakoze icyaha, ahubwo bagatoteza abayikorewe, bakanegeka uruhare rwabo ku bakorewe Jenoside (Yves Totten & Bartrop Paul, 2009, pp. 127-129) na (Stanton G. H., 2002).

Mu by'ukuri, tugendeye kuri Jenoside zabaye hirya no hino ku Isi, Jenoside yose irategurwa, ntipfa kubaho. Jenoside igira umurongo mugari igenderaho (Stanton

G. H., 2013). Ni wo uhuza abasangiye icyerekezo kimwe cyo gukora Jenoside. Uwo murongo mugari ni wo bita ingengabitekerezo ya Jenoside.

Ingengabitekerezo ya Jenoside isakazwa mu bantu benshi, ikagira ingufu, maze abantu bakayigenderaho bakemera gukora Jenoside. Ingengabitekerezo iyo ari yo yose irangwa no kugira umurongo w'ibitekerezo, amarangamutima na gahunda bishingirwaho ndetse bikanagira igice cy'abantu byitirirwa.

2.2. Ingengabitekerezo ya Jenoside

2.2.1. Ingengabitekerezo ya Jenoside ni iki?

Mu mwaka wa 2008 hagiyeho itegeko rihana icyaha cy'ingengabitekerezo ya Jenoside (Itegeko n^{o} 18/2008 ryo ku wa 23/07/2008). Iri tegeko ryavuguruwe mu mwaka wa 2013 (Itegeko n^{o} 84/2013 ryo ku wa 11/09/2013 ryerekeye icyaha cy'ingengabitekerezo ya Jenoside n'ibindi byaha bifitanye isano na yo). Iri naryo ryaje kuvugururwa mu mwaka wa 2018 (Itegeko n^{o} 59/2018 ryo ku wa 22/08/2018 ryerekeranye n'icyaha cy'ingengabitekerezo ya Jenoside.n'ibindi byaha bifitanye isano na yo.

Nk'uko Itegeko n^{o} 59/2018 ryo ku wa 22/08/2018 ryerekeranye n'icyaha cy'ingengabitekerezo ya Jenoside n'ibindi byaha bifitanye isano na yo ribisobanura mu ngingo yaryo ya 4, ingengabitekerezo ya Jenoside ni igikorwa gikozwe mu ruhame, byaba mu magambo, mu nyandiko, mu mashusho cyangwa ku bundi buryo kigaragaza imitekerererereze yimakaza cyangwa ishyigikira kurimbura abantu bose cyangwa bamwe muri bo bahuriye ku bwenegihugu, ubwoko, ibara ry'uruhu cyangwa ku idini.

2.2.2. Ibyaha bifitanye isano n'ingengabitekerezo ya Jenoside

Ibyaha bifitanye isano n'ingengabitekerezo ya Jenoside bisobanurwa n'Itegeko n^{o} 59/2018 ryo ku wa 22/08/2018 ryerekeranye n'icyaha cy'ingengabitekerezo ya Jenoside n'ibindi byaha bifitanye isano na yo, kuva ku ngingo ya 5 kugeza ku ya 11. Ibyo byaha ni ibi bikurikira:

1. **Icyaha cyo guhakana Jenoside**

   Guhakana Jenoside ni igikorwa gikorewe mu ruhame kigamije:

1° kuvuga cyangwa kugaragaza ko Jenoside atari Jenoside;
2° kugoreka ukuri kuri Jenoside hagamijwe kuyipfobya .;
3° kwemeza ko mu Rwanda habaye Jenoside ebyiri (2);
4° kuvuga cyangwa kugaragaza ko Jenoside yakorewe Abatutsi itateguwe.

2. Icyaha cyo gupfobya Jenoside

Gupfobya Jenoside ni ukagaragariza mu ruhame kandi ku bushake imyitwarire igamije:

1° kugabanya uburemere cyangwa ingaruka za Jenoside;
2° koroshya uburyo Jenoside yakozwemo.
3° Kugaragaza imibare itariyo y'abazize Jenoside

3. Icyaha cyo guha ishingiro Jenoside

Guha ishingiro Jenoside ni igikorwa gikorewe mu ruhame kigamije:
1° gushimagiza Jenoside;
2° gushyigikiraJenoside;
3° kwemeza ko Jenoside yari ifite ishingiro.

4. Icyaha cyo kuzimiza cyangwa gutesha agaciro ibimenyetso cyangwa amakuru yerekeye Jenoside

Kuzimiza cyangwa gutesha agaciro ibimenyetso cyangwa amakuru yerekeye Jenoside ni uguhisha, kwangiza, gusibanganya cyangwa gutesha agaciro ibimenyetso cyangwa amakuru byerekeye Jenoside bikozwe ku bushake.

5. Icyaha cyo kwiba cyangwa kwangiza imibiri y'abazize Jenoside

Aba akoze icyaha umuntu wibye imibiri y'abazize Jenoside, agatesha agaciro cyangwa akangiza ku bushake imibiri y'abazize Jenoside.

6. **Icyaha cyo gusenya, konona cyangwa gutesha agaciro, urwibutso rwa Jenoside cyangwa ahashyinguwe imibiri y'abazize Jenoside**

Ni ugukora ku bushake kimwe mu bikorwa bikurikira:

1° gusenya cyangwa konona urwibutso rwa Jenoside cyangwa ahashyinguye imibiri y'abazize Jenoside;
2° gusenya cyangwa konona ibimenyetso by'urwibutso rwa Jenoside cyangwa ahashyinguye imibiri y'abazize Jenoside;
3° gutesha agaciro urwibutso rwa Jenoside cyangwa ahashyinguye imibiri y'abazize Jenoside.

7. **Icyaha cyo guhohotera uwacitse ku icumu rya Jenoside**

Guhohotera uwacitse ku icumu rya Jenoside ni imyitwarire cyangwa igikorwa kigamije gutoteza, gutera ubwoba, gutesha agaciro, kwigamba, gushinyagurira, gutuka cyangwa kwangiza umutungo w'umuntu bishingiye ko ari uwacitse ku icumu rya Jenoside.

Ingingo z'iri tegeko zisobanura ibyaha bifitanye isano n'ingengabitekerezo ya Jenoside zinateganya n'ibahano byabyo.

Iri tegeko, mu ngingo yaryo ya 12, riteganya kandi ihanwa ry'ibyo byaha bikozwe n'ikigo cyangwa isosiyete bitari ibya Leta, koperative, umuryango utegamiye kuri Leta ufite ubuzima gatozi cyangwa umutwe wa politiki.

2.3. Ihakana n'ipfobya bya Jenoside

2.3.1. Ibisobanuro ku ihakana n'ipfobya

Inkoranyamagambo Petit Robert yo mu mwaka wa 2001 ku rupapuro rwayo rwa 1659, isobanura ko ipfobya ari ijambo rituruka ku rindi risobanuye isubiramo (révision). Ryakoreshejwe bwa mbere mu murongo w'imitekerereze yo kugabanya cyangwa guhindura ukuri kuri Jenoside yakorewe Abayahudi,

hagambiriwe guhakana ko habayeho ibyumba byarimo ibyuka byica (gaz chambers), byakoreshejwe mu kubarimbura.

Ibisobanuro ku ihakana n'ipfobya byagendeye ku bitekerezo by'inzobere nka Henry Rousso, Jean-Pierre Chrétien na Pierre Vidal-Naquet. Ukurikije ijambo ubwaryo, ihakana rya Jenoside ryitwa " négationnisme" mu rurimi rw'Igifaransa, ryahimbwe mu mwaka wa 1990 riturutse ku ijambo "négation" ryasobanuwe mu rurimi rw'Igifaransa[13]. Ugenekereje mu rurimi rw'Ikinyarwanda, byasobanura ko ihakana rya Jenoside ryaturutse ku ijambo ihakana, rikoreshwa ahagana mu mwaka wa 1990 bahakana ko habayeho ibyumba byarimo ibyuka byica, byakoreshejwe mu kurimbura Abayahudi**.**

Ijambo "ipfobya", mu cyongereza bivuga "revisionism", rifite amateka maremare, cyane cyane mu gihugu cy'Ubufaransa. Alain Finkielkraut na Valérie Igournet berekana ko ryakoreshejwe n'impuguke mu mateka bwa mbere mu mwaka wa 1987 (Finkielkraut A. , 1987) na (Igournet V. , 2000). Ryakoreshejwe rihakana ikoreshwa ry'amazu yakingiranywemo Abayahudi arimo ibyuka byica (chambre à gaz) bikozwe n'Abanazi, cyangwa se mu buryo rusange bashaka gusibanganya amateka, bashaka guhakana ko Jenoside y'Abayahudi itigeze iba (Rousso H. , 1994, p. 151). Nyuma yaho, ijambo "ipfobya" ryaje gukoreshwa cyane n'umwanditsi Pierre Vidal-Naquet cyane cyane mu nyandiko ze ku ihakana no ku mateka y'igihugu (Vidal-Naquet, 1987).

Henry Rousso asobanura ko ipfobya ryiganje cyane mu banyapolitiki no muri za Kaminuza, byabaye imiyoboro ikomeye yo guhakana no gupfobya amateka ya Jenoside yakorewe Abayahudi (Rousso H, 2006). Agaragaza ko ihakana muri politiki riba uburyo bwo kwisobanura cyangwa se kwivanaho icyaha (auto-justification), kandi ko biterwa na politiki ngenderwaho mu gihugu. Mu Bufaransa yigaragaje cyane mu banyapolitiki bari mu murongo wa *Extrême-Droite* na *Front National*, nk'uburyo bwo kwigira abere mu mateka ya Jenoside yakorewe Abayahudi, bagizemo uruhare.

Ahandi Rousso agaragaza ingengabitekerezo yo guhakana no gupfobya, ni muri za Kaminuza, aho atanga impamvu ebyiri z'ingenzi. Iya mbere, ni uko Kaminuza

[13] Le négationnisme : "1990, dérive du mot négation ». Position idéologique consistant à nier l'existence des chambres à gaz utilisées par les nazis".

ari igicumbi cy'abanyabwenge, hahurira abantu benshi cyane bakiri bato. Ni yo mpamvu Kaminuza zahindutse indiri z'abahakana Jenoside bagira ngo bagire aho babikwirakwiza byitwa ko ari abanyabwenge. Bityo Kaminuza iza kuba umuyoboro w'ibitekerezo bihakana Jenoside ku mpamvu zitandukanye. Rousso yemeza ko abenshi muri abo bahakanyi atari abahanga bize iby'amateka ko ahubwo ko biyitirira kuba inzobere mu mateka ku mpamvu zitandukanye.
Rousso yemeza ko ntawe uvukana ingengabitekerezo yo guhakana Jenoside, ko abenshi bafata uwo murongo bijyanye n'ibihe bagezemo, inyungu zabo bwite n'abo bazisangiye.

Ihakana n'ipfobya biratandukanye ariko byose biba bigamije ikintu kimwe. Niba gupfobya atari uguhakana, ariko gupfobya ni uburyo bukoreshwa mu kuzimangatanya no guhakana ibyabaye. Ni byo Pierre Vidal-Naquet wavuzwe na Jean Pierre Chrétien asobanura ko ihakana na ryo ritigaragaza neza uko rikorwa. Ritangira rigaragaza ko nta bantu bapfuye, ko abapfuye bapfuye mu bihe by'intambara aho buri wese yicaga undi. Rihakana imibare y'abapfuye kandi rikemeza ko abapfuye byababgwiririye, cyangwa se ko na bo bizize kubera uko bitwaye mu gihe cy'intambara (Vidal-Naquet, 1991).

Ukurikije ibitekerezo byatanzwe n'impuguke Deborah Lipstadt mu gitabo cye *Denying the Holocaust: The Growing Assault on Truth and Memory* ijambo ingengabitekerezo y'ihakana cyangwa ihakana gusa, bisobanura kimwe n'ijambo ingengabitekerezo y'ipfobya (revisionism). Kurihitamo bishingira ko abahindura amateka, bagabanya cyangwa boroshya ukuri kwa Jenoside yakorewe Abayahudi, kuko baba bashaka guhisha uruhare rwabo. Guhindura ukuri ku mateka biba igikorwa cyemewe kandi gikenewe cyo gusubiramo no gusobanura ko hari impamvu zumvikana zabiteye (Lipstadt D , 1994).

Ibi binagarukwaho mu gitabo cyanditswe na Shermer Michel afatanyije na Grobman, *Denying History: Who Says the Holocaust Never Happened and Why Do They Say It?* abo bagaragaza itandukaniro n'ihuriro hagati y'ingengabitekerezo y'ihakana n'iy'ipfobya bya Jenoside. Mu by'ukuri, usesenguye mu miterere y'iri jambo ingengabitekerezo y'ihakana, ntirisobanura gusubiramo amateka cyangwa kuyaha ibisobanuro, ahubwo ni igikorwa kigaragara cyo guhakana "holocaust". Muri uwo murongo, ingengabitekerezo y'ipfobya ni urwitwazo, ibisobanuro hamwe n'ubundi buryo bikoreshwa mu

guhunga icyaha cy'ihakana rya Jenoside. Aba banditsi bombi, bavuga ko ihakana ari ryo jambo risobanutse mu gusobanura icyaha cyo guhakana Jenoside kurusha ipfobya. Ihakana ryerekana ukuri ku mugambi wo kugoreka ukuri kwanditswe ku mateka (Shermer&Grobman, 2000).

Ibi bitekerezo ngenga ku ngengabitekerezo y'ihakana n'ipfobya bya Jenoside n'uburyo bwo guhakana no gupfobya, byifashishijwe mu isesengura ry'amakuru no kuyaha umurongo. Uburyo bwifashishijwe mu bushakashatsi buri mu bice bikurikira.

2.3.2. Ibitekerezo ngenga ku ihakana n'ipfobya bya Jenoside

Imirongo migari yagendeweho n'ubu bushakashatsi yubakiye ku bumenyi bw'inzobere mu mateka ya Jenoside. Ukurikije ibitekerezo byatanzwe na Henry Rousso, "Ihakana" ritangirira mu "Ipfobya". Ihakana ni ijambo rishya umunyamateka Henry Rousso yahimbye mu mwaka wa 1987 ashaka gusobanura igikorwa cyo guhakana ukuri kuri Jenoside yakorewe Abayahudi, ikozwe n'Abadage b'Abanazi mu ntambara ya 2 y'Isi yose, bakunze kwita mu rurimi rw'igifaransa "*négation de la shoah*".

Muri uwo murongo, ingengabitekerezo y'ihakana ni igikorwa kigamije guhakana ko habayeho umugambi wo kurimbura Abayahudi cyangwa se ko uburyo bwakoreshejwe mu kubarimbura cyane cyane ibyumba byarimo ibyuka byica, bitabayeho (Rousso H. 2004). Kubera iyo mpamvu, ibitekerezo shingiro ku ihakana rya Jenoside mu mateka y'Isi, byashingiweho n'ubutabera mu kurwanya ingengabitekerezo ya Jenoside n'ihakana ryayo, byinjizwa mu myanzuro (Résolutions) y'Umuryango w'Abibumbye ijyanye no guhana no gukumira icyaha cya Jenoside n'ibindi byaha byibasira inyokomuntu mu mwaka wa 1948. Guhera icyo gihe, ingengabitekerezo y'ihakana, isobanura ihakana cyangwa ipfobya ry'ibyaha byibasira inyokomuntu (Rousso H. , 2004).

Mu bindi bihugu by'Isi, iri jambo ry'ingengabitekerezo y'ihakana, rikoreshwa bashaka kuvuga ihakana cyangwa ipfobya ry'ukuri ku mateka y'ibyaha byibasira inyokomuntu.

Nubwo ibi bikorwa byibasiye inyokomuntu byabaye mu bihe bitandukanye, kandi bigakorwa hifashishijwe uburyo bunyuranye, uburyo bukoreshwa mu

guhakana no gupfobya bufite ingingo zihariye buhuriyeho iyo babihakana. Rimwe na rimwe, ingengabitekerezo y'ihakana n'ipfobya ikoreshwa mu buryo bwo guhakana ukuri ku mateka nubwo haba hari ibikorwa bibigaragaza. Ahanini, ibi biba ahabaye ibikorwa by'ihohotera bikomeye. Ni ijambo rikoreshwa mu kumenyekanisha uburemere bw'iyo myumvire y'ibintu.

2.3.3. Uburyo 12 bwo guhakana no gupfobya Jenoside bwa Gregory Stanton

Hari uburyo 12 bwasobanuwe na Gregory Stanton bwerekana igikorwa cyo guhakana no gupfobya Jenoside (Stanton G. , 2005).

Ubwo buryo ni ubu bukurikira[14]:

- kujya impaka zidashira ku mibare y'abapfuye;
- gukemanga abavuga ukuri kuri Jenoside,
- kuvuga ko nta mugambi wo kurimbura wabayeho;
- kwerekana ko abishwe bazize ubugome cyangwa ububi bwabo;
- kuvuga ko urupfu rwabo rwatewe n'inzangano n'intambara z'amoko'
- kuvuga ko ari abasirikare bataye umurongo bishe abantu;
- kwanga kubangamira abicanyi baba bari mu biganiro n'inzira z'amahoro;
- guhakana Jenoside kubera inyungu z'ubukungu;
- kuvuga ko abicwa ahubwo bafashwe neza;
- kuvuga ko ubwicanyi bwabaye atari Jenoside,
- kuvuga ko abicwa bizize;
- kuvuga ko ubwiyunge n'amahoro biruta gushinja abicanyi bakoze Jenoside.

1. Kujya impaka zidashira ku mibare y'abapfuye

Aha abahakana bashingira mu kuvuguruza imibare y'abapfuye akenshi bayigabanya. Ibi bigaragara ahabaye Jenoside hose. Kuri Jenoside yakorewe Abayahudi, bavuga ko hishwe bake ugereranyije na miliyoni esheshatu (6)

[14] Ubu buryo bwo guhakana Jenoside buragarukwaho mu buryo burambuye mu mutwe wa gatatu uvuga imiterere y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi.

zirenga zivugwa n'abarokotse iyo Jenoside. Mu Rwanda, abapfobya bavuga ko nta Batutsi bagera kuri miliyoni bahabaga, bakemeza ko hishwe Abatutsi 200.000 n'Abahutu 800.000 ariko bakirengagiza umubare wa 1.074.017 wagaragajwe n'ibarura ry'Abatutsi bazize Jenoside ryakozwe na Minisiteri y'Ubutegetsi bw'Igihugu n'Imibereho myiza y'Abaturage mu mwaka wa 2002. Ibyo ari byo byose, umubare w'abapfuye si wo uherwaho mu kwemeza ko habayeho cyangwa hatabayeho Jenoside.

2. Gukemanga impamvu abavuga ukuri kuri Jenoside batanga

Abahakana Jenoside bashinja abavuga ukuri ko ibyo bavuga biterwa n'inyungu runaka bashaka kurengera. Abahakana Jenoside yakorewe Abatutsi bavuga ko u Rwanda rwahinduye Jenoside «ikifashishwa» (fonds de commerce) kugira ngo rubone uko rucecekesha Abahutu. Ikindi ni uko mu gihe cya Jenoside bavugaga ko u Rwanda rwatewe n'abanyamahanga bakaba baragombaga kurengera ubusugire bw'Igihugu. Abafungwaga mu byitso bose baregwaga icyaha cyo guhungabanya umutekano w'Igihugu.

3. Kuvuga ko nta mugambi wo kurimbura wabayeho

Abahakana Jenoside, birengagiza nkana ko habayeho umugambi wo kurimbura, bagahakana ibimenyetso byose byerekana ko uwo mugambi wabayeho. Abahakana bavuga ko ari uburakari bw'abaturage bwatumye Abatutsi bicwa; ko kwicwa kw'Abatutsi kwatewe n'ihanurwa ry'indege yari itwaye Habyarimana Yuvenali. Bavuga kandi ko Jenoside yakorwaga buri munsi itari ishingiye ku mugambi runaka (Kugura intwaro, gutoza imitwe yitwara gisirikare, kurwanya "umwanzi").

4. Kwerekana ko abishwe bazize ububi bwabo

Mu Rwanda ubuyobozi bwumvishije abaturage ko Inkotanyi ari mbi, ko ari ba gashozantambara kuko ari bo batangiye intambara yatumye bava mu byabo ndetse n'izindi ntambara z'Inyenzi zabayeho mbere. Ibi bikaba byaratumye abaturage bagenda bagira urwango ku Batutsi, babafata ko ari bo bababuza amahoro kuva kera.

5. Kuvuga ko urupfu rwabo rwatewe n'intambara z'amoko

Abahakana Jenoside yakorewe Abatutsi bavuga ko Abahutu n'Abatutsi ari amoko ahanganye adashobora kubana kandi ko nta gihe bigeze babana. Bavuga ko ibyabaye bishingiye ku makimbirane amaze igihe kirekire hagati yabo, ntabwo berura ngo bavuge ko ari Jenoside. Nyamara mu mateka y'u Rwanda nta Jenoside yigeze ibaho, uretse Jenoside yakorewe Abatutsi yabaye mu mwaka wa 1994.

6. Kuvuga ko ari abasirikare bataye umurongo bishe abantu

Guverinoma ihakana uruhare rwayo, ikavuga ko abakoze "amarorerwa" ari abasirikare n'abaturage barenze ku mategeko agenga intambara. No mu Rwanda Guverinoma yariho yavugaga ko itanga Abatutsi, ko ahubwo irwanya ibyitso by'umwanzi, ko abishe barenze ku mategeko bahawe.

7. Kwanga kubangamira abicanyi baba bari mu biganiro n'inzira z'amahoro

Iyi ni imvugo yagiye ikoreshwa mu gukanga intumwa zabaga ziri mu mishyikirano (abadipolomate) batinya gusubiza inyuma cyangwa kwica inzira z'imishyikirano y'amahoro. Mu mwaka wa 1994, ubwo Gen. Romeo Dallaire yongeraga gusaba ububasha bwo gufatira intwaro zari mu baturage, agaragaza impungenge zikomeye z'intambara y'abaturage, Umuryango w'Abibumbye wamwibukije ko inshingano ze zagarukiraga gusa ku kugenzura ishyirwaho ry'inzego z'inzibacyuho.

8. Guhakana Jenoside kubera inyungu z'ubukungu

Mu gihe cya Jenoside yakorewe Abatutsi, igihugu cy'Ubufaransa cyakomeje kohereza intwaro mu Rwanda, mu rwego rwo gutsimbarara ku nyungu bufite mu bihugu by'Afurika. Amabanki yo mu Bufaransa na yo yatanze inguzanyo yo kugura intwaro zakoreshejwe mu kwica Abatutsi. Haracyakenewe ubushakashatsi kugira ngo hamenyekane abatanze amafaranga yo kugura intwaro, kuko u Rwanda nta ntwaro rwari rufite.

9. Kuvuga ko abicwa ahubwo bafashwe neza

Mu Rwanda bavugaga ko hakorwa ibishoboka byose kugira ngo abahigwaga bajye muri kiliziya kugira ngo byorohe kubacungira umutekano. Icyari kigamijwe kwari ukugira ngo babashyire hamwe babone uko babica. Ibi bikaba bijyanye n'imvugo ya Depite Rugira Amandin wasabye abayoboke ba MRND kurimbura Abatutsi bazayoboka PL, akabacira umugani ngo "Ujya gutwika imbagara arazegeranya".

10. Kuvuga ko ubwicanyi bwabaye atari Jenoside

Abanyamategeko n'abanyapolitiki birinda gukoresha ijambo "Jenoside", bavuga ko ubwicanyi bwabaye atari Jenoside, kuko iyo bibaye yo, ibihugu bigomba guhaguruka bigatabara bikoresheje uburyo bushoboka bwose nk'uko biteganywa n'umutwe wa 7 w'Amasezerano ashyiraho Umuryango w'Abibumbye. Umuryango w'Ubumwe bw'Uburayi, Umuryango w'Abibumbye na "Amnesty International" batinze gukoresha ijambo Jenoside.

11. Kuvuga ko abicwa bizize

Mu Rwanda, bavugaga ko Leta ya Habyarimana Juvénal yarwanyije Inyenzi zarenze ku mategeko agenga impunzi, zigatera u Rwanda kuva mu mwaka wa 1963. zifite umugambi wo kugarura ingoma ya cyami n'ubuhake. Igitero cy'Inkotanyi mu mwaka wa 1990, Leta ya Habyarimana Juvénal yagifashe nk'imbarutso yo kwikiza Abatutsi kuko bafatwaga nk'ibyitso. Kuva na kera, iyo Inyenzi zateraga, Abatutsi baricwaga. Abateraga u Rwanda bafatwaga nk'abana b'Inyenzi batigeze bemera ubutegetsi bwa Repubulika, bavuga ko bwari buganje mu Rwanda.

12. Kuvuga ko ubwiyunge n'amahoro biruta gushinja abicanyi bakoze Jenoside

Ibi bikunze kuvugwa mu gihe cya nyuma ya Jenoside. Ibi bisobanuro babitanga nk'impamvu kugira ngo basabe ko hashyirwaho itegeko ribaha imbabazi ku byaha byo kwica nk'imwe mu nkingi z'amasezerano y'amahoro. Gusa, amahoro arambye ashingira ku butabera. Iyo nta guhana kubaye, guhakana guhabwa intebe (Stanton G , 2005).

2.3.4. Uko Jean Pierre Chrétien asobanura ihakana n'ipfobya bya Jenoside yakorewe Abatutsi mu Rwanda

Usibye Stanton G, Jean Pierre Chrétien (Chrétien J P, 2010) nawe yagerageje kwerekana uko ipfobya rya Jenoside yakorewe Abatutsi ryagiye ryiyubaka. Abanza agaragaza ko ipfobya ryatangiranye n'abateguraga kuzayikora, ndetse biza kuba iby'Umuryango w'Abibumbye wabanje kutemera ko ari Jenoside cyangwa kwitiranya ibiri kuba n'ubwicanyi busanzwe, akongeraho kwerekana intambwe ya mbere ikomeye mu guhakana no gupfobya ibyaberaga mu Rwanda kuva mu rukerera rwo ku itariki ya 07 Mata 1994. Amahanga yategereje ukwezi kwa Gicurasi 1994 kugira ngo ijambo Jenoside rikoreshwe. Avuga ko amahanga yihutiye kugaragaza ibyaberaga mu Rwanda nk'ubwicanyi hagati y'amoko. Izo ntambara z'amoko zimenyerewe muri Afurika, aho abantu bicana, bose bagafatwa nk'inzirakarengane.

Isesengura ry'ibitekerezo bya Jean Pierre Chrétien ryerekana ko ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bikorwa mu buryo bukurikira:

- **Uburyo bwa mbere**, Jean Pierre Chrétien abanza kugaragaza ko abahakana Jenoside yakorewe Abatutsi, babanza kwemeza ko itari Jenoside, ko ahubwo yari intambara hagati y'amoko yatewe n'uburakari bwumvikana bwo kuba igihugu cyari cyatewe n'abanzi mu mwaka wa 1990: (Un "conflit interethnique" et une "colère" légitime). Muri ubu buryo bw'imitekerereze, ibyabaye basobanura ko byatewe n'urwango karande rwahoze hagati y'Abahutu n'Abatutsi. Bernard Debré, mu gitabo cyitwa "Le Retour du Mwami", ashimangira iby'urwo rwango, avuga ko Abatutsi badashobora kubana n'Abahutu nk'uko intare n'impala bidashobora gukinira hamwe mu mukenke.

Muri uwo murongo w'ibitekerezo na none, bagaragaza ko intambara FPR/RPF-Inkotanyi yateje ari impamvu ifatika yatumye Abatutsi bicwa. Bityo, ibyabaye uko wabyita kose, byatewe n'uburakari bwa rubanda nyuma yo kwica uwo bafataga nk'umubyeyi w'Igihugu. Ubwo uwishe Perezida Habyarimana Juvénal akaba ari we wateje intambara, ndetse niba yaranapfuye akaba yarizize.

- **Uburyo bwa kabiri** bukoreshwa ni ubwo kwemeza ko habaye Jenoside, ariko zikaba ari ebyiri (Chrétien, 2010).

  Jean Pierre Chrétien, asobanura ko ubu buryo ndetse bwashingiweho n'Abafaransa bemeza amahanga ko bagiye gutabara abantu bicana hagati yabo. Ingabo z'Abafaransa zasobanuye ko zifuza kujya kuba hagati y'abicana ku mpande zombi. Ubwo bikaba byemejwe ko ku mpande zombi habayeho umugambi wo kumarana. Ubu buryo bwo guhakana no gupfobya Jenoside, bugaragaza ko ku mpande zombi hari inzirakarengane, kandi ko imibare igomba gusubirwamo, hagaragazwa ko imibare y'abapfuye ingana. Ahubwo bakanarenzaho bagaragaza ko abishwe benshi babarirwa mu Bahutu. Icyo gihe, inzirakarengane ihita ifatwa nk'uwakoze Jenoside. Iyo babigenje batyo mu mitekerereze yabo, baba bashaka kugaragaza ko ubutabera budashoboka (concurrence des victimes).
- **Uburyo bwa gatatu** bugarukwaho na Jean Pierre Chrétien, ni uguhindura nkana inyito, uvuga ukundi ibyabaye. Urugero ni nko kuvuga ngo "Jenoside y'Abanyarwanda" (génocide rwandais).
  Ubu buryo buburizamo ukuri ku byabaye. Ntibugaragaza ko hari itsinda ryari rigambiriye kwica irindi tsinda. Kwica Abatutsi bihinduka ko Abanyarwanda bishe abandi. Icyo gihe, abahakana ayo mateka berekana ko ubwiyunge hagati y'Abahutu n'Abatutsi bigomba kubanzirizwa no gusabana imbabazi ndetse n'ubutabera ku mpande zombi.

- **Uburyo bwa kane** yagaragaje, ni ihakana n'ipfobya ridasobanutse, ryihishe inyuma y'uburyo bwo kwanga kwemera impinduka zigenda zibera mu Gihugu nyuma ya Jenoside, (*Le négationnisme contre l'avenir du Rwanda*). Ubu buryo bwigaragaza cyane mu nyandiko zitandukanye zandikirwa i Burayi, muri Amerika, ndetse no muri Canada.

Harimo gutsimbarara ku mateka ya kera, banga igitekerezo cyangwa politiki iyo ari yo yose yaba ivanaho politiki y'amacakubiri babayemo kuva kera. Ubu buryo bwigaragaza mu buryo butandukanye, nko kwanga kwemera ko u Rwanda rwahindutse, kwanga ubutabera bwunga, kwanga no kunenga bikomeye ubumwe n'ubwiyunge by'Abanyarwanda n'ibindi byose bihindura imitekerereze yabaranze mbere y'umwaka wa 1994. Kuri ubu buryo, baba bashaka kwerekana ko igihugu kiyobowe n'agatsiko k'abanyamahanga, ba nyamuke, n'ibindi nk'ibyo. Ubu buryo bwanavuzweho kandi na Hélène Dumas aho yerekana ko abahakana bavuga ko amateka y'u Rwanda akwiye gusubirwamo (Dumas H., 2010).

Nubwo tumaze kwerekana ibitekerezo bitandukanye bishingirwaho mu guhakana no gupfobya Jenoside, ni ngombwa ko twerekana uburyo byashyizwe mu mategeko y'u Rwanda, twerekana mu buryo bwimbitse uburyo butandukanye bwo gusobanura Jenoside icyo ari cyo, imiterere yihariye ya Jenoside yakorewe Abatutsi, amategeko ahana icyaha cya Jenoside n'andi ahana icyaha cyo kuyihakana no kuyipfobya.

UMUTWE WA GATATU: IMITERERE Y'IHAKANA N'IPFOBYA BYA JENOSIDE YAKOREWE ABATUTSI

Nk'uko twabibonye mu isesengura ry'inyito z'amagambo akoreshwa n'inzobere mu bumenyi bujyanye na Jenoside, ihakana n'ipfobya bya Jenoside byigaragaza mu buryo bwinshi kandi bigakwirakwizwa mu nzira zitandukanye. Uburyo bukoreshwa mu ihakana n'ipfobya bya Jenoside bwasobanuwe n'impuguke Gregory Stanton ni 12, ariko bushobora kwiyongera cyangwa kugabanuka bitewe n'aho ihakana n'ipfobya bikorerwa n'uburyo bikorwamo. Mu isesengura ry'inyandiko n'amakuru ku biganiro mbwirwaruhame cyangwa inama zakozwe, ubushakashatsi bwagaragaje uburyo 13 bugaragaramo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bikorerwa mu mahanga.

Ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bifite imiterere imwe ifite aho ihuriye n'uburyo 12 bukoreshwa mu guhakana no gupfobya Jenoside nk'uko bwasobanuwe haruguru n'impuguke Gregory Stanton, ariko bikagira n'indi

miterere yihariye. Mu ncamake, hari abatsemba ko nta Jenoside yakorewe Abatutsi yabaye, abandi na bo bakemera ko yabayeho ariko bakayivuga uko itari. Imiterere yabyo irambuye igaragara mu buryo bukurikira, bukoreshwa n'abahakana cyangwa bapfobya Jenoside yakorewe Abatutsi.

3.1. Kuvuga ko nta Jenoside yabaye no kwanga gukoresha iryo jambo

Bumwe mu buryo bukoreshwa n'abahakana Jenoside yakorewe Abatutsi ni ukwemeza ko itabaye. Abahakana Jenoside ubwayo bakamaramaza, ubasanga mu bateguye bakanashyira mu bikorwa Jenoside. Abenshi bayitiranya n'intambara cyangwa ibindi byaha byibasira inyokomuntu, bakavuga ko mu Rwanda habaye ubwicanyi gusa. Bityo, bagasobanura ko abantu bazize intambara, ko nta Jenoside yabaye. Muri abo harimo bamwe bafunzwe bakurikiranweho ibyaha bya Jenoside n'Urukiko Mpuzamahanga Mpanabyaha rwashyiriweho u Rwanda.

Ni muri urwo rwego Colonel Bagosora Théoneste yavuze ko atemera Jenoside, ko mu Rwanda habaye ubwicanyi bukabije *massacres excessifs*. Ubu buryo bwo guhakana na none, bukoresha imvugo y'uko nta Jenoside yabaye kuko hariho abayirokotse. Mu gitabo cya Benjamin Sehene hagaragaramo Karera François wari Perefe wa Kigali Ngari na we wavuze ko nta Jenoside yabaye (Sehene B, 1999, p. 101). Robin Philpot, mu gitabo cye *Ça ne s'est pas passé comme ça à Kigali*, avuga ko ijambo Jenoside rikoreshwa ridakwiranye n'ibyabaye mu Rwanda (Philpot R, 2004).

Hari imvugo iterura ngo yemere cyangwa ihakane ko hari Jenoside yakorewe Abatutsi, ariko mu by'ukuri ikaba ihakana Jenoside yakorewe Abatutsi. Umusirikari w'umufaransa Jacques Hogard yatanze ikiganiro avuga ko atemera abashaka gushyira ku rwego rumwe Jenoside yakorewe Abayahudi na Jenoside yakorewe Abatutsi, kuko ku bwe atari kimwe (Rigaud C, 2014).

Mu buryo bweruye, abahakana Jenoside barangwa no kudakoresha ijambo Jenoside. Iyo basobanura ubwicanyi bwakorewe Abatutsi mu Rwanda, abapfobya bakanahakana banga gukoresha nkana ijambo Jenoside. Ubu buryo bwo guhakana butera abatazi ukuri kuri Jenoside kudasobanukirwa neza imiterere nyayo y'ubwicanyi bwabaye mu Rwanda, ntibamenye gutandukanya intambara na Jenoside, kandi ntibasobanukirwe akarengane kakorerwaga

Abatutsi mu Rwanda mu myaka ya 1959-1994. Kudakoresha ijambo Jenoside bikwiza urujijo, bikavamo gupfobya Jenoside yakorewe Abatutsi. Urugero ni imvugo ya Munyakazi Léopold wemeza ko mu mwaka wa 1994 ubwicanyi bwakorewe Abatutsi atari Jenoside (Mbugua M. , 2006).

Umusirikari mukuru w'umufaransa Lafourcade, aho gukoresha ijambo "Jenoside" avuga ubwicanyi bw'ikivunge bwakorewe Abatutsi. Avuga ko ubwo bwicanyi bw'ikivunge ari bwo bwiswe "Jenoside y'u Rwanda" (Lafourcade, 2014).

Emmanuel Neretse na we mu nyandiko ze avuga ko ubwicanyi bwakorewe Abatutsi ari ingaruka z'uko Igihugu cyigaruriwe ku ngufu hakoreshejwe intambara. Uyu ntiyemera ko mu Rwanda habaye Jenoside yakorewe Abatutsi, ikanahagarikwa na FPR/RPF-Inkotanyi (Neretse E., 2016).

Nyamara ubwicanyi bwakorewe Abatutsi mu mwaka wa 1994 ni Jenoside nk'uko Umuryango w'Abibumbye wabyemeje mu mwanzuro wa 955, ukanashyiraho urukiko rwa TPIR ruburanisha abayigizemo uruhare ndetse n'ubundi bushakashatsi bwarabigaragaje (Chavanieux J.L, Août 2000).

3.2. Abaterura ngo bahakane Jenoside yakorewe Abatutsi, ariko bakayishakira ibisobanuro

Uyu munsi, aberura bakemeza ko Jenoside yakorewe Abatutsi itabayeho, ni bake. Mu baterura ariko, harimo abahakana Jenoside yakorewe Abatutsi mu bundi buryo, bagerageza kuyishakira ibisobanuro. Icyo abakoresha ubu buryo baba bagamije, ni ugutesha agaciro Jenoside yakorewe Abatutsi bayishakira ibisobanuro.

Aba ni bo bavuga ko ukuri kose kuri Jenoside yakorewe Abatutsi kutari kwamenyekana, nko kwerekana icyo bita uruhare rwa FPR muri Jenoside. Abo ntibanatinya gusaba ko hababo ibiganiro bigamije kwerekana ukuri kuri Jenoside yakorewe Abatutsi, *recherche de toute la vérité*.

Ikiba kigamijwe ni uguhisha ukuri kuri Jenoside yakorewe Abatutsi no gukomeza gutera urujijo mu bantu, cyane cyane abanyamahanga. Ibi kandi

byatangiye kera na mbere ya 1994, kuko abateguraga Jenoside, bakanayikora, batahwemye kubeshya hagamijwe gucengeza ibitekerezo byabo mu bantu.

Ikindi kigaragara mu bari muri iki cyiciro cy'abahakana, ni ukurwanya ikintu cyose cyerekana ukuri ku butegetsi bwariho hamwe n'abari bibumbiye mu gaco kiyise « Hutu Power ». Bateguye bakanashyira mu bikorwa Jenoside yakorewe Abatutsi, kuvuga ko Leta yariho yakoze Jenoside, kuri bo babyitiranya no gushyira mu gatebo kamwe « ubwoko bw'Abahutu » (stigimatisation de l'ethnie hutu).

3.2.1. Kuvuga ko habayeho Jenoside ebyiri

Ingingo zose zihakana Jenoside yakorewe Abatutsi zigusha kuri Jenoside ebyiri (double genocide). Abahakana bakanapfobya bo muri iki cyiciro, ntibavuga ko hariho umugambi wo kurimbura Abatutsi, bavuga ko hari umugambi wo kurimbura Abahutu, bagashingiraho banavuga ko habaye Jenoside ebyiri. Kuba Jenoside yarakozwe igihe mu Rwanda hari intambara, hari ababyitwaza bakavuga ko impande zombi zakoze Jenoside.

Ubu buryo bwo guhakana Jenoside yakorewe Abatutsi bukoreshwa na bamwe mu ngabo z'abafaransa zari muri Opération Turquoise, nkaho Lafourcade avuga ko "Les massacres les plus importants ont lieu dans les zones occupées par les Tutsi ougandais" (ubwicanyi bukomeye bwakorewe mu gice cyari mu maboko y'Abatutsi b'Abanya Uganda) (Rigaud C. , 2014).

Abahakana bavuga ko baba bashishikajwe no kubungabunga amateka (protéger la mémoire) y'abishwe bose (toutes les victimes, Jambo ASBL). Gushyira ku murongo umwe abishe n'abishwe (rétablir l'équilibre entre victimes et bourreaux)[15].

[15] Jambo asbl ikoresha uburyo bwose mu gukwirakwiza ihakana rya Jenoside, yabaye umurongo wo gucishamo ibitekerezo by'abahezanguni. Ni muri urwo rwego Jambo yashatse gukoresha inama 1/3/2018 mu nzu Inteko y'Ububirigi ikoreramo igamije kurwanya umushinga w'itegeko rihana ipfobya rya Jenoside yakorewe Abatutsi. Bamwe mu bagize Jambo ASBL bashatse gucengera mu nzego z'ubuyobozi bw'Ububirigi kugira ngo bitoze nk'abajyanama, bityo bagire uruvugiro mu guhakana Jenoside (29/1/2019). Hari no gushakisha ibimenyetso n'ubuhamya bw'ubwicanyi butigeze bubaho, kugira ngo bashyigikire "double genocide". Abo Jambo ivuga ko bishwe ni abahoze mu bacengezi, bari abarwanyi.

Ikiba kigamijwe ni uguhisha umwihariko wa Jenoside yakorewe Abatutsi (singularité du génocide), kuko niba buri wese yaragizweho ingaruka, bivuga ko bose ari abicanyi (tous victimes, tous coupables). (Pierre Péan, John Philipot, La Haye 2009).

Ni muri urwo rwego « Institut Sendashonga» yakoresheje « conference » i Buruseri tariki ya 23/2/2019, igamije kwiga ku nyito ya Jenoside. Ijambo « Jenoside yakorewe Abatutsi » barayirwanya kugira ngo berekane ko habaye Jenoside ebyiri .

Ibi bitekerezo bishyigikirwa n'ishyirahamwe ryitwa « Collectif des victimes des crimes de masse dans la région des Grands Lacs (COVIGLA) » ya Jean Marie Vianney Ndagijimana na CLIIR ya Joseph Matata. Aba icyo baba baharanira ni ukwerekana ko Jenoside ifite ibisobanuro, no gutesha agaciro Jenoside bayifata nk'ibindi byaha (diluer le génocide dans des massacres indifférenciés).

Bernard Debré[16] mu magambo ye, harimo ihakana no kwitiranya nkana intambara na Jenoside. Muri make, ahakana avuga ko impande zombi zicanye, ntanavuga Jenoside yakorewe Abatutsi, ahubwo avuga za Jenoside mu bwinshi (Debré B, 1998).

Ubu buryo bwo guhakana buvuga ko habaye ubwicanyi ku mpande zombi bunakoreshwa n'abanyamategeko, abanyamakuru n'abashakashatsi. Muri bo harimo Pierre Péan, Helmut Strizek, John Philipot, Ramsey Clark n'abandi. Icyo

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[16] “Que pouvons-nous retenir, en toute bonne foi, des drames qui ont ensanglanté le Rwanda, ce tout petit morceau d'Afrique coincé dans la région des Grands Lacs, entre l'Ouganda, le Burundi, la Tanzanie et l'ex-Zaïre ? Des Hutu ont massacré des Tutsi, mais les Tutsi ont ensuite occis des Hutu... il est pour le moins inhabituel de voir, aussi vite, des populations génocidées, minoritaires, se retourner brutalement contre leurs bourreaux pour, à leur tour, les massacrer. Ainsi se profile le retour du Mwami, ce roi tutsi d'avant le colonialisme. Après l'Ouganda, le Rwanda se voit de nouveau entièrement tutsifié. Toutes les pièces d'un nouveau puzzle ont commencé à se réunir sous nos yeux... ».

bahurizaho mu guhakana Jenoside yakorewe Abatutsi, ni ukuvuga ko habaye ubwicanyi ku mpande zombi budashingiye ku mugambi wa Jenoside, bakavuga gusa ihanurwa ry'indege yari itwaye Perezida Habyarimana Juvénal (ICTR, 2009).

Hari abanditsi bamwe bagaragaje mu bitabo byabo byasohotse nyuma ya Jenoside, ko habaye Jenoside yakorewe Abatutsi, nyamara uyu munsi bashyigikiye ko habaye Jenoside ebyiri. Urugero ni Rony Brauman wanditse igitabo "Devant le mal" cyasohotse muri 1994, na Gérard Prunier wanditse igitabo yise "The Rwanda Crisis: "History of a Genocide (1998)", akerekana ko Jenoside yakorewe Abatutsi yateguwe, ko itatewe n'urwango hagati y'Abatutsi n'Abahutu. Uyu munsi yahinduye imvugo avuga ko habaye Jenoside ebyiri.

3.2.2. Kuvuga ko nta tegurwa rya Jenoside ryabaye

Mu mategeko, iyo nta mugambi wa Jenoside uriho, biba bishaka kuvuga ko nta Jenoside iriho. Abahakana ko Jenoside yakorewe Abatutsi itateguwe, ni uburyo bwo kwemeza ko itabayeho.

Muri iki gice niho dusanga abanga gukoresha ijambo Jenoside, ndetse banatsemba ko itateguwe.Nyamara Raporo nyinshi zerekanye ko yateguwe

n’ubutegetsi bwariho[17]. Umuryango w’Abibumbye Warayemeje mu byemezo binyuranye wagiye ufata[18].

Uhereye ku nyandiko z’impuguke mu bijyanye na Jenoside, aho yabaye hose bahura n’ikibazo cy’abahakana bavuga ko nta mugambi wo gutegura wabayeho (Resource Information Center, 2001).

Abahakana usanga bavuga ko ari uburakari bw’abaturage bwatumye Abatutsi bicwa. Mu bafite imvugo iteye ityo harimo Bernard Lugan, yanabivugiye mu nama ifite insanganyamatsiko *“La désinformation historique. Un cas d’école: le Rwanda”*, yabereye i Paris ku wa 17 Ugushyingo 2014. Muri iyo nama, umusirikari mukuru w’umufaransa, Jean Claude Lafourcade na we avuga ko nta mugambi wa Jenoside wigeze ubaho (Rigaud C, 2014).

André Guichaoua na we wari ufite ijambo muri iyo nama, avuga ko Jenoside uko yakorwaga buri munsi itari ishingiye ku mugambi runaka. Anabyandika mu

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[17] Rapport : « Rapport sur les Droits de l’Homme au Rwanda, Septembre 1991-Septembre 1992, publié par l'Association Rwandaise pour la Défense des Droits de la Personne et des Libertés Publiques » (ADL), Kigali, Décembre 1992.

- Rapport: « Rapport de deux missions effectuées par Eric Gillet et André Jadoul, avocats au barreau de Bruxelles, au Rwanda du 9 au 17 Janvier et du 2 au 5 Février 1992 ».
- Rapport: « Rapport présenté par S. Amos Wako, Rapporteur spécial, conformément à la Résolution 1991/71 de la Commission des Droits de l’homme ». Le rapport a été soumis à la quarante-huitième session de la Commission (E/CN.4/1992/30, §. 461 à 467).
- Report FIDH, African Watch, March 1993: « rapport de la Commission Internationale d'enquête sur les violations des Droits de l'homme au Rwanda depuis le 1er Octobre 1990 (7 - 21 Janvier 1993).
- Rapport: « Rapport présenté par B. W. Ndiaye, rapporteur spécial sur la mission qu’il a effectuée au Rwanda du 8 au 17 Avril 1993 ».
- UN Commission on Human Rights, Report on the situation of Human Rights in Rwanda submitted by Mr. Rene Degni-Segui, Special Rapporteur of the Commission on Human Rights, under paragraph 20 of resolution S-3/1 of 25 May 1994, E/CN, 4/1996/68, 29 January 1996.
- Report Ingvar Carlsson [Chairman of the Independent Commission of Inquiry into the United Nations Actions during the Genocide in Rwanda, published on 15/12/1999].

[18] S.C. Res. 955 (1994), adopted on 8 November 1994, establishing the International Criminal Tribunal for Rwanda (ICTR) based in Arusha, Tanzania.

- Resolution adopted by the General Assembly "7 April as the International Day of Reflection on the 1994 Genocide against Tutsis in Rwanda.
- UN SC. Resolution 2150 (2014), 16 April 2014 : taking into account lessons learned from the 1994 Genocide against the Tutsi in Rwanda.

gitabo cye cyitwa *De la guerre au génocide, les politiques criminelles au Rwanda* (Guichaoua A., 2010). Serge Desouter, mu rubanza rwa Colonel Théoneste Bagosora na bagenzi be, ahakana avuga ko atazi neza igihe umugambi wa Jenoside wacuriwe, abawucuze n'ibikubiyemo (ICTR, Military I, 2008).

Hari n'abavuga ko kwicwa kw'Abatutsi kwatewe n'ihanurwa ry'indege yari itwaye Perezida Habyarimana Juvénal. Hari n'abavuga ko Jenoside idafite ishingiro kuko nta moko yabaga mu Rwanda. Nyamara Urukiko Mpuzamahanga Mpanabyaha rwashyiriweho u Rwanda rwerekanye ko abicaga Abatutsi babafataga nk'ubwoko.
Kugira ngo umuntu yumve neza uko Jenoside yakorewe Abatutsi bayihakana, ni ngombwa guhera mu gihe yakorwaga ubwabyo. Abahakana Jenoside bategura kuyihakana igihe ikorwa na nyuma yayo.

Ndengejeho Pascal mu rubanza rwa Semanza Laurent mu Rukiko Mpuzamahanga Mpanabyaha rwashyiriweho u Rwanda, yavuze ko kwica Abatutsi kwari ukwitabara, ko byatunguranye (Le Procureur c. Laurent Semanza, 2003).

Faustin Twagiramungu na we mu rubanza rwa Ntakirutimana Elizaphan, mu Rukiko Mpuzamahanga Mpanabyaha rwashyiriweho u Rwanda, avuga ko nta mugambi wo kwica Abatutsi wariho, ko icyariho wari umugambi wo kwica Abanyarwanda b'abanyepolitiki, Abahutu n'Abatutsi (The Prosecutor v. Elizaphan Ntakirutimana & Gérard Ntakirutimana, 2003).

Bimwe mu bitabo bihakana Jenoside byanditswe bishaka kwerekana ko nta tegurwa rya Jenoside ryabayeho. Guhakana ko Jenoside yateguwe biba bigamije kwerekana ko nta mugambi wa Jenoside wabayeho, bityo kuri bo Jenoside ntiyabayeho kuko ikorwa ishingiye ku mugambi wo kurimbura igice cy'abantu.

Helmut Strizek w'Umudage, ahakana Jenoside yakorewe Abatutsi, avuga ko nta mugambi wo kurimbura Abatutsi Leta ya Habyarimana Juvénal yari ifite. Avuga ko Abatutsi bapfuye bazize intambara ya FPR/RPF yabaye hagati ya 1990 na 1994 (ICTR, 2006). Uyu mwanditsi Helmut Strizek yanatanze ubuhamya ashinjura Ferdinand Nahimana, Jean Bosco Barayagwiza, Hassan Ngeze na Colonel Anatole Nsengiyumva, ashingira ku kuvuga ko nta kintu na kimwe kibi

Perezida Habyarimana yigeze akora kandi ko Jenoside itigeze itegurwa (TPIR/MEDIAS, 2003). Helmut Strizek yakomeje avuga ko ubwicanyi bwose bwabaye mu Rwanda bwatewe na FPR, ko ari yo yateye Abahutu uburakari (Strizek, 2005).
Inyandiko z'impuguke zerekana ko umwihariko wa Jenoside ari uko ishingira ku mugambi wo kuyikora ugaragarira mu kuyitegura, binyuze muri gahunda zinyuranye harimo no gushyiraho amategeko y'ivangura, gutoteza no kwica icyiciro cy'abantu runaka. Kuva Leta ya Perezida Kayibanda Grégoire yajyaho, hagiyeho politiki y'amacakubiri, kwica, kwirukana no guheza Abatutsi. Hari n'ibikorwa byo gutsemba Abatutsi byabaye mu mwaka wa 1963 muri Gikongoro byiswe icyo gihe Jenoside (Bizimana J D, 2014).

Kuva mu mwaka wa 1957, politiki y'urwango yigishwije ishingiye ku mategeko 10 y'Abahutu ya Gitera Joseph, kuri disikuru za Perezida Kayibanda Grégoire zuzuyemo urwango, kwica Abatutsi, kubirukana, kubaheza, kubabuza gutaha mu Rwanda, kubambura ibyabo n'ibindi (Semujanga J, Rutembesa F, Ntakirutimana E & Nzeyimana I, 2010). Kuba hari abashobora kugwa mu ntambara ni ibintu bikunze kubaho, ariko ntaho bihuriye n'umugambi wo gutsemba ubwoko nk'uko Leta ya Perezida Kayibanda Grégoire, iya Perezida Habyarimana Juvénal n'iy'Abatabazi zabigenje.

Nk'uko abahanga mu gusesengura Jenoside babivuga, Jenoside itandukanye n'ibindi byaha by'ubugome n'ibyaha byo mu ntambara n'ibindi byaha byibasira inyokomuntu, kuko byo biba bikomoka kuri iyo ntambara, mu gihe abicwa muri Jenoside bo baba bazira uko baremwe gusa. Jenoside iteka ishingira ku ivangura ritegurwa rikanashyirwa mu nzego, rigahabwa intebe, rikagirwa umurongo ngenderwaho w'Igihugu. Ibi byasobanuwe birambuye mu mutwe wa kabiri w'ubu bushakashatsi.

3.2.3. Kwemeza ko Jenoside yatewe n'ihanurwa ry'indege ya Perezida Habyarimana Juvénal

Muri iki cyiciro cy'abahakana Jenoside yakorewe Abatutsi bakoresheje imvugo yuko Jenoside yatewe n'ihanurwa ry'indege ya Perezida Habyarimana Juvénal usangamo abanyarwanda n'abanyamahanga benshi batitaye ku kuri kwagaragajwe na raporo zinyuranye (Jean Mutsinzi, Rapport d'enquête sur les causes de l'attentat du 06 avril 1994 contre l'avion présidentiel rwandais, Falcon 50 No 9xR-NN, 20/04/2004) n'Isesengura (expertise) ryakozwe n'abacamanza b'Abafaransa Poux N. na Trevidic N. (10/01/2012).
Izo raporo zagaragaje ko indege ya Perezida Habyarimana Juvénal yahanuwe n'igisasu cyarasiwe mu kigo cya gisirikari cya Kanombe cyari mu maboko ya ex-FAR.

Nyamara niyo iyo ndege idahanurwa, Jenoside yari kuba kuko umugambi wo guhanura indege ufite aho uhurira no gutegura Jenoside yakorewe Abatutsi, kuko ari yo yabaye imbarutso yo gushyira mu bikorwa umugambi wari warateguwe mbere.

Bimwe mu bimenyetso bigaragaza umugambi wa Jenoside yakorewe Abatutsi:

- **Politiki mbi yaganishaga kuri Jenoside**

  MRND yagize uruhare rukomeye mu kwinjiza ingengabitekerezo ya Jenoside mu mashyaka ya politiki, isenya amashyaka yayirwanyaga, iyereka ko ikibazo ari HUTU-TUTSI. Abari basangaywe iyo ngengabitekerezo nka Mugenzi Justin wo mu ishyaka PL, MDR Karamira Froduard . na Murego Donat na Kambanda Jean bo muri MDR bajya ku ruhande rwa Hutu-Power. Ni muri urwo rwego mu mwaka wa 1991 mu Nama Nkuru (Congrès) ya MRND, Perezida Habyarimana Juvénal yavuze ati: "Iyaba Abahutu bungaga ubumwe nk'uko Abatutsi bunze ubumwe". Yongeyeho ko "mbere yo kunga ubumwe nk'Abanyarwanda, Abahutu bagomba kwishyira hamwe".

  MRND imaze kubona ko ibibazo byose itashoboye kubikemura, nk'ikibazo cy'impunzi, yafashe umurongo wa politiki uganisha kuri Jenoside, nko kuvuga ngo niba mpfuye, ntagenda njyenyine. Nibwo yahise ishinga

amashyaka ya baringa yo gushyigikira umurongo wayo. Urugero ni CDR «Coalition pour la Défense de la République ». Ibitekerezo byayo byagombaga gutegura abaturage mu kwitabira Jenoside ari benshi. CDR ni yo yatangiye "slogans" za "Tuzabatsembatsemba" nko muri za « meeting » zayo nk'iyabereye i Nyamirambo mu mwaka wa 1992.

- **Icyo politiki ya Perezida Habyarimana yise kugaragaza umwanzi (Définition de l'ennemi)**

  Inama yabereye mu Ishuri Rikuru rya Gisirikare (ESM) tariki ya 04/12/1991 yari ihuje abasirikari bakuru, ikaba yarashyizweho na Perezida Habyarimana Juvénal, yagombaga kugaragaza umwanzi uwo ari we n'icyakorwa kugira ngo atsindwe. Raporo yavuyemo yohererejwe abakuru b'ingabo bose mu Gihugu. Umwanzi wa mbere nk'uko babivugaga ni Umututsi w'imbere cyangwa hanze y'Igihugu. Umwanzi wa kabiri ni umuntu wese ushyigikiye Umututsi. L'ennemi principal est le tutsi de l'intérieur ou de l'exterieur extrémiste et nostalgique du pouvoir, qui n'a jamais reconnu et ne reconnait pas encore les réalités de la Révolution sociale de 1959, et qui veut conquérir le pouvoir au Rwanda par tous les moyens, y compris les armes. Le partisan de l'ennemi principal est toute personne qui apporte tout concours à l'ennemi principal. Toutefois, l'ennemi et ses partisans se recrutent essentiellement parmi les groupes sociaux suivants:

  - Les réfugiés Tutsi;
  - La NRA;
  - Les Tutsi de l'Intérieur;
  - Les Hutu mécontents du régime en place;
  - Les sans-emplois de l'intérieur et de l'extérieur du pays;
  - Les étrangers mariés aux femmes Tutsi;
  - Les peuplades Nilo – Hamitique de la région;
  - Les ennemis en fuite. »

  Ibi bisobanuye neza mu gitabo cya Guichoua A., umugereka wa karindwi.

- **Amagambo yavuzwe na Colonel Bagosora Théoneste yateguraga Jenoside.**

  Mu mpera z'Ukwakira 1992, avuye mu mishyikirano yahuzaga Leta y'u Rwanda na FPR/RPF-Inkotanyi, Bagosora Théoneste ubwe yivugiye ko avuye Arusha atashye mu Rwanda gutegura "Apocalypse", ni ukuvuga imperuka.

  Ku itariki ya 4/4/1994, mu munsi mukuru wari wateguwe n'ingabo z'igihugu

cya Senegali zari muri MINUAR, Colonel Bagosora Théoneste yavuze ko umuti w'ibibazo bya politiki byari mu Rwanda icyo gihe byagombaga kurangizwa no gutsemba Abatutsi.

- **Inama nyinshi zabaye mbere ya 1994 zateguriwemo Jenoside zayobowe n'abasirikari**

  Inama yabereye mu kigo cya gisirikari i Kanombe mu mwaka wa 1992 yakanguriraga abasirikari kwanga imishyikirano yaberaga Arusha, no kuvuga ko umwanzi ari umututsi n'umushyigikiye, bavuga ko Jenoside izaba ingaruka ntashidikanywa niba FPR yubuye imirwano.

  Inama ya MRND yabereye kuri sitade Umuganda ku wa 27/10/1993, na yo yagarutse ku kuvuga ko umwanzi ari umututsi n'umushyigikiye, bavuga ko Jenoside izaba ingaruka ntashidikanywa niba FPR yubuye imirwano.

  Inama yabaye ku italiki ya 15/02/1994 ikabera mu kigo cya gisirikari mu Ruhengeri n'inama yabereye i Butare 1994, zose zabaga ziganisha kuri Jenoside. Kuba izi nama zose zarahurizaga ku mvugo imwe, ni ibyerekana ko bari bahuje umugambi wo kurimbura Abatutsi.

- **Itegurwa ry' urutonde rw'Abatutsi bagombaga kwicwa**

  Hari urutonde rwari rwarakozwe guhera mu mwaka wa 1990 yakoreshejwe mu gufata no gufunga abiswe ibyitso. Colonel Bagosora Théoneste yari yarasabye abayobozi b'ingabo gukora urutonde rw'Abatutsi bagombaga kwicwa. Ayo malisiti yari mu maboko y'ibiro bishinzwe iperereza ryari mu biro bya Perezida Habyarimana Juvénal.

  Muri Nzeri 1992, muri "Etat Major" y'u Rwanda, hari inyandiko yasohotse ivuga umwanzi uwo ari we. Yasohotse mu gitabo cya André Guichaoua : *Rwanda de la guerre au génocide. Les politique criminelles au Rwanda (1990-1994),* Paris, la Découverte muri annexe ya 7. Byongeye, ibinyamakuru byinshi cyane cyane Kangura na RTLM byatungaga agatoki abo bitaga ibyitso by'umwanzi . Umuntu yatanga urugero rwa Kangura n° 09, Mutarama 1991 aho yandika " Kangura irakomeza gutungira agatoki ibiro by'iperereza". P 13-15.
  Muri 1995, ikinyamakuru Nyabarongo- "le canard déchainé n° 22 na n° 24" cyasohoye inyandiko yitwa "Birara Yohani Berekimasi arashinja.

Abagombaga gupfa ku ikubitiro bari 1.500! Colonel Nsabimana yanyeretse lisite yabo". Muri iyo lisite, harimo abitwaga ibyitso, impunzi, abarwanyaga Leta ya Perezida Habyarimana Juvénal n'abandi. Iyo lisiti iri ku mapaji 3.

Twakwibutsa ko mu nzego z'ibanze, hari amalisite yakorwaga y'abantu bo kugenzurira hafi, bakaba bari Abatutsi akenshi, haboneka imbarutso bagafatwa bagafungwa cyangwa bakicwa.

- **Interahamwe n'impuzamugambi ku isonga ryo kurimbura Abatutsi**

Mu gihe cya Jenoside, amashyaka ya politiki yariho yari yarashinze imitwe y'urubyiruko iyashamikiyeho, ari yo Inkuba (MDR), Interahamwe (MRND), Impuzamugambi (CDR), Abakombozi (PSD) n'urubyiruko rwa (PL). Nyuma y'inama z'amashyaka, urwo rubyiruko rwarashyamiranaga rukarwana, ndetse hakavamo n'abicwa.

Kuva 1992 kugera 1993 imitwe y'urubyiruko rwa MRND na CDR yahinduwemo imitwe yitwara gisirikari, ihabwa imyitozo yo kwica, ihabwa intwaro, harimo imbunda na grenades. Urwo rubyiruko ni rwo rwunganiraga ingabo mu kwica abo bitaga umwanzi n'ibyitso bye, byashakaga kuvuga Umututsi.

Imyitozo ya gisirikare bayihabwaga n'abasirikari, ikagenzurwa n'abasirikari bakuru n'abategetsi b'inzego zinyuranye, abayobozi ba Komini (Burugumesitiri) na Perefegitura (ba Perefe na ba Superefe). Iyo myitozo yatangirwaga i Kigali (Bicumbi), Cyangugu, Gisenyi n'i Butare no mu bigo bya gisirikari, cyane cyane ikigo cya Gabiro, Gako, Mukamira na Bigogwe.

- **Uburyo bwashyizweho bwiswe « système d'auto-défense civile rwandais » bwahigaga Abatutsi (1993)**

Mu kwezi kwa Gashyantare 1993, Bagosora yashyizeho icyo yise « Système d'auto-défense civile rwandais », avuga ko ari uburyo bw'abaturage bwo kwirwanaho. Ariko ubwo buryo bwo kwirwanaho ntibwari uburyo bwo kwirwanaho koko, ahubwo bwari uburyo bwo guhiga Abatutsi no kubica. Ibi bikaba byaragaragaye mu gakayi (agenda) ka Colonel Bagosora igihe yari amaze gufatwa. Muri ako gakayi, Col. Bagosora yanditsemo ko abaturage

bagomba guhabwa imyitozo ya gisirikari, bakayihabwa n'abapolisi ba Komini cyangwa abasirikari ubwabo. Buri Selire na Segiteri bagatoranywa abagabo bashinzwe kwirwanaho kw'abaturage (auto-défense civile).

Muri buri Komini hagombaga gutoranywa abagabo 60 batojwe. Hagombaga kandi gushyirwaho ubuhuzabikorwa hagati y'ubuyobozi bw'ingabo n'ubutegetsi bw'igihugu, abakonseye n'abapolisi. Ikindi ni uko muri buri Selire hagombaga gutangwa imbunda hagati y'eshatu n'eshanu[19].

Ubu buryo bwakoreshwaga muri « mobilisation » y'abaturage mu guhiga Abatutsi no kubica. Imbunda zatanzwe hose mu gihugu n'imipanga **:** Urugero ni imbunda zatanzwe mu Bugarama, Perefegitura ya Cyangugu, tariki ya 28/1/1994, zitangwa na Kabirigi, Ntagerura André na Bagambiki Emmanuel wari Perefe wa Cyangugu.

Ibyo guhiga Abatutsi byananyuzwaga ku maradiyo hakoreshejwe indirimbo za Bikindi, nka « Nanga Abahutu » n'izindi.

- **Imitwe y'ubugome n'ubwicanyi (escadrons de la mort)**

Hari umutwe w'abicanyi witwaga "Réseau zéro" wakoranaga n'indi mitwe yateguraga Jenoside. « Réseau zéro » ni agatsiko k'abicanyi bo hejuru muri politiki kakoreraga mu ibanga. Iyi mitwe yashinzwe n'abahezanguni b'Abahutu harimo abasirikari n'abasivili. Icyo bari bagamije ni ugushyamiranya Abanyarwanda no guhatira abaturage kwica Abatutsi. Hari kandi "AMASASU (Alliance des Militaires Agacés par les Séculaires Actes Sournois des Unaristes) ", umutwe washinzwe n'abasirikari bakuru, wari ushinzwe gutegura Jenoside, gutanga intwaro mu baturage no kurwanya amasezerano ya Arusha.

- **" Radio Télévision libre des Mille Collines" (RTLM).**

Iyi radiyo yashyizweho n'inkoramutima za Perezida Habyarimana Juvénal, igamije gucengeza amatwara ya Jenoside, ikwirakwiza urwango rushingiye ku moko no guteza imidugararo. Iyi radiyo yakoranaga bya hafi na serivisi za Perezidansi ya Repubulika

Abahakana Jenoside yakorewe Abatutsi, bashyira imbere ihanurwa ry'indege ya Habyarimana bemeza ko Jenoside itateguwe, ko yatewe

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[19] Linda Melvern, A People Betrayed: The Role of the West in Rwanda's Genocide, London/New York, Zed Books, 2000

n'ihanurwa ry'indege. (Charles Onana, Jane Corbin). Ikiba kigamijwe ni ukugira abere abahanuye indege ya Perezida Habyarimana, no kugereka Jenoside kuri FPR yayihagaritse. Ubu buryo bwo guhakana bwatangiye mu mwaka wa 1994 (Paul Baril), 1995 (Filip Reyntjens), 2006 (Jean-Louis Bruguière), 2007 (Bernard Lugan) n'abagize ishyirahamwe « Association France Turquoise ».

Aha ni naho dusanga abahakana Jenoside, berekana ko Abatutsi benshi bazize ihanurwa ry'indege ya Perezida Habyarimana (Jean Marie Vianney Ndagijimana).

Aba kandi ni bo bavuga ko kuba ICTR itarahamije Colonel Bagosora Théoneste umugambi wa Jenoside ari ibyerekana ko itateguwe, ko yatewe n'ihanurwa ry'indege (Génocide spontané). Bavuga kandi ko Abahutu birwanyeho (légitime défense), ko kwica Abatutsi babitewe n'uburakari bwumvikana mu ntambara yo kurwanya FPR (colère spontanée dans la guerre contre le FPR). Aha ni ho Edouard Karemera avuga ko Abatutsi birwanyeho mu Bisesero ari nk'ingabo za FPR zayirwaniriraga (brigades paramilitaires du FPR).

3.2.4. Gushaka kwerekana ko Jenoside ivugwa n'abari ku butegetsi ubu, bakabyitwaza mu nyungu zabo

Ubu buryo bwo guhakana Jenoside yakorewe Abatutsi bwatangijwe na Filip Reyntjens (1996-97), nyuma byabaye gikwira. Ikiba kigamijwe ni ukwemeza amahanga ko FPR yakoze Jenoside y'Abahutu, bikinjira mu mitwe y'abantu, ko ubuyobozi buriho bubeshejweho no gucuruza Jenoside yakorewe Abatutsi «génocide comme fonds de commerce».

Ubu bukoreshwa nk'amayeri yo guhakana, ariko hagamijwe kurwanya Leta y'u Rwanda (tactique négationniste) : kwibasira Umukuru w'Igihugu n'ubuyobozi buriho. Igisobanuro cy'iyi myitwarire ni ukugira ngo kurwanya ubuyobozi buriho bigire ingufu, abahakana biyemeza gushyigikira abakoze Jenoside yakorewe Abatutsi, no gufatanya n'abandi bayihakana. (Reyntjens F, Marshal, Carla Del Ponte).

Iri hakana ryibasira FPR riba rigamije gutera urujijo mu mitwe y'abanyamahanga, ari nayo mpamvu iri hakana rikoresha amarangamutima ku

bantu basanzwe batazi amateka ya Jenoside yakorewe Abatutsi . Mu guhakana, aba ntibanatinya gukoresha ibitutsi no guharabika Abayobozi bakuru b'u Rwanda .

Ni muri uwo murongo Colonel Bagosora Théoneste n'abo bafatanyije gutegura no gushyira mu bikorwa umugambi wa Jenoside yakorewe Abatutsi, na bo bakoresheje iyo mvugo biregura imbere ya ICTR, bashinja FPR kurimbura abantu, no gushimangira ko u Rwanda ruyobowe n'abanyamahanga.

Ubu buryo bwo guhakana buba bugamije kwikuraho uruhare rukomeye abahakana bagize muri Jenoside no kuvuga ko ibyaha byose bingana, ko Jenoside n'ibyaha by'intambara ari kimwe . Ikindi kiba cyihishe inyuma, ni ukuvuga ko buri wese yishe undi, ko nta n'umwe ugomba kubiryozwa.

Abategetsi bo muri Leta ya mbere ya 1994, abenshi muri bo bateguye Jenoside banayishyira mu bikorwa. Abo ni bo ahanini bavuga ko ukuri kwa Jenoside kutuzuye, kuko kuvugwa n'abatsinze. Mu mitekerereze yabo, bavuga ko Abatutsi bari abanzi b'igihugu. Mu gihe Jenoside yakorwaga mu mwaka wa 1994, icengezamatwara na politiki bya Guverinoma yiyise iy'Abatabazi byaranzwe no gukomeza kugoreka ukuri kuri Jenoside. Iyo Guverinoma yakomeje gukwirakwiza ingengabitekerezo yo kuvuga ko abicwaga bizize.

Hari kandi abavuga ko Leta y'Ubumwe bw'Abanyarwanda igerageza kugaragaza gusa isura nziza, ikibagiza uruhare rwa FPR. Aba banongeraho ko Leta y'Ubumwe bw'Abanyarwanda itera imbabazi ku mahanga, ikagenda yibutsa amakosa y'Umuryango w'Abibumbye mu guterera u Rwanda. Abahakana Jenoside bakoresheje ubu buryo, ni bo bavuga ko Leta y'u Rwanda icuruza Jenoside yakorewe Abatutsi igira ngo amahanga akomeze ayifashe (Rigaud C., 2014). Uyu murongo kandi ushyigikiwe na Guillaume Murere aho akangurira amahanga kudafasha u Rwanda (Murere G., 2013). Ibi byongera gushimangirwa na Jean Claude Willame mu nyandiko ze zo mu mwaka wa 1995 na 2005 (Willame J.-C. , 2005). Ibi binavugwa mu gitabo cyitwa "The Politics of Genocide", herekanwa ko nta Jenoside yakorewe Abatutsi mu Rwanda. Abanditsi b'icyo gitabo bakavuga ko Leta Zunze Ubumwe z'Amerika ari zo zavuze ko habaye Jenoside kugira ngo zibone uko zinjira muri Afurika yo hagati no mu nyungu z'ubuyobozi buriho mu Rwanda (Herman & Peterson,2010).

3.2.5. Kuvuga ko Abatutsi bapfuye bizize

Ubu buryo bwo guhakana buvuga bwungikanya ingingo nazo zishingiye kugira abere abateguye bakanashyira mu bikorwa Jenoside yakorewe Abatutsi. Aba ni bo bavuga ko intambara yo kubohora u Rwanda itangira, FPR yari izi ko Abatutsi bazicwa. Ko mu ntambara FPR ntacyo yakoze kugira ngo ihagarike intambara, bakongeraho ko atari FPR yahagaritse Jenoside.(Kayumba N. F, Rudasingwa T.).

Nyamara uku guhakana ntigusubiza ikibazo cy'ingenzi umuntu wese yakwibaza: niba FPR itarahagaritse Jenoside, ni nde watsinze Leta yakoraga Jenoside, akanahagarika ubwicanyi ?

Ubu buryo bwo guhakana, bunagira inama abacitse ku icumu rya Jenoside yakorewe Abatutsi yo kwitandukanya na FPR. Aba birengagiza ko umugambi wo kurimbura Abatutsi wariho na mbere y'uko FPR ivuka, kandi ko politiki y'ivangura n'amacakubiri, n'ubwicanyi bwibasiraga Abatutsi byatangiye guhera mu mwaka wa 1959. Abatutsi barishwe, birukanwa mu byabo mu Bufundu no mu Bunyambiriri (Gikongoro). Mu mwaka wa 1963, Abatutsi barishwe i Cyangugu. Leta ya Kayibanda Grégoire yitwaje ibitero by'inyenzi yica Abatutsi guhera mu mwaka wa 1963.

Inyandiko ya Denis-Gilles Vuillemin yemeza ko mu mwaka wa 1963, mu Rwanda habaye Jenoside yakorewe Abatutsi. Ikinyamakuru *Le Monde* cyarabyanditse ku wa 04/02/1964, na *Le Figaro* yanditse yamagana Jenoside yo mu mwaka wa 1963.

Bernard Lugan[20] iyo ahakana Jenoside yakorewe Abatutsi, afata ibyakozwe na Guverinoma ya Perezida Habyarimana Juvénal, Guverinoma y'Abatabazi

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[20] Bernard Lugan : "La volonté du FPR c'est de destabiliser le Rwanda. Pour cela, il crée des escadrons de la mort pour tuer des hutu du nord et du sud et exacerber leur antagonisme." http://afrikarabia.com/wordpress/genocide-des-tutsi-du-rwanda-le-sottisier-des-extremistes-francais/

n'Interahamwe akabyitirira FPR/RPF, nko guhimba ko ari yo yashinze umutwe w'Interahamwe n'ibindi (Rigaud C. , 2014). Ibi ni byo Jacques Hogard[21] na we asubiramo ahakana uruhare rwa Leta yakoze Jenoside, avuga ko Jenoside itashyirwa kuri Leta y'Abahutu bafashijwe n'Ubufaransa (Rigaud C, 2014). Filip Reyntjens akoresha ubu buryo bwo guhakana, akavuga ko iyo intambara itaba, hatari kuba Jenoside (Reyntjens F, 2005).

Mu gitabo cyitwa *Rwanda:Les virages ratés,* Ferdinand Nahimana akoresha imvugo ihakana, yerekana ko ibyo abantu bafata nk'itangazamakuru rya Jenoside (RTLM, Kangura) ari FPR/RPF yabishyizeho (Nahimana F., 2007).

Iyo mvugo yo guhakana Jenoside yakorewe Abatutsi ishingiye ku gushaka guhisha ukuri kwayo, ikoreshwa na none na Edouard Karemera mu gitabo yanditse cyitwa *Le drame rwandais: les aveux accablants des chefs de la Mission des Nations Unies pour l'assistance au Rwanda,* aho avuga ko Abatutsi bari bahungiye mu Bisesero bari abasirikari ba FPR/RPF (Karemera, ICTR, 2006). Pascal Ndengejeho na we afite ibitekerezo byerekana ko Abatutsi ari bo biyishe, avuga ko ubwabo biyahuye (Le Procureur c. Laurent Semanza, 2003).

Abantu bari muri iki cyiciro barangwa no guhakana ko FPR/RPF yarokoye abantu, ko ari yo yahagaritse Jenoside, nka Jane Corbin muri film yitwa "Rwanda's Untold Story*"* yasohotse mu mwaka wa 2014 kuri BBC2. Ibi bishimangirwa n'imvugo ya Jean Marie Vianney Ndagijimana ivuga ko FPR/RPF yatanze Abatutsi ngo bicwe (Ndagijimana JMV., 2009). Murere Guillaume na we ari mu murongo w'abahakana berekana ko Abatutsi bizize (Murere G., 2013).

Usesenguye inyandiko zinyuranye, hari ibimenyetso byinshi byagejejwe imbere ya TPIR byerekana ko Jenoside yakorewe Abatutsi yateguwe na Leta zariho mbere ya 1994, kuko ari zo zashyizeho imitwe y'Interahamwe, "Réseau zéro, Escadrons de la mort" n'iyindi. Imitwe yahigaga Abatutsi bitwaga abanzi bo kurwanywa, ikanakora urutonde rw'abagomba kwicwa. Ikindi ni uko ubwicanyi bwatangiye mbere ya 1994, guhera 1959, ariko bikaza umurego igihe urugamba

[21] Jacques Hogard : "Dire que le génocide est l'oeuvre du régime hutu soutenu par la France" est de la désinformation ».

rwo kwibohora rwatangiraga mu mwaka wa 1990. Hishwe Abatutsi mu Mutara (1990), muri Kibilira ya perefegitura ya Gisenyi, muri Mukingo, Nkuri, Kinigi (1990 – 1993) no mu Bugesera (1992).

3.2.6. Kuvuga ko ari intambara ishingiye ku moko

Ubu buryo bwo guhakana Jenoside yakorewe Abatutsi bushingira ku byo abahakana bita urwango hagati y'Abatutsi n'Abahutu rw'igihe kirekire. Urwo rwango ni na rwo bashingiraho bavuga intambara y'amoko. Ikiba kigamijwe ni ukwanga gukoresha nkana ijambo "Jenoside" hagamijwe kuyihakana cyangwa kuyipfobya. Birinda kwerekana ko Jenoside yateguwe igashingira ku mugambi wo kurimbura Abatutsi.

Abahakana bakanapfobya Jenoside yakorewe Abatutsi ntibemera ko ari Jenoside, kandi yarakorewe Abatutsi nk'ubwoko. Gaspard Musabyimana avuga ko mu mwaka wa 1994 Abahutu bishe Abatutsi, mu mwaka wa 1996 – 1997 Abatutsi bishe Abahutu. Bityo, inama y'umushyikirano yagombye kuba hagati y'Abahutu n'Abatutsi kuko bicanye[22]. Daniel Palmieri avuga ko urwango hagati y'Abanyarwanda bwari bumenyerewe mu Rwanda rwo hambere kandi ko bwari bushingiye ku bukungu no gusuzugura ubutegetsi[23]. Nyamara Abahutu n'Abatutsi babanye kuva kera, kandi nta Jenoside yigeze iba mu mateka yo hambere, uretse intambara hagati y'amoko (clans) akomeye, yaba ay'Abahutu, yaba nay'Abatutsi.

3.2.7. Kuvuga ko imibare y'abazize Jenoside atari yo

Guhinyura imibare y'abazize Jenoside bikunze gushingirwaho n'abahakana b'impuguke cyangwa abarimu muri za Kaminuza. Ubu buryo bwo guhakana bwakoreshejwe bwa mbere n'abashakaga guhakana Jenoside yakorewe Abayahudi .

[22]http://www.musabyimana.net/20101223-rwanda-un-dialogue-national-hors-sujet-2/ byasomwe ku wa 19/09/2016.

[23]https://www.icrc.org/fre/assets/files/other/irrc_852_palmieri.pdf byasomwe ku wa 19/09/2016.

Mu Rwanda, ikiba kigamijwe ni ukwerekana ko umubare w'abazize Jenoside yakorewe Abatutsi uri hasi uwugereranyije n'Abatutsi bavuga bariho icyo gihe. Bakavuga ahubwo ko Abahutu ari bo bapfuye ari benshi ari naho bahera bavuga ko habaye Jenoside ebyiri. Ibi byagaragaye mu bushakashatsi Abanyamerika Allan Stam wigisha amasomo ajyanye n'ubumenyi mu bya politiki muri Kaminuza ya Michigan na Christian Davenport na we wigisha nk'ibyo muri "University of Notre Dame's Kroc Institute for International Peace Studies*"*[24] bakoze, bashaka kwerekana ko mu Rwanda hapfuye Abatutsi ibihumbi magana abiri gusa. Iryo hakana rishingiye ku mibare riba rishaka kuvuga ko habaye Jenoside ebyiri.

Jane Corbin muri film *"*Rwanda untold story", avuga ko mu Rwanda hishwe Abatutsi 200.000, hicwa Abahutu 800.000. Anavuga ko umubare uvugwa wa 1.000.000 y'Abatutsi bishwe, ari Abahutu atari Abatutsi. F. Reyntjens avuga ko hishwe Abatutsi 500.000, Abahutu bakaba 600.000. Ashingira ku ibarura ryakozwe mu mwaka wa 1978 na 1991. Nyamara imibare yavuye mu ibarura rusange ryo mu mwaka wa 1978 na 1991 si yo, kuko iterekanaga ukuri. Icyo yari igamije kwari ukwerekana ko politiki y'iringaniza yari ifite ishingiro, ko Abahutu ari benshi, Abatutsi bakaba bake, ko n'imyanya mu kazi no mu mashuri igomba kuba mike. Ibarura rusange ryerekanaga ko Abahutu ari 4.295.275 (89,7%), Abatutsi ari 467.587 (9,77%), naho Abatwa bakaba 22.140 (0,46%). Abaturage bose ngo bari 4.830.480. (Source: UNR).

Umubare wa 800.000 wakwirakwijwe n'ibinyamakuru nawo si wo, byabaye kugereranya bitewe n'umubare mwinshi w'Abatutsi bicwaga guhera mu ijoro ry'uwa 6/4/1994. Uyu mubare wakwirakwijwe n'itangazamakuru nta bushakashatsi bukozwe. Nyuma Leta y'u Rwanda yakoze ubushakashatsi bwimbitse, itanga umubare w'Abatutsi bishwe ungana na 1.074.017.

Iri hakana nta na rimwe rivuga umubare wa 1.074.017 w'Abatutsi bazize Jenoside ugaragazwa n'ibarura ryakozwe na Minisiteri y'Ubutegetsi bw'Igihugu n'Imibereho myiza y'Abaturage mu mwaka wa 2002. Raporo yasohotse mu kwezi kwa 11/2002, yerekana n'umwirondoro w'abishwe.

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[24] Allan Stam, Understanding the Rwanda genocide (Public discussion at Gerald R. Ford School of Public Policy), 18 February 2009.

Umushakashatsi w'Umubiligikazi Marijke Verpoorten wakoze ubushakashatsi kuri Perefegitura ya Gikongoro, yerekanye ko ibyo Alan Stam na Christian Davenport bavuga ari ihakana rya Jenoside kubera ko bidashingiye ku bushakashatsi nyabwo (Verpoorten M., 2014). Asobanura na none ibijyanye n'imibare y'abapfuye ivugwa n'abahakana ko idafite ishingiro, ahereye ku bundi bushakashatsi yakoze mu yahoze ari Perefegitura ya Gikongoro (Verpoorten M., 2005).

Icyangombwa kugira ngo Jenoside yemezwe si umubare. Iyo hari umugambi wo kurimbura abantu bose cyangwa igice cyabo ushingiye ku idini, ku ibara ry'uruhu, ubwenegihugu, ubwoko, iba ari Jenoside.

3.2.8. Guhakana Jenoside kubera inyungu zitandukanye za politiki n'imibereho

Muri ubu buryo bwo guhakana, usangamo ababikora kubera inyungu za politiki cyangwa iz'imibereho. Harimo abakoranye na Repubulika ya mbere n'iya kabiri, abifatanyije n'abarwanya Leta y'Ubumwe bw'Abanyarwanda n'abahoze mu nzego z'ubuyobozi bahunze nyuma ya Jenoside yakorewe Abatutsi.

Mu gice cya mbere kigaragaramo abanyamahanga, twavugamo nka Filip Reyntjens wayoboye Komite y'abandi banyamategeko yanditse Itegeko Nshinga ryo mu mwaka wa 1978. Iriburiro ry'iryo Tegeko Nshinga[25] rivuga ko ibyagezweho mu mpinduramatwara yiswe Revorisiyo ya 1959 bigomba gusigasirwa. Nyuma ya Jenoside, F. Reyntjens yakomeje uwo murongo w'imitekerereze ugaragarira mu nyandiko ze zitangazwa buri mwaka muri "Afrique de grand lacs: Annuaire," ayobora.

Ihuriro "Internationale Démocrate Chrétienne" (IDC) ryo mu Bubiligi ryafashije cyane MRND mu gihe yari ku butegetsi. Abo muri IDC bakomeje umugambi

[25] "Considérant l'œuvre de libération entreprise par la Révolution de 1959 et consacrée le 1er juillet 1962 par l'accession à l'indépendance ;
Désireux d'adapter aux réalités nationales les principes constitutionnels établis le 24 novembre 1962 ;
Décidé à poursuivre l'œuvre de rénovation entreprise depuis la journée mémorable du 5 juillet 1973, en vue de la sauvegarde des acquis de la Révolution de 1959 et, en particulier, de la restauration et du renforcement de la paix et de l'unité nationale". Ibi wabisanga mu iriburiro ry'Itegeko Nshinga ryo mu mwaka wa 1978.

wo guhakana Jenoside yakorewe Abatutsi. Hari kandi nk'umunyamakuru Marie-Roger Biloa wahoze akorera ikinyamakuru Jeune Afrique. Yafashe umurongo wo gushyigikira politiki mbi ya MRND na Perezida Habyarimana mbere na nyuma ya Jenoside yakorewe Abatutsi.

Icyo byerekana ni uko aba bantu bapfobya Jenoside yakorewe Abatutsi akenshi usanga bafitanye isano n'amateka mabi yaranze u Rwanda bagizemo uruhare ruziguye cyangwa rutaziguye. Kumenya umwirondoro wabo ndetse n'amateka yabo mu Rwanda bifasha mu guhangana n'ingengabitekerezo ya Jenoside bakwiza mu mahanga.

Muri iki gice kandi, hagaragaramo Abanyarwanda bakoranye na Repubulika ya mbere n'iya kabiri, bamwe muri bo nka Ndagijimana Jean Marie Vianney na Ruhigira Enock, bavuga ko habaye Jenoside ebyiri, ndetse bakavuga ko bavugira igice cy'Abahutu batajya bibukwa, bashyiraho amashyirahamwe ashishikariza abayoboke bayo kwibuka bose.

Mu gice cya kabiri hakubiyemo ingabo zatsinzwe, interahamwe n'abanyapolitiki bibumbiye mu mitwe ya politiki n'imitwe yitwaje intwaro irwanya Leta. Aha twavuga umutwe wa FDLR na FDU-Inkingi birangwa n'ibitekerezo n'ibikorwa byo guhakana no gupfobya Jenoside.

Hari indi mitwe ya politiki n'amashyirahamwe y'Abanyarwanda ihakana ikanapfobya Jenoside. Iki gice ni cyo usangamo Twagiramungu Faustin, usigaye ukorana na FDLR, Matata Joseph na Ndagijimana Jean Marie Vienney. Hari n'abapadiri nka Rudakemwa Fortunatus na Thomas Nahimana bakwirakwiza urwango mu kinyamakuru cyitwa *Le prophète* bakoresheje *internet*.

Aba bose bandika ibitekerezo bisenya u Rwanda bakoresheje ihakana n'ipfobya bya Jenoside yakorewe Abatutsi no gukwirakwiza ibinyoma ku byiza Abanyarwanda bamaze kwigezaho. Berekana ko u Rwanda rudashobora kubaho rudafite ingengabitekerezo ya Parmehutu.

Hari kandi n'Abanyarwanda barimo abari mu buyobozi bw'Igihugu nyuma ya Jenoside, bishyize hamwe mu ishyaka bise RNC. Aba bahunze Igihugu kubera ibyaha bahamijwe n'inkiko zo mu Rwanda, nk'ubujura cyangwa guhungabanya

umutekano w'Igihugu. Kugira ngo bagire ingufu bifatanyije na FDLR, umutwe ugizwe n'abakoze Jenoside. Muri bo harimo Kayumba Nyamwasa, Gahima Gerard na Rudasingwa Théogène n'abandi bakorana na bo bakoresha imvugo isanzwe iranga abahakana bakanapfobya Jenoside yakorewe Abatutsi, nko kuvuga ko indege ya Perezida Habyarimana yahanuwe n'abasirikari ba RPA, kurengera interahamwe bagaragaza ko 10% by'Interahamwe ari bo bakoze Jenoside bonyine[26].

3.2.9. Kugabanya ubukana bwa Jenoside biyitirira kurokora Abatutsi

Iri hakana rikoresha kugoreka amateka. Abari muri iki cyiciro biyitirira gutabara Abatutsi bicwaga muri Jenoside. Hagaragaramo abantu bagabanya uburemere bw'uruhare rw'abakoze Jenoside, biyitirira ibikorwa byo gukiza abantu. Ibi byagaragaye mu mvugo ya bamwe mu banyapolitiki b'abafaransa aho bemeza ko Isi yose yatereranye Abanyarwanda, Ubufaransa bwonyine bukaba ari bwo bwohereza ingabo kubarengera mu mutwe wiswe "Opération Turquoise".

Iyo mvugo igoreka amateka ya Jenoside uyisangana bamwe mu basirikari bakuru b'abafaransa nka Lafourcade[27], wari ushyigikiye ingabo za Leta y'u Rwanda y'icyo gihe zakoraga Jenoside.

Ingabo z'abafaransa ntawe zatabaye, ntizigeze zirwanya abicanyi, ahubwo zabakingiye ikibaba kugira ngo babashe guhunga (Rigaud C., 2014). Kugeza ubu Ubufaransa bushinjwa kuba bwarahaye interahamwe Abatutsi bari bahungiye mu Bisesero ngo bicwe. Inkambi ya Nyarushishi nayo yashyizweho by'agateganyo, abarimo bari bategereje kuzicwa. Kubera ubwicanyi bwakorewe Abatutsi bo mu Bisesero, Abafaransa bamwe ndetse n'imiryango cyangwa amashyirahamwe amwe atari aya Leta (société civile) batangiye gutanga ibirego

[26] Filimi mbarankuru « Rwanda's Untold Story », yasohotse mu Ukwakira 2014

[27] Lafourcade : « On a surtout limité l'exode de la population hutu qui avait pour mission d'être tuée par le FPR… ».

kuri izi ngabo zaje muri uyu mutwe wa O*pération Turquoise*, kugira ngo zibazwe impamvu zitatabaye Abatutsi bari mu kaga, kandi ari cyo cyari cyabazanye ndetse no gukurikiranwaho ibyaha byo gufata abagore ku ngufu (Collombat B., 2015).

Muri iki cyiciro, habamo kandi n'abashaka ikuzo ryo kwitwa intwari muri Jenoside, bigatuma babeshya bakanahindura ukuri kuri Jenoside. Muri abo bantu harimo Paul Rusesabagina wiyitirira ko yakijije Abatutsi barenga 1200 muri Hôtel des Mille Collines (Rusesabagina & Zoellner, 2007). Yatangiye ashaka kwerekana ko yakijije Abatutsi, nyuma imvugo ye igenda ihinduka na yo yerekana ko mu Rwanda habaye Jenoside ebyiri.

3.2.10. Kwanga kuvuga ukuri kuri Jenoside hitwajwe ko bibangamiye gahunda y'ubumwe n'ubwiyunge

Hari abahakana Jenoside bavuga ko kwerekana ukuri kuri Jenoside yakorewe Abatutsi bibangamiye ubumwe n'ubwiyunge by'Abanyarwanda. Banavuga ko kuvuga ko habaye Jenoside yakorewe Abatutsi ari ugucamo ibice Abanyarwanda. Mu nkuru yise *Re-imagining a reluctant post-genocide society: the rwandan patriotic Front's ideology and practice,* Filip Reyntjens ntiyemera ko ubumwe n'ubwiyunge bishoboka, avuga ko Abanyarwanda benshi batabyemera, kuko bikoreshwa mu gukandamiza abaturage (Reyntjens F., 2016). Ibi byakunze kuvugwa na none na Faustin Twagiramungu, ko gukoresha ijambo Jenoside atari byo kuko bibangamiye ubumwe n'ubwiyunge.

Ubwo buryo bwo guhakana bunakoreshwa n'abahakana ko nta Jenoside yabaye cyangwa se bakavuga ko habaye Jenoside ebyiri. Guillaume Murere avuga ko ijambo Jenoside ritera umwiryane mu Banyarwanda (Murere G. , 2013). Iri hakana rishyira imbere igitekerezo kivuga ko amateka y'u Rwanda ari ukubiri (deux versions de l'histoire), ko kwiyunga bigomba gutangirira mu kwiyunga n'amateka (Nyirubugara O., na Jambo ASBL).

Hari abandi bahakana Jenoside bishyize hamwe mu cyo bise "Commission vérité Rwanda" iyobowe na Nkiko Nsengimana na Eugène Ndahayo, ikaba ivuga ko iharanira ukuri kandi ko iharanira ubwiyunge. Nubwo bemera ko Jenoside

yateguwe, bo bavuga ko umubare w'Abatutsi bishwe ari muke ugereranyije n'uw'Abahutu bishwe.

3.2.11. Gukoresha ubutabera mu nyungu za politiki

Mu bihugu bimwe, nk'Ubufaransa na Espagne, ubutabera bwakoreshejwe mu guhakana no gupfobya Jenoside yakorewe Abatutsi, bwibasira abayobozi bakuru b'Igihugu, buvana uruhare ku bakoze Jenoside bakarushyira ku bayihagaritse. Ibi byakozwe hatangwa impapuro zifata bamwe mu basirikari bakuru b'u Rwanda. Ibi byaje gukoreshwa mu nyungu za politiki cyane cyane mu guhishira uruhare igihugu cy'Ubufaransa cyagize muri Jenoside yakorewe Abatutsi. Icyo umucamanza Jean-Louis Bruguière na Fernando Andreu Merelles bakoze, ni uguhakana Jenoside yakorewe Abatutsi berekana ko Jenoside itateguwe, ko indege yahanuwe na FPR, kandi ntacyo bashingiyeho uretse amagambo babwiwe n'abakoze Jenoside cyangwa se abarengera inyungu zabo mu buhunzi.

By'umwihariko, u Rwanda rumaze kwerekana ko Ubufaransa bwagize uruhare muri Jenoside yakorewe Abatutsi, bwahise bukoresha ubutabera bwabwo kugira ngo butere ibibazo ubuyobozi buriho mu Rwanda. Iki kibazo cy'uruhare rwabwo muri Jenoside yakorewe Abatutsi mu Rwanda, cyahindutse ikibazo kireba inyungu za Leta y'Ubufaransa.

Muri urwo rwego, ikibigaragaza ni ugutinza imanza z'abakurikiranweho icyaha cya Jenoside, kubacumbikira ndetse no kudaha agaciro ubuhamya buturuka ku Banyarwanda bazi neza ibyo abashinjwa bakoze. Urugero ni nka Padiri Munyeshyaka Wenceslas wahamijwe icyaha cya Jenoside n'Inkiko Gacaca, ariko guhera mu mwaka wa 1994 akaba yibera mu Bufaransa nta nkomyi, ndetse nyuma y'imyaka 21 ubutabera bw'Ubufaransa bukamugira umwere.

Imyanzuro ya zimwe mu manza zaciwe n'Urukiko Mpuzamahanga Mpanabyaha rw'Arusha ituma abantu bibaza niba nta hakana rya Jenoside ribyihishe inyuma. Habaye kwivuguruza cyane hagati y'urugereko rwa mbere n'urw'ubujurire, nko mu rubanza rwa Zigiranyirazo Protais, Mugenzi Justin, Mugiraneza Prosper cyangwa se kugabanyiriza ibihano Col. Bagosora Théoneste n'abandi. Uru rukiko ntirwigeze rwemeza ko Jenoside yateguwe, ngo ruvuge abayiteguye n'uko bayiteguye kandi Jean Kambanda yarabyemeye (Bideri D., 2010).

3.2.12. Kwitwaza ubwisanzure muri politiki n'itangazamakuru mu guhakana Jenoside

Bamwe mu bahakana Jenoside bagaragaza ko mu Rwanda nta cyiza kihaba, ko nta bwisanzure bwa politiki n'ubw'itangazamakuru buhari, ibyo bakabihuza na Jenoside. Ubu buryo bwo guhakana bushyigikirwa n'abasanzwe bavuga ko mu Rwanda habaye Jenoside ebyiri, ndetse bakerekana ko nta gishobora gukorwa cyiza mu Rwanda atari bo batanze umurongo nk'uko bari bamenyereye kubikora mbere ya 1994. Ibi bigaragara mu nyandiko nyinshi za Philip Reyntjens, cyane cyane mu gitabo yanditse cyitwa *Rwanda, gouverner après le génocide*, bisobanuye mu rurimi rw' Ikinyarwanda ngo "Imiyoborere y'u Rwanda nyuma ya Jenoside ».

Muri icyo gitabo, avuga ko nta bwisanzure buri mu Rwanda, akanavuga ko hari ibyaha FPR/RPF yagombye kubazwa, akanenga ibikorwa byiza bigerwaho n'ubuyobozi burimo FPR/RPF n'abayobozi bayo (Reyntjens, 2014). Ibi kandi bigaragarira mu nyandiko *Chronique politique du Rwanda, 2014-2015* aho yerekana ko u Rwanda ruyoborwa na FPR/RPF ashinja kuba ku isonga rya Jenoside, rugomba gushyirwa mu kato.

Hari kandi n'imiryango mpuzamahanga ivuga ko irengera uburenganzira bwa muntu ariko ugasanga ibogamiye ku bakoze Jenoside, ndetse bagakorana na bo, ikarwanya amwe mu mategeko y'u Rwanda, nk'irihana icyaha cy'ihakana n'ipfobya bya Jenoside. Aha twavuga nka *Human Rights Watch (HRW)* na *Amnesty International* bikunze gusohora raporo z'ibinyoma ku Rwanda.

Ibi binashyigikiwe na Anne Staquet wigisha muri Kaminuza ya Mons mu gihugu cy'Ububiligi, akaba kandi akorana bya hafi na Jambo ASBL. Kuri we, uburenganzira bwo kuvuga icyo umuntu ashaka, bimwemerera no guhakana Jenoside yakorewe Abatutsi, kuko ubwo burenganzira butagira umupaka. Kuri Anne Staquet, gushyiraho amategeko ahana ihakana rya Jenoside yakorewe Abatutsi mu bihugu by'i Burayi (Ububiligi) bibangamiye amahame ya demokarasi.

Nyamara, kwihisha inyuma y'uburenganzira bwo kuvuga icyo umuntu ashatse, cyangwa se gusigasira ihame rya demokarasi, ntibyabujije ibihugu by'i Burayi

gushyiraho amategeko ahana abahakana Jenoside yakorewe Abayahudi, ndetse hatangiye kujyaho n'amategeko ahana Jenoside zose zemewe n'Umuryango w'Abibumbye. (Mu Bufaransa, no mu Bubiligi hari umushinga w'itegeko). Hari n'ibyemezo byinshi byafashwe n'Urukiko rw'Ibihugu by'i Burayi (CEDH) bihana abahakana Jenoside yakorewe Abayahudi (CEDH 13/7/1988, Le hideux Isorni, 07/07/2003 Garaudau c/France).

Iki gice cy'abahakana ni cyo dusangamo abashyigikira buhumyi abanyapolitiki bahamijwe icyaha cy'ingengabitekerezo, ihakana n'ipfobya bya Jenoside, nka Ingabire Victoire Umuhoza, cyangwa se gusaba ko itegeko rihana ingengabitekerezo ya Jenoside ryavaho (RSF, HRW, AI na Jambo asbl).

3.2.13. Gusibanganya ibimenyetso byibutsa Jenoside

Gusibanganya ibimenyetso ni bumwe mu buryo bukoreshwa n'abapfobya cyangwa bahakana Jenoside. Icyo banga ni uko ukuri kwamenyekana, kukajya ahagaragara. Hari nk'ikibazo cy'agasanduku k'umukara k'indege mu ndimi z'amahanga bita *boîte noire/ black box recorder* yari itwaye Perezida Habyarimana Juvénal kugeza ubu kataraboneka, kandi bizwi neza ko abageze mbere aho indege yaguye ari abasirikari b'Abafaransa.
Hari inyandiko zifite amakuru ku byerekeye Jenoside yakorewe Abatutsi zibitswe ahantu hanyuranye, cyane cyane mu Bufaransa. Izashyizwe ahagaragara na Leta y'Ubufaransa mu mwaka wa 2015 ni nkeya ugereranyije n'izagaragajwe n'abandi bantu ku giti cyabo zitagaragara ku rutonde rw'izatangajwe (Morel J., 2010).

Mu mwaka wa 2014, ibihangano bya Bruce Clarke (Hommes debout/ upright men) byari muri pariki yitiriwe Jean-Baptiste Lebas, mu Mujyi wa Lille, byerekanaga imiterere ya Jenoside yakorewe Abatutsi mu Rwanda, byaburiwe irengero mu ijoro ryo ku wa 07 Mata 2014. Urundi rugero, ni uko buri mwaka, ku itariki ya 6 Mata, bamwe mu Banyarwanda n'Ababiligi bapfobya bakanahakana Jenoside yakorewe Abatutsi, bahurira ku rwibutso rwa Woluwe Saint Pierre bibuka Perezida Habyarimana Juvénal. Uru rwibutso, ni igihangano cy'Umubiligi Tom Frantzen yise *Sous le même ciel.*

Uko imiterere y'ihakana n'ipfobya bya Jenoside ari myinshi, ni ko yose igira imiyoboro ikwirakwirizwamo. Icyakora, haba nubwo uburyo burenze bumwe bwo gupfobya cyangwa guhakana Jenoside bunyuzwa mu muyoboro umwe. Umutwe ukurikira urerekana mu buryo burambuye imwe mu miyoboro inyuzwamo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi.

UMUTWE WA KANE: IMIYOBORO Y'IHAKANA N'IPFOBYA BYA JENOSIDE YAKOREWE ABATUTSI

Muri uyu mutwe, hasesenguwe inyandiko n'ibiganiro byagaragayemo ibitekerezo by'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi byasohotse mu binyamakuru bikorera mu mahanga cyangwa mu bitabo no ku mbuga nkoranyambaga. Ibyibanzweho ni itangazamakuru rya radiyo na televiziyo, itangazamakuru ryandika, inama n'imbwirwaruhame, imyigaragambyo, ubushakashatsi n'ibindi.

4.1. Itangazamakuru n'amacapiro

Radiyo Televiziyo, itangazamakuru ryandika n'imbuga nkoranyambaga, ni imiyoboro ikomeye abahakana bakanapfobya Jenoside yakorewe Abatutsi bakoresha.

4.1.1. Radiyo na Televiziyo

Iyo usesenguye ubutumwa butangwa mu miyoboro ya radiyo na televiziyo byo mu mahanga guhera mu mwaka wa 1994 usanga hari bimwe byafashe umurongo wo guhakana no gupfobya Jenoside yakorewe Abatutsi. Ayo maradiyo na televiziyo yashyirwa mu byiciro bitatu: hari radiyo na televiziyo byabaye umuyoboro umenyerewe wo guhakana no gupfobya Jenoside, yashinzwe n'amashyaka ya politiki y'abari mu buhungiro bari mu murongo wo guhakana no gupfobya Jenoside yakorewe Abatutsi na radiyo na televiziyo mpuzamahanga zitangaza rimwe na rimwe inkuru zihakana kandi zigapfobya Jenoside yakorewe Abatutsi

Ubushakashatsi bwakozwe na Sena mu mwaka wa 2006 bwerekanye ko ku maradiyo y'amahanga nk'Ijwi ry'Amerika (VOA) na BBC-Gahuzamiryango n'andi maradiyo nka Radiyo Agatashya, yanyuzwagamo ibiganiro byo gukwirakwiza ingengabitekerezo ya Jenoside guhera kera mu myaka ya 1995-1996, baha urubuga abahakana bakanapfobya Jenoside yakorewe Abatutsi.

Mu gihe u Rwanda rwiteguraga kwibuka ku nshuro ya 10 Jenoside yakorewe Abatutsi , BBC-Gahuzamiryango, mu kiganiro *Imvo n'imvano* cyatambutse ku itariki ya 20 Werurwe 2004, yahaye abateguye Jenoside bakanayishyira mu bikorwa, ibasanze muri Mali aho bafungiye, urubuga rw'iminota 60, bavuga ibyo bashatse byose birimo guhakana Jenoside yakorewe Abatutsi. Muri icyo kiganiro bari bategerejweho gusaba Abanyarwanda imbabazi, ariko ntazo basabye. Mu bahawe ijambo icyo gihe, harimo Jean Kambanda Urukiko rwahamije icyaha cya Jenoside ku buryo budasubirwaho (Parlement, Sénat, 2006).

Mu itangazamakuru rya radiyo na televiziyo mpuzamahanga, hanyuzeho ibiganiro byinshi birimo inyigisho zo guhakana no gupfobya Jenoside yakorewe Abatutsi.

Jane Corbin na John Conroy bakoze filimi y'imbarankuru yitwa *Rwanda's Untold Story* isohoka kuri BBC 2, na yo ihakana Jenoside yakorewe Abatutsi, igatanga ibimenyetso bidafite ishingiro, igaragaza ko imibare ivugwa y'Abatutsi bapfuye atari yo, bashingiye ku bisobanuro by'abarimu bitwa *Christian Davenport na Allan Stam* bavuga ko mu Rwanda hari Abatutsi bake, ko abari bahari batarengaga ibihumbi magana atanu (500.000). Filimi imaze gusohoka kuri BBC, abantu batandukanye basanzwe bapfobya bakanahakana Jenoside yakorewe Abatutsi, mu ibaruwa bandikiye ubuyobozi bwa BBC ku wa 15/10/2014 banditse bashima ibikubiye muri iyo filimi, ndetse banagaya itsinda ry'impuguke zayinenze. Ni ibaruwa yakwirakwijwe n'imbuga z'abahakana Jenoside yakorewe Abatutsi (Kambanda, 2014).

Ibi bigaragaza ko bimwe mu binyamakuru byitwaza *balanced information* bigashyigikira abahakana n'abapfobya Jenoside yakorewe Abatutsi. Ibi bituma biba umuyoboro w'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi. cyane cyane ko amategeko y'ibyo bihugu adahana abahakana n'abapfobya Jenoside yemejwe n'Umuryango w'Abibumbye.

Ku rundi ruhande hari amaradiyo yashinzwe n'abanyapolitiki bibumbiye mu mashyaka ya politiki akorera mu bihugu by'amahanga asanganywe umurongo wo guhakana no gupfobya Jenoside yakorewe Abatutsi. Muri yo, hari Radiyo Itahuka, Radiyo Ijwi rya Demokarasi, Radiyo Impala, Radiyo Inyabutatu, Radiyo Ijwi rya Rubanda na Radiyo Ikondera.

Hari kandi radiyo na televiziyo mpuzamahanga zitangaza rimwe na rimwe inkuru zihakana kandi zigapfobya Jenoside yakorewe Abatutsi. Ku itariki ya 31/1/2015 televiziyo y'abafaransa *France 2*, mu kiganiro cyayo *Télé Matin*, umunyamakuru Damien Thevenot yabajije Umuyobozi w'Ikinyamakuru *Paris Match*, Olivier Royant wari umutumirwa muri icyo kiganiro, icyo yahereyeho ahitamo amafoto yo mu mwaka wa 1994 yasohotse mu kinyamakuru cye.

Umutumirwa yasubije ko ayo mafoto yerekana Jenoside yakorewe Abahutu igakorwa n'Abatutsi[28]. Ibi yabinyomoje ari uko ashyizweho igitutu na Ibuka[29].

Ikiganiro cyahise kuri *Canal+* gikoresheje agakino (sketch) mu kwezi kwa Gashyantare 2014 cyavugaga kuri Jenoside yakorewe Abatutsi, umunyamakuru Nicolas Canteloup yabivugaga asetsa, yerekana ko ari ikibazo cy'imibanire hagati y'abaturanyi babiri (Umuhutu n'Umututsi), ko Jenoside isekeje nk'uko umuntu asetswa n'ibibonetse byose[30]. Ibi ni ibikorwa byo gupfobya, kuko ikiganiro cyambura agaciro uburemere bwa Jenoside.

Umunyamakuru wa *ITV News*, John Ray, yasanze Jean Kambanda muri gereza ya Koulikoro mu gihugu cya Mali mu kwezi kwa Nyakanga 2015, agirana nawe ikiganiro. Muri icyo kiganiro, Kambanda yerekanye ko Abahutu benshi bishwe na FPR/RPF Inkotanyi nyuma ya Jenoside[31]. Yanavuze kandi ko u Rwanda rwicariye ikirunga gishobora kuzaturika[32]. Iki gikorwa cyo guha ijambo umuntu

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[28] Olivier Royant (umuyobozi wa Paris Match) avuga ibi bikurikira: " (...) 94 (…) se passe cet incroyable événement sous les yeux de la communauté internationale, le génocide rwandais où la communauté hutu va être entièrement massacrée par les Tutsi. Et là, les photographes vont s'installer au Zaïre, là où ont émigré les Hutu, la communauté hutu. Ils sont installés dans les camps de réfugiés. Et les Zaïrois vont leur demander de regagner leur pays. Et là (…) on va assister à une scène absolument extraordinaire, on croirait un cortège absolument biblique des Hutu qui regagnent leur pays avec les seules possessions qu'ils ont réussi à garder, qu'ils portent sur la tête et on a ce grand cortège qui a été immortalisé par notre photographe Benoît Gysembergh qui se trouvait là."

[29] Ibi byigeze na none gusohoka mu nteganyanyigisho (programme) z'amashuri (CNED) yo mu Bufaransa, bakoresha imvugo ya Jenoside yakorewe Abahutu, biza gukosorwa ari uko u Rwanda rubisabye: http://www.ibuka-france.org/index.php?option=com_content&view=article&id=245%3Aindignation-dibuka-france-&catid=42%3Aactualite&Itemid=73&lang=fr

[30] Televiziyo Canal+ yavugiweho amagambo akurikira : «Vous avez découpé, macheté et carpaccioté sa famille, alors qu'apparemment il n'en avait pas exprimé le désir. Vous lui auriez également découpé les bras bien dégagés au dessus des coudes, il a d'ailleurs eu le plus grand mal à vous écrire. Du coup, avec les conséquences désagréables qu'on imagine, perte d'une montre de famille, impossibilité désormais de faire du stop».

[31] Mu kiganiro cya "ITV News interview" hatambutse amagambo akurikira: "The story, denied by the Rwandan authorities, is that many unarmed Hutu civilians were the victims of revenge killings by the advancing Tutsi army in the wake of the genocide".

[32] Ikiganiro cya "ITV News interview": "So when Kambanda tells us that in Rwanda dangerous divisions between Hutu and Tutsi remain and that the country is "like a volcano that will one day expode again'' here at least he is not simply trying to re-write history, but to point out the real perils that persist".

wahamwe n'icyaha cya Jenoside mu rukiko, ukamuha uburyo bw'itangazamakuru bwo kuvuga ahakana Jenoside, ni igikorwa kidashidikanywa cyo guhakana no gupfobya Jenoside yakorewe Abatutsi, kuko kinyuranyije n'ukuri ndetse n'ibyemezo by'Urukiko Mpuzamahanga Mpanabyaha Rwashyiriweho u Rwanda (ICTR) rwaciye urubanza.

Na none kandi, hari amaradiyo akorera kuri interineti akumvikanira mu bihugu binyuranye ndetse no mu Rwanda. Bimwe mu byo ayo maradiyo ahuriyeho, harimo kuvuga ko FPR/RPF ari yo yateje Jenoside yakorewe Abatutsi ishaka gufata ubutegetsi, ko mu Rwanda habaye Jenoside ebyiri n'ibindi.

4.1.2. Itangazamakuru ryandika

Ibinyamakuru bifite imirongo y'ihakana n'ipfobya bya Jenoside ntibikiboneka kubera ko byose bisigaye bikorera ku mbuga nkoranyambaga.
Bimwe mu binyamakuru byashinzwe nyuma ya Jenoside nka *Traits d'Union-Rwanda* (TUR) na *Dialogue* (yariho mbere ya Jenoside yandikirwa mu Rwanda igakomereza umurongo wayo mubi mu mahanga), byandikirwaga mu Bubiligi[33].

Ibyo binyamakuru byombi byabaye umuyoboro wo guhakana no gupfobya Jenoside. *Dialogue* na *TUR* byarakoreshejwe mu kwamamaza Radiyo Agatashya n'ikinyamakuru *Kangura* cyakomezaga kwandikirwa i Nairobi kikagurishwa hose. Padiri Guy Theunis yabyamamazaga akoresheje inyandiko zivuga ibyanditswe mu binyamakuru (Revue de presse rwandaise/Rwandan Press Review).[34] Bamamazaga icyo kinyamakuru *Kangura* bazi neza uruhare rwacyo muri Jenoside yakorewe Abatutsi no gukomeza kubiba urwango kuri Leta y'Ubumwe y'u Rwanda.

[33] Guhera muri Nyakanga (July) 1994, Nzabahimana François yabaye umuyobozi w'ubwanditsi w'ikinyamakuru Dialogue. Icyo gihe, mu mwaka wa mbere icyo kinyamakuru gitangiye gukorera mu mahanga, abandikaga ku ijambo ry'ibanze rya *Revue Dialogue* barasimburanaga: Padiri Guy Theunis, Charles Ntampaka na François Nzabahimana. (Tom Ndahiro, Friends of evil. https://friendsofevil.wordpress.com/2013/08/28/friends-of-evil-chapter-9-other-initiatives-of-rwandans-living-in-exile/)
[34] Urugero : Dialogue N°187, December 1995 yamamaje 'Revue de Presse Rwandaise" N° 20 yakoreye ikinyamakuru KANGURA

Inyandiko ngufi

Inyandiko ngufi ziba zanditse ku buryo bucukumbuye cyangwa se ku buryo zitanga igitekerezo cy'umuntu ku giti cye. Izi nyandiko zihakana Jenoside yakorewe Abatutsi zihuriza ku ngingo yo kwerekana ko Jenoside itateguwe, kandi icyayiteye ari ihanurwa ry'indege ya Perezida Habyarimana.

Izi nyandiko zisohoka rimwe na rimwe mu binyamakuru bizwi, ariko bidasanganywe umurongo w'ubwanditsi uhakana Jenoside. Bene izi nyandiko zandikwa n'abanyamakuru b'abanyamahanga zigasohoka mu binyamakuru by'amahanga. Ingero ni nk'ikinyamakuru cyitwa *The New York Times*, cyasohoye inyandiko ebyiri, imwe yanditswe na Smith Stephen[35] muri Nyakanga 2015, (Smith, 2015) indi yandikwa n'ubuyobozi[36] bw'ikinyamakuru muri Mutarama 2016 (The editorial board, 2016).Zose zerekana ko mu Rwanda habaye Jenoside ebyiri nubwo baterura. Abo banditsi, babyita ibyaha by'intambara kandi mu by'ukuri ari Jenoside imwe nk'uko yaremewe n'Umuryango w'Abibumbye mu mwaka wa 1994.

Amatangazo

Hari amatangazo asohoka hirya no hino ku mbuga za interineti, amenshi yandikwa n'abavuga ko bari mu mashyaka atavuga rumwe n'ubuyobozi buriho mu Rwanda. Icyo ahuriraho ni ukwerekana ko mu Rwanda habaye Jenoside ebyiri, ko nta mugambi wa Jenoside wabayeho, ahubwo ko ihanurwa ry'indege ya Perezida Habyarimana ari ryo ryayiteye.

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35 The New York Times, July 19, 2015: "During the second half of 1994, at least 40,000 Hutus were killed inside Rwanda. Between October 1996 and May 1997, another 200,000 perished as they fled across Zaire, now the Democratic Republic of the Congo. Many died of hunger or disease or at the hands of RPF fighters and their Congolese rebel allies, whom a U.N. investigation accuses of crimes against humanity and possibly "acts of genocide."

36 The New York Times, January 11, 2016: "Rwanda's situation is unique. American officials were not terribly optimistic that Mr. Kagame would cede power this year, not least because he faces the prospect of being prosecuted for war crimes at some point in the future".

Ingero ni nyinshi ariko twavuga nk'itangazo rya Jean Damascène Ntakirutimana ryo ku wa 20 Ugushyingo 1995 i Nairobi[37]. Muri iryo tangazo harimo ibitekerezo by'urwango, ivangura n'amacakubiri kandi bipfobya Jenoside yakorewe Abatutsi. Bimwe muri ibyo bitekerezo ni ibi bikurikira:

- FPR/RPF yahinduye Jenoside "ikifashishwa" kugira ngo ibone uko icecekesha Abahutu;
- Abantu bishwe n'ingabo za FPR/RPF ku misozi hirya no hino, bashyingurwa rwihishwa mu buryo bwo guhisha ibimenyetso by'uruhare rwazo mu bwicanyi;
- Kaminuza Nkuru y'u Rwanda ubu yahindutse iy'Abatutsi gusa kubera ko Abahutu batinya kujya kuyigamo.

Inyandiko z'abashakashatsi n'ibitabo bihakana Jenoside

Inyandiko z'abashakashatsi bahakana Jenoside yakorewe Abatutsi ziba zishingiye akenshi ku cyo bo bita ubushakashatsi, zikanagira umwihariko wo kubogama no kujijisha kuko ziba zanditswe n'abantu baba basanzwe bazwiho ubushakashatsi.

Hari abarimu ba Kaminuza n'abashakashatsi bahakana kandi bagapfobya Jenoside yakorewe Abatutsi batangaza kandi bagakwirakwiza ibitabo n'inyandiko bigoreka amateka y'u Rwanda n'aya Jenoside yakorewe Abatutsi. Ibyo bitekerezo byabo babikwiza mu banyeshuri bigisha kandi bakanabashishikariza kubikoraho ubushakashatsi. Abo barimu n'abashakashatsi bakoresha kandi inama z'abahanga bahakana bakanapfobya Jenoside yakorewe Abatutsi, zikabera mu bigo bitandukanye.

Bamwe mu bahakana bakanapfobya Jenoside yakorewe Abatutsi bemeza ko kuvuga Jenoside yakorewe Abatutsi bibangamira ubumwe n'ubwiyunge. Ibyo bitekerezo bigaragara mu nyandiko Filip Reyntjens atangaza mu gitabo *L'Afrique des Grands Lacs en Crise.* Ibi abikora yirengagije ko u Rwanda rutakigendera ku moko kandi ko Jenoside yakorewe Abatutsi yemejwe n'Umuryango w'Abibumbye.

[37] Ntakirutimana Jean Damascène yahoze ari umuyobozi mukuru w'ibiro bya Minisitiri w'Intebe Faustin Twagiramungu, akaba n'umwe mu bari bagize Biro politiki ya MDR.

Muri Kamena 1995, Filip Reyntjens yakoze inyandiko ayoherereza TPIR yemeza ko ubutegetsi bwa Kigali bukoresha imvugo "Jenoside yakorewe Abatutsi" mu nyungu za politiki bugamije guhishira mu rwego mpuzamahanga kutubahiriza amategeko y'uburenganzira bwa muntu no guha agaciro ubuyobozi bw'igitugu (F. Reyntjens & Desouter S., 1995, p. 4).

Ku itariki ya 14/10/1997, Filip Reyntjens, mu rubanza rwa Georges Rutaganda umwe mu bayobozi bakuru b'Interahamwe yavugiye imbere y'urukiko ko FPR/RPF ari umufatanyacyaha mu buryo bwa politiki, ko iyo hatabaho intambara, nta Jenoside yari kubaho (Bizimana J. D., 2014).

Ku wa 25/7/2005, F. Reyntjens yabwiye ikinyamakuru "Politis" ko Kagame ari we wateye Jenoside, ko ari we warakaje Abahutu abashyira mu nzira yo gukora Jenoside, ko iyicwa ry'Abatutsi bari mu Rwanda ryari mu mugambi wa Kagame wo kugera ku butegetsi byanze bikunze (Bizimana J. D., 2014).

Mu gukwirakwiza ibikorwa bye byo guhakana no gupfobya Jenoside yakorewe Abatutsi, F. Reyntjens ibyo yandika asigaye abitangaza mu ndimi zitandukanye zikoreshwa mu Burayi.

Mu nyandiko za Bernard Leloup, umwarimu muri Kaminuza ya Anvers mu Bubiligi kandi ubarizwa mu kigo cy'ubushakashatsi ku Karere k'Ibiyaga Bigari cyashinzwe na Filip Reyntjens, biragoye gutandukanya ihakana rya Jenoside yakorewe Abatutsi n'urwango abo bashakashatsi bafitiye Abatutsi muri rusange, FPR/RPF by'umwihariko na Perezida Kagame (Leloup B. , 2004).

Bernard Lugan, w'umwarimu muri Université ya Lyon III mu Bufaransa, nawe yemeza ko Jenoside yakorewe Abatutsi itateguwe, ko abo TPIR yahamije Jenoside yabarenganyije (Bizimana J.D , 2013).

Hari Pierre Erny, umwarimu wigishaga muri Kaminuza ya Strasbourg mu Bufaransa, ubu uri mu kiruhuko cy'izabukuru, mu nyandiko ze n'ibiganiro mbwirwaruhame atanga muri Kaminuza no mu nama mpuzamahanga, yemeza ko mu Rwanda habayeho Jenoside ebyiri .

Ku itariki ya 26/11/1995, mu kiganiro yagiranye n'ikinyamakuru cyitwa *Dimanche* cya Kiliziya Gatolika mu Bubiligi, Pierre Erny yemeje ko mu Rwanda habaye Jenoside ebyiri, ko habanje kwicwa Abatutsi bazira ko ari Abatutsi, hanyuma Abahutu bicwa na FPR/RPF bazira ko ari Abahutu (De Dorlodot, 1996, p. 194, note 57).

Mu mwaka wa 2013, Serge Dupuis yanditse inyandiko ihakana ikanapfobya Jenoside yakorewe Abatutsi , ishyigikira umurongo w'ibyaha byakozwe na Ingabire Umuhoza Victoire, yemeza ko ari umwere ku byaha byose byamuhamye, ko urubanza rwe ari urwa politiki, ko rudafite aho ruhuriye n'amategeko (Dupuis S., 2013).

Mu mwaka wa 2014, Serge Dupuis yanditse indi nyandiko igenewe ikinyamakuru cy'ishyirahamwe ryo mu Bufaransa ryitwa "Fondation Jean Jaurès" ihakana kandi igapfobya Jenoside yakorewe Abatutsi. Muri iyo nyandiko avuga ko Jenoside yakorewe Abatutsi itateguwe kandi ko n'Urukiko Mpuzamahanga Mpanabyaha rwashyiriweho u Rwanda (TPIR) rutigeze rwemeza ko Jenoside yateguwe. Avuga kandi ko amahanga akwiye guhagarika inkunga agenera Leta y'u Rwanda kuko iyoborwa na Guverinoma igizwe n'abantu badafitiwe icyizere.

Allan Stam na Christian Davenport basohoye imibare yerekana ko hapfuye Abatutsi bake (200,000), ugereranyije na miliyoni irenga y'Abatutsi bizwi neza ko bazize Jenoside. Ibi babikoze bagamije kwemeza ko habayeho Jenoside ebyiri. Muri rusange, ibyo bagiye bandika ku Rwanda, byagaragaye ko bikubiyemo ingengabitekerezo yo guhakana no gupfobya Jenoside yakorewe Abatutsi, bashingiye ku mibare (Davenport C. & Stam A., 2009).

Scott Straus na Lars Waldorf, ni abarimu bo muri Kaminuza ya Wisconsin-Madison muri Leta Zunze Ubumwe z'Amerika. Mu kwezi kwa Nzeri 2011, aba banditsi bahurije hamwe itsinda ry'abashakashatsi 28 biganjemo Abanyamerika, Abongereza n'Ababiligi, hamwe na Human Rights Watch, icyavuyemo ni uko inyandiko zabo nazo zahurijwe hamwe, zigashyirwa mu gitabo cyiswe *Remaking Rwanda: State Building and Human Rights after Mass Violence*.

Inyandiko ya Bert Ingelaere iri muri icyo gitabo, ivuga ko Abahutu bagizwe na rubanda nyamwinshi bari mu bukene baterwa n'Abatutsi ba nyamuke kuko ari bo bafite ubukire mu Rwanda. Jens Meierhenrich wigisha muri *London School of Economics* we avuga ko kwibuka Jenoside yakorewe Abatutsi ari uguhishira ibyaha byakozwe na FPR/RPF n'abayobozi b'u Rwanda.
Indi nyandiko igize icyo gitabo irimo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, ni iya Carina Tertsakian wo muri Human Rights Watch, yemeza ko abakekwaho gukora icyaha cya Jenoside bashyikirijwe inkiko, biganjemo inzirakarengane zihohoterwa n'Abatutsi bacitse ku icumu rya Jenoside (Straus & Waldorf, 2011).

Edward S. Herman na David Peterson banditse igitabo cyitwa *The politics of genocide* gifite ijambo ry'ibanze ryanditswe na Noam Chomsky bahuje ibitekerezo. Muri iki gitabo abicanyi bahinduka abishwe. Bahakana umubare w'Abatutsi bishwe muri Jenoside bakavuga ko uwo mubare wahimbwe na "FPR/RPF ya Kagame" kugira ngo babone inkunga z'amahanga (Herman & Peterson, 2010). Umwanditsi Gérard Caplan yakoze inyandiko yasohotse mu kinyamakuru cyitwa *Pambazuka News* yerekana ko ibikubiye muri icyo gitabo ari ihakana n'ipfobya bya Jenoside (Caplan G., 2010).

4.1.3. Ibitabo by'abanyamakuru

Mu Bufaransa by'umwihariko, hasohowe ibitabo n'inyandiko nyinshi ziri mu murongo w'ihakana, hagamijwe guhisha abaturage b'icyo gihugu uruhare rwa Leta y'Ubufaransa muri Jenoside yakorewe Abatutsi no guharabika ubuyobozi buriho mu Rwanda buyobowe n'Umuryango FPR/RPF-Inkotanyi wahagaritse Jenoside. Kubera izo mpamvu, inzego za Leta y'Ubufaransa zafashe umurongo wo gukoresha itangazamakuru mu buryo bwo guhisha ukuri no kugoreka amateka (Gouteux J.P, 1999)[38].

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[38] Muri iki gitabo cya Jean Paul Gouteux, yerekana ko inyandiko nyinshi zasohotse mu kinyamakuru *"Le monde"* zitamenyekanishije ukuri kuri Jenoside yakorewe Abatutsi mu Rwanda. Yerekanye kandi ko inyandiko za Pierre Péan, Jean-François Khan (*Marianne*), Charles Onana, Stephen Smith (yahoze yandika muri *Le Monde*), Marie-Roger Biloa (*Africa International*) zihakana zikanapfobya Jenoside yakorewe Abatutsi, zishyigikiwe n'inzego z'iperereza z'Ubufaransa (DGSE), hagamijwe gukwiza ikinyoma no guhisha ukuri abaturage babo n'amahanga.

Charles Onana yanditse ibitabo bisohokera mu icapiro rya Duboiris, byose bihakana Jenoside yakorewe Abatutsi[39]. Muri ibyo bitabo, ashimangira ko nta Jenoside yigeze itegurwa, ko ahubwo habayeho intambara n'ubwicanyi hagati y'Abahutu n'Abatutsi. Yemeza ko nyirabayazana w'ubwicanyi bwabaye mu mwaka wa 1994 ari Paul Kagame. Muri ibi bitabo avuga ko Urukiko TPIR rwabaye igikoresho cyo gucira imanza inzirakarengane z'Abahutu bahoze bategeka u Rwanda kandi ko Paul Kagame n'abandi Batutsi bakoze Jenoside muri Repubulika Iharanira Demokarasi ya Kongo.

Ibi bitekerezo bya Charles Onana anabinyuza mu biganiro mbwirwaruhame atanga mu bihugu byinshi no mu itangazamakuru, cyane cyane kuri Radiyo mpuzamahanga y'Abafaransa (RFI) no kuri Televiziyo France 24.

Pierre Péan mu gitabo cye cyasohotse mu mwaka wa 2005 cyitwa *Noires Fureurs***,** *Blancs menteurs*, avuga ko Abatutsi muri kamere yabo bafite umuco wo kubeshya no kwiyoberanya kandi ko Abatutsikazi bazi guhitamo abo mu miryango mpuzamahanga baryamana na bo kugira ngo batare amakuru"[40]. Hari ibinyamakuru byanenze icyo gitabo[41].

Pierre Péan avuga ko Jenoside ari igice cya mbere (épisode) cy'intambara nini yo kwigarurira Akarere ka Sudani y'Amajyepfo na Uganda. Iyi mvugo isa n'iyo abandi bahakana Jenoside bakoresha iyo bavuga kubaka "Hima Empire".

Igitabo cya Péan kiri mu murongo umwe n' ibindi bihakana Jenoside yakorewe Abatutsi, nk'ibya Bernard Debré, *Le retour du Mwami*, n'abanyamakuru Geoffrey York, Judi River, Jane Corbin na Philipot bandika inyandiko zihakana zikanapfobya Jenoside yakorewe Abatutsi. Bashingira ku ngingo ivuga ko

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[39] Les secrets du génocide rwandais : Enquête sur les mystères d'un président, 2002; Les Secrets de la justice internationale: enquêtes truquées sur le génocide rwandais, 2005; Silence sur un attentat, 2005; Ces tueurs Tutsi au cœur de la tragédie congolaise, 2009.

[40] La culture du mensonge et de la dissimulation, Choisir des lits appropriés pour infiltrer certaines organisations internationales

[41] Muri ibyo binyamukuru twavuga *Le Nouvel Observateur*, 24 novembre 2005 ; *Le Soir*, 26 novembre 2005 ; *Libération*, 29 novembre 2005 ; *La Libre Belgique*, 1er décembre 2005 ; *Le Monde* 3 & 9 décembre 2005 ; *Jeune Afrique*, 4 décembre 2005 ; *Le Figaro*, 7 décembre 2005 ; *La Croix*, 12 décembre 2005 byanenze icyo gitabo. Umuryango "SOS Racisme" watanze ikirego mu rukiko kubera ibyo bitekerezo by'ivangura bya Pierre Péan (L'Obs- Actualité, 2008).

Jenoside itateguwe bakongeraho ko ubwicanyi bwakozwe n'impande zombi. Inyandiko zimwe z'aba banyamakuru zifashishijwe muri filimi yanyuze kuri BBC2 'Rwanda's Untold Story'.

4. 1.4. Inkuru zishushanyije (caricatures / cartoons)

Umwe mu miyoboro ukoreshwa mu guhakana Jenoside yakorewe Abatutsi, ni ugukoresha inkuru zishushanyije. Izo nkuru zisohoka mu binyamakuru bidafite umurongo usanzwe uzwi wo guhakana.

Inkuru ishushanyije yasohowe n'ikinyamakuru cyandikirwa mu gihugu cy'Ubufaransa, *Charlie Hebdo* tariki ya 30/3/2016 muri n°1236, yerekana ibitero by'ubwiyahuzi bwabaye mu gihugu cy'Ububiligi, berekana umuririmbyi Paul Van Haver uzwi ku izina ry'ubuhanzi rya "Stromae" ufite nyina w'Umubiligi na se w'Umunyarwanda wishwe muri Jenoside yakorewe Abatutsi. Ku ifoto agaragara akikijwe n'ibihimba by'umubiri biri mu kirere. Ibi bakabihuza n'indirimbo yaririmbye avuga ngo "Papa urihe ?" (Papa où t'es?), agasubizwa n'ibyo bihimba by'umubiri ngo "hano", "hariya", "na hariya". […tandis qu'un bras, une jambe et un oeil lui répondent en choeur: "Ici", " Là", " Et là aussi"].

Iki kinyamakuru kizwi nk'igikunda gusetsa, ariko icyo umuntu yakwibaza, ari na cyo umuryango wa Stromae wibajije niba *Charlie Hebdo* yari isanzwe izi urupfu se yapfuye, kuko yapfuye nabi bamucagaguye. Iyi nkuru ifite aho ihuriye na Jenoside yakorewe Abatutsi, ndetse n'ipfobya ryayo[42]. Ikindi ni uko iyi nkuru nubwo yasohotse nyuma y'ibitero byabaye mu Bubiligi, yanasohotse yegereye igihe cyo kwibuka Jenoside yakorewe Abatutsi.

[42] Develey, Alice, Pisana, Mathias, *Le Figaro.fr*, 30 mars 2016.
Develey, (Alice, Pisana, Mathias) wanditse inkuru agaragaza ko umuryango wa Stromae utishimiye ibyo ikinyamakuru Charlie Hebdo cyanditse : « Un trait d'humour qui n'a pas plu à la famille de Stromae. Car sous couvert d'avoir caricaturé l'actualité, comme a l'habitude de le faire le journal, la une ferait aussi référence à un pan de l'histoire plus ancien. À savoir le génocide des Tutsis au Rwanda en 1994. Période durant laquelle le père de Stromae perdit la vie dans d'horribles circonstances. Son corps fut découpé en morceaux » (Develey, Alice, Pisana, Mathias, Le Figaro.fr, 30 mars 2016).

4.1.5. Imbuga nkoranyambaga

Hagiyeho imbuga za murandasi nyinshi, zamamaza urwango, ari nako zikwirakwiza ibitekerezo by'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi. Murandasi ni umuyoboro ukoreshwa cyane n'abahakana Jenoside yakorewe Abatutsi akaba ari uburyo bwihuse, kandi bugera kuri benshi.

Hari imbuga nyinshi na *blogs* bwite z'abantu, amashyirahamwe cyangwa amashyaka, zikwirakwizwaho ibitekerezo byo guhakana no gupfobya Jenoside yakorewe Abatutsi. Hari ingero: Bernard Desgagné, ku rubuga rwe http://vigile.quebec/Desgagne-Bernard anyuzaho amakuru ajyanye no guhakana no gupfobya Jenoside yakorewe Abatutsi, akananyuzaho ibitekerezo by'abandi banditsi bahakana iyo Jenoside nka we. Ibyo bandika byose byenda gusa.

Uyu Desgagné Bernard akomoka mu gihugu cya Canada, yivugira ko ahakana Jenoside yakorewe Abatutsi akanasaba mu nyandiko ze ko yashyirwa ku rutonde rw'abasanzwe bazwi nk'abahakanyi, aribo : Bernard Lugan, Palou-Loverdos, Pierre Péan, Robin Philpot na Peter Verlinden. Ahakana Jenoside yerekana ko nta mugambi wa Jenoside wigeze ubaho (Chronique de Bernard Desgagné, 2008)[43].

Inyandiko zihakana Jenoside yakorewe zikwirakwizwa kandi na Garrison Ann wo muri Leta Zunze Ubumwe z'Amerika, wandika cyane cyane kuri Repubulika Iharanira Demokarasi ya Kongo, ariko agakunda no gusakaza ibitekerezo bya Ingabire Victoire Umuhoza birimo ihakana. Arandika akanakoresha ibiganiro ku maradiyo avugira kuri murandasi (internet), agakwirakwiza ibitekerezo bye akoresheje urubuga yashyizeho rwitwa *www.anngarrison.com.* Ibyo bitekerezo binakwirakwizwa na *San Fransisco Bay View*, *Black Agenda Report*, *Black Star News*, *KPFA Evening News*[44] n'izindi.

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[43] Aba bahakana bakanapfobya Jenoside yakorewe Abatutsi, bakunze kwishyira ku rutonde rw'abahakana bakavuga ko barwanywa na Leta y'u Rwanda. Reba : *"liste noire de négationnistes"*

[44] http://sfbayview.com/, www.blackagendareport.com, www.blackstarnews.com, https://kpfa.org/program/the-pacifica-evening-news-weekday

Ibitekerezo by'ihakana rya Jenoside yakorewe Abatutsi tubisanga na none mu nyandiko za Bruce Dixon, (Managing Editor), Glen Ford, (Executive Editor), Milton Allimadi, (Editor-in-Chief), na David Rosenberg KPFA (*Weekend News Anchor*).

Mu Banyarwanda baba mu mahanga bakwirakwiza inyandiko zihakana Jenoside yakorewe Abatutsi zisohoka kuri murandasi, hari izandikwa na Olivier Nyirubugara

Abanyarwanda baba mu mahanga bakoresha imbuga nkoranyambaga mu guhakana no gupfobya Jenoside yakorewe Abatutsi bagaruka ku bitekerezo bikurikira:

- Kwemeza ko Jenoside yatewe n'intambara;
- Kwemeza ko intambara yashojwe ku ya mbere ukwakira 1990 no gusubukura imirwano byakozwe na FPR/RPF ari byo byatumye u Rwanda rucura imiborogo mu gihe cy'iminsi ijana;
- Kuvuga ko habayeho Jenoside ebyiri ndetse no gushyigikira ibitekerezo biri muri "Mapping report";
- Gushyigikira ko hagati ya FDLR n'ubuyobozi bw'u Rwanda haba imishyikirano;
- n'ibindi.

Amwe mu mazina y'imbuga nkoranyambaga zikoreshwa n'abahakana bakanapfobya Jenoside yakorewe Abatutsi n'abazishinze ni aya akurikira:

Urubuga	**Uwarushinze**
http://www.mdrwi.org	Abayoboke ba MDR
www.akagera-rhein.de	Dr. Jean Paul Rwasamanzi
www.twagiramungu.net	Faustin Twagiramungu
www.fdlr.org	FDLR
www.fdu-Rwanda.org	FDU
http://cheuzeville.net/	Hervé Cheuzeville
www.rud.urunana.org	Ishyaka RUD-Urunana
www.cliir.org	Joseph Matata
www.jkanya.free.fr	Major Kanyamibwa Jacques

www.musabyimana.net	Musabyimana Gaspard
www.olny.nl/	Olivier Nyirubugara
www.leprophete.fr cyangwa http://leprophete.jimdo.com	Padiri Thomas Nahimana na Fortunatus Rudakemwa
www.rwandanationalcongres.com	Rwanda National Congress
www.rdirwandarwiza.com/	Twagiramungu Faustin n'ishyaka ayobora
Democracy_Human_Rights@yahoogroupes.fr	Twagiramungu Innocent
http://www.veritasinfo.fr/	Veritas Info News
Radio-Ubumwe: http://radio-ubumwe Website- radio.com	Espérance Mukashema, Aloys Simpunga, Matata Joseph
Radio-Ishakwe, Ishakwe Rwanda Freedom Movement	Rudasingwa Théogène
http://www.france-turquoise.fr/	General Jean Claude Lafourcade
http://www.fincaolivar.org/en/fundacion/ and http://juancarrerosaralegui.worldpress.com/f	Juan Carrero
La Tribune Franco-Rwandaise TFR- Jean Marie Vianney Ndagijimana	Jean Marie Vienney Ndagijimana
Ikondera.info- Radio TV	Agnes Mukarugomwa
www.jambonews.net	Jambo Asbl

4.1.6. Amazu yakira kandi agatangaza inyandiko zihakana cyangwa zipfobya Jenoside yakorewe Abatutsi

Amazu yakira kandi agatangaza inyandiko n'ibitabo by'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, na yo amaze kuba menshi. Ibitabo bisohotse mu macapiro bigakorerwa imenyekanisha hakoreshejwe imbuga za murandasi zisanzwe zishyirwaho ibitekerezo bihakana Jenoside yakorewe Abatutsi. Amwe muri ayo mazu yashinzwe n'Abanyarwanda, andi ni ay'abanyamahanga. Icyo bahuriyeho bose, ni uko batambutsa ibitekerezo byo guhakana no gupfobya Jenoside yakorewe Abatutsi. Muri ayo mazu harimo: *Editions Sources du Nil* ya Eugène Shimamungu; *Editions La Pagaie* ya Ndagijimana Jean Marie Vianney,

Editions du Panama , *Editions Duboiris* ya Charles Onana. Izi nzu zisohora ibitabo biri mu murongo w'ibitekerezo bihakana bikanapfobya Jenoside yakorewe Abatutsi.

Editions Sources du Nil by'umwihariko, yasohoye ibitabo by'abakoze Jenoside bahamwe n'ibyaha bya Jenoside, baburanishijwe na TPIR nka Nahimana Ferdinand, Karemera Eduard na Ngirabatware Augustin. Mu batangaje ibitabo muri iyi nzu, harimo n'abagishakishwa n'ubutabera mpuzamahanga nka Mpiranya Protais ugishakishwa.

« Editions Sources du Nil» niyo kandi yatangaje igitabo cyanditswe na Barayagwiza Jean Bosco cyitwa *Le sang hutu est-il rouge ? B*isobanuye ngo *Amaraso y'Abahutu aratukura* ?. Muri icyo gitabo yagaragaje ibitekerezo by'urwango rukomeye afitiye Abatutsi (Barayagwiza J.B., 1996).

4.2. Ibiganiro mbwirwaruhame n'imyigaragambyo

Hari ibiganiro mbwirwaruhame byagiye bikorerwa mu mahanga bigamije guhakana no gupfobya Jenoside yakorewe Abatutsi.

4.2.1. Ibiganiro mbwirwaruhame

Nubwo muri rusange buri kiganiro kigira insanganyamatsiko yihariye, byose bihuriza ku kuvuga ko Jenoside yakorewe Abatutsi itabayeho, ko niba yaranabayeho itateguwe, ahubwo yatewe na FPR. Ibyo biganiro bihuriza kandi ku kuvuga ko hapfuye Abahutu benshi kuruta Abatutsi, ko ubutabera bugomba gukurikirana FPR/RPF n'ibindi.

Nk'ikiganiro cyabereye i Paris mu Bufaransa ku itariki ya 1/4/2014 (Démocraties, 2014), cyabaye urubuga rw'ibitekerezo bipfobya bikanahakana Jenoside yakorewe Abatutsi, ari nako bahishira uruhare rw'Ubufaransa muri iyo

Jenoside. Ibyo biganiro byose byatumiwemo abantu bahisemo umurongo wo gupfobya Jenoside baba ari bo batanga ibiganiro (Démocraties, 2014)[45].

Ikiganiro cyabereye mu gihugu cy'Ubuholandi gihuza abanyamategeko bunganira abakoze Jenoside baburanishwa na TPIR[46] n'abandi bashakashatsi basanzwe bahakana Jenoside. Umurongo w'icyo kiganiro wari ushingiye ku kuvuga ko mu Rwanda habaye Jenoside ebyiri, ko bamwe bahanwe na TPIR, abandi bita "abatsinze intambara ntibahanwe: Peter Erlinder, "UN Security Council-created Victor's Impunity" at ICTR and Prospects for the ICC"; Michael Hourigan, "ICTR-OTP Supression of RPF Crimes and Distortion of History"; Bernard Lugan: Le TPIR face au jugement de l'histoire; Filip Reyntjens: Manipulation and falsification of ICTR evidence: the role of the Rwandan government".

Ikindi kiganiro mbwirwaruhame cyabereye mu cyumba cy'inama cya Sena y'Ubufaransa ku wa 01/05/2002 Iki kiganiro cyiswe *Demain le Rwanda*[47]. Abantu batanzemo ibiganiro bose barangwa n'ibitekerezo byo guhakana no gupfobya Jenoside yakorewe Abatutsi no kurwanya ubuyobozi buriho mu Rwanda. Bamwe mu bari batumiwe ni Antoine Nyetera, Deogratias Mushayidi, Pierre Claver Kanyarushoki, Jean Marie Vianney Ndagijimana, Joseph

[45] Ikiganiro cyatangijwe na Paul Quilès, kiba mu byiciro bibiri; ikiganiro cya mbere ya saa sita cyayobowe n'impuguke Pierre Servent wakoreraga Televiziyo France 2, bagiha inyito ikurikira : "Les acteurs de la tragédie rwandaise : génocide de 1994, massacre des Hutus, persécution des Rwandais à l'intérieur et à l'étranger" ("Abagize uruhare mu mahano yagwiririye u Rwanda : Jenoside yo mu mwaka wa 1994, iyicwa ry'Abahutu, itotezwa ry'Abanyarwanda mu gihugu imbere no mu mahanga"). Ikiganiro cya nyuma ya saa sita cyiswe "Géopolitique, acteurs politiques majeurs, rôle de l'ONU, justice internationale et nationale" ("ugenekereje mu kinyarwanda byaba bisobanuye ngo: Ibirebana na politiki y'u Rwanda, ab'ingenzi bayigizemo uruhare, uruhare rw'Umuryango w'Abibumbye, ubutabera mpuzamahanga n'ubw'u Rwanda"). Iki gice cya kabiri cyayobowe n'umunyamakuru Henri Weil akaba n'impuguke mu mateka. Ibiganiro byashojwe na Henri Paris. Iki kiganiro cyatangajwe ku rubuga rwa Youtube ku itariki ya 10 Mata 2014 kigaragaza ibiganiro byose byahavugiwe.

[46] Habaye inama ebyiri. Iyambere yari ifite insanganyamatsiko ikurikira: "Le Tribunal Pénal International pour le Rwanda et sa légitimité", 16 Novembre 2009. Indi nama yabereye i Bruxelles tariki ya 23/5/2010.

[47] Iki kiganiro ntabwo gikwiye kwitiranywa na « Rwanda demain : Une longue marche vers la transformation », igitabo cyanditswe na KIMONYO Jean Paul.

Sebarenzi, Honoré N'gbanda, Alain De Brouwer, Me Frédéric Weil, Charles Onana, Me Hamuli Rety. Kuri gahunda y'icyo kiganiro yagombaga kuyoborwa na Mme Senateri Danielle Bidard-Reydet ariko ntiyabonetse (Gauthier A., 2002).

Bamwe mu banyapolitiki b'Abafaransa n'abasilikari b'Abafaransa bari mu Rwanda mu bihe bitandukanye guhera 1990-1994, bakoresha ibiganiro mbwirwaruhame buri mwaka, hagamijwe guhakana Jenoside yakorewe Abatutsi no gusibanganya uruhare Ubufaransa bwayigizemo.

Ni muri uwo murongo ku itariki ya 20/10/2007 muri Sena y'Ubufaransa habereye ikiganiro mbwirwaruhame cyiswe : *La France et le drame rwandais : politique, acteurs et enjeux (1990-1994)* kikayoborwa na Général Henri Paris. Abatanze ibiganiro bahurije ku kwerekana ko mu Rwanda habaye Jenoside ebyiri, guhakana itegurwa rya Jenoside yakorewe Abatutsi no gushinja FPR/RPF kugira uruhare mu ikorwa rya Jenoside[48].
Icyo kiganiro cyagarutse kuri ibi bikurikira:

- kuvuga ko habayeho Jenoside nyarwanda ikubiyemo Jenoside ebyiri , Jenoside yakorewe Abatutsi ikozwe na bamwe mu Bahutu b'intagondwa na Jenoside yakorewe Abahutu mu bice byagenzurwaga na FPR/RPF (Henri Weil**)** ,
- FPR/RPF yakoreye Abahutu ubwicanyi bugereranywa na Jenoside, ibyaha byibasiye inyokomuntu n'ibyaha by'intambara (Jean Marie Vianney Ndagijimana);
- Ubwicanyi bwo mu mwaka wa 1994 bwatewe n'ubwoba buturuka ku mibanire mibi ihoraho hagati y'Abahutu n'Abatutsi (Général Lafourcade) ;

[48] Abatanze ibiganiro: Depite Paul Quiles, Lieutenant-Colonel Michel Robardey, Général Jean-Claude Lafourcade na Général Jacques Hogard; Senateri Xavier De Villepin, umunyamakuru Henri Weil na Jean-Marie Vianney Ndagijimana. Jacques Gerard umuyobozi wa Conseil économique et social, umunyamakuru Pierre Péan, Victoire Ingabire Umuhoza, umuyobozi wa "Forces Démocratiques Unifiées"; Marc Gentilini, umuyobozi wa Croix Rouge y'Ubufaransa na Lionel Pourtau.

- FPR/RPF ni yo nkomoko y'ubwicanyi bwabaye mu Rwanda hagati y'amoko mu Ukwakira 1990, Mutarama 1991, mu mwaka wa 1992 (Pierre Péan) ;
- FPR/RPF nta kindi yari igamije uretse kugera ku butegetsi (Général Michel Robardey).

Ikindi kiganiro cyerekana ko mu Rwanda habaye Jenoside ebyiri, ni ikiganiro cyo ku wa 12/03/1997 cyatanzwe na James Gasana kibera ahitwa Pamplona muri Espagne/ Spain. Icyo kiganiro cyerekanaga ko mu Rwanda habaye Jenoside yakorewe Abatutsi, hakurikiraho ubwicanyi bwakorewe Abahutu. James Gasana yatanze imibare inyuranye ashaka kwerekana ko Abahutu bishwe baruta Abatutsi bishwe (SOS Rwanda- Burundi, 1997). Mu guhakana kwe, James Gasana asa nk'aho yemera Jenoside yakorewe Abatutsi ariko akagoreka ukuri ku mateka yayo, kuko avuga ko habaye Jenoside ya kabiri yakozwe na FPR/RPF iyikoreye Abahutu.

Urebye uburyo asobanura Jenoside, umuntu adashishoje yakwibwira ko avuga ukuri, ariko ibyo avuga nta shingiro bifite kubera impamvu zikurikira:

- imibare y'abantu avuga ko bishwe ntagaragaza aho ayikura;
- nubwo yemera Jenoside yakorewe Abatutsi, ntiyemera ko habayeho umugambi wo kuyitegura no kuyishyira mu bikorwa;
- avuga ko nyuma ya Jenoside yakorewe Abatutsi, habayeho Jenoside yakorewe Abahutu, ariko ntiyerekana uko yateguwe n'uko yahagaritswe.

Kuvuga ko habaye Jenoside ebyiri, ni uburyo bwo guhakana no gupfobya Jenoside yakorewe Abatutsi bukoreshwa n'abagize uruhare muri politiki y'urwango yaranze Leta ya Perezida Kayibanda Grégoire n'iya Habyarimana Juvénal hagati y'imyaka ya 1962 na 1994. Ibyo biganiro biba bigamije guhakana Jenoside yakorewe Abatutsi ariko ugasanga berekana ko bigamije kubaka amahoro mu Rwanda no mu Karere k'Ibiyaga Bigari .

Kuwa 26/4/2008, i La Haye mu Buholandi habereye inama yateguwe n'umuryango « Dusabane » ufatanyije na « Duurzaam voor Afrika (DVA) » uyoborwa na Cyriaque Mbonankira. Iyo nama yatewe inkunga na ONG yo muri icyo gihugu yitwa « Oxfam-Novib ». Ni inama yari igamije kwerekana ko mu

Rwanda habaye Jenoside ebyiri. Abatanze ibiganiro ni bamwe mu bakurikiranyweho icyaha cya Jenoside nka Mugimba Jean Baptiste na Ndereyehe Karoli (Ndahiro, 2013). Abandi bahakanyi b'icyo cyaha harimo Christian de Beule, Rusesabagina Paul, Umunyamerika Robert Krueger,[49] na Stanislas Niyibizi wari Perezida wa RDR-Hollande n'abandi.

Mu biganiro bitangwa, inyito y'ikiganiro ntiba igaragaza ibyihishe inyuma yacyo. Urugero ni ikiganiro cyateguwe na Ndereyehe acyita *'la paix est un préalable au développement durable'* (Utrecth muri Holland). Insanganyamatsiko y'icyo kiganiro bayise: *la problématique de la réconciliation au Rwanda*[50]. Muri iyo nama, Ndereyehe Karoli yerekanye umurongo we wo guhakana Jenoside yakorewe Abatutsi no kwibasira ubuyobozi buriho mu Rwanda**.** Ku itariki ya 3 Nyakanga 1999 Ndereyehe Karoli yatanze ikiganiro yise "*Etat de droit et la situation des droits de l'homme en Afrique des grands lacs",* ariko akagusha ku cyo yise gucuruza Jenoside yakorewe Abatutsi[51].

Muri ibyo biganiro abahakana Jenoside yakorewe Abatutsi bashimangira ko nta butabera buriho, kuko nk'uko bemeza Jenoside ebyiri, banemeza ko n'ubutabera ari ko bugomba kumera, bugahorera Abahutu[52].

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[49] Uyu yigeze kuba Ambasaderi wa USA i Burundi. Muri iyi nama yavuze ko nta muntu wari ukwiye guhanirwa icyaha cya jenoside mu Rwanda.

[50]Organisée par les asbl rwandaises de Hollande: CODAC, URAHO, DUSABANE. à Utrecht le 2 Octobre 1999.

[51] Insanganyamatsiko y'iyo nama yari "Tolérance et Résolutions des Conflits en Afrique Centrale", Bruxelles 3 Juillet 1999 http://www.rdrwanda.org/francais/documents/RDR/Conference03071999.html

[52] Dans le Discours d'ouverture du 3ième Congrès du RDR publié sur le Forum Rwandais dans son no. 11 Novembre 2000, http://www.rdrwanda.org/francais/publications/forum/Forum_Rwandais_No11.pdf

4.2.2. Imyigaragambyo

Bumwe mu buryo bukoreshwa n'abahakana cyangwa bapfobya Jenoside yakorewe Abatutsi ni imyigaragambyo ikorerwa mu mahanga. Ikorwa ahanini ku bufatanye bw'Abanyarwanda n'abanyamahanga mu bihugu by'Uburayi n'Amerika. Muri iyo myigaragambyo hakunze kugaragaramo ihakana rishingiye ku kugaragaza ko mu Rwanda habaye Jenoside ebyiri, ariko ko hariho itavugwa, Jenoside yakorewe Abahutu. Iyo Jenoside bayigereka ku Batutsi.

Hari n'abandi bakora imyigaragambyo ngarukamwaka, cyane cyane igihe cyo kwibuka Jenoside yakorewe Abatutsi. Urugero ni COSAR kimwe n'andi mashyirahamwe afite umurongo wo guhakana Jenoside yakorewe Abatutsi, bakorera imyigaragambyo ku rwibutso rwa Jenoside yakorewe Abatutsi rwubatswe mu Bubiligi muri Komini ya Woluwe Saint Pierre[53].

4.3. Imiryango mpuzamahanga n'amadini

Iyi miryango ikunze gukora raporo ku ngingo zinyuranye zirebana n'ingamba ziba zafashwe mu guhangana n'ingaruka za Jenoside harimo n'amategeko ahana icyaha cy'ihakana n'ipfobya bya Jenoside. Ihakana ry'iyo miryango riza riha imbaraga abasanzwe bahakana Jenoside, cyane cyane kwerekana ko ibitekerezo byabo bishingiye ku mahame y'uburenganzira bwa muntu. Izo nyandiko zigira ingaruka ku mitekerereze y'abasomyi b'izo nyandiko n'iyo miryango ubwayo.

Muri ubu bushakashatsi, ijambo « imiryango mpuzamahanga » risobanura imiryango mpuzamahanga yegamiye kuri Leta n'imiryango mpuzamahanga itari iya Leta.

4.3.1. Imiryango mpuzamahanga

Umuryango w'Abibumbye

[53] IBUKA memoire et justice ASBL, Lettre du 5 avril 2004 au bourgmestre de WOLUWE SAINT PIERRE. Objet : Demande d'interdiction de la manifestation de l'asbl COSAR prévue ce 06 avril 2004 dans l'avenue Vandendriessche et autour du monument dédié à la mémoire du génocide de 1994 érigé à Woluwe-Saint-Pierre. Aho byavuye : www.ibuka.net

Ku wa 11 Mutarama 1994, Jenerali Romeo Dalaire yandikiye Maj. Gen. Maurice Baril, umujyanama mu bya gisirikari w'Umunyamabanga Mukuru w'Umuryango w'Abibumbye, Boutros Boutros-Ghali, avuga ko yahawe amakuru y'uko hari gutegurwa umugambi wo gushoza intambara, hakabaho gutsemba Abatutsi. Mu gisubizo Jenerali Romeo Dallaire yahawe, yibukijwe ko gutabara bitari mu nshingano UNAMIR yahawe (Annan K, 1994).

Kubera inyungu za politiki no guhishira uruhare rw'Umuryango w'Abibumbye ndetse n'urwa bimwe mu bihugu bigize Akanama gashinzwe Amahoro n'Umutekano ku Isi, hakunze gukorwa raporo zitandukanye zigamije gushinja u Rwanda ibinyoma no kwerekana ko mu Rwanda habaye Jenoside ebyiri. Izo raporo z'ibinyoma zishingiye kandi ku nyungu za Politiki z'abashaka guharabika isura y'u Rwanda n'ubuyobozi bwarwo

Hari kandi nka Steve Hege, umwe mu mpuguke za ONU usanzwe arengera umutwe wa FDLR wakoze raporo, *Understanding the FDLR in the DR Congo: key facts on the disarmament & repatriation of Rwandan rebels*, 24/2/2009, ayivugira, anayigira umwere ku byaha bya Jenoside yakoze mu Rwanda mu mwaka wa 1994 n'ibindi byaha yakoreye muri Repubulika Iharanira Demokarasi ya Kongo, nka "Mapping report" y'Umuryango w'Abibumbye (ONU) yasohotse tariki ya 1/10/2010, iyo raporo ishingiye ku makuru yatanzwe n'imiryango itari iya Leta cyangwa ONG zisanzwe zishyigikira ibikorwa byo guhakana Jenoside yakorewe Abatutsi, nka AI, HRW n'amashyirahamwe y'Abanyekongo (DRC) ashamikiye kuri Kiliziya gatolika muri Repubulika Iharanira Demokarasi ya Kongo .

Amashyirahamwe n'imiryango itari iya Leta (ONG/NGO)

Nyuma ya 1994 havutse kandi hakomeje kuvuka amashyirahamwe menshi ashingiye ku guhakana Jenoside yakorewe Abatutsi, yerekana ko mu Rwanda habaye Jenoside ebyiri. Ayo mashyirahamwe arimo Abanyarwanda bahoze muri politiki kimwe n'abakoze Jenoside baba hanze.
Iyi miryango ivugira Leta y'Abatabazi yakoze Jenoside mu guhakana Jenoside yakorewe Abatutsi no kubikwirakwiza i Burayi, cyane cyane mu bihugu by'u Bubiligi n'u Bufaransa. Imiryango mpuzamahanga itari iya Leta, nka "Centre de

Lutte contre l'Impunité et l'Injustice au Rwanda (CLIIR)", yahoze yitwa SOCIRWA, yiyerekana nk'iharanira uburenganzira bwa muntu muri rusange, ariko yose ikabogamira ku guhakana Jenoside yakorewe Abatutsi no kugaragaza ko habaye Jenoside ebyiri.

Mu murongo wo guhakana Jenoside, COSAR asbl (Collectif du 6 avril 1994 Rwanda) ivuga ko aho kuvuga Jenoside yakorewe Abatutsi, hagombye kuvugwa Jenoside yakorewe Abanyarwanda (La Libre Belgique, 2006). Na none muri uwo murongo, abagize ishyirahamwe "Tubeho Twese " bavuga ko habayeho Jenoside yakorewe Abahutu[54].

Muri uwo murongo wo kuvuga ko habaye Jenoside ebyiri, hari ishyirahamwe COVIGLA, "Collectif des victimes des crimes de masse commis dans la Région des Grands Lacs », hari kandi « Ibuka Bose » ya Ndagijimana Jean Marie Vianney ikunze gukoresha icyo bita umuhango wo kwibuka tariki ya 06/Mata buri mwaka. Iri shyirahamwe ni ryo rikwirakwiza ibinyoma mu mahanga, rivuga ko habaye Jenoside mu nkambi z'impunzi zo muri Repubulika Iharanira Demokarasi ya Congo.

Hari ihakana rishingiye ku guha ibihembo abahakana Jenoside yakorewe Abatutsi . Ingero ni nka Réseau International des Femmes pour la Démocratie et la Paix (RIFDP), nk'impuzamashyirahamwe y'abagore, yashyizeho igihembo cyiswe *"Prix Victoire Ingabire Umuhoza pour la Démocratie et la Paix".* Iki gihembo gishyigikirwa n'abagore bari mu ishyaka FDU Inkingi, aho rihagarariwe na Perpétue Muramutse (Canada), Marcelline Nyiranduwamungu (Belgique), Gloria Uwishema (Pays-Bas). Icyo gihembo cyahawe Madamu Victoire Ingabire Umuhoza, umunyamakuru w'umunyakanada Judi Rever, Christian De Beule n'umugore we Martine Syoen bari muri SOS Rwanda-Burundi. Mu mwaka wa 2013 cyahawe Colonel Luc Marchal, Ann Garrison na Senateri Pere Sampol i Mas (RIFDP, 2015).

Urundi rugero ni igihembo cyahawe Paul Rusesabagina ku wa 16/11/2011. Umuryango *Lantos foundation for Human Rights and Justice* wo muri Leta Zunze Ubumwe z'Amerika. Uyu Muryango wahaye Paul

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[54] Reba www.allvictims.net

Rusesabagina igihembo kubera ibikorwa by'urukundo n'ubutabazi avuga ko yakoze muri Mata 1994. Avuga kandi ko icyo gihe yakijije Abanyarwanda barenga 1268 bari bahungiye muri Hôtel des Mille Collines.

Abantu babaye muri Hôtel des Mille Collines mu gihe cya Jenoside n'imiryango iharanira uburenganzira bw'abacitse ku icumu bahaye uwo muryango amakuru y'imvaho ku byo Rusesabagina avuga yakoze, ariko ayo makuru ntiyahabwa agaciro.

Abarokokeye muri Hôtel des Mille Collines babibona ukundi. Bavuga ko nta muntu n'umwe yigeze ahisha cyangwa ngo ahungishe, ko ahubwo kubaho kw'abahahungiye byaturutse ku zindi mbaraga zirimo abasirikari ba MINUAR, igitutu ingabo zahoze ari iza RPF yotsaga ex-FAR, no kuba muri Hôtel des Mille Collines hari ibikoresho by'itumanaho by'Abafaransa byatumaga hatavogerwa.

Ubuhamya bwanditswe n'umwe mu barokokeye muri Hôtel des Mille Collines, Bwana Edouard Kayihura mu gitabo cye [Edouard Kayihura, *The Hotel Rwanda: The Surprising True Story and Why It Matters Today*, BenBellaBooks, March 25, 2014], hamwe n'ubuhamya bw'abantu bari barahungiye muri Hôtel des Mille Collines, bavuga ko ahubwo yabagiriye ibikorwa birimo ubuhemu bwinshi. Bavuga ko aho agereye muri Hôtel des Mille Collines, yakoresheje abakozi inama, akabasaba gusohora mu byumba abantu bose barimo badafite ubwishyu, bakaryama mu birongozi. Umuntu wabaga adafite ubwishyu, Paul Rusesabagina yamusinyishaga sheki y'ingwate ku gahato.

Muri icyo gihe Paul Rusesabagina yamaze acunga iyi Hôtel, yaranzwe kandi no gufatanya n'abayobozi bakuru b'Interahamwe barimo Umuyobozi mukuru wazo ku rwego rw'igihugu Robert Kajuga n'abayobozi b'ingabo za ex-FAR bari ku isonga ya Jenoside nka Général Augustin Bizimungu na Colonel Theoneste Bagosora wari Umuyobozi mukuru w'ibiro bya Minisitiri w'ingabo, akaba muri Mata 1994 ariwe wari warasimbuye by'agateganyo Minisitiri w'ingabo Augustin Bizimana wari mu butumwa muri Cameroun. Colonel Bagosora Théoneste azwi nk'umucurabwenge wa Jenoside, akaba yarahamijwe icyaha cya Jenoside n'Urukiko mpuzamahanga mpanabyaha rwashyiriweho u Rwanda rwamuhanishije imyaka 35 y'igifungo. Ubufatanye hagati ya Rusesabagina n'ibikomerezwa byo muri Leta y'u Rwanda yateguye ikanashyira mu bikorwa

Jenoside bwari bunasanzwe, kuko yari umwe muri ba maneko ba rwihishwa ba Perezidansi ya Repubulika bakoreshwaga n'inzego nkuru z'iperereza.

Niba koko Paul Rusesabagina avuga ko yakijije Abatutsi, ni gute uyu munsi yagenda mu mahanga hose atanga ibiganiro bihakana Jenoside yakorewe Abatutsi? Ni gute umuntu wakijije abantu mu mwaka wa 1994 uyu munsi yakorana n'Umutwe w'iterabwoba wa FDLR wamaganywe n'Umuryango w'Abibumbye, umutwe ugizwe n'abantu bakoze Jenoside, ukaba ukomeje ibikorwa by'ubwicanyi n'iterabwoba mu Burasirazuba bwa Repubulika Iharanira Demokarasi ya Kongo. Ibi byose Paul Rusesabagina abikora akoresheje Fondation ye n'ishyaka rye PDR Ihumure, agamije kujijisha amahanga. Hotel Rwanda Rusesabagina Foundation (HRRF) ikorera mu Bubiligi.

Perezida wa Komisiyo ishinzwe uburenganzira bwa muntu n'ubutabera muri Foundation Lantos, Katrina Lantos Sweet, yagejejweho mu nyandiko impungenge z'imiryango y'abarokotse Jenoside (IBUKA, AVEGA), bitewe n'icyo gihembo LANTOS yendaga guha Paul Rusesabagina ntiyabiha agaciro. Abajijwe impamvu birengagije ukuri ku byo babwiwe kuri Paul Rusesabagina, nawe yasubije akoresheje imvugo nk'iya Paul Rusesabagina, ko abamurwanya ari abadashyigikiye uburenganzira bwa muntu:

"Abarwanya iki gihembo muri iki gihe, ni abashaka kwanduza izina ryiza ry'uwo Foundation Lantos yatoranyije ko ari we ugomba kugihabwa uyu mwaka, ari we Paul Rusesabagina. Narangiza mvuga ko mu kurwanya iki gihembo cyagenewe Paul Rusesabagina bigaragaza ko Leta iriho ubu mu Rwanda idashyigikiye namba ukwishyira ukizana kwa buri muntu. Paul Rusesabagina icyo ashaka nta kindi, ni uko igihugu avukamo cyagira demokarasi, amahoro, n'ubutabera nk'uko biba hano muri Amerika" (Veritas info, 2011).

Mu ijambo Paul Rusesabagina yavuze ahabwa icyo gihembo harimo guhakana no gupfobya Jenoside yakorewe Abatutsi. Yavuze ko mu Rwanda habaye Jenoside ebyiri zigahitana Abahutu n'Abatutsi.

Umubare w'amashyirahamwe ahakana Jenoside yakorewe Abatutsi ni munini ugenda wiyongera mu mahanga, ayo ni nk'akurikira:

- «Commission vérité Rwanda» riyobowe na Nkiko Nsengimana na Eugène Ndahayo rivuga ko habaye Jenoside 2, kandi ko umubare w'Abahutu uruta uw'Abatutsi bishwe ;
- «Assistance aux victimes en Afrique centrale» (AVICA) iyobowe na Elysée Ndayisaba (Bruxelles);
- CARP iyobowe na Damascène Rugomboka (FDU Inkingi/ Pays-Bas) ;
- Platform 5 (P5) ihuza amashyaka yiyita aya «opposition» ahujwe no guhakana Jenoside yakorewe Abatutsi : RNC, Amahoro PC, PS Imberakuri, PDP-Imanzi, FDU Inkingi (Bruxelles);
- Communauté des Ressortissants Rwandais en Belgique (CORWABEL) yahoze yitwa CRF (2002).

Guhakana Jenoside yakorewe Abatutsi hakoreshejwe imvugo yuko yatewe n'intambara nayo urisanga muri ayo mashyirahamwe. Nk'ishyirahamwe ryitwa « Jambo asbl », abarishinze bahuriye ku gitekerezo kivuga ko ibibazo u Rwanda rufite byatangiye mu Ukwakira 1990 igihe RPF/Inkotanyi yatangizaga urugamba rwo kurwanya ubuyobozi bwariho mu Rwanda. Bavuga ko kuva mu mwaka wa 1990 kugera mu mwaka wa 2008 mu Karere k'Ibiyaga Bigari, abantu bagera kuri miliyoni esheshatu (6) bamaze kwicwa, abagore n'abakobwa benshi bakaba bagafatwa ku ngufu, abaturage benshi bakaba bari mu buhungiro. Ku rubuga rwabo *www.jambonews.net* hanyuzwaho inyandiko ziganjemo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, hagaragazwa ko Abatutsi atari bo bishwe bonyine, kandi ko umubare w'Abatutsi bishwe ari muke.

Ishyirahamwe "Comité Rwandais d'Action pour la Démocratie (CRAD)" rivuga ko impande zombi zicanye, baba abari abasirikare ba Leta (ex-FAR), baba FPR ko bose ari babi, Abahutu n'Abatutsi (*tous ont tué, les FAR et le FPR , tous sont mauvais, hutu et tutsi).*
Hari n'amashyirahamwe akorana n'indi miryango ihakana Jenoside nk'ishyirahamwe ryitwa "Les amis de Gikongoro" bakorana bya hafi n'ishyirahamwe ry'abasilikare b'Abafaransa babaye mu Rwanda, ryitwa

France-Turquoise, na ryo riri mu murongo w'abapfobya bakanahakana Jenoside yakorewe Abatutsi[55].

Ikindi gikorwa kiri mu murongo wo guhakana Jenoside, ni ukurwanya ko abayikoze bahanwa. Ishyirahamwe "*Les Amis de Gikongoro*" ryarwanyije ikurikiranwa rya bamwe mu bakoze Jenoside yakorewe Abatutsi (Cossic, 2007).

Muri uwo murongo kandi, hari irindi shyirahamwe ryitwa "Association pour la Promotion Culturelle Rwandaise" (APCR), rigizwe n'abashakishwa n'ubutabera bw'u Rwanda nka Pierre Kayondo cyangwa se abigeze kuba mu buyobozi bwa FDLR nk'uko Tom Ndahiro abivuga ku mbuga ze.

Amashyirahamwe amwe ayoborwa n'abakurikiranyweho icyaha cya Jenoside. Andi mashyirahamwe ashingwa agamije gushyigikira abakoze Jenoside baba mu bihugu by'Uburayi.

Mu gihugu cy'Ubudage, hari ishyirahamwe ry'abahakana n'abapfobya Jenoside yakorewe Abatutsi, ryitwa *Akagera- Rhein*. Iri shyirahamwe risohora amatangazo menshi ahakana itegurwa rya Jenoside yakorewe Abatutsi, hagaragazwa ko ibyago byose byagwiriye u Rwanda byatewe na FPR/RPF, ko kubera iyo mpamvu ari yo igomba kujyanwa mu nkiko. Iri shyirahamwe rikwiza inyandiko zisebya ubuyobozi bw'u Rwanda, zemeza ko u Rwanda ruyobowe n'abicanyi ko kandi nta Jenoside yakorewe Abatutsi yabayeho.

Amashyirahamwe amwe ahurirwamo n'Abanyarwanda n'abanyamahanga, ariko ibyinshi bikorwa biba bituruka kuri abo Banyarwanda. Abo banyamahanga bashakisha amafaranga bataretse no guha ingufu ayo mashyirahamwe mu bihugu byabo. Nk'ishyirahamwe "Minorisa-Inshuti -Amis des Peuples Rwanda, Burundi et Congo" ni ishyirahamwe rihuje abapfobya n'abahakana Jenoside yakorewe Abatutsi, rikaba rifite imyemerere imwe n'iya Fundacio S'olivar na Forum International pour la Vérité et la Justice. Ni muri urwo rwego Juan Casoliva yakusanyije inkunga ya 200.000 USD ihabwa FDLR, mu kuyitera inkunga kugira ngo igure intwaro.

[55] Reba www.france-turquoise.fr

Iryo shyirahamwe ni ryo rikoresha inama ngarukamwaka (annual meeting) ihuza amashyirahamwe ahakana Jenoside yakorewe Abatutsi, ikabera mu gihugu cya Espagne (Inter Rwanda Dialogue, FDU Inkingi, Friends of Victoire Ingabire (UK), Rencontre pour la Paix (Belgique), Réseau International des Femmes pour la Démocratie). Iyo nama ikunze kugaragaramo abakuru b'amashyirahamwe ahakana Jenoside yakorewe Abatutsi, nka Karoli Ndereyehe, Claver Kanyarushoki, Joseph Matata, na Kabanda Célestin.

« Minorisa-Inshuti » ivuga ko Jenoside yakorewe Abatutsi itabayeho, ko ahubwo guhera muri Nyakanga 1994, ubutegetsi buriho mu Rwanda bwakoze Jenoside ku baturage b'Abahutu[56].

Abandi bafite aho bahurira n'ibikorwa byo gutera inkunga FDLR ni abamisiyoneri b'Abasaveriyani (Missions Xavériennes) bakorera ahitwa Kasongo na Bukavu, kimwe n'abafurere b'urukundo (Frères de la Charité) bavuye mu Rwanda mu mwaka wa 1994 baba i Kigoma muri Tanzaniya.

Na none *Organization for Peace, Justice and Development in Rwanda* (OPJDR) ikorera muri Leta zunze Ubumwe za Amerika (USA), irangwa n'ibikorwa byo gushyigikira ingengabitekerezo ya Jenoside, guhakana no gupfobya Jenoside yakorewe Abatutsi.

Human Rights Watch yatangiye yerekana ukuri kuri Jenoside *Aucun témoin ne doit survivre*, ariko igenda ifata umurongo wo guhakana Jenoside[57]. Ibi byagaragajwe na Richard Johnson, mu gitabo *Rwanda, la trahison de Human Rights Watch*, Editions Izuba (Johnson, 2014). HRW yanditse amatangazo menshi ishyigikira Ingabire Umuhoza Victoire, ivuga ko adakwiye gukurikiranwa n'ubutabera.[58] Kuva aho inkiko zimuhamirije icyaha cyo

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[56] Rumwe mu ngero zibigaragaza ni inyandiko «Les génocides en cours au Rwanda» yanditswe na Padiri Serge Desouter, igatangazwa kuri website ya "Minorisa-Inshuti" ku wa 30/04/2002

[57] Richard Johnson: « Au fil des années, cette perception a évolué », dit Johnson, « en particulier lorsque l'organisation a présenté comme une atteinte aux droits démocratiques le fait que Victoire Ingabire ait été empêchée de se présenter aux élections présidentielles après son retour au pays en 2010 et finalement arrêtée en 2012 et lourdement condamnée pour négationnisme».

[58] Richard Johnson yibutsa ishingwa rya RDR mu nkambi z'impunzi za Kongo : « Rassemblement pour le retour des réfugiés » qui était en réalité une reconstitution des forces du « Hutu power », la tendance extrémiste reconnue auteur du génocide. Il souligne que Mme

gupfobya Jenoside[59], HRW yakomeje kuvuga ko azira gusa kutavuga rumwe n'ubuyobozi bw'u Rwanda buyobowe na FPR. HRW yakomeje gushyigikira abantu bakoze ibyaha birimo Jenoside, ingengabitekerezo ya Jenoside no kurema imitwe y'iterabwoba[60].

Irindi shyirahamwe ni "Reporters Sans Frontières (RSF)" ibangamira ibikorwa byo gukurikirana abanyamakuru bakurikiranyweho ibyaha bya Jenoside yakorewe Abatutsi, cyangwa ingengabitekerezo y'ihakana n'ipfobya byayo. Mu mwaka wa 1997, Padiri Guy Theunis yagiranye ikiganiro n'abanyamakuru mu Bubiligi, yemeza ko buri gihe Abatutsi ari bo nyirabayazana b'ubwicanyi mu Rwanda, kuko Abahutu ari abanyamahoro muri kamere yabo (ANB/BIA, 1997, p. 15). Mu mwaka wa 2005, Padiri Guy Theunis wari umuyobozi w'ikinyamakuru Kinyamateka, yakurikiranyweho uruhare rwe muri Jenoside yakorewe Abatutsi, RSF iba iya mbere mu gusebya ubutabera bw'u Rwanda. Mu itangazo ryo ku wa 11/9/2005, RSF yemeje ko imushyigikiye kubera ko yabaye umunyamakuru mwiza mu Rwanda.

RSF yashyigikiye kandi abanyamakuru babiri, Agnes Uwimana Nkusi wahanishijwe igihano cy'igifungo cy'imyaka 4 na Saidati Mukakibibi wahanishijwe igifungo cy'imyaka 3, baburanishijwe n'inkiko z'u Rwanda kubera inyandiko zabo zarimo gusebya Umukuru w'Igihugu, gukwiza urwango, guhakana no gupfobya Jenoside yakorewe Abatutsi. RSF yanditse ivuga ko abo banyamakuru bakoraga umwuga wabo neza, ivuga ko bazira kuba batavuga rumwe n'ubuyobozi bw'u Rwanda.

Imiryango itegamiye kuri Leta nka *Comité pour la protection des journalistes, Amnesty International, International Crisis Group* n'iyindi yandika amatangazo

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Ingabire était fortement liée à cette mouvance, son adjoint, Joseph Ntawangundi, ayant d'ailleurs avoué sa participation au génocide.

[59] Urukiko rw'Ikirenga, RPA 0255/12/CS, 13/12/2013.

[60] Richard Johnson, avuga ko HRW ivugira FDLR isaba ibi bikurikira: «... l'organisation adresserait quatre injonctions aux nouvelles autorités rwandaises : permettez le retour des partis génocidaires (au nom de la liberté d'association), n'interdisez pas leur idéologie (au nom de la liberté d'expression), contentez-vous de juger quelques génocidaires et oubliez leurs complices étrangers et enfin, admettez, (en reconnaissant vos propres crimes) que vous ne valez pas mieux qu'eux !

na Raporo k'u Rwanda birimo ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, ivuga kandi ko u Rwanda rutubahiriza uburenganzira bwa muntu.

Hari kandi amashyirahamwe ashingiye ku butabera mpuzamahanga ahakana Jenoside yakorewe Abatutsi. Ishyirahamwe *Forum International pour la Vérité et la Justice en Afrique des Grands Lacs* riyoborwa na Me Jordi Palou-Loverdos, rivuga ko nta mugambi wa Jenoside yakorewe Abatutsi wabayeho, ko Paul Kagame na FPR/RPF ari bo batangije ubwicanyi mu Rwanda ku itariki ya 01/10/1990 kandi bakaba bakomeje kubukwiza mu Karere kose k'Ibiyaga bigari, cyane cyane muri Repubulika Iharanira Demokarasi ya Kongo. Ibi ni byo Pierre Péan ashingiraho ahakana akanapfobya Jenoside yakorewe Abatutsi (Musabyimana G., 2008).

Iryo shyirahamwe ryemeza ko habaye Jenoside ebyiri, akaba ari na ryo riri ku isonga ry'ikirego cyatanzwe muri Espagne/Spain n'umucamanza Fernando-Andreu Merelles mu mwaka wa 2008 asaba gufata abayobozi 40 b'ingabo z'u Rwanda. Iki gikorwa cyo gushyira abayobozi b'u Rwanda mu nkiko, cyanashyigikiwe n'irindi shyirahamwe rihakana rikanapfobya Jenoside ryitwa *Fundacio S'olivar.*
Ni muri urwo rwego Fundacio S'Olivar ikusanya amafaranga yo gushyigikira abarwanya Leta y'u Rwanda nka FDLR[61], Victoire Ingabire Umuhoza, Deogratias Mushayidi n'abandi.

4.3.2. Amadini

Bamwe banyamadini bahakana Jenoside yakorewe Abatutsi bishingikirije urwego barimo (sitati) rw'abihaye Imana, hakwirakwizwa ihakana mu bihugu binyuranye by'i Burayi. Iri hakana ritera urujijo kuko riterura, ahubwo ritwikirizwa amagambo meza ari mu ijambo ry'Imana kugira ngo ryakirwe n'abayoboke b'ayo madini. Ku wa 2 Kanama 1994, Abapadiri 29 b'Abanyarwanda bahungiye i Goma, bandikiye Papa bavuga ko nta Jenoside yabaye (Ndolimana, 2001). Igitabo cya Terras Christian cyerekana bimwe mu bimenyetso by'uko mu Rwanda hategurwaga Jenoside (Terras, 1999).

[61] Rapport final du Groupe d'Experts sur la RDC établi en application de la résolution 1857 (2008) du Conseil de sécurité, 9 novembre 2009, Document Conseil de sécurité S/2009/603

Uwo murongo wo guhakana no gupfobya Jenoside yakorewe Abatutsi, hari abawukomereje mu mahanga. Abapadiri Fortunatus Rudakemwa na Thomas Nahimana bashinze urubuga rwa interineti www.leprophete.fr. Hari abakoresha uru rubuga biyita 'Hutu power' iyo bandika ibitekerezo byabo, bigisha ko habayeho Jenoside ebyiri, iyakorewe Abatutsi ikozwe n'ubutegetsi bwariho mu Rwanda, n'indi Jenoside yakorewe Abahutu ikozwe n'ingabo za FPR/RPF. Umwanzuro ukaba ko impande zombi zigomba kujyanwa mu nkiko.

Abandi bandika inyandiko mu binyamakuru bakanatanga ibiganiro mbwirwaruhame bahakana cyangwa bapfobya Jenoside yakorewe Abatutsi. Bamwe muri abo bapadiri bashinze amashyaka ya politiki, urugero ni Padiri Nahimana Thomas washinze ishyaka yise "Parti Ishema" riharanira inyungu za rubanda nyamwinshi nk'uko PARMEHUTU yaziharaniraga, ibyo bikaba biri mu nyandiko yitwa : *Kwitwa umuparmehutu si igisebo, ni ishema*.

Hari ishyirahamwe ryitwa "Association pour la défense du Père Wenceslas Munyeshyaka" rifite icyicaro muri Normandie (Ubufaransa), ryashinzwe n'abazungu bakorana n'abapadiri bera hamwe na Padiri Guy Theunis. Iryo shyirahamwe rikusanya mu bakiristu amafaranga afasha mu kwishyura inyandiko zivuga ibigwi Padiri *Wenceslas* Munyeshyaka mu rwego rwo guhishira uruhare rwe muri Jenoside yakorewe Abatutsi. Iri shyirahamwe rifatanya n'irindi bihuje intego ryitwa *Comité de vigilance pour la présomption d'innocence du Père Wenceslas Munyeshyaka* riyoborwa na Arnaud Vimbert[62].

Abamisiyoneri bo muri Kiliziya Gatolika.

Bamwe mu Bamisiyoneri ba Kiliziya Gatolika bakora cyangwa bagashyigikira ibikorwa bihakana cyangwa bipfobya Jenoside yakorewe Abatutsi. Muri bo hari abatemera na gato ko Abatutsi bakorewe Jenoside kandi bakabyamamaza. Ugaragara cyane muri uwo murongo ni Padiri Serge Desouter wo mu bapadiri bera yanditse ibitabo n'inyandiko nyinshi zihakana Jenoside yakorewe Abatutsi kandi zemeza ko ubwicanyi bwabaye mu Rwanda bwatewe na FPR/RPF, ikaba ari yo igomba kubiryozwa (Desouter S, 2007). Uyu mwanditsi kandi yagaragaye

[62] Le Messager n°25 octobre 2007 ; perewenceslas.centerblog.net

mu manza zo muri TPIR ashinjura abakoze Jenoside, na bwo agakoresha imvugo zipfobya Jenoside yakorewe Abatutsi.

Imwe mu miryango ishamikiye kuri Kiliziya Gatolika usanga irangwa n'ibikorwa bimaze igihe bihakana Jenoside yakorewe Abatutsi . Mu mpera z'umwaka wa 2013 «Caritas Suisse» yakoze raporo igaragaza ko Guverinoma y'u Rwanda ihana umuntu wese utinyutse kuvuga igitandukanye n'ukuri kwayo kuri Jenoside. Ku itariki ya 9/12/2013, Radiyo ya Vatikani yagarutse kuri iyo raporo, ivuga ko hakwiye kubaho urubuga rwo kumva no kwakira ibitekerezo byabo. Mu mwaka wa 1995, umwaka umwe nyuma ya Jenoside yakorewe Abatutsi, *Caritas Suisse* yakwirakwije mu bafatanyabikorwa bayo inyandiko ivuga ko mu Rwanda habayeho Jenoside yakorewe Abahutu (Bizimana J.D , 2001).

Ihakana rya Jenoside rishyigikiwe kandi na serivisi za Kiliziya Gatolika. Jenoside ikimara kurangira, Ibiro Ntaramakuru by'Abamisiyoneri (BIM) byagize uruhare runini mu gukwiza urujijo kuri Jenoside yakorewe Abatutsi, bikwiza amakuru mu bihugu by'i Burayi na Amerika asebya FPR/RPF kandi agoreka amateka ya Jenoside.

Muri Nyakanga 1994, Umupadiri wera Wolfgang Schonecke[63] yanditse inyandiko ndende irimo ibitekerezo by'ivanguramoko, hamwe n'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi (Bizimana J.D , 2008).

Ku wa 26/7/1994, Padiri Philippe De Dolrodot yanditse inyandiko yise *Quelques vérités sur l'enfer rwandais*. Muri iyi nyandiko P. De Dorlodot yemeza ko mu Rwanda habaye za Jenoside ebyiri, iyakorewe Abatutsi ikozwe n'intagondwa z'Abahutu n'iyakozwe na FPR/RPF igakorerwa Abahutu.
Abo mu yandi madini bahakana bakanapfobya Jenoside yakorewe Abatutsi, harimo Umuholandi Pasiteri Kees Overdulve wo mu Itorero ry'abaperesibiteriyene (Église presbytérienne) wanditse igitabo cyitwa *Rwanda: Un peuple avec une histoire* cyasohotse mu mwaka wa 1997. Icyo gitabo

[63] « On ne comprendra jamais la rage meurtrière des Hutu si on oublie la honte et les humiliations qu'ils ont endurées pendant si longtemps sous le pouvoir de la minorité tutsi qui se considérait comme la race des seigneurs et qui les méprisaient », http://conjub.org/leglise-catholique-et-le-genocide-des-tutsi-par-jean-damascene-bizimana-dr-en-droit/

gikubiyemo ibitekerezo bihakana bikanapfobya Jenoside yakorewe Abatutsi, aho yemeza ko Guverinoma ya Perezida Habyarimana Juvénal na FPR/RPF-Inkotanyi bombi bakoze ubwicanyi.

4.4. Ubutabera mpuzamahanga n'ubw'ibihugu

Nk'uko byasesenguwe mu miterere y'ihakana rya Jenoside yakorewe Abatutsi, hashobora kubaho ihakana rivuga ko habayeho Jenoside ebyiri. Bene ubu buryo bwo guhakana ni bwo bukoreshwa n'abavuga ko nta butabera bushobora kubaho hadahanwe impande zombi, ni ukuvuga abakoze Jenoside n'abayihagaritse.

Ni muri urwo rwego bimwe mu bihugu by'Uburayi, kubera inyungu za politiki, byafashe uwo murongo w'ihakana, bifata icyemezo cyo gukurikirana mu butabera abayobozi bakuru b'ingabo zagize uruhare mu guhagarika Jenoside yakorewe Abatutsi no kurokora abantu.

By'umwihariko, inyungu za politiki ku gihugu cy'Ubufaransa, ni uguhishira uruhare rwacyo muri Jenoside yakorewe Abatutsi, harimo no gukingira ikibaba bamwe mu bayigizemo uruhare bari ku butaka bwabwo. Aha Ubufaransa bwakoresheje umucamanza Jean-Louis Bruguière, n'andi mashyirahamwe asanzwe ahakana Jenoside. Igihugu cya Espagne/Spain na cyo cyakurikije uwo murongo w'Ubufaransa, kubera inyungu z'imiryango isanzwe ikorana n'abahakana Jenoside, ndetse na FDLR. (Minorisa-Inshuti, na Fundacio S'olivar, Forum International pour la vérité et la justice en Afrique des Grands Lacs[64]). Umucamanza wo muri Espagne /Spain Andreu-Merelles afite aho ahurira n'ayo mashyirahamwe yo muri Espagne/ Spain ahakana Jenoside.

4.4.1. Ubutabera bw'ibihugu

Ihakana n'ipfobya rigaragarira mu bushake buke bwa bimwe mu bihugu byanga gufata no guhana abakoze Jenoside yakorewe abatutsi.

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[64] Iri shyirahamwe riyoborwa na Me Jordi Palou-Loverdos, rikaba rihakana itegurwa rya Jenoside yakorewe Abatutsi.

Amasezerano Mpuzamahanga yerekeye gukumira no guhana icyaha cya Jenoside (UN Convention on the Prevention and Punishment of the Crime of Genocide) yo ku wa 9 Ukuboza 1948, ingingo ya mbere ivuga ko ibihugu byose bigomba gukurikirana ukekwaho icyaha cya Jenoside.

Ibi bishingira ku mategeko mpuzamahanga yemejwe atagira irengayobora kandi adakenera ko yemezwa n'amasezerano mpuzamahanga (jus cogens). Ikindi kandi ibyo bihugu byirengagiza ihame rya *aut dedere, aut judicare* rivuga ko niba batabashije kuburanisha ukekwaho icyaha, kimwohereza aho yakoreye icyaha kugira ngo agikurikiranweho.

Kwanga guhana uwakoze Jenoside yakorewe abatutsi watorotse ubutabera bw'u Rwanda ni ukutubahariza inshingano za buri gihugu mu rwego mpuzamahanga. By'umwihariko, iyo myitwarire ya bimwe mu bihugu ni ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, kuko kudahana uwakoze Jenoside ahubwo ukamukingira ikibaba ari uguhakana ibyabaye, guhishira ukuri, gufata Jenoside yakorewe Abatutsi nkaho atari Jenoside cyangwa kugabanya uburemere bwayo. Ibi bigaragara nko gushyigikira Jenoside n'ingengabitekerezo yayo.

Kuva Genocide Fugitive Tracking Unit (GFTU) yashyirwaho mu Bushinjacyaha Bukuru, hamaze gutangwa inyandiko zikubiyemo ibirego (indictments) 835 mu bihugu 33. Abakurikiranyweho icyaha cya Jenoside yakorewe Abatutsi bamaze kuburanira hanze ni 21, naho 18 bakaba bamaze kugarurwa mu Rwanda.

Ibihugu bimwe byanga kohereza abakekwaho kugira uruhare muri Jenoside yakorewe Abatutsi bivuga ko batazabona ubutabera buboneye. Ibyo bihugu byirengagiza ko hari icyemezo cyafashwe n'Urukiko rw'Uburayi rushinzwe Uburenganzira bwa Muntu (European Court of Human Rights) ku itariki ya 27/10/2011 mu rubanza rwa Sylvère Ahorugeze rukemeza ko kumwohereza mu Rwanda bitanyuranyije n'ingingo ya 3 n'iya 6 z'Amasezerano mpuzamahanga yo kurengera uburenganzira bwa muntu n'uburenganzira bw'ibanze (Convention for protection of Human rights and fundamental freedoms) arwanya ibihano bidakwiye umuntu cyangwa bimutesha agaciro.

Nubwo ihame rya "Universal jurisdiction" ryakoreshejwe hakagira bamwe mu bagize uruhare muri Jenoside yakorewe Abatutsi bacirwa imanza, hari igihe

rikoreshwa mu rwego rwa politiki. Akaba ari yo mpamvu u Rwanda rwasabye ko kuri gahunda y'Inteko Rusange y'Umuryango w'Abibumbye hashyirwaho ingingo ijyanye n'imikoreshereze y'ihame rya "Universal jurisdiction", ubu ikaba ikiganirwaho.

Ingero zifatika zerekana ko ubutabera bukoreshwa mu nyungu za politiki ni nk'ibihugu by'Ubufaransa na Espagne byibasiye abayobozi bakuru b'u Rwanda bahagaritse Jenoside aho gukurikirana abakekwaho Jenoside yakorewe Abatutsi 1994.

Inzego z'ubutabera z'Ubufaransa na Espagne

Umucamanza Jean Louis Brugrière wo mu gihugu cy'Ubufaransa yashyizeho impapuro zifata abayobozi bakuru b'u Rwanda nta perereza rikozwe. [Jean-Louis Bruguière, Ordonnance de novembre 2006]. Uyu mucamanza avuga ko ihanurwa ry'indege ariryo ryateye Jenoside. Icyo ubutabera bw'Ubufaransa bwari bugamije, ni ukujujubya ubuyobozi buriho mu Rwanda, gutuma buhora bwisobanura, no guhishira uruhare rw'Ubufaransa muri Jenoside.

Umucamanza Fernando Andreu Merelles wo muri Espagne, nawe yinjiye mu murongo w'Ubufaransa asohora impapuro zifata bamwe mu bayobozi bakuru b'u Rwanda tariki ya 26/2/2006. Yashingiye ku kirego cyatanzwe na « Forum international pour la vérité et la justice dans la région des Grands Lacs » ishyirahamwe risanzwe rihakana Jenoside yakorewe Abatutsi.

Ibirego byombi, icyo muri Espagne n'Ubufaransa, birangwa no kwandika bundi bushya amateka ya Jenoside yakorewe Abatutsi no kuyagoreka, gushyira Jenoside ku bayikorewe no kugira abere abayikoze. Ibi birego byagize ingaruka ku bantu bashyizwe nkana ku rutonde rw'abaregwa , zirimo kubabuza uburenganzira bwabo, cyane cyane ubwo kugenda mu bihugu by'amahanga.

Uretse icyemezo cyo gukurikirana abayobozi bakuru b'u Rwanda, inzego z'ubutabera z'Ubufaransa zo zanaranzwe no kwanga gukurikirana abantu bakekwaho ibyaha bya Jenoside bahungiye muri icyo gihugu. Kuva mu mwaka wa 1994, abacitse ku icumu rya Jenoside bashyikirije ubutabera bw'Ubufaransa

ibirego byinshi ariko kugeza ubu haburanishijwe gusa urubanza rwa Capitaine Pascal Simbikangwa nyuma y'imyaka 20, n'izindi manza 2 ziri mu bujurire.

Nubwo kandi cyabisabwe mu buryo bukurikije amategeko, igihugu cy'Ubufaransa cyanze kubahiriza impapuro mpuzamahanga zo gufata no kohereza mu Rwanda Abanyarwanda bakirimo bakekwaho uruhare muri Jenoside. Mu gihe ubu bushakashatsi bwakorwaga, igihugu cy'Ubufaransa cyari kitaremera kugira Umunyarwanda n'umwe cyohereza mu Rwanda, hishingikirijwe ko amategeko y'u Rwanda mu mwaka wa 1994 atahanaga icyaha cya Jenoside bakurikiranyweho. Ubufaransa ntibunemera ibyemezo by'Inkiko Gacaca, kubera ko abahamijwe icyaha cya Jenoside n'izo Nkiko bafatwa nk'abere (Dr Rwamucyo E, na Dr Munyemana S.)[65].

Hari ibyemezo byafatiwe Kanziga Agathe, icyo kumwima ubuhunzi urukiko rushingiye ko yagize uruhare mu itegurwa rya Jenoside (...qu'elle a joué un rôle central au sein du premier cercle du pouvoir rwandais avant 1994, dit "Akazu")[66], ariko kugeza ubu akaba atari yaburanishwa, cyangwa ngo yirukanwe ku butaka bw'Ubufaransa.

4.4.2. Urukiko Mpuzamahanga Mpanabyaha rwashyiriweho u Rwanda

Inshuro nyinshi TPIR yagaragaye nk'urubuga rw'abahakana Jenoside yakorewe Abatutsi. Abahakana Jenoside bakoresha urwo Rukiko nk'urubuga cyangwa « *espace* » yo kugaragaza ibitekerezo byabo, ni nka Bernard Lugan uhindura amateka ya Jenoside yakorewe Abatutsi, Faustin Twagiramungu uhakana

[65] Bamwe mu basabiwe koherezwa mu Rwanda, Ubufaransa bukaba bwaranze kubatanga kandi ntibubacire imanza ni Agathe Kanziga wari umugore wa Perezida Habyarimana, Colonel Laurent Serubuga, Dr Munyemana Sosthène, Dr Rwamucyo Eugène, Padiri Wenceslas Munyeshyaka, Claver Kamana, Cyprien Kayumba, Pierre Kayondo, Fabien Neretse, Hyacinthe Rafiki Nsengiyumva, Dr Charles Twagira, Isaac Kamali, Laurent Bucyibaruta, Vénuste Nyombayire, Claude Muhayimana, Manassé Bigwenzare, Marcel Bivugabagabo, Félicien Baligira, Paul Kanyamihigo, Pierre Tegera, Stanislas Mbonampeka n'abandi.

[66] Icyemezo cyo kwima ubuhunzi Agathe Kanziga cyafashwe n'urukiko rw'ikirenga rw'Ubufaransa , Conseil d'Etat, rejet recours, Mme Habyarimana, 16/10/2009.

umugambi wa Jenoside, Serge Desouter n'abandi (Semujanga J. & Galabert, 2013, pp. 289-312)[67].
Urukiko rubahamagaza ruzi ibyo batekereza, nyamara urwo rukiko rukabareka bagakoresha imvugo zihakana Jenoside kandi ari rwo rwafashe icyemezo (Judicial notice) mu mwaka wa 2006 ko Jenoside yakorewe Abatutsi itagomba kugibwaho impaka.

Hari bamwe mu bunganiye mu rukiko rwa TPIR bazwi ko bakoze Jenoside yakorewe Abatutsi, bahabwa umwanya wo gushyira ahagaragara ihakana rya Jenoside. Ingingo zakoreshejwe n'abo batangabuhamya hamwe n'inzobere, zabaye intandaro yo kugira abere ba ruharwa bazwi, nka Protais Zigiranyirazo, Jérôme Bicamumpaka, André Ntagerura, Emmanuel Bagambiki n'abandi.

Bamwe mu bacamanza n'abanyamategeko ba TPIR bagiye bafata ibyemezo bigaragaza ihakana rya Jenoside yakorewe Abatutsi. Urugero ni umucamanza Theodor Meron wafashe ibyemezo byo kugira abere mu bujurire ba ruharwa (Protais Zigiranyirazo, Justin Mugenzi hamwe na Prosper Mugiraneza, Gen. Augustin Ndindiriyimana, Major François Xavier Nzuwonemeye), ibyo kubagabanyiriza ibihano (Colonel Theoneste Bagosora, Nahimana Ferdinand, Capitaine Sagahutu Innocent, Colonel Anatole Nsengiyumva, Capitaine Ildephonse Nizeyimana), n'ibyo kubarekura batarangije ibihano bahawe (Nahimana Ferdinand, Fr Emmanuel Rukundo, Col. Alphonse Nteziryayo, Dr. Ntakirutimana Gerald, Cpt. Innocent Sagahutu, Paul Bisengimana, Omar Serushago, Col Tharcisse Muvunyi, Juvenal Rugambarara, Michel Bagaragaza). Ibyemezo byafashwe n'umucamanza Theodor Meron bigaragaramo ihakana rya Jenoside, cyane ko muri byo hari ibyafashwe bidashingiye ku bimenyetso n'ubuhamya bwari bwatanzwe[68].

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[67] Hari inyandiko nyinshi zanditswe ku ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, cyane cyane inyandiko zasohotse muri gazeti z'ubushakashatsi, nka Dialogue (No 206-207) Kamena 2014-Werurwe 2015. La lutte contre le négationnisme sous toutes ses formes ; Esprit, Gicurasi 2010, pp. 85-102 ; Revue de la Shoah, 190 : Rwanda quinze ans après. Penser et écrire l'histoire du génocide des Tutsi (Janvier-Juin 2009 ; Cités 2014/1 (No 57) : Génocide des Tutsi du Rwanda : un négationnisme français.

[68] The New Times, ICTY prosecutor seeks retial after allegations against Meron, 26/6/2013; Id., ICTR judge accused of letting top suspects free, 18/6/2013).

Impinduka mu bujurire bw'uru rukiko zagaragaye guhera aho ruyoborewe n'umucamanza Theodor Meron (Wallis, 2013). Imikorere y'uyu mucamanza yamaganwe n'u Rwanda ndetse n'abacamanza bagenzi be (Harhoffs, 2013). Hagaragaye gutesha agaciro ihame mu mategeko mpuzamahanga, ko umuyobozi mukuru ashobora guhanirwa ibyaha by'abo ayobora mu gihe cy'intambara cyangwa se igihe hakorwa ibindi byaha by'ubwicanyi (*command responsibility*), kandi abenshi mu bahamwe na Jenoside harashingiwe kuri iryo hame.

4.4.3. Abanyamategeko

Guhakana no gupfobya Jenoside yakorewe Abatutsi bikunze kugaragarira mu nyandiko n'amagambo ya bamwe mu banyamategeko bagize uruhare mu kunganira mu Rukiko rwa Arusha, abakoze Jenoside.

Bamwe mu bakora umwuga w'abavoka bunganiye abaregwa muri TPIR ubu basigaye bakwirakwiza ihakana rya Jenoside[69]. Ibi byagaragaye cyane mu nyandiko za Peter Erlinder aho avuga ko nta Jenoside yabaye mu Rwanda kubera ko nta mugambi w'itegurwa ryayo wabayeho (Erlinder P, 2008). Avuga ko ibyabaye mu Rwanda mu mwaka wa 1994 ari ubwicanyi busanzwe bwibasiye abasivile ariko ko atari Jenoside. Kubera iyo mpamvu, yanatanze ikirego mu rukiko rwa Oklahoma gisaba indishyi ku byaha byibasiye inyokomuntu, iyicarubozo, kubangamira uburenganzira bwo kubaho n'ibindi mu kwezi kwa Mata 2010[70]. Ibi bitekerezo yabikwije mu nyandiko nyinshi no mu biganiro mbwirwaruhame bitandukanye. Aha twavuga nk'inyandiko yasohotse muri Jeune Afrique (Boisselet, 2010).

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[69] Abavoka bagaragayeho iyo myifatire ni Luc De Temmerman wabanje kuburanira Colonel Bagosora na Georges Rutaganda, Benjamin Constant wasimbuye De Temmerman mu rubanza rwa Bagosora, Jean Yaovi Degli waburaniraga Jenerali Kabiligi akaza kwirukanwa kubera amanyanga n'ubujura, John Philipot waburaniye Protais Zigiranyirazo na Capitaine Nizeyimana Ildephonse; Nicole Bergevin waburaniye Pauline Nyiramasuhuko, Peter Erlinder waburaniye Major Aloys Ntabakuze wahoze ayobora batayo parakomando, Jean-Marie Biju-Duval waburaniye Nahimana Ferdinand.

[70] http://rwandinfo.com/fr/le-president-rwandais-paul-kagame-traine-devant-le-tribunal-doklahoma-usa/

Abunganira abakurikiranweho icyaha cya Jenoside bishyize hamwe, bakaba bakoresha inama zibahuza hamwe n'abandi basanzwe bazwi kuba ku isonga ryo guhakana Jenoside yakorewe Abatutsi (La Haye, novembre 2009).

Carla Del Ponte, wabaye Umushinjacyaha Mukuru w'Urukiko rwa Arusha, na we ashimangira kimwe na Peter Erlinder, ko habaye Jenoside ebyiri, ko TPIR yagombaga no gucira imanza FPR. Abo bombi icyo bagamije ni ukwerekana ko FPR/RPF na yo yakoze Jenoside, ibi bikaba nta kintu na kimwe bashingiraho babivuga, uretse guhakana no gupfobya Jenoside yakorewe Abatutsi. Ibi ni na byo uwari umuvugizi we Florence Hartmann, asubiramo mu gitabo cye *Paix et châtiment* (Hartmann F. , 2007).

4.5. Abanyapolitiki, imitwe ya politiki na Leta

4.5.1. Abanyapolitiki n'imitwe ya politiki

a) Abanyarwanda

Iki cyiciro kirimo abanyapolitiki b'Abanyarwanda n'imitwe ya politiki bibumbiyemo n'abanyamahanga. Abanyarwanda bavuga ko batavuga rumwe na Leta bakoresha imvugo iteye urujijo rwo guhuriza hamwe kwanga ubuyobozi buriho mu Rwanda no guhakana Jenoside yakorewe Abatutsi. Abenshi ni abafite aho bahurira na Jenoside yakorewe Abatutsi.

Nyuma y'uko abasirikare (Ex FAR) bateguye ingamba zo gutera u Rwanda bavuye muri Zayire, bafatanyije n'abasivili bashyizeho umutwe bise « Rassemblement pour le Retour des Réfugiés et la Démocratie au Rwanda » (RDR). Itangazo rishyiraho uyu mutwe ni iryo kuwa 3/4/1995[71]. Abashinze RDR bavuga ko batagomba kwemera ko mu Rwanda habayeho Jenoside yakorewe Abatutsi. Kubera kandi ko Umuryango w'Abibumbye udashobora kwisubiraho, bagomba gutsimbarara ko ari abere, ko nta mugambi wa Jenoside wateguwe ku

[71] Mu gihe ONG n'abasivili bakoraga ibyo bamaze kwemeranyaho, abasirikare bateguraga umugambi urambye wo kuzatera igihugu no guhakana no gupfobya jenoside, nabyo ku buryo burambye.

ruhande rwabo n'abayobozi babo, ko ubwicanyi bwose bugomba kuryozwa FPR.

RDR na FDU-Inkingi yayisimbuye hamwe na FDLR, bifitanye isano yo guhakana Jenoside kubera ko bemeza ko Jenoside ivugwa ari ikinyoma cyo kwanduza Abahutu[72].

Gushinga amashyaka ya politiki ahakana Jenoside yakorewe Abatutsi ni umuyoboro ukunze gukoreshwa n'abavuga ko batavuga rumwe n'ubuyobozi buriho mu Rwanda. Abanyarwanda bahakana Jenoside yakorewe Abatutsi bakwiza ibitekerezo byabo babinyujije mu mitwe ya politiki. Imwe mu mitwe ya polotiki ihakana Jenoside yavutse nyuma ya RDR yibumbiye mu ihuriro ryiswe **"Front Commun pour la Libération du Rwanda (FCLR-Ubumwe)"**. Iryo shyirahamwe rigizwe na RDI ya Twagiramungu, FDLR, bamwe mu bari muri PS Imberakuri igice cya Bernard Ntaganda[73] n'andi. Iryo huriro riyoborwa na Gen. Maj. Victor Byiringiro wo muri FDLR, umuvugizi waryo akaba Iranzi John Mugisha. Iyo mitwe ya politikiitambutsa ibitekerezo by'ihakana rya Jenoside yakorewe Abatutsi, mu matangazo yerekana ko FPR-Inkotanyi itahagaritse Jenoside, ko ahubwo yigaruriye u Rwanda, bityo hagakoreshwa imvugo ko Inkotanyi n'ubuyobozi bwazo, ari bo bateje Jenoside ku nyungu za politiki.

Ishyaka RNC (Rwanda National Congress) na ryo nubwo ryashinzwe n'abahoze mu buyobozi bwa RPF/Inkotanyi (Kayumba Nyamwasa, Gahima Gérard, na Rudasingwa Théogène) bakoresha imvugo ihakana Jenoside, kubera ko bakeneye kwemerwa n'abo mu yandi mashyaka cyangwa imitwe y'iterabwoba nka FDLR. Muri film ya BBC2, *Rwanda's Untold Story*, abo muri RNC bahakana ko Jenoside yateguwe, bakemeza ko yatewe n'ihanurwa ry'indege ya Perezida Habyarimana Juvénal, kandi bakanagabanya uruhare rw'abayikoze

[72] Tom Ndahiro, in Genocide Laundering… in P. Clark & Z. Kaufman; also in Friends of Evil Book (2013)

[73] Amashyaka yishyize hamwe ni Forces Démocratiques Unifiées (FDU-Inkingi); Forces Démocratiques pour la Libération du Rwanda (FDLR) ; Rwanda National Congress (RNC); Rwandan Dream Initiative (RDI-Rwanda Rwiza) rya Faustin Twagiramungu ; PS Imberakuri igice kiyoborwa na Me Bernard Ntaganda na Ralliement pour l'unité et la démocratie (RUD Urunana) rya Jean Marie Vianney Higiro (wahoze ari umuyobozi wungirije wa FDLR) na Dr Félicien Kanyamibwa.

(Interahamwe), ndetse hakiyongeraho ko FPR/RPF ari yo yakoze Jenoside, kandi ko itayihagaritse.

Ayo mashyaka ya politiki agenda yagura amarembo y'ihakana, cyane cyane mu Karere k'Ibiyaga bigari, kubera ko abakoze Jenoside ari na bo bagenda basakaza ingengabitekerezo y'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi mu bihugu bihana imbibi n'u Rwanda. Aha twavuga nka FDLR, RUD-Urunana n'indi mitwe igizwe n'abakoze Jenoside mu Rwanda mu mwaka wa 1994, ndetse na bamwe biyita abanyapolitiki, bose bakaba bahuriza ku ntego imwe yo gukomeza gukwiza mu Rwanda, mu Karere no mu mahanga ya kure, urwango rushingiye ku moko no guhakana no gupfobya Jenoside yakorewe Abatutsi.

By'umwihariko, uko ihakana rya Jenoside yakorewe Abatutsi rigenda risakara mu Karere k'Ibiyaga Bigari, ni nako rigira ingaruka ku mibanire y'u Rwanda n'ibihugu bituranye, kuko ibikorwa bibi bifitanye isano na Jenoside hari abadatinya kubyitirira u Rwanda, bagamije kwikuraho uruhare rwabo muri ibyo bikorwa, kandi bagamije guha ingufu abasize bahekuye u Rwanda.

Iyo myitwarire ishingiye ku ihakana rya Jenoside iba igamije no guhungabanya umutekano w'u Rwanda, kwangisha Abanyarwanda ubuyobozi bwiza bafite no guhesha isura mbi igihugu n'abagituye mu rwego mpuzamahanga. Abashinze amashyaka nabo bashaka amaboko kuri FDLR berekana ko na bo bahakana Jenoside, bakemeza ko habaye Jenoside ebyiri.

b) Abanyamahanga

- **Mu gihugu cy'Ubufaransa**

Mu cyiciro cy'abanyamahanga, duhereye ku Bufaransa, hari abanyapolitiki batemera ko mu Rwanda habaye Jenoside yakorewe Abatutsi, cyangwa bakavuga ko habaye Jenoside ebyiri, kandi ko Ubufaransa nta kosa bufite.

Ihakana ryahereye ku gihe cya Perezida François Mitterrand, kandi hari abakirikomeza. Hubert Védrine ashinja abakorewe Jenoside kuba ari bo bayikoze, yerekana imibare idafite aho ishingiye y'Abahutu bishwe (miliyoni enye). "Radio France Culture", ku wa 13 Mutarama 2012).

Inyito ya Jenoside ebyiri yagaragaye kenshi mu mvugo za bamwe mu banyapolitiki b'Abafaransa kuva mu mwaka wa 1994. Ku wa 16/6/1994 Alain Juppé wari Minisitiri w'ububanyi n'amahanga yanditse inyandiko mu kinyamakuru *Libération* ivuga ko habaye Jenoside ebyiri, ko abakoze izo Jenoside bagomba guhanwa.

Muri Nzeri 1994, Dominique De Villepin yavugiye kuri radiyo mpuzamahanga y'Abafaransa (RFI) ko mu Rwanda habaye Jenoside ziteye ubwoba (*les terribles génocides qui ont frappé le Rwanda)*. Mu mwaka wa 2006, Bernard Debré yanditse igitabo yise *La véritable histoire des génocides rwandais* (Amateka nyayo ya Jenoside zo mu Rwanda). Bombi mu bitekerezo byabo, hagaragaramo ko habaye Jenoside zirenze imwe.

Abanyapolitiki b'Abafaransa bakomeza kuvuga ko Ubufaransa nta ruhare bwagize muri Jenoside yakorewe Abatutsi. Tariki ya 01 Mata 2016, Alain Juppé akoresheje « twitter » yavuze ko *faire procès à la France de porter une part de responsabilité dans le génocide au Rwanda est une honte et une falsification historique*, bisobanuye ko « gushinja Ubufaransa kugira uruhare muri Jenoside mu Rwanda biteye isoni kandi ko ari ukugoreka amateka ».,

Ihakana rya Jenoside yakorerwe Abatutsi rishyigikiwe kandi cyane n'ishyirahamwe *Association France Turquoise* , aho abarigize Général Jean

Lafourcade, Gén. Jacques Hogard, Gén. Michel Robardey n'abandi, bahakana ko nta mugambi wa Jenoside wigeze ubaho, ko Jenoside yatewe n'ihanurwa ry'indege ya Habyarimana Juvénal.

Nyamara bamwe mu bari muri *Opération Turquoise* batangiye kurega abayobozi babo ko bakoze Jenoside bafasha Leta yakoze Jenoside. (Thierry Prugneau na Guillaume Ancel).

- **Mu bindi bihugu**

Ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, bigaragara kandi no mu banyapolitiki bo mu bindi bihugu nko muri Leta Zunze Ubumwe za Amerika. Urugero ni nka Cynthia Mckinney, umunyapolitiki uvugira abakekwaho Jenoside, ndetse akanashyigikira bamwe mu bahakana Jenoside nka Peter Erlinder.

Uyu Cynthia Mckinney n'abandi banyapolitiki b'Abanyamerika bagiye bigishwa na bamwe mu bashakashatsi n'abanyamategeko b'Abanyamerika basanzwe bahakana Jenoside. Muri bo, harimo Steven Hege wayoboye impuguke zanditse raporo kuri Repubulika Iharanira Demokarasi ya Kongo ishinja u Rwanda, Robert Krueger wahoze ari Ambasaderi wa USA mu Burundi (1994-1996), James Lyons wakoreye TPIR akaba n'umwe mu batangabuhamya b'umucamanza w'Umufaransa Jean-Louis Bruguière na Peter Erlinder.

Hari na Col. Luc Marshal ugaragara mu bikorwa bihakana Jenoside, ushyigikira abakoze Jenoside yakorewe Abatutsi, unahamya ko Jenoside yatewe n'ihanurwa ry'indege ya Perezida Habyarimana Juvénal , ko kandi habaye Jenoside ebyiri.

Ihakana ryakomeje gukwirakwizwa mu bihugu bigize Akarere k'Ibiyaga Bigari na FDLR ndetse n'Ibihugu biyishyigikiye. Ibi byakunze kugaragara cyane cyane mu itangazamakuru no mu magambo y'abanyapolitiki muri bimwe mu bihugu bigize Akarere k'Ibiyaga Bigari.

4.5.2. Uruhare rwa Leta

Uruhare rw'Ubufaransa muri Jenoside yakorewe Abatutsi rwakozweho ubushakashatsi bwinshi, bukorwa n'abantu banyuranye, abanyamahanga[74]

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[74] Medhi Ba: Rwanda, un génocide français. L'Esprit frappeur, novembre 1997; Laure Coret et François Xavier Verchave: L'horreur qui nous prend au visage, Karthala, 2005.Jean-Paul Gouteux: Un génocide secret d'Etat- La France et le Rwanda, 1990-1997, Ed. Sociales, mars 1998. Patrick de Saint-Exupéry, L'inavouable- La France au Rwanda. Les Arènes, 2004. Id., Complices de l'inavouable- La France au Rwanda. Les Arènes, 2009. Michel Sitbon: Un

n'Abanyarwanda.(Commission Mucyo, 2007). Uruhare rw'Ubufaransa bunagaragara muri Zayire, mu myiteguro ya *Ex-Far* yo gutera u Rwanda. (France Rwanda Génocide-Enquêtes, Justice et Réparations *La responsabilité de la France dans les guerres au Congo ex-Zaire*, 12/10/2010)[75]. Ubufaransa bwahaye ubuhungiro abakoze Jenoside, bubakingira ikibaba kugira ngo batagezwa imbere y'ubutabera, abo harimo Agathe Kanziga Habyarimana na n'ubu ugicumbikiwe ku butaka bw'Ubufaransa.

Kuba u Rwanda rwaravuze ko Ubufaransa bwagize uruhare muri Jenoside, byatumye abanyapolitiki b'Abafaransa babifata nko guhungabanya umutekano w'Ubufaransa, babigira«affaire d'etat/national issue»".

Kuva 1994, imvugo ihakana Jenoside y'abari muri politiki y'Ubufaransa hagati ya 1990-1994 ntiyigeze ihinduka. Leta y'Ubufaransa ibitse ibimenyetso byinshi bya Jenoside yakorewe Abatutsi byaba ibya mbere ya Jenoside, iby'igihe cya Jenoside, n'ibya Jenoside yanze gushyira ahagaragara, iki na cyo kikaba gifatwa nk'igikorwa cy'ihakana.

Nubwo hari inyandiko zimwe z'ibanga Ubufaransa bwashyize ahagaragara, hari izindi nyinshi zikibitse (Morel J., 2015). Abanditsi nka Moussaoui (2015) n'imiryango imwe n'imwe nka *Survie* berekana ko inyandiko za mbere ya Jenoside zitigeze zijya ahagaragara (Survie, 2015).

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génocide sur la conscience. L'Esprit frappeur, 1998. Andrew Wallis: Silent accomplice- The Untold Story of France's Role in the Rwandan genocide. I.B. Tauris, 1997.

[75] France Rwanda Génocide : « L'une des origines des guerres qui ensanglantent le Congo ex-Zaïre depuis 1996 – peut-être sa principale cause – est la non arrestation par les militaires français des auteurs du génocide des Tutsi au Rwanda en 1994, lors de l'Opération Turquoise et le soutien que la France n'a cessé d'accorder à ces criminels. À cette occasion elle a rétabli le dictateur zaïrois Mobutu, qui, totalement discrédité par ses crimes, n'osait plus apparaître à Kinshasa et avait été mis au ban de la communauté internationale ». (France Rwanda Génocide-Enquêtes, Justice et Réparations; La responsabilité de la France dans les guerres au Congo ex-Zaire, 12/10/2010)

UMUTWE WA GATANU: INGAMBA ZO GUHANGANA N'IHAKANA N'IPFOBYA BYA JENOSIDE YAKOREWE ABATUTSI

Ihakana n'ipfobya bya Jenoside yakorewe Abatutsi ni imwe mu ngaruka za Jenoside Igihugu cy'u Rwanda gihangana na zo. Ibikorwa by'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bibera mu mahanga bigenda bihindura isura, kuko uko byari bimeze nyuma ya 1994 atari ko bikimeze ubu. Uburyo bukoreshwa uyu munsi bwakorewe isesengura, bityo ingamba na zo zikaba zigomba kujyana n'iryo hinduka.

Muri rusange, ubu bushakashatsi bwerekana ko ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bigirwa n'abantu batandukanye : Abanyarwanda n'abanyamahanga, imiryango mpuzamahanga yaba ihuje za Leta cyangwa itari iya Leta, haba abantu ku giti cyabo cyangwa abakorera iyo miryango. Bakoresha uburyo butandukanye mu guhakana no gupfobya Jenoside yakorewe Abatutsi.

Nk'uko kandi byagaragajwe n'ubu bushakashatsi, hari impamvu nyinshi zitera guhakana no gupfobya Jenoside yakorewe Abatutsi, haba ku Banyarwanda ndetse n'abanyamahanga.

Abanyarwanda baba mu mahanga bapfobya cyangwa bagahakana Jenoside yakorewe Abatutsi babiterwa no kugundira ingengabitekerezo ya Jenoside, gushaka gukomeza umugambi wa Jenoside, gushaka guhisha uruhare rwabo muri Jenoside, gushakisha imibereho banyuze mu guharabika u Rwanda n'ubutegetsi buriho mu Rwanda.

Naho abanyamahanga batsimbaraye kuri uyu mugambi, ahanini usanga ari abari abambari ba Leta za mbere ya Jenoside zarangwaga no kuvangura no gucamo ibice Abanyarwanda, bakaba na bo baragize uruhare mu gushyiraho amategeko na politiki y'ivangura mu Rwanda. Abandi banyamahanga barangwa n'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi baba bagamije inyungu za politiki no gukomeza politiki ya mpatsibihugu. Ibi bigaragarira muri imwe mu miryango mvamahanga itari iya Leta ikunze kuba umuyoboro wa bimwe mu bihugu byakoranye na Leta y'abicanyi, bagishaka kwigira abavugizi b'ubutegetsi bwatsinzwe.

Ikindi cyiciro cy'abanyamahanga bahakana bakanapfobya Jenoside yakorewe Abatutsi, ni abagize uruhare rutaziguye mu gutegura no gukora Jenoside. Byagaragaye ko hari ibihugu n'abantu ku giti cyabo bagize uruhare muri Jenoside yakorewe Abatutsi bafatanyije na Leta y'abicanyi. Aba na bo birumvikana ko bitaboroheye kurekura ingengabitekerezo ya Jenoside kuko bibasaba kwemera uruhare rwabo muri Jenoside yakorewe Abatutsi no kwirengera ingaruka zarwo.

Mu guhangana n'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, hakoreshwa imiyoboro itandukanye yo kumenyekanisha ukuri kuri Jenoside yakorewe Abatutsi. Kubera iyo mpamvu, ingamba zo guhangana n'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi zisaba imbaraga nyinshi n'ubufatanye bw'abafatanyabikorwa batandukanye, haba abo mu Rwanda ndetse n'abo mu mahanga. Kugira ngo ibyo bigerweho, ni ngombwa gushyira ingamba mu byiciro binyuranye ahanini birangwa n'imiyoboro iri hakana n'ipfobya byifashisha. Ibyo byiciro ni ibi bikurikira: ubutabera, ububanyi n'amahanga, ubushakashatsi, itangazamakuru, imiryango itari iya Leta n'amadini.

5.1. Mu rwego rw'ubutabera n'amategeko

Bikunze kugaragara ko mu gihe cyo gukurikirana abakekwaho icyaha cya Jenoside yakorewe Abatutsi ndetse n'abamaze guhamwa n'iki cyaha, usanga hakiri imbogamizi z'uko bimwe mu bihugu n'imiryango mpuzamahanga batemera ubufatanye muri iki gikorwa, kubera ko nta mategeko ariho abibasaba. Ni ngombwa rero ko ibihugu n'imiryango bitarinjiza mu mategeko yabyo itegeko rihana icyaha cya Jenoside n'ingengabitekerezo yayo byihutisha kuyashyiraho mu buryo bwo guhangana n'icyo cyaha. Ibi byaca intege kandi bikima icyuho abafite umugambi wo gukomeza gukwirakwiza ingengabitekerezo ya Jenoside, abahakana n'abapfobya Jenoside yakorewe Abatutsi.

Ni muri urwo rwego inzego z'ubutabera n'iz'ububanyi n'amahanga zisabwa gushyira mu bikorwa ingamba zikurikira, haba ku rwego rw'ibihugu ndetse n'imiryango mpuzamahanga:

1. Gusaba ibihugu n'imiryango mpuzamahanga kwihutisha gushyira mu mategeko yabyo itegeko rihana icyaha cya Jenoside, ihakana n' ipfobya byayo, kuko icyaha cya Jenoside kitagira imipaka;

2. By'umwihariko, inzego zavuzwe haruguru zikwiye gukorana na Guverinoma z'ibihugu bya Amerika ya Ruguru n'Uburayi, zibikangurira gushyiraho amategeko ahana ihakana n'ipfobya bya Jenoside yakorewe Abatutsi;

3. Leta y'u Rwanda irasabwa gushyiraho Intumwa yihariye (Ambassador at large) ikurikirana iyubahirizwa ry'amategeko mpuzamahanga n'ay'u Rwanda, yerekeye gukumira no guhana icyaha cya Jenoside, kurwanya ihakana n'ipfobya bya Jenoside no kurandura burundu ingengabitekerezo yayo n'ibyo igaragariramo byose.

5.2. Mu rwego rw'ububanyi n'amahanga

Mu rwego rwo gukomeza kurwanya abahakana n'abapfobya Jenoside yakorewe Abatutsi, hakwiye gushyirwa imbaraga muri ibi bikurikira:

1. Gukomeza kubaka ubushobozi bwa Ambasade kugira ngo zishobore gukangurira Abanyarwanda baba mu mahanga kwitabira gahunda za Leta, harimo iy'ubumwe n'ubwiyunge nka "Ndi Umunyarwanda", Itorero ry'Igihugu, kwibuka Jenoside yakorewe Abatutsi, gushyiraho clubs zo kwibuka zihuza urubyiruko ruba mu mahanga no kubasaba gukora ubuvugizi n'ubukangurambaga aho batuye, basaba ibihugu n'imiryango itari iya Leta kugira uruhare rugaragara mu kurwanya Jenoside, ihakana n'ipfobya byayo, harimo no gushyiraho amategeko;

2. Mu bijyanye no kubungabunga amateka, hakwiye gukomeza kubaho inzibutso n'ibimenyetso bya Jenoside yakorewe Abatutsi mu bihugu byo hanze. Ibi byafasha mu gusobanurira amahanga amateka ya Jenoside yakorewe Abatutsi, no kumenyekanisha ukuri kwayo, bigatuma abatuye muri ibyo bihugu bafata ingamba zo guhangana n'ingengabitekerezo ya Jenoside, ihakana n'ipfobya byayo;

3. Guverinoma y'u Rwanda ikwiye gukomeza gushyira ingufu mu gusaba Umuryango w'Abibumbye inyandiko z'imanza zaciwe n'Urukiko rwa Arusha (TPIR), zikoherezwa mu Rwanda;

4. Gusaba ibihugu by'amahanga gushyira ahagaragara inyandiko bifite zijyanye n'amateka ajyanye na Jenoside yakorewe Abatutsi, kugira ngo zifashe mu gukomeza kugaragaza ukuri kuri Jenoside yakorewe Abatutsi;

5. Gushyira imbaraga mu kurwanya Jenoside binyuze mu gukoresha umubano n'izindi Nteko (diplomatie parlementaire), hibandwa kuri ibi bikurikira:

   - gukangurira Inteko Ishinga Amategeko Nyafurika (PAP) gushyiraho Ihuriro ry'abagize Inteko Zishinga Amategeko, rigamije kurwanya Jenoside, ihakana n'ipfobya byayo (African network of Parliamentarians against Genocide) nk'uko bikorwa mu Nteko Ishinga Amategeko y'u Rwanda;
   - gukoresha amatsinda y'ubucuti hagati y'abagize Inteko Zishinga Amategeko "parliamentary friendship group" mu kurwanya ihakana n'ipfobya bya Jenoside no gushyiraho amategeko mu rwego rwo guhangana n'icyo cyaha ;
   - gusaba Umuryango uhuza Inteko Zishinga Amategeko z'Isi yose (IPU) gushyiraho itegeko rusange "Model Law" mu kurwanya Jenoside n'ihakana n'ipfobya byayo ;
   - gukangurira Inteko Zishinga Amategeko gushyiraho amahuriro yo guhangana na Jenoside n'ihakana n'ipfobya byayo.

5.3. Mu rwego rw'ubushakashatsi

Nk'uko bigaragazwa n'ubu bushakashatsi, hariho ikibazo cyo kugoreka amateka ya Jenoside yakorewe Abatutsi. Akenshi ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bikorwa hifashishijwe ibitabo, inyandiko mu itangazamakuru n'ibiganiro mbwirwaruhame. Ibikorwa byo guhakana no gupfobya Jenoside yakorewe Abatutsi bikomeza kwiyongera kandi bigahindura isura. Niyo mpamvu bisaba gufata ingamba zo gukora ubushakashatsi bugaragaza ukuri kuri

Jenoside yakorewe Abatutsi kandi bunafasha guhangana n'abayihakana bakanayipfobya. Ni muri urwo rwego hakwiye :

1. Gushyiraho inzu zitangaza ibitabo (*Maison d'édition*) no kubaka ubushobozi bw'abanditsi b'Abanyarwanda mu gukora ubushakashatsi, kwandika ibitabo n'inyandiko ngufi bivuga ukuri kuri Jenoside yakorewe Abatutsi no kwandika ibivuguruza ibivugwa n'abahakana kandi bagapfobya Jenoside yakorewe Abatutsi. Ikindi ni uko izo nyandiko zajya zimenyekanishwa mu Rwanda no mu mahanga;

2. Gushyiraho Ikigo cy'icyitegererezo "*Centre of excellence on genocide studies*" gihuriwemo n'abashakashatsi n'abahanga mu bya Jenoside, baba Abanyarwanda cyangwa abanyamahanga, kizajya gikora ubushakashatsi, kigatanga amahugurwa, kikagira ububiko-somero kandi kikanatangaza ubushakashatsi kuri Jenoside, ingengabitekerezo yayo, ihakana n'ipfobya byayo;

3. Gukurikirana ubushakashatsi bwose bukorwa kuri Jenoside yakorewe Abatutsi hagamijwe guhangana n'abagoreka ukuri kuri Jenoside no kubwifashisha mu kugaragaza ukuri kuri Jenoside no gukurikiranira hafi uwahawe uruhushya rwo gukora ubushakashatsi kuri Jenoside yakorewe Abatutsi, hagamijwe gusesengura ireme ryabwo n'umusanzu butanga mu gukumira Jenoside n'ingengabitekerezo yayo;

5.4. Mu bijyanye n'itangazamakuru

Byagaragaye ko itangazamakuru ari umuyoboro ufite uruhare runini mu kugaragaza ukuri cyangwa gukwirakwiza ibinyoma kuri Jenoside ndetse no guhangana n'ingaruka zayo. Ubu bushakashatsi kandi bwagaragaje ko imbuga nyinshi zikoreshwa n'abapfobya n'abahakana Jenoside yakorewe Abatutsi. Ni muri urwo rwego hakenewe ingamba zikurikira:

1. Gusaba CNLG, OGS n'izindi nzego gukurikirana amakuru atangazwa n'ibinyamakuru yerekeye ihakana n'ipfobya bya Jenoside yakorewe Abatutsi no kuyashakira ibisubizo;

2. Kubaka ubufatanye n'ibitangazamakuru byo hanze mu bijyanye no kurwanya ihakana n'ipfobya bya Jenoside yakorewe Abatutsi hakoreshejwe kubisangiza amakuru y'ukuri kuri Jenoside yakorewe Abatutsi;

3. Gukangurira urubyiruko, rwaba urw'imbere mu gihugu ndetse no mu mahanga, kwitabira gukoresha imbuga nkoranyambaga mu kwamagana abahakana n'abapfobya Jenoside yakorewe Abatutsi.

5.5. Imiryango itari iya Leta n'amadini

Ubushakashatsi bwagaragaje ko hari imiryango itari iya Leta n'amadini bigira uruhare runini mu gukwirakwiza ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, bakanabangamira ibikorwa byo kubikumira.

Ni muri urwo rwego imiryango itari iya Leta n'amadini bikorera mu Rwanda ishishikarizwa, *g*ukoresha "network" z'abafatanyabikorwa babo baba mu mahanga, gufasha guhangana n'ihakana n'ipfobya bya Jenoside yakorewa Abatutsi bibera mu mahanga.

UMUSOZO RUSANGE

Nyuma ya Jenoside yakorewe Abayahudi, hagiye hasohoka inyandiko ziyihakana zikanayipfobya. Abashakashatsi ba mbere ku ihakana rya Jenoside, berekanye ko bene ibyo bikorwa byatangiranye no kwemeza ko nta byuka byica (gaz) byakoreshejwe mu iyicwa ry'Abayahudi igihe cya politiki ya Hitler. Ibi byasesenguwe cyane na Alain Finkielkraut na Igournet Valérie. Ibi bikorwa kandi byari bigamije gusibanganya amateka ya Jenoside yakorewe Abayahudi, bigaragaza ko itigeze iba. Ibyo byakorewe isesengura na Henri Rousso, waje kuzuzwa na Pierre Vidal-Naquet mu nyandiko ze zinyuranye.

Ku birebana n'ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, Henri Rousso asobanura ko ipfobya ryiganje cyane mu banyapolitiki no muri za Kaminuza. Agaragaza ko ihakana muri politiki ari uburyo bwo kwisobanura, hagamijwe kwivanaho icyaha.

Muri za Kaminuza z'amahanga na none, hakunze kuboneka ihakana n'ipfobya bya Jenoside, kubera ko ari ahantu hahurira abantu benshi b'abanyabwenge, ndetse n'abakiri bato. Aho ni ho bamwe biyitirira kuba inzobere mu mateka, bemeza ko nta muntu uvukana ihakana n'ipfobya, ahubwo ko abenshi bafata uwo murongo bijyanye n'ibihe bagezemo kubera inyungu zabo bwite n'abo bazisangiye.

Ariko icyo abashakashatsi benshi bahurizaho, ni uko ihakana ritangira rigaragaza ko nta bantu bapfuye, ko abapfuye bapfuye mu bihe by'intambara aho buri wese yicaga undi, rikarangwa kandi no guhakana imibare y'abapfuye kandi rikemeza ko abapfuye byababgwiririye, cyangwa se ko nabo bizize bitewe n'uko bitwaye mu gihe cy'intambara.

Ipfundo ry'ihakana n'ipfobya bya Jenoside rishingiye ku kugabanya cyangwa koroshya ukuri kuri Jenoside, hagamijwe kwemeza abantu ko hari impamvu zumvikana zayiteye. Ihakana n'ipfobya bya Jenoside biri mu murongo umwe na Jenoside, kuko ritangirana n'abategura kuzakora Jenoside, rikanakomeza igihe Jenoside irimo ikorwa na nyuma yararangije gukorwa.

Mu Rwanda, guhera mu kwezi kwa Mata 1994, amahanga yihutiye kugaragaza ko ibyaberaga mu Rwanda byari ubwicanyi hagati y'amoko. Ku Banyaburayi bamwe, kuvuga intambara z'amoko ni uburyo bwo kwerekana ko nta gaciro kagomba guhabwa ibirimo kuvugwa, kuko n'ubundi nta gaciro baha abatuye mu bihugu bya Afurika.

Abahakana cyangwa abakoresha imvugo ihakana, birengagiza ko abicwa n'ubundi baba basanzwe bagirirwa nabi n'ubutegetsi buriho, nk'ubwicanyi n'urugomo byakorewe Abatutsi mu myaka ya 1959 – 1962, 1963 – 1964, 1966 – 1967, 1973, 1991 – 1993, ari na byo byafatwa nk'umutima wa Jenoside yakorewe Abatutsi.

Ihakana n'ipfobya bya Jenoside rica iruhande ibikorwa bya kinyamaswa bigoye kubonera inyito, kandi byose bigashingira ku ngengabitekerezo y'urwango ari na yo ntandaro ya Jenoside. Ihakana riceceka nkana ko mu bihe bitandukanye Abatutsi bambuwe ubumuntu bitwa amazina mabi y'ibikoko, hakabaho no kwicwa urubozo, nko kwamburwa uburenganzira bw'ibanze bwa muntu, ari na yo ntambwe ya mbere y'igikorwa cyo kubarimbura.

Ahereye ku bushakashatsi bunyuranye ku ihakana rya Jenoside yakorewe Abatutsi, Jean Pierre Chrétien yerekanye ko uburyo bwa mbere abahakana Jenoside yakorewe Abatutsi bakoresha ari ukwerekana ko n'ubundi mu Rwanda Abanyarwanda batigeze babana nk'abavandimwe, ahubwo ko hari urwango karande hagati y'Abahutu n'Abatutsi.

Iyo usesenguye inyandiko z'igihe cya mbere ya Jenoside, cyane cyane inyandiko z'inama z'umutekano mu makomini na segiteri, usanga harashyizweho uburyo bwo gushora abaturage mu bwicanyi, nk'ibyo abateguye Jenoside bise kwirindira umutekano kw'abaturage hashyirwaho amarondo umunsi n'ijoro agamije gutera ubwoba no gutoteza Abatutsi bafatwaga nk'umwanzi w'imbere mu gihugu. Aho ni ho hakoreshwaga imvugo ko umwanzi aturimo, ko abantu bagomba kuba maso no gutunga agatoki, ari nabwo abantu batagira ingano baburiwe irengero.

Ibi byose biba bigamije kwerekana ko nta mugambi wa Jenoside wigeze ubaho, ko ahubwo habaye umugambi wo kumarana, ko nta ruhande rugomba kuryozwa

Jenoside, ko ku mpande zombi hari inzirakarengane zishwe, kandi ko imibare y'abishwe igomba gusubirwamo, hagaragazwa ko imibare y'abapfuye ingana, ndetse ko abishwe benshi babarirwa mu gice cy'abafatwa nk'abari ku isonga rya Jenoside.

Umubare munini w'abahakana bakanapfobya Jenoside yakorewe Abatutsi, usanga n'uyu munsi bakoresha imvugo isesereza Abatutsi muri rusange, igamije guteza urujijo mu mitwe y'abantu, cyane cyane abatazi u Rwanda n'amateka yarwo, no kubambura amateka yabo n'agaciro kabo. Aba ntiberura ngo bavuge ko Jenoside itabayeho, ahubwo berekana ko habaye Jenoside ebyiri, bagashakisha uburyo bwose kugira ngo ibi bitekerezo byabo bigere kure, kandi abe ari byo byiganza mu mitwe y'abantu. Ibi bikunze gutambutswa ku mbuga zinyuranye zihurirwaho n'abakoze Jenoside, abasangiye ibitekerezo nabo, cyangwa se abiyemeje kubatera inkunga mu buhezanguni bwabo.

Ihakana n'ipfobya bya Jenoside yakorewe Abatutsi kandi muri iyi iminsi biza byihishe inyuma y'uburyo bwo kwanga kwemera impinduka nziza zigenda zibera mu gihugu nyuma ya Jenoside, no gushimangira ko politiki yateguye Jenoside ari yo ibereye Abanyarwanda. Harimo gutsimbarara ku mateka ya kera, banga igitekerezo cyangwa politiki iyo ari yo yose yaba ivanaho cyangwa ivugurura politiki y'amacakubiri babayemo kuva kera.

Ihakana n'ipfobya bya Jenoside yakorewe Abatutsi bigera n'aho bifata isura y'iterabwoba, kuko ababifite badatinya kugaragaza ko bifuriza u Rwanda gushya rugakongoka, kubera ko bababazwa n'iterambere Igihugu kigenda kigeraho. Kuri bo amateka y'u Rwanda akwiye gusubirwamo, akandikwa bundi bushya.

Uburyo bwose bukoreshwa mu ihakana n'ipfobya bya Jenoside yakorewe Abatutsi, bibera mu mahanga bugenda buhindura isura, bityo umuntu akaba atahagararira ku miterere n'imiyoboro yagaragajwe n'ubushakashatsi bwakozwe kugera uyu munsi. Buri munsi hasohoka inyandiko nshya, cyangwa se amashusho mashya ahakana akanapfobya Jenoside yakorewe Abatutsi. Uyu munsi ntibigikenewe kwandika inyandiko ndende cyangwa se ngufi kugira ngo umuntu agaragaze ibitekerezo bye bipfobya cyangwa bihakana, kuko byagaragaye ko interuro imwe kuri *twitter* ihagije kugira ngo iteshe Jenoside agaciro. Ni ngombwa ko isesengura ryita kuri buri kantu kose gakwirakwiza

ihakana n’ipfobya, hakifashishwa ikoranabuhanga rigezweho mu kubona amakuru, kuyasesengura, ndetse no guhangana n’abahakana bakanapfobya Jenoside yakorewe Abatutsi.

Ikindi ni uko hari abagize ihakana n’ipfobya intwaro ihoraho yo kurwanya u Rwanda n’ibimaze kugerwaho. Hagomba gushyirwa imbaraga mu kumenyekanisha ukuri kuri Jenoside, bikajyana no gushyiraho uburyo buhoraho bwo kwegeranya amakuru, kuyasesengura, no gushaka ibisubizo byihuse byo guhangana n’ihakana n’ipfobya bya Jenoside yakorewe Abatutsi.

Nubwo ubu bushakashatsi bugarukira mu mwaka wa 2017, haracyasohoka ibitabo bifite umurongo w’ihakana n’ipfobya bya Jenoside yakorewe Abatutsi. Hari amakuru menshi asaba ko hakorwa ubundi bushakashatsi ku ihakana n’ipfobya bikorerwa mu mahanga nyuma y’umwaka wa 2017.

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