



**Amasezerano Mpuzamakungu
yerekeye Uburenganzira bwa muntu
n'uburenganzira bwa politike**

Distr. générale
29 Myandagaro 2023

Original : français

"Komite y'uburenganzira bwa muntu."

**Umwihwezo ku vvyiyumviro vya nyuma bijanye n'icegeranyo
ca gatatu c'ibihe bimwe bimwe igihugu c'Uburundi
cabayemwo*.**

1. Komite yarasuzumye icegeranyo ca gatatu c'Uburundi¹ mu nama yayo ya 4003², igenekerezo rya 3 Mukakaro 2023. Mu nama yayo ya 4029, igenekerezo rya 20 Mukakaro 2023, yaremeje umwihwezo ku vvyiyumviro vya nyuma bikurikira."

A. Intangamarara

2. Komite yakiriye neza icegeranyo ca gatatu c'ibihe bimwe bimwe, uruhara rwa Leta hamwe n'amakuru ari muri ico cegeranyo. Irashimira Leta ku nyishu zanditse³ bashize ku rutonde rw'ibibazo⁴. Ariko, komite iranegura ko intumwa za Leta zafashe ingingo yo kuva mu nama iyo nama igitangura kandi batabandanije ikiganiro mu mwumvikano hamwe niyo Komite. Komite irabibutsa ko ivyegeranyo ibihugu bitegerezwa gutanga hisunzwe ingingo ya 40 y'Amasezerano Mpuzamakungu bisuzumwa mu buryo bw'ikiganiro hagati ya Komite n'abahagarariye Leta⁵. Irasigura ishimitse ko ugufatanywa kwuzuye kw'ibihugu mu biganiro n'amashirahamwe mpuzamakungu araba ibijanye n'agateka ka zina muntu hamwe n'ivyo umunyagihugu yemerewe n'amategeko ari ikintu gikomeye mw'isuzumwa nkiryoye⁶. Kubera ivyo, Komite yasanze itegerezwa gusuzuma ico cegeranyo, naho intumwa za Leta zari ziyonjoroye.

B. Ivyo Komite ishima

3. Komite irashima ingingo zikurikira z'amategeko n'iza politike zafashwe ku rwego rw'igihugu :
 - a) Itegeko n°1/13 ryo ku wa 22 Nyakanga 2016 ryerekeye ugukingira amabi afatiye ku gitsina no gukingira abahohotewe bifatiye ku gitsina, no guhana ico caha ;
 - b) Itegeko n°1/04 ryo ku wa 27 Ruheshi 2016 ryerekeye ugukingira abasinzikajwe, ivyabona hamwe n'abandi bantu bari mu kaga ;

* Vyemejwe na Komite mu nama yayo y'138 (26 Ruheshi – 26 Mukakaro 2023)

¹ CCPR/C/BDI/3.

² Raba CCPR/C/SR.4003.

³ CCPR/C/BDI/RQ/3.

⁴ CCPR/C/BDI/Q/3.

⁵ Amategeko agenga Komite, ingingo ya 68

⁶ Raba ingingo 68/268 y'inama ya bose

- c) Itegeko n°1/28 ryo ku wa 29 Gitugutu 2014 ryerekeye ugukingira no guhana urudandazwa rw'abantu hamwe n'ugukingira abagizweko ingaruka na rwo ;
- d) Politike y'igihugu ijanye no gukingira agateka k'abana mu Burundi (2020-2024) ;
- e) Politike y'Igihugu yerekeye igitsina (2012-2025).

C. Ibibazo bikuru bikuru biteye impungenge n'ivyoshobora gukosorwa canke guhinanyurwa.

Iyinjizwa ryayo masezerano mpuzamakungu mu mategeko y'igihugu.

4. Naho Ingingo ya 19 y'Ibwirizwa Shingiro rya Repubulika y'Uburundi ivuga ko agateka k'abantu kavugwa mu masezerano mpuzamakungu, Uburundi bwateyeko igikumu, iryo tegeko riyinjiza icese mu ngingo z'iryo bwirizwa Shingiro, Komite irababajwe n'uko ata makuru yatanzwe yerekeye amatati yaciwe n'amasentare akoresheje ingingo z'ayo Masezerano canke yashizwe mu ngiro n'ayo masentare. Irababajwe kandi n'uko Leta itaremeza Amasezerano abiri y'inyongera ajanye n'ayo Masezerano. Komite iratewe kandi impungenge n'ingene ataho biboneka neza ibijanye n'ugukorana hagati ya Leta n'inzego mpuzamakungu zijejwe agateka ka zina muntu, cane cane uburyo budasanzwe bw' inama y'ishirahamwe mpuzamakungu ONU y'agateka ka zina muntu, hamwe n'iyugarwa ry'ibiro vy'Ishirahamwe Mpuzamakungu ONU ry'agateka ka zina mu mwaka wa 2019, bisabwe na Leta (ingingo ya 2)

5. Leta itegerezwa gufata ingingo mperekeza zitumbereye kumenyekanisha neza Amasezerano ku bacamanza, ku bashikirizamanza no ku bashingwamanza, kugira ngo ingingo zayo mategeko zishobore gufatirwako mu manza zicibwa n'amasentare yo mu gihugu, hamwe no gutunganya ibikorwa vyo guhimiriza abantu muri rusangi. Yategerezwa kandi kwihutisha igikorwa co kwemeza Amasezerano abiri y'inyongera ajanye n'ayo Masezerano. Yategerezwa kandi gusubizaho neza ibiganiro hamwe no gukorana n'inzego mpuzamakungu zijejwe agateka ka zina muntu, cane cane uburyo budasanzwe bw'Inama y'ishirahamwe mpuzamakungu ONU y'agateka ka zina muntu, no kwemerera gusubira kwugurura ibiro vy'intumwa ya ONU mu bijanye n'agateka ka zina muntu mu Burundi.

Umurwi w'igihugu wigenga ujejwe Agateka ka Zina Muntu (CNIDH)

6. Komite yamenyesheje ko umurwi w'igihugu wigenga ujejwe agateka ka zina muntu CNIDH wasubiye kwemererwa mu rwego rwa "A" n'Urunani mpuzamakungu rw'imurwi y'igihugu ijejwe agateka ka zina muntu. Harongerejwe uburyo bw'amafaranga uwo murwi uhabwa kuva mu 2020. Ariko Komite irababazwa n'amakuru amenyesha ko uwo murwi utigenga vy'ukuri, ko utoranya mu gukurikirana ihonyangwa ry'agateka ka zina muntu, kandi ko mu vyegerenyo vyawo udashiramwo bimwe biboneka amabi yo guhonyanga agateka ka zina muntu akorwa n'inzego za Leta igipolisi, , iperereza hamwe n'urwaruka rw'Imbonerakure zikukira umugambwe uri ku butegetsi CNDD-FDD. Iyo Komite iratewe kandi impungenge n'uko uwo murwi udafise ibiro mu ntara gutyo ngo ushobore gukora ibikorwa vyawo mu gihugu cose (ingingo ya 2)

7. Mu kwubahiriza ivyavuzwe mu mwihwezo wa nyuma wa Komite⁷, Leta itegerezwa gufata ingingo zose zikenewe kugira ngo umurwi w'igihugu ujejwe agateka ka zina muntu ube koko umurwi wigenga. Leta itegerezwa kuwuha uburyo n'ubushobozi bukwiye kugirango urangure neza ibikorwa ujejwe.,hakurikijwe ingingo ngenderwako ku rwego rw'ibihugu mu ntumbero yo guteza imbere igisata c'agateka ka zina muntu (Ingingo ngenderwako z'i Paris.). Hategerezwa kandi kurabwa neza ko uwo murwi ufise ibiro n'uburyo buhagije bwo gukora no gushika aho hose bikenewe gukora amatohoza mu gihugu cose.

⁷ CCPR/C/BDI/CO/2 na CCPR/C/BDI/CO/2/Corr.1, par. 7.

Kurwanya kurya, gutanga no kwaka igiturire

8. Komite iratewe impungenge kandi nuko hari ivyegeranyo bivuga ko kurya ibiturire bibandanya kuba mu nzego z'igihugu zo hejuru, mu nzego za Leta no mu butungane, hamwe no mu bisata vy'amasoko ya Leta ajanye no kubaka ibikorwa remezo no gukoresha amatungo kama, cane cane mu gihe co kuganira ku mpusha zo kwimba ubutare, ivyo bikagira ingaruka yo gutuma amategeko adakurikizwa neza no gutuma ingingo z'Amasezerano zitubahirizwa. Komite ikaba ibabajwe n'uko ata makuru yerekeye igitigiri nyezina c'amatohoza, ibirego n'imanza zaciriwe ku vyerekeye kurya ibiturire (ingingo ya 2, 14 na 25).

9. Leta itegerezwa kwongereza inguvu zayo mu kurwanya igiturire no gufata ingingo zikenewe kugira ngo inzego z'igihugu zirwanye igiturire zikore neza kandi zigenge. Muri izo nzego harimwo Sentare idasanze Irwanye igiturire n'ubushikirizamanza bwayo, hamwe n'Umurwi udasanze Urwanye igiturire. Itegerezwa kandi kwihweza ko ibikorwa vyose bijanye no kurya ibiturire bitohozwa mu buryo bwigenga kandi budahenganye no kumenya ko abagira uruhara mu kurya ibiturire harimwo n'abakozi bakuru b'igihugu n'abandi bantu bakomeye, baheza bagakurikiranwa mu butungane. Mu gihe intahe yoba ibakubise mu gahanga bagahanwa uko bikwiye.

Ivangura rishingiye ku gitsina canke uko umuntu yiyumva n'intumbero aha canke yahaye igitsina

10. Mu kwibutsa umwihwezo wa nyuma w'ivyiyumviro vyatanzwe⁸, Komite irabajwe n'uko ingingo ya 590 y'Igitabu mpanavyaha ihana imibonano mpuzabitsina y'abantu b'igitsina kimwe. Komite iriyamiriza kandi ifatwa ry'abantu 24 bari mu bikorwa vyo kurwanya ikiza SIDA i Gitega, bafashwe ku wa 22 Ruhuhuma 2023, bagirizwa « ibikorwa vyo gushigikira abakora imibonano mpuzabitsina ku bantu basangiye igitsina ». Komite iratewe umutima uhagaze kandi n'ingene ibikorwa vyo kuvangura no gukumira abantu kubera igitsina canke intumbero bafise kubw'igitsina mu buzima bwabo bwa misi yose, cane cane ko babangamirwa kuronka uburenganzira bwo gushikiriza ivyiyumviro, uburenganzira wo kugira amanama, uburenganzira bwo kuronka amazu babamwo, uburenganzira bwo kwivuzwa hamwe n'uburenganzira bwo kwiga. Komite iratewe umutima uhagaze kandi n'amajambo yo kubiba urwanko hamwe no gukoresha inguvu kuri mwene abo bantu hisunzwe intumbero y'ikoreshwa y'igitsina cabo bikorwa na bamwe mu bakozi ba Leta hamwe n'abategetsi ku rwego rw'igihugu. (ingingo ya 2, 9 na 26).

11. Leta itegerezwa gufata ingingo zikurikira :

a) Gukuraho ingingo zose zishobora gutera ivangura, gukurikirana no guhana abantu kubera igitsina canke ukwiyumva kwabo kw'igitsina, harimwo ingingo ya 590 y'Igitabu c'amategeko mpanavyaha n'ingingo ya 9 y'itegeko nshikiranganji numero 620/613 ryo ku wa 7 Ruheshi 2011 ;

b) Guhagarika gufata abantu no kubakurikirana mu butungane kubera "ibikorwa vy'imibonano mpuzabitsina ku bantu b'igitsina kimwe" no kurekura abantu bose bafunzwe kubera iyo mvo ;

c) Kwemeza ko abantu bafise iyindi ntumbero ku gitsina cabo, bakunda ibitsina vyose, n'abahindura igitsina cabo bashobora gukoresha uburenganzira bwabo bwose, harimwo n'uburenganzira bwo gushikiriza ivyiyumviro, gushinga amashirahamwe hamwe no gukora ama nama.

d) Guhagarika gukwiragiza urwanko no kugirira nabi abantu kubera igitsina bakunda canke intumbero yabo ku bijanye n'igitsina ;

e) Gutohoza ku bikorwa vyo kuvangura no gutoteza abantu bakunda igitsina cabo, bakunda ibitsina vyose, n'abahindura igitsina cabo, gukurikirana abagira ivyo bikorwa, gucira urubanza abanyavyaha, no guha abasinzikarijwe ubuzima uburyo bwo kurenganurwa.

⁸ CCPR/C/BDI/CO/2 na CCPR/C/BDI/CO/2/Corr.1, par. 8.

Ukungana kw'abakenyezi n'abagabo hamwe n'ikumirwa rikorerwa abakenyezi

12. Komite yashikirije ko hariho Ingingo y'Igihugu ijewe Ivy'Uburunganire bw'ibitsina (2012-2025), ifise ihangiro ryo kunganisha imbere y'amategeko abagore n'abagabo no guha abagore ububasha bwo kwigenga. Ariko Komite iracafise impungenge ingene hakoreshwa amategeko yubahiriza imihango y'imico n'akaranga mu vyerekeye gutorana, uburyo bwo gucunga amatungo yo mu miryango, n'uburenganzira bwo gutunga ibintu, akaba akomeza ubusumbasumbane hagati y'abagabo n'abagore. Ivyo vyiyongera kandi ku ngingo zikumira abagore mu Gitabu c'amategeko yerekeye abantu, ingo n'imiryango⁹ no mu Gitabu c'amategeko c'ubwengehugu¹⁰. Komite irashima urugero rwa 30% rushingwa n'Ibwirizwa Shingiro mu vyerekeye uguserukira abagore muri Leta, mu Nama Nshingamateka no muri Nama Nkenguzamateka¹¹, ariko irafise amakenga ko abagore baserukiwe ku rugero ruto mu ntara no mu makomine (ku mitumba) no mu bindi bisata vyinshi vy'ubuzima bwa politike, ubutunzi n'imibano (ingingo ya 2, 3, 25 na 26).

13. Mu kwubahiriza umwihwezo wa nyuma wa Komite¹², Leta itegerezwa :

a) Kwemeza, bidatevye, itegeko rigenga gutorana, uburyo bwo gucunga amatungo mu miryango, n'uburenganzira bwo gutunga ibintu, no kwihweza ko ryubahiriza neza ingingo z'Amasezerano ;

b) Guhindura ingingo zivangura mu Gitabu c'amategeko yerekeye abantu, ingo n'imiryango no mu Gitabu c'amategeko c'ubwengehugu, kugira ngo hashirwe mu ngiro neza ihangiro ryo kunganisha abagore n'abagabo ryashizwe mw'wirizwa Shingiro no mu Masezerano ;

c) Gufata izindi ngingo zo guteza imbere ukuserukira abagore mu buzima bwa politike ku rwego rw'igihugu n'urw'intara, amakomine, amazone no ku mitumba ;

d) Gushimangira ibikorwa vyo kwigisha no gukangurira abanyagihugu kurwanya ivyiyumviro vy'imigenzo bituma abakenyezi bikumira canke bakumirwa, hamwe no guteza imbere ukwubaha imirimo n'amabanga asangirwa n'abagore n'abagabo mu miryango no mu kibano.

Kubangamira agateka k'abakenyezi

14. N'ubwo Komite ishima ko hariho itegeko nimeru 1/13 ryo ku wa 22 Nyakanga 2016 rigenga ugukinga, guhana abakoze ibikorwa vyo gusinzikaza bishingiye ku gitsina, Komite iracafise impungenge ko abagore babandanya guhohoterwa, cane cane mu ngo no mu bijanye n'imibonano mpuzabitsina. Komite irababazwa kandi nuko hari ibikorwa bike vyo gutanga amakuru no gukurikirana abakora ivyo bikorwa kubera ingaruka zishobora kuzanwa no gukumirwa no kwihora, kudahana abakora ivyo vyaha, n'uko ata bigo bikwiye biriho vyo kwakira abasinzikajwe hamwe n'ingingo zo kubafasha kuva muri ako kaga. Komite ivuga kandi ko ata makuru akwiye ku gitigiri c'amatohoza yakozwe, ibirego vyatanze n'ianza zaciriwe ku bikorwa vyo gusinzikaza agateka k'abagore hamwe n'ingingo zo gusubiza mu buryo zashizwe mu ngiro (ingingo ya 3, 6, 7 na 17).

15. Leta itegerezwa:

a) Gukomeza no kwongereza inguvu zayo mu gukinga no kurwanya amabi yose ajanye no kubangamira agateka k'abakenyezi, cane cane mu gushiraho inzego zishinzwe gushira mu ngiro amategeko asanzwe ariho, cane cane ubushikirizamanza, n'amasentare, mu kuziha uburyo bukenewe, mu gutanga inyigisho ku bakazi ba Leta kuri ico kibazo, no mu gushira inguvu mu bikorwa vyo kwigisha abanyagihugu ;

⁹ Burundi, Igitabu c'amategeko yerekeye abantu, ingo n'imiryango, ingingo ya 38, 88, 122 na 126.

¹⁰ Burundi, Igitabu c'amategeko c'ubwengehugu, ingingo ya 2 na 4.

¹¹ Ibwirizwa Shingiro ry'Uburundi, ingingo ya 128 (Leta), 169 (Inama Nshingamateka) na 185 (Inama Nkenguzamateka)

¹² CCPR/C/BDI/CO/2 na CCPR/C/BDI/CO/2/Corr.1, par. 10 et 11

b) Kwongereza no guhimiriza ishingwa ry'ibigo vyo kwakira no gufasha abasinzikarijwe ubuzima no kubafasha mu buryo bwose bwo kwitura inzego ngo zibakiranure ;

c) Gukurikiranira hafi ko ibikorwa vyose vyo gusinzikaza agateka k'abakenyezi bitohozwa neza, ko abanyavyaha bakurikiranwa kandi bagahanwa ibihano bikwiye bibabereye, kandi ko abasinzikarijwe ubuzima baronswa ugukingirwa n'ukurenganurwa kuzuye;

d) Kwegeranya no gutanga ibiharuro vyatunganijwe vyerekana urugero rwo gusinzikaza agateka k'abakenyezi...

Gusinzikaza mu vy'imibonano mpuzabitsina nk'igikoresho co gukandamiza muri politike

16. Komite iratewe ubwoba n'amakuru menshi kandi yizewe yerekeye gusinzikaza abakenyezi mu vy'imibonano mpuzabitsina ku bagore n'abakobwa, harimwo no gufatwa ku nguvu mu kivunga, ivyo bikaba bikorehwa nk'uburyo bwo gutera ubwoba no gukandamiza muri politike kubera ko baba canke bikekwa ko ari bo canke umwe mu muryango wabo ari mu mugambwe atavuga rumwe na Leta, ivyo bikorwa bikaba vyakozwe n'Imbonerakure, abakozi b'iperereza n'abajejwe umutekano, kandi bikaba vyarongerekanye mu gihe c'imyiyerekano ya 2015, mu matora y'Ibwirizwa Shingiro ya 2018 n'amatora ya 2020. Komite iratewe ubwoba kandi n'uko abakora ivyo bikorwa badahanwa, ingorane abasinzikajwe bafise zo kwitura ubutungane n'ubwoba bwo kwihora, bigatuma abasinzikarijwe ubuzima batinya no gutanga ikirego ku babasinzikarije ubuzima. Komite ifise amakenga kandi ko ata makuru ariho yerekeye ngingo zafashwe mu gukinga ubwo bwoko bw'isinzikarizwa ubuzima hamwe no ku matohoza yakozwe, ibirego vyatanzwe, ibihano vyatanzwe n'ukurenganurwa abasinzikarijwe ubuzima baronse (ingingo ya 2, 3, 7 na 26).

17. Hakurikijwe ivyashikirijwe na Komite irwanya kuboreza igufa kiremwa muntu¹³ hamwe na Komite yo gukinga ikumirwa ry'abakenyezi¹⁴, Leta itegerezwa gufata ingingo zose zikenewe kugira ngo:

a) Gucungera ko ibikorwa vyose vyo gusinzikaza agateka k'umukenyezi mu vy'imibonano mpuzabitsina, cane cane ivyo ababikora bakaba ari Imbonerakure, abakozi b'iperereza n'abajejwe umutekano, bitohozwa mu buryo bwimbitse kandi bwigenga, ko abakora ivyo bikorwa baregwa mu butungane kandi ko bahanwa n'ama sentare mu gihe bagiriwe n'ivyaha;

b) Kwemeza ko abasinzikarijwe ubuzima bose mu bijanye n'ivy'imibonano mpuzabitsina baronka ababafasha mu vy'amategeko, ivy'amagara y'abantu, ivy'ubutunzi n'ivy'ukumvirizwa kugira babaruhurire ku mutima, uburyo bwo kurenganurwa no gukingirwa, harimwo no kubuza ukwihora ;

c) Gukinga isinzikarizwabuzima rifatiye mu vy'imibonano mpuzabitsina ku bagore n'abakobwa, cane cane bikozwe nk'uburyo bwo gutera ubwoba no kubakandamiza muri politike, no guhimiriza abakozi ba Leta, abacamanza n'abashikirizamanza ko amabi yose yo gusinzikaza agateka k'abakenyezi n'abigeme akwiye kuranduranwa n'imizi.

Gukorora inda ku bushake hamwe n'irondoka rijanye n'amagara meza y'abakenyezi.

18. Komite iranegura ingingo ya 533 y'Igitabu c'amategeko mpanavyaha, ihana uwakoroye inda, n'ibisabwa bigoye cane, bivugwa mu ngingo ya 534 y'ico gitabu nyene, aho umugore ashobora guhagarika inda mu buryo bwemewe n'amategeko iyo ubuzima bwiwe bubangamiwe canke amagara yiwe aguma yononekara cane, bigatuma abagore bakorora inda mu mpisho kandi mu buryo butizewe, ivyo bikaba bishobora gushira ubuzima n'amagara yabo mu kaga. Komite iranegura kandi amakuru avuga ko abagore benshi bagira ivyo

¹³ CAT/C/BDI/CO/2/Add.1, par. 17.

¹⁴ CEDAW/C/BDI/CO/5-6, par. 27.

bikorwa bakurikiranwa mu butungane kandi bagacirwa ibihano vyo gupfungwa (ingingo ya 3, 6, 7, 17 na 26).

19. Hakurikijwe agace ka 8 k'iciyumviro rusangi nimeru 36 (2018) ca Komite iraba uburenganzira bwo kubaho, Leta itegerezwa :

a) **Guhindura amategeko yayo kugira ngo hemerwe uburyo bwizewe, kandi bwemewe n'amategeko, bukora neza bwo guhagarika imbanyi mu gihe kuyitwara vyotuma umugore canke umukobwa agira ububabare canke imibabaro mu buryo bwinshi, cane cane igihe iyo nda yavuye ku gufatwa ku nguvu canke gusambana n'abo bafitaniye isano canke itazoshobora kuvuka ;**

b) **Guhindura ibisabwa bigoye kugira ngo hemerwe guhagarika inda igihe ubuzima n'amagara y'umugore canke umukobwa yibungenze bibangamiwe ;**

c) **Gucungera ko abagore n'abakobwa bakorora imbanyi hamwe n'abaganga babibafashamwo badahanwa mu butungane, kubera ko ivyo bihano bica bituma abagore n'abakobwa bakorora inda mu buryo budatekanye kandi butizewe ;**

d) **Gushira mu ngiro ingingo zo guhimiriza abantu kugira ngo abagore n'abakenyezi bakoroye inda ntibagume batungwa agatoke;**

e) **Kwemeza ko abagore n'abagabo, cane cane abakobwa n'abahungu, baronka inyigisho nziza ku bijanye n'irondeka rijanye n'amagara meza hamwe n'uburenganzira bujanye na vyo, hamwe n'uburyo butandukanye bwinshi kandi buzimbutse bwo gukinga gutwara imbanyi batifuza.**

Uburenganzira bwo kubaho, ukubuza gusinzikaza ubuzima bwa kiremwa muntu, gufatwa nk'inyamaswa hamwe no kurandurana n'imizi ugusasira indava ukudahana.

20. Komite yarakiriye ingingo zafashwe zifise intumbero yo gukomeza no gushigikira amategeko yerekeye gukingira uburenganzira bwo kubaho hamwe no gukinga no guhana isinzikazwabuzima rya kiremwa muntu, nk'itegeko no 1/27 ryo ku wa 29 Kigarama 2017 risubiramwo Igitabu c'Amategeko Mpanavyaha hamwe n'itegeko no 1/09 ryo ku wa 11 Rusama 2018 rihindura Igitabu c'Ingene Imanza z'Ivyaha Zitohozwa n'Ingene ziburamishwa. Ariko, Komite irahagaritswe umutima n'inkuru nyinshi zivuga ko hari ibikorwa vyinshi vyo kunyurura abantu bakaburwa irengero, kwica abantu bari mu minwe y'inzego za Leta no kuboreza igufa kiremwa muntu, , bikorwa n'abakozi b'iperereza, igipolisi, abajejwe umutekano hamwe n'Imbonerakure, aho abahohotewe ari cane cane abatavuga rumwe na Leta canke abakobwa ko batavuga rumwe nayo, ivyo bikorwa vyiyongereye mu gihe c'imyiyerekano ya 2015, mu gihe co kwemeza ibwirizwa shingiro rya 2018 n'amatora ya 2020. Komite Irashikiriza kandi n'ukuntu ifise umwitwarariko ku makuru menshi avuga ko hariho ingeso y'abategetsi mu makomine yo guhamba vuba na vuba ibiziga vy'abantu baboneka bishwe bagatorwa mu gahinga canke mu bindi bibanza, ivyo biziga bikaba bifise ibimenyetso vy'urupfu biboneka ko rwoba urw'agahomerabunwa, bigahambwa bitamenyekanye, imiryango yabo itabimenyeshejwe, ata n'amatohoza abaye ngo hamenyekane ingene baba bapfuye n'aboba babigizemwo uruhara.

21. Muri ico gihe, Komite iguma irajwe ishingira n'ukudahana kw'abagizi ba nabi kw'urugero rwo hejuru kwabayeho kandi kuguma kwisubiriza kw'abakora ako kabi kabishe, bigatuma hakorwa ubundi bugizi bwa nabi, bivuye ku bakozi ba Leta no ku bagize urwaruka rw' Imbonerakure. Kuri ivyo vyose, komite irababajwe cane n'uko hatabonetse amakuru akwiye yerekeye :

a) **ingingo zafashwe kugira bamenye ivyabaye ku bantu bahagaritswe hadakurikijwe amategeko mu nyuma ntibaheza ngo basubire kuboneka hanyuma ngo hamenyekane iyo bari;**

b) **Amatohoza yakozwe, mu gukurikirana abagizi ba nabi, uguca imanza z'abanyavyaha n'ibihano vyatanzwe ku bafise uruhara muri ivyo vyaha ;**

c) **ingingo zafashwe kugira abakorewe ivyaha n'imiryango yabo baronke uburenganzira bwo kuronka ubutungane hamwe n'indishi yakababaro canke umukando bikwiye ;**

d) Amatohoza yakozwe ubwa mbere na mbere, ku bwicanyi ndengerabutungane bwakozwe mu micungararo ya Nyakabiga, Musaga, Mutakura, Cibitoke, Jabe na Ngagara, mu bihe vyo ku wa 11 na 12 Kigarama 2015, no guhamba ibiziga vy'abishwe mu binogo rusangi;

ubwa kabiri, ubwicanyi ndengerabutungane bwakozwe mu makomine atatu y'intara ya Bujumbura (Isale, Kanyosha na Nyabiraba) hagati y'italiki 19 na 23 Ruhuhuma 2020; ubugira gatatu, ivyerekeye Pascal Ninganza n'abandi bantu babiri, bavugwa ko bishwe n'abapolisi ku wa 15 Ndamukiza 2020; hanyuma, ubugira kane, ivyerekeye Claude Ndimunzigo, avugwa ko yishwe n'abasirikare ata rubanza, ku wa 8 canke 9 Ndamukiza 2023, mw'ishamba cimeza rya Kibira (ingingo 2, 6, 7, 14 na 26).

22. Mu gushigikira ibisabwa na Komite¹⁵ kandi hisunzwe ivyasabwe na Komite yo kurwanya kuboreza igufa kiremwa muntu¹⁶ na Komite yo kurandurana n'imizi ikumirwa rifatiye ku gitsina¹⁷, Leta ikwiye:

a) Gufata ingingo zose zikenewe mu kurwanya ukudahanwa kw'abagizi ba nabi no gucungera ko amatohoza adahengamye kandi yimbitse akorwa mu mwanya muto ku birego vyose vy'abantu bahagaritswe hadakurikijwe amategeko hanyuma bakaburwa irengero, abishwe bari mu minwe y'inzege za Leta, ababorejwe igufa cane cane abakoze ayo mabi bakaba ari abakozi ba Leta hamwe n'Imbonerakure, no gucungera ko abagize uruhara muri ayo mabi bakurikiranwa kandi, nibamara kwagirwa n'icaha bagahabwa ibihano bihwanye n'ubugizi bwa nabi bakoze;

b) Gucungera ko abakorewe ivyaha n'imiryango yabo baronka uburyo bwo kwunganirwa, bakingirwa neza ku bitero n'ibikorwa vyose vy'ukwihorera, kandi bakaronka indishi y'akababaro ikwiye;

c) Gutanga umuco ku bantu bahagaritswe hadakurikijwe amategeko hanyuma bakaburwa irengero naho bari, gukurikirana ko abagize imiryango yabo bamenyeshwa uko amatohoza ariko aragenda hamwe n'ivyavuyemwo;

d) Kutagena canke kudaha ayandi mabanga ahambaye abakekwa kuba barakoze ivyaha vyo guhonyanga agateka ka zina muntu mu mabanga y'igihugu ;

e) Gufata ingingo ziboneka zo gukinga ubundi bugizi bwa nabi, cane cane mu bihe vy'amatora yimirije ;

f) Gutanguza ikigega kandi co guha indishi abasinzikarijwe ubuzima ;

g) Gutanga inyigisho zikwiye ku bacamanza, abashikirizamanza, abashingwamanza n'abajejwe gushira mu ngiro amategeko, yaba amategeko mpuzamakungu yerekeye ugukingira kuboreza igufa kiremwa muntu, harimwo n'ingingo ngenderwako zerekeye ibiganiro vy'akanovera vyerekeye amatohoza hamwe no kwegeranya amakuru (ingingo ngenderwako ya Méndez);

h) Gushiraho vuba igisata c'igihugu co gukinga kuboreza igufa kiremwa muntu bifatiye ku vyashikirijwe n'Amasezerano y'inyongera ku Masezerano Mpuzamakungu yo kurwanya kuboreza igufa kiremwa muntu n'ibindi bihano canke ibikorwa bibi, bitabereye umuntu canke bitesha agaciro;

i) Kwemeza Amasezerano Mpuzamakungu akingira abantu bose icaha co guhagarikwa hadakurikijwe amategeko hanyuma bakaburwa irengero.

j) Gufashanya neza na Sentare Mpuzamakungu mpanavyaha cane cane ku matohoza yatangujwe imbere y'uko Leta y'Uburundi ikura akarengwe mu masezerano ashiraho iyo sentare. Hamwe no kongera kwinjira mu Masezerano ya Roma ashingira iyo Sentare Mpuzamakungu mpanavyaha.

¹⁵ CCPR/C/BDI/CO/2 na CCPR/C/BDI/CO/2/Corr.1, par. 13 na 14.

¹⁶ CAT/C/BDI/CO/2/Add.1, par. 9, 11, 13, 15 et 27.

¹⁷ CEDAW/C/BDI/CO/5-6, par. 9.

Umurwi wo kumenya ukuri n'ukunywanisha abarundi CVR.

23. Komite irakiriye ko hemejwe 'itegeko n° 1/18 ryo ku wa 15 Rusama 2014 rishinga, rigashiraho abagize uwo murwi, rigatunganya kandi rikagena ingene ukora. Umurwi wo kumenya ukuri no kunywanisha abarundi, ufise ububasha bwo gukora amatohoza ku vyabaye kuva mu mwaka wa 1885 gushika mu 2008. Komite irashikiriza ukuntu witwararitse ibirego vy'abawitura hamwe nuko udafise ubushobozi, ukudahengama n'ubwigenge bw'uwo murwi no kuba itaronse inkuru zikwiye kugira inzego zawo zikore zikomeye ivyohindurwa bikenewe kugira ngo urwo rwego rutsimbatazwe (ingingo 2, 6, 7, 14 na 26).

24. Leta ikwiye gufata ingingo zose zikenewe kugira ngo yemeze ko igikorwa c'Umurwi wo kumenya Ukuri n'Ukunywanisha abarundi ube umurwi wigenga kandi udahengamye, urimwo abaserukira imirwi yose kandi ukorera ku mugaragaro. Leta ikwiye kandi kwihweza ko abagize uruhara mu guhonyanga agateka ka zina muntu muri kahise ata kurobanura ubwoko bwabo canke amashirahamwe ya politike barimwo, bakurikiranwa kandi bagahanwa ibihano bihwanye n'amabi bakoze kandi ko abakorewe ivyaha bose canke abagize imiryango yabo baronka indishi y'akababaro ikwiranye n'umubabaro bagize. Kuri ivyo, Leta ikwiye kwisunga ivyasabwe n'Umuhinga adasanze ajejwe amatohoza y'agateka ka zina muntu mu Burundi mu kwubahiriza ukuri, ubutungane, gutanga indishi no kugirango bakinge na ntaryo ivyago vyabaye muri kahise ntibikisubirize¹⁸.

Abantu bafunzwe n'ukugene babayeho mw'ibohero

25. Komite iguma yitwararitse ukuntu amabohero apfungiwe mu abantu barenze cane ku bitigiri ayo mabohero yategerezwa kwakira n'inkuru zivuga ukugene abantu babayeho nabi cane mw'ibohero, cane cane ku bijanye n'ukubura isuku n'indya zikwiye, hamwe no kutavurwa no kuronka amazi meza yo kunywa. Iguma kandi yitwararitse igihe kirekire abantu bamara bafunzwe vy'agateganyo mu gihe c'amatohoza n'ukugumizwa mw'ibohero imbere y'urubanza hamwe n'ukugene iri tegeko rikoreshe mu buryo budatunganye, bigatuma amabohero yuzura abantu bataraciribwa imanza (ingingo 7, 9 na 10).

26. Mu gushigikira ibisabwa na Komite¹⁹, Leta ikwiye :

a) Kwongereza inguvu zo gutunganya ukugene abantu babayeho mw'ibohero n'ukugene bafatwa hamwe no gutorera umuti ingorane y'ukwuzura kw'amabohero, hisunzwe Amategeko Ngenderwako y'Ishirahamwe Mpuzamakungu ku bijanye n'ukugene abanyororo bafatwa (Amategeko ya Nelson Mandela) ;

b) Gusubiramwo Igitabu c'Amategeko agenga ingene imanza z'ivyaha zitohozwa kugira ngo hagabanuke igihe ntarengwa abantu bamara bafunzwe mu gihe c'amatohoza n'ukugumizwa mw'ibohero imbere y'urubanza, kugira ngo bihure n'ibitegekanijwe n'Amasezerano Mpuzamakungu ;

c) Gukoresha gake ukugumizwa mw'ibohero imbere y'uko urubanza rucibwa no gukoresha cane ingingo zitabohera abantu, hisunzwe Amategeko Ngenderwako y'Ishirahamwe Mpuzamakungu ku bijanye n'ukugene hafatwa ingingo zitabohera abantu (Amategeko ya Tokyo)

Guhagarika abantu ata mategeko akurikijwe

27. Komite irahagaritswe umutima n'inkuru zivuga ko hari ibikorwa vyinshi vyo guhagarika abantu ata mategeko akurikijwe, harimwo n'abana, bikoze n'abapolisi, abakozi b'Iperereza n'Imbonerakure, bikorerwa cane cane abatavuga rumwe na Leta, ivyo bigatuma habaho ibindi vyaha nk'ubwicanyi ndengerabutungane, kunyuruza abantu bakaburwa irengero, gusinzikaza ubuzima bwa kiremwa muntu hamwe no gufata abakenyezi n'abigeme ku nguvu. Ivyo bikaba vyarakozwe cane mu gihe c'imyiyerekano yo 2015 n'amatora yakurikiye hamwe

¹⁸ Raba [A/HRC/48/60/Add.2](#) et [A/HRC/30/42/Add.1](#).

¹⁹ [CCPR/C/BDI/CO/2](#) et [CCPR/C/BDI/CO/2/Corr.1](#), par. 17 et 18.

no mu gihe co gutora ibwirizwa Shingiro. Naho Leta yemeje ko hashizwe mu ngiro ingingo zo kurekura abanyororo bagiriwe ikigongwe n'umukuru w'igihugu zikaba zari gutuma, ayabanyororo benshi barekurwa, Komite ariko irafise amakenga ku makuru yerekeye abanyororo barabwa nico kigongwe ariko kugeza nubu batararekurwa. (ingingo 9).

28. Leta ikwiye gufata ingingo zose zikenewe kugira ngo ikinge kandi ihagarike ugufata abantu ata mategeko akurikijwe. Ivyo bikaba bishikira cane cane abantu bafatwa nk'abatavuga rumwe na Leta, cane cane iyo ari abana. Ikwiye kandi kurekura vuba abagumye bafunzwe, gukora vuba amatohoza yimbitse kandi ata guhengama kuri ivyo bikorwa, gukurikirana mu butungane abagize uruhara mu mabi no guha abakorewe ivyaha uburyo bwo kunguruza. Ikwiye kandi gucungera ko abafunzwe bese batunganirizwa mu vyerekeye amategeko n'ingene ibintu bikorwa, nk'uko bitegekanijwe n'Amasezerano Mpuzamakungu n'icegeranyo rusangi n° 35 (2014) ca Komite ku bijanye n'ukwidegemvya n'umutekano w'umuntu ku giti ciwe.

Urudandazwa rw'abantu

29. Komite irashimishwa n'uko hemejwe itegeko no 1/28 ryo ku wa 29 Gitugutu 2014 ryerekeye ugukinga no guhana ukudandaza abantu no gukingira abakorewe ivyo vyaha. Ariko, irababajwe no kuba itaronse amakuru akwiye ku vyerekeye ukudandaza abantu, cane cane ku bijanye n'ukubakoresha ibikorwa bifatiye ku gitsina, ukubagira abaja bo mu nzu no kubakoresha mu gusega, canke ku bijanye n'amatohoza yakozwe, ugukurikirana abagizi ba nabi n'ianza z'abanyavyaha zaciwe (ingingo 6, 7, 8 na 24).

30. Mu gushigikira ibisabwa n'umwihwezo wa Komite²⁰, Leta ikwiye kongereza inguvu mu gushira mu ngiro itegeko n° 1/28 ryo mu 2014, no gutegura no kwemeza umugambi mushasha w'igihugu wo kurwanya ukudandaza abantu. Ikwiye kandi gutohoza neza ku vyerekeye ukudandaza abantu no kwihweza ko abagize uruhara bakurikiranwa kandi bagahanwa ibihano bikwiye. Ikwiye kandi kumenya abahuye n'ivyo vyaha kandi ikameya ko baronka ibigo vy'ukubakira n'uburyo bw'amategeko, ubuvuzi n'ubufasha bw'ivy'ubwenge bukwiye.

Abantu bahungiyeye mu gihugu no hanze yaco

31. Komite irashikiriza ukuntu yitwararitse inkuru zivuga ko hari abantu benshi bahungiyeye hagati mu gihugu, cane cane abantu bahunze kubera amagume yabaye mu gihugu n'ibiza vya kamere, babayeho mu makambi, mu buryo butabereye abantu, kandi ko abagore n'abakobwa bahungiyeye mu gihugu canke bahungutse bari mu kaga kanini k'amabi afatiye ku gitsina canke bikaba vyarababayeko (ingingo 12 na 26).

32. Leta ikwiye kongereza inguvu mu kwihutisha ugushira mu ngiro inyishu zirama ku bantu bahungiyeye mu gihugu, ibigiye inama nabo, yisunze amategeko mpuzamakungu akurikizwa, harimwo Amasezerano Mpuzamakungu n'Amategeko Ngenderwako yerekeye uguhungira hagati mu gihugu. Ikwiye kandi gufata ingingo ziboneka zo gukinga ubwoko ubwo aribwo bwose bw'ihohoterwa ku bagore no ku bakobwa bahungiyeye mu gihugu hagati canke bahungutse, cane cane ihohoterwa rishingiye ku gitsina. Ikwiye kandi kwemeza ko abakorewe ivyaha bakingiwe kandi ko baronka vuba uburyo bwo kuvurwa, cane cane uburyo bw'irondoka rijanye n'amagara meza

33. Komite iratewe impungenge n'inkuru zivuga ko abanyagihugu b'Abarundi bari bahungiyeye mu mahanga bagizweko ibikorwa vyo guterwa ubwoba, gusahurwa utwabo, no guhagarikwa ata mategeko akurikijwe ivyo vyose mu ntumbero yo kugomba kubatahisha ku nguvu ivyo bikaba vyakozwe n'abatware bo hasi n'Imbonerakure. Komite irahagaritswe kandi umutima n'amakuru avuga yuko abatavuga rumwe na Leta b'Abarundi, bari mu gihugu ca Tanzania nk'impunzi canke abasaba ubuhungiro, boba barakurikiranywe n'abakozi b'Iperereza kandi bakaba baragizweko ibikorwa vyo gusubizwa mu gihugu ku nguvu, guterwa ubwoba, guhagarikwa ata mategeko akurikijwe hamwe no kunyuruzwa bakaburwa irengero. (ingingo 6, 9, 12 na 26).

²⁰ CCPR/C/BDI/CO/2 et CCPR/C/BDI/CO/2/Corr.1, par. 16

34. Leta ikwiye gufata ingingo zose zikenewe kugira ngo yemeze ko abarundi bahungutse basubizwa mu mirimo yabo aho bishoboka umutekano wabo wubahirijwe kandi bakagumana agateka kabo. Leta ikwiye kandi gutohoza ku bikorwa vyose vyo gutera ubwoba, ugusahura, ugusubizwa mu gihugu ku nguvu, n'uguhagarika abantu ata mategeko akurikijwe ku Barundi bahungutse, no kwihweza ko abagize uruhara mu mabi bakurikiranwa kandi bagahanwa ibihano bikwiye, kandi ko abakorewe ivyaha n'imiryango yabo baronka indishi y'umubabaro ikwiranye n'amakuba bahuye.

Ukwigenga kw'ubutungane

35. Naho Leta yatanze inkuru, Komite iguma ifashe nkama ko ubutungane butigenga. Kuri ivyo, irashikiriza kandi ukuntu ihagaritswe umutima no kubona Umukuru w'Igihugu ari we arongoye Inama Nkuru y'Ubucamanza, n'Umushikiranganji w'Ubutungane akaba ari mu bagize iyo nama. Komite iratewe kandi impungenge cane n'ukuntu itegeko nshingiro no 1/02 ryo ku wa 23 Nzero 2021 riha iyo nama ububasha bwo kugenzura ingene imanza, ingingo z'amasentare n'izindi ngingo z'ubutungane zicibwa hamwe n'ingingo zifashwe kugira ngo zishirwe mu ngiro²¹. Komite yitwararitse kandi inkuru zivuga izindi ngorane n'ukugoyagoya kw'ubutungane, harimwo ukutaba ingingo zo kwemeza ko abacamanza badasubirizwa, kurya ibiturire, guteba cane mu bijanye n'intwano yo mu butungane hamwe n'ukubura ubushobozi bw'abantu n'amafaranga (ingingo 14).

36. Leta ikwiye gufata ingingo zose zikenewe kugira ngo ihindure cane igisata c'ubutungane cane cane:

- a) Kwemeza, mu mategeko agenga ukwikukira kw'ubutungane no kuyashira mu ngiro, ukwikukira kwuzuye, ukudahengama n'umutekano w'abacamanza n'abashikiriza imanza;
- b) Gucungera ko badaterwa igitsure mu buryo ubwaribwo bwose canke ngo bavogerwe n'izindi nzege, cane cane urwego nshingwabikorwa, harimwo no ku rwego rw'Inama Nkuru y'Ubucamanza ;
- c) Gukomeza kurwanya igiturire mu rwego rw'ubutungane;
- d) Kugabanya ukutevya cane mu gukurikirana imanza igihe zimara zitohozwa n'igihe zimara zungurujwe hamwe no mu gihe c'iburanishwa.
- e) Guha ubutungane abakozi n'amafaranga bihagije kugira ngo bukore ata nkomanzi.

Uburenganzira bwo gushikiriza ivyiyumviro

37. Komite irashikiriza ko hakiriwe itegeko numero 1/19 ryo ku wa 14 Nyakanga 2018 rigenga ibinyamakuru kandi ikemeza ko hagati y'umwaka wa 2021 na 2022, Umurwi w'igihugu ukirikirana uko ibimenyeshamakuru bikora mu Burundi CNC, yahagaritse ibihano vyari vyarafatiwe muri 2015 iradiyo Bonesha FM, iradiyo BBC n'ikinyamakuru *Ikiraho*. N'ubwo hari ayo mategeko, Komite iratewe umutima uhagaze n'amakenga nuko :

- a) Ibihe vy'ugufunga umwidgegemvyo w'abanyagihugu mu Burundi, vyibonekerezwa mu guhagarika no guhana ibinyamakuru bitari ivya Leta kandi vyigenga ;
- b) Igituma abagize umurwi w'igihugu ujejwe kugenzura uko ibimenyeshamakuru bikora CNC bagenwa n'umukuru w'igihugu, amakuru avuga yuko uwo murwi ata bwigenge ufise kandi uhengamye;
- c) Ivyegeranyo vyinshi vyerekeye ibikorwa vyo guhonyanga, gutera ubwoba no kuburabuza abamenyeshamakuru, abarwanira agateka ka zina muntu n'abatavuga rumwe na Leta ;
- d) Uko ibintu bimeze kuri Floriane Irangabiye, umunyamakuru wa radiyo Igicaniro, yafashwe muri Myandagaro 2022 n'abakozi b'iperereza inyuma y'aho avugiye ko Leta hari ivyo idakora neza mu kiganiro kuri radiyo, agacirwa urubanza ku wa 2 Nzero 2023 yagirizwa kuvogera igihugu" hashingiwe ku ngingo ya 611 y'Igitabu mpanavyaha (ingingo ya 19).

²¹ Burundi, itegeko n° 1/02 ryo kuwa 23 Nzero 2021 risubiramwo itegeko n° 1/13 ryo kuwa 12 Ruheshi 2019 rivuga ingene Inama nkuru y'Ubucamanza ikora, ingingo ya 3, agace ka 8.

38. Dufatiye ku mwihwezo rusangi numero 34 (2011) wa Komite ku bijanye n'uburenganzira bwo gushikiriza ivyiyumviro n'ukwidgeemvya mu gutanga amakuru, Leta ikwiye :

a) Gufata ingingo z'amategeko mperekeza zikenewe kugira ngo icungere ko kugabanya uburenganzira bwo gushikiriza ivyiyumviro bibe bihwanye n'ibisabwa n'amasezerano Mpuzamakungu ;

b) Gukuraho ibihano vyafatiwe ibinyamakuru bitari ivya Letabigifatiwe izo ngingo , no kubiha uburenganzira bwo gukora ata nkomanzi ;

c) Kwemeza ko Umurwi CNC ujejwe gukurikirana uko ibimenyeshamakuru bikora mu Burundi ukora wigenga kandi udahengamye ;

d) Gukora amatohoza ku bikorwa vyo guhonyanga, gutera ubwoba, no kuburabuza abamenyeshamakuru, abarwanira agateka ka zina muntu n'abatavuga rumwe na Leta, mu gukurikirana ababikora cane cane mu guhana abagiriwe no gukora ayo mabi ;

e) Guhagarika gukoresha nabi ingingo ya 611 y'Igitabu c'Amategeko mpanavyaha mu gushira mu vyaha uburenganzira bwo gushikiriza ivyiyumviro.

Uburenganzira bwo kugira amakoraniro mu mahoro.

39. Komite ifise umwitwarariko ko, hisunzwe amakuru Leta yatanze, kubanza gutanga uburenganzira bwo kugira amakoraniro biguma ari itegeko, ivyo bikaba biteye kubiri n'ibitegekanijwe mu ngingo ya 21 y'Amasezerano Mpuzamakungu no mu mwihwezo rusangi numero 37 (2020) wa Komite. Komite irafise impungenge kandi ku makuru menshi kandi yizewe ironka avuga ko :

a) Igipolisi gikoresha inguvu zirenze urugero, harimwo n'inguvu zo kwica, mu kubuza imyiyerekano y'amahoro, nk'uko vyabaye cane cane mu myiyerekano yo mu 2015 ;

b) Abapolisi, abakozi b'iperereza, Imbonerakure n'abategetsi bo hagati mu gihugu barahagaritse mu buryo bunyuranye n'amategeko abari mu myiyerekano canke barabuza ko imyiyerekano ikorwa, cane cane iyateguwe n'imigambwe itavuga rumwe na Leta canke amasendika y'abakozi ;

c) Abantu bategetswe ku nguvu kwitabira amakoraniro yateguwe ku rwego rw'igihugu n'umugambwe uri ku butegetsi canke Imbonerakure (ingingo ya 6, 21 na 25).

40. Mu kwubahiriza umwihwezo rusangi numero 37 (2020) wa Komite ku bijanye n'uburenganzira bwo gukuranira hamwe mu mahoro, Leta ikwiye gukora ibi bikurikira:

a) Gushira mu mategeko yayo ibitegekanijwe mu Masezerano Mpuzamakungu no gucungera ko mu gihugu cose kugabanya uburenganzira bwo gukuranira hamwe mu mahoro bwubahiriza ingingo yayo ya 21;

b) Gucungera ko ivyegeranyo vyose vyerekeye ugukoresha inguvu zirenze urugero n'ugufata abantu hadakurikijwe amategeko mu gihe c'imyiyerekano y'amahoro bitohozwako ku buryo bwimbitse kandi budahengamye abagirizwa ivyo vyaha bakurikiranwa kandi bagahanwa, kandi abasinzikarijwe ubuzima bakaronka indishi ;

c) Gutanga inyigisho ku bakozi bashinzwe gushira mu ngiro amategeko, ku bijanye n'ugukoresha inguvu, cane cane ku bijanye n'Amategeko Ngenderwako yerekeye ugukoresha inguvu n'ibirwanisho bikozwe n'abakozi bashinzwe gushira mu ngiro amategeko hamwe n'Amabwirizwa y'Ishirahamwe Mpuzamakungu ONU ashingiyeye ku gateka ka zina muntu yerekeye ugukoresha ibirwanisho bidakwega urupfu mu gushira mu ngiro amategeko ;

d) Kwemeza ko uburenganzira bwose bwo kwidagemevya mu gukoranira hamwe mu mahoro bwubahirizwa, mu mategeko no mu ngiro, harimwo n'imigambwe itavuga rumwe na Leta canke amasendika, no gucungera ko ata muntu ategakwa ku nguvu kwitabira imyiyerekano canke amakoraniro, harimwo n'ay'umugambwe uri ku butegegi.

Uburenganzira bwo kuja mu mashirahamwe

41. Komite iratewe impungenge n'uko itegeko numero 1/01 ryo ku wa 23 Nzero 2017, ryerekeye urwego rusanze rw'ugukorana hagati y'Uburundi n'amashirahamwe mpuzamakungu atari aya Leta, n'itegeko numero 1/02 ryo ku wa 27 Nzero 2017 ryerekeye urwego ngenderwako rw'amashirahamwe adaharanira ivyicarwo vya politike vyashizeho urwego rw'amategeko rukumira cane ukwidagemevya kwo kuja hamwe, mu gutegeka izo nzego kwiyandikisha uko imyaka ibiri iheze, gushira amafaranga yazo kuri konti ya banki nkuru y'igihugu, gushira ibikorwa vyazo mu migambi n'ivyihutirwa vya Leta, no guha akazi abakozi bafatiye kw'iringanizwa ry'ibitigiri vy'amoko. Komite iranegura cane cane n'uguhagarikwa, ugufutwa kw'amashirahamwe menshi adaharanira ivyicarwo vya politike mu Burundi kubera iryo rwego rw'amategeko. Irahangayikishijwe kandi n'amakuru avuga ko abantu batewe ubwoba n'Imbonerakure kugira ngo binjire ku nguvu mu mugambwe uri ku butegegi (ingingo ya 22).

42. Leta ikwiye gusubiramwo urwego rwayo rw'amategeko kugira ngo yemeze ishirwa mu ngiro nyakuri ry'uburenganzira bwo gushinga canke kuja mu mashirahamwe, ata kuvogerwa ivyo usanga mbere biteye kubiri n'ibitegekanijwe mu ngingo ya 22 y'Amasezerano Mpuzamakungu no kugenzurwa na politike ku ruhande rw'abategegi, no gufata ingingo zikenewe kugira ngo haburizwe imbere kandi harandurwe ugushirwa ku nguvu mu mashirahamwe, harimwo no mu mugambwe uri ku butegegi.

Ugukingirwa kw'abamenyeshamakuru n'abaharanira agateka ka zina muntu

43. Komite iguma ihangayikishijwe n'amakuru akomeza kuvuga ibikorwa vyinshi vy'amabi, uguhonyanga, ugutinyisha n'ibindi vyaha bitandukanye n'agateka ka zina muntu bikorerwa abamenyeshamakuru n'abarwanira agateka ka zina muntu, bikorwa n'igipolisi, abakozi b'iperereza hamwe n'Imbonerakure. Ayo mabi nyene, yiyongera ku vyaha vyamaze kwiyamirizwa mu bice 37, 39 na 41 vyavuzwe hejuru, abuzwa ko habaho umwanya w'abanyagihugu aho abantu bashobora koko gukoresha no guteza imbere agateka ka zina muntu mu mutekano ntangere. Komite irababajwe kandi n'ukunyuruzwa akagenda amazimayonko kw'umunyamakuru Jean Bigirimana kuva muri Mukakaro 2016 n'uwuharanira agateka ka zina muntu Marie-Claudette Kwizera mu 2015, bavugwa ko bafashwe n'inzego z'iperereza (ingingo ya 2, 9, 19, 21 na 22).

44. Leta ikwiye kwemeza ko abamenyeshamakuru, abarwanira agateka ka zina muntu n'abandi bakozi b'amashirahamwe adaharanira ivyicarwo vya politike bakingirwa amabi, iterabwoba, uguhonyanga n'ukubaburabuza, gutohoza ku bikorwa nk'ivyo, no gukurikirana no guhana abagirira nabi iyo mirwi ibiri. Leta ikwiye kandi kureka abo bantu bakagira umwidagemevyo wo gukora ibikorwa vyabo, harimwo no gukorana n'Ishirahamwe Mpuzamakungu ONU, ata bwoba bwo kugiriwa nabi, gutotezwa canke guhanwa.

Uburenganzira bw'umwana

45. N'ubwo yakiriye ko hemejwe Politike y'Igihugu yo gukingira Umwana (2020-2024), Komite ifise amakenga n'ubwoba ku makuru avuga ko abana bato cane bashobora kuba barinjijwe mu murwi wegamiye umugambwe uri ku butegegi ("ibiswi vy'inkona" canke "abana b'inkona") no mu Mbonerakure. Komite irafise kandi amakenga ku makuru avuga ko abo bana bashobora kuba baritavye imyiyerekano yateguwe n'abakozi b'i gipolisi, baririmba amajambo atera ubwoba harimwo n'urwanko rufatiye ku moko, kandi ikagaruka ku kubura amakuru ya Leta kuri ico kibazo. Yemeje ko hakorwa ibikorwa vyo gukangurira abanyagihugu gukingira abanyamwema, cane cane abana, ariko ikagaruka ku kubura amakuru yimbitse yerekeye ingingo zafashwe na Leta ku bana b'abanyamwema kugira ngo bakingiwe ivangura iryo ari ryo ryose (ingingo ya 24).

46. Leta ikwiye gufata ingingo zikenewe kugira ngo igire amatohoza ku vyegeranyo bivuga ko abana bato cane bashirwa mu mirwi yitwaza inguvu, aho bigishwa gukoresha inguvu canke bakigishwa urwanko rufatiye ku moko, no gusambura imirwi nkiyo, guhagarika ingendo nkiyo kandi Leta igashiraho uburyo bw'inyigisho ama nama nkarishabwenge yigisha amahoro, iterambere n'agateka ka zina muntu. Leta ikwiye kandi kongereza inguvu zayo kugira ngo ikingire abana bafise ubumuga bwo kuba Nyamwema bagakingirwa ikumirwa ryariryo ryose, harimwo no gukomereka ku mubiri wabo.

Ukwitabira indinganizo zitunganya ivy'igihugu

47. Komite irahagaritswe umutima n' amakuru menshi kandi yizewe yerekana urugero rwo hejuru rw'ibikorwa vya politike n'inyigisho zibiba urwanko rwa politike n'amoko, guhimiriza gusinzikaza ubuzima bwa kiremwa muntu canke kubuza umwitegemvye abo bose bazoba bariko biyamamaza mu migambwe hamwe n'abarongoye imigambwe itavuga rumwe n'ubutegetsi hamwe n'abanywanyi babo, ivyo bigakorwa n'Imbonerakure, abategetsi bajijwe intwari hagati mu gihugu, abapolisi canke abakozi b'iperereza, hamwe no gukoresha nabi urwego rw'ubutungane mu gutoteza abari mu migambwe itavuga rumwe na Leta, cane cane mu matora yo mu 2015 no mu 2020 no mu matora yo guhindura ibwirizwa shingiro mu 2018. Komite itewe ubwoba n'uko Leta itafashe ingingo zibereye kandi zikwiye kugira ngo ivyo vyaha bihanwe kandi ikabuza ko habaho ubundi bwicanyi, ivyo bigashobora kubera intambanyi amatora azoba mu 2025 no mu 2027 hamwe n'ukwubahiriza mu buryo bwuzuye ivyiyumviro bikurikira Amasezerano Mpuzamakungu imbere, mu gihe no nyuma y'amatora. Komite iratewe impungenge kandi n'inzizizi ku burenganzira bwo kwitoza mu matora bwashizweho n'Igitabu c'Amategeko agenga amatora ryahinduwe n' itegeko rigenga amatora numero 1/11 ryo ku wa 20 Rusama 2019, cane cane ibisabwa bikumira kugira ngo umuntu yitwe uwitoza yigenga (ingingo ya 7, 14, 25 na 26).

48. Leta ikwiye gufata ingingo zose zikenewe, imbere y'amatora yo mu 2025 no mu 2027, kugira ngo:

a) Ibuze imigumuko no gutera urwanko rwa politike n'amoko, kandi igateza imbere umuco w'ukwemera imigambwe myinshi ya politike ;

b) Yemeze ko umuntu wese, harimwo n'abiyamamaza n'abashigikira abatavuga rumwe na Leta, aronka uburenganzira bwose bwo gutora no gutorwa kandi igakora ku buryo imigambwe yose ya politike ishobora gukora igikorwa co kwiyamamaza mu mwitegemvye, bangana imbere y'amategeko no mu muco ;

c) Ikureho inzizizi n'amananza zashizweho ku burenganzira bwo kwitoza mu matora kugira ngo zishobore guhura n'ibitegekanyijwe mu Masezerano Mpuzamakungu ;

d) Ikore amatohoza yimbitse kandi adafise aho yegamiye ku vyegeranyo vyose vyerekeye gukoresha inguvu, gutera ubwoba, , gusinzikaza ubuzima bwa kiremwa muntu no guhonyanga agateka k'ukwitegemvye ku bantu bigirizwa kuba bagize abo bashigikiye mu migambwe itavuga rumwe na Leta, no gukurikirana abagirwa nayo mabi imbere y'ubutungane.

Uburenganzira bw'abagereranywa nk'abasangwabutaka.

49. N'ubwo ingingo za 169 na 185 z'ibwirizwa Shingiro zemeza ko habaho abaserukira batatu mu basangwabutaka b'Abatwa mu Nama Nshingamateka no Nama Nkenguzamateka, Komite iratewe impungenge n'amakuru avuga ko abagize umuryango w'Abatwa badaserukiye mu ntwaro ku rwego rw'intara n'amakomine, , nta kibanza na kimwe bafise mu Murwi w'Igihugu Wigenga w'Agateka ka Zina Muntu kandi bakaba bakumiriwe cane mu mabanga y'ubuyobozi mu bushikiranganji butandukanye. Komite ivuga kandi ko itewe impungenge n'amakuru yerekeye ingingo y'Inama y'Abashikiranganji yafashwe muri Ruhuhuma 2023 yo guhagarika ukwemeza Ingingo Nkuru y'Igihugu yo Guhuza no Gushiramwo Abatwa mu vy'Ubutunzi n'Imibano kugira ngo habeho mw'Iterambere Rirama 2022-2027 (ingingo ya 2, 25, 26 na 27).

50. Leta ikwiye gufata ingingo zikenewe kugira ngo :

a) Yemeze ko abanyagihugu b'abasangwabutaka b'Abatwa baserukirwa neza ku rwego rwa Leta, mu nzego zo mu ntwaro no mu Murwi w'Igihugu Wigenga w'Agateka ka Zina Muntu, harimwo no mu rwego y'abakomiseri ;

b) Yongereze inguvu mu migambi yayo yo guteza imbere amahirwe angana n'ukuronka uburyo bw'Abatwa, harimwo ukuronka uburyo bw'amagara y'abantu, inyigisho n'ubutungane, cane cane mu kwemeza Ingingo Nkuru y'Igihugu yo Guhuza no Gushiramwo Abatwa mu vy'Ubutunzi n'Imibano kugira ngo habeho Iterambere Rirama 2022-2027;

c) Yongereze ukwitabira kw'abagize umuryango w'Abatwa mu nzego zo gufata ingingo no mu ngingo ziberekeye.

D. Ukwamamaza no gukurikirana

51. Leta ikwiye gukwiragiza cane urwandiko rw'Amasezerano Mpuzamakungu, raporo yayo ya gatatu igaruka kandi n'ivyo vyiyumviro vya nyuma mu nzego z'ubutungane, z'amashirahamwe n'iz'ubutegetsi, mu mashirahamwe adaharanira ivyicarwo vya politike n'ayandi ategamiye Leta ari mu gihugu, hamwe no mu banyagihugu bose kugira ngo hongererwe ubumenyi bw'uburenganzira bushingwa n'ayo Masezerano Mpuzamakungu. Leta ikwiye gukora ku buryo iyo raporo n'ivyo vyiyumviro vya nyuma bihinduwe mu ndimi zayo zikoreshwa mu ntwaro y'igihugu.

52. Hakurikijwe ingingo ya 75 (igika ca 1) c'Amategeko Ngenderwako ya Komite, Leta irasabwe gutanga, bitarenze ku wa 27 Mukakaro 2026, amakuru yerekeye ingingo zafashwe ku vyashikirijwe mu bice vya 28 (guhagarika abantu ata mategeko akurikijwe), 44 (ugukingirwa kw'abamenyeshamakuru n'abarwanira agateka ka zina muntu) na 48 (ukwitabira indinganizo y'ivy'igihugu) vyavuzwe hejuru.

53. Hakurikijwe igihe gitegekanywa co gusuzuma ca Komite, Leta izoronka bivuye muri Komite mu 2029 urutonde rw'ibibazo vyo gusuzuma imbere yo gutanga raporo kandi izoba ifise ikiringo c' umwaka umwe wo gutanga inyishu zayo, izoba ari raporo yayo ya kane igaruka. Komite irasaba kandi Leta ko, mu gihe izoba iriko iratunganya iyo raporo, yogira amanama yagutse n'amashirahamwe adaharanira ivyicarwo vya politike n'ayandi ategamiye Leta ari mu gihugu. Hakurikijwe icemezo 68/268 c'Inama Nkuru ya Bose, raporo ntishobora kurenza amajambo 21 200. Ikiganiro gikurikira c'ubwumvikane na Leta kizobera i Geneve mu 2031