UBURUNDI

ICEGERANYO NTABANDUKA

Amatora y'Abajenama b'Amakomine, ay'Umukuru w'Igihugu, ay'Abashingamateka, ay'Abakenguzamateka, n'ay'Abakuru b'Imitumba yo mu mwaka w'2010.

ISHIRAHAMWE RYA BURAYA
UMURWI UKURIKIRANA AMATORA

Iki cegeranyo caringanijwe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora mu Burundi urashikiriza kandi imyihwezo ntabanduka ijanye n'igikorwa kiraba amatora y'Abajenama b'Amakomine, ay'Umukuru w'Igihugu, ay'Abashingamateka, ay'Abakenguzamateka, n'ay'Abakuru b'Imitumba yo mu mwaka w'2010. Iki cegeranyo nticigeze gifatwa canke ngo cemezwe mu buryo ubwo aribwo bwose n'Intumwa z'Ishirahamwe ry'Abanyaburaya, kandi ntigishobora kwitirirwa Intumwa z'Ishirahamwe ry'Abanyaburaya. Intumwa z'Ishirahamwe ry'Abanyaburaya ntizihagarariye ivyashikirijwe biri muri iki cegeranyo.

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I. INCAMAKE

Umugambi ugira kabiri w'amatora y'inyuma y'ikiringo c'imfatakibanza, akaba ari ubwa mbere abarongozi b'abarundi bitunganirije amatora ata n'inteko mpuzamakungu zibifashijemwo, uwo mugambi waranzwe no gutsimbataza ku butegetsi umugambwe CNDD-FDD mu butegetsi bw'Igihugu cose na cane cane mu gutora Petero NKURUNZIZA arongore igihugu ikiringo ca kabiri. Igice kinini kigize Inama Nshingamateka, Inama Nkenguzamateka, hamwe rero n'igice kinini c'Abamunsitanteri b'Amakomine. Ikiringo c'amatora cari kigizwe n'urukurikirane rw'amatora atunganijwe mu biringo bitanu : amatora y'Abajenama b'Amakomine (igenekerezo rya 24 Rusama), ay'Umukuru w'Igihugu (igenekerezo rya 28 Ruheshi), ay'Abashingamateka (igenekerezo rya 23 Mukakaro), ay'abakenguzamateka (igenekerezo rya 28 Mukakaro) hamwe rero n'ay'Abakuru b'Imitumba (igenekerezo rya 7 Nyakanga). Amatora yo kw'igenekerezo rya 24 Rusama yakurikiwe n'icuka kibi muri politike hagati ya CNDD-FDD, ari nawo watahukanye amajwi menshi muri ayo matora, hamwe n'imigambwe itavuga rumwe na Reta yahakanye ivyavuye muri ayo matora. Iyo migambwe rero ikaba yaciye ija hamwe mu kwunga urunani ADC-Ikibiri, ica isaba, nk'uko n'Umugambwe UPRONA wabigize, isubirwamwo ry'amatora y'Abajenama b'Amakomine hamwe rero no gusuburiza Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI. Ukutizigira itunganywa ry'amatora kw'iyo migambwe vyaciye biyituma yiyonkora mu matora akurikira.

Muri rusangi, amategeko yari yategekanije umushinge ushimishije mw'itunganywa ry'amatora wifadikanije n'ingingo mpuzamakungu zigenga umugambi w'amatora. Amategeko agenga amatora yo mu 2010 yaragizwe n'amategeko mpuzamakungu, ay'akarere, hamwe rero n'urwandiko rw'amategeko y'Igihugu harimwo n'Ibwirizwa Shingiro ryo mu 2005 akaba ari nayo ngenderwako. Ukudakwira, ukwivuguruza, na cane cane amategeko atadomwako urutoke mu Gitabu c'amategeko agenga amatora co kw'igenekezo 18 Nyakanga 2009, vyateye umutima uhagaze Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora. Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, vyamye vyibonekeza ko ubwirizwa gushinga amategeko canke izindi ngingo zose zishobora gufasha kugira ngo umugambi w'amatora ubandanye kandi ushobore kwuzuriza ibibura n'ibitumvikana neza mu gitabu c'amategeko agenga amatora mu kiringo cose c'umugambi w'amatora.

Mu bijanye n'itangwa ry'uburyo bukoreshwa n'imigambwe, Reta nta ntarerano itanga kuri iyo migambwe ariko iratanga intererano mu myiyamamazo y'amatora hakurikijwe uburyo butegerezwa kugenwa. Naho biri uko, Ubushikiranganji bw'Intwaro yo Hagati mu Gihugu bwaremereye Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ko mu mafaranga yategekanijwe na Reta y'umwaka wa 2010, ico kigabane kitari cashizwemwo. Ahanini imigambwe myinshi ntiyashoboye kwiyamamaza bishimishije nk'umugambwe CNDD-FDD.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora waribukije incuro nyinshi ko ibijanye n'amatati aturutse ku matora bitigeze vyigwa neza ngo bishirwe ahabona mu Gitabu c'amategeko agenga amatora, kandi ko n'ingendo zikurikizwa imbere ya Sentare yubahiriza Ibwirizwa Shingiro hamwe n'imbere y'Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI ; zikaba ari inzego zitunganya amatora mu gihugu, zitigeze zimenyekanisha bikwiye imbere y'amatora yabaye. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warongeye uradoma urutoke incuro nyinshi ku kutitaho bikwiye ingendo zijanye n'amatati aturutse mu matora y'Umukuru w'Igihugu, ay'Abashingamateka n'ay'Abakenguzamateka hamwe rero n'ukutabaho kw'ingendo zitorera inyishu amatati aturutse ku matora y'Abajenama b'Amakomine n'ay'Abakuru b'Imitumba.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warabonye ko umugambi w'Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, wagiye

uratera imbere hagiyemwo n'itunganywa z' inyigisho zahawe abagize ibiro vy'amatora. Naho biri uko, uwo murwi warabonye utunenge tw'amategeko n'impungenge ziyakomokako mu bijanye n'ingingo ngenderwako zigenga guhanahana amakuru mu Murwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI. Irangurwa ku mugaragaro ry'umugambi w'amatora ryaratosekajwe n'uko Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, wirengagije gutorera inyishu utunenge twibonekeje mw'itunganywa ry'uwo mugambi.

Ingendo yo gukorera ku mugaragaro yasaba ko imigambwe ihiganwa hamwe n'abitoza ko basuzuma ubwabo ingendo y'inyanka mugayo mu biringo vyose vy'umugambi w'amatora. Ivyo vyabonetse ko bidashoboka mu buryo bw' ibikoresho kubera batamanitse ku mugaragaro ku biro vy'amatora hamwe n'ukutereka ama kopi y'ivyegeranyo abaserukira imigambwe. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urashima umwitwarariko w'Abagize imurwi yigenga y'amatora mu ntara CEPI, mu ma Komine CECI, hamwe n'ibiro vy'amatora mukiringo c'umugambi w'amatora.

Uravye uburyo budasa bw'ikiringo c'amatora hamwe n'urukwirikirane rw'amatora atanu ibice bitandukanye vyokwiyamamaza vyaranzwe n'ibihe vyiza vya politike n'umutekano muri rusangi ku gice cose c'amatora. Wihweje ihindukira rya politike, nokwivana mw'ihiganwa imigambwe myinshi muyitavuga rumwe n'uwuri kubutegetsi inyuma y'amatora y'amakomine, ukwiyamamaza ku matora y'amakomine mbere uravye, asa n'ayafise umurindi w'amatora y'Umukuru w'Igihugu niyo yitabwe n'abanyepolitike benshi. Ibindi bice vy'imyiyamamazo vyaranzwe n'ibihe vyo kuzibirana mu vya politike, ibihe vy'umutekano muke, hamwe n'igwirirana ry'abapfungiwe ivya politike.

Naho hategekanijwe ko Reta iterera mu bijanye n'amatora, ubwo buryo ntibwabonetse ibihe vyose vyo kwiyamamaza birangwa n'ubusumbasumbane bw'uburyo bwakoreshejwe na CNDD-FDD n'imigambwe itavuga rumwe na Reta. Ivyo vyunyurwa no kwikora ku buryo bwa Reta cana cane n'Umugambwe CNDD-FDD. Iyo ngendo isanzwe ibujijwe ntiyigeze ihanwa nk'uko bitegekanijwe n'amategeko. Muri rusangi abajejwe umutekano barakoze neza akazi bajejwe ko gucungera umutekano.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warabonyeko ku kiringo c'umugambi w'amatora hagiye hibonekeza igwirirana ryo kwakwa uburenganzira bwo kugirisha amanama, bw'imyiyerekano hamwe n'uguserura ivyiyumviro vya politike. Bisubiye, ihagarikwa ry'abanywanyi benshi batavuga rumwe n'ubutegetsi (FNL, UPRONA, UPD, MSD na CNDD) ryaragizwe n'abapolisi hamwe n'urwego rw'Igihugu rujejwe iperereza mu kiringo c'amatora. Ishirahamwe riharanira agateka ka zina muntu n'ak'abanyororo (APRODH), hamwe n'ibiro biserukira Ishirahamwe Mpuzamakungu vyub ahiriza agateka ka zina muntu mu Burundi, baremeje ko habaye igwirirana ry'ihagarikwa n'ifungwa mu gihe c'amatora, abashika 294 barahagaritswe hagati y'ukwezi kwa gatanu gushika itariki 6 z'ukwicenda 2010.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora wifuza guserura amakenga ufise ku bijanye nihagarikwa ry'abatavuga rumwe na Reta, abamenyeshamakuru, mu biringo vyisubirije vy'ukubaha imitahe itavanako vyakozwe n'abajejwe ubutungane n'ubushikiranganji bw'intwaro yo hagati vyagiriwe Gabriel RUFYIRI arongoye Ishirahamwe ryo kurwanya ibiturire n'isesagurwa ry'ubutunzi hamwe na Pacifique NININAHAZWE arongoye urunani rw'amashirahamwe adaharanira inyungu za politike. Mu kiringo cose c'amatora, ibimenyeshamakuru vyose bitandukanye vyaragiye hamwe kugira ngo bimenyeshe ingene amatora ariko aragenda. Umurwi

w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urashima ukwo kwiyunga hamwe nuko vyagenze neza.Uwo murwi urateye intege ibimenyeshamakuru ko vyobandanya gurtyo no mu matora azokurikira. Ibimenyeshamakuru vyaragerageje gukora akazi kavyo muri rusangi ku bijanye n'umwidegemvyo wavyo. Ariko Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urababajwe n'ikubagurwa ry'abamenyeshamakuru mu gihe c'amatora cane cane ifungwa ry'uwurongoye ikinyamakuru Net Press.

Muri rusangi, amatora yabaye mu mutekano ntangere. Ukudashira ahabona ivyegeranyo vyari bigenewe abaserukira imigambwe vyaratumye haba ukutumvikana cane cane mu matora y'Amakomine kuko bitashoboka ko bashikiriza utunenge ku Murwi Wigenga wo mu Ntara, CECI, ariwo warufise uburenganzira bwo gutorera inyishu utwo tunenge. Ku matora y'Abashingamateka, Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, wamenyesheje utevye, amasaha 48 imbere yuko amatora aba, igwizwa n'imanikwa ry'ivyegeranyo vy'ivyavuye mu matora ku bibanza vy'Imirwi Yigenga Ijejwe Gutunganya Amatora ku rwego rw'Amakomine, CECI, kugira ngo abaserukira imigambwe bashobore kubisoma. Izo ngingo zafashwe zitevye ntizashoboye guhurirana n'intumbero yari ihari. Ubwa mbere, ivyo vyotumye abaserukiye imigambwe bataronka icegeranyo bari bafitiye uburenganzira, Ubwa kabiri, vyatumye abaserukiye imigambwe batabona neza ingene uko ivyegeranyo vyagizwe kuva ku gice c'iharura ry'amajwi, ivyo vyari gushoboka iyo babishira ku mugaragaro mu maguru masha, bakabiha abaserukira imigambwe imbere y'igihe.

Wihweje uyu mugambi w'amatora, iki cegeranyo kirimwo ibisabwa gutosorwa mu matora azokwirikira mu Burundi. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wizigiye ko ivyo wasavye bizogirira akamaro ku bazoshinga amategeko mashasha, Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu,CENI, ubu ubaye igisata kizokwamaho, imigambwe iserukiwe muri Reta, iyidaserukiwe hamwe n'amashirahamwe adaharanira inyungu za politike. Muri ivyo bisabwa, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora washaka guserura 6 muri ivyo:

1. **Itunganywa ry'amatora atanu mu kiringo gito ryarateye ingorane, uretse kuronka ibikoresho n'ikiguzi cavyo, harabaye n'ingaruka mbi za politike. Birasabwe rero ko hogabanywa uburyo buzokoreshwa mu matora yo hanyuma; gushirahamwe amatora amwe amwe ku munsi umwe nk'akarorero amatora y'Abajenama b'Amakomine n'ay'Abakuru b'Imitumba akabera rimwe, hanyuma amatora y'Abashingamateka n'ay'Umukuru w'Igihugu akaja hamwe, canke bagategekanya amatora ku myaka itandukanye. Mu ntumbero yo kuryohora Ibwirizwa Shingiro, vyoba vyiza bagabanije ikiringo gitandukanya amatora n'ayandi, nko kuva imyaka iri hagati ya 2010 na 2015 ku Baserukira Komine, Imitumba, n'Uducimbiri. Kubera y'uko Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu,CENI uzokwamaho, Ico kiringo cogabanywa gushika imyaka 3 canke 4 kugira bahe akaryo abanyagihugu ko gushikiriza ico babona mu bihe bitandukanye vy'intwaro bongere bahe umwanya Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, wo gutegura neza amatora adakoranirijwe hamwe mu gihe kimwe.**

2. **Ikoreshwa ry'ikarata y'amatora imwe kuri bose mu matora azokurikira ni ngombwa kubw'imvo zitandukanye nko kugabanya uburyo buzokurikira mu matora azokwirikira; kugabanya ibikurikizwa n'abanyagihugu mu gutora hamwe**

n'abagize ibiro vy'amatora; kugabanya umwanya wo guharura amajwi n'ukwirinda urusukirane ruvuye ku masandugu abiri y'amatora.

Ikarata y'amatora imwe kuri bose yokuraho utunenge duturutse ku bice vy'ukudahura kw'ibitigiri, mw'itunganywa ry'amatora kandi bikorwa mu buryo bwihishije. Gukuraho uburyo bwose bwogutera ubwoba uwutora cane cane kudatereka ubwiherero bw'amatora kuburyo ushobora kubona uwutora icagize nkuko vyabonetse mu matora y'amakomine kandi bakareka gusaka umuntu avuye mu kazu kitora, ishirwaho ry'ikarata y'amatora imwe ryokworohereza abatora batazi gusoma n'ukwandika mu gushira igikumu kw'ikarata y'itora.

3. **Ibijanye n'amategeko bikwiye gusubirwamwo kugira hakosorwe amatati no kutarorana kw'amategeko amwe amwe y'Igitabu arimwo hamwe n'Ibwirizwa Shingiro, ukudahuza biri hagati y'Igitabu c'amategeko agenga amatora n'ayandi mategeko y'Igihugu na mpuzamakungu, nk'amasezerano yubahiriza agateka k'Ubwenegihugu n'aka politike.**

   Igitabu c'amategeko agenga amatora yasubiwemwo cotegerejwe:

   - **Gushiramwo ibisabwa mu gihe c'amatati ashikirizwa n'Umurwi Wigenga Ujejwe Gutunganya Amatora ku rwego rw'Intara, CEPI.**
   - **Kwerekana neza ingene Sentare yubahiriza Ibwirizwa Shingiro bayitura amatati**
   - **Gutomora neza ukuntu bosubiramwo intone z'amatora**
   - **Gushiraho uburyo bwo kudakurikiranwa ivyagateganyo ku bitoza mu gihe c'amatora**
   - **Kunonosora neza uburyo bwo kongeramwo uwutari yatowe**

4. **Birasabwe ko ingingo zimwe zimwe zo gukorera ku mugaragaro zoshirwa mu Gitabu c'amategeko agenga amatora, na cane cane :**

- **Intonde z'abitoza zitegerezwa kumanikwa kandi ikopi igategerezwa guhabwa imigambwe hamwe n'abitoza bigenga;**
- **Intonde z'abitoza ku matora ayo ariyo yose zitegerezwa kubanza gutangazwa kandi zigatangwako inkuru zikwiye;**
- **Abaserukira imigambwe bari mu biro vy'amatora bategerezwa guhabwa ikopi y'ivyavuye mu biro vy'amatora bakoresheje ikopi karubone (ituma ibiri ku rupapuro vyibonekeza ku rundi ruri inyuma) canke ku cegeranyo cemejwe;**
- **Abahagarikizi bategerezwa guhabwa ikopi y'icegeranyo c'ibikorwa vy'amatora kirimwo imyihwezo yabaye;**
- **Ivyavuye mu matora vyashikirijwe n'ibiro vy'amatora bibwirizwa kumanikwa ku bibanza vy'amatora vuba bwango, iharura riheze;**
- **Irungikwa n'iyegeranywa y'ivyavuye mu matora ritegerezwa kwerekanwa neza.**

5. **Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, utegerezwa kurangura ibanga ryawo uhabwa n'Ibwirizwa Shingiro ryo gutunganya amatora yo ku mugaragaro. Turetse ingingo zifatwa ku mugaragaro zoshirwa mu mategeko, hasabwe ko:**

- **Ivyegeranyo vy'ivyavuye mu matora vyashizwe hamwe ku rwego rw'Amakomine, Intara hamwe no mu Gihugu cose bitegerezwa gusubiramwo ibiharuro vyose biri ku vyegeranyo vyavuye mu matora ku biro vy'amatora, nk'akarorero, uretse amatora**

  ashingiye ku ntonde no kubitoza bari mwi higanywa, igitigiri c'abatora, amakarata yakiriwe, amakarata yahawe abatora atakoreshejwe, ay'impfagusa, ayagaragara, n'ayandi… Ivyo biharuro bitabonetse, ntibishoboka guharura neza ibitigiri nyavyo vy'amatora.

6. **Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warabonye, muri ico kiringo, uruhara rushimishije rw'ibimenyeshamakuru vyo mu Burundi, mu gikorwa carangutse muri ico kiringo c'umugambi w'amatora na cane cane mu kwubahiriza uburenganzira abanyagihugu bafise bwo kuronswa inkuru. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urashimangira ugusenyera ku mugozi umwe kw'«urunani » rw'ibimenyeshamakuru mu kuvuga ivyabaye ku biringo vyose vy'amatora eka mbere no ku minsi yose y'amatora. Ukwigenga kw'ibimenyeshamakuru hamwe n'uburenganzira bwo gushikiriza iciyumviro ni nkenerwa kuri Reta yubahiriza intwaro rusangi. Birasabwe rero ubutegetsi bushasha kubandanya izo nguvu mu kubungabunga uburenganzira bwo gushikiriza iciyumviro mu bimenyeshamakuru.**

II. INTANGAMARARA

Inyuma y'Ubutumire bwa Reta y'Uburundi mu kwihweza ikiringo c'amatora co mu mwaka w'2010 kirangwamwo amatora y'Abajenama b'Amakomine yo kuwa 24 Rusama, ay'Umukuru w'Igihhugu yo kuwa 28 Ruheshi, ay'Abashingamateka yo kuwa 23 Mukakaro, ay'Abakenguzamateka yo kuwa 28 Mukakaro, hamwe rero n'ay'Abakuru b'Imitumba yo kuwa 7 Nyakanga, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora washitse mu Burundi kuwa 25 Ndamukiza 2010, kandi uca uguma mu gihugu gushika kuwa 11 Myandagaro no kuva kuwa 5 gushika kuwa 12 Nyakanga mu ntumbero yo gukurikirana amatora ya nyuma yo ku mitumba. Ico gikorwa cari kirongowe n'Umupfasoni Renata Weber, ari nawe yari umukuru w'abarorerezi akaba ari mu bagize Inama Nshingamateka y'ibihugu vya Buraya.

Ibango ry' Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora kwari ukwihweza neza umugambi w'amatora ugereranije n'ibisabwa vyubahirije amatora y'intwaro rusangi ku rwego mpuzamakungu, dufatiye ku mategeko y'Uburundi kandi twisunze uburyo Ishirahamwe rya Buraya rikora kandi n' « ingingo ngenderwako zemejwe mu guhagarikira amatora mpuzamakungu » zibukwa no ku rwego rw'Ishirahamwe Mpuzamakungu muri Gitugutu 2005. Abarorerezi bangana na mirongo ine n'umwe b'Ishirahamwe rya Buraya, Ubuswisi, Norveje, na Kanada barakwiragijwe mu ntumbero yo guhagarikira amatora y'Abajenama b'Amakomine, ay'Umukuru w'Igihugu hamwe n'ay'Abakenguzamateka. Ku matora y'Abashingamateka yabaye kuwa 23 Mukakaro, abarorerezi mirongo umunani na batandatu ni bo bayahagarikiye. Ubwa nyuma, abagize Umurwi-ndongozi barakurikiranye barongera barahagarikira amatora y'Abakuru b'Imitumba. Abarorerezi b' Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora baratanguranye n'ico gikorwa bongera baragisozera, eka mbere batako bararaba n'ibikorwa vy'iharugwa, irungikwa n'iyegeranywa ku ntara cumi n'indwi zigize igihugu.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warakurikiranye uwo mugambi gushika kw'isozerwa ryawo dushizemwo n'igikorwa

c'iyegeranywa ntabanduka c'ivyavuye mu matora hamwe no kwihweza ivyashikirijwe bitagenze neza n'amakosa yibonekeje mu matora. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warashikirije ivyegeranyo Mfatakibanza bitatu inyuma y'amatora y'Abajenama b'Amakomine yo kuwa 27 Rusama, ay'Umukuru w'Igihugu yo kuwa 30 Ruheshi, n'ay'Abashingamateka yo kuwa 25 Mukakaro. Iki cegeranyo ntabanduka gishaka gutanga iciyumviro kiramvuye kandi kirangutse ku vyihwejwe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora mu kiringo c'umugambi w'amatora cose eka mbere n'impanuro zishimikiye mu vyavuye mu vyihwejwe vyose.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urashimira Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, abategetsi b'igihugu, imigambwe, abitoza ku gatwe kabo, abandi bahagarikizi b'amatora bo mu yandi mashirahamwe ku rwego rw'igihugu na mpuzamakungu hamwe rero n'amashirahamwe adaharanira inyungu za politike yo mu Burundi, yemeye kuwakira no gukorana nawo muri iki kiringo c'uguhagarikira amatora. Ubwa nyuma, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urakengurukira Intumwa z'Ishirahamwe ry'Abanyaburaya ryo mu Burundi, n'Abaserukira ibihugu vyabo biri mw'Ishirahamwe rya Buraya, n'ibindi bihugu vyaserukiwe biri mu Burundi, hamwe rero n'Ishirahamwe Transtec yabifashijemwo.

III. IVYEREKEYE POLITIKE

A. IBIJANYE NA POLITIKE HAMWE N'IBIHE VYARANZE IKIRINGO C' IMBERE Y'AMATORA

Kwibutsa Ivyabaye

Akahise ka politike y'Uburundi karanzwe n'indwano y'amoko ivyo bikaba vyakurikiwe n'amatora yubahirije intwaro rusangi yatunganijwe inyuma y'imyaka mirongo itatu Uburundi buri mu ntwaro y'umugambwe umwe ariwo Mugambwe uharanira iterambere ry'Abanyagihugu UPRONA (UPRONA, Umugambwe wiganjemwo abatutsi[1]). Amatora yo mu 1993, yatsinzwe ubwambere n'umuhutu ku ntebe y'Umukuru w'Igihugu, Melchior Ndadaye akomoka mu mugambwe FRODEBU, ariko ihirikwa ry'ubutegetsi ryo kuwa 21 Gitugutu 1993 ryahagaritse umugambi w'intwaro rusangi bica bituma Igihugu kija mu kaga.

Inyuma y'imyaka myinshi y'ibiganiro vyahahagarikiwe n'Ibihugu vyo mu karere (Ubuganda, Tanzaniya, na Afrika yepfo) hamwe n'amakungu, Amasezerano y'Amahoro no Kunywanisha yo mu Burundi yateweko umukono i Arusha muri Myandagaro mu mwaka w'i 2000. Ayo masezerano yategura ikiringo c'imfatakibanza mu ntumbero yo kuva mu ndwano hagati ya bene gihugu kugira ngo hategurwe amatora yubahirije intwaro rusangi.

Amasezerano y'i Arusha aharanira ko ukunywana kwoshirwa imbere, hamwe n'ubumwe bw'abarundi akongera agategekanya ukunganisha kw'amoko. Kubwivyo, twisunze ayo masezerano Reta y'imfatakibanza yarashizweho yubahiriza ugukurakuranwa k'ubutegetsi

[1] Igitigiri kizwi cubahirije ubwoko ni : abahutu 85%, abatutsi 14%, hamwe n'abatwa 1%. Ariko ivyo biharuro biriho kuva ku ntwaro ya gikoroni, vyumvikana ko bitakijanye n'iki gihe tugezemwo.

kw'abahutu n'abatutsi[2]. Mu kwezi kwa Munyonyo 2003 niho haterwa igikumu ku masezerano y'i Pretoriya hagati ya Reta y'imfatakibanza n'umugambwe CNDD-FDD wa Petero NKURUNZIZA utari wateye umukono ku Masezerano y'i Arusha, yatumye haterwa umukono ku masezerano rusangi yo guhagarika indwano hagati y'imirwi ibiri. Inyuma yo kwinjizwa nyezina mu nzego mfatakibanza no mu nzego z'umutekano umugambwe CNDD-FDD, ubugizi bwa nabi bwaragabanutse.

Amatora yo mu mwaka w' 2005.

Amatora ya mbere yaringanijwe inyuma y'Intwaro mfatakibanza yabaye hagati ya Ruheshi na Nyakanga 2005[3]. Muri ayo matora, umugambwe CNDD-FDD niwo warushije iyindi mu mice yose yayaranze. Waronse ibice 57,3 % vy'amajwi mu matora y'Abajenama b'Amakomine, ibice 58,55 % vy'amajwi mu matora y'Abashingamateka n'intebe 30 kuri 34 mu Nama Nkenguzamateka. Uwari ayoboye uwo mugambwe, Petero Nkurunziza, yatowe n'abaserukira abandi kuba Umukuru w'Igihugu. Ayo matora yatumye haba ihinduka rinini mu vy'intwaro kubera imbere y'aho, Frodebu na Uprona niyo migambwe yari ifise uruhara runini. Reta ihurijweko na bose yarashwinzwe mu kwezi kwa Munyonyo 2005, hisunzwe ukwubahiriza ibitigiri vy'abakomoka mu migambwe, ukunganisha ibitigiri vy'ibitsina n'amoko nk'uko Ibwirizwa Shingiro ry'inyuma y'Intwaro Mfatakibanza ribivuga.

Inyuma y'imyaka ibiri, Reta n'umuhari wari usigaye urwana, PALIPEHUTU-FNL, bimaze gutera igikumu ku masezerano yo guhagarika intambara muri Nyakanga 2006, niho izo mpande zibiri zashika ku masezerano ntabanduka yo gushira mu ngiro amasezerano yo guhagarika intambara. Uwo muhari umaze kwakwa ibirwanisho no gukurako agace k'izina ryawo gafatiye k'ubwoko, FNL wahavuye wemerwa nk'umugambwe itariki 21 Ndamukiza 2009.

Amatora yo mu mwaka w'2010: Ivyaranze igihe c'imbere yayo.

Amatora yo mu mwaka w'2010 yatumye igihugu kibwirizwa: gutegura amatora meza arangwa n'umutekano kandi yizigiwe na bose. Ayo matora yabaye intambwe iboneka itewe mu gutsimbataza amahoro n'intwaro rusangi. Aho bitandukaniye n'amatora yaheruka, itegurwa ryayo ryega, muri vyose, Abategetsi b'Uburundi ata n'inteko za gisirikare mpuzamakungu zije gucungera umutekano wayo. Urukurikirane rw'amatora rwari rutunganijwe mu mice itanu harimwo Amatora yabajenama b'amakomine (24 Rusama)[4], ay'Umukuru w'Igihugu (28 Ruheshi), ay'Abashingamateka (23 Mukakaro), ay'Abakenguzamateka (28 Mukakaro), n'ay'Abakuru b'Imitumba (7 Nyakanga).

Ikibazo co gushiraho umurwi Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, wemejwe na bose hagati ya CNDD-FDD n'imigambwe itavuga rumwe na Reta kimaze gukemurwa, isubirwamwo ry'Itegeko rigenga amatora ryarateye ukutumvikana gushasha. Ahanini ibibazo vyatewe n'ukudahuza mu bijanye

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[2]Ikiringo ca mbere c'intwaro mfatakibanza catanguye itariki 1Munyonyo, carongowe n'Umukuru w'Igihugu Petero Buyoya akaba yari umututsi ava mu mugambwe UPRONA, ikiringo ca kabiri naco kirongorwa n'Umuhutu Domitien Ndayizeye wo mu mugambwe wa Frodebu.

[3] Itariki 3 Ruheshi mu matora y'Abajenama b'Amakomine, itariki 4 Mukakaro mu matora y'Abashingamateka, itariki 19 Mukakaro mu matora y'Abakenguzamateka, itariki 19 Myandagaro mu matora y'Umukuru w'Igihugu, ayo abiri ahereza akaba yakozwe n'abatowe ngo baserukire abanyagihugu, hamwe n'itariki 23 Nyakanga 2005 mu matora yo ku mitumba

[4] Buca amatora aba, amatora y'Abajenama b'Amakomine yari yategekanijwe kw'itariki 21 Rusama, yarungururijwe kuwa 24 Rusama ata mpari.

n'urukurikirane rw'amatora, aho umugambwe wari ku butegetsi wipfuza ko amatora yohera ku y'Umukuru w'Igihugu, wishimikije ubwamamare bw'Umukuru w'Igihugu, Petero Nkurunziza, kugira batsinde amatora yose. Uwo mukenyuro niwo watumye aba ariwe atorwa ngo asubire kwitoza naho hari ibihuha ko mu mugambwe batamuhurizako bose.

Imigambwe itavuga rumwe na Reta, yoyo, yari ishigikiye urukurikirane rw'amatora ahereye ku ntango ni ukuvuga amatora y'Abajenama b'Amakomine[5]. Amashirahamwe adaharanira inyungu za politike na cane cane Amakungu vyariyamirije inyifato ya Reta ku bijanye n'ico kibazo hamwe no kwanka ibiganiro bikaba vyahavuye bigondoza Umukuru w'Igihugu ngo ahamagaze ibiganiro vyo gukemura ivyo bibazo. Ivyo biganiro vyasozerewe n'ukwumvikana kwaranzwe n'iyemezwa ry'Igitabo c'amategeko agenga amatora, kw'itariki 18 Nyakanga 2009 vyumvikanyweko na benshi.

Amezi y'imbere y'imyiyamamazo y'amatora y'Abajenama b'Amakomine yaranzwe n'imishamirano ikomeye, ndetse no gutana mu mitwe hagati ya CNDD-FDD n'imigambwe itandukanye itavuga rumwe na Reta. Haribonekeje n'imirwi y'urwaruka rwa CNDD-FDD yitwa "Imbonerakure", uretse ko bakora amakarashishi yo ku rwana, iyo mirwi yaranakoze kenshi iterabwoba ku banywanyi b'iyindi migambwe. Iyo migambwe nayo yaciye yikora ku mirwi yayo y'urwaruka[6].

Bitewe n'ubwinshi bw'Abanyepolitike basangiye umurwi bifuza w'abatora (abatora bab'umuhutu)[7], ihiganwa vyaragaye ko rigoye[8]. Ni nka FNL, urongowe na Agathon Rwasa azwi nk'uwuhambaye kuruta abandi mubatavuga rumwe na Reta. Mu yindi migambwe harimwo UPD[9] na MSD[10], uyiravye ishoboye guhangana na CNDD-FDD. Kuri urwo rutonde hiyongerako FRODEBU, uri muri Reta ariko ukifata nk'uwutavuga rumwe nayo[11] n'umugambwe CNDD wa Leonardo Nyangoma.

Kubera atamatohoza yakozwe mu Burundi, vyaragoranye kugereranya no kwibaza abazohava barusha abandi imbere y'uko amatora y'Abajenama b'Amakomine aba. Amatora y'Abajenama b'Amakomine yaciye aba ayahambaye kubera yatumye bashobora kugereranya no kwibaza uko amatora akurikira azogenda biturutse ku vyayavuyemwo. Ibihe vy'imbere y'amatora vyaranzwe kandi n'ukwiga uburyo imigambwe itavuga rumwe na Reta yokwiyunga kugira ishobore guhangana n'umugambwe CNDD-FDD. Mu gihe

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[5] Ikindi kibazo cateye impari cakomotse k'ubwoko kw'ikarata yokoreshwa; ku bwa CNDD-FDD, hokoreshwa amakarata menshi, imigambwe itavuga rumwe na Reta nayo, ikipfuza ikarata imwe kuko yibwira ko vyohava bimera nko mu mwaka w' 2005 aho amakarata menshi yatumye abatora baremerwa.

[6] Iyo mirwi ni urwaruka ahanini ruhurikiye muri FNL na FRODEBU. Icegeranyo c'ishirahamwe mpuzamakungu Human Rights Watch "Tuzobaboha tubagandagure". Uburundi burangwa n'ukudahana amabi akorwa afatiye kuri politike, cashikirijwe itariki 14 Rusama 2010 kirerekana uko vyagenze muri ico gihe c'imbere y'amatora. Ico cegeranyo catumye uwuserukira iryo shirahamwe yirukanwa rikongera rigahagarika mu maguru masha ibikorwa vyaryo.

[7] Naho iyo migambwe ifatwa nk'aho ari imigambwe y'abahutu, itegeko rigenga imigambwe ritegekanya mu ngingo yaryo ya 33 ko abagize uburongonzi bukuru bw'umugambwe ku rwego rw'igihugu badashobora kurenga ibice bitatu vya bine vy'ubwoko bumwe.

[8] Mu 2005, hahiganwe imigambwe ibiri (Frodebu na CNDD-FDD).

[9] Umugambwe warurongowe mumpisho na Hussein Radjabu, uwahora arongoye umugambwe CNDD-FDD, yahavuye abogozwa murayo mabanga yongera atabwa muryompi kuva muri Ndamukiza 2007. Uwuhurikiyemwo Abashingamateka 23 ba CNDD-FDD, babogojwe mu nama nashingamateka na Sentare yubahiriza Ibwirizwa Shingiro.

[10] Uwo mugambwe washinzwe n'uwahoze arongoye iradiyo RPA, Alexis Sinduhije, urangwa n'inyifato yo mugusagara y'abarongozi bawo n'urwaruka ruhurikiye muruwo mugambwe kandi niwo mugambwe wonyene utagiye mubiganiro kandi utigeze ufata ibirwanisho.

[11] Iyo nyifato idatomoye inyuranye n'Ibwirizwa Shingiro mu ngingo yayo ya 173 aho ivuga iti "umugambwe ufise abanywanyi bari muri Reta ntushobora kwiyitirira ko utavuga rumwe na Reta" bikagira inkurikizi mbi kw'irorana ry'amajambo yawo ya politike.

imigambwe 11 yacudika n'umugambwe uri kubutegetsi[12], imigambwe itavuga rumwe na Reta yoyo yarindiriye amatora y'abajenama b'amakomine kugera imenye ubushobozi bwayo.

Amatora y'Abajenama b'Amakomine yo kuwa 24 Rusama yakurikiwe n'uruhagarara muri politike hagati ya CNDD-FDD, watowe ku bice vyinshi murayo matora, n'imigambwe itavuga rumwe na Reta yahakanye ivyayavuyemwo. Iyo migambwe yaciye yiyunga mu runani rwiswe ADC-Ikibiri[13] ica isaba, co kimwe na UPRONA, ifutwa ry'amatora y'Abajenama b'Amakomine, n'ihindurwa ry'abagize Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI. Ukudasubira kwizera itunganywa ry'amatora kw'iyo migambwe vyatumye yiyonkora mu mugambi w'amatora.

Ivyo vyatumye abari biyandikishije kwitoza mu kibanza c'Umukuru w'Igihugu batandatu bidohora, bica bituma Umukuru w'Igihugu Petero nkurunziza yitoza wenyene[14].

Inyuma y'amatora y'Umukuru w'Igihugu, imigambwe yo muri ADC-Ikibiri ntiyabaye igisubira mu mugambi w'amatora ica isaba y'uko hoba ibiganiro vya politike imbere y'uko amatora abandanya. Amashirahamwe adaharanira inyungu za poritique hamwe n'Abashingantahe baragerageje gutanguza ivyo biganiro n'aho ataco vyashitseko. Urunani ADC-Ikibiri rwaremeje ko mu gihe ivyo rusaba bidatorewe umuti, rutazosubira mu mugambi w'amatora[15]. Urunani ADC-Ikibiri rwarongeye ruramenyesha y'uko rutazokwigera rwemera Umukuru w'Igihugu "akomoka mu matora atisunze amategeko n'Ibwirizwa Shingiro"[16], hamwe n'inzego. Naho vyari uko, UPRONA, mu nyuma y'ibiganiro birebire vyo mu mugambwe, warahevye umugambi wo kwiyonkora haba ku rwego rw'Abajenama b'Amakomine, mu matora y'Abashingamateka canke mu y'Abakenguzamateka.

Ni ngombwa kwibutsa yuko Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, abandi barorerezi mvamahanga, Ishengero Gatorika, abamenyeshamakuru hamwe n'abaserukira ibihugu vyabo bamwe bamwe baremeye ko habonetse utunenge hamwe n'itegurwa ribi ry'amatora y'Abajenama b'Amakomine ariko ntibahakana ivyayavuyemwo. Kukaba nkako, nta vyemezo bishemeye imigambwe itavuga rumwe na Reta yerekanye vyoshigikira iyamirizwa ry'ayo matora.

B. ABANYEPOLITIKE

Mu gihe c'amatora yo mu mwaka w'2010, Ubushikiranganji bw'intwaro yo hagati mu Gihugu bwari bwemereye imigambwe 44, icumi muri iyo ikaba ariyo yaseruka cane kurusha iyindi mu vya politike. Muri rusangi, imigambwe irangwa n'intege nke zirimwo kwicamwo imigwi, ukutagira uburyo bukwiriye hamwe n'abanywanyi batazi neza ibijanye na politike, bisigura uruja n'uruza rw'abanywanyi mu migambwe. Iyindi ngorane yihwejwe yabaye iyo gushikiriza mu buryo butomoye imigambi yobaye urufatiro rwo kugwiza abanywanyi n'aho itegeko rijanye n'ugushinga imigambwe, mu ngingo yaryo ya 49, akarongo ka 2, ritegeka imigambwe isaba kwemerwa n'amategeko kwibangikanya

[12] Urunani kubw'amatora arangwa n'ubwigenge, umutekano no gukorera ku mugaragaro (CELAT).
[13] ADR,CDP,CNDD, FEDS-SANGIRA, FNL, MSD, PARENA, PIT, PPDR, RADEBU, FRODEBU na UPD.
[14] Abitoza batanu (FRODEBU, MSD, FNL,UPD, CNDD) bariyonkoye kw'itariki 1Ruheshi. Itariki 4 Ruheshi, inyuma y'ibiganiro birebire mu mugambwe, UPRONA wahisemwo nawo nyene kwiyonkora mw'ihiganwa.
[15] Ivyo vyasabwa kwari "ukurekura mu maguru masha abanywanyi bose bafunzwe barenganywa, guhagarika guhonyanga agateka k'ubwenegihugu nako kurangura ibikorwa vya politike k'indongozi n'abanywanyi bawo hamwe n'uguhagarika umugambi w'amatora uhengamye kugira ibiganiro birashe vyo gukemura amatati ajanye n'amatora hagati y'abarongoye imigambwe bitanguzwe vuba" (Itangazo ry'urunani ADC-Ikibiri ryo kw'i tariki 9 Mukakaro 2010).
[16] "Ivyashikirijwe Ku vyerekeye amatora 'y'Umukuru w'Igihugu' y'uwitoza umwe rudende, ateye kubiri n'Ibwirizwa Shingiro kandi atajanye n'inyifato y'intwaro rusangi" ryo kuwa 28 Ruheshi 2010.

imigambi yifuza kurangurira abanyagihugu. Imigambwe myinshi[17] yarateye igikumu ku mategeko ngenderwako yo mu gihe c'amatora asaba imigambwe *"kwisunga ingendo y'intwaro rusangi hamwe n'ukwitwararika ibijanye n'agateka kayo n'ak'iyindi migambwe"*. N'ubwo biri uko, nta burongozi bwigeze bwibutsa imigambwe ibijanye n'iyubahirizwa ry'ayo mategeko.

Amatora y'Abajenama b'Amakomine

Ku migambwe 44 yiyandikishije, 24 gusa hamwe n'abigenga 5 nibo bahiganywe mu matora y'Abajenama b'Amakomine. Imigambwe itanu harimwo CNDD-FDD, FRODEBU, FNL, UPRONA na UPD yarashoboye gutanga amazina y'abitoza mu ma komine yose y'igihugu, imigambwe 3 nayo yisanga mu makomine arenga 100 (MSD, CNDD na SAHWANYA FRODEBU NYAKURI). Imigambwe isigaye yitoje mu ma komine adashika 100.

Amatora y'Umukuru w'Igihugu: Ukwitoza kw'umuntu umwe

Mu bijanye n'ingorane za politike (raba ikigabane c'Ibijanye na politike), abiyandikishije kwitoza batandatu bariyonjoroye mu matora y'Umukuru w'Igihugu, basiga Umukuru w'Igihugu yahahora, Petero Nkurunziza akomoka mu mugambwe CNDD-FDD, ariwe asigaye mw'ihiganwa.

Amatora y'Abashingamateka

Intonde ntabanduka z'abitoza mu bibabanza vy'Abashingamateka zariko abakomoka mu migambwe 7 n'abigenga 2. Imigambwe itatu hamwe n'urunani rumwe nivyo vyashikirije intonde z'abitoza mu ntara 17 (CNDD-FDD, UPRONA, SAHWANYA FRODEBU NYAKURI IRAGI RYA NDADAYE[18] hamwe n'Urunani CELAT-HUMURA[19]). Umugambwe Kaze-FDD warashikirije intonde mu ntara zitandatu[20], umugambwe w'abakozi PTD[21] mu ntara zine[22], FROLINA[23] mu ntara imwe (Bururi), co kimwe n'abitoza bigenga Hamenyimana Patrick (Bururi) na Hakizimana Deogratias (Muramvya).

Amatora y'Abakenguzamateka

Itariki ntabanduka yo gushikiriza amazina y'abitoza igeze, umugambwe CNDD-FDD niwo wonyene wari washikirije intonde z'abitoza mu matora y'Abakenguzamateka mu ntara zose. Itariki 12 Mukakaro, Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, warongereje ikiringo c'ukwiyandikisha gushika kw'itariki 15 Mukakaro niho UPRONA wari wamenyesheje ko wifuza kuja mw'ihiganwa wongerwa umwanya kugira uheraheze kwuzuza intonde gushika kw'itariki 27 Mukakaro. Uwo mugambwe washikirije intonde mu ntara cumi na zitatu[24].

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[17] FRODEBU, CNDD na RADDES ntiyateye igikumu

[18] Washinzwe muri Nyakanga 2008 na Jean Minani, uwahoze arongoye FRODEBU amaze gukumirwa mu mugambwe yagirizwa amakosa ahambaye harimwo ubunyonyezi no guhemuka. FRODEBU Nyakuri ufatwa nk'umugambwe ucuditse CNDD-FDD. Wiganje muri komine Busoni iri mu ntara ya Kirundo Minani akomokamwo.

[19] Urunani CELAT-Humura ruhurikiyemwo imigambwe icuditse na CNDD-FDD. Rurimwo PRP, PMP, MSP (INKINZO), SONOVI hamwe na PIEBU

[20] Bujumbura Mairie, Bururi, Bubanza,Makamba,Muramvya,Muyinga.

[21] Washinzwe itariki 24/04/2008 mu ntumbero yo guharanira agateka k'abakozi

[22] Bujumbura Mairie, Kayanza, Muyinga, Bururi

[23] Umugambwe FROLINA (washinzwe itariki 12/01/2005) ni umugambwe ufatwa nk'uwiyonkoye kuri FNL

[24] Ni mu ntara za Bubanza, Bujumbura (rural), Bururi, Cankuzo, Gitega, Kirundo, Muramvya, Muyinga, Mwaro, Ngozi, Rutana na Karusi, Muri Bujumbura Mairie, urutonde rumwe rusa rwatanzwe rwariko Abatutsi gusa.

Amatora yo ku mitumba

Ku bijanye n'amatora y'Abakuru b'Imitumba ico yisangije ni uko abitoza bitoza ku giti cabo. Kw'Itariki ntabanduka, ni kuvuga itariki 3 Myandagaro, abitoza 37773 bari bamaze kwiyandikisha ku mitumba 2905. N'ubwo ata witoza yiyandikisha kw'izina ry'umugambwe, benshi harimwo abarorerezi b'abarundi hamwe n'abanyagihugu baranebaguye ingene imigambwe yisutse muri ayo matora bitewe n'uko guserukirwa no mu ntwaro yo hasi vyobafasha mu matora yo muri kazoza. Umuntu yokwibuka ko hisunzwe itegeko ryo mu mwaka w'2010 rigenga amakomine, uruhara rw'Abajenama bo ku mitumba n'urwo gukurikiranira hafi kw'izina ry'abanyagihugu uko ibikorwa bigenda

ku rwego rw'umutumba n'agacimbiri, guhagarikira, guhuza, gutatura amatati, no gutatura amatati ajanye n'umubano.

IV. IVYEREKEYE AMATEGEKO

A. IVYEREKEYE INZEGO

Ivyerekeye inzego z'igihugu bisobanuwe mw'itegeko n.1/010 ryo kuwa 18 Ntwarante 2005 rishiraho Ibwirizwa Shingiro rya Repuburika y'Uburundi (CRB), ryisunze neza amasezerano y'i Arusha y'Amahoro no kunywanisha y'itariki 28 Myandagaro 2000. Kubw'Ibwirizwa Shingiro, Uburundi ni igihugu cikukiye, cigenga, atadini cegamiye, cisunga intwaro rusangi, giharanira ubumwe kikubahiriza ubwinshi bw'amoko n'amadini. Ibwirizwa Shingiro riremera imigambwe myinshi kandi ritegekanya ibishoboka vyose kugira ntihagire uwukumirwa tutibagiye n'inkehwa zo mu bwoko bw'Abatwa (ubwoko bwa gatatu bugize amoko ari Burundi) n'abakenyezi mu vya politike.

Uburundi ni Repuburika igizwe n'intara 17; ama komine 129; ama zone 375 hamwe n'imitumba n'uducimbiri 2908.

Ibwirizwa Shingiro riremeza amateka n'amabwirizwa ngenderwako vya kiremwa muntu n'ivy'umunyagihugu rikongera rikayubahiriza. Ayo ni nk'uburenganzira bwo kubaho, uburenganzira bwo kwishira n'ukwizana (ku mubiri no muri kamere ka muntu). Ariko, ni nkenerwa kwibutsa ko hariho amategeko mpanavyyaha mashasha ahasha abahuza ibitsina babisangiye. Ibwirizwa Shingiro rirashimika kandi Ku vyerekeye ubuntu n'ukungana imbere y'amategeko.

Mu vyerekeye agateka k'ubwenegihugu na ka politike, Ibwirizwa Shingiro riremera ingingo zimwe zimwe ngenderwako zijanye n'amatora atunganijwe neza kandi yisunga intwaro rusangi na cane cane uburenganzira bwo guserura ivyiyumviro, ukwubahiriza uburenganzira bw'idini, bw'ivyiyumviro, akarangamutima n'ivyiyumviro.

Ibwirizwa Shingiro riritegekanya kandi uburenganzira bwo gukora amanama no kwiyunga mu mashirahamwe, uburenganzira bwo kugira uruhara rugaragara canke rutagaragara mw'itunganywa rya Reta, kwitaba amatora akozwe mw'ibanga kandi yubahiriza amategeko, akorewe ku mugaragaro, uburenganzira bwo gutora mw'ibanga no mu mwidegemvyo, rirarekurira kandi ababa hanze y'igihugu gutora hisunzwe uburyo butomoye kandi bwemejwe n'amategeko.

Kubw'Ibwirizwa Shingiro rihari, Uburundi burongowe n'inzego zitatu: Reta, Urwego Nshingamategeko n'Urwego rw'Ubutungane. Rirongera rigatomora neza ko umurwi CENI ari urwego ruharanira umwidegemvyo, ukudahengama n'ubwigenge mu mugambi w'amatora rugatomora kandi ko Sentare yubahiriza Ibwirizwa Shingiro ifise ububasha

bwo gusuzuma ko amatora y'Umukuru w'Igihugu, y'Abashingamateka na Kamarampaka yakozwe hakurikijwe amategeko no gutangaza ibitigiri ntabanduka vyayavuyemwo.

Umukuru w'Igihugu niwe Sebarundi arongoye urwego nyobozi rwa Reta y'Uburundi. Umukuru w'igihugu afadikanya n'ivyegera vyiwe bibiri hamwe n'abagize Reta bose. Umukuru w'Igihugu ashobora gutorwa n'abanyagihugu ubwabo ubwa kabiri mugihe adakwije amajwi asabwa: ubwa mbere abwirizwa gushitsa igitigiri c'amajwi asabwa, bitabaye uko, abwirizwa gusubira gutorwa ubwa kabiri mu kiringo kitarenze imisi cumi n'itanu kandi agakira kurusha amajwi abo bahiganwa. Umukuru w'Igihugu yatowe mu matora yo kuwa 28 Ruheshi 2010, ni Petero Nkurunziza ari nawe yarasanzweho (CNDD-FDD)[25].

Umukuru w'Igihugu afashwa n'Ivyegera vyiwe bibiri mu kurangura amabanga yiwe: icegera ca mbere mu bikorwa bijanye n'amabanga ya politike hamwe n'intwaro, nicegera ca kabiri mu vyerekeye ubutunzi n'imibano. Ivyegera bishirwaho n'Umukuru w'Igihugu ariko vyabanje kwemerwa n'Inama Nshingamateka na Nkenguzamateka, inama yose ukwayo kandi bafatiye ku gitigiri kinini c'amajwi y'abagize izo nama. Ivyegera bibwirizwa gukomoka mu bwoko butandukanye n'imigambwe idasa.

Umukuru w'Igihugu Petero Nkurunziza ariwe yasubiriye gutorwa, yarahiye itariki 26 Myandagaro. Nico gituma abahoze ari Ivyegera vy'Umukuru w'Igihugu Yves Sahinguvu (Umututsi wo muri UPRONA, Icegera ca mbere) na Gabriel Ntisezerana (Umuhutu, wo muri CNDD-FDD, Icegera ca Kabiri) basubirijwe na Terence Sinunguruza hamwe na Gervais Rufyikiri itariki 28 Myandagaro[26].

Abagize Reta bagenwa n'Umukuru w'Igihugu abifashijwemwo n'Ivyegera vyiwe. Reta ibwirizwa kutarenza ibice 60% vy'Abashikiranganji n'Ivyegera vyabo bava mu bwoko bw'Abahutu, hamwe n'abakomoka mu bwoko bw'Abatutsi ku bice bitarenga 40%. Igitigiri kitaja munsi y'ibice 30% ku bagore caretegekanijwe. Ibwirizwa Shingiro ritegekanya ko abagize Reta babwirizwa gukomoka mu migambwe itandukanye yarengeje icamirongibiri (1/20) c'amajwi iyo migambwe ikaba ifise uburenganzira bwo kuronka ibice bitarenga igitigiri c'Abashikiranganji bose, kingana nimiburiburi n'igitigiri c'intebe bafise mu Nama Nshingamateka.

Urwego Nshingamategeko rugizwe n'inzego zibiri, inama Nshingamateka na Nkenguzamateka. Inama Nshingamateka igizwe n'imiburiburi n'Abashingamateka ijana bitorerwa n'abanyagihugu bagakora mu kiringo c'imyaka itanu ku bice bingana 60% vy'abahutu, 40% vy'abatutsi, na 30% vy'abagore hamwe n'Abashingamateka batatu b'Abatwa bongewemwo hakurikijwe Igitabu c'Amategeko agenga amatora. Abitoza mu matora y'Abashingamateka bashobora gutangwa n'imigambwe canke bakitoza kugiti cabo. Inama Nshingamateka ijejwe kwandika amategeko, kugenzura ibikorwa vya Reta hamwe no gutora uburyo bw'amahera bukoreshwa na Reta[27].

Inama Nkenguzamateka igizwe n'abantu babiri baserukira intara yose[28], abantu batatu bakomoka mu bwoko bw'Abatwa, n'abahoze ari Abakuru b'Igihugu. Kukaba nkako, ibice 30% vyarategekanirijwe abakenyezi hakurikijwe uburyo bwo kwongeramwo bwisunga

[25] Raba itegeko 238 rya Sentare yubahiriza Ibwirizwa Shingiro ryo kuwa 8 Mukakaro ritangaza ibiharuro ntabanduka vy'ivyavuye mu matora y'Umukuru w'Igihugu.

[26] Raba Itegeko ry'Umukuru w'Igihugu n.100/01 ryo kuwa 28 Myandagaro 2010 rigena Ivyegera vy'Umukuru w'Igihugu.

[27]Ing.168 CRB:"(…)" Kubiyandikishije batatu ku ntonde, babiri bonyene nibo bashobora kuba bakomoka mu bwoko bumwe kandi n'imiburiburi umwe kuri bane abwirizwa kuba ari umukenyezi."

[28] Ing.180 CBR: Abo barungikwa batorwa n'umurwi w'abatora urimwo abari mu nama y'Abajenama b'Amakomine biyo ntara, bakomoka mu bwoko butandukanye kandi batatorewe hamwe.

uko bitegekanijwe mw'itgeko rigenga amatora. Inama Nkenguzamateka ijejwe ahanini kwemeza isubirwamwo ry'Ibwirizwa Shingiro n'ayandi mategeko ngenderwako harimwo n'amategeko agenga umugambi w'amatora, ikagenzura ishirwa mu ngiro ry'amategeko yo mw'Ibwirizwa Shingiro ritegeka iserukirwa ry'amoko n'igitsina mu nzego za Reta.

Itunganywa n'irangurwa ryibikorwa vyerekeye Ubutungane bikorwa hisunzwe Itegeko ngenderwako n.1/08 ryo kuwa 17 Ntwarante 2005 risobanura amategeko ngenderwako ry'itunganywa n'ububasha vy'Ubutungane[29]. Umushikiranganji ajejwe Ubutungane niwe agenzura ibisata vyose bijanye n'Ubutungane; ibikuru akaba ari Sentare Ntahinyuzwa, Sentare y'Ibwirizwa Nshingiro hamwe n'urwego rw'umuhuza (Ombudsman, rutaratangura ibikorwa vyarwo).

Sentare Ntahinyuzwa nirwo rwego rukuru rusanzwe rw'Ubutungane bw'Igihugu rujejwe kugenzura ko amasentare yubahiriza kandi agashira mu ngiro Amategeko. Urwo rwego rufise icicaro i Bujumbura. Abari mur'urwo rwego bagenwa n'Umukuru w'Igihugu abashikirijwe n'Umushikiranganji w'Ubutungane abanje guhanuzwa Urwego rukuru rw'Ubutungane, Inama Nkenguzamateka nayo ikavyemeza.

Sentare y'Ibwirizwa Shingiro n'urwego rwa Reta ruraba ibijanye n'Ibwirizwa Shingiro. Rusuzuma itunganywa ry'amategeko rugashira mu ngiro Ibwirizwa Shingiro. Iyo Sentare igizwe n'umurwi w'abantu 7 bagenwa n'Umukuru w'Igihugu babanje kwemerwa n'Inama Nkenguzamateka, bakora ikiringo c'imyaka itandatu kitisubiriza. Iyo Sentare irafise ubabasha bwo "kwiga ko amatora y'Umukuru w'Igihugu, ay'Abashingamateka na kamparampaka yagenze neza, no gutangaza ibiharuro ntabanduka vyayavuyemwo".

Iyo Sentare yiturwa n'Umukuru w'Igihugu, abarongoye Inama Nshingamateka, umukuru w'Inama Nkenguzamateka, n'icakane c'abagize rumwe muri inzo nzego zibiri canke n'Umuhuza. Umuntu wese canke urwego urwo arirwo rwose rurashobora kwitura iyo Sentare canke Umushikirizamanza wa Republika haba mu kuyitura canke biciye mu buryo bundi bwo kwerekana ko hakozwe ibinyuranye n'Ibwirizwa Shingiro kubirego vyashikirijwe urundi rwego rw'Ubutungane. Iryo Bwirizwa Nshingiro riributsa kandi ko ingingo zifashwe na Sentare yubahiriza Ibwirizwa Shingiro zidashobora kuvuguruzwa.

B. IVYEREKEYE AMATEGEKO

Muri rusangi, itunganywa ry'amategeko ryarategekanije urufatiro rukwiye ku bijanye n'itunganywa ry'amatora muri rusangi hisunzwe amategeko mpuzamakungu ajanye n'umugambi w'amatora. Ibijanye n'amategeko yerekeye amatora yo mu mwaka w'2010 muri rusangi, agizwe n'amategeko mpuzamakungu, n'amategeko yo mu karere hamwe n'ayandi mategeko yo ku rwego rw'igihugu. Amategeko makuru makuru yo ku rwego rw'igihugu agizwe na: Ibwirizwa Shingiro ryo kuwa 18 Ntwarante 2005, Igitabu c'Amategeko agenga amatora ryo kw'igenekerezo rya 18 Nyakanga 2009, Itegeko n.1/006 ryo kuwa 26 Ruheshi 2003 ritomora ibijanye n'itunganywa ry'imigambwe n'uko ikora, Itegeko n.1/018 ryo kuwa 19 Kigarama 2002 rijanye n'itunganywa rya Sentare yubahiriza Ibwirizwa Shingiro n'uburyo ikora, hamwe n'uko bayitura, Itegeko n.01/0016 ryo kuwa 20 Ndamukiza 2005 ryerekeye itunganywa ry'intwaro mu makomine ryasubiwemwo n'Itegeko n.01/02 ryo kuwa 25 Nzero 2010.

Kuri ivyo, hakwiye kwongerwako ingingo zumvikanyweko n'abacamanza ba Sentare Nkuru yubahiriza Ibwirizwa Shingiro cane cane ku bijanye n'ibisabwa Inama Nshingamateka hamwe n'Amabwirizwa y'Umukuru w'Igihugu n'Amatangazo n'amabwirizwa vy'Umurwi CENI ujejwe itunganywa no gusigura uko amatora

[29] Raba igicapo c'urwego rw'Ubutungane ku rupapuro rw'ivyongeweko ku mpera z'igitabu 1)

atunganywa. Muririsangi, ayo Mategeko akomoka mu masezerano y'i Arusha yo kuwa 28 Myandagaro 2000 yo ashimikira k'ingingo ngenderwako yubahiriza ukungana muvya politike, amoko n'ibitsina.

Ishirwa mu ngiro ry'ibijanye n'Ubutungane n'igenwa ry'abategetsi bamwe bamwe n'Umurwi CENI vyarateye impari kandi birangwa n'ingingo ziyadukije zifatiwe mu mwiherero, zigatangazwa ku munwa kandi zitevye. Umurwi CENI warikoze ku mategeko yahinduye rimwe na rimwe akamaro k'Igitabo c'Amategeko Agenga Amatora. Aho twovuga nk'ibwirizwa n.023 yo kuwa 19 Rusama iha uburenganzira imirwi imwe imwe y'abatora gutorera ku biro batiyandikishirijeko, hamwe n'ingingo n. 028 yo kuwa 16 Ruheshi ihindura uko amatora n'iharurwa ry'amajwi bigenda bihindura cane ukuntu Amatora y'Umukuru w'Igihugu ameze akamera nk'ayayaha ishusho nka ya kamarampaka. Umugambi w'Amatora wari gukenera nyabuna gukingirwa n'amategeko mu gushira imbere inzira z'ukwandika n'uburyo burashe bwo gutangaza ingingo zifashwe.

Muri ubwo buryo bw'amatora y'urutavanako, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, waranebaguye icerwa mugutangaza iyunguruzwa ry'isango ry'Amatora y'Abajenama b'Amakomine bikaba vyateye amakenga Ku vyerekeye uwo Mugambi kandi ko ukwegerana kw'imyiyamamazo y'Amatora y'Abashingamateka n'Abakenguzamateka vyagabanije amasaha 48 y'agacerere kuri 24 gusa. Mu Matora yo muri kazoza, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, warashikirije ko amasango y'ibiringo bitandukanye vy'Amatora yotandukanywa kurusha mbere amwe amwe agashirwa hamwe kugira hubahirizwe Amategeko. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, wararekanye ushimitse incuro nyinshi amakenga ajanye n'utunenge turi mu buryo bwo gutatura amatati ku bijanye n'Amatora y'Umukuru w'Igihugu, ay'Abashingamateka n'ay'Abakenguzamateka hamwe n'uko hatategekanijwe uburyo bwo kwiga ukutemera ivyavuye mu matora y'Abajenama b'Amakomine n'ay'Abakuru b'Imitumba.

Mu ntumbero yo gutsimbataza Reta yubahiriza Amategeko hamwe n'Amategeko ahumuriza bose, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, urateye intege abategetsi vyega ngo buzuze, batomore bongere bakwiragize mu Gihugu cose ibigize ayo Mategeko ku bw'Amatora yo muri kazoza.

C. AMATEGEKO MPUZAMAKUNGU N'AYO MU KARERE

Amategeko makuru makuru mpuzamakungu n'ayo mu karere yateweko igikumu n'Uburundi afise ingaruka ku bijanye n'intwaro rusangi n'amatora, harimwo Amasezerano Mpuzamakungu y'Agateka Kazina Muntu (1948), Amasezerano Mpuzamakungu ajanye n'agateka k'ubwenegihugu na ka politike hamwe n'agateka kajanye n'ivy'ubutunzi, imibano n'imicokama (1966), Amasezerano CEDAW (1979) hamwe n'Amasezerano ya Afrika ajanye n'agateka ka muntu n'ukwidegemvya (1981).

Ayo mategeko arashinga ingingo z'urufatiro zifasha mu kurangura amatora adahengamye bigaruka mu biringo vyategekanijwe, agahagararira iserurwa mu mwidegemvyo w'icifuzo c'abatora. Ku vyerekeye Uburundi, harabaye ukwitwararika cane gufatiye ku gice ca II c'Amasezerano y'i Arusha hamwe no gukoranya ayo Masezerano n'ay'i Pretoriya ajanye no kugabura ubutegetsi.

D. UBURYO BWO GUTORA

Amatora y'Abajenama b'Amakomine

Abajenama b'amakomine bangana 15 ku komine yose mu Makomine 129. Batorwa hakoreshejwe uburyo bwisunga abaronse amajwi menshi. Ibibanza bigaburwa hagati y'intonde zugaye zishikira urugezo rw'ibice 2% vy'amatora ku rwego rw'ikomine. Intonde z'amatora y'Abajenama b'Amakomine zibwirizwa kwisunga ibijanye n'ubwinshi bw'amoko n'ibitsina hatarinzwe gutomorwa urutonde rw'uko bakurikirana. Igitabu c'ayo mategeko nticerekana ibice kw'ijana vy'abahutu canke abatutsi batowe nk'uko biri mu matora y'abashingamateka. Ingingo ya 181 y'Igitabo c'amtegeko giha ububasha Umurwi CENI kugira worohereze ishirwaho ry'Abajenama b'Amakomine mu gusubira kunganisha amoko n'ibitsina[30].

Amatora y'Abashingamateka

Inama Nshingamateka igizwe n'imiburururi n'abashingamateka 100, ico gitigiri gishobora kwongerekana mu gihe iyongerwamwo ry'Abashingamateka ribaye ngombwa kugira habe ukunganisha amoko ku bice 60% ku Bahutu n'ibice 40% ku Batutsi, ibice mirongo itatu vy'abakenyezi no kugira hinjizwemwo abantu batatu bava mu bwoko bw'Abatwa.

Nk'uko ingingo y'ijana na mirongo itandatu n'umunani (168) yo mw'Ibwirizwa Shingiro ibivuga hamwe n'ingingo y'ijana na mirongo ibiri n'indwi y'Igitabu c'amategeko agenga amatora, intonde zitegerezwa gukorwa ku buryo kuri batatu bakurikirana biyandikishije ku rutonde rumwe, babiri gusa bashobora kuva mu bwoko bumwe kandi n'imiburiburi umwe kuri bane ategerezwa kuba umukenyezi. Iyo ngingo yerekeye ibitsina ntiyoshobora yonyene gushikira ihangiro y'ica gatatu c'abakenyezi batowe. Vyari bibereye k'urutonde rwose rw'abiyandikishije batatu bakurikirana, n'imiburiburi umwe aba umukenyezi.

Abashingamateka batorwa hisunzwe abaronse amajwi menshi ku ntonde zugaye. Uburere bw'amatora n'intara 17. Gushinga igitigiri c'intebe zitegekanywa ku ntara vyamenyekanishijwe mw'itegeko ry'umukuru w'igihugu ryo mu kwezi kwa Ndamukiza 2010 ruhamagarira abatora ku rukurikirane rw'amatora.[31] Iryo shingwa ryabaye hisunzwe ivyavuye muri rusansuma rw'abanyagihugu rwo mu 2008. Ivyahindutse ugereranije n'ibice vy'abantu ku kibanza biguma hagati y'ibice vyegereye cumi kw'ijana, ari navyo bisabwa mu bijanye n'amatora, ni ukuvuga ko vyubahiriza ingingo ngenderwako yo kungana kw'amajwi. Ishingwa ry'igitigiri c'intebe zitegekanywa ku karere ntiryabaye intambamyi kuba nye politike.

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[30] Raba ibijanye n'ukwongeramwo hamwe n'ishirwaho ry'Abajenama b 'Amakomine

[31] Itegeko inomero100/56 ryo kuwa 7 Ndamukiza 2010 rihamagarira amatora kuja mu matoro y'Abahanuzi b'Ama komine , y'Umukuru w'Igihugu, y'Abashingamateka hamwe n'ay'Abakenguzamateka.

Intara	Abanyagihugu	Intebe z'Abashingamateka	Kugabura : abanyagihugu / ku ntebe	Kugabura ugereranije n'ivy'ijana
Bubanza	338.023	4	84.506	104,6
Bujumbura Rural	555.933	7	79.419	98,3
Bururi	574.013	7	82.002	101,5
Cankuzo	228.873	3	76.291	94,5
Cibitoke	460.435	6	76.739	95,0
Gitega	725.223	9	80.580	99,8
Karusi	436.443	6	72.741	90,1
Kayanza	585.412	7	83.630	103,6
Kirundo	628.256	8	78.532	97,2
Makamba	430.899	5	86.180	106,7
Muramvya	292.589	4	73.147	90,6
Muyinga	632.409	8	79.051	97,9
Mwaro	273.143	3	91.048	112,7
Ngozi	660.717	8	82.590	102,3
Rutana	333.510	4	83.378	103,3
Ruyigi	400.530	5	80.106	99,2
Bujumbura Mairie	497.166	6	82.861	102,6
Vyose hamwe	8.053.574	100	Ugereranije : 80.753	100,0

Amatora y'Umukuru w'Igihugu

Amatora y'Umukuru w'Igihugu aba ubwa mbere inyuma y'ikiringo mfatakibanza aho abanyagihugu bitorera umukuru w'Igihugu, n'itorwa ry'umuntu umwe incuro zibiri. Amatora y'Abakenguzamateka yatunganijwe ku buryo abanyagihugu bitorera ababarongora, abo nabo batorwa n'Abahanuzi b'Amakomine. Abakenguzamateka batorwa ku gitigiri ca babiri ku ntara, bava mu moko atandukanye. Igitigiri c'abakenguzamateka ni 34, habaye ukwongerwamwo kugira hajemwo n'imiburiburi ibice 30% vy'abakenyezi, abo mu bwoko bw'Abatwa batatu hamwe n'abahoze ari abakuru b'Igihugu ubu bageze kuri bane.[32]

Amatora y'Abakuru b'Imitumba

Amatora y'Abahanuzi b'Imitumba n'uducimbiri hamwe n'Abakuru b'Imitumba canke b'uducimbiri batowe n'abanyagihugu bagera 14.580. Inama y'amakomine canke y'agacimbiri igizwe n'abantu batanu. Umuhanuzi aronse igitigiri kinini c'amajwi aca aba Umukuru w'umutumba canke w'agacimbiri.

[32] Mu mwaka w'2010 Abakenguzamateka batoranwa n'abasaburira muga siko vyari mu 2005. Iryo hinduka ryabaye kuko mu matora yaheruka habaye ibibanza vyinshi bigaragara vyatumye ingorane zo gusubirizwa.

V. ITUNGANYWA RY'AMATORA

A. INYUBAKO Y'ITUNGANYWA RY'AMATORA N'ABIYIGIZE

Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI nirwo rwego rukuru rujejwe gutunganya amatora.Uwo murwi washizweho n'ingingo ya 89 gushika kuya 91 z'Ibwirizwa Shingiro, kandi uko ikora bigengwa n'itegeko ry'Umukuru w'Igihugu[33]. Zitegekanya ibiro bigizwe n'Umukuru wayo, icegera ciwe hamwe naba komiseri ba 3 bagenywe n'itegeko inyuma yo kwemezwa n'Inama Nshingamateka hamwe na Nkenguzamateka imwe imwe yose ukwayo ku gitigiri kinini ca bitatu vya bine.

Kw' igenwa ry'abagize Umurwi wigenga ujejwe gutunganya amatora mu gihugu,CENI, umugambi wa mbere Reta yatanze ntiwihwejwe n'Inama Shingamateka kubw'igitigiri gisabwa kitari gikwiye ari naco gituma uwo mugambi waciye wankwa n'Inama Nkenguzamateka. Inyuma y'ibiganiro birebire, Inama Shingamateka hamwe na Nkenguzamateka zaremeje ku bwinshi igenwa ry'abagize Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI,[34] naho hagaragaye ko bafise ubuhinga buke muvyerekeye amatora.

Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI ujejwe gutunganya amatora ku nzego zose. Uwo murwi usabwa n'Ibwiririzwa Shingiro, kwihweza ko amatora aba ayigenga akabera no ku mugaragaro[35].Uwo murwi ufata ingingo ku birego vy'iyubahirizwa ry'amategeko agenga amatora kandi izo ngingo uwo murwi ufashe ni ntasubirwamwo. Utegerezwa kuraba ko imyiyamamazo y'amatora iba mu mahoro hisunzwe amategeko. Mu guheraheza, utegerezwa kwubahiriza Ibwirizwa Shingiro mubijanye n'ubwinshi bw'amoko, ibitsina no kumenya ivyiyamirizwa. Ubwo bubasha bukorwa hakoreshejwe uburyo bwo kwongeramwo bufise insiguro ikomeye mu vyerekeye politike.

Ingingo zimwe zimwe z'itegeko rigenga itunganywa n'ingene uwo murwi wigenga ujejwe gutunganya amatora mu gihugu, CENI [36]ukora ziratuma uwo murwi utigenga. Aha twofata ingingo ya 8 niya 19, ku cubahiro, ku turusho n'agahembo k'abakora muri uwo murwi, na cane cane ingingo ya 22 ihamagarira Umukuru w'Igihugu gutunganiriza abakora muri uwo murwi mu bijanye n'ivyo baregwa. Ivyo bisubiramwo ingingo iha ubushobozi bwo guhana abakora mu murwi, CENI, dusanga mw'itegeko rya Ruheshi 2008 riha ubushobozi uwagenye uwo murwi, bwo guhana abawugize.

Ukutagaragaza neza amabanga, ikiringo, uburyo bwo gukora n'ugukurikirana ibikorwa vy'Umurwi CENI, mu gitabu c'amategeko agenga amatora canke mw'itegeko ridasanzwe birabaganya ubwigenge n'ugukurikirana ibijanye n'intwaro rusangi. Kubera, Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, ufise amabanga ahambaye mu mugambi w'amatora, itunganywa ry'uburyo ukoramwo n'ibigenga abakora muriwo vyari bikwiye kugengwa n'itegeko ariko ntibibwirizwe na Reta.

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[33] Itegeko inimero100/22 yo kuwa 20Ruhuhuma 2009 rigenga itunganywa n'ingene Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI ukora.

[34] Babiri kuri batanu n'abakenyezi b'aba Tutsi abandi n'abagabo b'aba Hutu. Hejuru y'ivyo, Umukuru w' Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, n'icegera ciwe babwirizwa kuba ataho begamiye muvya politike mu gihe abakomiseri batatu batanzwe n'imigambwe iri muri Reta. Naho abigize itunganywa riringaniye ry'amatora baterekanywe neza mu biharuro mu gitabu c'amategeko agenga amatora ivyo vyashobotse bivuye ku mutima Kirundi wo kuja inama n'ingingo igihe hashirwaho inyubako n'inzego zigize Umurwi CENI.

[35] Ingingo ya91 y'Ibwirizwa Shingiro

[36] Itegeko inomero 100/22 ryo kuwa 20 Ruhuhuma 2009 ryerekeye itunganywa rya CENI, n'ingene ukora.

Aho bitandukaniye n'amatora yo mu mwaka w' 2005, Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI niwo wonyene ujejwe itegurwa n'itunganywa ry'amatora yose y'ubu. Naho biri uko, uwo murwi wararonse imfashanyo mpuzamakungu y'uburyo n'ibikoresho igera ku madolari y'abanyamerika imiriyoni 47 biciye mu mugambi w'urukurikirane rw'amatora ariwo PACE harimwo imiriyoni 31 z'amadolari y'abanyamerika zavuye mu kigega Basket Fund kigizwe n'Ishirahamwe ry'Ibihugu vya Buraya.

Imirwi ijejwe gutunganya amatora ku rwego rw'intara (CEPI) ingana na 17, imwe imwe ku ntara. Imirwi ijejwe gutunganya amatora ku rwego rw'amakomine (CECI) ingana na 129, imwe imwe kw'ikomine, ibiyigize bihinduka hakurikijwe igitigiri c'amakomine mu ntara yose. Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI mu kugena abarongora ama CEPI[37] babigiye inama n'ingingo n'imigambwe hamwe n'amashirahamwe adaharanira inyungu za politike[38].

Muri urwo rukurikirane rw'amatora, imirwi ijejwe gutunganya amatora ku rwego rw'intara yagenywe mu kwezi kwa Munyonyo 2009. Iyo mirwi ifise uruhara ntangere mw'itunganywa ry'amatora, mu kugena abarongora imirwi ijejwe gutunganya amatora ku rwego rwigenga CECI, gutegura no gutangaza ibiharuro mfatakibanza vyavuye mu matora y'abajenama b'amakomine.

Ku makomine, imirwi ijejwe gutunganya amatora ku rwego rwayo ingana 129, imwe yose ikagira abantu batanu. Abari muri iyo mirwi bagenwa n'imirwi ijejwe gutunganya amatora ku rwego rw'intara(CEPI). Kuri urwo rukurikirane rw'amatora, abagize imirwi CECI bagenywe mu kwezi kwa Kigarama 2009. Imirwi ijejwe gutunganya amatora ku rwego rw'amakomine CECI baranafise ububasha bwo kugena abagize ibiro vy'amatora, kwakira abiyandikisha mu matora yo ku mitumba n'uducimbiri hamwe no gutanganza ibitigiri mfatakibanza. Barongera bagafasha mu gushira hamwe ibitigiri vy'ivyavuye mu matora yose.

Ibiro vy'amatora bigizwe n'uwubirongoye, abamufasha babiri n'ababasubirira babiri. Abo nabo batorwa n'abo mu mirwi ijejwe gutunganya amatora ku rwego rw'amakomine CECI mu batora biyandikishije mu biro vy'amatora.Abagize ibiro vy'amatora batowe mu kwezi kwa Ndamukiza 2010. Ibiro vy'amatora vyagera ku gitigiri 6.961 igihe c'amatora y'abajenama b'amakomine n'igitigiri 6.969 mu matora yakurikiye, iryo yongerekana ryavuye kw'ihuburwa ry'intonde z'amatora.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora waremeje ko abari mu murwi CECI bakwirikije ibisabwa mu Gitabu c'amategeko agenga amatora vyerekeye uburinganire bw'amoko, bwa politike n'ibitsina, mw'igenwa ry'abagize ibiro vy'amatora kuva kw'igenekerezo rya 5 gushika kurya 11Rusama.

B. GUKURIKIRANA AMATORA

Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, ujejwe gutunganya amatora asanzwe afise amategeko atikwije mu bice bimwe bimwe vy'umugambi w'amatora. Uyu murwi rero ubwirizwa gushinga izindi ngingo kugira wuzurize izibura mu bice bimwe bimwe vy'amatora. Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, wararenze ku bisanzwe bikenewe uraheza ushinga ingingo ziteye kubiri n'ibiri mu gitabu c'amategeko agenga amatora mbere rimwe na rimwe zikanayatitura.

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[37] Itegeko inomero 003/CENI ryo kuwa 5 Munyonyo 2009, rishiraho abagize ama CEPI

[38] Itegeko inomero 003/CENI ryo kuwa 5 Munyonyo 2009, igena abagize umurwi CEPI. Muribo abitoza bangana na 1600, muri abo umurwi CENI wafashemwo 129, mu kwubahiriza iringanizwa ry'ibitsina, amoko n'ivy'iyumviro vya politike. Bitayeko, igenwa ry'abagize umurwi CECI rigizwe n'ama CEPI vyakurikiye ingendo isa.

Vyongeye, birashika ko amabwirizwa ajanye n'ingene amatora ariko aragenda atangwa mu mvugo bishobora gutuma amategeko atagira agaciro bikazana n'ukuzazanirwa ku ruhara nyezina rw'amategeko yanditswe.

Amabwirizwa y' Umurwi Wigenga Ujejwe Gutunganya Amatora, CENI

Nico gituma, Umurwi CENI wemeje amabwirizwa abiri ateye ingorane kurusha ayandi39 atanga uburenganzira ku mirwi imwe imwe y'abatora bwo gutorera ku biro batiyandikishijemwo[40]. Ayo mabwirizwa arashobora guhotora abantu mu gihe adakoreshejwe neza. Ayo mabwirizwa y'umurwi CENI, avuguruza ingingo ya 55 y'Igitabu c'amategeko agenga amatora atanga akaryo ko gutora kenshi ntibimenyekane iyo batihweje neza irangi ridahanagurika riri ku rutoke rw'uwatoye.

Ikwirikiranwa ntiryagenze neza ahanini mu biro vy'amatora(BV) [41]vyagendewe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora. Igitigiri ciyongerako c'abatora bangana n'ibice 3,4% vy'abatoye mu biro vy'amatora vyagendewe. Ku vyukuri, ayo mategeko yarafashije abatora bari mu ngendo z'akazi kurangura uburenganzira bwabo bwo gutora ariko Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora uvuga ko nkuko itegeko ribivuga guha uburenganzira uwugutorera vyari kuba bikwiye.

Ukwiyonjorora kw' abitoza mu kibanza c'Umukuru w'igihugu vyatumye Umurwi CENI ufata ingingo y'ingene amatora y'Umukuru w'Igihugu[42] yotunganywa navyo vyazanye amatora adashimisha ku witoza umwe. Iryo hinduka rishasha ry'uwitoza umwe ryazanye amatora asa nayo mw'Ibwirizwa Shingiro vyongera bituma guhindurwa kugaragara kw'ingendo yo guharura no kwegeranya ivyavuye mu matora. Aho bitandukaniye n'ingendo y'amatora yaheruka aho amabahasha yirabura batayaharura, irahamagarira guharura ayo mabahasha yirabura nk'amakarata ata kirimwo. Iyo ngendo irangiza ivuga ko uwuzotsinda amatora aronka igitigiri cuzuye c'abatoye, ni ukuvuga amakarata ari mu mabahasha yera. Amatora asubirwamwo igihe igitigiri gisabwa kitashitse.

Turetse ingendo zitamenyerewe n'amatati ashobora guturuka mu ngingo zo mu Gitabu c'amategeko agenga amatora na cane cane mu ngingo yayo ya 55 ivuga ivy'amakarata « atakoreshejwe » ashirwa mu mabahasha yirabura, iryo bwirizwa ryari rikeneye guhingurwa cane kw'ivyegeranyo no gushira hamwe ivyavuye mu matora. Aho dushobora kwibaza niba guhinduka kw'ingendo y'amatora n'ivya politike vyinjiramwo muvyo uwo murwi utunganya amatora ushoboye.

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[39] Ibwirizwa n.023/CENI ryo kuwa 19 Rusama 2010, n'ibwirizwa n.034/CENI ryo kuwa 22 Mukakaro 2010 kwihinduka ry'ibibanza vyo gutoreramwo.

[40] Na cane cane abakora mu mirwi CENI, CEPI, CECI, abadereva babo hamwe n'ababacungerera umutekano, abagize ibiro vy'amatora ; abacungera abapolisi batanzwe kugira bacungere ibiro vy'amatora no mu micungararo yaho, abacungera umutekano w'abategetsi hamwe n'abadereva babo, abakozi ba Reta bahinduriwe ibibanza vyo gukoreramwo, abarundi biyandikishije mu bihugu vyo hanze muga baciye bataha mu gihugu ; abakoze rusansuma hamwe n'aba dereva b'ama CEPI bari mu gikorwa co kwandika abazotora ; abarorerezi b'abarundi bemewe na CENI ; abamamenyeshamakuru bakwirikiranye amatora ; abanyeshure baba mu ndaro ku mashure ariko bazoba batashe ku munsi w'amatora ; abarungitswe n'imigambwe yabo kuyiserukira canke kwitoza bigenga ; abanyeshure bo mu mashure y'intango hamwe n'abiga muri kaminuza bimenyereza ; abadereva b'abantu barungitswe na CENI canke na CEPI. Ibwirizwa n.034 irongera kuri iyo mirwi imice yab' azokwitoza bari mwihiganwa.

[41] Raba ikigabane kijanye n'amatora yo kuwa 23Mukakaro

[42] Ibwirizwa n.028/CENI yo kuwa 16 Ruheshi 2010 rivuga ingene hazoshirwa mu ngiro amatora y'Umukuru w'Igihugu n'ingene azogenda.

Ibikoresho vy'amatora

Uko uwo mugambi wabandanya utera imbere, niko ibikoresho vy'amatora vyagenda biraboneka. Amatora y'Abajenama b'Amakomine yaranzwe nugucerwa hamwe n'ugutangwa nabi kw'ibikoresho na cane cane muvyerekeye amakarata y'amatora. Nico gituma, Umurwi CENI, wasibije amatora buca aba ku kiringo c'amasaha 48. Ivyo navyo vyavuye mu gukeha kw'amakarata, biturutse ku makosa y'ibiharuro hamwe n'ukutumvikana hagati y'imigambwe Sahwanya-Frodebu na Sahwanya-Frodebu Nyakuri-Iragi Rya Ndadaye hamwe gutekerwa nabi, kw'amakarata y'itora no kutamenyekanisha igitigiri c'ama karata yanditse nabi.

Bamaze gukuramwo icirwa mu matora ya mbere, Umurwi, CENI n'Ishami ry'umugambi wa PNUD rijejwe gutunganya ivy'amatora baciye bahindura uburyo bategura ibikoresho vy'amatora na cane cane mu gutekera amakarata y'amatora yo kurungika bagatekera agatu kugaye k'amakarata 100 atekeye hamwe kuva mu bibanza vyategurwa ryayo muri Afrika yepfo. Mu matora y'Umukuru w'Igihugu, ibikoresho vy'amatora vyatanzwe muma CECI no muma CEPI kuva kw'igenekerezo rya 21 na 22 Ruheshi, vyatanzwe kare kugira birinde ingorane zoturuka ku bikoresho vyokwononekara vuba mu matora y'Abajenama b'Amakomine, ayo amatora yari ategekanijwe kw'igenekerezo rya 28 Ruheshi. Iryo tuganywa neza ryagaragaye mu matora y'Abashingamateka. Ku matora yari ategekanijwe kw'igenekerezo rya 23Mukakaro, amakarata y'amatora yateguriwe muri Afrika yepfo zashitse i Bujumbura kw'igenekerezo rya 13 Mukakaro bubahirije ingendo yo gushira amakarata ashika ijana mu gatu kamwe ku biro vy'itora. Mu nyuma yaho ibikoresho vyaciye vyakirwa n'ama CECI na CEPI ku matariki ya 17 na 18 Mukakaro kugihe i Bujumbura kugira baronke umwanya yo gusuzuma no kuzitanga mu biro vy'amatora.

Ugucerwa gutanga agahembo k'abakoze mu matora y'Abajenama b'Amakomine yo kuwa 23 Rusama abakora mu biro vy'amatora ku matariki ya 22 na 25 Ruheshi, vyatumye ishavu ryinshi kubakora mu mazu y'amatora bamwe muribo mbere bavuga ko bashobora no kudakora amatora y'Umukuru w'Igihugu. Iryo shavu ryiyongeye kutitaba umugambi w'amatora imigambwe imwe imwe itavuga rumwe nuwuri ku butegetsi yariko ihamagarira abanywanyi bayo kutitaba amatora. Nico gituma hagumyeho amadidane gushika ku munsi w'Amatora ku gitigiri c'abagize Ibiro vy'Amatora kurangura igikorwa cabo. Izo mpungenge ntiziyerekanye kubera abiyonkoye babaye bake baranasubirizwa n'abahawe ako kazi ngo babandanye ico gikorwa. Mw'ijambo ryashikirijwe ku matora y'Umukuru w'Igihugu, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warashimye ukwitanga kw'abakora mu biro vy'amatora.

Abakora mu biro vy'amatora barahawe inyigisho ku bijanye n'amatora bakoranye na Umurwi CENI n'ishirahamwe International Foundation For Electoral Systems (IFES). Naho ugutunganywa neza kw'ingingo na cane cane mu guharura vyaragagaye mu mugambi w'amatora, abahagarikizi barerekanye ukuzazanirwa mu kwuzuza icegeranyo c'ivyavuye mu matora na cane cane amajwi y'impfagusa.

C. UGUTUNGANYA AMATORA KU MUGARAGARO

Ingorane zijanye nukudashobora kuronswa ivyegeranyo

Ugutunganya Amatora ku mugaragaro vyaratosekajwe n'uguhingitanya k'Umurwi CENI mugutorera inyishu utunenge tujanye n'Umugambi w' Amatora. Gukorera ku mugaragaro bisigura ko imigambwe iri mw'ihiganwa hamwe n'abatora baronswa uburenganzira bwo gushobora kwirabira bonyene ko ingendo y'inyanka mugayo yakurikwijwe ku ngero zose z'amatora. Ibi vyabujijwe n'uko hatabonetse imanikwa ry'ivyavuye mu matora ku biro

vy'amatora kandi ko abahagarikizi b'imigambwe batashoboye kuronka ikopi y'ivyegeranyo.

Amatora amaze guhera, ibiro vy'amatora vyaratanze ivyegeranyo bibiri bitandukanye vyongera bitegura n'ikopi. Icegeranyo F1 c'itunganywa ry'amatora kirimwo ahanini ingene amatora yagenze nk'akarorero abatora batagira ibibaranga hamwe n'imyihwezo y'abahagarikizi hamwe n'abarungitswe n'imigambwe. Icegeranyo F2 c'iharurwa ry'amajwi categuwe ubwa nyuma kigashikiriza ibiharuro bivuye kubiro vy'amatora. Mw'ikete ryo kuwa 8 Mukakaro Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wanditse uhimiriza Umurwi CENI kugira ngo utorere inyishu ikibazo co gukorera ku mugaragaro na cane cane mu kumanika ivyavuye mu matora kukibanza kimwe kimwe c'Amatora, guha akaryo abarungitswe n'imigambwe n'abitoza bahiganwa, kuronswa ikopi y'icegeranyo c'ingene amatora yagenze.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warongeye urasohora itangazo kuwa 15 Mukakaro usubiramwo ivyo uhimiriza mu gukorera ku mugaragaro muri uwo mugambi. Umurwi CENI ntaco wasubije kur'iryo tangazo hanyuma uca utanga ikopi zine z'icegeranyo F1 n'ikopi zitanu z'icegeranyo F2, aho naho abaserukiye imigambwe ihiganwa itandukanye bari bafise uburenganzira bwo gusangira ikopi imwe ivyo bikaba bitoroshe.

Ingingo nyinshi zo mu Gitabu c'amategeko agenga amatora zerekeye ikibazo co kuronsa uburenganzira abaserukira imigambwe ngo baronke ivyegeranyo.

Kubw'ingingo ya 42, "amakopi y'ivyegeranyo ashikirizwa abarungitswe n'imigambwe". Ingingo ya 48 n'iya 62 akarongo ka 3 irongera ikavuga ivy'ivyegeranyo abarungitswe n'imigambwe babwirizwa kuronkera amakopi[43]. Ugukoresha ubwinshi muri izo ngingo zitatu birerekana ko amakopi menshi yabwirizwa guhabwa abaserukira imigambwe. Ingingo ya 71 yonyene niyo itegekanya ikopi imwe gusa kubaserukira imigambwe[44]. Ni naco gituma umurwi CENI waciye ica kubiri n'iyo ngingo itegekanya amakopi 4 mugutegekanya iya 5 y'icegeranyo c'iharura utisunze amategeko.

Ukudashikiriza amakopi y'ivyegeranyo umuhagarikizi wese vyagabanije uburyo bwo gushobora gukoresha uburenganzira bwo gushikiriza ibirego, ingingo ngenderwako mu gushikiriza utunenge mu cegeranyo co mu biro vy'amatora mu ntumbero yo kuvyihweza. Kwima ivyegeranyo vy'amatora abahagarikizi biteye kubiri n'ingingo za 42, 48 na 62 ziri mu gitabu c'amategeko agenga amatora. Ugutangwa kwama kopi ane mu ngingo za 71 vyerekeye gusa iharurwa ariko ntiyega ibikorwa vy'amatora aho bashobora kwandika imyihwezo ivuye mu matora.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora uranebagura ukudahabwa inyigisho zikwiye ku bahagarikizi kugira bashobore kumenya ko ari nkenerwa kw'imyihwezo yabo ishirwa mu cegeranyo nkuko abahagarikizi batafashwe mu mugongo n'Umurwi CENI mubijanye n'uburyo nkuko ingingo ya 43 yo mu Gitabo c'Amategeko Agenga Amatora kitubahirijwe.

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[43] Ingingo ya 42:Abahagarikizi baserukiye imigambwe barafise uburenganzira bwo kwandikisha mu cegeranyo imyihwezo yabo yose mu kigabane cabigenewe. Iyi nayo igategerezwa guterwako igikumu n'abayishikirije. Amakopi y'icegeranyo araheza agahabwa abaserukira imigambwe.

Ingingo ya 48 : kwandika ibikorwa no gusuzuma vyashikirijwe mu ngingo 46 na 47 z'iryo tegeko mu vyegeranyo vyagwijwe bigahabwa abaserukira imigambwe. Uwutora umwe umwe wese aritorera we nyene canke agatuma mu biro vy'amatora yiyandikishijeko ngo atore. Umukuru w'ibiro vy'amatora ajejwe guharura yakira amasandugu, amabahasha n'amakarata atakoreshejwe akanibonera imbere y'ivyegera n'abaserukira imigambwe, abitoza canke intonde z'abitoza ko amagufuri ashizweko akomeye. Icegeranyo kirakorwa kikarungikirwa abaserukira imigambwe.

[44] Ingingo ya 71 : Icegeranyo co guharura gitegurwa mu makopi 4 maze imwe muriyo ikabikwa n'Umukuru w'ibiro vy'itora, izindi nazo zikarungikirwa ama CEPI, ama CECI n'abaserukira imigambwe

Uruhara rwo gukorera ku mugaragaro n'uburyo bwo kugenzura vyega ubwa mbere na mbere Umurwi CENI muga ivyo ntibikuramwo uruhara rw'abanyepolitike bari mwihiganwa.

Kubw'ivyo, ugukorera ku mugaragaro bitegeka ko abahagarikizi barungitswe n'imigambwe baguma mu biro vy'amatora gushika iharurwa ry'amajwi rirangiye, gushiramwo imyihwezo yabo mu vyegeranyo no gusaba ikopi. Ni ivyo kunegurwa kubona abahagarikizi bataronse inyigisho zirashe aho benshi batari bazi ingingo ngenderwako ishingiye ku kiringo ntarengwa. Nyamara, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urashimishwa n'itunganywa ry'inyigisho z'ishirahamwe EISA (Institut Electoral pour la démocratie durable en Afrique) zo kuwa 19 Mukakaro mugabo urongera ukanegura yuko iryo shirahamwe ryashizwemwo ritevye n'igitigiri gito c'abaserukira imigambwe bahawe izo nyigisho.

Vyongeye, twihweje igitigiri kinini c'abaserukira imigambwe n'abahagarikizi birabaje ko ata kigoro kakozwe ko guharura amajwi mu gihe kibangabanganwe nkuko bigirwa mu bindi bihugu.

Bitewe nuko abantu benshi batahujwe ko gukorera ku mugaragaro ari ngombwa, Umurwi CENI waratangaje mu mvugo amasaha 48 imbere y'amatora y'abashingamateka imanikwa ry'ikopi y'icegeranyo c'iharura, igenewe abaserukira imigambwe, ku biro vy'ama CECI. Iyo ngingo yaje itevye ntiyishura intumbero yari yashikirijwe kubera ituma abaserukira imigambwe babura ikopi y'icegeranyo bari bafitiye uburenganzira kandi no kubona bidashoboka yuko ivyegeranyo bimanikwa ku rupapuro rw'uburinganire bwa A3 bivuye mu biro nka 54 vy'amatora, ugereranije, ku murwi CECI[45] umwe umwe wose ku biro 6.969 mu gihugu cose. Nk'uko vyagaragaye, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wabonye ko hamanitswe ivyegeranyo F2 muri CECI imwe kuri 27 zagendewe gushika isaha zitandatu z'ijoro muri komine ya gihanga, mu ntara ya Bubanza. Kw'itariki ya 24 Mukakaro isaha 9 z'umurango, ivyegeranyo 14 nivyo vyari bimanitswe kuma CECI 57 yagendewe. Kw'isaha12 z'umugoroba Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wariboneye, n'ubwo utabibonye vyose, imanikwa y'ivyegeranyo 41 kuma CECI 98 yagendewe, ni kuvuga ibice 42%.

Umurwi CENI waranashikirije ko imigambwe iri mw'ihiganwa ishobora kuronka amakopi y'ivyegeranyo vy'iharurwa kuma CEPI bukeye bw'amatora. Iyo ngingo ntifasha kugira ngo ivyegeranyo biboneke kuva batanguye guharura. Iranatera izindi ngorane, haba kuma CEPI abwirizwa kurwiza ivyegeranyo ugereranije incuro amajana z'ibiro vy'amatora, hamwe no kubaserukira imigambwe bategerezwa kwiyunguruza baja ku mirwa mikuru y'intara. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ntushimishwa nuko ata rwandiko na rumwe rwigeze rushikirizwa n'umurwi CENI kugira ngo batomore iyo ngendo.

Ugushira mu mashini ivyavuye mu matora vyaturutse mu biro vy'amatora, uhereye ku matora y'umukuru w'igihugu, vyabereye mu kigo kijejwe kwegeranya no gutunganya ibiharuro(CTD) vy' umurwi CENI. Kukaba nkako, mu matora y'abajenama b'amakomine, iyandikwa ry'ivyegeranyo vy'ivyavuye mu matora muri CTD ntivyabaye n'ubwo ingingo z'umurwi CENI ku bijanye nukurungika hamwe no kwihweza ivyavuye mu matora zibitegekanya. Nta nsiguro nimwe yatanzwe ku mugaragaro ku vyerekeye iyo ngendo. Ivyo vyari gushoboza umurwi CENI, mu ntumbero yo gukorera ku mugaragaro, kumenyekanisha ivyavuye mu matora kuburyo buramvuye ibiro ku biro vy'amatora ubicishije ku buhinga bw'ingurukana bumenyi. Mu matora y'Abajenama b'Amakomine

[45] Raba ikigabane kijanye n'amatora yo kuwa 23 Mukakaro

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warashoboye kugendera uherekejwe ikigo CTD, k'ubutumiwe bwa PNUD kandi ubirekuriwe n'umukuru w'Umurwi CENI. Mu matora akurikira, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ntiwimiriwe gushika muri CTD kandi warashoboye kuharangurira igikorwa cawo. Ariko, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ntushimishwa n'uko utashoboye kuronswa canke kunihweza ivyavuye mu matora ku buryo buramvuye ibiro ku biro vy'amatora mu buhinga bwa none, naho uwo murwi wagumye ubisaba CENI agasakisaki.

D. IBIRANGA IBIKORWA VY'AMATORA, UGUHARURA NO KWEGERANYA IVYAVUYE MU MATORA

Amakarata menshi

Kubona ata kwumvikana kuri hagati y'imigambwe kugira ngo bakoreshe ikarata imwe mu matora yo mu mwaka w'2010, vyaragize inkurikizi yo gusubira gukoresha amakarata ariko benshi yakoreshejwe mu mwaka w'2005. Abanyepolitike bamwe bamwe batavuga rumwe n'ubutegetsi baridoze ko abatora bamwe bamwe bashoboye gusohoka ibiro vy'amatora basohokanye amakarata batakoresheje mbere bakanayagurisha. Mu kiringo co gusubiramwo igitabo c'amategeko agenga amatora mu kwezi kwa Nyakanga 2009, ingingo zo gutorera inyishu iyo ngorane zahavuye zongerwa muri ico gitabo ariko zaciye ziremereza ingingo ngenderwako, haba kubatora canke ku batunganije amatora. Yamara, ugukoresha irindi sandugu hamwe n'ibahasha igira kabiri vyahavuye vyongereza uburyo bw'amafaranga yakoreshejwe mu mugambi w'amatora,vyaranatumye ibikorwa vyo gutora no guharura amatora bigorana binatuma haba ukutumvikana hagati y'abagize ibiro vy'amatora n'abatora.

Kubera ico, uwutora yahabwa ibahasha zibiri, iyera n'iyirabura. Uwutora yabwirizwa gushira ikarata ashimye mw'ibahasha yera izindi nazo mw'ibahasha yirabura.Uwutora rero yaraheza agaca azishira muri za sandugu zibiri zitandukanye. Abagize ibiro vy'amatora barashobora kwihweza ko ata batora basohokanye amakarata hanze y'ibiro vy'amatora, naburya igitabu c'amategeko agenga amatora co mu mwaka w'2009 gitegekanya ibihano mpana vyaha ku batora basohokanye amakarata y'itora[46]. Igitabu c'amategeko agenga amatora giha uburenganzira Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, bwo kwihweza ibiriko biraba ukurikije ingingo ngenderwako witoreye[47].

Impera n'imperuka, mu Gitabu c'amategeko agenga amatora hashinzwe kw'iyo hari ubudasa bunini cane hagati y'igitigiri c'amakarata yahawe abatora ugereranije n'ayo dusanga muri ayo masandugu abiri, Umurwi wigenga ujejwe gutunganya amatora mu gihugu uca witura sentare ijewe kwubahiriza Ibwirizwa Shingiro ngo usabe ko ayo matora yofutwa[48]. Ubwo budasa buharurwa mu vy'ijana vy'amakarata yatanzwe, bwahavuye bwitwa « ivy'ijana bigaragaza ubudasa, ari na vyo vyahavuye biharurwa n'abagize ibiro vy'amatora (BV) iharurwa ry'amajwi rirangiye. Ivyo vy'ijana vyerekana ubudasa ntibishingwa n'Igitabu c'amategeko agenga amatora. Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, wabwirizwa kubimenyesha ku nsamirizi ku munsi w'amatora, iminota 30 imbere y'isozera ry'amatora ryari ritegekanijwe kw'isaha y'icumi.

[46]Ingingo za 69 na226 y'igitabo c'amategeko agenga amatora
[47] Ingingo ya 69 y'Igitabu c'amategeko agenga amatora
[48]Ingingo ya 64 n'iya 65 y'igitabu c'amategeko agenga amatora.

Ibiro vyose vy'amatora vyabwirizwa kugira imararungu kugira ngo bagume bazi ivy'ijana vy'ubudasa bafatiyeko.

Izo ngingo ngenderwako zose, naho zari zitumbereye kugabanya uko bishoboka kwose impungenge zitumwa n'ikarata imwe iriko abitoza benshi, zatumye uburyo bwiyongera vy'umurengera, haca hakenerwa guhingura amamiriyoni menshi y'amakarata na cane cane hageze amatora yo mu makomine, aho imigambwe igera kuri 24 n'abigenga batanu bahiganwa. Ivyo vyaranongereje impungenge zijanye n'itangwa hamwe n'ikeha ry'amakarata y'itora ku munsi w'amatora. Mu nyuma, amategeko atomora ivy'ijana vy'ubudasa, yahavuye aha uburenganzira umurwi wigenga ujejwe gutunganya amatora mu gihugu,ububasha bwo gushinga ivy'ijana bigaragaza ubusuma ataco bwica. Ni amabanga ahambaye ku buzima bw'igihugu afise uruhara rukomeye rwa politike, afise n'ico ashobora guhindura ku kugororoka kw'amatora kurengeye ububasha busanzwe Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, ufise.

Gutorera uwundi no gufasha ibimuga n'abatazi gusoma no kwandika gutora.

Igitabu c'amategeko agenga amatora kirategekanya ko umuntu ashobora gutorera uwundi, mu gihe nyene gutumwa yaje yibangikanije urwandiko rwa nyene kumutuma hamwe n'ikarata y'itora ya nyene gutuma. Nta wushobora gutorera umuntu arenga umwe ndetse uwutoreye mu mahanga[49].

Umuntu yarashobora gutuma uwumutorera iyo akitswe n'amagara canke ku mpamvu z'akazi. Ibimuga vyarashobora gufashwa mu gushira ikarata y'amatora mw'ibahasha no mu gucokeza ibahasha mw'isandugu. N'abatazi gusoma n'ukwandika barashobora gufashwa n'uwubandikira bishimiye.

Ivyo amatora y'abakenguzamateka yisangije

Uwutora aronswa gusa amakarata y'itora abiri, imwe imwe yose igizwe n'urutonde rw'abitoza basangiye ubwoko, ni ukuvuga abitoza babiri ku mugambwe umwe umwe wose no ku rutonde rumwe rumwe rwose rw'abigenga. Mu bwiherero, uwutora ashira akamenyetso, kw'ikarata imwe imwe yose, imbere y'umugambwe canke uwigenga yitoreye. Aca ashira imwe muri izo karata mw'isandugu yateguriwe ubwoko ubu canke buriya hanyuma iya kabiri mw'isandugu ry'ubundi bwoko. Mu gihe amatora asubiwemwo, irangi ridahanagurika ryikurikiranya rishirwa ku rukumu, nkokorankono, na nsumbazose, canke ahandi hose humvikanyweko n'abagize ibiro vy'amatora mu gihe uwutora yacitse urutoke rusabwa.

Ivyo amatora yo ku mitumba canke uducimbiri yisangije

Muri ayo matora, uwutora ahabwa ikarata imwe igaragara aheza akandikako amazina atatu mu bitoza bigenga bose. Hatorwa batanu barushije amajwi abandi,uwa mbere muri abo agaca atwara umutumba canke agacimbiri.

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[49] Ibwirizwa n° 014/ CENI ryo kuwa 9 Nzero 2010 rigenga ukwiyandikisha kw'abarundi baba mu mahanga mu matora n'ibwirizwa n° 012/CENI ryo kuwa 27 Nzero 2010 rigenga ishingwa ry'abaserukira Umurwi wigenga ujejwe gutunganya amatora mu gihugu hamwe n'imirwi yigenga ijejwe gutunganya amatora ku rwego rw'intara, ibiro biserukira uburundi mu mahanga, hamwe n'abarundi bakwiragiye mu makungu kubw'amatora yo mu mwaka w'2010

Uko ivyavuye mu matora birungikwa bikegeranywa

Igitabu c'amategeko agenga amatora nticerekana neza uburyo bwo kurungika no kwegeranya ivyavuye mu matora. Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI ntiwigeze ushikiriza ingingo ngenderwako mu nyandiko ziramvuye zisigura uburyo bwo kurungika ivyavuye mu matora. Inzandiko zitomora ukugene amabahasha arungikwamwo ibikoresho akoreshwa, zarungitswe imbere y'igihe c'amatora, zigatomorera abagize ibiro vy'amatora ingene botororokanya ibikoresho vya nkenerwa n'abo babirungikira.

Ku rwego rwo hejuru, icegeranyo canditse kivuga ingene ivvyavuye mu matora vyasukiranijwe ku kibanza cose c'itora (urupapuro rwuzuzwa F3), hanyuma kw'ikomine (urupapuro rwuzuzwa F4), imbere yo kuvyegeraniriza ku ntara (urupapuro rwuzuzwa F5), cerekana ko iryo yegeranywa ritegerezwa kurangurirwa kuri izo ngero bavuze. Naho biri uko, ivyo ntivyosubirira urwandiko rutomora ingene ivyavuye mu matora vyunguruzwa, n'ukugene bisukiranywa, rukanatomora uwujejwe iki canke kiriya, uburenganzira bw'abaserukira imigambwe,n'abarorerezi mu gukurikirana ingene amatora ariko aragenda, uruhara rw'inzego z'umutekano, n'akaranga rusangi ka rya sukiranya.

E. UKWONGERAMWO N'ISHIRWAHO RY'INAMA MPANUZWAJAMBO Z'AMAKOMINE

Ukwongeramwo gukomoka mu masezerano y'i Arusha yo kuwa 28 Myandagaro 2000, ategekanya ingingo yo kunganisha abaharanira ubutegetsi, amoko n'ibitsina. Afise ihangiro ryo kuringaniza ibivuye mu matora n'intonde zanditse ku mpapuro.

Ku biraba amakomine, ingingo y'181 y'Igitabu c'amategeko agenga amatora ivuga ko inama y'Abajenama b'Amakomine igizwe n'abantu 15, mirongo itatu kw'ijana bakaba ari abakenyezi. Itegerezwa kwerekana ubwinshi bw'amoko y'abatora ikabamwo n'imiburiburi umutwa umwe. Igitabu c'amategeko agenga amatora ntigishinga ivy'ijana vy'abahutu n'abatutsi nk'uko biri mu matora y'abashingamateka. Yamara, mu gihe abagize iyo nama badahuye n'ubwinshi bw'amoko hamwe n'ubw'ibitsina vy'abatora, ingingo y'181 y'ico gitabu ica iha ububasha CENI bwo gutegeka kwongereza abataserukiwe bikwiye mu Nama mpanuzwajambo ya Komine. Igitabu c'amategeko kivuga ko iyongerezwa ridashobora kurenza ica gatanu c'abagize iyo nama. Kubera ko abagize amanama mpanuzwajambo basanzwe baharuye, iyongerezwa ritegerezwa kurengera ikurikirana ry'abitoza ku ntonde, abitoza bakomoka mu migambwe n'ibitsina vy'inkehwa bagaca bahatorera akoyoko.

Ishirwa mu ngiro ry'ico gitabu c'amategeko agenga amatora riragoye cane. Ku ruhande rumwe, uguhuza ibisabwa mu guserukira abandi ntivyashobotse hakurikijwe uko ingingo y'181 ibivuga. Nico gituma ama CEPI amwe amwe, kugira hubahirizwe ibisabwa mu guserukira abandi, habaye ukwongeramwo igitigiri c'abitoza kirengeye icagatanu c'abagize iyo nama categekanijwe. Vyongeye, ama CEPI yararonse akaryo ko kwihweza ibisabwa bijanye n' "amatora ahurikiyemwo amoko yose". Urwandiko rutemejwe rwanditswe na CENI rwiswe "Igaburwa ry'ibibanza mu Nama mpanuzwajambo z'Amakomine" rwarageregeje gutomora iyo ngendo mu kwemeza ko ukwongeramwo bikorwa bafatiye ubwa mbere kuntonde zashikirijwe ico gihe, hanyuma hakurikijwe urutonde rw'amajwi baronse. Bisubiye urwo rwandiko rwabwiriza ko imigambwe igira uruhara mu gikorwa c'ukwongeramwo.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ntiwashoboye kwibonera igikorwa c'ukwongeramwo mu ma CEPI yose, kubera ahanini vyakozwe mu

mwiherero kandi henshi bikorwa imigambwe hamwe n'Abahagarikira amatora bo mu Murwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora atariho bari.

Ku vyerekeye Abahagarikizi, imirwi 5 kuri 15 yonyene niyo yashoboye gukurikirana uwo mugambi[50]. Mu ma CEPI hafi yose, iyongeramwo ryakozwe ata migambwe irimwo batabanje no kuyicako. Amatati avuye kw'iyongerwako yarabonetse na cane cane mu ntara ya Muramvya na Kirundo, aho imigambwe itemeye uko kwongeramwo kwagenze. Ahenshi batemeye iryo yongerwa wasanga vyavuye ku migambwe yaba yatsindiye icicaro kimwe bakaca bagiha umutwakazi canke umukenyezi atize gurtyo umukuru w'umugambwe muri ico gice ntaronke. Imigambwe imwe imwe yaraneguye uwo mugambi igihe c'inama yo kuwa 16 ruheshi muri CENI yo kumenyesha imigambwe uko amatora yagenze.

Ku bijanye n'ishirwaho ry'Abajenama b'Amakomine hamwe n'amatora y'aba Munsitanteri, Uwurongoye i komine n'Ivyegera vyiwe, vyabaye bigoranye mu ma Komine umugambwe wa CNDD-FDD utaronse ibice bibiri vya bitatu vy'ibibanza. Ishirwaho ry'Abajenama b'Amakomine ritegerezwa kubahiriza ibice bibiri vya bitatu vy'igitigiri gisabwa mu ntumbero yo kuringaniza Amatora abereye y'aba Munsitanteri, Uwurongoye Inama mpanuzwajambo ya komine eka mbere n'Icegera ciwe.

Twisunze ingingo ya 17 y'itegeko rigenga imigambi ya Komine[51], Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, warashize itegeko n°030 rirekura amanama ku bajenama b'Amakomine yo ku ma genekerezo ya 3, 6 na 8 Mukakaro. Iryo tegeko ntirya tomora neza ingingo yofatwa mu gihe igitigiri gisabwa kugira inama ikorane, kitashitsweko mu nama igira gatatu. Kubw'ivyo, ivyiyumviro ntegekanya vyinshi vyaratanzwe mu mvugo, bigatangwa n'abagize Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, nk'ic'igabanganywa ry'ibibanza bitaruzuzwa biri hagati y'imigambwe ihari, ivyo navyo bikaba bidafise ifatiro ryemewe n'amategeko, canke iciyumviro co gusubiramwo amatora y'Inama mpanuzwajambo zidakora, ico ciyumviro kiri mu ngingo ya 102 iri mw'itegeko rigenga amakomine ku vyerekeye kubogoza Inama Mpanuzwajambo z'amakomine[52].

Mu ma Komine 129, Inama Mpanuzwajambo za Komine 89, zarashoboye gukorana mu Nama ya mbere yo kuwa 3 Mukakaro[53]. Mu nama yatunganijwe kw'igenekerezo rya

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[50] I Ngozi, Makamba, Rutana, Muyinga na Karusi

[51] Ingingo ya 17 : « Inama mpanuzwajambo ntishobora kuja mu mwiherero itubahirije ibice bibiri vya bitatu vy'abagize iyo Nama bitavye inama, kandi bakihweza ibibazo vyo vyateguwe kuri uwo munsi. Iyo ibitigiri vyasabwe aho hejuru bidakwiye, harashobora gusubira guhamagazwa iyindi nama mu minsi 5 ikurikira. Inama mpanuzwajambo ya Komine irakorana bakiga neza iyo ngingo, mu gihe abayitavye bashika igice c'abayigize. Mugihe naho, Inama ya kabiri badashikana igice c'abitavye gisabwa, baca bahamagaza inama ya gatatu, mu kiringo gitegekanijwe muri uwo murongo uri imbere, iyo nayo igategerezwa kwitabwa na Buramatari w'intara canke Umukuru w'igisagara. Iyo Nama iraheza igafata ingingo zibereye, zijanye n' « ibibazo vyateguwe kuri uwo munsi. »

[52] « Umushikiranganji ajejwe intwaro yo hagati mu gihugu arashobora, biturutse ku mvo zihutirwa, kandi kubw'inyungu ya komine canke y'igihugu guhagarika canke gusaba Umukuru w'igihugu gukombora Inama Mpanuzwajambo ya Komine. Ibwirizwa ryo guhagarika iyo Nama, riba abashingamateka b'iyo ntara canke ico gisagara bakoranye. Ayandi matora aratunganywa mu kwezi gukurikira iryo komborwa. Inama mpanuzwajambo iraheza igasubirirwa, hisunzwe amategeko ajanye n'amatora.

[53] Itariki ya 3 Mukakaro, Inama mpanuzwajambo ya Komine imwe gusa yo kuri cumi n'imwe, zo muri Bujumbura-Rural (Mugongo-Manga), niyo yashoboye gutora ibiro vyayo, Inama imwe kuri cenda zo mu ntara ya Bururi, Inama zibiri kuri zitandatu zo mu ntara ya Mwaro, Inama zine kuri zitandatu zo mu ntara ya Cibitoke, zine kuri zitanu z'i Muramvya, n Inama zine kuri zitandatu z'i Makamba. Mu Nama cumi na zitatu zo muri Bujumbura-Mairie nta nimwe yashoboye gukwiza ibitigiri bisabwa kugira ngo inama ikorane.

6 Mukakaro, Inama munani ziyongereyeko, zaciye zikorana zitora Abazirongora[54], mu Nama igira gatatu, abandi Bajenama barashoboye gukorana[55].

Kenshi na kenshi, ibitigiri vyasabwa vyarashitsweko bifashijwe nuko abari mu migambwe itavuga rumwe na Reta biyunze bituma ivyo bitigiri bishikwako. Inyuma y'izo nama uko ari zitatu, Amakomine 103, yarashoboye kugena ibiro vyayo. Inyuma yaho, Abajenama b'Amakomine barashoboye kubandanya bakorana ariko umurindi wagabanutse[56]. Ku munsi wo gusozera iyandikwa ry'iki cegeranyo, inama 120 kuri 129 zarashoboye gutora ba munsitanteri bazo.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warerekanye umwitwarariko ufise k'ubwoba bwatewe abagize Inama Mpanuzwajambo z'amakomine mu gihe c'itorwa rya ba Munsitanteri b'Amakomine. Ivyo vyarabaye gushika n'aho hagize n'abatabwa mu mvuto kugira ngo ba munsitanteri batorwe bano atariho bari nk'akarorero vyibonekeje i Burambi mu ntara ya Bururi.

VI. IYANDIKWA RY' ABATORA

A. UBURENGANZIRA BWO GUTORA

Abarekuriwe gutora ni abo Barundi bose bashikana canke barenza imyaka cumi n'umunani ku munsi w'amatora basanzwe barangura amabwirizwa y'ubwenegihugu n'aya politike ata kintu na kimwe gishobora kubuza gutora nk'uko amategeko[57] agenga amatora abitegekanya. Ingingo ziva ku ya 5 gushika ku y'10 y'igitabu c'amategeko agenga amatora hamwe n'itegeko inomero 007/CENI ryo ku wa 30 Kigarama 2OO9 ritomora imyaka y'abatora, impapuro ndangamuntu zisabwa uwiyandikisha ngo atore, riratomora ibimubuza gutora vy'imfatakibanza (ikiringo co gupfungwa cakatiwe umuntu, kurwara mu mutwe, guhunga, abatagira ubwenegihugu, n'ibindi) canke burundu (abagirizwa ubwicanyi baciriwe imyaka irenga cumi yo gupfungwa n'abagirizwa kwama batovye amatora).

B. KWANDIKA ABATORA

Iyandika ry'abatora ryabaye kimwe mu bintu vyagenze neza muri aya matora kandi vyari bikwiye kwama uko. Intonde z'abatora ntizigeze zinegurwa n'igihe imigambwe imwe imwe ihurikiye mu runani ADC-Ikibiri yiyamiriza ivyavuye mu matora, ntiyinuvye izo ntonde.

Iyandikwa ku ntonde z'abatora ryahagarikiwe n'imirwi yigenga ijejwe gutunganya amatora mu ma komine no mu ntara n'abajejwe kwandika abatora mu biro vy'iyandikwa bishika 12.874 bikwiragije mu bibanza vy'iyandikiro bishika 3.302. Uwiyandikishije wese yaca aronka aka resepise kemeza ko yiyandikishije. Iryo tunganywa ryararonse intererano ya wa Mugambi w'Ishirahamwe Mpuzamakungu Ujejwe iterambere PNUD mu gutanga amakarata ndangamuntu ashika 900.000 ku buntu, ivyo vyaroroheje gato ingorane y'ikibazo c'impapuro ndangamuntu abantu benshi bari bafise. Vyongeye, Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, waciye ushiraho

[54] Inama zibiri zitakoranye zo mu Cibitoke, zibiri z'i Makamba, Inama imwe yari isigaye y'i Muramvya, zibiri kuri zine zitakoranye z'i Mwaro, n'imwe yo muri Bujumbura-Mairie (Rohero), zarashoboye gukorana ziratora abazirongora

[55] Komine y'i Mukike (Bujummbura-Rural), ikomine zibiri z'i Buruui, ikomine imwe y'i Mwaro, n'ikomine zibiri zo muri Bujumbura-Mairie

[56] Izo nazo ni ikomine za Mubimbi na Mutambu (Bujumbura-Rural) hamwe n'amakomine ya Bwiza, Cibitoke, Gihosha na Musaga (Bujumbura-Mairie)

[57] Ingingo ya 4 y'Igitabo c'Amategeko agenga Amatora

"Urupapuro ndangamuntu rw'uwutora"kugira rugabanye ingorane ziterwa n'ikibazo co kubura impapuro ndangamuntu.

Ibwirizwa n.013 ryo ku wa 27 Nzero 2010 rihindura ikiringo co kwiyandikisha mu matora ryavuga ko atawiyandikisha inyuma y'itariki ya 4 Ruhuhuma.Yamara, baravye ukuntu vyoba nkenerwa kworohereza abantu ngo biyandikishe ari benshi mu kubaha rwa rupapuro ndangamuntu kuri ba bandi batagira ibibaranga, ikiringo co kwiyandikisha caciye cungururizwa kw'igenekerezo rya 9 Ruhuhuma. Urutonde rw'imfatakibanza rwariko abiyandikishije bagera ku 3.552.128 ku banyagihugu 8.053.574[58], tugereranije n'urutonde rwo mu mwaka w'2005 rwariko 3.136.529, dusanga hiyongeyeko ibice 11%. Turabiye ku vy'Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, watanze kw'igenekerezo rya 19 Rusama, abiyandikishije bose bari 3.555.731 harimwo 4.606 bari mu mahanga (raba aha hepfo).

Igitabu c'amategeko[59] agenga amatora kirategekanya kwitwarira iyandika, ikuramwo canke ifuta ku rutonde rw'abiyandikishije mu matora. Nta wimiriwe kwitwara ku migwi yigenga ijejwe gutunganya amatora mu ntara CEPI iminsi cumi n'itanu imbere y'uko amatora atangura. Amakuru atangwa n'Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, avuga ko atawigeze yitwarira iyandikwa ry'abatora ku ntonde.

Ihinduka ry'umunsi wo gusozera iyandikwa ryatumye n'ikiringo co kumanika intonde gihinduka. Mbere ryari ritegekanijwe hagati y'itariki 5 na 11 Ndamukiza, rica ryimukira hagati 14 na 18 Ndamukiza[60] mu ntara zimwe zimwe. Imanikwa ry'intonde ryubahirije amategeko ryakoreshejwe gake n'abatora kugira barabe uko intonde zubatse.

C. IKARATA IRANGA UWUTORA

Ingingo ya 55 y'igitabu c'amategeko agenga amatora itegekanya ko uwutora yibangikanya ibimuranga, ikarata y'itora, akaba ananditse ku ntonde z'abatora. Yamara iyo ngingo irarekurira gutora abadakwije vyose muri ibi bihe bikurikira[61]: mu gihe uwutora atagira ikimuranga na kimwe, ariko akaba afise ya karata y'itora kandi yanditse ku rutonde,arashobora kwemererwa gutora, n'abagize ibiro vy'amatora iyo asanzwe azwi neza n'imiburiburi n'abantu batatu mu bagize ibiro vy'itora mu gihe ubwenegihigu bwiwe bwemejwe n'abagize ivyo biro barenga batatu; mu gihe uwutora atagira ikarata y'itora ariko akaba afise ikimuranga kandi akaba yanditse ku rutonde, arashobora kwemererwa gutora n'ingingo y'ibiro vy'itora babanje guhinyuza mu gitabu c'intonde.

Itangwa ry'amakarata y'itora ryatanguye kw'igenekerezo rya 17 Rusama mu ntara 14 kuri 17 zigize igihugu ubona ko hari ibintu bizazanye.Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI waciye ubitorera umuti mu kwongereza abatanga izo karata no mu kubaha inyigisho zitomoye gusumba ku kugene zibikwa. Hanyuma, ibiro vy'Umukuru w'Igihugu yaratanze umunsi wa 20 Rusama ngo ube uw'akaruhuko ku bakozi bose kugira baje kwakira ikarata y'itora, ivyo vyaciye vyorohereza itangwa ry'amakarata. Umurwi w'Ishirahamwe Ry'Abanyaburaya Ujejwe Gukurikirana Amatora wasanze hari igihe inomero za resepise zitahura n'iz'ikarata y'itora, muri ico gihe uwiyandikishije ntiyaronka ikarata.

Itangwa ry'amakarata y'itora ryahavuye risozerwa hagati y'amotora y'abajenama b'Amakomine n'ay'umukuru w'igihugu. Bisubiye, ihinyanyurwa ry'intonde z'abatora

[58] Ibwirizwa 100/55 ryo ku wa 05 Ndamukiza 2010 ritomora itangazwa ry'ivyavuye mu rusansuma rwa 3 rw'abanyagihugu n'uburaro ryo mu 2008

[59] Ingingo ya 22 y'Igitabu c'amategeko agenga amatora

[60] Ibwirizwa n. 21/CENI ryo ku wa 13 Ndamukiza ritunganya ukumanika intonde z'abatora mfatakibanza

[61] Ingingo ya 57 y'Igitabu c'amategeko agenga amatora

ryagizwe muri ico kiringo nyene. Umugambi ujejwe gushigikira iringanizwa ry'amatora (PACE) uvuga ko iryo hinyanyurwa ryagarukiye ku bantu bagera ku 2.343 banditswe mu bitabu ariko batari bashizwe ku ntonde. Hanyuma, ubuyobozi bujejwe gutunganya amatora bwaciye bukora ayandi makarata agera ku 12.538 zihuye n'iryo hinyanyurwa hamwe n'izitari bwasohorwe. Iryo subirwamwo ry'intonde ryatumye hongerezwa ibindi biro 8 vy'amatora mu gihugu cose gurtyo bica bigera 6.969.

D. ABATORA BABA MU MAHANGA

Abarundi baba mu makungu barashobora gutora Umukuru w'igihugu, Abashingamateka, Abakenguzamateka, na za kamarampaka. Biyandikishije kuva kw'igenekerezo rya mbere kugeza ku rya 15 Ruhuhuma. Abatora bose hamwe bageze ku 4.604 ku butegetsi buserukira Uburundi mu mahanga. Ku matora y'Abashingamateka n'Abakenguzamateka Abarundi batora baravye intonde z'abitoza bava mu ntara z'amavukiro iwabo. Baca bandika ku ruhande rw'inyuma y'urupapuro iyo ntara canke ako karere. Ivyegeranyo vy'ivyavuye mu matora vyaca birungikwa muri wa Murwi wigenga Ujejwe Gutunganya Amatora mu gihugu, CENI, bicishijwe mu baserukira Uburundi mu mahanga. Ayo matora y'Umukuru w'Igihugu, ay'Abashingamateka yabereye ku biro 32 vy'Abaserukira Uburundi mu makungu. Ku bijanye n'Amatora y'Abashingamateka, abarundi batora bakurikije urutonde rw'abitoza mu karere bakomokamwo. Ibiharuro bitangwa na Sentare yubahiriza Ibwirizwashingiro, vyemeza ko amajwi angana 3.539 avuye mu makungu yashoboye gutangwa mu matora y'Umukuru w'Igihugu.

VII. IYANDIKWA RY'ABITOZA N' IRY'IMIGAMBWE

Hisunzwe amasezerano y'i Arusha amategeko y'Uburundi yarahaye inkehwa n'abakenyezi kwitoza no kuja mu nzego kuva mu mwakwa w'2010 nk'uko amategeko mpuzamakungu abitegekanya. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ubona ko amategeko y'Uburundi ata ngingo zivangura canke zizimvye cane ku vyyerekeye iyandikwa ry'abitoza hamwe n'intonde z'abitoza.

Mu Burundi, gutumirira abanyagihugu mu matora, yaba ayo mu gihugu cose canke mu yindi mihingo[62], ni igikorwa c'Umukuru w'Igihugu abicishije kw'ibwirizwa ry'Umukuru w'Igihugu. Gurtyo rero, amategekobwirizwa abiri y'umukuru w'igihugu yahamagariye Abarundi batora kurangura uwo murimo mu matora yose ategekanijwe mu 2010[63]. Ayo mabwirizwa aratomora amatariki yo gushikiririzako impapuro zisabwa abitoza, itariki y'amatora, akarere k'amatora, n'uburyo amatora kanaka azorangurwa, ubutegetsi bujejwe amatora bukazoca bwuhirirako.

Ku biraba gushikana impapuro z'abitoza, Igitabu c'amategeko agenga amotora ntaco kivuga ku vyerekeye guhindura abitoza canke urutonde rw'abitoza. Ikiringo co gushikana izo mpapuro kirenze, nta ngingo n'imwe ibihana canke ngo ihindure abitoza. Kuri iyo mvo ubuyobozi bw'amatora bwategerejwe kuronderera umuti ibibazo bimwe bimwe iyo bisabwe kandi bikaba bishoboka. Kenshi na kenshi, ingingo yo guhakana uwitoza yafatwa yumvikanyweko. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana

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[62] Raba ingingo ya 11 y'Igitabu c'amategeko agenga amatora : « Abatora batumirwa n'Ibwirizwa ry'Umukuru w'Igihugu iminsi iri hagati ya 35 na 45 ibaye myinshi isango ryo gutora ritaragera. Yamara, amatora abiri abereye mu kiringo kimwe kitarenza amezi atatu, abatora barashobora gutumirwa n'ibwirizwa rimwe rudende.

[63] Raba ibwirizwa 100/56 ryo ku wa 7 Ndamukiza 2010 ritumira abatora mu matora y'Abahanuzi b'Amakomine, y'Umukuru w'Igihugu, y'Abashingamateka n'Abakenguzamateka, n'ibwirizwa ry'Umukuru w'Igihugu n. 100/110 ryo ku wa 24 Mukakaro 2010 itegekanya itumira ry'abatora mu matora y'Abahanuzi b'Imitumba n'ab'Uducimbiri hamwe n'abarongoye Imitumba n'Uducimbiri.

Amatora, uribukije ushimitse ko ari ngombwa ko batunganya mu nyandiko amategeko agenga ivyiyumviro ntegekanya bimwe bimwe kugira ngo amategeko akingire bose.

Vyongeye, hambavu yo gutomora ikiringo co kumenyesha abitoza, Igitabu c'amategeko agenga amatora kiributsa gishimitse, ku biraba amatora yo mu gihugu, ko ico kiringo kidashobora kuja munsi y'iminsi 15 ku matora y'Abashingamateka n'Abakenguzamateka, 10 ku y'Umukuru w'Igihugu, agaca atuma Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, gushinga ico kiringo ku matora yo mw'i komine no ku mitumba. Gutryo rero, Umurwi CENI watanze iminsi 10 muri iyo mice yose uko ari ibiri[64]. Naho ivyo biringo uko ari bibiri vyashinzwe, nticabujije ko abitoza babirengako kuko bagize ingorane mu kurondera impapuro zisabwa abitoza no mu kuriha ingwati isabwa bivanye n'amatora ayo ariyo.

Igitabu c'amategeko agenga amatora kiratandukanya amatora yo mu gihigu cose n'amatora y'Abajenama b'Amakomine n'ay'Abakuru b'Imitumba canke uducimbiri mu kwandika abitoza no mu kuringaniza intonde zabo. Naho mu matora y'Igihugu, Umurwi CENI nirwo rwego rwakira impapuro zisabwa abitoza mu matora yo mu gihugu cose, mu makomine, ku mitumba canke uducimbiri na ho hari aho bikorwa n'Imirwi CEPI canke CECI[65].

Mu Burundi, ku biraba amatora y'Abahanuzi b'Amakomine, ay'Umukuru w'Igihugu, ay'Abashingamateka n'Abakenguzamateka, imigambwe n'abigenga bikwije ibisabwa vyonyene ni vyo birekuriwe kwitoza. Ku vyerekeye abahanuzi b'imitumba canke uducimbiri n'abakuru batwo, abitoza ku giti cabo bayipfuza kandi bakwije ibisabwa n'amategeko ni bo bonyene bafise uburenganzira bwo gushikiriza impapuro zisabwa abitoza. Igitabu c'amategeko agenga amatora kiratomora ibikenewe kw'iyandikwa ry'abitoza n'intonde zabo ku matora ayo ariyo yose[66]. Mu nyuma, CENI yahavuye wuzuza neza izo ngingo zari zibuze iranibutsa ikiringo co gushikiriza ibisabwa abitoza ibicishije mu nzira zemewe n'amategeko (Ibwirizwa, amatangazo n'ingingo)[67].

Ku vyerekeye amatora ku rwego rw'igihugu, imbere yo gukora urutonde rw'ibikenewe kugira umuntu yitoze kiradondagura ku matora ayo ariyo yose urutonde rw'ibisabwa kugira umuntu atorwe, ibituma adatorwa n'ibitajanye n'amabanga asanzwe ajejwe[68].

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[64] Raba amabwirizwa ya CENI n. 17 yo ku wa 25/O2 na n. 20 yo ku wa 09/04 ku matora y'Abajenama b'Amakomine, n'Ibwirizwa rya CENI n. 37 ryo ku wa 24/07 mu matora yo ku mitumba.

[65] Raba ingingo y' 169 y'Igitabu c'amategeko agenga amatora ku biraba amatora y'Abahanuzi b'imitumba canke uducimbiri n'Abakuru bavyo n'ingingo y'184 y'igitabu c'amategeko agenga amatora ku biraba amatora y'inama mpanuzwajambo z'amakomine na ba Munsitanteri.

[66] Raba ingingo y'184 y'Igitabu c'amategeko agenga amatora n'Amabwirizwa n.017 na n.020 ya CENI yerekeye amatora y'Abajenama b'Amakomine; Ingingo ya n.101 y'Igitabo c'amategeko agenga amatora igenga Amator y'Umukuru w'Igihugu; Ingingo y'131 y'Igitabu c'amategeko agenga amatora, n'ingingo y'Umurwi CENI yo kuwa 16 Mukakaro yerekeye amatora yAbashingamateka; ingingo y'160 y'Igitabu c'amategeko agenga amatora n'Ingingo y'Umurwi CENI yo ku wa 16 Mukakaro igenga Amatora y'Abakenguzamateka; n'Ingingo 169 y'Igitabu c'amategeko agenga amatora, Ibwirizwa n.037 yo kuwa 24 Mukakaro ry'Umurwi CENI n'Ingingo yo kuwa 4 Myandagaro ya CENI igenga Amatora y'Abajenama bo ku mitumba.

[67] Ibiringo vyo gushikiriza ibisabwa abitoza hakurikijwe ikirangaminsi c'Umurwi CENI: amatora yo mu makomine (kuva 07 kugeza 16/04); ay'umkuru w'igihugu(kuva 15 gushika 24 Rusama); ay'abashingamateka (kuva 09 kugera 23 Ruheshi); ay'abakenguzamateka(kuva 14 kugeza 28 Ruheshi); n'ayo ku mitumba(kuva 25 Mukakaro gushika 03 Myandagaro)

[68] Raba ku gisata kijanye n'ukumenyesha amakuru cerekeye Umupfasoni Vestine NAHIMANA, Umukuru w'Urwego Rw'Igihugu Rujejwe Gucungera Umwuga Wokumenyesha amakura (CNC) afatanije amabanga bibiri : Umukuru w'Urwego CNC n'umukenguzamateka n'aho bidahuye n'ibisabwa n'amategeko dusanga mw'itegeko n.01 /18 yo kwitariki 25 Nyakanga 2007 rigenga amabanga, inyubako, itunganywa n'uko uwo murwi urangura imirimo yawo mu ngingo yawo ya 16 (Ingingo ya 16: "Amabanga y'umuntu ntayegayezwa wo mu rwego aranyuranye n'ayandi mabanga ayo ariyo yose ajanye na politike…").

Ku bijanye n'ibiringo bitandukanye vy'iyandikwa ry'abashaka kwitoza, birakenewe ko ibiringo bitandukanywa dukurikije amatora ayo ariyo.

Ku bijanye n'amatora y'abajenama b'amakomine, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, warabonye ko uwo mugambi atawe wakumiriye kandi ko ivy'abatemerewe vyumvikanyweko hagati y'imirwi CEPI n'imigambwe canke abitoje ku giti cabo bikaba vyatumye hatabaho ibirego bishikirizwa. Mu ngingo n.017 yo kuwa 25 Ruhuhuma 2010, Umurwi CENI wari wahamagaye abashaka kwitoza bose ku matora y"Abajenama b'Amakomine ushinga n'ingingo zijanye no kwemeza no gutanga ibikenewe ku bashaka kwitoza. Uwo murwi wasaba, ukurikije Igitabo c'amategeko agenga amatora, kw'idosiye yose y'abitoza baserukiye imigambwe canke abitoza ku giti cabo iba irimwo igitigiri kinini c'impapuro zemeza ico bari n'ico bamaze.

Umurwi w'ishirahamwe ry'abanyaburaya ujejwe gukurikirana amatora, wabonye ibisabwa vyari biremereye uravye ugukwega amaguru kwa reta mugutanga impapuro n'amafranga asabwa kugira ngo babironswe; impapuro zimwe zimwe zironderwa i Bujumbura gusa ivyo navyo bikagora imigambwe mito n'abitoza ku giti cabo badafise uburyo bwinshi. N'ubwo Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, wari washitse inyuma y'ikiringo c'ukwandika abitoza n'intonde z'abitoza (kuva kuwa 7 gushika kuwa 16 Ndamukiza 2010), warakeje Umurwi CENI wowo wakurikije ingendo nziza mu ngingo yawo n.020 yo kuw' 9 Ndamukiza 2010 wari wemeje ko ibisabwa bimwe bimwe bibwirizwa kubahirizwa ugereranije n'ibiringo bigufi bigufi vyo gutanga impapuro zisabwa nk'urupapuro rwemeza ko umuntu afise imico n'imigenzo myiza. Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, watoreye ico kibazo inyishu mfata kibanza kugira ngo amatora abandanye mu kworosha urutonde rw'ibisabwa no mu kwongereza umwanya wo gutanga impapuro zisabwa.

Amatora y'abajenama b'amakomine

Kubw'ivyo, Ku matora y'abajenama b'amakomine, imigambwe 24 n'abitoza ku giti cabo 5 bariko barahiganwa muma komine 129 y'Uburundi. Imirwi yigenga ijejwe gutunganya amatora ku rwego rw'intara, CEPI yari yaronse mu buryo buhimbaye intonde z'imigambwe 1492[69] hamwe n'intonde 7 z'abitoza ku giti cabo.

Mu gihe intonde z'abitoza zitemewe, ivyagirizo biguma bigaruka vyashikirijwe n'Imirwi yigenga ijejwe gutunganya amatora ku rwego rw'intara, CEPI bishimikiye ku kudakwira kw'ama dosiye, ukutubahiriza ubwinshi bw'amoko, uburinganire bw'ibitsina, imyaka isabwa itarenga 25, kuba uteri umurundi n' urupapuro rwemeza ko ufise imico n'imigenzo myiza vyaciye vyungururizwa muri ico gihe kw'itariki ya 7 Mukakaro 2010 .

Amatora y'Umukuru w'igihugu

Ku vyerekeye kwiyandikisha ku ntonde z'abitoza mu matora y'umukuru w'igihugu, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, waraneguye ukwiyonkora kw'imigambwe itavuga rumwe na Reta, hagati y'itariki 1 n'itariki 4 Ruheshi[70]. Umurwi w'ishirahamwe ry'abanyaburaya ujejwe gukurikirana amatora, warihweje kandi inkaratasi zisabwa n'amategeko n'ikibazo c'urutonde rw'abazoshirwa mu mutamana bangana 200, n'urupapuro rwerekana ko bafise imico n'imigenzo myiza, n'

[69] Imigambwe itanu harimwo CNDD-FDD, FRODEBU, FNL, UPRONA na UPD ikwiragiye mu ma komine yose y'igihugu. Itatu yindi igakorera mu ma komine arenga ijana(MSD, CNDD na FRODEBU Nyakuri

[70] Ukwiyonkora mw'ihiganwa ry' amatora y'Umukuru w'Igihugu kw'imigambwe FNL, FRODEBU, UPD, MSD na CNDD itariki 1 Ruheshi; na UPRONA itariki 4 Ruheshi.

ingwati y'amafaranga y'amarundi angina n'15 000 000, bitorohereje « imigambwe mishasha » canke iyidafise uburyo bukwiye. Kurizo mvo, gushigikira mu buryo bw'amafaranga imigambwe n'ikibazo nyamukuru ku vyerekeye amatora. Kw'igenekerezo ry'8 Ruheshi, Umurwi CENI waratevye urasohora itangazo rimenyesha ko Petero NKURUNZIZA ari we musa yitoza mu kibanza c'Umukuru w'Igihugu.

Amatora y'Abashingamateka n'Abakenguzamateka

Ku vyerekeye iyandikwa ry'abahiganigwa Ubushingamateka n'Ubukenguzamateka, itangwa ry'ivyangombwa bisabwa kugira ngo umuntu ashobore kwitoza nk'akarorero urupapuro rwemeza ko umuntu afise imico n'imigenzo myiza; urupapuro rwemeza ko umuntu adakwirikiranwa n'ubutungane n'ingwati (y'amafaranga y'amarundi 500.000 ku rutonde rw'Abashingamateka n'ibihumbi amajana ane(400.000) ku rutonde rw'abakenguzamateka) vyaracerewe vyongera bihura n'izindi ngorane zari zaribonekeje mumatora y'Abajenama b' Amakomine. Wisunze urukwirikirane rw'amatora, ikiringo co gutanga ivyangombwa vyo kwitoza cava kw'igenekerezo ry'icenda gushika kw'igenekerezo rya mirongo ibiri na gatatu z'ukwezi kwa ruheshi umwaka w'ibihumbi bibiri na cumi ku bashingamateka no kuva kw'igenekerezo ry'icumi na kane gushika kw'igenekerezo rya mirongo ibiri n'umunani z'ukwezi kwa ruheshi umwaka w'ibihumbi bibiri na cumi ku bakenguzamateka. Kumpamvu z'ibihe vya politike vyakwirikiye amatora y'Abajenama b'Amakomine hamwe n'ay'umukuru w'igihugu, Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, warunguruje akatari gake amasango yo gutanga ivyangombwa bisabwa ku bahiganigwa ibibanza vy'abashingamateka : isango ryo kuwa 23 gushika kuwa 27 Ruheshi ryungururijwe kuwa 4 Mukakaro, hanyuma kuwa 6 Mukakaro, riruhira gushigwa kuwa 9 Mukakaro umwaka w'ibihumbi bibiri na cumi hanyuma isango ryo kuva itariki 28 Ruheshi gushika itariki 15 mukakaro ku bahiganigwa ibibanza vy'abakenguzamateka.

Itariki yo gutanga ingwati y'amafaranga y'amarudi ibihumbi amajana atanu (500.000FBU) ku rutonde rw'abiyamamaza nazo nyene zungururijwe kuwa 9 Mukakaro ku bashingamateka no kuwa 16 Mukakaro ku bakenguzamateka. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora waremanze ko iryo yunguruzwa ry'isango ryakozwe mu ntumbero yo kworohereza imigambwe itavuga rumwe na Reta ngo igaruke mu ngendo y'amatora. Yamara rero, uwo murwi w'ishirahamwe ry'abanyaburaya ujejwe gukwirikirana amatora uremeza ko iryo yunguruzwa ry'amasango ritari rijanye n'amabwirizwa y'Umukuru w'Igihugu yo kwugurura imyiyamamazo y'amatora y'abashingamateka n'abakenguzamateka kandi yaraneguye kw'igabanywa ry'ikiringo c'agacerere ko kwiyamamaza k'amasaha 48 cashizwe kumasaha 24 gusa. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora waraneguye kandi ko ayo matora uko ari abiri yatangujwe mugihe intonde ntabanduka zitari bwaherahezwe birtyo bituma amategeko atubahiriza bose, ivyo bikaba vyatumye haba ubusumbane mu kiringo co kwiyamamaza kw'imigambwe.

Imigambwe indwi (CNDD-FDD, UPRONA, FRODEBU-NYAKURI, KAZE-FDD, FROLINA, PTD, Urunani CELAT-HUMURA) n'intonde zibiri z'abiyamamaje ku giti cabo (Patrick HAMENYIMANA mu ntara ya Bururi na Déogratias HAKIZIMANA mu ntara ya Muramvya) ni yo yitavye amatora y'abashingamateka. Muri abo bose, imigambwe ine[71] yonyene ni yo yahiganiwe mu ntara zose uko ari 17.

Ku vyerekeye kwiyandikisha ku biyamamariza Ubukenguzamateka, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora warashigikiye Umurwi

[71] Raba : CNDD-FDD, FRODEBU-NYAKURI, UPRONA n'urunani rw'imigambwe CELAT-HUMURA(icuditse na CNDD-FDD)

wigenga ujejwe gutunganya amatora mu Gihugu, CENI, wasubiye kwugurura ikindi kiringo co gutanga ivyangombwa bisabwa mu kwiyamamaza mu gutomora neza abazohiganwa abo aribo mwitangazo ryashizwe ahabona kwi genekerezo rya 3 Mukakaro ryerekanye ko umuntu umwe akomoka mu mugambwe CNDD-FDD ariwe azokwitoza, ivyo bikaba vyakozwe buca haba amatora[72].

Ku matora azokurikira, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora uhimiriza Umurwi wigenga ujejwe gutunganya amatora mu gihugu (CENI) ko woja urashira ahabona ibijanye n'amatora imbere y'igihe kugira ngo bamurikire abazotora.

Amatora y'Abakuru b'Imitumba

Ku bijanye n'ivyangombwa vy'abitoza ku mitumba, abejanama bo ku mitumba canke mu ducucimbiri ntibatorwa hisunzwe intonde z'imigambwe. Abitoza bose babikora ku giti cabo kandi nta n'umwe yemerewe kugira uwumushira mu mutamana canke ngo ashikirizwe n'umugambwe.

Ukwirikije ingingo y'169 yo mu Gitabu c'amategeko agenga amatora, abitoza ku giti cabo canke intumwa zabo nibo bashobora gutanga ivyangombwa ku murwi wigenga ujejwe gutunganganya amatora ku rwego rwa komine. Ivyangombwa bisabwa biroroshe gusumba ivy'ayandi matora yabanje kuba : urupapuro rwemeza imico n'imigenzo myiza, icemezo c'uko udakwirikiranwa n'ubutungane ntibirinda gusabwa haba mu Gitabu c'amategeko (ingingo y'169 n'iy'170) canke mu mabwirizwa abiri y'umurwi CENI n.037 na n.038. Ntacungera rero ry'inyifato mu buyobozi bw'amatora, abatora nibo barwicira mw'isandugu y'amatora. Ikiringo co kwimenyekanisha no gushikana ivyangombwa cava kuwa 25 mukakaro gushika itariki 3 myandagaro. Itariki 4 myandagaro, Umurwi CENI waratangaje abitoje :

Abitoza bari 37.773 barimwo abakenyezi 8.886. Umurwi CENI warongeye kandi uributsa ko uzotangaza urutonde rwa nyuma rw'abazitoza kw'itariki 13 Myandagaro inyuma y'isuzuma ry'ibipapuro bisabwa n'ubuyobozi bw'amatora. Mugutegura icegeranyo, ingorane yonyene yahabaye Ku vyerekeye kwandika abazitoza n'uko hari aho basanga hari abitoza bashika 5 ku mitumba imwimwe mu gihugu.

VIII. UKWIYAMAMAZA NO KUGABANYA UBURENGANZIRA BWA POLITIKE

A. INCAMAKE Y'IVYARANZE IMYIYAMAMAZO

Amatora y'Abajenama b'Amakomine

Ikiringo c'imyiyamamazo mu matora y'Abajenama b'Amakomine cabaye kuva itariki 5 gushika itariki 18 Rusama umwaka w'ibihumbi bibiri na cumi. Muri rusangi, imyiyamamazo yabaye mu mutekano. Yamara rero, hari utunenge twagiye turibonekeza, nka cane cane gusotorana mu majambo n'ibindi bikorwa vyo gutoberanira imyiyamamazo vyashitse cane cane hagati y'umugambwe CNDD-FDD n'imigambwe itavuga rumwe na

[72]Ku mugoroba wo kuwa 27 Mukakaro, Umurwi wigenga Ujejwe Gutunganya Amatora mu gihugu (CENI) waramenyesheje mu mvugo ivyerekeye abazokwitoza mu Nama Nkenguzamateka: umugambwe CNDD-FDD waratanze abahutu bitoza n'abatutsi bazokwitoza mu ntara zose uko ari 17 hanyuma umugambwe UPRONA nawo watanze abahutu bitoza mu ntara 6 gusa (Bujumbura-rural, Bururi, Cankuzo, Kirundo, Mwaro, Rutana) n'abatutsi muntara 7(Bujumbura-rural, Bujumbura-Mairie, Bururi, Cankuzo, Kirundo, Rutana).

Reta nka FNL, MSD na UPD. Ni igandagurwa ry'Umunyamabanga Nshingwabikorwa ajejwe ibikorwa vyo kwiyamamaza mu mugambwe MSD[73] itariki 13 rusama vyakwirikiwe budakeye kabiri n'igandagurwa ry'abanywanyi batatu b'umugambwe FNL[74] vyatumye ibintu vyunyuka mucizere caboneka mu matora. Iyo migambwe ibona ko ubwo bwicanyi bushingiye nkunvo za politike, ntizatumye imigambwe yenyegeza agatima k'ubwicanyi bituma batabariza umutekano aho vyoteye imidugararo. Muri rusangi, inzego zishinzwe umutekano zararanguye neza igikorwa cazo co kubumbatira umutekano n'ukurengera imishamirano hagati y'abanywanyi b'imigambwe.

Umugambwe CNDD-FDD waratanze ibikoresho bikwiye kurusha cane iyindi migambwe vyahiganwa, ivyo bikaba vyaratumye uwo mugambwe uboneka cane ku kibuga c'ihiganwa [75]. Kubona Reta itatanze uburyo vyatumye haba imigambwe itagira imyiyamamazo ihanitse (raba igicapo c'uburyo bwatanzwe). Mu matora y'Abajenama b'Amakomine, Imigambwe mikeya niyo yashoboye kugaragara. Kubera ko ata bantu b'ijunja ba ruguru bashoboye gukwega abatora, vyarabonetse ko amatora yo mu makomine yarashimikiye cane cane ku bantu bazwi kurwego rw'Igihugu. Nico gituma vyabonetse ko amatora y'Abajenama b'Akomine yafashe inforo nk'iyo abitoza ku rwego rw'Umukuru w'Igihugu na cane cane kubera ko abari kuja mu matora y'Umukuru w'Igihugu aribo bagenda mu myiyamamazo y'Abajenama b'Amakomine. Ni uko umugambwe CNDD-FDD witwaje ubwamamare bw'umukuru w'igihugu Pierre NKURUNZIZA yakoreye cane mu gihugu hagati mukiringo c'intwaro yiwe yo kuva mu 2005 gushika 2010. Imigambwe itavugarumwe na Reta yagumye isemerera yiyamiriza amakosa y'umugambwe CNDD-FDD.

Ikiringo co kwiyamamaza n'ihangana ry'impande zibiri umugambwe uri kubutegetsi CNDD-FDD n'imigambwe itavuga rumwe na Reta. Ariko izo mpande zibiri ntizapfa kwibonekeza, vyashobora kubonekera muguterana amajambo gusa. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora warigeze gutabazwa kubera imyiyamamazo yariko iba inzu kunzu hakoreshejwe igikenye bivanzemwo n'ibikorwa vyo guhendahenda no gutera ubwoba abanyagihugu. Ikindi cari giteye ubwoba n'ibihuha vyo kurondera gufunga abatavuga rumwe na Reta n'ikwiragizwa ry'ibigwanisho mu gihugu.

Amatora y'Umukuru w'Igihugu

Amatora y'Umukuru w'Igihugu yabaye mu kiringo co kuva itariki 12 kugeza itariki 25 ruheshi yaranzwe n'ingorane za politike zitewe no kwiyonkora mu matora y'umukuruw'igihugu kw'imigambwe imwe imwe hamwe no kujuragirika ku bijanye n'ibizoca bikwirikira ivyo bigatuma umutekano urushirizaho gutosekara.

Ikiringo c'imyiyamamazo y'amatora y'Umukuru w'Igihugu caranzwe n'ibikorwa vy'imidugararo vyavuyemwo gukomerekanya n'ubwicanyi. N'uko ibisasu biturika vyaratewe hirya no hino[76]. Ingoro z'umugambwe nyinshi za CNDD-FDD zaraturiwe muntara nyinshi z'igihugu. Ku vyerekeye abakora ayo marorerwa, imigambwe yose yaragirizanya, CNDD-FDD ikavuga iti n'imigambwe itavuga rumwe na Reta ibikora kugira ngo isivye amatora, imigambwe itavuga rumwe na Reta nayo iti ni CNDD-FDD ishaka ingendamuvano kugira ngo ifunge abo bitavuga rumwe.

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[73] Eddy MUNEZERO yishwe n'abantu bambaye umwambaro w'igiporisi mu nyakabiga

[74] Mw'ijoro ryo kuwa 14 rusama 2010 harishwe umunywanyi wa FNL mu Gihosha bandi babiri bicigwa mu Cibitoke muri iryo joro nyene bishwe n'abantu bambaye umwambaro w'igipolisi

[75] Kwegeranya incuti nyinshi, gutanga udupira, udukofero, inzoga no kwunguruza abantu mu makamyo no mu miduga barora ahabera imyiyamamazo

[76] Nk'ibisasu biturika bishika 100 vyaratewe mu kiringo c'indwi zibiri co kwiyamamaza mu kibanza c'umukuru w'igihugu

Uko CNDD-FDD yashimika cane mu guhamagara abazoyitora ni ko imigambwe itavugarumwe na Reta yararika abanyagihugu ngo ntibaze bitabe amatora. Ubwo butumwa bwatangigwa ku mugaragaro biciye mu bimenyeshamakuru. Uburenganzira bwo guserura ivyiyumviro bwaragabanijwe cane n'Umushikiranganji w'intwaro yo hagati mugihugu kumigambwe itatanze uwuzokwitoza mukibanza c'Umukuru w'Igihugu. Ufatiye kungingo ya 028 yo kuwa 16 Ruheshi 2010 itomora itorwa ry'Umukuru w'Igihugu, ayo matora yahawe intumbero yukwemeza uwitoza ari umwe, gurtyo iyindi migambwe yoshoboye gufatira aho ikarwanya uwo yitoza ari umwe kandi n'abatora bagashobora kuronka inkuru ziva mu migambwe yose.

Imyiyamamazo y'umugambwe CNDD-FDD yari iteguwe neza mu mutekano ntangere wahagarikiwe n'abajejwe umutekano n'abanywanyi b'umugambwe. Amajambo yari ahagaze kuvyaranguwe mu myaka 5 iheze hamwe no gusaba gutora uwo bashize imbere, Pierre NKURUNZIZA, ijana kwi jana. Muguhimiriza abanywanyi bo mu migambwe itavuga rumwe na Reta abanywanyi bashasha basabwa gushinga intahe ku cabakuye mu migambwe baje bavamwo.

Amashirahamwe adaharanira inyungu za politike, imigambwe be n'abanyagihugu bariyamirije ingendo y'itera bwoba y'umugambwe CNDD- FDD mu gusahura abanywanyi b'imigambwe yindi, bamwe bararika abandi bagasivya amatora yo ku wa 28 ruheshi 2010. Hamwe n'ivyo, harabaye n'inyandiko zitagira umukono zirimwo iterabwoba riturira.

Amatora y'abashingamateka

Amatora y'abashingamateka, yuguruwe kuva itariki 7 gushika itariki 20 rusama 2010 yaranzwe n'ingorane za politike naho umutekano wo waboneka ko uriho. Ugereranije n'amatora y'umukuru w'igihugu, ibitero vy'ibisasu biturika vyaragabanutse mugihe itabwa mu mvuto n'ubwicanyi burobanura vyiyongereye. ADC-IKIBIRI yabandanije kwiyonkora no kurarika abantu ngo ntibaze baje mu matora. Iyo migambwe itatanze uwitoza yagumye yihoreye kuko itari yemerewe kugirisha amanama[77]. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora waratabajwe n'amashirahamwe menshi adaharanira inyungu za politike mu vyerekeye ihonyangwa ry'agateka ka zina muntu n'itera bwoba ku batavuga rumwe na Reta yiganjemwo indongozi n'abanywanyi bapfunzwe[78]. Ico cuka c'itera bwoba cariyamirijwe kandi na RWASA Agathon, umukuru w'umugambwe FNL, mu nsobanuro yatanze kw'ikinjura ryiwe ryo kw'itariki ya 23 Ruheshi , vyatumye abantu bamwe bamwe batinya igaruka ry'ingwano naho nyene mu bimenyeshamakuru, Rwasa ashimikira kutazosubira kwitwaza ibigwanisho.

Ku bijanye n'inzego zijejwe umutekano, biboneka ko vyagugumye bigenda neza. Ariko rero, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana amatora warerekanye impungenge ufise kuruhara rw' *Imbonerakure* mu gukoresha uburyo bwa gisirikare bukomeye no gukwirikirana abakekwako ivyaha.

Gushika kw'itariki y'amatora y'abashingamateka, hagumye amadidane mu migambwe izoja mu matora bivuye kwiyunguruzwa ry'ikiringo co gutanga ivyangombwa n'ingwati kw'igenekerezo ry'9 Mukakaro. Amaherezo, urutonde ntabanduka rwahavuye

[77] Amabwirizwa yatanzwe n'Umushikiranganji w'intwaro yo hagati mu gihugu

[7878] Dukwirikije ivyo umukuru w'ishirahamwe ridaharanira inyungu za politike riharanira agateka ka zina muntu n'ak'abafunzwe (APRODH), abo ni cane cane abanywanyi b'imigambwe FNL na MSD bagirizwa guhugabanya umutekano w'igihugu.Kw'itariki 7 Mukakaro 2010, amashirahamwe adaharanira inyungu za politike yarashize ahabona urwandiko ruvuga ko « barajwe ishinga n'uburyo ihohotera n'ihonyanga ry'agateka ka zina muntu riguma ribandanya ku banywanyi batavuga rumwe na Reta »

rushikirizwa mu mvugo itariki 12 Mukakaro ari naho imigambwe yari yacerewe yaciye yemeregwa kwiyamamaza ku mugaragaro. Kwiyamamaza nyakuri rero kwatanguye itariki 7 Mukakaro habonetse umugambwe CNDD-FDD. Muri rusangi uyu mugambwe wagize ukwiyamamaza gusa n'ukwo mu matora y'Abajenama b'amakomine n'ay'Umukuru w'Igihugu ukavanga kwiyamamaza ku mugaragaro hamwe no kwiyamamaza inzu ku nzu hamwe n'amanama atunganijwe n'abashingamateka bagomba kwitoza mu makomine bakomokamwo. Amajambo makuru makuru yari ashingiye ku bikorwa vyaranguwe mu myaka itanu iheze. Ariko rero, kwitabira amatora y'iki gihe kwaragabanutse uravye ayaheruka.

Ingumvu zihambaye z' ukwiyamamaza kwa CNDD-FDD ntaho vyari bihuriye n'iyindi migambwe bihiganwa. M'uvy'ukuri, mu matora y'Abajenama b'amakomine iyo migambwe ni nkaho itaserutse kurubuga bituma igira n'amajwi make cane[79], uretse UPRONA yashoboye kuronka ikibanza ca gatatu. Amatora y'Abashingamateka rero yaranzwe n'intege nke kiretse UPRONA yagerageje kwegera abanyagihugu aho bari, ibikorwa vy'iyindi migambwe ntivyagaragaye cane ku rubuga mu gihugu cose. Nyamba UPRONA yagerageje gutwara abanywanyi bo mu migambwe yiyonkoye (ADC-IKIBIRI), iyindi migambwe yo yabona ko hakwiye imigambwe myinshi mu nama nshingamateka itiriwe iratera kubiri na CNDD-FDD.

Amatora y'Abakenguzamateka

Amatora y'Abakenguzamateka asa n'ayabereye rimwe n'ay'Abashingamateka, nko kuva itariki 12 Mukakaro, isaha cumi na zibiri zo mu gitondo kugeza itariki 25 z'uko kwezi isaha 12 zo ku mugoroba. Wihweje iryo gerekeranywa ry'amatora, amatora y'Abakenguzamateka wamengo ntiyabaye. Muri rusangi, imigambwe ibiri yari muri ayo matora kwari ugushikiriza abazokwitoza gusa mu Bashingamateka no kurondera Abajenama bari mu migambwe yiyonjoroye ngo babagobere baze bagaruke mu matora y'Abakenguzamateka.

Amatora y'Abakuru b'imitumba

Imyiyamamazo y'Amatora y'Abakuru b'imitumba yatunganijwe kuva kw'itariki 22 Myandagaro kugeza itariki 4 Nyakanga 2010. Iyo myiyamazo yaratunganijwe ku buryo bunyuranye n'iyiheruka. Mu bisanzwe ni imirwi yigenga ijejwe gutunganya amatora ku rwego rw'amakomine CECI , ifatanije n'ibiro vy'amatora y'Abakuru b'imitumba canke ku ducimbiri, yatunganije inama z'amatora ku mitumba aho abashaka kwitoza bidondoye bongera bashikiriza umurwi CECI imigambi yabo.

Iyindi myiyamamazo yose inyuma y'ico gihe yari ibujijwe n'amategeko (ingingo y'172 yo mugitabo c'amategeko agenga amatora). Bityo rero, imirwi yigenga ijejwe gutunganya amatora ku rwego rw'Amakomine yunvikanye n'abitoza ku kirangaminsi c'amanama yo kwitoza, camenyekanishirizwa mu ma sengero no kumanika ahantu haca abantu benshi. Muri ayo manama, umwanya wo kwiyamamaza warangana kuva ku minuta 5 gushika ku minuta 20. Muri rusangi iyo myiyamamazo yagenze neza kandi ntamyidogo yaranzwe mwo.

[79]FRODEBU-NYAKURI yaronse 1.36 % y'amajwi ; FROLINA 0.20 % ; PTD ironka amajw i 44 mu gihugu cose ; KAZE FDD nayo yironkera amajwi 30 gusa mu gihugu cose.

B. UBURYO BWAHAWE IMIGAMBWE N'IKORESHWA RY'AMATUNGO YA RETA

Ibwirizwa Shingiro n'Itegeko riraba Imigambwe rivuga ko Reta idashira uburyo mu bikorwa vy'imigambwe kandi ko n'uburyo buva hanze bubujijwe[80] kiretse uruhusha rudasanzwe ruteganywa n'amategeko[81]. Ariko rero, iryo tegeko nyene riteganya ko Reta itegerezwa gutanga uburyo bw'imyiyamamazo y'amatora kurugero rutegerezwa gutomorwa neza n'ingingo[82].

Naho biri uko Umushikiranganji w'Intwaro yo hagati mu gihugu yaremeje Umurwi w'ishirahamwe ry'abanyaburaya ujejwe gukwirikirana amatora ko ata mafaranga yategekanirijwe imyiyamamazo y'amatora muri Reta mu mwaka w'2010. Kubera ubwo buryo bwabuze mu 2010 kandi bwariho mu 2005, imigambwe myinshi yaciye igira ingorane zo kwiyamamaza cane bituma mbere imwe imwe yiyamamariza hafi na hafi.

Igitabo c'amategeko agenga amatora kirihaniza, mu ngingo yaco ya 224, ikoreshwa ry'uburyo n'i tunga vya Reta igateganya ihadabu ry'amafaranga y'amarundi ari hagati y'40.000 n'200.000[83]. Nk'uko nyene, amategeko ngenderwako y'imigambwe ateganya, mungingo yayo ya 28, ko "hategerezwa gucungerwa ko ata mugambwe n'umwe, ata wuhiganwa numwe yokoresha uburyo bwa Reta ku nyungu ziwe". N'aho bibujijwe cane, mu matora yose, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora warashoboye kubona ko hari abakozi ba Reta bakoresheje imodoka za Reta barimwo mbere n'Abashikiranganji n'Abayobozi bakuru bava mu mugambwe CNDD-FDD.

Mu kiringo c'imyiyamamazo mu matora y'Abajenama b'Amakomine, iyo ngendo yariyamirijwe na Reta, n'Umurwi (CENI) hamwe n'amashirahamwe adaharanira inyungu za politike[84] n'aho atabihano vyafashwe muvyari biteganijwe. Imyiyamamazo yo mu matora y'Umukuru w'Igihugu nayo nyene yaranzwe n'ikoreshwa ry'imiduga ya Reta ariko hoho ntanicavuzwe ngo gihanwe[85].

Ku vyerekeye imyiyamamazo yo mu matora y'Abashingamateka, inkuru duhabwa na OLUCOME ivuga ko iyo nyifato yagabanutse ugereranije imyiyamamazo y'amatora y'imbere yayo[86]. Igihe cose c'amatora Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora waraneguye iyo nyifato inyuranye n'ibisabwa kugira ngo ngo habeho uburinganire mwihiganwa hamwe n'uko ababijejwe atabihano bafashe.

[80] « Uburyo bw'imigambwe buva hanze burabujijwe, kiretse uruhusha rudasanzwe ruteganywa n'amategeko. Uburyo bwose bugamije guhungabanya ubwigenge bw'igihugu burabujijwe. Itegeko riragena aho uburyo bw'imigambwe bukomoka » (Ibwirizwa Shingiro, Ingingo ya 84)

[81] Ingingo ya 44 na 21 y'Itegeko nomero 01/006 yo kuwa 26 Ruheshi 2003 : itangwa ry'uburyo buva hanze ku migambwe ntibwemewe atari mugihe abanywanyi b'iyo migambwe bagize ico batanga kurugero ry'ayandi mashirahamwe yo hanze aharanira inyungu za politike, nk'amahugugwa, ibiganiro-shule, inganda n'imyimenyerezo.

[82] Ingingo ya 20 y'itegeko nomero 01/006 yo kuwa 26 z'ukwagatandatu 2003 iraba itunganywa n'ikora ry'imigambwe.

[83] « ahanishwa hagati y'amafaranga 40.000 na 200.000, umuntu wese, ku nvo zo kwiyamamaza, azokoresha canke agatuma bakoresha, mu nyungu ziwe, kuwitoza canke umugambwe witoza, uburyo n'ibintu vya Reta, bw'ikigo canke ishirahamwe ryegamiye Reta ».

[84] Icegeranyo ca OLUCOME cashizwe ahabona kuwa 19 Rusama 2010 cerekana inomero z'imodoka za Reta zakoreshejwe mumyiyamamazo y'amatora kikerekana neza ko hafi zose zakoreshejwe n'abanywanyi ba CNDD-FDD turetse nkeya zakoreshejwe na UPRONA i mwaro, itariki 13 Rusama 2010 , zitatu zakoreshejwe na FNL imwe nayo yakoreshejwe na FRODEBU »

[85] Kubiharuro vyatohojwe na OLUCOME, imodoka 86 za Reta zarakoreshejwe mu matora.

[86] Kubiharuro vyatohojwe na OLUCOME, imodoka 40 za Reta zarakoreshejwe mu matora.

C. INGORANE ZIJANYE N'UKUGABANYA UBURENGANZIRA BWA POLITIKE HAMWE NO GUFUNGWA KUJANYE N'AMATORA

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana amatora warabonye ko ihohotegwa, kubuzwa uburenganzira bwo kugira politike no kwidengevya vyarushirijeho gukara ibihe vy'amatora na cane cane inyuma y'amatora y'Abajenama b' amakomine. Ku vyerekeye izo ngorane, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana amatora warerekanye impungenge ufise ku mabwirizwa abiri y'umukuru w'igihugu yo kuwa 6 no kuwa 11 Mukakaro [87] ajanye no kwugurura ku mugaragaro amatora y'abashingamateka n'abakenguzamateka ryari ryishimikije ingingo ya 29 mu gitabu c'amategeko agenga amatora ribuza imigambwe itatanze abayiserukira kugirisha amanama ajanye n'amatora. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora waratabajwe kenshi n'imigambwe itavuga rumwe na Reta yatinya no gukoranira mu ngoro zabo kugira ntibahave bafatirwayo.

Vyongeye,ihagarikwa ry'abanywanyi b'imigambwe itavuga rumwe na Reta (FNL, UPD, MSD, UPRONA na CNDD) ryakozwe n'inzego zijejwe umutekano n'iperereza muri ico kiringo c'amatora.

Na none, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora warahuye n'ingorane rimwe rimwe mu kugirisha ama nama abanywanyi b'imigambwe itavuga rumwe na Reta mu ntara kubera bari bafunzwe,banyegeye canke bahungiye mu zindi ntara ku gutinya gufungwa. Kur'ivyo vyerekeye ifungwa ry'abatavuga rumwe na Reta, ishirahamwe APRODH[88], ibiro mpuza makungu biharanira agateka ka zina muntu n'ibiro vy'ishirahamwe mpuza makungu mu Burundi vyaremeje igwirirana ryo guhagarika no gufunga abantu mu kiringo c'amatora. Ayo mashirahamwe uko ari abiri yarashize ahabona abantu baharugwa mu 294[89] bafunzwe hagati y'ukwezi kwa Rusama n'itariki 6 Nyakanga 2010.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora wifuza kwerekana amakenga muvyerekeye gufunga abantu bata vuga rumwe na Reta mu bihe vy'amatora, abamenyeshamakuru nka Jean Claude KAVUMBAGU umuyobozi w'ikimenyesha makuru Net Press agifunzwe gushika uyu munsi w'iki cegeranyo, imitahe myinshi iva mu butungane no mu bushikiranganji bw'intwari yo hagati mu gihugu, no gucunaguzwa kwa Gabriel RUPFIRI arongoye OLUCOME hamwe na Pacifique NININAHAZWE aserukira Urunani FORSC.

IX. IBIMENYESHAMAKURU N'AMATORA

A. IBIJANYE N'IBIMENYESHAMAKURU

Ibijanye n'ibimenyeshamakuru mu Burundi biri kwinshi kandi biranyuranye, ahanini kubera igwirirana ry'amasoko y'insamirizi . Yamara rero,ivyo bimenyeshamakuru ntibishemeye kubera ubukene bw'ibikoresho. Uretse amatangazo, ivyinshi bibeshejweho n'imfashanyo z'amashirahamwe mpuza makungu n'amashirahamwe yigenga ategamiye Reta, ifasha mu buryo bw'ubuhinga, ibikoresho no gukarisha ubwenge bw'abamenyeshamakuru. Insamirizi ni bwo buryo bwo kumenyesha amakuru bugwiriye mu Burundi.

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[87] Raba Ibwirizwa ry'umukuru w'igihugu nomero 100/108 ryo ku wa 6 Mukakaro 2010 n'iry'inomero 100/109 kuwa 11 Mukakaro 2010.

[88] APRODH yatororokanije abafunzwe babarizwa mw'ijana kuva mu matora y'Abajenama b'Amakomine.

[89] 153 FNL, 44 MSD, 10 UPD, 6 CNDD-FDD, 9 FRODEBU SAHWANYA, 2 UPRONA n'abantu 70 batari mu migambwe.

Ugereranije n'ibindi bihugu vyo muri aka karere, ico kibanza kinini c'insamirizi[90] kijanye n'uko Uburundi busanzwe kuva nakera na rindi bukoresha imvugo kurusha inyandiko, abantu benshi batazi gusoma no kwandika, hamwe n'ukwo vyoroshe kuronka ico gikoresho ugereranije n'ubuzima bubayabaye bw'abanyagihugu. Reta niyo yambere mugutanga amakuru muri ubwo buryo ikoresheje imboneshakure imwe n'insamirizi zibiri. Imboneshakure n'insamirizi vy'igihugu vyose hamwe vyitwa *iradiyo na televisiyo y'igihugu* (RTNB) ikukira Ubushikiranganji bwo Gutumatumanako Amakuru. Ubu hari amaradiyo 20; izishika cumi zirashika mu gihugu cose, iradiyo zishika zine ziraba imigwi y'abantu (*RPA Ngozi: Ijwi ry'abanyagihugu b'I Ngozi, Ijwi ry'abapfasoni, Umuco FM na Star FM*). Insamirizi "Rema FM) yonyene niyo ivuga amasaha 24 kuri 24.

Imboneshakure zigenga ni zitatu: *TV Héritage, SALAMA na Télé Renaissance*[91]. Izo mboneshakure ziboneshereza ku mugwa mukuru wa Bujumbura no mu karere kawo. Ibiganiro ku mboneshakure bitangura isaha cenda z'umurango kugeza isaha zitanu z'ijoro. Umwanya muto w'ibiganiro n'ubukene bw'imboneshakure yo mu nzu nivyo bituma abantu batorohegwa kuronka amakuru atangwa n'imboneshakure.

Ku binyamakuru vyanditse vyo vyo biri hanyuma: ikinyamakuru kimwe *Le Renouveau*, gikwiragizwa mu gihugu cose kuva ku wa mbere gushika ku wa gatanu. Canditswe mu gifaransa, ico kinyamakuru kirandikwa mu kirundi, *Ubumwe* kabiri mu kwezi. Ivyo binyamakuru bibiri ni ivya Reta. Mu binyamakuru vyigenga hari *Iwacu* na *Arc-En-Ciel* . Hanyuma hari amatorarokanirizo y'amakuru abiri, rimwe rya Reta Agence Burundaise de Presse (ABP) na rimwe ryingenga *Net Press*.

Mukiringo c'amatora, ibimenyeshamakuru vya Reta n'ivyigenga *Rema FM, TV Salama, Umuco FM* (Ngozi) na *Star FM* (Makamba) vyakoreye mu ntumbero y'umugambwe CNDD-FDD. Imigambwe itavuga rumwe na Reta yaronkeye akaryo ko gushikiriza ivyiyumviro mu bindi binyamakuru vyigenga.

B. IBIHE VYARANZE AKAZI K'ABAMENYESHAMAKURU

Kuva aho hugariwe amashuri yo kwigisha umwuga wo kumenyesha amakuru MU MWAKA W'1991, NTA RWEGO RURIHO KUGEZA UBU RWO KWIGISHA UWO MWUGA. KUVA MU KWEZI kwa nzero 2010 ni ho ivyigwa bimwe bimwe vyatanguye gutangwa mu mashuri kaminuza atanga impamyebushobozi zihanitse (Maîtrise) yigenga. Inyigisho ziraja ziratangwa n'ikigo Panos Paris, ibiro vy'ishirahamwe mpuzamakungu mu Burundi(BINUB), UNESCO n'ishirahamwe ryigenga ritegamiye Reta "Search for Common Ground" cane cane Ku vyerekeye kumenyesha amakuru mu bihe vy'amatora. Ubushobozi bw'abamenyeshamakuru ntibushemeye kandi buratandukanye cane hagati mu bakorera ku mugwa mukuru n'abakorera ruguru. Aba bobo kenshi usanga ari abanyabiraka iruhande y'ubuzi bwabo bwa minsi yose. Naho biruko, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukwirikirana Amatora waremeje ko abamenyeshamakuru bavyitwaye mwo neza mu buryo bw'ubuhinga mu gihe c'ayo matora. Abamenyeshamakuru bamwe bamwe baremereye uwo murwi ko babanza kwikosora ntibavuge ibintu vyari gushobara gushavuza ubutegetsi.

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[90] Dufatiye ku cirwa c'abantu bakunda kumviriza iradiyo mu Burundi cakozwa n'ikigo Panos Paris mu kwizi kwa Mukakaro 2008, 88.6% vy'imihana iri mu Burundi birafise imararungu

[91] Iyindi mboneshakure, REMA yemerewe gukora i taliki 4 Ruheshi 2010 n'urwego rw'igihugu rujejwe ivyo guhanahana amakuru. Muvy'ukuri, imboneshakure REMA yakoze nya gukora imbere y'impera z'2010.

C. IVYEREKEYE UBUTUNGANE N'INTWARO

Ibwirizwa Shingiro ry'Uburundi rigenderwa ko kuva mu 2005 niryo rihagarikira uburenganzira bwo gushikiriza ivyiyumviro. Riratomora neza mu ngingo yaryo ya 19 uburenganzira bwo kugira no gushikiriza ivyiyumviro, kandi iyo ngingo ihuye n'amasezerano mpuzamakungu yerekeye agateka ka zina muntu. Ubwo burenganzira burategekanwa n'ingingo 31 yo mw'ibwirizwa Shingiro.

Umwuga ujejwe kumenyesha amakuru mu Burundi ugengwa n'itegeko nomero 01/025 ryo kuwa 27 munyonyo 2003. Naho risa naho niryorosha ibintu kurusha ayo muri za 1992 na 1997, arahana amakosa ajanye no kumenyesha amakuru.

Nk'akarorero, ingingo yaryo ya 50 itegekanya igihano co gupfungwa kuva ku mezi atandatu gushika ku myaka itanu kuri uwo wese yanditse akongera agatangaza inyandiko "zirtyoza zikongera zigatuka Umukuru w'Igihugu". Itegeko ryo kw'itariki 27 Munyonyo 2003 riha ibimenyeshamakuru, uburenganzira bwo kutariha amakori rigatako rikamenyesha ko hakenewe ikigega co gufata mu mugongo ibimenyeshamakuru vyo mu Burundi. Uburyo ibimenyeshamakuru bikoresha bwoba bugizwe n'amafaranga bihabwa na Reta ku mwaka ku mwaka, hamwe n'imfashanyo bihabwa n'Ibihugu bitanga imfashanyo. Ico bikoze, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wabonye ko kuva iryo tegeko rigenga Ibimenyeshamakuru ryemezwa, ico kigega kitigeze gishirwa ho.

Mu kiringo c'amatora cose, ibimenyeshamakuru nka vyose vyarashoboye kurangura ibikorwa bijejwe hisunzwe ukwidegemvya kw'abamenyeshamakuru. Abagize Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora baratangaje ko hari abamanyeshamakuru baturubitswe[92]muri ico kiringo. Abakurikirana amatora babaye ivyabona vy'ukuntu abamenyeshamakuru bagiriwe itera bwoba akatari gake, bagaturubikwa, ndetse bagakubitwa. Na cane cane, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urababazwa n'ihagarikwa n'ipfungwa ry'uwurongoye ikinyamakuru Arc-en-ciel Thierry Ndayishimiye[93], hamwe n'uwurongoye ikinyamakuru Net press Jean Claude Kavumbagu. Uwo Kavumbagu yagirijwe "guhemuka" kubera inkuru yanditse anebagura ingene Igisirikare gikora[94]. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wemeza ko ico caha yagirizwa ataho gihagaze hisunzwe amategeko kuko ico caha kiba mu "gihe c'intambara gusa". Amashirahamwe yo kumenyesha amakuru yo mu Burundi na mpuzamakungu, Urwego rw'Abamenyeshamakuru Rukurikirana Umwuga wo Kumenyesha Amakuru mu Burundi (Observatoire de la Presse au Burundi), hamwe n'amashirahamwe adaharanira inyungu za politike bariyamirije iryo hagarikwa.

Ku vyerekeye amategeko agenga ingendo y'abamenyeshamakuru, abanonosoye ivyo kumenyesha amakuru baremeje mu mwaka wa 2004 amategeko agenga akarangamutima k'abamenyeshamakuru arimwo amateka n'amabwirizwa.

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[92] Ivyo vyashikiye abamenyeshamakuru bo muri Radiyo Televiziyo Rennaissance, intumwa za Radio Isanganiro na Bonesha FM i Makamba, abamenyeshamakuru ba Umuco FM na RPA i Ngozi, umumenyeshamakuru wa RTNB i Muramvya, abamenyeshamakuru ba Bonesha FM muri Bujumbura Mairie hamwe n' intumwa y'iyo radiyo yarungitswe i Bururi.

[93] T.Ndayishimiye yatwawe mw'ibohero rikuru rya Bujumbura kw'itariki rya 10 Myandagaro kubera inkuru yanditse mu kinyamakuru ciwe kw'itariki 30 Mukakaro 2010 yerekeye « amafaranga imiriyoni 280 y'amarundi yoba yaribwe » mw'Ishirahamwe rijejwe gutanga Amazi n'Umuyagankuba REGIDESO. Uwo mumenyeshamakuru yahavuye arekurwa haciye iminsi ibiri.

[94] J.C Kavumbagu yapfunzwe kw'itariki 17 Mukakaro mw'ibohero rikuru rya Mpimba. Yahagaritswe kubera inkuru yanditse kw'itariki 17 Mukakaro 2010, yerekeye ibitero vy'abihevyi Al Shabbab bo mu gihugu ca Somaliya bitegurira kugaba mu Burundi. Uwo mumenyeshamakuru yanditse ko « inzego zo kwivuna umwansi n'iz'umutekano bamenyereye gusahura no kwica abanyagihugu gusumba uko barwanira igihugu cacu ».

Vyongeye, Urwego rw'Abamenyeshamakuru Rukurikirana Umwuga wo Kumenyesha Amakuru mu Burundi (Observatoire de la Presse Burundaise) rurakora uko rushoboye kugira ngo rucungere umwuga wo kumenyesha amakuru, ariko ntirurabishikako. Urwo rwego rufise intumbero yo kumenyekanisha amategeko agenga akarangamutima k'abamenyeshamakuru hamwe no kwumvisha neza abamenyeshamakuru ibanga bajejwe. Ico gisata, ndetse n'amashirahamwe y'abamenyeshamakuru[95], ahurikiye mu " Kigo co Kumenyesha Amakuru mu Burundi (Maison de la Presse)". Ico Kigo co kumenyesha Amakuru (Maison de la Presse) cavutse mu mwaka w'1997 ni ihuriro nyaryo ry'abanonosoye umwuga wo kumenyesha amakuru : ni ikigo kiberamwo amanama menshi harimwo amanama ku bamenyeshamakuru, amanama nkarishabwenge n'inganda. Ni ikigo gikorerwa mwo ibitari bike gifashwe mu mugongo n'abafasha mu butunzi harimwo nka Unesco.

Hari inzego nyinshi zijejwe gukurikirana umwuga wo kumenyesha amakuru mu Burundi muri ino minsi. Inzego nkuru nkuru ni nk'Urwego rw'Igihugu Rujejwe Gukurikirana Umwuga wo Kumenyesha Amakuru (CNC), rucungera ko inkuru ataho zihengamiye n'akarangamutima ko kumenyesha amakuru, hakaba kandi Ishirahamwe ry'Ibimenyeshamakuru vyo muri Afrika yo Hagati (OMAC), Ishirahamwe ry'Abanonosoye Umwuga wo Kumenyesha Amakuru n'Ibinyamakuru ry'Akarere ka Afrika yo Hagati rigizwe n'Ibihugu icenda ryavutse mu mwaka wa 2002. Bifashijwe n'ibihugu vyifashe mu butunzi, izo nzego zibiri zicungera umwuga wo kumenyesha amakuru zifise ivyuma n'ubuhinga bugezwe ho buzifasha kurangura igikorwa zashinzwe.

Urwego rw'Abamenyeshamakuru Rujejwe Gukurikirana Umwuga wo Kumenyesha Amakuru (Observatoire de la Presse au Burundi) narwo ntirugira ivyuma n'ubuhinga bugezwe ho bwarwo bwite: rwikora ku bo rusanzwe rukorana mu gucungera umwuga wo kumenyesha amakuru mu gihe c'amatora. Ubuhinga izo nzego zikoresha mu gucungera amakuru bwisunga cane cane ingene izo nkuru ziryohoye.

Amategeko agenga ibimenyeshamakuru mu gihe c'amatora.

Ingingo ya 31 y'Itegeko rigenga Amatora rivuga ko "abitoza n'imigambwe barashobora kuvugira mu binyamakuru vya Reta mu kwiyamamaza". Iyo ngingo iha uburenganzira Urwego rw'Igihugu Rujejwe Gucungera Umwuga wo Kumenyesha Amakuru (CNC) bwo guha umwanya ungana abitoza n'imigambwe mu binyamakuru vya Reta. Muri iyo ntumbero, Urwego rw'Igihugu Rujejwe Gukurikirana Umwuga wo Kumenyesha Amakuru (CNC) rwaratangaje ingingo rwafashe ku matora amwe amwe yose[96]. Ingingo za CNC zigenzura ko ko ibimenyeshamakuru vya Reta canke vyigenga vyubahiriza ko inkuru itangwa iba yatohojwe neza ku mpande zose mu kiringo c'imyiyamamazo. Vyongeye, kw'itariki 16 Ruhuhuma 2010, imigambwe, ibimenyeshakuru n'abajejwe intwaro barashize umukono ku nyifato nziza mu gihe c'amatora. Ibinyamakuru vyiyemeje kwamirira kure "ikinyoma, kugura amajwi canke kwiba amajwi". Bariyemeje kandi "kwamirira kure ivangura iryo ari ryo ryose mu gutanga umwanya ungana mu bimenyeshamakuru hamwe no gufata co kimwe abanyepolitike ata wandya wangura".

[95] Abamenyeshamakuru b'abarundi batari bake, hafi 300, bahurikiye mu mashirahamwe, irikomeye muri yose rikaba ari Urunani rw'Abamenyeshamakuru mu Burundi (Union Burundaise des Journalistes)

[96] Mu matora y'Abajenama b'Amakomine, Ingingo N° 100/CNC/002 ; Mu matora y'Umukuru w'Igihugu, Itegeko N° 100/ CNC/006 no mu matora y'Abashingamateka, Itegeko N° 100/CNC/007

Urwego rw'Igihugu Rujejwe Gucungera Umwuga wo Kumenyesha Amakuru (CNC)

Urwego rw'Igihugu Rujejwe Gucungera Umwuga wo Kumenyesha Amakuru (CNC), rwisunga itegeko ry'umwaka wa 2007[97], rwiyemeza gushigikira inkuru zinyuranye no gushigikira umwidegemvyo w'ibimenyeshamakuru. Rurongera rukavugana na Reta kugira ngo rutange ico rwiyumvira ku biganiro bitangwa mu bimenyeshamakuru n'ingene biryohoye. Hanyuma naho, urwego CNC rurafise ububasha bwo gutanga ibihano. Ubwo bubasha bumaze iminsi burimwo impari. Abatwara ibimenyeshamakuru biyumvira ko urwego CNC rutigenga cane mu gufata ingingo . Kukaba nkako, Umukuru w'Igihugu niwe yishiriraho abagize urwo rwego[98]. Ayandi mabanga ajejwe urwego CNC kandi atemerwa na gato n'abanonosoye umwuga wo kumenyesha amakuru ni itangwa hamwe n'iyakwa ry'ikarata y'abamenyeshamakuru. Twomenya ko gushika ubu, iyo karata ntiratangwa biturutse cane cane ku kutumvikana hagati y'Urwego CNC n'abanonosoye umwuga wo kumenyesha amakuru.

Vyongeye, Umukuru w'Urwego CNC, Umupfasoni Vestine Nahimana yerekanye ingendo inyuranye n'amabanga ajejwe mu gihe cose c'amatora. Yari mu murwi ushigikiye Umukuru w'Igihugu kubera amabanga akomeye ajejwe muri CNDD-FDD[99], akaba kandi yari ku ntonde za CNDD-FDD mu matora y'Abajenama b'Amakomine n'Abakenguzamateka[100]. Nkako, ukwinjira muri politike kwa Nahimana kurarenga amategeko agena abagize Urwego CNC, yerekana ko "amabanga y'umuntu ntayegayezwa mu bagize urwo rwego ntajanye n'amabanga ya politike". Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora uriyamiriza ivyo bintu ukavuga ko uko guhengama guteye kubiri n'ayo mabanga. Vyongeye, mu kiganiro cahawe abamenyeshamakuru mu cegeranyo cerekeye ingene ibimenyeshamakuru vyakurikiranye amatora y'Umukuru w'Igihugu, amazi yararenze inkombe ku vyerekeye amabanga yo kurongora Urwego CNC n'ayo kuba umunywanyi w'umugambwe igihe umupfasoni Vestine Nahimana yifatiye mu gahanga bamwe mu banonosoye ivyo kumenyesha amakuru. Umupfasoni Nahimana yabagirije rero ko "bakorera mu cubi c'abatavuga rumwe na Reta" no kuba "barakoze uko bashoboye mu guturira igihugu". Ayo majambo atagira ishingiro, nk'uko Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ubivuga, yariyamirijwe bukeye bwaho n'amashirahamwe n'inzego zijejwe kumenyesha amakuru. Ico nico catumye cane cane imigenderanire hagati y'Umukuru w'Urwego CNC n'abamenyeshamakuru itituka.

Mu nyuma rero, Urwego CNC rwaronse ibirego vyanditse bike bibaho vyerekeye ingene ibimenyeshamakuru vyakoze mu gihe c'amatora. Ivyo vyatumwe n'uko hari umugenzo washinze imizi wo gushikiriza ivyiyumviro mu majambo gusa hiyongereye ko igihe kirekire kihaca imbere y'uko amatati ataturwa. Turetse ibirego, imbere y'uko ukwiyamamaza mu matora y'Umukuru w'Igihugu, haribonekeje akajagari gakomeye mu vyerekeye politike mu binyamakuru, bikaba vyaradugije ijwi kandi bitajanye na ka karangamutima kavyo. Ni ho rero amashirahamwe y'abanonosoye umwuga wo kumenyesha amakuru barungikiye ikete urwego CNC arusaba " ko nyabuna rwokwihutira gukora akazi rujejwe kuko iradiyo Rema FM yari yimonogoje mu kurenga amategeko agenga umwuga wo kumenyesha amakuru ." Rema FM nayo ica yandikira ikete urwo Rwego Rujejwe Gucungera Umwuga wo Kumenyesha Amakuru yisigura. Ayo makete abiri nta nyishu ya CNC yaronse. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wiyumvira ko Urwego CNC rutishuye bihagije ku ngorane zagiye

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[97] Itegeko N°01/18 ryo ku wa 25 Nyakanga 2007 ryerekeye ibikorwa vya CNC, abayigize, itunganywa ryayo n'ingene ikora.

[98] CNC igizwe n'abantu batanu ntayegayezwa, harimwo Uwuyirongoye, na cumi batagira icicaro muri urwo rwego.

[99] Ni Umunyamabanga Nshingwabikorwa mw'Ishirahamwe ry'Abakenyezi ba CNDD-FDD.

[100] Yatowe ngo abe umuhanuzi wa CNDD-FDD wa Komine Mpanda mu Ntara ya Bubanza.

ziraboneka mu mugambi w'amatora. Mu matora azokurikira, vyoba vyiza ko urwego CNC rukora igikorwa rwashinzwe co guhuza no gucungera neza ibinyamakuru mu gufata ibihano vyemewe n'amategeko iyo ibinyamakuru bitubahirije amategeko.

Igicapo ca mbere. Icegeranyo c'ibirego vyashikirijwe CNC

Igenekerezo	Uwitwaye	Uwitwariwe	Ibirego	Icakozwe
11Rusama 2010	Ikete rya Rema FM	RPA	Gutyoza Rema FM mu banywanyi	Biracirwa
20Rusama 2010	Umunyagihugu Yeremiya Nkinahatemba	Radiyo Isanganiro na RPA	Inkuru ihengamye	Bizokwigwa mu nama ya bose
24Rusama 2010	Umunyagihugu Manweli Ngendakuriyo	Radiyo isanganiro na RPA	Inkuru ihengamye	Bizokwigwa mu nama ya bose
8 Ruheshi2010	Ikete ry'amashirahamwe y'abanonosoye ivyo kumenyesha amakuru	*Rema FM*	Kutubahiriza akarangamutima ko kumenyesha amakuru	Ntivyizwe na CNC
30Ruheshi 2010	Ikete rya Rema FM	Abarongoye ibimenyeshamakuru bimwe bimwe	Kubeshera, kwambika ibara no guharira ivomo Rema FM	Ntivyizwe na CNC

D. GUKURIKIRANA IGIKORWA C'IBINYAMAKURU

Ubuhinga bwakoreshejwe

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warashinze igisata kijejwe gukurikirana ibimenyeshamakuru kugira ngo barabe ingene abitoza n'imigambwe ihiganwa baronka akanya ko kuvugira mu bimenyesha makuru mu gihe co kwiyamamaza[101]. Ico gisata gikurikirana Ibimenyeshamakuru kigizwe n'abahinga batandatu baturuka mu maradiyo n'amateleviziyo carakurikiranye ibimenyeshamakuru bikuru bikuru vya Reta (*Radio y'Igihugu ku murongo wa mbere, Radiyo y'Igihugu ku murongo wa kabiri na Televiziyo y'Igihugu*) hamwe n'ivyigenga (*RPA, rema FM, Radiyo Isanganiro, Bonesha FM na Televiziyo Renaissance).*

Ayo m aradiyo n'amateleviziyo yatondetswe hisunzwe abanywanyi, ingaruka ku banyagihugu, hamwe rero n'intumbero y'amakuru. Ico gisata gikurikirana ibimenyeshamakuru carafashe amajwi congera kirashishoza amakuru, ibiganiro bisanzwe canke vyerekeye politike, ubutumwa bwo kwiyamamaza hamwe n'udukino two gukundisha igihugu hisunzwe umwanya n'imvugo vy'umunyepolitike umwe umwe. Buca haba amatora ayo ari yo yose, igisata kijejwe gukurikirana ibimenyeshamakuru c'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora carakurikiranye ibimenyeshamakuru ku mwanya ku mwanya mu ntumbero yo kumenya neza abatubahirije

[101] Ivyavuye mu gukurikirana ibimenyeshamakuru vya Reta n'ivyigenga vyerekeye gusa amatora y'abajenama b'amakomine n'ayo abashingamateka , yagiye mwo imigambwe myinshi n'abigenga benshi. Amatora y'abajenama b'amakomine yakurikiranywe kuva itariki 9 gushika iratiki 18 Rusama mu makuru yo ku murango no ku mugoroba mu binyamakuru bikurikira : Umurongo wa mbere wa Radiyo y'Uburundi, Umurongo wa kabiri wa Radiyo y'Uburundi, Televiziyo y'Uburundi, Radiyo Isanganiro, RPA, Rema FM na Bonesha FM. Amatora y'abashingamateka yakurikiranywe kuva itariki 7 gushika itariki 20 Mukakaro. Amaradiyo yafashwe amajwi kuva isaha 6 gushika isaha 2 zo ku mugoroba kuva ku wa mbere gushika ku wa gatanu no kuva isaha 2 gushika isaha 8 ku minsi ya gatandatu no ku y'Imana. Amateleviziyo ((Televiziyo y'Igihugu na Televiziyo Rennaissance) zarakurikiranywe imisi yose kuva isaha 6 gushika isaha 5 zo mw'ijoro.

umwanya wo guharika imyiyamamazo nkuko vyari vyasabwe n'Urwego rw'Igihugu Rujejwe Gucungera Ibinyamakuru CNC.

Urunani rw'amaradiyo.

Iciyumviro c'"Urunani" rw'amaradiyo cavutse mu mwaka wa 2005 mu matora ya mbere yakurikiye urwimo. Bimaze kugaragara ko ico ciyumviro cashimishije abanywanyi b'amaradiyo, ico gikorwa casubiwemwo mu mwaka wa 2010 gishigikiwe n'umugambi Rusangi wo Gushigikira Ibimenyeshamakuru PACAM, kimwe mu bisata biri mu Mugambi wo Gushigikira Amatora PACE. Amaradiyo ashika cumi n'atanu, itororokanirizo ry'amakuru rimwe, ibimenyeshamakuru bine hamwe n'imirongo ibiri ya Televiziyo vyakoranije uburyo mu ntumbero yo gutegura no gushikiriza hamwe inkuru zimwe no gutohoza neza ata guhengama imyiyamamazo n'amatora.

Mu ntumbero yo kwerekana akamaro k'urunani rw'amaradiyo, urunani rw'amatorarokanirizo y'amaradiyo yakoranije hafi abamenyeshamakuru 200. Urunani rw'amaradiyo, ibimenyeshamakuru vyanditse n'ibimenyeshamakuru bica ku buhinga bw'ingurukanabumenyi vyakoze igikorwa gihimbaye. Ico bikoze, uburyo ama televiziyo yakoranye ntivyashimishije. Vyongeye, ibimenyeshamakuru bitari bike vyo mu Burundi vyashize umukono ku *masezerano PACAM* (kwubahiriza amategeko ngenderwako,ubutungane n'ubudasa), yabaye iciyumviro nya mukuru c'urunani rw'amaradiyo mu kwicungera.

Uko gufashanya kudasanzwe muri Afrika kwaranezereje abatwara ibinyamakuru vyo mu Karere k'Ibiyaga Binini bipfuje kugutanguza iwabo. Amashirahamwe adaharanira inyungu za politike, Urwego rw'Igihugu Rujejwe Gucungera Umwuga wo Kumenyesha Amakuru CNC, abakurikirana amatora b'abarundi n'abanyamahanga barashimye muri rusangi igikorwa c'urunani rw'amaradiyo. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora nawo nyene urakeza urunani rw'amaradiyo kuri uko gufashanya kwagenze neza.

Ingene imigambwe n'abitoza baronse akaryo ko kuvugira mu binyamakuru. Ivyavuye mu gukurikirana ibiganiro. Ibiganiro vyakurikiranywe mu binyamakuru vya Reta.

Urwego rw'Igihugu Rujejwe Gucungera Umwuga wo Kumenyesha Amakuru CNC rwaratanze umwanya wa gusa ku bitoza n'imigambwe kugira ngo bashikirize ubutumwa bwabo mu ntumbero yo kubaha umwanya ungana mu binyamakuru vya Reta. Mu matora y'abajenama b'amakomine, Urwego CNC wakoze urutonde rwo kuvugira mu bimenyeshamakuru hakoreshejwe gutomboza: umunyepolitike umwe umwe wese yaronswa iminota cumi kuri televiziyo na radio. Mu binyamakuru, hatangwa igice c'urupapuro mu kinyamakuru kimwe kimwe. Igisata Kijejwe Gukurikirana Ibinyamakuru co mu Murwi mw'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora cabonye ko ibimenyeshamakuru vya Reta vyakwirikije amabwirizwa y'Urwego CNC. Kubera ukwitoza kudasanzwe kwa Petero Nkurunziza yitoza wenyene, umugambwe CNDD-FDD ntiwavugiye mu bimenyshamakuru mu matora y'Umukuru w'Igihugu. Twomenya ko mu matora y'Abashingamateka, Urwego CNC rwatanze iminota cumi ku munyepolitike umwe umwekugira ngo avugire ku maradiyo n'urupapuro rumwe mu binyamakuru.

Ico bikoze, kubera umwanya utari ukwiye, Urwego CNC ntirwakurikije urutonde rwari rwategekanijwe hakoreshejwe tombola, nko mu matora y'Abajenama b'Amakomine. Urwego rw'Igihugu Rucungera Umwuga wo Kumenyesha Amakuru rwaciye ruhitamwo kubavugisha ariko hakurikijwe indome zitangura amazina y'abantu. Ariko rero navyo ntivyabaye bigishoboka. Naho biri uko, Umurwi w'Ishirahamwe ry'Abanyaburaya

Ujejwe Gukurikirana Amatora urakeza akigoro kagizwe n'ibimenyeshamakuru vya Reta mu kuvuza ibiganiro bicungerewe.

Uburyo inkuru zakozwe mu binyamakuru vya Reta

Ibiharuro vyatororokanijwe n'igisata kijejwe gukurikirana ibinyamakuru mu Murwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora mu matora y'Abajenama b'Amakomine vyerekana ko CNDD-FDD iza imbere kure cane mu bimenyeshamakuru vya Reta, cane cane ku murongo wa mbere wa Radiyo y'Igihugu ku vyerekeye guhabwa ijambo[102]. CNDD-FDD, Umukuru w'Igihugu, abagize Reta n'abategetsi bo mu nzego zo hasi bo muri uwo mugambwe baronse 79% vy'umwanya wo gufata ijambo na 55% mu matora y'Abashingamateka[103]. Televiziyo y'Igihugu yagumye ataho ihengamiye mu gutanga ijambo ku banyepolitike mu matora y'abajenama b'amakomine, cane cane mu gushikiriza ibiganiro bicungerewe. Mu matora y'abashingamateka, yatanze ijambo ku bice 21% kuri CNDD-FDD ku bice 13% ku bitoza bigenga, 10% kuri Frodebu-Nyakuri n'urunani CELAT, 9% kuri KAZE-FDD na UPRONA, 7% kuri FROLINA na 2% kuri PTD.

Ku vyerekeye umwanya wo kuvugira mu binyamakuru, ubusumbane hagati ya CNDD-FDD n'iyindi migambwe mu binyamakuru vya Reta bwabaye bunini mu matora y'abashingamateka, cane cane kuri *Televiziyo y'igihugui*. Kubera ivyo rero, CNDD-FDD yafashe 76% vy'umwanya, kuri 16% vya Uprona na 3% kuri Frodebu-Nyakuri. Ku murongo wa mbere w'Iradiyo y'Igihugu, umwanya watanzwe ntiwasumbanye cane: 48% kuri CNDD-FDD, 29% kuri Uprona na 15% kuri Frodebu-Nyakuri. Mu matora y'abajenama b'amakomine, ibimenyeshamakuru vya Reta vyahaye umwanya udasumbanye cane ku banyepolitike, ugereranije ku bice 35% vy'umwanya kuri CNDD-FDD, kuri 19% vya UPRONA, 14% vya FNL, 11,3% vya UPD na 6,3% vya Frodebu. Ibimenyeshamakuru bikukira Reta vyatanze amakuru ajanye n'imyiyamamazo n'imigambi y'imigambwe inyuranye n'abitoza cane cane mu ncamake y'amakuru. Ico bikoze, ayo makuru yama na ntaryo atangurirwa n'uduce tw'amajambo y'Umukuru w'Igihugu. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gucungera Amatora uvuga ko ibimenyeshamakuru bikukira Reta vyari kureka kuvuza utwo duce mu kwiyamamaza mu ntumbero yo kwisunga kudahengama mu gikorwa co gukurikirana inkuru mu banyepolitike bariko barahiganwa.

Uburyo inkuru zakozwe mu bimenyeshamakuru vyigenga

Ibimenyeshamakuru vyigenga vyacungerewe n'igisata c'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora vyarafashije muri rusangi mu gutangaza ivyiyumviro vya politike binyuranye ku batora. Yamara, ukudahengama hagati y'abanyepolitike banyuranye ntikwisunzwe igihe cose. Mu matora y'Abajenama b'Amakomine, iradiyo *Rema FM* isa n'iyikorera CNDD-FDD, yagumye ari iradiyo ihengamye kurusha izindi. Yahaye 45% vy'umwanya umugambwe uri ku butegetsi kuri 18% vya FNL, 11% vya UPD, 8% vya MSD, 7% vya Frodebu na Uprona na 4% vya CNDD. Vyongeye, naho iyo radiyo yahaye umwanya ataho uhengamiye abandi banyepolitike basigaye, ica kabiri c'ivyavuzwe kuri FNL na MSD vyavuzwe mu majambo

[102] Umwanya ijambo rifata : umwanya wose amajambo yavuzwe n'umunyepolitike, uwitoza canke umunywanyi yasubiwe mwo mw'iradiyo, Umwanya wo gutanga ijambo kw'iradiyo : Umwanya wose ijambo (harimwo iry'umumenyeshamakuru) rifata ryerekeye umunyepolitike, uwitoza canke abanywanyi.

[103] Twisunze imigambwe mikuru mikuru ihiganwa. Mu matora y'abajenama b'Amakomine : CNDD-FDD, FRODEBU, UPD, MSD, UPRONA na FNL ; mu matora y'abashingamateka, twisunze imigambwe n'abitoza ku giti cabo bemewe n'amategeko.

ataryoshe. Amaradiyo yigenga Bonesha FM, Radiyo Isanganiro na RPA nayo yahaye umwanya wo, ataho uhengamiye.

Kubera ukwiyamamaza kw'imigambwe imwe imwe kwatanguye gutevye, hakunga ko iyo migambwe yashimye kwiyamamaza kinzu kunzu hamwe n'uko hari igitigiri kitangana c'abitoza mu ntara zose, bisigura ingene CNDD-FDD yiganje cane ku maradiyo mu gihe c'amatora y'abashingamateka. Gurtyo rero, *Bonesha FM* na *Radiyo Isanganiro* zahaye umwanya muremure CNDD-FDD, hafi 46%, kuri 31% ya Uprona na 13% ya Frodebu-Nyakuri. Vyongeye, RPA na Televiziyo yigenga *Televiziyo Rennaissance* bahaye CNDD-FDD umwanya ugera kuri 43%, Uprona ironka 37%, Frodebu-Nyakuri 13%.

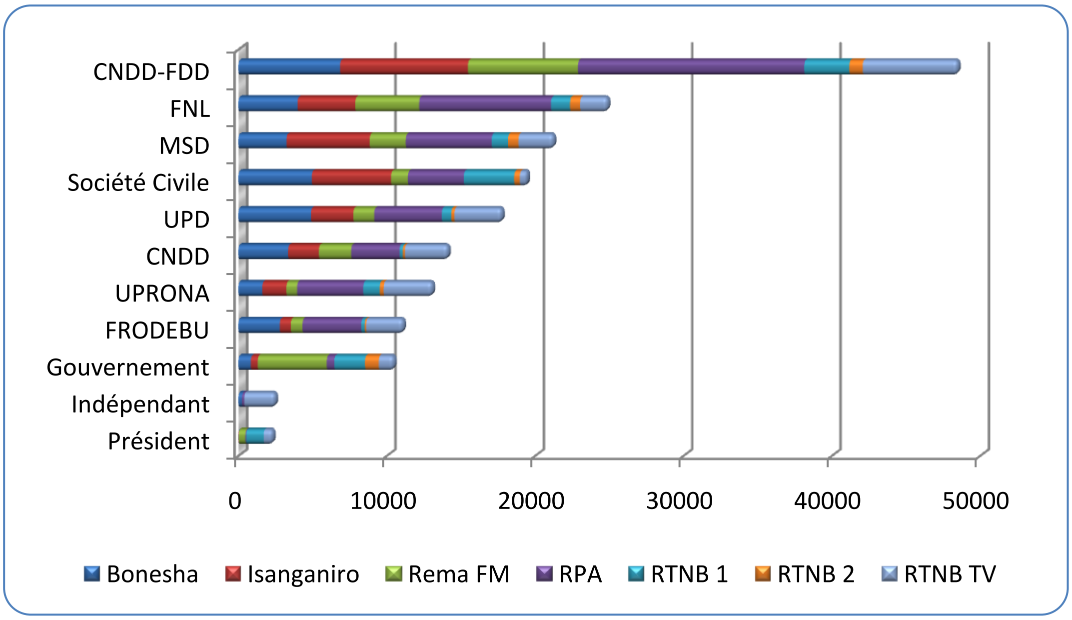
Mu kurangiza, *Rema FM* irangwa n'ubusumbane bunini hagati ya CNDD-FDD n'iyindi migambwe: 65% vy'umugambwe uri ku butegetsi kuri 17, 6% gusa vya Uprona na 13% vya Frodebu-Nyakuri. Tumenyeshe kandi ko ku vyerekeye urunani CELAT-HUMURA, imigambwe PTD, Frolina, KAZE-FDD n'abitoza babiri bigenga, ibiharuro vyegereje hafi na hafi 3%.

Mu matora y'abajenama b'amakomine, abitoza bagenywe n'imigambwe inyuranye yahiganwa mu matora y'Umukuru w'Igihugu bariganje mu bimenyeshamakuru, vyaba ivya Reta canke ivyigenga. Vyongeye, abakenyezi bitoje mu matora y'abajenama b'amakomine basa n'uko batigeze baseruka mu binyamakuru.

Imigambwe yarahaririye cane ivyiyumviro mu binyamakuru mu matora y'abahanuzi b'amakomine, ibifashijwe mwo n'ishirahamwe ritegamiye Reta National Democratic Institute (NDI) na PACAM.

Ibinyamakuru vyigenga vyerekanye ko biri mahindagu mu kumenyesha amakuru gusumvya ibinyamakuru vya Reta. Nkako, igisata gicungera ibinyamakuru co mu gisata c'Ishirahamwe kijejwe Gukurikirana Amatora cabonye ko, uretse incamake y'amakuru, ibinyamakuru vyigenga vyaragwije ibiganiro ku bibazo bijanye n'amatora.

Igicapo ca mbere. Umwanya wagenewe abanyepolitike banyuranye n'amashirahamwe adaharanira inyungu za politike mu binyamakuru wihwejwe mu matora y'abahanuzi b'amakomine. (kuva itariki 9 gushika itariki 18 Rusama)



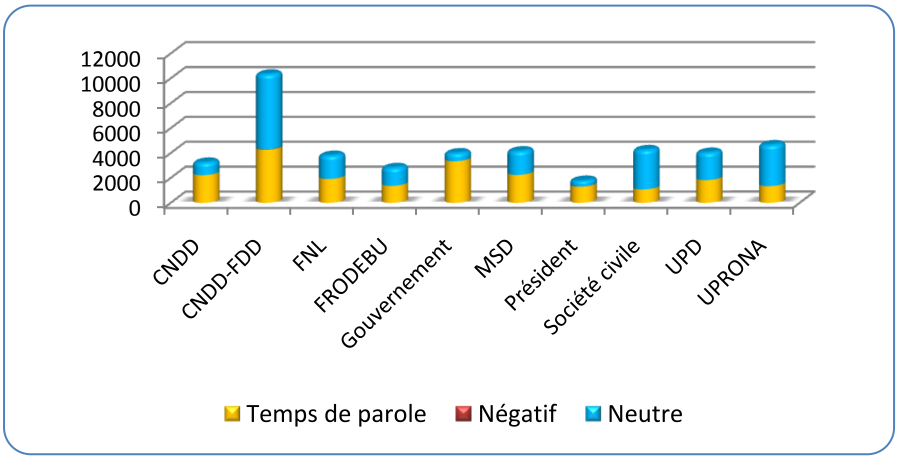
Société Civile: Amashirahamwe adaharanira inyungu za politike
Gouvernement : Reta
Indépendant : Uwigenga
Président : Umukuru w'Igihugu

- RTNB1 : Umurongo w'1 w'iradiyo y'Igihugu uvuga mu Kirundi
- RTNB 2 : Umurongo wa 2 w'iradiyo y'Igihugu uvuga mu Gifaransa
- RTNB TV : Televiziyo y'Igihugu

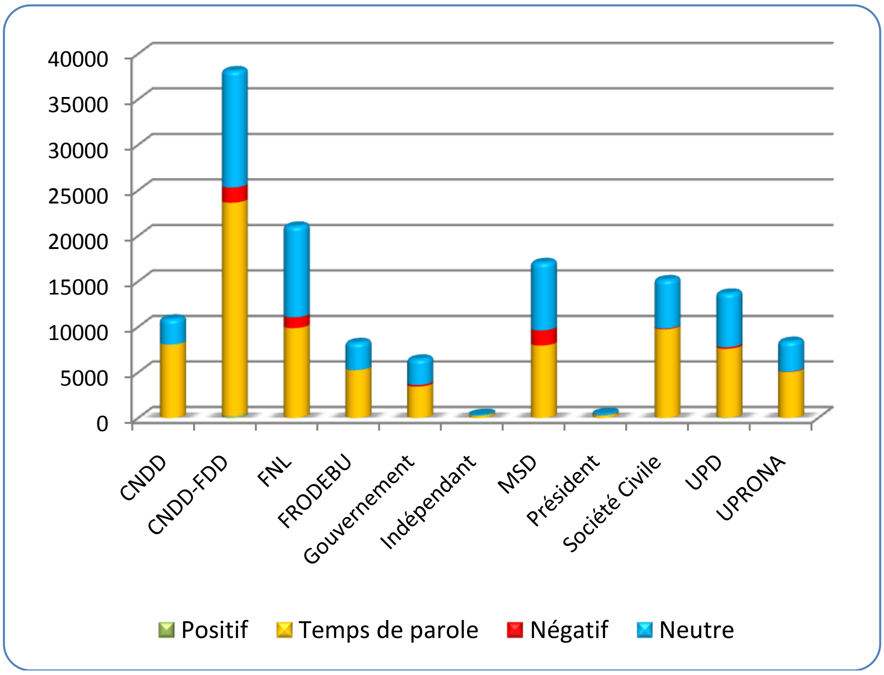
Umwanya uharuwe mu masegonda / ifatiro: Amasaha 51 n'iminota 29

Igicapo ca 2 n'ica 3 : Umwanya n'ijwi ibinyamakuru vya Reta n'ivyigenga vyahaye abanyepolitike n'amashirahamwe adaharanira inyungu za politike mu matora y'abajenama b'amakomine (kuva kw'itariki ya 9 gushika itariki 18 Rusama).

Igicapo ca 2. Ibimenyeshamakuru vya Reta Ifatiro : Amasaha 11 n'iminota 58



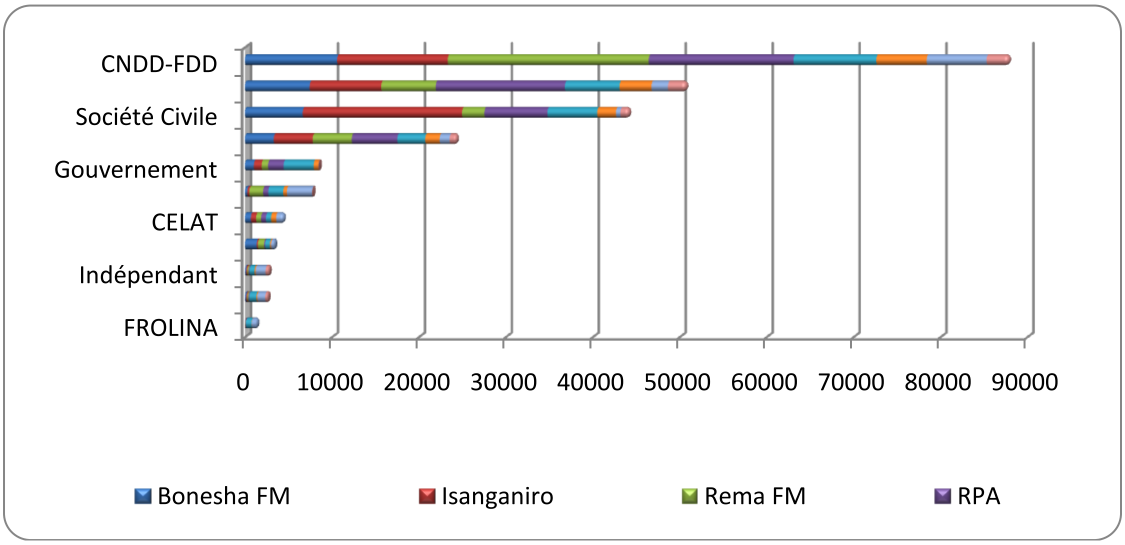
Gouvernement : Reta
Président : Umukuru w'Igihugu
Société Civile : Amashirahamwe adaharanira inyungu za politike
Temps de parole : Umwanya ijambo ryafashe
Négatif: Batubahirije ibisabwa
Neutre: Ataho bahengamiye



Gouvernement : Reta
Indépendant : Uwigenga
Président : Umukuru w'Igihugu
Société Civile : Amashirahamwe adaharanira inyungu za politike
Positif : Bubahirijwe ibisabwa

Igicapo ca 3. Ibimenyeshamakuru vyigenga. Ifatiro: Amasaha 38 n'iminota 56 Umwanya mu masegonda

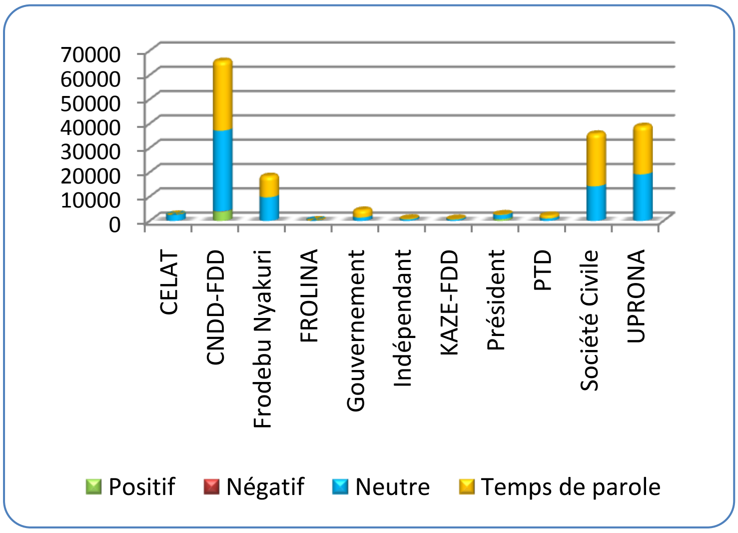
Igicapo ca 4. Umwanya wose ibimenyeshamakuru vyasuzumwe vyahaye abanyepolitike n'amashirahamwe adaharanira inyungu za politike mu matora y'abashingamateka (Kuva kw'itariki ya 7 gushika kw'itariki 20 Mukakaro).

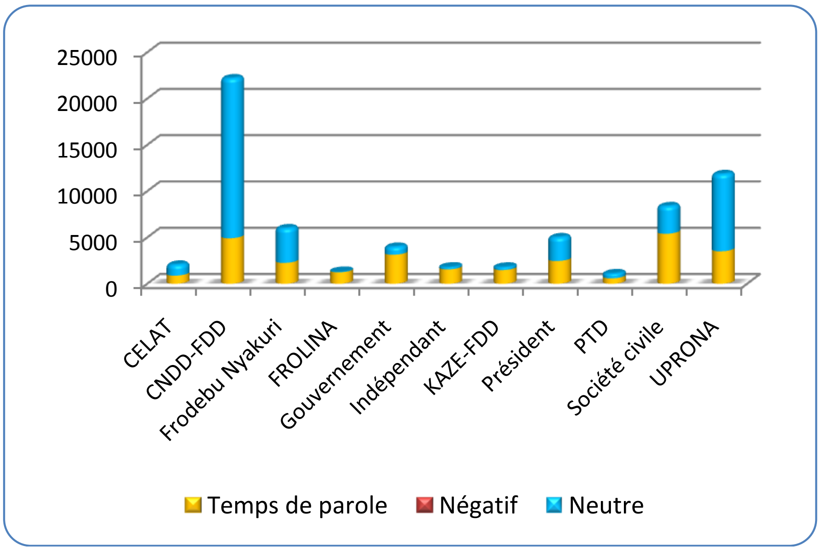


Société Civile : Amashirahamwe adaharanira inyungu za politike
Gouvernement : Reta
Indépendant : Uwigenga
Umwanya mu masegonda / Ifatiro : Amasaha 66 n'iminota 13

Ibicapo vya 5 na 6. Umwanya n'imvugo ibimenyeshamakuru vya Reta n'ivyigenga vyahaye abanyepolitike n'amashirahamwe adaharanira inyungu za politike mu matora y'abashingamateka (kuva itariki 7gushika itariki 20 Mukakaro)

Igicapo ca 5. Ibimenyeshamakuru vyigenga. Ifatiro : Amasaha 47 n'iminota 59.





Igicapo ca 6. Ibimenyeshamakuru vya Reta. Ifatiro : Amasaha 18 n'iminota 14
Umwanya mu masegonda

Gouvernement : Reta
Indépendant : Yigenga
Président : Umukuru w'igihugu
Société Civile : Amashirahamwe adaharanira inyungu za politike
Positif : Bubahirije ibisabwa
Négatif : Ntibubahirije ibisabwa
Neutre : Ataho bahengamiye
Temps de parole : Umwanya ijambo ryafashe

Imvugo y'agasomborotso n'uguta umurongo

Muri rusangi, ibimenyeshamakuru vya Reta n'ivyigenga vyarisunze akarangamutima n'ingendo nziza vyashizwe ko umukono ngo bikurikizwe mu mugambi w'amatora. Ico bikoze, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warabonye ko amaradiyo amwe amwe yigenga yataye umurongo na cane cane iyo atariko arakorera « mu runani ». Vyongeye, ayo maradiyo yarakwiragije ibihuha kandi ntiyamye yitwararika gutohoza ko abatanze inkuru ari abizigirwa canke ko inkuru zatanzwe ari iz'ukuri.

Ni co gituma inyuma yaho hiyamirijwe ivyavuye mu matora y'abajenama b'amakomine, ibimenyeshamakuru vya Reta n'iradiyo *Rema FM* vyagiye ku ruhande wa CNDD-FDD vyongera biremeza bishimitse ko amatora yagenze neza binavuga ko umurwi CENI wakoze neza cane. Ku rundi ruhande, bimwe mu bimenyeshamakuru vyigenga vyagiye ku ruhande rwa ADC-IKIBIRI, vyiyamiriza cane cane ubusuma bwaranze amatora y'Abajenama b'Amakomine binasaba ko umurwi CENI wotanga imihoho. *Rema FM* yarakwiragije ibihuha bivuga ko ADC-IKIBIRI yoba yashatse « guhungabanya umutekano w'igihugu » canke ko imvugo y'uwuyoboye MSD Alexis SINDUHIJE « yigisha amacakubiri » n' « umugumuko ».

Amaradiyo yigenga nayo nka *Bonesha FM* na *Radiyo Isanganiro* vyaravugije ivyashikirijwe na ADC-IKIBIRI, bikaba vyagiriza CNDD-FDD « ko ihamagarira Abarundi mu mabi afatiye ku moko ibicishije muri *Rema FM* ». Mu gusozera, mu matora y'abashingamateka, *Rema FM* yashikirije ibiganiro bidasanzwe yifatira mu gahanga bikomeye abarongoye amatorarokanirizo y'amakuru bari banditse mu rwete. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora uranebagura uko guta umurongo ukanibutsa ibinyamakuru akamaro ko kwisunga akarangamutima kuko ari kimwe mu bigize umwuga wo kumenyesha amakuru.

Ihimiriza ry'amatora biciye mub'ibimenyeshamakuru

Icegeranyo c'inyigisho zishimikira ku gukunda igihugu cemejwe n'Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu CENI, ishirahamwe ritegamiye Reta, 'International Foundation for Electoral Systems' (IFES) n'amashirahamwe adaharanira inyungu za politike, bakoreye hamwe udukino n'amasanamu ahimiriza ku vy'amatora . Utwo dukino twashikirijwe n'ibimenyeshamakuru vy'igihugu n'ivyigenga.

Igisata kijejwe gukurikirana amakuru c'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora carabonye akigoro k'U.murwi CENI n'ibimenyeshamakuru mugushikiriza utwo dukino (tw'amasaha ane n'iminota mirongo ine n'icenda ku mugambi w'amatora wose).

Mu matora y'Umukuru w'Igihugu niho utwo dukino twabonetse cane (44%). Kuruhande rwayo, amashirahamwe adaharanira inyungu za politike yaritanze bihagije mugukora amasanamu y'inyigisho zugukundisha igihugu, na cane cane mubimenyeshamakuru (RTNB1, Radio Isanganiro na RPA) n'ishirahamwe ry'abakenyezi b'abamenyeshamakuru(AFJO).

Ingingo yo guhagarika imyiyamamazo

Ingingo yo guhagarika imyiyamamazo ntiyubahirijwe bishemeye n'ibimenyeshamakuru. Mu kiringo c'amatora y'abajenama b'amakomine n'amatora y'umukuru w'igihugu, ibimenyeshamakuru bitari bike vyarubahirije iyo ngingo kiretse i radiyo *Bonesha FM* , yasubiye gushikiriza ibiganiro vy'a politike *Tribune Bonesha n'Inkuru* y'*Imvaho* kw'itariki 19 na 22 Rusama.Vyongeye, mu gihe c'amatora y'umukuru w'igihugu,

ibimenyeshamakuru bitari bike ntivyubahirije ingingo yo guhagarika imyiyamamazo nkuko vyari vyasabwe n'Urwego Rujejwe Kugenzura Itangwa ry'Amakuru mu Gihugu (CNC).

Mu kurangiza, mu matora y'Abashingamateka n'Abakenguzamateka, amaradiyo n'imboneshakure vyihwejwe, vyarakurikije iyo ngingo yo guhagarika imyiyamamazo mubinyamakuru canke no gushikiriza ibiganiro vyerekeye amatora mu minsi ibiri y'imbere y'amatora gushika kw'iyugarwa ry'ibiro vy'amatora.

X. UKWITABA KW'ABAKENYEZI N'INKEHWA

A. UKWITABA KW ABAKENYEZI

Uburenganzira bw'abakenyezi bwo kurangura imirimo ya politike bugengwa ahanini n'amasezerano y'Arusha hamwe n'ay' Ibwirizwa Shingiro[104]. Birategekanya 30% n'imiburiburi vy'abakenyezi mu nzego. Umurwi CENI ufise uruhara rwo kwubahiriza ubwo buringanire ubicishije mu buryo bw'ukongerako.

Inyuma y'amatora yo mu mwaka wa 2005, ku bantu batanu bambere b'Abanyacubahiro mu gihugu, babiri bari abakenyezi, mugabo baciye basubirizwa n'Abashingantahe mu mwaka wa 2007. Mu nama Nshingamateka na Nkenguzamateka ibice 30 % vyarubahirijwe. Naho biri uko Abakenyezi nta kibanza gihagije bafise mu nzego nkuru z'imigambwe bigatuma badakurikiranira hafi intonde z'abitoza mu matora[105]. Amashirahamwe aharanira agateka k'abakenyezi bakoreye hamwe mu guhimiriza abakenyezi mu gutora n'ukwitoza n'imigambwe ku vyerekeye ico kibazo[106].

Intonde z'amatora y'Abajenama b'Amakomine zitegerezwa gutegekanya ibibanza vy'ubwinshi bw'amoko n'ibitsina zitiriwe ziratomora ibisikanya kuburyo abakenyezi boshobora kwitoza mu nzego nk'uko bimeze ku ntonde z'abitoza mu Bashingamateka[107].

Twisunze ingingo 181 y'igitabu c'amategeko agenga amatora, urwego mpanuzwajambo rw' amakomine, rutegekanya abantu cumi n'abatanu harimwo n'imiburiburi 30% vy'abakenyezi. Mu mwaka 2005, ivyo bitigiri ntivyari bitegekanijwe ku bakenyezi. Intonde zanyuma z'abitoza mu migambwe yariko iriyamamaza mu matora y'abajenema b'amakomine, ntizakurikije zose ivyo bitigiri. Kugira bashikire ivyo bice 30% vy'abakenyezi mu nzego mpanuzwajambo z' amakomine, imirwi yigenga ijejwe gutunganya amatora ku rwego rw'intara yakoze igikorwa co kwongerako igitigiri. Muri ico gihe, abashingantahe batowe basubirizwa n'abakenyezi, amatati yaribonekeje mu migambwe mu gihe bongeyeko abakenyezi badafise ubumenyi buhagije canke mu gihe umugambwe ufise uwitoje umwe gusa. Ku rwego rwa ba munsitanteri, mirongo ine kw'ijana na mirongo ibiri bamaze gutorwa, ibice vyababa 33% ni abakenyezi.

Mu nama Nshingamateka na Nkenguzamateka, Igitabu c'Ibwirizwa Shingiro gitegekanya ni miburiburi ibice 30% vy'abakenyezi. Ingingo n.127 y'igitabu c'amategeko agenga

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[104] Vyongeye Igihugu c'u Burundi carashizeko igikumu amategeko mpuzamakungu makuru makuru ajanye n'ukubahiriza agateka ka zinamuntu (Raba Ibwirizwa Shingiro: Intangamarara n'Ingingo ya 19).

[105] Amategeko ajanye n'ivy'imigambwe arategekanya ko ata rwego nyobozi rw'umugambwe rujamwo ibice bitatu kuri bine rw'abawuhurikiyemwo bafise igitsina (ingingo ya 33)

[106] Ihuriro ry'amashirahamwe yigenga n'amashirahamwe ataho yegamiye y'abakenyezi CAFOB arahimiriza imigambwe mu ntumbero yo gushira abakenyezi ku ntode z'abitoza kugira ngo umugambi wabo « Mukenyezi urashoboye » uje mungiro.

[107] Twisunze ingingo ya 181 y'igitabu c'amategeko agenga amatora, urwego mpanuzwajambo rw' amakomine, rutegekanya abantu cumi n'abatanu harimwo n'imiburiburi 30% vy'abakenyezi

amatora itegekanya ko abitoza batatu banditswe ku ntonde umwe kuri bane ategerezwa kuba ari umukenyezi. Ku ntonde zugaye Abashingamateka b'imigambwe ihiganwa bakwirikije igiharuro kitarenga n'imiburiburi 30% vy'abakenyezi. Igitigiri c'abakenyezi batangura ku ntonde cagumye ari gito, bari 18 ku gitigiri rusangi c'intonde 81[108].

Umurwi ujejwe gutunganya amatora mu gihugu CENI ntiyabaye icongereza amajwi mu ntumbero yo gukosora utunenge. Biribonekeza ko hariho akarusho ugereranije n'ivy'umwaka wa 2005 aho uwo murwi wongeyeko abakenyezi 12 mu Nama Nshingamateka.

Mu matora y'Abakenguzamateka, imigambwe yarashikirije umukenyezi umwe ku ntara, abakenyezi batowe ni cumi n'indwi nukuvuga ibice 50%. Naho nyene akarusho gashemeye karibonekeza, ugererenaji n'umwaka wa 2005 aho Umurwi ujejwe gutunganya amatora mu gihugu CENI wongereje abakenyezi icenda mu gukosora utunenga mu Nama Nkenguzamateka. Mu matora y'abakuru b'imitumba, kongereza igitigiri c'abakenyezi ntibitegekanijwe. Abakenyezi bategerezwa kwitoza. K'ubitoje 33773 biyandikishije itariki 3 Myandagaro, 8886 n'abakenyezi, ni ukuvuga ibice nka 23%. Abakenyezi bitavye ari bakenya cane ugereranije n'Amatora aheruka.

Ku rwego rw'itunganya ry'amatora, uguserukirwa kw'abakenyezi kw'ari kurugero rwa 30% ku nzego zose (Umurwi ujejwe gutunganya amatora mu gihugu CENI, imirwi yigenga ijejwe gutunganya amatora ku rwego rw'intara, imirwi yigenga ijejwe gutunganya amatora ku rwego rw'ama komine, n'abo mu biro vy'amatora). Abakenyezi bari benshi mu baserukira imigambwe, mu barorerezi b'abarundi, n'abitoza mu matora. Igitigiri c'abiyandikishije ku ntonde z'abitoza b'abakenyezi kirasumba igitigiri c'abashingantahe (51.4%).

B. UKWITABA KW'ABATWA

Ibwirizwa Shingiro riritegekanya kudakumira ubwoko bw'abatwa[109]. Umurwi CENI ufise igikorwa co kwongeramwo umutwa umwe mu nzego z'amakomine mugihe ubwo bwoko budatowe kandi bwari ku ntonde rw 'abitoza (ingingo 181), abashingamateka batatu bo mu bwoko bw'abatwa (ingingo 108), n'abakenguzamateka (ingingo 141) bikorwa hakwirikijwe intonde zatanzwe n'Amashirahamwe baserukira kuruta ayandi.

Mu ntango zu mwaka 2010, abatwa barenga 21000 bararonse ikarata ndangamuntu kubuntu. Abatwa barashoboye kurangura igikorwa c'ubwenegihugu mu gutora n'ukw'ukwitoza mu matora y'Abajenama b'Amakomine[110]. Imigambwe myinshi yahiganywe yaratanze abatwa ku ntonde z'abitoza mu matora y'Abajenema y'Amakomine, naho igitigiri cabo cagumye ari gito hihwejwe imice baserukira. Ibiharuro vy'abatwa batowe mu nzego ni 43 mu ma komine 129 agize igihugu.

Mu nama Nshingamateka, Umurwi CENI warongereje abaserukira ubwoko bw'abatwa batatu bakukira amashirahamwe UCEDD (ihuriro ry'abakirisu riharanira indero n'iteramberambere ry'abatishoboye), ASSEJEBA (Ishirahamwe ry'ubwizere ry'urwaruka rw'abatwa), et UJEDECO (ihuriro ry'imiyabaga riharanira iterambere ry'abanyagihugu). Mu nama Nkenguzamateka, Umurwi ujejwe gutunganya amatora mu gihugu CENI

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108 Ubushikiranganji bw'Agateka ka zina muntu n'ukunganisha ibitsina bushigikiwe na UNIFEM hamwe na Fondation Intahe bwahaye imfashanyo y'imiriyoni 20 z'amafaranga y'amarundi ku migambwe itanu (CNDD-FDD, Uprona, FRODEBU-Nyakuri, Kaze-FDD, PTD hamwe n'urunani CELAT-HUMURA) n'uwitoza yigenga (Déogratias HAKIZIMANA) mu guhiganwa mu matoro y'Abashingamateka ngo bashigikire inguvu zabo mu bijanye no kubahiriza amategeko ajanye n'ibitsina.

109 Bagize igice 1% c'abanyagihugu

110 Mu mwaka wa 2005, umutwa umwe niwe yatowe mu rwego mpanuzwajambo rwa komine biturutse kubatwa bake bari batoye

warongereje abaserukira abatwa batatu, babiri bo mw'Ishirahamwe « Tuje hamwe mu guteza imbere Abatwa » UNIPROBA, numwe wo muri AIBD (ishirahamwe riharanira gushikana iterambere rirama mu Burundi) . Ariko Léonard Habimana (uwitoje ubwa kabiri ku rutonde rwa UNIPROBA ku rwego rw'abashingamateka) yaritwaye imbere ya.

Sentare yubahiriza ibwirizwa shingirokubera atishimye ivyavuye muri iryo yongerwamwo[111], iyo Sentare ntiyemeye ivyo birego vyo kw'itariko ya 6 myandagaro.

XI. AMASHIRAHAMWE YIGENGA ADAHARANIRA INYUNGU ZA POLITIKE, ABARORERREZI BO MU BURUNDI NA MPUZAMAKUNGU

Amashirahamwe yigenga adaharanira inyungu za politike yiyemeje gukurikirana ivy'ayo amatora mu mice itandukanye nko guhuza hamwe no guhagarikira amatora.

IFES, ACCORD-RSA, ishirahamwe ritegamiye Reta ryo muri Afrika yepfo, riharanira gukinga n'ugutatura amatati na EISA, vyaratunganije igikorwa co kwigisha « abahagarariye amahoro » bashika kugitigiri ca 570 bari bajejwe kuba abahuza mu gihe c'amatora. Abo bahagarikizi batowe mu « Bashingantahe », mu mw'ishirahamwe « DUSHIREHAMWE », ishirahamwe ritegamiye Reta ry'abakenyezi riharanira amahoro .

Barakurikiranye inyigisho Ku vyerekeye uguhuza, imbere y'amatora y'abajenama b'amakomine. Murayo matora, Umurwi CENI wabagize abarorerezi kugira bimenyereze gutatura amatati aturutse ku matora. Uwo mugambi mwiza ntiwashoboye gukoreshwa bishemeye mu gihe c'amatora. Ku kaba nkako, imishamirano yakurikiye amatora y'abajenama b'amakomine, ntiyarigushobora gutorerwa umuti n'uwo murwi.

Amashirahamwe yiyemeje gukurikirana ivy'amatora, urunani rw'amashirahamwe yigenga adaharanira inyungu za politike muvyo guhagarikira amatora (COSOME), ihuriro ry'amashirahamwe adahanira inyungu za politike[112] bashize mu ngiro umugambi bise « inyigisho no gukurikirana inkingi ngendegwako z'intwaro rusangi mu Burundi»[113].Mu kurangiza, umurwi w 'amashirahamwe yo mu Burundi no mu mahanga[114] wakoreye hamwe umugambi bise *Amatora Mu Mahoro*, umugambi uharanira gukurikiranira hafi inkingi z'intwaro rusangi n'ugukinga amatati aturutse ku matora[115] uzokorerwa mu ma komine 129 agize igihugu, imwe imwe ifise abarorerezi babiri[116].

Amashirahamwe menshi yigenga, yarungitse abarorerezi nk'Urunani rw'amashirahamwe adaharanira inyungu za politike (COSOME), Inama y'Abepisikopi y'Ubutungane n'amahoro (CEJP), abahagarikirizi ba Afrika (OADAME), Ishirahamwe ryiyemeje

[111] Ico kirego co kwitwara cishimikije ingingo ya 108 iri mu gitabo c'amategeko agenga amatora « kwongerako abashingamateka b'abatwa bikorwa bishimikije intonde zatanzwe n'amashirahamwe aseruka gusumba ayandi yemewe n'amategeko ». Uwitwaye, yamenyesheje ko Ishirahamwe"Tuje hamwe mu guteza imbere Abatwa" UNIPROBA, ryavutse mu 1999, ariryo shirahamwe ry'akera kandi rimaze kurangura ibikorwa vyinshi mu gihugu, ryari rikwiye guserukirwa mu nama Nshingamateka

[112] COSOME ihurikiyemwo amashirahamwe y'abihebeyimana, amashirahamwe aharanira agateka ka zina muntu, amashirahamwe y'abakenyezi n'ay'urwaruka, n'amashirahamwe aharanira iterambere

[113] Mur'uwo mugambi, urwo runani ruhurikiyemwo abahagarikizi 400 b' inkingi z'intwaro rusangi n'amatora, bakwiragijwe mu ma komine yose y'igihugu

[114] Murayo : Urunani rw'amashirahamwe adaharanira inyungu za politike (COSOME), Inama y'Abepisikopi y'Ubutungane n'amahoro (CEJP), amashirahamwe ategamiye Reta nka Quarters Peace Network (QPN), Benevolenija, American Friends Service Commitee(AFSC), Human Rights Watch, OXFAM Novib na IFES.

[115] www.burundi.ushahidi.com

[116] Amakuru atororokanijwe arungikwa bakoresheje ubutumwa buciye mw'itelephone, kugira bubikwe mu buryo ngurukanabumenyi. Umurwi uratanganza ivyegeranyo vyo kumunsi kumunsi bigaragaza amabi aba mu gihe c'amatora . Imyitwarariko y'amahoro itegurwa n'abahagarikizi bisunze urupapuro ruriko ibiharuro irungikwa i bujumbura

kurwanya ibiturire n'isesagurwa ry'amatungo ya Reta (OLUCOME), Ishirahamwe ryo gutwara neza n'iterambere muri rusangi Fontaine-Isoko, Ishirahamwe Dushirehamwe.

Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora barabonye ko abarorerezi b'abarundi bashika ku gitigiri ca 90% mu biro vy'amatora vyagendewe mu gihe c'amatora y'Abajenama b'Amakomine, 85,7 % mu gihe c'amatora y'umukuru w'igihugu, na 82,17% mu matora y'abashingamateka.

Ubuhinga bwo gukorera hamwe n'amashirahamwe ajejwe gukurikiranira hafi ivyo mungo bwaratanzwe n'Ishirahamwe ritegamiye Reta NDI, mu ntumbero yo gukwiragiza abarorerezi mu mihingo yose y'igihugu. Iryo shirahamwe NDI ryarateguye kandi urupapuro rwuzuzwa ruhuza amashirahamwe yose naho rutakurikijwe ukobitegerezwa. Mu kurangiza, birababaje kubona iharurwa ribangabanganye n'iryo ry'amajwi ritabaye mu gihe c'amatora y'Abajenama b'Amakomine nk'uko bisanzwe bigenda mu bindi bihugu.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora bwababaye ubwa mbere urungika umurwi muninya w'abarorerezi mpuzamakungu bashika 38 mu mamatora y'Abajenama b'Amakomine n'ay'Umukuru w'Igihugu ; na 86 mu matora y'Abashingamateka. Turetse uwo murwi, abandi bahagarikizi mpuzamakungu bava muri Reta zunze ubumwe za Amerika, Ububirigi hamwe n'Ishiramwe AWEPA eka n'abandi baserukira Ibihugu vy'Ubufaransa, Ubudagi, Ubwongereza, Ubuhorande, Kenya, Ubuganda, ubuyapani hamwe na Tanzaniya.

N'Amashirahamwe mpuzamakungu yararungitse abahagarikizi na cane cane Ishirahamwe ry'Ubumwe bwa Afrika , Ishiramwe ry'Ubutunzi bw'Ibihugu ya Afrika yo Hagati (CEEAC), Ishirahamwe ry'Ibihugu vya Afrika y'ubuseruko (CEA) hamwe n'isoko rusangi rya Africa y'ubuseruko n'amaja epfo (COMESA),bararungitse abarorerezi mu gihe c'amatora y'umukuru w'igihugu. Ishirahamwe Mpuzamakungu rihurikiyemwo ibihugu bivuga Igifaransa(OIF) ryaserukiwe n'abantu batanu bari bafise igikorwa co gushikiriza ivyavuye mu matora.

XII. IBIREGO NO KWITURA UBUTUNGANE

A. INGINGO NGENDERWAKO ISHINGIYE MU GUSHIKIRIZA UTUNENGE MU CEGERANYO CO MU BIRO VY'AMATORA KUGIRA TUZOSHOBORE KWIHWEZWA

Mu Burundi, ivyerekeye ukwitwara n'ibirego birasigurwa mu gitabu c'amategeko agenga amatora. Aratomora neza ibijanye n'ikibazo c'uko abahagarikizi bafise uburenganzira bwo kuronswa ivyegeranyo, bagashikiriza ivyo bihweje mu kibanza cabigenewe, nkuko tubisanga mu ngingo ya 42. Bategerezwa gushirako umukono bahejeje gushikiriza ivyo bihweje.

Uwutegura amategeko arongerako ko umukuru w'ibiro vy'amatora ahanwa n'amategeko mu gihe adahaye uburenganzira abarorerezi bwo gushikiriza utunenge babonye. Mu gitabu c'amategeko agenga amatora, turasangamwo ko « utunenge dushikirijwe mu vyegeranyo aritwo twihwezwa mu gihe co gutatura amatati aturutse ku matora ». Ata tunenge tugaragara mu vyegeranyo, abitwaye ntibumvirizwa.

Kukaba nkako, inyuma y'amatora y'abajenama b'amakomine, imigambwe itari mike yariyamiriye ivy'avuye mu matora, ibirego vyabo vyafashwe nk'ibisabwa bijanye na politike kuko ataho vyari vyashikirijwe mu vyegeranyo.Ni naco gituma, ukwitwara kw'abahurikiye mu runani ADC-IKIBIRI, imirwi yigenga ijejwe gutunganya amatora ku

rwego rw'intara ikurikirana ivyavuye mu matati aturutse ku matoro yo mu gihugu. Uko kutihweza utunenge mu gihe c'amatora y'abajenama b'amakomine, vyatumye ico kiringo gikomeye c'umugambi w'amatora gitosekara.

Abarorerezi bo mu Burundi, nk'abaserukira Urunani rw'amashirahamwe adaharanira inyungu za politike COSOME, ntibaronse uburenganzira bwo gushikiriza utunenge babonye mu vyegeranyo.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wagumye wibutsa ko amategeko mpuzamakungu ategekanya ko abanyamigambwe bamenyeshwa amategeko agenga amatora umwaka umwe imbere y' amatora.Ukutaronsa inyigisho zihagije Ku vyerekeye amatati, vyatumye abanyamigambwe batarangura igikorwa cabo n'umugambi w'amatora udakurikira intumbero isanzwe.

B. AMATATI ATURUTSE KU BIHARURO VYAVUYE MU MATORA

Mu mategeko y'Igihugu, gutatura amatati aturutse ku biharuro vyavuye mu matora birangugwa n'abategetsi batandukanye n'amatora ayo ariyo yose.Kukaba nkako, igitabo c'amategeko agenga amatora kigabanganya amatati : amatati aturutse kuvyavuye mu matora y'abajenama b'amakomine na y'abahanuzi bo mu mitumba atorerwa umuti mu mirwi yigenga ijejwe gutunganya amatora ku rwego rw'intara, mu gihe amatati aturutse kuvyavuye mu matora y'umukuru w'igihugu, y'Abashingamateka na y'Abakenguzamateka n'aya Kamarampaka, atorerwa umuti muri Sentare yubahiriza Ibwirizwa Shingiro.

Ku vyerekeye amatora y'abajenama b'amakomine[117] na y'abahanuzi bo mu mitumba[118], igitabo c'amategeko agenga amatora gitegekanya ko gutatura amatati ata nahandi bibera atari mu mirwi yigenga ijejwe gutunganya amatora ku rwego rw'intara. Bigatuma ataburenganzira bwo kwunguruza kandi bitegekanijwe mu mategeko ajanye nivy'amatora. Vyongeye, abahagarikirizi b'imigambwe bonyene nibo bashobora gusaba uburenganzira mu matora y'abajenama b'amakomine bwo gutanga ibirego mu vyegeranyo.

Naho igitabo c'amategeko agenga amatora categekanije ikiringo co gushikiriza ibirego, Imirwi y'igenga ijejwe gutunganya amatora ku rwego rw'intara ntitegekanya ico kiringo. Kukaba nkako, amatati ashitse imbere y'amatora yihwezwa hakurikijwe amategeko y'Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI, ariko amatati abaye inyuma y'amatora adashimikiye ku makosa akozwe mu gihe c'amatora[119], amategeko ntaco abivugako.

Kubera ata gitabo c'ukwitwara cari categekanijwe, Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI ntiwashoboye kwemeza igitigiri c'utunenge twashikirijwe mu matora y'abajenema b'amakomine. Watanze igiharuro cababa 129, vyerekeye utunenge

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[117] Twisunze Ingingo ya 75 iri mu gitabo c'amategeko agenga amatora : « (…) abahagarikirizi b'imigambwe, b'abitoza, n'abahagarikirizi b'abitoza bigenga bafise uburenganzira bwo gushikiriza ivyo basaba. Ibirego bishikirizwa Imirwi y'igenga ijejwe gutunganya amatora ku rwego rw'intara iminsi ine ikurikira ishikirizwa ry'ibiharuro mfatakibanza vyavuye mu matora.Iyo mirwi irashikiriza ingingo yafashe mu minsi itandatu ikurikira kandi ntaburenganzira bwo kunguruza buhari. Ibiharuro ntabanduka biramenyeshwa, bigashikirizwa Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI».

[118] Twisunze Ingingo ya 74 iri mu gitabo c'amategeko agenga amatora: « (…) Umuntu wese avyipfuza arafise uburenganzira bwo gushikiriza ivyo asaba. Ibirego bishikirizwa Imirwi y'igenga ijejwe gutunganya amatora ku rwego rw'intara iminsi ine ikurikira ishikirizwa ry'ibiharuro mfatakibanza vyavuye mu matora.Iyo mirwi irashikiriza ingingo yafashe mu minsi itandatu ikurikira kandi ntaburenganzira bwo kunguruza buhari. Ibiharuro ntabanduka biramenyeshwa, bigashikirizwa Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI».

[119] Buca haba amatora,BINUB yarategekanije igikorwa co gukwiragiza " igitabo cerekana amakosa avuye mu matora" n'ugutanga inyigisho k'ubacamanza 600 bavyigiye zarangiye itariki 19 rusama 2010, zikabereka aho bitwarira muri ico gihe (Sentare y'intango,Sentare nkuru y'igihugu,Sentare isubiramwo Imanza, Sentare gasamburamanza)

dushingiye cane cane mu kwihenda guharura amajwi atangaruka nini igaragara kubiharuro ntabanduka vy'amatora. Inyuma y'amatora y'abashingamateka niho Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI wategurira Imirwi y'igenga ijejwe gutunganya amatora ku rwego rw'intara, urupapuro rwuzuzwa, ibihanuwe na PNUD, rwo kwihweza urugero rw'abitwaye bakaronka inyishu ishimishije.Urwo rupapuro rwategerezwa gushikirizwa mu ntango z'ukwezi kwa Nyakanga , rukaba rutaraboneka mu mwanya iki cegeranyo kiriko kirandikwa .Akaba ari navyo bitera amakenga umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora muvyerekeye ugukorera ahabona n'ukwemeza ivyavuye mu matora.Mu matora y'abahanuzi bo mu mitumba, umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ntiwigeze umenya ko hari abitwaye imbere y' Imirwi yigenga ijejwe gutunganya amatora ku rwego rw'intara.

Ku rwego rw'amatora y'umukuru w'igihugu, y'abashingamateka na y'abakenguzamateka n'ay'akamarampaka, ni Sentare yubahiriza ibwirizwa shingiro isuzuma ikurikirana ry'amatora n'ukumenyesha ivyavuye mu matora[120].

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora uranegura ko abategetsi b'abarundi hamwe n'abahurikiye muri Sentare yubahiriza Ibwirizwa Shingiro ko batashimye ko bokongerezwa ubumenyi kandi Ibiro biserukira ishirahamwe mpuzamakungu mu Burundi, Ishirahamwe Mpuzamakungu rihurikiyemwo ibihugu bivuga Igifaransa(OIF), n'Ibihugu bihurikiye mw'ishirahamwe ry'abanyaburaya vyari vyemeye gutanga ubwo bumenyi.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warerekanye kandi impungenge ku vyerekeye ukutarorana kw' ibiringo[121] bitajanye n'uburyo bubereye bwo gushikiriza ibirego, vyahawe abitwara na Sentare y'Ubahiriza Ibwirizwa Shingiro kugira ngo ifate ingingo.

Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, wisunze amategeko ngenderwako awugenga : "kumviriza umuntu wese avyipfuza, ashikiriza ibirego vyerekeye kubahiriza amategeko y'amatora. Ibirego bishikirizwa mw'ikete, Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, ukaba ufise iminsi itarenga indwi yo gutorera inyishu ibirego".

Muri rusangi, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora waranebaguye akatari gake ingene ibijanye n'amatati aturutse mu matora bidasigurwa neza mu Gitabu c'amategeko agenga amatora n'ingendo zokurikizwa mu kwitura Sentare y'Ubahiriza Ibwirizwa Shingiro[122], zikaba ari inzego zikwirikirana amatora mu gihugu, zitamenyekanishije bikwiye imbere y'amatora yahagarikiwe.

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[120] Twisunze ingingo ya 85 iri mu gitabo c'amategeko agenga amatora irategekanya ko: "Sentare yubahiriza ibwirizwa shingiro ikurikirana ibirego bivuye mu matora y'umukuru w'igihugu, y'abashingamateka na y'abakenguzamateka n'ay'akamarampaka".Turabisanga no mu ngingo 77 gushika kuri 88 Ku vyerekeye ibikorwa vya Sentare yubahiriza ibwirizwa shingiro. Twisunze ingingo ya 77 yo mu gitabo c'amategeko agenga amatora: "Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI urashikiriza mu maguru masha ivyavuye mu matora Sentare yubahiriza ibwirizwa shingiro yihweza ko bitunganye." Twisunze ingingo ya 78 iri mu gitabo c'amategeko agenga amatora: "Sentare yubahiriza ibwirizwa shingiro iratanganza ku mugaragaro ivyavuye mu matora ku munsi wa kane ibironse". Twisunze ingingo ya 86: "Sentare yubahiriza ibwirizwa shingiro yakira ibirego vyanditswe kandi vyakiriwe n'uwubijejwe mu kiringo c'iminsi cumi ikurikira itangazo ry'ivyavuye mu matora. Uburenganzira bwo guhakana ivyavuye mu matora bufiswe n'abahurikiye mu migambwe bavyipfuza, abamanitse ku ntonde z'abitoza".Mu kurangiza, Twisunze ingingo ya 88: "Sentare yubahiriza ibwirizwa shingiro ifise ikiringo c'iminsi umunani yo kwihweza ibirego"

[121] Tubisanga mu ngingo ya 78 , 86 ni ya 88 iri mu gitabo c'amategeko agenga amatora

[122] Raba mu vyashikirijwe mu nyandiko yongeweko na Sentare yubahiriza Ibwirizwa Shingiro yerekeye kwihweza amatora y'umukuru w'igihugu, y'Abashingamateka n'Abakenguzamateka ryo kwitariki 2 ruheshi 2010.

Ibiharuro vy'imfatakibanza vy'amatora y'Umukuru w'Igihugu vyashizwe ku mugaragaro na CENI kuwa 30 Ruheshi mu kigo King's Conference Center, ivyegeranyo vy'amatora y'Umukuru w'Igihugu navyo birungikwa muri Sentare yubahiriza Ibwirizwa Shingiro kuva kw'igenekerezo rya 6 Mukakaro. Sentare yubahiriza Ibwirizwa Shingiro yaramenyesheje Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ko ata tunege basanze mu matora ari navyo vyatumye bashikiriza ibiharuro ntabanduka kw'igenekerezo rya 8 Mukakaro[123] naho vyari bitegekanijwe kuwa 13 Mukakaro ku kirangaminsi cari catanzwe. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urongera ukavuga ko urajwe ishinga n'isuzuma rike ryabaye mu minsi ibiri gusa (hagati y'igenekerezo rya 6 na 8 Mukakaro) ku matora akomeye nkayo. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora uramenyesha ko inzandiko zarungitswe na CENI muri Sentare yubahiriza Ibwirizwa Shingiro kugira bashobore kuraba kw' amatora ariko arakurikiza amategeko ntivyoroheje kandi uwo murwi mu kubikurikiranira hafi ndetse no mu guharura nkuko vyanditswe mu Gitabu c'amategeko agenga amatora.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urongera ukanegura ingene izo nzego zitabonye ko bikenewe kubimenyesha abahagarikizi b'amatora baserukira imigambwe n'abarundi kugira babikeneye bashobore kw'itwara. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora uranegura kandi kw'ivyegeranyo bitamanitswe ku biro vy'amatora no ku murwi ujejwe gukurikirana amatora ku rwego rw'intara, CEPI, kugira bafashe mu kumenyekanisha ivyavuye mu matora no mu kworohereza ku bijanye n'ukwerekana utunenge turimwo. Kubwa CENI, nta kurenga ku mategeko kwabaye canke ngo guhanwe n'itunganywa ry'amatora canke n'ibisata bibijejwe.

Ku bijanye n'amatati aturuka ku matora y'Abashingamateka, Sentare yubahiriza Ibwirizwa Shingiro iramenyesha ibirego bitatu vyagaragaye Ku vyerekeye iyongerwako ry'Abashingamateka. Iyo Sentare yaramenyesheje Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ko ivyo birego vyahakanywe kubera ko imvo zavyo zidafashe kandi n'uwitwara atabirekuriwe[124].

Ku bijanye n'amatati aturuka ku matora y'Abakenguzamateka, Sentare yubahiriza Ibwirizwa Shingiro yaramenyesheje ko ata birego vyashikirijwe. N'Umurwi CENI waramenyesheje Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ko ikurikije amategeko awugenga, ata birego waronse.

C. IVYAHA VYIBONEKEZA MU MATORA

Ivyaha bikorwa mu gihe c'amatora biraтegekanywa mu Gitabu c'amategeko agenga amatora mu ngingo zaco za 221 gushika ku ya 237. Zikubiye mu bice bibiri bikuru bikuru : ivyaha bikorwa imbere y'ibikorwa vy'amatora nk'akarorero kwiyandikisha ku ntonde kw'izina atariryo, kwiyandikisha wirengagije ikikuranga kitemewe n'itegeko yo mu Gitabu c'amategeko agenga amatora, kwiyamamaza inyuma y'ikiringo gisanzwe gitegekanijwe n'amategeko, kwiyamamaza mu masaha y'akazi mu gihe uri umukozi wa Reta, gukoresha canke kwemerera abakoresha ibikoresho n'ubuntunzi bwa Reta, bw'urwego canke amashirahamwe yegamiye Reta, mu gihe c'imyiyamamazo, canke kw'ikwegereko amatora mu kwemerera abatora ibikoresho, ubuzi bw'igenga n'ubwa Reta canke uturusho.

Ivyaha bikorwa mu matora n'inyuma yayo nk'akarorero gufatwa ufise amakarata atora

[123] Raba ingingo RCCB235 yo kwitariki 8 mukakaro 2010 ya Sentare yubahiriza ibwirizwa shingiro isasa Ku vyerekeye gukurikirana amatora y'umukuru w'igihugu no kumenyekanisha ibiharuro ntabanduka vyavuye mu matora.
[124] Raba ingingo RCCB numero 236 gushika kuri 238 ya Sentare yubahiriza ibwirizwa shingiro.

atakoreshejwe, wambaye canke witwaje icerekana umugambwe ukomokamwo, uwitoje canke intonde z'abitoje ; gukora ibikorwa vyo kwiyamamaza ku kibanza canke mu micungararo y'ibibanza vy'amatora mu ntumbero yo kwigungirako amajwi y'abatora, nko mukubatera ubwoba ko bazokurwa mukazi, bagakorerwa amabi n'imiryango n'ubutunzi bwabo, gukuramwo, kwongerako canke konona amakarata atora, kwinjira mu biro vy'amatora ufise ikigwanisho kigaragara canke gihishijwe, kudurumbanya mu gutera umudugararo canke mu kujuragiza abatora mu kubamenyesha inkuru zitarizo, ibitutsi, ibikorwa bigayitse canke kumena ibanga ry'amatora. Ku vyerekeye ivyaha bikorwa mu matora n'inyuma yayo, uwo icaha cagiriye arahanwa uko amategeko abitegekanya.

Icaha icarico cose muri ivyo gifise igihano biberanye. Ku vyaha vya mbere, uwo icaha cagiriye aronka igihano co gupfungwa kuva ku minsi 15 gushika ku myaka 3 hamwe na canke n'ihadabu rinini riva ku mafaranga 10 000 y'amarundi gushika ku mafaranga 400 000 y'amarundi. Ku vyaha vya kabiri bikozwe mu matora, uwo icaha cagiriye aronka igihano co gupfungwa kuva ku minsi 15 gushika ku myaka 10 hamwe na canke n'ihadabu riva ku mafaranga 10 000 vy'amarundi gushika ku mafaranga 200 000 vy'amarundi. Naho igihano co gupfungwa gisa n'ikiremereye, biratangaje kubona ko ihadabu rishobora kuba atari rinini.

Umurwi Wigenga Ujejwe Gutegura Amatora (CENI), warasohoye amategeko abiri adondagura ibihano vyo mu kazi n'ivyo mu mibano biherekeza ibihano mpanavyaha bitegekanijwe n'Igitabu c'Amategeko Agenga Amatora[125]. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora ntushimishwa no kubona ko naho ivyaha vyinshi vyakozwe vyiyamirijwe mu mvugo, bike bibaho nivyo vyahanwe n'abategetsi bo mu makomine, abarongoye ibiro vy'amatora canke inyamiramabi mu gutoza amahadabu, ariko ivyaha bike nivyo vyashoboye gushikirizwa ubutungane kuko ibiro vy'abashikirizamanza bitakora kandi hakaba ata nyigisho zikwiye zatanzwe. Kubera ivyaha vyagiye birakorwa bitanditswe, nta gitigiri cabonetse.

Itariki 12 Mukakaro, bisabwe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, Sentare Ntahinyuzwa yaratanze icandiko cerekana idosiye zigizwe n'ivyaha bijanye n'amatora n'ihagarikwa twamaze kuvuga, catanzwe mu mvugo ku mboneshakure itariki 9 Mukakaro, ariko ico candiko kikaba kitaruzuzwa kandi kikaba kiriko kirasubirwamwo[126]. Mu gihe c'amatora y' Abashingamateka n' Abakenguzamateka bisabwe mu nyandiko n' Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora itariki ya 6 Myandagaro, Sentare ntahinyuzwa yarahaye Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, itariki 8 nyakanga, icegeranyo gishasha kirimwo ubwoko 3 bw'ivyaha bujanye n'amatora mu ntara za Cibitoke, Rutana na Cankuzo[127]. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urifuza kwibutsa yuko amabi yakozwe mu gihe c'amatora yohanwa hisunzwe amategeko mpanavyaha kandi ugasaba ushimitse ko hoboneka amategeko y'igihugu aha abagirizwa uburenganzira bwo gucibwa imanza zibereye. Ivyo bisigura ko ingingo yose yo gukurikirana yofatwa habaye ivyemezo biboneka ariko bidafatiwe ku mvo za politike.

[125] Raba amategeko ya CENI nomero 001 yo kw'itariki 19 Mukakaro 2009 na nomero 18 yo kw'itariki 03 Ndamukiza yerekeye ibihano yo mukazi n'iyo mu mibano iherekeza ibihano mpanavyaha bitegekanijwe n'Igitabu c'amategeko agenga amatora.

[126] Ama dosiye yose hamwe ni 83 : parke ya Kayanza : idosiye zine, parke ya Kirundo : idosiye indwi, parke ya Muyinga : idosiye zibiri, parke ya Ngozi : idosiye zine, parke ya Gitega : idosiye zitatu, parke ya Karusi : idosiye zine, parke ya Cankuzo : idosiye zine, parke ya Ruyigi : idosiye zine, parke ya Bujumbura mairie : idosiye mirongo itatu na kabiri, parke ya Bujumbura rural: idosiye zitatu, parke ya Bubanza : idosiye zine, parke ya Makamba : idosiye zibiri, parke ya Muramvya : idosiye imwe, parke ya Cibitoke : idosiye imwe, parke ya Bururi : idosiye zitatu, parke ya Mwaro : idosiye zitanu.

[127] Ubwoko bwicaha ca 1: gutabura ibimanitse; Ubwoko bwicaha ca 2: kugira amakarata y'amatora atakoreshejwe hanze y'ubwiherero; Ubwoko bwicaha 3: gukuramwo amakarata y'amatora.

Bivanye n’uko abantu benshi bagiye barafungwa mu gihe c'amatora y’umwaka w’2010, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urifuza gushira ahabona impungenge ufise kuri ivyo ukongera ugatera intege abategetsi kwubahiriza amatego n'ingendo zibereye mu bijanye n'amatora kugira ngo hubahirizwe gukorera ku mu garagaro n’uko amatora aca mu mategeko.

XIII. UMUNSI W' AMATORA: 24 RUSAMA, 23 RUHESHI, 28 MUKAKARO NA 7 MYANDAGARO

A. AMATORA Y' ABAJENAMA B ' AMAKOMINE

Iyugururwa ry'amatora n’amatora

Umunsi w'amatora Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warungitse abarorerezi 41 mu ntara 17 z'igihugu. Abarorerezi bagendeye ibiro vy'amatora 189 mu biro 6. 961, ivyo navyo n'urufatiro rukwiye kandi ruserukira ibice 2,7% rwerekana isuzumwa ry'umugambi w'amatora. Amatora yo kuwa 24 Rusama yabaye mu mutekano ntangere, ata terabwoba, ataruhagarara.Abanyagihugu baritavye amatora ari benshi, ibice vy'abitavye vyababa 90,67 % ivyo n'ivyasohowe n'umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI, ibice bisumba 80,6 % vyabonetse mu mwaka w’2005. Ihimirizwa rishemeye ry'abajejwe umutekano ryarafashije bimwe biboneka mugucungera umugambi wose w'amatora.

Iyugururwa ry'amatora ryabaye mu bice 80% vy'ibibanza vyahagarikiwe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, birangwa nicerwa ry’umwanya muto uri munsi y’iminota 30. Ibikoresho vy'amatora mu mwanya w'iyugururwa vyariho ku bice bishika 66,7% vy'ibiro vy'amatora ivyo ni ivyabonywe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, ariko rero amakarata y'amatora yarakenye mu ntara za Gitega, Rutana na Bubanza, n'amabahasha y'amatora mu ntara ya Bururi.Itangwa ry'amakarata y'amatora ry'arabandanije umunsi w'amatora mu mirwi ijejwe gutunganya amatora mu ma komine mu ntara za Makamba, Rutana, Karusi, Ruyigi na Cankuzo.

Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora baragenduje ingingo z'amatora babona ni nziza cane canke ziri kurugezo rwiza mu bice 95,6% vy'ibiro vyahagarikiwe. Irangi ridahanagurika ryarasuzumwe n'abagize ibiro vy'amatora mu bice 71,7% vy'ibibanza vyahagarikiwe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora. Ahanini mu vyabonwe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora, utuzu twubwiherero ntitwari ahantu heza ho gutorera mw'ibanga ariko twarorohereza abarorerezi kuraba uwutora kwadasohokana y'amakarata y'itora. Mu bice 73% vy'ibiro vy'amatora vyagenduwe, abagize ibiro vy'amatora barerekanye ko bategera neza ivy'umugambi w'amatora. Abarorerezi mvukagihugu bishikiye mu bice 90% vy'ibibanza vy'amatora vyagenduwe; ibice 80% vyabo barorerezi bari bahurikiye m’Urunani COSOME.

Guharura no kwegeranya

Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora babonye ko iharurwa ryabaye ryiza canke ryari kurugezo rwiza mu bice 42,9% gusa vy'ibiro vy'amatora vyahagarikiwe. Mu bice 57,1% vy'ibibanza vyahagarikiwe, isaha y'ukugara, abatora bari bakiririndiriye ku mirongo gutora. Ibiro vy'amatora vyugawe inyuma y'isaha cumi ku bice 85,7% vy'ibibanza vy'amatora, inyuma y'isaha cumi na zibiri

ku bice 21,4%. Abarorerezi b'amatora basanze ahubwo amakarata atatowe yashizwe mu ma bahasha y'irabura atagumye aharurwa. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wiboneye ukuzazanirwa n'amakosa amwe amwe mu vyegeranyo vy'ujujwe n'abagize ibiro vy'amatora. Akarorero ni ivyerekeye ibice bidahuye bitari bizwi mu bice 50% vy'ibiro vy'amatora vyagenduwe canke ibice bizwi ariko bitaharuwe mu bindi biro.

Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora babonye ko inyuma y'iharurwa icegeranyo kitamanitswe mu biro vy'amatora, kandi ko n'abahagarikizi baserukira imigambwe muri rusangi bataronkejwe amakopi ivyegeranyo.

Ivyegeranyo vy'iharurwa vyashikirijwe mu murwi wigenga ujejwe gutunganya amatora muri komine, CECI n'abarongora ibiro vy'amatora mu bice 85,7% vy'ibibanza. Hakurikijwe ingendo y'umurwi wigenga ujejwe gukurikirana amatora mu gihugu,CENI hari hategekanijwe yuko umurwi ujejwe gukurikirana amatora mu ma komine , CECI, ko uheza ukegeranya amabahasha arimwo ivyegeranyo inyuma y'iharurwa.Ariko rero, abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora basanze ko mu bice 87,5% vy'ibibanza ari abarongora ibiro vy'amatora babikoze[128].

Iharurwa ry'ibiharuro mu m'imirwi ijejwe gukurikirana amatora mu ma komine, CECI, ryabaye ijoro ryose, kenshi na kenshi ata muyagankuba, atamuco, canke mu gitondo bukeye[129] bikozwe n'abagize imirwi ijejwe gukurikirana amatora mu ma komine CECI.

Igihe cambere c'ukwegaranya ibiharuro, abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora basanze ko mu vyegeranyo vyujujwe n'abagize ibiro vy'amatora[130] habaye mwo utunenge tutari duke. Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora bashikirije yuko mu biro vy'amatora, amakarata atatowe yo mu mabahasha yirabura ataharuwe eka n'ay'impfagusa n'ayo ataho yegamiye[131]. Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora bavuze ko abagize imirwi ijejwe gukurikirana amatora CECI na CEPI ataho begamiye igihe c'iharurwa ry'amajwi. Imirwi ijejwe gukurikirana amatora mu ntara, CEPI, yarashize ahabona ibiharuro mfatakibanza vy'amatora y'abajenama ba ma komine yabaye ku tariki ziri hagati ya 25, 26, na 27 Rusama 2010. Ivyo vyatumye haba iyongerwa ry'ibiringo vyegeranye vyo gushikiriza ibitagenze neza hagati y'itariki ya 31 Rusama n'itariki 2 ruheshi 2010.

Iyegeranwa ry'ibiharuro mu gihugu

Umurwi ujejwe gukurikirana amatora mu gihugu CENI, warateguye ikibanza c'ihuriro ry'ibiharuro mu kigo King's Conference Center. Ibiharuro vyawushikira biciye ku mihora y'ama telephone bitanzwe n'imirwi ijejwe gukurikirana amatora mu ma komine CECI. Ariko rero, inyuma yico gikorwa, itariki ya 26 Rusama, umurwi ujejwe gukurikirana amatora mu gihugu,CENI, ntiwashikirije icegeranyo c'ibiharuro wahawe kuko kubw'uwo murwi, ikosorwa ryari rikenewe kugira ngo buzurize ivyabura bivanye n'ingorane z'ugutumatumanako amakuru.Mu mpera ibiharuro vyaratanzwe mu gitondo c'uwa 28 Rusama. Mu nama yateguwe ku bw' ivyo, icegeranyo casomwe cari kigizwe gusa

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[128] Mu Kirundo, abarorerezi bashikirije ko abarongoye ibiro vy'amatora batahanye icegeranyo mw'ijoro ry'amatora, kandi ko bagishikirije aruko bukeye mu murwi wigenga ujejwe gutunganya amatora mu ma komine CECI.

[129] Abarorerezi b' Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora barashikirije ko uguharura mu biro vy'amatora vyagenduwe, aho vyarangiye kare yari isaha zitatu n'igice z'ijoro mu ntara ya Muyinga aho vyarangiye bitevye hari mu ntara ya Bururi isaha cumin a zibiri zo mu gitondo.

[130] Mu ntara za Kayanza, Muramvya, Bubanza, Rutana na Makamba. Mu gihe ibiharuro bitarivyo, abagize imirwi yigenga ijejwe gutunganaya amatora mu ma komine CECI baragerageje kubikosora, nkuko vyabonywe, nk'akarorero n'umurwi wo mu ntara ya Karusi.

[131] Ingingo ya 64, ikigabane ca 5 c'igitabu c'amategeko agenga amatora. Amabahasha agaragara afatwa nk'ay'impfagusa.

n'ibiharuro vyo mu ntara, ivy'ama komine ntavyarimwo. Vyongeye, amakarata mpfagusa ntiyaharuwe ku gitigiri cose c'abatoye; ikosa ryemewe n'umurwi CENI. Umurwi CENI ntiwandikishije mu mashine ivyegeranyo vy'ibiharuro vyagizwe n'ikigo kijejwe kwegeranya no gutunganya ibiharuro CTD.

Igitabu c'amategeko agenga amatora ntigitegekanya kuburyo bugaragara iyandikwa ariko mu ciyumviro c'itegeko rigenga amatora biboneka ko umurwi CENI utegerezwa kubikora bitagenze uko ntiwoba ugishoboye kurangura ivyo ujejwe biri muri ca gitabu c'amategeko agenga amatora mu kongegwako[132] no kurengera urugero rwo kudahuza bishobora gutuma ibiro vy'amatora[133] bifutwa.

Kubona umurwi CENI warirengagije kwandika ibiharuro mu mashini, vyatumye imigambwe itavuga rumwe na Reta yinuba kurusha uwo murwi[134]. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wandikiye ibaruwa umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI ku munsi wa gatandatu itariki 29 rusama kugira usabe abajejwe gutunganya amatora gutangaza, mu ntumbero yo gukorera kumugaragaro, ibiharuro vyose ku rwego rwa komine n'ivyegeranyo biciye mu buhinga ngurukanabumenyi. Iryo baruwa ntiryishuwe.

Imirwi yigenga ijejwe gutunganya amatora mu ntara, CEPI, yaramenyekanishije ibiharuro ntabanduka vy'amatora y'abajenama b'amakomine hagati y'itariki ya 7 na 10 Ruheshi 2010, mu kubimanika ku rwego rw'intara. Umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI, watangaje utevye ibiharuro ntabanduka vy'amatora y'abajenama ba ma komine itariki ya 16 ruheshi ucishije muri bwa buhinga ngurukabumenyi.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warashoboye guhagarikira iharugwa mu biro vy'amatora 15. Mu bibanza 14, ivyegeranyo vy'ibiharuro vyaregeranirijwe neza ku rwego rwo mu ma komine no mu ntara.Mu kibanza 1 akanenge kajanye n'ibiharuro karakosowe ku rwego rw'intara.

B.AMATORA Y'UMUKURU W' IGIHUGU YO KU WA 28 RUHESHI

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warakurikiranye iyugururwa, ingene amatora yagenze n'iharurwa ry'amajwi mu biro vy'amatora 205 ku gitigiri gishika 6.969. Ufatiye kwirungikwa ry'ibiharuro, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warakurikiranye icegeranyo c'ibiharuro mu mirwi yigenga ijejwe gutunganya amatora mu ntara CEPI. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wasanze ko amatora yabaye mu cuka ciza bitari vyitezwe ufatiye ku mishamirano yarihari mu gihe c'imyiyamamazo.

Iyugururwa ry'amatora n'amatora

Iyugururwa ry'amatora ryarangutse neza mu biro vy'amatora bitari bike mu vyagenduwe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora. Henshi mu biro vy'amatora vyagenduwe ibikorwa vyatanguye bicerewe, iminota iri hagati ya 15 na 45 atankurikizi ku matora. Abarorerezi bashimye inyifato y'ibikorwa vyerekeye amatora mu bice 95% vy'ibibanza vyagenduwe. 5 mu bagize ibiro vy'amatora niho bari mu bice birenga 98% vy'ibiro vy'amatora vyagenduwe. Abarorerezi b' abarundi niho bari ku bice 85, 7% vy'ibiro vy'amatora vyagenduwe n'abarorerezi b'Umurwi w'Ishirahamwe

[132] Ingingo ya 181 iri mu gitabu c'amategeko agenga amatora itegekanya ko igihe inama mpanuzwajambo yama komine itagizwe n'ubudasa bushingiye k'ubwoko n'ibitsina, umurwi CENI urashobora guhitamwo iyongerwamwo.
[133] Ingingo ya 65 iri mu gitabu c'amategeko agenga amatora.
[134] Ukwo kwinubana kwahavuye gutuma imigambwe itanu yidohora mu mugambi w'amatora.

ry'Abanyaburaya Ujejwe Gukurikirana Amatora. Abarorerezi babonye ko uko ubwiherero buhagaze bwafasha umuntu gutorera mw'ibanga ku bice 93% vy'ibiro vy'amatora vyagenduwe.Barongeye kubona yuko isuzumwa ry'irangi ridahanagurwa ryabaye ku bice 48,5% vy'ibiro vy'amatora vyagenduwe.Vyongeye, abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora babonye inyifato zimwe zimwe zo guhimiriza amatora zo gutora abo badashaka ku bice 8,5% vy'ibiro vy'amatora vyagenduwe, mu bibanza vy'amatora bitari bike vyo hagati mu gihugu,ivyo navyo vyavuye kubarongoye imitumba,komine n'abaserukira imigambwe.

Iharura n' Iyegeranywa

Iharura ry'amajwi ryagenze neza mu biro vy'amatora vyagenduwe bitari bike. Igitigiri c'abatora congewe cababa ibice 3, 33% c'abatora mu biro vy'amatora vyagenduwe ku murango. Igitigiri c'abatora batiyandikishije bongeweko cababa ibice 13, 5 % mu biro vy'amatora aho Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wahagarikiye iryo harurwa. Abarorerezi b' Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora barabonye ukuzazanirwa ku gitigiri gishoboka c'abatora biyongereye. Nkuko vyabonetse mu matora y'abajenama ba komine, umukuru w'Umurwi CENI, yaratangaje ku biro vy'amatora, biciye mu ma radiyo Ku vyerekeye ubudasa bw'amasaha y'ukugarirako ibiro vy'amatora. Umukuru w'Umurwi CENI yaratangaje ko yayashinze mu ngingo yi n.029 ku bice 15% mu gihe amatora y'abajenama b'ama komine yari ibice 10%.

Umukuru w'Umurwi CENI yarasiguye ubudasa yishimikije ico amatora y'umukuru w'igihugu yisangije n'akamaro kayo atarinze kubidondora. Iyegeranywa y'amabahasha arimwo ibiharuro n'ibikoresho nkenerwa yabaye muri rusangi inyuma y'uguharura mu bibanza vy'amatora n'uwugize umurwi wigenga ujejwe gutunganya amatora muri komine CECI, bahaye kuba "umuhagarikizi" ku gice kimwe c'ikomine. Kubera ata ngingo ngenderwako yanditswe, uburyo bwo kwegeranya bwari butandukanye ku ntara n'iyindi. Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora barashimye muri rusangi iyo ntambuko umugambi w'amatora, ariko barabonye amakenga amwe amwe ku bijanye n'uburyo bwo kwegeranya mu ntara zimwe zimwe.

Iyegeranywa rya nyuma hamwe no gutangaza ivyayavuyemewo

Umurwi CENI warashizeho akarorero k'urundi rupapuro rwuzuzwa rw'icegeranyo c'ibiharuro mu matora y'umukuru w'igihugu, rutari rutegekanije n'amategeko, muntumbero yo kwandika mu mashini ibiharuro bivuye mu biro vy'amatora mu kigo kijejwe kwegeranya no gutunganya ibiharuro CTD. Inyigisho ishimitse y'ibijanye n'ibiharuro vyatanzwe n'ibiro vy'amatora yoba yarafashije kubona neza ingendo y'inyanka mugayo mubijanye n'ukukwegeranya. Kuri ivyo rero, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warasavye Umurwi CENI kumenyekanisha ku buhinga ngurukanabumenyi ivyerekeye ibiharuro biramvuye canke vyanse, bakagira ikopi yanditse ku mashini y'ivyo biharuro ku buryo buramvuye bivuye mu biro vy'amatora nkuko vyanditswe na ca kigo CTD kugira ngo basuzume ibirimwo.

Umurwi CENI warasohoye ibiharuro mfatakibanza mu matora y'umukuru w'igihugu itariki 30 Ruheshi. Hisunzwe ivyo biharuro, igitigiri c'abitavye amatora cabaye ibice 76,98%, hamwe n'ubudasa buboneka kuruhande rumwe hagati ya Bujumbura Mairie(41,15%), Bujumbura Rural(58,75%) na Bururi(57,52%) kurundi ruhande naho ahasigaye mu gihugu aho ibitigiri vy'abitavye amatora biri hagati y'ibice 70 na 90%.

Abarorerezi babonye ko ibitigiri vy'abitavye amatora vyasa nibiri hejuru cane bisunze ibitigiri vyabonywe mu biro vy'amatora ku munsi w'amatora. Vyongeye, Umurwi

w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warabonye ubudasa hagati y'ibiharuro vyasohowe na CENI, n'ivyegeranijwe n'abarorerezi mu ntara za Cibitoke na muramvya, ariko ataco bihindura ku biharuro ntabanduka vy'amatora y'umukuru w'igihugu yahahora yatowe na benshi. Umurwi CENI umaze gushikiriza ibiharuro muri Sentare yubahiriza ibwirizwa nshingiro nayo yaciye igira ico ishikirije ku matora kw'igenekerezo rya 8 Mukakaro.

C. AMATORA Y'ABASHINGAMATEKA YO KUWA 23 MUKAKARO

Muri ayo matora, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warakoresheje abarorerezi 38 mu mwanya muto kubari bahasanzwe 30 n'abahinga b'umurwi ndongozi. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wararorereye iyugururwa ry'amatora n'ingene yagenze eka n'iyegeranywa y'ibiharuro mu biro vy'amatora 404 ku biro vyose hamwe 6.969. Hisunzwe itangwa ry'ibiharuro, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warasuzumye icegeranyo c'ibiharuro mu mirwi yigenga ijejwe gutunganya amatora mu ma komine CECI 26 n'iyo mu ntara CEPI 17.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wararangije werekana ko amatora yabaye mu cuka ciza c'umutekano.Abarorerezi barerekanye ko mu biro vy'amatora bagenduye ibikoresho vyari bikwiye eka n'amatora yagenze neza ku bijanye n'ubuhinga. Ariko rero barabonye ingorane mw'ikurikizwa ry'ingingo zimwe zimwe, cane cane mu kudasuzuma irangi ritahanagurika ku ntoke z'abatora.

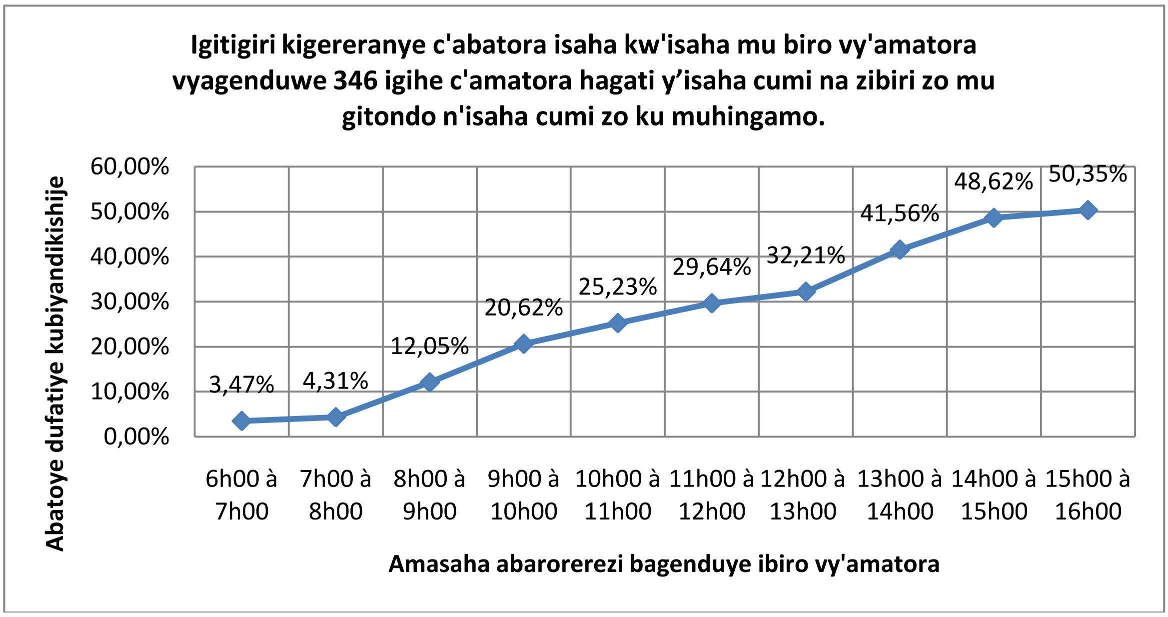
Iyugururwa ry'amatora n'amatora

Iyugururwa ry'amatora ryabaye neza ku bice 90% vy'ibiro vy'amatora vyagenduwe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora. Mu biro bitari bike vyagenduwe vyuguruye ibikorwa bitevye, hagati y'iminota 15 na 45, biturutse cane cane ku guteba kwitegurwa ry'ibiro vy'amatora canke icererwa ry'abagize ibiro, atankurikizi mbi ku bikorwa.Abaserukiye imigambwe niho bari mu bice 73,5% vy'ibiro vy'amatora aho iyugururwa ryakurikiranywe.

Ingendo y' ibikorwa vy'amatora yarashimwe n'abarorerezi mu bice 88% vy'ibiro vy'amatora vyagenduwe, ariko rero barabonye ubudasa mu gukurikiza ingendo ngenderwako. Ibikoresho bikenewe vyarabonetse mu bice 94,2% vy'ibiro vy'amatora vyagenduwe. Abaserukira imigambwe niho bari mu bice 98,6% vy'ibiro vy'amatora vyagenduwe, harimwo abaserukira CNDD FDD(94,8%), Uprona (69,1%), Frodebu-NYAKURI (17,1%).

Abahagarikizi b'urutonde rumwe murizo 6 barashoboye gushika ku bibanza mu bice biri munsi ya 3% vy'ibiro vy'amatora. Abarorerezi babonye ko aho ubwiherero buhagaze bwafasha gutorera mw'ibanga mu bice 96,8% vy'ibiro vy'amatora vyagenduwe. Ariko rero, ugusuzuma irangi ridahanagurika ntivyabaye mu bice 67,1% vy'ibiro vy'amatora vyagenduwe. Gusuzuma karangamuntu kuwatora ntivyakurikijwe hose mu bice 11% vy'ibiro vy'amatora vyagenduwe. Abemerewe gutora ata bibaranga banditswe mu bice 61,3% gusa vy'ibiro vy'amatora vyagenduwe.

Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora waragereranije igitigiri c'abatoye wisunze amasaha abarorerezi bagenduyemwo ibiro vy'amatora. Mu biro vy'amatora 346 vyo mu gisagara no hagati mu gihugu vyagenduwe n'abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora hagati y'isaha cumi na zibiri z'igitondo gushika isaha cumi z'umuhingamo, ibice ngereranyo vy'abatoye kw'isaha vyari ibi bikurikira:



Guharura no Kwegeranya

Uguharura ivyavuye mu matora kwagenze neza mu bice bitari bike vy'ibiro vy'amatora vyagenduwe.Igitigiri c'abatora ciyongereye cagereranwa n'ibice 3,4% vy'abatoye mu biro vy'amatora vyagenduwe ku murango. Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora barabonye ukuzazanirwa Ku vyerekeye igitigiri c'abiyongereyeko bashoboka. Inyuma y'amatora, ikopi imwe y'icegeranyo F1 c'ibikorwa vy'amatora cashikirijwe abaserukira imigambwe munsi y'igice c'ibiro vy'amatora aho uguharura kwabonetse.

Nk'uko vyagenze mu matora aheruka, mu gihe ata ngingo zari zanditswe Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warabonye ko ingingo zo kwegeranya ibiharuro zitandukanye ku komine imwe n'iyindi. Abarorerezi b'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora bihweje ko ukwegeranya kwo muri CECI kutakorewe ahabona mu bice 25% vya CECI aho babikurikiranye. Abaserukira imigambwe niho bari mu bice 16,7% gusa muma CECI yihwejwe, abarorerezi ba barundi bari mu bice 54% vy'ibibanza. Ukwegeranya kwakorewe hamwe n'imirwi yose mu bice 46% gusa vy'imirwi CECI yagenduwe.

Umurwi CENI warategetse mu mvugo umunsi w'amatora, ukumanika ikopi y'icegeranyo c'ibiharuro F2 cagenewe abaserukira imigambwe mu murwi CECI. Benshi mu bagize ibiro vy'amatora bari baronse ayo makuru mu mwanya w'amatora, ariko itegeko ryavuzwe ntiryatomora neza ibisabwa n'abajejwe kunguruza no kumanika (raba ikigabane gukorera ku mugaragaro).

Umurwi CENI waratangaje ibiharuro mfatakibanza vy'amatora y'abashingamateka kuwa 27 mukakaro 2010. Ku gitigiri c'abatora casomwe na CENI, ibice 66,68% vyibonekeje ko ari binini uravye igitigiri cabatoye vyukuri bibonewe n'abarorerezi igihe c'amatora unafatiye ku bitigiri c'abatoye bibonewe n'Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora mu ma CECI 27 yakoreyemwo aho ukwegeranya kwakorewe.

D. AMATORA Y'ABAKENGUZAMATEKA YO KUWA 28 MUKAKARO

Amatora y'abakenguzamateka yabaye ku wa 28 Mukakaro. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warashoboye gukurikirana ingene amatora y'abatowe n' abanyagihugu yagenze mu ntara 16 ziri muri 17 zigize igihugu. Murayo matora, abatora bari bagizwe n'abajenama b'ama komine gusa, ugereranije 114 mu Ntara. Ibiro bimwe gusa vy'amatora nivyo vyari vyateguwe kubwabo ku mugwa mukuru w'intara. Ibiro vy'amatora vyari bigizwe n'abagize umurwi CECI w'Ikomine y'Umurwa mukuru w'intara.

Amatora y'abakenguzamateka n'ayandi matora yisunga amasaha yategekanijwe n'ingingo ya 36 iri mu gitabu c'amategeko agenga amatora yo gutangura n'ayo kugara (kuva isaha cumi na zibiri zo mu gatondo gushika cumi zo ku muhingamo). Ariko, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wasanze kw'ayo masaha atakurikijwe mu ntara nyinshi, ibiro vyugaye imbere yuko abatora bashika. Ibiharuro mfatakibanza vyamenyekanye inyuma y'umutaga. Sentare yubahiriza ibwirizwashingiro yabishikirijwe kw'igenekerezo rya 3 myandagaro 2010.

E. AMATORA YO KUMITUMBA YO KUWA 7 NYAKANGA

Amatora ya nyuma ari muru kurikirane rw'amatora yabaye itariki 7 Nyakanga 2010. N'amatora y'abahanuzi bo ku mitumba canke mu ducimbiri hamwe n'abakuru b'imitumba n'ab' uducimbiri. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora niho wari userukiwe n'abahinga 3 kugira bakurikirane ingingo z'amatora. Murayo matora, uwutora yahamagarirwa gutora abahanuzi bo ku mitumba canke bo mu ducimbiri aherereyemwo. Ibiro vy'amatora vyagumye biri vyabindi nyene vyakoreshwa mu yandi matora yaheruka eka ibiro vyose vyari bifise amasandugu angana ku mitumba no mu ducimbiri kubatora biyandikishije kurivyo biro vy'amatora[135]. Kubw'imvo z'ibikoresho harabaye ihanahana ry'abatora batanditswe mu biro vy'amatora vyo kuriyo mitumba babako kandi mu biro vy'amatora bimwe bimwe harimwo amasandungu menshi. Ku vyerekeye iryo hanahana, amakomine 96 muri 129 yarerwa niryo hanahana ry'imitumba,mu biro vy'amatora 5199 bigize Amakomine 96, 1368 zaragize iryo hanahana[136]. Amatora y'abahanuzi b'imitumba yakurikiye rwa rutonde nyene rw'amasaha y'ayandi matora (kuva isaha cumi na zibiri zo mu gatondo gushika cumi zo ku muhingamo). Amatora yabaye mu mutekano hatarinze kwegeranywa ca gitigiri nyene c'abatoye mu matora aheruka. Ku gitigiri c'abatoye, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wabonye mu ntara za Bujumbura Mairie, Rural na Bubanza ko ku mutaga ico gitigiri kitarenze ibice 30% kandi ko cageze ku bice 10% mu biro vy'amatora hagati mu ntara ya Bujumbura Mairie aho wakurikiranye iharurwa.

Aho bitandukaniye n'amatora aheruka, ikarata y'amatora yagumye iri yayindi kandi uwutora yategerezwa kwandika amazina atatu yitoreye kurutonde rw'abitoza baba ku mutumba umwe canke ku gacimbiri kamwe inyuma kw'ikarata y'amatora. Uwutora atazi gusoma n'ukwandika yarashobora gusaba gufashwa n'umwe mu banditsi yitoreye. Uwo nawe yategerezwa kuba afise uburenganzira bwo gutora kandi agafasha abatora batarenga batatu canke akaba uwutarakwiza imyaka y'ugutora akaba n'incuti iri hafi mu muryango

[135] Ingingo ya mbere iri mw'itegeko n. 038/CENI itariki 1 nyakanga 2010 igenga ingendo zibereye zuko amatora y'abahanuzi b'ama komine, b'ubucimbiri nay'abarongora imitumba n'ubucimbiri.
[136]Mu biro vy'amatora 1368 birabwa n'imitumba, harurwa: ibiro 1079 vyakoresheje isandugu zibiri ku biro; ibiro 209 vyakoresheje isandugu 3 ku biro; ibiro 41 vyakoreshaje isandugu 4 ku biro; ibiro 27 vyakoresheje isandugu 5 ku biro hamwe n'ibiro 12 vyakoresheje isandugu 6 ku biro.

w'uwutora (ingingo 8 iri mw'itegeko n.038). Naho biri uko kwitura abanditsi kwafashije kuronka uburenganzira bwo gutora ivyo navyo vyarerekanye amakenga ajanye n'amatora yoba atabaye mw'ibanga.

Vyongeye, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora waramenyeshejwe ingorane zitari nke ziturutse kw'ikoreshwa ry'abanditsi. Gurtyo, abatora batazi gusoma n'ukwandika baje batizaniye abanditsi kuko atavyo bari bazi canke atawe bari bazi yobabera umwanditsi. Ukubura abanditsi vyatumye bamwe bamwe mu bagize ibiro vy'amatora baca bafasha muri ico gikorwa. Ku vyerekeye iharura ry’ivyavuye mu matora ryabereye mu biro vy'amatora isandugu ku sandugu, aho ibiro vy'amatora vyari bifise amasandugu menshi hamwe n'icegeranyo mvugo c'ivyavuye mu matora nk'akarorero urupapuro rwuzuzwa F2 ragwijwe na kane ku mutumba umwe umwe wose n'agacimbiri kamwe kamwe kose (ingingo 2 y'itegeko 038). Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora wabonye ko naho ingingo ya 10 iri mw'itegeko 038 yerekana ibituma amakarata y'itora iba impfa gusa, ntifatira kuvyabaye vyose igihe co guharura ivyavuye mu matora.

Nka karorero, ugushira amasandugu menshi ajanye n'intonde z'abitoza mu biro vy'amatora, vyarateye ukuzazanirwa hagati y'intonde z'abitoza, bikagira ingaruka zuko bamwe mu batora banditse abitoza bari ku ntonde zibiri z'abitoza kw'ikarata y'amatora yabo bikanatuma amakarata menshi y'amatora adashirwa mw'isandugu ijanye n'urutonde rw'abitoza.Vyongeye mu bindi biro vy'amatora intonde z'abitoza, zikenewe kurubwo bwoko bw'amatora, ntizari zimanitse haba hanze canke imbere mu biro vy'amatora, bigatera ingorane nyamukuru abatora mw'ihitamwo ry'amazina y'abitoza. Hihwejwe iyemeza ryayo makarata, intumbero yatanzwe igihe c'inyigisho kubagize ibiro vy'amatora, yaruko bagira impfagusa ayo makarata naho yoba ahana abatora bari bashoboye guhitamwo. Ariko rero, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora waramenyeshejwe ko mu biro vy'amatora bimwe bimwe iyo ntumbero itakurikijwe bigatuma ingorane zisa zitatorerwa inyishu zisa ivyo bigaturuka ku ngingo zitanditse, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora uributsa ko ubutegetsi butunganywa amatora butegerezwa kugira inguvu kugira ngo bwirinde kuba intambamyi yishaka ry' uwutora cane cane mu gihe ryibonekeje.

Ikibanza c'amatora kirimwo ibiro vy'amatora vyinshi ku mutumba umwe categerezwa gushinga icegeranyo mvugo F3 giteranya amajwi atanzwe (uteranije ama F2). Kwegeranya ibiharuro ku mutumba canke ku gacimbiri vyategerezwa gukorwa n'abarongora ivyo biro vy'amatora bikabera ahantu hagenwe nabo, mu ntumbero yo kugabanya ingendo zabo barongozi b'ibiro vy'amatora. Ariko rero, Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warashoboye kubona ukuzazanirwa kujanye nizo ngendo z'ukwegeranya naho bikwiye gukorerwa. Imirwi yigenga ijejwe gutunganya amatora mu ma komine CECI, nayo niyo ijejwe iharurwa ry'amajwi muri F4, abarongozi b'iyo mirwi nabo nibo batangaza ibiharuro mfatakibanza ku mutumba no ku gacimbiri bakongera bakabishikana mu mirwi yigenga ijejwe gutunganya amatora mu ntara CEPI, kugira hamenyekanishwe ibiharuro ntabanduka.

XIV. UMWIHWEZO W'IBIHARURO VYAVUYE MU MATORA B'ABAJENAMA BA KOMINE, Y'UMUKURU W'IGIHUGU, YA BASHINGAMATEKA NABA KENGUZA MATEKA

Ibiharuro bivuye mu matora y'abajenama bama komine: amamuko y'ingorane za politike

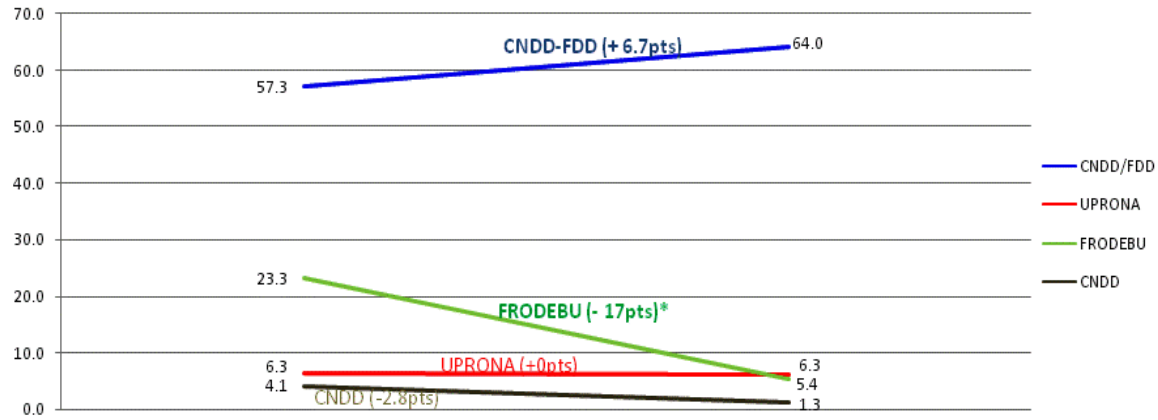
Ibiharuro vyavuye mu matora y'Abajenama b'Amakomine nivyo vyatanze intumbero yayandi matora yakurikiye kubera arivyo vyabaye inyendamuvano yingorane za politike zatewe n'uko Imigambwe itavuga rumwe na Reta yahakanye ibiharuro vyavuye mu matora ikanatako ikiyonkora mu mugambi w'amatora. Kubwo igitigiri kinini c'abatoye c'ibice 90,67 %[137], umugambwe CNDD-FDD wabaye uwa mbere ufise intsinzi ku bice 64% mu gihugu cose. Waritandukanije n'iyindi migambwe aho uwa mbere muriyo wabaye FNL, n'ibice 14, 15 % vy'amajwi. Uwakurikiye wari umugambwe Uprona (6, 25%), Frodebu (5, 43%), MSD (3, 75%), UPD (2, 21%), Frodebu Nyakuri (1, 36%) na CNDD (1, 26%) (raba igicapo c'IX mu mpapuro ziherekeza)**.**

Igereranwa ry'ibiharuro vyavuye muri aya matora n'ivyavuye mu matora yo mu mwaka wa 2005 y'Abajenama b'Amakomine ntiryashize ahabona gusa iyongera ry'intsinzi y'umugambwe CNDD-FDD ariko kandi rikerekana itandukaniro riri hagati y'ibitigiri vyawo nivyo uwu wukurikira, itandukaniro ry'amanuta 50 mu mwaka wa 2010, mu mwaka 2005 rikaba ryabaye irya 34(raba igicapo c'X mu mpapuro ziherekeza). Insiguro y'ivyo ikava mw'igwizwa ry'abitoza ku giti c'imigambwe n'ubwo abatora batigeze bahinduka ari naco catumye amajwi y'abanywanyi b'imigambwe itavuga rumwe n'uwuri ku butegetsi asabagira. Igitigiri c'imigambwe yaritegerezwa kuja imbere y'iyindi caragabanutse: mu ntara 11 umwaka wa 2010, no mu ntara 8 umwaka wa 2005, nta mugambwe numwe utavuga rumve na Reta warengeje amajwi ku bice 15%.

Intara zifise igabangana riringaniye ry'amajwi hamwe n'aho imigambwe itavuga rumwe n'uwuri ku butegetsi ifise igihagararo, tuzisanga zose ku nkengera y'umurwa mukuru. Ibindi vyibonekeje muri iryo gereranywa, ni ugutakaza amajwi yahavuye ahabwa FRODEBU, amajwi yaronse yagabanutseko amanota 17. Imvo zabitumye zirashobora gushikirizwa kugira ngo zisigure iryo gabanuka. Kubera ico, umugambwe wari wiyunze mu mwaka w'2005 wahavuye wicamwo imice itatu mu mwaka w'2010 kuva aho imigambwe Frodebu Nyakuri na Radebu ivukiye. Bitayeko, umuzo w'umugambwe FNL mu bikorwa vya politike wibonekeje nk'intambamyi twihweje intsinzi uwo mugambwe watahukanye mu turere aho Frodebu yahorana abanywanyi (nk'akarorero : muri Bujumbura-rural, mu Kirundo no mu Cibitoke) ariko uwo mugambwe nawo nyene warahatakarije amajwi yahavuye ahundwa umugambwe CNDD-FDD hamwe n'iyindi migambwe. Naho biri uko, umugambwe Uprona, wagumanye amajwi wari waronse mu mwaka w'2005.

[137] Igitigiri kiri hejuru y'ibice 80, 6% vyanditwe mu mwaka wa 2005.

Igicapo ca 1. Igereranywa ry'ivyavuye mu matora y'Abajenama b'Amakomine yo mu mwaka w'2005 hamwe no mu mwaka w'2010.



Twihweje neza ivyo vyavuye mu matora (raba igicapo ca IV), hibonekeza intsinzi y'umugambwe CNDD-FDD iri hagati y'ibice 70% na 80% mu ntara nyinshi, mbere inarenga ibice 80% i Ngozi n'i Karusi. I Mwaro n'i Makamba, ivyavuye mu matora vyerekana intsinzi ibayabaye y'ibice 51,23% n'ibice 54,63% muri urwo rutonde nyene. I Bururi n'i Bujumbura Mairie, ivyavuye mu matora bisa n'ivyegeranye cane, vyerekana intsinzi y'umugambwe CNDD-FDD. Nimba i Bururi, intwaro igabanganijwe ahanini hagati y'abahoze batwara, muri Bujumbura Mairie hoho, imigambwe mishasha yaharonkeye amajwi atari make mu matora. Intara yonyene umugambwe CNDD-FDD utashoboye kuronkamwo amajwi menshi ni intara ya Bujumbura-Rural aho waronse ikibanza ca kabiri (26,60%) inyuma ya FNL (57,48%). Igabangana ry'amajwi ku burere bw'amatora rirerekana ugushusha kw'aya matora n'ayabaye mu mwaka w'2005, intsinzi y'umugambwe CNDD-FDD yabaye niniya mu ntara za ruguru, zo hagati n'izo mu buseruko bw'igihugu. Nk'uko vyabaye mu mwaka w'2005, intsinzi yawo ni ntoyi mu ntara z'amajepfo (Bururi na Makamba)[138]. Muri Bujumbura Rural, akarere kagwiriyemwo abanywanyi b'umugambwe FNL, umugambwe CNDD-FDD waratakaje ikibanza cawo ca mbere catahiwe n'umugambwe Frodebu mu mwaka w'2005 n'umugambwe FNL mu mwaka w'2010[139].

Ku murwa mukuru w'igihugu, ivyiyumviro vya politike ntivyahindutse cane hagati y'umwaka w'2005 no mu mwaka w'2010 n'intumbero z'ivyiyumviro vy'abanywanyi b'imigambwe zisa n'izikurikira umurongo w'indyane z'amoko zahozeho. Imigambwe Uprona n'umugambwe MSD yahavuye igabangana amajwi y'abahoze ari abanywanyi bari batoye imigambwe Parena na MRC mu mwaka w'2005 ahandi naho uravye vyibonekeza ko ata cahindutse mw'ibanganwabaganwa ry'intsinzi y'imigambwe y'abahutu[140]. Umugambwe FNL wasubiriye umugambwe Frodebu, wo yatwaye igice kinini c'abanywanyi, bwa mugambwe utavuga rumwe n'umugambwe CNDD-FDD wo waronse amajwi mu mwaka w'2010 angana n'ayo waronse mu mwaka w'2005. Umugambwe UPD waronse intsinzi ahanini mu ma karitiye agwiriyemwo abari mw'idini islamu ku murwa mukuru w'igihugu.

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[138] Mu mwaka w'2005, umugambwe CNDD-FDD waronse amajwi angana n'ibice 9,2% gusa i Bururi hamwe n'amajwi angana n'ibice 40,85% vy'amajwi i Makamba

[139] Mu mwaka w'2005, Umuhari urwana Palipehutu-FNL woba warahaye « amajwi yawo » umugambwe Frodebu. Uwo nawo wahavuye uronka amajwi angana n'ibice 66,12%, CNDD-FDD nawo uronka amajwi angana n'ibice 16,43%

[140] Mu mwaka w'2005, umugambwe Parena waronse amajwi angana n'ibice 9,56% vy'amajwi, umugambwe MRC nawo uronka amajwi angana n'ibice 8,15% muri Bujumbura Mairie

Igicapo ca II. Ivyavuye mu matora y'abajenama b'amakomine mu mwaka w'ikomine 2010

Intara	Ivy'ijana vy'amajwi n'ibibanza vyaronswe mu matora y'abajenama b'amakomine								
	CNDD-FDD	**FNL**	**Uprona**	**Frodebu**	**MSD**	**UPD**	**CNDD**	**Frodebu Nyakuri**	**iyindi**
Bubanza	77,51% 58	11,98% 11	1,97% 1	1,80% 1	2,56% 3	1,78% 1	0,51%	0,39%	
Bujumbura Rural	26,60% 50	57,48% 85	4,26% 12	3,55% 8	3,15% 6	1,12% 1	0,47%	1,72% 1	2
Bururi	25,67% 36	15,22% 16	13,35% 23	23,76% 33	3,78% 6	3,69% 3	9,20% 16	1,57%	2
Cankuzo	70,91% 54	2,63% 1	8,06% 6	4,22% 4	7,26% 5	4,56% 5	0,59%	1,08%	
Cibitoke	69,70% 64	16% 16	1,11% 0	7,50% 8	1,86% 2	1,02%	0,43%	1,18%	
Gitega	76,27% 130	8,68% 14	4,10% 7	2,91% 6	2,92% 4	1,15% 1	0,52%	1,30% 1	2
Karusi	85,58% 91	5,43% 8	2,48% 2	2,78% 2	1,18% 1	0,80%	0,43%	0,23%	1
Kayanza	73,64% 100	8,01% 12	5,63% 10	7,21% 10	1,70% 1	1,36% 1	0,47%	0,18%	1
Kirundo	69,77% 73	13,70% 17	7,09% 8	1,07% 1	1,02% 1	0,99%	0,33%	5,86% 5	
Makamba	54,63% 51	7,36% 7	6,77% 8	18,56% 16	2,40% 2	2,40% 1	3,20% 3	2,58% 1	1
Muramvya	72,51% 56	3,65% 3	12,97% 10	3,92% 4	4,02% 2	1,05%	0,30%	0,23%	
Muyinga	77,32% 82	12% 15	2,63% 4	2,51% 1	0,50%	3,70% 3	0,44%	0,68%	
Mwaro	51,23% 43	8,81% 8	15,29% 16	3,91% 6	10,76% 11	0,97%	0,56%	1,19%	6
Ngozi	81,20% 111	9,86% 14	4,41% 8	0,84% 1	0,72%	1,57% 1	0,30%	0,57%	
Rutana	73,42% 67	6,53% 7	7,22% 7	5,76% 6	3,23% 3	0,53%	1,38%	1,05%	
Ruyigi	78,90% 81	8,69% 10	3,02% 4	3,35% 6	2,64% 4	0,72%	0,38%	0,92%	
Bujumbura Mairie	28,25% 56	25,99% 47	11,97% 26	4,16% 10	18,33% 41	7,65% 15	1,16%	0,54%	
Vyose hamwe	**1203**	**291**	**152**	**123**	**92**	**32**	**19**	**8**	**15**

Twishimikije ivyo biharuro amakomine menshi (nka 72%) yategerezwa kurongorwa n'abamusitanteri bakomoka mu mugambwe CNDD-FDD, amakomine makeyi gusa (nka 16 kw'129) aho dusanga umugambwe kanaka canke urunani kanaka rwatahukanye intsinzi niyo yokwizeye kuronswa umusitanteri akomoka mu migambwe itavuga rumwe n'uwuri ku butegetsi. Ariko, bivanye n'uko imigambwe myinshi ya ADC-Ikibiri yiyonkoye, umugambwe CNDD-FDD waciye utwara ibibanza hafi vyose vy'abasitanteri b'amakomine (111 kw'120 bari bamaze gutorwa kw'igenekerezo ryo gusozera iki cegeranyo). Umugambwe Uprona waronse ibibanza bine vy'abamusitanteri b'amakomine, umugambwe MSD waronse ibibanza bibiri, umugambwe FNL bibiri Frodebu nayo 1 (raba mu kigabane kijane n'iyongerwamwo hamwe no gushinga inama mpanuzwajambo z'amakomine)[141].

[141] Mu mwaka w'2005, abasitanteri batowe bangana na 97 bakomoka mu mugambwe CNDD-FDD, 21 bakomoka mu mugambwe Frodebu, 5 bo mu mugambwe CNDD hamwe na babiri babiri bo mu migambwe Uprona, MRC na Parena.

Ivyavuye mu matora y'umukuru w'igihugu yitoje ari umwe

Umukuru w'igihugu Petero Nkurunziza yasubiye gutorwa ku majwi angana n'ibice 91,62% ku rwego rw'igihugu ku bice 76,98% vy'abitavye[142]. Mu ntara, ibice vy'abitavye n'ivyavuye mu matora biri mu ntumbero imwe ugereranije n'ivyavuye mu matora y'abajenama b'amakomine. Gurtyo, mu ntara ya Bujumbura Mairie hamwe n'i Bururi aho umugambwe CNDD-FDD wari watsinze vyibonekeza hamwe no mu ntara ya Bujumbura Rural aho utari watsinze amatora, uguhamagarira gusiba vyakozwe n'imigambwe ihurikiye mu runani ADC-ikibiri vyarakurikijwe ahanini : ibice vy'abitavye amatora bingana na 41,15% ku murwa mukuru (ni ukuvuga amanota - 45,89 yiyongeye ugereranije n'amatora y'abajenama b'amakomine), na 57,52% i Bururi (ni ukuvuga amanota – 35,68 ugereranije n'amatora y'abajenama b'amakomine), hamwe n'ibice 58,75% mu ntara ya Bujumbura-Rural (ni ukuvuga amanota – 36,23 ugereranije n'amatora y'abajenama b'amakomine). Biribonekeza kandi ko muri izo ntara zitatu, hafi y'ica kane c'amajwi yatanzwe atemeje uwitoje ari umwe, ari navyo vyatumye Umukuru w'Igihugu atorwa ku bice bingana na 73%.

Igicabo ca III : Ivyavuye mu matora y'umukuru w'igihugu 2010

	Intara	Amajwi yemeza	Amajwi ahakana	Uwatowe %	Igitigiri c'abitavye amatora y'umukuru w'igihugu %	Igitigiri c'abitavye amatora y'abajenama b'amakomine %	Ukwo ibitigiri vy'abitavye bigenda birahindagurika %
BURUNDI	Bubanza	120,596	5354	95,74	80,73	92,29	- 11,56
	Bujumbura Rural	93,776	35,115	72,76	58,75	94,98	- 36,23
	Bururi	101,501	35,897	73,88	57,52	93,20	-35,68
	Cankuzo	72,846	5663	92,79	81,79	94,37	-12,58
	Cibitoke	156,594	9176	94,46	86,37	92,52	-6,15
	Gitega	225,541	10,779	95,44	79,04	91,36	-12,32
	Karusi	163,047	3997	97,61	89,47	94,63	-5,16
	Kayanza	206,846	10,987	94,96	84,71	94,79	-10,08
	Kirundo	235,429	13,053	94,75	90,03	96,19	-6,16
	Makamba	112,970	16,352	87,36	70,22	92,58	-22,36
	Muramvya	108,448	5452	95,21	87,28	95,52	-8,24
	Muyinga	227,409	12,442	94,80	88,22	94,14	-5,92
	Mwaro	72,048	9222	88,6	72,57	92,64	-20,07
	Ngozi	265,297	9293	96,62	90,40	96,59	-6,19
	Rutana	104,823	6018	94,57	81,01	93,54	-12,53
	Ruyigi	124,072	6217	95,23	81,42	92,60	-11,18
	Buj.Mairie	88,220	31,906	73,44	41,15	87,04	-45,89
	Vyose hamwe	**2,479,483**	**226,919**	**91,62**	**76,98**	**90,67**	**-13,69**

[142] Mw'ijambo ryashikirijwe uyo munsi nyene w'amatora, urunani ADC-ikibiri rwarashimishijwe n'uko amatora « yitabwe n'abantu bakeyi cane» ku bice bike nk'uko babishikiriza, « biri hafi ya 30% », ariko badatanze ivyemeza ico ciyumviro cabo.

Igicapo ca IV : Ivyavuye mu matora y'umukuru w'igihugu yabereye mu mahanga 2010

Itora ry'ababa mu Mu mahanga	Amajwi yemeza	Amajwi ahakana	Uwatowe %	Ibiharuro vy'abitavye %
	2,563	803	77,19	78,05

Ivyavuye mu matora y'abashingamateka

Ku bijanye n'amatora y'Abashingamateka, mu kiringo ca mbere, Abashingamateka 100 bitorewe n'abanyigihugu. Umugambwe CNDD-FDD waremeje ivyavuye mu matora y'abajenama b'amakomine : waronse ibibanza 80, 16 b'Umugambwe Uprona na 4 b'Umugambwe Frodebu Nyakuri Iragi Rya Ndadaye. Kugira ngo yubahirize ibisabwa n'Ibwirizwa Shingiro ku bijanye n'ukuringaniza amoko, umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, wahavuye wongeramwo umukenyezi w'umututsikazi (CNDD-FDD) hamwe n'abagabo babiri (Uprona, Tutsi na Frodebu Nyakuri, Hutu) na batatu baserukira ubwoko bw'abatwa. Umugambwe CNDD-FDD waronse abashingamateka 81 (ibice 81,19% vy'amajwi), umugambwe Uprona 17 (ibice 11,06% vy'amajwi) ukurikirwa n'umugambwe Frodebu Nyakuri Iragi rya Ndadaye, abashingamateka 5 (ibice 5,88% vy'amajwi). Inama Nshingamateka igizwe rero n'abashingamateka 106, 60% b'abahutu hamwe na 40% b'abatutsi hamwe no hafi y'ibice 32% vy'abakenyezi, ni ukuvuga abashingamateka 34 kw'106, hambavu y'abatwa batatu bongewemwo.

Igicapo ca V. Icegeranyo ku rwego rw'igihugu c'ivyavuye mu matora y'abashingamateka mu mwaka w'2010.

BURUNDI	Imigambwe	Igitigiri c'intebe inyuma y'iyongerwamwo	Ivy'ijana vy'amajwi %
	CNDD-FDD	81	81,19
	UPRONA	17	11,06
	FRODEBU Nyakuri	5	5,88
	Iyongerwamwo	3 Twa	
	Vyose hamwe	**106**	

Mu kuba waronse intebe 81 kw'106, umugambwe CNDD-FDD watahukanye ibice 76,4% vy'intebe vyo mu nama Nshingamateka. Umugambwe CNDD-FDD ubu ufise igitigiri kinini c'ibibanza ukaba unafise ibice bibiri vya bitatu bisabwa kugira amategeko ashobore gutorwa. Yamara ntabwo ufise ibice bine vya bitanu bisabwa kugira ngo ibwirizwa shingiro rishobore guhindurwa, uwo mugambwe ubura intebe 4. Tugereranije no mu mwaka w'2005, imigambwe yarubahirije kuruta uburinganire bw'amoko n'ibitsina ku ntonde zabo ari navyo vyatumye hadakenerwa ko haba abongerwamwo kugira ngo hashobore gutunganywa uburinganire ubu canke buriya (*raba igicapo c'XI mu mpera y'iki gitabu*).

Tugereranije ivyavuye mu matora y'abashingamateka n'ivyavuye mu matora y'abajenama b'amakomine hamwe n'ivyavuye muy'Umukuru w'Igihugu, haba ku rugero rw'amajwi yahawe umugambwe CNDD-FDD, mbere no ku rugoro rw'igitigiri c'abitavye amatora, vyose bibandanya bifata umurongo umwe. Mu ntara aho umugambwe CNDD-FDD utashoboye kuronka amajwi menshi mu gihe c'amatora y'Abajenama b'Amakomine no mu gihe c'amatora y'Umukuru w'Igihugu, amajwi uwo mugambwe wahawe hamwe n'igitigiri c'abayitavye vyari bito cane, intsinzi y'uwo mugambwe hamwe n'abitavye amatora vyari bito cane. Ni ukuvuga ahanini intara ya Bujumbura Mairie, Bujumbura Rural na Bururi. Mu ntango, ivyavuye mu matora vy'imigambwe Uprona na Frodebu Nyakuri ugereranije n'amatora y'abajenama b'amakomine bisigurwa n'ukwiyonkora kw'imigambwe itavuga rumwe n'uwuri ku butegetsi, ihurikiye mu runani ADC-Ikibiri, bari baronse bose hamwe intsinzi igera ku bice biri hafi ya 30%.

Igicapo ca VI. Ivyavuye mu matora y'abashingamateka ku ntara ku ntara

	Intara	CNDD-FDD % vy'amajwi n'igitigiri c'intebe	UPRONA % vy'amajwi n'igitigiri c'ibibanza	Frodebu Nyakuri % vy'amajwi n'igitigiri c'ibibanza	Igitigiri c'abitavye amatora %
BURUNDI N'amatora mu mahanga	Bubanza	92,12% 4	4,82%	1,69%	69,11
	Bujumbura Rural	62,82% 4	12,70% 1	21,77% 2	58,28
	Bururi	54,23% 4	22,88% 2	10,88% 1	53,98
	Cankuzo	81,81% 2	15,21% 1	2,07%	70,21
	Cibitoke	88,58% 5	7,62% 1	2,95%	60,38
	Gitega	86,38% 8	7,34% 1	5,59% 1 coopté	63,68
	Karusi	93,98% 6	3,60% 1 coopté	1,67%	78,65
	Kayanza	87,09% 6	8,47% 1	2,76%	70,07
	Kirundo	76,24% 6	8,50% 1	14,66% 1	84,03
	Makamba	78,10% 4	11,53% 1	7,25%	60,36
	Muramvya	78,77% 3	18,49% 1	1,05%	76,96
	Muyinga	88,18% 7	6,15% 1	4,49%	77,60
	Mwaro	65,14% 2	28,13% 1	5,29%	60,05
	Ngozi	91,70% 7, 1 coopté	6,09% 1	1,62%	80,98
	Rutana	85,72% 3	11,53% 1	1,96%	63,73
	Ruyigi	91,12% 5	4,90%	3,5%	63,48
	Bujumbura Mairie	55,88% 4	35,55% 2	5,68%	40,34
	VYOSE HAMWE	**81,19% 81**	**11,06% 17**	**5,88% 5**	**66,68**

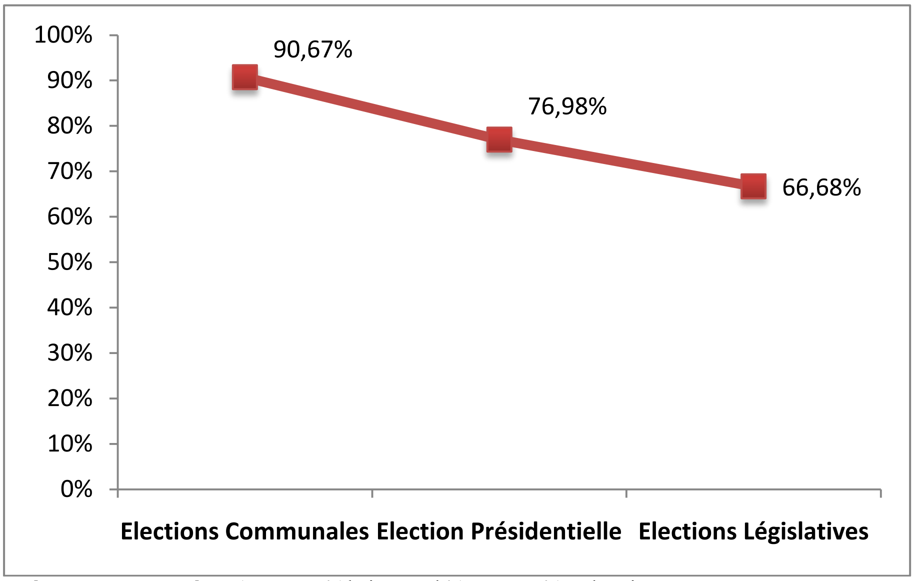
Ivyavuye mu matora y'abakenguzamateka

Kubera ko abakenguzamateka batorwa n'inama mpanuzwajambo z'amakomine[143], ivyavuye mu matora y'abakenguzamateka vyari bizwi imbere y'igihe. Imigambwe ibiri gusa niyo yitavye amatora yo kw'igenekerezo rya 28 Mukakaro. Kubera ko Ibwirizwa

Shingiro ritegekanya ko Inama Nkenguzamateka igizwe n'abahutu n'abatutsi, abagize umurwi w'abatora batanga amajwi abiri, rimwe ry'uwitoza ku ruhande rw'umuhutu irindi ry'uwitoza ku ruhande rw'umututsi.
Bose hamwe, abakenguzamateka 34 muribo abahutu 17 n'abatutsi 17 baratowe, hambavu y'abatwa 3 bongewemwo n'umurwi CENI. Twibukanye ko abahoze barongoye igihugu ukwo ari 4 ari abakenguzamateka bwegu, Inama Nkenguzamateka igizwe rero n'Abakenguzamateka 41. Umugambwe CNDD-FDD ufisemwo intebe 32, umugambwe Uprona nawo ukagira intebe 2 (bo muri Bujumbura Mairie n'i Bururi).

Umwihwezo rusangi w'ivyavuye mu matora yo mu mwaka w'2010

Igicapo ca VII : Ukwo ibiharuro vy'abitavye amatora yo mu mwaka w'2010 vyagiye birahinduka mu Burundi



Elections Communales : Amatora y'Abajenama b'Amatora y'Amakomine
Elections Présidentielle : Amatora y'Umukuru w'Igihugu
Elections Législatives : Amatora y'Abashingamateka

Ibitigiri vy'abitavye dufatiye ku biharuro ntabanduka vy'ivyavuye mu matora vyagiye birahinduka cane bivanye n'ivyaranze amatora amwe amwe (kugira uronke inkuru iramvuye ku bijanye n'ibitigiri vy'abitavye vyihwejwe n'umurwi w'ishirahamwe ry'abanyaburaya ujejwe gukurikirana amatora mu Burundi, urabe mu kigabane c'amatora). Ku matora y'Abajenama b'Amakomine, ibiharuro vy'abitavye ku bwinshi ku bice bishika 90,67% bisigurwa n'uko imigambwe yose yahamagariwe kwitaba amatora. Ahandi naho, igitigiri c'abitavye amatora y'Abajenama b'Amakomine cari kinini cane kubera imigambwe yose yerekanye ko irondera kwipima ngo imenye umwe umwe wose ico uzovamwo mu mperuka y'umugambi w'amatora. Igabanuka ry'ibitigiri vy'abitavye

[143] Naho imigambwe itavuga rumwe n'uwuri ku butegetsi ihurikiye mu runani ADC-Ikibiri yari yiyonkoye ku mugaragaro, bamwe mu bajenama b'amkomine bari muri iyo migambwe baritavye ayo matora.

amatora imbere haba mu kiringo c'amatora y'Umukuru w'Igihugu na cane cane mu gihe c'amatora y'abashingamateka rishobora gusigurwa hamwe hamwe n'uko imigambwe myinshi itavuga rumwe n'uwuri ku butegetsi yaronse hafi y'ibice 35% vy'amajwi afatiwe hamwe mu matora y'Abajenama b'Amakomine. Nimba abo banywanyi barumviye akamo batewe n'imigambwe yabo ngo ntibitabe amatora, ukwiyonkora kw'iyo migambwe mu mugambi w'amatora vyaratosekaje ukwizerana n'inyungu abo banywanyi b'imigambwe bafitiye uwo mugambi nk'uko uri.

Izindi mvo zishobora gufatirwako kugira ngo dusigure iryo gabanuka ry'igitigiri c'abitavye, ukurambirwa kw'abatora inyuma y'urukurikirane rw'amatora yegeranye, ukuba atagishasha cari citezwe kubera ibiri buve mu matora vyari bisanzwe bizwi imbere y'igihe, ku matora y'abashingamateka, kubona igice c'abatora batabona inyungu kandi batazi neza uruhara rw'Inama Nshingamateka. Kubw'abanyagihugu, umugambi w'amatora washimikiye cane cane ku matora y'umukuru w'igihugu, guhera ku matora y'abajenama b'amakomine.

Ivyavuye muri ayo matora vyarerekanye neza uko ivya politike mu Burundi, bitanga iciyumviro c'uko bishoboka igihugu kigasubira mu ntwaro y'umugambwe umwe wiganziye hafi inzego zose. Nimba iyo ngendo yarashoboye kwiyerekana mu matora y'Abajenama b'Amakomine, yahavuye ikomezwa mu matora y'Abashingamateka n'ay'Abakenguzamateka, na cane cane kubera imigambwe myinshi itavuga rumwe n'uwuri ku butegetsi, yo ufatiye hamwe yaronse amajwi angana n'ibice 35% vy'amajwi ku rwego rwa komine. Imigambwe mikuru mikuru itavuga rumwe n'uwuri kubutegetsi nka FNL, Frodebu, MSD, UPD, bakiriye ivyo vyavuye mu matora n'ugutangara kwinshi, kubera vyibonekeza ko basa n'abamaze kwitega intsinzi y'imigambwe yabo. Biturutse n'ukuntu amatora yari akurikirana yegeranye cane, iyo migambwe ntiyaronse akanya ko kwakira ukurushwa mu matora, kandi ngo bongere basubiremwo ubuhinga bwabo mu bijanye no kwitaba amatora akurikira. Ahubwo, inyishu yabo yabaye ukwiyamiriza ivyavuye mu matora hamwe no kwiyonkora mu mugambi w'amatora bibaza ko bashoboye gutuma umugambi uhagarara gurtyo ibiganiro bikaboneraho gutangura hagati yabo n'abegwa n'umugambi w'amatora, na cane cane umurwi wigenga ujejwe gukurikirana amatora, CENI.

Ubwo buryo ntaco bwahavuye ngo bushikeko hanyuma umugambi w'amatora uraheza urabandanya iyo migambwe 12 itarimwo, ihurikiye mu runani ADC-Ikibiri. Mu kwiyonkora mu mugambi w'amatora, iyo migambwe yaratakaje inguvu kubijane no gufata ingingo, ahubwo baha ikibanza kinini umugambwe CNDD-FDD mu gutwara igihugu ukwo ubishatse. Umugambwe Uprona wahavuye usubira mu mugambi w'amatora uhava uronka intebe 17 vy'abashingamateka mu nama nshingamateka hamwe n'abakenguzamateka 2, ntuzoshobora kugira inguvu zo guhangana kubera udafise igitigiri gisabwa kugira ushobore kuzibira kugira ngo itegeko udashaka ntirirengane.

Tugereranije no mu mwaka w'2005, ni nk'ugusubira inyuma kw'intwaro ishingiye ku migambwe myinshi ivyo navyo bigashobora gutuma intwaro yakomotse mu masezerano y'i Arusha iba itagifise insiguro, uretse ukuringaniza ubwoko n'ibitsina, yashinze ingingo ngenderwako yo kwubahiriza iringanira rifatiye ku vyiyumviro vya politike mu bikorwa vy'inzego.

XV. IBISABWE

Ibisabwe z'Umurwi w'Ishirahamwe ry' Abanyaburaya Ujejwe Gutunganya Amatora MOEUE	Ivya nkenerwa	Ivyipfuzo	Vyerekeye :
IBIJANYE N'AMATEGEKO	1. Ibijanye n'amategeko bikwiye gusubirwamwo kugira hakosorwe amatati no kutarorana kw'amategeko amwe amwe y'Igitabu arimwo hamwe n'Ibwirizwa Shingiro, ukudahuza kuri hagati y'Igitabu c'amategeko agenga amatora n'ayandi mategeko y'Igihugu na mpuzamakungu, nk'amasezerano yubahiriza agateka k'Ubwenegihugu n'aka politike. 2. Igitabu c'Amategeko Agenga Amatora gisubiwemwo cotegerezwa : - Gusigura neza igikorwa c' Umurwi Ujejwe Gutunganya Amatora mu Gihugu, CENI mubijanye n'amatati (cane cane muvy'ujejwe muguhana ivyaha bijanye n'amatora; igikorwa cawo mugutatura amatati ajanye n'ivyerekeye amatora); - Gushiramwo ibisabwa mu gihe c'amatati ashikirizwa n'Umurwi Wigenga Ujejwe Gutunganya Amatora ku rwego rw'Intara, CEPI. - Kwerekana neza ingene Sentare yubahiriza Ibwirizwa Shingiro bayitura amatati - Gutomora neza ukuntu bosubiramwo intonde z'amatora - Gushiraho uburyo bwo kudakurikirana vy'agateganyo abitoza mu gihe c'amatora - Kunonosora neza uburyo bwo kongeramwo uwutari yatowe 3. Harakwiye gutunganywa itegeko kugira ngo risigure igikorwa c' umurwi CENI, ritegura uko ukora ryemeze n'ubwigenge bwawo. 4. Inzandiko zose zigenga ibijanye n'amategeko harimwo n'ay'Umukuru w'Igihugu hamwe n'ayandi yose ahambaye y' umurwi CENI(inyandiko ngenderwako,amabwirizwa,amatangazo hamwe n'inyandiko zongewemwo) zari zikwiriye kumenyeshwa kuri bose biciye kubuhinga ngurukana bumenyi bwa CENI zikanatangwa kumpapuro ku banyepolitike bariko baritoza. 5. Kwerekana neza, mu gitabu kigenga amategeko y'amatora, igikorwa c'intwaramiheto n'igiporisi mu gihe c'amatora, nk'akarorero: kwunguruza no gucungera umutekano w'abanyepolitike mu kiringo c'amatora cane cane mu gihe co kwiyamamaza, kwunguruza no kubika ibikoresho vy'amatora, gucunga ivyegeranyo bimanitse n'ivy'ibiro vy'amatora.	1. Gushiramwo uburenganzira bwokuronka umushingwamanza kubamukeneye atanzwe na Reta mu gisata c'inyamiramabi c' Uburundi canke gukomeza ugufashanya n'amashirahamwe mpuzamakungu ategamiye Reta nk'Abashingwamanza batagira imbibe, Avocats Sans Frontieres kugira ngo abapfunzwe bafashwe.	Uwushinga amategeko Itunganywa ry'amatora

Impanuro z'Umurwi w'Ishirtahamwe ry' Abanyaburaya Ujejwe Gukurikarana Amatora	**Ivya nkenerwa**	**Ivyipfuzo**	**Vyerekeye :**
ITUNGANYWA RY'AMATORA	1. Itunganywa ry'amatora atanu mu kiringo gito ryarateye ingorane, uretse kuronka ibikoresho n'ikiguzi cavyo, harabaye n'ingaruka mbi za politike. Birasabwe rero ko hogabanywa uburyo buzokoreshwa mu matora yo hanyuma; gushirahamwe amatora amwe amwe ku munsi umwe nk'akarorero amatora y'Abajenama b'Amakomine n'ay'Abakuru b'Imitumba akabera rimwe, hanyuma amatora y'Abashingamateka n'ay'Umukuru w'Igihugu akaja hamwe, canke bagategekanya amatora ku myaka itandukanye. Mu ntumbero yo kuryohora Ibwirizwa Shingiro, vyoba vyiza bagabanije ikiringo gitandukanya amatora n'ayandi, nko kuva imyaka iri hagati ya 2010 na 2015 ku Baserukira Komine, Imitumba, n'Uducimbiri. Kubera y'uko Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu,CENI uzokwamaho, Ico kiringo cogabanywa gushika imyaka 3 canke 4 kugira bahe akaryo abanyagihugu ko gushikiriza ico babona mu bihe bitandukanye vy'intwaro bongere bahe umwanya Umurwi Wigenga Ujejwe Gutunganya Amatora mu Gihugu, CENI, wo gutegura neza amatora adakoranirijwe hamwe mu gihe kimwe. 2. Ikarata y'amatora imwe kuri bose yokuraho utunenge duturutse ku bice vy'ukudahura kw'ibitigiri, mw'itunganywa ry'amatora kandi bikorwa mu buryo bwihishije. Gukuraho uburyo bwose bwogutera ubwoba uwutora cane cane kudatereka ubwiherero bw'amatora kuburyo ushobora kubona uwutora icagize nkuko vyabonetse mu matora y'amakomine kandi bakareka gusaka umuntu avuye mu kazu kitora, ishirwaho ry'ikarata y'amatora imwe ryokworohereza abatora batazi gusoma n'ukwandika mu gushira igikumu kw'ikarata y'itora. 3. Mu ntumbero yo kwubahiriza amategeko mu bikorwa vyo mu gihe c'amatora arushirizeho kwizerwa, birasabwe ko umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI utunganya urukurikirane rw'amatora mu mugushiraho amategeko n'ibikurikizwa vyanditswe mu buryo buranguye neza bikanamenyeshwa. Ibivuzwe bitanditse ntibibereye mw'itegurwa ry' urukurikirane rutoroshe nk'amatora.	1. Birasabwe k'uwutora ashira umukono canke agashira igikumu ku rutonde rw'abatemewe 2. Ububasha bw'imirwi y'igenga ijejwe gutunganya amatora k'urwego rw'amakomine, CECI n'imirwi y'igenga ijejwe gutunganya amatora k'urwego rw'intara CEPI butegerezwa gukomezwa cane cane muvyerekeye kwigishwa, uburyo bwo kunguruzwa, uguhanahana amakuru no gukoresha ubuhinga bwa none bubayabaye. 3. Uko igitabu c'amategeko agenga amatora kimeze ubu, ibikurikizwa mw'iyongegwamwo biha umurwi wigenga ujejwe gutunganya amatora mu gihugu CENI, ubushobozi bwo gutunganiriza abagize amatati burenze. Kubw'ivyo birasabwe ko ibikurikizwa mw'iyongegwamwo biramvurwa mu gitabu c'amategeko.	Uwushinga amategeko Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI Igitabu c'amategeko agenga amatora.

UGUKORERA KU MUGARAGARO KW'ITUNGANYWA RY'AMATORA	1. Birasabwe ko ingingo zimwe zimwe zo gukorera ku mugaragaro zoshirwa mu Gitabu c'amategeko agenga amatora, na cane cane : - Intonde z'abitoza zitegerezwa kumanikwa kandi ikopi igategerezwa guhabwa imigambwe hamwe n'abitoza bigenga; - Intonde z'abitoza ku matora ayo ariyo yose zitegerezwa kubanza gutangazwa kandi zigatangwako inkuru zikwiye; - Abaserukira imigambwe bari mu biro vy'amatora bategerezwa guhabwa ikopi y'ivyavuye mu biro vy'amatora bakoresheje ikopi karubone (ituma ibiri ku rupapuro vyibonekeza ku rundi ruri inyuma) canke ku cegeranyo cemejwe; - Abahagarikizi bategerezwa guhabwa ikopi y'icegeranyo c'ibikorwa vy'amatora kirimwo imyihwezo yabaye; - Ivyavuye mu matora vyashikirijwe n'ibiro vy'amatora bibwirizwa kumanikwa ku bibanza vy'amatora vuba bwango, iharura riheze; - Irungikwa n'iyegeranywa y'ivyavuye mu matora ritegerezwa kwerekanwa neza. 2. Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI, utegerezwa kurangura ibanga ryawo uhabwa n'Ibwirizwa Shingiro ryo gutunganya amatora yo ku mugaragaro. Turetse ingingo zifatwa ku mugaragaro zoshirwa mu mategeko, hasabwe ko: - Kumenyesha, biciye ku buhinga ngurukanabumenyi mu buryo buramvuye, Ibiharuro bivuye mu matora bigabanganije ku biro vy'amatora ; - Ivyegeranyo vy'ivyavuye mu matora vyashizwe hamwe ku rwego rw'Amakomine, Intara hamwe no mu Gihugu cose bitegerezwa gusubiramwo ibiharuro vyose biri ku vyegeranyo vyavuye mu matora ku biro vy'amatora, nk'akarorero, uretse amatora ashingiye ku ntonde no kubitoza bari mwi higanywa, igitigiri c'abatora, amakarata yakiriwe, amakarata yahawe abatora atakoreshejwe, ay'impfagusa, ayagaragara … .Ivyo biharuro bitabonetse, ntibishoboka guharura neza ibitigiri nyavyo vy'amatora.		Uwushinga amategeko Igitabu c'amategeko agenga amatora, Igice VI ni VII Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI
IMIGAMBWE	1. Birakenewe ko abaserukiye imigambwe n'abitoza ku giti cabo biga bakamenya neza ivyo bajejwe n'ibikurikizwa vyose ku musi wo gutora. 2. Birakenewe gutegura ku gihe ivyo gutunga abaserukiye imigambwe igihe bariko bacungera amatora. Ivyo navyo vyerekeye ubwa mbere na mbere imigambwe yabarungitse. Kukabankako, ivyategekanijwe n'igitabu c'amategeko agenga amatora nko kuronsa abaserukiye imigambwe ibibatunga mu gihe bariko barakora, bikozwe n'umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI vyari bitegejwe gukurikizwa. 3. Gusubizaho inama zikoranya imigambwe kugira ngo habeho ibiganiro. Bakanashiamwo imgambwe itari mu nama nshingamateka. Eka bagashiraho uburongozi bukurakuranwa budhagaze ku bwinshi bw'abaserukiye	1. Gutegura itohoza rijanye n'amatora kugira ngo bafashe imigambwe kumenya ubushobozi bwayo muri politike ihave ishobora kwitegurira gutsindwa mu gihe boba badashigikiwe, gurtyo bakabarinda kwiyonjorora igihe bishitse.	Imigambwe CENI, Reta y'Uburundi Uwushinga amategeko Abatanga uburyo n'imigambwe

ISHIRAHAMWE RYA BURAYA
UMURWI UKURIKIRANA AMATORA

Impanuro z'Umurwi w'Ishirahamwe ry' Abanyaburaya Ujejwe Gukurikarana Amatora, MOEUE	Ivya nkenerwa	Ivyipfuzo	Vyerekeye :
IGIKORWA NYAMUKURU C'AMATORA	1. Igikorwa c'amatora nyamukuru vy'amatora ni bimwe mw'iterambere y'uru rukurikirane rw'amatora. Ni nkenerwa kubandanya iki gikorwa mw'ikurikiranwa n'ishirwa ku gihe ribandanya. Birasabwe guha Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI ayo mabanga yo gukurikirana no gushira ku gihe ico gikorwa nya mukuru c'amatora. Ishirwa ku gihe rigashobora kuza rirakorwa ku kiringo c'umwaka kandi rigakorwa Umurwi CENI ufashanije n' inzego z'amakomine. Birasabwe kandi ko hoshirwaho ingendo ngenderwako mu gihe c'ingorane zijanye n'ishirwa ku gihe.	1. Kugira ngo hagumeho icizere mu ngendo y'inyanka mugayo ijanye n'igikorwa c'amatora, abaserukiye imigambwe bategerezwa gukurikirana umugambi wo gushira ku gihe ico gikorwa. Birasabwe kandi ko bahabwa icegeranyo kiramvuye, mu buryo bw'ubuhinga ngurukana bumenyi, c'ico gikorwa c'amatora aho kiba kigeze.	Uwushinga amategeko Igitabo c'amategeko agenga amatora, Igice II Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI
IYANDIKWA RY'ABITOZA	1. Urutonde rwa nyuma rw'abitoza rurakwiriye kumenyeshwa mu kiringo cumvikana kandi gikwiriye imbere y'umusi wo gutora.		Uwushinga amategeko Itunganywa ry'amatora
IMYIYAMAMAZO	1. Umurwi w'ishirahamwe ry'abanyaburaya ujejwe gukurikirana amatora, MOE UE wasanze ko naho vyari bibujijwe vy'umwihariko ko uburyo bwa Reta bukoreshwa mukwiyamamaza, imigambwe iri kubutegetsi yarakoresheje ubwo buryo bwa Reta mu kwiyamamaza. Ariko ivyo vyakozwe ntivyahanywe n'inzego zibijejwe. Birakenewe ko imigambwe ikurikiza ivyateguwe n'amategeko. Mu gihe ivyateguwe n'amategeko bidakurikijwe, ni ah'inzego zibijejwe gutanga ibihano vyategekanijwe (raba ibijanye n'amategeko). 2. Gukomeza, mu kiringo co kwiyamamaza, umwidengemvyo wo gushikiriza ikiri ku mutima kubanye politike bose harimwo n'abatitoza 3 .Gutuma hashobora kuba ubutegerwa ku bitoza murico kiringo c'amatora (raba kwitwara n'ibirego)		Imigambwe ; Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI ; Reta y'uburundi Imigambwe
KURONSA UBURYO IMIGAMBWE	1. Amategeko ategekanya yuko Reta iterera mukuronsa uburyo mu gihe c'imyiyamamazo y'amatora, ariko ivyo ntivyakozwe mu 2010. Birasabwe ko Reta yofata ingingo zikwiriye mu gutegekanya uburyo bw'amafaranga bukwiriye buzoyishoboza gukurikiza ivyo yiyemeje iciye mu mategeko		Uwushinga amategeko

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ABAKENYEZI N'INKEHWA	1. Ivyateguwe n'igitabu c'amategeko agenga amatora Ku vyerekeye intonde z'amatora ntibitegura ica gatatu c'abakenyezi batorwa. Birasabwe yuko mu ntumbero yo kunganisha ibitsina hakoreshwa ibisabwa mw' inganishwa ry'amoko ryanditswe mu ngingo 127 ry'igitabo c'amategeko agenga amatora, bijanye nuko kubitoza batatu, babiri bonyene aribo basangiye igitsina 2. Mugabo, mu ntumbero yo kwubahiriza ivyemewe iy' Arusha no mu ntumbero yo kutonona ingene inama mpanuza jambo n'inama nshingamateka iserukiwe na bose, ishirwa mu ngiro yiringanishwa ry'amoko n'iry'ibitsina ntirikwiye gukurako iringanishwa politike ryavuye mu matora y'abanyagihugu. Birasabwe rero guhindura ibitegekanijwe mu ngingo 108 ijanye n'iyongerwamwo munama nshingamateka kugira ngo intebe zongewemwo ntibisubire kugabanganwa kugitigiri kingana hagati y'imigambwe irenza 5% y'amajwi ariko bigabanganwe bakurikije uko bagiye bara sumba sumbana amajwi.	1. Vyoba vyiza bahimirije imigambwe kumenyereza abakenyezi kwitanga mukwitegurira amatora ya 2015 kugira ngo bakomeze ubumenyi bw'abakenyezi batowe. Ivyo vyoshobora gukorwa biciye mu gukomeza intonde ngenderwako zisanzwe zihari nk'urunani rw'abakorana mu gushigikira iterambere ry'agateka k'abakenyezi	Imigambwe, Uwushinga amategeko, Inama nshingamateka, Amashirahamwe ahuza abakenyezi
IBINYAMAKURU	1. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora warabonye, muri ico kiringo, uruhara rushimishije rw'ibimenyeshamakuru vyo mu Burundi, mu gikorwa carangutse muri ico kiringo c'umugambi w'amatora na cane cane mu kwubahiriza uburenganzira abanyagihugu bafise bwo kuronswa inkuru. Umurwi w'Ishirahamwe ry'Abanyaburaya Ujejwe Gukurikirana Amatora urashimangira ugusenyera ku mugozi umwe kw'«urunani » rw'ibimenyeshamakuru mu kuvuga ivyabaye ku biringo vyose vy'amatora eka mbere no ku minsi yose y'amatora. Ukwigenga kw'ibimenyeshamakuru hamwe n'uburenganzira bwo gushikiriza iciyumviro ni nkenerwa kuri Reta yubahiriza intwaro rusangi. Birasabwe rero ubutegetsi bushasha kubandanya izo nguvu mu kubungabunga uburenganzira bwo gushikiriza iciyumviro mu bimenyeshamakuru. 2. Gutegura no kuronsa uburyo bwo guteza imbere ibisata bijanye no kumenyesha no gushikiriza amakuru mu Burundi nkuko biteguwe mu ngingo ya 14 ry'itegeko nº01/025 ryo kwigenekerezo rya 27 Munyonyo 2003 igenga ibimenyeshamakuru mu Burundi. 3. Gusubiramwo ingingo ya 50 y'itegeko nº01/025 ryo kwigenekerezo rya 27 munyonyo 2003 igenga ibinyamakuru mu Burundi kugira ngo amakosa mato mato akorwa nabanyamakuru mu gikorwa cabo ntasubire guhanwa. 4. Gusubiramwo itegeko nº01/18 ryo kwigenekerezo rya 25 nyakanga 2007 rigenga ibikorwa, inyubako, itunganywa n'ingene urwego rw'igihugu rujejwe gucungera umwuga wo kumenyesha amakuru (CNC) rukora, nkakarorero ingingo ya 15. Ishirwaho ry'inzego zigize uwo murwi CNC n'umukuru w'igihugu ritegerezwa kwisunga ingingo ngenderwakozo kudahengama no kwizigirwa ku bikorwa n'ingingo z'urwo rwego.	1. .Gushoboza Urwego rw'igihugu rujejwe gucungera umwuga wo kumenyesha amakuru, CNC gutegura ibiganiro aho bashikiriza ivyiyumviro bitandukanye ku maradiyo no kuma televiziyo murico kiringo co kwiyamamaza 2. Guhindura itegeko nº01/18 ryo kwigenekerezo 25 Nyakanga 2007 rigenga ibikorwa, inyubako, itunganywa n'ingene urwego rw'igihugu rujejwe gucungera umwuga wo kumenyesha amakuru (CNC) kugira ngo ribuze mu buryo buboneka abagize urwo rwego kwitoza.	Uwushinga amategeko n'abatanga uburyo

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IBIREGO N'UKWITWARA	1. Gukomeza igisata c'amategeko c'Umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI ku bijanye n'amatati kugira ngo boroshe igikorwa cawo mugukomeza ubuntu n'ubutungane vy'umugambi w'amatora nko kukibazo kijanye n'ibihanovy'ivyaha akorwa mu matora. 2. Gushiraho igitabu candikwamwo ibirego kugira ngo boroshe iyigwa ry'amatati. 3. Gutanga akaryo ko kwitara kuw'uwutashimishijwe n'ivyavuye mu matora y'abajenama b'Amakomine n'ab'imitumba : Akarorero : intambwe ya mbere, umurwi wigenga ujejwe gutunganya amatora k'urwego rw'intara, CEPI ; intambwe ya nyuma ija imbere y' umurwi wigenga ujejwe gutunganya amatora mu gihugu, CENI. 4. Sentare yubahiriza ibwirizwa nshingiro itegerezwa gukomezwa biboneka (uburyo, ububasha, itunganywa n'ingene ikora). 5. Ibijanye n'ubutungane bw'imfata kibanza na cane cane Umuhuza hamwe n'umurwi ujejwe ukuri no kurekuriranira nkuko biteguwe n'amasezerano y'i Arusha bikwiriye gushirwaho kugira ngo boroshe ibiganiro hagati y'abarundi n'intwaro yo hagati no kugira ngo bikemure ikibazo co kugwanya ukudahana no gushigikira umugambi w' ikomezwa ry'intwaro rusangi mu Burundi.	1. Gutegekanya iciyumviro ntegekanya gishoboza urwego rujejwe kugwanya ibiturire kugira ngo bagwanye ukugura amajwi n'ubundi bwoko bwose bw'ibiturire bikorwa mu gihe c'amatora.	Reta y'uburundi Uwushinga amategeko Itunganywa ry'amatora

XV. IVYONGEWE MU MPERA Y'IKI GITABO

Igicapo VIII: Ibiharuro mu matora y'abashingamateka

	Buja Mairie	Buja Rurale	Bubanza	Cibitoke	Kayanza	NGOZI	MURAMVYA	Bururi	Mwaro	MAKAMBA	RUTANA	GITEGA	Karusi	KIRUNDO	Muyinga	ruyigi	cankuzo	Vyose hamwe
CELAT	1 022	3 268	565	968	1 423	1 429	518	1 670	943	1 402	683	1 289	1 053	1 378	2 002	919	604	21 136
CNDD FDD	62 830	75 716	96 522	99 829	152 958	222 433	76 096	67 827	42 735	84 558	75 405	161 898	132 090	174 013	178 282	90 622	54 273	1 848 087
FROLINA								8 544										8 544
HAKIZIMAN							817											817
HAMENYIM								1 106										1 106
KAZE FDD	1 823		879		1 147		297	3 326		1 975								9 447
PTD	415				375			380							392			1 562
S.FRODEBU NYAKURI	6 384	26 236	1771	3 321	4 854	3919	1 017	13 605	3 471	7 853	1 726	10 484	2 345	33 454	9 071	3 038	1 371	133 920
UPRONA	39 969	15 311	5 046	8 587	14 875	14 780	17 861	28 611	18 457	12 482	10 153	13 761	5 057	19 392	12 440	4 877	10 092	251 751
Amajwi yatanzwe yose hamwe	112 443	120 531	104 783	112 705	175 632	242 561	96 606	125 069	65 606	108 270	87 967	187 432	140 545	228 237	202 187	99 456	66 340	2 276 370
Abatoye	119 753	132 047	108 604	117 153	181 581	247 890	100 925	133 985	67 835	112 834	88 153	191 511	147 420	234 261	213 566	102 492	67 916	2 367 926
Ivyanditswe vyose	296 831	226 570	157 157	194 027	259 160	306 108	131 148	243 682	112 968	186 935	138 315	300 731	187 448	278 786	275 220	161 460	96 726	3 550 665
Ibice ku matora y'abashingamateka	**40,34**	**58,28**	**69,11**	**60,38**	**70,07**	**80,98**	**76,96**	**54,98**	**60,05**	**60,36**	**63,73**	**63,68**	**78,65**	**84,03**	**77,60**	**63,48**	**70,21**	**66,68**
Ibice vy, amatora y'umukuru w'igihugu	**41,15**	**58,75**	**80,73**	**86,37**	**84,71**	**90,40**	**87,28**	**57,52**	**72,57**	**70,22**	**81,01**	**79,04**	**89,47**	**90,03**	**88,22**	**81,42**	**81,79**	**76,98**
	87,04	**94,98**	**92,29**	**92,52**	**94,79**	**96,59**	**95,52**	**93,2**	**92,64**	**92,58**	**93,54**	**91,36**	**94,63**	**96,19**	**94,14**	**92,6**	**94,37**	**90,67**
Igabangana																		
Ivyicaro ku ntara	**6**	**7**	**4**	**6**	**7**	**8**	**4**	**7**	**3**	**5**	**4**	**9**	**6**	**8**	**8**	**5**	**3**	100
Ibice kw'ikomine	18740,5	17218,7	26195,8	18784,2	25090,3	30320,1	24151,5	17867,0	21868,7	21654,0	21991,8	20825,8	23424,2	28529,6	25273,4	19891,2	22113,3	22763,7
CELAT	0,0545	0,1898	0,0216	0,0515	0,0567	0,0471	0,0214	0,0935	0,0431	0,0647	0,0311	0,0619	0,0450	0,0483	0,0792	0,0462	0,0273	0,9285
CNDD FDD	3,353	4,397	3,685	5,315	6,096	7,336	3,151	3,796	1,954	3,905	3,429	7,774	5,639	6,099	7,054	4,556	2,454	81,186
S.FRODEBU NYAKURI	0,341	1,524	0,068	0,177	0,193	0,129	0,042	0,761	0,159	0,363	0,078	0,503	0,100	1,173	0,359	0,153	0,062	5,883
UPRONA	2,133	0,889	0,193	0,457	0,593	0,487	0,740	1,601	0,844	0,576	0,462	0,661	0,216	0,680	0,492	0,245	0,456	11,059
Intebe																		
CNDD FDD	4	4	4	5	6	7+1	3	4	2	4	3	8	6	6	7	5	2	**81**
S.FRODEBU NYAKURI		2						1				1		1				**5**
UPRONA	2	1		1	1	1	1	2	1	1	1	1	1	1	1		1	**17**

Igicapo IX. Incamake y'ibiharuro vyavuye mu matora y'Abajenama b'Amakomine 2010

	Imigambwe	Amajwi yemewe	Ivyijana	Igitigiri c'intebe	Ivyijana
BURUNDI	CNDD-FDD	2.061,718	64,03 %	1203	62,17%
	FNL	455,735	14,15 %	291	16,04%
	UPRONA	201,361	6,25 %	152	7,86%
	FRODEBU	174,875	5,43 %	123	6,36%
	MSD	120,844	3,75 %	92	4,75%
	UPD	71,062	2,21 %	32	1,65%
	FRODEBU NYAKURI	43,730	1,36 %	8	0,41%
	CNDD	40,444	1,26 %	19	0,98%

Igicapo X. Incamake y'ibiharuro vyavuye mu matora y'Abajenama b'Amakomine 2005

	Imigambwe	Amajwi yemewe	Ivyijana	Igitigiri c'intebe[144]	Ivyijana
BURUNDI	CNDD-FDD	1, 457,081	57,3%	1781	55,2%
	FRODEBU	592,019	23,3%	822	25,2%
	UPRONA	160,558	6,3%	260	8,1%
	CNDD	105,107	4,1%	135	4,2%
	MRC	53,813	2,1%	88	2,7%
	PARENA	46,038	1,8%	75	2,3%

Igicapo XI. Incamake y'ibiharuro vyavuye mu mumatora y'Abashingamateka 2005

	Imigambwe	Igitigiri c'intebe inyuma y'iyongerwamwo	Ivyijana %
BURUNDI	CNDD-FDD	64	58,6
	FRODEBU	30	21,7
	UPRONA	15	7,2
	CNDD	4	4,1
	MRC	2	2,1
	Abongewemwo	3 Twa	
	Vyose hamwe	**118**	

[144] Igitigiri c'Abajenama b'A komine mu 2005 cari 25 ku Nama Mpanuzwajambo y'A komine. Mu 2010, igitigiri caragabanuwe gishika kuba jenama ba komine 15