



KOMISIYO  
Y'ICIHUGU  
ISHINZWE

COMMISSION  
NATIONALE POUR  
LES ENFANTS



*Advancing Child Rights and Protection*

**IMIRONGO      NGENDERWAHO      MU      KUBERA  
UMUBYEYI      UMWANA      UTABYAYE      KU      BURYO  
BUSESUYE MU RWANDA**

**IMIRONGO NGENDERWAHO MU KUBERA UMUBYEYI UMWANA UTABYAYE KU  
BURYO BUSESUYE MU RWANDA**

**IRANGASHINGIRO**

Umunyamabanga Nshingwabikorwa wa Komisiyo y'Ighugu ishinzwe Abana,

Ashingiye ku Itegeko Nshinga rya Repubulika y'u Rwanda ryo mu 2003 ryavuguruwe mu 2015  
cyane cyane mu ngingo ya 19;  
Ashingiye ku Itegeko No. 32/2016 ryo ku wa 28/08/2017 rigenga abantu n'umuryango cyane  
cyane mu ngingo yaryo ya 295;

Atanze imirongo ngenderwaho ikurikira:

**Ingingo ya Mbere: Icyo iyi mirongo ngenderwaho igamije**

Iyi mirongo ngenderwaho igamije kunoza uburyo bwo kubera umubyeyi umwana utabyaye mu  
Rwanda ku buryo busesuye.

**Ingingo ya 2: Inyungu y'umwana**

Iyo umwana afite abavandimwe, umubyeyi uhabwa amahirwe kurusha abandi ni ushaka  
kubabera umubyeyi atarababyaye bose.

Umubyeyi ugize umwana uwe ataramubyaye agomba kumwitaho ku buryo butadindiza  
imibereho ye.

### **Ingingo ya 3: Abana baherwaho mu gushakirwa ababyeyi**

Abana baba mu bigo bibitaho, ababa mu miryango yabakiriye mu buryo bw'agateganyo n'abana bishingiwe na Leta, ni bo baherwaho mu gushakirwa ababyeyi babagira ababo batarababyaye mu Gihugu ku buryo busesuye.

### **Ingingo ya 4: Inshingano zihariye za Komisiyo y'Ighugu ishinzwe Abana**

Mu kubera umubyeyi umwana utabyaye mu Rwanda ku buryo busesuye, Komisiyo y'Ighugu ishinzwe Abana ifite inshingano zihariye zikurikira:

1. Gutanga amakuru ku bijyanye no kubera umubyeyi umwana utabyaye ku buryo busesuye ku bantu bose bayakeneye;
2. Kugenzura ko umwana yujuje ibisabwa kugira ngo abe uw'umubyeyi utaramubyaye no kugenzura ko biri mu nyungu ze;
3. Kugira inama abantu bose bagira uruhare mu kubera umubyeyi umwana utaramubyaye mu Gihugu ku buryo busesuye no kubagaragariza inkurikizi zabyo;
4. Kugira urutonde rw'abana bujuje ibisabwa kugira ngo bashakirwe ababyeyi babagira ababo batarababyaye mu Gihugu ku buryo busesuye;
5. Gutanga buri gihembwe muri Minisiteri y'Uburinganire n'Iterambere ry'Umuryango raporo ikubiyemo amakuru ku birimo gukorwa byose mu kubera umubyeyi umwana utabyaye mu Rwanda ku buryo busesuye.

### **Ingingo ya 5: Gutegura umubyeyi uzakira umwana**

Komisiyo y'Ighugu ishinzwe Abana (yitwa "Komisiyo" mu zindi ngingo z'iyi mirongo ngenderwaho) itegura umubyeyi ikanamugira inama ku nkurikizi zo kugirwa umwana n'umubyeyi utaramubyaye ku buryo busesuye.

**Ingingo ya 6: Ibyangombwa bisabwa umubyeyi ushaka kugira umwana uwe ataramubyaye ku buryo busesuye**

Dosiye y'usaba kuba umubyeyi w'umwana atabyaye iba igizwe n'ibyangombwa bikurikira:

1. Ibaruwa yerekana impamvu asaba kuba umubyeyi w' umwana atabyaye, amazina ye, itariki n'ahantu yavukiye, ubwenegihugu bwe n'ahantu abarizwa ku buryo buhoraho kimwe n'igitsina n' imyaka ye n'imiterere y'ubuzima by'umwana yifuza kubera umubyeyi;
2. Umwirondoro ugaragaza amazina, imyaka, igitsina by'abo babana n'isano basitanye iyo bahari;
3. Kopi y'ikimuranga;
4. Inyemezabushake yanditse y'uwo bashakanye n'iya buri mwana wese w'umubyeyi usaba ufite nibura imyaka cumi n'umunani (18) y'amavuko iyo bahari;
5. Kopi y'inyandiko y'abashyingiranywe iyo ihari;
6. Kopi y'inyandiko y'ivuka ry'usaba;
7. Icyemezo cyerekana ko yafunzwe cyangwa atafunzwe;
8. Icyemezo cya muganga wemewe na Leta kuri buri mubyeyi usaba n'icy'abana babana nabo, bitarengeje amezi atatu (3) kuva bitanzwe;
9. Inyemezabushake y'uzasigarana umwana mu gihe ababyeyi bahuye n'ibibazo bituma badakomeza kumwitaho;
10. Inyandiko itanga amakuru ku mibereho y'umuryango yemejwe n'Umunyamabanga Nshingwabikorwa w'Umurenge umubyeyi atuyemo;
11. Inyandiko zigaragaza imitungo ye.

**Ingingo ya 7: Gutegura umwana mbere yo kumushakira umubyeyi na mbere yo kwemerera umubyeyi uzamugira uwe atarambyaye**

Bitewe n'ikigero cye n'ubushobozzi bwe, Komisiyo igomba guha umwana amakuru n'umwanya wo gutanga ibitekerezo ku bijyanye no kugirwa umwana n'umubyeyi utaramubyaye

ku buryo busesuye kandi bikitabwaho mu gihe bifite ishingiro.

Igomba kandi kuganiriza ushinzwe kwita kuri uwo mwana mu buzima bwe bwa buri munsi mu gihe ategurwa kugirwa umwana n'umubyeyi utaramubyaye.

Nyuma hakorwa raporo ishingirwaho mu kwemeza niba inzira yo gushakirwa umubyeyi ikomeza cyangwa ihagarara.

Mu gihe hemejwe ko inzira yo gushakira umwana umubyeyi ikomeza, Komisiyo yongera gusura umwana mu muryango cyangwa mu kigo arimo ikamuha amakuru, ikanamutegura ku birebana n'umubyeyi ushaka kuzamugira umwana ataramubyaye.

#### **Ingingo ya 8: Dosiye y'umwana ushakirwa umubyeyi**

Dosiye y'umwana ushakirwa umubyeyi umugira uwe ataramubyaye igomba kuba igizwe n'ibi bikurikira:

1. Ifoto ndende kandi ya vuba y'umwana;
2. Inyandiko y'ivuka y'umwana;
3. Icyemezo cy'ubwishingire cyatanzwe n' ubuyobozi bw' Umurenge;
4. Inyandiko y'ukwiyemerera k'umwana, iyo afite nibura imyaka 12;
5. Raporu ku itabwa ry'umwana yemejwe n'ubuyobozi bw'Umurenge;
6. Raporu ya Polisi igaragaza ko yashakishije amakuru ku babyeyi b'umwana cyangwa abandi bo mu muryango we;
7. Raporu yemejwe n'ubuyobozi bw'inzego z'ibanze igaragaza amakuru ajyanye n'uko umwana yagiye abaho mu bihe binyuranye;
8. Icyemezo kigaragaza ko ababyeyi b' umwana bapfuye;
9. Icyemezo cy'Urukiko kigaragaza ko ababyeyi b' umwana bazimiye cyangwa batazwi cyangwa ko bamutaye;

10. Icyemezo cyerekana ubuzima bw'umwana cyatanzwe na Muganga wemewe na Leta kandi kitarengeje amezi atatu.

**Ingingo ya 9: Amakuru agize raporo y'isesengura rya dosiye y'umwana**

Raporu ikorwa mu gusesengura dosiye y'umwana igomba kugaragaza:

1. Umwirondoro w'umwana;
2. Amakuru yatanzwe n'ubuyobozi bw'inzego z'ibanze cyangwa ikigo umwana arererwamo ku bijyanye n'uko umwana yagiye abaho mu bihe binyuranye;
3. Amakuru ku buzima bw'umwana yemejwe na Muganga wemewe na Leta;
4. Andi makuru y'ingenzi;
5. Umwanzuro.

**Ingingo 10: Ibigomba kugaragara mu cyemezo gihabwa umubyeyi wemerewe**

Icyemezo gihabwa umubyeyi wemerewe kigomba kugaragaza ibi bikurikira:

1. Umwirondoro w'umubyeyi wemerewe;
2. Igihe yasabiye;
3. Igihe yemerewe umwana;
4. Umwirondoro w'umwana yemerewe;
5. Umukono na kashi bya Komisiyo.

**Ingingo ya 11: Guhuza umwana n'umubyeyi**

Mu gihe umubyeyi akiri mu nzira ziteganywa n'amategeko zo kugira umwana uwe ataramubyaye, Komisiyo y'Ighugu ishinzwe Abana igena uburyo uwo mubyeyi ahura n'umwana kugira ngo bamenyane bitabangamiye imibereho asanganywe

**Ingingo ya 12: Ibigize inyandiko ihabwa umubyeyi wamenyesheje Komisiyo icyemezo cy'Urukiko**

Umubyeyi wamenyesheje Komisiyo icyemezo cy'Urukiko cyabaye itegeko kimwemerera kuba umubyeyi w'umwana atabyaye ku buryo busesuye, ahabwa inyandiko yemeza ko yanyuze mu nzira zemewe n'amategeko ikubiyemo ibi bikurikira:

1. Amafoto 2 magufi ya vuba y'umwana;
2. Umwirondoro w'umwana;
3. Umwirondoro w'uwenerewe kumubera umubyeyi;
4. Nomero y'inyandiko yo kubera umubyeyi umwana utabyaye yakozwe n'umwanditsi w'irangamimerere n'igihe yakorewe;
5. Nomero y'urubanza n'Urukiko rwemeje uko kubera umubyeyi umwana atabyaye n'igihe rwaciriwe.

**Ingingo ya 13: Guhabwa umwana**

Nyuma yo guhabwa inyandiko iteganyijwe mu ngingo ya 12, Komisiyo ifasha umubyeyi gushyikirizwa umwana yamaze kugira uwe.

**Ingingo ya 14: Ibisabwa nyuma yo kubera umubyeyi umwana utabyaye mu Gihugu ku buryo busesuye**

Nyuma yo kubera umubyeyi umwana utabyaye mu Gihugu ku buryo busesuye, Komisiyo ikomeza gukurikirana imibereho y'umwana mu muryango.

Mu gihe Komisiyo imenye ko umwana afite ikibazo, iragikurikirana kandi igafatanya n'Akarere n'izindi nzego bireba kugikemura.

**Ingingo ya 15: Kubika neza dosiye**

Komisiyo y'Ighugu ishinzwe Abana ibika ibyangombwa byose n'amadosiye arebana na buri mwana wagizwe uw'ababyeyi batamubyaye mu Gihugu ku buryo busesuye.

**Ingingo ya 16: Ibirebana n'ibyishyurwa mu nzira yo kubera umubyeyi umwana utabyaye mu Gihugu ku buryo busesuye**

Ibijyanye n'amagarama y'urubanza yishyurwa mu nkiko n'ibindi byishyurwa mu kubera umubyeyi umwana utabyaye, byishyurwa hakurikijwe amategeko n'amabwiriza abigenga mu Rwanda. Ubu hakurikizwa ibiteganywa n' iteka rya minisitiri n° 001/08.11 ryo ku wa 11/02/2014 rigena amafaranga atangwa mu manza z'inshinjabyaha, mu ngingo yaryo ya kabiri (2).

Komisiyo y'Ighugu ishinzwe Abana ntiyishingira ikiguzi icyo ari cyo cyose kijyanye n'ibyishyurwa byavuzwe mu gika cya mbere cy'iyi ngingo.

**Ingingo ya 17: Igihe iyi mirongo ngenderwaho itangira gukurikizwa**

Iyi mirongo ngenderwaho izatangira gukurikizwa ku munsi yashyiriweho umukono n' Umunyamabanga Nshingwabikorwa wa Komisiyo y'Ighugu ishinzwe Abana.

Bikorewe i Kigali, ku wa **09 NOV 2017**



**Dr. Claudine UWERA KANYAMANZA**

**Umunyamabanga Nshingwabikorwa wa Komisiyo y'Ighugu ishinzwe Abana**