

Icyemezo cy'Inteko Rusange

[*Kuri rapor ya komite ya gatatu (A/57/556/Add.1)*]

- 57/199. **Amasezerano yubahirizwa ku bushake y'inyongera ku Masezerano yerekeye kurwanya iyicarubozo n'ibindibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro**

Inteko Rusange,

Yibukije ingingo ya 5 y'Itangazo Mpuzamahanga ku Burenganzira bwa Muntu,¹ ingingo ya 7 y'Amasezerano Mpuzamahanga yerekeye Uburenganzira mu by'Imbonezamubano na Politiki,² Itangazo ku byerekeye kurinda abantu bose iyicarubozo n'ibindi bihano cyangwa ibikorwa by' ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro³ n'Icyemezo 39/46 cyo kuwa 10 Ukuboza 1984 aho yemeje kandi igaha ibihugu uburenganzira bwo gushyira umukono no gushyira mu mategeko yabo Amasezerano yerekeye kurwanya iyicarubozo n'ibindi bihano cyangwa ibikorwa by' ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro n'ibindi byemezo by'umuryango w'abibumbye ziyishamikiyeho,

Yongeye gushimangira ko kudakorerwa iyicarubozo ari uburenganzira bugomba kubungabungwa bu bihe byose,

Ishingiye ko Inama mpuzamahanga ku Burenganzira bwa Muntu yabereye i Vienne kuwa 14 kugeza 25 Kamenza 1993, yemeje ko ingamba zo kurandura iyicarubozo zigomba mbere na mbere kwibanda ku guhangana n'ibiritera kandi ko yemeje ko hagomba kubaho amasezerano yubahirizwa kubushake y'inyongera ku Masezerano yerekeye kurwanya iyicarubozo n'ibindi bihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro kugirango ashayireho uburyo bwo guhangana n'ibitera iyicarubozo habaho gusura aho abantu bafungirwa mu buryo buhoraho,

Yishimiye iyemezwya ry'Umushinga w'Amasezerano yubahirizwa ku bushake y'inyongera ku Masezerano yerekeye kurwanya iyicarubozo n'ibindi bihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro na Komisiyo y'Uburenganzira bwa Muntu mu Cyemezo cyabo 2002/33 cyo kuwa 22 Mata 2002⁴ na n'Akanama gashinzwe iby'ubukungu n'imbonezamubano mu cyemezo cyabo 2002/27 cyo kuwa 24 Nyakanga 2002, aho ako Kanama kasabye ko Inteko Rusange y'Umuryango w'Abibumbye wemeza umushinga w'Amasezerano yubahirizwa ku bushake,

1. *Yemeje* Amasezerano yubahirizwa ku bushake y'inyongera ku Masezerano yerekeye kurwanya iyicarubozo n'ibindi bihano cyangwa ibikorwa by' ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro ari ku mugerekwa w'aya Masezerano, kandi irasaba Umunyamabanga Mukuru w'Umuryango w'Abibumbye guha ibihugu biyemeje uburenganzira bwo kuyashyiraho umukono no kuyashyira mu mategeko y'ibihugu byabo n'ibindi bihugu bibishaka kuyemeza ku Cyicaro gikuru cy'Umuryango w'Abibumbye i New York guhera kuwa 1 Mutarama 2003;
2. *Irasaba* ibihugu byose byashyize umukono ku Masezerano yerekeye kurwanya iyicarubozo n'ibindi bihano cyangwa ibikorwa by' ubugome bidakwiriye umuntu cyangwa bimutesha agaciro, byayashyize mu mategeko yabo cyangwa byayemeje ko byashyira umukono bikanashyira mu mategeko yabo aya Masezerano adahatiwa y'inyongera.

Inteko Rusange ya 77, 18 Ukuboza 2002

¹ Icyemezo 217 A (III).

² Reba icyemezo 2200 A (XXI), umugerekwa.

³ Icyemezo 3452 (XXX), umugerekwa.

⁴ Reba *Official Records of the Economic and Social Council*, 2002, Supplement N°3 (E/2002/23), chap. II, sect. A.

Umugereka

Amasezerano yubahirizwa ku bushake y'inyongera ku Masezerano yerekeye kurwanya iyicarubozo n'ibindibihano cyangwa ibikorwa by' ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro

Iriburiro

Ibihugu byemeye aya Masezerano,

Byongera kwemeza ko, iyicarubozo n'ibindi bihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro, bibujijwe kandi bibangamiye bikomeye uburenganzira bwa muntu.

Byemeye ko ibindi byemezo ari ngombwa kugira ngo intego z'Amasezerano arwanya iyicarubozo n'ibindi bihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro (hano byitwa “Amasezerano”) zigerweho kandi abantu bavukijwe ubwisanzure barusheho kurindwa iyicarubozo n'ibihano by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro.

Byibukije ingingo ya 2 n'iya 16 z'Amasezerano, ziha inshingano buri gihugu cyose cyemeye ayo amasezerano gufata ibyemezo bikwiye byo kubuza ibikorwa by'iyicarubozo n'ibindi bihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro gukorerwa ku butaka bwacyo,

Bizirikanye ko Ibihugu ari byo biri ku isonga mu kubahiriza izo ngingo, ko gushimangira kurengera abantu bavukijwe ubwisanzure n'iyubahirizwa risesuye ry'uburenganzira bwa muntu bwabo ari inshingano rusange isangiwe n'abantu bose, kandi ko inzego Mpuzamahanga zishinzwe kugenzura ishyirwa mu bikorwa ry'ayo mahame zuzuza kandi zigashimangira ibyemezo bifatwa ku rwego rw'ibihugu,

Byibukije ko gukumira nyabyo iyicarubozo n'ibindi bihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro bisaba gahunda yo kwigisha n'ibyemezo binyuranye mu rwego rw'amategeko, mu rwego rw'ubuyobozi, mu birebana n'ubutabera n'ibindi,

Byibukije kandi ko Inama Mpuzamahanga ku burenganzira bwa Muntu yashimangira ko ingamba zo guca burundu kwica urubozo zigomba, mbere ya byose, kwibanda kw'ikumira, ko kandi yasabye kwemera Amasezerano adahatirwa y'inyongera ku Masezerano yerekeye kurwanya iyicarubozo n'ibindi bihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro, agamije gushyiraho uburyo bw'ikumira hifashishijwe gusura ku buryo buhoraho ahantu hafungirwa abantu,

Byemeye ko kurinda abantu bavukijwe ubwisanzure bakorerwa iyicarubozo n'ibindi bihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro bishobora gushimangirwa n'uburyo butari ubw'amategeko, bushingiye ku gusura ahantu hafungirwa abantu ku buryo buhoraho hagamijwe gukumira ibyo bikorwa by'iyicarubozo,

Byemeye ibi bikurikira:

IGICE CYA I

Amahame rusange

Ingingo ya 1

Aya Masezerano agamije gushyiraho uburyo buhoraho bukorwa n'imiryango mpuzamahanga n'iyo mu bihugu yigenga bwo gusura ahantu hafungiye abantu kugira ngo hakumirwe

iyicarubozo n'ibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro.

Ingingo ya 2

1. Hashyizweho Itsinda ryo gukumira iyicarubozo n'ibindibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro ryunganira Komite irwanya iyicarubozo (ryitwa “Itsinda ryo gukumira”), rikora imirimo isobanurwa muri aya Masezerano.
2. Itsinda ryo gukumira rikora imirimo yaryo rigendeye ku Amasezerano y'Umuryango w'Abibumbye ryifashisha kandi intego n'amahame biteganywa n'ayo Masezerano hamwe n'amategeko y'Umuryango w'Abibumbye arebana no kwita ku bantu bavukijwe ubwisanzure.
3. Ikindi kandi, Itsinda ryo gukumira ryifashisha amahame ajyanye no kugira ibanga, kutabogama, kutavangura, kuba abantu bose bafite uburenganzira bumwe, kutagira imbibi no kutabera.
4. Itsinda ryo gukumira hamwe n'ibihugu byemeye aya Masezerano birafatanya kugira ngo aya Masezerano ashayirwe mu bikorwa.

Ingingo ya 3

Buri gihugu cyemeye aya Masezerano, gishyiraho cyangwa kikagena, mu rwego rw'ighihu, urwego rumwe cyangwa inzego nyinshi zishinzwe gusura ahafungiye abantu mu rwego rwo gukumira iyicarubozo n'ibindibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu, cyangwa bimutesha agaciro (zitwa “urwego rw'ighihu rushinzwe gukumira iyicarubozo”).

Ingingo ya 4

1. Hashingiwe ku biteganywa n'aya Masezerano buri gihugu cyemeye aya Masezerano cyemerera inzego zavuzwe mu mu ngingo ya 2 n'iya 3 gusura ahantu hose ku butaka bwacyo cyangwa aho kigenzura, hari abantu cyangwa hashobora kuba abantu bavukijwe ubwisanzure bwabo bitegetswe n'ubuyobozi bwa Leta cyangwa biturutse ku kagambane kabwo cyangwa ku byemezo byafashwe ku mugaragaro cyangwa ku buryo buziguye (hitwa ahantu abantubafungirwa). Ibikorwa byo gusura bigamije kurinda abantu bavuzwe iyicarubozo n'ibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro.
2. Hakurikijwe aya Masezerano, kuvutsa umuntu ubwisanzure bisobanura uburyo bwose bwo gufunga cyangwa gushyira umuntu mu kigo cya Leta cyangwa cy'abantu bigenga kigenzurwa, adashobora gusohoka igihe abishakiye kandi byategetswe n'inzego z'ubutabera cyangwa iz'ubuyobozi cyangwa undi muyobozi uwo ari we wese.

IGICE CYA II

Itsinda ryo gukumira iyicarubuzo

Ingingo ya 5

1. Itsinda ryo gukumira rigizwe n'abantu icumi. Igihe umubare w'ibihugu byemeje burundu aya Masezerano cyangwa byayemeye uzagera kuri mirongo itanu, umubare w'abagize Itsinda ryo gukumira uziyongera ugere kuri makumyabiri na batanu.
2. Abagize Itsinda ryo gukumira batoranywa mu bantu b'inyangamugayo, bafite uburambe buzwi mu byerekeranye n'ubutabera, by'umwihariko mu birebana n'amategeko ahana n'imiyoborere ya gereza cyangwa iy'igipolisi, cyangwa mu zindi nzego zinyuranye zifitanye isano no kwita ku bantu bavukijwe ubwisanzure.

3. Mu gushyiraho abagize itsinda ryo gukumira iyicarubozo, hitabwaho by'umwihariko uguhagararirwa ku buryo bungana k'uturere tugize isi n'uguhagararirwa kw'imico yose y'abatuye isi n'imiterere y'amategeko y'ibihugu byemeye aya Masezerano.
4. Mu gushyiraho abagize itsinda ryo gukumira iyicarubozo, hitabwaho na none kubahiriza ihagararirwa ku buryo bungana ry'ibitsina byombi, hashingiwe ku mahame y'uburinganire no kutavangura.
5. Iryo tsinda ntirishobora kurenza umuntu umwe mu barigize kandi baturuka mu gihugu kimwe.
6. Abagize iryo tsinda bakora imirimo bashinzwe mu bushobozi bwabo bwite, mu bwigenge busesuye, nta kubogama kandi bagomba kuboneka igihe cyose bakenewe kugira ngo bakore neza imirimo bashinzwe mu itsinda ryo gukumira iyicarubozo.

Ingingo ya 6

1. Hakurikijwe igika cya kabiri cy'iyi ngingo buri gihugu cyemeye aya Masezerano gishobora gutanga, abakandida babiri, bafite ubumenyi kandi bujuje ibyawuzwe mu ngingo ya 5, kandi kigatanga amakuru arambuye ajyanye n'ubumenyi bw'abo bakandida.
2. a) Abakandida batangwa bagomba kuba bafite ubwenegihugu bw'ighugu cyemeye aya Masezerano;
- b) Umwe mu bakandida babiri nibura, agomba kuba afite ubwenegihugu bw'ighugu cyemeye aya Masezerano cyabatanze;
- c) Ntihashobora gutangwa abakandida barenze babiri baturuka mu gihugu kimwe cyemeye aya Masezerano;
- d) Buri gihugu cyemeye aya Masezerano, mbere yo gutanga umukandida uturuka mu kindi gihugu cyemeye aya Masezerano, kigomba kubisaba icyo gihugu uwo mukandida aturukamo no kubyemererwa.

3. Amezi atatu nibura mbere y'itariki y'inama y'ibihugu byemeye aya Masezerano iberamo amatora, Umunyamabanga Mukuru w'Umuryango w'Abibumbye yoherereza ibaruwa ibihugu byemeye aya Masezerano abisaba gutanga abakandida babyo mu gihe cy'amezi atatu nibura. Umunyamabanga Mukuru akora urutonde hakurikijwe uko inyuguti z'amazina y'abakandida bose batanzwe zikurikirana hakagaragazwa n'ibihugu byemeye aya Masezerano byabatanze.

Ingingo ya 7

1. Abagize itsinda ryo gukumira batorwa ku buryo bukurikira:
 - a) Mbere na mbere hitabwa ku kuzuza ibisawa bitaganijwe mu ngingo ya 5 y'aya Masezerano;
 - b) Amatora ya mbere aba bitarenze amezi atandatu nyuma y'itariki aya Masezerano yatangiye gukurikizwa;
 - c) Abagize itsinda ryo gukumira batorwa n'ibihugu byemeye aya Masezerano mu buryo bw'ibanga;
 - d) Abagize itsinda ryo gukumira batorwa mu nama z'ibihugu byemeye aya Masezerano ziba buri myaka ibiri, zitumizwa n'Umunyamabanga Mukuru w'Umuryango w'Abibumbye. Muri izo nama, aho umubare wa ngombwa ugizwe na bibiri bya gatatu by'ibihugu byemeye aya Masezerano, abagize itsinda ryo gukumira batorwa ni abakandida barushije abandi amajwi ku bwiganze burunduye bw'amajwi y'abahagarariye ibihugu byemeye aya Masezerano bahari kandi batora.

2. Iyo mu gihe cy'amatora, habayeho abakandida babiri baturuka mu gihugu cyemeye Amasezerano, bujuje ibisabwa kugira ngo batorerwe kuba mu bagize itsinda ryo gukumira, umukandida ugize amajwi menshi niwe utorwa. Iyo abakandida babiri banganyije amajwi, hakurikizwa uburyo bukurikira:

- a) Iyo umwe mu bakandida yatanzwe n'ighugu cyemeye aya Masezerano kandi agikomokamo, niwe utorerwa kujya mu bagize itsinda ryo gukumira;
- b) Iyo abakandida babiri batanzwe n'ighugu cyemeye aya Masezerano kandi bagikomokamo, habaho itora ritandukanye mu ibanga kugira ngo haboneke utorwa;
- c) Iyo nta numwe mu bakandida babiri watanzwe n'ighugu cyemeye aya Masezerano akomokamo, habaho itora ritandukanye mu ibanga kugira ngo haboneke utorwa.

Ingingo ya 8

Iyo umwe mu bagize itsinda ryo gukumira apfuye, yeguye ku mirimo ye cyangwa se atagishoboye gukomeza gukora imirimo bitewe n'izindi mpamvu izo ari zo zose, ighugu cyamutanze cyongera gutanga undi mukandida ufile ubumenyi kandi wujuje ibisabwa biteganywa mu ngingo ya gatanu, cyitaye ku iyubahiriza ryo kuringaniza ubushobozi mu nzego zinyuranye, kugirango uwo mukandida asohoze inshingano ze kugeza ikindi gihe inama y'Ibihugu byemeye aya masezerano izongera gutterana, hashingiwe ku cyemezo cy'ubwiganze bw'Ibihugu byemeye aya masezerano. Icyo cyemezo gifatwa nk'igifite agaciro iyo kimwe cya kabiri cy'ibihugu byemeye aya Masezerano cyangwa hejuru yacyo, bitanze igitekerezo kitawemera mu gihe cy'ibumweru bitandatu, uhoreye igihe Umunyamabanga Mukuru w'Umuryango w'Abibumbye abimenyeshereje ishyirwaho ry'umukandida watanzwe.

Ingingo ya 9

Abagize itsinda ryo gukumira batorerwa manda y'imyaka ine. Bashobora kongera gutorwa inshuro imwe iyo bongeye gutangwaho abakandida. Manda ya kimwe cya kabiri cy'abagize itsinda batowe mu itora rya mbere irangira hashize imyaka ibiri; amazina yabo atomborwa na Perezida w'inama ivugwa mu gaka ka d) k'igika cya mbere cy'ingingo ya 7 ako kanya hakirangira itora rya mbere.

Ingingo ya 10

1. Itsinda ryo gukumira ritora biro yaryo ifite manda y'imyaka ibiri. Abagize biro bashobora kongera gutorwa.

2. Itsinda ryo gukumira rishyiraho amategeko ngengamikorere yaryo agomba kuba arimo ibikurikira:

- a) Umubare wa ngombwa w'abagize itsinda kugira ngo bafate ibyemezo, ni kimwe cya kabiri cy'umubare w'abagize itsinda hiyongereyeho umwe;
- b) Ibyemezo by'itsinda ryo gukumira bifatwa ku bwiganze bw'abagize itsinda bahari;
- c) Itsinda ryo gukumira riterana mu mwiherero.

3. Umunyamabanga Mukuru w'Umuryango w'Abibumbye atumiza inama ya mbere y'itsinda ryo gukumira. Nyuma y'inama ya mbere, itsinda ryo gukumira riterana buri gihe giteganywa n'amategeko ngengamikorere yaryo. Inama z'itsinda ryo gukumira n'iza Komite irwanya iyica rubozo zibera icyarimwe nibura rimwe mu mwaka.

IGICE CYA III

Inshingano z'itsinda ryo gukumira

Ingingo ya 11

Itsinda ryo gukumira:

- a) Rikora ingendo zo gusura zivugwa mu ngingo ya 4, rigashyikiriza ibihugu byemeye aya Masezerano, ibyifuzo birebana no kurinda abantu bavukijwe ubwisanzure, gukorerwa iyicarubozo no guhabwa ibihano cyangwa gukorerwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro;
- b) Ku birebana n'inzego zo mu gihugu zo gukumira:
 - i) Ritanga ibitekerezo n'inkunga ku bihugu byemeye aya Masezerano kugira ngo hashyirweho izo nzego;
 - ii) Rigidana n'izo nzego imishyikirano itaziguye, mu ibanga iyo bibaye ngombwa, ritanga kandi amahugurwa n'inkunga mu byerekeye tekini kugira ngo rizongerere ubushobozi;
 - iii) Ritanga ibitekerezo n'inkunga kugira ngo hasuzumwe ibikenewe n'ibyangombwa kugira ngo abantu bavukijwe ubwisanzure barusheho kurindwa iyicarubozo n'ibihano cyangwa ibikorwa by'ubugome bidakwiriye umuntu cyangwa bimutesha agaciro.
 - iv) Rigira inama rikanaha ibitekerezo ibihugu byemeye aya Masezerano kugira ngo byongere ubushobozi n'inshingano by'inzego z'ibihugu zishinzwe gukumira iyicarubozo n'ibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro.
- c) Rifatanya n'inzego z'Umuryango w'Abibumbye zibifitiye ububasha, n'indi Miryango Mpuzamahanga, niy'Uturere n'iyo mu bihugu, iharanira kurinda abantu bose iyicarubozo n'ibindibihano cyangwa ibikorwa by'ubugome bidakwiriye umuntu cyangwa bimutesha agaciro, kugira ngo iyicarubozo rikumirwe.

Ingingo ya 12

Kugira ngo itsinda ryo gukumira rishobore kurangiza inshingano zaryo zisobanuye mu ngingo ya 11, ibihugu byemeye aya Masezerano byiyemeje:

- a) Kwakira ku butaka bwabyo itsinda ryo gukumira no kuryemerera kujya ahantu hafungiwe abantu havugwa mu ngingo ya 4 y'aya Masezerano;
- b) Guha itsinda ryo gukumira amakuru ya ngombwa rishobora kubaza kugira ngo risuzume ibikenewe n'ibyemezo byafatwa kugira ngo abantu bavukijwe ubwisanzure, barusheho kurindwa iyicarubozo n'ibihano cyangwa ibikorwa by'ubugome bidakwiriye umuntu cyangwa bimutesha agaciro;
- c) Gushyigikira no korohereza imishyikirano hagati y'itsinda ryo gukumira n'inzego zo mu bihugu zishinzwe ikumirwa ry'iyicwarubozo;
- d) Gusuzuma ibyifuzo by'itsinda ryo gukumira ibikorwa by'iyicarubozo no kugirana ibiganiro naryo ku byerekeye ibyemezo byafatwa kugira ngo ibyo byifuzo bishyirwe mu bikorwa.

Ingingo ya 13

1. Hakoreshejwe uburyo bwo gutombola, Itsinda ryo gukumira ibikorwa by'iyicarubozo rikora, gahunda z'ingendo zihoraho zo gusura ibihugu byemeye aya Masezerano kugira ngo ryuzuze inshingano zaryo nk'uko zivugwa mu ngingo ya 11.
2. Nyuma y'imishyikirano n'ibihugu byemeye aya Masezerano, itsinda rimenyesha gahunda yaryo ibyo bihugu kugira ngo bishobore gutegura bidatinze ibikenewe kugira ngo isurwa rikorwe.
3. Ingendo ziyoborwa nibura n'abantu babiri bagize itsinda ryo gukumira ibikorwa by'iyicwarubozo. Iyo bibaye ngombwa, bashobora guherekezwa, n'impuguke zifite uburambe n'ubumenyi mu kazi buzwi mu byiciro biteganywa n'aya Masezerano. Izo mpuguke zitoranywa ku rutonde rw'impuguke rwakozwe hifashishijwe ibyifuzo by'ibihugu byemeye aya Masezerano, Ishami ry'Umuryango w'Abibumbye rishinzwe Uburenganzira bwa Muntu n'Ikigo cy'Umuryango w'Abibumbye kigamije gukumira ibyaha by'ubugome ku isi. Kugira ngo hakorwe urutonde rw'impuguke, ibihugu byemeye aya Masezerano bibyifusa bitanga amazina y'impuguke zitarenze eshanu kuri buri gihugu. Ighugu cyemeye aya Masezerano kibifitemo inyungu, gishobora kwanga ko impuguke iyi n'iyi ishyirwa ku rutonde, icyo gihe, itsinda ryo gukumira ibikorwa by'iyicarubozo ritanga izina ry'iyindi mpuguke.
4. Itsinda ryo gukumira ribonye ari ngombwa rishobora gusaba ko hakorwa ingendo zo gusura zigamije gukurikirana iby'ingendo zo gusura zikorwa ku buryo buhoraho.

Ingingo ya 14

1. Kugira ngo itsinda ryo gukumira ibikorwa by'iyicarubozo rishobore kurangiza inshingano zaryo, ibihugu byemeye aya Masezerano riryemerera ibikurikira:
 - a) Guhabwa nta mbogamizi amakuru yose yerekeye umubare w'abantu bavukijwe ubwisanzure bafungiwe ahantu havugwa mu ngingo ya 4, n'umubare w'aho abantu hafungirwa n'aho haherereye;
 - b) Guhabwa nta mbogamizi amakuru yose yerekeye uburyo abo bantu bafashwe n'uburyo bafunzwemo;
 - c) Hashingiwe ku biteganywa mu gika cya kabiri gikurikira, kugera nta mbogamizi ahantu hose hafungirwa abantu no ku nyubako n'ibikoresho byaho.
 - d) Kubonana n'abantu bavukijwe ubwisanzure mu mwiherero nta w'undi muntu uhari, ubwabo bombi cyangwa hifashishijwe umusemuzi, iyo bibaye ngombwa, cyangwa undi muntu wese itsinda ryo gukumira ribona ko yashobora gutanga amakuru akenewe;
 - e) Kwihitiramo nta nkomyi aho rizasura n'abantu rizabonana nabo.

2. Ntibishoboka kwanga isurwa ry'ahantu hafungiwe abantu keretse bitewe n'impamvu zihutirwa kandi zikomeye zirebana no kurengera ighugu, umutekano wa rubanda, ibiza cyangwa imidugararo ikomeye ibera ahagomba gusurwa kandi bibuza by'agateganyo ko iryo surwa rikorwa. Ighugu cyemeye aya Masezerano ntigishobora kwitwaza ko kiri mu bihe bidasanzwe kugira ngo cyange ingendo zo gusura.

Ingingo ya 15

Nta buyobozi na bumwe bwa Leta cyangwa umukozi wa Leta uzategeka, uzatanga, uzemerera cyangwa ngo yihanganire igihano cyahabwa umuntu cyangwa umuryango uzaba wahaye itsinda ryo gukumira ibikorwa by'iyicarubozo cyangwa abarigize amakuru, yaba ay'ukuri cyangwa atari ukuri, kandi, uwo muntu cyangwa uwo muryango nta ngaruka iyo ari yo yose akwiye kugira.

Ingingo ya 16

1. Itsinda ryo gukumira rimenyesha mu ibanga ibyifuzonama n'ibitekerezo byaryo igihugu cyemeye aya Masezerano, n'urwego rw'ighugu rwo gukumira.
2. Itsinda ryo gukumira ibikorwa by'iyicarubozo ritangaza raporo yaryo iherekejwe n'ibitekerezo by'ighugu cyemeye aya Masezerano iyo kibisabye. Iyo igihugu cyemeye aya Masezerano gishyize ahagaragara igice cya raporo, Itsinda ryo gukumira ibikorwa by'iyicarubozo rishobora kuyitangaza yose cyangwa igice cyayo. Cyakora nta kintu kireba umuntu ku giti cye gitangazwa nyiracyo atabyemeye.
3. Itsinda ryo gukumira rishyikiriza buri mwaka Komite irwanya iyicarubozo raporo ku bikorwa byayo ishobora kubonwa na buri muntu.
4. Iyo igihugu cyemeye aya Masezerano cyanze gufatanya n'itsinda ryo gukumira ibikorwa by'iyicarubozo hakurikijwe ibiteganywa mu ngingo ya 12 na 14, cyangwa gufata ibyemezo byo gutunganya ibantu hakurikijwe inama z'itsinda ryo gukumira ibikorwa by'iyicarubozo; nyuma y'uko igihugu kizaba cyahawe umwanya wo kwisobanura, bisabwe n'itsinda ryo gukumira ibikorwa by'iyicarubozo, Komite irwanya iyicarubozo, ku bwiganze bw'amajwi bw'abayigize, ishobora, gukora itangazo rigenewe rubanda kuri icyo kibazo cyangwa gutangaza raporo y'itsinda ryo gukumira.

IGICE CYA IV

Inzego z'ighugu zo gukumira ibikorwa by'iyicarubozo

Ingingo ya 17

Nyuma y'uko Amasezerano atangira gukurikizwa cyangwa yemejwe burundi, cyangwa yemewe, buri gihugu cyemeye aya Masezerano gishyiraho, mu gihe kitarenze umwaka, urwego rw'ighugu rumwe cyangwa nyinshi zigenga zigamije gukumira iyicarubozo ku rwego rw'ighugu. Inzego zegerejwe abaturage zishyizweho n'inzego z'ubuyobozi zishobora kwitwa inzego z'ighugu zo gukumira ibikorwa by'iyicarubozo hakurikijwe aya Masezerano, iyo zujuje ibyo ateganya.

Ingingo ya 18

1. Ibihugu byemeye aya Masezerano byubahiriza ubwigenge bw'inzego z'ighugu zo gukumira ibikorwa by'iyicarubozo mu mikorere yazo n'ubwigenge bw'abakozi bazo.
2. Ibihugu byemeye aya Masezerano bifata ibyemezo bya ngombwa kugira ngo impuguke z'urwego rw'ighugu rwo gukumira ibikorwa by'iyicarubozo zigire ububasha n'ubumenyi bisabwa mu mirimo zishinzwe. Bigerageza kubahiriza uburinganire hagati y'umugabo n'umugore n'ihagararirwa ry'amoko n'iryu banyamuke mu gihugu.
3. Ibihugu byemeye aya Masezerano, byiyemeza gutanga ibyangombwa bikenewe kugira ngo inzego zo mu gihugu zo gukumira ibikorwa by'iyicarubozo zishobore gukora.
4. Iyo bishyiraho inzego zo mu gihugu zo gukumira ibikorwa by'iyicarubozo, ibihugu byemeye aya Masezerano byita, by'umwihariko, ku mahame arebana n'imiterere y'inzego z'ighugu ziharanira guteza imbere no kurengera uburenganzira bwa Muntu.

Ingingo ya 19

Inzego z'ighugu zo gukumira ibikorwa by'iyicarubozo zihabwa ububasha bwo:

- a) Gusuzuma ku buryo buhoraho imibereho y'abantu bavukijwe ubwisanzure bafungiwe ahantu havuzwe mu ngingo ya 4, kugira ngo nibiba ngombwa barusheho kurindwa iyicarubozo n'ibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro;

- b) Kugeza ibyifuzonama ku bayobozi babifitiye ububasha kugira ngo imibereho y'abantu bavukijwe ubwisanzure yitabweho kandi iyicarubozo n'ibihano cyangwa ibikorwa by'ubugome bidakwiriye umuntu cyangwa bimutesha agaciro bikumirwe hashingiwe ku mategeko y'Umuryango w'Abibumbye;
- c) Gutanga ibitekerezo ku mategeko ariho cyangwa imishinga y'amategeko birebana n'iyicarubozo.

Ingingo ya 20

Kugira ngo inzego z'igihugu zo gukumira ibikorwa by'iyicarubozo zishobore kurangiza inshingano zazo, ibihugu byemeye aya Masezerano byemeye kuziha ibikurikira:

- a) Kugera ku makuru yose arebana n'umubare w'abantu bavukijwe ubwisanzure, bafungiwe ahantu havuzwe mu ngingo ya 4; n'umubare w'ahantu hafungirwa abantu n'aho haherereye;
- b) Guhabwa amakuru yose yerekeye uko abo bantu bafashwe n'uburyo bafunzwemo;
- c) Kugera ahantu hose abantu bafungirwa no ku nyubako n'ibikoresho byaho;
- d) Gushobora kuvugana, mu mwiherero, n'abantu bavukijwe ubwisanzure, ubwabo, nta w'undi muntu uhari cyangwa mu gihe bibaye ngombwa hifashishijwe umusemuzi cyangwa undi muntu wese urwego rw'igihugu rwo gukumira rubona ko ashobora gutanga amakuru akenewe;
- e) Ubwisanzure mu guhitamo ahantu hazasurwa n'abantu zizabonana nabo;
- f) Uburenganzira bwo kugira imishyikirano n'itsinda ryo gukumira, kurigezaho amakuru no kubonana naryo.

Ingingo ya 21

1. Nta buyobozi na bumwe bwa Leta cyangwa umukozi wa Leta uzategeka, uzatanga, uzemerera cyangwa ngo yihanganire igihano cyahabwa umuntu cyangwa umuryango uzaba wahaye inzego amakuru z'igihugu zo gukumira ibikorwa by'iyicarubozo, yaba ay'ukuri cyangwa atari ukuri, kandi, uwo muntu cyangwa uwo muryango nta ngaruka iyo ari yo yose akwiye kugira.

2. Amakuru y'ibanga yabonywe n'urwego rw'igihugu rwo gukumira ibikorwa by'iyicarubozo azarindwa. Nta makuru y'umuntu ku gitи cye azatangazwa uwayatanze atabyemeye.

Ingingo ya 22

Ubuyobozi bw'igihugu cyemeye aya Masezerano bubifitiye ububasha, busuzuma ibyifuzonama by'urwego rw'igihugu rwo gukumira, bakagirana ibiganiro kubirebana n'ibyemezo byashobora gufatwa kugira ngo ibyo byifuzonama bishyirwe mu bikorwa.

Ingingo ya 23

Ibihugu byemeye aya Masezerano byiyemeje gutangaza no gusakaza raporo za buri mwaka z'inzego z'ibihugu zishinzwe gukumira.

IGICE CYA V

Itangazo

Ingingo ya 24

1. Mu gihe cyo kwemeza burundu aya Masezerano, ibihugu byayemeye bishobora gukora itangazo risobanura ko inshingano zabyo zizashyirwa mu bikorwa nyuma hakurikije igice cya gatatu cyangwa cya kane cy'aya Masezerano.

2. Kwimurira ishyirwa mu bikorwa ry'inshingano ikindi gihe bifata imyaka itatu itarengwa. Bitewe n'ibisobanuro byatanzwe ku buryo bwumvikana n'igihugu cyemeye aya Masezerano, itsinda ryo gukumira rimaze kugishwa inama, Komite irwanya iyicarubozo ishobora kongera imyaka ibiri kuri icyo gihe.

IGICE CYA VI

Imari

Ingingo ya 25

1. Amafaranga akoreshwa mu mirimo y'itsinda ryo gukumira ibikorwa by'iyicarubozo mu ishyirwamubikorwa ry'aya Masezerano abarwa ku Umuryango w'Abibumbye.
2. Umunyamabanga Mukuru w'Umuryango w'Abibumbye aha itsinda ryo gukumira ibikorwa by'iyicarubozo abakozi n'inyubako bikenewe kugira ngo rishobore kurangiza neza imirimo yaryo ri muri aya Masezerano.

Ingingo ya 26

1. Hashingiwe ku imikorere y'Inteko Rusange, hashyizweho ikigega cyihariye, kizayoborwa hakurikijwe amategeko y'imicungire y'imari y'Umuryango w'Abibumbye, kigamije gutera inkunga ishyirwa mu bikorwa ry'ibifuzonama bigezwa ku bihugu byemeye aya Masezerano n'itsinda ryo gukumira ibikorwa by'iyicarubozo nyuma y'ingendo zo gusura hamwe na gahunda zo guhugura z'inzego z'ibihugu zo gukumira.
2. Ikigega cyihariye gishobora gutterwa inkunga hashingiwe ku misanzu itangwa ku bushake na za Guverinoma, imiryango ihuriwemo n'ibihugu, itegamiye kuri Leta n'indi miryango yikorera cyangwa ikorera Leta.

IGICE CYA VII

Ingingo zisoza

Ingingo ya 27

1. Aya Masezerano y'inyongera ashirwaho umukono n'igihugu icyo aricyo cyose cyashyize umukono ku Masezerano yerekeye kurwanya iyicarubozo n'ibindibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro.
2. Aya Masezerano y'inyongera azemezwa burundi n'igihugu cyose cyemeje burundi Amasezerano yerekeye kurwanya iyicarubozo n'ibindibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro, cyangwa cyayemeye. Inyandiko zemeza burundi aya Masezerano, zishyikirizwa Umunyabanga Mukuru w'Umuryango w'Abibumbye.
3. Aya Masezerano y'inyongera yemerwa n'igihugu cyose cyemeje burundi Amasezerano yerekeye kurwanya iyicarubozo n'ibindibihano cyangwa ibikorwa by'ubugome, bidakwiriye umuntu cyangwa bimutesha agaciro, cyangwa cyayemeye.
4. Kwemera Amasezerano y'inyongera bikorwa mu nyandiko yo kwemera ishyikirizwa Umunyabanga Mukuru w'Umuryango w'Abibumbye.
5. Umunyabanga Mukuru w'Umuryango w'Abibumbye azamenyesha ibihugu byose bizaba byashyize umukono kuri aya Masezerano y'inyongera cyangwa bizaba byayemeye, inyandiko ziyezeza burundi cyangwa ziyemera azashyikirizwa.

Ingingo ya 28

1. Aya Masezerano y'inyongera azatangira gukurikizwa ku munsi wa mirongo itatu ukurikira itariki inyandiko ya makumyabiri iyemeza burundu cyangwa iyemera izaba yashyikirijwe Umunyamabanga Mukuru w'Umuryango w'Abibumbye.
2. Buri gihugu kizemeza burundu aya Masezerano y'inyongera cyangwa kizayemera nyuma y'uko Umunyamabanga Mukuru w'Umuryango w'Abibumbye ashyikirijwe inyandiko ya makumyabiri iyemeza burundu cyangwa iyemera, Amasezerano azatangira gukurikizwa ku munsi wa mirongo itatu ukurikira itariki icyo gihugu kizatangira inyandiko iyemeza burundu cyangwa iyemera.

Ingingo ya 29

Ibiteganywa muri aya Masezerano y'inyongera bikurikizwa byose uko bivugwa mubihugu byose byishyize hamwe.

Ingingo ya 30

Nta kwifata na kumwe kuzemerwa kuri aya Masezerano y'inyongera.

Ingingo ya 31

Ibiteganywa muri aya Masezerano nta ngaruka bigira ku nshingano zafashwe mu rwego rw'akarere n'ibihugu biyemera ku birebana no gushyiraho uburyo bwo gusura ahantu hafungirwa abantu. Itsinda ryo gukumira ibikorwa by'iycarubozo n'inzego zashyizweho hakurikijwe Amasezerano yo mu rwego rw'akarere bisabwe kujya inama no gufatanya kugira ngo imirimo imwe itazakorwa inshuro ebyiri kandi biteze imbere intego z'aya Masezerano y'inyongera.

Ingingo ya 32

Ibiteganywa muri aya Masezerano y'inyongera nta ngaruka bigira ku nshingano ibihugu bifite zirebana n'Amasezerano ane y'i Jeneve yo ku itariki ya 12 Kanama 1949 no ku Masezerano y'inyongera ku Masezerano y'i Jeneve yo ku itariki ya 8 Kanama 1977 cyangwa ku burenganzira buri gihugu cyemeye aya Masezerano gifite bwo kwemerera Komite Mpuzamahanga y'Umuryango Kuruwa Ruje gusura ahantu hafungirwa abantu mu buryo bunyuranije n'ibiteganywa n'amategeko mpuzamahanga akurikizwa mu bihe by'intambara.

Ingingo ya 33

1. Buri gihugu cyemeye aya Masezerano y'inyongera gishobora kuva mu mubare w'ibihugu byayemeye gikoresheje inyandiko kigeza k'Umunyamabanga Mukuru w'Umuryango w'Abibumbye, nawe akabimenesha ibindi bihugu byemeye aya Masezerano y'inyongera n'Amasezerano. Kuva mu mubare w'ibihugu byemeye aya Masezerano gutangira kugira agaciro nyuma y'umwaka uhereye ku itariki Umunyamabanga Mukuru azaba yaboneyeho inyandiko.
2. Kuva mu mubare w'ibihugu byemeye aya Masezerano ntibisha igihugu uburenganzira bwo kutuzuza inshingano zacyo ziteganyijwe muri aya Masezerano ku bijyanye n'igikorwa cyose cyangwa ikibazo cyabaye mbere yuko kuva mu mubare w'ibihugu byemeye aya Masezerano kwemerwa cyangwa ku kindi cyemezo cyose itsinda ryo gukumira rizaba ryafashe cyangwa rishobora kuzafatira icyo gihugu; nta n'ubwo bibuza gukomeza gusuzuma ibibazo itsinda ryo gukumira rizaba ryagejejweho mbere y'itariki yo kwemera ukuva mu mubare w'ibihugu byemeye aya Masezerano.
3. Nyuma y'itariki yo kwemerera igihugu kuva mu mubare w'ibihugu byemeye aya Masezerano y'inyongera, nta kibazo na kimwe gishya kireba icyo gihugu cyongera gusuzumwa n'itsinda ryo gukumira.

Ingingo ya 34

1. Buri gihugu cyemeye aya Masezerano gishobora gusaba ubugororangingo kigashyikiriza icyo gitekerezo Umunyamabanga Mukuru w'Umuryango w'Abibumbye. Umunyamabanga Mukuru w'Umuryango w'Abibumbye abimenyesha ibindibihugu byemeye aya Masezerano abisaba kumumenyesha niba byemera ko hatumizwa inama y'ibihugu byemeye aya Masezerano kugira ngo icyo gitekerezo gisuzumwe kandi gitorwe. Nyuma y'amezi ane akurikira itariki ibihugu byamenyeshejwe icyifuzo cy'ubugororangingo, iyo nibura kimwe cya gatatu cy'ibyo bihugu cyemeye ko iyo nama iba, Umunyamabanga Mukuru arayikoresha abitewemo inkunga n'Umuryango w'Abibumbye. Ubugororangingo bwose bwemejwe ku bwiganze bw'amajwi bwa bibiri bya gatatu bw'ibihugu byemeye aya Masezerano biri mu nama kandi bitora bugezwa n'Umunyamabanga Mukuru ku bihugu byose byemeye aya Masezerano kugira ngo bwemezwe.
2. Ubugororangingo bwemewe hakurikijwe igika cya mbere cy'iyi ngingo butangira gukurikizwa iyo bibiri bya gatatu by'ibihugu byemeye aya Masezerano byabwemeye hakurikijwe uburyo buteganywa n'amategeko nshinga yabyo.
3. Iyo ubugororangingo butangiye gukurikizwa, ibihugu byabwemeye birabwubahiriza, ibitabwemeye bikomeza kubahiriza ibiteganywa muri aya Masezerano n'ubugororangingo byaba byaremeye mbere.

Ingingo ya 35

Abagize itsinda ryo gukumira ibikorwa by'iycarubozo n'inzego z'ibihugu zo gukumira ibikorwa by'iycarubozo bahabwa ubudahangarwa n'ibindi byangombwa bikenewe kugira ngo bashobore gukora imirimo yabo mu bwigenge. Abagize itsinda ryo gukumira ibikorwa by'iycarubozo bahabwa ubudahangarwa n'ibindi byagombwa biteganywa mu cyiciro cya makumyabiri na kabiri cy'Amasezerano yerekeye ubudahangarwa y'Umuryango w'Abibumbye yo ku itariki ya 13 Gashyantare 1946, haseguriwe ibiteganywa mu cyiciro cya makumyabiri na gatatu cyayo Masezerano.

Ingingo ya 36

Abagize itsinda ryo gukumira bagiye mu gihugu cyemeye aya Masezerano bagomba haseguriwe ibiteganywa n'aya Masezerano, intego zayo n'ubudahangarwa bemererwa, gukurikiza ibikurikira:

- a) Kubaha amategeko n'amabwiriza akurikizwa mu gihugu bagiyemo;
- b) Kvirinda igikorwa cyose kinyuranyije no kutabogama hamwe n'imiterere mpuzamahanga y'imirimo yabo.

Ingingo ya 37

1. Aya Masezerano yemejwe ku buryo bungana mu ndimi z'Icyarabu, Igishinwa, Icyongereza, Igifaransa, Ikitrusiya n'icyesipanyoli akaba azashyikirizwa Umuryabanga Mukuru w'Umuryango w'Abibumbye.
2. Umunyabanga Mukuru w'Umuryango w'Abibumbye azohererereza kopi y'inyandiko mpamo z'aya Masezerano ibihugu byose.