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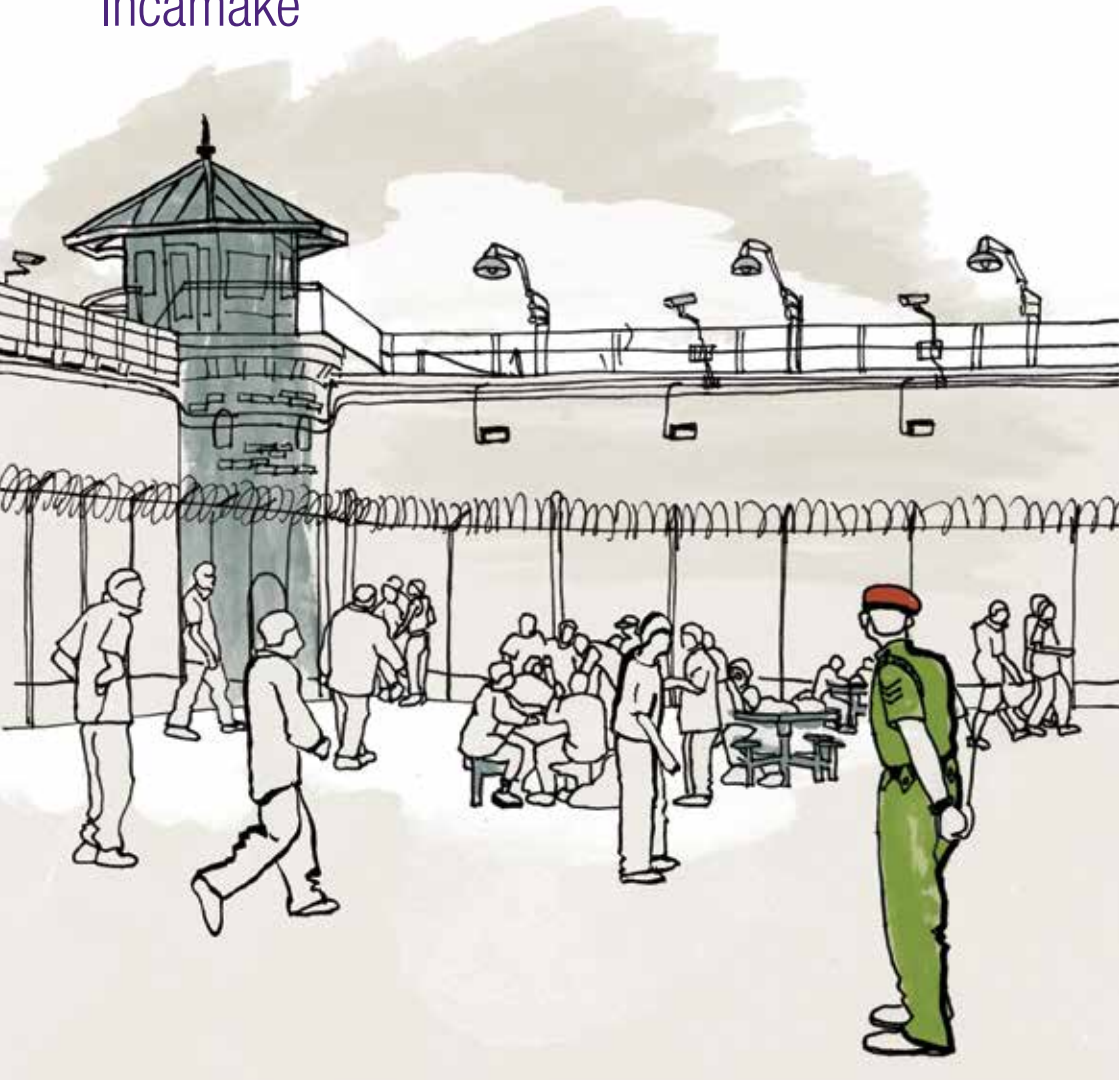
Amabwiriza ngenderwaho y'ibanze y'Umuryango w'Abibumbye avuguruye arebana no gufata neza imfungwa n'abagororwa (amabwiriza yitiriwe Nelson Mandela)

Incamake



Incamake y'amabwiriza ngenderwaho y'ibanze y'Umuryango w'Abibumbye avuguruye arebana no gufata neza imfungwa n'abagororwa (Amabwiriza yitiriwe Nelson Mandela)

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Kugira ngo ubone akanyamakuru kacu buri kwezi kuri interineti wakuzuza ibisabwa kuri: www.penalreform.org/keep-informed.

Amabwiriza ngenderwaho y'ibanze y'Umuryango w'Abibumbye avuguruye arebana no gufata neza imfungwa n'abagororwa (amabwiriza yitiriwe Nelson Mandela)

Abagabo, abagore n'abana barenga miliyoni 10.2 muri rusange bari mu magereza, hafi kimwe cya gatatu cyabo baracyategereje kuburana.

Amabwiriza ngenderwaho y'Umuryango w'Abibumbye avuguruye yatowe n'Inteko rusange y'Umuryango w'Abibumbye yose mu Kuboza kwa 2015 akaba agaragaza imirongo fatizo ngenderwaho mu miyoborere myiza y'amagerezagereza, harimo no gukurikirana niba uburenganzira bw'imfungwa bwubahirizwa uko bikwiye.

Ingingo zikubiye muri aya mabwiriza siko zose ari nshya; ahubwo ni amabwiriza fatizo ngenderwaho y'Umuryango w'Abibumbye y'ibanze arebana no gufata neza imfungwa n'abagororwa (SMRs mu magambo ahinnye y'Icyongereza) yo mu 1955 yavuguruwe. Ayo mabwiriza yavuguruwe mu bice umunani by'ingenzi kugira ngo ahuzwe n'ibipimo ngenderwaho byagaragajwe n'ubushakashatsi ku birebana no kugorora abakoze ibyaha n'ibiteganywa n'amategeko agenga uburenganzira bwa muntu kuva mu mwaka wa 1955.

Ubwo hasozwaga ibiganiro ku ivugururwa ry'aya mabwiriza mu nama yahuje itsinda ry'impuguke zihagarariye ibihugu byazo yabereye mu mugi wa Cape Town muri Afrika y'Epfo, hemejwe ko yakwitiriwa "Nelson Mandela". Ibi ni mu rwego rwo guha icyubahiro uyu nyakwigendera wahoze ari Perezida w'Afrika y'Epfo akaba yaramaze imyaka 27 muri gereza ndetse agaharanira uburenganzira bw'imfungwa n'abagororwa.

Uburyo ivugururwa ryakozwemo

Impamvu y'ivugururwa ry'aya mabwiriza

Ibihugu bigize Umuryango w'Abibumbye byabonye ko Amabwiriza ngenderwaho y'ibanze yari atakijyanye n'igihe ndetse n'impinduka nyamukuru zabaye mu birebana n'amategeko agenga uburenganzira bwa muntu kimwe no mu butabera mpanabyaha kuva igihe yemerejwe hashize imyaka 60.

Ivugururwa ryakozwe na nde?

Mu mwaka wa 2010, umwanzuro w'Inteko rusange y'Umuryango w'Abibumbye wahaye itsinda ry'impuguke zihagarariye ibihugu bya zo ububasha bwo kuvugurura aya mabwiriza. Ibihugu bigize uyu muryango byemeranya ku buryo bugomba gukurikizwa no ku bigomba kuvugururwa. Nyuma y'aho inzego z'Umuryango w'Abibumbye, imiryango ihuriweho na za Guverinoma, imiryango idashamikiye kuri Leta n'impuguke muri za kaminuza bose bagize uruhare muri iryo vugururwa.

Itsinda ry'impuguke ryahuye bwa mbere mu mwaka wa 2011 bemeranya ku bigomba kuvugururwa, ni ukuvuga ivugurura ry'ibice byose n'ingingo bitakijyanye n'igihe ariko ibijyanye n'imiterere y'iyo nyandiko n'ingingo zimwe na zimwe zikijyanye n'igihe ntibihindurwe.

Inyandiko y'amabwiriza avuguruwe yasuzumwe mu nama eshatu zitandukanye zakurikiyeho. Aya mabwiriza yitiriwe Nelson Mandela yahawe kandi inimero nshyashya bitewe n'izo mpinduka zikomeye zakozwe. Ivugururwa ryashyize hamwe ibipimo ngenderwaho ku birebana n'ubutabera mpanabyaha n'uburenganzira bwa muntu mu nyandiko imwe. Iyi nyandiko ikubiyemo ibijyanye no kurinda uburenganzira bw'imfungwa no guha abakora mu magereza n'abayobozi bayo amakuru yizewe kandi ajyanye n'igihe.

Ku birebana n'amakuru arambuye ku buryo ivugururwa ry'amabwiriza ngenderwaho y'ibanze ryagenze, shakira ku ncamake yakozwe n'imiryango idashamikiye kuri Leta (NGOs) ku rubuga rwa interineti: www.penalreform.org/resource/joint-ngo-briefing-process-review-standard-minimum-rules/

Ishyirwamubikorwa ry'amabwiriza yitiriwe Nelson Mandela guhera igihe cy'ifungwa kugeza ku ifungurwa

Aya mabwiriza 122 akubiyemo ibintu byose birebana n'imiyoborere y'amagereza akagaragaza n'ibipimo ngenderwaho by'ibanze byemeranyijweho mu gufata neza imfungwa n'abagororwa, byaba mu gihe cy'ifungwa ry'agateganyo cyangwa nyuma yo gukatirwa igifungo.

Amahame remezo

Ibwiriza rya mbere kugeza ku rya gatanu (1-5) ateganya amahame remezo akurikira:

- Imfungwa zigomba guhabwa icyubahiro gishingiye ku gaciro zikwiye nk'ibiremwamuntu.
- Iyicarubozo n'ibindi bikorwa by'ubunyamaswa birabujijwe.
- Imfungwa zigomba kwitabwaho hakurikijwe ibyo zikeneye, nta vangura rikozwe.
- Gereza igamije kurinda rubanda no guharanira ko ibyaha bitakongera gukorwa.
- Umutekano w'imfungwa, uw'abakozi, uw'abatanga serivise n'uw'abasura imfungwa mu bihe byose ni ingenzi.

Akanyenyeri gatukura * kagaragaza ko hari ibyahinduwe muri icyo kiciro.

Kwinjizwa muri gereza

Gereza woherezwamo* **[Ibwiriza rya 59]**

Amategeko asaba ko imfungwa zifungirwa hafi y'aho zituye kugira ngo gahunda yo gusubizwa mu buzima busanzwe yorohe kurushaho.

Iyandikwa* **[Ibwiriza rya 7 n'irya 8]**

Amakuru agomba gukusanywa no gushyirwa muri dosiye y'imfungwa igihe cy'iyinjizwa muri gereza akubiyemo nk'amazina n'aho umuryango ubarizwa, n'ibikomere byose bigaragara ku mubiri we cyangwa ibirego by'ibikorwa by'ubunyamaswa yakorewe mbere.

Guhabwa amakuru* **[Ibwiriza rya 54 n'irya 55]**

Iyo imfungwa zinjijwe muri gereza, zigomba guhabwa amakuru arebana n'iyo gereza, harimo amategeko akurikizwa muri gereza, ndetse n'uburyo bwo kugirwa inama mu by'amategeko, ibyo bigakorwa mu rurimi no mu buryo bumva.

Imitungo y'imfungwa [Ibwiriza rya 7 n'irya 67]

Gereza igomba kubika imitungo y'imfungwa (zitemerewe kwibikira) ahantu hafite umutekano kandi hagakorwa urutonde rwabyo rwashyizweho umukono. Ikintu cyose cyabitswe muri ubu buryo kandi kigomba gusubizwa imfungwamu igihe ifunguwe kikimeze ne.

Gusuzumwa n'umuganga*

[Ibwiriza rya 30 n'irya 34]

Umuganga agomba gusuzuma buri mfungwa mu gihe cya vuba gishoboka kuva ikinjira muri gereza. Amabwiriza ateganya ko iryo suzumwa ry'ibanze ritagomba kugarukira gusa ku bikenewe mu rwego rw'ubuzima no gutanga imiti, ko ahubwo ryagombye no gusuzuma ko hari ibibazo mu mitekerereze cyangwa mu bijyanye n' ubuzima bwo mu mutwe cyangwa ibindi bigaragaza gufatwa bunyamaswa, bikaba bigomba kumenyeshwa inzego zibifitiye ububasha.

Gushyirwa mu byiciro no gukemurirwa ibibazo byihariye

Gutandukanya imfungwa hakurikije ibyiciro

[Ibwiriza rya 11]

Amatsinda amwe n'amwe y'imfungwa agomba gufungirwa ahantu habo bwite mu buryo bwo kuzirinda no gutuma uburyo bwo kwita kuri buri muntu bworoha kurushaho. Ibi bikorwa ku mfungwa z'abagabo kimwe n'iz'abagore, abatarakatirwa n'abakatiwe, ku mfungwa z'abatarageza imyaka y'ubukure no ku bakuze.

Gushyirwa mu byiciro [Ibwiriza rya 89, 93 n'irya 94]

Gusuzuma buri muntu ku giti cye ni ngombwa kugira ngo harebwe ibibazo imfungwa zishobora kwikururira ubwazo, guteza abakozi cyangwa izindi mfungwa, kimwe n'ibyo zikeneye ku buryo bwihariye hamwe n'ingamba zafatwa mu rwego rwo kuzigorora. Uburyo bwo gushyira imfungwa mu byiciro bugomba kuba bworohereza ukwitabwaho kwa buri mfungwa ku giti cyayo.

Ibibazo byihariye* [Ibwiriza rya 2 n'irya 5]

Amagereza agomba gufata ingamba za ngombwa kugira ngo imfungwa zifite ubumuga ku mubiri, mu mutwe cyangwa ubundi bumuga zibone serivise n'izindi gahunda zose ku buryo bungana n'ubw' abadafite ubumuga; hakirindwa kandi ko ingamba zo gukemura ibibazo ku buryo bwihariye zafatwa nk' ivangura.

Abakozi ba gereza

Umutekano* [Ibwiriza rya mbere]

Umutekano w'bakozi ba gereza ugomba guhora urinzwe igihe cyose.

Akazi [Ibwiriza rya 74 n'irya 78]

Abakozi ba gereza bagomba gushyirwa mu kazi ku buryo buhoraho kandi bakagengwa n'amategeko agenga abakozi ba leta batekanye ku birebana n'igihe bamara ku kazi, bagasabwa kugengwa n'imyitwarire myiza, gutanga umusaruro mu kazi no kuba bafite ubuzima buzira umuze. Mu gufasha abakozi ba gereza mu birebana n'akazi, amagereza agomba gukoresha umubare uhagije w'impuguke, harimo abaganga b'indwara zo mu mutwe, impuguke mu bijyanye n'imitekerereze ya muntu, abashinzwe imibereho myiza n'abarimu.

Umushahara [Ibwiriza rya 74]

Imishahara igomba kuba ari myiza ku buryo ireshya abantu bakwiye kandi n'ibindi bagenerwa hamwe n'uburyo akazi gakorwamo bikagendana n'imiterere y'akazi kabo katoroshye.

Ishyirwa mu kazi [Ibwiriza rya 74 n'irya 81]

Kubera ko gucunga gereza ari akazi gakomeye, guhitamo abakozi ba gereza bigomba gukoranwa bushishozi buhambaye, kuko kugira ngo amagereza akore neza nk'abanyamwuga bituruka ku bunyangamugayo bw'abakozi bayo, ku bushobozi mu kazi no kuba abo bakozi babikwiriye koko. Abakozi b'igitsina gore ni bo bonyine bemerewe gucunga imfungwa z'igitsina gore.

Amahugurwa* [Ibwiriza rya 75 n'irya 76]

Kugira ngo abakozi b'amagereza bashobore kurangiza inshingano zabo ku buryo bwa kinyamwuga, bakeneye amahugurwa ahoraho. Ayo mahugurwa agomba kuba yerekeranye n'imigenzerere myiza y'ahandi, agatangwa mbere yo gutangira akazi no mu gihe bari mu kazi, hakaba hakubiyemo uburyo bwo gukoresha ingufu, kwita by'umwihariko ku byiciro bimwe by'imfungwa ndetse no gukoresha uburyo bwo gucunga umutekano bushingiye ku mibanire myiza hagati y'imfungwa n'abakozi ba gereza. Imfungwa zigomba gufatwa mu buryo bukwiye, kandi hagateganywa ibikorwa biganisha ku kubafasha kuzasubira neza mu buzima busanzwe.

Imiyoborere ya gereza [Ibwiriza rya 79 n'irya 80]

Aya mabwiriza agaragaza inshingano z'abayobozi ba gereza kimwe n'ibyo basabwa kuba bujuje.

Amadosiye n’inyandiko zibikwa

Uburyo bw’imicungire ya dosiye z’imfungwa buhora bugaragazwa nk’igikoresho cy’ingenzi kugira ngo gereza iyoborwe neza. Aya mabwiriza yemera ko ubwo buryo bushobora kuba bukoresha ikoranabuhanga kandi akagaragaza n’ibigenderwaho mu kugena ibigomba kuba bikubiye muri ayo madosiye, ufite uburenganzira bwo kubona amakuru akubiyemo ndetse n’uburyo ayo makuruakoreshwa.

Uko amadosiye acungwa* [Ibwiriza rya 6 n’irya 10]

Hagomba kubaho uburyo bw’imicungire ya dosiye y’imfungwa bwujuje ibipimo ngenderwaho. Ayo makuru, yaba abikwa ku buryo bw’ikoranabuhanga cyangwa mu mpapuro zisanzwe, hakenewe uburyo bw’igenzura bwizewe kugira ngo hirindwe ko ayo madosiye yabonwa n’abantu batabifiitye uruhushya cyangwa bagahindura ibikubiyemo. Amakuru akubiyemo agomba gusesengurwa kugira ngo hagaragare imibare y’imfungwa zakirwa na gereza n’icyerekezo iyo mibare igaragaza.

Amakuru* [Amabwiriza 7-9, irya 26 n’irya 92]

Buri dosiye igomba kuba irimo amakuru ku bintu bitandukanye birebana n’imfungwa, harimo ibimuranga byihariye, itariki yo gufungurwa cyangwa yo kwimurirwa ahandi, imiterere y’urubanza rwe, raporo ku byiciro yashyizwemo, ibihano byo mu rwego rw’imyitwarire yahawe ndetse n’ibirego yatanze. Idosiye yo kwa muganga ya buri mfungwa na yo igomba kubikwa, ku buryo butandukanye mu ibanga kandi imfungwa ikaba ifite uburenganzira bwo kuyibona.

Gucumbikira imfungwa

Isuku [Itegeko rya 15, irya 16, irya 18-21]

Imfungwa n’abagororwa bagomba kugira ubwiherero bufite isuku. Imfungwa igomba kandi kubona amazi, ibikoresho by’isuku (harimo n’impapuro z’isuku y’imbere ku bagore), imyambaro ikwiye n’ibyo kuryamamo. **[Reba Amategeko y’Umuryango w’Abibumbye yemerejwe i Bangkok]**

Amafunguro n’amazi yo kunywa*

[Ibwiriza rya 22, irya 35, irya 42 n’irya 43]

Imfungwa n’abagororwa bagomba guhabwa ifunguro ririmo intungamubiri zihagije kandi ritunganyijwe neza. Bagomba kandi guhabwa n’amazi meza yo kunywa igihe cyose bayakeneye. Ntawe ugomba kwicishwa inzara cyangwa inyota mu rwego rwo kumuhana kubera imyitwarire mibi, kandi ifunguro rigomba guhabwa buri wese ntawe uhejwe.

Uburyamo [Amabwiriza 12-14, irya 42 n’irya 113]

Mu gihe amacumbi agizwe n’utwumba duto duto, buri mfungwa igenerwa akumba kayo. Mu gihe hari ibyumba rusange hagomba gukoreshwa ubushishozi mu kugena abacumbikirwa hamwe. Abafunzwe by’agateganyo bagomba kurara mu twumba twagenewe umuntu umwe. Imfungwa n’abagororwa bagomba gushyirirwaho uburyo bwo kongererwa ubushyuhe n’akayaga, kubona umwuka mwiza, urumuri ndetse n’umwanya w’ubwinyagamburiro nta vangura iryo ariryo ryose.

Abana* [Ibwiriza rya 28 n’irya 29]

Icyemezo cy’uko umwana abana n’umubyeyi we muri gereza kigomba gufatwa hakurikijwe inyungu z’umwana. Umubyeyi agomba guhabwa ibyo akeneye mbere na nyuma yo kubyara, kandi n’abana bakitabwaho n’ umuganga. Abana babana n’ababyeyi babo muri gereza nta na rimwe bafatwa nk’imfungwa. **[Reba no mu Mategeko y’Umuryango w’Abibumbye yemerejwe i Bangkok]**

Imyitwarire n'ibihano

Amakuru* [Ibwiriza rya 54 n'irya 55]

Amabwiriza yemera ko kumenya no kubahiriza uburenganzira n'inshingano bya buri wese ari ngombwa mu micungire myiza ya buri munsi ya gereza. Kuva imfungwa zikimara kugera muri gereza, zikeneye guhabwa amakuru arebana n'amategeko agenga imfungwa, uburenganzira n'inshingano byazo, ibihano bihabwa abitwaye nabi ndetse n'uburyo bwo kubona ubwunganizi mu by'amategeko (harimo no guhabwa ubufasha mu by'amategeko). Aya makuru agomba gutangwa mu rurimi rwumvwa na bose kandi mu buryo bwumvikana.

Gusaka* [Amabwiriza 50-53 n'irya 63]

Uburyo isaka rikorwamo bugomba kuba buteganyijwe mu itegeko cyangwa amabwiriza kandi mbere yo gufata icyemezo cyose kirebana no gusaka hagomba gusuzumwa niba ari ngombwa koko kandi kitarengeje urugero. Ubwo buryo bugomba kubahiriza agaciro ndetse n'imibereho bwite by'imfungwa, kandi ntibikoreshwe nko guhoza ku nkeke cyangwa gutera ubwoba imfungwa. Gusaka ku mubiri byifashishwa gusa iyo ari bwo buryo bwa nyuma, kandi ibyafashwe mu isaka bigomba kugaragazwa. Gusaka abaje gusura imfungwa, na byo bigomba gukurikiza amabwiriza amwe nk'agenga gusaka imfungwa ariko hitaweho ko bo atari imfungwa.

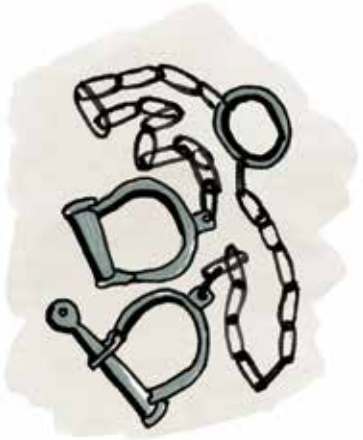
Gufungirwa mu kato* [Ibwiriza rya 43-46]

Kubera ingaruka mbi iki gihano kigira ku mubiri no ku mitekerereze, aya mategeko ateganya ko gufungirwa mu kato bigomba gukoreshwa mu bihe bidasanzwe, nk'uburyo bwa nyuma kandi mu gihe gito gishoboka, ubuyobozi bubifitiye ububasha bumaze kubitangira uruhushya, kandi bikaba bishobora gusubirwamo mu buryo bwigenga. Gufungirwa mu kato kandi mu gihe kitazwi (igihe kirenze iminsi cumi n'itanu), birabujijwe ku buryo budasubirwaho. Ku byiciro bimwe na bimwe, urugero nk'abagore batwite cyangwa bonsa, gufungirwa mu kato birabujijwe.

Aya mabwiriza asobanura gufungirwa mu kato nko gufunga umuntu amasaha arenze 22 ku munsi nta buryo bugaragara ahuriramo n'abandi bantu. Igisobanuro cy'uburyo bugaragara bwo guhuriramo n'abandi bantu kigomba kugaragaza ububabare buri muntu wese agira mu gihe ahawe akato akabuzwa kugira undi muntu abonana nawe. **[Reba no mu Mategeko y'Umuryango w'Abibumbye yemerejwe i Bangkok n'ayemerejwe i Havana]**

Ibihano by'imyitwarire mibi* [Ibwiriza rya 36-43]

Aya mabwiriza agaragaza inzira ikurikizwa ndetse n'ingamba zifatwa mu gihe hari ushinjwa amakosa y'imyitwarire idahwitse. Amategeko cyangwa amabwiriza bigomba gusobanura neza ibigize ikosa ry'imyitwarire idahwitse, igihano icyo aricyo cyose kigomba kuba gihwanye n'ikosa ryakozwe, kandi imfungwa zigomga guhabwa uburyo bwo kwisobanura ku byo ziregwa. Ibihano by'imyitwarire mibi byahawe imfungwa cayangwa umugororwa bigomba kwandikwa. Kwitabaza ubundi buryo bwo gukemura amakimbirane mu bwumvikane birashyigikiwe mu gukumira ibihano by'imyitwarire idahwitse no gukemura impaka. Mu gihe biri mu nyungu z'ubutabera, by'umwihariko iyo hakurikiranyweho amakosa akomeye y'imyitwarire idahwitse, imfungwa zigomba guhabwa uburyo bwo kwisobanura ku giti cyazo cyangwa hari abazunganira mu by'amategeko.



Ikoreshwa ry'uburyo bugabanya ubwisanzure bw'umubiri* [Ibwiriza rya 43, 47-49]

Ibikoresho byo kubuza ubwisanzure bw'umubiri bitesha imfungwa agaciro cyangwa bibabaza birabujijwe. Gukoresha ikindi gikoresho icyo aricyo cyose byubahiriza ibisabwa: bikoreshwa mu gihe nta bundi buryo bworohereje bwo gucunga imfungwa buhari, kandi ibyo bikoresho bigomba guvanwamo mu gihe cya vuba gishoboka. Ibikoresho bibuza imfungwa ubwisanzure bw'umubiri bigomba kuvanwamo kuva imfungwa igeze mu rukiko, nta na rimwe bigomba gukoreshwa ku bagore bari ku bise, babyara cyangwa bakimara kubyara.

Gukoresha ingufu [Ibwiriza rya 82]

Nta mucungagereza wemerewe gukoresha ingufu uretse gusa mu gihe cyo kwitabara, cyangwa mu gihe hari imfungwa igerageza gutoroka. Ikoreshwa ry'ingufu iryo ari ryo ryose ntirigomba kurenza igipimo cyagenwe, kandi rikamenyekanishwa. Uretse mu bihe bidasanzwe abakozi ba gereza ntibagomba kwitwaza intwaro. Ibipimo ngenderwaho by'Umuryango w'Abibumbye bisaba ko hashyirwaho amabwiriza agomba gukurikizwa mu gukoresha intwaro kandi ko gukoresha intwaro mu buryo butemewe n'amategeko bigomba guhanwa nk'icyaha. **[Reba n'Amahame remezo y'Umuryango w'Abibumbye ku ikoreshwa ry'ingufu n'intwaro n'abakozi bashinzwe iyubahirizwa ry'amategeko]**

Gusurwa

Abagize umuryango n'inshuti

[Amabwiriza 43, 58-60, 68 n'irya 70]

Imfungwa n'abagororwa bemerewe gusurwa kimwe no kuba bavugana n'abantu bo mu miryango yabo hakoreshejwe telefone cyangwa amabaruwa. Nta mfungwa igomba kugabanyirizwa inshuro yasurwaga mu rwego rwo kuyifatira ibihano ku ikosa ry'imyitwarire yakoze, cyane cyane imfungwa z'abagore n'abana bazo. Imfungwa zifite uburenganzira bwo kubwira inshuti zazo kimwe n'abo mu muryango wazo ibirebana n'ifugwa ryazo, uko zimuriwe ahandi, uburwayi cyangwa ugukomereka ku buryo bukomeye. Mu gihe umuntu ufitanye isano ya hafi cyangwa uwashakanye n'imfungwa apfuye, imfungwa igomba kwemererwa gusura umuryango cyangwa kujya mu mihango yo gushyingura. Uburenganzira bwo gusura uwo mwashakanye no kugirana ubwisanzure nk'abashakanye bugomba kubahirizwa nta vangura. **[Reba no mu Mategeko y'Umuryango w'Abibumbye yemerejwe i Bangkok]**

Abunganizi mu mategeko*

[Ibwiriza rya 41, 53, 61, 119 n'irya 120]

Imfungwa zigomba guhabwa uburyo, igihe ndetse n'ahantu h'ibanga kugira ngo zishobore kuganira n'abunganizi bazo mu mategeko. Zigomba kubona kandi ubufasha mu by'amategeko buhamye hakurikijwe amategeko mpuzamahanga ngenderwaho. Imfungwa zifite uburenganzira bwo kubona no kubika amadosiye yazo arebana n'amategeko, kugira ngo zishobore kugira uruhare mu miburanire yazo. **[Reba ku mahame n'imirongo ngenderwaho y'Umuryango w'Abibumbye ku birebana n'ubufasha mu by'amategeko mu manza nshinjabyaha]**

Za ambasade [Ibwiriza rya 62]

Abanyamahanga bagomba kugira uburenganzira bwo kubonana n'abahagarariye ibihugu byabo. Iri bwiriza rishingiye ku bibazo byihariye bahura na byo, harimo kudashobora gusabana mu rurimi rusanzwe rukoreshwa muri gereza, kutamenya amakuru n'ubumenyi bw'imiterere y'amategeko ndetse n'ingorane mu kubona uburyo bwo kuvugana n'abagize imiryango yabo.

Ibikorwa bya buri munsi

Gahunda zo gusubizwa mu buzima busanzwe*

[Ibwiriza rya 4, 88, 89, 91-94 n'irya 96-108]

Amagereza agomba gutanga uburezi, amasomo y' imyuga ndetse n'ubundi bufasha bukenewe bigamije kuzafasha imfungwamu igihe zisubijwe mu buzima busanzwe. Ibi bikaba bihuye n'intego nyamukuru y'igihano cyo gufungwa yo kurinda abaturage no guharanira ko ibyaha bitakongera gukorwa. Kugira ngo izo gahunda zishobore kugerwaho, zigomba gushingira ku bumenyi n'ubushobozi bw'umuntu ku giti cye. Amagereza agomba kwemera uruhare rukomeye abakozi bayo bagira mu gutegurira imfungwa gusubizwa mu buzima busanzwe.

Imirimo yemewe n'ibujijwe*

[Ibwiriza rya 40, irya 96-103]

Imirimo y'agahato, ubucakara cyangwa gutegeka imfungwa gukora imirimo y'abantu ku giti cyabo cyangwa mu nyungu zihariye z'umukozi wa gereza birabujijwe. Umurimo uwo ariwo wose ugomba kuba ufitiye akamaro imfungwa mu kazi ashobora gukora nyuma yo gufungurwa cyangwa ikabihemberwa, kandi imirimo igakorerwa ahantu hadafite ingaruka hakurikijwe ibiteganywa n'amategeko. Imfungwa ntizigomba gukoreshwa imirimo mu rwego rwo kuziha ibihano by'imyitwarire idahwitse.

Ibikorwa bifite akamaro imfungwa

[Ibwiriza rya 4, 23, 64-66, 105]

Gukora ibikorwa bifite akamaro bifasha ubuyobozi bwa gereza kimwe n'ubuzima bwo mu mutwe bw'imfungwa ndetse bigafasha mu kumutegurira gusubira mu buzima busanzwe. Imfungwa n'abagororwa bagomba guhabwa umwanya n'uburyo bwo gukora 'imyitozo ngororamubiri, bakaba bagomba kugenerwa igihe kingana nibura n'isaha imwe ku munsi. Gereza igomba kugira isomero kandi imfungwa zikemererwa gukora ibikorwa bijyanye n'imyizerere yazo.

Uburezi [Ibwiriza rya 104]

Guha imfungwa uburyo bwo kwiga bigomba kwitabwaho, kuko kwiga bigira uruhare rukomeye mu kurinda ko isubiracyaha ryabaho. Amasomo atangwa agomba kuba ari ku rwego rumwe n'ahabwa abantu badafunzwe kandi agahabwa imfungwa zose. Ku mfungwa zitazi gusoma no kwandika kimwe n'imfungwa z'abakiri bato kwiga ni itegeko.

Ubuzima bw'umubiri n'ubwo mu mutwe

Kubona ubuvuzi* [Ibwiriza rya 24-29 n'irya 31]

Nk'uko Leta ifite inshingano zo kwita ku bo amategeko yavukije ukwishyira ukizana kwabo, ubuvuzi na bwo bugomba gutangwa muri gereza kandi bigakorwa ku rwego rumwe nk'uko bikorwa hanze ya gereza. Ku buryo buhuye n'uko bisanzwe bikorwamo, ubuvuzi bwo muri gereza bugomba gutunganywa ku bufatanye bwa hafi na serivise z'ubuzima z'abaturage, harimo no kureba ko aho umuntu ari hose yabonye ubwo buvuzi. Aya mategeko avuga ibikubiye muri serivise z'ubuvuzi muri gereza, harimo n'ubw'abana n'ababyeyi babo babana muri gereza.

Uruhare rw'abaganga* [Ibwiriza rya 25, 30-34]

Uruhare rw'abaganga muri gereza rugomba kuba rutandukanye ku buryo bugaragara n'urw'ubuyobozi bwa gereza. Aba baganga kandi bagengwa n'amahame y'imyitwarire ndetse n' imitunganyirize y'akazi asanzwe agenga abaganga. Uruhare rwabo ni ugusuzuma, guteza imbere no kuvura ubuzima bwo ku mubiri n'ubwo mu mutwe bw'imfungwa n'abagororwa. Muri ibi hakubiyemo kuvura no kwita ku ndwara zandura, ku bagizwe imbata n'ibiyobyabwenge, ku buzima bwo mu mutwe ndetse n'ubw'amenyo. Abaganga bo muri gereza ntibagomba kwivanga mu bibazo by'imicungire ya gereza, nk'ibyemezo birebana n'imyitwarire, kandi ibyemezo byabo mu buvuzi ntibigomba kuvuguruzwa cyangwa kutitabwaho n'abakozi batari abo mu buvuzi. Abaganga bo muri gereza bafite inshingano yo gutanga raporo ku bimenyetso byose by'itotezwa cyangwa iyicarubozo byagaragaye ku mfungwa cyangwa umugororwa.

Imfungwa n'abagororwa barwaye*

[Ibwiriza rya 26, irya 32]

Mu gihe imfungwa n'abagororwa bagiye kureba muganga, bagomba kwakirwa neza no kwitabwaho nk'abandi barwayi bose. Nyuma yo guhabwa ibisobanuro na muganga, abarwayi bafite uburenganzira bwo kwemera cyangwa kwanga ubuvuzi bagiye guhabwa burimo gusuzumwa n'ibindi. Amadosiye yabo yo kwa muganga agomba kubikwa mu ibanga. Kugira ngo habashe kwirinda indwara zandura, yaba ku bakozi ba gereza cyangwa ku mfungwa n'abagororwa, hagomba gutangwa amakuru yose akenewe yashingirwaho mu gufata ingamba kandi bitabangamiye inshingano y'ibanga ry'abaganga.

Gutanga inama ku buzima* [Ibwiriza rya 35]

Urwego rushinzwe ubuzima mu gihugu rugomba kugenzura no kugira inama ubuyobozi bwa gereza ku buryo buhoraho ku bibazo bitandukanye bigira ingaruka ku buzima n'imibereho y'imfungwa n'abagororwa ndetse no ku bakozi ba gereza. Muri ibi hakubiyemo kubona ifunguro, isuku muri gereza ndetse n'iy'imfungwa n'abagororwa, ibyangombwa by'isuku, ubushyuhe cyangwa ubukonje bikenewe, kubona urumuri ruhagije ndetse no gufata akayaga hamwe n'ibindi bikenewe.

Igenzura n'ipererereza

Igenzura* [Ibwiriza rya 83-85]

Mu rwego rwo kugaragaza ko igenzura ari kimwe mu bigize uburyo ubwo aribwo bwose bwo gucunga gereza ku buryo bw'ubunyamwuga kandi bukorera mu mucyo, aya mabwiriza asaba ko hashyirwaho uburyo bwo kugira amadosiye abiri harimo uburyo ubuyobozi bwa gereza bukoresha mu gukora igenzura hamwe n'uburyo bw'igenzura rikozwe n'abantu bo hanze bigenga. Impamvu y'iryo genzura ni ukureba ko amagereza acungwa hakurikijwe amategeko n'amabwiriza, kandi hagamijwe kurengera uburenganzira bw'imfungwa. Aya mabwiriza agaragaza ububasha abagenzura bagomba kuba bafite kandi akanagaragaza imitangire ya raporo n'uburyo bwo gukurikirana ibyakozwe.

Ipererereza* [Ibwiriza rya 57 n'irya 71]

Amagereza agomba gutanga raporo ku muntu wese upfiriyemo, uwabuze, uwakomeretse bikomeye ndetse niba hari n'impamvu zo gukeka ko hari uwakorewe iyicarubozo n'ibindi bikorwa bya kinyamaswa, hatitawe ku kumenya niba icyo kirego cyatanzwe mu buryo buteganyijwe. Raporo igomba gushyikirizwa urwego rwigenga rufite inshingano zo gukora ipererereza.

Ubuyobozi bwa gereza kimwe n'abakozi bayo bagomba gufatanya mu buryo busesuye n'abakora bene ayo mapererereza kandi bareba ko ibimenyetso byose bisigasiwe. Abantu bavugwa muri ibyo bikorwa ntibagomba kugira uruhare mu ipererereza.

Kwimurwa no gutwarwa [Ibwiriza rya 26(2), n'irya 73]

Imfungwa zigomba gutwarwa mu buryo bukwiye kandi barebwa na rubanda gake gashoboka. Mu gihe imfungwa yimuriwe ku yindi gereza, na dosiye ye yo kwa muganga igomba kwimurwa.

Gufungurwa

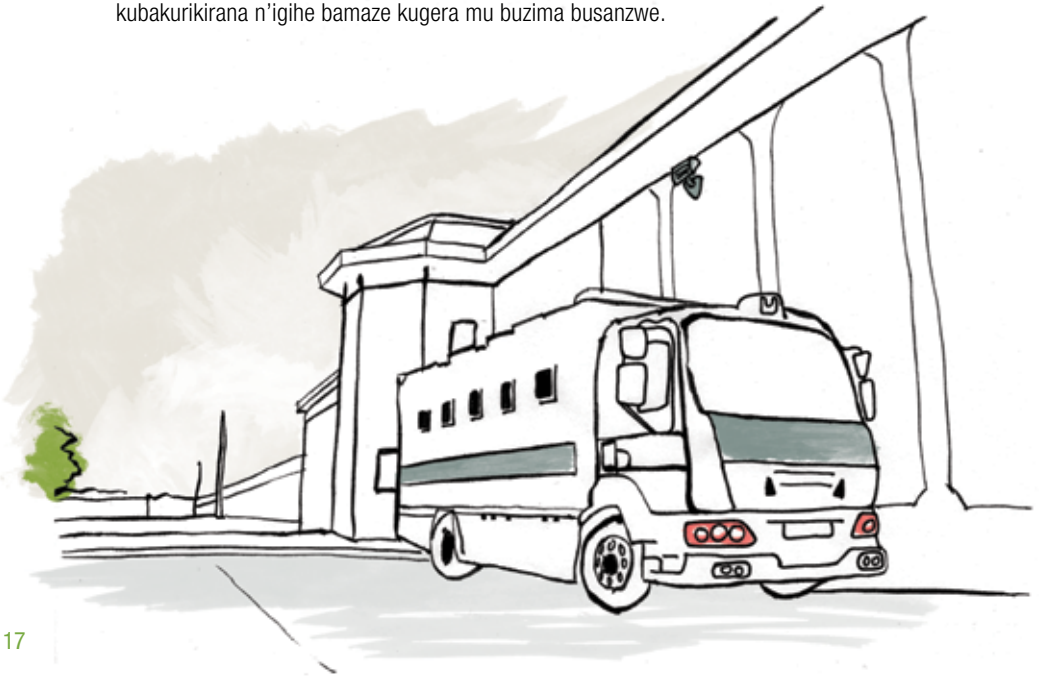
Imitungo y'imfungwa [Ibwiriza rya 67]

Ikintu cyose cyangwa amafaranga yatswe imfungwa n'abagororwa mu gihe binjizwaga muri gereza bigomba kubasubizwa iyo bafunguwe kandi bikaba byarabitswe neza. Imfungwa cyangwa umugororwa agomba gusinya ko asubijwe imitungo ye.

Gusubizwa mu buzima busanzwe

[Ibwiriza rya 88 n'irya 90]

Ubuyobozi bwa gereza bugomba gushyiraho uburyo bwo gutegurira imfungwa gusubizwa mu buzima busanzwe buhoro buhoro binyuze nko muri gahunda zibategurira gufungurwa vuba cyangwa iminsi yo gufungura amagereza agasurwa na rubanda. Hagomba kandi gushyirwaho gahunda zo gukomeza kubakurikirana n'igihe bamaze kugera mu buzima busanzwe.



Reka twibutse ko aya mabwiriza yitiriwe Nelson Mandela agomba gusomerwa hamwe n'amahame fatizo y'Umuryango w'Abibumbye, amwe muri yo akaba ari amahame remezo agenga ikoreshwa ry'ingufu n'Intwaro, Amategeko y'Umuryango w'Abibumbye agenga imfungwa z'abagore yasinyiwe i Bangkok, Amategeko y'Umuryango w'Abibumbye agenga ubutabera bubereye abatarageza imyaka y'ubukure yasinyiwe i Beijing, amategeko y'Umuryango w'Abibumbye agenga ingamba zitagamije gufunga hamwe n' amategeko y'Umuryango w'Abibumbye agenga imyitwarire y'abashinzwe gukurikirana iyubahirizwa ry'amategeko.

Hakorwa iki ubu?

Kuvugurura amahame ngenderwaho y'amagereza ni akazi gakomeye. Gushyira mu bikorwa amabwiriza yose uko ari 122 bisaba igihe ndetse n'ubushobozi. Icyakora hariho imiyoborere iboneye, amahugurwa hamwe n'umuco wo kubaha uburenganzira bw'ikiremwamuntu, amenshi mu mabwiriza yitiriwe Nelson Mandela yashyirwa mu bikorwa ku buryo budahenze.

PRI ikorera mu turere no mu bihugu bitandukanye bifite imyumvire n'imibereho mu bya politiki n'imibanire ya rubanda bitandukanye. Mu mikorere yacu twita kuri izo mpamvu zose, kandi tugakora dukurikije uko tubona ibintu bimeze. Uburyo dukoresha bwita ku buringanire bw'abagabo n'abagore no ku mico itandukanye.

Dufite uburambe bw'imyaka 25 dukora mu rwego rw'ubutabera mpanabyaha no mu kuvugurura amategeko mpanabyaha ku rwego rw'igihugu, rw'akarere no ku rwego mpuzamahanga. Ubwigenge dufite ndetse no kuba turi impuguke muri urwo rwego rwihariye bituma tuba abafatanyabikorwa bakomeye ba leta hamwe n'imiryango idashamikiye kuri leta bifuza gutangira gushyira mu bikorwa amabwiriza yitiriwe Nelson Mandela.

Mu mirimo ya PRI harimo gutanga inama ngenderwaho n'ubufasha ku bafatanyabikorwa bafite uruhare mu gushyira mu bikorwa aya mabwiriza. Ibi bikorwa hifashishijwe inyandiko zitangazwa, inama, amahugurwa n'ibindi bikorwa bihuza abantu. Mushobora gusura urubuga rwacu rwa interinet **www.penalreform.org** kugira ngo mushobore kubona:

- Kopi y'amabwiriza yitiriwe Nelson Mandela (aboneka mu ndimi nyinshi).
- Amashusho amara iminota ibiri asobanura mu ncamake amabwiriza yitiriwe Nelson Mandela.
- Andi makuru atandukanye.

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