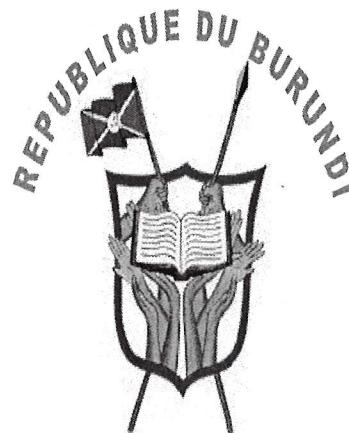


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N. Réf : SNB / COM. V / / 2023



SENAT

Gitega, le ... / / 2023

Commission permanente chargée des questions administratives, de décentralisation et du contrôle de la représentativité dans les institutions

A Son Excellence Très Honorable
Président du Sénat
à

Objet : Transmission d'un rapport

Gitega

Excellence Très Honorable Président,

J'ai l'honneur de vous transmettre en annexe à la présente, le rapport d'analyse par la Commission permanente chargée des questions administratives, de décentralisation et du contrôle de la représentativité dans les institutions **du projet de loi n°1/... du .../ ... /2023 portant ratification par la République du Burundi de l'Accord entre le Gouvernement de la République du Burundi et le Gouvernement de la République des Maldives sur l'exemption mutuelle de visa pour les ressortissants des deux pays respectifs.**

Vous en souhaitant bonne réception, je vous prie d'agréer, Excellence Très Honorable Président, l'assurance de ma très haute considération.

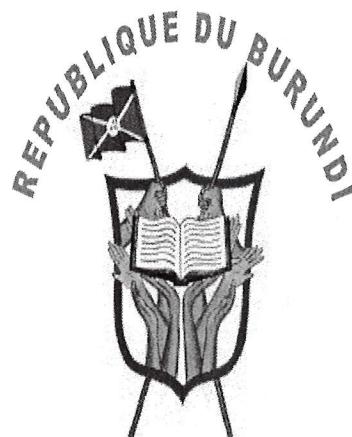
**POUR LA COMMISSION PERMANENTE CHARGEÉE DES QUESTIONS
ADMINISTRATIVES, DE DECENTRALISATION ET DU CONTROLE
DE LA REPRESENTATIVITE DANS LES INSTITUTIONS ;**

Sénatrice Spès NDAYIZEYE, Présidente.

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SENAT

LEG VI / RAP N°103

IGEN 28/8/2023

*umurwi wamaho ujejwe ibibazo
vy'intwaro, kwegereza ubutegetsi
abenegihugu no kugenzura ingene
baserukiwe mu nzego z'igihugu*

**ICEGERANYO C'UMWIHWEZO WAKOZWE N'UMURWI WAMAHO UJEJWE
IBIBAZO VY'INTWARO, KWEGEREZA UBUTEGETSI ABENEGIHUGU NO
KUGENZURA INGENE BASERUKIWE MU NZEGO Z'IGIHUGU KU NTEGURO
Y'IBWIRIZWA RIJANYE N'UKWEMEZA AMASEZERANO YO GUFASHANYA HAGATI
YA RETA Y'UBURUNDI NA RETA YA MALDIVES MU BIJANYE N'UKWOROHHEREZA
ABENEGIHUGU KURONSWA IMPUSHA ZO KWINJIRA MURI IVYO BIHUGU
BIBIRI**

I. INTANGAMARARA

Ku musi wa mbere igenekerezo rya 28 Myandagaro 2023, abakenguzamateka bahuuriye mu murwi wamaho ujejwe ibibazo vy'intwaro, ukwegereza ubutegetsi abenegihugu no kugenzura ingene baserukiwe mu nzego z'igihugu barakoranye kugira ngo bihweze integuro y'ibwirizwa nkuko ryashikirijwe aho hejuru.

Muri ico gikorwa Reta y'Uburundi yari yaserukiwe n'Umushikiranganji w'amasonko ntanganguvu n'agataka kugira ngo asigurire abagize uwo murwi imvo n'imvano y'aya masezerano yongere atange umuco ukenewe ku bice bimwe bimwe vyayo.

Mu kwihweza iyo nteguro y'aya masezerano, abakenguzamateka bagize uyo murwi wamaho washikirijwe iyo nteguro y'ibwirizwa ngo uyige, bifashishije inyandiko zikurikira:

- 1 Ibwirizwa Shingiro rya Repuburika y'Uburundi;
2. integuro y'ibwirizwa nkuko yarungitswe na Reta n'imvo n'imvano yaryo;
3. integuro y'ibwirizwa nkuko ryemejwe n'Inama Nshingamateka;

4. Urwandiko rw'ayo masezerano.

Iki cegeranyo kigizwe n'ibice bikurikira:

1. intangamarara;
2. inyungu y'ayo masezerano;
3. ibiri muri ayo masezerano;
4. ibibazo vyabajijwe uwaserukiye Reta hamwe n'inyishu zatanzwe;
5. gusozena.

II. INYUNGU Y'AYA MASEZERANO

Aya masezerano azotuma igihugu cacu n'igihugu ca Maldives bitera iyindi ntambwe mu bijanye n'imigenderanire na cane cane biciye mu gisata c'ingenzi.

III. IBIRI MU NTEGURO Y'AMASEZERANO

Iyi nteguro y'amasezerano yo gufashanya igizwe n'ingingo icenda zikurikira:

- ingingo ya mbere yerekana neza ikiringo aboroherezwa bafise mu gihe bava canke baja muri ivyo bihugu bibiri;
- ingingo ya kabiri yerekana ibibanza vyo kwinjira no gusohoka vy'ubutaka bw'igihugu kigenzi;
- ingingo ya gatatu idondagura imvo zishobora gutuma abategetsi b'igihugu kimwe muri ivyo bashobora kwankira umwenegihugu wavyo kwinjira canke kumara imisi ku butaka bwaco;
- ingingo ya kane ivuga uko uwatakaje impapuro z'inzira abimenyesha n'ingingo zica zifatwa;
- ingingo ya gatanu irategekanya kwongereza ikiringo co kuguma ku butaka bw'igihugu kigenzi mu gihe ikiringo gitegekanijwe muri aya masezerano kimaze kurangira;
- ingingo ya gatandatu ishiraho ikiringo co guhanahana ibiranga impapuro z'inzira zikoreshwaa;
- ingingo y'indwi ivuga ivyotuma aya masezerano ahagarikwa hamwe n'ikiringo co kubimenyesha;
- ingingo y'umunani itegekanya uko amatati akomotse ku kudatahura kumwe canke kw'ishirwa mu ngiro ry'aya masezerano azotorerwa umuti;
- ingingo y'icenda ivuga ko izi mpande zibiri zigiraniye amasezerano ata kiringo kanaka gitegekanijwe, ingene ashobora guhinyanyurwa kandi ko uruhande rumwe rushobora guhagarika aya masezerano.

IV. IBIBAZO VYASHIKIRIJWE UWUSERUKIYE RETA N'INYISHU ZATANZWE

IKIBAZO CA 1

Imvo n'imvano irerekana yuko amasezerano y'ugufashanya hagati y'ighugu c'Uburundi n'igihugu ca Maldives azotuma hashimangirwa imigenderanire hagati y'ibibihugu uko ari bibiri.

Nyakwubahwa Mushikiranganji,

a) mubona izi mpande zibiri zizoharonkera inyungu zimwe zivuye muri ukwo gufashanya mu gihe tubona iki gihugu ca Maldives kimaze gutera imbere kuruta Uburundi?

INYISHU

Ni vyo igihugu c'Uburundi carashize umukono ku masezerano yo gufashanya n'igihugu ca Maldives mu ntumbero yo guteza imbere ivyo ibihugu n'abenegihugu bavyo. Nkuko mubivuze Maldives hari ivyo kimaze guteramwo imbere Uburundi bukeneye kurahura muri ico gihugu na cane cane ibijanye n'uburovyi (pêche), n'ivy'ingenzi (tourisme); na kare abarundi bavuga ngo akanyoni katagurutse ntokamenya iyo bweze.

Mubajje muti mubona izo mpande zibiri zizoronka inyungu zimwe, nokwishura ko inyungu zitoba zimwe kuko nkoko nari nabivuze hari ivyo Maldives imaze guteramwo imbere. Aho ni ho Uburundi buronderamwo akarusho. Maldives nayo nyene irafise ivyo izorahura iwacu. Si ibintu twogira ngo ni ugushira ku munzane kuko ibi vy'amasezerano ni ukugira ibihugu bifashanye vyoroshe; ico kimwe kirusha ikindi kigifashe kugiteramwo intambwe. Rero, ni ukumenya ko Maldives giteye imbere muri bimwe mu bisata hanyuma Uburundi bukagerageza kurabira kuri ico gihugu mu kwiteza imbere muri ivyo bisata.

Hambavu y'ivyo, turazi ko mu bijanye n'imigenderanire hagati y'ibihugu, vyama bikeneranira na cane cane nko mu manama y'amashirahamwe mpuzamakungu aho ijwi ry'igihugu giteye imbere ryama ringana n'ijwi ry'igihugu kikiri mu nzira y'amajambere hageze gufatira ingingo igihugu kinaka.

b) ni izihe nyungu z'ubutunzi zidasanzwe Uburundi buzohungukira?

INYISHU

Inyungu Uburundi bushobora gukura muri ayo masezerano ni uko igihugu ca Maldives nk'igihugu gikikujwe n'ibahari (océan) ari igihugu giteye imbere mu vy'uburovyi (pêche), n'ivy'ingenzi (tourisme). Mu gihe Uburundi bufise Ikiyaga Tanganyika kirimwo ifi (poissons) z'ubwoko bwinshi cane (sangala, mukeke...) kandi n'ingenzi zikunda, Uburundi bwoteza imbere ico gisata burahuye ubwenge n'ubumenyi muri ico gihugu kigenzi. Ikindi, mu vyerekeye ingenzi (tourisme), Uburundi murazi ko bufise ibibanza vy'iratiro vyinshi: amashamba akingiwe (parcs), ibiyaga vyo mu buraruko (lacs du nord), amashuha (les eaux thermales), eka n'ibiyaya n'imisozi biteye igomwe, isoko ry'uruzi Nil (source du Nil) tutibagiye amasumo ya Karera (chutes de Karera). Ivyo ni ibintu bishobora gukwega ingenzi nyinshi hamwe igihugu c'Uburundi coteza imbere ico gisata. Abo rero bafise uburambe (expérience) botubera icitegererezo tukahakura ubumenyi bwo guteza imbere ivyo bisata.

IKIBAZO CA 2

Mu mvo n'imvano y'amasezerano yo gufashanya hagati ya Reta ya Repuburika y'Uburundi na Reta ya Repuburika ya Maldives, mu gice ca mbere, ikigabane ca gatandatu, haravugwamwo ko ico gihugu ca Maldives giteye imbere cane mu gisata c'ingenzi kandi ko Uburundi bushobora kuhigira vyinshi. Yamara ibikorwa muri ico gisata birashobora gutera ingaruka zitari nziza mu kindi gihugu kuko bitaba bisangiyе imico n'imigenzo.

Nyakwubahwa Mushikiranganji,

- a) uretse igisata c'ingenzi, hoba hari ibindi bisata muzohava mwongerako kugira dukamishe ayo mahirwe? Vyoba ari ibihe?**

INYISHU

Nkuko nari mpejeje kubivuga ku kibazo ca mbere, hambavu yuko igihugu ca Maldives giteye imbere mu bijanye n'igisata c'ingenzi (tourisme) hariyongerako igisata c'uburovyi (pêche). Mu gihe rero Uburundi busanzwe bufise ikiyaga Tanganyika eka n'ibiyaga vyo mu buraruko, aya masezerano azoza afasha guteza imbere igisata c'uburovyi aha mu Burundi. Ikindi mwomenya ni uko abenegihu b'Uburundi bashobora kuja muri Maldives kuronderayo akazi cane cane abanyonga imiduga canke utundi dukorwa (services) hama baronke amahera yo gusahiriza imiryango. Ikindi abakozi ba Reta basanzwe bari muri ivyo bisata hamwe n'abanyeshure b'abarundi bashobora kuja kwungurayo ubumenyi.

- b) Mutegekanya iki mu gukingira imico n'imigenzo y'abarundi mu gihe twosanga ubukerarugendo bukorwa n'abava muri Maldives hoba harimwo ubushingiye ku gitsina (tourisme sexuel)?**

INYISHU

Nkuko mubizi igihugu cose gifise imico n'imigenzo kigenderako, kanatsinda igihugu gitaye akaranga kiba gitaye akahise kaco. Uburundi rero burafise akaranga k'ubuntu, ni co gituma mu gukingira akaranga, Uburundi burafise amategeko akingira akaranga k'igihugu. Hariho n'Ubushikiranganji bujewe akaranga buguma buraba ko kadatosekara. Mu gihe hoza abo banyamahanga bava Maldives canke ahandi bakazana iyo mico itari iy'ubuntu (tourisme sexuel), amategeko y'Uburundi azoca akora. Twebwe duhamagarira abajewe amategeko kuhagabira bagashira amategeko mu ngiro bagakingira agateka k'Uburundi n'abarundi.

IKIBAZO CA 3

Aya masezerano arafise ico yisangije uravye ayandi masezerano yahora yemezwa kuko aya asa n'ayadacagura abazokworoherezwa mu bijanye n'imigenderanire y'ivyo bihugu vyompi.

Nyakwubahwa mushikiranganji, ni izihe ngingo mperekeza igihugu cacu coba kimaze kwiyumvira kuzoshiraho kugira ngo aboza ata kintu c'ingirakamaro kibazanye bagabanuke?

INYISHU

Naho ivyo bihugu vyompi (Uburundi na Maldives) vyashize umukono kuri ayo masezerano yorohereza abenegihugu kuja muri ivyo bihugu, ico mwomenya ni uko mu kwinjira mu gihugu hari inzego zziejwe uruja n'uruza hagati y'ibihugu (migration) ziraba ko ibisabwa vyubahirijwe. Gusa, biroroha kubera ayo masezerano. Bazoraba ko bafise ibitabu vy'inzira banavuge ikibagenza. Igihugu ni co kizoraba ico abo bantu b'ingenzi bakimariye. Ikizosanga bagiteye ikibazo kizosaba ikindi gihugu basangiye ayo masezerano kuyahagarika kugira ahinyanyurwe kurusha nkoko bitegekanijwe mu ngingo y'indwi y'aya masezerano.

IKIBAZO CA 4

Twihweje ingingo ya 4 n'iya 5 z'aya masezerano, zirerekana ukworohereza cane abinjira n'abasohoka muri ivyo bihugu. Haravugwamwo kandi gufasha bimwe biboneka abazoba batakaje impapuro z'inzira hamwe n'abogira izindi ngorane zijanye n'ivyo?

Nyakwubahwa Mushikiranganji, mutegekanya iki kugira ntihazogire abavuga ko haya muri ivyo bihugu.

basanzwe bavuka ahandi bakaba bipfuza kuba baramara umwanya muri kimwe muri ivyobihugu?

INYISHU

Mubisanzwe ico kibazo sinumva ko cobaho kuko igihugu cose kirafise inzego zziejwe gutanga impapuro z'ingenzi ku benegihugu babo. Rero igihugu cose gitegerezwa gucongera itangwa neza ry'izo mpapuro kugira bazihe abenegihugu atari abanyamahanga.

V. UGUSOZERA

Aya masezerano azotuma imigenderanire y'igihugu cacu n'ica Maldives itsimbatara mu bijanye n'ugufashanya biciye mu kworohereza abenegihugu bakomoka muri ivyo bihugu bibiri. Hejuru y'ivyo, igihugu cacu kizohungukira cane kuko igihugu ca Maldives kirateye imbere cane mu bijanye n'igisata c'ingenzi n'uburovyi kuko ni igihugu kiri mw'bahari (Océan Indien). Ivyo bizotuma Uburundi buhungukira kuko abenegihugu bacu bazojayo kurahura ubumenyi abandi na bo bajeyo kwiyungunganya na rirya muri ico gihugu hasanzwe hariyo ishirahamwe riteye imbere kandi rifasha mu bijanye n'uburovyi.

Ku bw'ivyo, umurwi wamaho ujejwe ibibazo vy'intwaro, kwegereza ubutegetsi abenegihugu no kugenzura ingene baserukiwe mu nzego z'igihugu, umaze kwihweza ugashima impinyanyuro zashikirijwe n'Inama Nshingamateka, usavye abubahwa bakenguzamateka bashashe kwemeza iyi nteguro y'bwirizwa nkuko yashikirijwe.

**KU BW'UMURWI WAMAHO UJEJWE IBIBAZO VY'INTWARO,
KWEGEREZA UBUTEGETSI ABENEGIHUGU NO KUGENZURA
INGENE BASERUKIWE MU NZEGO Z'IGIHUGU ;**

Umukenguzamateka NDAYIZEYE Spès, Umukuru w'umurwi.

