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The Chief Justice met with the deputy director for the Bureau of International Counter-Narcotics and Law Enforcement (BICNLE)

Mr. Sayed Yosuf Halim, the Chief Justice, met with Mrs. Creston Medison the Deputy Director of the International Office of the Counter Narcotics and Law Enforcement, as well as he met with Mrs. Elizabeth, the Justice Team leader of the Counter Narcotics and Law enforcement of the State Department on april 03, 2019.



Considering the importance of Case-flow Management System CMS as a bank of information in which several stages of the cases (i.e., discovery, investigation and trail and grantees activates' transparency of the judicial institutions) are recorded, supporting such System is one of the priorities of the INL, said Mrs. Creston, she

also added that INL is committed to provide technical and equipment support to the system and facilitate its transfer to the GIROA in a transition plan.

Subsequently, the Chief Justice thanked the United States for their support to Afghanistan, especially in the judicial system. He also considered that CMS to be an excellent achievement in civil and criminal case tracking, and hoped that with the continuation of INL's support the system functionality increases and a fully-fledged, responsive and secure system would be delivered to the Afghan judiciary system.

During the meeting, the two sides also spoke about the alternatives to imprisonment and detention. The head of the international office of the counternarcotic and law enforcement said that: she intends to set up an episodic trip to assess tGeneral Directorate of Scrutiny and Studies he mentioned factors in different countries of the world and is willing to know the views of Afghanistan laws in this regard. In response the Chief Justice spoke in the light of the Criminal Procedure Act, while outlining the alternatives to imprisonment, legal and executive challenges, and described the improvements in the implementation of alternatives to child detention, and expressed the hope that by drafting and alternatives to imprisonment by the state-owned institutions the opportunities can be provided for its implementation.

The Chief Justice met with UNAMA Rule of Law division

Mr. Sayed Yosuf Halim, the Chief Justice, met with Ms. Romana Schweiger head of the UNAMA rule of law on April 8, 2019.



The Chief Justice discussed on identifying challenges and implementation of the Panel Code, he also said, this issue requires holding a conference participating all the judicial institutions including the Supreme Court, Office of the Attorney General, Ministry of Justice, Ministry of Interior Affairs, National Directorate of Security, and Afghan Independent Bar Association to collect information on work-related challenges/problems and the issues on implementation

of the panel code from the offices up to the district level, and to establish a joint committee to assess the collected information unifying the views so that based on the obtained information the conference takes place for further discussion on the subject, which obviously holding such a conference requires financial and technical support of the international organizations/donors.

Subsequently, Ms. Schweiger said, holding such a conference is legitimate and promised to provide financial and technical support in this regards, she also added that considering the importance of the panel code and the goals to identify the challenges on the implementation of the panel code, she speaks with international donors and play a decisive and facilitating role.

Report on Meetings of High Council of the Supreme Court

The Sequential meetings of the High Council of the SC chaired by the Chief Justice Mr. Sayed Yosuf Halim held on April 2, 9, 13, 16, 20 ,23, 2019, discussing on the agendas, and important decisions are taken as follows:



❖ Assessment of the reports on the activities of the HC of the SC, performances of the preliminary and appellate courts, addressing the tax-related issues, usurpation of the state property, addressing the corruption crimes, major corruption crimes and the violence against women during the year 1397.

❖ Over the past year, seven judges accused of bribery are dismissed from positions by the High Council HC of the Supreme Court SC, and the cases are under trial. Besides, disciplinary actions were taken against 210 judges involved in judicial misconduct. Besides, a total of 518 appellate cases were addressed, 262 issues of the conflict of jurisdiction, 40 requests were referred to superior authorities for further instructions, 780 cases requesting for change of the venue for the trial were also addressed, and some other issues related to judicial cadre were part of these agendas, each case were separately addressed and legal responses were provided to the claimants.

❖ About 39 cases were adjudicated to the tax courts, out of which 25 cases are resolved through the judicial orders/ruling, in addition, 225 cases related to state property usurpation are also addressed, out of which 117 of the mentioned cases are resolved through judicial orders and decisions, and due to lack of legal research existed in 57 case files the cases have been returned to the relevant authorities.

❖ A total number of 987 cases are handled by the preliminary and appellate courts during the year 1397, out of which 917 cases are resolved through judicial decisions and ruling, as well as 168 major crime corruption cases are handled by the preliminary and appellate courts, and judicial ruling are issued for 110

of the mentioned numbers of cases, in addition 93 cases are returned to the relevant authorities due to lack of legal information existed in the case files. It is worth mentioning that, the judicial rulings passed by the preliminary and appellate courts include major crimes corruptions, confiscation, cash fines, remittance and compensation, reach up to 650 Afghani, equivalent to one million seven hundred thousand USD.

❖ Preliminary and appellate courts of the center and provinces addressed to 314 rape cases accused of 393 people and addressed to 1272 cases of violence against women accused of 1682 individuals during year 1397 which were referred by the relevant prosecutor offices and necessary orders and sentences were issued against the accused based on the panel code and law on violation against women.

- According to the documents, the cases of aggression, around thirty to twenty-five cases in the provinces of Takhar, Balkh, Herat, Kandahar, Kunduz, Badakhshan and Helmand, as well as cases of violence against women around 33 to 257 cases in Balkh, Kabul, Herat, Daikundi, Kunduz, Takhar Jawzjan, Badakhshan, Baghlan and Samangan provinces were addressed, some provinces have the lowest cases, but the courts of Zabul, Baghlan, Nimroz, Farah, Nuristan, and Faryab do not have rape cases, and appellate courts in Faryab and Nuristan provinces do not have cases of violence against women during the last year.

- In accordance with the decision of the second seminar of the heads of the courts approved on 1347 and based on the official information provided by the Afghanistan Bank, the rate of Deyat (blood money) was set based on the average price of one gram of the pure silver, and was instructed to be announced throughout the courts for legal implementations.

- The Council reviewed a case of bribery related to a member and acting director of Preliminary court of Shindand district of Herat Province, after that the appointed prosecutor filed a lawsuit, and the accused's attorney presented his appeal, and after evaluation of all documents and provided reasons, the decision was taken based on article 375 and article 371 and 385 of the panel code, "the accused's has been charged of cash fines equivalent to received bribe, and dismissal from judge position and abandoned from working in the judiciary system"

❖ Some of the judicial misconducts cases were addressed and after confirmation of the violation, and Considering the audit reports and views of the scrutiny, disciplinary actions were taken against 14 judges from the courts of Kabul, Kandahar, Nangarhar, Paktia, Faryab, and Kunduz. On the other hand, in accordance with the principle of honour, 11 judicial and non-judicial members of palpitated court of Shindand of

Herat were honoured and praised in connection to their good performances related to addressing to the cases of those who were sentenced to imprisonment in Iran prisons, as well as one of the judges from Kabul court is honoured because of his honest and responsible performances.

- During this meeting, the following instructions have been issued regarding the confiscated narcotics: the court of counternarcotic division asked for instruction regarding the use of confiscated narcotics for medical purposes based on the article 32 of the law on counternarcotic, with the agreement of the international board of the control of the narcotics. The board has not agreed in this regard, and the relevant courts were instructed that considering the prosecutor's request, they are authorized to issue an order to eliminate the confiscated drugs/narcotics.

- In accordance with the proposal of the Secretariat of the HC of the SC in connection with some of the seized objects, the owners' appeal as a third party, it was pointed out that based on the article 283 of the Criminal Procedure Code only the defendant has the right to appeal.

- Bagram appellate court requested instructions on the issues related to lack of on-time performances of the prosecutor office during the preliminary and appellate, it was pointed out the articles enshrined in section 11 of

the Criminal Procedure Code have explicitly indicated about the legal timelines of case proceedings, and courts shall manage their activities based on that.

❖ The mayor office asked for instruction related to agricultural land acquisition that the law on properties has not explicitly described such issue, and also Badakhshan appellate court asked for information in connection to validation of the evidence related to claims on public properties, judiciary ruling on the government-owned properties occupied by the people, and claims of those individuals having no legal documents against the judicial representatives. The high council pointed out all the aforementioned issues, and necessary instructions were issued in the light of articles 18-19-20 of the law on properties.

- Commercial Court of Kabul requested information on Monetary suits between government and individuals related to past years; it was pointed out that such cases can be solved based on the decree number 142 of the presidential office dated 14/7/138.

- The appellate court of Nimruz province asked information about a separation case that the spouse is originally from Nimruze but is imprisoned in Kabul, considering article 83 of the civil procedural court and type of the case, it was instructed that proceeding, in this case, is the competence of the court where the spouse is imprisoned, and the relevant court can comply under the provisions of applicable law.

- The forensic department asked instruction on conducting autopsy (body examination) for the purpose of scientific investigation or detection of the crimes in which the panel code and forensic law has different articles in this regard; therefore, it was instructed that in order to resolve the case the applicant entity refers the case to legislative authorities.

❖ Suggestion of Balkh appellate court in relation to registration of the quality of rulings, civil final rulings and implemented bails into the elementary documents of the legal directorate of the chief of staff, regarding duty negligence and violation of the military rules, in which the panel code has not explicitly stated, therefore, the issue was referred to the general directorate of research and studies for their recommendations.

- 14 appellate cases were handled while Dr. Ghulam Haidar Alama, the deputy chief justice of the SC, relatives of the convicted individuals and their attorneys were present, and the decisions were issued to each case based on the article 282 of the panel code.

❖ Three appellate cases related to general directorate of the state in connection to the public rights were reviewed while Mr. Mohammad Hashim, the deputy of MoJ, appointed attorneys and the parties

were present, and based on article 482 of the civil procedure code, one of the decision was canceled in favor of the government and instructed to re-proceed the case through the court of the state properties.

In addition, some of the civil and criminal cases applications to change the venue (courts) were addressed, also based on the request of the attorney general office to proceed 113 civil and criminal cases in the provinces of Herat, Badghes, Zabul, Farah, Baghlan, Paktya, Daykundi, Nangarhar, Badakhshan, Nimroz, Kunduz, Balkh, Khost, Takhar, and Sar-e-pul, and the authority to proceeding the aforementioned cases in the mentioned provinces were handed over to appellate courts of those provinces.

Activities Report

Reports on the activities of the high court for the year 1397

The eight high courts of the SC addressed (13902) cases of the lower courts in the year 1397 and the following decisions are taken:

Criminal Court:

3597 cases were filed in this court, of which 2619 cases were confirmed, 528 cases were breached, 177 cases were amended, 126 cases were rejected, and 147 cases are under the trail.

National and international security crimes tribunal

3446 cases were filed in this court, of which 2112 cases were confirmed, 471 cases were breached, 118 cases amended, and 293 cases are under the trail.

Public Security Tribunal

A total number of 1906 cases were filed in this court, of which 1579 cases were confirmed, 188 cases were breached, 60 cases were amended, and 1 case is rejected.

Also, 174 appeal cases of the secretariat were sent to this court, of which 173 cases were addressed, and 1 case is under the trail.

Court of public rights

1429 cases were filed in this court, of which 812 cases were confirmed, and 145 were breached, and the decisions were taken in regards to 73 cases in terms of

the legality, 12 cases related to judicial ruling on case suspension, and 2 cases in connection to obtaining more information, in addition, 147 cases are under the trail.

Civil court:

Totally 1427 cases were filed in this court, of which, 346 cases were confirmed, 474 were breached, 98 cases were rejected, and 9 cases were suspended, 142 cases were reviews in terms of the legality, more information was requested on 2 cases, 191 cases were rejected and 147 cases are under the trail.

Court of violence against women:

A total number of 1320 cases were filed, of which 1024 cases were confirmed, 153 cases were breached, 26 cases were amended, 57 cases were rejected, and 60 cases are under trial.

Military criminal court

A total number of 777 cases were filed, of which, 458 cases were confirmed, 148 cases were breached, 60 cases were revoked, 42 cases were amended, 65 cases were rejected, and 58 cases are under the process.

Also 86 cases were sent to this court by the secretariat, out of which, 73 cases were reviewed, 6 cases were rejected, and 7 cases are under the trail.

Commercial court

A total of 370 cases were filed in this court, of which, 163 cases were confirmed, 93 cases were breached, 142 cases were reviewed in terms of legitimacy, 4 cases were revoked, 100 cases were rejected, and 10 cases are under the trail.

As well as 118 appeal cases were sent to this court by the secretariat, of which, 90 cases were reviewed, and 22 cases are under the process. Similarly, the authority on proceeding about 14 cases was devolved, of which, 11 cases were confirmed, and 3 cases were breached.

Training Programs

Training program on gender mainstreaming- Balkh Appellate Court

The capacity building and performance appraisal, and gender mainstreaming training program were held with the financial support of JSSP for 20 members of non-judicial male and female staff in Ampratori Baran Sahr of Mazar-e- Sharif Hotel on 19 to 20 Hamal of 1398.

The program was covering the topics of gender mainstreaming, gender in Islamic point of view, the deferent between sex and gender, the deferent between fairness and equality, effective factors to empower women, national and international documents that the government has committed the women's equality, the 1984 Universal Declaration of Human Rights, and Gender Equality Policy Framework in the Afghan Government

The program started with the recitation of some verses of the Holy Quran; subsequently the performances were evaluated by the trainer from the Capacity Building Department, and the program run in accordance with the agenda, besides, the participants were instructed to practically implement the lesson learned, and at the end of program certifications were distributed to the participants.

The Action plan of the Judicial Training Department

The action plan of the judicial training department for the year 1397 is as follows:

Judicial Stage (Phase 31)

Phase two of the judicial stage for committed judges of the insecure districts was held on 18th of Hamal to 18th of Mizan for 59 participants.

Preparing the Entry book of the 59 graduates of the six-month judicial stage of the second phase for the insecure districts of the country.

Arrangement for accepting applicants for phase 31st of the judicial stage, online and physical registration was started, and in the final registration, a total number of 10239 applicants 8279 male and 1960 female were registered.

Capacity building training for court judges

a. Needs-based training assessment for judges in eight zones of the country

1. Identifying 390 capacity building programs based on the needs of the courts from 2017-2021
2. Coordination meetings with donors to attract their attention to conducting the needs-based training program identified for the year 2017 to 2021.
3. Training needs assessment are identified for the year 2017-2021

b. Priority-based Capacity building planning for the judges in eight regions of the country for the next five years 2017-2021

1. A total of 390 training programs were planned, out of which 80 training programs were designed for the criminal, civil and commercial sections for the year 1397, 76 of the programs out of the 80 were conducted and due to some technical and security reasons the remaining 4 programs were delayed to be conducted in the first quarter of 1398.

Development of educational database and assessment of the judges before and after receiving the training.

1. About 49 on duty training programs of the provincial courts were entered to the database on 1397, and the

remaining has not yet been submitted to the central office of the legal education.

2. Needs assessments conducted for 59 judges from the insecure districts and their needs and requirements are evaluated in the database.

3. Distributed educational assessment forms were collected after filled out by the participants and shows a 48% increase in the knowledge of the judges of this seminar.

News and Events

➤ Judge Ataullah “Fekri” head of the appellate court of Paktia province met with Mr. Begram UNAMA legal officer of Gardiz province, and discussed on public awareness on the rights of women and children, as well a detailed discussion was on providing facilities on transporting the head of the appellate courts of South zone by the UNAMA helicopters .

A five day training on (General Information of the Panel Code) facilitated by Fazullah “Faiz” a professional member of the Judiciary Education Department for 25 judges of the preliminary and appellate courts of Badakhshan and Takhar provinces with the cooperation and coordination of the judicial education department, at the conference hall of the appellate court of Badakhshan, on 12 Hamal of 1398

- A team of judicial inspectors traveled to Faryab province and had a meeting with Ghulam Sakhi “Habib” head of the appellate court and inspectors were welcomed by the head of the court, meanwhile, on behalf of the judicial staff of the province promised to provide full cooperation to the inspection team. The team officially started to work.

COUNTER CORRUPTION

a. Report on Judicial Activities of Kabul Anti-corruption Primary court

1. Report

Kabul Anti-corruption primary court handled 20 criminal cases related to corruption crimes from March 21 to April 20, 2019 . In relation to the cases, 34 individuals were trialed for charges of misuse of official authority, failure to comply the orders, bribery, forgery, embezzlement, illegal extortion and violations that amongst five individuals were acquitted and the 26 of them were sentenced to different punishments as following:



- One month to one-year imprisonment (3 people)
- One to five years of imprisonment (14 people)
- Cash fine convicts (9 people)
- The total amount of cash fines reach a sum of (12,607 USD)

b. Table 1: Figures of Judicial Performance by Kabul Anti-corruption Primary Court in March and April 2019

N o	Type of case	Number of Cases	Judicial decisions							
			Number of Accused	Acquittals	Number of convicts	number of custodial imprisonments				
						One month to one year	1-5 years	5-15 years	Cash Convicts	Cash fine
1	Misuse of duty authority	5	9	6	3				3	3506
2	Embezzlement	2	2		2		2			259
3	Bribery	7	9		9	2	5		2	2298
4	Forgery	2	8		8	1	3		4	1350
5	Illegal extortion	1	2		2		2			
6	Bribe mediator	1	2		2		2			5194
7	Failure to comply with the orders	1	1	1						
8	Violations against public	1	1	1						
Total		20	34	8	26	3	14		9	12607

In addition, the court within this period of time has issued judicial rulings on 6 cases, and the cases are sent

to the relevant department to complete the researches and studies.

c. Table 2: a figure of judicial rulings of the anti-corruption primary court in March and April 2019

No	Type of case	Number of cases	Number of accused	Ruling cause	Respective office
				Investigative gaps	
1	Misuse of duty authority	2	11	2	Prosecution office
2	Duty Procrastination	1	1	1	Prosecution office
3	Embezzlement	2	6	2	Prosecution office
4	Forgery	1	2	1	Prosecution office
total		6	20	6	

2. Summary of verdicts issued by Kabul anti-corruption preliminary court

Verdict dated April 2,2019

d. Convection of the head of the detective department of the 15th police district of Kabul on the charge of bribery.

One of the money robbers arrested by the personnel of the detective department of the 15th police district after the victim informed the police, but after conducting the primary investigations the case was not sent to legal process, and head of the criminal and investigation department of the police district asked 40000 Afghani in return to close the case, but the victim informs the intelligence authorities, and the intelligence department

plans to provide the requested money, and through victim the money should be handed over to the head of the department of crimes discovery of the 15 police district. The victim (co-worker) act as planned and coordinate with the head of the department of crimes discovery and in 16th district area jumped to his (head of department of crimes discovery)'s vehicle and submit the money to him, at this time the head of department of crimes discovery suspect that the intelligence officers are available, he attempts to skip but he was arrested and introduced to the relevant judicial institutions, the case referred to the anti-corruption primary court of Kabul and, the accused was sentenced to 1 and half years of custodial imprisonments from the time of quarry and arrest, as well as cash fine equivalent to the requested money and dismissal of the position, based on the paragraph 3 clause 1 of the article 371 and paragraph 2 of article 175 and paragraph 1 of article 385 of the panel code and considering the article (215 and 213) of the panel code.

Verdict dated April 9, 2019

e. Convection of the two Engineers from the department of urban planning implementation of the Mayor office.

On March 13, 2019 two of the engineers from the department of urban planning implementation of the mayor office was arrest while receiving thirty thousand Afghani bribes from the clients and they were introduced to the related judicial department, the case

was sent to anti-corruption court of Kabul, and on a judicial season on April 9, 2019, based on the paragraph 3 clause 1 of the article 371 and paragraph 2 of article 175 and paragraph 1 of article 385 of the panel code and considering the article (113 and 315) of the panel code, both of the accused individuals were sentenced to 1 and half years of custodial imprisonments from the time of quarry and arrest, as well as cash fine equivalent to the, requested money and dismissal of the position.

Verdict dated March 18, 2019

f. Convection of the 5th company commander of Nangarhar Province on the charge of embezzlement and illegal possession of a weapon

Based on the operational information of the intelligence officers of the second security district of Nangarhar province some of the weapons including 4 m16 rifles, two Chinese rifles, and one Hungarian rifle are missing from the bedroom of the company commander and based on the information an investigation delegation was appointed, the delegation reported that the commander is responsible for missing of 4 American rifles, two Chinese rifles, one American m9 (pistol), and one hunting gun.

After completion of primary investigations, the case referred to anti-corruption of Nangarhar province, and in a judicial session dated March 18, 2019 the accused convicted to one year and six month

imprisonment based on paragraph 2 article 391 of panel code, and considering article 213, 215 and 237 of panel code, as well as payment of the cost of missing weapons for the amount of (342907 Afghani).

g. Report on judicial activities of Kabul anti-corruption Appellate Court

1- Report

From March 21 to April 20, 2019 Kabul Anti-Corruption Appellate Court addressed 17 criminal cases in connection to corruption and 31 persons were arrested on charge of misuse of duty authority, bribery, embezzlement, missing of documents, and illegal possession of weapon, out of which 10 of them were proved acquittal due to lack of sufficient proofs and 21 were trialed and convicted to different punishments as follows:

- one month to one-year imprisonment (1 person)
- one to five years imprisonment (6 persons)
- five to 15 years of imprisonment (3 persons)
- cash fine convict (11 people)

- Total cash find reaches to (6562) USD

h. Table 3: a figure of Kabul anti-corruption appellate court in March and April 2019

No	Type of Case	No. of Cases	Judicial Decision							
			No. of accused	No. of acquittals	No. of convicts	Number of Custodial Imprisonment				
						1 month to 1 year	1-5 years	5-15 years	Cash find convicts	Cash Fine
1	Misuse of duty authority	5	11	5	6		1		5	2076
2	Briary	3	5		5		2		3	2820
3	Forgery	3	5	2	3		1	2		
4	Embezzlement	3	4		4	1	1	1	1	769
5	Illegal possession of a weapon	1	3	2	1		1			
6	Illegal cash receiving	1	1		1				1	769
7	Destruction of papers	1	2	1	1				1	128
total		17	31	10	21	1	6	3	11	6562

As well as the court issued judicial rulings on 6 cases and in order to fill the investigational gaps, the cases were referred to the relevant departments.

i. Table 4: a figure of judicial activities on Kabul anti-corruption appellate court in the month of April 2019

NO	Type of Case	Number of Cases	Number of Accused	Cause of Ruling	Respective Reference
				Gaps and Deficiencies	
1	Misuse of the position	2	4	2	Prosecutor office
2	Treachery	1	7	1	Prosecutor office
3	Embezzlement	1	1	1	Prosecutor office
4	Forgery	1	1	1	Prosecutor office
5	Bribery	1	1	1	Prosecutor office
Total		6	14	6	

2. A summary of verdicts issued by Kabul anti-corruption appellate court

Verdict dated March 27, 2019

j. Conviction of three NCOs of the APPF for the charge of duty negligence

Based on an order by MOI, 30 personnel of the police from the first and second section of the Reserved Company of APPF were assigned to provide security as a fixed check post for the MOI compound, but at 9:15 one of the NCOs left the check post without informing anyone or filling the leave form while having his duty-related assigned rifle along with a magazine and 30

rounds and returned to his post at 4:30pm and continue to his one hour watch with the previously existed weapon, when the other NCO returns the barrack notice that a rifle along with a magazine and 30 rounds are missing, and informs the authority, and the 24 hour duty officer inform all the relevant commanders to search the out and inside of the compound to find the missing items, and all the relevant police authorities such as reserved company police officers of the APPF stationed in MOI compound were not able to locate the missing subjects, thus, APPF detective department stated the investigation and 3 personnel of the APPF were proved to be guilty, and the case referred to Kabul anti-corruption court and in a judicial session on July 16, 2018 one of the NCOs of APPF convicted to one year imprisonment based on article 39 of the military Panel Code, as well as compensation of the 31065 Afghani the cost of missing items, based on paragraph 2 of article 14 of the panel code, and the APPF assigned commander was convicted to 4 months imprisonment for the charge of duty negligence based on article 43 of the military pane code and considering the articles 213 and 215 of the panel code. The third suspect proved acquittal based on article 235 of the procedural act, and then due to lack of satisfaction of the relevant attorney the case referred to Kabul anti-corruption appellate court, and in a judicial session the on March 27, 2019 the appellate court decided on the decision of the primary court on one of the accused and dismissed the case and the second one was sentenced to one year and

two days imprisonment for the charge of illegal possession of the rifle, along with a magazine and 30 rounds, based on paragraph 1 of article 24 of sub-article 1 of the panel code, and paragraph 1 of article 391 of the panel code and under the instruction of paragraph 1 of article 398 of panel code, besides he was charged to cash penalty for the amount of 31065 Afghani, but the decision on imprisonment of the third accuses was rejected.

Verdict dated April 16, 2019

k. Conviction of four employees of the Ministry of Education MoE on forgery.

Based on the existed documents, Afghan National Bank (Bank Mili Afghan) signed an agreement on 1386 to provide loan for needy teachers, and the agreement was to reimburse the loan with its interest within the specified amount of time, but some of the people including three employees of the Lamia Shahid High school using fake documents to show they are the teachers in Char Qalai Chardhi high school, and received loan from the national bank, the case after primary investigation sent to Kabul anti-corruption preliminary court, in a judicial session on November 18, 2018 the former finance and admin director of MoE was charged to one year and one month imprisonment based on 438. 213 and 214 of the panel code, the two other accused, were charged to cash penalty of thirty thousand Afghani each based on article 443 of the panel code, and the two former employees of

the salary department of MoE were proved acquittal due to lack of sufficient proof. And the decision about finance and admin director was to pay fifty thousand grantee money and based on article 105 to 197 of the criminal procedural act, he will be temporarily released, and the two remaining accused were proved acquittal due to lack of sufficient proofs based on article 5 of the panel code and article 235 of the criminal procedure act.

COUNTER-NARCOTICS AND INTOXICANTS

A: Judicial Performance Report of Kabul Counter-Narcotics and Intoxicants Primary Court

1. Report

From March 21 to April 20, 2019 Kabul Counter-narcotics and intoxicants court address to 68 cases related to different kinds of drugs and issued decisions accordingly, in connection to these cases 87 people were trailed on charge of smuggling and drug trafficking, out of which, one person was proved acquittal due to lack of sufficient proofs, and the remaining 86 people were charged to different convictions as follows.



- one to five years of imprisonment (41 persons)

- five to 15 years of imprisonment (27 persons)
- 15 to 20 years of imprisonment (19 persons)
- In connection with the above-mentioned trials, the verdict for the elimination of (13015.913) kg of drugs was issued
- total cash fines reach to (7378) USD

Table 1: a figure of the judicial performances of Kabul Anti-Corruption Primary Court in March and April of 2019

No	Type of Case	No. of Cases	Amount of Drug	Judicial Decision							
				Number of accused	Number of Accused persons	Number of Convicted person	Number of prisoners				
							1 to 5 years	5 to 15 years	15 to 20 years	20 to 30 years	Cash find
1	Heroin	15	1,770,859	19		19	10	5	1	3	2928
2	Methamphetamine	27	3210.05	38	1	37	23	8	6		1332
3	Hashish	13	6,537,434	16		16	8	8			1512
4	Opium	5	251.5	6		6	3		3		487
5	Morphine	3	37	3		3	1	1	1		1000
6	Crystal	3	64.27	3		3		2	1		128
7	Sodium Carbonate	1	4,800	1		1	1				
8	Alcoholic Beverages	1	LT1140	1		1		1			
Total		68	13015.913	87	1	86	46	25	12	3	7387

2. A summary of judicial activities by Kabul Counter-Narcotics and Intoxicants

Verdict dated April 13 , 2019

16 years of imprisonment on the charge of selling 7502 kg methamphetamine

Helmand anti-narcotics department of the police district chief was informed on February 1, 2019 that one of the residences from Grishk Bazar of Nahr-e- Saraj of Farah Province is transporting drugs type of crystal to Grishk Bazar and then sell it to drug Retailers. The anti-narcotics personnel act as planned and send one of the undercover officers to the Bazar to buy some drugs, and the seller introduce someone to him, and on the sport about 2750 kg of crystal, two accused along with a car type of wagon corolla was arrested and confiscated, and after lab test the confiscated crystal proved to be the type of methamphetamine, the case was referred to Kabul anti-narcotics and intoxicant court. In a judicial session on April 13 , 2019, while the parties were present both of the accused were sentenced to 16 years of jail based on clause 5 of paragraph 2 of article 303 of panel code, and due to lack of license and registration, twenty thousand cash penalty was also charged base on article 560 and 75 of panel code, and based on article 308 of panel code items such as a car, two cell-phones with their Sim cards, 1500 Pakistani Rupees and 220 Afghani were confiscated. And based on article 13 of the panel code the verdict was issued on the destruction

of 2750 kg methamphetamine.

Verdict dated April 9, 2019

Convection of 16 years imprisonment on the charge of smuggling 156500 kg opium

Samangan anti-narcotics of the police department was informed that a bus (302 type) is carrying some drugs. The anti-narcotics personnel sat a checkpoint in Mazarbig entrance of Samangan province and after identifying the bus, the bus was stopped and checked that 23 small and big plastic bags (156500 kg) opium and 890 g of hashish confiscated, in connection to the case the driver and his assistant (cleaner) were arrested, and the case was referred to Kabul counter-narcotics court. In a judicial session dated April 9, 2019, while the parties were present, the accuses are sentenced to 16 years of imprisonment for the smuggling of 156500 kg opium, based on clause 6 of paragraph 1 of article 304 of the panel code, and the accused were also charged to two years of jail for the smuggling 890 gram of hashish based on clause 4 of paragraph 1 of article 305 of the panel code, and based on article 73 of the panel code the most severe punishment "sixteen years of imprisonment" is applicable to them. Besides the item(s) such as a phone with its sim card is confiscated based on article 32 of the law on anti-narcotics, and the verdict on the destruction of 156.500 kg opium and 890g hashish was issued.

B: Reports on judicial activities of Kabul Counter-Narcotics and Intoxicants Appellate Court

1. Report

From March 21 to April 20, 2019 Kabul anti-narcotics and intoxicants appellate court addressed to 35 cases related to different type of narcotics and issued decisions accordingly. In connection to these cases 57 people were arrested for the accused of drug smuggling, of which 13 proved acquittal due to lack of sufficient proofs, and the remaining 44 are charged to different punishments as follows:

- one to five years of imprisonment (12 persons)
- five to 15 years of imprisonment (15 persons)
- 15 to 20 years of imprisonment (16 persons)
- 20 to 30 years of imprisonment (1 person)

In connection with these cases (6602847), kg drugs were discovered/confiscated.

Table (1): a figure of judicial activities of Kabul Counter-Narcotics and intoxicant appellate court in March and April 2019

N o	Type of Case	No. of case	Quantity	Judicial Decisions تصمیم قضائی						
				No. of accused	No. of accutals	No. of Convicts	No of prisoners			
							1-5 years	5-15 years	15-20 years	Cash fine
1	Methamphetamine	11	1,171,129	16		16	7	4	5	
2	Hashish	6	3496	12	4	8	3	5		
3	Heroin	8	631.23	9		9	1	4	4	
4	Opium	1		8	8					
5	Morphine	5	62,488	8		8			7	1
6	Comical Substance	4	1242	4	1	3	1	2		
Total		35	6,602,847	57	13	44	12	15	16	1

3. A summary of the judicial verdict issued by
Kabul Counter-narcotics and intoxicants
appellate court

Verdict dated April 8, 2019

23 years of imprisonment for smuggling 31 kg heroin, 7 kg methamphetamine and 500.2 kg opium

Officers from Nimroz province of anti-narcotics PD received a phone call from an informer related to a white corolla with no registration number, carrying

narcotics along the Iranian border, the officers identified the vehicle in Mulki Village on 8/9/1397 and confiscated 31 kg of Heroin, 7 kg of methamphetamine and 2.500 kg of opium and the drivers were arrested. The case was referred to Kabul anti-narcotics and intoxicants primary court, in a judicial session on 11/12/1397 the accused was charged to 20 years imprisonment in connection to smuggling 31 kg of heroin based on clause 5 of paragraph 1 of article 302 of panel code and 16 years of imprisonment in connection to smuggling 7 kg of methamphetamine based on the clause 5 of paragraph 1 of article 302 of panel code, and 3 years 6 month imprisonment in connection to smuggling 2.500 kg of opium, based on clause 5 of paragraph 1 of article 304 of panel code, and the maximum punishment of 20 years imprisonment considering to clause 1 of paragraph 5 of article 304 of pane code. Besides, the accused was charged to cash penalty for the amount of twenty thousand Afganni for driving a car with license and registration. In addition, the items such as two sets of cell-phone with sim cards, and a Corolla car were confiscated based on paragraph 1 of article 308 of the panel code and article 32 of law on anti-narcotics, and the verdict on the destruction of the obtained drugs were issued based on article 19 of the panel code. But due to lack of satisfaction of the accused the case referred to Kabul anti-narcotics appellate court and in a judicial session dated April 8, 2019 while the parties were present, the primary court's decision was granted based on article 267 of the

criminal procedure act and paragraph 2 of article 17 of the law on anti-narcotics on March 2, 2019.

Verdict dated March 27, 2019

5 years of imprisonment for smuggling 127 kg of hashish

On 3/10/1397 at 6:30 am Nangarhar anti-narcotics personnel established a checkpoint along the Nangarhar – Khogyani highway, in order to check the vehicles and arrest the drug smugglers, as a result, a half-white corolla loaded with some amount of unprocessed (raw) hashish was identified, the driver and the passenger were arrested and after primary investigation and lab result the obtained substance proved to be Hashish, and the amount of confiscated hashish was 127 kg. The case referred to Kabul anti-narcotics primary court, and in a judicial session dated 28/11/1398 while the parties were present, both of the accused were sentenced to 5 years of imprisonment based on clause 4 of paragraph 1 of article 305 of panel code and considering articles 58, 213, and 214 of the same code. And based on the relevant articles of the panel code, two sets of cell-phones were confiscated, and the verdict on the destruction of 127 kg obtained hashish was issued based on article 19 of the law on counter-narcotics. But due to lack of satisfaction of the assigned attorney the case referred to Kabul anti-narcotics appellate court and in a judicial session dated March 27, 2019 while the parties were present, the primary court's decision was granted based on article 267 of the criminal procedure act on March 2, 2019 .