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Meetings and Sessions

Meetings and Sessions Chief Justice of the Supreme Court Meets the Head of USAID Monitoring and Evaluation Department

On December 4, 2019, Sayed Yousuf Halim Chief Justice of the Supreme Court met with Stephen H. McKenzie the head of USAID Monitoring and Evaluation Section.



In this meeting, the implementation and effectiveness of ADALAT Project programs with the Judiciary were evaluated comprehensively in the areas of capacity building, judicial trainings, strengthening the administrative system of the courts, providing exposure visits to the judges and supporting the establishment of laws and regulations Review Committee and future plans were discussed according to the actual needs and requirements.

The Chief Justice of the Supreme Court appreciated the cooperation of ADALAT project with the Afghanistan Judiciary adding that Supreme Court appreciates and welcomes the cooperation of international institutions, but

expected the institutions to assist in the implementation of the Judiciary's prioritized programs by prioritizing the basic and key requirements so that the Action Plan of the Judiciary could be further implemented and the continuity of the programs are ensured.

During the meeting, both sides discussed other issues of mutual interest, as well.

Chief Justice of the Supreme Court meets the Head of Rule of Law Unit of UNAMA

On December 18, 2019, Chief Justice of the Supreme Court met with Ms. Romana Schweiger, Head of Rule of Law Unit of UNAMA in Afghanistan.



At first in this meeting Ms. Romana Schweiger talked about the details of UNAMA's cooperation with the judicial and justice institutions and mentioned their assistance in providing facilities for conducting the two-day Seminar on explaining and identifying challenges arising from the implementation of Penal Code which was held on December 16 – 17, 2019 for more than 100 judges, prosecutors and professional members of the Justice Directorates of the northeast zone provinces in Badakhshan province. She promised to assist in holding similar seminars in other zones of the country and to continue to cooperate in training and capacity building of the anti-corruption courts.

On the other hand, Chief Justice of the Supreme Court welcomed the usual cooperation of the UNAMA office

in Kabul with the justice and judicial institutions, including the Judiciary and appreciated the significance of UNAMA's facilitating role in conducting training programs in the capital and provinces for judicial and justice sector staff in coordination with the above mentioned departments.

The High Council of Supreme Court Sessions Reports

The High Council of Supreme Court held their regular sessions on Dec 3, 10, 24, 31, 2019 and Jan 4, 2020 which were chaired by Sayed Yousuf Halim, the Chief Justice and discussed the agenda items. The most important approvals and resolutions which have been adopted in these sessions are reported as follows:



- Report from the trip of the high ranking officials of Judicial and justice institutions led by Abdul Qader Adalat Khaah, High Council of Supreme Court member, who had gone to Badakhshan in order to attend the academic and explanatory seminar about the Penal Code for judicial and justice institutions staff of the northeast zone was heard.

The delegation facilitated holding of the seminar on the northeast zone and discussed the problems regarding Panel Code implementation with the seminal participants, in accordance with explanations and amendments approved in the special seminar conducted in the capital, and considered their rational and constructive views important regarding

further implementation of the Panel Code. During the provincial trip, the delegation met with provincial authorities, including Badakhshan governor, and visited the judicial and justice institutions and the prison administration of the abovementioned province.



The High Council, by confirming the report, praised the efforts of the Appellate Court in establishing a close working relationship with provincial authorities and thanked Badakhshan’s Head of Appellate Court and its governor in this regard.

- The first six months’ Judicial activities report of the Supreme Court was reviewed and evaluated. During the mentioned period, 6730 cases in Supreme Court divisions, 13771 cases in appellate courts and 29,939 cases in the primary court totaling 50,440 cases, were considered and resolved according to the principles of a fair trial which shows the increase of people’s trust and their access to justice. Furthermore, the fees of court verdicts and deeds has reached about seven hundred and eighty million Afghanis.

The final draft of the Penal Code amendments which was previously prepared in high seminar of the Penal Code, was comprehensively reviewed and after its approval, it was instructed that it should be submitted to the Institute of Legislation Affairs of the Ministry of Justice for further legislative process.

It was instructed that all courts must comply with the 8th article of State Cases Law and all its amendments plus approval number 210 of the High Council of Supreme Court dated 1398/7/9 AP in order to set a precedent for public rights and state property cases during considering the cases of state and real or incorporeal persons against each other.

- Based on instruction demands of the courts, ambiguities regarding provisions of the law on courts fee were discussed and proceedings were made, and considering the importance of this law on obtaining verdict's fee, following instructions were issued:

1- Fee is not being taken from dissolution of marriage while it is in litigation phase, but its decision is subject to obtaining the fee.

2- According to paragraph 1 of article 7 of Law on Courts` Fee, all legal petitions which are being filed and registered to the courts are subject to the fee.

3- Whenever appealing in civil cases, family cases, public rights and commercial are filed to the appellate court, its fee via that specific division by appealing person at the Supreme Court shall be delivered and a receipt copy of that shall be enclosed to the case file, if the appealing person submits his/her objection to the Supreme Court relevant division, his/her objection shall be registered and the objection fee shall be received by the admin department of

the mentioned division.

4- Those decisions, which their cost of subject claim not measurable in cash, their decisions` fee shall be obtained according to paragraph 1 of article 8 of the mentioned law.

5-About the reconciliation judicial rulings of part 5 paragraph 1 article 8 of the mentioned law shall be obtained and implemented.

6-The judicial rulings that according to article 16 of the Civil Procedures, are became final and absolute and has financial purpose, their fee shall be obtained according to article 9 of the mentioned law.

7- Regarding to determining installment of fee, loan or adjudged to pay, since the court by issuing the ruling performs and these performances according to part 1 of article 3 of Law on Courts` Fee are subjected to the fee, therefore the fee is obtainable according to part 2 of the mentioned law.

8- The word of (Bank) has been mentioned absolutely on part 6 article 10 in the Law on Courts` Fee, it includes privet and governmental banks, according to this, grantee letter deeds which, come through formal bank transactions shall charge (0, 50%) from mortgage and obtains it from the mortgagee and this verdict includes to real and incorporeal persons that deeds are prepared in their favor.

9- Cost of decision of withdrawal from dispute is obtaining from defendant and decision because of absence in withdrawal from dispute cases are not subject to the fee.

10 - Court clerks responsible for obtaining the litigation fee but, delivering decision fee is responsibility of the convicted.

11- If the convicted person delivers the first installment and the court continues proceeding the case, but the courts during proceeding are obliged to make sure about delivery

of the next installments and in case of failure to deliver the next installments, proceeding of the case shall be stopped.

12 – The purpose of “responsible” word which is mentioned in article 14 of Law on Courts` Fee, the clerk has to obtain cost of deeds and fee of litigations according to articles 13 and 14 Law on Courts` Fee shall be delivered to the bank within specific period.

13- If convicted person delays on delivery of court’s fee, the mentioned court will take the decision according to the Supreme Court High Council approval 255 dated 28/2/1395 equivalent to 28/April 2016’ because the mentioned approval is description of paragraph 3 article 382 of Civil Procedure Code.

14- Since the Law on Courts` Fee is approved after the Commercial Procedure Code, the provisions which contradicts article of Law on Courts` Fee according to article 23 of the mentioned law is considered annulled, the courts are bind to act based on provisions of Law on Courts` Fee.

15- In the family cases and other cases in which convicted is absent, the fee of decision according to Law on Obtaining Rights is obtainable from the absent convicted person.

16- Copy of decision in the courts is registered in Registry Book (Surat-e-hal) and in deeds` departments is registered in the relevant book and the cost of that has been specified in the mentioned law.

17- The appeals petition which includes objection, is subject to courts` fee, works continues on the rest of Advisory Opinions (questions) regarding Law on Courts` Fee has been postponed for the next high council meeting.

18- The approvals based on judged executorship related to the alimony letter, will and its similar documents shall be performed in the deed letter, all mentioned documents are

subject to cost deed but, other approvals which are being taken through judicial ruling, if it has financial aspect, it shall be subjected to paragraph 2 article 9 of Law on Courts' Fee.

19- If case issuance of decision in favor of the government, only the cost of decision letter from the administration in which the verdict has been issued in favor of that, shall be obtainable.

20- Whenever the losing party is changed into winning party, the paid fee shall be returned back to him and the current losing party shall pay the fee of the court. Also in order to establish a balance on obtaining fee and eradicate the current challenges in the law of court fee, if addition, amendments is required in some articles and required instruction is issued to the General Research and Studies Directorate. In order to speed up criminal , civil , family, and public rights cases, using of online electronic devices is prescribed to the accused and the witnesses and other persons whose presence is necessary in judicial proceedings they could be able to present their expressions and testify and attend in the court for judicial hearings via online system, in this regard the Guidelines on Hearing Online with observation of provisions of law has been approved and instructed to the courts for more expansion.

- About the instruction demand of the Kabul Appellate Court regarding publishing the notice of presence of accused in absentia cases which is proceeded through prosecutor office in specified period, prolonging the process will cause backlog of the cases and after scrutiny work, required directions has been issued
- With the attendance of Deputy Attorney General, relevant prosecutors, and some relatives of the convict and defense

lawyers, ten requests of appealing on criminal cases such as; murder, armed robbery of vehicles, theft and injury, apostasy and insult to Islamic saints and embezzlement has been reviewed and in the light of conditions under article 282 of Criminal Procedure Code necessary decisions were taken. similarly the decision have been taken in 9 requests of appealing on civil and criminal including 2 requests of General Directorate of State Cases, 1 case of judicial misconduct, 4 issues of jurisdiction dispute, 1 request about changing the court with 10 requests about changing the court on criminal cases, suggestions related to promotion of judicial cadre degree and issues of personal issues of judges has been added on the agenda for discussion that required decisions has been taken, also according to the request of honorable Attorney General's Office, 116 criminal cases have been submitted to the appellate courts of Badakhshan, Balkh, Sar-e Pol, Nimroz, Khost, Nangarhar Takhar, Ghazni, Baghlan, Uruzgan, Helmand, Herat, Faryab, Paktia, and Bamyān Paktia.

With the presence of professional Deputy of Ministry of Justice, related prosecutor, representatives from other organizations and parties of the cases, 3 requests for appealing from General Directorate of State Cases regarding usurpation of the public property according to article 482 of Civil Procedure Code has been proceeded, regarding annulling decisions of three phases in favor of the government, re- proceeding has been instructed and the right for litigation for the General Directorate of State Case has been reserved.

Acting General Administrative Director of the Judiciary meets the first Deputy Head of Anti-Corruption Office of Kazakhstan

On 14/ December/2019 Najibullah Akbari, Acting General Administrative Director of the Judiciary met with Bektenov Elzhas Yaboly the first deputy head of the Anti-corruption office of Kazakhstan during his official trip to Kabul.



During this meeting, the first deputy head of anti-corruption office of Kazakhstan provided information about digital system of case management, he added that these systems caused transparency and eradication of administration corruption in justice and judicial sectors of Kazakhstan and currently the leadership of justice and judicial sectors have online observation and they are able to observe the flow of litigations and its

proceeding and assured that the staff of justice and judicial sectors of that country how perform their works and this illustrates a type of open relation with our colleagues.

During his explanations, he shows his preparedness that if the Supreme Court of Afghanistan requests, then they will be ready to present and explain the system or they can provide opportunities for study tours to Kazakhstan so that the justice and judicial sectors of Afghanistan practically observe, likewise nowadays a study tour already has been set up for the prosecutors in the near days they will go to an experimental and observational trips to Kazakhstan also expressed his interested to facilitate bilateral judicial memorandum with Afghanistan.

Afterward the Acting General Administrative Director of the Judiciary talked about the structure and procedure of corruption cases in justice and judicial center of heavy crimes, he added that in the primary and appeal courts of anti-corruption and public divisions of the provinces which proceed these cases, discussed on this regard and with consideration of national and international aspects of corruption, international cooperation is considered necessary and asked from him to pave the ground for exchanges of judicial experiences in the mentioned areas, the Acting General Administrative Director of the Judiciary has insisted on strengthening case management system is one of the priorities of the Judiciary and study tour of observation delegation and staff of the system from

Kazakhstan is very important.

Both parties in this meeting agreed that bilateral judicial MOU between Judiciaries of both countries will include valuable judicial cooperation and the embassy of the mentioned country promised to play facilitating role in this field.

Acting General Administrative Director of the Judiciary meets the Legal Advisor of the Islamic Republic of Iran Embassy in Kabul

Acting General Administrative Director of the Judiciary met Shahir yar Amozgar, legal advisor of the embassy of Islamic republic of Iran in Kabul.



On 18/December 2019 Najibullah Akbari, Acting General Administrative Director of the Judiciary met with Mr. Shahir yar (Amozgar) legal advisor to the embassy of Islamic republic of Iran in Kabul. At first in this meeting Mr. Shahir yar talked about the good relationship between both countries and expressed hope that this meeting would be a good beginning. He added that Islamic republic of Iran and Afghanistan signed treaty on assisting judicial affairs and already signed the extradition memorandum for criminals and Islamic Republic of Iran is ready to assist on exposure visits for the judges also organizing learning programs for Afghanistan judges in Islamic Republic of Iran, beside that Iranian side promised providing scholarships of master degree and PhD levels, because right

now Islamic Republic of Iran has signed an agreement with the Ministry of Justice and similar agreement will be signed with Attorney General Office which will be signed during the official trip of Attorney General Office soon. Mr. Amozgar added that, we are ready to talk about a framework of a judicial agreement and work on that so, after agreement on its contents the ground is going to be paved for signature between the head of Islamic Republic of Iran's Judiciary and Chief Justice of Islamic Republic of Afghanistan.

Judge Akbari said Afghanistan and Iran have historical and common cultural and social relations, he added that providing exposure visits and judicial study tours is undoubtedly useful for increasing capacity of the judges and mentioned that increasing levels of education for the judges to the MA level is one of the most important necessities of Afghanistan's Judicial System and we try to take steps considering the current needs and we hope continuation of such relationships and meetings which will lead to facilitate the ground for a mutual agreement. Both sides in this meeting insisted on expansion of judicial relation and mechanisms which will lead to achieve the expected goals.

Report of Judicial Inspection Delegation's Study Tour to Jordan

From 23 – 29 November 2019 based on official invitation of the Jordanian Judiciary, a delegation of the Judicial Inspection Directorate of the Supreme Court of Islamic Republic of Afghanistan led by Najibullah Akbari, Acting General Administrative Director of the Judiciary and head of Judicial Inspection Directorate of the Supreme Court visited Jordan 'the first meeting was held on 24 and 25 of November with the chief of judicial inspection of Jordan' he welcomed the delegation of Supreme Court' during a presentation he shared the idea and background of monitoring of his country on the court and talked about the structure of the courts and its amendments dated 1946 and law number 29 on Independence of the Judiciary in 2014 and its amendments under No. 43 and he mentioned the most important aims of the Judicial inspections are as follows:

1. Supervising the performances of judicial system on issuing verdict so the judges have to conduct their duty among the individuals of the community and the both parties of the cases.
2. Notifying the judges to their perpetrated misconducts and existence gaps also to avoid wrongdoing in the future.
3. Evaluate the performance of judges and public prosecutors in the country.
4. Increasing reward of judges on technical, professional, ethical and duty which is important for the improvement and performance of their duties' in the best possible way.
5. Avoid judges and Judiciary from all behaving which

defects their manner and detriments their mission, duties and professional dignity to perform or refuses an action in their area of responsibility and this guidance and direction performed during the monitoring and evaluation.



The institution of Judicial inspection of Jordan is composed of first inspector(Chairman) whit seven members and elected by the Jordanian Judicial Council for four years and it is not extendable and they shall not be shifted and designated to other duties during the mentioned period, regular inspection; the judicial inspection regularly is done yearly and the required inspection is done based on the needs. Evaluation of Judges' performances on (good law enforcement, completion and proceedings ‘proving issues ‘delaying causes, proper implementation of law, completion of judicial rulings and sentence which includes resolution of a case, observing abovementioned affairs are subject to inspection works, number of judges in the Jordanian courts

was about 1023 which 255 were female judges during this meeting inspector judge (Soheil) discussed about how to investigate complaints which are filed against the judges and the conditions for submitting a complaint' and described its procedures in details about 'incorrect performance of the judges and having authority of disciplinary measures also talked about reporting stage and its procedures.

On November 26, the Afghanistan Judicial inspector's delegation met with Hassan Abdullah the General Attorney of Oman, he is one of the members of judicial high council and talked about judicial investigation of criminal cases, taxes, special courts, national security and custom court. also the Afghanistan delegation talked about the procedures of criminal investigation and its proceeding and judicial justice system in Afghanistan.

Also the inspection delegation met with Dr. Saad, Head of primary court of Oman and also met members of judicial high council of Jordan, the chief of primary court welcomed the delegation and described the proceedings and performances of Oman court he added we have a plan in 2020 to provide a complete electronic service within the judicial system to the public and end the paper based system in this court, 120 judges, including 57 female judges work in this court.

On 26 November the Afghanistan judicial inspector delegation met with Hassani the deputy of ministry of justice and they took advantage from his description about logistic system of the court 'the structure judicial infrastructure, providing judicial services, training on Judiciary management system, describing structure of the system, also on November 26, they met with Mohammed al-Ghazoo, Chief Justice of the Supreme Court and he expressed his best wishes to the Chief Justice of

Afghanistan expressed his satisfaction from studying tours of Afghanistan young judges' and talked about methods of providing judicial services and duties of judges on securing public order and justice, and emphasized on strengthening judicial relationship between Oman and Kabul.

Likewise, on November 28, the delegation visited the judicial institution of judicial council of Jordan and Judge Ehsan Zuhdi Barakat, the General Director of judicial institution, provided information for delegations about Judicial education services also the delegations were informed about judicial stage for the staggers, information about short term trainings to judges of other country which is provided for them also during their last meeting the delegations met with Tariq Shah Bahrami, ambassador of Afghanistan in Jordan the delegation requested from him to play a key role to establish a good relation between the Judiciaries of both countries in order to continue such relations, and finally on November 29 the delegation went to the city of Petra which is one of the seven historical places of the world.

The judicial inspector delegation of the supreme court of Islamic Republic of Afghanistan evaluated the results of this trip as positive in this trip noted and highlighted the inspections process of Jordanian Judicial inspection to enrich the regulation which under work of Judicial inspection directorate and the procedures for evaluating and coordinating judicial performances in order to improve the performances, efficient evaluation aimed performances of the courts, increasing professional capacity building of the judges to prevent repetition of errors, Acting General Administrative Director of the Judiciary and head of the delegation, appreciated the warm welcoming by the Jordanian judicial authorities and also expressed his gratitude to the ADALAT Project who organized the trip.

The Database of the High Council of Supreme Court Secretariat is Officially Inaugurates

The database of the High Council of the Supreme Court Secretariat according to the Action Plan of Judiciary with close cooperation of Directorate of Information Technology of the Supreme Court and ADALAT project and with the restless efforts of Directorate of Secretariat has been inaugurated and started its routine performances.



The opening ceremony, was held on Monday, December 16, 2019 in the afternoon at the Supreme Court's conference hall. In this conference Najibullah Akbari, Acting General Administrative Director of the Judiciary, heads of central directorates, Mr. Eric Putzig, Chief of Party of ADALAT project and other staff from Directorate of Secretariat and ADALAT project participated.

At first the holy Quran was recited, after that Mr. Ainee Director of Information Technology during his speech, reported about the programs of Information Technology of the Supreme Court, according to the Action Plan is

established and different departments of the Supreme Court are under the work the database of the Secretariat is one of those databases, he also promised to work on privacy, immunity and security of the databases as well as solving technically the challenges when necessary.

After that Chief of Party of ADALAT project said that the database is one of the tools of Information Technology and illustrates development and evolution in administrative system although database development is a small step in technology but it is better for the future and the development and it is the result of hard working of the people and precious work and I appreciate from all of you to cooperate with ADALAT project and database development.

Later Mr. Javid Rashidi Director of the High Council of Supreme Court Secretariat, said that the database is one of the priorities of the Judiciary's Action Plan and it is one of the important needs of Directorate of Secretariat of the Supreme Court to properly organize the administrative system and talked about the privileges benefits and capability of the system and he added that the system is totally under the control of Directorate of Secretariat and nobody has access to the information, but only the staffs according to their job`s authorities have access and he added by using of this system the clients and parties for the claim could have access on time information also by using the system corruption by the brokers and other people can be avoided, rush of the people in the Supreme Court campuses can be avoided, it can help on preparation of weekly, monthly, and annual reports of the Supreme Court.

In continuation of that Acting General Administrative Director of the Judiciary, added the establishment of database and understanding importance of that, it has been included as part of Action Plan of Judiciary fortunately with the efforts of the Directorate of Information

Technology and the cooperation of colleague project lots of debases planed and designed to performed the duties as fast as possible for transparency, and confidentiality and keeping secrets of the administrative, database will be used for better planning on administration activities, avoid more and extra expenses, increasing confidence of the people to access on required information and eliminate prolonging and complexities of information technology process and it will have important role, meanwhile I support the developing and expansion of databases, it is mentionable that only creating and developing of databases cannot reach us to goals, but the necessary information must be interred to the system regularly to increase the capacity of their information and being responsive to the needs. At the end of the program the certificates were distributed to the founders of the database and their practically activities started with the cutting of strip by Acting General Administrative Director of the Judiciary and Mr. Eric Putzig Chief of Part of ADALAT.

**Management and Evaluation Training
Program for administrative staff of the courts
of the east zone conducted**

In continuation of training programs of directorate Capacity Building and Performance Appraisal, arranged a management and monitoring training program for the admin staffs of Nangarhar, Laghman and Nooristan provinces from 5 to 7 Aqrab of the current years with the financial cooperation of (JSSP) was held in Spozhmay hotel in Jalalabad.

This trainings was focused on differences between management and manager, methods of management , main duties of manager, level of management, skills of manager, definition of monitoring and evaluation, monitoring from action plan, methods of monitoring and evaluation which was handled by instructor of Directorate of Capacity Building and Performance Appraisal the training programs was considered valuable by the participants and was appreciated also it was requested from the Directorate of Capacity Building and Performance Appraisal to arrange such programs and the program ended with the distribution of certificates for the participants.

Case Management System Training Program was held at Ghor Appellate Court

On date 1398/9/2 equivalent to 23 November 2019 one-day training program of case registration system for 24 people including clerks and admin staff of appeal court, urban court, violence against woman, deeds departments and districts courts held by JSSP office in the appeal court of the mention province.

Initially briefly has been talking about the importance and status of case registration system after that enough illustration was given by instructors about how to fill the cases and directed to the all participants to take care during the filling the forms of the cases and follow cases records into files till whole civil and criminal cases have to be registered into the system, because forms include exact information from the stage of detecting crimes up to imprisonment and justice & judicial staffs can easily accesses about information on time finally program ended by praying.

Informative Seminar about Panel Code's Special Part for West Zone Judges Conducted

The awareness seminar special section of panel code, taking bribe, embezzlement, misuse of authority during the duty, and forgery of documents was conducted from date 7 up to 12 (solar month) of the current year (1398) for 26 judges of Herat, Badghis, Ghor and Farah provinces was held in Herat Appellate Court's Conference hall for five days.

Shams Rahman "Rais Khel", chief judges of Herat provincial appellate courts said that training courses have been holding according to the judicial education plan and mentioned that the Special training of panel code section is deferent for other programs and emphasized that the participant of this program must share their information to in order to proceed the cases and he appreciated from the organizers of this program and want to continue like this programs, at the end of the program certificates which were prepared by Supreme Court and Directorate of Judicial Education from Mr. Qenahat, head training department of the Directorate of Judicial Education and distributed to the participants and the program ended successfully.

Training course on Special Part of Penal Code has been held for Paktia, Logar, Paktika, and Khost Judges

Training program under the title of special section of panel code (drug crimes) under supervision of head of Public Division Security of appellate court of Paktia and instructor of training programs on behalf of Directorate of Judicial Education with the cooperation of (IDLO) organization for judges of primary public security court and appellate courts of Paktia, Logar and Khost provinces from 12 up to 15 of Aqrab (8th solar month) current years (solar year 1398) held for four days and discussed about concept of drugs, international and legal resources of anti-narcotic, foundations of struggling against drugs, arrangement of proceeding against drug, smugglings of drugs and related cases elements related to drugs crimes was discussed. The participants had active role and corporation in the program, and the considered it as an efficient training for the public security division courts for the mentioned four provinces of south east and the training program was highly effective for the judges and they could gain better understanding from drugs, smuggling drugs, and related crimes and panel code.

The director of capacity building and performance evaluation introduced as the youngest director by reformative research institution

Based on employment information provided your relevant department; the result of a survey which is closely done by RRI (Reformative Research Institution) in 2016 shown that MR. Hamid Baha Ayar is one of the youngest Director amongst the ministries and administration 's staff of the National unity government of Afghanistan . furthermore, he is active, initiative and youngest director among the directors of judiciary at supreme court. Additionally, he heavily involved to increase and improve the knowledge and skills of employees under his supervision as per their rule and position to obtain the expected result and goals successfully.



News and events

- On 18 November 2019 Mufti Mohammad Wazir, Chief of Badghis province appellate court in the celebrating conference of universal day of elimination of violence which is held from directorate of women's affairs and directorate of prosecutor appeal office with cooperation of (IDLO) at the Sham-e Paris hotel, also the governor and deputy of province and other head of governmental authorities and talked about women right from viewpoint of Islam and validate law and enough illustrated about establishment of primary and appellate court of violence crimes against woman which in the formation of court and performance likewise special cases, were discussed too.
- On 8/December 2019 with the cooperation of (IDLO) a five-day seminar was held for 23 south east zone judges under the title of corruption' economic and financial crimes. At the beginning, Noorullq `Musllah Head of Kandahar Appellate Court's Criminal Division welcomed the instructors and judges of Helmand and Zabul provinces and said the seminar is useful to exchange the ideas in order to increase capacity building of the judges.
- On date 17 November 2019 Zabihullah Ebrahimi, chief of Kandahar appellate courts opened a four-day training seminar in the title of specific section of drug trafficking of penal code 25 Judges from west south in cooperation with the IDLO was held for the judge from Kandahar, Helmand and Zabul provinces.

- On date 5 November 2019 The session held under presidency of Qawatyar Sayed Abdull Qayom Kamali Head of Nimroz Appellate Court with the participation of primary and appellate court, district courts and primary urban court staff and it was instructed to pay attention on the collection of the reports on time revenue of the courts, uniforms of the Judges' and saving on power usage, after the discussions the meeting was ended with prayer.
- On date 16 November 2019 Muniruddin "Munir" Head of Sar-e-Pol appellate court met Nabila "Habibi" the director of women's affairs of the mentioned province and managers of public rights awareness and Directorate of Huquq (rights) in this meeting both parties discussed the lack of awareness of girls and women about their rights and obligations, underage marriages, not get registration marriages in the courts and increase umber separations cases and the head of women's affairs discussed about performances of her administration regarding raising awareness in the mentioned issues through deferent ways including home-to-home awareness, mosque awareness and held awareness through meetings and illustrated a brief report and requested to the justice and judicial institutions to cooperate with them on the mentioned issues which are related to the women.
- On date 6 November 2019 Shamsur Rahman "Rais Khail" chief of the appellate courts of Herat province with members of the joint advocacy committee director of the defense attorney association zones, legal aid and the

representative legal services provider institution in an official trip to the mentioned province and visited the defense attorney and discussed on mutual cooperation.

➤ On Sunday date 1398/8/5/ equivalent to 27 October session under name of alternative detention with under the leadership of Mohammad Nasser "Adel" chief judges of Panjshir provincial appellate courts with the presence of head of Deeds and Registration, head of document storage and in the light of multiple meetings with implementer institutions of alternative imprisonment and about presenting the issue on 1898 /7/21 equivalent to 13 October emphasized in coordination meetings the judicial pay attention on accused to their alternative imprisonment is according to the appendix number 2 panel code law' and cash fine punishment or alternative imprisonment rather than imprisonment of prisoner of accused, because this decision could avoid from rush of imprisoned also with this judicial policy could decrease the expenditure of the government then the imprisonment and it have positive affect and they decided that chief of court have to choose one special day coordinating meetings on alternative imprisonment with the related institutions with consideration of enough information necessity decisions will be taken.

➤ On 23 November 2019 introductory meeting about struggle violence against women and children committee members under the leadership of Mouniruddin "Mounir", chief of appellate courts of Sur-e- Pul province with the presence of heads different divisions of appellate courts,

urban court, admin staffs was conducted, at first meeting started with recitation by one of the judges, after that the chief of court talked about the procedure of fighting violence against women and children committee after that according to procedure, Asadullah "Azimi" head of correspondence office of appellate court was nominated and Muhammad Isa "Malekzi as a chairman.

COUNTER - CORRUPTION

A- Report on the judicial activities of the primary court of the anti- corruption in Kabul province

1. Report

From 23 November to 21 December 2019 Kabul province primary anti-corruption courts heard (17) criminal cases related to corruption crimes in connection with these cases, 28 persons in accusation of misuse of authority, taking bribes, harassment, embezzlement, robbery and possession of illegal weapons have been arrested the number (5) of them, due to the lack of sufficient evidences were not found guilty and acquitted and (19) person were sentenced to different punishments of imprisonment as fallow.



- One month to one-year imprisonment for 3 persons.
- One to five years' imprisonment for 5 persons.

- Five to 15 years' imprisonment for 15 persons.
- Total convicted cash fine punishments of convicted is amount to (13767) US dollars.

Chart (1) shows the number of convicts of the Kabul Province Primary Anti-Corruption Criminal Court in December 2019

No	Type of case	Number of case	Judicial Verdict								
			No of accused	Acquitted	No of convicted	The number of imprisonment validity					Cash penalty
						imprisonment to one year	One month to one year imprisonment	1-3 years imprisonment	5 - 15 years imprisonment	Convicted of cash crime	
1	Misuse of duty	8	10	2	8	1			7	9243	
2	Bribery	5	6	4	6	1	1	2	4	3951	
3	Deception	1	3		3	1			3	307	
4	Possession of Illegal weapons	1	2	1	1	1					
5	Treason	1	6	1	5		3		2	256	
6	Embezzlement	1	1	1							
Total		17	28	5	23	3	5		15	13767	

Also the mentioned court during this time, they have issued judicial rulings on (4) cases and submitted to the relevant authority for completion of investigation gaps and defects.

Chart (2) describes the judicial rulings of the Kabul primary criminal court against corruption

No	Type of case	Number of case	Number of accused	Reason for ruling	Related reference
				Legal gaps and Defects	
1	Misuse of Duty	2	7	2	Prosecutor's Office
2	Embezzlement	1	1	1	Prosecutor's Office
3	Bribery	1	1	1	Prosecutor's Office
Total		4	9	4	

2. Verdict Summary Samples issued by the primary anti-corruption Court of Kabul province

Verdict dated 9 December 2019

Conviction of Financial Subdirector of Kabul Police 6th

district for bribery

According to the report of the first district of police to the internal security department of General Directorate of Internal Security of Ministry of Interior, he claimed chief of the financial of sixth district security police of Kabul demands from him two thousand Afghani for a three-month salary against money order in order to document the case, a sum of 2,000 Afghanis the representative of military prosecutor took the money to the soldier after that soldier went to the Sixth district financial branch and submitted the amount to him when the finance officer goes out from his branch the arresting delegation captured him during a physical check the marked money found in his pocket , the convicted during the investigating accepted his crime and he introduced to the justice and judicial institutions his case referred to the Kabul province primary anti- corruption court the during the judicial meeting on date 1398/9/18 equitant to 16 December 2019 whit consentaneous in the presence of both parties the case of financial officer Kabul city sixth district police security department

In the case of taking bribe amount of (2000) Afghani according paragraph (1) item (1) Article (371) and item (1) Article (385) he have been sentenced to three months' imprisonment and a cash fine equivalent to the bribe.

Verdict dated 14 December 2019.

Conviction of the Chairman, director and Staff of Printing Company

Earlier in 1394 equivalent to 2015, the directorate of public printing company of the printing office of the ministry of finance offered a proposal to the ministry of finance base on his personal interest of 70 grams and 80 grams of raw material which contradict the rules and principles, without consideration of the legal provisions of logistics from called

Single Source grants by the request of head of printing company and with direction of former chief executive officer of printing company purchased (39,400,000) Afghanis and from the total mentioned money (900,000) AFS as reported by the Internal audit officers the ministry of finance former director of services ‘the director of control and chief of the printing company wasted and stole the mentioned amount money and they were introduced to the justice and judicial institutions their cases refer to the primary anti – corruption court of Kabul province on dated 1398/9/23 equivalent to 21 December 2019 according judicial session decision the accused former director of services ‘the director of control and chief of the printing company accordance article 209 of the criminal procedure law the former director of services of printing company, according to article 212 the mentioned law in the case of taking advantage from the revenue related to government accordance provision of paragraph (2) article 398 with respect to article 17 of penal code each one of them sentenced into one year and one month imprisonment refusal to pay nine hundred thousand Afghanis and dismissal from duty and dismissal from purchaser delegation member in the case of misuse of authority according to Article 285 of the penal code everyone sentenced to cash fine amount of ten thousand Afghanis and the printing company public chief due to lack of sufficient reasons under article 5 of the panel code and article 235 of the criminal procedure code was acquitted .

B) Reports and judicial Activities of Appellate Court of Anti-Corruption Court of Kabul province.

Reports (1)

On dated 23 November – 21 December 2019 Kabul province appeals anti- corruption court the number of (15) criminal cases

related to corruption are proceeded a of total of 26 people have arrested on charges of misused authority of duty ‘bribery treason and embezzlement and 12 of them have been tried due to lack of compelling reasons recognized acquitted. And (14) people have been sentenced in various imprisonment sentences as below.

- 1 month to 1-year imprisonment one person.
- 1 year to 5 years’ imprisonment 5 persons.
- 5 years to 15 years’ imprisonment 3 persons.
- Convicted to cash fine 5 person.

Amount total cash fine of convicted 4014 USD.

Chart (3) shows the statistics of Kabul Anti-Corruption Appellate Court’s Activities in December 2019

No	Type of case	Number of case	Judicial decision							
			Number of	Acquitted	No of	The number of imprisonment validity				
						One month to one year imprisonment	1-5 years imprisonment	5 - 15 years imprisonment	Convicted of cash crime	Cash penalty
1	Misuse of duty	7	9	3	6	1			5	3626
2	Embezzlement	3	10	9	1		1			
3	Bribery	2	3		3		3			388
4	Treason	3	4		4		1	3		
5	TOTAL	15	26	12	14	1	5	3	5	4014

Also in this period the court has issued judicial rulings on (2) cases and has sent them to the relevant authority to complete the investigation and find its deficiencies.

Chart (4) shows the judicial rulings of Kabul Anti-Corruption Appellate Court

No	Type of cause	No/ case	No / accused	The cause of ruling	Related authority
				Legal gaps and Defects	
1	Abuse	1	1	1	Prosecutor's Office
2	Taking bribe	1	1	1	Prosecutor's Office
Total		2	2	2	

2. Verdict Summary Samples of Kabul Anti-Corruption Appellate Court

Verdict dated December 2, 2019

Conviction of chief financial officer of brigade 959 in the charge of embezzlement

Based on operational performance of national security department of 755 and searching of related delegation of national security' the Commander of Protection Group the 1st' 2st and 3rd battalions of brigade 959 national security, he prepared the monthly attendance sheet without the existence of personal from 1393- 1395 solar year equivalent 2014 – 2016 and (27) soldiers were absent from their duties and they were dismissed but they were includes to the attendance sheet report and reported to their existence to the deputy of cadre department and they reported to the mentioned brigade and after the confirmation their dismissal from their duties, then document of the mentioned soldiers for paying their salaries and other facilities was sent back to the financial department .

Base on above report the salaries and other facilities were transferred to the absence soldiers instead of these absence soldiers they were singed and stamped in the time sheets, during this time the chief of financial with the partnership of cash representative, chief of trips, director of transportation

department, and director of control confirmed and controlled the ration table by him, during this period they established a chain relationship with each other, totaling (15,68048) Afghani salaries of (27) absentee soldiers has been embezzled.

On dated 1398/9/6/equivalent to 4 December 2019 Kabul province primary anti-corruption court in the judicial session with the existence of both parties the court issued it verdict the former financial chief of 959 brigades and cash representative sentenced to imprisonment in the case of embezzlement of salaries, according to paragraph (4) section 2 article 310 penal code is sentenced to three years enforcement imprisonment in accusation of embezzlement (1568048) Afghani, according provision of section (2) articles 268 and 273 of penal code and according to section 6 of article 148 and with regard to article 150 of the mentioned law sentenced to five years and one month enforcement imprisonment in accusation of embezzlement equivalent cash fine of amount of embezzlement of every one, crimes of embezzlement and treason connected to each other according to the article 156 penal code the most serious punishment, which is five years and one month imprisonment and the sum amount of embezzlement, the other accused (brigade) in accusation of negligence from his duty according article 43 military crimes and observation of article 144 and 146 of panel code sentenced to eight – eight months enforcement imprisonment and other tree accused persons in accusation of duty negligence from his duty sentenced to six months for everyone but, the case due to dissatisfaction of accused, chief of former financial of brigade the case has been referred to anti- corruption appeals court of Kabul

province

One date 11/9/1398 equivalent to 9 December 2019 according direction of article 54 Law on Jurisdiction and Organization of the Judiciary, primary court verdict regarding chief of financial brigade 959 national security was rejected and at the appellate stage, chief of financial brigade in accusation of embezzlement of salaries, according to paragraph (4)article 437 panel code sentenced to three years enforcement imprisonment embezzlement of (1568048)Afghani according provision of paragraph (4) article (391) and additional articles (398) and (393) panel code according to (68) and observation of articles (211)and 213) mentioned code from the beginning of days and detention sentenced to five years and one month imprisonment and refused the amount of embezzled money the crimes of embezzlement and treason connected to each other according to the article 76 penal code the most serious punishment shall be considered and he is sentenced to five years and one month imprisonment and returning the amount of embezzled shall be enforced on him as guarantee.

Verdict dated 17 December 2019

Conviction of the deputy chief financial officer of housing projects, together with a staff of the Ministry of Urban and Development in accusation of committing forgery

one person submitted a petition to the ministry of urban development secretary the General Director of the Projects of Housing because of influence and relation that he had obtained the petition then made as fraud document without undergoing registration steps, following to the direction of a letter on 1395/9/24/ equivalent 15 December 2019 ministry of city development and housing proceeding the case of embezzlement, forgery signatures from the authorities of

ministry of urban development and housing, then forgery distribution document of apartments was made for the two persons, after investigation it appears that the signatures and order from the head of ministry of urban development counterfeited, also the procedure and document was incorrect and the houses distributed without the decision of commission and the rights of the real beneficiaries were lost in the project apartments (26) block (44) and apartments (2) block (42) and amount of money returned from them, delivery of money in installments shall be frozen in the accounts of the ministry of urban development until final verdict of justice and judicial authorities.

And the deputy head of the office with his colleague introduced to the justice and judicial institutions and the case was referred to the Kabul province primary anti-corruption courts on dated 1398/9/26 equivalent to 17 December 2019 during judicial session, the court convicted the deputy financial of the projects of ministry of urban development and housing and the employee of the mentioned project in the accusation counterfeiting of signature and documents head of ministry urban development and housing, according to direction of paragraph 1 article 438 panel code with consideration of article 213 and 214 mentioned panel code every one sentenced to one year and six months enforcement imprisonment and two civilians in the case of applying the treason document s under section 1 of article 443 penal code, refer to articles 213 and 215 imposed a cash fine of forty, forty thousand Afghanis to the convicted persons but due to dissatisfaction of the prosecutor the case has been referred to the appellate courts of anti- corruption of Kabul province the court on dated 26/9/1389/ equivalent to 17 December 2019 according to the provisions of article (54)

of Law on Jurisdiction and Organization of the Judiciary and paragraph (2) article (267) of criminal procedure code and direction of Public Security Division of the Supreme Court because of mistake in the decision, refused the decision of primary anti-corruption court and appellate court and in the appellate stage according to paragraph 1 article 438 of penal code with consideration of paragraph 2 article 211 of the mentioned code everyone sentenced to five years and one month enforcement imprisonment.

Counter Narcotics and Intoxicants

Primary courts of intoxicants and anti-narcotic from 23 November – 21 December 2019 around 97 of different types of cases of drugs have been judicially proceeded and required verdicts have been issued. Regarding these cases around 129 people in accusation of smuggling and carrying drugs were arrested and out of these, 3 of them because of lack of enough evidences were acquitted and 126 of them were convicted as below:



- Imprisonment 1 year to 5 years 74person
- Imprisonment 5 years to 15 years 28 person
- Imprisonment 15 years to 20 years 22 person
- Imprisonment 20 years to 30 years 2 person

In connection to abovementioned trials the verdict has been issued to perish (223.65731) kg amount of different types of drugs

Chart number (1) Shows the Statistics of Judicial Performances of Anti-Narcotics Special Primary Court in December 2019

Sl number	Type of case	Number of case	Amount of items	Judicial Decision						
				Number of accused	Acquittal	Number of convicted	Number of enforced prisoners			
							1-5 years imprisonment	5-15 years imprisonment	15-20 years imprisonment	20-30 years imprisonment
1	Ampheta mine	40	297.443	49	1	48	21	16	11	
2	Opium	11	5.489	13	1	12	7	1	4	
3	Heroin	30	124,71	39	1	38	28	5	3	2
4	Hashish	6	5,815	10		01	5	5		
5	Morphine	4	95,53	4		4			4	
6	Tablet K	1	129gr	1		1		1		
7	Agreement in crime	3		7		1	7			
8	Poppy	8	63950	6		1	6			
Total		97	65731.223	912	3	119	74	28	22	2

2. Verdict Summary Samples of Anti-Narcotics Special Primary Court

Verdict dated 25, November 2019

Ten years of imprisonment in accusation of smuggling 74 gr Mat Amphetamine, 46 gr Caffeine and Paracetamol.

Based on the information of department of investigations that one of residents of district 8 Balkh province, he was involved in drug sales inside Mazar Sharif city in a mobile by the name of tablet K and he arrested by the police of struggle against narcotics department during the arrestment the representative of attorney was present they went to the field and after the identification he has been arrested with his car and was shifted to the directorate of struggle against narcotics with the existence of accused and presence of investigation delegation and suspected person was searched

in depth and professionally, as a result around 206 tablet K were found under the driver seat after description of net weight of the tablets (74 grams of methamphetamine and the remaining 46 grams under the name of paracetamol and caffeine and the case was referred to the primary special court of intoxicants and in the judicial session on date 4/9/1398/ equivalent to 2 December 2019 with the existing of accused in the cause of smuggling (74) grams of methamphetamine according to part (4) paragraph (2) article (303) penal code with consideration of article 59 struggle against smuggling sentenced to ten years imprisonment and about 46 cases as paracetamol and caffeine and tablet K has been arrested according to part 3 paragraph 2 article 303 with the consideration articles 47 and 53 of the panel code with consideration article 59 straggle against narcotics law tree months imprisonment regarding to the accused on 74 gr methamphetamine he punished intensively for ten years imprisonment reconciled and validate on him according article 73 panel code and the case of sales the narcotic on drug addict and other people according to the mentioned article (311) sentenced three imprisonment and according article 75 mentioned code verdict the punishment is progression, adaptive and validate on him, two sets mobiles with SIM which's it information is register with ministry telecommunication he has used to communicate with traffickers, according to article(32) struggle against narcotics it is confiscated and according to article (9) the mentioned law verdict and emphasized to eliminate the attain drugs.

Verdict dated 1, December 2019.

Three years of imprisonment on the charge of smuggling (839) grams of heroin'

Kabul International airport directorate personnel of

combating against intoxicants and drugs for the purpose to find and arrestment the traffickers of drugs they established check point and control of stomach among the passengers one of the permanent residence of Takhar wants to travel to India through Spys Jet airlines he was stopped and ask him some oral technical questions he could not provide satisfactory reply and during the questions his appearance was changed after the continued of question he acknowledged that he had swallowed the drug and wanted to transferred to India according paragraph article (23) after obtaining written consent to release the capsules formally he was introduced to the Three Hundred Beds Police Hospital after examinations and special medical maneuver expelled (53) the drug capsule pills under the name of the heroin a total weight of (839) grams from the accused stomach and the accused arrested and introduced to the justice and judicial institutions the case has been referred to the primary court of combating against intoxicants and drugs the court in judicial meeting dated 10/9/1398/equivalent to 8 December 2019 in presence of both parties in the connection drug trafficking (839) grams of heroin according to sub- paragraph 4 paragraph 1 article (302) and article (213 and 2014) panel code accused has been sentenced to three years imprisonment likewise according to article 32 of anti-narcotics law Its mobile phone with SIM card and a sum of (500) US according to article Its mobile phone with SIM card and a sum of (500) US Dollars and under Article 19 of the mentioned law have an order was issued to eradication the illegal drugs.

B) Report of the judicial performances of Anti-Narcotics Special Appellate Court

Report 1: on dated 23 November – 21 December 2019 appellate court of combating intoxicants and drugs around 72 of related different type of case of drugs have judicially proceeded and required decisions was taken. Regarding to these cases around 105 persons in accusation of smuggling and carrying drugs were arrested and trial and were

convicted into different imprisonment of punishments.

- Imprisonment 1 year to 5 years 22 person
- Imprisonment 5 years to 15 years 42 person
- Imprisonment 15 years to 35 years 28 person
- Imprisonment 20 years to 30 years 6 person

In connection to abovementioned trials the verdict has been issued to perish amount of 36.55102 kg of drugs.

Total cash fine convicted (6261) USD.

The chart number (1) shows judicial performance of Anti-Corruption Special Appellate Court in in December 2019

Serial No	Type of case	Number of case	Amount of item	Judicial Decision							
				Number of accused	Acquittal	Cash fine	Number convicted	Number of prisoners of enforced imprisonment			
								1 – 5 years imprisonment	5 – 15 years imprisonment	15 – 20 years imprisonment	20 – 30 years imprisonment
1	Amphe tamine	35	130,973	56		5108	56	12	20	21	3
2	Hashis h	7	639	10		641	10		1	8	1
3	opium	5	445.8	6			6	2	4		
4	Morphi ne	4	78.4	6		256	6		2	2	2
5	Heroin	14	97,187	16		256	16	4	8	4	
6	alcohol ic drinks	3	LT6702	6			6		6		
7	poppy	2	53711	3			3	3			
8	Cooper ation with smuggl ers	2		2			2	1	1		
		72	55102.36	105		6261	105	22	42	35	6

2: Verdict Summary Samples of Anti-Narcotics Special Appellate Court

Verdict dated 17, December 2019

Sixteen years of imprisonment in accusation of smuggling 23 kilograms of opium and 31.500 kilograms of hashish.

Based on Nangarhar police officers report a resident of Landy village in Nangarhar district kept drugs in his house, the officers later took action and around 11:00 am with the presence of the prosecutor his home was searched at the result with the presence of accused person (23) kilograms of opium and (31,500) kilograms of hashish, one pistol type of TT 8 bullet and 10 bullet from one gun type of 303 the case has been referred to the justice and judicial institutions and the referred to primary special court of anti- narcotics, the court in their judicial session dated 1398/8/22 with presence of both parties unanimously was decided that in case of keeping quantity of 23 kilogram opium from the beginning of detention days according to subparagraph 6 paragraph 1 article 304 penal code sentenced to sixteen years imprisonment and accordance keeping 31.500 kilogram hashish according to subparagraph 7 paragraph 1 article 305 penal code accused to sixteen years imprisonment can be imposed and enforced and also according to the keeping of weapon without law permission according article 536 penal code with the observation of article 75 mentioned code amount of 30000 Afghani convicted in cash fine' set mobile with SIM cards' one pistol 8 bullets 2 boxes of bullets and 10 bullets type of (303 Bohr) was founded according article 545 penal code and article 32 combating against intoxicants and drugs law confiscated and according article (19) the mentioned law verdict to element amount of 20 kilogram opium and amount of 31.500 hashish, but due to lack of satisfaction of the accused the case has been referred to the special appellate court , the court in its judicial session dated

1398/9/26 in presence of both parties according to article 267 of law on penal code paragraph 2 article 17 combating against intoxicants and drugs law dated 1889/8/22/ approved the verdict of primary court.

Verdict dated 18, December 2019

Five years of imprisonment in accusation of trafficking (3.800) kilogram heroine and (1.500) kilogram opium'

Based on information of the Nangarhar security command officers one vehicle type of Saracha which hidden the drugs in it and it stopped by Ghani Khail hospital security check point after the technical searching the vehicle (3,800) kilograms of heroin and (1,500) kilograms of opium found and seized from the back seat of the vehicle, with the connection of case, the driver of the vehicle arrested and case was referred to the primary court of combating against intoxicants and drugs court in judicial session dated 1398/9/2 equivalent to 30 November 2019 unanimously the accused in connection of (3.800) kilogram heroin according sub-paragraph (5) paragraph (1) article (302) panel code with consideration of articles 213 and 214 of penal code sentenced to five years imprisonment and the case of smuggling (1.500) kilogram opium according sub-paragraph (4) paragraph (1) article (304) panel code sentenced to three years and six months imprisonment with consideration of articles 73 of penal code to validate serious punishment sentenced to five years imprisonment, and in the case of driving without a license plate according article (560)penal code sentenced to cash fine amount of 20000 twenty thousand Afghani with consideration of articles (75) of penal code to sentenced to punishment and according (32) combating against intoxicants and drugs law and one set mobile with its SIM card according (779) panel code one car with its drug and confiscation of all seized items but,

due to lack of satisfaction of the accused the case has been referred to the special appellate court. The court in its judicial session dated 1398/9/27 in presence of both parties unanimously according article (54) court jurisdiction formation law paragraph (2) article (17) combating against intoxicants and drugs law and paragraph (1)article (267)penal code law dated 1389/9/12 equivalent to December 2019 the primary court of intoxicants and narcotics decision intensively adjustment and appealed the accused in the case of smuggle amount of (3.800)kilogram heroine according sub-paragraph (5) paragraph(1)article (302) panel code from the beginning of detention days the accused has been sentenced to twelve years and six months imprisonment and in the case of carrying amount of (1.500)kilogram opium according to sub-paragraph (4) paragraph(1)article (304) panel code three years and six months enforcement imprisonment and regarding to (73) panel code accused in serious punishment imprisonment twelve year and six months a imprisonment and the price of heroin validate and enforced on him and in the case of driving without a license plate according article (560) panel code sentenced in cash fine amount of (20000) Afghani and according article (32) combating against intoxicants and drugs and article (308)penal code the court issued its verdict that all items must be seized including vehicle.