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Meetings and Sessions

Chief Justice of the Supreme Court meets Qatar Government Ambassador

On January 13, 2020 Sayed Yousef Halim, Chief Justice of the Supreme Court met with Saeed bin al-Mubarak al-Khyarin, the ambassador of Qatar government in Kabul.



First of all, the Qatar government ambassador, offered good wishes of the Chief Justice of the Supreme Judiciary Council of the State of Qatar to the Chief Justice of the Supreme Court of Islamic Republic of Afghanistan and also submitted an official invitation of Qatar government to the Chief Justice in order to participate in the second High-Level Meeting of Judicial Integrity Network that will be held on February 25-27 in Qatar which was accepted with gratitude.

In this meeting they discussed about good and historical relations of Qatar government with Afghanistan government and the opening of Qatar embassy in Kabul has been considered a good opportunity to strengthen bilateral relations, and the ambassador of Qatar added that people of Qatar are friends with the people of Afghanistan and they all want to establish and develop

bilateral relations between the two friendly countries at all levels including judicial field and he will make the necessary effort and coordination as an ambassador in this regard.

The High Council of Supreme Court Sessions Reports

The High Council of Supreme Court held their regular sessions on Jan 20, 28 and Feb 1 and 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 below:



- H.E. Chief Justice reported his attendance in the Judicial Year Ceremony and Judicial Seminar of the International Criminal Court which was held on January 23, 2020 in Netherlands. In this seminar, the ICC judges, senior international judges, judges of the state parties to the Rome Statute, diplomatic representatives, international institutions and civil society representatives participated for the purpose of exchanging views and providing suggestions on important issues of the International criminal court system within two meetings by using the reports from the 2018 and 2019 International criminal court judicial seminars on transparency and accelerating the performances considering the time limits in order to avoid delays in the decisions and conform to the laws and international guidelines in the process of criminal cases and they discussed and exchanged necessary suggestions with each other.



- Emphasized on the institutionalization of public hearings, which is the legal obligations of the courts and the obligations of the Supreme Court, and according to Article 213 of the criminal procedure code clarified that the judicial hearing is open to the public and every person can participate in the sessions, but if the head of the judicial session considers that part of the trial or all the trial is closed to the public due to moral reasons or to save the family secrets or to save the public discipline and public security, it can be closed to the public.

According to the approval of high council for rule of law and anti-corruption about the attendance of women activists in the provinces, a draft proposal regarding securing presence of female judicial and administration staff in the provincial courts especially elimination of violence against women courts has been prepared and comprehensively discussed, after confirmation it has been guided that should be sent to

the relevant institutions.



- Base on the recent recommendations of the high council for rule of law and anti-corruption headed by the President of the Islamic Republic of Afghanistan, it was instructed to the General Administrative Directorate of the Judiciary to provide necessary guidance on the implementation of specific priority programs of the Supreme Court prepared and referred for further guidance to be obtained from the president office.

- With emphasis on the immunity of abode from invasion, it cannot be searched except legal anticipated conditions, it has been emphasized that the relevant institutions of detection and investigative authorities in such cases should follow articles 119, 120 and 121 of the criminal procedure code on houses search, permission of search and search procedures to ensure

justice in the proceedings of justice organs.

- The supreme court expressed its condolences about the martyrdom of Judge Rafieddin and Judge Ghulam Farouq, the Nangarhar and Faryab provinces appellate court judges who were martyred last week by enemies of the country's peace and stability and wanted (Paradise) from Allah and good patience to their families.

- According to the required and regular inspection reports of courts, ten judges of the appellate courts of Nangarhar, Badakhshan and Uruzgan because of their violations, based on provisions of the Disciplinary Regulation of judges, required disciplinary punishments have been prescribed.

The embezzlement case of the head of Khost appellate court has been considered and after the prosecution procedure and hearing the accused and defense, according to article 237 and article 17 criminal procedure code his past imprisonment punishment was approved and dismissed him from duty and judicial persuasion.

- Base on ordinary and required inspection reports and scrutiny opinions, judicial offenses (20) Judges of the appeal courts of Zabul, Kunar and Yawan, Raghistan and Kohistan districts of Badakhshan, Nangarhar and Uruzgan provinces were discussed, and required disciplinary punishments were prescribed.

- The instructional demands from judicial and non-judicial authorities about taking the price of disclamation decision whose winning party is unknown

, how to get the price from the legal bequest and consensual documents, refusal of winning party to pay the price of the deed, quitclaim of the plaintiff because of time consuming of properties investigation and backlog of the cases because of incomplete investigations of properties, value of the acquittal contained in the decisions the bribe-taker and how to use the amnesty and mitigation of punishment' planning of effectiveness Legal problem issues in civil proceedings on how efficiently acquittal from the elder heiress in murder cases with the presence of minor heiress how to correct collateral while the collateral does not deviate from the main path, issue related to order the collateral guarantee letter regarding the process of issues the property dealers license and discussed the process of selling an asset in exchange of a bank loan when the debtor is absent in light of imposed rule of law the supreme the supreme court high council passed the necessary legislative guidelines in the light of law decisions.

- While the Prosecution Deputy Attorney General was present, ten re-pleaders of criminal convicted in murder and money laundering involving prosecutors, defense attorneys and some of the convicts' relatives were reviewed in the light of the provisions of article 282 of the criminal procedure code, and the necessary decisions were taken.

- In this meetings six civil appeal revisions, two issues of disqualification, and a number of changing of judicial civil and appeals courts a number of revision

suggestions for upgrading judicial cadre were also on the agenda the necessary decisions were take upon request of honorable office of the General Attorney Office 133 criminal cases have been abdicated to the appellate courts of Nimroz, Ghor, Badghis, Farah, Paktika, Samangan, Kapisa, Kunar, Kandahar, Kunduz, Nangarhar, Jawzjan Herat, Badakhshan , Sarpul, Takhar and Zabul provinces.

The Leading Committee of Case Management System held meeting

On January 16, 2020 meeting of the leadership of the case management system committee was held at the

supreme court of Islamic Republic of Afghanistan, Acting Head of General Administrative Directorate of the Judiciary, Legal Adviser of the National Security,



Chief of the Anti-Corruption Secretariat, Deputy Attorney General, Deputy Minister of Justice, Deputy Minister of Defense, Deputy Minister of Interior Affairs, Representative of the High Council for the Rule of Law, Deputy of High Administration of Inspection, President of the Independent Bar Association, Member of the Independent Commission for Overseeing the Implementation of the Constitution, authorized representatives of the Ministry of Finance, Central Statistics Office and in charge people from INL Office and representatives from the Justice and Judicial Services and some of the invitees participated.

In this meeting after the preliminary talks, the Acting Head of General Administrative Directorate of the Judiciary according to the agenda, at first Dr. Torabi the Special Secretariat of Anti-Corruption, talked on approval number (5) of High Council for Rule of Law and the Anti-Corruption, added that in first part of the

approval, a representative from the Central Statistical Office and the Independent Commission for Overseeing the Implementation of the Constitution should be included in the committee which is responsible for drafting the regulation of the Case Management System, in the second part of the approval, establishment of a technical committee to assess the problems and challenges of the system by the Central Statistics Office and the third part of the approval it is the duty of Ministry of Communication and Information Technology with close coordination of the Central Statistical Office to finalize transferring plan of the Cases Management System to the Afghanistan Government and that action plan must be taken to implement the approvals, in this meeting emphasized that the foreseen deadlines in the approval have been expired and the relevant departments must comply their legal obligations as soon as possible.

According to the agenda, the topic of the regulation of Case Management System, which is previously drafted, chaired and held by the Supreme Court and with the participation of the relevant representatives, in the meeting, respected representatives from the Central Statistic Office , INL section of the US Embassy, the Ministry of Communications and Information Technology and the Independent Commission for Overseeing the Implementation of the Constitution and wanted from to share their views on the draft regulation, so the debate on the draft regulation was postponed by the Leadership Committee for the

purpose of obtaining the views of the above departments, and decision has been taken on Monday, 20 January and the second Wednesday the Leadership Committee submits the final draft and refer it to the High and Judicial Committee of the cabinet.

The third section it the discussion was about composition of the leadership committee and also technical and supervisory committees and in light of approval No. 5 of Rule of Law High Council and the draft activity regulation of Case Management System, and appropriate decisions were taken.

According to Article 4 of the constitution, Mr. Mohammad Zubir Sadeqi, head of the Case Management System, presented a presentation on the current status of the system and forecasts of the second version for the purpose of improving the system.

During the presentation, the participants asked various questions about the system and their views on the responsiveness of the system, usage methods of the usernames, ensure proper usage from the users, upgrading archival documentation, challenges regarding modifications and adjustments in the system, methods of problems solving of the stuck cases in the system ,data which are not recorded since the system started, comments in the second version, whether an upgraded version of the current database or a completely separate database; the issue of systematic monitoring of the users from the system, adding the new sections in the system after the establishment,

during the past years that affected the unity of the information recorded cases , in order to avoid misuses such as deleting the data, access limitation of irresponsible persons in the system, also accountability of the system particularly as there are tens of deficiencies in the registration process method of the cases and how the system operates during and after the transfer of the data have been discussed that, head of the Case Management System, commented on the above views and gave promises to solve the mentioned problems although comments of leadership members on the problems wasn't fully solved, so it has been decided that Justice Sector Support Program JSSP has to provide a comprehensive and accurate presentation to covering all aspects of the system, including developments and challenges, and to address the President of the Islamic Republic of Afghanistan to solve their concerns about the status of the system.

Report about Judicial Academy plan and training program for Afghanistan judges at Cairo judicial Training Center - Egypt

According to the direction of date May 2019 the Supreme Court high council via the Directorate of Plan

and Policy for the establishment of the Judicial Academy, a joint committee consisted from the Directorate of Judicial Education and representatives of the Directorate of Researches and Studies, Directorates of Plan and Policy, Human Resources, Directorate of Administration and International partners, has been established under the chairmanship of the Judiciary to prepare the Judicial Academy action and organizational plan, for this reason several sessions were held at the Judicial Education Directorate venue, as a result of that, the Judicial Academy's draft plan, shows that there are differences between the current situation of Judicial Education and the Judicial Academy that will be established about forty pages have been prepared, and when it is needed within a short period of time it will be presented to the High Council of the Supreme Court.

Based on agenda of the working group that has been organized by the Directorate of Judicial Education and International partners, the proposed proposal of Judicial Academy, in the last session that was held at the Directorate of Judicial Education, the following results were obtained.

- Preparing the proposal like a not final draft form.
- Work on the division of duties and activities according to organizational chart which is outlined in mentioned plan.
- Setting up the organizational chart of the Academy in such a way that there is no conflict of duty competences.

Also under the guidance of the Supreme Court high council and oral agreements between the General Administrative Judiciary Power through the Directorate of Judicial Education and the Embassy of the Arab Republic of Egypt talked about training programs for judges at the Judicial training center of Egypt and official letter sent by the Judiciary to the Embassy of the Arab Republic of Egypt and the Ministry of Justice to take a trip, In addition that, the proposed curriculum of teaching and skills for Afghanistan judges in the Arab Republic of Egypt has been prepared to meet the educational needs of the criminal, civil and commercial sectors.

Case Management System Leadership meeting was held on finalizing the Regulation Draft on Case Management System

On 25, January, 2020 afternoon the judicial management leadership board members had a meeting chaired by head of the Acting Head of General

Administrative Directorate of the Judiciary with the participation of:



- Dr. Mahjoor legal adviser of National Security Council.
- Dr. Yama Torabi head of Special Anti-Corruption Secretariat.
- Mohammad Haroon Motesam, Deputy Chief of High Administration of Audit.
- Ali Ahmad Asghar, Deputy Director of Public Security Directorate of National Security.
- Dr. Heravi, a member of the Independent Commission for Overseeing the Implementation of the Constitution
- Vice President of Afghanistan Bar Independent Association.
- Representative of General Directorate of National Security.
- Seyed Mohammad Hashemi Deputy Minister of Justice.
- General Director of Research and Studies of the Supreme Court.
- Mohammad Salem Safari expert of Anti-Corruption

Secretariat.

- Deputy Director of the Ministry of Communications.

Head of Justice Sector Support Project office (JSSP) the leaders of board member, Invitees and Afghanistan Justice Sector Support authorities met at the Supreme Court Conferences hall to discuss on rest of the rules and procedure of the Case Management System.

In that session, chapters 3 and 4 of the regulation, which covers the responsibilities of other departments to use the system, cases registration in the system, information system, alert systems, prioritize and distribute cases, record and manage cumulative cases, system backup , maintenance and maintenance of forms, central server system location, access to information, employee recruitment requirements, training, public awareness, correctional and criminal approvals discussed and with providing corrective and supplementary viewpoints for the draft regulation was discussed as a whole, after entering the comments of leadership meeting members It has been approved by Judiciary Management system committee leadership and will be sent for more scrutiny and further consideration to the law committee of the cabinet.

A Training Program was conducted in Bamyan province under the title of Special Section of the Penal Code

On 24 November till 6 December 2019 a training program under title of special section of the criminal

code (Law on Administration Corruption Crimes) held and taught by Abdul Wahed Tawhidi", a member of the ideological judicial education department for 25 judges in Bamyan and Daikundi provincial appeal courts.

At first the training program started by reciting the verses of holy Quran by one of the participants and according to the agenda it was continued for five days, and it was ended by Judge Ghawsuddin Taheri the chief of Bamyan provincial court.

The Basic Skills Training Program of Court Administration System Was Conducted

Following the training programs of the Directorate of Capacity Building and Performance Appraisal a training program for the basic Administrative Skills and Performance Appraisal was held on December

29, 2019 till January 1, 2020 with the cooperation of Checchi - ADALAT, in this program 50 administrative court staff participated from Faryab, Uruzgan, Farah, Nimroz, Logar, Wardak, Panjshir and Kabul provinces.

The training was opened by Hamed "Baha huyar" Director of Capacity Building and Performance Appraisal, the program was held and focused on basic principles use of courts textbooks (from primary to superior court) writing method, administrative correspondence instruction, writing letter, inquiry, suggestion, reporting, performance appraisal cycle, (Planning, Monitoring and Performance Appraisal) procedure of courts administrative system, writing minutes and its types and components.

At the end of the program, all participants considered the training as excellent.

News & Events:

On 1398/9/11 equivalent 2 December 2019 Judge Marajuddin "Hamedi" chief of Kabul province appeal court met with Ms. Samith the document evaluation specialist of Norwegian Embassy in Afghanistan and

her delegation, Norwegian Embassy document evaluation specialist and her delegation wanted information about how the marriage contract registration system, order marriage contracts in family courts, department of document and collateral registration and its conditions if these documents disappeared, how it works and the required information was provided by the chief of personal status of the primary and appellate courts.

a meeting on 23,December 2019 was held under the name of observing from collateral and martyrs' documents, headed by Merajuddin "Hamedi the Head of Kabul Appellate court.

At the meeting Jamila Nuristani, Deputy of Ministry of Martyrs and Disabled, Abdul Ghyas Sharaf Abdul Rahim Zia” the head of martyrs affairs of the mentioned ministry, the members of revision commission of martyrs` documents, head of department of documentation office of appeals court and judicial members of documentation office, were present at the meeting, in that meeting around forty thousand martyrs collateral documents related to Kabul Province are available at the ministry of martyrs and disabled, problems and defects in the performances of the ministry of martyrs, the authorities of the ministry and Kabul documentation department has been observed and illustrated and solutions were suggested and appropriate decisions have been taken.

On 5 December 2019 judge Narges "Hafedzadeh" chief of primary court for Juvenile Court of Balkh

Province attended as a representative of appeal court in an open discussion under the name of Rule of Law in this meeting the women's immunity, the role of the police and justice institutions, achievements and challenges presented by the Women's Peace Studies Institute with the participation of the headquarter of police, appellate prosecution office of the mentioned province and the collective participation of men and women from government and non-governmental organizations, scholars, civil society, community police and field representatives had participated too.

On 16 ,November 2019 Judge Mufti Mohammad Wazir, chief of Badghis provincial appellate courts met in his office with Qari Raheleh "Naderi", the chief of Women's Affairs and Ms Injila "Hamidi", the general prosecutor for the elimination of violence against women, appeal prosecutor department and discussed on relevant issues.

On 26, December 2019 Judge Mohammad Sharif "Fanny" Chief of Balkh appeal court with the presence of judge Asadullah "Zaki" Chief of civil and personal court met his in office with twenty-five members of Civil Society Network, scholars, and members of Paiwand Social and Cultural Institute the head of court welcomed the participants and explained the judicial Policy in the field of good judicial services provision and transparency in proceeding process.

26, December 2019 Judge Mohammad Sharif "Fanny" Chief of Balkh appeal court met with Ms. Romana "Schweiger" head of UNAMA's Rule of Law department in his office, at the beginning, chief of the appellate courts, explained the Supreme Court's policy on the field of provision of good judicial services, the struggle against corruption, the employment of judges and staff, considered the principles of merit strong oversight of judicial and administrative staff performances, he also described the organizational chart of the appeal court and its activities and achievements, which included conducting public trials, conducting coordinating meetings, visiting and monitoring the deprivation centers of liberty and build good relationships with the justice and judicial institutions authorities.

On 18, January 2020 Judge Seyed Abdul Qayyum "Kamali" the chief of Nimroz province appeal court met in his office with Qamaruddin "Aryan" the head of Nimrose martyrs' and disable's province the head of martyrs and disabled talked about the privileges and rights of the martyrs and the disabled families and some challenges which was heard by chief of court, discussed on anticipated solutions and he promised to cooperate in these issues.

COUNTER – CORRUPTION

A- Report of Judicial Activities of Kabul Anti-Corruption Primary Court

\- Reports

From 22 ,December 2019 to 20, January 2020 Kabul province primary anti-corruption court heard (25)

criminal cases related to corruption crimes’ In connection with these cases, 39 persons in accusation of abuse of power, taking bribes, deception, embezzlement, Illegal extortion, and illegal weapon possession have been arrested the number (5) of them, due to the lack of sufficient evidences were not found guilty and acquitted and (34) person were sentenced to different punishments of imprisonment as fallow:



- One to month to one years’ imprisonment for 11 persons.
- Five to 5 years' imprisonment for 11 persons.
- Convicted to Cash Crimes 12 persons.

Total convicted cash fine punishments of convicted is amount to (21154) US dollars.

Chart (1) shows the number of convicts of the Kabul Anti-Corruption primary Court.

Type of case	Judicial decision
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[SPECIAL BULLETIN OF THE SUPREME COURT]

			No of accused	Acquitted	No of convicted	The number of imprisonment validity			
						One month to one year imprisonment	1-5 years imprisonment	5 - 15 years imprisonment	Convicted of cash crime
1	Misuse of duty	7	٨	١	٧			٧	1012
2	Bribery	6	٧		٧		٣	٣	6291
3	Deception	6	١٤	٢	١٢	٦	٦		
4	Embezzlement	3	٦	١	٥	٣	٢		
5	Illegal possession of weapons	1	١	١					
6	Illegal extortion	2	٣		٣	٢		١	
Total		25	39	5	34	11	11	12	\$21154

Also the mentioned court during this time, they have issued judicial rulings on 10 cases and submitted to the relevant authority for completion of investigation gaps and defects.

Chart (2) shows the judicial rulings of the Kabul Anti-Corruption primary court

No	Type of case	Number of case	Number of accused	Reason for ruling	Related reference
				Legal gaps and Defects	
1	Misuse of duty	٣	٦	٣	Prosecutor's Office
2	Treason	١	١	١	Prosecutor's Office

3	Embezzlement	۱	۱	۱	Prosecutor's Office
4	Missing weapons	۳	۳	۳	Prosecutor's Office
5	Possession of Illegal weapons	۱	۲	۱	Prosecutor's Office
6	Illegal extortion	۱	۱	۱	
Total		10	14	10	

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

Verdict dated 7, January 2020.

Conviction of head of clinic of Kabul military training center in embezzlement case

Anti-intelligence management officers of Kabul military training center stopped one Ranger type truck in their military check point belong to head of clinic of Kabul military training center when he was leaving the base and searched during the searching of the Ranger truck (6) boxes of Polio and Hepatitis vaccines totally (1796) ampoules was obtained and head of clinic of Kabul military educational center and the pharmacist of military educational center arrested in connection with this case and they are introduced to the judicial and justice institutions the case was referred to Kabul provincial court for proceeding of corruption related crimes' court at the hearing dated 1398/10/17 equivalent to 28 December 2019 in presence of both parties the accused, head of clinic of military educational center and the pharmacist in the case of embezzlement amount of (1796) polio and hepatitis vaccines ampoules the amount of (56,1045896) Afghani according to paragraph (4) article 391 and paragraph (2) article 398 observation of articles 58

panel code and with the consider of articles 213 and 214 the mentioned code everyone from the beginning of days of detention sentenced to three years and six months enforcement imprisonment and dismissal from duty.

Verdict dated 7, January 2020

Conviction of an Engineer of the Constructional Control of Kabul Eighth District

Member of department of construction control Kabul district of eighth, he stopped the construction process of a building in the west area of the Hawad Wall blocks, the owner of that he was building his previous demolished house and rebuilt it to fourth floor and he wanted to build more, the above-mentioned engineer stopped his work, a person, who introduced himself as owner of the building in a phone call to the manager of construction control department and he want him to do not disturb him in the construction of the building, the building control manager does not accept the owner's request and the building owner continued to work until the control manager goes to the area with several of his staffs and demolished part of the seventh floor of the building subsequently, another person identified himself as brother of the owner's and said that he was the owner of the building and had permitted to his brother the construction work and promised to met with the member of directorate of engineering department in Pul-e- Bagh Umooome and the owner of the building demands that he continues his work against payment of \$ 2000 US dollar the district engineer accepted his

request and want him to pay the mentioned amount after that the owner of the building had a phone call said; I cannot bring him the money but, will bring the money next day in Pul-e- Bagh Umooome, while delivering the money he was arrested by the general directorate of national security officers and introduced to justice and judicial institutions court at the hearing dated 1398/10/17 equivalent to 7 January 2020 in presence of both parties unanimously the accused member of directorate of control construction district eight municipality of Kabul in case of taking bribe amount of 2000\$ US dollar according sub- paragraph 5 paragraph 1 article 371 paragraph 2 article 375 and paragraph 1 article 385 panel code with the consider of articles 213 and 214 the mentioned code from the beginning detention days every one of them were sentenced to two years and six month enforced imprisonment and dismissal from duty.

Report and Judicial Activities of Kabul Anti-Corruption Appellate Court

1) Report

On 22, December 2019 to 20, January 2020 Kabul Province appellate courts against administration crimes heard around (3) criminal cases related to administration corruption, in connection with these cases, 11 persons have been arrested on charges of

misuse of power, taking bribe and embezzlement 5 person have been convicted to various imprisonment as below.

- 1 year to 5 years' imprisonment 6 person.

Chart (3) shows the statistics of Kabul Anti-Corruption Appellate Court .

No	Type of case	Number of case	Judicial decision						
			Number of accused	Acquitted	No of convicted	The number of imprisonment validity			
						One month to one year imprisonment	1 -5 years imprisonment	5 - 15 years imprisonment	Convicted of cash crime
1	Misuse of duty	1	4	4					
2	Embezzlement	1	6		6		6		
3	Taking bribe	1	1	1					
4	TOTAL	3	11	5	6		6		

Also in this period the court has issued judicial rulings on (3) cases and sent them to the relevant authority for completion of investigative gaps and to find the 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	Embezzlement	2	6	2	Prosecutor's Office
2	Treason	1	5	1	Prosecutor's Office
Total		3	11	3	Prosecutor's Office

2. Verdict Summary Samples issued by Kabul Anti-Corruption Appellate Court

Verdict dated 2, January, 2020

Conviction of member of management of Kabul province Traffic Accidents of Observation Department in connection of taking bribe

Base on information to the Directorate for Combating Heavy Crime of Corruption, one of Kabul traffic directorate officers in Kabul kept a plate number of a car, for returning back to the owner of the car, he wants for a sum of (15,000) AFS according to the Directorate for Combating Heavy Crime of Corruption direction of regular and pre- planned whic have been taken, a trusted person stated that he agreed with the traffic officer to pay amount of (8,000) thousand AFS, against the plat number , finally the traffic officer of, Kabul province Traffic Accident Observation Directorate member met with of Directorate for Combating Heavy Crime of Corruption, the trustee person in directorate accident office and, he went out from the traffic directorate station and says I will become back and after a few minutes he have been entered inside the corridor of traffic directorate Investigation accident and took amount of 7000 AFS the Operative Marked money from the trustee person and submitted him the plate number after that in presence of general special directorate of Combating Heavy Crime of Corruption ,and representative of Kabul security police arrested him a found the amount of 5000 Afghin the Operative Marked money from the guilty person trousers pocket

and he have been introduced to the judicial and justice institutions and case has been referred to the Kabul primary criminal court against corruption the court in judicial session dated 1398/9/4/ equivalent to 26 December 2019 unanimously accused the Kabul province traffic accident observation department member in the case of taking bribe amount of 6000 AFS according sub – paragraph 1 paragraph 1 article 385 panel code and article 14 the mentioned code from the beginning of detention days the accused has been sentenced to five month imprisonment, cash punishment equivalent to bribe and returning back of one thousand AFS of Operative Makred money sentenced to punishment and another accuse the Kabul province traffic accident review department member in the case of taking bribe amount of (2000) AFS according to sub -paragraph 1 and paragraph 1 of article 371, paragraph 1 of article 385 ,of the panel code and article 14 the mentioned code the accused has been sentenced to three month imprisonment, cash punishment equivalent to bribe and returning back amount of Operative Marked money sentenced to punishment but due to dissatisfaction of accused the case sent to the appellate court of combating corruption of Kabul province court at the hearing dated 1398/ 10/ 12 equivalent to 2 January 2020 the court unanimously convicted one of the accused Kabul traffic accident review department member in the case of taking bribe amount of 2000 Afghani due to lack of sufficient evidences according to article 5 of Panel Code and

article 235 of the criminal procedure code has been acquitted.

Verdict dated 31, December 2019

Conviction of deputy of the third brigade of the headquarter of police in connection of embezzlement.

Kabul province prosecutors from military attorney directorate checked and control the food stuff and the level of support with Rapid Reaction Unit of Kabul police headquarter of Asmayee 101 zone, as a result based on M8 form it has been considered that twenty kilograms of meat lost, also it has been proved that the amount of the mentioned meat is being exchanged with disposable containers and fresh milk by the assigned supporting delegation, this illegal act of logistics in charges/authorities has been continued for for twenty days, Kabul province military prosecution office after a series investigations, found that the authorities from logistic are accused of embezzlement of 400 kg of meats and the case has been referred to the primary court of anti- corruption of Kabul province , the court in its judicial session dated 1398/7/20 equivalent to 12 October 2019 in presence of both parties unanimously the accused support delegation, department of logistic ,department of sustaining , and food stuff in charge of Rapid Reaction Unit in the related cases of embezzlement of 400Kg beef in total price 79200 AFS according to part 1 article (391,393) and paragraph 1 article 398 (1) penal code, and with observation of articles 211 and 215 mentioned code sentenced every

person one year and one month and returning amount of embezzlement, but the case because of dissatisfaction of the accused has been referred to the Kabul province appellate court of anti- corruption court during its judicial session dated 1398/10/10 unanimously in the presence of both parties of the case according to instruction article 54 of Law on Organization and Jurisdiction of the Judiciary the issued decision of primary court of anti-corruption court of Kabul province has been confirmed.

Counter Narcotics and Intoxicants

A: Reports on performances of special judicial primary court of intoxicants and anti-narcotic

۱. Report

Primary court of intoxicants and anti-narcotic From 22, December 2019 to 20, January 2020 around 72 of related different types of case of drugs has judicially



proceeded and a required decision was taken. Regarding to these cases around 92 persons in accusation of smuggling and carrying drugs were arrested and out of these, 1 of them because of lack of enough evidences were acquitted and 91 of them because under trial and were convicted into different imprisonment of punishments.

- Imprisonment 1 year to 5 years 39 person
- Imprisonment 5 years to 15 years 22person
- Imprisonment 15 years to 20 years 20 person

- Imprisonment 20 years to 30 years 4 person
- Convicted to cash fine 4 person.

In connection to abovementioned trials the verdict has been issued to perish amount of 2738,751 and 560.75 liter different types of drug.

Chart number (1) shows statistics of judicial performances of Anti-Narcotics Special Primary Court In the month of January 2020

Sl number	Type of case	Number of case	Amount of items	Judicial Decision							
				Number of accused	Acquittal	Number of convicted	Number of enforced prisoners				Cash fine
							1-5 years imprisonment	5-15 years imprisonment	15-20 years imprisonment	20-30 years imprisonment	
1	Amphetamine	36	960,032	47	1	46	23	15	8		
2	Opium	5	1114	9		9	1		8		
3	Heroin	21	101,519	22		22	12	6	2		
4	Hashish	3	504,5	3		3	2	1			
5	Morphine	4	58,7	4		4			2		
6	Alcohol drinks	1	335,75.LT	2		2	1			1	779
7	Cooperation with the traffickers	1		3		3				3	779
8	Chemicals	1	205 LT	1		1		1			
Total		72	2738,751	91	1	90	39	23	20	4	1558

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

Verdict dated 12, January 2020

Eighteen years of imprisonment in accusation of smuggling quantity of 25 kilogram Morphine.

Based on the information of department of information and researches of Kundoz province, a person wants to

have some embedded drugs in a vehicle and wants to carry it from Kunduz to Kabul later on the in charge people dated 1398/8/16 they established a checkpoint in the way and after fixing and identifying the vehicle, they stopped the vehicle and searched, as a result this operation, they found(25) kilogram of morphine from the back seat of driver which was skillfully embedded discovered on related to this case, the driver of the vehicle has been arrested and introduced to judicial and justice institutions the case has been referred to special primary court of anti-narcotic and drugs court at the hearing dated 1398/10/22 in presence of both parties, unanimously the accused in connection of carrying amount of 25 kg morphine, from the beginning of surveillance and detention days, validation from arrested date according subparagraph 4 paragraph 1 article 302 and articles 213 ,214 panel code sentenced to eighteen-years imprisonment punishments, likewise one Toyota type of vehicle which was carrying the drugs according to article 308 of penal code and one set mobile with its SIM cards, according to article 32 of Anti-Narcotics Law confiscation, and according article the mentioned code an order has been issued for abolishing amount of 25kg discovered morphine.

Verdict dated 15 ,January 2020

Nine years of imprisonment in accusation of possessing quantity of 15,97 kilograms Matt Amphetamine and 23 kilograms Hashish.

Nangarhar Counter Narcotics directorate, according the preplan to discover and arrest the drug dealers in

Jalalabad city regions, they were tasked, during the duty, based on a trustee person phone call information that someone sells the drug on youths, teens and addicts in the area of Samar Khail the ninth district of Jalalabad city, after the authorities` attempts the accused was identified ,during a physical search, during physical check and the time of arrestment, he has involved in a physical and verbal conflict with the police, and during a physical check, amount of drug by name of Hashish and amount of drug by the name of Mett Amphetamine, and number of 5 Tablet K were found out from the accused`s pocket, in presence described the net weight of the material under the name Mett Amphetamine (15,97 grams, weight) 97.2 grams tablets K, 13 grams Methamphetamine) and (23) grams of Hashish has been recognized, and as a result of lab testing of Mett Amphetamine, Tablets K and Hashish drug proved positive, the accused introduced to justice and judicial institutions, court at the hearing dated 1398/10/25 in presence of both parties unanimously, the accused person in connection of possessing amount of 15,97 Mett Amphetamine, consideration of sub - paragraph 3,paragraph 2 article (83,303)panel code five years imprisonment, in the case of 23 gram Hashish according sub-paragraph 1 paragraph 1 article 305 panel code observation of article 83 the mentioned code amount of 5000 five thousand AFS cash punishment and with observation of article 73,78,83 panel code severe punishment because of possessing 15,97 gram Mett Amphetamine five years imprisonment and 5000

cash fine punishment, on drug sales to addicts and other people according article 311 panel code and the observation of article 83 the mentioned code three years enforced imprisonment, in the case of invade against the arrest officers according provision of article 354 panel code ,observation article 83 the mentioned code for one year imprisonment, with the considering of article 75 panel code, observation article 83 the mentioned code, accused each of them for a total of (9) years from the beginning of detention period is sentenced to imprisonment likewise according article 19 combating against intoxicants and drugs Laws the various amounts of these drugs have been considered to be abolished.

B: Reports of Judicial Performances of Special Appellate Court of Anti-Narcotics

1. Report

Appellate court of anti-narcotic from 22, December 2019 to 20, January 2020 around 55 cases related to types of narcotic judicially were proceeded and the court decision. In connection to this these cases around 81 persons in accusation of smuggling and carry drugs were arrested out these 2 people of them because of lack of sufficient evidences acquitted and 79 of them were sentenced to different period imprisonment.

- Imprisonment 1- 5 years 24 person
- Imprisonment 5 – 15 years 27 person
- Imprisonment 15 – 20 years 20 person
- Imprisonment 20 – 30 years 8 person

Also in relation to abovementioned cases amount of

65976,677 kilograms of drugs discovered and seized.

- Total cash fine convicted 11251 US dollar

The chart number (1) shows judicial performance of special appellate court of anti- narcotic

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	Mett Ampheta mine	30	٦٠,٦٧٧	٤٢	2	1363	٤٠	١٢	١٤	١٤	٢
2	Opium	8	٣٥٩.٥	١٠		٩.٩	١٠	٢	4	٢	
3	Hashish	5	١٥٣٩	٦		324	٦	٢	٤		
4	Morphine	1	١٨	١		٢٥٩	١			١	٦
5	Heroin	9	٤٩٠.٥	١٧		8137	١٧	٣	٥	3	
6	Bangdana	١	٤٥٥.	٢			٢	٢			
7	Poppy	١	٥٩٤.٠	٣		٢٥٩	٣	٣			
Total		55	٦٥٩٧٦,٦٧٧	81	2	١١٢٥١	79	24	27	20	8

2: Verdict Summary Samples of Anti-Narcotics special appellate court

Verdict dated 15, January 2020

Twelve years of imprisonment in accusation of smuggling quantity of 1,160 kilograms Matt Amphetamine

Based to prior notification from department of national security of Kabul province two person were drug

dealers who sell glass type of drugs for the people against money, according to the above information² the national security administration officials on date 22/7/1998 arrested the accuses while exchanging amount of (1,160) kilograms of drug by the name of glass in Kabul city eighth district in the area of Dosad family mosque Hiwaadwall residential blocks in presence of relevant representative they arrested, in consideration with descriptive form, net weight of the drug(1.160) kg and the result of its laboratory test it has been proved positive for Mett Amphetamine. The case has been referred to the primary special court of anti- narcotics, the court in their judicial session dated 1398/9/11 with presence of both parties unanimously was decided that in case of selling quantity of 1.160 kilogram glasses type of drugs according subparagraph 5 paragraph 2 article 304 of penal code sentenced to punishment to twelve years and (11) month enforced imprisonment, likewise tow set mobile with its SIM cards according to article 32 of anti- corruption law article 19 it has to be extinguished quantity of 1.160 kilogram Matt Amphetamine, But, due to lack of satisfaction of the accused the case has been referred to the special appellate court of proceeding the anti-narcotics, the court in its judicial session dated 1398/10/25 in presence of both parties according to article 54 of Law on Organization and Jurisdiction of the Judiciary and article 267 of the criminal procedure code, the decision of primary court have been approved unanimously.

Verdict dated 15, January 2020

Five years of imprisonment in accusation of smuggling quantity of 172 kilograms Hashish

Based on prior information from directorate information and investigation combating drug department of Nangarhar province that a narcotics type of Hashish was embedded in a corolla type of vehicle and wants to transfer the drug from Khogyaani district to Marko market in Ghani Khail district, base on prior information during searching and checking of the vehicles in Sumarkhail checkpoint one corolla type of vehicle arrived in the checkpoint , the vehicle was identified and recognized during the checking and searching as result of that quantity of 172 kilogram Hashish type of drug discovered in connection with the case the driver of the vehicle and other person were arrested and introduced to justice and judicial organization. The case has been referred to the primary special court of anti- narcotics, the court in their judicial session dated 1398/7/28 with presence of both parties unanimously was decided that in case of carrying quantity of 172 kilogram Hashish type of drugs according sub-paragraph 7 paragraph 1 article 304 with consideration of articles 213 and 214 of penal code from the beginning of detention sentenced to five years - five years of enforced imprisonment for all accused, and in the connection of driving the car without permit according article 560 panel code 20000 cash fine with the considering of t article 75 panel code convicted to punishment also according article 32 anti-narcotics law

seized two sets mobile with its SIM cards and also according to article 308 panel code anti-narcotics law the seized corolla type of vehicle which was carrying the drugs, according article 19 anti-narcotics law the seized quantity 172 kilogram Hashish, But due to lack of satisfaction of the accused the case has been referred to the special appellate court of proceeding the anti-narcotics, the court in its judicial session dated 1398/10/25 in presence of both parties according to article 54 of the law on organization and jurisdiction of the judiciary and article 267 of criminal procedure code, the decision of primary court unanimously have been approved.