

Table of Contents

❖	Table of Contents	1
❖	High Council of Supreme Court Sessions Report	2
❖	Acting General Administrative Director of the Judiciary meets the Harakat Project Officials	7
❖	The Judiciary’s Opinion Regarding the Draft Survey Titled (Corruption and Ensuring Justice in Afghanistan)	10
❖	Case Management System Board of Directors Conducted a Meeting	15
❖	Special Meeting Held with the Finance and Administration General Directorate Officials and Subdirectors	25
❖	The Judicial Statistics Database of the Policy Planning Directorate is Created and Functioning	29
❖	The Educational Needs Assessment Database of the Capacity Building and Performance Evaluation Directorate is Created and Functioning	30
❖	News and Events	31
❖	COUNTER - CORRUPTION	36
❖	COUNTER NARCOTICS AND INTOXICANTS	44

High Council of Supreme Court Sessions Report

The High Council of Supreme Court held its regular sessions on June 30, July 7 and 21, 2020, presided over by H.E. Sayed Yousuf Halim, the Chief Justice, and discussed the agenda items. The most important approvals and resolutions which have been adopted in the sessions are reported as below:



Regarding the speculations about judicial trainees' admission to fill judicial posts, it was declared that in accordance with article 81 of the law on organization and jurisdiction of the judiciary and abiding by several resolutions of the High Council of Supreme Court which were adopted in order to better regulate the judicial training course affairs and ensure its transparency, the Supreme Court has always considered the initiation of judicial training course based on actual needs and security situation, thus according to the Judicial Training Course Regulation and the Admission Procedure, the competitive examination was taken by the National Examination Authority from 9520 judicial training course applicants who were graduated from Law and Sharia faculties and religious schools in

which 1820 applicants were women and they had registered online for the test. Among them, 600 participants were considered qualified for the interview (oral examination) and the preparation of the questions for the oral examination began by the supervising committee of the judicial training course which is comprised of the representatives of general directorate of administrative office of the president, justice and judicial commissions of national assembly (upper and lower houses), ministry of justice, attorney general's office, independent administrative reform and civil service commission, human rights commission, national examination authority, sciences academy, Sharia and Law Faculties, integrity watch, independent bar association, lawyer's association and some embassies' delegates, but unfortunately due to the outbreak of coronavirus disease (Covid-19), the process was postponed until the situation is improved.

Regarding the Integrity Watch report under the title of (Corruption and Administering Justice in Afghanistan), the following response was declared:

In the past five years, the Supreme Court of Afghanistan has taken major steps toward ensuring rule of law and justice by implementing necessary structural reforms in the judiciary and achieving tangible results in the fight against corruption. Therefore, in order to improve the judiciary's coordination with the organizations and institutions publishing surveys concerning the judiciary, the Supreme Court declared its position and asked all the institutions to share their reports with the judiciary in order to check their authenticity prior to publishing, thus a precedent is set and the organizations, both national and international, share

their reports concerning the judiciary and ask for the Supreme Court's remarks and opinions.

Based on this coordination, in 2018, Afghanistan Integrity Watch conducted a survey under the title of (Corruption and Administering Justice in Afghanistan) and shared it with the judiciary asking for the Supreme Court's remarks and opinions before publishing. The judiciary shared its rational and explanatory opinion to the integrity watch, rejecting the claims included in the report, in five articles, in which the last paragraph states:

(The Supreme Court does not consider the report to be realistic as it has regarded the judiciary as obliged to abide by all laws and procedures, but on the other hand, as a government entity with no liabilities. Furthermore, preparing such a report based on 8.000 people's views and extending it to 30 million people of the population, the ambiguity in conducting the survey and its credibility which undermines the prestige of the judiciary are both questionable and unacceptable.

The Supreme Court believes that the report which was prepared two years ago in 2018, the coordination notwithstanding was shared with the media for purely political reasons in order to exert pressure on the government and undermine the political and judicial system, hence by refuting the allegations, the Supreme Court asks for the evidence of their allegations to be provided, otherwise making false allegations without evidence is legally actionable.

Regarding the instruction-demand of the High Council Secretariat about proving the falsity of testimony which is recognized by the Civil Procedure Code and the Law on

Organization and Jurisdiction of the Judiciary as a condition for revision on final decisions of courts, it was instructed that in accordance with resolution no. 983 of the High Council dated July 3, 2018, if the testimony is proved to be false by the authorities it can undoubtedly be considered as a condition for revision.

The manner of proceeding to the cases by the special court of ministers was discussed. Lately, three cases have been submitted to the special court from which one of them is sent back to its relevant authority by summoning the accused, and two other cases are on trial. The special court is also ready to try other cases, upon receipt, in accordance with the provisions of law.

With regard to the 31st round of Judicial Training Course oral exam, the judicial training directorate was instructed to initiate the oral examination along with the initiation of schools and universities on Wednesday, August 5, 2020, and proceed under the supervision of the supervising committee which is comprised of the representatives of the relevant authorities, national and international organizations.

Three occasional inspection reports about the judicial misconduct of five judges from Kabul, Kandahar and Parwan appellate courts were reviewed and by identifying their misconduct which was related to not adhering to legal provisions in deeds, disciplinary procedures were initiated against them in accordance with the judicial misconduct regulation.

In the presence of Gen. Abdul Fatah Aziz, deputy attorney general in military affairs and the criminal convicts' defense counsel, five applications for revision in embezzlement,

fraud, transferring explosives, usurpation of land and misuse of authority cases were reviewed and legal decisions were taken in accordance with article 282 of the Criminal Procedure Code.

Four applications for revision in civil cases were reviewed in the presence of both parties and necessary decisions were taken in accordance with article 482 of the Civil Procedure Code.

In addition, some of the criminal cases were also reviewed in accordance with the Criminal Procedure Code and at the request of Attorney General's Office, the authority to try 26 criminal cases was delegated to the appellate courts of Faryab, Badghis, Sare-pul, Ghazni, Farah, Kapisa and Badakhshan. In these sessions, some of the personal affairs issues of judges, Justice and Judicial Committee approval regarding the commentary on Civil Code, suggestions and meticulous opinions were discussed.

Acting General Administrative Director of the Judiciary meets the Harakat Project Officials

Justice Jawed “Rashidi”, acting general administrative director of the judiciary, in the presence of Dr. Abdullah Ataei, Judicial Training Director, Finance Director, acting Policy Planning Director and all relevant officials, met with the head of Harakat Project and its officials. In the meeting, the delay in the capacity building training programs in the areas of finance, commerce, tax and online portal of commercial courts was discussed.



Initially, the head of Harakat Project stated that according to the signed Memorandum of Understanding between Harakat Project and Judicial Training Directorate, eight training programs were planned to be conducted, from which only one of the programs was conducted successfully in Kabul, but the other ones were suspended due to the outbreak of coronavirus (Covid-19). Now that the situation is somewhat

better, he added that they are ready to conduct the remaining programs in accordance with medical guidelines and social distancing.

Then Dr. Abdullah Ataei explained that the Judicial Training Directorate isn't responsible for the delay in the programs as the conditions were changed and resulted in the suspension of the programs, but now that the instruction of H.E. Chief Justice is issued regarding the improvement of conditions, Judicial Training Directorate has no problem and will pave the way to conduct the programs as soon as possible by officially contacting institutions, professors and the participants.

After that, the head of Harakat Project added that they have extended the project for another two months, in communication with donors, and they have tried so that the allocated money shouldn't be returned. He stated that now they are attempting to arrange the seven remaining programs into three programs in coordination with the Judicial Training Directorate and will implement them in accordance with the mechanisms which are accepted by both parties soon. By implementing the training programs, the work on online portal for commercial cases will also begin.

The head of Harakat Project also pointed out regarding the cooperation with Kabul Province deeds registry that after the aforementioned programs, they are going to work on Kabul province deeds registry by recruiting professionals.

Finally, Justice Jawed Rashidi, acting general administrative director of the judiciary, added that in the past few months, not only Afghanistan, but the international community has also faced problems which has caused serious backlog and

now that the conditions have improved, we hope that in accordance with the signed agreement and in coordination with Judicial Training Directorate, the Harakat Project would implement the programs and the Judicial Training Directorate would specify the earliest date for the programs in order to gain maximum benefit from the extended period.

The Judiciary's Opinion Regarding the Draft Survey Titled (Corruption and Ensuring Justice in Afghanistan)

This opinion was stated in 2018 while the draft survey was shared by the Integrity Watch Afghanistan with the Supreme Court.

Lately, a draft report regarding a survey titled (corruption and ensuring justice in Afghanistan) is sent to the Supreme Court on which the Supreme Court has the following remarks:

The public trust in governmental courts, informal dispute resolution and Taliban courts are compared in the report, adding that due to the corruption in governmental courts, the formal judicial system is undermined which leads to people turning to the informal dispute resolution or Taliban courts. Regarding this allegation, it has to be stated that the comparison between the judicial system of Afghanistan and that of Taliban has no logical or legal basis whatsoever, because Afghanistan is a lawful government and its judicial system issues its verdicts based on applicable laws and procedures. Disregarding the procedures (which included the recognition of both parties' rights) while issuing a verdict makes it invalid. Conforming to the procedures will definitely be time-consuming but the Taliban courts verdicts and physical punishments are based on procedures created by themselves. Moreover, if the judiciary of Afghanistan wouldn't conform to the procedures in trials, national and international organizations will still object that fair trial

standards are not complied with.

The informal dispute resolution has been pointed out in the report and it has been claimed that due to the corruption and lack of people's trust, they prefer the informal dispute resolution, whereas informal justice is considered as a traditional jirga activity in which arbitrators mediate to resolve the disputes and even the courts encourages the parties to resolve their disputes in civil and commercial cases through informal justice. As a result, in most cases, both parties reconcile and reach an agreement and their reconciliation agreements will be registered in formal courts. Therefore, this process is considered as a means to resolve the disputes in a timely manner and to cut down on bureaucracy and has no connection with corruption or lack of people's trust in courts.

In another part of the report, people's belief about the existence and background of corruption has also been mentioned and it has been added that corruption undermines the legitimacy of judicial system and will result in people supporting other mechanisms of administration of justice. In this regard, it must be stated that with five years of activities and struggles to fight against corruption in the judiciary, this phenomenon is well contained and the Supreme Court has loyal, committed and dutiful judges and administrative staff and underestimating the loyalty of the entire staff of the judiciary, who are providing judicial service in the current appalling conditions and only in the past five years, they have suffered 126 casualties, is unfair, because corruption in the judiciary is not a major or serious problem which couldn't be tackled but rather a trivial one as it can occur occasionally on an individual basis which will

be prosecuted harshly. If the survey is mainly based on the interviews with people, it must be taken into consideration that half of the parties in civil cases and the majority of convicts in criminal cases are dissatisfied with the issued verdicts due to the imposition of law on them and as a general rule, no one would be satisfied with the verdict which is against them and would relate it to corruption which is not acceptable.

As far as it is related to the people's trust in the judiciary, it seems like in the past few years, people's trust has increased on the judicial system of Afghanistan and the annual hearing of over one hundred thousand civil and criminal cases in the primary courts, appellate courts and Supreme Court divisions reveals people's access to justice and the increase of public trust in the judiciary.

With regard to the recommendations pointed out in the report about the judiciary's independence, the procedure of appointing judges, setting up an independent commission for judicial complaints, establishing an entity for judgement independent of the judiciary and facilitating people's access to open justice, it must be stated that:

In accordance with article 116 of the Constitution, Supreme Court is an independent branch of the government and the highest judicial organ of the judiciary. Adhering to the aforementioned article of the Constitution, the judiciary has preserved its independence and impartiality and hasn't let any interferences in its decisions, because the law has much clear provisions in this regard.

Dismissal and appointment of judges are done in accordance with the Constitution and the Law on Organization and Jurisdiction of the Judiciary by the

evaluation of the competent commission being comprised of the High Council of the Supreme Court members. The criteria in this regard are commitment, loyalty and being responsible and no relations are preferred over these principles. This process is under the supervision of the High Council of the Supreme Court.

In the presence of complaints commissions in the appellate courts of all provinces, meeting of H.E. Chief Justice with the clients twice a week and hearing their complaints directly, and, moreover, the presence of complaint boxes in courts and judicial surveillance office and dealing with the complaints by occasional inspections based on H.E. Chief Justice's order, there will be no need to establish an independent commission for judicial complaints.

Establishment of any separate entity outside the structure of the judiciary with supervisory authority is in direct conflict with the Constitution and the Supreme Court is obliged to report on its activities to the President only.

The Supreme Court, being committed to open government, has no problem with institutionalizing open governance and won't withhold cooperation in this regard, in accordance with the judiciary's policy.

The judiciary believes that surveys must be conducted in a standard way and in order to solve the problems, not to mislead public opinion or undermine the judiciary's prestige. Now that the judiciary is in a better condition than before by implementing judicial and administrative reforms and due to the commitment of its staff to provide better services to the citizens, conducting this kind of surveys will mislead the national and international organizations and the public about the judiciary's activities and will cause a

decline of trust in the government, therefore, such actions must be avoided.

The Supreme Court doesn't consider the report to be realistic as it has regarded the judiciary as obliged to abide by all laws and procedures, but on the other hand as a government entity with no liabilities. Furthermore, preparation of such a report based on 8,000 people's views and extending it to 30 million people of the population, the ambiguity in conducting the survey and its credibility which undermines the prestige of the judiciary are both questionable and unacceptable.

Case Management System Board of Directors Conducted a Meeting

The meeting of Case Management System board of directors was conducted on July 2, 2020 presided over by Justice Jawed “Rashidi”, acting general administrative director of the judiciary with the participation of Waheeduddin “Arghoon”, deputy attorney general for financial and administrative affairs, Sayed Mohammad “Hashemi”, deputy minister of administration for the Ministry of Justice,



Gen. Mohammad Anwar “Parepaal”, deputy minister of administration for the Ministry of Interior Affairs, Ali Ahmad “Asghari”, deputy director of security for the National Directorate of Security, Sadiq “Baqeri”, advisor to the Second Vice President, Abdul Shakoor “Mahjoor”, chief legal advisor to the National Security Council, Yama “Torabi”, Director of Anti-Corruption Special Secretariat, Rohullah “Qarizada”, president of Afghanistan Independent

Bar Association, Nisar Ahmad “Malikzai”, General Director of Research and Studies of the Supreme Court, Sayed Muhammad Hussain “Hussaini”, director of courts and detention centers relations, Andaleeb “Mushtari”, economic policies director of Ministry of Finance, Mujtaba “Payenda”, legal specialist of Ministry of Communications and Information Technology and Zubair Ahmad “Sediqi”, representative of JSSP in case management system. The meeting agenda included finalizing the priorities of case management system transition plan, progress report on technical evaluation of the system, progress report on preparing procedures of board of directors, supervisory board and technical committee, latest progress report on first and second versions of CMS, report on providing facilities and equipment to the CMS office, giving presentation about characteristics of crimes in the system and discussion about further steps for updating them, discussing the American professor’s request for criminal records from the case management system database in order to write an article which will be published in one of the most reputable academic journals of Singapore, discussing the Independent Commission of Human Rights’ request for a user account and deliberation on establishing a procedure or mechanism for providing user accounts and discussion about training the representatives of the organizations, provided with user accounts, in accordance with the joint action plan for process improvement and identifying corruption cases.

The meeting was opened by the speech of acting general administrative director of the judiciary, then agenda items were deliberated by the meeting participants:

With regard to finalizing the priorities of CMS transition plan, acting general administrative director of the judiciary stated that the priorities document of transition plan had to be finalized in the first session of the second conference of Dubai, but due to the quarantine issues of coronavirus disease (Covid-19), finalizing and implementing some of the planned activities were postponed. After that, the meeting participants deliberated on the transition plan activities and discussed its priorities. The participants agreed upon bringing changes to some of the activities of the plan:

The effective date of the regulation must be added within two months.

(Drafting the Case Management System Law if the board of directors deems necessary) must be removed from the document, because the regulation is sent to the Cabinet by the Ministry of Justice and is enacted and effective.

Concerning the third priority which is (activities related to budget allocation to the Case Management System), economic policies director of Ministry of Finance pointed out that all the ministries and administrative offices related to Case Management System should report the expenses of the system's transition to the government and the permanent expenses related to the Case Management System, within a specific time interval, after the transition process is finalized, so that the Ministry of Finance could finish the work on the budget allocation for CMS before Geneva Convention. Moreover, Ministry of Finance declared its preparedness to cooperate with all the relevant ministries so that in the next two to three months, the CMS budget could be included in the second national justice and judicial

reform program (NJRP).

Later on, the senior legal advisor to the national security council stated that there is no progress on CMS budget and according to presidential decree no. 2 dated 1/1/1399 technical expenses of the system must be reviewed by the National Statistics and Information Authority and administrative expenses must be reviewed by the respective authorities. All governmental agencies, except for the Prisons Administration, have already sent their requirement suggestions to the INL, therefore it was requested from the JSSP to follow up on the issue with INL and conduct an online meeting with INL officials if possible, so that they could share their decision on the issue with the board of directors as soon as possible and the relevant agencies could assess the post-transition expenses of the system.

After that, deputy director of national statistics and information authority for system development stated that primary assessment of technical expenses like the number of required servers for the system is carried out by the National Statistics and Information Authority and other administrative expenses like Internet fees must be included in the budgets of respective agencies and with regard to reviewing technical expenses, the Statistics Directorate and Justice Sector Support Program (JSSP) is also ready to cooperate with relevant agencies. Since the Ministry of Telecommunications and Information Technology is responsible for the system's transition to the Islamic Republic of Afghanistan, its representative must attend the technical committee meetings for budgetary revision of the transition process and according to the acting general administrative director of the judiciary's instruction and the

agreement of participants, a special session must be held due to the importance of budget allocation for the system so that it could be discussed in detail.

Regarding the priority no. 4 (establishment and development of CMS 2.0), the transition plan document, acting director of Case Management System provided detailed information for the participants and added that all the activities related to this priority is pursued in a regular and timely manner and was approved by participants without changing any parts of the document.

About activities related to priority no. 5 (bug fixes of the first version of the system), Bahadur Helali, deputy director of National Statistics and Information Authority stated that the technical team of National Statistics and Information Authority, together with the representatives of relevant agencies and JSSP, will review all the challenges facing the Case Management System and the JSSP is going to solve all the problems of the system's current version which was reviewed by the technical committee.

Subsequently, the acting director of Case Management System mentioned that 18 technical problems have been reported to the JSSP so far, which have been solved. He added that all the solutions to the problems which are included in the current version will be shared with the National Statistics and Information Authority, from which, the implementation of the "confiscation" section is completed and a presentation will be given to the board of directors' first session, and upon their approval, this section will also be included in the current version.

Concerning the priority no. 6 (initiating the transition program of CMS software), Bahadur Helali proposed that

the software transition of CMS 2.0 must take place step by step and the National Statistics and Information Authority is committed to cooperating with all the relevant agencies in this regard.

With regard to the technical evaluation progress, Mr. Bahadur Helali reported that the National Statistics and Information Authority has carried out their technical review of the Case Management System, in coordination with the JSSP, making the following suggestions which were approved by the members:

The challenges which were reviewed in the technical committee are not related to the second version of CMS and lots of these problems must be solved in the current version of CMS as well, moreover, CMS 2.0 should also be implemented step by step.

The major security problem of the system is its accessibility from all around the world by the internet, therefore, in order to keep the information safe and decrease the chances of the system being hacked, it is better if the system is accessible only by the relevant agencies.

The system's main server must be transferred to Afghanistan since we have the infrastructure to keep the server, as in the Ministry of Communications and Information Technology or the Ministry of Finance, and a backup copy of the server can also be outside the country.

According to the instruction of the acting general administrative director of the judiciary and the meeting participants, it was resolved that adhering to resolution no. 5 of the High Council for Rule of Law and Anti-Corruption, the technical review report of the system must be presented to the High Council for Rule of Law and Anti-Corruption in

detail and the Justice and Judicial Committee should be briefed about it.

General Director of Research and Studies presented the progress report on the procedures of the board of directors, supervisory board and technical committee, adding that the research directorate of the Supreme Court has worked on the three procedures and all the relevant agencies including JSSP were asked by an official letter to share their views and opinions, but none of them has responded to the letter yet.

Later on, acting general administrative director of the judiciary expressed the hope that all relevant agencies would share their views and opinions regarding the procedures with the research directorate so that all the opinions are put together by this directorate to discuss them on the next session and the procedures are finalized. The decision was made that the relevant agencies must share their remarks by official letter or email with the general directorate of research and studies soon so that they could be used in the preparation of the procedures.

About the establishment and development of CMS 2.0, acting director of Case Management System stated that according to the plan, the second version of the system is under development and the prison section of the system is completed and provided for the Prisons Administration. He added that the JSSP together with the technical teams of Ministry of Justice and the Supreme Court, are having their sessions in order to complete the Courts' section (both civil and criminal) and the primary version of it will be provided for the relevant agencies according to the transition plan and after the completion of courts section, the prosecution,

detection, reporting, rights and government cases sections will be completed according to the dates determined by the JSSP in cooperation with the relevant ministries and will be provided for them upon completion. The head and members of the meeting asked the Prisons' Administration to review the prisons section of the system in coordination with the National Statistics and Information Authority and the JSSP so that the prisons section is finalized and implemented as soon as possible. It was mentioned that all the problems identified by the technical committee in the first version of the system are going to be solved by the JSSP in coordination with the National Statistics and Information Authority.

The acting Director of Case Management System reported to the session members on the donation of new equipment to the case management system offices. He added that the donation process of equipment is started after a suspension period due to the coronavirus (Covid-19) outbreak and currently, according to the workload of CMS offices in Kabul, the donation of equipment to the General Attorney's Office, Ministry of Justice and the Independent Bar Association is completed, and the donation process of equipment to the Supreme Court will begin next week. After the completion of donation process in Kabul, it will expand to the provinces as well, therefore the session members requested that in accordance with the context of the regulation, the CMS offices are equipped for the professional staff, the list of which is already sent to the JSSP, because the documents show the change of previous equipment rather than satisfying the needs of professional staff, so the JSSP must take this into consideration. After

that, the session participants made the following decisions after discussing the agenda items:

Conducting a session on the next Thursday to discuss the remaining items of today's agenda;

Conducting a special session to discuss the budget allocation of CMS and finalizing the priorities document of transition plan and the transition of the remaining cases, the transition of servers and the participation of Ministry of Finance's representative in the session;

Conducting an online meeting with INL and JSSP regarding the list of required technical equipment of the agencies and to discuss on the ninth clause of Dubai Memorandum of Understanding, because based on the aforementioned clause, INL was responsible for funding and equipping the system until the end of 2021, whereas the JSSP asks the relevant agencies to cover a portion of the budget by its internal budget for the Case Management System. JSSP will be responsible of organizing the online meeting next week;

Approving the Ministry of Finance's representative request on the participation of Ministry of Finance in the supervisory board sessions instead of technical committee sessions due to the irrelevance of Ministry of Finance in technical issues of the system;

It was asked from the Prisons Administration representative to complete their list of requirements and send it to the JSSP and INL as soon as possible until the next meeting;

According to the instruction of the High Council for Rule of Law and Anti-Corruption's fifth session, the National Statistics and Information Authority was asked to report regularly to the Board of Directors on how to technically evaluate the system, because technical challenges and

resolving them are an ongoing process in the system;
Submitting a report to the High Council for Rule of Law and Anti-Corruption and the Justice and Judicial Committee on the system's technical evaluation and on the second official trip to Dubai upon the approval of the Supreme Court;

The instruction of the acting General Administrative Director of the Judiciary regarding the initiation of supervisory board sessions to avoid any further delay in Case Management System affairs;

Identifying the backlogged cases and reporting them to the session.

Special Meeting Held with the Finance and Administration General Directorate Officials and Subdirectors

Justice Jawed “Rashidi”, acting general administrative director of the judiciary conducted a meeting with the Finance and Administration General Directorates officials and subdirectors on July 15, 2020 and heard their suggestions, challenges (problems) which they are facing and the work progress. After discussing over the causes of the problems, the following instructions were issued:

In the first part of the meeting, the Finance and Administration General Directorate’s report on the progress and challenges of ordinary and development budgets of the Supreme Court was heard.

As observed, the progress rate in the codes 210, repairs, product purchasing, public benefit, land, building, food preparation (cooking), development budget and other aspects are low, therefore, the budget, finance and accounting and procurement subdirectorates were instructed to accelerate their activities and speed up the use of allocations in relevant departments adhering to the respective rules and regulation.

The implementation problem of judicial cadre benefits of judges in the second six months of the fiscal year must be solved in coordination with the Ministry of Finance and the reasons of the issue should be shared with the parliament’s department of reviewing midyear budget if necessary.

The administrative agencies' requirements proposal which has to be reprepared according to the action plan, hasn't been finalized yet. The Policy Planning Directorate is responsible for finalizing the proposal in coordination with the relevant agencies within three days and forwarding it to the related authority.

Concerning the modification to the lunch pay for all necessary departments, as food is not prepared anymore due to the outbreak of coronavirus disease (Covid-19), Finance and Administration General Directorate was instructed to provide a specific suggestion after proper evaluation in this regard.

The Information Technology Directorate was instructed to solve the issue regarding the speed of the internet in contact with the relevant authority and to assure the General Administrative Directorate of the Judiciary of its solution.

The Financial and Accounting Directorate should solve the oil distribution problem.

Information Technology Directorate should promptly use the current personnel in order to tackle labor shortage and according to the new Procedure on Scheduling Work Hours, the subdirectors must be present at their offices every day and the Human Resources General Directorate should act appropriately regarding service staff demand to this directorate.

The technical equipment which is donated by the JSSP for CMS units should only be utilized by Case Management System. Although the donated equipment belongs to the Supreme Court in general, but its distribution and utilization belongs to the Case Management System units. In this regard, the three-member delegation responsible for

submitting the equipment must take utmost care, and the Finance and Administration General Directorate along with the Policy Planning Directorate should pay special attention about it.

The transportation department is obliged to create a database for repairing vehicles, so that the problems could be solved in a timely manner.

The transportation and procurement departments are instructed to carry out fast and timely operations with regard to repairing vehicles and procurement of required parts, in compliance with the relevant rules and regulations and to avoid any further delay so that the vehicles do not face any problems. Procrastination of the aforementioned departments are not tolerable hereinafter.

The measures have been taken regarding the salaries of court clerks so that there would be no delay in their salaries and benefits thereafter.

Due to the problems of the Primary Courts of four zones in Kabul province including the need for courtrooms, a suggestion letter must be sent to the Ministry of Urban Development and Housing, and the joint suggestion letter which was sent to the President's Office by General Administrative Directorate of the Judiciary and Ministry of Urban Development and Housing should be seriously followed up.

The Repair Department in collaboration with the Information Technology Directorate should create the Supreme Court's land ownership database so that precise and accurate information is added to the database.

With regard to solving the problem related to the internet access costs, fuel distribution from the Supreme Court

reserve and the difference in fuel distribution, a delegation should be appointed by the Finance and Administration General Directorate to review the above-mentioned issues and report accordingly.

The Finance and Administration General Directorate was instructed to take serious action to accelerate the bureaucratic process of the three vehicles donated by the US embassy.

The electricity problem of the Supreme Court compound and the Primary Court complex which is located in the previous building of the Ministry of Public Works must be solved in collaboration with the Afghanistan Electricity Company (DABS).

The problems of Revenue Monitoring General Management were heard and necessary instructions were given accordingly.

The Finance and Administration General Directorate, as well as other directorates to which duties have been assigned, are obliged to take necessary actions in compliance with the meeting's approval and to report on its results to the next administrative meeting, otherwise the directorates who postpone or delay their responsibilities will be held responsible.

The Judicial Statistics Database of the Policy Planning Directorate is Created and Functioning

The judicial statistics database of the Policy Planning Directorate's Statistics Department was created to collect statistical reports on the activities of the courts of 34 provinces and central directorates, in accordance with the Judiciary's Action Plan and based on the needs and importance of the issue.

Now that the opportunity is provided and agreements signed between Policy Planning Directorate and ADALAT Project on December 7, 2019, the above-mentioned database is created online and ready for use in cooperation with the Information Technology Directorate and with the efforts of the Statistics Department by the Advisor of the Database Department of ADALAT Project. After the registration of quarterly statistical reports by the provincial courts' staff in the database, the plans, quarterly, six-monthly, and annual activity reports of the courts will be accessible promptly by the database.

Besides, in order to train the judicial staff, the judicial statistics database training program will be conducted for them during the second quarter of this year in collaboration with the Statistics Department of the Policy Planning Directorate and the Capacity Building Directorate and in cooperation with the ADALAT Project, so that they could add and send the second quarter activity reports of this year online in the judicial database.

It is worth mentioning that previously, the courts' activity reports were being collected by paper forms filled out by courts and sent through post, which was very time-consuming.

The Educational Needs Assessment Database of the Capacity Building and Performance Evaluation Directorate is Created and Functioning

The educational needs assessment database of the Capacity Building and Performance Evaluation Directorate was created and functional in accordance with the Needs Assessment Department needs, by the Database Advisor of the Human Resources General Directorate with the technical cooperation of ADALAT Project. The database facilitates the training needs assessment which was being carried out by collecting special forms from 34 provinces and was much time-consuming, as the forms were sometimes being returned due to the mistakes in the forms. Now, the training needs assessment will be carried out in an electronic and web-based way which includes all types of reporting based on required programs titles, provinces, staff details, gender, post, the programs attended by them, assessing the level of change on employee performance, and determining the work level of employees.

For the past three months, meetings have been held with the officials of the relevant agencies regarding the inclusion of information and how to develop it in accordance with the existing needs. As a result, from June 15, 2020 to June 16, 2020, the training programs have been conducted in the Supreme Court's trainings center and with the inclusion of the modifications suggested by the participants of the training program, it will soon be available online through the Supreme Court's website together with the video clips

and instructions.

News and Events

On July 1, 2020, the fourth session of preparing and drafting the Access to Information Procedure was held in the library of the Supreme Court, according to the Supreme Court's commitment in the Action Plan 2 of the open government of Afghanistan presided over by Justice Nisar Ahmad "Malikzai", General Director of Research and Studies, with Ahmad Fahim "Qawem", Judicial Studies Director as the member, Fazlullah "Abdali", the Policy Planning Directorate's representative as the secretary and with the participation of the Attorney General's Office, Access to Information Commission and Civil Society Institutions representatives.

At the beginning of the session, the article details of the aforementioned procedure, arranged by the secretary, were discussed. Since the deadline had already passed and the sessions weren't held on their scheduled times due to the outbreak of coronavirus disease (Covid-19), the session participants agreed upon finalizing the procedure till July 15, 2020 after receiving the Attorney General's Office opinions and remarks.

On July 11, 2020, Justice Ghulam Sakhi "Habib", the Head of Faryab Appellate Court met Gul Ahmad "Khalili", the JSSP representative in his office.

The head of the court discussed the lack of internet connection due to technical problems of Etisalat telecommunications company and also talked about the problems facing the Case Management System staff, as it has been a month since there is no internet connection in

CMS offices, therefore, he asked for the JSSP's cooperation in this regard. After that, the representative of the JSSP expressed his gratitude for the comprehensive explanations of the Head of the Court and assured him that the internet connection problem will be solve as soon as possible.

On July 2, 2020, Justice Shamsurrahman "Raees Khel", the Head of Herat Appellate Court along with the Heads of the Appellate Court Divisions, Special Courts, Appellate Prosecution Directorate, Justice Directorate, Independent Bar Association and the Security Officials attended in the funeral prayer of Hedayatullah "Sharifi", subdirector of prison administration's court relations department of that province, and recalled his brilliant and memorable achievements calling him a committed, loyal and honest officer. They wished paradise for the martyr and great patience for his bereaved family.

The officer was martyred by terrorists on his way back home on Tuesday, June 30, 2020.

On July 1, 2020, the foundation stone of the Laghman City Court was laid by Justice Samargul "Omari", the Head of Laghman Appellate Court, the Head of Criminal Division, the Head of City Court at the presence of Appellate Court and City Court judges.

First, some verses of the holy Quran were recited, then, while laying the foundation stone, the contracting company was instructed to finish the construction work in a timely manner, according to the contract.

On June 25, 2020, the Commission of the Heads of Jawzjan Appellate Court Divisions was conducted under the chairmanship of Sebghatullah "Mushfiq", the Head of Appellate Court with the participation of the Heads of

Appellate Court Divisions.

The meeting began with the recitation of a few verses from the holy Quran, then according to the agenda, 9 petitions were reviewed regarding the correction of deeds and appropriate decisions were taken on each of the petitions under the guidance of the Supreme Court's precedents and were sent to the relevant authorities for further implementation.

On July 9, 2020, Justice Shamsurrahman "Raees Khel", the Head of Herat Appellate Court met with Monessa "Hassanzada", Deputy Governor for Social and Cultural Affairs and the Shia Scholars, in the presence of the Head of the Elimination of Violence Against Women Special Court, the Head of the City Court's Personal Status Division, the Governor's Gender Expert, the Women's Affairs Directorate representative, and the representative of the Independent Bar Association. Ms. Hassanzada called for a solution to the legal problems of Shiite clients. The head of the Court provided necessary explanations regarding divorce in accordance with article 142 of the Shiite Personal Status Law.

The deputy governor, representatives of the relevant departments and Shiite scholars also expressed their problems and suggestions and agreed to cooperate with the people in this regard. Shiite scholars also promised that in order to solve the people's problems, they will try and coordinate with the relevant authorities.

On July 12, 2020, Justice Samargul "Omari", the Head of Laghman Appellate Court accompanied by Justice Shah Wali "Ahmadzai", the Head of Criminal Division, met with Rahmatullah "Yarmal", the New Governor of the Province.

First, the Head of the Court congratulated the appointment of the new governor and wished him success in his daily affairs and serving the people. Then, the issues of mutual interest were discussed and the governor promised to legally cooperate with the court.

On July 18, 2020, a meeting was held on the implementation and regulation of the work schedule procedure of the courts in the third stage of preventing the spread of coronavirus, presided over by Justice Merajuddin “Hamidi”, the Head of Kabul Appellate Court with the participation of the Heads of the Appellate Court Divisions, the Special Courts, and the Primary Courts of the four zones. The meeting was held in the Appellate Court Hall and the necessary instructions were given.

On July 11, 2020, Justice Mohammad Sharif “Fani”, the Head of Balkh Appellate Court met with Shahla “Hadid”, the Women’s Affairs Director, and the members of Violence against Women Cases Review Commission in the Appellate Court Compound.

First, the Women’s Affairs Director talked about reasons and factors of the increase in violence against women, and eliminating it, and asked for the cooperation of the Appellate Court in this regard. Then, the Independent Bar Association representative and all the members of the commission expressed their views and opinions about the issue. After that, the head of the court explained the Judiciary’s policy regarding the elimination of violence against women and considered the establishment of the Elimination of Violence against Women Special Courts and Divisions as one of the important achievements of the judiciary in order to better handle the relevant cases in a

timely manner. The head of the court promised the commission that the courts will take serious measures to ensure justice and reduce crimes against women by implementing the Elimination of Violence against Women Law and other relevant laws.

On July 21, 2020, Justice Fahimullah “Niazi”, the head of Uruzgan Appellate Court met with Sahfiqullah “Sahaar”, Police Commander, Special Forces Commander, acting Head of Counter-Terrorism Department and Criminal Director of the Province in his office.

During the meeting, the head of the court talked about ensuring the security of judges, their offices and their residence, and while assuring the security of judges, the Police Commander thanked the courts for their role in handling cases and the transparency of judges and judicial staff at work. The meeting was concluded with a good prayer.

COUNTER - CORRUPTION

Report on Judicial Performances of the Kabul Primary Anti-Corruption Court

1. Report

The Kabul Primary Anti-Corruption Court heard a total of 9 cases related to corruption from June 21, 2020 to July 21, 2020. A total of 22 people were arrested on charges of misuse of authority, bribery, extortion, and forgery, from which 2 of them were acquitted due to the lack of sufficient evidence and 20 of them were tried and have received the following prison sentences:



One month to one year imprisonment: 5 persons;

One year to five years imprisonment: 2 persons'

Cash fine: 13 persons.

The total amount of fine is 17,466 USD.

The Chart Number (1) Shows the Kabul Primary Anti-Corruption Court Convicts from June 21, 2020 to July 21, 2020

No	Type of case	Number of cases	Judicial decision (Verdict)								
			No of accused	Acquitted	No of convicts	Prison Sentences					Cash penalty
						One month to one year imprisonment	1-5 years imprisonment	5 - 15 years imprisonment	Convicted of cash fine		
1	Misuse of authority	3	11	1	10	1			9	15,064	
2	Bribery	1	1		1		1				
3	Forgery	3	6		6	1	1		4	2,402	
4	Extortion	2	4	1	3	3					
Total		9	22	2	20	5	2		13	17,466	

Furthermore, the court has issued rulings on 7 cases and has sent them to the relevant authorities in order to rectify the defects in investigation.

The Chart Number (2) Shows the Judicial Rulings Issued by Kabul Primary Anti-Corruption Court from June 21, 2020 to July 21, 2020

No	Type of case	Number of cases	Number of the accused	Reason for ruling	Relevant Authority
				Legal gaps and Defects	
1	Misuse of authority	3	11	3	Prosecutor's Office
2	Aiding in Bribery	1	2	1	Prosecutor's Office
3	Embezzlement	1	12	1	Prosecutor's Office
4	Forgery	1	1	1	Prosecutor's Office
5	Contempt of court	1	1	1	Prosecutor's Office

Total	7	27	7	
-------	---	----	---	--

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

Verdict dated July 13, 2020

The Conviction of Kohmard District of Bamyan Province’s Investigating Prosecutor on the Charges of Bribery

One of the residents of Kohmard district of Bamyan Province made a complaint to the Public Prosecutor’s Office for control and surveillance mentioning that the investigating prosecutor of Kohmard District of Bamyan Province has initiated a murder case against him in 1387 A.H.S on the charges of murder of someone who was killed by other people and all the evidence prove his innocence in this case, but he is still being asked for a bribe. He added that because he is a farmer and cannot afford to bribe him and he is also innocent, therefore he asks the Attorney General’s Control and Inspection Directorate to prosecute the case. The Control and Surveillance Directorate has taken action in this regard together with the assigned delegation and the representative of the tenth police district by marking 200,000 AFS and submitting it to the colleague and after adequate documentation of the accused with the money, he was arrested by the officials and introduced to the Judicial Organizations. The case entered the Primary Anti-Corruption Court of Kabul Province in which the court unanimously accused the Investigating Prosecutor of Kohmard District of Bamyan Province of accepting a bribe of 200,000 AFS on July 13, 2020. In accordance with clause 5, paragraph 1 of article 371, paragraph 1 of article 375 and paragraph 1 of article 385 of the Penal Code in compliance with articles 211 and 213 of the mentioned code, he was sentenced to five years and one month of imprisonment

including the custody and detention period, cash fine equivalent to the amount of bribery and dismissal.

Verdict dated July 1, 2020

Conviction of Two Members of National Directorate of Security Staff on the Charges of Forgery

Two residents of Nangarhar province have been arrested by the Ministry of Defense's intelligence officials for terrorist activities in Kunar province. One of them introduces himself as an intelligence official and gives the contact number of the person who cooperated with him to the officials of the Ministry of Defense. The officials of the Ministry informs the person who cooperated with the offender and informs him of his case, he accepts the allegations of the offender and adds that currently the first district of Kabul National Security Directorate cooperates with him, then the Brigadier contacted the National Security Directorate and went to him. The national security directorate official states that the offender is a colleague of the department and is engaged in performing duties in the eastern zone. The brigadier submits a proposal to the Department of Defense's Intelligence Department to release the perpetrator, who, based on information provided by officials at the Kabul National Security Directorate, has been unaware that the perpetrator was involved in the case. The proposal was later reported to the National Security Agency, where two employees of the (755) Directorate of National Security were arrested on charges of forgery and they were introduced to the judiciary. The case was submitted to the Primary Anti-Corruption Court of Kabul Province. The court unanimously convicted the first district subdirector of national directorate of security on the charges

of forgery on July 1, 2020 at the presence of both parties. He was sentenced to one year and a month of imprisonment in accordance with paragraph 1 of article 438 and in compliance with articles 213 and 214 of the Penal Code and the other accused who was a member of staff of 755 directorate of National Directorate of Security was sentenced to six months of imprisonment in accordance with paragraph 1 of article 438 and in compliance of article 59, 213 and 215 of the Penal Code on the charges of abetting in the forgery.

Judicial Activities Report of the Appellate Anti-Corruption Court of Kabul Province

1. Report

The Appellate Anti-Corruption Court of Kabul Province heard a total of 2 criminal cases related to corruption from June 21, 2020 to July 21, 2020. A total of 4 people have been arrested on the charges of misuse of authority and bribery from which 1 of them has been acquitted due to the lack of sufficient evidence and 3 of them were tried and have received the following prison sentences:

One month to one year imprisonment: 1 person;

Cash fine: 2 persons.

The total amount of fine is 2,077 USD.

Chart Number (3) Shows the Statistics of the Appellate Anti-Corruption Court of Kabul Province Activities from June 21, 2020 to July 21, 2020

No	Type of case	Number of cases	Judicial decision (Verdict)								
			No of accused	Acquitted	No of convicts	Prison Sentences					Cash penalty
						One month to one year imprisonment	1-5 years imprisonment	5 - 15 years imprisonment	Convicted to cash fine		
1	Misuse of authority	1	2		2					2	2,077
2	Bribery	1	2	1	1	1					
Total		2	4	1	3	1				2	2,077

Furthermore, the court has issued rulings on 8 cases and has sent them to the relevant authorities in order to rectify the defects in investigation.

Chart Number (4) Shows the Rulings of the Appellate Anti-Corruption Court of Kabul Province from June 21, 2020 to July 21, 2020

No	Type of case	Number of cases	Number of the accused	Reason for ruling	Relevant Authority
				Legal gaps and Defects	
1	Misuse of authority	1	2	1	Prosecutor's Office
2	Treachery	3	14	3	Prosecutor's Office
3	Bribery	1	1	1	Prosecutor's Office
4	Forgery	2	2	2	Prosecutor's Office
5	Illegal Firearm Acquisition	1	2	1	Prosecutor's Office
Total		8	21	8	

2. 2. Verdict Summary Samples issued by the Appellate Anti-Corruption Court of Kabul province
 Verdict dated July 20, 2020
 Conviction of the Civil Registration Authority Staff

Members on the Charges of Misuse of Authority

According to the operative information, one of the employees of the Population Registration Office demanded (\$ 500) in exchange for correcting the age of the ID card of one of the clients, and the relevant authorities arrested the accused in the second district of Kabul. His criminal accomplices, who are also employed in the population register, were reminded that both defendants were arrested and introduced to the judiciary. The case was sent to the Kabul Primary Court for Combating Administrative Corruption. The court convicted the accused at the presence of both parties in the case of abuse of authority in accordance with Article (403) of the Penal Code of each of them were sentenced to a fine of (80,000) Afghanis and dismissal from the profession on February 25, 2020, but due to the dissatisfaction of the accused, the case was sent to the Court of Appeals to investigate crimes caused by corruption. The court was present in the court session on 30/4/1399 unanimously. Judiciary and paragraph (1) of Article (267) of the Criminal Procedure Code 6/12/1398 The Primary Court for Combating Corruption in Kabul Province has been approved.

Verdict dated July 21, 2020

Conviction of the Ballistics Department Member of the Criminalistics Directorate of the Ministry of Interior Affairs on the Charges of Bribery

In order to renew his double-barreled weapon card, a person refers to the ballistics department of the Technical and Technical Department and according to the procedure, requests a ballistic examination of his weapons. The applicant's request is correct, but in the case of his Kalashnikov weapon he states to the applicant that the number of your weapon is scratched and unreadable, and if you pay me two hundred US dollars or the equivalent in Afghani, I will confirm that it is not. I will not get rid of that

weapon card. The victim reported the matter to the Criminal Investigation Department of the Ministry of Interior, which took action after informing the officials of the Internal Crime Investigation Department, after arranging a regular plan and exploratory, operational and understanding of the case while the amount of sixteen thousand Afghanis Operative money and pre-marked by the victim along with the documents of the weapon will be paid to the defendant. Obtained from the accused and the accused is arrested and introduced to the judicial organs. The case was referred to the primary court for combating corruption-related crimes in Kabul province. The court was present at its court hearing on 21/3/1399. According to the explicit paragraph (2) of Article (371) and paragraph (2) of Article (375) and paragraph (1) of Article (385) of the Penal Code in compliance with Articles (213 and 215) of the said Code, including the days of supervision and detention for seven months Imprisonment equivalent to bribery and dismissal is punishable by punishment and his criminal partner in the case of bribery is the amount of the obligation in accordance with the provisions of Article (235) of the Criminal Procedure Code and Article (5) of the Penal Code. However, due to the dissatisfaction of the prosecutor, the prosecutor in charge of the case entered the Court of Appeals to investigate the crimes caused by corruption in Kabul province. Law on the Establishment and Jurisdiction of the Judiciary Decision dated 21/3/1399 The Court of First Instance has approved the investigation of crimes caused by corruption in Kabul province.

COUNTER NARCOTICS AND INTOXICANTS

A: Reports on judicial performances of primary court of counter narcotics justice center

1. Report

The Primary Court of Counter Narcotics Justice Center heard a total of 59 cases related to the drugs from June 21, 2020 to July 21, 2020. A total of 83 people were arrested on the charges of smuggling and carrying drugs from which 3 of them were acquitted due to the lack of sufficient evidence and 80 of them were tried and have received the following imprisonment sentences:



One year to five years of imprisonment: 38 persons;
Five years to 15 years of imprisonment: 22 persons;
15 years to 20 years of imprisonment: 15 persons;

20 years to 30 years of imprisonment: 5 persons.

In connection to the abovementioned trials the verdict has been issued to eliminate (9716,487) kg and (3400) Lt drugs of different types.

The chart number (1) shows judicial performances of Primary court of counter Narcotics Justice Center from June 21, 2020 to July 21, 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			
							1-5 years imprisonment	5-15 years imprisonment	15-20 years imprisonment	20-30 years imprisonment
1	Methamphetamine	17	26,043	21		21	8	9	4	
2	Heroin	16	158,24	22		22	12	3	6	1
3	Hashish	11	1810,55	15	2	13	8	5		
4	Morphine	4	77,9	7		7	2		1	4
5	Opium	5	814,8	7		7	1	2	4	
6	Hashish Seeds	2	6755	3		3	3			
7	Alcoholic Drinks	2	3400 Lt	2		2	1	1		
8	Chemicals	2	73,954	6	1	5	3	2		
Total		59	9716,487	83	3	80	38	22	15	5

2: Verdict Summary Samples issued by the Primary Court of Counter Narcotics Justice Center

Verdict dated June 21, 2020

Sixteen years of imprisonment for smuggling (3) kilograms of heroin and one gram of methamphetamine

The Department of Intelligence and Investigation of the Special Forces Department, together with the Anti-Narcotics and Drug Enforcement Administration, has learned from the smuggling of a quantity of drugs called heroin that was skillfully embedded in a wooden chair and smuggled from Badakhshan by car smugglers. Lini reports that the passenger was transferred to Kabul. Considering the above information, the relevant officials took action and checked and checked the checkpoint in Pul-e-Khumri city of Baghlan province and all vehicles on the Badakhshan-Kabul route, as a result of which an intermediate vehicle (404) from Badakhshan to Kabul stopped. And is carefully inspected and controlled, which is also attempted from the pedestal of the relevant wooden chair of the person, from which (6) packages of small plastic map of Bozen (3) kilograms of drugs under the name of heroin are discovered and obtained. He comes and in this way the accused is arrested and detained in connection with the case. Meanwhile, in connection with the case and interfering in the case, another person from the second security district of Kabul, located in Ariana Market, from the office of Dar Al-Kaleh Samim, was arrested by the staff of the General Directorate of Information and Research in cooperation with the Anti-Narcotics Discovery Directorate. On 12/20/1398, in connection with the same case, another defendant, who was at the head of a network of drug traffickers and

reproducers, was also present in a Corolla vehicle under his driver from the town of Malazat, and another person was with him. He stops escaping and gets caught. Thus, in connection with the case of trafficking (3) kilograms of heroin and one gram of methamphetamine, three people were arrested and introduced to the judiciary. When the case entered the special primary court for the fight against intoxicants and narcotics, the court was unanimously present in the court session dated 1/4/1399. The real parties to the case found one of the defendants in the case of smuggling (3) kilograms of heroin according to paragraph (5). (1) Article (302) of the Penal Code in compliance with paragraphs (1-2) of Article (83) and Article (61) of the Penal Code from the beginning of the days of supervision and detention for twelve years and six months imprisonment and in the case of trafficking (1 Methamphetamine gram according to paragraph (1) of paragraph (2) of Article (303) of the Penal Code in compliance with the provisions of (1-2) Article (83) of the Penal Code for one year and one month imprisonment in accordance with Article (73) of the Penal Code to enforce the penalty He was sentenced to (12) years and six months of probation and in the case of selling drugs to addicts according to Article (311) of the Penal Code with respect to the spine (1-2) of Article (83) of the Penal Code for three One year and six months imprisonment in accordance with Article (75) of the Penal Code, the total punishment given, which is the period (16 years of effective imprisonment) is applicable to the above. And one of the other defendants in the case of smuggling (3) kilograms of heroin according to paragraph (5) of paragraph (1) of Article (302) of the Penal Code in compliance with Article

(61) of the Penal Code from the beginning of the days of supervision and detention for twelve years of imprisonment Convicted and recently accused in the case of smuggling (3) kilograms of heroin according to paragraph (5) paragraph (1) Article (302) Penal Code in compliance with Articles (213 and 214) Penal Code from the beginning of the days of supervision and confiscation for five years imprisonment He was convicted and according to Article (32) of the Law on Fighting Alcohol and Narcotics, six sets of mobile phones with SIM cards and the amount of (3250) Afghanis were considered confiscable and thus according to Article (19) of the above law, the amount of narcotics was obtained. The sentence has also been issued.

Verdict Dated July 18, 2020

Ten years of imprisonment for smuggling (35) kilograms of hashish and 21 grams of methamphetamine

Anti-Narcotics Management Personnel of Nangarhar Police Headquarters on 28/2/1399 in Khairabad area of Sorkhrud district, on the public road, dispersed a mobile vehicle that at 3 pm Abad was on his way when he saw the checkpoint. He changed his route and fled to the village of Khairabad inside the side road. Then the checkpoint personnel chased him and finally stopped him. The passengers were three people, one of them armed with a Kalashnikov. Ignoring the warning of the police, he escaped from the scene and one of them was caught with a pistol, which during the search of the vehicle, 21 grams of methamphetamine and 35 kilograms of hashish were found and received. The case entered the special court of first instance. The fight against intoxicants and narcotics was carried out and in the court

session dated 28/4/1399, there was unanimity. The real parties in the case of the accused in the case of smuggling 35 kilograms of hashish from the beginning of the days of supervision and detention according to paragraph 7 of paragraph 1 of Article 305 of the Penal Code Ten years of effective imprisonment in the amount of 21 grams of meta According to the guidance of paragraph 3, paragraph 2, Article 303 of the Penal Code, imprisonment for a period of two years and in the case of carrying a weapon according to Article 312 of the Penal Code for three years and six months of enforceable imprisonment, which according to Article 73 of the Penal Code is the most severe imprisonment of ten years. Implementation and enforcement is still known as a mobile phone obtained with its SIM cards and the amount of 25,000 Afghanis according to Article 32 of the Anti-intoxication and Narcotics Law and a Corolla vehicle carrying drugs according to Article 308 of the Penal Code and according to Article 19 of the Anti-Drug Law. The obtained substances are considered to be erasable against intoxicants and narcotics.

B. Judicial Activities Report of the Appellate court of counter Narcotics Justice Center

1. Report

The appellate court of counter narcotics and justice center heard a total of 39 cases related to the drugs (narcotics and intoxicants) from June 21, 2020 to July 21, 2020. A total of 67 people were tried on the charges of smuggling and carrying drugs and have received the following imprisonment sentences:

One year to five years of imprisonment: 13 persons;

Five years to 15 years of imprisonment: 40 persons;

15 years to 20 years of imprisonment: 11 persons;

20 years to 30 years of imprisonment: 3 persons.

In connection to the abovementioned trials the verdict has been issued to eliminate (4044, 178) kg drugs of different types.

The total amount of fine is 5,745 USD.

The chart number (2) shows judicial performances of the Appellate court of counter Narcotics Justice Center from June 21, 2020 to July 21, 2020

Sl number	Type of case	Number of case	Amount of items	Judicial Decision						
				Number of accused	Cash fine	Number of convicted	Number of enforced prisoners			
							1-5 years imprisonment	5-15 years imprisonment	15-20 years imprisonment	20-30 years imprisonment
1	Methamphetamine	14	37,485	18	324	18	4	10	4	
2	Heroin	7	40,503	13	3214	13	1	6	4	2
3	Hashish	11	3723,5	24	2207	24	5	19		
4	Morphine	4	77,9	7		7	2		1	1
5	Opium	3	228	5		5	2		3	
6	Tablet K	1	390 gr	2		2		2		
7	Aiding with smugglers	1		1		1	1			
Total		39	4044,178	67	5745	67	13	40	11	3

2: Verdict Summary Samples issued by the Appellate Court of Counter Narcotics Justice Center

Verdict dated July 13, 2020

Ten years of imprisonment for smuggling (216) kilograms of hashish

The anti-narcotics management personnel of the Nangarhar Police Command were on duty at the Samarkhil checkpoint. According to a phone call from a trusted person, a person was embedding narcotics in his car and was traveling from Jalalabad to Marco. , And subsequently a Hino car without a license plate number arrived at the checkpoint, and was identified and inspected by the officers as a result of the amount (216) kg of hashish that was skillfully embedded in the air under the car carpet. It was discovered and obtained, and in connection with the case, the driver of the car was caught and introduced to the judicial organs. The case was assigned to the special primary court for the fight against narcotics and intoxicants. The court was present in the court session on 19/3/1399 unanimously. The real parties to the case of the accused in the case of transferring the amount of (216) kilograms of hashish from the beginning of his supervision and detention days in accordance with the guidance of paragraph (7) of paragraph (1) of Article (305) and observance of Articles (213 and 214) of the Penal Code (five) Year of effective imprisonment and in the driver section of the vehicle without license plate number of garlic according to the guidance of item (1) Article (560) fertilizer And in compliance with Article (75) of the Penal Code, a fine in the amount of twenty thousand Afghanis was fined and also a mobile phone obtained with its SIM cards in accordance with Article (32) of the Anti-Narcotics and Intoxication Law and a Hino vehicle without license plate. The drug carrier is confiscated according to Article (308) of

the Penal Code and according to Article (19) of the Anti-Narcotics and Intoxicants Law, the amount of (216) kilograms of hashish obtained is also issued. However, due to the dissatisfaction of the prosecutor, the case was assigned to the Special Court of Appeals for Combating Narcotics and Intoxicants. The court was unanimously present in the court session dated 23/4/1399. 3/19/1399 The Court of First Instance amended and appealed the accused in the case of transferring the amount of (216) kilograms of hashish according to paragraph (7) of paragraph (1) of Article (305) of the Penal Code for (ten) years of imprisonment and In the driver section of the vehicle without license plate, garlic license according to Article (560) of the Penal Code and observance of Article (75) of the Penal Code was fined in the amount of (twenty) thousand Afghanis, and thus confiscated a Hino vehicle and objects Articles (308) of the Penal Code and Article (32) of the Anti-Narcotics and Intoxication Law also issue a sentence.

Verdict dated July 13, 2020

Two years of imprisonment on the charges of possession of (25) grams of methamphetamine and (41) grams of heroin

Kunduz Anti-Narcotics Management personnel, together with a representative of the Appellate Prosecutor's Office and the police, searched the house of a resident of the fourth district of Kunduz city in accordance with the judicial order of the Kunduz District Court of First Instance. From inside the locked wooden entrance, (82) pores with a net weight of (25) grams of drugs under the name of glass (methamphetamine) and (117) pours of drugs with a net weight of (41) grams under the name of heroin and The amount of (10400) Afghanis was obtained in cash and is

related to the case of the accused. The results of the laboratory test of the obtained drugs were confirmed to be positive for methamphetamine and heroin. After completing the investigation, he entered the special anti-narcotics court. Dated on 3/20/1399, the real parties of the case were unanimously present in the case of possession of (25) grams of methamphetamine in accordance with the explicit paragraph (2) of paragraph (3) of Article (303) of the Penal Code for (two years) imprisonment And in the case of possession of (41) grams of heroin in accordance with the guidance of paragraph (1) of paragraph (2) of Article (302) of the Penal Code for (one year and six months) imprisonment Faizi was sentenced to such a sentence that according to Article (73) of the Penal Code, severe punishment of two years of imprisonment through possession of the amount of (25) grams of methamphetamine was considered applicable and enforceable, and regarding the case of supply and sale of drugs. Other persons were sentenced according to Article (5) of the Penal Code due to the lack of sufficient reasons to compel the acquittal of the accused. 19) The above-mentioned law has deemed the amount of narcotics obtained to be erased, but the case regarding the dissatisfaction of the prosecutor's duty is referred to the Court of Appeals for the Investigation of Narcotics Crimes and Intoxicants. In the presence of the parties, based on Article (54) of the Law on the Establishment and Jurisdiction of the Judiciary and Article (267) of the Law on Criminal Procedure, the Court of First Instance upheld the decision dated 3/20/1399.