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Meetings and Sessions

The Chief Justice of the Supreme Court Meets with the Head of UNAMA's Rule of Law Unit

H.E. Sayed Yousuf "Halim", Chief Justice of the Supreme Court, met with Ms. Romana Schweiger, the Head of UNAMA's Rule of Law Unit on September



First, Ms. Schweiger provided information on activities related to preparing supplementary opinions regarding the Penal Code, cooperating with the government in setting priorities in the fight against corruption, and supporting the online trial system. She promised to continue their technical support and resume the Penal Code training programs for the provincial judges which was suspended due to the coronavirus (Covid-)

outbreak.

Later, the Chief Justice considered reviewing the challenges to Penal Code implementation by the special seminar conducted at the Supreme Court compound as a good achievement of the Judiciary in which the judges identified the challenges using their practical experience and provided amendment drafts and commentaries. The amendment drafts were sent to the relevant law-making authorities and the commentaries, which will be published in the near future, can solve the problems of the judiciary to a large extent.

Furthermore, the Chief Justice considered the remote trial system in the criminal cases as a success in the history of Afghanistan's Judiciary which will be initiated pursuant to the comprehensive procedure approved by the High Council of the Supreme Court, and asked for the technical support and assistance of the international organizations, including the UNAMA, in this regard.

Both parties also exchanged views on other issues of mutual interest.

The High Council of the Supreme Court Sessions Report

The High Council of the Supreme Court held its regular sessions on September , , and , , 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:



- ❖ The recent judicial and administrative appointments in the judiciary were considered beneficial, which were proposed by the Supreme Court and approved by the President of the Islamic Republic of Afghanistan in accordance with administrative principles. The heads of the Appellate Courts and Central Directorates were instructed once again to regulate their judicial and administrative conduct based on requirements of the time, provide impartial and
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transparent judicial and administrative services to the public, and ensure their access to justice. Furthermore, they were instructed to increase their efforts in the fight against corruption, so that the level of people's trust and confidence is raised and the judiciary's magnificence and prestige is maintained.

- ❖ Dr. Abdullah "Ataei", the Judicial Training Director, reported on the completion of the oral examination of judicial training course'sst round. Based on the report, people (including men and women) who were shortlisted by scoring high on the written test, participated in the oral examination which was supervised by the supervisory committee comprising of the representatives of the governmental agencies and national and international institutions. Those with the highest scores will be admitted to thest round of the judicial training course in accordance with the relevant procedure. Moreover, after hearing the report on affairs management, announcing the results and reviewing the next steps regarding this round of judicial training course, appropriate instructions were given.
 - ❖ In order to deal with the complaints of thest round of judicial training course participants who
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couldn't pass the oral examination, a five-member committee was established pursuant to article of the Judicial Training Course Admission Procedure. The committee was instructed to deal with the complaints in the presence of the petitioner (complainer) and complaine, and by watching the video recordings of the oral examination which were recorded previously.

- ❖ The instruction-demands of the Commercial Division of the Supreme Court and the Appellate Courts of Kabul and Badakhshan provinces concerning the minors' application for revision in civil and commercial cases without considering the period, identification of the competent court to appoint the minors' guardian, and the request not to dispose of the loan collateral suggesting to obtain a loan from the property revenue were reviewed and instructions were provided in each case in accordance with applicable laws.
 - ❖ The instruction-demands of the Attorney General's Office, Anti-Corruption Appellate Court and the Commercial Primary Court of Kabul province regarding how the convict of multiple offenses can benefit from the pardon and commutation decrees of the President, identification of the competent court in Kabul
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Bank cases between Kabul Bank Crisis Special Court and the Anti-Corruption Court pursuant to the Anti-Corruption Law and the method of paying interest on a loan were reviewed and specific instructions were given in accordance with the applicable laws.

- ❖ The instruction-demand of the Badakhshan Appellate Court about identifying the competent court to appoint the minors' guardian in the absence of the Minors' Special Court, promotion of judges to higher ranks and the motions for change of revenue in civil and criminal cases were also included in the agenda about which specific instructions were given. At the request of the Attorney General's Office, the authority to try criminal cases was delegated to the Appellate Courts of Kabul, Sar-e-pul, Khost, Faryab, Kandahar, Samangan, Uruzgan, Paktia, Baghlan and Badghis provinces.
 - ❖ Two applications for revision of the Government Cases General Directorate in public rights cases were reviewed in the presence of Deputy Minister of Justice, the Prosecutors of Government Cases General Directorate, representatives of the client and case parties, pursuant to the conditions set forth in article of the Civil Procedure Code. Five applications
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for revision of six convicted offenders in murder, breach of the law and criminal negligence cases, in the presence of the judicial prosecution deputy Attorney General and their defense attorneys according to article of the Criminal Procedure Code, and two applications for revision in civil cases based on article of the Civil Procedure Code were reviewed and specific instructions were issued in each case.

- ❖ In addition, some of the motions for change of revenue in criminal cases and proposals regarding the promotion of judges to higher ranks were reviewed. At the request of the Attorney General's Office, the authority to try criminal cases was delegated to the Appellate Courts of Kabul, Badakhshan, Samangan, Farah, Herat, Ghor, Faryab, Balkh, Ghazni, Kunar, Kandahar, Nimroz, Laghman and Paktika provinces.
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The Chief Justice of the Supreme Court Met with the Newly Appointed Heads of the Central and Provincial Appellate Courts

H.E. Sayed Yousuf Halim, Chief Justice of the Supreme Court met with some of the heads of the central and provincial appellate courts, heads of the Primary and Appellate Courts of Anti-Corruption, Counter-Narcotics, and Land Usurpation who were appointed by the Supreme Court's proposal and the approval no. dated September , of the President, in order to improve and better regulate the judicial affairs.



In this meeting, which was held on September , , in the High Council of the Supreme Court Hall, first the Chief Justice wished success to the newly appointed heads of courts and stated that the appointments are based on a comprehensive evaluation and consideration of work standards, qualifications, honesty, creativity, and accountability and efforts have

been made so that these changes can strengthen the prestige of the judiciary and enhance public trust on judicial services.

H.E. Chief Justice also added that maintaining the dignity and status of the judiciary, its independence and impartiality, respect for the judges' verdict, fair conduct and equal treatment of parties, consistent handling of complaints, symbolizing the judiciary as an independent branch of the government, understanding the firmness and resolution of the courts by the people, abstaining from parties and invitations, paying attention to the capacity building of judges, not being influenced while making judicial decisions, abstinence from accepting gifts and presents, modesty and humility, expediting the case handling process and abiding by fair trial standards are among the important priorities which must be adhered to by the heads of the courts.

At the end of the session, the Chief Justice stated that the heads of the courts are the representatives of the judiciary in the respective provinces and therefore must provide better working opportunities by establishing favorable relations with the provincial authorities without interfering in each other's affairs and by maintaining mutual respect.

It is worth mentioning that according to the Supreme Court's proposal and upon the approval of H.E. the President, the following appointments have been made: Merajudding Hamedi as the Judicial Inspection General Director, Najibullah Akbari as the Judicial Training Director, Shamsurrahman Raeskhel as the Head of

Kabul Appellate Court, Mohammad Sharif Fani as the Head of Herat Appellate Court, Mohammad Shoaib as the Head of Balkh Appellate Court, Mufti Mohammad Wazir as the Head of Nangarhar Appellate Court, Fahimullah Niazi as the Head of Khost Appellate Court, Ataullah as the Head of Uruzgan Appellate Court, Jamaluddin as the Head of Kapisa Appellate Court, Mohammad Siddiq as the Head of Kunar Appellate Court, Zabiullah Ibrahimi as the Head of Takhar Appellate Court, Samargul Omari as the Head of Kandahar Appellate Court, Ahmad Saeed Ashrafi as the Head of Laghman Appellate Court, Ghulam Jelani Sarwari as the Head of Logar Appellate Court, Abdul Ghafar as the Head of Helmand Appellate Court, Abdul Malik Rajabzada as the Head of Panjshir Appellate Court, Siddiqullah Haqiq as the Head of Parwan Appellate Court, Fazlulhadi Fazel as the Head of Maidan Wardak Appellate Court, Habibullah as the Head of Paktia Appellate Court, Muniruddin as the Head of Samangan Appellate Court, Wajehuddin as the Head of Nimroz Appellate Court, Abdul Qahar as the Head of Sar-e-Pul Appellate Court, Mohammad Yahya as the Head of Nuristan Appellate Court, Habibullah as the Head of Kunduz Appellate Court, Mohammad Ajmal as the Head of Badghis Appellate Court, Fazlurrahman Fazli as the Head of Farah Appellate Court, Sayed Abdul Qayum as the Head of Badakhshan Appellate Court, Abdul Wali Qazizada as the Head of Governmental Properties Usurpation Appellate Court, and Munira Baharaki as the Head of the Anti-

Corruption Appellate Court.

The Planning Basics Training Program Is Conducted for the Civil Servants of Helmand and Kandahar Appellate Courts

Following the training programs of the Capacity Building and Performance Evaluation Directorate, the planning basics training program was held on August - , , with the financial cooperation of the JSSP, in which ten civil servants of Helmand and Kandahar Appellate Courts participated. The program focused on basic and primary principles of planning, planning goals, the importance and necessity of planning, types of planning in terms of time, types of planning in terms of level, SWOT analysis, group work, considering the risks, things to include in a plan, operational plan examples, plan cycle, monitoring and evaluation. At the end, the training program was considered highly constructive by participants and the efforts of the Capacity Building and Performance Evaluation Directorate in conducting training programs were appreciated. The program ended with distribution of certificates to the participants.

The Planning Basics Training Program Is Conducted for the Civil Servants of Herat and Badghis Appellate Courts

Following the training programs of the Capacity Building and Performance Evaluation Directorate, the planning basics training program was held on August - , , with the financial support of the JSSP, in which ten civil servants of Herat and Badghis Appellate Courts participated.

The program focused on basic and primary principles of planning, planning goals, the importance and necessity of planning, types of planning in terms of time, types of planning in terms of level, SWOT analysis, group work, considering the risks, things to include in a plan, operational plan examples, plan cycle, monitoring and evaluation.

At the end, the training program was considered highly constructive by participants and the efforts of the Capacity Building and Performance Evaluation Directorate in conducting training programs were appreciated. The program ended with distribution of certificates to the participants.

The Awareness Program on the Establishment of the Elimination of Violence Against Women Courts in Jawzjan, Kunduz, Baghlan, Takhar, Sar-e-Pul, Faryab, and Balkh Provinces Was Conducted

Pursuant to the instruction of letter no. dated Septemeber , , Hamed “Omar”, the Plan and Reports Unification Subdirector and Najibullah “Ahmadzai”, the Supervision of Programs Expert of the Policy Planning Directorate departed for Balkh province on Wednesday, September , , and the awareness program on the establishment of the Elimination of Violence Against Women Courts was conducted under the chairmanship of Justice Mohammad Sharif Fani, the Head of Balkh Appellate Court, on September , , with the participation of Wajehuddin, the Head of Balkh Urban Primary Court, the representatives of the Civil Society, Women’s Affairs Directorate, Independent Bar Association, and the Hajj and Religious Affairs Directorates of Jawzjan, Kunduz, Baghlan, Takhar, Sar-e-pul and Faryab, with the financial support of UNDP at the Meetings Hall of Balkh Appellate Court.

The meeting began with the recitation of the verses of the Holy Quran, then it was inaugurated with the speech of the Head of Balkh Appellate Court. After that, Abdul

Qader Folad, the head of Jawzjan Civil Society, Abdul Mahmood Haqjo, the Hajj and Religious Affairs Director of Sar-e-pul, Babur Shah Kohdamani, the head of Balkh Independent Bar Association, and Khadija, the Women's Affairs Director of Baghlan, gave their speeches according to the agenda respectively. Lastly, the presentation of the program was delivered by the Plan and Reports Unification Subdirector of the Policy Planning Directorate and the meeting concluded with the closing remarks of the Urban Primary Court of Balkh Province.

The Training Program on the Registration of the Civil and Commercial Case Management System Forms Was Conducted in Daikundi Appellate Court

On Monday, August , , the one-day training program entitled “filling out the civil and commercial case management system forms”, supported by the JSSP, was opened by Justice Abu Bakr Siddiqi, the Head of Daikundi Appellate Court, in the presence of the administrative staff of the central and provincial courts.

In this program, first, the Head of the Appellate Court welcomed the participants and stated that the participants should benefit from this program to solve their problems in this area. Then, the JSSP official explained the purpose of the training program to the participants and started the program in accordance with predetermined goals. In the end, the participants expressed their gratitude and appreciation to the program organizers.

News and Events

- H.E. Chief Justice met with the newly appointed directors of the Supreme Court on September 15, 2011. In this meeting, Chief Justice congratulated them on their appointment, which was based on a comprehensive assessment and observance of staff criteria and standards, and instructed them to honestly and responsibly follow their duties and obligations and play a key role in providing administrative services.
 - Justice Jawed Rashidi, the Acting Administrative Director of the Judiciary, introduced the newly appointed directors of the Supreme Court, the Judicial Training Director and the Head of Anti-Corruption Appellate Court to their relevant employees on September 15, 2011.
 - On September 15, 2011, the Acting Policy Planning Director met with the JSSP officials and exchanged views on the Case Management System requirements and needs.
 - On August 15, 2011, Justice Mohammad Ajmal "Arabzai", the Head of Farah Appellate Court, together with some other judges met with the National Security Director and the Head of
-

Provincial Council of Farah in their offices in order to congratulate them.

First, the Head of the Court discussed the importance of better coordination between the judiciary and the intelligence, security and administrative agencies. Then, the National Security Director and the Head of Provincial Council of the Province expressed their gratitude to the Head of the Court and stated that they are the people's representatives and intelligence agency officials, and as people are satisfied with the speedy, on time and transparent services of the court, they will utilize all their facilities to ensure the security of the court.

- On September , , a meeting was held under the chairmanship of Justice Merajuddin Hamedi, the Head of Kabul Appellate Court, with the participation of Yalda Ahmadi from the Medica Afghanistan Organization, Mina Habibi from the ILF, Mohammad Ismail Bahrami and Zmaray Tamimi from the IDLO, Moeen Amini, Abdul Latif Rasekh, Samiullah Rasekh and Sayed Jawed Ahmadyar from the Afghan Legal Aid and Advocates Network at the Appellate Court Compound.

The meeting began with the recitation of the Holy Quran verses, then the problems of legal aid providers in the personal status cases of Kabul courts were discussed, about which necessary

explanations were provided and further cooperation was also promised in this regard. The meeting participants expressed their gratitude to the courts for their cooperation.

- Justice Fahimullah Niazi, the Head of Uruzgan Appellate Court met with Mohammad Omar Sherzad, the newly appointed governor of the province, in his office on August , .

In this meeting, the Head of the Court congratulated the governor on his appointment, then about providing better services to the citizens of Tarinkot, he stated that we must fulfill our duties in the best possible way, and expressed his gratitude for the cooperation of the former governor and his staff. Afterwards, the importance of mutual cooperation between judicial and justice agencies was discussed and the governor promised to cooperate in all aspects.

- On September , , Justice Samargul Omari, the Head of Laghman Appellate Court, met with the Head of the Appellate Prosecution Office, Counter-Narcotics Police Director and the intelligence officials in his office.

First, the Head of the Court discussed various issues, including the responsibilities of the prosecutors and the police, then the Head of the Appellate Prosecution Office expressed his satisfaction and contentment with the performance and good relations with the courts.

Later, some of the issues of mutual interest were discussed and appropriate decisions were made accordingly. The meeting was ended with best wishes and prayers.

- On September , , the Research and Studies Director together with the Publication's Director attended the Law Committee of the Cabinet and provided information on the Case Management System Regulation which was being discussed in the Committee on the instructions of the Cabinet.
- On September , , Justice Mohammad Hassan Siddiqi, the Head of Baghlan Appellate Court, in company with the heads of the divisions and the administrative staff of the Appellate Court, introduced the newly appointed Head of the Urban Court to the judicial staff.
- On September , , Justice Ghulam Sakhi Habib, the Head of Faryab Appellate Court met with the JSSP representative at the meetings hall of the Appellate Court.

In this meeting, both parties exchanged views on the internet connection problems and the ways to solve them.

COUNTER CORRUPTION

Judicial Performance Report of the Kabul Anti-Corruption Primary Court

. Report

The Kabul Anti-Corruption Primary Court heard a total of criminal cases related to corruption from August , to September , . A total of people were arrested on charges of abuse of authority, bribery, embezzlement, extortion, forgery and unlawful acquisition of firearms, from which of them were acquitted due to the lack of sufficient evidence and of them were tried and have received the following prison sentences:



- One month to one year imprisonment: persons;
 - One year to five years imprisonment: person;
 - Cash fine: persons.
-

The total amount of fine is \$.

Chart Number () Shows the Number of Offenders Convicted by the Kabul Anti-Corruption Primary Court from August , to September ,

No	Type of case	Number of case	Judicial decision						
			No of accused	Acquitted	No of convicts	The number of imprisonment validity			
						One month to one year imprisonment	- years imprisonment	- years imprisonment	Convicted of cash fine
	Abuse of Authority								
	Bribery								
	Embezzlement								
	Forgery								
	Extortion								
	Unlawful Acquisition of Firearms								
	Total								

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

Chart Number () Shows the Judicial Rulings Issued by the Kabul Anti-Corruption Primary Court from August , , to September ,

No	Type of case	Number of cases	Number of the accused	Reason for ruling	Relevant Authority
				Legal gaps and Defects	
	Abuse of authority				Prosecutor's Office
	Embezzlement				Prosecutor's Office
	Bribery				Prosecutor's Office
	Extortion				Prosecutor's Office

	Forgery				Prosecutor's Office
	Total				

. Verdict Summary Samples Issued by the Kabul Anti-Corruption Primary Court

Verdict Dated September ,

Conviction of the Administrative Staff of the Attorney General's Office on the Charges of Mediation in Bribery

One of the residents of Balkh province has written in his petition to the Control and Monitoring Prosecution Office that his brother's case is being processed by one of the prosecutors of the Appellate Prosecution Office of Balkh province's General Criminal Prosecution Directorate. He stated that when he referred to the prosecutor, he told him to talk to the administrative manager for further details, and by referring to the administrative manager, he was told that the prosecutor has solicited \$ but after bargaining, he agreed to pay \$. Based on the complainant's petition and the Attorney General's order, the issue was under investigation by the Control and Monitoring Prosecution Office. After preparing a plan, the prosecution office officials and the representative of

Directorate of the National Security provided the complainant with \$ after marking the bills. The complainant calls the bribe-taker (administrative staff) to ask for the time and place of payment, then the bribe-

taker calls the complainant into his office, and after minutes the complainant leaves his office and in the meantime, the officials enter into his office and during the search, they find the marked bills and arrest the bribe-taker. The case was submitted to the Kabul Anti-Corruption Primary Court. In the court hearing dated September , , in the presence of the competent prosecutor and based on article of the Criminal Procedure Code, the Court sentenced the administrative staff of the General Criminal Prosecution Office to one year of imprisonment including the detention period, cash fine of the equivalent amount of bribe, and dismissal from duty according to article , paragraph , subparagraph of the Penal Code and in compliance with articles , () and () of the Penal Code, on the charges of mediation in bribery.

Verdict Dated September ,

Conviction of the th District Police Chief and Police Detective of Kabul on the Charges of Bribery

One of the residents of Kabul's th district filed a complaint with the Anti-Corruption Directorate stating that he had hired a security guard for a three-room house located in th district with a salary of AFS. Almost a month ago, the construction materials including iron girder, bed, solar panel, and other items were stolen from my house, for which the guard is responsible. The Police Chief and Detective of the mentioned district solicit AFS as bribe to send the case documents to the relevant authorities. As a

result, the Anti-Corruption Directorate of the Ministry of Interior Affairs prepares a plan based on the complainant's petition and arrests the bribe-takers while taking the marked bills in the presence of the relevant prosecutor and introduces him to the Law Enforcement Agencies. The case was submitted to the Kabul Anti-Corruption Primary Court. In the court hearing dated September , , in the presence of both sides of the case, the court sentenced both the Police Chief and Police Detective to one year and six months of imprisonment including the detention period, a fine equivalent to the amount of the bribe, and dismissal from service pursuant to article , paragraph , subparagraph , article , paragraph , and article , paragraph of the Penal Code, in compliance with articles and of the Code on the charges of bribery. The court also sentenced the mediator to nine months of imprisonment and a fine equivalent to the amount of the bribe in accordance with article paragraph and article of the Penal Code in compliance with article of the Code.

Judicial Performance Report of the Kabul Anti-Corruption Appellate Court

. Report

The Kabul Anti-Corruption Appellate Court heard a total of criminal cases related to corruption from August , , to September , . A total of persons have been arrested on the charges of abuse of authority, bribery, embezzlement, extortion, forgery,

and unlawful acquisition of firearms from which one of them were acquitted due to the lack of sufficient evidence and of them were tried and sentenced as below:

- One month to one year imprisonment: persons;
- One year to five years imprisonment: persons;
- Fine penalty: persons.

The total amount of fine is \$.

Chart Number () Shows the Statistics of the Kabul Anti-Corruption Appellate Court Performance from August , , to September ,

No	Type of case	Number of cases	Judicial decision (Verdict)							
			No of accused	Acquitted	No of convicts	Prison Sentences				
						One month to one year imprisonment	- years imprisonment	- years imprisonment	Convicted to cash fine	Cash penalty
	Abuse of authority									\$
	Embezzlement									
	Bribery									\$
	Unlawful acquisition of firearms									\$
	Extortion									
	Total									\$

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

Chart Number () Shows the Rulings of the Kabul Anti-Corruption Appellate Court from August , to September ,

No	Type of case	Number of cases	Number of the accused	Reason for ruling	Relevant Authority
				Legal gaps and Defects	
	Bribery				Prosecutor's Office
	Forgery				Prosecutor's Office
	Extortion				Prosecutor's Office
Total					

. Verdict Summary Samples Issued by the Kabul Anti-Corruption Appellate Court

Verdict dated September ,

Conviction of Two National Public Protection Force Sergeants of the Ministry of Interior Affairs on the Charges of Abuse of Duty

On September , , one of the former sergeants of the Angelique Company Command of Khost Site, related to the National Public Protection Force of the Ministry of Interior Affairs, informed the Internal Security Directorate of the Ministry that he was unlawfully dismissed from the Angelique Command while being present on duty. The Unit Command agreed to rehire him in Paktia Site but the Sergeant of the Angelique Company Command's representative in

Kabul solicited AFS for appointing him to the post. The Internal Security Officials arrested the sergeant and the officer of the Command Unit while receiving AFS which were already marked, thus they were introduced to justice and judicial agencies. The case entered the Kabul Anti-Corruption Primary Court and in the hearing dated January , , in the presence of both parties, the guilty verdict of the sergeant was issued pursuant to article of the Penal Code and in compliance with articles and of the Code on the charges of abuse of duty and the guilty verdict of his accomplice was also issued in accordance with article of the Penal Code and in compliance with article of the Code and considering articles and of the mentioned Code on the charges of mediation in bribery, and both of them, separately, were sentenced to a fine of AFS each and dismissal from service. Due to the objection of the prosecutor, the case was submitted to the Kabul Anti-Corruption Appellate Court and in the presence of case parties, in the hearing dated September , , pursuant to article of the Law on Organization and Jurisdiction of the Judiciary, the verdict of the Kabul Anti-Corruption Primary Court issued on January , , was approved.

Verdict Dated September ,

Conviction of the Third Garrison Deputy and Commander of the th District Kabul Police on the Charges of Obstruction of Justice

Based on a petition to the Judicial Inspection Directorate of the Supreme Court with regard to soliciting AFS in exchange for a reduction of ten years of imprisonment of the accused in the final phase of an internal and external security case, the Judicial Inspection Directorate team was assigned and by letter of inquiry no. dated April , , the team, together with the Kabul Police Command representative, went to the th police district in order to arrest the bribe-taker who had called the complainant to a hotel located in Salim Caravan. After receiving the bribe, the bribe-taker submits the money to his cousin in order to deliver it to his son. His cousin delivers the money to his son who escapes to his house with the money. After arresting the bribe-taker, the team goes to his home to arrest his son too, but they were confronted by the bribe-taker's wife and other female family members, not letting the team to arrest the boy. The team couldn't enter his home due to the lack of female police officers and prosecutors. The Kabul Police Command representative who was in the team coordinated with the th District Police. Three officers of the th District of Kabul Police arrives in the crime scene with the bribe-takers son-in-law sitting at the front seat of the Police Ranger, and the Judicial Inspection Team introduces themselves to the Officers and asks for their help but the th District Police Officers don't listen to the words of the team and support the bribe-taker's son-in-law, attacking the Judicial Inspection Team and not letting them to record

the scene. They even handcuff the team colleague and when the team tries to stop them, one of the officers opened fire by his Kalashnikov Rifle, resulting in the three officers getting involved with the Judicial Inspection Team, thus providing grounds for the suspect to escape. The case was submitted to the Kabul Anti-Corruption Primary Court. In a public court session on July , , in the presence of both parties, the court sentenced the third garrison deputy and the third garrison commander of the th District of the Police to six months of imprisonment pursuant to article , paragraph , subparagraph of the Penal Code and in compliance with articles and of the mentioned Code on the charges of obstruction of justice by using force and threat. The court also sentenced the driver of the aforementioned district to a fine of AFS and restitution of AFS equivalent to the price of two bullets. However, due to the objection of the prosecutor, the case was submitted to the Kabul Anti-Corruption Appellate Court. In the court hearing dated September , , the court **overturned** the verdict of the Anti-Corruption Primary Court dated July , , by sentencing the third garrison deputy and the third garrison commander of the th District of the Police to one year and six months of imprisonment, including the detention period, pursuant to article , paragraph , subparagraph of the Penal Code, on the charges of obstruction of justice by the use of force and threat. The court also sentenced the driver of the mentioned district to one year and one

month of imprisonment, pursuant to article , paragraph , subparagraph of the Penal Code on the charges of obstruction of justice by the use of force and threat, and regarding the charges of the unlawful use of the firearms, he was sentenced to one year and ten days of imprisonment and restitution of AFS equivalent to the price of two bullets, in accordance with articles and of the mentioned code. Because a single purpose ties the crimes of the driver (soldier) together in a way which makes them inseparable, pursuant to article of the Penal Code, the more severe punishment which is one year and one month of imprisonment and the restitution is applicable on the accused.

COUNTER NARCOTICS AND INTOXICANTS

Judicial Performance Report of the Primary Court of Counter-Narcotics Justice Center

. Report

The Primary Court of Counter-Narcotics Justice Center heard a total of cases related to the drugs from August , to September , . A total of people were arrested on the charges of smuggling and carrying drugs from which of them were acquitted due to the lack of sufficient evidence and of them



were tried and sentenced as below:

- One year to five years of imprisonment: persons;
 - Five years to years of imprisonment: persons;
 - years to years of imprisonment: persons;
-

sentenced to imprisonment for a period of (sixteen years), which according to Article () of the Penal Code, the severe punishment for transferring the amount of () kilograms of morphine, which is a period of years, including the detention period, is applicable on the accused. Thus, according to Article () of the Anti-intoxicants and Narcotics Law, the accused is sentenced to confiscation of the cellphone with its SIM card and in accordance with Article () of the aforementioned law the court decided to eliminate the obtained narcotics and also according to Article () of the Penal Code, the WD vehicle carrying the drugs was also considered confiscable.

Verdict Dated September ,

Ten Years of Imprisonment on the Charges of smuggling grams of Methamphetamine

Based on the previous information of the Kandahar Anti-Narcotics Department that one of the residents of Kandahar province sells narcotics on a mobile basis, the relevant officials took action and introduced a secret colleague as a buyer for a drug dealer and the officials owed money. Make the address available to a colleague who buys () grams of methamphetamine for () AFS from the seller. Authorities intervened, but the accused escaped after seeing the police, who was caught in the air and the amount of () grams of methamphetamine was obtained from under the back seat of his car, and the accused was introduced to the judicial organs. The case was sent to the primary court.

The fight against narcotics was referred to the court in a public court session dated September , . The real parties to the case unanimously charged the accused in the case of drug trafficking in the amount of () grams of methamphetamine according to paragraph () of paragraph () of Article () Penal Code from the beginning of the supervision and confiscation period (June ,) for ten years, eleven months and ten days of imprisonment sentenced to punishment and in the case of driving a car without a license plate according to Article () of the Penal Code in the amount of twenty thousand Afghanis A fine was imposed in accordance with Article () of the Penal Code. According to Article () of the Penal Code, a vehicle carrying narcotics without a license plate is considered confiscated, and according to Article () of the Anti-Narcotics Law, the obtained narcotics are eliminated.

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

. Report

The Primary Court of Counter-Narcotics Justice Center heard a total of cases related to the drugs from August , to September , . A total of people were arrested on the charges of smuggling and carrying drugs from which of them were acquitted due to the lack of sufficient evidence and of them were tried and sentenced as below:

- One year to five years of imprisonment:
-

Total										
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: Verdict Summary Samples issued by the Appellate Court of Counter Narcotics Justice Center Verdict dated September , Ten Years of Imprisonment on the Charges of Smuggling Kilograms of Hashish

Officers of the National Interdiction Unit (NIU) have been informed that a drug trafficker in the th and th districts of Kabul is selling drugs to retailers, and whenever a buyer is found, he will sell them () kg of hashish within two days. The source was instructed to search for the buyer. After a series of operative actions by the source, a covered officer is introduced to the seller as the buyer, who after negotiating the seller willing to deal with the officer under Covered and asked him to transport the drugs wherever he wanted to be done by his car. The said officer gave his car to the seller and while he wanted to deliver the previously embedded materials in two black balloons to the officer covered in the textile area. Arrested and arrested in connection with the case of two people with the amount of () kilograms of hashish along with a Saracha type vehicle and introduced to the judicial organs. The case entered the primary court for combating intoxicants and narcotics, and in the court session dated August , , the defendants in the case of trafficking and transferring the amount of () kilograms of hashish

according to paragraph () of paragraph () of Article () of the Penal Code He was sentenced to ten (ten) years of imprisonment and thus, according to Article () of the Anti-Narcotics and Intoxicants Law, four sets of mobile phones with its SIM cards, the amount of () US dollars and the amount of () Afghanis and the amount of () Pakistani rupees were obtained and a vehicle belonging to the confiscated smugglers was confiscated and in accordance with Article () of the said law, the amount of () kilograms of cannabis obtained was sentenced to be issued. However, the case regarding the dissatisfaction of the defendants in the case was referred to the Special Court of Appeals for Drugs and Intoxication. The court, in the presence of both parties, on September , , in accordance with article of the Law on Organization and Jurisdiction of the Judiciary and paragraph () Article () of the Law on Combating Narcotics and Intoxicants and paragraph () Article () of the Criminal Procedure Code confirmed the verdict of the Special Primary Court of Counter-Narcotics Justice Center.

Verdict Dated September ,

Nineteen Years of Imprisonment on the Charges of Being an Accomplice in the Smuggling Case

According to the Information and Research Directorate, in cooperation with the Anti-Narcotics Department of the Parwan Police, () K tablets with a net weight of () grams were obtained from the Shekargah area

of Jabal Saraj district of that province and now in connection with involvement in the above-mentioned case one of the main residents of District () of Kabul city The current resident of Parwan III related to the fourth district of Kabul by the personnel of the Information and Research Department in cooperation with the National Interdiction Unit (NIU) Special Operations Command in Sharshara area of Paghman district of Kabul province is identified and arrested. As a result of the MDMA laboratory test, the drugs test is positive and the accused is introduced to the judicial organs. On August , , in the presence of both parties, based on the above reasons, the accused, on the charges of being an accomplice in smuggling () grams (MDMA) of tablet (K) according to subparagraph () of paragraph () of Article () of the Penal Code and in accordance with Article () of the Code, the accused was sentenced to ten years, nine months and twenty-five days of imprisonment and on the charges of criminal conspiracy under Article () of the Code, he was sentenced to five years of imprisonment, and according to Article () of the Code, the most severe punishment, which is ten years, nine months and twenty-five days in prison, is applicable. On the charges of recruiting people in the sale of narcotics, according to paragraph () of Article () of the mentioned Code he was sentenced to five years of imprisonment, on the charges of selling narcotics for addicts according to paragraph () of Article () of the said Code the accused was

sentenced to three years of imprisonment and in the case of preparation Place and act of gambling According to Article () of the said Code, he has been sentenced to one year of imprisonment, therefore according to Article () of the mentioned Code, the above-mentioned sentences will be applied one after another for a period of nineteen years, nine months and twenty-five days imprisonment, and according to Article () of the Law on Counter Narcotics and Intoxicants, confiscation of two cellphones with their SIM cards and a fine of () thousand AFS has been ordered and the drugs obtained have been confiscated. However, due to the objection of the accused, the case was submitted to the Appellate Court of Counter-Narcotics Justice Center. In a public court session dated September , , in the presence of both parties, the court confirmed the verdict of the Primary Court of Counter-Narcotics Justice Center dated August , , pursuant to Article () of the Law on Organization and Jurisdiction of the Judiciary and Article () of the Criminal Procedure Code.
